CALIFORNIA COLLEGE OF THE ARTS OAKLAND CAMPUS REDEVELOPMENT PROJECT

Draft Environmental Impact Report
State Clearinghouse No. 2019070044

Prepared for:
City of Oakland

January 2024

URBAN PLANNING PARTNERS INC.

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URBAN PLANNING PARTNERS INC.

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I. INTRODUCTION

A. PURPOSE OF THE EIR

In compliance with the California Environmental Quality Act (CEQA), this Draft Environmental Impact Report (EIR) describes the environmental consequences of the proposed California College of the Arts (CCA) Oakland Campus[1] Redevelopment Project (project). This EIR is designed to inform City staff, the Landmarks Preservation Advisory Board (LPAB), Planning Commission, the City Council, other responsible and interested agencies, and the public about: (1) the project and its potential environmental consequences; (2) the Standard Conditions of Approval (SCAs) and mitigation measures necessary to lessen or avoid significant adverse impacts; and (3) a reasonable range of feasible alternatives to the project. The information contained in this Draft EIR will be reviewed and considered by public agencies prior to deciding to approve, reject, or modify the project.

The City of Oakland (City) is the lead agency for environmental review of the project, and as such has made the Draft EIR available for public review for the period identified in the Notice of Availability (NOA) published with this document. During this public review period, written comments may be submitted to the City Planning Division at the address indicated on the NOA. Responses to all comments received on the environmental analysis in the Draft EIR during the specified review period will be included in the Response to Comments/Final EIR document.

B. PROPOSED PROJECT

Arts Campus Holdings, LLC, (a development team that includes Emerald Fund and Equity Community Builders) (herein referred to as "the Project Sponsor") is proposing to redevelop the former CCA Oakland campus in the North Oakland/Oakland Hills planning areas and Rockridge neighborhood with a new mixed-use development with up to 510 residential units. CCA shifted all housing and operations previously conducted at the Oakland campus to its San Francisco campus and student housing program in 2022. CCA is partnered with Arts Campus Holdings, LLC, to create plans for reuse and redevelopment of the Oakland campus.

[1] Note that the name of the campus has changed over the years. In 1922 when it was first established it was California School of Arts and Crafts. In 1936, the name was changed to the California College of Arts and Crafts (CCAC). In 2003, the name was changed to California College of the Arts (CCA). This document primarily uses CCA but does use CCAC when referencing the historic district and Area of Primary Importance. In any case the CCA and CCAC acronyms are occassionally used interchangeably.

The project site is approximately 0.6 miles south of Rockridge Bay Area Rapid Transit District (BART) Station and 0.5-miles south of an existing bus stop along a high-quality transit (bus) corridor (AC Transit Route 51A along the College/Lawton Avenue corridor). The project site is also approximately 0.6 miles south of State Route (SR) 24, 1 mile north of Interstate (I-) 580, and 1.4 miles west of Highway 13. Figure I-1 shows the project site in its regional and local context.

The approximately 172,270 square-foot (3.95 acres) project site is comprised of one development parcel (Assessor's Parcel Number (APN) 14-1243-1-1) and is at 5200 Broadway. It is bounded by Broadway to the west, Clifton Street to the north, a multi-family apartment complex to the east, and the Rockridge Shopping Center access road to the south.[2]

The project site is currently not occupied. The most recent major land use on the site was educational, as the land served as the CCA Oakland campus until 2022. The site is developed with 12 structures previously occupied with educational uses (the buildings were vacated subsequent to the issuance of the Notice of Preparation for an EIR). These structures are between 1 and 3 stories tall and were constructed from circa 1880 to 1992. The project site has ornamental and native landscaping scattered throughout, and a parking lot on the northwest portion of the parcel.

The CCA Oakland campus site is proposed to be redeveloped with up to 510 residential units in two residential buildings up to 10 stories in height. The project would also include approximately 16,945 square feet of office space; a 1,408-square-foot commercial retail; 1.46 acres (63,727 square feet) of privately-owned public open space (POPOS), including 11,884 square feet of space that may be used for group assembly space; 268 structured and ground level parking spaces (there are 41 existing spaces for a net increase of 227 new spaces); and 510 bicycle parking spaces. Macky Hall and the Broadway Wall and Stairs are proposed to be preserved with Macky Hall also planned for renovations. The Carriage House would be relocated on-site and renovated. The remaining ten buildings would be demolished. The proposed project site plan is shown in Figure I-2.

The project also includes the following amendments to Oakland's General Plan, zoning, and development standards.

- General Plan: A General Plan Amendment modifying the site's land use designation from Institutional to Community Commercial Land Use.

[2] The Notice of Preparation described the project site as including two parcels including 5276 Broadway on other side of Clifton, which was subsequently removed from this project. In 2021 the City of Oakland purchased the property utilizing the state HOMEKEY program and undertook renovations of the units and common spaces. The property is now operated by SAHA as permanent affordable housing for seniors.

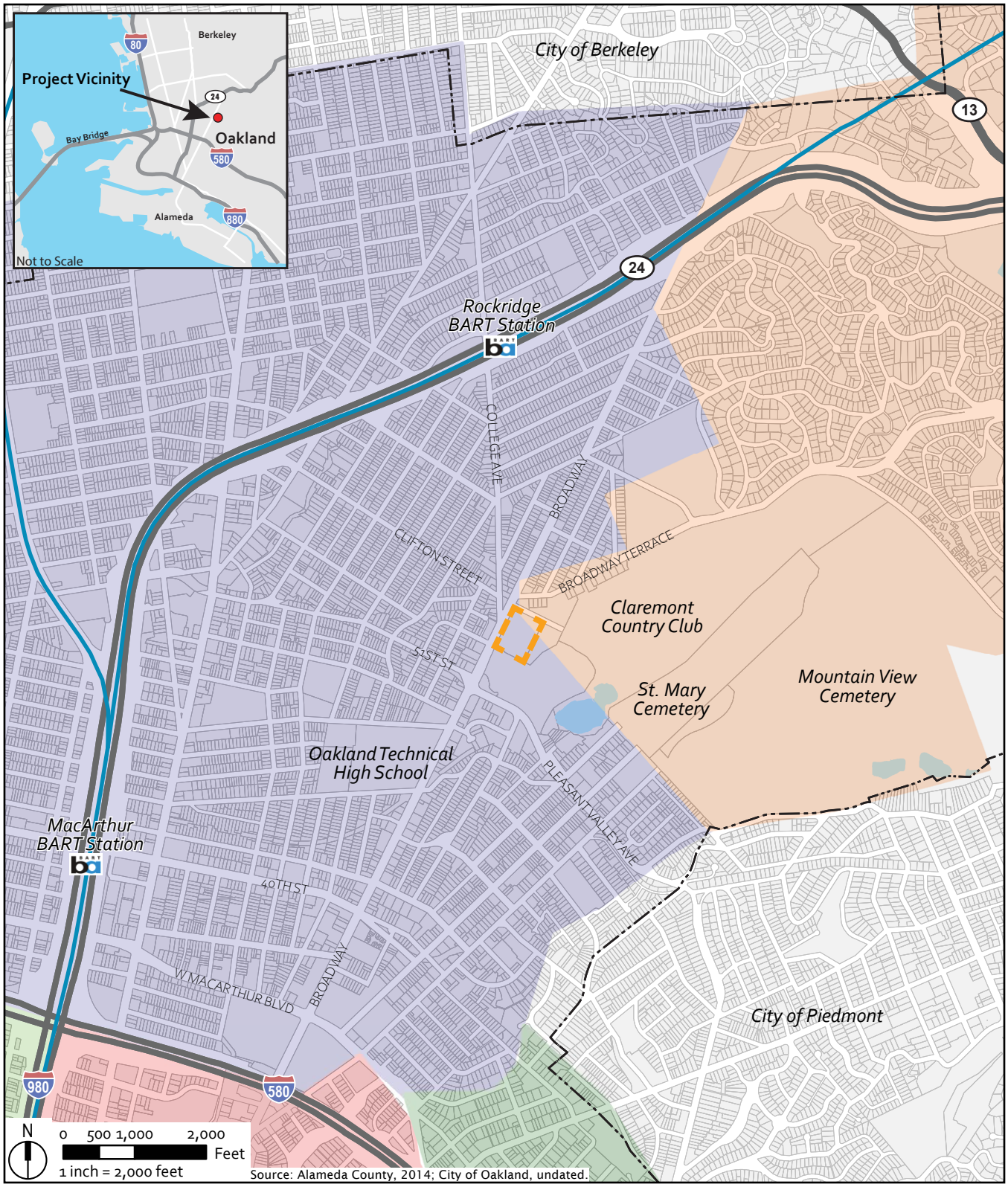
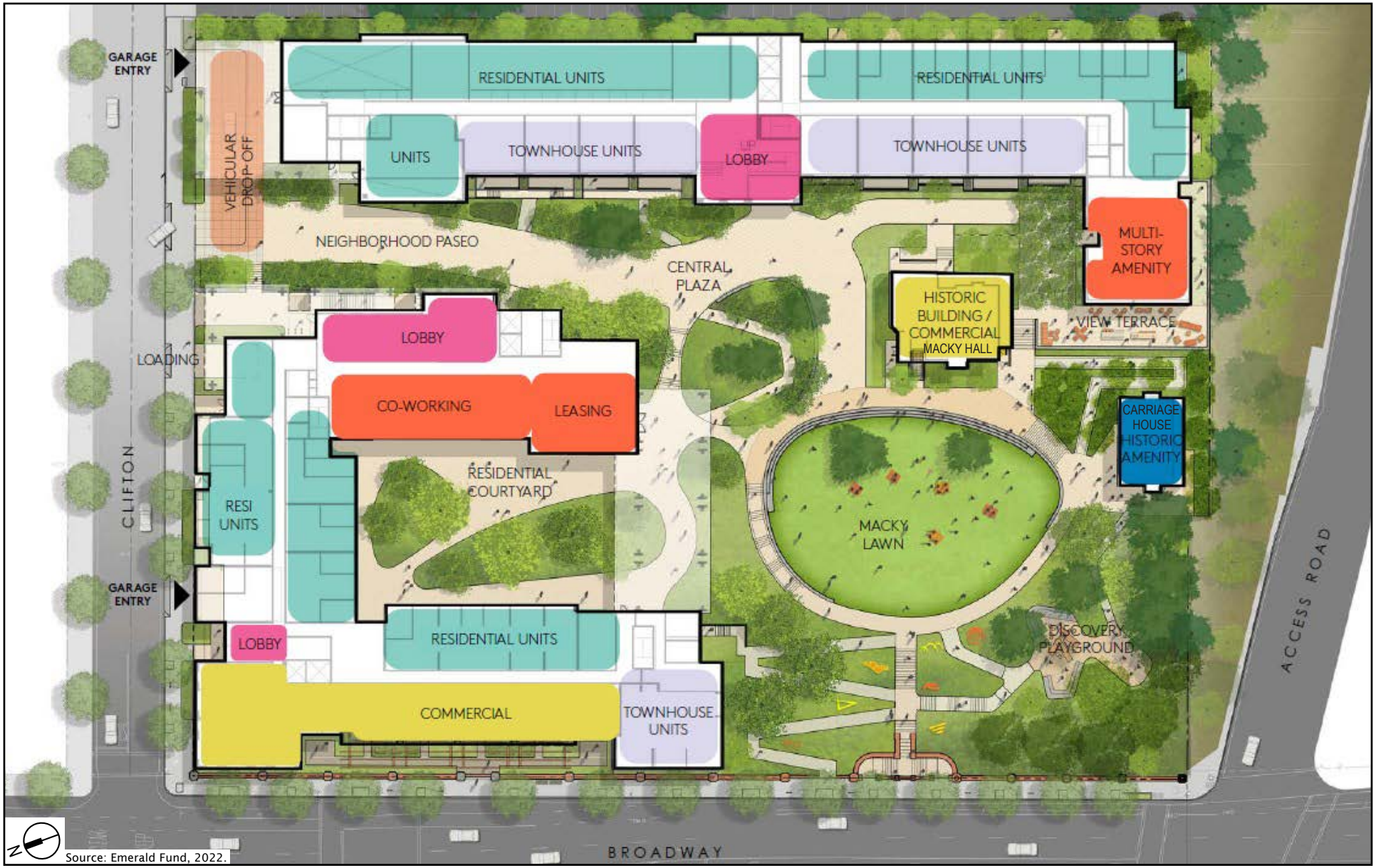


Figure I-1
Project Location and Vicinity Map



Source: Emerald Fund, 2022.

Figure I-2
Proposed Project Site Plan

- Rezoning: A rezoning from Mixed Housing Residential – Zone 4 (RM-4) and Neighborhood Commercial – Zone 1 (CN-1), both existing on the project site, to a uniform Community Commercial – Zone 2 (CC-2).
- Height: A rezoning from a 35-foot Height Area to a 95-foot Height Area for the RM-4 portion of the site.

C. EIR SCOPE

The City of Oakland published and circulated a Notice of Preparation (NOP) on June 21, 2019. The public comment period for the scope of the EIR was from June 21, 2019 to October 18, 2019. The NOP was sent to property owners within 300 feet of the project site as well as to responsible and trustee agencies, organizations, and other interested individuals. A copy of the NOP was also sent to the State Clearinghouse.

A project scoping session was held before the Landmarks Preservation Advisory Board on September 23, 2019 and before the Planning Commission on August 21, 2019 and continued to October 16, 2019. NOP comments on a wide range of issues—received from public agencies, area property owners, and concerned residents—were considered during the preparation of this EIR. The resource areas most widely referenced in the NOP comment letters are historic resources and transportation. The NOP and the written public review comments are included in Appendix A. A short description of the non-CEQA topics addressed in the NOP comment letters is contained in *Chapter II, Summary*.

The following environmental topics are addressed in greater detail in *Chapter V, Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures*, of this EIR:

A. Land Use
B. Cultural and Historic Resources
C. Traffic and Transportation
D. Air Quality
E. Greenhouse Gas Emissions and Energy
F. Soils, Geology, and Seismicity
G. Hazards and Hazardous Materials
H. Hydrology and Water Quality
I. Noise and Vibration
J. Biological Resources
K. Population and Housing
L. Aesthetics and Shade and Shadow
M. Public Services, Utilities, and Recreation

Chapter VI, Effects Found Not to Be Significant or Less Than Significant with Standard Conditions of Approval, includes a brief analysis of each environmental topic for which effects from the project were found to be either not significant or less than significant through the scoping process and preliminary review. These topics include Agriculture and Forest Resources, Mineral Resources, Tribal Cultural Resources, and Wildfire.

D. REPORT ORGANIZATION

This EIR is organized into the following chapters:

Chapter I – Introduction: Discusses the overall EIR purpose; provides a summary of the project; describes the EIR scope; and summarizes the organization of the EIR.

Chapter II – Summary: Summarizes the impacts that would result from implementation of the project and describes the SCAs and mitigation measures recommended to avoid or reduce significant impacts.

Chapter III – Project Description: Describes the project objectives, project site, site development history, proposed development, and required approval process.

Chapter IV – Planning Policy: Discusses applicable land use planning and regulatory documents and the project's consistency with these policies.

Chapter V – Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures: Provides analysis of each environmental technical topic: existing conditions (setting), SCAs, significance criteria, potential environmental impacts and their level of significance, SCAs relied upon to ensure that significant impacts would not occur, and mitigation measures recommended when necessary to mitigate identified impacts. Cumulative impacts are also discussed in each technical topic section. Potential adverse impacts are identified by levels of significance, as follows: less-than-significant impact (LTS), significant impact (S), and significant and unavoidable impact (SU). The significance level is identified for each impact before and after implementation of the recommended mitigation measure(s).

Chapter VI – Effects Found Not to be Significant or Less Than Significant with Standard Conditions of Approval: Provides a brief analysis of the topic areas found through the NOP scoping process and preliminary analysis to have no impacts or less-than-significant environmental impacts with implementation of the City's SCAs. These topic areas are as follows: Agriculture and Forest Resources; Mineral Resources; Tribal Cultural Resources; and Wildfire.

Chapter VII – Alternatives: Evaluates five alternatives to the project. The alternatives are included to meet the CEQA requirement that require an EIR to describe a reasonable range of alternatives

to the project that would feasibly attain most of the basic objectives of the project, but that would avoid or substantially lessen any of the significant effects of the project. The CEQA alternatives include the No Project/Reuse Alternative, the General Plan Amendment (No Rezoning) Alternative, the Historic Preservation Alternative, the Historic Preservation with Tower Alternative, and the Small Housing Campus Alternative.

Chapter VIII – CEQA-Required Assessment Conclusions: Provides the required analysis of growth-inducing impacts; significant irreversible changes; and significant unavoidable and cumulative impacts. Effects found not to be significant are discussed in *Chapter VI*, as noted above.

Chapter IX – Report Preparation/References: Identifies the preparers of the EIR, references used, and persons and organizations contacted.

Appendices: The appendices include: the NOP and written comments received in response to the NOP (Appendix A); Historic Resource Evaluation (Appendix B-1); Cultural Resources Technical Report (Appendix B-2); Non-CEQA Transportation Assessment (Appendix C); California Emissions Estimator Model® (CalEEMod) technical analyses and data for air quality and greenhouse gas emissions (Appendix D); Traffic Noise Input Assumptions and Modeling Output (Appendix E); Biological Resources Assessment(Appendix F); Shadow Study Results (Appendix G); Equitable Climate Action Plan (ECAP) Checklist (Appendix H); and Water Supply Assessment (Appendix I), Draft Design Guidelines (Appendix J).

All supporting technical documents and reference documents are available for public review at the City of Oakland Planning and Building Department, under case file ER19-003 or at the City of Oakland Online Access portal at: https://aca.accela.com/OAKLAND/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=19CAP&capID2=00000&capID3=07937&agencyCode=OAKLAND&IsToShowInspection=.

The Draft EIR is available for public review for the period identified in the NOA attached to the front of this document. During this time, written comments on the Draft EIR may be submitted to the City of Oakland Planning and Building Department at the address indicated on the NOA or a dedicated email address. Responses to all comments received on the environmental analysis in the Draft EIR during the specified review period will be included in the Response to Comments/ Final EIR.

II. SUMMARY

A. OVERVIEW OF PROPOSED PROJECT

This Environmental Impact Report (EIR) has been prepared to evaluate the potential environmental effects of the proposed California College of the Arts (CCA) Oakland Campus Redevelopment project (project). The approximately 3.95-acre project site is in North Oakland in the Rockridge Neighborhood. The project site is comprised of one parcel located at 5200 Broadway (Accessor Parcel Number [APN] 14-1243-1-1). The project site is approximately 0.6 miles south of Rockridge Bay Area Rapid Transit District (BART) Station. The project site is also approximately 0.6 miles south of State Route (SR) 24, 1 mile north of Interstate (I-) 580, and 1.4 miles west of Highway 13. Key project characteristics are described below.

The CCA Oakland campus site is proposed to be redeveloped with up to 510 residential units in two residential buildings up to 10 stories in height; 16,945 square feet of office space; a 1,408-square-foot café;1.56 acres (63,727 square feet) of privately-owned public open space (POPOS); 227 net new parking spaces (structured and ground level parking); and 510 bicycle parking spaces. Macky Hall and the Broadway Wall and Stairs are proposed to be preserved and renovated while the Carriage House would be relocated on-site and renovated. The remaining ten buildings would be demolished.

The project also includes the following amendments to Oakland's General Plan, zoning, and development standards.

- General Plan: A General Plan Amendment modifying the site's land use designation from Institutional Land Use to Community Commercial Land Use.
- Rezoning: A rezoning from Mixed Housing Residential – Zone 4 (RM-4) and Neighborhood Commercial – Zone 1 (CN-1) to Community Commercial – Zone 2 (CC-2).
- Height: A rezoning from a 35-foot Height Area to a 95-foot Height Area for the RM-4 portion of the site.

B. SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

The summary that follows provides an overview of the analysis contained in *Chapters V* through *VIII* of this EIR. CEQA requires a summary to include discussion of (1) potential areas of controversy; (2) significant impacts, and proposed mitigation measures (Standard Conditions of

Approval [SCAs] are also included in this summary); (3) cumulative impacts; (4) significant and unavoidable impacts; and (5) alternatives to the project. Each of these topics is summarized below.

1. Potential Areas of Controversy

Written letters and verbal comments were received by the City regarding the scope of this EIR during the Notice of Preparation (NOP) (dated June 21, 2019) public comment period. Written comments received are included in Appendix A. Key areas of concern and/or controversy raised in the comments are identified in Table II-1, below.

TABLE II-1 NOP COMMENT SUMMARY

Topic	Comment
Land Use	▪ Impacts of a General Plan and zoning amendment should be studied ▪ Impacts related to the project's consistency with surrounding land uses should be studied ▪ Impacts related to General Plan and zoning amendment setting a precedent for future land use in the area should be considered
Cultural and Historic Resources	▪ Complete a historic resources analysis for the CCA campus ▪ Complete a historic resources analysis for the adjacent Claremont Country Club ▪ Historic analysis should be submitted for review by the State Historic Preservation Office (SHPO) ▪ Evaluate historic significance of the entry arch ▪ Historic analysis should consider landscaping as historic features ▪ Artistic and educational contributions from artists should be studied ▪ Research into persons of note associated with CCA, as well as artistic movements or styles that were developed at CCA, or were part of CCA's educational or arts practice should be studied
Traffic and Transportation	▪ Traffic impacts to the surrounding area and neighborhood should be studied ▪ Impacts related to parking around the project site should be studied ▪ Traffic, pedestrian, transit, and site access issues should be studied ▪ Traffic egress from Clifton Street should be studied, as a right turn out is the only available option for cars ▪ Transportation analysis should use the Countywide Travel Demand Model ▪ Address all potential impacts of the project on the Metropolitan Transportation System (MTS) roadway network and transit operators ▪ Address all potential impacts of the project to people biking and walking in and near the project area, especially nearby roads included in the Countywide High-Injury Network and major barriers identified in the Countywide Active Transportation Plan ▪ Traffic analysis should consider ride-share services and scooters ▪ Traffic analysis should be conducted during normal, representative times of the year (school in session and not during a holiday)

TABLE II-1 NOP COMMENT SUMMARY

Topic	Comment
Air Quality	▪ Impacts related to construction dust and air quality to nearby receptors should be studied ▪ Impacts related to air quality as a result of increased traffic in the area should be studied ▪ Impacts related to air quality impacts if on-site generators are proposed should be studied
Greenhouse Gas Emissions and Energy	▪ Consistency with GHG policies should be studied
Soils, Geology, and Seismicity	▪ Concerns related to earthquake safety
Hazards and Hazardous Materials	▪ Emergency evacuation from the site is restricted due to traffic and narrowness of Clifton Street ▪ Due to the use of paints, heavy metals, ceramic debris, print-making inks, and solvents, etc., the site should be evaluated for hazardous materials
Hydrology and Water Quality	▪ Concerns related to excess runoff ▪ Concerns related to erosion control
Noise and Vibration	▪ Consistency with Oakland Noise Ordinance or General Plan Noise Policies should be considered ▪ Noise disruption caused by construction noise should be studied ▪ Concerns related to construction noise due to the project being built on bedrock
Biological Resources	▪ Study existing landscape as a wildlife habitat ▪ Displacement of animals due to redevelopment should be studied ▪ Impacts related to tree removal and relocation should be studied
Aesthetics and Shade and Shadow	▪ Determine if the site is located in a Transit Priority Area ▪ Overall design and massing compatibility with surrounding neighborhood context should be studied ▪ Shadows on private property, solar collectors, public open spaces should be studied ▪ Project tower blocking private and public views should be studied ▪ Project tower's potential obstruction of scenic vistas should be studied ▪ The EIR should include photo simulations ▪ Analyze project's impacts related to glare and nighttime lighting
Utilities	▪ A water supply assessment should be prepared pursuant to Section 155155 of the CEQA Guidelines ▪ Impacts to water demand should be analyzed ▪ Impacts to sewage capacity should be analyzed
Public Services	▪ Impacts to schools and fire department should be addressed
Tribal Cultural	▪ Pursue Tribal consultation
Recreation	▪ Consideration of the reduction in green space availability as a result of the project
Wildfire	▪ Project site's location near fire hazard areas should be studied

TABLE II-1 NOP COMMENT SUMMARY

Topic	Comment
Alternatives	▪ No Project Alternative should consider the impact of fewer units within commuting distance to San Francisco, which increases the amount of "super-commuters" producing enormous VMT from long-distance commutes ▪ Alternative to reduce the amount of existing buildings proposed for demolition, including the Broadway Wall and Stairs ▪ Alternative to not demolish any of the existing buildings at the CCA site ▪ Alternative to reduce the number of trees planned for removal ▪ Alternative which builds to existing residential zoning/height regulations ▪ Alternative with less residential density ▪ Alternative with construction of the project at an adjacent site (vacant Safeway lot) ▪ Alternative with a more consistent architectural style compared to the existing site
Cumulative Analysis	▪ Consider the construction of new San Francisco CCA campus into the cumulative analysis ▪ Request to have a 3-mile radius for cumulative projects

Source: Urban Planning Partners, 2020.

The issues raised by these comments are addressed in *Chapter V, Environmental Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures* and *Chapter VI, Effects Found Not to be Significant or Less Than Significant with Standard Conditions of Approval*. Copies of the NOP and written comments are included in Appendix A.

2. Significant Impacts, Cumulative Impacts, Standard Conditions of Approval, and Mitigation Measures

Under CEQA, a significant impact on the environment is defined as "…a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance."[1]

As discussed in *Chapter V, Environmental Setting, Impacts, Standard Conditions of Approval and Mitigation Measures*, and *Chapter VI, Effects Found Not to be Significant or Less Than Significant with Standard Conditions of Approval*, and *shown* in Table II-1 below, the project would result in several potentially significant impacts. However, all the impacts identified, with the exception of historic resources and construction noise, could be mitigated to a less-than-significant level with implementation of the identified SCAs and/or recommended mitigation measures.

[1] Title 14 of the California Code of Regulations, Section 15382; Public Resources Code Section 21068.

Impacts that are less than significant or would be reduced to a less-than-significant level with implementation of SCAs or mitigation measures are identified for the following topics in this EIR and are fully evaluated in *Chapter V, Environmental Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures,* of this EIR:

- Land Use
- Cultural and Historic Resources (including archaeological resources, paleontological resources, and human remains, but not historic resources which are significant and unavoidable)
- Traffic and Transportation
- Air Quality
- Greenhouse Gas Emissions and Energy
- Soils, Geology, and Seismicity
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise and Vibration (except construction noise which is significant and unavoidable)
- Biological Resources
- Population and Housing
- Aesthetics and Shade and Shadow
- Public Services, Utilities, and Recreation

Significant and unavoidable impacts that cannot be mitigated to a less-than-significant level are identified for the following topic in this EIR and are fully evaluated in *Chapter V, Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures,* of this EIR:

- Cultural and Historic Resources (historic resources)
- Noise and Vibration (construction noise)

The environmental topics for which the project would result in no impact or a less-than-significant impact are briefly described in *Chapter VI, Effects Found Not to be Significant or Less Than Significant with Standard Conditions of Approval* of this EIR:

- Agriculture and Forest Resources
- Mineral Resources
- Tribal Cultural Resources
- Wildfire

Cumulative impacts are discussed in each of the topic sections included in *Chapter V, Environmental Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures*. The project, with the exception of historic resources and noise and vibration, would not contribute to or be affected by any significant cumulative impacts.

3. Alternatives to the Project

Chapter VII, Alternatives analyzes five alternatives to the project to meet the CEQA requirements for analysis of a reasonable range of project alternatives. The five project alternatives analyzed in *Chapter VII* are as follows:

- **No Project/Reuse Alternative,** which assumes that the project would not be developed. Structures on the existing site would remain in their current state; however, the 17 existing dormitory units in Irwin Student Center would be refurbished as affordable housing.
- **General Plan Amendment (No Rezoning) Alternative**, which assumes the existing RM-4 and CN-1 zoning would remain but a General Plan Amendment would reclassify the project site's General Plan Land Use designation from Institutional to Community Commercial and allow the site to be developed with up to 95 units (including 17 units retained/restored from Irwin Dormitory). Nine out of the 12 buildings would be preserved.
- **Historic Preservation Alternative,** which assumes up to 306 residential units, 57,000 square feet of office and 236 parking spaces. Five out of the 12 buildings would be preserved.
- **Historic Preservation with Tower Alternative,** which assumes up to 446 residential units, 57,000 square feet of office, and 291 parking spaces. Five out of the 12 buildings would be preserved.
- **Small Housing Campus Alternative**, which assumes up to 97 residential units, 77,000 square feet of office, and 55 parking spaces. Nine of the 12 buildings would be preserved.

C. SUMMARY TABLE

Information in Table II-2, Summary of Impacts, Standard Conditions of Approval, and Mitigation Measures has been organized to correspond with environmental issues discussed in *Chapter V* and *Chapter VI* of this EIR. The table is arranged in four columns: (1) impacts; (2) level of significance without mitigation measures, (3) mitigation measures/SCAs; and (4) level of significance after implementation of SCAs or mitigation measures. The EIR found that all potentially significant impacts, with the exception of those related to Cultural and Historic Resources and Noise and Vibration, would be reduced to a less-than-significant level with implementation of SCAs and mitigation measures. All SCAs and mitigation measures necessary to ensure that no significant impacts would occur are included in Table II-2 for reference. For a complete description of environmental findings and required mitigation measures and SCAs, please refer to the specific discussions in *Chapter V* and *Chapter VI*.

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
A. LAND USE			
Implementation of the project would not result in any significant land use impacts.			
B. CULTURAL AND HISTORIC RESOURCES			
HIST-1a: The project's rehabilitation of Macky Hall, the Carriage House, and the Broadway Wall and Stairs, has the potential to affect the integrity of the Treadwell Estate Landmark.	S	HIST-1a: A rehabilitation plan for Macky Hall, the Carriage House, and the Broadway Wall and Stairs shall be prepared, and shall include narrative descriptions, plans, elevations, and section drawings, as needed, of each resource. The rehabilitation plan shall be consistent with the standards outlined in the following documents: ▪ The *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*, with specific reference to the *Secretary of the Interior's Standards for Rehabilitation*. ▪ The City of Oakland's 1994 *Historic Preservation Element of the Oakland General Plan*. The rehabilitation plan shall be prepared by a qualified consultant who meets the Secretary of the Interior's Professional Qualification Standards for Historic Architecture. It shall be submitted for review and approval by the Director of the Planning & Building Department or their designee, prior to issuance of any demolition or construction-related site permit, whichever occurs first.	LTS
HIST-1b: The project's relocation of the Carriage House has the potential to affect the integrity of the Treadwell Estate Landmark.	S	HIST-1b: A relocation plan for the Carriage House shall be prepared that shall include narrative descriptions, plans, elevation, and section drawings, as needed, of the Carriage House. The plan shall define procedures for protection of the historic buildings during relocation, relocation methods, and procedures for repair to inadvertent damage caused during the relocation process. The relocation plan shall be consistent with the standards outlined in the following documents: ▪ The *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving,*	LTS

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Rehabilitating, Restoring and Reconstructing Historic Buildings, with specific reference to the *Secretary of the Interior's Standards for Rehabilitation*. ▪ City of Oakland's 1994 *Historic Preservation Element of the Oakland General Plan.* The relocation plan shall be prepared by a qualified consultant who meets the Secretary of the Interior's Professional Qualification Standards for Historic Architecture. It shall be submitted for review and approval by the Director of the Planning & Building Department or their designee prior to issuance of any construction-related site permit.	
HIST-1c: The project's full or partial removal of landscape features has the potential to affect the integrity of the Treadwell Estate Landmark.	S	HIST-1c: Historic American Landscape Survey (HALS)-Type Documentation of Treadwell Estate landscape features—Eucalyptus Row, Carnegie Bricks, and Sequoia trees. To reduce the impact on historical resources, prior to issuance of any demolition, grading, or construction permits for the site, the Project Sponsor shall retain a professional who meets the Secretary of the Interior's Professional Qualifications Standards for History or Architectural History to prepare written and photographic documentation of the Treadwell Estate landscape features. The documentation for the Treadwell Estate landscape features shall be prepared based on the National Park Service's Historic American Building Survey (HABS)/Historic American Engineering Record (HAER)/Historic American Landscape Survey (HALS) Guidelines. The documentation shall include the following: ▪ **Drawings**: An existing conditions sketch site plan shall be produced depicting the current configuration and spatial relationships of the contributing Treadwell Estate buildings and landscape features, including the locations of the two contributing sequoia trees removed in 2019. The existing conditions site plan shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualification Standards for Historic Landscape Architecture or Historic	LTS

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Architecture, and be reviewed by the professional retained to prepare the written history. ▪ **Photographs**: Standard large-format or digital photography shall be used. If large-format photography is undertaken, it shall follow the HABS/HAER/HALS Photography Guidelines (November 2011; updated June 2015). If digital photography is used, it shall follow the National Park Service's National Register Photo Policy Factsheet (June 2013), including ink and paper combinations for printing photographs that have a permanency rating of approximately 115 years. Digital photographs shall be taken in uncompressed .TIF file format. The size of each image shall be 1600x1200 pixels at 300 pixels per inch or larger, color format, and printed in black and white. The file name for each electronic image shall correspond with the index of photographs and photograph label. Photograph views for the dataset shall include: ▪ Overall views of each landscape feature from multiple vantage points; ▪ Detail views of landscape features as relevant (i.e., typical stamped lettering on Carnegie bricks, etc.); and ▪ Contextual views of the landscape features in relationship to the site and Treadwell Estate buildings (Macky Hall and Carriage House). All views shall be referenced on a photographic key. This photograph key shall be on a site plan of the property and shall show the photograph number with an arrow indicating the direction of the view. Historical photographs shall also be collected, reproduced, and included in the dataset. ▪ **Written History**: A historical report shall be prepared, providing a property description, including locations and historic photographs, as available of Treadwell Estate era landscape features, and summarizing the history of the Treadwell Estate and its historical significance. Photographs and descriptions should include Treadwell Hall, the Carriage House, the Broadway Wall and Stairs, a sample of the Carnegie	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		bricks, and the sequoia trees. Documentation shall adhere to National Park Service standards for "short form" HALS documentation (updated July 2018). The documentation shall be prepared by a consultant meeting the Secretary of the Interior's Professional Qualifications Standards for History or Architectural History, and submitted for review and approval by the Director of the Planning & Building Department or their designee prior to issuance of any demolition, grading, or construction permits for the site. Copies of the photographs and report, with existing conditions site plan, shall be given to the Oakland Planning Department and Oakland Cultural Heritage Survey, and to publicly accessible repositories including the Oakland Public Library, Bancroft Library at the University of California, Berkeley, the California Historical Society, and CCA Library Special Collections, which are invested in archiving the history of Oakland and CCA. This measure would create a collection of reference materials that would be available to the public and inform future research.	
HIST-2: The project proposes to demolish 10 buildings on the project site, all of which are contributors to the California Register- and National Register-eligible CCAC API. Demolition of 10 of the 12 contributing buildings and alteration of six contributing landscape features in the CCAC API would adversely impact the district such that it would no longer be able to convey its significance, resulting in a substantial adverse change to the historical resource. The numerous demolitions would result in the loss of eligibility of the district for listing in the California Register and National Register.	S	HIST-2: The following measures shall be incorporated to reduce this impact: HIST-2a: Historic American Landscape Survey (HALS)-Type Documentation. To reduce the adverse effect on historical resources, prior to issuance of any demolition, grading, or construction permits for the site, the Project Sponsor shall retain a professional who meets the Secretary of the of the Interior's Professional Qualifications Standards for History or Architectural History to prepare written and photographic documentation of the California Register- and National Register-eligible CCAC API, inclusive of contributing buildings and landscape features. It should be noted that Mitigation Measure HIST-2a addresses impacts to the CCAC API, whereas Mitigation Measure HIST-1a addresses impacts to the Treadwell Estate-era landscape features; therefore, the focus of this documentation is on the site, buildings, and landscape features that contribute to the CCAC API within its period of significance.	SU

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure

		The documentation for the CCAC API shall be prepared based on the National Park Service's Historic American Building Survey (HABS)/Historic American Engineering Record (HAER)/Historic American Landscape Survey (HALS) Historical Report Guidelines. The documentation shall include the following:
		▪ **Drawings**: Efforts should be made to locate original drawings and/or site plans of the district during its period of significance. If located, these drawings should be photographed or scanned at high resolution, reproduced, and included in the dataset. In addition, an existing conditions site plan shall be produced depicting the current configuration and spatial relationships of the contributing buildings and landscape features. The existing conditions site plan shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualification Standards for Architecture or Historic Architecture and be reviewed by the professional retained to prepare the written history.
		▪ **Photographs**: Standard large-format or digital photography shall be used. If large-format photography is undertaken, it shall follow the HABS/HAER/HALS Photography Guidelines (November 2011; updated June 2015). If digital photography is used, it shall follow the National Park Service's National Register Photo Policy Factsheet (June 2013), including ink and paper combinations for printing photographs that have a permanency rating of approximately 115 years. Digital photographs shall be taken in uncompressed .TIF file format. The size of each image shall be 1600x1200 pixels at 300 pixels per inch or larger, color format, and printed in black and white. The file name for each electronic image shall correspond with the index of photographs and photograph label. Photograph views for the dataset shall include:
		  ▪ Views of each exterior side of the 10 buildings and six landscape features that contribute to the CCAC API;
		  ▪ Oblique views of buildings, landscape features, and vegetation; and
		  ▪ Contextual views.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		All views shall be referenced on a photographic key. This photograph key shall be on a map of the property and shall show the photograph number with an arrow indicating the direction of the view. Historical photographs shall also be collected, reproduced, and included in the dataset. ▪ **Written History**: A HALS historical report shall be prepared, providing a property description and summarizing the history of the district and its historical significance, and briefly describe each contributing building and landscape feature. Documentation shall adhere to National Park Service standards for "short form" HABS/HALS documentation and shall include the 2019 Historic Resource Evaluation report as an appendix. The documentation shall be prepared by a consultant meeting the Secretary of the Interior's Professional Qualifications Standards for History or Architectural History and submitted for review and approval by the Director of the Planning & Building Department or their designee prior to issuance of any demolition, grading, or construction permits for the site. Copies of the photographs, drawings, and report shall be given to the Oakland Planning Department and Oakland Cultural Heritage Survey (OCHS), and to publicly accessible repositories including the Oakland Public Library, Bancroft Library at the University of California, Berkeley, the California Historical Society, and CCA Library Special Collections, which are invested in archiving the history of Oakland and the CCA. This measure would create a collection of reference materials that would be available to the public and inform future research. HIST-2b: Commemoration and Public Interpretation. The Project Sponsor shall prepare a permanent exhibit/display, in coordination with an experienced interpretation/exhibit designer, of the history of the CCA, including but not limited to historic and current condition photographs, interpretive text, drawings, and interactive media. The interpretive display will be	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		placed in a suitable publicly accessible space(s) at the project site in Oakland. Design sketches, exhibit text, and narrative descriptions shall be prepared by a consultant meeting the Secretary of the Interior's Professional Qualifications Standards for History or Architectural History and submitted for review and approval by the Director of the Planning & Building Department or their designee prior to issuance of any demolition, grading, or construction permits for the site. Planning & Building Department staff shall inspect the installed interpretive display to confirm its adherence to mitigation measure requirements prior to issuance of a Certificate of Occupancy. HIST-2c: Outdoor Art. To reinforce the history of the site as a location for arts education and practice, the Project Sponsor shall establish a permanent outdoor art installation at the project site of comparable dimensions (approximately 20 feet by 20 feet) and visibility to that present at the west façade of Martinez Hall. This mitigation measure is intended to be implemented separately from, and in addition to compliance with City of Oakland Municipal Code Chapter 15.78. Acceptable options may include sculptures, or a large surface featuring temporary installations of large-scale artwork(s) produced by students pursuing studies in art practice at East Bay post-secondary or post-secondary educational institutions, such as the Oakland School for the Arts, the University of California, Berkeley, and California State University, East Bay, or at CCA, now located in San Francisco. Design sketches and narrative descriptions prepared by the artist(s) shall be submitted for review and approval by the Director of the Planning & Building Department or their designee prior to issuance of any demolition, grading, or construction permits for the site. Planning & Building Department staff will review the proposed size and location of the artwork to confirm adherence to this measure. The design and content of the proposed artwork will not be subject to review. Planning &	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Building Department staff shall inspect the installed artwork to confirm its adherence to mitigation measure requirements prior to issuance of a Certificate of Occupancy. HIST-2d: Prior to approval of demolition permits, the Project Sponsor shall contribute to the City's Façade Improvement Program (FIP) in the manner and amounts described below. Funds collected should be reserved for historic resources with (i) historically significant landscapes or (ii) educational functions or (iii) of the architectural styles of the CCAC API (Arts & Crafts, Brutalist, or Third Bay Tradition) for a period of 2 years. ▪ By directing that the funds be used in historic resources with (i) historically significant landscapes or (ii) educational functions or (iii) of the architectural styles of the CCAC API (Arts & Crafts, Brutalist, or Third Bay Tradition), the mitigation will have a direct effect on the similar historic resource types in the City of Oakland, which face similar threats of demolition or incompatible alteration and will require oversight by a Planner familiar with Historic Preservation. The mitigation measure is devised to reflect this and provide more specificity regarding the process for use of the funds. The amount of the contribution required to be paid by the Project Sponsor under this mitigation measure shall be based on three factors: ▪ Total linear feet of public-facing facades (FACTOR A). This recognizes that all portions of the building that can be seen by the public have the potential to communicate the historical significance of the building. Larger buildings, corner buildings, locations within a park, all dictate how much of the historic resource is visible to the public and provides a public benefit. Identification of the public-facing facades is consistent with the past application of FIP contribution mitigation measures. This mitigation measure defines public facing façade to include all portions of the building facades visible to the public to account for buildings that may be visible, but not fronting a street.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		▪ Bureau of Building Construction Valuation fee schedule (FACTOR B). The Bureau of Building Construction Valuation fee schedule (PBD Rate) is used by the City to determine the cost of permits for building construction. It is regularly updated, is routinely applied for permitting, and is commonly referenced. Incorporation of this schedule into the FIP contribution calculation ties the mitigation for demolition of the building to a factor representing a portion of the building's replacement cost. While the loss of a historic resource cannot be fully captured in this assessment because many materials and historical connections cannot be replicated, it does provide a way to quantify that loss through application of a fee schedule that takes into consideration the historical use, construction type, and location of the historical resource. This fee schedule is also regularly updated to account for inflation and other changes in building construction valuation and therefore represents a current basis for the calculation. ▪ Historical Status multiplier (FACTOR C). For the purposes of CEQA, the City considers buildings listed in, or eligible for listing in the National Register of Historic Places and/or the California Register of Historical Resources, as well as buildings that qualify for "A" or "B" status on the Oakland Cultural Heritage Survey, or that are contributors to an Area of Primary Importance (API) as historic resources. Impacts that would cause a substantial adverse change in the significance of a historic resource would be considered significant and would require mitigation such as application of this mitigation measure. Because some buildings may qualify as CEQA historic resources both as individuals and as contributors to a historic district or API, Factor C, as shown in Table V.B-3, allows for application of a base multiplier as well as additional multipliers to account for these multiple CEQA triggers.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure

TABLE V.B-3 FACTOR C DETERMINATION FOR PROPOSED DEMOLITION OF CEQA RESOURCES

First Factor	Other Additional Factors for Contributing Buildings		Factor C Total
CEQA Resource	NR/CR/Local (A or B)	Local (C or D)/ASI	
2.00	0.25	0.15	Sum of all Applicable Valuations

Source: Page & Turnbull, 2019.

For the project, this amounts to a sum of the above calculation for each impacted CEQA historic resource:

- The total linear feet of public facing facade for the impacted building (Factor A).
- Multiplied by the PBD Rate (Factor B).
- Multiplied by 2 for being a contributor to an API (Base Factor).
- Multiplied by 0.25 for each building designated as an individual Historical Resource under CEQA (Additional Factor, if applicable).

For purposes of this mitigation, the total length of public facing facades and the associated calculation of FIP contribution is shown in Table V.B-4.

TABLE V.B-4 FAÇADE IMPROVEMENT PROGRAM (FIP) MITIGATION CALCULATIONS

Building	Factor A: Public Facing Façade Linear Dimensions*					Factor B: $288.00**	Factor C: CEQA Multiplier	FIP Contribution
	North	East	South	West	Total			
Macky Hall*								
Carriage House*								
Broadway Wall*								
Eucalyptus Row*+					0	$ 0	2.00	$ 103,680
Founders Hall	134	50			184	$ 52,992	2.25	$ 119,232
Martinez Hall				100	100	$ 28,800	2.25	$ 64,800
Martinez Annex				61	61	$ 17,568	2.00	$ 35,136
Treadwell Ceramic Arts			55	100	155	$ 44,640	2.25	$ 100,440
Building B				76	76	$ 21,888	2.00	$ 43,776
Ralls Studio	75			60	135	$ 38,880	2.00	$ 77,760
Facilities	25			45	70	$ 20,160	2.00	$ 40,320
Shaklee	120	76			196	$ 56,448	2.00	$ 112,896
Simpson	28		28	82	138	$ 39,744	2.25	$ 89,424
Irwin Student Center		166	118	166	450	$ 129,600	2.00	$ 259,200
Total								$942,984

Assumes relatively planar facades, measurements taken from Google Earth.
17.04.090 Valuation based on current PBD Construction Valuation fee schedule.
*Contributor to Treadwell API.
+Landscape Element, not subject to façade calculation.
Source: City of Oakland, 2023.

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		The FIP contribution required hereunder shall be payable upon issuance of the first demolition permit for the project. Funds collected under this mitigation shall be designated for the repair or improvement of façades for historic resources with (i) historically significant landscapes or (ii) educational functions or (iii) of the architectural styles of the CCAC API (Arts & Crafts, Brutalist, or Third Bay Tradition) with oversight by a Planner familiar with Historic Preservation for a 2-year period. After that time, all remaining funds shall be eligible for citywide FIP expenditures. All rehabilitation efforts or façade improvements under the FIP shall be undertaken using the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. Daily administration of the FIP shall be overseen by Economic Workforce and Development, with final oversight and approval by a Planner familiar with Historic Preservation. In addition to the described Mitigation Measures, SCA-HIST-3, Property Relocation (#39) should be implemented as described above to provide the opportunity for relocation of contributing buildings in the CCAC API. Although implementation of Mitigation Measures HIST-2a, HIST-2b, HIST-2c, HIST-2d, and SCA-HIST-3 would reduce the level of impact to historical resources as a result of the project, this impact cannot be mitigated to a less-than-significant level, and the impact after mitigation would remain significant and unavoidable.	
HIST-3: Four of the 10 buildings proposed to be demolished—Martinez Hall, Founders Hall, Noni Eccles Treadwell Ceramic Arts Center, and Barclay Simpson Sculpture Studio—are individually eligible for listing in the California Register and as Oakland Landmarks. Demolition of these four buildings would render them ineligible for listing in the California Register or as Oakland Landmarks.	S	HIST-3: To reduce the adverse effect on historical resources, the Project Sponsor shall retain a professional who meets the Secretary of the of the Interior's Professional Qualifications Standards for Architectural History to prepare written and photographic documentation of the four buildings found individually eligible for listing in the California Register under Criterion 3 (Architecture)—Martinez Hall, Founders Hall, Noni Eccles Treadwell Ceramic Arts Center, and Barclay Simpson Sculpture Studio. It should be noted that Mitigation Measure HIST-3 addresses impacts to the four individually eligible CCA buildings, whereas the HALS-type HIST-2a addresses impacts to	SU

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		the CCAC API; therefore, the focus of this HABS-type documentation is of the four individual buildings, rather than the overall site and landscape. The documentation for each individually eligible property shall be prepared based on the National Park Service's Historic American Building Survey (HABS)/Historic American Engineering Record (HAER)/Historic American Landscape Survey (HALS) Historical Report Guidelines. The documentation shall include the following: ▪ **Drawings**: Efforts should be made to locate original construction drawings or plans of each individually eligible building during their period of significance. If located, these drawings should be photographed or scanned at high resolution, reproduced, and included in the dataset. If construction drawings or plans cannot be located, as-built drawings shall be produced of the four individually eligible buildings proposed for demolition. The as-built drawings shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualification Standards for Architecture or Historic Architecture and be reviewed by the professional retained to prepare the written history. ▪ **Photographs**: Standard large-format or digital photography shall be used. If large-format photography is undertaken, it shall follow the HABS/HAER/HALS Photography Guidelines (November 2011; updated June 2015). If digital photography is used, it shall follow the National Park Service's National Register Photo Policy Factsheet (June 2013), including ink and paper combinations for printing photographs that have a permanency rating of approximately 115 years. Digital photographs shall be taken in uncompressed TIF file format. The size of each image shall be 1600x1200 pixels at 300 pixels per inch or larger, color format, and printed in black and white. The file name for each electronic image shall correspond with the index of photographs and photograph label. Photograph views for the dataset shall include:	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		▪ Views of each side of each building and interior views, where possible; ▪ Oblique views of buildings; ▪ Detail views of character-defining features; and ▪ Contextual views. All views shall be referenced on a photographic key. This photograph key shall be on a map of the property and shall show the photograph number with an arrow indicating the direction of the view. Historical photographs shall also be collected, reproduced, and included in the dataset. ▪ **Written History**: A historical report shall be prepared for each of the four buildings, summarizing the history of the buildings, property description, and historical significance. Documentation shall adhere to National Park Service standards for "outline form" HABS documentation. The documentation shall be prepared by a consultant meeting the Secretary of the Interior's Professional Qualifications Standards for History or Architectural History and submitted for review and approval by the Director of the Planning & Building Department or their designee prior to issuance of any demolition, grading, or construction permits for the site. Copies of the drawings, photographs, and report for each of the four individually eligible buildings shall be given to the Oakland Planning Department and Oakland Cultural Heritage Survey (OCHS), and to publicly-accessible repositories such as the Oakland Public Library, Bancroft Library at the University of California, Berkeley, the California Historical Society, and CCA Library Special Collections, which are invested in archiving the history of Oakland and the CCA. This measure would create a collection of reference materials that would be available to the public and inform future research.	
HIST-4: To facilitate construction of the project, three significant examples of Late Modern architecture would be demolished: Founders Hall, a 1968 Brutalist building	S	HIST-4: Implement Mitigation Measure HIST-2d.	SU

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
designed by DeMars & Reay; Martinez Hall, a 1968 Third Bay Tradition building designed by DeMars & Reay; and the Noni Eccles Treadwell Ceramic Arts Center, a 1973 Third Bay Tradition building designed by Worley Wong and Ronald Brocchini. Implementation of the project, as designed, combined with cumulative development citywide, including past, present, existing, approved, pending, and reasonably foreseeable future development, would contribute to a significant and unavoidable adverse cumulative impact to Oakland's Late Modern architectural resources.			
		SCA-HIST-1: Archaeological and Paleontological Resources – Discovery During Construction (#36) Requirement: Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense. In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant. When Required: During construction Initial Approval: N/A Monitoring/Inspection: Bureau of Building	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		SCA-HIST-2: Human Remains – Discovery During Construction (#38) Requirement: Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant. When Required: During construction Initial Approval: N/A Monitoring/Inspection: Bureau of Building **SCA-HIST-3: Property Relocation (#39)** Requirement: Pursuant to Policy 3.7 of the Historic Preservation Element of the Oakland General Plan, the project applicant shall make a good faith effort to relocate Martinez Hall, Founders Hall, Noni Eccles Treadwell Ceramic Arts Center, and Barclay Simpson Sculpture Studio to a site acceptable to the City. A good faith effort includes, at a minimum, all of the following: a. Advertising the availability of the building by: (1) posting of large visible signs (such as banners, at a minimum of 3' x 6' size or larger) at the site; (2) placement of advertisements in Bay Area news media acceptable to the City; and (3)	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		contacting neighborhood associations and for-profit and not-for-profit housing and preservation organizations; b. Maintaining a log of all the good faith efforts and submitting that along with photos of the subject building showing the large signs (banners) to the City; c. Maintaining the signs and advertising in place for a minimum of 90 days; and d. Making the building available at no or nominal cost (the amount to be reviewed by the Oakland Cultural Heritage Survey) until removal is necessary for construction of a replacement project, but in no case for less than a period of 90 days after such advertisement. When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Planning (including Oakland Cultural Resource Survey) Monitoring/Inspection: N/A **SCA-NOI-7: Vibration Impacts on Adjacent Structures or Vibration-Sensitive Activities (#75)** The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage Macky Hall, Carriage House, and retained portion of Broadway Wall and Stairs. The Vibration Analysis shall identify design means and methods of construction that shall be utilized in order to not exceed the thresholds. The applicant shall implement the recommendations during construction. When Required: Prior to construction Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
C. TRAFFIC AND TRANSPORTATION			
Implementation of the project would not result in any significant traffic or transportation impacts.		**SCA-TRANS-1: Construction Activity in the Public Right-of-Way (#80)** a. Obstruction Permit Required Requirement: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops. When Required: Prior to approval of construction-related permit Initial Approval: Department of Transportation Monitoring/Inspection: Department of Transportation b. Traffic Control Plan Required Requirement: In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian accommodations (or detours, if accommodations are not feasible), including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The Traffic Control Plan shall be in conformance with the City's Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists, and Bus Facilities in Construction Zones. The project applicant shall implement the approved Plan during construction. Initial Approval: Department of Transportation Monitoring/Inspection: Department of Transportation c. Repair of City Streets Requirement: The project applicant shall repair any damage to the public right-of way, including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately. When Required: Prior to building permit final Initial Approval: N/A Monitoring/Inspection: Department of Transportation **SCA-TRANS-2: Bicycle Parking (#81)** Prior to issuance of a demolition, grading, or building permit. Requirement: The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements. When Required: Prior to approval of building permit Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building **SCA-TRANS-3: Transportation Improvements (#82)** *Prior to issuance of a demolition, grading, or building permit.* Requirement: The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Review for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, transportation demand management measures, and transit, pedestrian, and bicyclist amenities). The project applicant is responsible for funding and installing the improvements and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below: a. 2070L Type Controller with cabinet accessory b. GPS communication (clock) c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) d. Countdown pedestrian head module switch out e. City Standard ADA wheelchair ramps f. Video detection on existing (or new, if required) g. Mast arm poles, full activation (where applicable) h. Polara Push buttons (full activation) i. Bicycle detection (full activation) j. Pull boxes k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum l. Conduit replacement contingency m. Fiber switch n. PTZ camera (where applicable) o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor p. Signal timing plans for the signals in the coordination group q. Bi-directional curb ramps (where feasible, and if project is on a street corner) r. Upgrade ramps on receiving curb (where feasible, and if project is on a street corner) When Required: Prior to building permit final or as otherwise specified	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Initial Approval: Bureau of Building; Department of Transportation Monitoring/Inspection: Bureau of Building **SCA-TRANS-4: Transportation and Parking Demand Management (#83)** a. Transportation and Parking Demand Management (TDM) Plan Required. *Prior to approval of planning application.* Requirement: The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City. i. The goals of the TDM Plan shall be the following: • Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable. • Achieve the following project vehicle trip reductions (VTR): ○ Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR ○ Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR • Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate. • Enhance the City's transportation system, consistent with City policies and programs. ii. The TDM Plan should include the following: • Baseline existing conditions of parking and curbside regulations within the surrounding neighborhood that could affect the effectiveness of TDM strategies, including inventory of parking spaces and occupancy if applicable. • Proposed TDM strategies to achieve VTR goals (see below). • For employers with 100 or more employees at the subject site, the TDM Plan shall also comply with the requirements of Oakland Municipal Code Chapter 10.68 Employer-Based Trip Reduction Program.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

<table>
<tr><th>Impacts</th><th>Level of Significance Without Mitigation Measure</th><th>SCAs/Mitigation Measures</th><th>Level of Significance With SCA or Mitigation Measure</th></tr>
<tr><td></td><td></td><td>
• The following TDM strategies must be incorporated into a TDM Plan based on a project location or other characteristics. When required, these mandatory strategies should be identified as a credit toward a project's VTR.
<table>
<tr><th>SCA-TRANS-4 Improvement</th><th>Required by code or when…</th></tr>
<tr><td>Bus boarding bulbs or islands</td><td>• A bus boarding bulb or island does not already exist, and a bus stop is located along the project frontage; and/or
• A bus stop along the project frontage serves a route with 15 minutes or better peak hour service and has a shared bus-bike lane curb</td></tr>
<tr><td>Bus shelter</td><td>• A stop with no shelter is located within the project frontage, or
• The project is located within 0.10 miles of a flag stop with 25 or more boardings per day</td></tr>
<tr><td>Concrete bus pad</td><td>• A bus stop is located along the project frontage and a concrete bus pad does not already exist</td></tr>
<tr><td>Curb extensions or bulb-outs</td><td>• Identified as an improvement within site analysis</td></tr>
<tr><td>Implementation of a corridor-level bikeway improvement</td><td>• A buffered Class II or Class IV bikeway facility is in a local or county adopted plan within 0.10 miles of the project location; and
• The project would generate 500 or more daily bicycle trips</td></tr>
<tr><td>Implementation of a corridor-level transit capital improvement</td><td>• A high-quality transit facility is in a local or county adopted plan within 0.25 miles of the project location; and
• The project would generate 400 or more peak period transit trips</td></tr>
<tr><td>Installation of amenities such as lighting; pedestrian-oriented green infrastructure, trees, or other greening landscape; and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.</td><td>• Always required</td></tr>
<tr><td>Installation of safety improvements identified in the Pedestrian Master Plan (such as</td><td>• When improvements are identified in the Pedestrian Master Plan along project frontage or at an adjacent intersection</td></tr>
</table>
</td><td></td></tr>
</table>

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures		Level of Significance With SCA or Mitigation Measure
		crosswalk striping, curb ramps, count down signals, bulb outs, etc.)		
		In-street bicycle corral	• A project includes more than 10,000 square feet of ground floor retail, is located along a Tier 1 bikeway, and on-street vehicle parking is provided along the project frontages.	
		Intersection improvements	• Identified as an improvement within site analysis	
		New sidewalk, curb ramps, curb and gutter meeting current City and ADA standards	• Always required	
		No monthly permits and establish minimum price floor for public parking	• If proposed parking ratio exceeds 1:1000 square feet (commercial)	
		Parking garage is designed with retrofit capability	• Optional if proposed parking ratio exceeds 1:1.25 (residential) or 1:1000 square feet (commercial)	
		Parking space reserved for car share	• If a project is providing parking and a project is located within downtown. One car share space reserved for buildings between 50 – 200 units, then one car share space per 200 units.	
		Paving, lane striping or restriping (vehicle and bicycle), and signs to midpoint of street section	• Typically required	
		Pedestrian crossing improvements	• Identified as an improvement within site analysis	
		Pedestrian-supportive signal changes	• Identified as an improvement within operations analysis	
		Real-time transit information system	• A project frontage block includes a bus stop or BART station and is along a Tier 1 transit route with 2 or more routes or peak period frequency of 15 minutes or better	
		Relocating bus stops to far side	• A project is located within 0.10 miles of any active bus stop that is currently near-side	
		Signal upgrades	• Project size exceeds 100 residential units, 80,000 square feet of retail, or 100,000 square feet of commercial; and	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures		Level of Significance With SCA or Mitigation Measure
			• Project frontage abuts an intersection with signal infrastructure older than 15 years	
		Transit queue jumps	• Identified as a needed improvement within operations analysis of a project with frontage along a Tier 1 transit route with 2 or more routes or peak period frequency of 15 minutes or better	
		Trenching and placement of conduit for providing traffic signal interconnect	• Project size exceeds 100 units, 80,000 sf. of retail, or 100,000 sf. of commercial; and • Project frontage block is identified for signal interconnect improvements as part of a planned ITS improvement; and • A major transit improvement is identified within operations analysis requiring traffic signal interconnect	
		Unbundled parking	• If proposed parking ratio exceeds 1:1.25 (residential)	

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

- Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.
- Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.
- Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project.
- Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan, the Master Street Tree List and Tree Planting Guidelines (which can be viewed at http://www2.oaklandnet.com/oakca1/

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		groups/pwa/documents/report/oak042662.pdf and http://www2.oaklandnet.com/ oakca1/groups/pwa/documents/form/oak025595.pdf, respectively) and any applicable streetscape plan. ▪ Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements. ▪ Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency). ▪ Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes. ▪ Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3). ▪ Guaranteed ride home program for employees, either through 511.org or through separate program. ▪ Pre-tax commuter benefits (commuter checks) for employees. ▪ Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants. ▪ On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools. ▪ Distribution of information concerning alternative transportation options.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		▪ Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties. ▪ Parking management strategies including attendant/valet parking and shared parking spaces. ▪ Requiring tenants to provide opportunities and the ability to work off-site. ▪ Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week). ▪ Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours. The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report. When Required: Prior to approval of planning application. Initial Approval: Bureau of Planning Monitoring/Inspection: N/A b. TDM Implementation – Physical Improvements *Prior to building permit final.* Requirement: For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		When Required: Prior to building permit final Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building c. TDM Implementation – Operational Strategies. *On-Going.* Requirement: For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved. When Required: Ongoing Initial Approval: Department of Transportation Monitoring/Inspection: Department of Transportation **SCA-TRANS-5: Transportation Impact Fee (#85)** *Prior to issuance of building permit.* Requirement: The project applicant shall comply with the requirements of the City of Oakland Transportation Impact Fee Ordinance (chapter 15.74 of the Oakland Municipal Code). When Required: Prior to issuance of building permit Initial Approval: Bureau of Building Monitoring/Inspection: N/A	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		SCA-TRANS-6: Plug-In Electric Vehicle (PEV) Charging Infrastructure (#86) *Prior to issuance of building permit.* a. PEV-Ready Parking Spaces Requirement: The applicant shall submit, for review and approval of the Building Official and the Zoning Manager, plans that show the location of parking spaces equipped with full electrical circuits designated for future PEV charging (i.e., "PEV-Ready) per the requirements of Chapter 15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-Ready parking spaces. b. PEV-Capable Parking Spaces Requirement: The applicant shall submit, for review and approval of the Building Official, plans that show the location of inaccessible conduit to supply PEV-capable parking spaces per the requirements of Chapter 15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-capable parking spaces. c. ADA-Accessible Spaces Requirement: The applicant shall submit, for review and approval of the Building Official, plans that show the location of future accessible EV parking spaces as required under Title 24 Chapter 11B Table 11B-228.3.2.1, and specify plans to construct all future accessible EV parking spaces with appropriate grade, vertical clearance, and accessible path of travel to allow installation of accessible EV charging station(s). When Required: Prior to Issuance of Building Permit Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building	
D. AIR QUALITY			
Implementation of the project would not result in any significant air quality impacts.		**SCA-AIR-1: Dust Controls – Construction Related (#20)** Requirement: The project applicant shall implement all of the following applicable dust control measures during construction of the project:	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		a) Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible. b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. d) Limit vehicle speeds on unpaved roads to 15 miles per hour. e) All excavation, grading, and/or demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph. f) All trucks and equipment, including tires, shall be washed off prior to leaving the site. g) Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel. h) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. When Required: During construction Initial Approval: N/A Monitoring/Inspection: Bureau of Building **Enhanced Controls** i) Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities. j) Apply and maintain vegetative ground cover (e.g., hydroseed) or non-toxic soil stabilizers to disturbed areas of soil that will	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		be inactive for more than o10 days. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). k) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. l) When working at a site, install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of the site, to minimize wind-blown dust. Windbreaks must have a maximum 50 percent air porosity. m) Post a publicly-visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours. n) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe. o) Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. p) Plant vegetation in areas designated for landscaping as soon as possible and water appropriately until vegetation is established. When Required: During construction Initial Approval: N/A Monitoring/Inspection: Bureau of Building	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		SCA-AIR-2: Criteria Air Pollutant Controls – Construction and Operation Related (#21) Requirement: The project applicant shall implement all of the following applicable basic and enhanced control measures for criteria air pollutants during construction of the project as applicable: a) Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two 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. b) Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes and fleet operations must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations"). c) 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. Equipment check documentation should be kept at construction site and be available for review by the City and the Bay Area Air Quality District as needed. d) Portable equipment shall be powered by grid electricity if available. If electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand. e) Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings. f) All equipment to be used on the construction site shall comply with the requirements of Title 13, Section 2449, of	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") and upon request by the City (and the Air District if specifically requested), the project applicant shall provide written documentation that fleet requirements have been met. When Required: During construction Initial Approval: N/A Monitoring/Inspection: Bureau of Building **ENHANCED CONTROLS:** All "Basic" controls listed above plus the following controls if the project involves: g) Criteria Air Pollutant Reduction Measures Requirement: Project applicants proposing projects that exceed BAAQMD screening levels (as amended to specify projects that include extensive demolition i.e., demolition greater than 100,000 square feet of building space) shall retain a qualified air quality consultant to prepare a project-level criteria air pollutant assessment of construction and operational emissions at the time the project is proposed. The project-level assessment shall either include a comparison of the project with other similar projects where a quantitative analysis has been conducted or shall provide a project-specific criteria air pollutant analysis to determine whether the project exceeds the City's criteria air pollutant thresholds. In the event that a project-specific analysis finds that the project could result in criteria air pollutant emissions that exceed City significance thresholds (54 pounds per day of ROG, NOx, or PM2.5 or 82 pounds per day of PM10), the project applicant shall identify criteria air pollutant reduction measures to reduce the project's average daily emissions below these thresholds. The following emission reduction measures shall be implemented to the degree necessary to reduce emissions to levels below the significance thresholds. Additional measures shall be implemented if necessary. Quantified emissions and identified reduction measures shall be submitted to the City (and the Air	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		District if specifically requested) for review and approval prior to the issuance of building permits and the approved criteria air pollutant reduction measures shall be implemented during construction. *i. Clean Construction Equipment* a) Where access to grid-powered electricity is reasonably available, portable diesel engines shall be prohibited and electric engines shall be used for concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, cement and mortar mixers, pressure washers, and pumps. b) Diesel off-road equipment shall have engines that meet the Tier 4 Final off-road emission standards, as certified by CARB, as required to reduce the emissions to less than the thresholds of significance shown in Table 2-1 of BAAQMD CEQA Guidelines (BAAQMD 2017b). This requirement shall be verified through submittal of an equipment inventory that includes the following information: (1) type of equipment; (2) engine year and age; (3) number of years since rebuild of engine (if applicable); (4) type of fuel used; (5) engine HP; (6) engine certification (tier rating); (7) verified diesel emission control strategy (VDECS) information if applicable, and other related equipment data. A Certification Statement is also required to be made by the Contractor as documentation of compliance and for future review by the air district as necessary. The Certification Statement must state that the Contractor agrees to comply and acknowledges that a violation of this requirement shall constitute a material breach of contract. c) Any other best available technology that reduces emissions offered at the time that future projects are reviewed may be included in the construction emissions minimization plan (e.g. alternative fuel sources, etc.). d) Exceptions to requirements a), b), and c) above may be granted if the project sponsor has submitted information providing evidence that meeting the requirement (1) is	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, or (3) there is a compelling emergency need to use equipment that do not meet the engine standards and the sponsor has submitted documentation that the requirements of this exception provision apply. In seeking an exception, the project sponsor shall demonstrate that the project will use the cleanest piece of construction equipment available and feasible and strive to meet a performance standard of average construction emissions of ROG, NOx, PM2.5 below 54 lbs/day, and PM10 emissions below 82 lbs/day. *ii. Super-Compliant VOC Architectural Coatings during Construction* The Project sponsor shall use super-compliant VOC architectural coatings during construction for all interior and exterior spaces and shall include this requirement on plans submitted for review by the City's building official. "Super-Compliant" refers to paints that meet the more stringent regulatory limits in South Coast Air Quality Management District rule 1113 which requires a limit of 10 grams VOC per liter. *iii. Use Low and Super-Compliant VOC Architectural Coatings in Maintaining Buildings* Subsequent projects shall use super-compliant VOC architectural coatings in maintaining buildings. "Super-Compliant" refers to paints that meet the more stringent regulatory limits in South Coast Air Quality Management District rule 1113, which requires a limit of 10 grams VOC per liter. *iv. Promote Use of Green Consumer Products* To reduce ROG emissions associated with the Project, the Project Sponsor and/or future developer(s) shall provide education for residential tenants concerning green consumer products. The Project sponsor and/or future developer(s) shall develop electronic correspondence to be distributed by	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		email annually and upon any new lease signing to residential tenants of each building on the Project site that encourages the purchase of consumer products that generate lower than typical VOC emissions. The correspondence shall encourage environmentally preferable purchasing. *v. Best Available Control Technology for Projects with Diesel Backup Generators and Fire Pumps* The Project sponsor shall implement the following measures. 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: a) Pursuant to SCA 24, non-diesel fueled generators shall be installed to replace diesel- fueled generators if feasible. Alternative fuels used in generators, such as biodiesel, renewable diesel, natural gas, or other biofuels or other nondiesel emergency power systems, must be demonstrated to reduce criteria pollutant emissions compared to diesel fuel. b) Pursuant to SCA 24, all new diesel backup generators shall have engines that meet or exceed CARB Tier 4 off-road Compression Ignition Engine Standards (title 13, CCR, section 2423). If CARB adopts future emissions standards that exceed the Tier 4 requirement, the emissions standards resulting in the lowest criteria pollutant emissions shall apply. c) All new diesel backup generators shall have an annual maintenance testing limit of 20 hours, subject to any further restrictions as may be imposed by BAAQMD in its permitting process. d) For each new diesel backup generator permit submitted to BAAQMD for the Project, the Project sponsor shall submit the anticipated location and engine specifications to the City for review and approval prior to issuance of a permit for the generator from the City of Oakland Department of Building Inspection. Once operational, all diesel backup generators	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		shall be maintained in good working order for the life of the equipment and any future replacement of the diesel backup generators shall be required to be consistent with these emissions specifications. The operator of the facility at which the generator is located shall be required to maintain records of the testing schedule for each diesel backup generator for the life of that diesel backup generator and to provide this information for review to the planning department within three months of requesting such information. *vi. Electric Vehicle Charging* Prior to the issuance of the building's final certificate of occupancy, the project applicant shall demonstrate that the project is designed to comply with EV requirements in the most recently adopted version of CALGreen Tier 2 at the time of project-specific CEQA review. The installation of all EV charging equipment shall be included on the project drawings submitted for the construction-related permit(s) or on other documentation submitted to the City. *vii. Additional Operational Emissions Reduction Measures* Subsequent projects that do not meet the screening criteria and exceed the applicable criteria air pollutant thresholds of significance shall implement the following additional measures to reduce operational criteria air pollutant emissions: a) Prohibit TRUs from operating at loading docks for more than 30 minutes by posting signs at each loading dock presenting this TRU limit. b) All newly constructed loading docks that can accommodate trucks with TRUs shall be equipped with electric vehicle (EV) charging equipment for heavy-duty trucks. This measure does not apply to temporary street parking for loading or unloading. c) Require that all future tenants have a plan to convert their vehicle fleet(s) to zero emission vehicles (ZEVs) no later than	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		2040. This would be a condition of all leases at the project site. d) Other measures that become available and are shown to effectively reduce criteria air pollutant emissions on site or off site if emission reductions are realized within the air basin. Measures to reduce emissions on site are preferable to off-site emissions reductions. h) Construction Emissions Minimization Plan Requirement: For projects that involve construction activities with average daily emissions exceeding the CEQA thresholds for construction activity, currently 54 pounds per day of ROG, NOx, of PM2.5 or 82 pounds per day of PM10, the project applicant shall prepare a Construction Emissions Minimization Plan (Emissions Plan) for all identified criteria air pollutant reduction measures. The Emissions Plan shall be submitted to the City (and the Air District if specifically requested) for review and approval prior to the issuance of building permits. The Emissions Plan shall include the following: i. An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all Verified Diesel Emissions Control Strategies (VDECS), the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date. ii. A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract. When Required: Prior to issuance of a construction related permit Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		SCA-AIR-3: Toxic Air Contaminant Controls – Construction Related (#22) a) Particulate Matter Reduction Measures Requirement: The project applicant shall implement appropriate measures during construction to reduce potential health risks to sensitive receptors due to exposure to diesel particulate matter (DPM) and particulate matter less than 2.5 microns in diameter (PM2.5) in exhaust and fugitive emissions from construction activities. The project applicant shall choose to implement I or both ii and iii: i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with current guidance from the California Air Resources Board (CARB), the Office of Environmental Health and Hazard Assessment, and the Bay Area Air Quality Management District (BAAQMD) to determine the health risk to sensitive receptors exposed to DPM and PM2.5 from exhaust and fugitive emissions from project construction. The HRA shall be based on project-specific construction schedule, equipment, and activity data. Estimated project-level health risks shall be compared to the City's health risk significance thresholds for projects. The HRA shall be submitted to the City (and the Air District if specifically requested) for review and approval. If the HRA concludes that the health risk is at or below the City's health risk significance thresholds for projects, then DPM and PM2.5 reduction measures are not required. If the HRA concludes that the health risk exceeds the City's health risk significance thresholds for projects, DPM and PM2.5 reduction measures shall be identified to reduce the health risk to below the City's health risk significance thresholds as set forth under subsection b below. Identified DPM and PM2.5 reduction measures shall be submitted to the City for review and approval prior to the issuance of building permits and the approved DPM and PM2.5 reduction measures shall be implemented during construction.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		ii. The project applicant shall incorporate the following health risk reduction measures into the project to reduce TAC emissions from construction equipment. 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: ▪ All off-road diesel equipment shall be equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by CARB. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications. This shall be verified through an equipment inventory submittal and Certification Statement that the Contractor agrees to compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of contract. ▪ Where access to grid-powered electricity is available, portable diesel engines shall be prohibited and electric engines shall be used for concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, cement and mortar mixers, pressure washers, and pumps. Any other best available technology that reduces emissions offered at the time that future projects are reviewed may be included in the construction emissions minimization plan (e.g., alternative fuel sources, etc.). -and- iii. The project applicant shall implement all enhanced control measures included in SCA-AIR-1: Dust Controls – Construction Related (#20). When Required: Prior to issuance of a construction related permit (i), during construction (ii) Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building	

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Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		b) Construction Emissions Minimization Plan (if required by *a* above) Requirement: The project applicant shall prepare a Construction Emissions Minimization Plan (Emissions Plan) for all identified DPM reduction measures (if any). The Emissions Plan shall be submitted to the City (and the Bay Area Air Quality District if specifically requested) for review and approval prior to the issuance of building permits. The Emissions Plan shall include the following: i. An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all VDECS, the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date. ii. A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract. When Required: Prior to issuance of a construction related permit Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building **SCA-AIR-4: Reduce Exposure to Air Pollution (Toxic Air Contaminants) (#23)** a) 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 California Air Resources Board (CARB) and	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Office of Environmental Health and Hazard Assessment requirements and in accordance with Bay Area Air Quality Management District (BAAQMD) CEQA guidance for HRAs to determine the health risk of exposure of project residents/occupants/users to air pollutants and the exposure of existing off-site sensitive receptors to project-generated TAC emissions. The HRA shall be based on project- specific activity data. Estimated project-level health risks shall be compared to the City's health risk significance thresholds for projects. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below the City's health risk significance thresholds for projects, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds the City's health risk significance thresholds for projects, health risk reduction measures shall be identified to reduce the health risk below the City's health risk significance thresholds. 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. The approved risk reduction measures shall be implemented during construction and/or operations as applicable. - Or - ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City: ▪ Installation of mechanical ventilation systems 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. Mechanical ventilation systems shall be capable of achieving the	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		protection from particulate matter (PM2.5) equivalent to that associated with a MERV-16 filtration (as defined by American Society of Heating, Refrigerating, and Air-Conditioning Engineers standard 52.2). As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required. ▪ Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph). ▪ Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible. ▪ The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods. ▪ Sensitive receptors shall be located on the upper floors of buildings, if feasible. ▪ Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (*Pinus nigra var. maritima*), Cypress (*X Cupressocyparis leylandii*), Hybrid poplar (*Populus deltoids X trichocarpa*), and Redwood (*Sequoia sempervirens*). ▪ Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible. ▪ Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible. ▪ Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		▪ 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 issuance of a construction related permit Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building **SCA-AIR-5: Stationary Sources of Air Pollution (Toxic Air Contaminants) (#24)** Requirement: The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose **one** of the following methods: a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements and in accordance with Bay Area Air Quality Management District (BAAQMD) CEQA guidance for HRAs to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be based on project-specific activity data. Estimated project-level health risks shall be compared to the City's health risk significance thresholds for the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below the City's health risk significance thresholds for projects, then health risk	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		reduction measures are not required. If the HRA concludes the health risk exceeds the City's health risk significance thresholds for projects, health risk reduction measures shall be identified to reduce the health risk to the City's health risk significance thresholds for projects. 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. The approved risk reduction measures shall be implemented during construction and/or operations as applicable. - Or - b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City: i. Installation of non-diesel fueled generators, if feasible, or; ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible. If CARB adopts future emissions standards that exceed the Tier 4 requirement, the emissions standards resulting in the lowest DPM emission shall apply. iii. iii. All new diesel backup generators shall have an annual maintenance testing limit of 20 hours, subject to any further restrictions as may be imposed by BAAQMD in its permitting process. iv. All diesel backup generator exhaust shall be vented on the rooftops of each building where the generators are located. This could be achieved by either placing the diesel backup generators themselves on the rooftops, or by constructing exhaust stacks from the diesel backup generator locations to the rooftops. Alternatively, the generators or exhaust stacks could be located in areas where the Project sponsor can	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		quantitatively demonstrate that these locations would not result in health risks that exceed those associated with rooftop placement for both existing offsite and future onsite sensitive receptors. v. For each new diesel backup generator permit submitted to BAAQMD for the Project, the Project sponsor shall submit the anticipated location and engine specifications to the City for review and approval prior to issuance of a permit for the generator from the City of Oakland Department of Building Inspection. Once operational, all diesel backup generators shall be maintained in good working order for the life of the equipment and any future replacement of the diesel backup generators shall be required to be consistent with these emissions specifications. The operator of the facility at which the generator is located shall be required to maintain records of the testing schedule for each diesel backup generator for the life of that diesel backup generator and to provide this information for review to the planning department within three months of requesting such information. When Required: Prior to approval of construction-related permit Initial Approval: Planning and Zoning Division Monitoring/Inspection: Bureau of Building **SCA-AIR-6: Truck-Related Risk Reduction Measures (Toxic Air Contaminants) (#25)** a) Truck Loading Docks Requirement: The project applicant shall locate proposed truck loading docks as far from nearby sensitive receptors as feasible. When Required: Prior to approval of a construction related permit Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building b) Truck Fleet Emissions Standards Requirement: The project applicant shall comply with all applicable California Air Resources Board (CARB) requirements to control emissions from diesel engines and demonstrate	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		compliance to the satisfaction of the City. Methods to comply include, but are not limited to, new clean diesel trucks, higher-tier diesel engine trucks with added Particulate Matter (PM) filters, hybrid trucks, alternative energy trucks, or other methods that achieve the applicable CARB emission standard. Compliance with this requirement shall be verified through CARB's Verification Procedures for In-Use Strategies to Control Emissions from Diesel Engines. c) Diesel Truck Emission Reduction Measures Requirement: The Project sponsor shall incorporate the following health risk reduction measures into the Project design and construction contracts (as applicable) in order to reduce the potential health risk due to exposure to toxic air contaminants. 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. Emissions from Project-related diesel trucks shall be reduced through implementing the following measures, if feasible: i. Prohibit TRUs from operating at loading docks for more than 30 minutes by posting signs at each loading dock presenting this TRU limit. ii. All newly constructed loading docks that can accommodate trucks with TRUs shall be equipped with electric vehicle (EV) charging equipment for heavy-duty trucks. This measure does not apply to temporary street parking for loading or unloading. iii. Require that all future tenants have a plan to convert their vehicle fleet(s) to zero emission vehicles (ZEVs) no later than 2040. This would be a condition of all leases at the project site. iv. Requiring truck-intensive tenants to use advanced exhaust technology (e.g., hybrid) or alternative fuels. v. Other measures that become available and are shown to effectively reduce criteria air pollutant emissions on site or off site if emission reductions are realized within the air basin. Measures to reduce emissions on site are preferable to off-site emissions reductions.	

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Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		vi. The project sponsor shall develop a Truck Route Plan that establishes operational truck routes to avoid sensitive receptors as identified in the environmental review analysis completed for the project. The purpose of the Truck Route Plan is to route trucks on streets that are located as far from offsite sensitive receptors as possible, while still maintaining the operational goals of the project. The Truck Route Plan must include route restrictions, truck calming, truck parking, and truck delivery restrictions to minimize exposure of nearby sensitive receptors to truck exhaust and fugitive particulate emissions. Prior to the commencement of operational activities, the project sponsor shall certify (1) compliance with the Truck Route Plan, and (2) all applicable requirements of the Truck Route Plan have been incorporated into tenant contract specifications. When Required: Prior to building permit final; ongoing Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building **SCA-AIR-7: Asbestos in Structures (#27)** Requirement: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request. When Required: Prior to approval of construction-related permit Initial Approval: Applicable regulatory agency with jurisdiction Monitoring/Inspection: Applicable regulatory agency with jurisdiction **SCA-AIR-8: Naturally-Occurring Asbestos (#27)** Requirement: The project applicant shall comply with all applicable laws and regulations regarding construction in areas	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		of naturally-occurring asbestos, including but not limited to, the Bay Area Air Quality Management District's (BAAQMD) Asbestos Airborne Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations (implementing California Code of Regulations, section 93105, as may be amended) requiring preparation and implementation of an Asbestos Dust Mitigation Plan to minimize public exposure to naturally- occurring asbestos. Evidence of compliance shall be submitted to the City upon request. When Required: Prior to approval of construction-related permit Initial Approval: Applicable regulatory agency with jurisdiction Monitoring/Inspection: Applicable regulatory agency with jurisdiction	
E. GREENHOUSE GAS EMISSIONS AND ENERGY			
Implementation of the project would not result in any significant greenhouse gas and energy impacts.		**SCA-GHG-1: Project Compliance with the Equitable Climate Action Plan (ECAP) Consistency Checklist (#45)** Requirement: The project applicant shall implement all the measures in the Equitable Climate Action Plan (ECAP) Consistency Checklist that was submitted during the Planning entitlement phase. a. For physical ECAP Consistency Checklist measures to be incorporated into the design of the project, the measures shall be included on the drawings submitted for construction-related permits. When Required: Prior to approval of construction-related permit. Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Planning b. For physical ECAP Consistency Checklist measures to be incorporated into the design of the project, the measures shall be implemented during construction. When Required: During construction Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building	

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Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		c. For ECAP Consistency Checklist measures that are operational but not otherwise covered by these SCAs, including but not limited to the requirement for transit passes or additional Transportation Demand Management measures, the applicant shall provide notice of these measures to employees and/or residents and post these requirements in a public place such as a lobby or work area accessible to the employees and/or residents. When Required: Ongoing Monitoring/Inspection: Bureau of Planning The following SCA applies under any of the following scenarios for projects which require a consistency analysis or GHG analysis under CEQA. **a. Scenario A**: Projects which (a) involve a land use development (i.e., a project that does not require a permit from the Bay Area Air Quality Management District (BAAQMD) to operate), (b) does not commit to all the GHG emissions reduction strategies described in the ECAP Consistency Checklist, as originally adopted by the Planning Commission on December 16, 2020 and as may be amended administratively from time to time. **b. Scenario B:** Projects which (a) involve a stationary source of GHG (i.e., a project that requires a permit from BAAQMD to operate) and (b) after a GHG analysis is prepared would produce total GHG emissions of more than 10,000 metric tons of CO_2e annually. **SCA-TRANS-4: Transportation and Parking Demand Management (TDM) Measures (#83)** *See SCA above in Section V.C, Traffic and Transportation*	

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Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		SCA-SERV-5: Construction and Demolition Waste Reduction and Recycling (#87) *See SCA below in Section V.M, Public Services, Utilities, and Recreation* **SCA-SERV-8: Green Building Requirements (#90)** *See SCA below in Section V.M, Public Services, Utilities, and Recreation*	
F. SOILS, GEOLOGY, AND SEISMICITY			
GEO-1: Construction activities could potentially trigger landslides or destabilize existing slopes.	S	GEO-1: Prior to the issuance of any grading or construction permits, a design level geotechnical report shall be prepared by a qualified Geotechnical Engineer or Certified Engineering Geologist with input from a structural engineer and submitted to the City's Bureau of Building for review and approval. In addition to all other requirements, the design level geotechnical report shall specifically identify areas of the project site and adjacent areas where potentially unstable soil and/or rock formations could be impacted by project construction activities, and shall provide recommendations to minimize the potential for construction activities to trigger landslides or rockfalls, destabilize existing slopes, or result in soil collapse (e.g., shoring or retaining wall failure). The geotechnical recommendations shall include off-site protective measures (e.g., slope stabilization and/or rockfall protection), if necessary, to protect adjacent properties from potential landslides/rockfalls. The geotechnical recommendations shall be incorporated into the project plans and shall be implemented during construction of the project. The qualified Geotechnical Engineer or Certified Engineering Geologist that prepares the design level geotechnical report and the City's Bureau of Building shall inspect construction activities to ensure that the geotechnical recommendations are implemented and that slopes remain stable throughout construction activities.	LTS

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Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Implementation of the above mitigation would reduce potential impacts associated with landslides and slope stability to a less-than-significant level.	
		SCA-GEO-1: Construction-Related Permit(s) (#40) Requirement: The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction. When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building **SCA-GEO-2: Soil Report (#41)** Requirement: The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction. When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building	
G. HAZARDS AND HAZARDOUS MATERIALS			
HAZ-1: Contaminated soil or groundwater in the subsurface of the project site could pose a risk of exposure to hazardous materials.	S	HAZ-1: A Phase II Environmental Site Assessment (ESA) shall be performed for the project site by a qualified environmental professional before the start of construction. The Phase II ESA shall include, but not necessarily be limited to, a geophysical survey to evaluate the potential presence of a UST in the area of	LTS

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Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Macky Hall, and sampling of soil and groundwater in the area between the Clifton Hall parcel and the northern edge of the project site. The Phase II ESA shall also include sampling of soil and groundwater in the area of Macky Hall if a potential UST is identified in the area. If a potential UST is identified by the geophysical survey or if soil or groundwater contamination is identified in any area of the project site at levels that exceed appropriate human health screening levels for residential land use (e.g., the Regional Water Board's environmental screening levels), the appropriate regulatory agencies shall be immediately notified of the findings and further investigation and/or remediation of the project site shall be performed under regulatory agency oversight. A report documenting the findings of the Phase II ESA shall be submitted to the City for review and approval prior to the issuing of construction permits.	
HAZ-2: Potential excavation and handling of contaminated soil, groundwater, and underground storage tanks (USTs) in the subsurface of the project site could result in emissions of hazardous materials that could pose a risk of exposure for nearby schools.	S	HAZ-2: Implementing Mitigation Measure HAZ-1 would also mitigate Impact HAZ-2; no additional mitigation is necessary.	LTS
		SCA-HAZ-1: Hazardous Materials Related to Construction (#47) Requirement: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following: a. Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction; b. Avoid overtopping construction equipment fuel gas tanks; c. During routine maintenance of construction equipment, properly contain and remove grease and oils; d. Properly dispose of discarded containers of fuels and other chemicals;	

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Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate. When Required: During construction Initial Approval: N/A Monitoring/Inspection: Bureau of Building **SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#48)** ***a. Hazardous Building Materials Assessment*** Requirement: The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project	

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Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency. When Required: Prior to approval of demolition, grading, or building permits Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building ***b. Environmental Site Assessment Required*** Requirement: The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency. When Required: Prior to approval of construction-related permit Initial Approval: Applicable regulatory agency with jurisdiction Monitoring/Inspection: Applicable regulatory agency with jurisdiction ***c. Health and Safety Plan Required*** Requirement: The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan. When Required: Prior to approval of construction-related permit	

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Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building ***d. Best Management Practices (BMPs) Required for Contaminated Sites*** Requirement: The project applicant shall ensure that BMPs are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following: i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements. ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building. When Required: During construction Initial Approval: N/A Monitoring/Inspection: Bureau of Building **SCA-AIR-7: Naturally Occurring Asbestos (#26)** *See SCA above in Section V.D, Air Quality*	
H. HYDROLOGY AND WATER QUALITY			
Implementation of the project would not result in any significant hydrology and water quality impacts.		**SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#53)** *Erosion and Sedimentation Control Plan Required* Requirement: The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval.	

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Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials onto lands of adjacent property owners or public streets or into creeks as a result of conditions created by grading and/or construction operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting; waterproof slope covering; check dams; interceptor ditches; benches; storm drains; dissipation structures; diversion dikes; retarding berms and barriers; devices to trap, store, and filter out sediment; and stormwater retention basins. Off-site work by the project applicant could be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to modification as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The plan shall specify that, after construction is completed, the project applicant shall ensure that the storm drain system is inspected and that the project applicant clears the system of any debris or sediment. When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Building Monitoring/Inspection: N/A *Erosion and Sedimentation Control During Construction* Requirement: The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet-weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building. When Required: During construction Initial Approval: N/A Monitoring/Inspection: Bureau of Building	

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Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		SCA-HYD-2: State Construction General Permit (#54) Requirement: The project applicant shall comply with the requirements of the Construction General Permit issued by the SWRCB. The project applicant shall submit an NOI, SWPPP, and other required Permit Registration Documents to the SWRCB. The project applicant shall submit evidence of compliance with permit requirements to the City. When Required: Prior to approval of construction-related permit Initial Approval: SWRCB; evidence of compliance submitted to Bureau of Building Monitoring/Inspection: SWRCB **SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58)** *Post-Construction Stormwater Management Plan Required* Requirement: The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the NPDES. The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following: i. Location and size of new and replaced impervious surface. ii. Directional surface flow of stormwater runoff. iii. Location of proposed on-site storm drain lines. iv. Site design measures to reduce the amount of impervious surface area. v. Source control measures to limit stormwater pollution. vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff. When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Planning; Bureau of Building Monitoring/Inspection: Bureau of Building *Maintenance Agreement Required* Requirement: The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following: i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity. ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the RWQCB, San Francisco Bay Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures, and to take corrective action if necessary. The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense. When Required: Prior to building permit final Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building **SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#48)** *See SCA above in Section V.G, Hazards and Hazardous Materials*	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
I. NOISE AND VIBRATION			
NOI-1: The noise levels from operation of heavy construction equipment on the project site could impact nearby receptors.	S	NOI-1: The Project Sponsor would be required to implement SCA-NOI-1: Construction Days/Hours (#67), SCA-NOI-2: Construction Noise (#68), SCA-NOI-3: Extreme Construction Noise (#69), and SCA-NOI-4: Construction Noise Complaints (#71), which includes preparation of a Construction Noise Management Plan with site-specific noise attenuation measures. To further reduce impacts, an acoustical analysis shall be prepared by a qualified acoustical consultant prior to first construction related-permit issuance. The acoustical analysis shall show how the measures identified in the Construction Noise Management Plan will reduce impacts to below the project-specific performance standard of 80 dBA at each sensitive receptor. If such measures cannot reduce construction noise impacts at the nearest sensitive receptors to below 80 dBA, then the specific construction equipment operating above 80 dBA will be limited to 5 days at a time. Even with this specific performance standard and additional project specific mitigation measures, the impact may exceed the City's noise thresholds so the impact would conservatively remain significant and unavoidable.	SU
NOI-2: Use of vibratory rollers from project construction could impact Oakland Technical High School Upper Campus activities when school is in session.	S	NOI-2: Use of vibratory rollers for project construction within 85 feet from the Oakland Technical High School Upper Campus shall occur when school is not in session, such as after school hours or during school breaks (e.g., summer vacation).	LTS
		SCA-NOI-1: Construction Days/Hours (#67) Requirement: The project applicant shall comply with the following restrictions concerning construction days and hours: a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday. c. No construction is allowed on Sunday or federal holidays. Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area. Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice. When Required: During construction Initial Approval: N/A Monitoring/Inspection: Bureau of Building **SCA-NOI-2: Construction Noise (#68)** Requirement: The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following: a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g.,	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible. b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. c. Applicant shall use temporary power poles instead of generators where feasible. d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction. e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented. When Required: During construction Initial Approval: N/A Monitoring/Inspection: Bureau of Building **SCA-NOI-3: Extreme Construction Noise (#69)** ***a. Construction Noise Management Plan Required*** Requirement: Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		generating greater than 90 dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following: i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; ii. Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and v. Monitor the effectiveness of noise attenuation measures by taking noise measurements. When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building ***b. Public Notification Required*** Requirement: The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented. When Required: During construction Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building **SCA-NOI-4: Construction Noise Complaints (#71)** Requirement: The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include: a. Designation of an on-site construction complaint and enforcement manager for the project; b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit; c. Protocols for receiving, responding to, and tracking received complaints; and d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request. When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building **SCA-NOI-5: Exposure to Community Noise (#72)** Requirement: The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		during construction. To the maximum extent practicable, interior noise levels shall not exceed the following: a. 45 dBA: Residential activities, civic activities, hotels b. 50 dBA: Administrative offices; group assembly activities c. 55 dBA: Commercial activities d. 65 dBA: Industrial activities When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building **SCA-NOI-6: Operational Noise (#73)** Requirement: Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City. When Required: Ongoing Initial Approval: N/A Monitoring/Inspection: Bureau of Building **SCA-NOI-7: Vibration Impacts on Adjacent Structures or Vibration-Sensitive Activities (#75)** The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage Macky Hall, Carriage House, and retained portion of Broadway Wall and Stairs. The Vibration Analysis shall identify design means and methods of construction that shall be utilized in order to not exceed the thresholds. The applicant shall implement the recommendations during construction. When Required: Prior to construction	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building	
J. BIOLOGICAL RESOURCES			
BIO-1: Redevelopment at the project site could disturb nesting bird habitat.	S	BIO-1: Identify and Avoid Active Nesting Birds during Nesting Season. If construction activities are scheduled to occur during the bird nesting season (February 1 through August 15), a qualified biologist shall be hired to conduct a pre-construction survey of all suitable nesting habitat (i.e., fields, trees, shrubs, buildings, etc.) within 200 feet of the project site (where accessible). Where direct access is not prohibited, a qualified biologist will scan for nests using binoculars or other surveying method determined by the biologist. The pre-construction survey shall be conducted no more than 14 days prior to the start of project-related work. If the survey indicates the presence of nesting birds, protective no-disturbance buffer zones shall be established around the nests as follows: for raptor nests, the size of the no-disturbance buffer zone shall be a 200-foot radius centered on the nest; for other birds, the size of the buffer zone shall be a 50- to 100-foot radius centered on the nest. In some cases, and as determined by the project biologist in consultation with the CDFW, these buffers may be increased or decreased depending on the bird species and the level of disturbance that will occur.	LTS
BIO-2: Redevelopment at the project site could disturb pallid bat habitat.	S	BIO-2: Pre-Construction Survey and Avoidance Measure for Pallid Bat: A qualified biologist shall be hired to conduct a pre-construction survey of all suitable bat roosting habitat (e.g., large trees, buildings, and structures) within the project site. The pre-construction survey shall be conducted no more than 14 days prior to the start of project-related work. If active bat roosts are discovered or if the evidence of recent prior occupation is established, a 200-foot protective no disturbance buffer shall be established by the project biologist around the roost site until the roost site is no longer active. If an active roost needs to be removed as a part of the project, the project biologist would be required to consult with the CDFW to determine appropriate	LTS

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		methods for the removal of the roost, for which the Project Sponsor would be required to comply.	
		SCA-BIO-1: Bird Collision Reduction Measures (#28) Requirement: The project applicant shall submit a Bird Collision Reduction Plan for City review and approval to reduce potential bird collisions to the maximum feasible extent. The Plan shall include all of the following mandatory measures, as well as applicable and specific project Best Management Practice (BMP) strategies to reduce bird strike impacts to the maximum feasible extent. The project applicant shall implement the approved Plan. Mandatory measures include all of the following: i. For large buildings subject to federal aviation safety regulations, install minimum intensity white strobe lighting with three second flash instead of solid red or rotating lights. ii. Minimize the number of and co-locate rooftop-antennas and other rooftop structures. iii. Monopole structures or antennas shall not include guy wires. iv. Avoid the use of mirrors in landscape design. v. Avoid placement of bird-friendly attractants (i.e., landscaped areas, vegetated roofs, water features) near glass unless shielded by architectural features taller than the attractant that incorporate bird friendly treatments no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule), as explained below. vi. Apply bird-friendly glazing treatments to no less than 90 percent of all windows and glass between the ground and 60 feet above ground or to the height of existing adjacent landscape or the height of the proposed landscape. Examples of bird-friendly glazing treatments include the following: ▪ Use of opaque glass in window panes instead of reflective glass. ▪ Uniformly cover the interior or exterior of clear glass surface with patterns (e.g., dots, stripes, decals, images, abstract patterns). Patterns can be etched, fritted, or on films and shall have a density of no more than two inches	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		horizontally, four inches vertically, or both (the "two-by-four" rule). ▪ Install paned glass with fenestration patterns with vertical and horizontal mullions no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). ▪ Install external screens over non-reflective glass (as close to the glass as possible) for birds to perceive windows as solid objects. ▪ Install UV-pattern reflective glass, laminated glass with a patterned UV-reflective coating, or UV-absorbing and UV-reflecting film on the glass since most birds can see ultraviolet light, which is invisible to humans. ▪ Install decorative grilles, screens, netting, or louvers, with openings no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). ▪ Install awnings, overhangs, sunshades, or light shelves directly adjacent to clear glass which is recessed on all sides. ▪ Install opaque window film or window film with a pattern/design which also adheres to the "two-by-four" rule for coverage. vii. Reduce light pollution. Examples include the following: ▪ Extinguish night-time architectural illumination treatments during bird migration season (February 15 to May 15 and August 15 to November 30). ▪ Install time switch control devices or occupancy sensors on non-emergency interior lights that can be programmed to turn off during non-work hours and between 11:00 p.m. and sunrise. ▪ Reduce perimeter lighting whenever possible. ▪ Install full cut-off, shielded, or directional lighting to minimize light spillage, glare, or light trespass. ▪ Do not use beams of lights during the spring (February 15 to May 15) or fall (August 15 to November 30) migration.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		viii. Develop and implement a building operation and management manual that promotes bird safety. Example measures in the manual include the following: ▪ Donation of discovered dead bird specimens to an authorized bird conservation organization or museums (e.g., UC Berkeley Museum of Vertebrate Zoology) to aid in species identification and to benefit scientific study, as per all federal, state and local laws. ▪ Distribution of educational materials on bird-safe practices for the building occupants. Contact Golden Gate Audubon Society or American Bird Conservancy for materials. ▪ Asking employees to turn off task lighting at their work stations and draw office blinds, shades, curtains, or other window coverings at end of work day. ▪ Install interior blinds, shades, or other window coverings in windows above the ground floor visible from the exterior as part of the construction contract, lease agreement, or CC&Rs. ▪ Schedule nightly maintenance during the day or to conclude before 11 p.m., if possible. When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building **SCA-BIO-2: Tree Removal During Bird Breeding Season (#32)** Requirement: To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest. When Required: Prior to removal of trees Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building **SCA-BIO-3: Tree Permit (#33)** ***a. Tree Permit Required*** Requirement: Pursuant to the City's Tree Protection Ordinance (OMC Chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit. When Required: Prior to approval of construction-related permit Initial Approval: Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building Monitoring/Inspection: Bureau of Building ***b. Tree Protection during Construction*** Requirement: Adequate protection shall be provided during the construction period for any trees that are to remain standing, including the following, plus any recommendations of an arborist: i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree. ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree. iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree. iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed. vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations. When Required: During construction Initial Approval: Public Works Department, Tree Division Monitoring/Inspection: Bureau of Building ***c. Tree Replacement Plantings*** Requirement: Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria: i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered. ii. Replacement tree species shall consist of *Sequoia sempervirens* (Coast Redwood), *Quercus agrifolia* (Coast Live Oak), *Arbutus menziesii* (Madrone), *Aesculus californica* (California Buckeye), *Umbellularia californica* (California Bay Laurel), or other tree species acceptable to the Tree Division.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		iii. Replacement trees shall be at least 24-inch box size, unless a smaller size is recommended by the arborist, except that three 15-gallon size trees may be substituted for each 24-inch box size tree where appropriate. iv. Minimum planting areas must be available on-site as follows: ▪ For *Sequoia sempervirens*, 315 square feet per tree; ▪ For other species listed, 700 square feet per tree. v. In the event that replacement trees are required but cannot be planted due to site constraints, an in-lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians. vi. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within 1 year of planting shall be replanted at the project applicant's expense. When Required: Prior to building permit final Initial Approval: Public Works Department, Tree Division Monitoring/Inspection: Bureau of Building	
K. POPULATION AND HOUSING			
Implementation of the project would not result in any significant population and housing impacts.		**SCA-POP-1: Jobs/Housing Impact Fee (#76)** Requirement: The project applicant shall comply with the requirements of the City of Oakland Jobs/Housing Impact Fee Ordinance (chapter 15.68 of the Oakland Municipal Code). When Required: Prior to issuance of building permit; subsequent milestones pursuant to ordinance Initial Approval: Bureau of Building Monitoring/Inspection: N/A	

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Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		SCA-POP-2: Affordable Housing Impact Fee (#77) Requirement: The project applicant shall comply with the requirements of the City of Oakland Affordable Housing Impact Fee Ordinance (chapter 15.72 of the Oakland Municipal Code). When Required: Prior to issuance of building permit; subsequent milestones pursuant to ordinance Initial Approval: Bureau of Building Monitoring/Inspection: N/A **SCA-POP-3: Residential Tenants (#97)** Requirement: The property owner shall comply with all applicable laws and requirements concerning residential tenants, including but not limited to, the City's Rent Adjustment Ordinance (OMC chap. 8.22, Article I), Just Cause Eviction Ordinance (OMC chap. 8.22, Articles II & III), Tenant Protection Ordinance (OMC chap. 8.22, Article V) and Code Compliance Relocation Ordinance (OMC chap. 15.60). Existing and former tenants temporarily or permanently evicted, displaced or relocated due to the project or City action related to the project may be entitled to protections and benefits, including, but not limited to, relocation payments and the right to return to previous units. The property owner may be required to submit evidence of compliance with applicable tenant protection laws upon request of the City. For more information, please contact the Oakland Housing Assistance Center: 250 Frank H. Ogawa Plaza, 6th Floor, Oakland, California, 94612; (510) 238-6182. When Required: Ongoing Initial Approval: N/A Monitoring/Inspection: N/A **SCA-POP-4: Affordable Residential Rental Units – Agreement and Monitoring (#103)** a. Requirement #1: Pursuant to Section 17.107 of the Oakland Planning Code and the State Density Bonus Law California Government Code Section 65915 et seq. ("State Density Bonus Law"), the proposed project shall provide a minimum of **46** target	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		dwelling units available at very low/ low/ moderate income (as **10%** of the units) for receiving a density bonus, concession and/or waiver of development standards. b. Requirement #2: The approved residential affordable units that are part of this approval shall remain and continue to be affordable at the specified level in accordance with California Health and Safety Code Section 50053 and its implementing regulations for a term of not less than 55 years or a longer period of time if required by the construction or mortgage finance assistance program, mortgage insurance program, or rental subsidy program. This Condition of Approval must also be in compliance with Section 65915(c)(1) of the State Density Bonus Law specifically, as well as all other applicable provisions of the State Density Bonus Law. c. Requirement #3: Prior to submittal of a construction-related permit, the applicant shall contact the Housing and Community Development Department (Housing Development Services Division) to enter into a Regulatory Agreement based on the City's model documents, as may be amended from time to time, governing the target dwelling units. The Agreement shall contain restrictive covenants to ensure the continued affordability of the target dwelling units at the specified rent levels for a period of not less than fifty-five (55) years pursuant Section 65915 (c)(1) of the State Density Bonus Law, and restrict the occupancy of those units only to residents who satisfy the affordability requirement as approved for this project. Only households meeting the eligibility standards for the target dwelling units shall be eligible to occupy the target dwelling units. If the property has an approved condominium map and the developer chooses to rent the affordable units at initial occupancy, the units cannot convert to ownership during the term of the Agreement, even if the market rate units in the development convert to ownership.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		The Regulatory Agreement shall be recorded with the Alameda County Recorder's Office as an encumbrance against the property, and a copy of the recorded agreement shall be provided to and retained by the City. The Regulatory Agreement may not be subordinated in priority to any other lien interest in the property. d. Requirement #4: Rental target dwelling units shall be managed / operated by the developer or developer's agent or the developer's successor. The developer of rental target dwelling units shall submit for review and approval by the Housing and Community Development Department and any other relevant City departments, an annual report identifying which units are target dwelling units, the monthly rent, vacancy information, monthly income for tenants of each target rental dwelling unit throughout the prior year, and other information required by the City. Said agreement shall maintain the tenants' privacy. The applicant shall pay to the Housing and Community Development Department an annual monitoring fee pursuant to the Master Fee Schedule (updated annually and available from the Budget Office of the City Oakland's Finance Department: https://www.oaklandca.gov/departments/finance-department) for City monitoring of target dwelling units. e. Requirement #5: The floor area, number of bedrooms, and amenities (such as fixtures, appliances, location and utilities) of the affordable units shall be substantially equal in size and quality to those of the market rate units. Further, the proportion of unit types (i.e. three-bedroom and four-bedroom, etc.) of the affordable units shall be roughly the same as the project's market rate units. f. Requirement #6: Tenant households in affordable units must have equal access to the project's services and facilities as tenant households in all other units within the project. g. Requirement #7: Affordable units must be evenly distributed throughout the project.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		h. Requirement #8: Applicant shall comply with the requirements of Section 65915(c)(3)(A) of the State Density Bonus Law requiring, without limitation, replacement units in those circumstances where the parcel subject to the density bonus requests contains or contained affordable units within the last five years. i. Requirement #9: Applicants shall comply with all applicable provisions of State Density Bonus Law and all provisions of the City's density bonus law that are not preempted by state law. j. Requirement #10: Affordable units shall be constructed concurrent with the construction of the market rate units in each phase of the project. k. Requirement #11: The City will not issue final certificates of occupancy for more than fifty percent (50%) of the market rate units in any phase of development until final certificates of occupancy are issued for all of the affordable units in that phase. When Required: First Construction-Related Permit Application and Ongoing Initial Approval: Housing and Community Development Department – Housing Development Services Division Ongoing Monitoring/Inspections: Housing Development Services Division	
L. AESTHETICS AND SHADE AND SHADOW			
Implementation of the project would not result in any significant aesthetics and shade and shadow impacts.		**SCA-AES-1: Trash and Blight Removal (#16)** Requirement: The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users. When Required: Ongoing Initial Approval: N/A Monitoring/Inspection: Bureau of Building	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		SCA-AES-2: Graffiti Control (#17) Requirement: a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation: i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces. ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces. iii. Use of paint with anti-graffiti coating. iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED). v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement. b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following: i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system. ii. Covering with new paint to match the color of the surrounding surface. iii. Replacing with new surfacing (with City permits if required). When Required: Ongoing Initial Approval: N/A Monitoring/Inspection: Bureau of Building	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		SCA-AES-3: Landscape Plan (#18) ***a. Landscape Plan Required*** Requirement: The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code. When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Planning Monitoring/Inspection: N/A ***b. Landscape Installation*** Requirement: The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of $2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid. When Required: Prior to building permit final Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building ***c. Landscape Maintenance*** Requirement: All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced. When Required: Ongoing Initial Approval: N/A Monitoring/Inspection: Bureau of Building	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		SCA-AES-4: Lighting (#19) Requirement: Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties. When Required: Prior to building permit final Initial Approval: N/A Monitoring/Inspection: Bureau of Building **SCA-AES-5: Public Art for Private Development (#98)** Requirement: The project is subject to the City's Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. ("Ordinance"). The public art contribution requirements are equivalent to one-half percent (0.5%) for the "residential" building development costs, and one percent (1.0%) for the "non-residential" building development costs. The contribution requirement can be met through: 1) the installation of freely accessible art at the site; 2) the installation of freely accessible art within one-quarter mile of the site; or 3) satisfaction of alternative compliance methods described in the Ordinance, including, but not limited to, payment of an in-lieu fee contribution. The applicant shall provide proof of full payment of the in-lieu contribution and/or provide plans, for review and approval by the Planning Director, showing the installation or improvements required by the Ordinance prior to issuance of a building permit. Proof of installation of artwork, or other alternative requirement, is required prior to the City's issuance of a final certificate of occupancy for each phase of a project unless a separate, legal binding instrument is executed ensuring compliance within a timely manner subject to City approval. When Required: Payment of in-lieu fees and/or plans showing fulfillment of public art requirement – Prior to Issuance of Building permit Installation of art/cultural space – Prior to Issuance of a Certificate of Occupancy	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building	
M. PUBLIC SERVICES, UTILITIES, AND RECREATION			
Implementation of the project would not result in any significant public services, utilities, or recreation impacts.		**SCA-SERV-1: Compliance with Other Requirements (#3)** The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Bureau of Buildings, Fire Marshal, Department of Transportation, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processes in accordance with the procedures contained in Condition #4. **SCA-SERV-2: Construction Management Plan (#13)** Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		each construction-related requirement will be satisfied throughout construction of the project. **SCA-SERV-3: Fire Safety Phasing Plan (#50)** Requirement: The project applicant shall submit a Fire Safety Phasing Plan for City review and approval, and shall implement the approved Plan. The Fire Safety Phasing Plan shall include all of the fire safety features and emergency vehicle access incorporated into each phase of the project and the schedule for implementation of the features. When Required: Prior to approval of construction-related permit Initial Approval: Oakland Fire Department Monitoring/Inspection: Bureau of Building **SCA-SERV-4: Capital Improvements Impact Fee (#78)** Requirement: The project applicant shall comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code). When Required: Prior to issuance of building permit Initial Approval: Bureau of Building Monitoring/Inspection: N/A **SCA-SERV-5: Construction and Demolition Waste Reduction and Recycling (#87)** Requirement: The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (Chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of $50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center. When Required: Prior to approval of construction-related permit Initial Approval: Public Works Department, Environmental Services Division Monitoring/Inspection: Public Works Department, Environmental Services Division **SCA-SERV-6: Underground Utilities (#88)** Requirement: The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities. When Required: During construction Initial Approval: N/A Monitoring/Inspection: Bureau of Building **SCA-SERV-7: Recycling Collection and Storage Space (#89)** Requirement: The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (Chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least 2 cubic feet of storage and collection	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		space per residential unit is required, with a minimum of 10 cubic feet. For nonresidential projects, at least 2 cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of 10 cubic feet. When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building **SCA-SERV-8: Green Building Requirements (#90)** ***a. Compliance with Green Building Requirements During Plan-Check*** Requirement: The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (Chapter 18.02 of the Oakland Municipal Code). i. The following information shall be submitted to the City for review and approval with the application for a building permit: ▪ Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. ▪ Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. ▪ Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. ▪ Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below. ▪ Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. ▪ Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. ▪ Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. ii. The set of plans in subsection (i) shall demonstrate compliance with the following: ▪ CALGreen mandatory measures. ▪ Green building point level/certification requirement of 53 points, approved during the Planning entitlement process. ▪ All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted. ▪ The required green building point minimums in the appropriate credit categories. When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Building Monitoring/Inspection: N/A ***b. Public Notification Required*** Requirement: The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project. The following information shall be submitted to the City for review and approval: i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. When Required: During construction Initial Approval: N/A Monitoring/Inspection: Bureau of Building ***c. Compliance with Green Building Requirements After Construction*** Requirement: Prior to finalizing the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level. When Required: Prior to Final Approval Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building **SCA-SERV-9: Sanitary Sewer System (#92)** Requirement: The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system. When Required: Prior to approval of construction-related permit Initial Approval: Public Works Department, Department of Engineering and Construction Monitoring/Inspection: N/A	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		SCA-SERV-10: Storm Drain System (#93) Requirement: The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition. When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Building Monitoring/Inspection: Bureau of Building **SCA-SERV-11: Water Efficient Landscape Ordinance (#95)** Requirement: The project applicant shall comply with California's Water Efficient Landscape Ordinance (WELO) in order to reduce landscape water usage. For the specific ordinance requirements, see the link below: http://www.water.ca.gov/wateruseefficiency/landscape ordinance/docs/Title%2023%20extract%20-%20Official% 20CCR%20pages.pdf. For any landscape project with an aggregate (total noncontiguous) landscape area equal to 2,500 sq. ft. or less, the project applicant may implement either the Prescriptive Measures or the Performance Measures, of, and in accordance with the California's Model Water Efficient Landscape Ordinance. For any landscape project with an aggregate (total noncontiguous) landscape area over 2,500 sq. ft., the project applicant shall implement the Performance Measures in accordance with the WELO. *Prescriptive Measures*: Prior to construction, the project applicant shall submit the Project Information (detailed below) and documentation showing compliance with Appendix D of California's Model Water Efficient Landscape Ordinance (see page 38.14(g) in the link above).	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Performance Measures: Prior to construction, the project applicant shall prepare and submit a Landscape Document Package for review and approval, which includes the following: **a. Project Information** i. Date, ii. Applicant and property owner name, iii. Project address, iv. Total landscape area, v. Project type (new, rehabilitated, cemetery, or home owner installed), vi. Water supply type and water purveyor, vii. Checklist of documents in the package, and viii. Project contacts. ix. Applicant signature and date with the statement: "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package." **b. Water Efficient Landscape Worksheet** i. Hydrozone Information Table ii. Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use **c. Soil Management Report** **d. Landscape Design Plan** **e. Irrigation Design Plan, and** **f. Grading Plan** Upon installation of the landscaping and irrigation systems, and prior to the final of a construction-related permit, the Project applicant shall submit a Certificate of Completion (see page 38.6 in the link above) and landscape and irrigation maintenance schedule for review and approval by the City. The Certificate of	

TABLE II-2 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Without Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Completion shall also be submitted to the local water purveyor and property owner or his or her designee When Required: Prior to approval of construction-related permit Initial Approval: Bureau of Planning Monitoring/Inspection: Bureau of Building **SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#53)** *See SCA above in Section VH, Hydrology and Water Quality* **SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58)** *See SCA above in Section VH, Hydrology and Water Quality* **SCA-GHG-1: Greenhouse Has Reduction Plan (#45)** *See SCA above in Section E, Greenhouse Gas Emissions and Energy*	

III. PROJECT DESCRIPTION

This chapter describes the proposed California College of the Arts (CCA) Oakland Campus Redevelopment Project (project), which is the subject of this Environmental Impact Report (EIR). The chapter begins with a description of the project site, regional and planning context, project objectives, and context discussion of relevant project background. These are followed by a detailed description of the proposed development project, a discussion of the intended uses of the EIR, and an explanation of required project approval and entitlements.

A. PROJECT SITE

1. Location

The approximately 3.95-acre project site is within the North Oakland planning area and Rockridge neighborhood. The site is comprised of one parcel at 5200 Broadway. The project site is approximately 0.6 miles south of Rockridge Bay Area Rapid Transit District (BART) Station and approximately 600 feet east of the Claremont Country Club. The project site is also approximately 0.6 miles south of State Route (SR) 24, 1 mile north of Interstate (I-) 580, and 1.4 miles west of Highway 13. Figure lll-1 illustrates the location and context of the project site.

2. Site Characteristics

The project site is currently developed and occupied by the CCA Oakland campus, which includes an arts college with instructional buildings, art production studios, and student housing for approximately 34 CCA students in 17 dormitory rooming units. The project site is approximately 172,270 square feet (3.95 acres) and comprised of one square-shaped parcel (Assessor's Parcel Number [APN] 14-1243-1-1) as shown in Figure III-2.

The project site is currently developed with 12 educational-use structures (Macky Hall, Carriage House, Barclay Simpson Sculpture Studio, Irwin Student Center, Raleigh and Claire Shaklee Building, B Building, Oliver and Ralls Building, Noni Eccles Treadwell Ceramic Art Center, Martinez Hall Annex, Martinez Hall, Founders Hall, and Facilities Building), all of which are currently in use and shown in Figure III-3. The campus buildings are between 1 and 3 stories in height (22 to 64 feet), and range in date of construction from circa 1880 to 1992. The project site currently has approximately 87,779 square feet (2.01 acres) of open space with internal pedestrian circulation weaving throughout the project site.

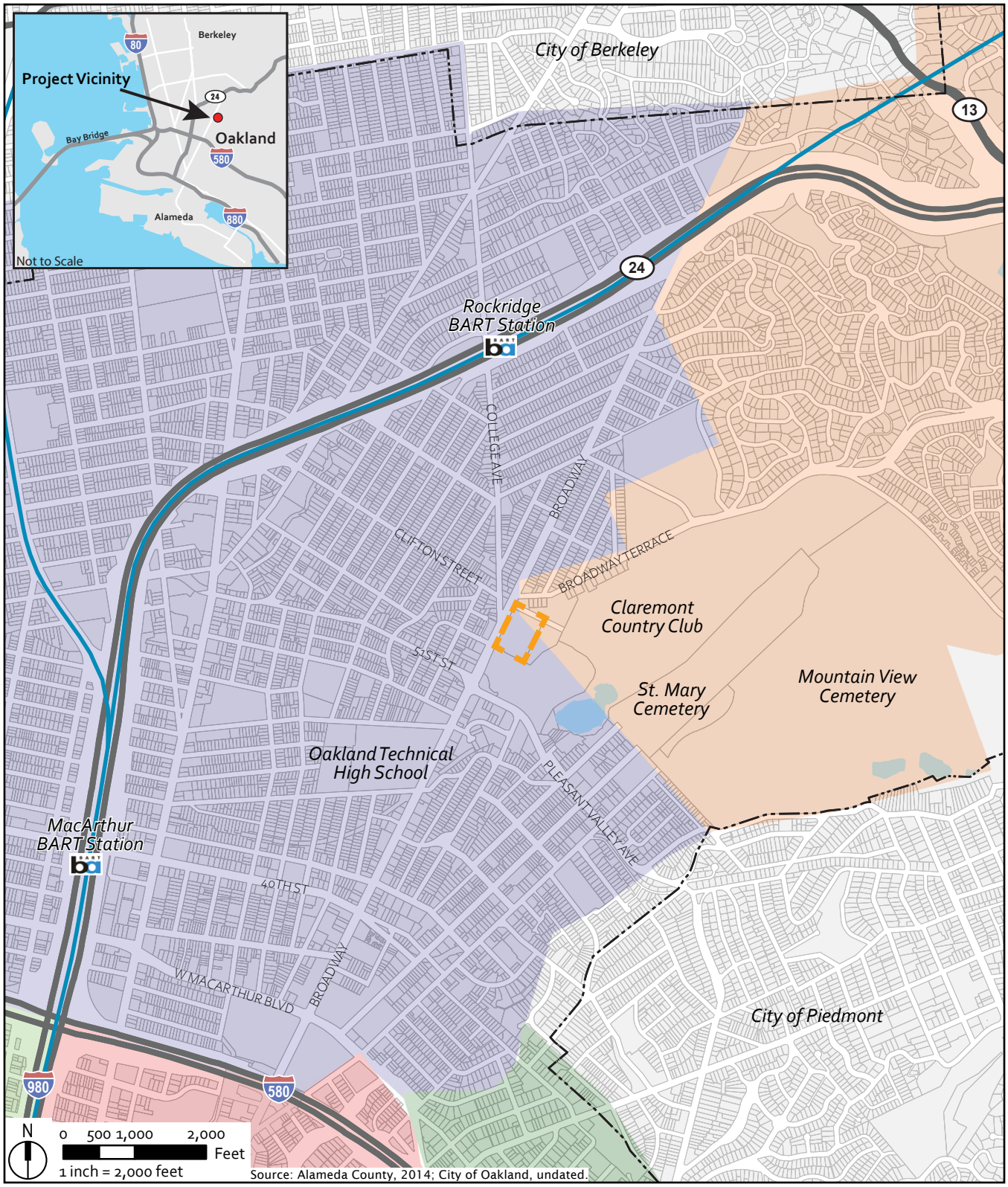


Figure III-1
Project Location and Vicinity Map

Figure III-2
Project Location

CCA Oakland Campus Redevelopment Project EIR

Figure III-3
Existing Project Site Buildings and Structures

A row of eucalyptus trees is located on the west side of the parcel and two sequoia trees are located on the southwestern part of the site.[1] Other decorative landscaping elements on-site include a sundial, a faun sculpture, the Bell Tower sculpture, the *Infinite Faith* sculpture, and the *Celebration Pole*. A total of 41 parking spaces are located on the northwest portion and within the interior of the parcel. Pedestrian access into the site is provided by a staircase along Broadway and along most of Clifton Street. The combination of historic structures, landscape elements, and cultural significance to the local area contribute to the project site's identification as an Area of Primary Importance (API) by the City of Oakland, as further discussed below.

The project site is generally bounded by Broadway to the west, Clifton Street to the north, a multi-unit residential property to the east, and the Rockridge Shopping Center to the south. The project site is mostly physically separated from Broadway by a brick wall. The textured concrete wall is approximately 4 feet in height near the corner of Clifton and Broadway and gradually increases in height to approximately 12 feet at its southern end near the corner of the Access Road and Broadway. A vehicular driveway near the north end of the wall is framed by concrete pilasters and a modern metal archway.

The project site is located on relatively steep gradients ranging from approximately 20 feet on the western portion to 55 feet at the eastern portion. The southernmost border of the project site has a very steep grade change rising from south to north.

The project site is not located on a hazardous waste and substances site list, compiled pursuant to Government Code Section 65962.5.

3. Existing General Plan Designation and Zoning

The City of Oakland General Plan[2] land use classification, as established by the Land Use and Transportation Element, is Institutional. The intent of the Institutional designation is to create, maintain, and enhance areas for education facilities, cultural and institutional uses, health services, and other similar uses. Standalone residential uses are not permitted; however, mixed-use housing and commercial development that support institutional areas may be allowed. The General Plan land use classification for the project site and surrounding area is shown on Figure III-4.

[1] These two sequoia trees were approved for removal by the City on June 14, 2019, because they were dead and posed a danger to students, staff, and faculty. The trees were subsequently removed in July 2019. Because these trees are a part of the historic landmark designation at the site and were removed after the Notice of Preparation was published, they are considered in this environmental analysis.

[2] City of Oakland, 1998. General Plan, Land Use and Transportation Element, March.

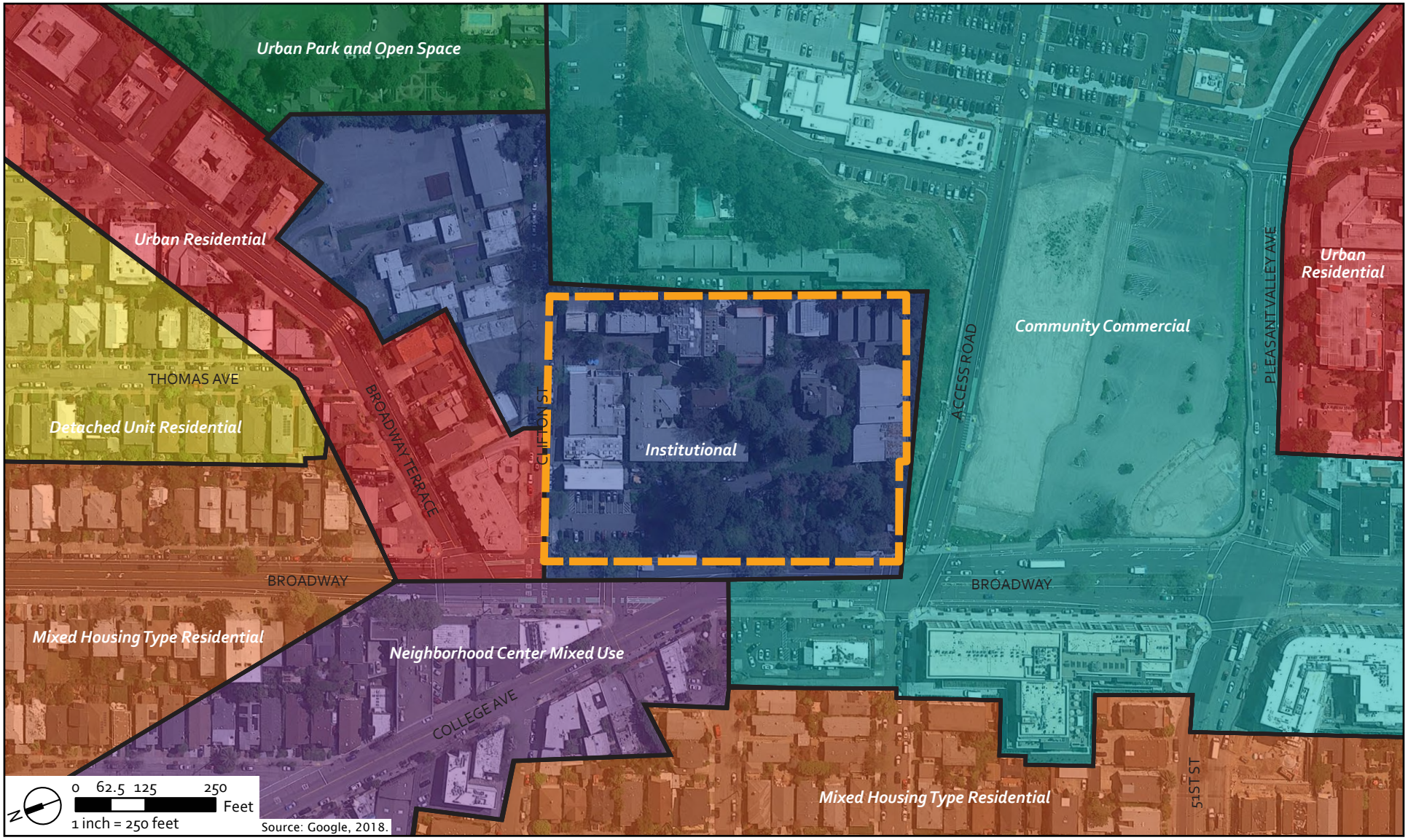


Figure III-4
Existing General Plan Designations

The project site has a split zoning designation, with the western portion of the parcel in the Neighborhood Commercial – Zone 1 (CN-1) and the remaining eastern portion of the parcel in the Mixed Housing Type Residential – Zone 4 (RM-4), as shown in Figure III-5. The intent of the CN-1 Zone is to maintain and enhance vibrant commercial districts with a wide range of retail establishments serving both short- and long-term needs in attractive settings oriented to pedestrian shopping. The CN-1 Zone generally permits multi-family residential, civic, commercial, and some limited agricultural activities. The CN-1 portion of the site is within a 95-foot Height Area. The intent of the RM-4 Zone is to create, maintain, and enhance residential areas characterized by a mix of single-family homes, duplexes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate. The RM-4 Zone generally permits lower-density residential uses, civic uses, and limited commercial activities. The RM- 4 portion of site is within a 35-foot Height Area.

4. Surrounding Land Uses

A mix of land uses surrounds the project site, most of which are separated from the site by at least the width of the adjoining road:

- **North.** To the north, existing uses include primarily residential including single and multi-family, Oakland Technical High School Upper Campus (northeast), and a gas station.
- **South.** Existing uses to the south and southeast include the Rockridge Shopping Center and vacant lot.
- **East.** Existing uses to the east include a 4-story apartment building, the Claremont Country Club, St. Mary Cemetery, and Mountain View Cemetery.
- **West.** Existing uses to the west include neighborhood center mixed use and commercial, such as 1- to 2-story storefronts and ground-floor retail with second-story residential units.

B. PROJECT BACKGROUND AND CULTURAL AND HISTORIC CONTEXT

In 1922, German-born cabinet maker and former president of the California Guild of Arts and Crafts, Frederick H. Meyer, acquired the project site for relocation of Berkeley CCA operations to Oakland. In 1926, CCA began operations at the Oakland campus and has been operating at the project site since. After 94 years, CCA is now planning to consolidate and relocate all housing and operations currently conducted at the Oakland campus into its San Francisco campus and student housing program. CCA is expanding facilities and student housing in San Francisco to accommodate these efforts (which are not included as a part of this project). As such, Emerald Fund and Equity Community Builders have entered into an option agreement to acquire the project site to create plans for reuse and redevelopment of the property.

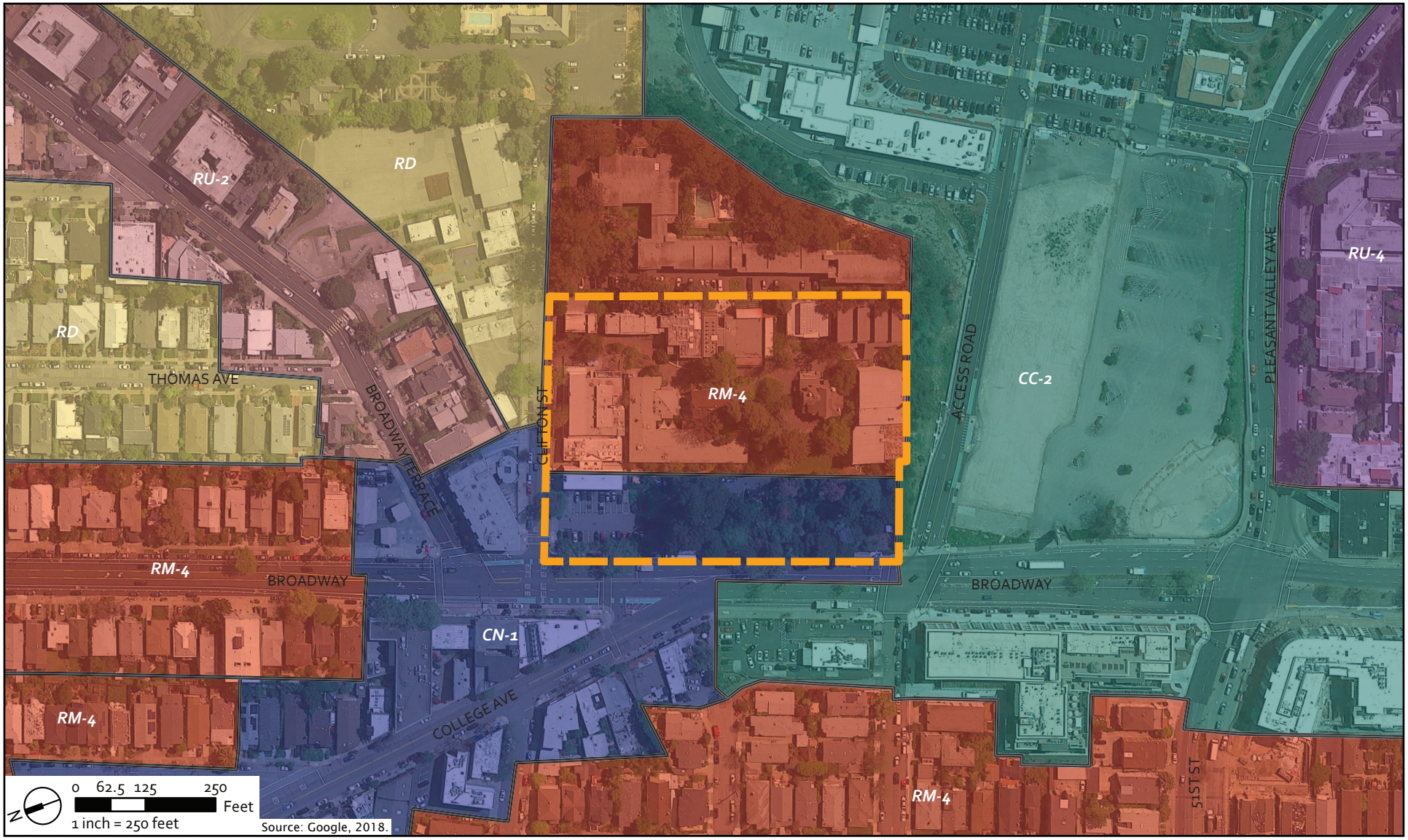


Figure III-5
Existing Zoning

Given the historic nature of the Oakland campus, this background focuses on the cultural and historic characteristics. More detail is provided in *Section V.B, Cultural and Historic Resources*.

The project site was identified in 1986 by the Oakland City Historic Survey as the California College of Arts & Crafts District and was designated as an API. In addition, the entire site was identified in the 2019 Historic Resource Evaluation as an historic district eligible for listing under the California Register under Criterion 1 Events for its role in arts education and eligible for listing under the National Register of Historic Places under Criterion A, significant at the local and State levels for its role in the development of arts education in California.

A historic district is defined as "a significant concentration, linkage, or continuity of buildings, structures, objects, sites, natural features related to human presence or activities united historically or aesthetically by plan, appearance or physical development." A district may also be the site of a historic occupation or activity where the location itself possesses historic, cultural, commemorative value regardless of the value of any existing building or structure.[3]

The site includes a City Landmark, the Treadwell Estate which includes Macky Hall and Carriage House that are both on the National Register of Historic Places and the entirety of the Broadway Wall and Stairs, the Carnegie bricks edging paths near Macky Hall, the two sequoia trees (removed in 2019), the row of eucalyptus trees that runs from the vehicular entry at Broadway toward Macky Hall, and an 80-foot-wide view corridor (centered on the Macky Hall entrance, extending to Broadway) associated with the Treadwell Estate. The Treadwell Estate is a City of Oakland Historic Landmark.

In addition to contributing buildings and landscape features of the Treadwell Estate, the site also contains several individual buildings that are individually eligible for listing on the California Register of Historical Resources, based on Criterion 3 Meritorious Architecture including:

- Founder's Hall,
- Barclay Simpson Sculpture Studio,
- Martinez Hall, and
- Noni Eccles Treadwell Ceramic Arts Center.

All twelve buildings and six associated landscape features —Macky Lawn, stairs with ceramic pots, faun sculpture, *Infinite Faith* sculpture, Bell Tower, and *Celebration Pole*—on the project site are considered contributing features to the California Register and National Register-eligible CCAC Historic District.

The entire campus, inclusive of each of the twelve contributing buildings and contributing landscape features, is considered a historic resource for CEQA purposes.

[3] City of Oakland, Historic Preservation Element, Table 2-1 (5) and (6).

C. PROJECT OBJECTIVES

The overarching project objectives are:

- Redevelop site previously utilized as college campus (educational use) into a mixed-use development with residential and commercial uses.
- Respect the historic resources through adaptive reuse and rehabilitation of the Landmarked structures and landscape that includes documentation and commemoration of the site history and incorporation of outdoor art.
- Locate dense residential development on a large site approximately ½-mile from BART and adjacent to existing community and neighborhood commercial uses to reduce dependency on motorized transportation.
- Further the City's achievement of the General Plan's Housing Element goals and of the Association of Bay Area Governments' Regional Housing Needs Allocation for the City of Oakland and meet the City's minimum residential density and major residential use requirements.
- Increase affordable housing units in the Rockridge neighborhood by providing affordable housing units on-site.
- Generate tax revenues for the City of Oakland and employment opportunities for the City of Oakland community.
- Produce a high-quality architectural and landscape design that promotes sustainability and exceeds the requirements of the City of Oakland's Green Building Ordinance.
- Design a project that varies dwelling sizes and types, to accommodate a range of potential residents.
- Maintain and improve quasi-public open space at the project site through restoration of Landmarked landscaped areas and a view corridor with enhanced open space accessibility and visibility.
- Construct enough residential units and non-residential space to make the redevelopment of the site economically feasible, produce a reasonable return on investment for the project that is sufficient to attract investment capital and construction financing, and generate sufficient revenue to meet the project objectives.

D. PROPOSED PROJECT

The section describes and discusses the project, including the proposed General Plan Amendment and rezoning, redevelopment proposal, open space and amenities, circulation and parking, existing utilities, demolition, and the discretionary actions required for project approval.

1. General Plan Amendment and Rezoning

The Project Sponsor is proposing to reclassify the entire project site from Institutional to the Community Commercial (CC) General Plan Land Use designation, as shown in Figure III-6. The CC designation applies to areas suitable for a variety of commercial and institutional operations along major corridors and in shopping districts or centers. The CC designation would permit residential development at the project site (without the need for supporting an institutional use). It would also provide the framework to allow the project's rezoning to accommodate an increase in density, height, and bulk.

The Project Sponsor is also proposing to rezone the entire project site to Community Commercial – Zone 2 (CC2), as shown in Figure III-7, from Neighborhood Commercial – Zone 1 (CN-1) along Broadway and Mixed Housing Type Residential – Zone 4 (RM-4) on the eastern portion of the site. The CC-2 Zone is intended to create, maintain, and enhance areas with a wide range of commercial businesses with direct frontage and access along the City's corridors and commercial areas. The CC-2 Zone generally permits multi-family residential, civic, and commercial uses. The rezone request also includes a change from a 35-foot Height Area to a 95-foot Height Area.

2. Redevelopment Proposal

The project is the proposed redevelopment of the project site from an institutional (educational) use to a large multi-family residential development with additional retail office and group assembly and personal instruction space. The redevelopment proposal involves four main components: (1) renovation of selected existing CCA facilities and buildings, (2) relocation of selected existing CCA facilities, (3) demolition of selected existing CCA facilities, and (4) development of new structures (see Table III-1 and Table III-2). An overview of the proposed redeveloped site plan is shown in Figure III-8.

a. Renovation of Existing CCA Facilities and Features

Under the project, the following buildings and features would be preserved in-place and/or renovated:

- **Macky Hall**: Macky Hall was substantially upgraded and restored in 1987 and would be maintained in its current location and configuration. Macky Hall would be rehabilitated in conformance with the Secretary of the Interior Standards and building systems would be upgraded throughout with structural and accessibility upgrades as necessary. Minor improvements are anticipated to update or repair mechanical and electrical systems, as well as cosmetic interior improvements such as carpet and paint. The entire 7,760 square feet of interior space would be used for office space. The exterior would be maintained and repaired with minor modifications for accessibility.

TABLE III-1 BUILDING REDEVELOPMENT OVERVIEW

Site Buildings	Renovate (Square Feet)	Relocate (Square Feet)	Demolish/ Remove (Square Feet)	New (Square Feet)	Total (Square Feet)
Macky Hall	7,760	--	--	--	7,760
Carriage House	--	2,622	--	--	2,622
Martinez Hall Annex	--	--	5,262	--	
Martinez Hall	--	--	8,513	--	
Founders Hall	--	--	26,012	--	
Facilities Building	--	--	1,402	--	
Raleigh and Claire Shaklee Building	--	--	14,263	--	
Barclay Simpson Sculpture Studio	--	--	2,644	--	
B Building	--	--	4,933	--	
Oliver and Ralls Studio	--	--	7,655	--	
Noni Eccles Treadwell Ceramic Arts Center	--	--	11,606	--	
Irwin Student Center	--	--	7,716	--	
Building A	--	--		319,380	319,380
Building B	--	--		294,503	294,503
TOTAL	**7,760**	**2,875**	**90,006**	**613,883**	**624,265**

Note: Font in *italics* represent existing buildings on-site. Square footage provided for Buildings A and B include all portions of the buildings except for parking areas.
Source: CCA Oakland, CA, Preliminary Development Permit Application, April 22, 2022. CCA-Existing Building Pricing Package, March 24, 2020. CCA Oakland, CA, Preliminary Development Permit Application, August 25, 2022.

TABLE III-2 SITE FEATURES REDEVELOPMENT PROPOSAL OVERVIEW

Site Features	Renovate/ Preserve	Relocate	Demolish/ Remove	New	Total
Broadway Wall and Stairs	All	--	--	--	Broadway Wall and Stairs
Landscaping	38 trees	--	75 trees	75 trees	113 trees
Sculptures	--	The Sundial, Faun sculpture, *Infinite Faith* sculpture, Bell Tower sculpture, and the *Celebration Pole*	--	--	The Sundial, Faun sculpture, *Infinite Faith* sculpture, Bell Tower sculpture, and the *Celebration Pole*
Treadwell Estate View Corridor	All	--	--	--	Treadwell Estate View Corridor

Note: Landscaping includes 15 trees on-site and 23 within 10 feet of the property line.
Source: CCA Oakland, CA, Preliminary Development Permit Application, August 25, 2022.

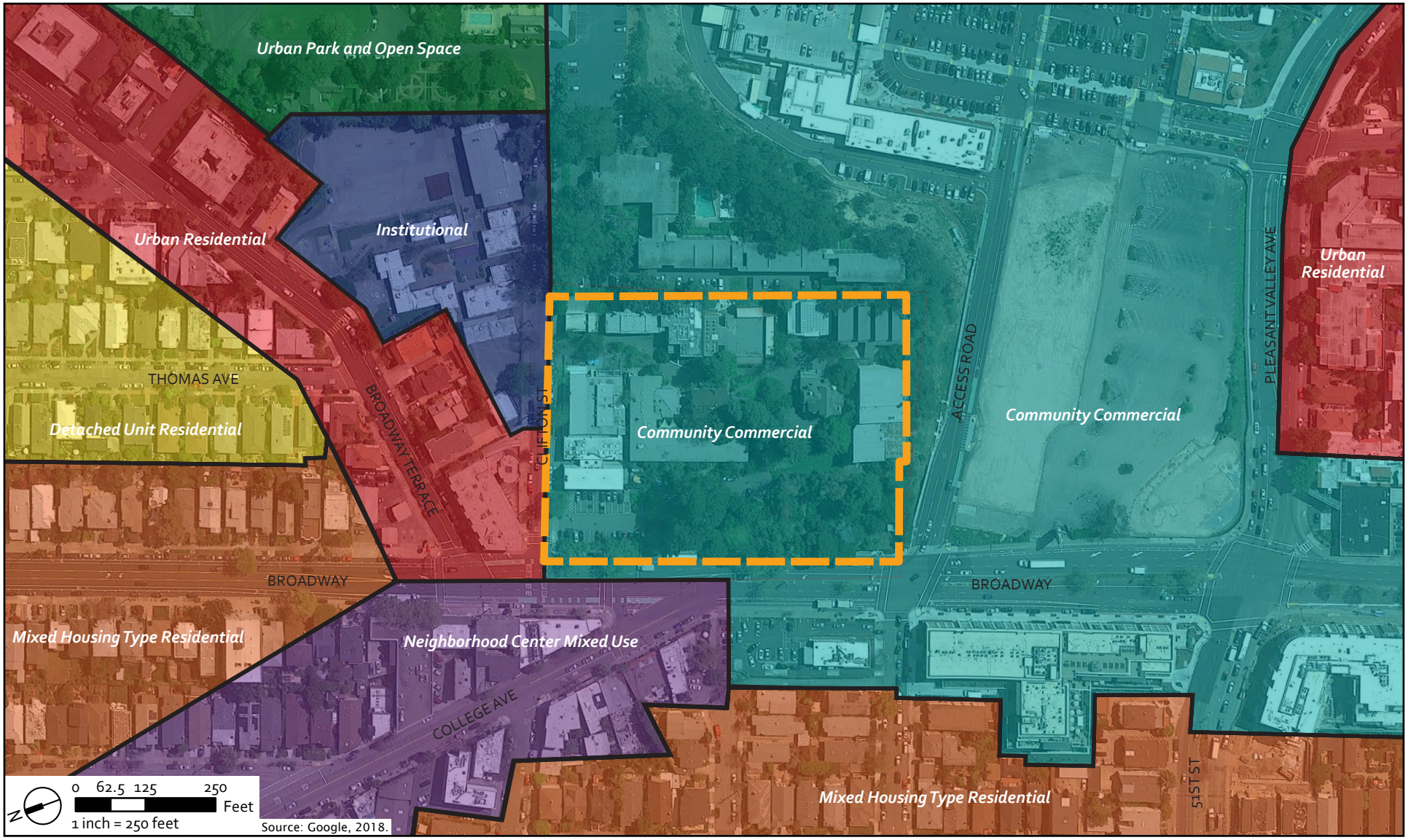


Figure III-6
Proposed General Plan Designations

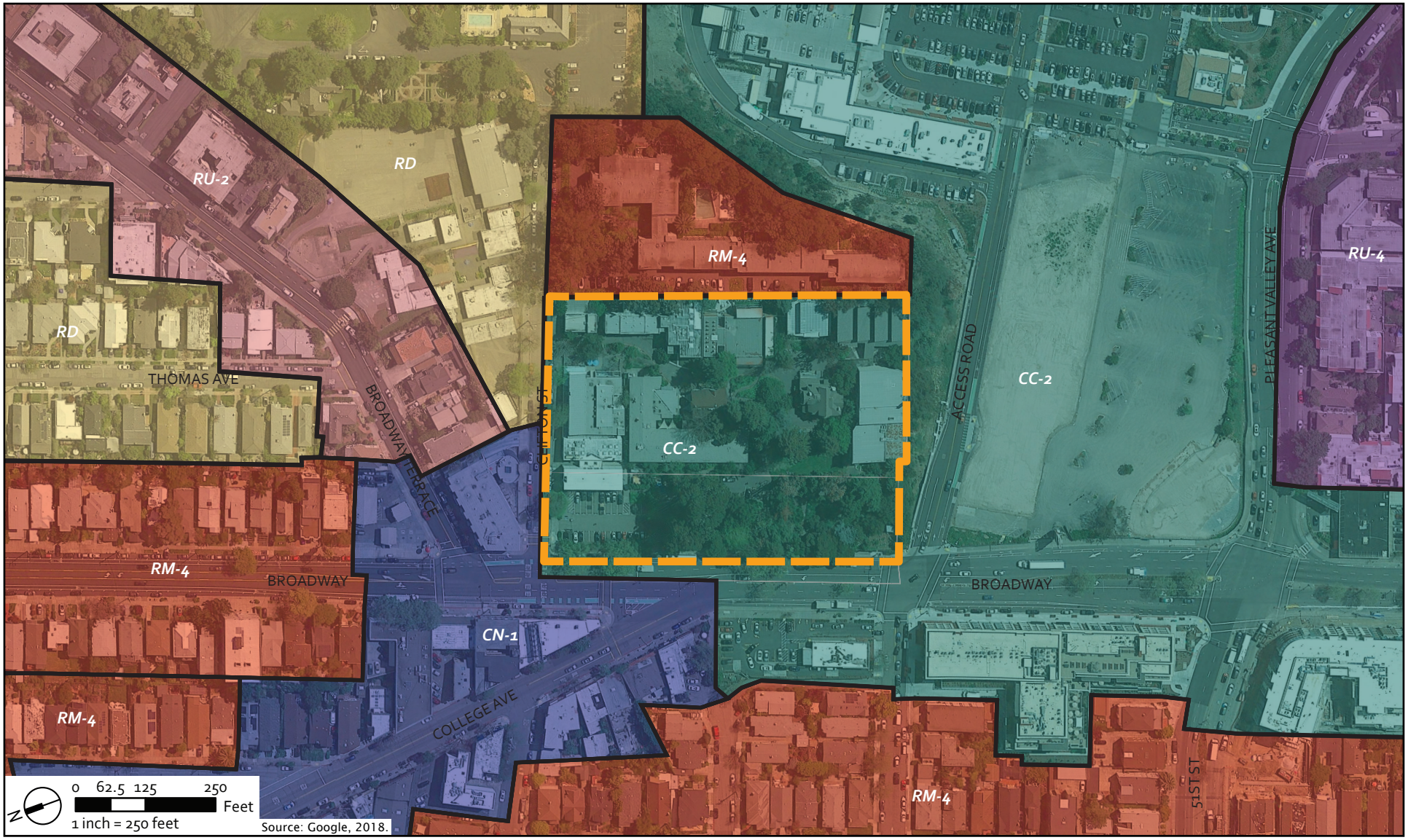
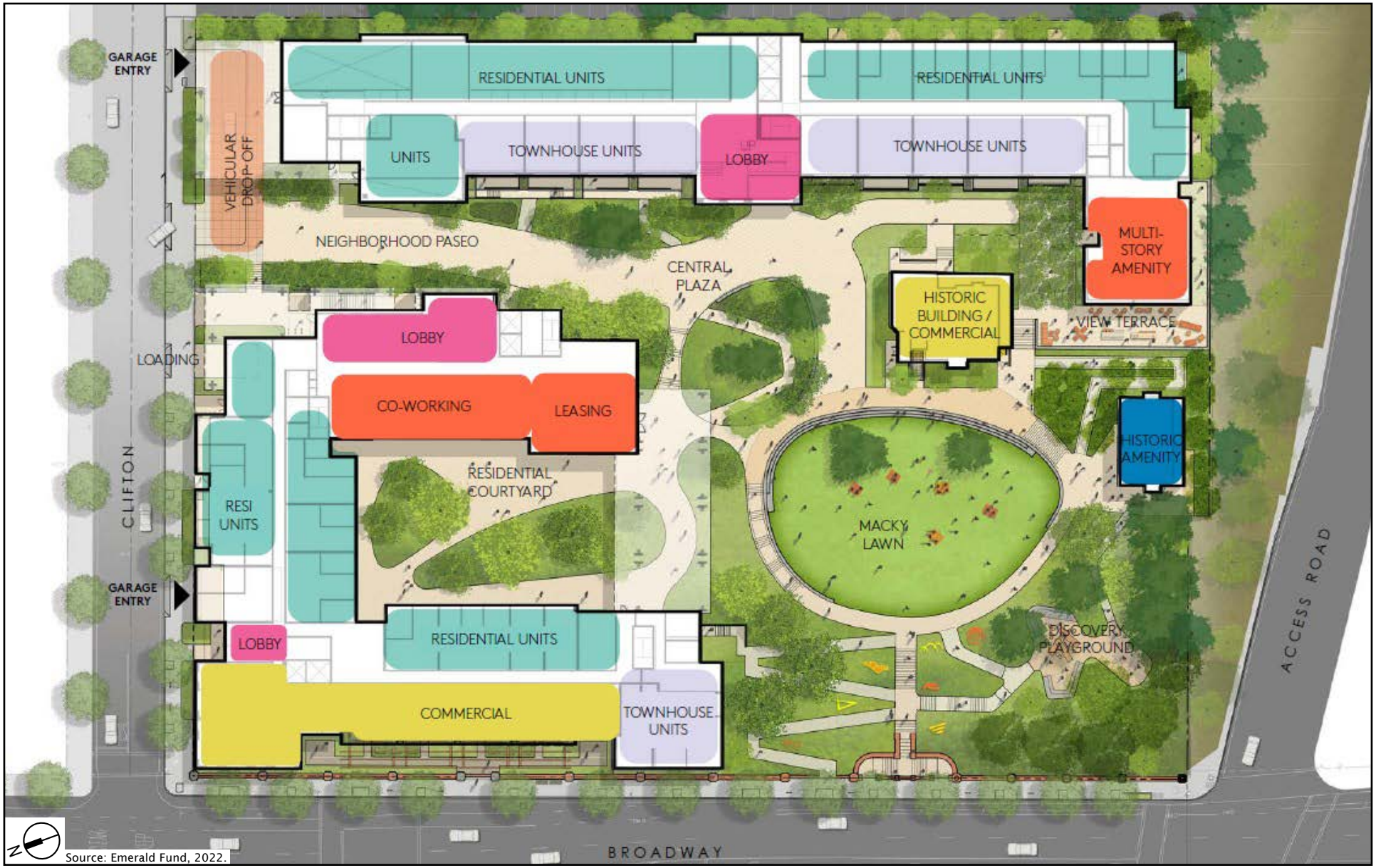


Figure III-7
Proposed Zoning



Source: Emerald Fund, 2022.

Figure III-8
Project Site Plan

- **Broadway Wall and Stairs**: The entire Broadway Wall and Stairs would be retained.
- **Landscaping**: Preservation of 15 trees on-site including 10 redwood, 1 magnolia, 1 bunya bunya, 1 deodar cedar, 1 coast live oak, and 1 canary island palm.

b. Structure Relocation

Under the project, the following buildings and features would be relocated and/or renovated:

- **Carriage House:** The Carriage House building would be relocated approximately 240 feet to the south of its existing location to accommodate construction of the new buildings. The proposed location of the Carriage House can be found in Figure III-8. As a part of the project, the Carriage House building would be converted to provide approximately 2,622 square feet of office space or civic activities including community meetings. In addition to relocation, the Carriage House would likely have one interior wall on the ground floor removed. All new mechanical, electrical, and plumbing systems would be provided along with a ground floor restroom, new roof, and exterior stair, as well as repairs as required to windows, doors, and exterior siding.
- **Sculptures:** The Sundial, Faun sculpture, *Infinite Faith* sculpture, Bell Tower sculpture, and the *Celebration Pole* would be rehabilitated and relocated throughout the project site.

c. Demolition and Site Preparation

As previously stated, the existing project site is currently developed with 12 institutional facilities. Under the project, the following ten buildings (totaling approximately 90,000 square feet) and landscaping features would be demolished/removed:

- Irwin Student Center
- Raleigh and Claire Shaklee Building
- Barclay Simpson Sculpture Studio
- B Building
- Oliver and Ralls Studio
- Noni Eccles Treadwell Ceramic Arts Center
- Martinez Hall Annex
- Martinez Hall
- Founders Hall
- Facilities Building
- Landscaping (except for those described above) including the two sequoia trees referenced above.

Construction activities for the project could begin in Fall 2024 and last an estimated 28 months, with occupancy beginning in early 2027. Excavation for the building garage would extend approximately 25 feet below the existing ground surface and require removal of approximately

7,700 cubic yards of soil and 60 cubic yards of fill. An overview of buildings to be demolished is presented in Figure III-3.

d. New Development

Under the project, the site would be redeveloped with up to 510 residential units in two residential buildings up to 10 stories in height. The project would also include approximately 16,945 square feet of office space; a 1,408-square-foot commercial retail; 1.46 acres (63,727 square feet) of privately-owned public open space (POPOS), including 11,884 square feet of space that may be used for group assembly space; 268 structured and ground level parking spaces (there are 41 existing spaces for a net increase of 227 new spaces); and 510 bicycle parking spaces. As described later in this chapter, the group assembly space and commercial retail space may also be utilized for personal instruction and improvement uses. Typical floor plans for the project are shown in Figures III-9 through III-20 and site sections are shown in Figures III-21 through 24. These two buildings (herein referred to as "Buildings A and B"), are described below.

Building A

Building A would range in height from approximately 64 to 94 feet, with 248 residential units spread across 9 to 10 floors. Ninety-seven two-bedroom units, 119 one-bedroom units, 29 studio units, two townhomes, and one loft unit would be spread across approximately 190,403 net residential square feet. Building A would also have approximately 5,574 square feet of commercial space and approximately 1,408 square feet of retail space for a café. The building would be located at the northwestern corner of the project site at the corner of Broadway and Clifton Street (requiring demolition of the existing Raleigh and Claire Shaklee Building, Barclay Simpson Sculpture Studio, and Irwin Student Center and relocation of the Carriage House). Building A would cover approximately 50,448 square feet of lot area (29.3 percent of the site). Building A would also provide 233 parking spaces and be located at the core of the building from levels A-201P to A-01R (see Figure III-10).

Building B

Building B would be approximately 80 to 95 feet tall with 262 residential units spread across 8 to 9 floors. The building would consist of 71 two-bedroom units, 140 one-bedroom units, 42 studio units, and nine townhomes across 202,529 net residential square feet. Building B would be along the eastern border of the site from Clifton Street to the north, extending to the Access Road to the south. Building B would require demolition of the Facilities Building, B Building, Oliver and Ralls Building, Noni Eccles Treadwell Ceramic Arts Center, Martinez Hall Annex, and Martinez Hall. Building B would cover approximately 36,600 square feet of lot area (21.3 percent of the site). Building B would also provide 35 parking spaces on floors B-01P and B-01 (see Figures III-11 and 12).

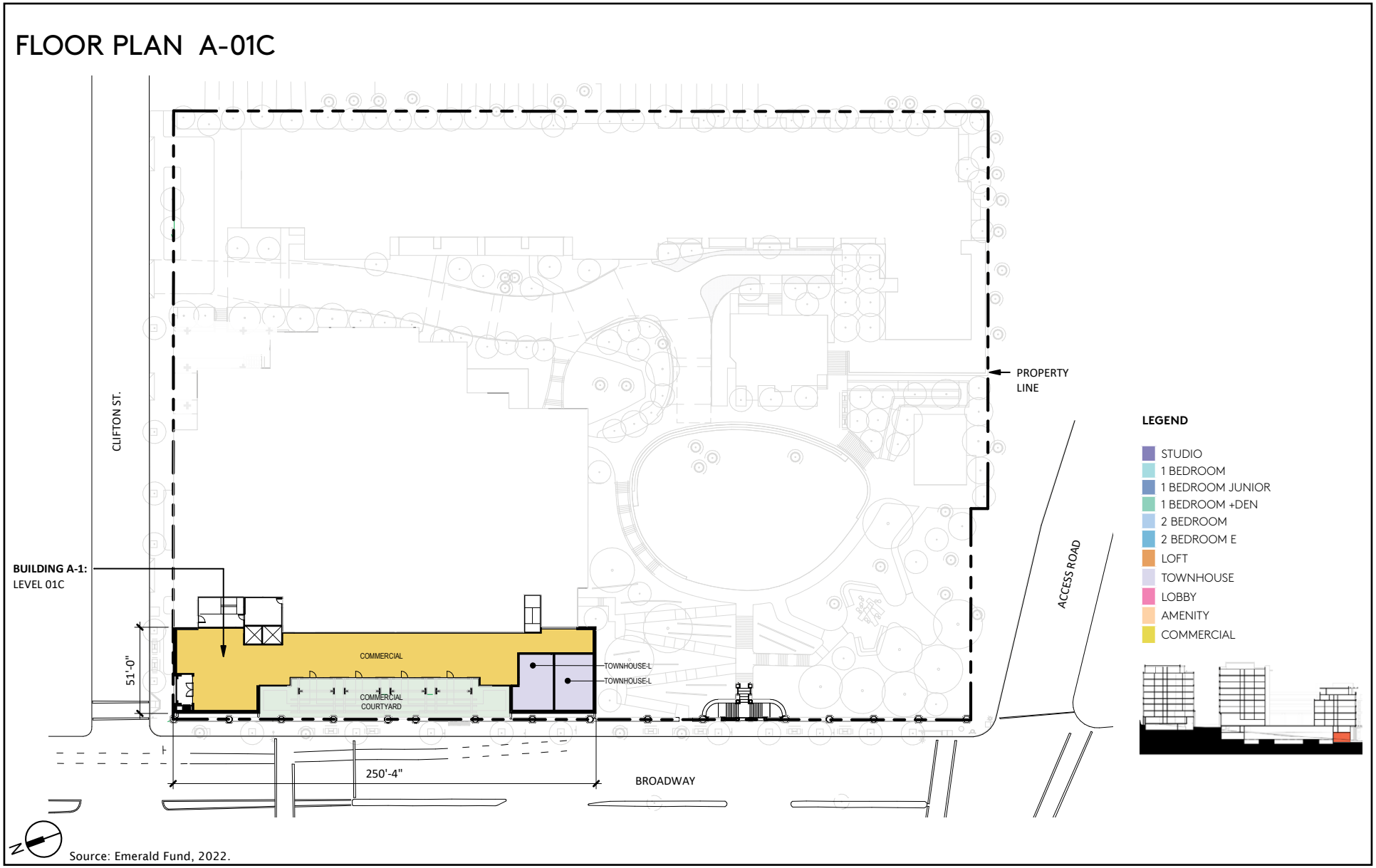
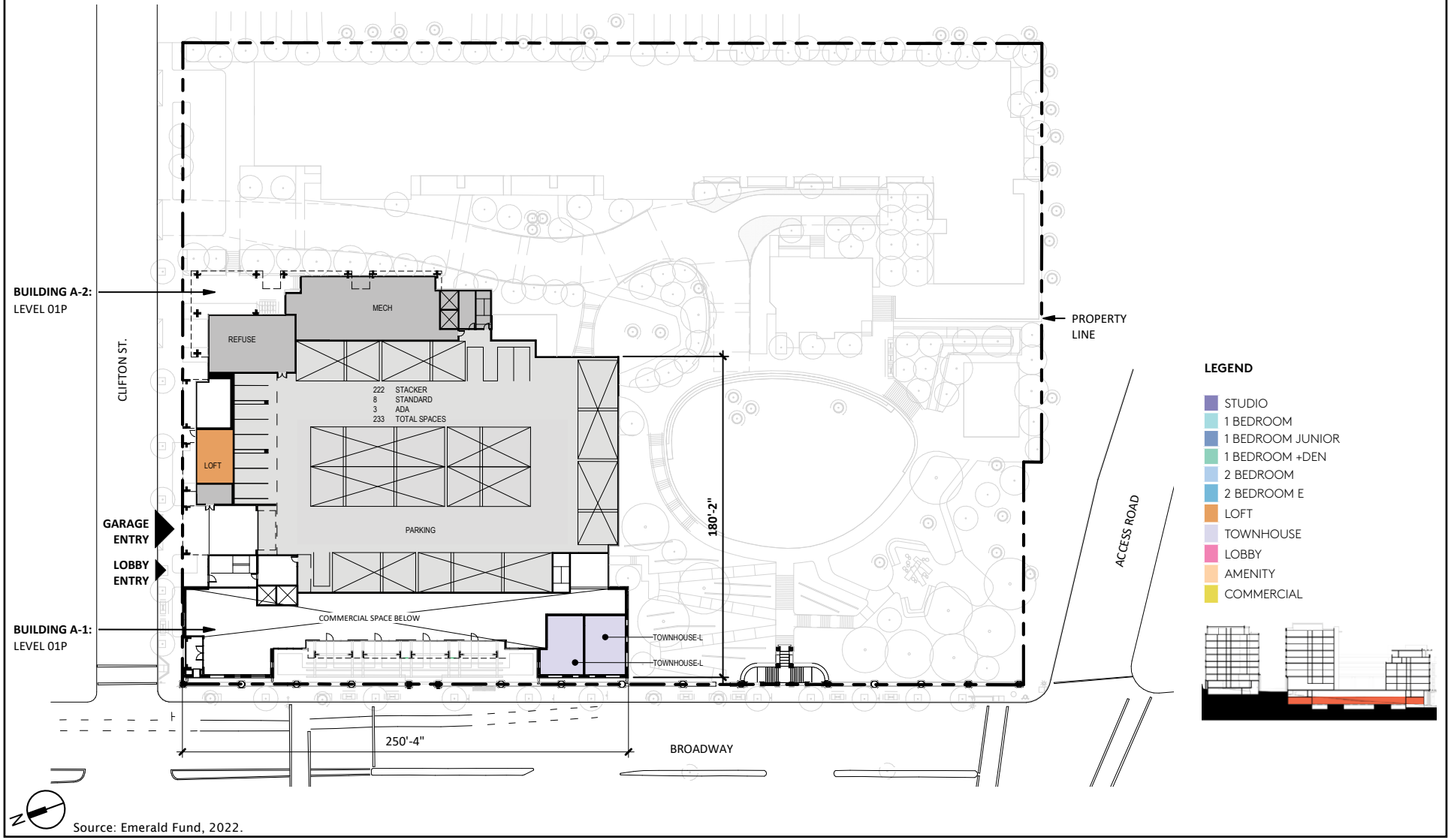


Figure III-9
Floor Plan - Broadway Level (Level A-01C)

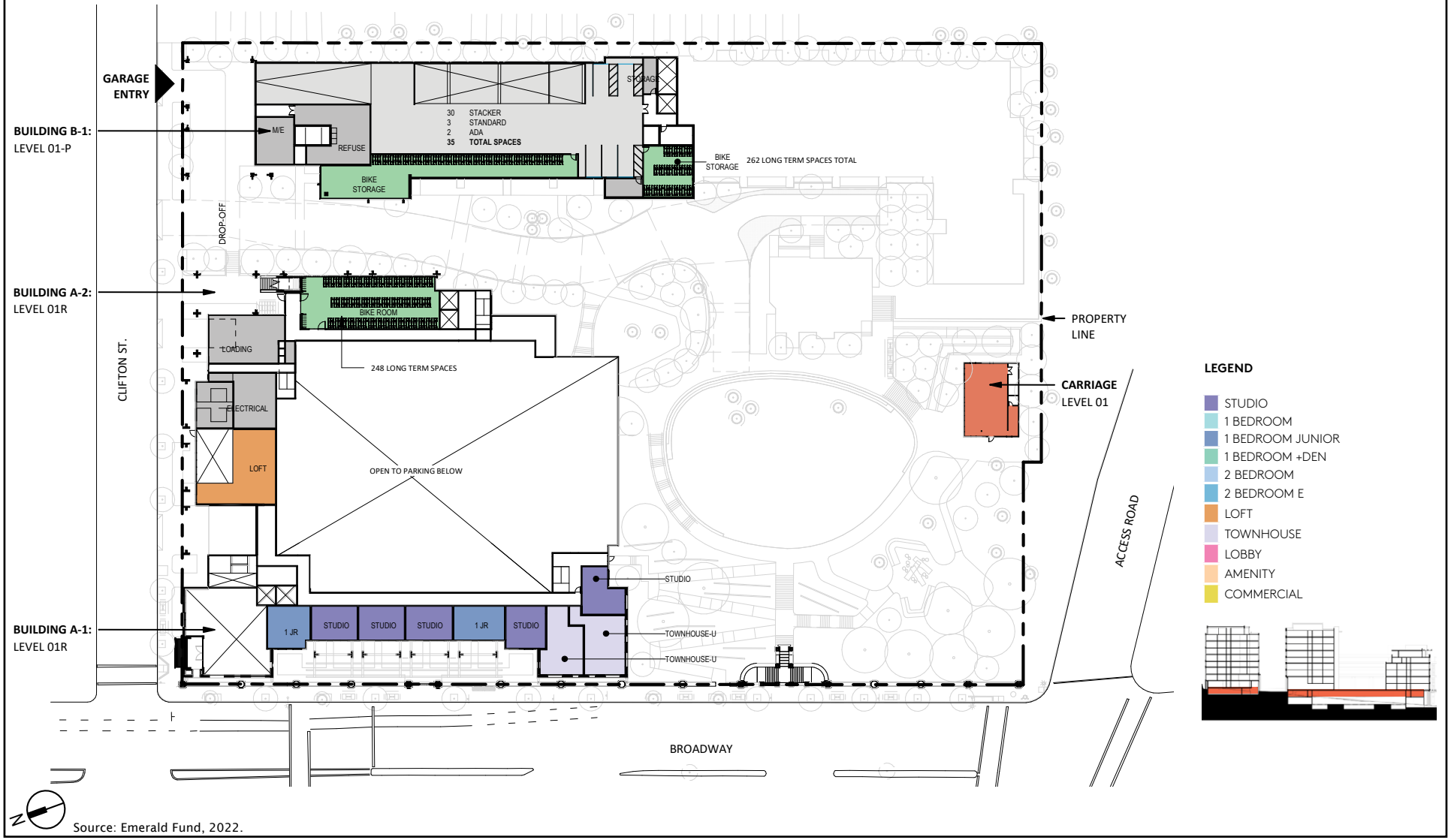
FLOOR PLAN A-01P



Source: Emerald Fund, 2022.

Figure III-10
Floor Plan - Broadway Level (Level A-01P)

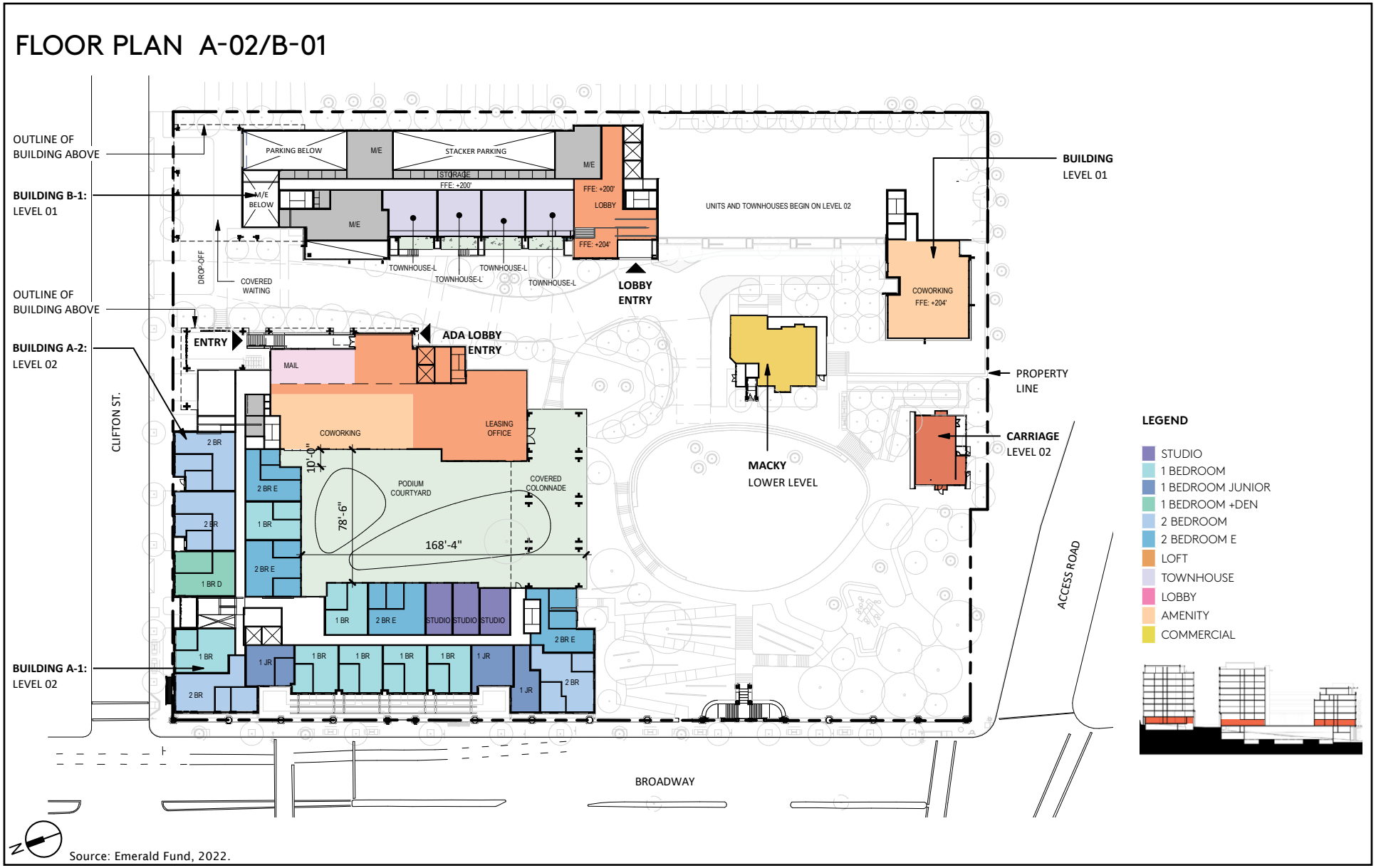
FLOOR PLAN A-01R/B-01P



Source: Emerald Fund, 2022.

Figure III-11

Floor Plan - Clifton Level (Level A-01R/B-01P)

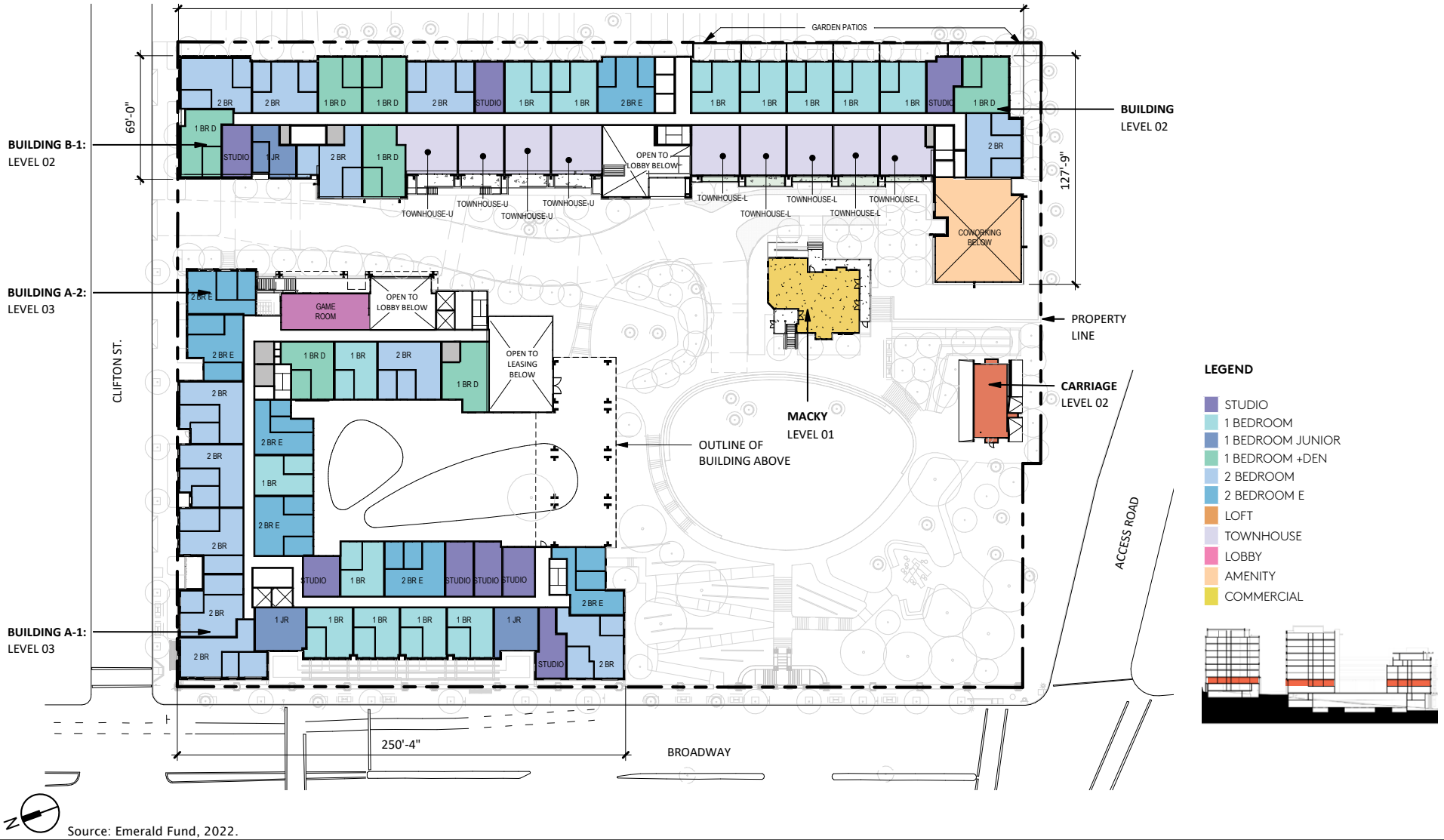


Source: Emerald Fund, 2022.

Figure III-12

Floor Plan - Building A Level 2/Building B Level 1 (Level A-02/B-01)

FLOOR PLAN A-03/B-02



Source: Emerald Fund, 2022.

Figure III-13
Floor Plan - Building A Level 3/Building B Level 2 (Level A-03/B-02)

FLOOR PLAN A-04/B-03

Source: Emerald Fund, 2022.

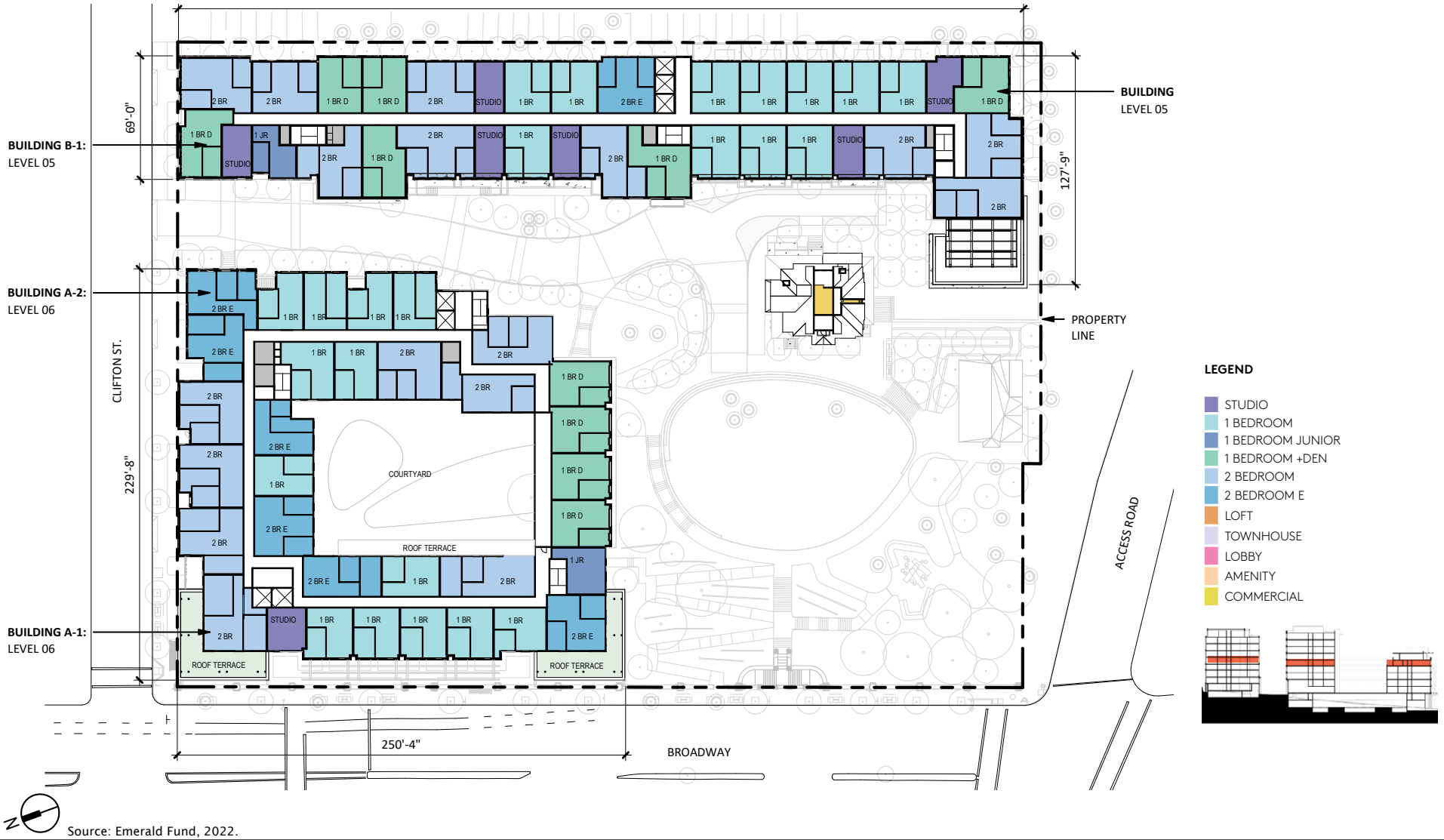
Figure III-14
Floor Plan - Building A Level 4/Building B Level 3 (Level A-04/B-03)

FLOOR PLAN A-05/B-04

Source: Emerald Fund, 2022.

Figure III-15
Floor Plan - Building A Level 5/Building B Level 4 (Level A-05/B-04)

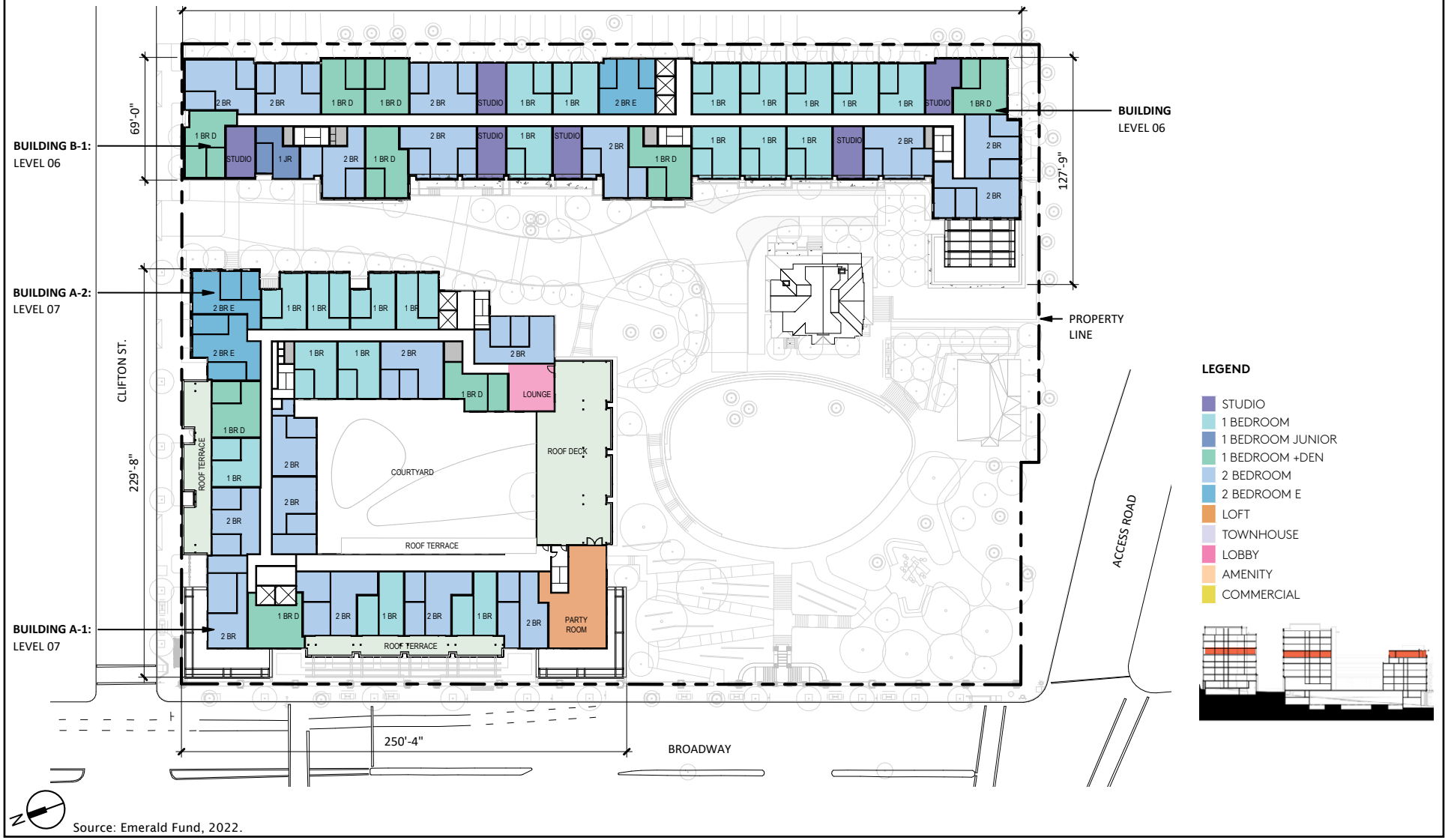
FLOOR PLAN A-06/B-05



Source: Emerald Fund, 2022.

Figure III-16
Floor Plan - Building A Level 6/Building B Level 5 (Level A-06/B-05)

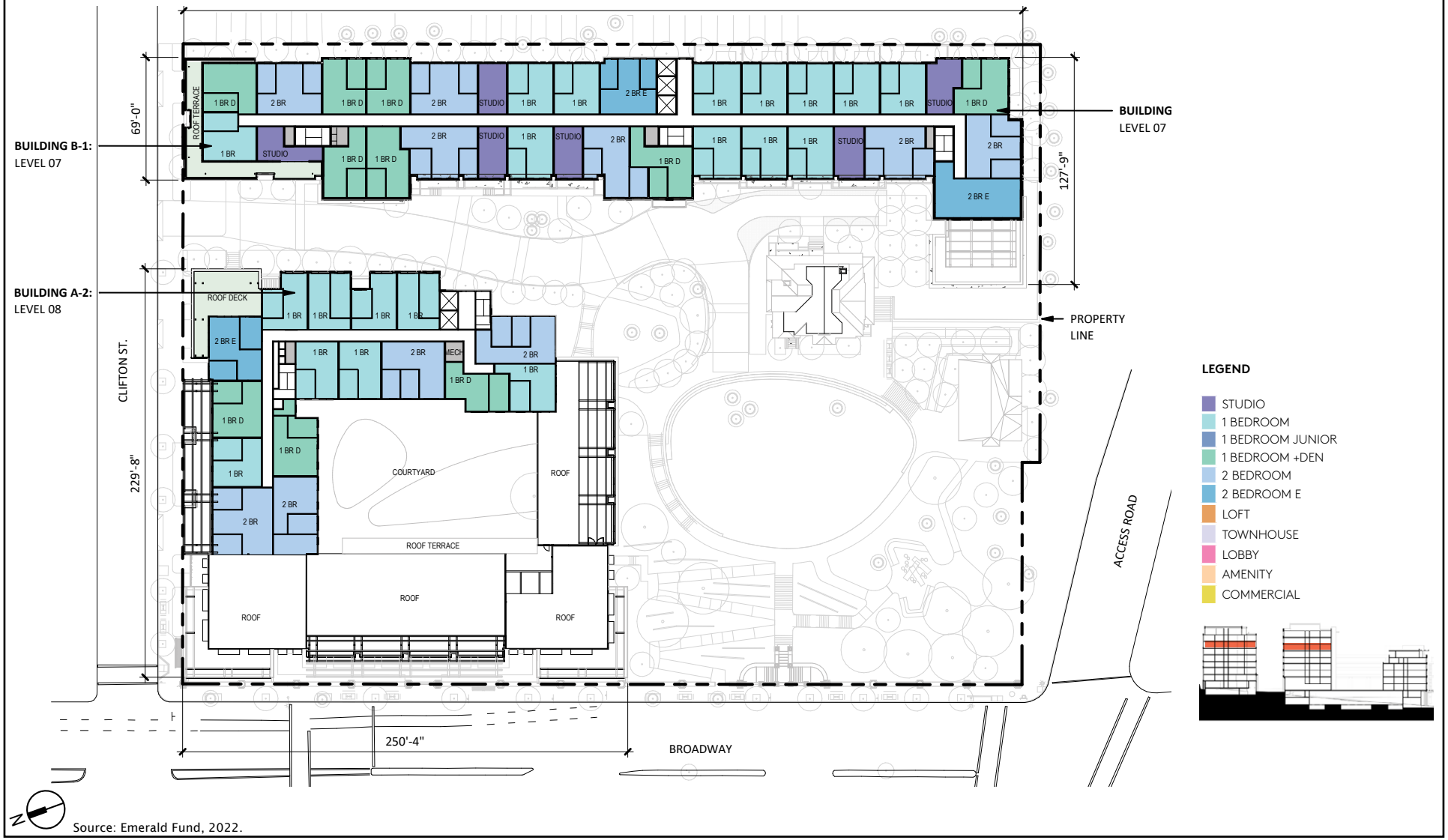
FLOOR PLAN A-07/B-06



Source: Emerald Fund, 2022.

Figure III-17
Floor Plan - Building A Level 7/Building B Level 6 (Level A-07/B-06)

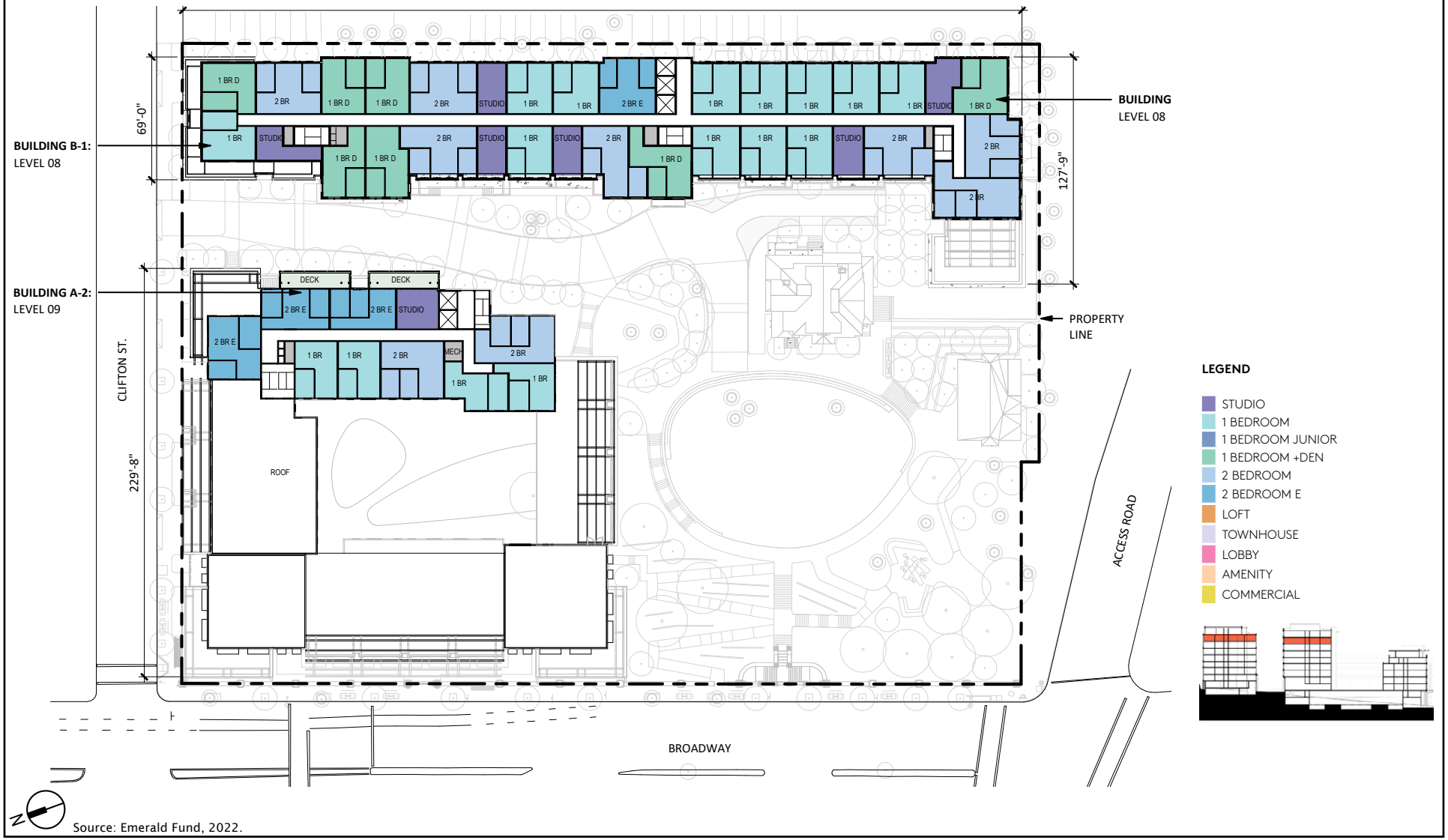
FLOOR PLAN A-08/B-07



Source: Emerald Fund, 2022.

Figure III-18
Floor Plan - Building A Level 8/Building B Level 7 (Level A-08/B-07)

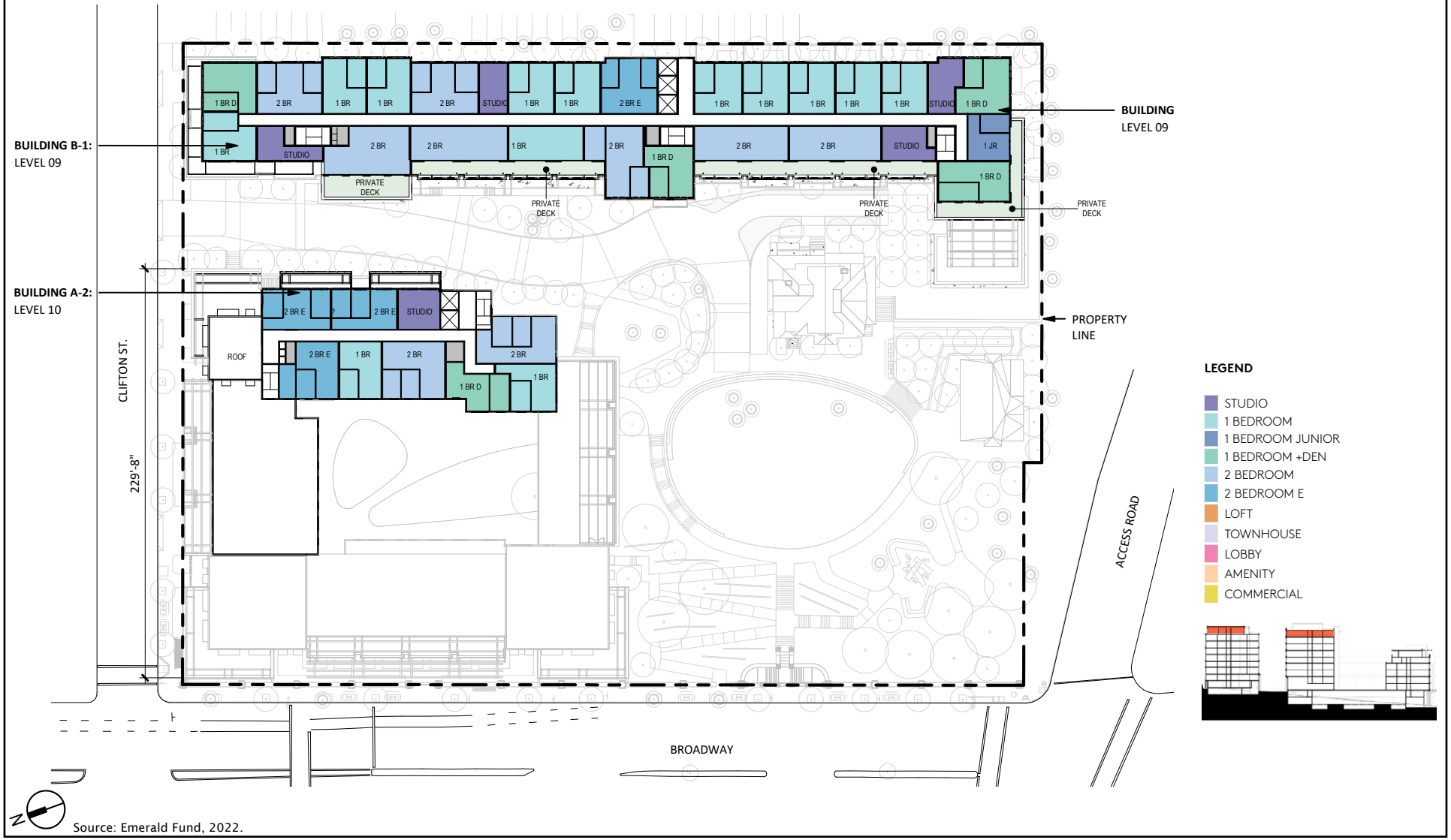
FLOOR PLAN A-09/B-08



Source: Emerald Fund, 2022.

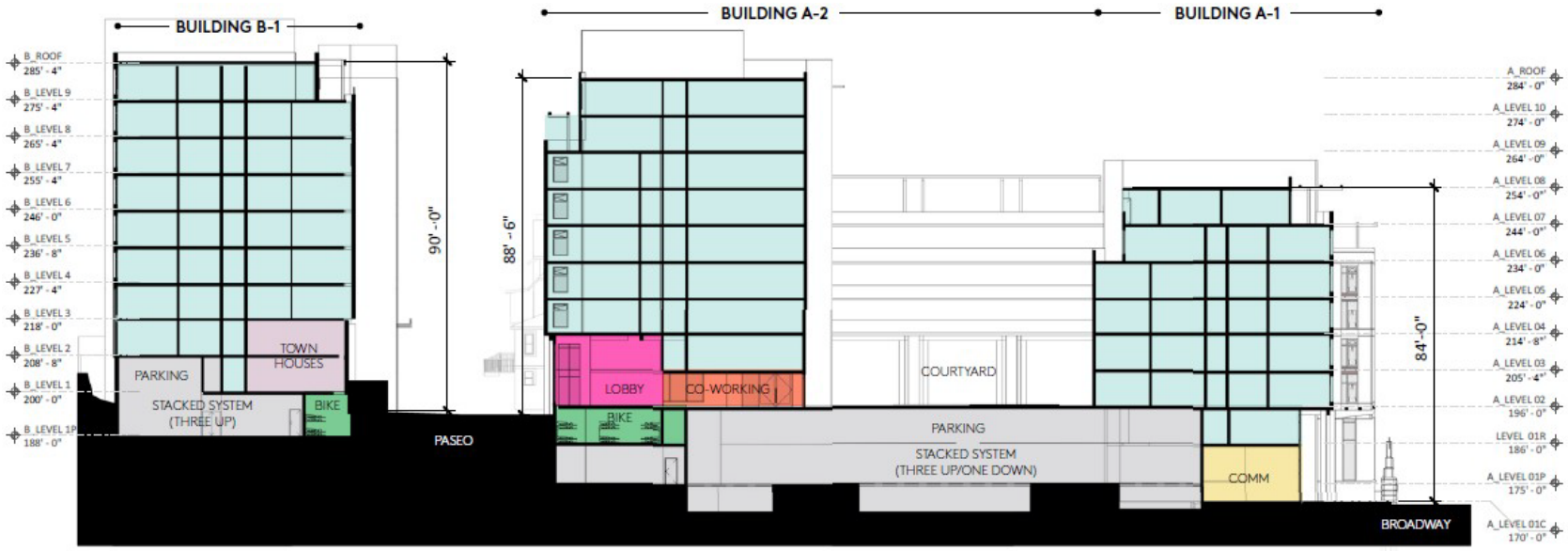
Figure III-19
Floor Plan - Building A Level 9/Building B Level 8 (Level A-09/B-08)

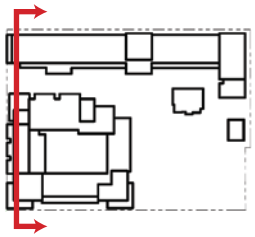
FLOOR PLAN A-10/B-09



Source: Emerald Fund, 2022.

Figure III-20
Floor Plan - Building A Level 10/Building B Level 9 (Level A-10/B-09)
CCA Oakland Campus Redevelopment Project EIR

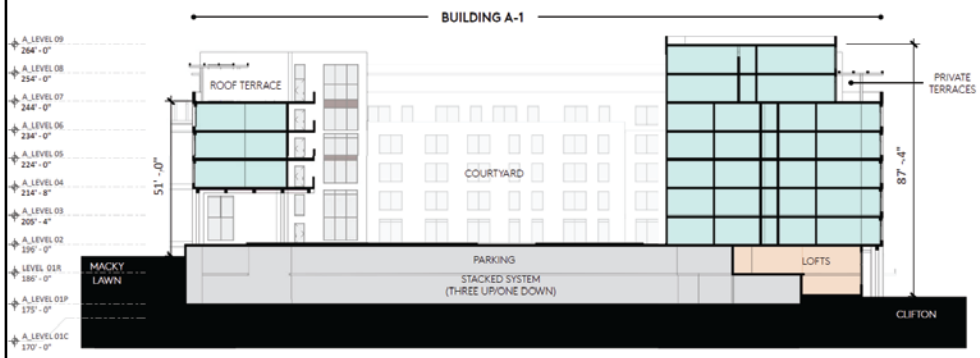




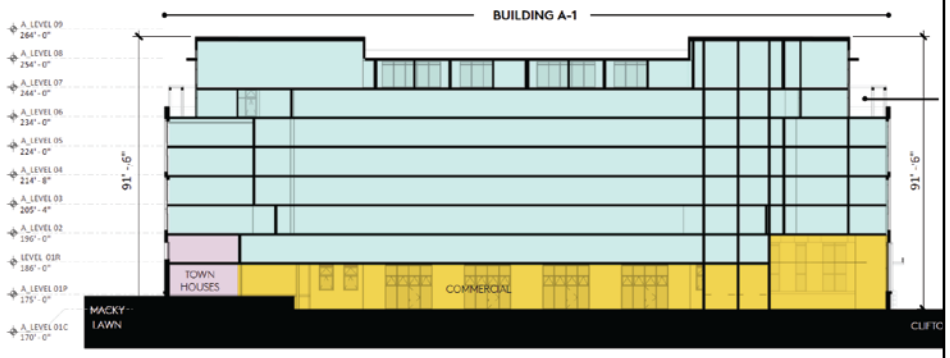
Source: Emerald Fund, 2022.

Figure III-21
Site Section and Elevation - Looking South from Clifton Street

Site Section A



Site Section B



Site Elevation C

Source: Emerald Fund, 2022.

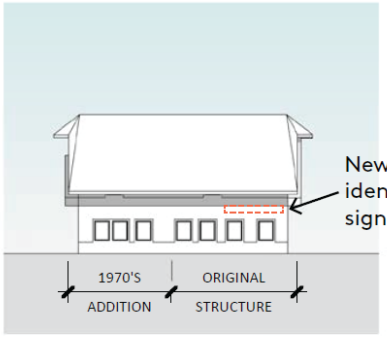
Figure III-22
Site Section and Elevation - Building A Looking Towards and From Broadway

Source: Emerald Fund, 2022.

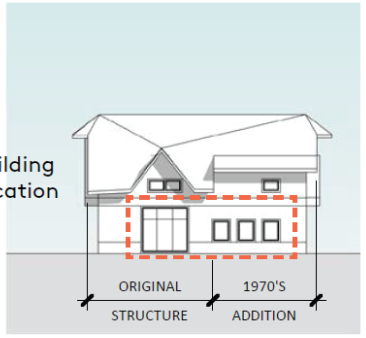
Figure III-23
Site Section and Elevation - Building B Looking East

MACKY HALL NORTH

MACKY HALL SOUTH



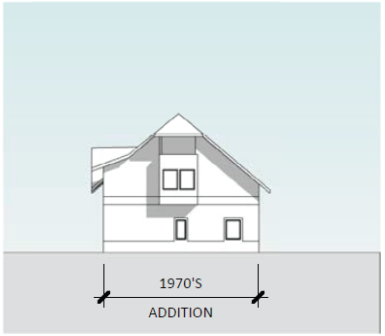
CARRIAGE NORTH



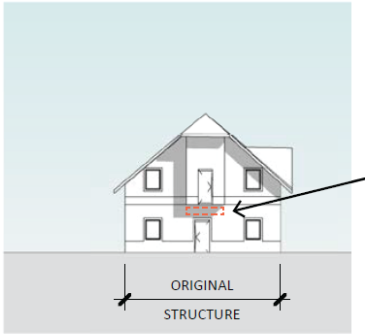
CARRIAGE SOUTH

MACKY HALL EAST

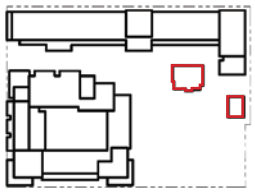
MACKY HALL WEST



CARRIAGE EAST



CARRIAGE WEST



Source: Emerald Fund, 2022.

Figure III-24
Site Elevation - Macky Hall and Carriage House

3. Open Space and Amenities

The project proposes privately owned and publicly accessible open space (referred to as "POPOS"), and private open space required for the residential development composed of group-usable shared open space (courtyards for residents), and private-open space (decks for residents) as detailed below in Table III-3.

TABLE III-3 EXISTING AND PROPOSED OPEN SPACE

Type	Existing (Square Feet)	Proposed (Square Feet)	Net Difference (Square Feet)
Institutional/Privately Owned Publicly Accessible Open Space (POPOS)	87,779	57,433[a]	-30,346
Group Usable Open Space for Project Residential Units	N/A	24,633[b]	+24,633
Private-Open Space for Residents	N/A	13,192	+13,192

[a] Includes POPOS (paseo, play area, general open space) (41,193 sf) and public plaza (16,240 sf).
[b] Outdoor courtyard, amenity space, and two outdoor decks.
Source: CCA Oakland, CA, Preliminary Development Permit Application, August 25, 2022.

The project would provide approximately 57,433 square feet of POPOS. These areas would be accessible to the public from either the Broadway Wall and Stairs, a new pedestrian walkway along Broadway, or from Clifton Street. The POPOS would provide amenities including a neighborhood paseo between Buildings A and B, a play area, public plazas, and other general-use recreational areas. The project would also provide 24,633 square feet of group-usable open space in the form of a courtyard at Building A, an amenity area at the ground level of Building B, and terraces at both buildings for future resident use. Lastly, the project would provide 13,192 square feet of private-open space in the form of private residential balconies and decks.

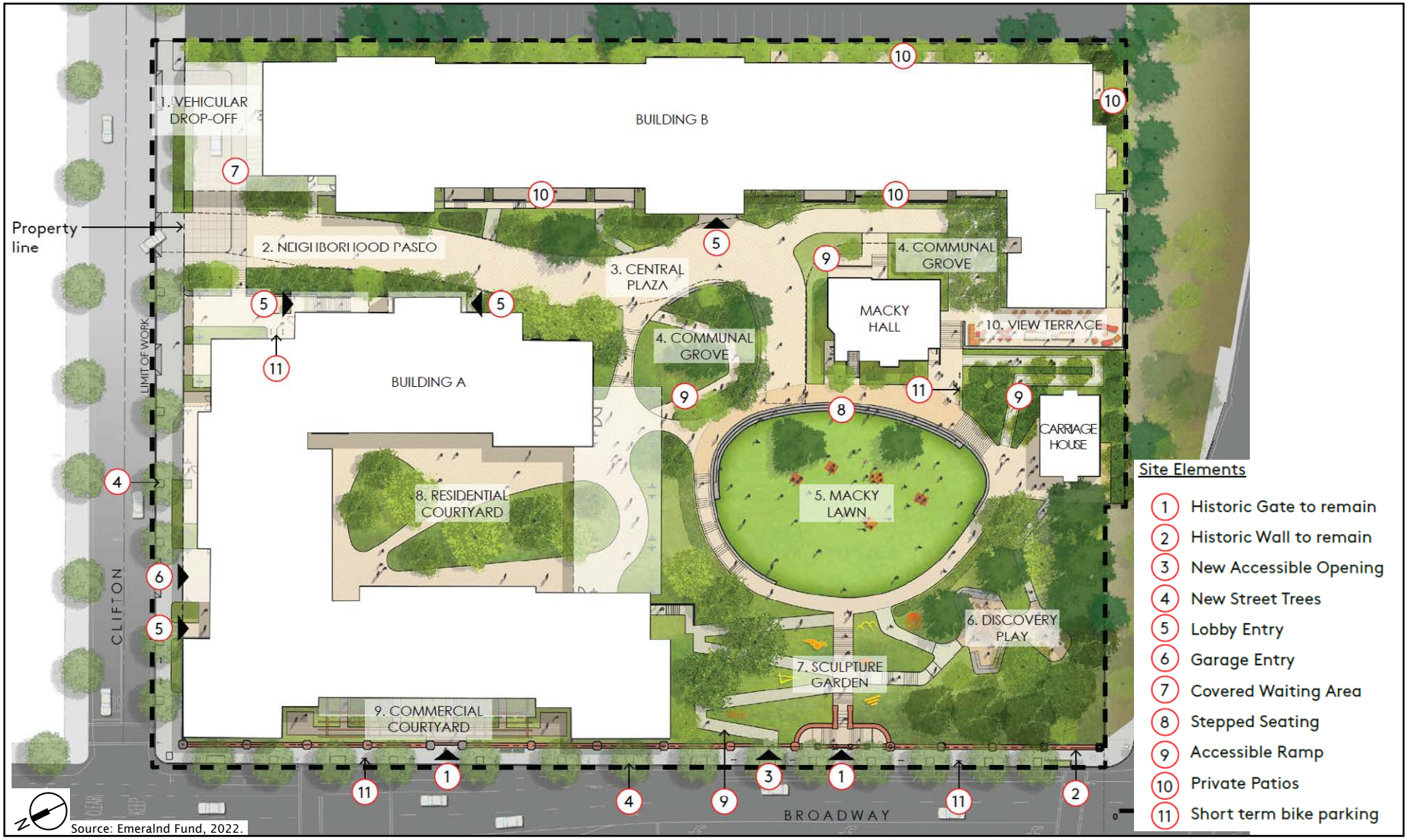
As shown in Table III-4, the project proposes to preserve 38 trees (15 on-site and 23 within 10 feet of the property line) and remove 75 of the existing 113 on-site and off-site trees. A total of 75 new trees are proposed to replace the 75 trees that would be removed, resulting in a total of 113 on-site and off-site trees. An overview of the landscaping and open space amenities is shown in Figure III-25.

TABLE III-4 TREE PROPOSAL

Trees	Total
Preserve	38
Remove	-75
New	+75
Total	**113**
Existing	113

Note: Includes trees on-site and within 10 feet of the property line within the public ROW on Broadway and on adjacent properties to the south and east.
Source: CCA Oakland, CA, Preliminary Development Permit Application, August 25, 2022.

The 15 trees to be preserved on-site include 10 redwoods, 1 magnolia, 1 bunya bunya, 1 deodar cedar, 1 coast live oak, and 1 canary island palm.



Source: Emeralnd Fund, 2022.

Figure III-25
Landscape Plan

4. Group Assembly Space

The project also proposes group assembly space and/or personal instruction and improvement services on Macky Lawn (10,718 square feet), the ground floor of the Carriage House (1,332 square feet),[4] and the Carriage House Terrace (1,166 square feet). The intent of these spaces would be to serve on-site residents and the local community from time to time. Macky Lawn and the Carriage House Terrace would be available to be used for civic activities including community or cultural performing arts by non-profit groups. The ground floor of Carriage House would be available to be used for civic activities including community meetings. These uses would be permitted between 8:00 a.m. and 10:00 p.m.

5. Circulation and Parking

The project would provide a total of 268 parking spaces (or approximately 0.5 parking spaces per dwelling unit). Building A would provide 233 parking spaces located at the center of the building on the first floor. Building B would provide 35 parking spaces at its ground and second floors. Each of the parking areas would have their own respective single-entry/exit points.

Under the Planned Unit Development (PUD) bonus provisions in 17.142.100.F, the overall number of off-street parking and loading facilities can be distributed throughout the project site. Residents may be permitted to use the 13 spaces required for commercial and historic uses during non-commercial hours.

The project also proposes some minor street improvements on Clifton Street including sidewalk paving and bulb outs. The project would not create any new vehicular roadways.

The project would provide a total of 510 bike parking spaces, with 248 bike parking spaces for Building A, 260 bike parking spaces for Building B, and two bike parking spaces for Macky Hall. Four hundred and eighty-one of these spaces would be dedicated towards long-term bike parking, and 29 for short-term bike parking.

The project would provide a total of one loading berth at Building A.

Pedestrians would access the project site and buildings from several entrances around the area. Project site access, including the preserved staircase, is along both Broadway and Clifton Street. Within the project site, pedestrian circulation between buildings is via several walking paths and the promenade along the eastern portion of the project site.

[4] This Draft EIR considers the rehabilitation of 2,875 square feet in the Carriage House as office space given this is a more conservative land use type than recreation assembly-civic or group assembly space.

6. Utilities and Infrastructure Improvements

Utility services are currently provided to existing buildings surrounding the project site and would be available to serve the project. Water supply and treatment, and wastewater treatment are provided to Oakland by East Bay Municipal Utility District (EBMUD). The project site is currently served by sanitary sewer and water lines. Minor connections to these existing lines would be required to serve new structures on the project site. The project would be required to comply with the waste reduction and recycling regulations outlined in Oakland Municipal Code Chapter 15.34.

The project would include one emergency generator rated at 2,000 kilowatts located in the basement of Building A.

The project is required to satisfy the multi-family green building point certification, as defined by the Green Building Ordinance, which is further described in *Section V.E, Greenhouse Gas Emissions and Energy* and *Chapter VIII, CEQA Required Assessment Conclusions*. Energy efficiencies measures would include low-flow fixtures beyond code, native plantings, energy efficiency beyond code, and reduced water use for irrigation.

E. DISCRETIONARY ACTIONS/USES OF THIS EIR

It is anticipated that this EIR will provide environmental review of all discretionary approvals and actions required for the project. Several permits and approvals would be required before project development could be initiated. As Lead Agency for the project, the City of Oakland would be responsible for most of these approvals. The City would require a series of discretionary and ministerial actions associated with approval of the project, which are described below and summarized in Table III-5. Other agencies would have some authority related to the project and its approvals. At the time of this Draft EIR publication, the list of permits and approvals that could be required by the City and other agencies, without limitations, is also provided in Table III-5.[5]

[5] Note that the project's total number of units, unit mix, total square feet, number of provided parking spaces, and measurements such as exact building height, etc. may be refined as the project proceeds into the Final Development Permit and other subsequent approvals. Such variations are expected to be within the scope of the analysis of this EIR and to not require further environmental analysis particularly if they comply with the City's zoning and development standards. Such refinements will be reviewed to confirm such and further evaluated if it seems possible the refinements may substantially change the findings of this EIR.

TABLE III-5 REQUIRED PERMITS AND APPROVALS

Lead Agency	Permit/Approval
City of Oakland	▪ Environmental Review ▪ General Plan Amendment ▪ Rezoning ▪ Planned Unit Development (Preliminary Development Plan and Final Development Plan(s)) ▪ Regular Design Review ▪ Variance ▪ Conditional Use Permits ▪ Tree Removal Permits ▪ Demolition Permits ▪ General City Administrative Permits, including encroachment and building permits ▪ Tentative Parcel Map
Responsible Agencies	
San Francisco Bay Regional Water Quality Control Board	▪ National Pollutant Discharge Elimination System permit for stormwater discharge
Bay Area Air Quality Management District	▪ Emergency generator permit

Note: The PUD is currently proposed at up to 510 units, the total number of units for the PDP.
Source: Urban Planning Partners, 2022.

Key discretionary actions required by the City of Oakland are outlined below.

1. Planned Unit Development

The project will be seeking a PUD to allow for a large integrated development on the project site. PUDs are intended for large integrated developments on properties greater than 60,000 square feet. The PUD would allow for some flexibility in restrictions of the underlying zone, referred to in the Planning Code as "bonuses."[6] In addition, the Project Sponsor is proposing two exceptions from Oakland Municipal Code Section 17.35.04 which regulates heights adjacent to neighboring districts: the first along the front lot line (the shorter of Broadway and Clifton Street to the north), and the second along the interior side lot line (adjoining the RM-3 zone to the east). After the proposed rezone to CC-2 with a 95-foot Height Area, the project would exceed the 8-story limit by 2 stories. As such, the project sponsor is also requesting a bonus to exceed permitted stories.

[6] City of Oakland Planning Code 17.142.100.

Under the PUD bonus provisions in 17.142.100.F, the overall number of off-street parking and loading facilities can be distributed throughout the project. The Project Sponsor seeks to share parking facilities between commercial and residential uses (as described in the Conditional Use Permits section below). Site-specific design guidelines would also be proposed for the project through the PUD process as a basis for evaluating the architectural quality and compatibility of the project with the character of the existing California College of Arts & Crafts API and the surrounding neighborhood.

2. Conditional Use Permits

The project requests Conditional Use Permits for a shared access easement for the proposed promenade and shared parking for residential use, commercial use, and historic building reuse. Residents may be permitted to use the eight spaces for commercial and historic uses during non-commercial hours.

The project also requests a Conditional Use Permit for group assembly space at Macky Lawn, the Carriage House, and the Carriage House Terrace.

3. Variance

The project will require one or more variances to allow for the proposed demolition of historic structures within a historic district subject to the site-specific guidelines of the PUD.

4. Tentative Parcel Map

The project requests a Tentative Parcel Map. The first parcel would contain Building A and the second parcel would contain Building B and the majority of the POPOS area, as well as Macky Hall and the relocated Carriage House.

5. Design Review

The project would be subject to the design provisions outlined in the Planning Code, which would require approval by the Planning Commission, including preliminary review by the Design Review Committee and the Landmarks Preservation Advisory Board. As mentioned above, the project is also proposing to create site-specific design guidelines. These guidelines would provide a basis for evaluating the architectural quality and compatibility of the project with the character of the existing California College of Arts & Crafts API during review under the requirements of the Demolition Findings.

6. General Plan Amendment

The project proposes to change the existing use on the site from Institutional to Community Commercial (CC). Therefore, the Project Sponsor would be required to file for an amendment to the City of Oakland's General Plan.

7. Rezoning Amendment

The project proposes to change the existing zoning on the site from CN-1 Zone and RM-4 Zone to CC-2 Zone. Therefore, the Project Sponsor would be required to file for an amendment to the City of Oakland's zoning code to change the project site's zone. The project also proposes a change from 35-foot Height Area in the RM-4 portion of the site to a 95-foot Height Area.

8. Tree Removal Permit

Pursuant to the City's Protected Trees Ordinance (Oakland Municipal Code 12.36), the Project Sponsor would be required to obtain an approved Tree Removal Permit prior to removal of (or construction activity near) a "Protected Tree," as defined in Oakland Municipal Code. Tree permits would require approval by the Oakland Office of Parks and Recreation.

9. Demolition Permit

Pursuant to the Oakland Municipal Code 15.36, the Project Sponsor would be required to obtain an approved Demolition Permit prior to the issuance of a building permit.

IV. PLANNING POLICY

This chapter discusses the project's consistency with applicable land use planning and regulatory documents. The documents reviewed include several elements of the City of Oakland General Plan (General Plan)—the Land Use and Transportation Element (LUTE) (adopted March 24, 1998);[1] the Housing Element 2023-2031 (adopted January 2023);[2] the Phase I General Plan Update and Development Code Amendments (adopted October 3, 2023,) Open Space, Conservation, and Recreation (OSCAR) Element (adopted June, 1996);[3] the Historic Preservation Element,[4] the Noise Element;[5] and the Safety Element[6]—as well as the City of Oakland's (City) Pedestrian Master Plan (adopted November 12, 2002 and updated in 2017);[7] Bicycle Master Plan (adopted December 7, 2007 and updated in July 2019);[8] the Oakland Panning Code (effective November 3, 2016);[9] the Oakland 2030 Equitable Climate Action Plan;[10] and the Commercial Corridor Design Guidelines (adopted July 17, 2013).[11]

Policy conflicts in and of themselves, in the absence of adverse physical impacts, are not considered to have significant effects on the environment and are differentiated from impacts identified in the other topical sections of this chapter. Pursuant to the California Environmental Quality Act (CEQA), the fact that a specific project does not meet all of a general plan's goals, policies, and objectives does not inherently result in a significant effect on the environment. Physical impacts associated with policy conflicts are addressed in the appropriate technical sections of *Chapter V, Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures*. Additionally, local, regional, and State of California (State) plans and policies, such as those

[1] City of Oakland, 1998. General Plan, Land Use and Transportation Element, March.

[2] Phase I City of Oakland, 2023. 2023-2031 Housing Element, January 31.

[3] City of Oakland, 1996. General Plan, Open Space, Conservation, and Recreation (OSCAR) Element, June.

[4] City of Oakland, 1994. General Plan, Historic Preservation Element, March 8.

[5] City of Oakland, 2005. General Plan, Noise Element, June.

[6] City of Oakland, 2023. General Plan, Safety Element Update. September.

[7] City of Oakland, 2002. General Plan, Land Use and Transportation Element, Pedestrian Master Plan. Adopted November 12, amended 2017.

[8] City of Oakland, 2007. General Plan, Land Use and Transportation Element, Bicycle Master Plan. Adopted December, amended September 2023.

[9] City of Oakland, 2016. City of Oakland Planning Code. CEDA: Planning and Zoning. Available at: https://www.oaklandca.gov/topics/planning-and-building-codes#planning-codes, accessed December 5, 2023.

[10] City of Oakland, 2020. Oakland 2030 Equitable Climate Action Plan. July. Available at: https://cao-94612.s3.amazonaws.com/documents/Oakland-ECAP-07-24.pdf, accessed December 5, 2023.

[11] City of Oakland, 2013. City of Oakland Design Guidelines for Corridors and Commercial Areas. Adopted July 17.

related to air quality or climate change, are discussed in the applicable sections of the Environmental Impact Report (EIR).

A. APPLICABLE REGULATORY DOCUMENTS AND POLICY CONSISTENCY

Applicable plans and major policies and regulations that pertain to the project are presented below, followed by a discussion of the project's overall consistency (or inconsistency) with each regulatory document.

As noted above, conflicts with a general plan do not inherently result in a significant effect on the environment within the context of CEQA. As stated in Section 15358(b) of the CEQA Guidelines, "[e]ffects analyzed under CEQA must be related to a physical change." Section 15125(d) of the CEQA Guidelines states that EIRs shall discuss any inconsistencies between the project and applicable general plans in the *Setting* section of the document (not under *Impacts*).

Further, Appendix G of the CEQA Guidelines (Environmental Checklist Form) makes explicit the focus on environmental policies and plans, asking if the project would "conflict with any applicable land use plan, policy, or regulation . . . adopted for the purpose of avoiding or mitigating an environmental effect" (emphasis added). Even a response in the affirmative, however, does not necessarily indicate that the project would have a significant effect, unless a physical change would occur that exceeds significance thresholds. To the extent that physical impacts may result from such conflicts, such physical impacts are analyzed elsewhere in this EIR.

1. Regional and Local Plans, Policies, and Regulations

a. Plan Bay Area 2050

Plan Bay Area 2050 is the Association of Bay Area Government's (ABAG) and Metropolitan Transportation Commission's (MTC) long-range strategic plan focused on housing, the economy, transportation, and the environment. The Plan highlights four types of "Growth Geographies", including Priority Development Areas (PDAs) and Priority Production Areas (PPAs). Areas designated as PDAs will support future housing and job growth in the region, while areas designated as PPAs will help retain industrial land in key locations in the region to support the expansion in the number of middle wage jobs related to industrial activities. The Plan also highlights Priority Conservation Areas (PCAs), which are regionally significant open spaces which have broad agreement for long-term protection.

The project site is within the Mac Arthur BART PDA. The PDA program was created to meet regional housing needs in an equitable and sustainable way. PDAs are areas located near transit that are prioritized by local governments for developing new homes, jobs, and community amenities. This infill development minimizes impacts to the environment and enables future

residents to take advantage of existing infrastructure, particularly transit. The areas were nominated by local governments for the Association of Bay Area Governments (ABAG) adoption. Oakland has nine adopted PDAs.

2. City of Oakland General Plan

The General Plan is a comprehensive plan for growth and development in Oakland. The General Plan includes policies related to land use and transportation; pedestrians; bicycles; housing; open space, conservation, and recreation; historic resources; estuary policy; safety; scenic highways; and noise. These topics are addressed within individual elements of the General Plan.

Regarding a project's consistency with a general plan in the context of CEQA, the City of Oakland General Plan states the following:

> "The General Plan contains many policies which may in some cases address different goals, policies, and objectives and thus some policies may compete with each other. The Planning Commission and City Council, in deciding whether to approve a proposed project, must decide whether, on balance, the project is consistent (i.e., in general harmony) with the General Plan. The fact that a specific project does not meet all General Plan goals, policies and objectives does not inherently result in a significant effect on the environment within the context of the California Environmental Quality Act (CEQA)." (City Council Resolution No. 79312 C.M.S.; adopted June 2005)

As a part of the project, the Project Sponsor is proposing a General Plan Amendment, which if approved, would reclassify the entire project site from Institutional to the Community Commercial (CC) designation. Figure IV-2 shows the project site and vicinity's land use designations with the proposed General Plan Amendment. The project as proposed cannot proceed without approval of the proposed amendment.

The project's consistency and relationship with each applicable element of the General Plan, including the existing and proposed designations, is discussed below, and summarized in Table IV-3 at the end of this chapter.

a. Land Use and Transportation Element

(1) Overview

The LUTE, which was adopted in March 1998, identifies policies for utilizing land in Oakland as change takes place, and sets forth an action program to implement the land use policy through development controls and other strategies. The LUTE includes designations for all land uses within Oakland. The LUTE is bound by a vision for the city that includes creating "clean and attractive neighborhoods rich in character and diversity, each with its own distinctive identity, yet

well-integrated into a cohesive urban fabric."[12] The following describes the existing LUTE classification for the project site, as well as the proposed LUTE classification.

(2) Land Use Classifications

Project Site

The General Plan Land Use classification for the project site is Institutional as shown in Figure IV-1. The intent, desired character, and intensity of each of this classification are described below.

Institutional Land Use Intent

The LUTE states "that the Institutional classification is intended to create, maintain, and enhance areas appropriate for educational facilities, cultural and institutional uses, health services and medical uses as well as other uses of similar character."[13]

Institutional Land Use Desired Character and Uses

The LUTE states that "future uses include educational and cultural facilities, institutions, health services, and medical facilities. Under certain conditions, mixed use housing and commercial development that supports these institutional areas may be allowed."[14]

Institutional Land Use Desired Intensity

The maximum floor area ratio (FAR) for the Institutional classification is 8:1. Appropriate development standards that reflect the nature of the institutional facility and contain appropriate standards to address edge conditions adjacent to residential areas, and the need for expansion space, are all important factors that will be addressed by zoning.[15]

Project Site Vicinity

The Land Use Designations for the properties near the project site vary and include, Community Commercial and Urban Residential to the south; Neighborhood Center Mixed Use and Mixed Housing Type Residential to the west; Urban Residential, Mixed Housing Type Residential, and

[12] City of Oakland, 1998. General Plan, Land Use and Transportation Element, March.

[13] City of Oakland, 1998. General Plan, Land Use and Transportation Element, March.

[14] City of Oakland, 1998. General Plan, Land Use and Transportation Element, March.

[15] City of Oakland, 1998. General Plan, Land Use and Transportation Element, March.

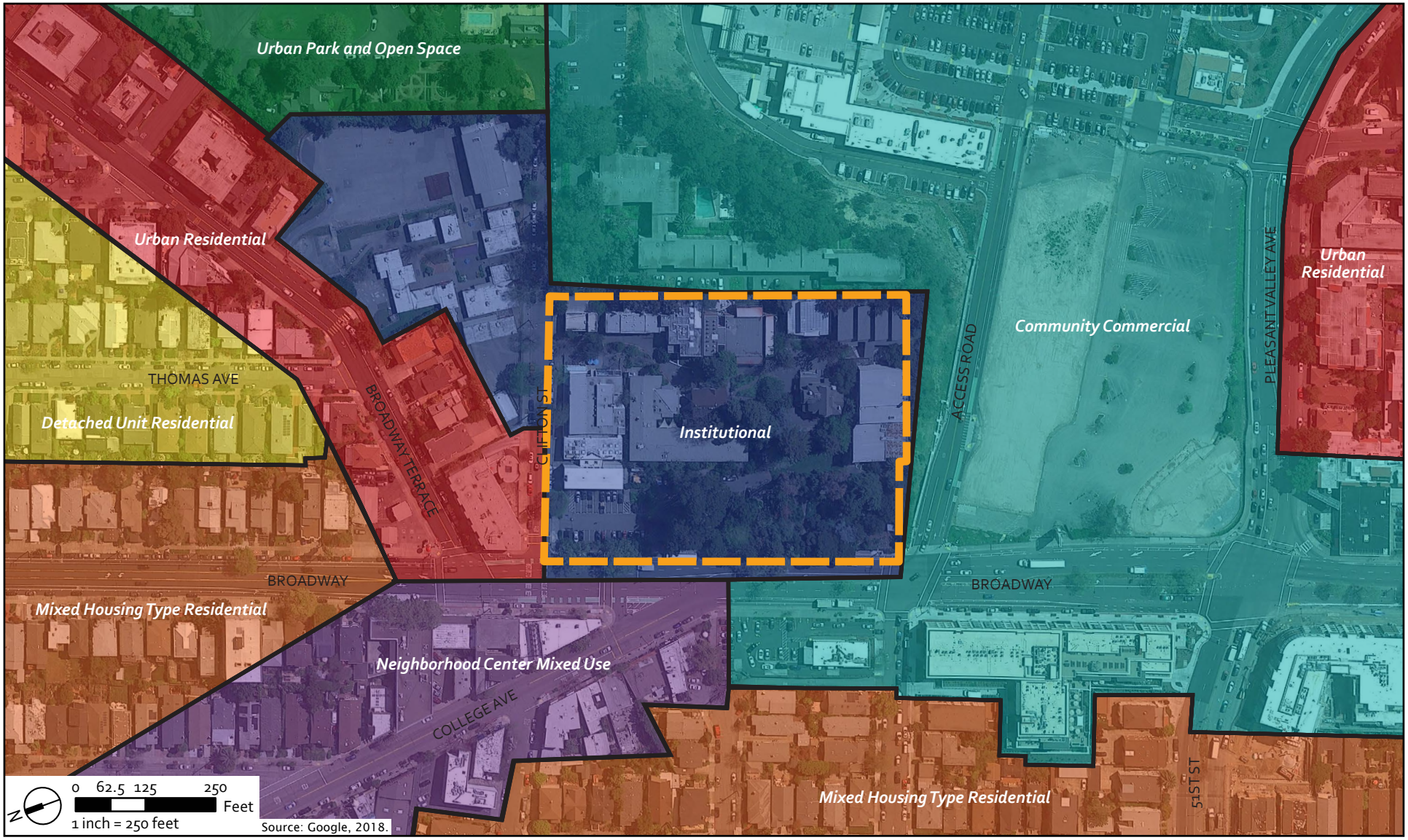


Figure IV-1

Project Site and Vicinity General Plan Designations

Detached Unit Residential to the north; and Urban Park and Open Space, Institutional, and Community Commercial to the east.

Proposed General Plan Classification

As a part of the project, the Project Sponsor is proposing a General Plan Amendment which would reclassify the entire project site to the Community Commercial (CC) designation. Figure IV-2 shows the project site and vicinity's land use designations with the proposed General Plan Amendment.

Community Commercial Land Use Intent

The LUTE states that "the Community Commercial classification is intended to identify, create, maintain, and enhance areas suitable for a wide variety of commercial and institutional operations along the City's major corridors and in shopping districts or centers."[16]

Community Commercial Land Use Desired Character and Uses

The CC areas may include neighborhood center uses and larger-scale retail and commercial uses, such as auto-related businesses, business and personal services, health services and medical uses, educational facilities, and entertainment uses. CC areas can be complemented by the addition of urban residential development and compatible mixed-use development.

Community Commercial Land Use Desired Density and Intensity

The maximum non-residential FAR for this classification is 5:1 with a maximum residential density of 165 units per gross acre.

(3) Implementation Program

Chapter 4 of the LUTE describes city-wide implementation strategies as well as area-specific strategies. The Comprehensive Community and Economic Development Strategy for Neighborhoods, TOD's and Corridors subsection identifies several neighborhoods, transit-oriented developments, and corridors within the city of Oakland with the objective of focusing and leveraging resources to better achieve sustain economic growth; identifying high priority activities for public investment that stimulates private investment; improving neighborhood

[16] City of Oakland, 1998. General Plan, Land Use and Transportation Element, March.

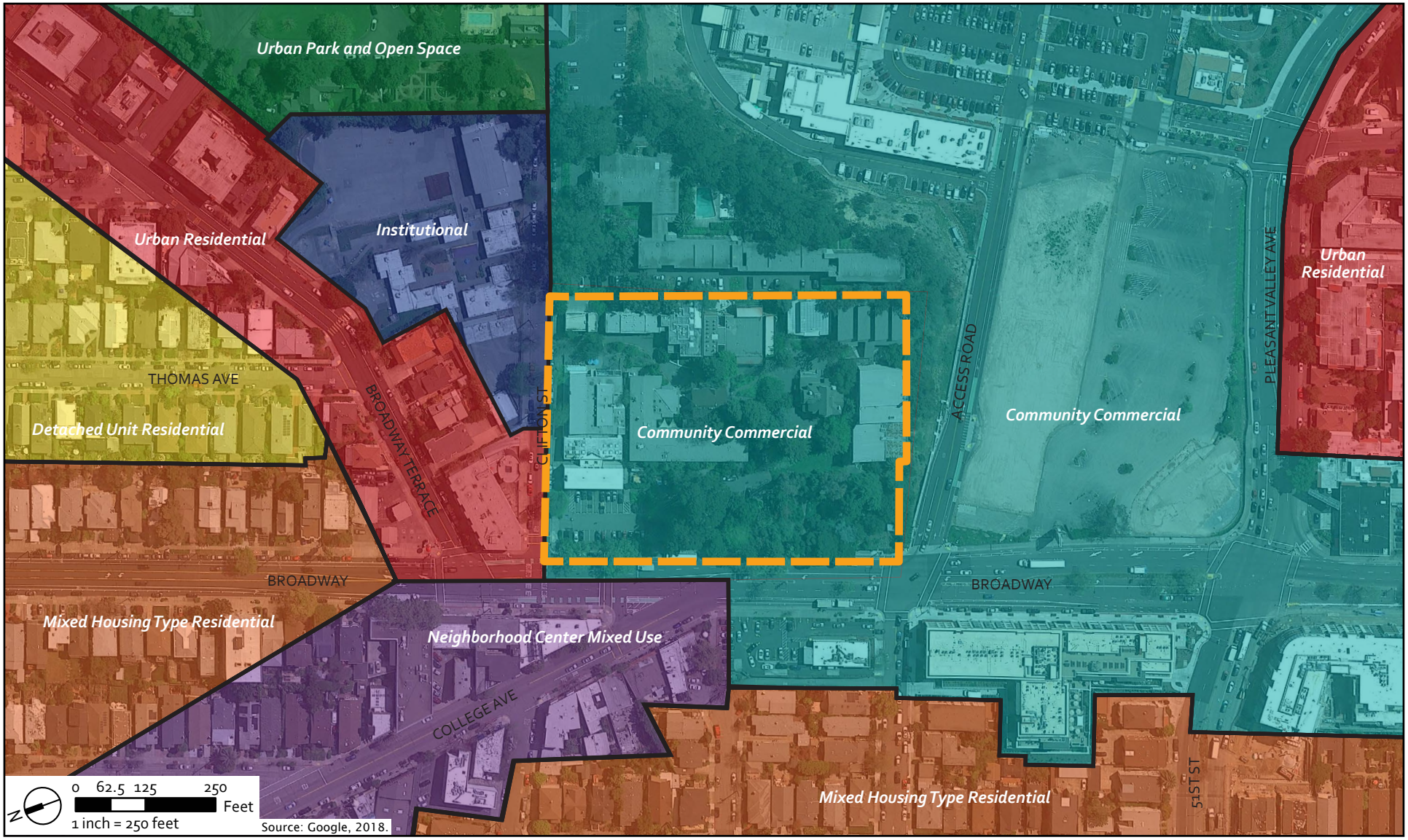
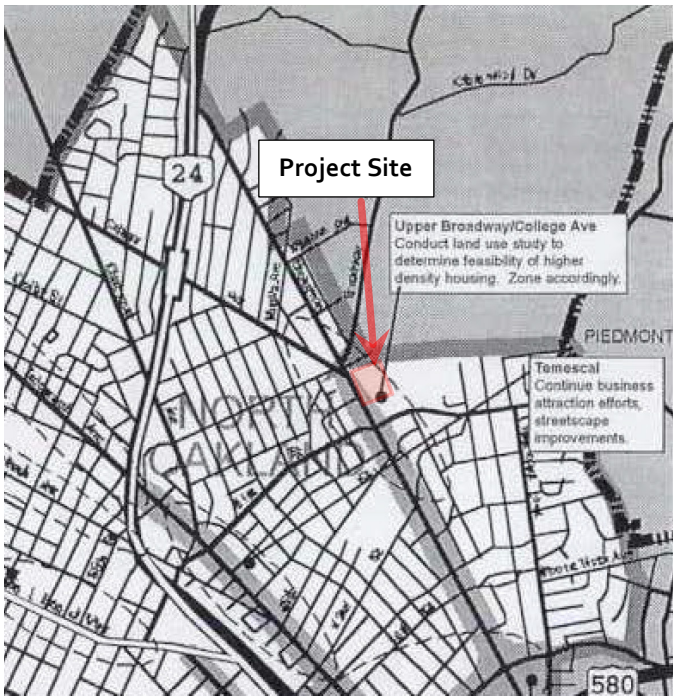


Figure IV-2
Proposed General Plan Designations

activity centers, neighborhood housing areas, transit-oriented developments, and corridors; and to strengthen the structure of the city as described in the LUTE.[17]



Within the Area subsection the North Oakland area is described as, "a mature urban community. Its physical structure is provided by principal corridors that radiate from downtown along historic roads and streetcar routes. These provide mobility and business areas for surrounding residential neighborhoods." The LUTE also states that in North Oakland there is support for maintaining the established residential densities in most neighborhoods, while realizing the potential for higher density housing types along corridors and in other areas served by transit.[18] Broadway is identified as one of four key corridors with "significant potential for reuse and intensifications."

The project site is included in the Upper Broadway/College Ave area of North Oakland. The site is in a dashed circled area called out as a "Target Area for Community and Economic Development" as shown in Figure 10, Improvement Strategies North Oakland of the LUTE. There is also a call-out note specific to the Target Area, which includes the project site that states: "conduct land use study to determine feasibility of higher density housing." It has a split designation with the frontage being shaded for "growth and change" and the remainder of the site marked as "maintain and enhance."

(4) Consistency

Land Use Classification

The project proposed residential use is not consistent with intent or desired character of the site's existing Institutional General Plan Land Use classification identified in the LUTE because the residential use is proposed independent of any educational facilities, cultural, institutional, or

[17] City of Oakland, 1998. General Plan, Land Use and Transportation Element, March.

[18] City of Oakland, 1998. General Plan, Land Use and Transportation Element, March.

medical uses, nor does it propose any uses that would directly support institutional facilities. Other components of the General Plan identify housing as a preferred or an appropriate use for the site as discussed below under the Housing Element and Priority Development Areas. To ensure the project uses are consistent with the site's General Plan Land Use designation, the project includes a request to modify the General Plan Land Use designation from Institutional to Community Commercial as described below.

If the requested General Plan Amendment is not approved, the project may be found to be inconsistent with the General Plan and be denied approval. If that was to occur, the project site would remain designated as Institutional, and the buildings may become vacant or underutilized until such time another Institutional user is interested in the site and determines it is feasible to reestablish an Institutional use on the site.

The development project is within the desired intensity of the Institutional Land Use, as the project proposes a FAR of 2.51:1, which is well below the maximum FAR of 8:1 (the Institutional Land Use designation does not specify a unit density).

Implementation Program

The project is consistent with some elements of the LUTE's Implementation Program (chapter 4) for North Oakland as the project includes higher density housing and supports reuse and intensification along the Broadway commercial corridor that is designated as key corridor for growth. The entire site is also within a Target Area identified for further study from more intense residential zoning. As described above, the Improvement Strategies North Oakland designates Broadway and the project frontage as a "growth and change" area. This mixed-use, high-density residential project contributes to growth and change in the Upper Broadway/College Ave area. However, roughly two-thirds of the project site is also designated as a "maintain and enhance" area where, "Development to a higher density will be the exception, except in the areas where the character of the buildings in lower intensity use are suffering."[19] Due to the project site's split designation, the increase in density and intensity proposed is only partially consistent with the Community and Economic Development Strategy.

Proposed General Plan Land Use Designation

The proposed CC General Plan designation permits residential development (without the need for supporting an Institutional use). As a result, the proposed development would be consistent with the CC designation. The project would be consistent with the CC General Plan designation because it would enhance the Broadway commercial corridor in the Rockridge neighborhood by

[19] City of Oakland, 1998. General Plan, Land Use and Transportation Element, March.

providing a café and office spaces and complement the surrounding urban area with a mixed-use, multi-family development. It also provides a framework to allow the project's rezoning to Community Commercial – Zone 2 (CC-2) to accommodate density, height, and bulk.

While the total project site encompasses 3.95 total acres (172,270 square feet), City policy established that the site area for the purposes of calculating density and intensity under the General Plan does not include public or private streets and publicly accessible parks and public plazas.[20] As such, the project's total site area, minus the open space area of 1.32 acres (57,433 square feet), results in a total of 2.64 acres (114,837 square feet) of residential lot area. The factor for converting from gross to net outside the downtown is 75 percent; therefore, the factor is 165/0.75 equals a net density of 220 dwelling units per acre.

The CC Land Use designation allows a net density ratio of one unit per 198 square feet of lot area, this equates to a maximum development potential of 580 units under the General Plan as shown in Table IV-1.

TABLE IV-1 GENERAL PLAN DESIGNATION DENSITY CALCULATION

General Plan	Total Lot Area	POPOS	Lot Area Without POPOS	Net Density Ratio[a]	Maximum Units
CC	172,270	57,433	114,837	198	580

[a] Dwelling unit per square foot of lot area.
Source: City of Oakland's Zoning Code Bulletin dated April 20, 2020, and amended on February 11, 2021, and August 27, 2021. CCA Oakland, CA, Preliminary Development Permit Application, August 25, 2022.

The project would ultimately be limited to the General Plan Land Uses' maximum development potential of 580 units. Project FAR of 2.51:1 would not exceed established intensity parameters for a CC Land Use of FAR 5:1 nor would the proposed 510 residential units exceed the maximum allowable General Plan density of 580 units.

The project's consistency with key LUTE policies applicable to this project is provided in Table IV-3 at the end of this chapter.

[20] City of Oakland's Zoning Code Bulletin dated April 20, 2020, and amended on February 11, 2021 and August 27, 2021.

b. Pedestrian Master Plan

(1) Overview

The Pedestrian Master Plan (part of the LUTE) is intended to promote pedestrian safety and access to ensure that Oakland is a safe, convenient, and attractive place to walk. It establishes a pedestrian route network, which includes streets, walkways, and trails that connect to schools, libraries, parks, neighborhoods, and commercial districts throughout the City. Broadway, adjacent to the project site, is within the pedestrian route network.

The goals of the Pedestrian Master Plan include the following:

- *Holistic Community Safety.* Make Oakland's pedestrian environment safe and welcoming.
- *Responsiveness.* Develop and provide tools to ensure that Oakland creates and maintains a vibrant pedestrian environment.
- *Equity.* Recognizing a historical pattern of disinvestment, focus investment and resources to create equitable, accessible walking conditions to meet the needs of Oakland's diverse communities.
- *Vitality.* Ensure that Oakland's pedestrian environment is welcoming, well connected, supports the local economy, and sustains healthy communities.

(2) Consistency

The project is consistent with the Pedestrian Master Plan as it incorporates features that enhance and facilitate pedestrian access to the project site. The project includes pedestrian enhancing features with walkways, curb ramps, and lighting throughout the project site, as well as some minor street improvements along Clifton Street. The project also facilitates walkability throughout the project site by reprogramming the central courtyard of the current site into a privately owned, public open space (POPOS) that includes landscaping and seating. The Pedestrian Master Plan policies applicable to the project are analyzed in Table IV-3 at the end of this chapter.

c. Bicycle Master Plan

(1) Overview

The Bicycle Master Plan (part of the LUTE) is the official policy document addressing the development of facilities and programs to enhance the role of bicycling as a viable transportation choice in Oakland. The Bicycle Master Plan defines City policies and recommends actions that

would encourage and support bicycle travel improvements. The project's consistency with the goals of the Bicycle Master Plan is discussed below.

To develop Oakland as a bicycle-friendly community, the Bicycle Master Plan identified the following goals:

- *Access.* Support increased access to neighborhood destinations such as grocery stores, libraries, schools, recreation centers, bus stops and BART.
- *Health and Safety.* Empower Oaklanders to live a more active lifestyle by providing a network of safe and comfortable bikeways for everyone to enjoy.
- *Affordability.* Reduce the burden of household transportation costs.
- *Collaboration.* Foster an increased role for the community in the planning process and improve trust that the City will fulfill its promises.

(2) Consistency

The project is consistent with the goals of the Bicycle Master Plan. The project incorporates pathways that facilitate bicycle access to and within the project site. The project would also support the surrounding bike network through increased bicycle parking on site. The Bicycle Master Plan policies applicable to the project are analyzed in Table IV-3 at the end of this chapter.

d. Housing Element

(1) Overview

The City's 2023-2031 Housing Element serves as Oakland's roadmap to ensure sufficient housing is built to meet the needs of all Oaklanders, protect existing Oaklanders from displacement, and ensure that future development patterns undo past patterns of segregation. As described above, the Housing Element includes an updated housing needs assessment, a housing sites inventory that meets the City's RNHA including a buffer of additional housing development capacity, and the HAP chapter, which presents the updated goals, policies, and actions critical to respond to increasing housing pressures in Oakland. Specifically, the Housing Element addresses Oakland's housing needs considering the significant rise in rents and home prices, income burdens, and gentrification and the risk of displacement. For more information, including the definition of these terms, and the updates to goals, policies, and programs, please see the 2023-2031 Housing Element available on the City's website at City of Oakland | 2023-2031 Adopted Housing Element (oaklandca.gov).

The project site is designated as a Housing Opportunity Site. Appendix C, Housing Site's Inventory, Figure C-1, City of Oakland 2023-2031 Housing Sites Inventory identifies the site for mixed income and Table C-26 details the assumption of 510 units.[21]

The policies and actions most relevant to the project and residential development on the project site include:

Policy 3.2. Create a more diverse mix of homes to meet community needs.

Policy 3.4. Reform zoning and land use to address community priorities.

Action 3.4.1: Revise development standards, including allowable building heights, densities, open space and setback requirements.

- Increased Heights and Densities in Resource-rich Areas: Oakland's high resource neighborhoods are typically lower-density and have historically been exclusive – both economically and racially. Allowing higher density multi-unit buildings in these areas that are rich in services will help increase the competitiveness of affordable housing projects for State funding, as well as the feasibility of developing significant numbers of housing units within these neighborhoods. Zoning changes include permitting residential densities above 30 dwelling units per acre by right in designated areas for affordable housing projects and height increases along College and Claremont Avenue. This will help further fair housing objectives by increasing the availability of affordable housing, in high resource areas.

Policy 3.6. Streamline the approval of new housing.

The project site is also identified in a High Resource area[22] in the context of affirmatively furthering fair housing (AFFH).

S-14 Zoning Overlay

These policies were implemented by the City Council in October 2023 with adoption of the Phase I General Plan Update and Planning Code Amendments changing the density and height allowances in the existing and proposed zoning and adopting an S-14 Housing Sites Combining Zone that applies to the project site. The information and analysis in this document is updated to be consistent with these new regulations.

[21] City of Oakland, 2023. 2023-2031 Housing Element, Appendix C: Sites Inventory (cao-94612.s3.amazonaws.com), Table Table-C-26-Sites-Inventory-Locked.xlsx (live.com).

[22] To quantify access to opportunity at the neighborhood level, State HCD and the California Tax Credit Allocation Committee (TCAC) convened to form the California Fair Housing Task Force to develop Opportunity Maps that visualize accessibility of low-income adults and children to resources within a jurisdiction. High Resource areas are those that offer lowincome adults and children the best access to a high-quality education, economic advancement, and good physical and mental health.

The S-14 Overlay implements the Housing Opportunity Site designation in the Housing Element by providing a streamlined regulatory process for 100 percent affordable housing projects and by adopting a minimum density requirement for sites in the Overlay designation. Minimum density is defined as 75 percent of the realistic capacity for a site.

(2) Consistency

The project is consistent with applicable adopted Housing Element policies. The project would provide a total of 510 residential units and would further the City's achievement of each of the policies and actions listed above. The minimum density for the site would be 75 percent of 580 units or 435 units. The density of development proposed is consistent with the requested General Plan Amendment and Rezoning and would provide more diversity in the housing stock in a high resource area. The project would help the City further achieve it's RHNA goals.

e. Open Space, Conservation, and Recreation Element

(1) Overview

The Open Space, Conservation, and Recreation Element (OSCAR), adopted in June 1996, addresses the management of open land, natural resources, and parks in Oakland. This element is divided into four major chapters that discuss open space, conservation, recreation, and area plans.

The citywide park acreage goal set by the OSCAR is 10 acres of parkland per 1,000 residents. The City's park ratio at the time the OSCAR was completed (1996) was approximately 8.26 acres of parkland per 1,000 residents. However according to the Trust for Public Land, which includes data for 2022, the City of Oakland has approximately 11.7 acres per 1,000 residents. The OSCAR also identifies a local-serving park standard of 4 acres per 1,000 residents. In the North Oakland Planning Area (in which the project is located), the total park area, including the public schoolyards and athletic fields, is 54.5 acres and per capita park acreage is 1.18 acres per 1,000 residents, well below the City's targets.

The OSCAR recognizes the difficulty in meeting the established goals—which notes would be impossible without massive redevelopment— but states that major gains toward the goal can be made through the expansion of existing parks, improvement of creek and shoreline access, acquisition of vacant parcels, and incorporation of new parks in major redevelopment projects.

(2) Consistency

Policies contained in the OSCAR that are relevant to land use within the project site are listed in Table IV-3 at the end of this chapter. Other impacts related to open space are discussed in *Section V.M, Public Services, Utilities, and Recreation*.

The project site currently provides approximately 87,779 square feet (2.01 acres) of institutional open space associated with the prior CCA campus. The project proposes to reprogram this space into approximately 1.32 acres (57,433 square feet) of open area including a private park open to the public, or POPOS, and a public urban plaza. Although redevelopment results in loss of approximately 0.71 acres (30,966 square feet) of open space compared with the campus, the remaining open area would be designed to look and feel like a park and would retain features of the existing campus such as a green visual terminus at College Avenue and Broadway, meandering walks, art installations, and public gathering opportunities. The POPOS would preserve 41,193 square feet of general open area, primarily the restored Macky Lawn that is part of the Treadwell Estate, and it would include an urban paseo providing access into the site from Clifton St. The 16,000-square-foot hardscape public plaza would provide seating and meeting areas. The POPOS and plaza would be developed and maintained a as part of the mixed use, but primarily as a residential development project, and provide benefits such as outdoor eating areas, a play area, general recreational areas and access via the steep slope above Broadway. Furthermore, as noted in the OSCAR, development opportunities to create parks and recreational facilities in North Oakland are very limited. The POPOS and public plaza further the goals of the OSCAR by providing a publicly accessible amenity suited to an urban neighborhood.

The project complies with the policies included in the OSCAR as detailed in Table IV-3 at the end of this chapter. Also see further discussion in Chapter IV.M, Public Services, Utilities and Recreation.

f. Historic Preservation Element

(1) Overview

The Historic Preservation Element defines goals, objectives, policies, and actions that encourage preservation and enhancement of Oakland's older buildings, districts, and other physical environmental features having special historic, cultural, educational, architectural, or aesthetic interest or value. Historic preservation policies related to the project are listed in Table IV-3, and specific details on the historic resources in the surrounding vicinity are provided in *Section V.B, Cultural and Historic Resources*.

(2) Consistency

Based on background research, a records search and literature review, a field survey, and preparation of a Historic Resource Evaluation several findings were made for the CCA Oakland campus:

- The California College of Arts and Crafts (CCAC) campus[23] as a whole is significant as a historic district eligible for the California Register of Historical Resource.
- The campus buildings represent a physical embodiment of the school's commitment to contemporary themes in architecture and design, as classrooms and studios were housed in buildings that went beyond utilitarian institutional needs.
- The CCAC campus is an Area of Primary Importance (API) identified by the Oakland Cultural Heritage Survey (OCHS) with a total of 12 contributing buildings and is eligible for the National Register of Historic Places.
- Four buildings are recommended individually eligible for listing on the California Register of Historical Resources.
- Treadwell Hall or the Treadwell Mansion and the Carriage House, together with two sequoia trees (removed with tree removal permits in July 2019), a portion of the Broadway Wall and Stairs, and an 80-foot-wide corridor extending westward from Macky Hall to the Broadway right-of-way intended to maintain the view of the building from Broadway and College Avenue, are a City of Oakland Historic. There are six historic resources within a two-block radius of the project site, but there are no S-7 or S-20 Designated Historic Districts or Heritage Properties within this radius.

The project is consistent with the Historic Preservation Element. While the project would result in the demolition of significant CEQA historical resources, the Historic Preservation Element demolition findings would be met prior to demolition and the Project Sponsor would take several steps to preserve the history of the site, including, installing plaques and other explanatory materials throughout the site to identify art features and historic elements that have been both demolished and preserved from the CCAC campus and preserving of the oldest features on the site, including Macky Hall and Carriage House.

g. Noise Element

(1) Overview

The General Plan Noise Element is required to "analyze and quantify, to the extent practical, current and projected noise levels from the following noise sources: major traffic thoroughfares, passenger and freight railroad operations, commercial and general aviation operations, industrial

[23] Note that the name of the campus has changed over the years. In 1922 when it was first established it was California School of Arts and Crafts. In 1936, the name was changed to the California College of Arts and Crafts (CCAC). In 2003, the name was changed to California College of the Arts (CCA). This document primarily uses CCA but does use CCAC when referencing the historic district and Area of Primary Importance. In any case the CCA and CCAC acronyms are occassionally used interchangeably

plants, and other ground stationary noise sources contributing to the community noise environment."[24] These noise levels are depicted on noise contour maps that are used to guide land use decisions to reduce noise impacts, especially on sensitive receptors. According to the Noise Element, sensitive receptors include "residences, schools, churches, hospitals, elderly-care facilities, hotels and libraries and certain types of passive recreational open space." The Noise Element also includes a land use/noise compatibility matrix that illustrates the degree of acceptability of exposing various sensitive land uses to noise.

(2) Consistency

Noise-related policies are included in the LUTE and OSCAR, as well as in the Noise Element. The project site is located along Broadway, a major arterial street. The project is not expected to generate new noise sources that would significantly increase noise within the project area. Additionally, the project would be subject to SCAs and Mitigation Measures to minimize both long- and short-term noise impacts. The project's relationship with Noise Element policies is shown in Table IV-3 at the end of this chapter and discussed in *Section V.I, Noise and Vibration*. Other impacts related to noise are also discussed in *Section V.I, Noise and Vibration*.

h. Oakland Safety Element

(1) Overview

Adopted in September 2023, the General Plan Safety Element, a part of the Oakland 2045 General Plan, is intended to " protect residents, workers, and visitors from seismic and geologic hazards, fire hazards, hazardous materials, flooding, and other potential hazards that risk life and property."[25] The Safety Element addresses geologic and seismic hazards, hazards and hazardous materials, hydrology and flooding, fire, climate change, airport hazards, public safety, and emergency preparedness and response. Given the topics addressed in the Safety Element, most of its policies generally apply citywide.

(2) Consistency

The project is consistent with the Safety Element. The project would be required to conform to all applicable safety regulations and requirements regarding construction, public safety, and hazardous materials consistent with the City's Standard Conditions of Approval. The project would also comply with all regulations related to geologic, fire, and flooding hazards at the project site, including but not limited to the City's Standard Conditions of Approval. A discussion

[24] City of Oakland, 2005. General Plan, Noise Element, June.

[25] City of Oakland, 2023b. General Plan, Safety Element. September. Available: https://ca0-94612.s3.us-west-2.amazonaws.com/documents/Safety-Element_Adopted-9.26.23_89907-C.M.S-1.pdf. Accessed December 14, 2023.

of the project's relationship with relevant Safety Element policies is included in Table IV-3 at the end of this chapter.

i. Oakland Environmental Justice Element

(1) Overview

The Environmental Justice Element was adopted in September 2023 and is intended to serve "as the foundation for achieving equity and environmental justice when planning for future growth and development in Oakland."[26] The Environmental Justice Element identifies communities that are disproportionately impacted by inequitable environmental harms, and addresses topics including environmental racism and health inequities, reducing pollution exposure and improving air quality, safe, healthy, and affordable homes, and healthy food access.

(2) Consistency

The project is consistent with the Environmental Justice Element. The project would be required to conform to all applicable environmental justice concerns regarding construction activities and air quality assessment and mitigation. See Table IV-3 at the end of this chapter.

3. City of Oakland Planning Code

a. Overview

The City of Oakland Planning Code (Planning Code) implements the policies of the General Plan and other City plans, policies, and ordinances. The Planning Code divides the city into zones, each of which is assigned different land use and development regulations. These regulations direct the construction, nature, and extent of building use. Density is calculated using a combination of the "base density" as adopted for each zone plus any allowed density bonuses up to the maximum density allowed in the General Plan land designation for the site. The following describes the existing zoning districts for the project site, as well as the proposed zoning district.

Figure IV-3 shows the existing Planning Code zones within and around the project site.

[26] City of Oakland, 2023a. General Plan, Environmental Justice Element. September. Available: https://ca0-94612.s3.us-west-2.amazonaws.com/documents/EJ-Element_Adopted-9.26.23_89907-C.M.S.pdf. Accessed December 14, 2023.

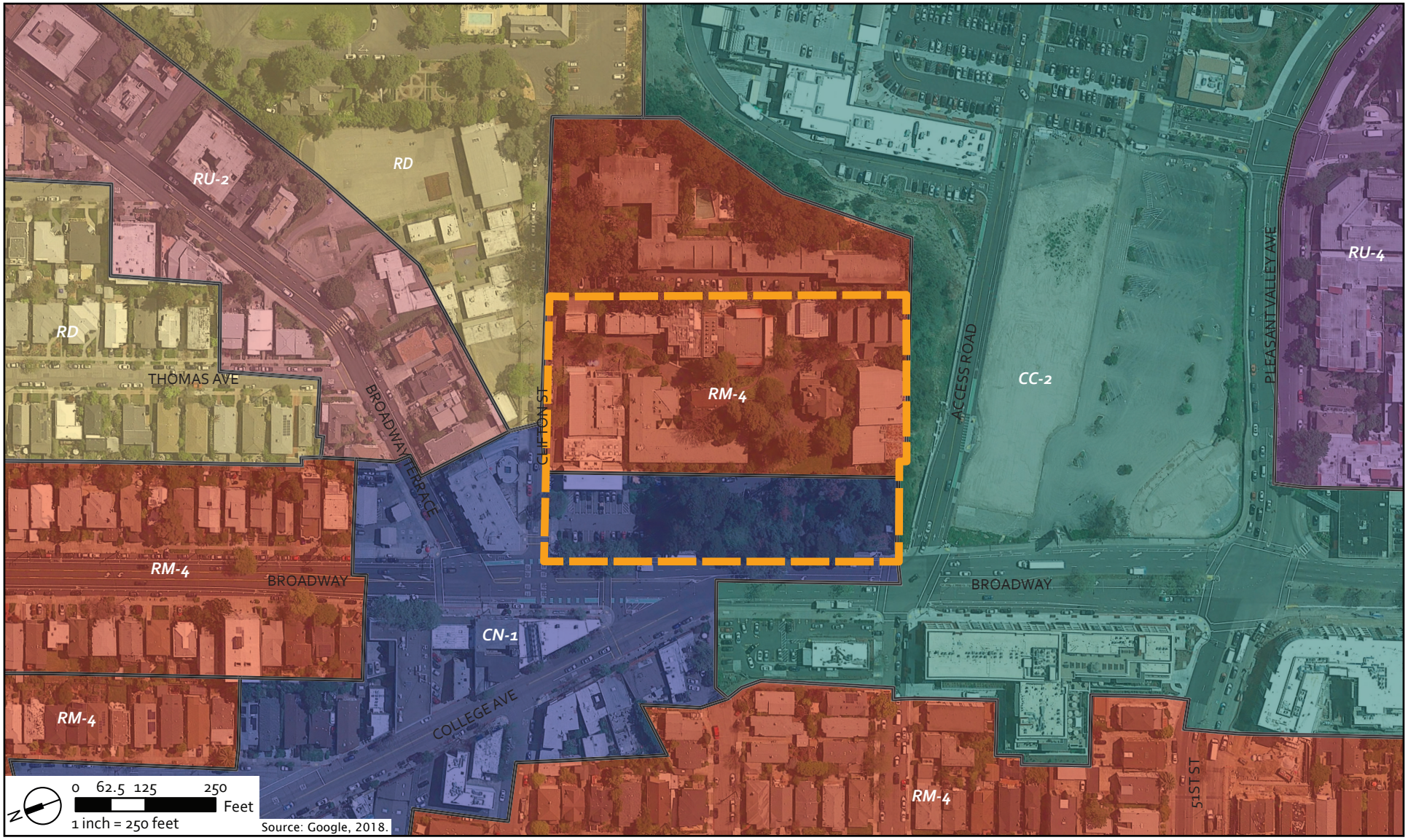


Figure IV-3
Project Site and Vicinity Zoning

b. Existing Zoning

Existing zones within the project site are shown in Figure IV-3 and described below. The eastern portion of the project site is located within a RM-4 Zone and totals approximately 124,790 square feet, while the western portion is located within a CN-1 Zone and accounts for approximately 47,480 square feet of the project site.

Mixed Housing Type Residential – Zone 4 (RM-4). The intent of the RM4 Zone is to create, maintain, and enhance residential areas characterized by a mix of single-family homes, duplexes, townhouses, small multi-unit buildings at somewhat higher densities than in RM-2, and neighborhood businesses where appropriate. The RM-4 Zone generally permits lower-density residential uses, civic uses, and limited commercial activities. The maximum allowable base density within this zone is one unit per 1,000 square feet of lot area and the maximum height is 35 feet. As mentioned above, the RM-4 Zone applies to 124,790 square feet of the eastern portion of the project site and implements the "maintain and enhance" portion of the "Target Area for Community and Economic Development" as shown in Figure 10, Improvement Strategies North Oakland of the LUTE discussed on page 218.

Neighborhood Commercial – Zone 1 (CN-1). The intent of the CN-1 Zone is to maintain and enhance vibrant commercial districts with a wide range of retail establishments serving both short- and long-term needs in attractive settings oriented on pedestrian comparison shopping. The CN-1 Zone generally permits multi-family residential, civic, commercial, and some limited agricultural activities. The maximum allowable "base" density within this zone is one unit per 200 square feet of lot area and the maximum height is 95 feet. The CN-1 Zone, which fronts Broadway, implements "growth and change" portion of the North Oakland Neighborhood Community and Economic development strategy. As mentioned above, the CN-1 Zone applies to a portion (47,480 square feet) of the western project site.

c. Proposed Zoning

The project proposes to rezone the entirety of the project site to Community Commercial – Zone 2 (CC-2) with a 95-foot Height Area. The proposed rezone is shown in Figure IV-4 and described below.

The CC-2 Zone is intended to create, maintain, and enhance areas suitable for a wide variety of commercial and institutional operations along the City's major corridors and in shopping districts or centers. The CC-2 Zone is also intended to create, maintain, and enhance areas with a wide range of commercial businesses with direct frontage and access along the City's corridors and commercial areas. Permitted uses generally include multi-family residential facilities, commercial activities, and some limited light industrial and agricultural uses. The maximum residential

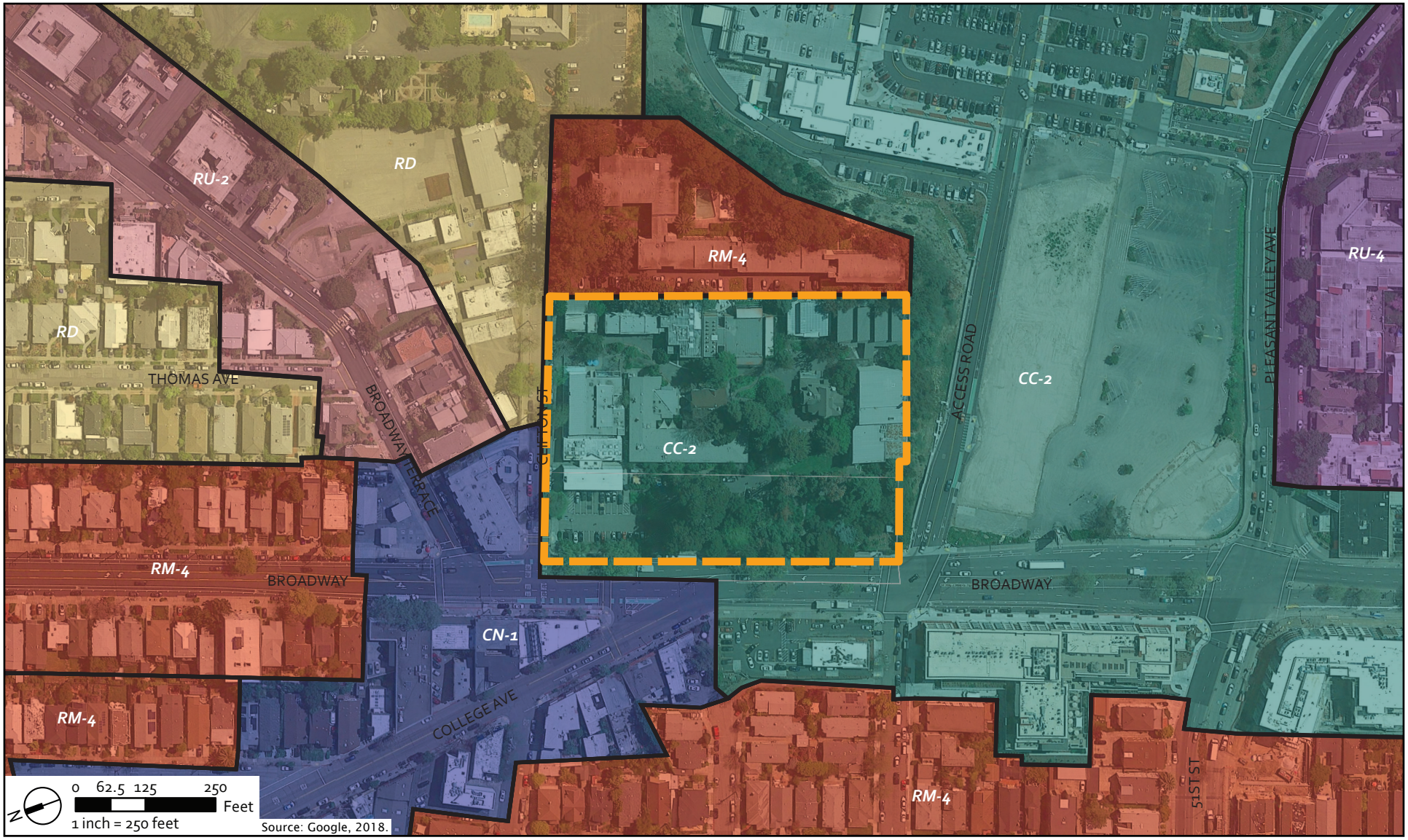


Figure IV-4
Proposed Zoning

density is one unit per 200 square feet of lot area and the maximum FAR is 4.5:1 within the 95-foot Height Area.

d. Surrounding Zoning

The zones surrounding vicinity are shown in Figure IV-3 and include Community Commercial – Zone 2 (CC-2), Neighborhood Commercial – Zone 1 (CN-1), Detached Unit Residential – Zone 1 (RD-1), Mixed Housing Type Residential – Zone 4 (RM-4), and Urban Residential – Zone 2 (RU-2). These zones permit a variety of densities and heights. The lowest density zone (RD) permits two units per lot and a maximum height of 35 feet. The highest density (CC-2 Zone) permits up to one unit per 200 square feet and a maximum height of 95 feet.

e. Consistency

(1) Consistency with Existing Zoning

Per section 17.154.060.B.4 of the City's Planning Code, the maximum number of units permitted on a lot with split zoning is calculated separately based on the lot area of each zone minus park areas, plazas and roads. Density may also be transferred from a higher density zone to the area within a lower density zone provided that any development located in each zone conforms to the height, setback, and coverage standards of that zone. In the case of the CCA parcel, the 35-foot height limit within the RM-4 zone is a limiting factor that restricts application of the allowed CN-1 density.

In addition, the project design as submitted proposes 346 units in the existing RM-4 zone with a height of 95 feet and 164 units in the CN-1 zone with a height of 95 feet. The density and the heights of the buildings proposed in the RM-4 zone are inconsistent with that zone's development standards.

TABLE IV-2 EXISTING ZONING DENSITY CALCULATIONS

Zone	Total Lot Area	POPOS	Lot Area Without POPOS	Net Density Ratio[a]	Height Allowed (Feet)	Maximum Units	Project
RM-4	124,790	38,481	86,309	1,00 0	35	86	Units: 346 Height: 95 ft
CN-1	47,480	18,952	28,528	200	95	142	Units: 164 Height: 95ft
Total Lot Area as CN-1	**172,270**	**57,433**	**114,837**	**200**	**95**	**574**	**510**
Total Units							

[a] Dwelling unit per square foot of lot area.
Source: City of Oakland's Zoning Code Bulletin dated April 20, 2020, and amended on February 11, 2021 and August 27, 2021. CCA Oakland, CA, Preliminary Development Permit Application, August 25, 2022.

(2) Consistency with Proposed Zoning

The project would be consistent with the CC-2 Zone and proposed 95-foot Height Area. This assumes PUD bonus exception for a commercial setback greater than the 10-foot maximum permitted. The project would meet the intent of the CC-2 Zone by developing ground-floor commercial space and urban residential along a major commercial corridor. As a CC-2 Zone in the 95-foot Height Area, the project site would have a maximum development potential of 574 units. As proposed, the project's height of approximately 95 feet and density of 510 units would comply with the CC-2 Zone.

Despite all density calculations related to zoning, the project would ultimately be limited to the General Plan Land Uses' maximum development potential 580 units, as described above.

4. City of Oakland Energy and Climate Action Plan

a. Overview

On July 28, 2020, the City adopted the Oakland 2030 Equitable Climate Action Plan (ECAP).[27] The 2030 ECAP built on the progress made by the 2020 Energy and Climate Action Plan, adopted by the City in December 2012. The goal of the 2030 ECAP is to identify an equitable and cost-effective path of reducing the City's GHG emissions to at least 56 percent below the 2005 levels by 2030, and to ensure that the City is resilient to the foreseeable impacts of climate change. The 40 actions from the ECAP are designed to be equitable, realistic, ambitious, balanced, and adaptive, and cover the following sectors: Transportation and Land Use, Buildings, Material Consumption and Waste, Adaptation, Carbon Removal, City Leadership, and Port of Oakland. The 2030 ECAP also provides a detailed roadmap on funding the actions and the implementation timeline. Implementation of the 2030 ECAP action would not only support the GHG reduction and climate resiliency goals, but also result in positive impacts for four topics that are interconnected with the climate goals: public health, housing security, food, and green economy.

b. Consistency

As discussed in *Section V.E, Greenhouse Gas Emissions and Energy*, the project is consistent with, and would not hinder, the implementation of the ECAP and the relevant policies in the General Plan, because the project would promote land use patterns and densities that help improve regional air quality conditions. For example, the project will be constructed within a Priority Development Area with land uses at a density and intensity that meets or exceeds Plan Bay Area recommendations and would eliminate the use of natural gas. The project would also be required

[27] City of Oakland, 2020. Oakland 2030 Equitable Climate Action Plan, July.

to comply with the CALGreen Code[28] and the City of Oakland's Green Building Ordinance (incorporated into the Oakland Municipal Code as Title 18, Sustainability), which supports the goals, policies, and actions of the ECAP and the General Plan.

5. City of Oakland Commercial Corridor Design Guidelines

a. Overview

The Commercial Corridor Design Guidelines apply to any project, including additions and new construction, in the City's major corridor zones (RU4, RU-5, CN-1, CN-2, CN-3, CC-1, CC-2, and S-15) that require Design Review under Chapter 17.136 of the Zoning Regulations. The Guidelines further build upon the intent of the General Plan by providing a series of design guidelines that is more descriptive and illustrative than is suitable for a zoning code by supplementing the design review criteria. The Guidelines also make the Design Review Process more transparent and straightforward by clearly presenting the City's expectations to the public, applicants, staff, and decision makers. The Guidelines have been written to be applied to the various contexts on the commercial corridors such as built-out storefronts and residential neighborhoods, under-developed areas, historic districts, and wide or narrow corridors. The Guidelines also apply to all types of construction: stand-alone residential, mixed-use (residential over commercial), standalone commercial buildings, and civic buildings. Special consideration is also given for large developments (generally sites over 60,000 square feet) and corner lots. Each guideline in this document expands on the General Plan and Zoning Regulations by providing design direction that is not suited to objective standards in Oakland's Zoning Regulations. Instead, they descriptively and graphically express the City's expectations for new development on the corridors.

The Guidelines often refer to "primary" and "secondary" corridors. In general, the primary corridors are wider and more urban in character, such as International Boulevard, San Pablo Avenue, Telegraph Avenue, and Broadway. The secondary corridors generally have a less dense character and include Foothill Boulevard, Bancroft Avenue, College Avenue, Shattuck Avenue, and MacArthur Boulevard.

b. Consistency

The project site is located along a secondary corridor where the designation splits from primary to secondary along Broadway and as such would be subject to review under these Guidelines. Furthermore, the project would be reviewed against applicable policies as required in the Design

[28] California Building Standards Commission, 2019. 2019 California Green Building Standards Code, California Code of Regulations, Title 24, Part 11.

Review Procedure as established in Oakland Planning Code 17.136. The project would need to comply with the following eight Guiding Principles from the Commercial Corridor Design Guidelines:

- Build upon patterns of urban development that lend a special sense of place.
- Provide elements that define the street and the place for pedestrians.
- Allow for a diversity of architectural expression to prevent monotony.
- Encourage high quality design and construction.
- Design buildings that reinforce the urban character of the different corridor and place types.
- Create transitions in height, massing, and scale.
- Use sustainable design techniques.
- Create a safe urban environment.

TABLE IV-3 GENERAL PLAN POLICIES

Policy #	Policy	Relationship
City of Oakland General Plan, Land Use and Transportation Element		
Industry and Commerce Policies		
I/C1.8	**Providing Support Amenities Near Employment Centers.** Adequate cultural, social, and support amenities designed to serve the needs of workers in Oakland should be provided within close proximity of employment centers.	The project would provide POPOS as a supportive amenity to the project's commercial space and the surrounding commercial businesses in the Rockridge Neighborhood. It would also provide additional housing for workers in Oakland at nearby employment centers including Kaiser Hospital and Summit Alta Bates as well as workers from nearby schools and other commercial establishments throughout North Oakland and adjacent areas.
I/C3.3	**Clustering Activity in "Nodes."** Retail uses should be focused in "nodes" of activity, characterized by geographic clusters of concentrated activity, along corridors that can be accessed through many modes of transportation.	The project would strengthen the existing cluster of commercial activity at the intersection of Broadway and College Avenue by contributing additional commercial space on the ground floor of the new building along Broadway.
I/C3.4	**Strengthening Vitality.** The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved.	The project would strengthen the vitality of the existing Rockridge Neighborhood by contributing to its mixed-use land uses through the addition of office space and residential units.
I/C4.1	**Protecting Existing Activities.** Existing industrial, residential, and commercial activities and areas which are consistent with long term land use plans for the City should be protected from the intrusion of potentially incompatible land uses.	While the project would introduce a land use new to the site, it would not introduce a land use new or incompatible with the surrounding area. The project site is surrounded by land uses including urban residential, institutional, community commercial, and retail. The mixed-use development would not permanently (or temporarily) interfere with the daily operations of surrounding land uses, including commercial, office, and residential. *Section V.A, Land Use,* discusses this topic further. However, the proposed density and intensity of development would be greater than currently envisioned under the existing split zoning and General Plan designation. The project is also only consistent with some of the North Oakland development strategy because the frontage of the site is targeted for growth and change but the remainder of the site is designated as maintain and enhance.
Transportation		
T2.1	**Encouraging Transit-Oriented Development.** Transit-oriented development should be encouraged at existing or proposed transit nodes, defined by the convergence of two or more modes of public transit such as BART, bus, shuttle service, light rail or electric Trolley, ferry, and inter-city or commuter rail.	The project would be located within a Priority Development area, near several AC Transit stops along Broadway and College Avenue, and within 1-mile of the Rockridge BART Station.

TABLE IV-3 GENERAL PLAN POLICIES

Policy #	Policy	Relationship
T2.2	**Guiding Transit-Oriented Development.** Transit-oriented developments should be pedestrian oriented, encourage night and day time use, provide the neighborhood with needed goods and services, contain a mix of land uses, and be designed to be compatible with the character of surrounding neighborhoods.	The project would include a mix of office, retail, and residential uses. Sidewalks and street lighting would be incorporated into the project design. These uses are similar with the existing land uses and activities in the project vicinity, including urban residential, multi-family residential, institutional, community commercial, and retail but proposed at a greater intensity and density.
Neighborhood Policies		
N3.1	**Facilitating Housing Construction.** Facilitating the construction of housing units should be considered a high priority for the City of Oakland.	This project will result in one of the City's Housing Opportunity Sites located in a High Resource Area, furthering the City's achievement of RHNA numbers.
N3.2	**Encouraging Infill Development.** In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City of Oakland.	The project would be located on an urban infill site located near high-quality transit and within A High resource area. See Policy N3.2. As demonstrated above, the project would not be consistent with the existing General Plan classification but would generally be consistent with the proposed General Plan classification for the site and the North Oakland development strategy. In addition, the proposed General Plan and Zoning Amendments could introduce more housing units than currently proposed if the site is developed to its maximum capacity.
N6.1	**Mixing Housing Types.** The City will generally be supportive of a mix of projects that provide a variety of housing types, unit sizes, and lot sizes which are available to households with a range of incomes.	The project incorporates townhomes and apartment multi-family housing, with a mix of studios, one-, and two-bedroom apartments.
N9.5	**Marking Significant Sites.** Identity locations of interest and historic significance by markers, signs, public art, landscape, installations, or by other means.	As discussed in *Section V.B, Cultural and Historic Resources*, the project proposes to include Mitigation Measure HIST-2b, which includes the permanent exhibit/display describing the site's past and current historical context and contributions. Furthermore, Mitigation Measure HIST-2c would establish a permanent outdoor art installation at the project site commemorating the site's past historical significance.

TABLE IV-3 GENERAL PLAN POLICIES

Policy #	Policy	Relationship
N9.8	**Preserving History and Community.** Locations that create a sense of history and community within the City should be identified and preserved where feasible.	The project site would retain two of the existing historic buildings, art installations, and other structures on the site. However, as described in *Section V.B, Cultural and Historic Resources*, demolition of 10 of the 12 contributing buildings in the CCA Historic District would adversely impact the integrity of design, materials, workmanship, setting, feeling, and association of this district such that it would no longer be able to convey its significance. The City will determine whether preservation of these facilities is feasible during project review.
Pedestrian Master Plan		
Policy 1.1	**Crossing Safety**. Improve pedestrian crossings in areas of high pedestrian activity where safety is an issue.	The project would include new curb ramps which would improve ADA accessibility and safety in the area.
Policy 1.3	**Sidewalk Safety.** Strive to maintain a complete sidewalk network free of broken or missing sidewalks or curb ramps.	The project would provide adequate sidewalks along Broadway and Clifton Street.
Policy 3.1	**Streetscaping.** Encourage the inclusion of street furniture, landscaping, and art in pedestrian improvement projects.	The project would include pedestrian amenities, including lighting, street trees, public seating, sculpture garden, and other streetscape improvements.
Policy 3.2	**Land Use.** Promote land uses and site designs that make walking convenient and enjoyable.	The project would include pedestrian amenities, including lighting, street trees, public seating, sculpture garden, and other improvements.
Bicycle Master Plan		
Policy 2.1	**Parking and Support Facilities.** Promote secure and conveniently located bicycle parking at destinations throughout Oakland.	The project site would offer both publicly accessible bicycle parking for the public, as well as privately secured bike parking within each of the buildings for residences.
Open Space, Conservation, and Recreation Element		
Policy OS-3.1	**University, College, and Institutional Open Space.** Retain open space at Oakland's universities, colleges, and other institutions where such open space provides recreational, aesthetic, conservation, or historic benefits to the community. Where such spaces are publicly owned, as at the community colleges, support the permanent retention of athletic fields and other recreational areas as open space, provided that the long-range needs of the institution can be met and that the space can be made accessible to the general public. **Such areas should not be converted to development unless** they	The project would reduce the existing 2 acres of privately owned institutional open space to 1.46 acres of POPOS. As described above, while the project proposes a net loss of publicly accessible open space, the retained open space area would be improved with increased accessibility and visibility and available amenities for public use.

TABLE IV-3 GENERAL PLAN POLICIES

Policy #	Policy	Relationship
	are replaced in kind with comparable areas or facilities in the immediate vicinity. An effort should be made to retain vegetation and other natural features as new buildings are added at Oakland's colleges and institutions. If such establishments should close or become available for re-use, efforts should be made to retain the features which have made the properties desirable neighbors in the past	
Policy OS-4.1	**Provision of Useable Open Space.** Continue to require new multifamily development to provide useable outdoor open space for its residents.	The project would comply with all applicable group-usable open space standards in the form of an outdoor courtyard terrace and outdoor private decks. See Chapter IV.M Public Services, Utilities, and Recreation for a more detailed discussion including Table V.M-1
Policy OS-11.3	**Public Art Requirements.** Continue to require public art as a part of new public buildings or facilities. Consider expanding the requirement or creating voluntary incentives to private buildings with substantial public spaces.	The project would rehabilitate and relocate the existing art installations (the faun sculpture, *Infinite Faith*, Bell Tower, and *Celebration Pole* sculptures) on the redeveloped project site. As part of the development process, the applicant would be required to satisfy the City's public art requirements (City of Oakland Municipal Code Chapter 15.78); however, it is not yet known how this requirement would be implemented.
Policy OS-12.1	**Street Tree Selection.** Incorporate a broad and varied range of tree species which is reflected on a city-maintained list of approved trees. Street tree selection should respond to the general environmental conditions at the planting site, including climate and micro-climate, soil types, topography, existing tree planting, maintenance of adequate distance between street trees and other features, the character of existing development, and the size and context of the tree planting area.	The trees planted in association with development of the project would be on the City's list of approved trees. The landscaping plan would be required to consider the general environmental conditions at the site.

TABLE IV-3 GENERAL PLAN POLICIES

Policy #	Policy	Relationship
Policy CO-12.1	**Land Use Patterns Which Promote Air Quality.** Promote land use patterns and densities which help improve regional air quality conditions by: (a) minimizing dependence on single passenger autos; (b) promoting projects which minimize quick auto starts and stops, such as live-work development, mixed-use floor retail space; (c) separating land uses which are sensitive to pollution from the sources of air pollution; and (d) supporting telecommuting, flexible work hours, and behavioral changes which reduce the percentage of people in Oakland who must drive to work on a daily basis.	The project encourages alternative modes of transportation by locating residential, office, and retail in a dense, walkable urban environment that is well-served by local and regional transit. The project's mix of uses would be located near existing commercial activities, thus reducing potential auto trips to other locations.
Policy CO-12.4	**Design of Development to Minimize Air Quality Impacts.** Require that development projects be designed in a manner which reduces potential adverse air quality impacts. This may include: (a) the use of vegetation and landscaping to absorb carbon monoxide and to buffer sensitive receptors; (b) the use of low-polluting energy sources and energy conservation measures; (c) designs which encourage transit use and facilitate bicycle and pedestrian travel.	The Project Sponsor would implement the SCAs related to construction and grading to minimize air quality impacts. The project is located near the Rockridge BART Station, which would facilitate the use of transit, bicycle, and pedestrian travel.
Policy CO-12.6	**Control of Dust Emissions.** Require construction, demolition and grading practices which minimize dust emissions.	The Project Sponsor would implement the SCAs related to construction and grading to minimize air quality impacts.
Policy CO-13.3	**Construction Methods and Materials.** Encourage the use of energy efficient construction and building materials. Encourage site plans for new development which maximize energy efficiency.	The project would incorporate energy efficient and green building components into the design and construction. Energy efficiencies measures would include low-flow fixtures beyond code, native plantings, energy efficiency beyond code, and reduced water use for irrigation.
Historic Preservation Element		
Policy 2.4	**Landmark and Preservation District Regulations.** a) Demolitions and removals involving Landmarks or Preservation Districts will generally not be permitted or be subject to postponement unless certain findings are made. Demolition or removal of more important Landmarks and of most Preservation District properties will normally not be permitted without the required findings, while demolition or removal of less important Landmarks will be subject only to postponement. b) Alterations or New Construction involving Landmarks or Preservation Districts will normally be approved if they are found to meet the Secretary of the Interior's Standards for the	As discussed in *Section V.B, Cultural and Historic Resources*, the project proposes to demolish 10 of the 12 contributing buildings in the CCA Historic District. The project would involve the complete demolition of Heritage Properties and Potential Designated Historic Properties and thus would be required to seek discretionary City permits. Furthermore, The City would need to make findings (either category 1, 2, or 3) consistent with this policy at the time of approval of demolition. Demolition findings are described in more detail in *Section V.B, Cultural and Historic Resources*. The project would also meet Secretary of the Interior's Standards for new construction involving Macky Hall and the Carriage House.

TABLE IV-3 GENERAL PLAN POLICIES

Policy #	Policy	Relationship
	Treatment of Historic Properties or if certain other findings are made. c) Findings for approval of demolition, removals, alterations or New Construction involving Landmarks or Preservation Districts will seek to balance preservation of these properties with other concerns. d) Specific regulatory provisions are set forth in the tables entitled "Demolition and Removal Regulations for Landmarks and Preservation Districts" and "Alteration and New Construction Regulations for Landmarks and Preservation Districts".	
Policy 3.1	**Avoid or Minimize Adverse Historic Preservation Impacts Related to Discretionary City Actions.** The City will make all reasonable efforts to avoid or minimize effects on the Character-Defining Elements of existing or Potential Designated Historic Properties which could result from private or public projects requiring discretionary City actions.	As discussed in *Section V.B, Cultural and Historic Resources*, the project proposes to demolish 10 of the 12 contributing buildings in the CCA Historic District, which would adversely impact the integrity of design, materials, workmanship, setting, feeling, and association of this district such that it would no longer be able to convey its significance, resulting in a substantial adverse change to the historical resource. See Impact HIST-2 and Mitigation Measures HIST-2a, HIST-2b, HIST-2c, and HIST-2d, which would reduce the level of impact to historical resources as a result of the project. However, such mitigation measures will not mitigate the project's impact to a less-than-significant level, and the impact after mitigation would remain significant and unavoidable.
Policy 3.5	**Historic Preservation and Discretionary Permit Approvals.** For any project involving the complete demolition of Heritage Properties or Potential Designated Historic Properties requiring discretionary City permits, the City will make a finding that: 1) the design quality of the proposed project is at least equal to that of the original structure and is compatible with the character of the neighborhood; or 2) the public benefits of the proposed project outweigh the benefit of retaining the original structure; or 3) the existing design undistinguished and does not warrant retention and the proposed design is compatible with the character of the neighborhood.	The project would involve the complete demolition of Heritage Properties and Potential Designated Historic Properties and thus would be required to seek discretionary City permits. The City would need to make findings (either category 1, 2, or 3) consistent with this policy at the time of approval of demolition.
Policy 3.7	**Property Relocation Rather Than Demolition as Part of Discretionary Projects.** As a condition of approval for all discretionary projects involving demolition of existing or Potential Designated Historic Properties, the City will normally	As described in *Section V. B, Cultural and Historic Resources*, implementation of Mitigation Measure HIST-3 and SCA-HIST-3: Property Relocation (#39) requires reasonable efforts to be made to relocate the four individually eligible CCA buildings—Martinez Hall,

TABLE IV-3 GENERAL PLAN POLICIES

Policy #	Policy	Relationship
	require that reasonable efforts be made to relocate the properties to an acceptable site.	Founders Hall, Noni Eccles Treadwell Ceramic Arts Center, and Barclay Simpson Sculpture Studio. Despite inclusion of this mitigation measure and SCA, relocation may not be feasible.
Policy 4.1	**Archeological Resource.** To protect significant archeological resources, the City will take special measures for discretionary projects involving ground disturbances located in archeologically sensitive areas.	As discussed in detail in *Section V.B, Cultural and Historic Resources*, the project site has no known paleontological resources, and any potential paleontological impacts would be reduced with implementation of the City's SCAs.
Noise Element		
Policy 1	Ensure the compatibility of existing and, especially, of proposed development projects not only with neighboring land uses but also with their surrounding noise environment.	The project proposes infill development at a higher density than the surrounding uses but would not result in the development of uses that would be incompatible with surrounding land uses.
Policy 2	Protect the noise environment by controlling the generation of noise by both stationary and mobile noise sources.	As discussed in detail in *Section V.I, Noise and Vibration*, the project would be required to implement SCA-NOI-2: Construction Noise (#68), which would require stationary sources (such as emergency generators and HVAC) to be located as far away from adjacent properties as possible, and to be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction. *Section V.I, Noise and Vibration*, found that noise generated from mobile sources (such as construction vehicles and other traffic-generated noise), would be less-than-significant.
Policy 3	Reduce the community's exposure to noise by minimizing the noise levels that are received by Oakland residents and others in the City. (This policy addresses the reception of noise whereas Policy 2 addresses the generation of noise.)	The project would not locate residents within a noisy environment.
Safety Element		
Policy SAF-1.1	Develop and continue to enforce and carry out regulations and programs to reduce seismic hazards and hazards from seismically triggered phenomena. Prioritize programs in areas of highest seismic risk and seismic vulnerability.	The project would comply with all applicable building codes and all recommendations in the site-specific geotechnical investigations discussed in *Section V.F, Soils, Geology, and Seismicity*.
Policy SAF-1.3	Continue to enforce ordinances and implement programs that seek specifically to reduce the landslide and erosion hazards. Minimize threat to structures and humans by limiting development in areas subject to landslides or other geologic threat and undertake efforts to limit erosion from new development.	The potential for erosion because of project demolition and construction is addressed in *Section V.H, Hydrology and Water Quality*. Compliance with the SCAs and grading permit requirements would reduce erosion impacts.

TABLE IV-3 GENERAL PLAN POLICIES

Policy #	Policy	Relationship
Policy SAF-5.2	Minimize the potential risks to human and environmental health and safety associated with past and present use, handling, storage and disposal of hazardous materials. Toxic materials removed as part of cleanup efforts should be disposed of in the least harmful manner so that the impact is not shifted from one vulnerable community to another.	As discussed in *Section V.G, Hazards and Hazardous Materials*, the project would have a less-than-significant impact as it relates to use, handling, storage, and disposal of hazardous materials with the use of mitigation measures and SCAs.
Environmental Justice Element		
Policy EJ-1.1	Toxic Air Contaminants. Reduce the public's exposure to toxic air contaminants through appropriate land use and transportation strategies, identified through the LUTE update in Phase 2 of the GPU process, particularly in Environmental Justice Communities and other areas most burdened by air pollution, as identified in Figure EJ-12.	The project is less than 1 mile away from the Rockridge BART Station and located along Broadway, a major transportation corridor, which would facilitate the use of transit, bicycle, and pedestrian travel. Development projects with access to high-quality transit and active transportation options promote the reduction of car dependency and greenhouse gas emissions and thus reducing public exposure to toxic air contaminants. The Project Sponsor would implement the SCAs related to construction and grading to minimize air quality impacts.
Policy EJ-1.13	Emissions from Construction Activities. Require projects to implement construction air pollution and greenhouse gas emissions controls and applicable mitigation strategies for all construction sites to the maximum extent feasible. Refer to Best Construction Practices and Best Available Retrofit Control Technology (BARCT) recommended by BAAQMD.	The potential for construction emissions are fully evaluated in *Section V.D, Air Quality*. Compliance with the SCAs would reduce construction emissions and require implementation the BARCT technology.
Policy EJ-1.18	Impact Assessment and Mitigation. Continue to use BAAQMD modeling tools and guidance documents as appropriate to identify and mitigate air quality impacts from proposed development projects.	The project's impact assessment utilized BAAQMD tools and guidance documents, see *Section V.D, Air Quality*.

[a] Nick Luby, Oakland Fire Department, 2021. Personal communication with Urban Planning Partners, June 11.

V. SETTING, IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

This chapter provides the analysis for each environmental topic determined to be potentially significant if the proposed California College of the Arts (CCA) Oakland Campus Redevelopment Project (project) is implement as identified during the scoping period for this EIR. Sections V.A through V.M of this chapter describe the existing setting, the potential impacts that could result from implementation and buildout of the project, the Standard Conditions of Approval (SCAs), and the mitigation measures designed to reduce the significant impacts of the project to a less-than-significant level.

The following provides an overview of the scope of the analysis included in this chapter, the organization of the sections, and the methods for determining which impacts are significant.

A. ENVIRONMENTAL TOPICS

The following environmental topics are considered in this chapter:

A. Land Use
B. Cultural and Historic Resources
C. Traffic and Transportation
D. Air Quality
E. Greenhouse Gas Emissions and Energy
F. Soils, Geology, and Seismicity
G. Hazards and Hazardous Materials
H. Hydrology and Water Quality
I. Noise and Vibration
J. Biological Resources
K. Population and Housing
L. Aesthetics and Shade and Shadow
M. Public Services, Utilities, and Recreation

Chapter VI, Effects Found Not to Be Significant or Less Than Significant with Standard Conditions of Approval, includes a brief analysis of each environmental topic for which effects from the project were found to be either not significant or less than significant through the scoping process and

preliminary review. These topics include: Agriculture and Forest Resources; Mineral Resources; Tribal Cultural Resources; and Wildfire.

B. FORMAT OF TOPIC SECTIONS

Each environmental topic section generally includes three main subsections: (1) Setting; (2) Regulatory Setting; and (3) Impacts (construction, operational, and cumulative), SCAs, and Mitigation Measures. Identified significant impacts are numbered and shown in **bold** type, and the corresponding mitigation measures are numbered and indented. Significant impacts and mitigation measures are numbered consecutively within each topic and begin with a shorthand abbreviation for the impact section (e.g., AIR for Air Quality). The following abbreviations are used for individual topics:

AES:	Aesthetics and Shade and Shadow
AIR:	Air Quality
BIO:	Biological Resources
HIST:	Cultural and Historic Resources
GEO:	Soils, Geology, and Seismicity
GHG:	Greenhouse Gas Emissions and Energy
HAZ:	Hazards and Hazardous Materials
HYD:	Hydrology and Water Quality
LU:	Land Use
NOISE:	Noise and Vibration
POP:	Population and Housing
TRANS:	Traffic and Transportation
SERV:	Public Services, Utilities, and Recreation

The following notations are provided after each identified significant impact and mitigation measure:

SU	= Significant and Unavoidable
S	= Significant
LTS	= Less than Significant

These notations indicate the significance of the impact with and without mitigation.

C. SETTING/BASELINE

A description of the physical environmental conditions in the vicinity of the project, including the project site and its vicinity, is provided for each topic considered in this chapter consistent with

the requirements of Section 15125 of the CEQA Guidelines. The Guidelines state that generally the conditions should be those that exist at the time the notice of preparation was published, June 2019 for this project. The existing conditions normally constitutes the "baseline" condition to which changes associated with a project are compared.

For this EIR, the setting sections generally describe the conditions in 2019 when the NOP was issued, and such conditions are the "baseline" condition unless otherwise stated and explained in the subject topical section.

D. DETERMINATION OF SIGNIFICANCE

Under the California Environmental Quality Act (CEQA), a significant effect is defined as a substantial or potentially substantial, adverse change in the environment.[1] Each impact evaluation in this chapter is prefaced by criteria of significance, which are the thresholds for determining whether an impact is significant.

The criteria of significance utilized in this EIR are from the City of Oakland Thresholds/Criteria of Significance Guidelines,[2] which help clarify and standardize analysis and decision making in the environmental review process and are used as guidance in preparing environmental review documents for projects in Oakland. The City requires the use of these thresholds unless the location of the project or other unique factors warrants the use of different thresholds. The thresholds are intended to implement and supplement provisions in the CEQA Guidelines for determining the significance of environmental effects, including Sections 15064, 15064.5, 15065, 15382, and Appendix G, and to form the basis of the City's Initial Study and Environmental Review Checklist.

The City thresholds are intended to be used in conjunction with the SCAs (see discussion below), which are incorporated into projects regardless of the determination regarding a project's environmental impacts.

CEQA requires the analysis of potential adverse effects of the project on the environment. However, CEQA does not require that potential effects of the environment on the project be analyzed or mitigated. Nevertheless, this document includes an analysis of potential effects of the environment on the project to provide information to the public and decision-makers. Where a potential significant effect of the environment on the project is identified, the document, as

[1] Public Resources Code Section 21068.

[2] City of Oakland, 2023. CEQA Thresholds of Significance Guidelines, September 26, 2023. Available at: https://cao-94612.s3.us-west-2.amazonaws.com/documents/CEQA-Thresholds-of-Significance-9-26-23.pdf, accessed December 4, 2023.

appropriate, identifies City SCAs and/or project-specific non-CEQA recommendations to address these issues.

E. CUMULATIVE ANALYSIS CONTEXT

CEQA defines cumulative as "two or more individual effects which, when considered together, are considerable, or which can compound or increase other environmental impacts." Section 15130 of the CEQA Guidelines requires that an EIR evaluate potential environmental impacts when the project's incremental effect is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. These impacts can result from a combination of the project together with other projects causing related impacts. "The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects."[3]

The methodology used for assessing cumulative impacts typically varies depending on the specific topic being analyzed. For example, the geographic and temporal (time-related) parameters related to a cumulative analysis of air quality impacts are not necessarily the same as those for a cumulative analysis of noise impacts. This is because the geographic area that relates to air quality is much larger and regional in character than the geographic area that could be impacted by potential noise impacts from a proposed project and other cumulative projects/growth. The noise cumulative impacts are more localized than air quality and transportation impacts, which are more regional in nature. Accordingly, the parameters of the respective cumulative analyses in this document are determined by the degree to which impacts from this project are likely to occur in combination with other development projects.

However, as discussed above, the geographic area for evaluating cumulative impacts can vary depending on the specific topic being analyzed. Recognizing this, the cumulative discussions included in Sections V.A through V.M explain the geographic scope of the area affected by each cumulative effect (e.g., watershed or air basin) and drawn on the information in the cumulative growth scenario consistent with the defined geographic area. The geographic area considered for each cumulative impact is described in each respective resource topic and depends upon the impact that is being analyzed. For example, in assessing noise impacts, only development within the vicinity of the project would contribute to a cumulative noise effect; in assessing air quality impacts, on the other hand, all development within the air basin contributes to regional emissions

[3] CEQA Guidelines Section 15355(b).

of criteria pollutants, and basin-wide projections of emissions is the best tool for determining the cumulative effect.

F. UNIFORMLY APPLIED DEVELOPMENT STANDARDS AND CONDITIONS OF APPROVAL

As stated previously, the SCAs are incorporated into projects regardless of the environmental determination. As applicable, the SCAs are adopted as requirements of an individual project when approved by the City, and they are designed to (and do) substantially mitigate environmental effects. For the project, all relevant SCAs have been incorporated as part of the project.

In reviewing project applications, the City determines which SCAs are applied, based on zoning district, community plan, and the types of permit/approval required. Depending on the specific characteristics of the project type and/or project site, the City determines which SCAs apply to a specific project; for example, SCAs related to creek protection permits are only applied to projects on creekside properties.

Because these SCAs are mandatory City requirements, the impact analysis assumes that they will be imposed and implemented by the project. If an SCA would reduce a potentially significant impact to less than significant, the impact is determined to be less than significant, and no mitigation is imposed.

The SCAs incorporate development policies and standards from various adopted plans, policies, and ordinances (e.g., the Oakland Planning and Municipal Codes, Stormwater Water Management and Discharge Control Ordinance, Oakland Tree Protection Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System permit requirements, California Building Code, and Uniform Fire Code), which have been found to substantially mitigate environmental effects. Where peculiar circumstances associated with a project or project site would result in significant environmental impacts despite implementation of the SCAs, the City determines whether feasible mitigation measures exist to reduce the impact to less-than-significant levels.

A. LAND USE

This section describes the existing land use setting in the vicinity of the project site; discusses the State and local regulations and policies related to land use; assesses the potentially significant land use impacts that could result from implementation of the project; and provides, where appropriate, mitigation measures and Standard Conditions of Approval (SCAs) to address those impacts.

A discussion of the project's consistency with relevant land use policies is provided in *Chapter IV, Planning Policy*.

1. Setting

The approximately 3.95-acre project site is located within the City's North Oakland and North Hills planning areas and within the Rockridge neighborhood at 5200 Broadway. The project site is approximately 0.6 miles south of the Rockridge Bay Area Rapid Transit (BART) Station, 0.6 miles south of State Route (SR) 24, 1 mile north of Interstate (I-) 580, and 1.4 miles west of Highway 13. One of the city's major thoroughfares, Broadway, borders the site. Broadway runs north/south through Oakland until it reaches SR 24 and curves east, ending at the Caldecott Tunnel. Figure lll-1 in *Chapter III, Project Description*, shows the location of the project site in its regional and local context.

The project site is bounded by Broadway to the west, Clifton Street to the north, a multi-family apartment complex to the east, and the Rockridge Shopping Center access road to the south.

The site is located on a visually prominent and large precipice that is approximately 4 to 25 feet above the elevation of Broadway and adjacent to the Rockridge Shopping Center as shown in Figure V.A-1.There is a dense tree canopy and a concrete retaining wall, called the Broadway Wall that separates the site from the community along the Broadway frontage. The Wall varies in height from approximately 3 feet at its northwest corner to approximately 6 feet at the southwest corner.

The Founder's Hall building protrudes through the tree canopy from the site's southern facing slope.

a. Existing Land Uses within the Project Site

The site is currently not occupied. The most recent major land use on the site was educational, as the land served as the CCA Oakland campus until 2022. The site was developed with a complex of 12 educational-use buildings, ranging between 1 to 3 stories in height (see photos 1 and 2). These educational buildings include classrooms, a sculpture studio, cafeteria, library, art galleries, and other associated facilities. The peak enrollment for the Oakland CCA campus included 750

Source: Emerald Fund, 2022.

Figure V.A-1
Existing CCA Campus Site Slope

students and 155 staff and faculty. The Irwin Student Center also served as a student dormitory with 17 double rooms that provided housing for up to 34 first-year students.

The campus has significant open spaces for students and faculty, which are publicly accessible, including several art pieces ranging from large murals to sculptures, and a surface parking lot (see photos 3 and 4).

Photo 1- Artwork and educational classrooms within the campus

Photo 2- Entrance to the campus on Broadway

Photo 3- Surface parking lot on the northwest corner of the CCA campus

Photo 4- Open space near the center of the CCA campus

b. Existing Land Uses in the Project Site Vicinity

The Rockridge Neighborhood is a residential and commercial area within the North Oakland/ North Hills planning areas. General land uses in the vicinity include a mix of single- and multi-family homes and commercial uses (including retail and restaurants).

Directly to the north of the project site, existing uses include Clifton Hall, a dormitory previously serving students of the Oakland CCA campus and has been converted to affordable housing (see photo 5) and the upper campus for Oakland Technical High School (see photo 6). Existing uses to the south and southeast include the Rockridge Shopping Center and a vacant lot (currently planned for Phase 2 of the Safeway Redevelopment Project) (see photo 7).

Existing uses to the southwest include the Merrill Gardens at Rockridge senior-living community and Baxter at Broadway apartments along Broadway (both 5 stories in height) and single-family homes behind these newer developments along the residential side streets (see photo 8). To the east of the project site is a 4-story apartment building, the Claremont Country Club, St. Mary Cemetery, and Mountain View Cemetery. Existing uses to the west include 1- to 2-story storefronts and ground-floor retail with second-story residential units (see photo 9).

Photo 5- Clifton Hall just north of the project site at Broadway and Clifton Street

Photo 6- Oakland Technical High School Upper Campus north of the campus on Clifton Street

Photo 7- Vacant lot and Safeway Redevelopment Project south and southeast of the project site

Photo 8- Single-family homes near the project site

The project site is located near several historic resources within a two-block radius, including Oakland Technical High School at 4531 Broadway, Oakland Cremation Association at Howe and Montgomery Streets, St. Mary's Cemetery at 4529 Howe Street, Claremont Country Club at 5295 Broadway Terrace, Meredith-McKinley Store at 5251 Broadway, and the garage at 5291 College Avenue. All of these properties are separated by at least a street length from the project site. A more detailed discussion of historic and cultural resources in the project vicinity are discussed in *Section V.B, Cultural and Historic Resources*.

Photo 9- Commercial buildings west of the project site along Broadway

c. Planned Projects within the Area

There are two projects in the project vicinity that are currently planned:

- **4207 Broadway Project (application submitted)**: The project is proposing to merge and redevelop five parcels as one parcel at 4207, 4225, and 4299 Broadway and 316-318 Garnet Street in Oakland with a mixed-use development. The project would involve the demolition of existing structures and the construction of a new 5-story (approximately 64-foot-high), mixed-used property totaling 140,520 gross square feet. The project would include approximately 127 residential units and about 5,397 square feet of ground-floor commercial space for retail and restaurants. Approximately 75 parking spaces are proposed on the ground floor.
- **Safeway Redevelopment Project (Phase 2 anticipated)**: The project involves the redevelopment of the existing Rockridge Shopping Center located at the corner of Broadway and Pleasant Valley Avenue, directly south of the proposed project site. This project includes approximately 330,942 square feet of commercial space. As of the publication of this document, phase 1 of the project has been completed and phase 2 construction has yet to begin and the entitlements for the phase 2 of this project have since lapsed; however, for this analysis it was conservatively assumed that construction could still occur. It is also noted that the site is included as a Housing Opportunity Site in the Housing Element and is included in the S-14 Zoning Overlay.

2. Regulatory Setting

The project's compatibility with the Oakland General Plan and other relevant planning policies is discussed in *Chapter IV, Planning Policy.* The project's relationship with relevant policies of the General Plan and other land use planning policies is described in detail in Table IV-1, General Plan Policies.

3. Impacts, Standard Conditions or Approval, and Mitigation Measures

This section describes environmental impacts related to land use that could result from implementation of the project. The section begins with the criteria of significance which establish the thresholds for determining whether an impact is significant. The latter part of this section presents the impacts associated with the project and identifies SCAs and/or mitigation measures to address these impacts as needed.

a. Significance Criteria

Implementation of the project would result in a significant land use impact if it would:

1. Physically divide an established community;
2. Result in a fundamental conflict between adjacent or nearby land uses;
3. 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 result in a physical change in the environment; or
4. Fundamentally conflict with any applicable habitat conservation plan or natural community conservation plan.

The fourth criterion is not applicable to the project, as there are no habitat conservation plans or natural community conservation plans in place in the project vicinity.[1]

b. Less-than-Significant Land Use Impacts

(1) Physically Divide an Established Community (Criterion 1)

The physical division of an established community typically refers to the construction of a major physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community or between a community and outlying areas. For instance, the construction of an interstate highway through an existing community may constrain travel from one side of the community to another; similarly, such construction may also impair travel to areas outside of the community.

[1] LSA, 2019. Biological Resource Assessment, California College of the Arts Redevelopment Project, Oakland, Alameda County, California, June 12.

As described above, the project site is currently developed with 12 educational-use buildings and other educational-related facilities, the configuration of which allows for pedestrian access and circulation through and around the site to the adjacent and surrounding communities. The project would result in the demolition of ten of these buildings, relocation of the Carriage House, and preservation/renovation of Macky Hall, all of which would result in the reconfiguration of the site's layout. However, as described in *Chapter III, Project Description,* the project would include several publicly accessible open space areas from Broadway and Clifton Street and would increase walkability through the site. Furthermore, streetscape improvements and street-level activation along Broadway would enhance the pedestrian environment and encourage the movement of people into and through the project site. As such, the redevelopment of the site would modify the pattern by which pedestrian circulation would occur but would not constrain or limit the ability for the community to travel to areas adjacent or around the site when compared to existing conditions.

Moreover, the project would not significantly alter any of the existing vehicular access or circulation patterns in the area, and as such would not constrain or limit the ability for the community to travel to areas adjacent or around the site when compared to existing conditions. Lastly, the project would not involve the construction of any major infrastructure that would otherwise change existing circulation patterns limiting the ability to access nearby communities. Therefore, implementation of the project would not result in the division of a community and would improve the site's current accessibility for pedestrian circulation. For these reasons, impacts related to the division of a community would be less than significant and no SCAs or mitigation measures are required.

(2) Conflict with Adjacent Land Uses (Criterion 2)

Implementation of the project would not result in the development of uses that would be intrinsically incompatible with surrounding land uses (e.g., a power plant, factory, or other noise, air pollution, or hazard-generating land use). The project site is surrounded by land uses including urban residential, multi-family residential, institutional, community commercial, and retail. The mixed-use development would not permanently (or temporarily) interfere with the daily operations of surrounding land uses, including commercial, office, and residential. On the contrary, the project, with its potential mix of residential, retail, open space, and office uses, would be compatible with surrounding land uses. Additionally, it is anticipated that this mix of land uses would serve current residents in the neighborhood and future employees and/or residents of the project.

The proposed General Plan Amendment, which would reclassify the project site to Community Commercial (CC) Land Use, would not be uncharacteristic for the surrounding area, as land is already designated for CC directly south of the project site. Similarly, the proposal to rezone the

project site to CC-2 would not be uncharacteristic for the surrounding area, as land is already zoned for CC-2 directly south of the project site.

Along with the proposed zoning amendment, an amendment to modify the height for the RM-4 portion from a 35-foot Height Area to a 95-foot Height Area designation is also proposed. This change in Height Area along with the proposed buildings would result in development much taller than the surrounding single-family residential and commercial buildings to the north and west of the project site, which range in height from 1 to 2 stories. However, the adjacent and surrounding CC-2 Height Area zones surrounding the project site vary. To the south, the CC-2 zone is 95 feet. To the southwest, the CC-2 zone is 65 feet. Height Areas range from 55 to 65' feet to the north and west.

The introduction of a 95-foot Height Area designation to the area would facilitate development of residential land uses at taller heights and at a greater level of density compared to most of the other surrounding land uses. As previously stated, the area surrounding the project site is mostly dominated by existing single-family homes which are at low development densities but are also interspersed with other taller and higher density multi-family residential land uses in the area. The project proposes 510 residential units on 3.95 acres, equating to a residential density of approximately 129 units/acre. For comparison, a nearby and recently completed project, the Baxter on Broadway at 4901 Broadway (approximately 525 feet to the southwest), contains 130 units on 1.19 acres, equating to approximately 109 units/acre. The MacArthur Transit Village project (approximately 4,440 feet to the southwest) contains an estimated 624 units on 5.08 acres, equating to approximately 123 units/acre. So, while most of the immediate surrounding uses are low in height and density, this is not the sole land use pattern in the area. Therefore, it is not uncharacteristic for this neighborhood to be mixed with other taller and more intense development. Furthermore, the project buildings' height and residential density would contribute to the eclectic character of the area that includes a mix of new and older buildings that vary significantly in height throughout the Rockridge neighborhood as well as other areas near BART stations and outside of Downtown.

Specific physical impacts related to the change in height are discussed in *Section V.L, Aesthetics and Shade and Shadow*.

For these reasons, the project would not conflict with adjacent land uses and would result in a less-than-significant impact and no SCAs or mitigation measures are required.

(3) Conflict with Land Use Policies (Criterion 3)

Conflicts with a general plan do not inherently result in a significant effect on the environment within the context of the California Environmental Quality Act (CEQA). As stated in Section 15358(b) of the CEQA Guidelines, "Effects analyzed under CEQA must be related to a physical

change." Section 15125(d), Environmental Setting of the CEQA Guidelines, states that "The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans." As such, this information is described in *Chapter IV, Planning Policy* rather than under land use impacts.

Further, City of Oakland CEQA Thresholds of Significance explicitly focus on environmental policies and plans, asking if the project would "conflict with any applicable land use plan, policy, or regulation…adopted for the purpose of avoiding or mitigating an environmental effect." However, a response in the affirmative does not necessarily indicate the project would have a significant effect, unless a physical change would occur that exceeds significance thresholds. To the extent that physical impacts may result from such conflicts, such physical impacts are analyzed in this EIR.

A policy inconsistency is considered to be a significant adverse environmental impact only when it is related to a policy adopted for the purpose of avoiding or mitigating an environmental effect and it is anticipated that the inconsistency would result in a significant adverse physical impact based on the established significance criteria.[2] Such impacts, if any, are identified and discussed in the applicable topic sections. For example, policies related to the City's Noise Ordinance are considered in the noise significance criteria and analyzed in the noise impacts.

Potential land use policy conflicts related to various General Plan elements and other guiding land use guidelines are described in detail in *Chapter IV, Planning Policy*. The remainder of this discussion focuses on the project's potential conflicts related to: 1) the Historic Preservation Element findings for demolition within historic districts, and 2) design review.

Historic Preservation Element and Design Review

The City of Oakland Planning Department staff are working with the Design Review Committee (DRC) to facilitate development of site-specific design guidelines which would be adopted for the project through the existing Planned Unit Development (PUD) process. These guidelines would provide a basis for evaluating the architectural quality and compatibility of the project with the character of the existing California College of Arts & Crafts Area of Primary Importance (API) during review under the requirements of the Demolition Findings, set forth in the City's Historic Preservation Element. These site-specific design guidelines would "substitute for and supplement some of the existing design review findings for demolition and replacement projects within the historic district on a site-specific and project specific basis."[3] Additionally, one or more variances

[2] City of Oakland, 2023. CEQA Thresholds of Significance Guidelines, September 26, 2023. Available at: https://cao-94612.s3.us-west-2.amazonaws.com/documents/CEQA-Thresholds-of-Significance-9-26-23.pdf, accessed December 4, 2023.

[3] Oakland City Planning Commission, Staff Report: March 24, 2021, Case File Number PLN 20141, 3.

(OMC Chapter 17.148) may be required to allow the proposed demolition within a historic district subject to the site-specific guidelines of the PUD. The approval of the PUD, including the site-specific design guidelines and any necessary variances are considered part of the project approvals and the project could not move forward without those actions to ensure consistency with land use regulations.

While the project would result in a significant and unavoidable cultural impact from the loss of the eligibility of the CCA historic district, as discussed in *Section V.B Cultural and Historic Resources*, with the approval of the PUD and site-specific guidelines, and potential variances to demolition criteria, the project would not fundamentally conflict with any land use policies adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, land use impacts related to the project's consistency with land use policies would be less than significant.

Please see *Chapter IV, Planning Policy*, for a discussion of the project's relationship with land use policy documents. A brief summary is provided below.

General Plan Policy

The General Plan Land Use designation for the project site is Institutional. As described in *Chapter IV, Planning Policy,* the project would not be consistent with the Institutional designation.

However, as discussed in *Chapter IV, Planning Policy*, the project proposes to reclassify the site to Community Commercial Land Use (CC) which would require approval of a General Plan Amendment. Redesignating the site to CC would allow residential independent of an institutional use but would continue to allow institutional land use as permitted in the underlying zoning.

It would also allow for residential density up to 165 units per acre. The CC designation would decrease the maximum allowed non-residential floor area ratio from 8.0 to 5.0. As described in *Chapter IV, Planning Policy*, the General Plan Amendment would be a change in policy to allow residential land use, independent of an institutional use, but this change is consistent with other land use policies related to increasing housing throughout the city and development intensity along commercial corridors.

Zoning

The zoning of the project site is Neighborhood Commercial – Zone 1 (CN-1) and Mixed Housing Type Residential – Zone 4 (RM-4). As described in *Chapter IV, Planning Policy*, the project would not be consistent with either the CN-1 or RM-4 Zones.

However, the project proposes a rezoning to Community Commercial – Zone 2 (CC-2), which would require approval of a zoning amendment. As described in *Chapter IV, Planning Policy*, the rezoning is a policy change that would allow greater density and height on the RM zoned portion

pf the site, but this change would be consistent with applicable land use policies when implemented through a quality design consistent with design guidelines.

The Project consistency with the proposed General Plan Amendment and Zoning Amendment processes do not represent significant land use policy impacts.

c. Significant Land Use Impacts

Implementation of the project would not result in any significant land use impacts.

d. Cumulative Land Use Impacts

The geographic area considered for the land use cumulative analysis includes the area in close proximity to the project site in North Oakland and North Hills and the greater Downtown Oakland area. This area was defined because it includes the project site, the immediately surrounding neighborhood, and the larger City context for the project.

Development of the project combined with cumulative development would not result in significant cumulative impacts related to land use. Future development in the area is anticipated under the City's recently adopted Housing Element for the Broadway Corridor including the Ridge site (Safeway Center) and 4207 Broadway project.

The Phase I General Plan Update and Development Standards Amendments adopted in October 2023 added additional height and density within the CN- and C-2 zones to implement current Housing Element policy. Height areas adjacent to the project site are increased from 45 feet to 65 feet on Broadway and Lower College Avenue. On College Avenue north of Clifton Street heights are increased from 35 feet to 55 feet. On the Ridge site abutting the project, height is increased from 60 feet to 95 feet. In addition, an S-14 Overlay Zone is applied within this corridor that increases new permit streamlining incentives for residential projects and requires a minimum density of 75 percent of the identified feasible capacity for sites. Future development will be guided by the S-14 Overlay. The project site is mapped in the Overlay and the proposed height changes, rezoning, and project capacity are consistent withs this land use policy.

The project is not anticipated to physically divide an established community. The area is already developed in a medium density residential pattern that is interspersed with nodes of higher intensity land use and served by an established neighborhood-focused business corridor. The urban street and block pattern is established. Development will occur as infill responds to adopted density and height increases that create new residential development capacity within the framework of an established neighborhood. Future development in the area would not significantly modify or constrain mobility to adjacent and surrounding communities and would not introduce infrastructure such as a highway or a bridge. The existing development pattern

already reflects natural features such as the slopes prominent in the area. In addition, the area is well connected with transit both within the local community and larger city.

Conflict with Land Use Policies (Criterion 3). As described throughout this section, the project is not consistent with existing land use policies, the General Plan Land Use designation, zoning regulations and development standards. However, the conflict results from differences in height and density rather than land use and the project includes GPA and zone change to address. The project does not conflict with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating a physical environmental effect. Cumulative development in the area will likely continue as infill, implementing the City's Housing Element. The Housing Element was evaluated in the City's General Plan Update Phase 1 EIR and found to be less than significant. Given that EIR evaluated a much more significant scope of change related to land use and development density and intensity, the project together with other cumulative development would not result in any significant cumulative impacts related to consistency with planning policies.

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B. CULTURAL AND HISTORIC RESOURCES

This section describes the existing cultural and historic resources setting at the Oakland California College of the Arts (CCA)[1] campus, which includes the 12 buildings and associated landscape features within the 3.95-acre parcel southeast of the intersection of Clifton Street and Broadway; discusses the relevant local, State, and national regulatory considerations; evaluates potentially significant impacts to cultural and historic resources as a result of project implementation; and provides, where appropriate, mitigation measures and Standard Conditions of Approval (SCA) to address those impacts. Tribal Cultural Resources are analyzed in *Chapter VI, Effects Found Not to be Significant or Less Than Significant with Standard Conditions of Approval*.

Cultural resources are sites, buildings, structures, objects, and districts that may have traditional or cultural value based on their historical significance. Cultural resources include, for example, archaeological sites, historic roadways, landscapes, and buildings of architectural significance; they can be divided into the following subsets pursuant to CEQA: historical, archaeological, and paleontological resources.

For a cultural resource to be considered a historical resource under CEQA, it must be listed, or determined eligible for listing, in the California Register of Historical Resources (California Register); included in a local register of historical resources as defined by the Public Resources Code (PRC); or determined by the lead agency to be historically significant.[2] Unique archaeological resources are also defined by the PRC and can include archaeological sites (an archaeological site can also be identified as a historical resource).[3]

Under CEQA, paleontological resources are a subset of cultural resources. They include fossilized plants and animals, as well as other evidence of past life such as trace fossils and tracks. Ancient marine sediments may contain invertebrate fossils from snails, clam and oyster shells, sponges, and protozoa, and vertebrate fossils such as fish, whale, and sea lion bones. Terrestrial

[1] Note that the name of the campus has changed over the years. In 1922 when it was first established it was California School of Arts and Crafts. In 1936, the name was changed to the California College of Arts and Crafts (CCAC). In 2003, the name was changed to California College of the Arts (CCA). This document primarily uses CCA but does use CCAC when referencing the historic district and Area of Primary Importance. In any case the CCA and CCAC acronyms are occassionally used interchangeably.

[2] California Code of Regulations Title 14, Chapter 3, Section 15064.5. Available at: https://www.califaep.org/docs/CEQA_Handbook_2023_final.pdf, accessed December 4, 2023. The terms "historic" and "historical" are both used throughout this chapter in referring to resources. "Historical" refers to those resources which meet the criteria as historical resources for the purposes of CEQA, as this is the terminology used in CEQA regulations. When not referring to this specific regulatory category, "historic" is used.

[3] Public Resource Code 21083.2. Available at: http://ohp.parks.ca.gov/pages/1054/files/public%20resources%20code.pdf, accessed December 4, 2023.

sediments may contain fossils from vertebrate land mammals such as mammoth, camel, saber tooth cat, horse, and bison.

Historical resources within the proposed project site consist of buildings and landscape features which contribute to two overlapping historic districts whose boundaries are not coterminous (Figure V.B-1). The Treadwell Estate Landmark, which is City of Oakland Landmark No. 12, is also listed in the National Register of Historic Places (National Register) and consists of two buildings constructed between 1879 and 1881, the Treadwell House (also known as Macky Hall) and the Carriage House, as well as an 80-foot-wide corridor intended to maintain the view of Macky Hall from Broadway and College Avenue, and landscape features associated with the estate's residential use into the early decades of the twentieth century. Due to heavy growth of mature trees and shrubs, Macky Hall is not currently visible from Broadway and College Avenue through this corridor. The California College of Arts & Crafts Area of Primary Importance (CCAC API) includes the two Treadwell Estate Landmark buildings, which were repurposed for use by the school, as well as 10 buildings constructed for use by the CCAC between 1922 and 1992 and landscape features associated with the site's use as an arts education institution. The CCAC API is also eligible for listing in the California Register. Each of the buildings and landscape features is described in detail in Page & Turnbull's 2019 Historic Resource Evaluation for the CCA Oakland campus, included as Appendix B-1, and summarized in Section 1.c. below.

1. Setting

This section discusses the historical context of the project area and region, and describes cultural resources identified at the project site and their significance under CEQA. Information for this subsection was drawn from: (1) background research conducted by Page & Turnbull staff; (2) a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) (NWIC File No. 18-1270, February 1, 2019); and (3) a Historic Resource Evaluation report for the California College of the Arts prepared by Page & Turnbull, dated November 14, 2019 (Appendix B-1).

The following sections include: (a) a summary of research and analytic methods; (b) an overview of the project area's historical context; (c) regulatory setting; and (d) a description of existing cultural resources within the project site.

a. Methods

Background research for this analysis included a records search, literature review, and communication with the Native American Heritage Commission (NAHC) and local historical organizations. This research was conducted to identify previously recorded cultural resources and previously completed cultural resource studies within and adjacent to the project site.

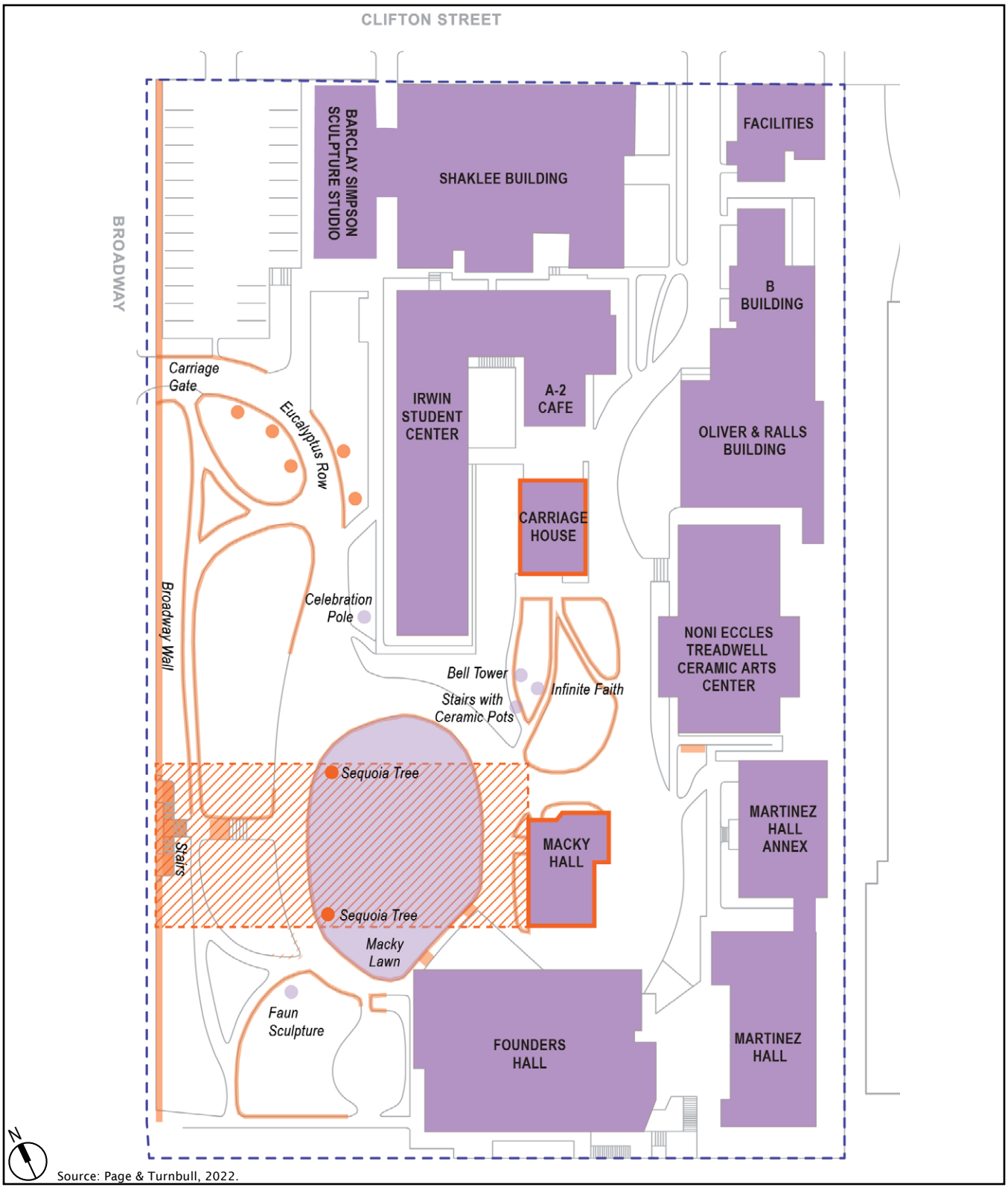


Figure V.B-1
Historical Resources within the Project Site

(1) Records Research

Page & Turnbull requested that staff of the NWIC conduct a records search of the CCA campus and a ¼-mile radius surrounding the campus (NWIC No. 18-1270). The NWIC is the official State repository for cultural resource data, records, and studies for Alameda County. The NWIC search results were provided to Page & Turnbull on February 1, 2019. Page & Turnbull contacted the NAHC on January 7, 2019 to request that NAHC staff conduct a Sacred Lands File Search for the project area and provide a contact list of Native American groups and individuals who may have knowledge regarding traditional cultural resources and archaeological resources within or adjacent to the project site. Gayle Totton of the NAHC responded to this request on January 8, 2019.

In addition, Page & Turnbull staff reviewed the following sources for information regarding cultural resources in and adjacent to the project area:

- California Inventory of Historic Resources (California Department of Parks and Recreation 1976);
- California Historical Resources Online Listing, including California Historical Landmarks and Points of Interest (California OHP 2019);[4]
- Directory of Properties in the Historic Property Data File for Alameda County (California OHP, April 5, 2012);
- City of Oakland GIS Planning and Zoning Map (includes locations of Heritage Properties, Designated Historic Districts, Potential Designated Historic Properties, Landmarks, Areas of Primary Importance, and Areas of Secondary Importance) (City of Oakland, ITD 2019).[5]

(2) Literature Review

Page & Turnbull staff completed a Historic Resource Evaluation for the CCA property in November 2019 (Appendix B-1). Page & Turnbull conducted research at the Oakland History Room at the Oakland Public Library, the San Francisco Public Library, the Oakland Planning and Building Department, and the Bancroft Library at the University of California, Berkeley. Page & Turnbull also consulted various online sources, including Calisphere, Newspapers.com, and Ancestry.com. Key primary sources that were consulted include historical newspapers, historical maps, and historical photographs, many of which were obtained from the CCA Libraries Special Collections, California School of Arts and Crafts Archives. Page & Turnbull also reviewed existing Oakland Cultural Heritage Survey documentation; the Oakland Landmark Report for Treadwell

[4] California Office of Historic Preservation (OHP), 2019. California Historical Resources. Available at: http://ohp.parks.ca.gov/ListedResources/, accessed December 4, 2023.

[5] City of Oakland ITD, 2019. Oakland Planning and Zoning Map. Available at: http://oakgis.maps.arcgis.com/apps/webappviewer/index.html?id=3676148ea4924fc7b75e7350903c7224, accessed December 4, 2023.

Hall (LM 75-221), listed in 1975; and the National Register nomination form for Treadwell Mansion and Carriage House (NPS-77000286), listed in 1977.

(3) Site Visit

On July 5, 2019, Page & Turnbull architectural historians visited the property, and recorded existing buildings and built environment features within the project site and immediate vicinity with photographs and field notes.

b. Historical Context

(1) Area Known as Oakland

The prehistoric occupation of the San Francisco Bay Area is generally understood according to cultural sequences developed by David A. Fredrickson in 1974 and refined by Randall Milliken in 2007.[6] Each of the two main periods, the Archaic Period and Emergent Period, is subdivided into several sub-periods characterized by Milliken et al. as follows:

Archaic

- Early Holocene Lower Archaic (8000-3500 calibrated radiocarbon (cal) B.C.): Sites rarely encountered, contain evidence of mobile foraging subsistence pattern including milling slabs and hand stones, large wide-stemmed and leaf-shaped projectile points.
- Middle Archaic (3500-500 cal B.C.): Increased sedentism inferred from new ground stone technologies and appearance of cut shell beads in mortuary contexts.
- Initial Upper Archaic (500 cal B.C. – cal A.D. 430): Differentiated by changes in shell bead morphology indicate symbolic shifts.
- Late Upper Archaic (cal A.D. 430-1050): Differentiated by changes in burial orientation and position, as well as new *Olivella* bead morphologies and *Haliotis* ornament types.

Emergent (includes Augustine Pattern)

- Lower Emergent (cal A.D. 1050-1550): Increased sedentism and social stratification indicated by complexity and density of wealth-indicating ornamental objects. Appearance of arrow-sized projectile points in deposits dating from after cal A.D. 1250.
- Terminal Late (Upper Emergent) (cal A.D. 1550-historic): Characterized by regional changes in bead morphology and advances in harpoon technology.

[6] Fredrickson, David A., 1974."Cultural Diversity in Early Central California: A View from the North Coast Ranges" in *The Journal of California Anthropology* Vol. 1, No. 1 , pp. 41-53. Available at: http://www.jstor.org/stable/25748313. Milliken, Randall, et al., 2007. Punctuated Culture Change in the San Francisco Bay Area. In *California Prehistory*, edited by Terry L. Jones and Kathryn A. Klar, pp. 99-124. Rowman and Littlefield, Lanham, MD.

The earliest periods represented in East Bay archaeological sites include Middle Archaic Period deposits at the West Berkeley (CA-ALA-307) and Ellis Landing (CA-CCO-296) shellmounds.

Emergent Period deposits were ancestral to the Ohlone residents. Ohlone people in California, whose territory extended from the San Francisco Bay Area south into Monterey County, spoke several related dialects within the Utian-language family speaking members of the larger Penutian language group.

Members of the Huchiun Ohlone were the earliest documented human inhabitants of the Oakland area, with settlements along the banks of Temescal creek dating from the sixteenth century. A prehistoric Ohlone village is thought to have existed on the banks of Temescal Creek, around 51st Street and Telegraph Avenue.[7]

(2) The City of Oakland

In 1772, a small exploration party from the Spanish garrison at Monterey, led by Don Pedro Fages, paused in their travels on a high hill, believed to have been the current site of the CCA campus.[8] Despite Father Juan Crespi's description recorded in his journal of the beauty of this site, the exploration party opted to travel. In 1820, the Spanish government granted 44,000 acres to Luis Maria Peralta upon his retirement from the military.[9] Peralta's grant extended from the shore of San Francisco Bay to the crest of the Oakland hills, and from San Leandro Creek to "El Cerrito," or the little hill (most likely Albany Hill). Peralta later divided the ranch among his four sons, with what became Central and North Oakland, Emeryville, Rockridge, and Piedmont falling to Vicente Peralta. The area that became Oakland was then known as Encinal (meaning Oak Grove in Spanish). Luis Maria Peralta used the land as a cattle ranch, which he sub-divided and bequeathed to his four sons in 1842. In 1836, on land granted to Vicente Peralta from his father, Vincente built an adobe house on a parcel now bounded by Telegraph, 55th Street, Vicente Way, and State Route (SR) 24 in what is currently the Temescal neighborhood.[10] By 1853, Peralta had sold or surrendered most of his land to squatters lured to the Bay Area by the promises of the 1849 gold rush.

[7] City of Oakland, 1994. Historic Preservation Element of the Oakland General Plan. Adopted March 8. Available at: https://oaklandca.s3.us-west-1.amazonaws.com/oakca1/groups/ceda/documents/webcontent/oak035235.pdf, accessed December 4, 2023.

[8] Historic-period context is summarized from Page & Turnbull's 2019 Historic Resource Evaluation for the CCA campus, included as Appendix B-1.

[9] Mae Chan Frey, Julie Harris, Kate Madden Yee, and Jeff Norman. 1998. Temescal Album: History of a Neighborhood, p. 6. Shared Ground, Oakland.

[10] Mae Chan Frey, Julie Harris, Kate Madden Yee, and Jeff Norman. 1998. Temescal Album: History of a Neighborhood, p. 9. Shared Ground, Oakland.

The 1849 Gold Rush that dramatically influenced San Francisco's development also brought fortune-seekers to Oakland. Miners, lumbermen, businessmen, bankers, speculators, and opportunists settled across the bay in what was then known as Contra Costa, or "the other coast." In 1850, three East Coast men arrived in Contra Costa: Horace W. Carpentier, Edson Adams, and Andrew J. Moon. Each man leased 160 acres of land from Vicente Peralta and opened the area to squatters. The town of Oakland was incorporated on March 25, 1852. Oakland saw rapid growth and improvement after transportation connections were established with other communities. Ferry service to San Francisco began in 1854, and the small settlements of San Antonio and Clinton east of Lake Merritt were connected with Oakland by a bridge built in 1856. Commercial and industrial businesses were established near the wharves, and the Central Pacific Railroad ran through downtown Oakland by 1863.

In 1868, Oakland was chosen as the western terminus for the Transcontinental Railroad. Beginning in 1869, the train brought tourists and workers to California and made Oakland a major port city and manufacturing center.[11] The area of West Oakland became a shipping hub for western U.S. factories and a processing and manufacturing center for raw commodities such as agricultural products and lumber.

As Oakland became an increasingly popular industrial core, residential and commercial communities expanded within the city limits. In 1873, Oakland became the county seat of Alameda County.[12] By 1880, the city's population rose to 34,555, more than 20 times what it had been in 1860.[13] Many of the new residents were San Francisco commuters drawn by Oakland's relatively low density and the ferry service across the bay. Promotional materials advertised Oakland's "world-renowned" climate, the prosperity of its citizens, its paved streets, and extensive streetcar lines.[14] It was home to several colleges, including the College of California (the precursor of the University of California, Berkeley), Mills Seminary (later Mills College), and St. Mary's College, located at 30th and Broadway.

The City expanded by annexing existing settlements and developing new districts.[15] Clinton, San Antonio, and the small town of Lynn (or Brooklyn) were annexed in 1872, pushing Oakland's eastern city limits out to 36th Street.[16] The small Temescal community, located in north Oakland, expanded in the 1860s with the installation of a telegraph line down present-day Telegraph Avenue and the establishment of a streetcar line to the University of California, Berkeley.

[11] Lois Rather, 1972. Oakland's Image: A History of Oakland, California, pp. 53-54. The Rather Press, Oakland.

[12] City of Oakland, 1994. Historic Preservation Element of the Oakland General Plan. Adopted March 8. Available at: https://oaklandca.s3.us-west-1.amazonaws.com/oakca1/groups/ceda/documents/webcontent/oak035235.pdf, accessed December 4, 2023.

[13] Beth Bagwell. Oakland, The Story of a City, p. 59. Oakland Heritage Alliance, Oakland.

[14] Rather, Oakland's Image: A History of Oakland, California, p. 63.

[15] Bagwell. Oakland, The Story of a City, p. 59.

[16] City of Oakland Historic Preservation Element, pp. 1-5.

Neighborhoods north of Lake Merritt were annexed in 1891, and Temescal, Golden Gate, and other north Oakland neighborhoods were annexed in 1897.[17] By 1900, Oakland's population numbered almost 67,000.

The 1906 earthquake and fire displaced thousands of San Francisco residents to the East Bay for temporary and permanent housing. Oakland continued to grow geographically, increasing to nearly its present size by 1909, with the annexation of the hills area, Fruitvale, Melrose, Elmhurst, and the area south to San Leandro. With those additions, the city's area increased from 22.9 to 60.25 square miles. The city experienced a surge of commercial and civic development in the downtown area after the earthquake as well, including construction of a new city hall, which was the first in the United States designed as a skyscraper. In 1910, the City of Oakland assumed control of its waterfront, which previously had been held by private entities. The change of ownership prompted the expansion of the Port of Oakland.[18] During World War I, Oakland's shipyards provided a "fleet of steel and concrete ships that…within the short space of a year put the Oakland estuary in the national limelight."[19] By 1918, at least 50,000 people were employed by the shipyards.

The 1920s saw continuing prosperity in Oakland.[20] Civic works abounded, including the installation of a new lighting system and procurement of land for an airport. Development slowed during the Great Depression, but Oakland grew into a major shipbuilding center during World War II.[21] The city's population expanded with wartime workers, including many African Americans who migrated from the southern states seeking employment. The Bay Bridge, which opened in 1936, eased the commute between Oakland and San Francisco. In 1945, the city's population was 405,301.

The post-World War II emphasis on the automobile led to increased suburban development and new freeways to reach outlying areas.[22] While freeway construction and redevelopment enticed some businesses and residents away from the city center, in many cases businesses and residents were forced to relocate as the historic commercial and residential fabric of downtown and West Oakland was replaced and disconnected by growing freeway systems. Increased economic and racial segregation were byproducts of this transportation and suburban

[17] City of Oakland Historic Preservation Element, pp. 1-7.
[18] City of Oakland Historic Preservation Element, pp. 1-7.
[19] Florence B. Crocker, 1925. Who Made Oakland? Clyde Dalton, Oakland. Quoted in Rather, Oakland's Image: A History of Oakland, California, p. 87.
[20] Rather, Oakland's Image: A History of Oakland, California, p. 89.
[21] City of Oakland Historic Preservation Element, pp. 1-9.
[22] City of Oakland Historic Preservation Element, pp. 1-9.

development pattern, and through the 1960s and 1970s Oakland experienced infrastructure decline associated with entrenched poverty, deindustrialization, and a weak urban tax base.[23]

A tight real estate market in San Francisco in the early 1980s sparked new development and preservation projects in Oakland, especially downtown.[24] Homebuyers began seriously considering Oakland neighborhoods, many of which retained strong local character.[25] The 1989 Loma Prieta earthquake damaged many of Oakland's older building stock, but the city's population has remained relatively steady throughout the 1990s and 2000s and was estimated to be approximately 429,000 in 2018.[26]

(3) The Rockridge Neighborhood

The neighborhood of Rockridge is named for outcroppings of rock at the northern end of the long shutter ridge formed by the Hayward Fault, which encloses the linear valley in which the upper portion of Broadway and the CCA campus are situated. This landscape influenced the neighborhood's early economic development, as one of the area's largest employers was the Oakland Paving Company's quarry, which opened in 1870 at the site of the current Rockridge Shopping Center at Broadway and Pleasant Valley Avenue. The metamorphosed sandstone with seams of lime carbonate, called "blue rock," was used for macadam, concrete, and gutter rock. In the first decade of the twentieth century, from 60 to 80 quarrymen were employed at a time, many of whom were newly arrived Italian immigrants who lived in Rockridge and Temescal.[27] The quarry operated well into the 1950s, after which time the western portion of the quarry was filled and developed as the Rockridge Shopping Center, and the east portion was turned into a reservoir for the Claremont Country Club.

Consistent with its industrial and rural nature, early Rockridge was generally a working-class community of carpenters, farmers, and laborers that was still sparsely developed by residential communities when the Sanborn Fire Insurance Company produced maps of the area in 1911. The Key Route System provided rail service between Oakland and San Francisco via a railcar ferry starting in 1903. This transportation system was a motivating factor in residential development in other areas of Oakland, but its routes skirted the perimeters of Rockridge. The neighborhood nearest the former quarry began to develop in earnest through the 1920s, as interurban electric

[23] Robert O. Self, 2003. American Babylon: Race and the Struggle for Postwar Oakland. Princeton University Press, Princeton, NJ.

[24] Bagwell, Oakland, The Story of a City, pp. 260-262.

[25] Bagwell, Oakland, The Story of a City, p. 263.

[26] United States Census Bureau. Available at: https://www.census.gov/quickfacts/oaklandcitycalifornia, accessed December 4, 2023.

[27] Oakland Wiki, 2019. "Bilger Quarry. Available at: https://localwiki.org/oakland/Bilger_Quarry, accessed December 4, 2023.

railways such as the Sacramento Northern Railway provided this neighborhood a convenient connection to ferry terminals with service to San Francisco.

In 1958, transportation authorities approved plans for a freeway, called the Grove-Shafter Freeway or SR 24, intended to connect Contra Costa County with Interstate 880. The community fought against the plans, which required the demolition of many residential blocks in Temescal and Rockridge and disrupted commercial districts on Grove (now Martin Luther King Jr. Way), Telegraph Avenue, and College Avenue. Despite resistance, the first phase of the Grove-Shafter Freeway opened in 1969.[28] The construction of the Grove-Shafter Freeway altered the scale and the layout of many streets in Rockridge. Residents living in the area, once known as "Little Italy" because of the large number of Italian immigrants, saw the decline of the neighborhood's human scale into the 1970s due to the separation of the neighborhood caused by the freeway. In the mid- to late 1970s some storefronts on College Avenue were boarded up as businesses lost their neighborhood clientele.

In more recent decades, proximity to the BART station which opened in 1973, and economic growth across the Bay Area have bolstered Rockridge as a thriving residential and commercial area.

(4) Project Site

The Hale and Treadwell Families

In 1879, Vincente Peralta sold the site now occupied by CCA to William Elmer Hale (1842-1900) for a reported cost of $500.[29] Hale was a native of New Hampshire, descendent of Revolutionary War hero Nathan Hale and Senator John Parker Hale, and a noted opponent of slavery who was instrumental in the formation of the Republican Party. William Hale came to the West Coast to seek fortune in mining. Between 1879 and 1881, Hale appears to have contracted architect Clinton Day to design and build a house on the property. The 3-story house was historically known as the Hale House, later the Treadwell Mansion, and is now known as Macky Hall. Hale sold the property in 1884 to Ross E. Browne, and ownership quickly changed several times over the following five years until it was purchased in 1889 by gold and coal mining investor and industrialist James Treadwell, Esq.[30]

Remaining landscape from the Treadwells' period of occupation includes the pathways around the property, lined with Carnegie bricks. In circa 1905, the family constructed a concrete wall along Broadway, scored to look like stone, with a stairway and cast-iron gate aligned with the

[28] Jeff Norman, 2006. Temescal Legacies: Narratives of Change from a North Oakland Neighborhood. Shared Ground, Oakland.

[29] Annalee Allen, n.d. "House on a Hill: The Hale-Treadwell House at CCAC," p. 2.

[30] Annalee Allen, n.d. "House on a Hill: The Hale-Treadwell House at CCAC," p. 4.

front porch of the home, and a second entrance with a cast iron gate further north for carriages. Landscaping, including a palm row (no longer remaining), eucalyptus row (partially remaining), and other tree plantings, occurred during this time, creating the groundwork for a lushly forested lot in future years.[31]

After his death in 1916, James Treadwell's widow, Louisa, sister-in-law, Freda, son, George, and daughter-in-law, Dorothy, lived at the house at 5212 Broadway until 1922.[32]

The California College of the Arts[33]

In 1922, German-born cabinet maker and former president of the California Guild of Arts and Crafts, Frederick H. Meyer, acquired the subject property for $60,000 with the intention of using the site as the new home for the California School of Arts and Crafts.[34] Founded by Meyer in Berkeley in 1907 as the School of the California Guild of Arts and Crafts, the school's focus was to offer education grounded in the ideology of the Arts and Crafts movement. In 1908 the school changed its name to The California School of Arts and Crafts.

1920s: The student population of the California School of Arts and Crafts moved from its Berkeley location to the new Oakland campus in 1926. At this time, the school was one of only four degree-granting art programs in the country, the others being located in Boston, Pittsburgh, and Chicago.[35]

When Meyer purchased the Oakland property to expand his school, it included 4 acres of rough, overgrown land and the Treadwell estate buildings, which included a 3-story Queen Anne-style mansion, carriage house, and barn. Supported by the labor of the school's students, who received discounted tuition in exchange for their efforts, Meyer cleared the gnarled site, improving on some existing landscape features while removing others that encroached on his vision for future construction. During the site improvements of the 1920s, under the direction of Meyer, it appears that Carnegie bricks associated with the Treadwell estate were, in some cases, preserved as edging for vehicle and pedestrian paths, and, in other cases, reused for various landscape features throughout the southern portion of campus. Despite grander plans for institutional buildings, the campus developed during this first decade as a series of small 1- and 2-story buildings, the largest of which, built prior to 1930, was the Craft Building (B Building). These buildings were designed with an architectural unity, all in a simplified Mission Revival style

[31] Annalee Allen, n.d. "House on a Hill: The Hale-Treadwell House at CCAC," p. 4.

[32] Polk Hustead Directory Co., 1922. Oakland-Berkeley-Alameda City Directory, p. 1414. Polk Hustead Directory Co., Oakland.

[33] Additional detail regarding the history of CCA is provided in the Historic Resource Evaluation, dated November 14, 2019, included as Appendix B-1.

[34] Annalee Allen, n.d. "House on a Hill: The Hale-Treadwell House at CCAC," p. 6.

[35] "New Group of Buildings for Arts School." The Oakland Tribune, April 4, 1926.

with smooth stucco cladding, flat roofs, and stepped parapets. Throughout his tenure at the school, after his retirement in 1944, and until his death in January 1961, Meyer and his family lived on the third floor of the Treadwell mansion.[36]

1930s: Increased industrialization in Oakland began to make demands on the school in the 1930s, marking an era during which the practical root of the educational model Frederick Meyer espoused would become increasingly relevant. The school's applied arts programs were seen to improve Oakland's ability to compete in the increasingly industrialized economic climate of the era. Classes in design, illustration, commercial design, photography, printmaking, and interior design led students to careers as factory designers, commercial artists, art teachers, and set and costume designers in the emerging motion picture industry in Los Angeles.[37] At the close of 1931, the California School of Arts and Crafts was recognized as one of only eight industrial art schools in the United States, and one which had established a national reputation for its design programs.[38] In 1936, Frederick Meyer changed the longstanding name of his school from the California School of Arts and Crafts to the California College of Arts and Crafts.

1940s: World War II affected enrollment at CCAC almost immediately, with the fall enrollment numbers dropping from 202 students in 1941 to 109 students in 1942. Coursework at CCAC also reflected the new needs of the war, with increasingly popular courses in photography informing a new course in the design and application of industrial camouflage.[39] Edward Spencer Macky (commonly called Spencer Macky) succeeded Frederick Meyer as the president of CCAC when Meyer stepped down in 1944. Macky served as school president at the CCAC from 1944 to 1954.[40] By 1946, to serve the swollen post-war enrollment, the college acquired several former Women's Army Corps (WAC) barracks buildings from the U. S. Government.[41] Formerly located in Berkeley, the buildings were transferred to the CCAC campus at no cost, and were renovated to serve as classrooms, studios, and the campus's first cafeteria. None of these utilitarian post-war buildings remain t on campus.

1950s: Though the desire to construct a residential dormitory on campus had first been voiced by Frederick Meyer when he drew a master plan for the campus in the 1920s, through the school's first decades students from outside the Bay Area lived in college-approved apartments and rooming houses in the Rockridge neighborhood.[42] After the 1954 retirement of Spencer

[36] California College of the Arts, 2019. "Key Historical Milestones." Available at: https://www.cca.edu/about/, accessed December 4, 2023.

[37] "California College of Arts and Crafts College Enrollments, 1907-present." Unpublished research provided by CCA Libraries Special Collections.

[38] "California College of Arts and Crafts College Enrollments, 1907-present." Unpublished research provided by CCA Libraries Special Collections.

[39] "College of Arts Renews Course." *The Oakland Tribune*, December 28, 1941.

[40] Gene Haley, ed., 1937. *California Art Research* (WPA Project 2874), p. 73. Works Progress Administration, San Francisco.

[41] "Art College's Facilities Grow," *The Oakland Tribune*, November 20, 1946.

[42] "$290,000 Loan Ok'd for College Dorm." The Oakland Tribune, April 30, 1958.

Macky as CCAC President, and the short tenures of Dr. Daniel Defenbacher and Joseph Danysh in that role, Harry X. Ford was appointed acting president in 1959 and president in 1960, a position which he held for the next 24 years. Irwin Hall (now known as Irwin Student Center), CCAC's first on-campus dormitory, was completed in 1959 as the first project in Harry Ford's 10-year plan for expanding the campus' ability to accommodate a growing student population. This plan, which initially included the construction of a second residence hall, a new library, and the replacement of the World War II-era barracks buildings with larger buildings, was enacted, in varying forms and to varying degrees, in the following decade.[43]

1960s: At the beginning of the 1960s, the CCAC campus included a mixture of buildings of varying ages, styles, sizes, and contemporary usefulness. The original Treadwell mansion, known by this time as Macky Hall in honor of Spencer Macky, had been added to several times. The other buildings from the Treadwell era, the Carriage House and the barn, also had large additions. The woodworking studio (Facilities Building) and the Crafts Building (B Building) had been added to, and Guild Hall was flanked by the barracks buildings that had been installed on the campus in 1946. Irwin Hall was the largest building on campus; the remainder of the approximately 15 other buildings were smaller barracks buildings or cabins built by Meyer in the 1920s, turned into lockers or storage. Circulation through the campus still reflected a time when the small winding paths needed only to accommodate horse-drawn carriages; the haphazard placement of smaller buildings further constricted the potential for vehicular through-traffic. In 1967, construction began on two major buildings on the CCAC campus: Martinez Hall and Founders Hall. Following the recommendations of the development program designed by the architecture and planning firm of DeMars and Reay, the two new buildings addressed the campus's insufficient studio, library, classroom, and auditorium space. The buildings, also designed by DeMars and Reay, were located at the southern perimeter of campus and replaced several small studio and classroom buildings.

1970s: The 1970s began with a period of tense relations between students and those in leadership positions on campus. After four students were killed by the National Guard at Kent State University in Ohio in 1970, students at CCAC protested by halting class attendance, and the Students for a Democratic Society organization began promoting even more radical responses. In the recollection of college president Harry Ford, the situation was resolved by collaboration between students and faculty in the production of a series of anti-war posters, as well as poetry and essays that were placed in a permanent collection on campus.[44] The Martinez Hall Annex, a modest, utilitarian building was constructed in 1970 to house the photography department. Between 1973 and 1979, two buildings, the Noni Eccles Treadwell Ceramic Arts

[43] "$290,000 Loan Ok'd for College Dorm." The Oakland Tribune, April 30, 1958.
[44] Eve Staccati-Tanowitz, 2007. "International Aperture: A Conversation with Harry Ford." *Glance*, Winter 2007.

Center and the Raleigh and Claire Shaklee Building, were completed on campus as part of the Project 73 master plan developed by the architecture and planning firm of Wong and Brocchini.

1980s: In the 1980s, the CCAC campus underwent several physical changes as another period of renovation and construction included the removal of additions to Macky Hall and construction of new studio space in the Oliver Art Center and Ralls Painting Studio (Oliver and Ralls Building). In 1984, Harry Ford retired from his role as college president, having led the school through the major facility changes of the 1960s and 1970s. He was briefly replaced by Thomas Schwartzburg before Neil J. Hoffman was appointed president in 1985.[45] A newly acquired architecture program, as well as the design program, moved to leased space in San Francisco in 1987, marking the beginning of the college's expansion into that city.

1990s: In the 1990s, physical development on the college's Oakland campus was limited to the construction in 1992 of the Barclay Simpson Sculpture Studio, named in honor of school trustee Barclay Simpson. Larger changes were focused on the creation of a permanent second campus for the college in San Francisco, which opened in 1999.

2000s: In the first decade of the twenty-first century, Michael S. Roth, formerly the associate director of the Getty Research Institute, became the school's eighth president. Physical expansion in Oakland included the construction in 2002 of Clifton Hall, a residential dormitory on the north side of Clifton Street, outside of the bounds of the historic campus site. In 2003, with the intention of honoring the school's ever-widening breadth of programs, and in recognition that the distinction between art and craft as Frederick Meyers understood it—the difference between fine and applied artmaking—had become largely obsolete, the school's Board of Trustees voted unanimously to change the name to California College of the Arts (CCA).

CCA in 2016 announced a plan to unify its campuses in San Francisco and in 2022 entirely vacated its Oakland location.

c. Existing Conditions[46]

The project site is located on a rectangular 3.95-acre parcel bounded on the west by Broadway, on the north by Clifton Street, on the east by multi-unit residential housing, and on the south by the Rockridge Shopping Center. The parcel is at the terminus of a long gradual rise along both College Avenue and Broadway, and topography to the north and east rises higher to the steep terrain of the Oakland Hills. The western border with Broadway is marked by a concrete

[45] California College of the Arts, 2019. "Key Historical Milestones." Available at: https://www.cca.edu/about/, accessed December 4, 2023.

[46] Existing conditions described herein are those which existed at the time of Notice of Preparation for the Environmental Impact Report, June 21, 2019, unless otherwise specified.

retaining wall, which includes a double stair and a vehicular entry. The northern border includes two vehicular entry points from Clifton Street.

(1) Built Environment of the CCA Campus

The buildings and landscape elements within the project site are described below in chronological order of construction or installation. Building locations are depicted in Figure V.B-2. Landscape element locations are depicted in Figure V.B-3.

Buildings

Macky Hall (ca. 1879-1881): The oldest building on campus, attributed to architect Clinton Day and constructed for William Hale and his family (formerly known as Treadwell Hall or Treadwell Mansion). The 3-story wood-frame Queen Anne style building with Stick Eastlake detail is clad with horizontal wood channel drop siding, is fenestrated with double-hung wood-sash windows with ogee lugs and wide wood surrounds, and features a complex multiple-gabled roofline typical of its style. The building was used as a single-family residence until 1922, after which it was modified to accommodate combined residential and classroom use. It most recently housed administrative offices.

Macky Hall

Carriage House (ca. 1879-1881): Constructed as an ancillary building to William Hale's residence (Macky Hall). The 2-story, wood-frame building has been moved multiple times from its original location east of Macky Hall. Clad with horizontal wood channel drop siding and board and batten siding, the building is complementary to Macky Hall with simple Queen Anne and Stick Eastlake style elements. The building was used as a carriage house until 1922, after which it was modified to accommodate classrooms and arts studios. The Carriage House most recently accommodated classrooms and art studio space.

Carriage House

Source: Page & Turnbull, 2022.

- Early Estate Era, c. 1880-1921
- Early CCAC Era, 1922-1944
- Post-WWII CCAC Era, 1945-1964
- CCAC Continued Development, 1965-1992

Figure V.B-2
Eras of Building Construction

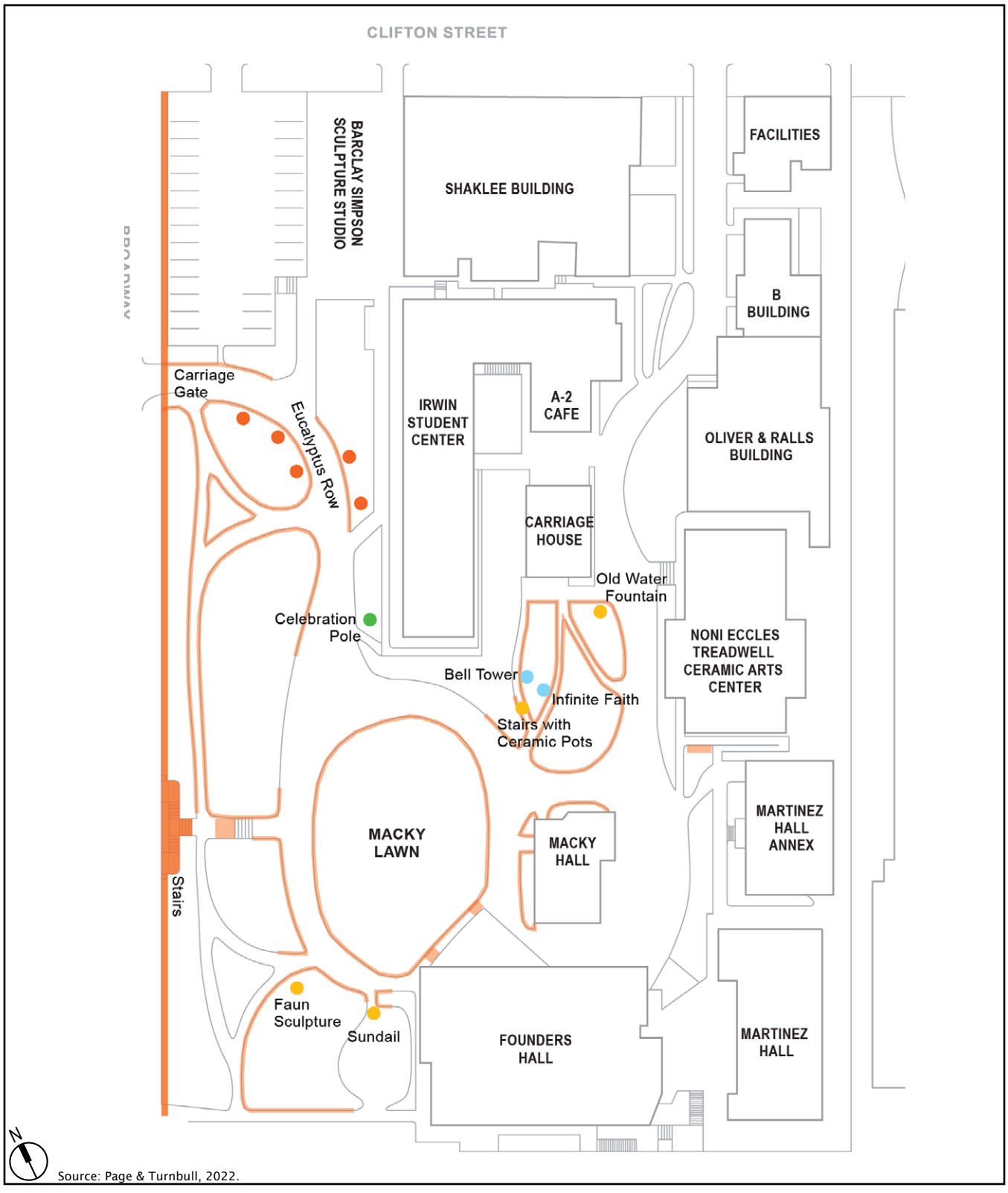


Figure V.B-3
Landscape Features

Facilities Building (ca. 1922-1924): Built based on Frederick Meyer's design, the Facilities Building is the oldest remaining building on the project site that was built specifically for use by the school. The 1- and 2-story over raised basement, wood-frame building has a rectangular plan, stucco cladding, and flat roof. The building was constructed to serve as a woodworking studio, and later housed the school's buildings and grounds facilities office

Facilities Building

B Building (ca. 1926): Built based on Frederick Meyer's design, this was the second building constructed for use by the college. The 2-story over raised basement building has a rectangular plan, stucco cladding, and flat roof. The original purpose of the B Building was to house a metal shop and craft classrooms. It later housed classroom space.

B Building

Irwin Student Center (Irwin Hall) and A-2 Café (1959, 1974): Irwin Hall was completed in 1959 as the campus' first dormitory, likely based on the design by the architectural firm of Blanchard and Maher. The addition housing the A-2 Café was constructed at the east side of Irwin Hall in 1974 based on plans by architects Worley Wong and Ronald Brocchini. The 1- and 2-story building has an L-shaped plan with its longer, north-south wing parallel to the hill slope. It is clad in stucco and wood board and batten siding, and has a complex roofline with low-pitched gable, hipped, and flat portions. The first floor of Irwin Hall, later known as the Irwin Student Center, served as student residences. A student service center occupied the second floor.

Irwin Student Building

Martinez Hall (1967): Designed by architectural firm DeMars & Reay, Martinez Hall housed painting and printmaking studios. The 2-story Third Bay Tradition style building has a rectangular plan and box-like massing with shed-roof canopies and projections, vertical flush rustic wood siding, and a steeply-pitched four-part sawtooth roof with glazed, north-facing vertical surfaces. A mural wall extends across both stories on a portion of the building's west façade.

Martinez Hall

Founders Hall (1968): Designed by DeMars & Reay, Founders Hall was built for and served as the school's library and auditorium, with gallery space. The 2-story concrete building has stepped cubic massing, exposed metal structural elements, and recessed windows characteristic of its Brutalist style. The roof slopes down slightly toward its south end. A ca. 1978 addition included an enclosed space at the third story of the southwest portion of the building.

Founders Hall

Martinez Hall Annex (1970): This 2-story, rectangular-plan building is clad with standing-seam metal siding and has multiple shallow-pitched shed rooflines. The building housed classrooms and the college's photography department.

Martinez Hall Annex

Noni Eccles Treadwell Ceramic Arts Center (1973): The college's ceramics studio was designed by architects Worley Wong and Ronald Brocchini. The 2-story building has a generally I-shaped footprint and is clad in striated unglazed terra cotta stack bond blocks with a concrete belt course and cornice. West-, south-, and east-facing shed-roof elements are clad in red standing-seam metal.

Noni Eccles Treadwell Ceramic Arts Center

Raleigh and Claire Shaklee Building (1979): Designed by architects Worley Wong and Ronald Brocchini, this building served its original use as a sculpture, glass, and metal arts studio. The 2-story building with partially exposed basement is clad in stucco and features metal-frame windows and a generally flat roof with projecting shed-roofed elements. Mosaic tilework adorns a wall north of the east façade staircase.

Raleigh and Claire Shaklee Building

Oliver Art Center and Ralls Painting Studio (Oliver and Ralls Building) (1989): This L-shaped building designed by architects George Miers & Associates, housed studios, classrooms, and gallery space. The 2-story, stucco-clad building has a flat roof and metal-frame glazed entry vestibule. It abuts the south façade of the B Building.

Oliver Art Center and Ralls Painting Studio

Barclay Simpson Sculpture Studio (1992): Designed by architect Jim Jennings, the 2-story concrete, steel frame, and glass block sculpture studio features a prominent, exposed steel chimney extending from ground level above the height of the north façade. The building housed studio space for large-scale glass and metal sculpture.

Barclay Simpson Sculpture Studio

Landscape Elements

Broadway Wall and Stairs (ca. 1905): Constructed in circa 1905 for the Treadwell family at the west perimeter of the project site. The wall is textured concrete, and increases in height to nearly 2 stories at its southern end as it conforms to the site slope. A vehicular driveway near the north end of the wall is framed by concrete pilasters and a modern metal archway.

Broadway Wall and Stairs

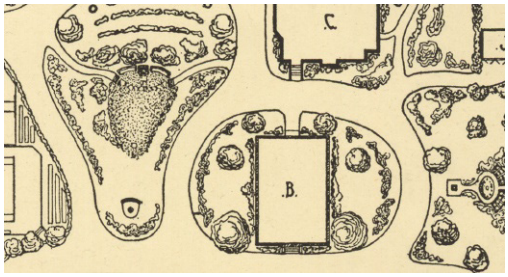
Eucalyptus Row (pre-1922): Likely planted for the Treadwell family in the early 1900s along the vehicular path connecting the Broadway entrance with Macky Hall.

Eucalyptus *Row*

Carnegie Bricks (pre-1922): Bricks stamped with the word "CARNEGIE" used to line pathways, roads, and other landscape features in the southern and western portions of the campus near Macky Hall. Initially installed for the Treadwell family, many of these brick alignments may have been moved during the 1920s establishment of the college at the project site.

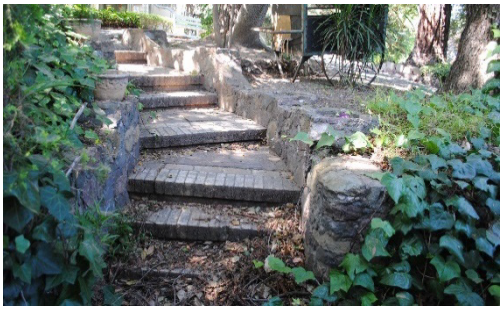
Carnegie Bricks

Macky Lawn (unknown): An oval shaped grass lawn west of Macky Hall, which includes several coast redwoods. The perimeter of the lawn is lined with Carnegie bricks. No evidence has confirmed if the lawn existed during the Treadwell era. Macky Lawn is indicated in a 1922 plan, maps from 1950 and the 1960s, and in photographs from the 1980s.



Macky Lawn

Stairs with Ceramic Pots (unknown): A set of stairs leads from the road by Macky Hall down toward the Carriage House with masonry walls and round insets with ceramic pots. Some pots are missing. The origin of the stairs and pots is unknown, but appears to date from the Early CCAC era.



Stairs with Ceramic Pots

Faun Sculpture (1926): This bust of a half-human, half-goat male rendered in stone atop a tapered stone pedestal was created by Hazel Z. Weller for a sculpture class at the college. It is located west of Founders Hall.

Faun Sculpture

Infinite Faith Sculpture (1959): A monolithic stone sculpture created by Tsutomu Hiroi, originally installed east of Irwin Hall. The sculpture was moved in 1978 to a location near the southeast end of Irwin Hall.

Infinite Faith Sculpture

Bell Tower (ca. 1960): An irregular, trapezoidal wood tower housing a bronze bell near its top is installed on a slope south of Irwin Hall. The bell is believed to date to the 1920s campus, and was moved to the current location and mounting around the time of the construction of Irwin Hall.

Bell Tower

Celebration Pole (1982): This 35-foot-tall redwood carving created by Georganna Malloff was installed to commemorate the 75th anniversary of the college. The Celebration Pole is located west of Irwin Hall, along the vehicle access road.

Celebration Pole

Sequoia Trees (unknown): Two sequoia trees planted to the northwest of Macky Hall at the southeast side of the Macky Lawn were likely planted as part of the landscaping associated with the building during its use by the Treadwell family. These two sequoia trees were approved for removal by the City on June 14, 2019, with Oakland Public Works Park & Tree Division Tree Removal Permit Waivers stating that the trees were dead. The trees were subsequently removed in July 2019.

Sequoia Trees

(2) Historical Resources in the CCA Campus

Treadwell Estate Landmark (LM 75-221)

Most recently known as Macky Hall, the ca. 1879-1881 residence formerly known as Treadwell Hall or the Treadwell Mansion , and the Carriage House, together with two sequoia trees (removed with tree removal permits in July 2019), a portion of the Broadway Wall and Stairs, and an 80-foot-wide corridor extending westward from Macky Hall to the Broadway right-of-way intended to maintain the view of the building from Broadway and College Avenue, were designated as a City of Oakland Historic Landmark No. 12 in August 1975 (LM 75-221, Ordinance 9195). The property was found significant for its architecture, its association with the Treadwell family, and its role as the campus of the California College of Arts and Crafts (now CCA). The landmark boundaries were described in 1975 documentation as follows:

> The property within an area described by a line around the perimeter of the subject structure and carriage house at a distance of fifteen feet from the foundation line and the property within a corridor measuring forty feet on each side of a line running perpendicular to the south-easterly line of Broadway and extending from the center of the main entrance of Treadwell Hall to said southeasterly line of Broadway. The eighty foot corridor is intended to maintain the view of Treadwell Hall from Broadway and College Avenue and to preserve the stairway within the wall running along Broadway and the two large sequoia gigantea located in front of Treadwell Hall. It is understood that the carriage house will soon be moved to its permanent location on campus and at that time its site will automatically transfer.[47]

[47] Oakland Landmarks Preservation Advisory Board, Landmarks Designation, Case File LM 75-221, June 27, 1975, pp. 10-11.

Macky Hall and the Carriage House were listed on the National Register in July 1977 (NPS-77000286). The National Register Nomination Form does not note specific landscape features as contributing features, but does note that bricks incised with the Carnegie name are located on the campus, and that the campus is "richly landscaped much in the style of early Victorian estates."[48] These buildings were found significant for their architectural style and for their association with education.

In 1986, the OCHS assigned Macky Hall a rating of A1+, the Carriage House a rating of B1+, and the Broadway Wall and Stairs and two sequoias (removed) each a rating of C1+. The 2019 Historic Resource Evaluation found that the full length of the Broadway Wall, the Eucalyptus Row, and Carnegie Bricks installed as landscape features also appear to be contributors to the Treadwell Estate Landmark.

California College of Arts & Crafts Area of Primary Importance

In 1986, based on findings of the Oakland Cultural Heritage Survey (OCHS), the City of Oakland assigned the status of API to the entirety of the parcel occupied by the CCAC, based on a reconnaissance level survey which included buildings constructed for and used by the college. The 1986 survey map prepared by OCHS staff and/or volunteers identified six contributors to the CCAC API, including four contributors to the Treadwell Estate Landmark designated in 1975 (Macky Hall, the Carriage House, the Broadway Wall & Stairs, and the Giant Sequoias), and the Facilities Building and B Building.

Page & Turnbull's 2019 Historic Resource Evaluation (Appendix B-1) evaluated the CCAC API as well as all buildings and landscape features within the subject parcel for significance as individual resources and district contributors. The evaluation found the CCAC API to be significant as a historic district under California Register Criterion 1 (Event) as one of the earliest institutions to offer a unique applied arts education curriculum on the West Coast and which produced graduates, including a very high percentage of women, who entered into professional art careers in the Bay Area and beyond. In addition, the campus buildings represent a physical embodiment of the school's commitment to contemporary themes in architecture and design, as classrooms and studios were housed in buildings that went beyond utilitarian institutional needs. The period of significance for Criterion 1 (Event) is 1922 to 1992.

In addition to the resources previously found significant as part of the Treadwell Estate Landmark, ten CCAC buildings within the project site, as shown in Figure V.B-1, were evaluated according to the criteria of the California Register and City of Oakland Thresholds of Significance

[48] Harry X. Ford, preparer, "National Register of Historic Places Inventory—Nomination Form, Treadwell Mansion and Carriage House," August 25, 1976 (NPS-77000286, listed July 15, 1977), pp. 7-2 and 8-2.

Guidelines to determine their status as historical resources under CEQA. Four buildings were found to be both contributors to the CCAC API and individually eligible for listing in the California Register: Founders Hall, Martinez Hall, the Noni Eccles Treadwell Ceramic Arts Center, and the Barclay Simpson Sculpture Studio. Six additional CCAC buildings and six associated landscape features—Macky Lawn, stairs with ceramic pots, faun sculpture, *Infinite Faith* sculpture, Bell Tower, and *Celebration Pole*—date to the period of significance and retain sufficient integrity to contribute to the historic district. The results of the evaluations are summarized in Table V.B-1 and the following paragraphs. A more detailed evaluation is presented in the 2019 Historic Resource Evaluation, dated November 14, 2019 (Appendix B-1).

TABLE V.B-1 CALIFORNIA COLLEGE OF ARTS & CRAFTS API CONTRIBUTORS

Contributing Building	Year of Completion	1986 OCHS Preliminary Rating	2019 Historic Resource Evaluation Rating
Macky Hall*	c. 1879-1881	A1+	Not reevaluated
Carriage House*	c. 1879-1881	B1+	Not reevaluated
Facilities	c. 1922-1924	D1+	B1+
B Building	c. 1926	D1+	B1+
Irwin Student Center, A-2 Café	1959, 1974	F1-	C1+
Founders Hall**	1968	F1-	B1+
Martinez Hall**	1968	F1-	A1+
Martinez Hall Annex	1970	Not rated.	C1+
Noni Eccles Treadwell Ceramic Arts Center**	1973	F1-	A1+
Raleigh and Claire Shaklee Building	1979	F1-	C1+
Oliver & Ralls Building	1989	Not rated	C1+
Barclay Simpson Sculpture Studio**	1992	Not rated	A1+

* Building is also a contributor to the Treadwell Estate Landmark.
** Building is also individually eligible for listing in the California Register.
Source: Page & Turnbull, 2019.

Other character-defining site features of the CCAC API include the following:

- Spatial relationships between contributing buildings;
- Siting of contributing buildings within the sloped topography of the site, including clustering of buildings on the eastern side of the site;
- A meandering, informal network of circulation routes through campus, with primarily pedestrian access;

- Vehicular ingress and egress routes limited to the northwest portion of the property at the Broadway gate and Clifton Avenue driveways; and
- Orientation of purpose-built contributing buildings inward toward the center of campus, away from public streets.

CCAC API Contributors Individually Eligible for the California Register

- **Founders Hall**: In 1986, the OCHS assigned Founders Hall a preliminary rating of F1 through a reconnaissance survey, indicating that it was less than 50 years old when it was evaluated (built in 1968), located in an API, but not a contributor to that API. The 2019 Historic Resource Evaluation found Founders Hall to be individually significant under California Register Criterion 3 (Architecture) as a strong representative example of a Brutalist design, the work of master architects DeMars and Reay, and for possessing high artistic value. The period of significance for Founders Hall is 1968, its year of completion. The building retains integrity sufficient to convey its historic significance. Therefore, Founders Hall is eligible for individual listing in the California Register. In addition, it is a contributor to the California Register-eligible CCAC API as a representative of campus development through the 1960s. Founders Hall represents the institution's commitment to developing its Oakland campus in a way that not only accommodated art education and practice, but physically embodied principles of design in the spaces occupied by its students and faculty.
- **Martinez Hall**: In 1986, the OCHS assigned Martinez Hall a preliminary rating of F1- through a reconnaissance survey, indicating that it was less than 50 years old when it was evaluated, located in an API, but not a contributor to that API. The 2019 Historic Resource Evaluation found Martinez Hall to be individually significant under California Register Criterion 3 (Architecture) as a strong representative example of the Third Bay Tradition design as applied to an institutional building, designed by master architects DeMars and Reay, and possessing high artistic value. The period of significance for Martinez Hall is 1968, its year of completion. The building retains integrity sufficient to convey its historic significance. Therefore, Martinez Hall is eligible for individual listing in the California Register. In addition, it is a contributor to the California Register-eligible CCAC API as a representative of campus development through the 1960s. Martinez Hall represents the institution's commitment to developing its Oakland campus in a way that not only accommodated art education and practice, but physically embodied principles of design in the spaces occupied by its students and faculty.
- **Noni Eccles Treadwell Ceramic Arts Center**: In 1986, the OCHS assigned the Noni Eccles Treadwell Ceramic Arts Center a preliminary rating of F1- through a reconnaissance survey, indicating that it was less than 50 years old when it was evaluated, located in an API, but not a contributor to that API. The 2019 Historic Resource Evaluation found the Noni Eccles Treadwell Ceramic Arts Center to be individually significant under California Register Criterion 3 (Architecture) as a unique representation of Third Bay Tradition design as applied

to an institutional building with high artistic value. The period of significance is 1973, the building's year of completion. The building retains integrity sufficient to convey its historic significance. Therefore, the Noni Eccles Treadwell Ceramic Arts Center is eligible for individual listing in the California Register. In addition, it is a contributor to the California Register-eligible CCAC API as a representative of the campus' development efforts through the 1970s. It provides an example of the institution's commitment to developing its Oakland campus in a way that not only accommodated art education and practice, but physically embodied principles of design in the spaces occupied by its students and faculty.

- **Barclay Simpson Sculpture Studio**: The Barclay Simpson Sculpture Studio was not yet constructed at the time of the 1986 OCHS evaluation, and was therefore not assigned a preliminary rating. The 2019 Historic Resource Evaluation found the Barclay Simpson Sculpture Studio to be individually eligible for the California Register under Criterion 3 (architecture) for possessing high artistic value; and for embodying the distinctive characteristics of New Modernist design that was being developed and explored throughout the late 1980s and early twentieth century. The Barclay Simpson Sculpture Studio retains all seven aspects of integrity. It is also a contributor to the CCAC API as a late example of the institution's commitment to developing its Oakland campus in a way that not only accommodated art education and practice, but physically embodied principles of design in the spaces occupied by its students and faculty.

CCA API Contributors Not Individually Eligible for Designation in the California Register

- **Facilities Building**: In 1986, the OCHS assigned the Facilities Building a preliminary rating of D1+ through a reconnaissance survey, indicating that it is a building of minor importance, in an API, and is a contributor to that API. The 2019 Historic Resource Evaluation did not find the Facilities Building to be individually eligible for the California Register under any criteria. The building retains sufficient integrity to convey its historic association with the CCA campus, and is a contributor to the CCAC API as the earliest purpose-built campus building.
- **B Building**: In 1986, the OCHS assigned the B Building a preliminary rating of D1+ through a reconnaissance survey, indicating that it is a building of minor importance, in an API, and is a contributor to that API. The 2019 Historic Resource Evaluation did not find the B Building to be individually eligible for the California Register under any criteria. The building retains sufficient integrity to convey its historic association with the CCA campus, and it is a contributor to the CCAC API as one of two buildings remaining from the early development of the campus.
- **Irwin Student Center**: In 1986, the OCHS assigned the Irwin Student Center a preliminary rating of F1- through a reconnaissance survey, indicating that it was less than 50 years old when it was evaluated, located in an API, but not a contributor to that API. The 2019 Historic Resource Evaluation did not find the Irwin Student Center to be individually eligible for the

California Register under any criteria. While alterations and additions to the building have diminished the building's integrity of design, as well as its integrity of setting, materials, and association, the Irwin Student Center, which includes the A2 Café, retains sufficient integrity to convey its respective original uses as a college dormitory and student dining facility. It is a contributor to the CCAC API.

- **Martinez Hall Annex:** In 1986, the OCHS did not assign a rating to Martinez Hall Annex. Martinez Hall Annex, built in 1970, had been constructed at the time of the reconnaissance survey, so the reason for not assigning a rating is unclear. The 2019 Historic Resource Evaluation did not find the Martinez Hall Annex to be individually eligible for the California Register under any criteria. The building retains sufficient integrity to convey its historic association with the CCA campus, and is a contributor to the CCAC API as a building dating to the district's period of significance and which is associated with the campus' expansion of student facilities through the late twentieth century.
- **Raleigh & Claire Shaklee Building**: In 1986, the OCHS assigned the Raleigh & Claire Shaklee Building (Shaklee Building) a preliminary rating of F1- through a reconnaissance survey, indicating that it was less than 50 years old when it was last evaluated, located in an API, and not a contributor to that API. The 2019 Historic Resource Evaluation did not find the Shaklee Building to be individually eligible for the California Register under any criteria. The Shaklee Building retains sufficient integrity to convey its historic association with the CCA campus. It is a contributor to the California Register-eligible CCAC API, as a building constructed during the district's period of significance and related to the campus' development efforts through the 1970s.
- **Oliver Art Center & Ralls Painting Studio**: In 1986, the OCHS assigned the Oliver Art Center & Ralls Painting Studio (Oliver & Ralls Building) a preliminary rating of F1- through a reconnaissance survey, indicating that it was less than 50 years old when it was last evaluated, located in an API, and not a contributor to that API. The 2019 Historic Resource Evaluation did not find the Oliver & Ralls Building to be individually eligible for the California Register under any criteria. The Oliver & Ralls Building retains sufficient integrity to convey its historic association with the CCA campus. It is a contributor to the California Register-eligible CCAC API as it dates to the district's period of significance and represents the campus' focus on arts education and practice.

(3) Adjacent Historical Resources

Page & Turnbull reviewed the results of the NWIC Records Search and the City of Oakland's Planning and Zoning Map to identify previously recorded historical resources within a ¼-mile radius of the project site. This review identified all properties which meet the City of Oakland

Thresholds of Significance Guidelines for historical resources under CEQA.[49] There are no S-7 or S-20 Designated Historic Districts or Heritage Properties located within this radius.[50] There are twelve historic resources within the ¼-mile radius, which are listed in Table V.B-2 by designation category.

TABLE V.B-2 PREVIOUSLY RECORDED HISTORICAL RESOURCES WITHIN A ¼-MILE RADIUS

Resource Name	Location	Description	Designation
Oakland Technical High School	4351 Broadway (APN 13-1106-1)	1913-1914 high school building	Landmark Oakland Technical High School API Local Register OCHS A+
Oakland Cremation Association	Howe and Montgomery Streets (APNs 13-1129-33 and 13-1129-34)	1902-1903 mortuary complex	Oakland Cremation Association API Local Register OCHS B+1+
St. Mary's Cemetery	4529 Howe Street (APN 48A-7002-1)	Cemetery established 1893	Mountain View Cemetery API Local Register OCHS B-1+
Claremont Country Club	5295 Broadway Terrace (APN 48A-7021-4-7)	1928 country club complex	Local Register OCHS A3 OHP HP Data File 3S
5448 Broadway	5448 Broadway (APN 48A-7039-30)	1916 single-family residence	Local Register OCHS B2+
5500 Broadway	5500 Broadway (APN 48A-7039-33)	1916 single-family residence	Local Register OCHS B2+
269 Mather Street	269 Mather Street (APN 13-1110-50)	c. 1900 single-family residence	Local Register OCHS B+2+
Meredith-McKinley Store	5251 Broadway (APN 14-1248-14)	1914 commercial building	OHP HP Data File: 5S2 OCHS C3 (PDHP)
Myers Store Building	5279-5283 Broadway (APN 14-1248-12)	1923 commercial Building	OHP HP Data File: 5S2 OCHS: Ec3
Garage	5291 College Avenue (APN 14-1249-14-1)	1915 automotive garage	OHP HP Data File: 5S2 OCHS: Dc3 (PDHP)
Maschip & Treadwell Tech Garage	4400 Broadway (APN 13-1108-26)	1916 commercial building	OHP HP Data File: 5S2 OCHS: Dc3 (PDHP)
Gray-Pex Ice Cream Building	4800 Broadway (APN 13-1135-9)	1925 commercial building	OHP HP Data File: 5S2 OCHS: C3 (PDHP)

Source: Page & Turnbull, 2019.

[49] Potential Designated Heritage Properties (PDHPs) within ¼ mile which have OCHS ratings of C or lower have not been included in this list. According to the 2013 thresholds, PDHPs which "have an existing rating of "A" or "B" or are located within an Area of Primary Importance" are included in the Local Register and are thus historical resources under CEQA. The majority of PDHPs within a ¼-mile of the CCA parcel are rated C or lower, and are not within APIs.

[50] Officially designated Preservation Districts are also called S-7 and S-20 Zones. They are areas or neighborhoods that are recognized for the same values as individual Landmarks, and they are nominated and designated in the same way, usually with active neighborhood participation.

(4) Archaeological Resources

Background research for this topic included a NWIC records search, literature review, and consultation with the Native American Heritage Commission (NAHC). This research was conducted to identify previously recorded archaeological resources or archaeological studies within and adjacent to the project site. There are no previously recorded resources within the project site. One previously recorded archaeological resource is located within a ½-mile radius of the project site: P-01-010992, a prehistoric site containing shell fragments. No diagnostic artifacts or human remains are recorded in association with this site.

2. Regulatory Setting

This subsection discusses the pertinent federal, State, and local regulations related to cultural and historic resources.

a. Federal Regulations

(1) National Register of Historic Places

The National Register of Historic Places is the nation's most comprehensive inventory of historic resources. The National Register is administered by the National Park Service and includes buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, State, or local level. Typically, resources over fifty years of age are eligible for listing in the National Register if they meet any one of the four criteria of significance and if they sufficiently retain historic integrity. However, resources under 50 years of age can be determined eligible if it can be demonstrated that they are of "exceptional importance," or if they are contributors to a potential historic district.

National Register criteria are defined in depth in National Register Bulletin Number 15: How to Apply the National Register Criteria for Evaluation. There are four basic criteria under which a structure, site, building, district, or object can be considered eligible for listing in the National Register. These criteria are:

Criterion A: Properties associated with events that have made a significant contribution to the broad patterns of our history;

Criterion B: Properties associated with the lives of persons significant in our past;

Criterion C: Properties that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant distinguishable entity whose components lack individual distinction; and

Criterion D: Properties that have yielded, or may be likely to yield, information important in prehistory or history.

A resource can be considered significant on a national, State, or local level to American history, architecture, archaeology, engineering, and culture. Once a resource has been identified as being potentially eligible for listing in the National Register, its historic integrity must be evaluated. The National Register recognizes seven aspects or qualities that, in various combinations, define integrity. These aspects of integrity are location, design, setting, materials, workmanship, feeling and association. To be determined eligible for listing, these aspects must closely relate to the resource's significance and must be intact.

(2) Secretary of the Interior's Standards for the Treatment of Historic Properties

The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings provides standards and guidance for reviewing proposed work on historic properties, and are used by federal agencies in evaluating projects involving such properties.[51] They have also been adopted by local government bodies across the country for reviewing proposed rehabilitation work on historic properties under local preservation ordinances. The *Standards for the Treatment of Historic Properties* are a useful analytic tool for understanding and describing the potential impacts of substantial changes to historic resources. Projects that comply with the Standards for the Treatment of Historic Properties benefit from a regulatory presumption that they would have a less-than-significant adverse impact on a historic resource.[52] Projects that *do not* comply with the Standards for the Treatment of Historic Properties may cause either a substantial or less-than-substantial adverse change in the significance of a historic resource.

The Secretary of the Interior offers four sets of standards to guide the treatment of historic properties: Preservation, Rehabilitation, Restoration, and Reconstruction. The four distinct treatments are defined as follows:

- **Preservation:** The Standards for Preservation "require retention of the greatest amount of historic fabric, along with the building's historic form, features, and detailing as they have evolved over time."

[51] Anne E. Grimmer, *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings,* (U.S. Department of the Interior National Park Service Technical Preservation Services, Washington, D.C.: 2017), accessed December 4, 2023, https://www.nps.gov/orgs/1739/upload/treatment-guidelines-2017-part2-reconstruction-restoration.pdf.

[52] CEQA Guidelines subsection 15064.5(b)(3).

- **Rehabilitation:** The Standards for Rehabilitation "acknowledge the need to alter or add to a historic building to meet continuing or new uses while retaining the building's historic character."
- **Restoration:** The Standards for Restoration "allow for the depiction of a building at a particular time in its history by preserving materials from the period of significance and removing materials from other periods."
- **Reconstruction:** The Standards for Reconstruction "establish a limited framework for recreating a vanished or non-surviving building with new materials, primarily for interpretive purposes."[53]

Typically, one set of standards is chosen for a project based on the project scope. In this case, the project scope is seeking to move, alter, and add to historic buildings. Therefore, the Standards for Rehabilitation are applied.

- **Rehabilitation Standard 1**: A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- **Rehabilitation Standard 2**: The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property will be avoided.
- **Rehabilitation Standard 3**: Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historical properties, will not be undertaken.
- **Rehabilitation Standard 4**: Changes to a property that have acquired significance in their own right will be retained and preserved.
- **Rehabilitation Standard 5**: Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- **Rehabilitation Standard 6**: Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

[53] Grimmer, *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings,* accessed December 4, 2023.

- **Rehabilitation Standard 7**: Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- **Rehabilitation Standard 8**: Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- **Rehabilitation Standard 9**: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and environment.
- **Rehabilitation Standard 10**: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

b. State Regulations

(1) California Register of Historical Resources

The California Register of Historical Resources is an inventory of significant architectural, archaeological, and historical resources in the State of California. State Historical Landmarks and National Register-listed properties are automatically listed in the California Register. The four following evaluative criteria used by the California Register for determining eligibility are closely based on those developed by the National Park Service for the National Register:

Criterion 1: Associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

Criterion 2: Associated with the lives of persons important in our past.

Criterion 3: Embodying the distinctive characteristics of a type, period, region, or method of construction, or representing the work of an important creative individual, or possessing high artistic values.

Criterion 4: Has yielded, or may be likely to yield, information important in prehistory or history.

In addition to being significant under one or more of these criteria, a resource must retain enough of its historic character and appearance to be recognizable as a historical resource and be able to convey the reasons for its significance (CCR Title 14 Section 4852(c)). According to California Office of Historic Preservation Technical Bulletin No. 6, "In order to understand the

historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than 50 years old may be considered for listing in the California Register if it can be demonstrated that sufficient time has passed to understand its historical importance."[54]

(2) California Historical Resource Status Codes

Properties listed or under review by the State of California Office of Historic Preservation (OHP) are assigned California Historical Resource Status Codes (CHRS) of "1" to "7" in order to establish a baseline record of their historical significance. Properties with a Status Code of "1" are listed in the National or California Registers. Properties with a Status Code of "2" have been formally determined eligible for listing in the National or California Registers. Properties with a Status Code of "3" or "4" appear to be eligible for listing in either Register through survey evaluation. Properties with a Status Code of "5" are typically locally significant or of contextual importance. A rating of "6" indicates that the property has been found ineligible for listing in any Register and a rating of "7" indicates that the property has not yet been evaluated or needs to be reevaluated.

(3) California Health and Safety Code: Human Remains

The California Health and Safety Code Section 7050.5 states that, in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the Alameda County Coroner must notify the NAHC within 24 hours of this identification. The NAHC will identify a Native American Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

(4) California Public Resources Code Section 5097.5: Cultural and Paleontological Resources

California PRC Section 5097.5 provides for the protection of cultural and paleontological resources. This PRC section prohibits the removal, destruction, injury, or defacement of archaeological and paleontological features on any lands under the jurisdiction of State or local authorities.

[54] California Office of Historic Preservation, Technical Assistance Bulletin No. 6: California Register and National Register: A Comparison (Sacramento: California Office of State Publishing, 2011), p. 3.

c. Local Regulations

(1) City of Oakland Landmarks

City of Oakland Historic Landmarks, designated by City Council according to Oakland Planning Code Section 17.136.070, are the most prominent historic properties in the city. They may be designated for historical, cultural, educational, architectural, aesthetic, or environmental value. They are nominated by their owners, the City, or the public and are designated after public hearings by the Landmarks Board, Planning Commission, and City Council.

Projects proposing alterations or new construction at designated Landmark properties are subject to the regular design review criteria specified in Oakland Planning Code Section 17.136.050, as well as additional criteria described in Section 17.136.070(C):

C. Regular Design Review Criteria. Proposals involving designated landmarks that require Regular design review approval may be granted only upon determination that the proposal conforms to the Regular design review criteria set forth in Section 17.136.050 and to the additional criteria set forth below in Subdivisions 1, 2 and 3 or to one or both of the criteria set forth in Subdivision 4:

1. That the proposal will not adversely affect the exterior features of the designated landmark nor, when subject to control as specified in the designating ordinance for a publicly-owned landmark, its major interior architectural features;

2. That the proposal will not adversely affect the special character, interest, or value of the landmark and its site, as viewed both in themselves and in their setting;

3. That the proposal conforms with the Design Guidelines for Landmarks and Preservation Districts as adopted by the City Planning Commission and, as applicable for certain federally related projects, with the Secretary of the Interior's Standards for the Treatment of Historic Properties;

4. If the proposal does not conform to the criteria set forth in Subdivisions 1, 2 and 3:

   That the designated landmark or portion thereof is in such condition that it is not architecturally feasible to preserve or restore it, or

   That, considering the economic feasibility of alternatives to the proposal, and balancing the interest of the public in protecting the designated landmark or portion thereof, and the interest of the owner of the landmark site in the utilization thereof, approval is required by considerations of equity.

(2) Oakland Cultural Heritage Survey

The OCHS was established in 1981. The categories, ratings, and guidelines for interpretation that are used by the OCHS closely parallel those presented in National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, Section IV, "How to Identify the Type of

Significance of a Property;" and Section V, "How to Determine if a Property has Integrity." The evaluation criteria and methods are described in Appendix C of the Oakland General Plan Historic Preservation Element.[55] The system uses letters A to F to rate individual properties. In general, A and B ratings indicate outstanding or especially fine landmark-quality buildings, C ratings are given to superior or visually important examples, D ratings are for buildings of minor importance, E ratings indicate that the building is of no particular interest, and F or * ratings are for buildings that are less than 45 years old or that have been modernized.

Individual properties can have dual ("existing" and "contingency") ratings if they have been remodeled. Contingency ratings are noted in lowercase letters.

District status is indicated by number: 1 indicates that the building is in an Area of Primary Importance (API) or California Register / National Register quality district; 2 indicates that the building is in an Area of Secondary Importance (ASI) or district of local interest; and 3 indicates that the property is not located in a district. For properties in districts, "+" indicates contributors, "-" indicates noncontributors, and "*" potential contributors.

The OCHS was a reconnaissance level survey, and findings may be updated based on additional information about historic context and property integrity found through intensive surveying.

(3) City of Oakland Guidance on Historical Resources[56]

Per the City of Oakland's October 28, 2013 Thresholds of Significance Guidelines, an historical resource under CEQA is a resource that meets any of the following criteria:

1. A resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources;
2. A resource included in Oakland's Local Register of historical resources, unless the preponderance of evidence demonstrates that it is not historically or culturally significant;[57]

[55] City of Oakland, 1994. "Appendix C: Oakland Cultural Heritage Survey Evaluation Methods, September 30, 1993," Historic Preservation Element of the Oakland General Plan. Adopted March 8, 1994. Available at: http://www2.oaklandnet.com/Government/o/PBN/OurServices/GeneralPlan/DOWD009018, accessed December 4, 2023..

[56] City of Oakland, 2023. CEQA Thresholds of Significance Guidelines, September 26, 2023. Available at: https://cao-94612.s3.us-west-2.amazonaws.com/documents/CEQA-Thresholds-of-Significance-9-26-23.pdf, accessed December 4, 2023.

[57] The City of Oakland's Local Register includes all designated historic properties (Landmarks, Heritage Properties, Study List Properties, Preservation Districts, and S-7 and S-20 Preservation Combining Zone Properties) as well as all Potential Designated Historic Properties that have an existing rating of "A" or "B" or are located within an API.

3. A resource identified as significant (e.g., rated 1-5) in a historical resource survey recorded on Department of Parks and Recreation Form 523, unless the preponderance of evidence demonstrates that it is not historically or culturally significant;
4. Meets the criteria for listing on the California Register of Historical Resources; or
5. A resource that is determined by the Oakland City Council to be historically or culturally significant even though it does not meet the other four criteria listed above.

(4) City of Oakland Historic Preservation Element Policies

The Oakland City Council enacted the Historic Preservation Element (HPE) in 1994.[58] The HPE presents goals, policies, and objectives that guide historic preservation efforts in Oakland. It defines the criteria for legal significance that must be met by a resource before it is listed in Oakland's local register of historical resources and would therefore be considered a historical resource under CEQA.

Historical Resources

The HPE establishes the following relevant policies and action with respect to historical resources under CEQA:

> **Objective 2: Preservation Incentives and Regulations**. Objective 2 establishes policies and procedures for enhancing the economic feasibility of historic preservation for property owners, balancing preservation priorities with other needs, and providing a reliable and predictable degree of protection for historic properties.
>
> **Policy 2.4:** Landmark and Preservation District Regulations Regulatory provisions are established under this policy to require findings to be made prior to permitting the demolitions or removals; and alterations or new construction involving landmarks or preservation districts.
>
> **Objective 3: Historic Preservation and Ongoing City Activities.** Objective 3 establishes the administrative procedures necessary to preserve historical resources during the completion of Oakland projects.
>
> **Policy 3.1:** Avoid or Minimize Adverse Historic Preservation Impacts Related to Discretionary City Actions. The City will make all reasonable efforts to avoid or minimize adverse effects on the Character-Defining Elements of existing or Potential Designated Historic Properties which could result from private or public projects requiring discretionary actions.

[58] City of Oakland, 1994. Historic Preservation Element of the Oakland General Plan. Adopted March 8. Available at: http://www2.oaklandnet.com/Government/o/PBN/OurServices/GeneralPlan/DOWD009018, accessed December 4, 2023.

Policy 3.4: City Acquisition of Historic Preservation Where Necessary. Where all other means of preservation have been exhausted, the City will consider acquiring, by eminent domain if necessary, existing or Potential Designated Historic Properties.

Policy 3.5: Historic Preservation and Discretionary Permit Approvals. For any project involving the complete demolition of Heritage Properties or Potential Designated Historic Properties requiring discretionary City permits, the City will make a finding that: 1) the design quality of the proposed project is at least equal to that of the original structure and is compatible with the character of the neighborhood; or 2) the public benefits of the proposed project outweigh the benefit of retaining the original structure; or 3) the existing design is undistinguished and does not warrant retention and the proposed design is compatible with the character of the neighborhood.

Policy 3.7: Property Relocation Rather than Demolition. As a condition of approval for all discretionary projects involving demolition of existing or Potential Designated Historic Properties, the City will normally require that reasonable efforts be made to relocate the properties to an acceptable site.

Policy 3.8: Definition of "Local Register of Historical Resources" and "Historic Preservation "Significant Effects" for Environmental Review Purposes. For purposes of environmental review under the California Environmental Quality Act, the following properties will constitute the City of Oakland's Local Register of Historical Resources.[59]

1) All Designated Historic Properties, and
2) Those Potential Designated Historic Properties that have an existing rating of "A" or "B" or are located within an API.

The Local Register of Historical Resources will also include the following designated properties: Oakland Landmarks, S-7 Preservation Combining Zone properties, and Preservation Study List properties. Complete demolition of a Historical Resource will normally be considered a significant effect that cannot be mitigated to a level less than significant and will, in most cases, require preparation of an Environmental Impact Report. A proposed addition or alteration to a Historical Resource that has the potential to disqualify a property from Landmark or Preservation District eligibility or may have substantial adverse effects on the property's Character-Defining Elements will normally, unless adequately mitigated, be considered to have a significant effect. Possible mitigation measures are suggested in Action 3.8.1.

Action 3.8.1: Include Historic Preservation Impacts in City's Environmental Review Regulations.

Include Policy 3.8's definitions of "Local Register of Historical Resources" and historic preservation "significant effect" in the City's Environmental Review Regulations.

[59] Any property listed on the California Register of Historical Resources or officially determined to be eligible for listing on the California Register of Historical Resources is also considered a "Historical Resource" pursuant to Section 21084.1 of the California Environmental Quality Act.

Amend the Regulations to include specific measures that may be considered to mitigate significant effects to a Historical Resource. Measures appropriate to mitigate significant effects to a Historical Resource may include one or more of the following measures depending on the extent of the proposed addition or alteration.[60]

1) Modification of the project design to avoid adversely affecting the character defining elements of the property.
2) Relocation of the affected Historical Resource to a location consistent with its historical or architectural character.

If the above measures are not feasible, then other measures may be considered including, but not limited to the following:

1) Modification of the project design to include restoration of the remaining historic character of the property.
2) Modification of the project design to incorporate or replicate elements of the building's original architectural design.
3) Salvage and preservation of significant features and materials of the structure in a local museum or within the new project.
4) Measures to protect the Historical Resource from effects of on-site or other construction activities.
5) Documentation in a Historic American Buildings Survey report or other appropriate format: photographs, oral history, video, etc.
6) Placement of a plaque, commemorative, marker, or artistic or interpretive display on the site providing information on the historical significance of the resource.
7) Contribution to a Façade Improvement Fund, the Historic Preservation Revolving Loan Fund, the Oakland Cultural Heritage Survey, or other program appropriate to the character or the resource.

Archaeological Resources

The HPE includes other policies that seek to encourage the preservation of Oakland's significant historical resources within the context of balanced development and growth. Although the HPE focuses primarily on built environment resources, prehistoric and historical archaeological resources are considered under the following policy:

[60] Per the provisions of the California Environmental Quality Act, determination of whether mitigations are adequate to reduce a significant effect to a Historical Resource to a level less than significant will be determined by the lead agency on a case-by-case basis.

Policy 4.1: Archaeological Resources. To protect significant archaeological resources, the City will take special measures for discretionary projects involving ground disturbances located in archaeologically sensitive areas.

Construction and other ground disturbance activities can damage or destroy archaeological sites. Oakland and most other communities have generally relied on environmental review to protect them. If it is believed that a project or activity could damage significant archaeological resources, mitigation measures are typically incorporated into the project as part of the environmental review process. Archaeological resources can be either "prehistoric" or "historic." Prehistoric archaeological resources in Oakland are sites and artifacts associated with Oakland's original aboriginal inhabitants, while historic archaeological resources relate to the early and mid-nineteenth century Spanish-Mexican period, the subsequent early phases of pioneer settlement, and development of early ethnic and social groups and industry.

Policy 4.1 seeks to protect both known and undiscovered archaeological sites by requiring archaeological protection procedures for discretionary ground disturbance activities located in archaeologically sensitive areas. These procedures will include:

1) Mapping areas possessing high prehistoric or historic archaeological potential.
2) Archival studies for new development or other activities involving ground disturbance within areas of high archaeological potential. The archival studies and later site-specific investigations listed in steps (c)-(e) would be performed only for ground disturbance activities. If an archival study determines that resources may still exist, step (c) would be taken.
3) Determination of whether the ground disturbance activity could damage archaeological materials.
4) Surface reconnaissance by archeologist. This step would only be necessary if, as determined by step (c), the proposed development involves ground disturbance to the depth of any possible remaining archaeological materials.
5) Subsequent actions. If the results of the surface reconnaissance were positive, several options would be available. One option would be to have an archeologist observe the project excavation with authority to stop work for the conduct of further investigations if archaeological materials appear. Another option would be to perform limited archaeological excavations prior to construction to determine more conclusively whether archaeological materials are present.

(5) Oakland Standard Conditions of Approval

The SCAs relevant to cultural resources for the current project are listed below. These SCAs will be adopted as requirements of the project if approved by the City.

SCA-HIST-1: Archaeological and Paleontological Resources – Discovery During Construction (#36)
Requirement: Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work

within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.

In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.

In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.
When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-HIST-2: Human Remains – Discovery During Construction (#38)
Requirement: Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative

plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.
When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-HIST-3: Property Relocation (#39)
Requirement: Pursuant to Policy 3.7 of the Historic Preservation Element of the Oakland General Plan, the project applicant shall make a good faith effort to relocate the historic resource to a site acceptable to the City. A good faith effort includes, at a minimum, all of the following:

a. Advertising the availability of the building by: (1) posting of large visible signs (such as banners, at a minimum of 3′ x 6′ size or larger) at the site; (2) placement of advertisements in Bay Area news media acceptable to the City; and (3) contacting neighborhood associations and for-profit and not-for-profit housing and preservation organizations;
b. Maintaining a log of all the good faith efforts and submitting that along with photos of the subject building showing the large signs (banners) to the City;
c. Maintaining the signs and advertising in place for a minimum of 90 days; and
d. Making the building available at no or nominal cost (the amount to be reviewed by the Oakland Cultural Heritage Survey) until removal is necessary for construction of a replacement project, but in no case for less than a period of 90 days after such advertisement.

When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Planning (including Oakland Cultural Resource Survey)
Monitoring/Inspection: N/A

SCA-NOI-7: Vibration Impacts on Adjacent Structures or Vibration-Sensitive Activities (#75)
Requirement: The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage Macky Hall, the Carriage House, and Broadway Wall and Stairs. The Vibration Analysis shall identify design means and methods of construction that shall be utilized in order to not exceed the thresholds. The applicant shall implement the recommendations during construction.
When Required: Prior to construction
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

(6) City of Oakland Regulations for Demolition of Designated Historic Properties and Potentially Designated Historic Properties

Section 17.136.075 of the City of Oakland Planning Code defines the following design review procedures for removal or demolition of certain categories of historic resources. As the project site is coincident with a City of Oakland API, the regulations described below in subsections B and C are specifically relevant.

With the exception of structures declared to be a public nuisance by the Building Official or City Council, Regular Design Review of the demolition or removal of a Designated Historic Property (DHP) or Potentially Designated Historic Property (PDHP) shall only be approved after the Regular Design Review of a replacement project at the subject site has been approved; however, demolition of nuisance structures must still undergo Regular Design Review for demolition as required by this Chapter.

Regular Design Review approval for the demolition or removal of any Landmark, Heritage Property, structure rated "A" or "B" by the Oakland Cultural Heritage Survey, and structure on the City's Preservation Study List that are not in an S-7 or S-20 Zone, or Area of Primary Importance (API) as determined by the Oakland Cultural Heritage Survey may be granted only if the proposal conforms to the Regular design review criteria, all other applicable design review criteria, and the following additional criteria:

1. The applicant demonstrates that: a) the existing property has no reasonable use or cannot generate a reasonable economic return and that the development replacing it will provide such use or generate such return, or b) the applicant demonstrates that the structure constitutes a hazard and is economically infeasible to rehabilitate on its present site. For this finding, a hazard constitutes a threat to health and safety that is not immediate;
2. If a replacement facility is required by Subsection 17.136.075.A., the design quality of the replacement facility is equal or superior to that of the existing facility; and
3. It is economically, functionally architecturally, or structurally infeasible to incorporate the historic structure into the proposed development.

Regular Design Review Approval for the demolition or removal of any structure in the CIX-1A Zone, or an S-7 or S-20 Zone, or an Area of Primary Importance (API) as determined by the Oakland Cultural Heritage Survey may be granted only if the proposal conforms to the general design review criteria, all other applicable design review criteria, and the following additional criteria:

For the demolition of structures in the CIX-1A Zone; or contributors to an S-7 Zone, S-20 Zone, or API:

a. The applicant demonstrates that: i) the existing property has no reasonable use or cannot generate a reasonable economic return and that the development replacing it will provide such use or generates such return, or ii) the applicant demonstrates that the structure constitutes a hazard and is economically infeasible to rehabilitate on its present site. For this criterion, a hazard constitutes a threat to health and safety that is not immediate; and
b. It is economically, functionally, architecturally, or structurally infeasible to incorporate the historic structure, or existing structure in the CIX-1A Zone, into the proposed development.

2. For the demolition of noncontributors to an S-7 Zone, S-20 Zone, or API: The existing structure is either: i) seriously deteriorated or a hazard; or ii) the existing design is

undistinguished and does not warrant retention. For this finding, a hazard constitutes a threat to health and safety that is not immediate;

3. For the demolition of any structure in an S-7 Zone, S-20 Zone, or API:
    a. The design quality of the replacement structure is equal/superior to that of the existing structure; and
    b. The design of the replacement project is compatible with the character of the district, and there is no erosion of design quality at the replacement project site and in the surrounding area. This includes, but is not necessarily limited to, the following additional findings:

The replacement project is compatible with the district in terms of massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing;

New street frontage includes forms that reflect the widths and rhythm of the façades on the street and entrances that reflect the patterns on the street;

The replacement project provides high visual interest that either reflects the level and quality of visual interest of the district contributors or otherwise enhances the visual interest of the district;

If the design contrasts the new to the historic character, the replacement project enriches the historic character of the district;

The replacement project is consistent with the visual cohesiveness of the district. For the purpose of this item, visual cohesiveness is the architectural character, the sum of all visual aspects, features, and materials that defines the district. A new structure contributes to the visual cohesiveness of a district if it relates to the design characteristics of a historic district. New construction may do so by drawing upon some basic building features, such as the way in which a building is located on its site, the manner in which it relates to the street, its basic mass, form, direction or orientation (horizontal vs. vertical), recesses and projections, quality of materials, patterns of openings and level of detailing. When a combination of some of these design variables are arranged in a new building to relate to those seen traditionally in the area, but integral to the design and character of the proposed new construction, visual cohesiveness results; and

The replacement project will not cause the district to lose its current historic status.

Regular Design Review Approval for the demolition or removal of any structure rated "C" by the Oakland Cultural Heritage Survey or contributes to an Area of Secondary Importance (ASI) as determined by the Oakland Cultural Heritage Survey may be granted only if the proposal conforms to the general design review criteria, all other applicable design review criteria, and to either: 1., 2., or 3., below:

1. The design quality of the proposed replacement project is at least equal to that of the original structure and the proposed replacement project is compatible with the character of the neighborhood; or

2. The public benefits of the proposed replacement project outweigh the benefit of retaining the original structure and the proposed replacement project is compatible with the character of the neighborhood; or

3. The existing design is undistinguished and does not warrant retention and the proposed design is compatible with the character of the neighborhood.

For proposals that have received Design Review approval pursuant to this Section, the issuance of a demolition permit for any structure or portion thereof may be postponed by the Director of City Planning for a period not to exceed one hundred twenty (120) days from the date of application for such permit. The Director may do so upon determination that the structure or portion thereof is listed as a Local Register Property, or is on a study list of facilities under serious study by the Landmarks Preservation Advisory Board, the City Planning Commission, or the Director, for possible landmark designation under Section 17.136.070 or for other appropriate action to preserve it. During the period of postponement, the Board, the Commission, or the Director shall explore means for preserving or restoring the structure or portion thereof. However, demolition may not be postponed under this Section if, after notice to the Director of City Planning, the Building Services Department, the Housing Conservation Division, their respective appeals boards, or the City Council determines that immediate demolition is necessary to protect the public health or safety. Any determination made by the Director of City Planning under this Section may be appealed pursuant to the administrative appeal procedure in Chapter 17.132.

(7) Site-Specific Design Guidelines

City of Oakland Planning Department staff are working with the Design Review Committee (DRC) to facilitate development of site-specific design guidelines which would be adopted for the proposed project through the existing Planned Unit Development (PUD) process. The project as proposed would not be consistent with the Demolition Findings. The Project Sponsor has elected to pursue a variance (OMC Chapter 17.148) to allow for demolition of 10 of the 12 contributing buildings to the CCAC API, removal of two contributing landscape features to the CCAC API and Treadwell Estate Landmark, and alteration of four contributing landscape features to the CCAC API. The site-specific guidelines would provide a basis for evaluating the architectural quality and compatibility of the proposed project with the character of the existing California College of Arts & Crafts API during review under the requirements of the Demolition Findings and Variance Findings described above. These site-specific design guidelines would "substitute for and supplement some of the existing design review findings for demolition and replacement projects within the historic district on a site-specific and project specific basis."[61]

[61] Oakland City Planning Commission, Staff Report: March 24, 2021, Case File Number PLN 20141, 3.

3. Impacts, Standard Conditions of Approval, and Mitigation Measures

This section analyzes impacts related to cultural and historical resources that could result from implementation of the project and identifies City of Oakland SCAs, and/or mitigation measures to address the impacts.

As described in *Chapter III, Project Description*, the proposed development includes construction of two new perimeter residential buildings up to 10 stories in height, ranging in height from 63 feet to approximately 95 feet, to provide up to 510 residential units and 268 parking spaces. The development would include 16,495 square feet of office space comprised of 7,760 square feet in Macky Hall, 2,875 square feet in the Carriage House, and 6,300 square feet on the ground floor of a new building along Broadway (Building A). The square footage for Macky Hall and the Carriage House would be retained.

Construction of the two residential buildings (A and B) would require demolition of the following buildings and features:

- Facilities Building (ca. 1922-1924, Contributor to CCAC API): To be demolished to facilitate the construction of Building B.
- B Building (ca. 1926, Contributor to CCAC API): To be demolished to facilitate construction of the new Building B.
- Irwin Student Center (1959, Contributor to CCAC API): To be demolished to facilitate construction of Building A.
- Martinez Building (1967, Individually California Register Eligible, Contributor to CCAC API): To be demolished to facilitate construction of Building B.
- Founders Hall (1968, Individually California Register Eligible, Contributor to CCAC API): To be demolished to facilitate relocation of the Carriage House and construction of new landscape features.
- Martinez Annex (1970, Contributor to CCAC API): To be demolished to facilitate construction of Building B.
- Noni Eccles Treadwell Ceramic Arts Center (1973, Individually California Register Eligible, Contributor to CCAC API): To be demolished to facilitate construction of Building B.
- Raleigh and Claire Shaklee Building (1979, Contributor to CCAC API): To be demolished to facilitate construction of Building A.
- Oliver and Ralls Building (1989, Contributor to CCAC API): To be demolished to facilitate construction of Building B.

- Barclay Simpson Sculpture Studio (1992, Individually California Register Eligible, Contributor to CCAC API): To be demolished to facilitate construction of Building A.
- Eucalyptus Row (pre-1922, Contributor to Treadwell Estate Landmark): To be removed to facilitate construction of Building A.
- Carnegie Bricks (pre-1922, Contributor to Treadwell Estate Landmark), Stairs with Ceramic Pots (Contributor to CCAC API), and Macky Lawn (Contributor to CCAC API): To be removed or altered to facilitate construction of Building A, Entry Plaza, Event Space, Glade, and Sculpture Garden pathways.

The project includes the rehabilitation and alteration for reuse of the following buildings and landscape features:

- Macky Hall (ca. 1879-1881, Contributor to Treadwell Estate Landmark and CCAC API): Rehabilitated according to the *Secretary of the Interior's Standards*, with building system, structural, and accessibility upgrades. The exterior will be maintained and repaired, and exterior character-defining features will be retained.
- Carriage House (ca. 1879-1881, Contributor to Treadwell Estate Landmark and CCAC API): Relocated approximately 240 feet to the south of its current location, and rotated 90 degrees, to facilitate construction of Building A, and rehabilitated according to the Secretary of the Interior's Standards, with building system, structural, and accessibility upgrades.
- Broadway Wall and Stairs (ca. 1905, Contributor to Treadwell Estate Landmark): The 472-foot-long wall, including the entry staircase, would be retained.
- Landscape Elements (various dates of construction, Contributors to CCAC API): The faun sculpture, *Infinite Faith* sculpture, Bell Tower, and *Celebration Pole* would be preserved in a sculpture garden.

This subsection first lists the criteria by which significance is determined, followed by a discussion of impacts.

a. Significance Criteria

The City of Oakland criteria of historic significance establish the following thresholds for determining whether an impact is significant. Implementation of the project would result in a significant impact on cultural and historical resources if it would:

1. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5. Specifically, substantial adverse changes include 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 a historical resource is "materially impaired" when a project

demolishes or materially alters, in an adverse manner, those physical characteristics of the resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in the California Register of Historical Resources or local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code; demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.[62] In the City of Oakland, a historical resource is a property that is listed in or determined eligible for listing in the CRHR; a resource listed in Oakland's Local Register of Historical Resources, unless the preponderance of evidence demonstrates that it is not historically or culturally significant; a resource identified as significant (e.g., rated 1–5) in a historical resource survey recorded on Department of Parks and Recreation 523 Series forms, unless the preponderance of evidence demonstrates that it is not historically or culturally significant; or a resource that is determined by the Oakland City Council to be historically or culturally significant.

2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
4. Disturb any human remains, including those interred outside of formal cemeteries.

b. Analysis and Findings

(1) Historical Resources (Criterion 1)

Treadwell Estate Landmark

The proposed residential development at the project site includes rehabilitation of and alterations to contributors to the Treadwell Estate Landmark. These include rehabilitation of Macky Hall; relocation and rehabilitation of the Carriage House; retention of the Broadway Wall and Stairs, retention of the 80-foot-wide corridor intended to maintain the view of Macky Hall from Broadway and College Avenue, and removal of the Eucalyptus Row and Carnegie Brick landscape features. Two new adjacent residential buildings, contemporary in their style and material palette, are proposed to be up to 10 stories in height (up to 95 feet) and located adjacent to and immediately north of the Treadwell Estate Landmark. Discussion of the proposed project relative to the Special Regulations for Designated Landmarks, Oakland

[62] CEQA Guidelines, 2016. American Council of Engineering Companies, Sacramento, California.

Planning Code Section 17.136.070(C), is also provided in *Section V.L, Aesthetics and Shade and Shadow*.

The potential impacts to the Treadwell Estate Landmark, as a historical resource, are considered in two contexts:

1. Impacts associated with proposed construction of the new residential complex adjacent to the Treadwell Estate Landmark are discussed in the Less-Than-Significant Historical Resources Impacts section.
2. Impacts associated with (a) rehabilitation of Macky Hall, the Carriage House, and Broadway Wall and Stairs; (b) relocation of the Carriage House; and (c) full or partial removal of landscape features are discussed in the Significant Historical Resources Impacts section.

In the Cultural Resources Technical Report (Technical Report) prepared by Page & Turnbull (Appendix B-2), the *Secretary of the Interior's Standards for Rehabilitation* analysis for the project, with respect to the Treadwell Estate Landmark, does not separate the discussion of impacts caused by the removal of landscape elements from the discussion of impacts caused by construction of proposed new buildings. The following discussion considers these as separate impacts due to the different natures of the impact-causing activities, different levels of impact, and different appropriate types of mitigation. However, the discussion here presents the same overall findings as those reached through analysis in the Technical Report.

Less-than-Significant Historical Resources Impacts

New construction for the project at the subject parcel, within which the Treadwell Estate Landmark is located, would include two new residential buildings, new landscaping and pedestrian circulation routes, a glade, sculpture garden, and public in the sloping open space west of Macky Hall and the relocated Carriage house. The new residential buildings, proposed to be between 8 and 10 stories in height (approximately 80 to 95 feet at their tallest) and designed in a modern architectural vocabulary, would be substantially taller than and stylistically incompatible with the 3-story Macky Hall and 2-story Carriage House. The Treadwell Estate Landmark's existing setting includes CCA campus buildings of a variety of predominantly modern architectural styles, constructed ca. 1922 to 1992 around Macky Hall and the Carriage House. While all of the existing buildings, at 2 to 3 stories in height, are smaller than the proposed new construction, they are nonetheless stylistically very different from the Stick-Eastlake appearance of the Treadwell Estate Landmark buildings, featuring expansive concrete, glass, and metal surfaces. The incompatibility of the proposed new construction, therefore, is more a matter of scale and massing than of design characteristics. That the Treadwell Estate Landmark attained and has retained its status as a City of Oakland Landmark and National Register-listed resource within this setting demonstrates that the close proximity of modern buildings does not necessarily diminish its ability to convey its significance.

To provide a visual distinction between the historic Treadwell Estate buildings and new construction, the proposed new buildings would be set back to the north and east from Macky Hall and the relocated Carriage House. The southwest portion of the site would not have any new buildings. The siting of the new buildings would allow Macky Hall (the Treadwell Mansion) to remain visible from Broadway and College Avenue by avoiding construction of new buildings within the 80-foot-wide corridor specified as part of landmark resolution LM 75-221, passed in 1975. The Treadwell Estate Landmark would remain legible as a separate, historic complex within the new development. The park-like setting of the buildings' immediate surroundings would be reminiscent of their original setting in a landscaped, late-nineteenth century estate. Additionally, SCA-NOI-7: Vibration Impacts on Adjacent Structures or Vibration Sensitive Activities (#75) will be implemented to monitor and reduce vibration impacts caused by new construction activities on Macky Hall, the Carriage House, and the Broadway Wall and Stairs. The impact of the construction of the new residential buildings and proposed site features on the Treadwell Estate is less than significant.

Significant Historical Resources Impacts

The proposed residential development at the project site includes rehabilitation and alterations to contributors to the Treadwell Estate Landmark. Proposed activities include rehabilitation of Macky Hall; relocation and rehabilitation of the Carriage House; retention and rehabilitation of the Broadway Wall and Stairs, retention of the 80-foot-wide corridor intended to retain the view of Macky Hall from Broadway and College Avenue, and removal of the Eucalyptus Row and Carnegie Brick landscape features. Two new adjacent residential buildings, contemporary in their style and material palette, are proposed to be up to 10 stories in height (up to 95 feet).

As discussed above, the impact on historical resources of construction of the new residential buildings on the Treadwell Estate Landmark would be less than significant. However, the impact of the rehabilitation of Macky Hall, the Carriage House, and Broadway Wall and Stairs; relocation of the Carriage House; and full or partial removal of landscape features, would be significant as described below. The analysis used to reach these findings is presented in detail in the Technical Report prepared by Page & Turnbull (Appendix B-2).

Impact HIST-1a: The project's rehabilitation of Macky Hall, the Carriage House, and the Broadway Wall and Stairs has the potential to affect the integrity of the Treadwell Estate Landmark. (S)

As discussed in Technical Report prepared by Page & Turnbull (Appendix B-2), the project includes minimal changes to character-defining features and materials at the exterior of Macky Hall and the Carriage House so that treatment of those buildings would meet the *Secretary of the Interior's Standards*. For example, the project would retain the buildings' character-defining mass, scale, size, proportions, cladding, roof configurations, fenestration, porches, and

architectural ornament. However, the project's Plan Set (September 9, 2020) and California College of Arts Oakland Campus Redevelopment Plan: Amendment to Environmental Application Plan Set (May 15, 2020) do not provide sufficient detail to make a determination about *Secretary of the Interior's Standards for Rehabilitation* compliance relative to the proposed rehabilitation treatments of Macky Hall, the Carriage House, and the Broadway Wall and Stairs at this time.

Implementation of Mitigation Measure HIST-1a would reduce the potential for the proposed rehabilitation of Macky Hall, the Carriage House, and the Broadway Wall and Stairs to diminish the Treadwell Estate Landmark's integrity and eligibility for listing at the local, state, and national levels. Additionally, SCA-NOI-7: Vibration Impacts on Adjacent Structures or Vibration Sensitive Activities (#75) will be implemented to monitor and reduce vibration impacts caused by rehabilitation activities at Macky Hall, the Carriage House, and the Broadway Wall and Stairs.

With the implementation of SCA-NOI-7 and Mitigation Measure HIST-1a, Impact HIST-1a will be reduced to less than significant (CEQA Guidelines Section 15064.5(b)(3)).

> Mitigation Measure HIST-1a: A rehabilitation plan for Macky Hall, the Carriage House, and the Broadway Wall and Stairs shall be prepared, and shall include narrative descriptions, plans, elevations, and section drawings, as needed, of each resource. The rehabilitation plan shall be consistent with the standards outlined in the following documents:
>
> - The *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*, with specific reference to the *Secretary of the Interior's Standards for Rehabilitation*.
> - The City of Oakland's 1994. *Historic Preservation Element of the Oakland General Plan*.
>
> The rehabilitation plan shall be prepared by a qualified consultant who meets the Secretary of the Interior's Professional Qualification Standards for Historic Architecture. It shall be submitted for review and approval by the Director of the Planning & Building Department or their designee, prior to issuance of any demolition or construction-related site permit, whichever occurs first. (LTS)

Impact HIST-1b: The project's relocation of the Carriage House has the potential to affect the integrity of the Treadwell Estate Landmark. (S)

The Carriage House has been moved several times in the past, including prior to the listing of the Treadwell Estate on the National Register. The proposed new location and orientation of the Carriage House, to the southeast of Macky Hall would create a spatial relationship between the two buildings that would be more similar to the spatial relationship they had during the Treadwell Estate era, when the Carriage House was set near but slightly east of the mansion.

However, the planned relocation of a historic building always presents the potential for damage to historic features and materials, and the plans for relocation at this time are not sufficiently developed to determine their compliance with the Secretary of the Interior's Standards for Rehabilitation.

Implementation of Mitigation Measure HIST-1b would reduce the potential for the relocation of the Carriage House to diminish the Treadwell Estate's integrity and eligibility for listing at the local, state, and national levels. Additionally, SCA-NOI-7: Vibration Impacts on Adjacent Structures or Vibration Sensitive Activities (#75) will be implemented to monitor and reduce vibration impacts caused by relocation activities to Macky Hall, the Carriage House, and the Broadway Wall and Stairs.

With the incorporation of SCA-NOI-7 and Mitigation Measure HIST-1b, Impact HIST-1b will be reduced to less-than-significant (CEQA Guidelines Section 15064.5(b)(3)).

> Mitigation Measure HIST-1b: A relocation plan for the Carriage House shall be prepared that shall include narrative descriptions, plans, elevation, and section drawings, as needed, of the Carriage House. The plan shall define procedures for protection of the historic buildings during relocation, relocation methods, and procedures for repair to inadvertent damage caused during the relocation process. The relocation plan shall be consistent with the standards outlined in the following documents:
>
> - The *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*, with specific reference to the *Secretary of the Interior's Standards for Rehabilitation*.
> - City of Oakland's 1994. *Historic Preservation Element of the Oakland General Plan*.
>
> The relocation plan shall be prepared by a qualified consultant who meets the Secretary of the Interior's Professional Qualification Standards for Historic Architecture. It shall be submitted for review and approval by the Director of the Planning & Building Department or their designee prior to issuance of any construction-related site permit. (LTS)

Impact HIST-1c: The project's full or partial removal of landscape features has the potential to affect the integrity of the Treadwell Estate Landmark. (S)

Loss of the Eucalyptus Row and Carnegie Bricks would impact the overall integrity of the Treadwell Estate Landmark by removing features which contribute to its character as a nineteenth-century residential estate. The Treadwell Estate Landmark's two historic buildings, the Broadway Wall and Stairs, and the 80-foot-wide corridor intended to preserve the view of Macky Hall from Broadway and College Avenue would be retained. Proposed new buildings would be set back to the north and east from the historic Macky Hall and Carriage House.

Proposed landscaping between Macky Hall and the Broadway Wall and Stairs would include a glade and sculpture garden traversed by pedestrian paths, and existing mature trees at the south side of the vegetated slope overlooking the Broadway Wall and Stairs. This would allow the Treadwell Estate Landmark's contributors to continue to exist in a park-like setting at the southwest portion of the site. While removal of some landscape features would result in the loss of existing elements of the property related to its early use, the retained buildings and the Broadway Wall and Stairs would remain legible as a late nineteenth-century property. The activities included in HIST-1c would therefore not necessarily impact the integrity of the Treadwell Estate Landmark to an extent that its eligibility for listing as an Oakland Landmark, in the California Register, or the National Register would be compromised.

Documentation of the Treadwell Estate Landmark's historic landscape features prior to removal of any features by project activities would provide a lasting record of these landscape elements and their existing configuration. While documentation alone is typically not considered sufficient to mitigate significant impacts to historical resources, this approach would be adequate for the removed landscape features at the Treadwell Estate Landmark because the site features central to its designation at the local and national levels would remain intact and visible through implementation of the proposed project. Page & Turnbull's 2019 Historic Resource Evaluation for the CCA Campus recommends inclusion of the Eucalyptus row and Carnegie bricks as part of the Treadwell Estate as a historical resource. However, the 1975 Oakland Landmark Designation for the Treadwell Estate Landmark did not include the Eucalyptus Row and Carnegie bricks as part of the listed resource. The landscape features included in the designation only include the portion of the Broadway Wall and Stairs which contains the stairs and the two sequoia trees removed in July 2019. Further, the National Register nomination for the property, prepared in 1976, notes the landscaped grounds and use of Carnegie bricks along walkways in its description of the resource, but includes only Macky Hall and the Carriage House, and a 15-foot buffer around each of these two buildings, in its map of the designated property. As such, the removal of the Eucalyptus Row and Carnegie bricks would not significantly impact the integrity and eligibility of the property as an Oakland Landmark or National Register-listed historic property, as it is currently defined in the documentation associated with these designations.

Implementation of Mitigation Measure HIST-1c would reduce the effect of Impact HIST-1c on the historic resource to less than significant.

> Mitigation Measure HIST-1c: Historic American Landscape Survey (HALS)-Type Documentation of Treadwell Estate landscape features—Eucalyptus Row, Carnegie Bricks, and Sequoia trees. To reduce the impact on historical resources, prior to issuance of any demolition, grading, or construction permits for the site, the Project Sponsor shall retain a professional who meets the Secretary of the Interior's Professional Qualifications Standards

for History or Architectural History to prepare written and photographic documentation of the Treadwell Estate landscape features.

The documentation for the Treadwell Estate landscape features shall be prepared based on the National Park Service's Historic American Building Survey (HABS)/Historic American Engineering Record (HAER)/Historic American Landscape Survey (HALS) Guidelines. The documentation shall include the following:

- **Drawings**: An existing conditions sketch site plan shall be produced depicting the current configuration and spatial relationships of the contributing Treadwell Estate buildings and landscape features, including the locations of the two contributing sequoia trees removed in 2019. The existing conditions site plan shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualification Standards for Historic Landscape Architecture or Historic Architecture, and be reviewed by the professional retained to prepare the written history.
- **Photographs**: Standard large-format or digital photography shall be used. If large-format photography is undertaken, it shall follow the HABS/HAER/HALS Photography Guidelines (November 2011; updated June 2015). If digital photography is used, it shall follow the National Park Service's National Register Photo Policy Factsheet (June 2013), including ink and paper combinations for printing photographs that have a permanency rating of approximately 115 years. Digital photographs shall be taken in uncompressed .TIF file format. The size of each image shall be 1600x1200 pixels at 300 pixels per inch or larger, color format, and printed in black and white. The file name for each electronic image shall correspond with the index of photographs and photograph label. Photograph views for the dataset shall include:
  - Overall views of each landscape feature from multiple vantage points;
  - Detail views of landscape features as relevant (i.e., typical stamped lettering on Carnegie bricks, etc.); and
  - Contextual views of the landscape features in relationship to the site and Treadwell Estate buildings (Macky Hall and Carriage House).

  All views shall be referenced on a photographic key. This photograph key shall be on a site plan of the property and shall show the photograph number with an arrow indicating the direction of the view. Historical photographs shall also be collected, reproduced, and included in the dataset.
- **Written History**: A historical report shall be prepared, providing a property description, including locations and historic photographs, as available of Treadwell Estate era landscape features, and summarizing the history of the Treadwell Estate and its historical significance. Photographs and descriptions should include Treadwell Hall, the Carriage House, the Broadway Wall and Stairs, a sample of the Carnegie bricks, and the

sequoia trees. Documentation shall adhere to National Park Service standards for "short form" HALS documentation (updated July 2018).

The documentation shall be prepared by a consultant meeting the Secretary of the Interior's Professional Qualifications Standards for History or Architectural History, and submitted for review and approval by the Director of the Planning & Building Department or their designee prior to issuance of any demolition, grading, or construction permits for the site. Copies of the photographs and report, with existing conditions site plan, shall be given to the Oakland Planning Department and Oakland Cultural Heritage Survey, and to publicly accessible repositories including the Oakland Public Library, Bancroft Library at the University of California, Berkeley, the California Historical Society, and CCA Library Special Collections, which are invested in archiving the history of Oakland and CCA. This measure would create a collection of reference materials that would be available to the public and inform future research. (LTS)

CCAC API

As discussed above, the CCA Oakland campus, including 12 buildings and 6 landscape features, are considered historical resources under CEQA. An intensive survey evaluation was completed by Page & Turnbull in November 2019, and the CCA Oakland campus was found eligible for listing as a historic district in the California Register and National Register with a period of significance of 1922-1992 for its role as an early and long-operating dedicated arts college in California. The 12 remaining buildings on the project site were determined to be contributors to the CCAC API, along with six contributing landscape features and other site characteristics. Four buildings—Martinez Hall, Founders Hall, Noni Eccles Treadwell Ceramic Arts Center, and Barclay Simpson Sculpture Studio—were additionally found to be individually eligible for listing in the California Register under Criterion 3 (Architecture) for embodying distinctive characteristics of the Third Bay Tradition, Brutalist, and New Modernist architectural styles.

Significant Historical Resources Impacts

The project involves the demolition of 10 historic buildings: Facilities Building, B Building, Irwin Student Center (including A-2 Café Addition), Founders Hall, Martinez Hall, Martinez Hall Annex, Noni Eccles Treadwell Ceramic Arts Center, Raleigh and Claire Shaklee Building, Oliver and Ralls Building, and Barclay Simpson Sculpture Center. It additionally proposes the rehabilitation of Macky Hall and the rehabilitation and relocation of the Carriage House. Demolition of Martinez Hall would involve the removal of the large, highly visible mural space on the west façade of Martinez Hall, which has featured artworks by CCA artists in rotation. Impacts to landscape features which contribute to the CCAC API include alteration of the Macky Lawn; removal of the Stairs with Ceramic Pots; and the relocation and rehabilitation of four sculptural features—the faun sculpture, *Infinite Faith* sculpture, Bell Tower, and *Celebration Pole*. Other character-

defining site features identified in the 2019 Historic Resource Evaluation which would be removed or altered through the proposed demolition of buildings and landscape features include: the spatial relationships between contributing buildings; the orientation of purpose-built contributing buildings inward toward the center of campus; the siting of contributing buildings within the sloped topography of the site, including clustering of buildings on the eastern side of the site; and the meandering, informal network of circulation routes through campus, with primarily pedestrian access.[63]

Impact HIST-2: The project proposes to demolish 10 buildings on the project site, all of which are contributors to the California Register- and National Register-eligible CCAC API. Demolition of 10 of the 12 contributing buildings and alteration of six contributing landscape features in the CCAC API would adversely impact the district such that it would no longer be able to convey its significance, resulting in a substantial adverse change to the historical resource. The numerous demolitions would result in the loss of eligibility of the CCAC Historic district for listing in the California Register and National Register. (S)

City of Oakland Planning Department staff and the Design Review Committee (DRC) are facilitating development of site-specific design guidelines as part of the Planned Unit Development (PUD) process. These guidelines will provide a basis for evaluating the architectural quality of the proposed project and its compatibility with the character of the existing California College of Arts & Crafts API, and will be used during review under the required Demolition Findings. The retained buildings and features of the Treadwell Estate Landmark would remain eligible for the California Register and National Register of Historic Places separately from the campus. However, the API as it exists now would lose its historic status due to the significant adverse impact of the proposed demolitions and the project as designed would not meet the required Demolition Finding specified in Oakland Planning Code Section 17.136.075(C)3(B)vi.

Mitigation Measure HIST-2: The following measures shall be incorporated to reduce this impact:

HIST-2a: Historic American Landscape Survey (HALS)-Type Documentation. To reduce the adverse effect on historical resources, prior to issuance of any demolition, grading, or construction permits for the site, the Project Sponsor shall retain a professional who meets the Secretary of the of the Interior's Professional Qualifications Standards for History or Architectural History to prepare written and photographic documentation of the California Register- and National Register-eligible CCAC API, inclusive of contributing buildings and

[63] Page & Turnbull, *California College of the Arts Oakland Campus, 5212 Broadway, Historic Resource Evaluation* (San Francisco: Prepared for the Oakland Planning & Building Department, 2019), p. 176.

landscape features. It should be noted that Mitigation Measure HIST-2a addresses impacts to the CCAC API, whereas Mitigation Measure HIST-1a addresses impacts to the Treadwell Estate-era landscape features; therefore, the focus of this documentation is on the site, buildings, and landscape features that contribute to the CCAC API within its period of significance.

The documentation for the CCAC API shall be prepared based on the National Park Service's Historic American Building Survey (HABS)/Historic American Engineering Record (HAER)/ Historic American Landscape Survey (HALS) Historical Report Guidelines. The documentation shall include the following:

- **Drawings**: Efforts should be made to locate original drawings and/or site plans of the district during its period of significance. If located, these drawings should be photographed or scanned at high resolution, reproduced, and included in the dataset. In addition, an existing conditions site plan shall be produced depicting the current configuration and spatial relationships of the contributing buildings and landscape features. The existing conditions site plan shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualification Standards for Architecture or Historic Architecture and be reviewed by the professional retained to prepare the written history.
- **Photographs**: Standard large-format or digital photography shall be used. If large-format photography is undertaken, it shall follow the HABS/HAER/HALS Photography Guidelines (November 2011; updated June 2015). If digital photography is used, it shall follow the National Park Service's National Register Photo Policy Factsheet (June 2013), including ink and paper combinations for printing photographs that have a permanency rating of approximately 115 years. Digital photographs shall be taken in uncompressed .TIF file format. The size of each image shall be 1600x1200 pixels at 300 pixels per inch or larger, color format, and printed in black and white. The file name for each electronic image shall correspond with the index of photographs and photograph label. Photograph views for the dataset shall include:
  - Views of each exterior side of the 10 buildings and six landscape features that contribute to the CCAC API;
  - Oblique views of buildings, landscape features, and vegetation; and
  - Contextual views.

  All views shall be referenced on a photographic key. This photograph key shall be on a map of the property and shall show the photograph number with an arrow indicating the direction of the view. Historical photographs shall also be collected, reproduced, and included in the dataset.

- **Written History**: A HALS historical report shall be prepared, providing a property description and summarizing the history of the district and its historical significance, and briefly describe each contributing building and landscape feature. Documentation shall adhere to National Park Service standards for "short form" HABS/HALS documentation, and shall include the 2019 Historic Resource Evaluation report as an appendix.

  The documentation shall be prepared by a consultant meeting the Secretary of the Interior's Professional Qualifications Standards for History or Architectural History and submitted for review and approval by the Director of the Planning & Building Department or their designee prior to issuance of any demolition, grading, or construction permits for the site. Copies of the photographs, drawings, and report shall be given to the Oakland Planning Department and Oakland Cultural Heritage Survey (OCHS), and to publicly accessible repositories including the Oakland Public Library, Bancroft Library at the University of California, Berkeley, the California Historical Society, and CCA Library Special Collections, which are invested in archiving the history of Oakland and the CCA. This measure would create a collection of reference materials that would be available to the public and inform future research.

HIST-2b: Commemoration and Public Interpretation. The Project Sponsor shall prepare a permanent exhibit/display, in coordination with an experienced interpretation/exhibit designer, of the history of the CCA, including but not limited to historic and current condition photographs, interpretive text, drawings, and interactive media. The interpretive display will be placed in a suitable publicly accessible space(s) at the project site in Oakland.

Design sketches, exhibit text, and narrative descriptions shall be prepared by a consultant meeting the Secretary of the Interior's Professional Qualifications Standards for History or Architectural History, and submitted for review and approval by the Director of the Planning & Building Department or their designee prior to issuance of any demolition, grading, or construction permits for the site. Planning & Building Department staff shall inspect the installed interpretive display to confirm its adherence to mitigation measure requirements prior to issuance of a Certificate of Occupancy.

HIST-2c: Outdoor Art. To reinforce the history of the site as a location for arts education and practice, the Project Sponsor shall establish a permanent outdoor art installation at the project site of comparable dimensions (approximately 20 feet by 20 feet) and visibility to that present at the west façade of Martinez Hall. This mitigation measure is intended to be implemented separately from, and in addition to compliance with City of Oakland Municipal Code Chapter 15.78. Acceptable options may include sculptures, or a large surface featuring temporary installations of large-scale artwork(s) produced by students pursuing studies in art practice at East Bay post-secondary or post-secondary educational institutions, such as

the Oakland School for the Arts, the University of California, Berkeley, and California State University, East Bay, or at CCA, now based in San Francisco.

Design sketches and narrative descriptions prepared by the artist(s) shall be submitted for review and approval by the Director of the Planning & Building Department or their designee prior to issuance of any demolition, grading, or construction permits for the site. Planning & Building Department staff will review the proposed size and location of the artwork to confirm adherence to this measure. The design and content of the proposed artwork will not be subject to review. Planning & Building Department staff shall inspect the installed artwork to confirm its adherence to mitigation measure requirements prior to issuance of a Certificate of Occupancy.

HIST-2d: Prior to approval of demolition permits, the Project Sponsor shall contribute to the City's Façade Improvement Program (FIP) in the manner and amounts described below. Funds collected should be reserved for historic resources with (i) historically significant landscapes or (ii) educational functions or (iii) of the architectural styles of the CCAC API (Arts & Crafts, Brutalist, or Third Bay Tradition) for a period of 2 years.

- By directing that the funds be used in historic resources with (i) historically significant landscapes or (ii) educational functions or (iii) of the architectural styles of the CCAC API (Arts & Crafts, Brutalist, or Third Bay Tradition), the mitigation will have a direct effect on the similar historic resource types in the City of Oakland, which face similar threats of demolition or incompatible alteration and will require oversight by a Planner familiar with Historic Preservation. The mitigation measure is devised to reflect this and provide more specificity regarding the process for use of the funds. The amount of the contribution required to be paid by the Project Sponsor under this mitigation measure shall be based on three factors:
  - Total linear feet of public-facing facades (FACTOR A). This recognizes that all portions of the building that can be seen by the public have the potential to communicate the historical significance of the building. Larger buildings, corner buildings, locations within a park, all dictate how much of the historic resource is visible to the public and provides a public benefit. Identification of the public-facing facades is consistent with the past application of FIP contribution mitigation measures. This mitigation measure defines public facing façade to include all portions of the building facades visible to the public to account for buildings that may be visible, but not fronting a street.
  - Bureau of Building Construction Valuation fee schedule (FACTOR B). The Bureau of Building Construction Valuation fee schedule (PBD Rate) is used by the City to determine the cost of permits for building construction. It is regularly updated, is routinely applied for permitting, and is commonly referenced. Incorporation of this schedule into the FIP contribution calculation ties the mitigation for demolition of

the building to a factor representing a portion of the building's replacement cost. While the loss of a historic resource cannot be fully captured in this assessment because many materials and historical connections cannot be replicated, it does provide a way to quantify that loss through application of a fee schedule that takes into consideration the historical use, construction type, and location of the historical resource. This fee schedule is also regularly updated to account for inflation and other changes in building construction valuation and therefore represents a current basis for the calculation.

- Historical Status multiplier (FACTOR C). For the purposes of CEQA, the City considers buildings listed in, or eligible for listing in the National Register of Historic Places and/or the California Register of Historical Resources, as well as buildings that qualify for "A" or "B" status on the Oakland Cultural Heritage Survey, or that are contributors to an Area of Primary Importance (API) as historic resources. Impacts that would cause a substantial adverse change in the significance of a historic resource would be considered significant and would require mitigation such as application of this mitigation measure. Because some buildings may qualify as CEQA historic resources both as individuals and as contributors to a historic district or API, Factor C, as shown in Table V.B-3, allows for application of a base multiplier as well as additional multipliers to account for these multiple CEQA triggers.

TABLE V.B-3 FACTOR C DETERMINATION FOR PROPOSED DEMOLITION OF CEQA RESOURCES

First Factor	Other Additional Factors for Contributing Buildings		Factor C Total
CEQA Resource	NR/CR/Local (A or B)	Local (C or D)/ASI	
2.00	0.25	0.15	Sum of all Applicable Valuations

Source: City of Oakland, 2022.

For the project, this amounts to a sum of the above calculation for each impacted CEQA historic resource:

- The total linear feet of public facing facade for the impacted building (Factor A).
- Multiplied by the PBD Rate (Factor B).
- Multiplied by 2 for being a contributor to an API (Base Factor).
- Multiplied by 0.25 for each building designated as an individual Historical Resource under CEQA (Additional Factor, if applicable).

For purposes of this mitigation, the total length of public facing facades and the associated calculation of FIP contribution is shown in Table V.B-4.

TABLE V.B-4 FAÇADE IMPROVEMENT PROGRAM (FIP) MITIGATION CALCULATIONS

Building	Factor A					Factor B	Factor C	FIP Contribution
	Public Facing Façade Linear Dimensions*					$288.00**	CEQA Multiplier	
	North	East	South	West	Total			
Macky Hall*								
Carriage House*								
Broadway Wall*								
Eucalyptus Row*+					0	$ 0	2.00	$ 103,680
Founders Hall	134	50			184	$ 52,992	2.25	$ 119,232
Martinez Hall				100	100	$ 28,800	2.25	$ 64,800
Martinez Annex				61	61	$ 17,568	2.00	$ 35,136
Treadwell Ceramic Arts			55	100	155	$ 44,640	2.25	$ 100,440
Building B				76	76	$ 21,888	2.00	$ 43,776
Ralls Studio	75			60	135	$ 38,880	2.00	$ 77,760
Facilities	25			45	70	$ 20,160	2.00	$ 40,320
Shaklee	120	76			196	$ 56,448	2.00	$ 112,896
Simpson	28		28	82	138	$ 39,744	2.25	$ 89,424
Irwin Student Center		166	118	166	450	$ 129,600	2.00	$ 259,200
Total								**$942,984**

Assumes relatively planar facades, measurements taken from Google Earth.
17.04.090 Valuation based on current PBD Construction Valuation fee schedule.
*Contributor to Treadwell API.
+Landscape Element, not subject to façade calculation.
Source: City of Oakland, 2023.

The FIP contribution required hereunder shall be payable upon issuance of the first demolition permit for the project. Funds collected under this mitigation shall be designated for the repair or improvement of façades for historic resources with (i) historically significant landscapes or (ii) educational functions or (iii) of the architectural styles of the CCAC API (Arts & Crafts, Brutalist, or Third Bay Tradition) with oversight by a Planner familiar with Historic Preservation for a 2-year period. After that time, all remaining funds shall be eligible for citywide FIP expenditures. All rehabilitation efforts or façade improvements under the FIP shall be undertaken using the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. Daily administration of the FIP shall be overseen by Economic Workforce and Development, with final oversight and approval by a Planner familiar with Historic Preservation.

In addition to the described Mitigation Measures, SCA-HIST-3, Property Relocation (#39) should be implemented as described above to provide the opportunity for relocation of

contributing buildings in the CCAC API. Although implementation of Mitigation Measures HIST-2a, HIST-2b, HIST-2c, HIST-2d, and SCA-HIST-3 would reduce the level of impact to historical resources as a result of the project, this impact cannot be mitigated to a less-than-significant level, and the impact after mitigation would remain significant and unavoidable. (SU)

Individually Eligible CCA Buildings

As discussed above, the CCA Oakland campus includes four buildings—Martinez Hall, Founders Hall, Noni Eccles Treadwell Ceramic Arts Center, and Barclay Simpson Sculpture Studio—that were found to be individually eligible for listing in the California Register under Criterion 3 (Architecture) for embodying distinctive characteristics of the Third Bay Tradition, Brutalist, and New Modernist architectural styles. Therefore, they are considered historic resources under CEQA.

Impact HIST-3: Four of the 10 buildings proposed to be demolished—Martinez Hall, Founders Hall, Noni Eccles Treadwell Ceramic Arts Center, and Barclay Simpson Sculpture Studio—are individually eligible for listing in the California Register and as Oakland Landmarks. Demolition of these four buildings would render them ineligible for listing in the California Register or as Oakland Landmarks. (S)

Implementation of SCA-HIST-3: Property Relocation (#39), has the potential to reduce the impacts to one or more of the four individually eligible CCA buildings—Martinez Hall, Founders Hall, Noni Eccles Treadwell Ceramic Arts Center, and Barclay Simpson Sculpture Studio—to a less-than-significant level; however, relocation is not guaranteed for one or more of the four individually eligible buildings, and their integrity of location, feeling, and association would be diminished if relocated. Therefore, the project still has the potential for a significant unavoidable adverse impact.

Mitigation Measure HIST-3: To reduce the adverse effect on historical resources, the Project Sponsor shall retain a professional who meets the Secretary of the of the Interior's Professional Qualifications Standards for Architectural History to prepare written and photographic documentation of the four buildings found individually eligible for listing in the California Register under Criterion 3 (Architecture)—Martinez Hall, Founders Hall, Noni Eccles Treadwell Ceramic Arts Center, and Barclay Simpson Sculpture Studio. It should be noted that Mitigation Measure HIST-3 addresses impacts to the four individually eligible CCA buildings, whereas the HALS-type HIST-2a addresses impacts to the CCAC API; therefore, the focus of this HABS-type documentation is of the four individual buildings, rather than the overall site and landscape.

The documentation for each individually eligible property shall be prepared based on the National Park Service's Historic American Building Survey (HABS)/Historic American Engineering Record (HAER)/Historic American Landscape Survey (HALS) Historical Report Guidelines. The documentation will include the following:

- **Drawings**: Efforts should be made to locate original construction drawings or plans of each individually eligible building during their period of significance. If located, these drawings should be photographed or scanned at high resolution, reproduced, and included in the dataset. If construction drawings or plans cannot be located, as-built drawings shall be produced of the four individually eligible buildings proposed for demolition. The as-built drawings shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualification Standards for Architecture or Historic Architecture and be reviewed by the professional retained to prepare the written history.
- **Photographs**: Standard large-format or digital photography shall be used. If large-format photography is undertaken, it shall follow the HABS/HAER/HALS Photography Guidelines (November 2011; updated June 2015). If digital photography is used, it shall follow the National Park Service's National Register Photo Policy Factsheet (June 2013), including ink and paper combinations for printing photographs that have a permanency rating of approximately 115 years. Digital photographs shall be taken in uncompressed TIF file format. The size of each image shall be 1600x1200 pixels at 300 pixels per inch or larger, color format, and printed in black and white. The file name for each electronic image shall correspond with the index of photographs and photograph label. Photograph views for the dataset shall include:
  - Views of each side of each building and interior views, where possible;
  - Oblique views of buildings;
  - Detail views of character-defining features; and
  - Contextual views.

  All views shall be referenced on a photographic key. This photograph key shall be on a map of the property and shall show the photograph number with an arrow indicating the direction of the view. Historical photographs shall also be collected, reproduced, and included in the dataset.
- **Written History**: A historical report shall be prepared for each of the four buildings, summarizing the history of the buildings, property description, and historical significance. Documentation shall adhere to National Park Service standards for "outline form" HABS documentation.

The documentation shall be prepared by a consultant meeting the Secretary of the Interior's Professional Qualifications Standards for History or Architectural History and submitted for

review and approval by the Director of the Planning & Building Department or their designee prior to issuance of any demolition, grading, or construction permits for the site. Copies of the drawings, photographs, and report for each of the four individually eligible buildings shall be given to the Oakland Planning Department and Oakland Cultural Heritage Survey (OCHS), and to publicly-accessible repositories such as the Oakland Public Library, Bancroft Library at the University of California, Berkeley, the California Historical Society, and CCA Library Special Collections, which are invested in archiving the history of Oakland and the CCA. This measure would create a collection of reference materials that would be available to the public and inform future research. (SU)

Although implementation of Mitigation Measure HIST-3 and SCA-HIST-3 would reduce the level of impact to historical resources as a result of the project, this impact cannot be mitigated to a less-than-significant level, and the impact after mitigation would remain significant and unavoidable.

(2) Archaeological Resources (Criterion 2)

The project would have a significant impact on the environment if it would cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. Background research indicated that there are no prehistoric or historical archaeological deposits recorded within the project site. Documentary records indicate residential development within the project site and vicinity by 1880, however, and there is potential for associated intact deposits to be present beneath landscaping, buildings, paved surfaces, and fill material. Construction activities, including post-demolition site preparation, have the potential to cause a substantial adverse change in the significance of archaeological resources. Prehistoric-period subsurface archaeological deposits that may be affected by project activities include black-gray soils containing marine shell and bone artifacts and subsistence debris, culturally flaked stone artifacts and debris (i.e., obsidian and chert), heat/fire-affected rock, grinding implements (e.g., mortars and pestles), and human remains. Subsurface historic-period deposits that may be affected by project activities include those associated with the residential use of the site by the Hale and Treadwell families between ca. 1880 and 1922, when the site was purchased by the CCAC. The deposits may include historical trash scatters dating from the late 19th and early 20th centuries and hollow-fill features such as foundations or wells containing historical glass and ceramics.

Implementation of SCA-HIST-1: Archaeological and Paleontological Resources – Discovery During Construction (#36), would be adequate to decrease the potential for adverse material change of archaeological resources during construction, and would therefore reduce any potential impacts to a less-than-significant level.

(3) Paleontological Resources (Criterion 3)

The project would have a significant effect on the environment if it would destroy a unique paleontological resource or site or unique geological feature. Paleontological resources include fossilized remains or traces of organisms including plants, vertebrates (animals with backbones), invertebrates (e.g., starfish, clams, ammonites, and marine coral), and microscopic plants and animals (microfossils), including their imprints, from a previous geological period. Collecting localities and the geologic formations containing those localities are also considered paleontological resources as they represent a limited, non-renewable resource and once destroyed, cannot be replaced. The Society of Vertebrate Paleontology (SVP) has established guidelines for the identification, assessment, and mitigation of adverse impacts on non-renewable paleontological resources. The SVP has helped define the value of paleontological resources and, in particular, states that significant paleontological resources are fossils and fossiliferous deposits consisting of identifiable vertebrate fossils, large or small, uncommon invertebrate, plant, and trace fossils, and other data that provide taphonomic, taxonomic, phylogenetic, paleoecologic, stratigraphic, and/or biochronologic information. Paleontological resources are considered to be older than recorded human history and/or older than middle Holocene (i.e., older than about 5,000 years).[64]

The potential to disturb paleontological resources during project construction depends on the types of geologic units (and their fossil-bearing characteristics) that would be encountered.

The Preliminary Geotechnical Study[65] indicate the site is underlain by Cretaceous-age Franciscan Complex sedimentary (Kfs) and volcanic (Kfv) rocks and that the soil overlying bedrock consists of fill at localized areas overlying native colluvium and residual soil. The project would involve excavation to depths that extend into the bedrock. The results of a geophysical survey (i.e., a seismic refraction survey) indicate the site is underlain by soil overlying the shallow Franciscan bedrock.

The project site has been previously developed with buildings. As part of the previous development activities, the soils underlying the site were disturbed by excavation and grading. Most of the ground-disturbing activities proposed by the project would occur in areas that have been already developed. Due to the highly disturbed nature of the surficial fill soils, they are not considered paleontologically sensitive.

A records search of early Cretaceous-age paleontological localities in the University of California Museum of Paleontology database identified plants and invertebrates that do not have a

[64] Society of Vertebrate Paleontology (SVP), 2010. Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources.

[65] Rockridge Geotechnical, 2019. Preliminary Geotechnical Study, July 26.

specified locality name.[66] However, several fossil localities are known in Franciscan sedimentary rocks interbedded with volcanic rocks[67] and therefore, the Franciscan bedrock underlying the project site could be paleontologically sensitive.

If paleontological resources are encountered during construction, potential impacts would be reduced through documentation, evaluation, and assessment of the significance of the finding under CEQA Guidelines Section 15064.5 by a qualified paleontologist. If the finding is determined to be significant and avoidance is not feasible, the qualified paleontologist will prepare and implement an excavation plan for the resource. Resources that would otherwise be destroyed or lost would be recovered and their scientific value assessed by a qualified paleontologist. With implementation of SCA-HIST-1: Archaeological and Paleontological Resources – Discovery During Construction (#36) any potential impacts to paleontological resources would be reduced to a less-than-significant level.

(4) Human Remains (Criterion 4)

The project would have a significant impact on the environment if it would result in the disturbance of human remains, including those interred outside of formal cemeteries. While no human remains are documented to be located within the project site, the potential exists for such remains to be present beneath landscaping, buildings, paved surfaces, and fill material. Construction activities, including post-demolition site preparation, have the potential to cause a substantial adverse change in the significance of buried human remains.

Implementation of SCA-HIST-2: Human Remains – Discovery During Construction (#38) would reduce any potential impacts to a less-than-significant level.

c. Cumulative Cultural and Historic Resources Impacts

The geographic area considered for the cultural and paleontological resources cumulative analysis is the City of Oakland. Construction activities associated with the project and past, present existing, pending and reasonably foreseeable future projects could result in significant impacts to archaeological, historic and paleontological resources, and human remains. However, like the project, past, present and future projects have or would be subject to the City's Standard Conditions of Approval designed to protect cultural and paleontological resources. The conditions of approval also include provisions to ensure the discovery of human remains is

[66] University of California Museum of Paleontology, 2019. Collections Database, Locality Search. Available at: https://ucmpdb.berkeley.edu/loc.html, accessed December 4, 2023.

[67] Bailey E.H., et al., 1964. Franciscan and Related Rocks, and Their Significance in the Geology of Western California.

reported to the proper authorities. As such, projects within the immediate vicinity and those with the potential to impact Late Modern architectural resources citywide are considered.

(1) Recent and Proposed Projects in the Immediate Vicinity of the Project Site

No recent or other proposed projects in the immediate vicinity would, when combined with the project, contribute to a cumulative impact to cultural and historic resources either on the site or nearby.

Two mixed-use and office development projects are proposed in the vicinity, including the 4207 Broadway Project and Safeway Redevelopment Phase 2 Project. Through CEQA review, neither was found to have direct or cumulative impacts on historical resources.

- 4207 Broadway Project: The project merged and redeveloped five parcels as one parcel at 4207, 4225, and 4299 Broadway and 316-318 Garnet Street in Oakland with a mixed-use development. It involved the demolition of existing structures and the construction of a new five-story (approximately 64-foot high), mixed-used property totaling 140,520 gross square feet. The project includes approximately 127 residential units and about 5,397 square feet of ground-floor commercial space for retail and restaurants. Approximately 75 parking spaces are on the ground floor. The project did not include the demolition of or alteration to historical resources.[68] The 4207 Broadway Project is several blocks south of the CCA campus, and would not have any direct impact on the setting of the historic resources at the project site.
- Safeway Redevelopment Project: This two-phase project involves the redevelopment of the existing Rockridge Shopping Center located at the corner of Broadway and Pleasant Valley Avenue. This project includes approximately 330,942 square feet of commercial space located immediately south and east of the California College of the Arts Redevelopment Plan site. The proposed project does not include the demolition of or alteration to historical resources, and was found through CEQA review not to impact historical resources individually or cumulatively.[69] The project site has previously featured a large-scale commercial shopping center and parking lot. Due to the relative locations and elevations of the CCA campus and Safeway Redevelopment Project site, the height, massing, and style of

[68] Page & Turnbull, *4225 Broadway: Historic Resource Evaluation, Part 1* (San Francisco: Prepared for Urban Planning Partners, February 5, 2019); Page & Turnbull, *4299 Broadway: Historic Resource Evaluation, Part 1* (San Francisco: Prepared for Urban Planning Partners, February 5, 2019); City of Oakland ITD, 2019. Oakland Planning and Zoning Map. Electronic Resource at http://oakgis.maps.arcgis.com/apps/webappviewer/index.html?id=3676148ea4924fc7b75e7350903c7224, accessed December 4, 2023.

[69] Lamphier Gregory, Safeway Redevelopment Project, Broadway at Pleasant Avenue, Draft Environmental Impact Report, SCH No. 2009062097 (Oakland: Prepared for the City of Oakland, January 2013), pp. 4.4-18 to 4.4-20.

the Safeway Redevelopment Project does not appear to have any substantial impact on the setting of the historic resources at the CCA campus.

In combination with the CCA Oakland Campus Redevelopment Project, neither the 4207 Broadway Project nor the Safeway Redevelopment project would contribute to a cumulative impact to historic resources in the vicinity of the proposed project.

In addition to these two projects, two sequoia trees, which had died, were removed in July 2019 with a permit from the City of Oakland Tree Services Division. These two trees contributed to the significance of the Treadwell Estate and their removal impacts the setting and materials of the historic resource. However, the removal of the dead sequoia trees did not render the historic resource ineligible for listing on local, state, or national registers, nor does the removal of the trees in combination with the project, so long as Mitigation Measure HIST-1c is implemented. Therefore, no cumulative impacts have been identified in relation to the removal of the two sequoia trees.

(2) Recent and Proposed Projects With Impacts to Late Modern Architectural Resources.

The project would involve demolition of one significant example of Brutalist architecture, Founders Hall, and two significant examples of Third Bay Tradition architecture, Martinez Hall and the Noni Eccles Treadwell Ceramic Arts Center.

Founders Hall, designed by Vernon DeMars & Donald Reay and completed in 1968, features typical elements of Brutalist architecture, including concrete construction, top-heavy massing, and deep-set window openings. Its sloping glass awning reaches toward the adjacent Third Bay Tradition building, Martinez Hall, also designed by DeMars & Reay and completed in 1968. Martinez Hall provides a strong example of the Third Bay Tradition as applied to an institutional building, with vertical rustic flush wood siding, shed roofs at the second story balcony, a shed roof at the canopy at the primary façade, a sense of tipped verticality, box-like central massing, and large flush skylight windows with minimal sashes. In addition to their distinctive architectural style, Founders Hall and Martinez Hall at the CCA Oakland Campus are rare examples of DeMars and Reay's work located in Oakland.[70]

The Noni Eccles Treadwell Ceramic Arts Center, designed by Worley Wong and Ronald Brocchini and completed in 1973, is also a significant example of Third Bay Tradition style, with shed roofs with clerestory windows, expansive glazing, and cantilevered massing.

[70] The buildings at CCA are the only Oakland project attributed to DeMars & Reay in the Vernon DeMars project list in the records of the UC Berkeley Environmental Design Archives (http://archives.ced.berkeley.edu/uploads/DeMars_project_index_Final.xls).

Brutalism and the Third Bay Tradition in and around Oakland

Built predominantly in the 1960s and 1970s, Brutalist buildings in the San Francisco Bay Area were typically constructed as commercial, institutional, or civic buildings, though some examples of large residential towers exist. Prominent extant examples of Brutalist buildings, or those displaying brutalist characteristics, in the East Bay include:

- Wurster Hall, home of the University of California, Berkeley College of Environmental Design (built 1960-1967), designed by DeMars and Reay with architects Joseph Esherick and Donald Olsen;
- The University of California, Berkeley Student Center complex (built 1960-1969), designed by DeMars and Reay with architects Hardison & Komatsu and S. Aidala, and landscape architect Lawrence Halprin. This complex included four buildings: Zellerbach Hall, Eshleman Hall (non-extant), the Martin Luther King Jr. Student Union building, and the Cesar E. Chavez Student Center building, framing a sunken plaza;
- Newman Hall – Holy Spirit Parish, Berkeley (1962-1963), designed by Mario J. Ciampi & Associates;
- The Oakland Coliseum and Arena, designed by architectural firm SOM in 1966;
- The West Oakland USPS Distribution Center (built ca. 1967-1969), designed by Stone, Marraccini and Patterson (SMP);
- The Oakland Museum of California (built 1968), designed by Kevin Roche and John Dinkeloo; and
- The Berkeley Art Museum (built 1970), designed by Mario J. Ciampi.

In addition to these noteworthy architectural examples, a number of commercial and institutional buildings in Oakland, such as the ca. 1972 Kaiser Permanente office tower at 3505 Broadway, display Brutalist characteristics. A full survey of these resources is beyond the scope of this EIR.

Third Bay Tradition architecture in Oakland and surrounding East Bay cities is predominantly represented by residential buildings, both multi-unit complexes and single-family homes. As such, examples tend to be less prominently placed than examples of Brutalist civic or institutional architecture.

When the Oakland Cultural Heritage Survey began assigning ratings to buildings in the city during the 1980s and 1990s, buildings constructed during the height of Brutalist architecture in the 1960s and 1970s were barely two decades old and were, for the most part, not rated. The City of Oakland does not currently have surveys, context statements, or evaluation criteria specific to late modern architectural styles such as Brutalism and Third Bay Tradition.

Relevant Recent and Proposed Projects

To evaluate the potential cumulative impact of the proposed project to Oakland's existing Brutalist and Third Bay Tradition buildings, Page & Turnbull reviewed projects listed in the City of Oakland Major Development Projects List and Current Environmental Review (CEQA/EIR) Documents (2011-2021). For each project reviewed, the previous existing site(s)/building(s) were viewed using online "street view" services with imagery dating as far back as 2008 to identify architectural style. The following Brutalist or Brutalist-influenced buildings, structures, and systems have been, or would be impacted by recent projects or projects currently undergoing review in Oakland:

1750 Broadway (Bank of Tokyo, ca. 1973): The 3-story concrete Brutalist bank building at 1750 Broadway was designed by the architectural firm of Van Bourg and Nakamura, and constructed in 1972-1973 as an East Bay branch for the Bank of Tokyo. During 2018 review of a proposed project that would demolish the building, ESA found that the building, not yet 50 years old, was not age-eligible for evaluation as a historical resource under CEQA and lacked sufficient significance for consideration under "Criterion G" as defined by the National Park Service for evaluation of properties less than 50 years of age.[71] ESA therefore found that demolition of the building as part of the proposed 1750 Broadway Project would "not cause a substantial adverse change in the significance of a historical resource."[72]

1750 Broadway

[71] ESA, "Appendix D: 1750 Broadway Historical Context," in 1750 Broadway Project CEQA Checklist / Exemption Report (San Francisco: Prepared for the City of Oakland, February 2019), p. D-8.

[72] ESA, 1750 Broadway Project CEQA Checklist / Exemption Report (San Francisco: Prepared for the City of Oakland, February 2019), p. 71.

5132 Telegraph Avenue (American Savings and Loan Association, ca. 1966): In 2016, a vacant 2-story bank building 5132 Telegraph Avenue, constructed in 1966 as a branch of the American Savings and Loan Association, was demolished to facilitate use of the parcel for urban agricultural activities. The 1966 bank building's concrete construction, top-heavy massing with a deep roof overhang, and geometric regularity displayed strong elements of Brutalist and New Formalist style. The parcel was subsequently developed as part of the larger 5110 Telegraph mixed-use project.[73] The demolition of the building does not appear to have been evaluated for its potential to impact historical resources.

5132 Telegraph Avenue

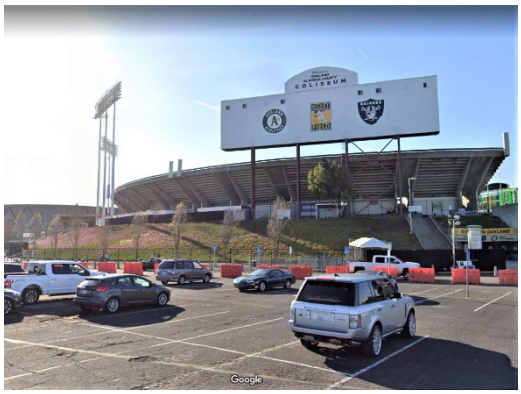
2100 Telegraph Avenue (Telegraph Plaza Public Parking Garage, ca. 1977): A two-level parking garage completed ca. 1977 and attributed to architects Van Bourg and Nakamura is within the project site for the proposed Eastline Project at 2100 Telegraph Avenue. While a utilitarian structure, this garage displays typical elements of Brutalist design, particularly at the textured, unfinished concrete corner towers. The Historic Resource Analysis prepared for the Eastline Project EIR did not find the building eligible for listing in the California Register under any criteria.[74] Thus, its demolition would not impact historical resources under CEQA.

2100 Telegraph Avenue

[73] LSA, 5110 Telegraph Avenue Project: CEQA Analysis. (Berkeley: Prepared for the City of Oakland, April 2016)

[74] Urban Planning Partners, Inc. "Appendix B: Historic Resource Analysis," Eastline Project – 2100 Telegraph EIR (Oakland: Prepared for the City of Oakland, December 2017), p. B-42.

Oakland Coliseum and Arena (1966): Monumental in scale and symmetry, Skidmore ,Owings & Merrill's award-winning design for the 1966 Oakland Coliseum displays distinct Brutalist elements. The 2017 Draft Coliseum Area Specific Plan EIR discusses the possibility of demolition of the Oakland Coliseum and Arena as part of implementation of the proposed plan. As contributors to the Coliseum Complex Area of Primary Importance, the two buildings are historical resources for the purposes or CEQA. As such, demolition of these buildings could cause a substantial adverse change in the significance of a historical resource, an impact identified by the Draft EIR as significant and unavoidable.[75]



Oakland Coliseum and Arena

BART System: The BART system, completed in the early 1970s, is on the cusp of reaching the 50-year threshold for age eligibility for California Register evaluation. Reviews of recent and current projects, such as proposed developments at the West Oakland and Lake Merritt stations, have not generally identified BART stations or facilities in Oakland as potential historical resources due to their age ineligibility. Oakland's BART stations have been, and will continue to be, nodes of development with the accelerated pace of housing development and the desirability of transit-oriented projects in recent years. Many of these stations, and the structures supporting BART operations, while not individually distinctive, display characteristics of the Brutalist style, and reflect the larger planning vision that informed construction of the system as a whole. Two current projects are planned at or immediately adjacent to BART stations:

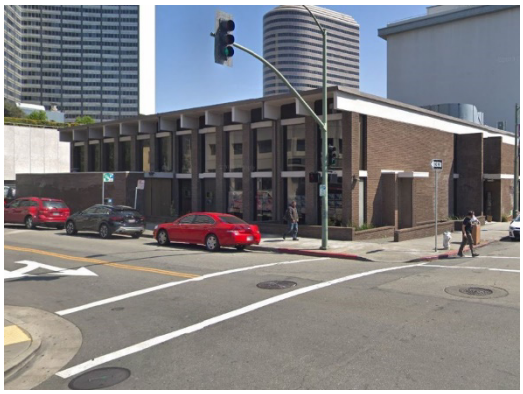

BART System

- The setting of the 1973 West Oakland BART station, whose angular concrete form is a simple expression of Brutalist style, will be altered as part of the Mandela Station at West Oakland BART Development.
- The surface buildings and structures of the 1972 Lake Merritt BART Station, currently experienced more as a landscaped concrete plaza than a typical building, would be redeveloped as part of the proposed Lake Merritt BART Transit Oriented Development project.[76]

[75] Lamphier-Gregory, Coliseum Area Specific Plan Draft Environmental Impact Report (Oakland: Prepared for the City of Oakland, August 2013), p. 4.4-27.

[76] Oakland City Planning Commission, Staff Report Re: Case Files PLN20038, PLN20038-ER01, PLN20108, April 14, 2021.

2044 Franklin Street (Security National Bank, ca. 1966): While this simple 2-story brick bank building lacks the concrete construction typical of the Brutalist architecture, its vertically oriented, deep set slot openings and blocky massing refer to the style. The building would be demolished as part of the proposed 2044 Franklin Street Mixed-Use Project. CEQA analysis of the proposed project, prepared in 2017, states that the existing building "does not meet the criteria for listing in the California Register of Historical Resources, nor is it a resource previously identified in Oakland's Local Register of Historic Resources," and is thus not a historical resource under CEQA.[77] A planned project proposes to demolish 2044 Franklin Street for construction of a new multi-story mixed-use building.



2044 Franklin Street

No Third Bay Tradition buildings were identified at the locations of projects listed in the City of Oakland Major Development Projects List and Current Environmental Review (CEQA/EIR) Documents (2011-2021).

Of the five built environment resources listed above, only the Oakland Coliseum and Arena have been identified as historical resources for the purposes of CEQA. Relatively few examples of Brutalism or other late modern architectural styles in Oakland have been evaluated as historical resources due to their relatively recent ages. Buildings exemplifying the architectural styles of the 1960s through early 1980s have only recently become, or are soon to become, age-eligible for evaluation. With development pressure in recent years in response to the need for increased housing density in Oakland, many small-scale commercial and institutional buildings within the city's downtown and transit-oriented neighborhoods, including those with Late Modern architectural characteristics, will likely be identified as sites for development opportunity. In their 2019 Historic Building Typology Study prepared for the Downtown Oakland Specific Plan, Architecture + History, LLC and Watson Heritage Consulting identified Post-World War II Small-Scale Commercial Buildings dating between 1940 and 1970 as rare and Bank Branch Buildings/Regional Bank Offices as very rare in the downtown area, both with a high threat level for demolition.[78]

[77] Lamphier-Gregory. 2044 Franklin St. Mixed-Use Project: CEQA Analysis (Oakland: Prepared for the City of Oakland, November 8, 2017).

[78] Architecture + History, LLC and Watson Heritage Consulting, *Downtown Oakland Specific Plan Historic Building Typology Study* (Oakland: Prepared for Dover Kohl & Partners, Urban Planning Partners, and the City of Oakland, August 2019), pp. 40, 50.

Impact HIST-4: To facilitate construction of the project, three significant examples of Late Modern architecture would be demolished: Founders Hall, a 1968 Brutalist building designed by DeMars & Reay; Martinez Hall, a 1968 Third Bay Tradition building designed by DeMars & Reay; and the Noni Eccles Treadwell Ceramic Arts Center, a 1973 Third Bay Tradition building designed by Worley Wong and Ronald Brocchini. Implementation of the project, as designed, combined with cumulative development citywide, including past, present, existing, approved, pending, and reasonably foreseeable future development, would contribute to a significant and unavoidable adverse cumulative impact to Oakland's Late Modern architectural resources. (S)

Mitigation Measure HIST-4: Implement Mitigation Measure HIST-2d. (SU)

The financial contribution required as Mitigation Measure HIST-2d, which requires contribution of funds be used in historic resources with (i) historically significant landscapes or (ii) educational functions or (iii) of the architectural styles of the CCAC API (Arts & Crafts, Brutalist, or Third Bay Tradition), will have a direct effect on Late Modern historic resources in the City of Oakland which face similar threats of demolition or incompatible alteration. However, while implementation of Mitigation Measure HIST-2d and SCA-HIST-3: Property Relocation (#39) have the potential to reduce impacts to Late Modern resources in Oakland, neither receipt of adequate financial support through the Façade Improvement Program nor successful relocation are guaranteed for Late Modern resources which would be demolished or altered by future projects. Therefore, the project impact would remain significant and unavoidable.

C. TRAFFIC AND TRANSPORTATION

This section describes the transportation, circulation, and parking conditions, including transit services and pedestrian and bicycle facilities in the vicinity of the project; discusses the State and local regulations and policies pertinent to transportation and circulation; assesses the potentially significant transportation and circulation impacts that could result from implementation of the project; and provides, where appropriate, mitigation measures and Standard Conditions of Approval (SCAs) to address those impacts.

The analysis evaluates the transportation-related impacts of the project. The analysis was conducted in compliance with City of Oakland guidelines at the time of the Notice of Preparation (NOP).

1. Setting

The existing transportation-related context in which the project would be constructed is described below, beginning with a description of the study area and the street network that serves the project site. Existing transit service, bicycle network, pedestrian facilities, and parking, in the vicinity of the project are also described. This subsection also discusses planned transportation changes in the project vicinity as well as the applicable planning policies.

a. Existing Road Network

Regional and local roadways serving the project site at the time of the NOP are described below. Figure V.C-1 shows the project study area.

(1) Regional Access

A brief description of the regional roadway network serving the project site is provided below. Annual Average Daily Traffic (AADT) volumes were obtained from Caltrans' Performance Management System from mid-2018 to mid-2019.

- Interstate (I-) 980 is an eight-lane north-south freeway that connects State Route (SR) 24 and I-580 to Interstate I-880. I-980 has an AADT of approximately 83,000 vehicles just south of I-580.
- SR 24 is an eight-lane east-west freeway to the north and west of the project site, connecting I-580 in Oakland and Walnut Creek to the east. The exits closest to the project site are 51st Street, Claremont Avenue, and Broadway. West of I-580, SR 24 continues as I-980. SR 24 has an AADT of approximately 149,000 vehicles around 51st Street.

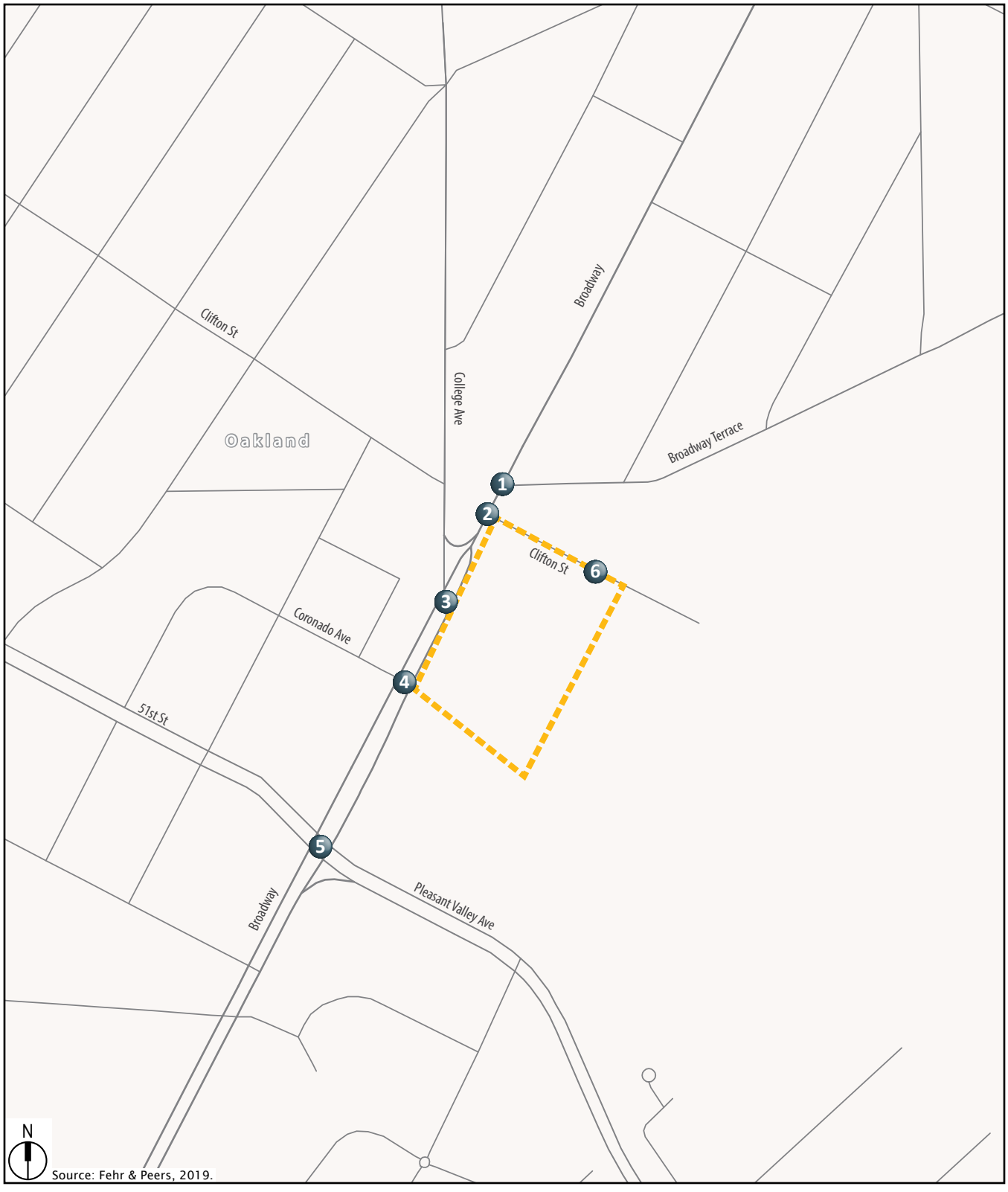


Figure V.C-1
Transportation Study Area

- I-580 is an eight-lane east-west freeway between U.S Route 101 (US 101), in Marin County, and I-5 south of Tracy. SR 24 provides access from the project site to I-580, which has an AADT of approximately 220,000 vehicles per day just east of SR 24.
- I-880 is an eight-lane north-south freeway between I-80 in Oakland and I-280 in San Jose. SR 24 provides access between the project site and I-880 via I-980. I-880 has an AADT of approximately 182,000 vehicles east of I-980.
- I-80 is an eight- to ten-lane national freeway extending west to San Francisco via the Bay Bridge, and east through Berkeley and Sacramento, into Nevada and beyond. I-80 is accessible from the project site via SR 24 and I-580. The AADT of I-80 is approximately 212,000 vehicles north of I-580.

(2) Local Access

A brief description of the local and arterial streets serving the project site is provided below:

- Broadway is a major north-south street along the western boundary of the project site, extending between Jack London Square and SR 24 in Oakland. Broadway generally provides two travel lanes in each direction and a landscaped median south of the project site.
- 51st Street, which continues as Pleasant Valley Avenue east of Broadway, is a major arterial that connects to CA-24. It provides two travel lanes in each direction, with a landscaped median.
- College Avenue extends north from Broadway to the University of California, Berkeley campus. It provides one travel lane in each direction as well as street parking, and acts as a major commercial corridor for the area. College Avenue terminates at its intersection with Broadway just west of the project site.
- Broadway Terrace begins at its intersection with Broadway on the northwest corner of the project site and snakes its way into the residential neighborhoods of the Oakland hills. It connects with SR 24 via SR 13. Broadway Terrace provides one travel lane in each direction, as well as street parking on both sides.
- Clifton Street is a minor collector that extends 600 feet east from its intersection with Broadway. It provides one travel lane in each direction as well as street parking. The project driveway will connect to Clifton Street.

b. Existing Transit Services

Transit service providers in the project vicinity include Alameda County Transit (AC Transit), which provides local and Transbay bus service to the Transbay Terminal in San Francisco, and Bay Area Rapid Transit (BART), which provides regional rail service. Transit services provided near the project site are shown in Figure V.C-2 and described below.

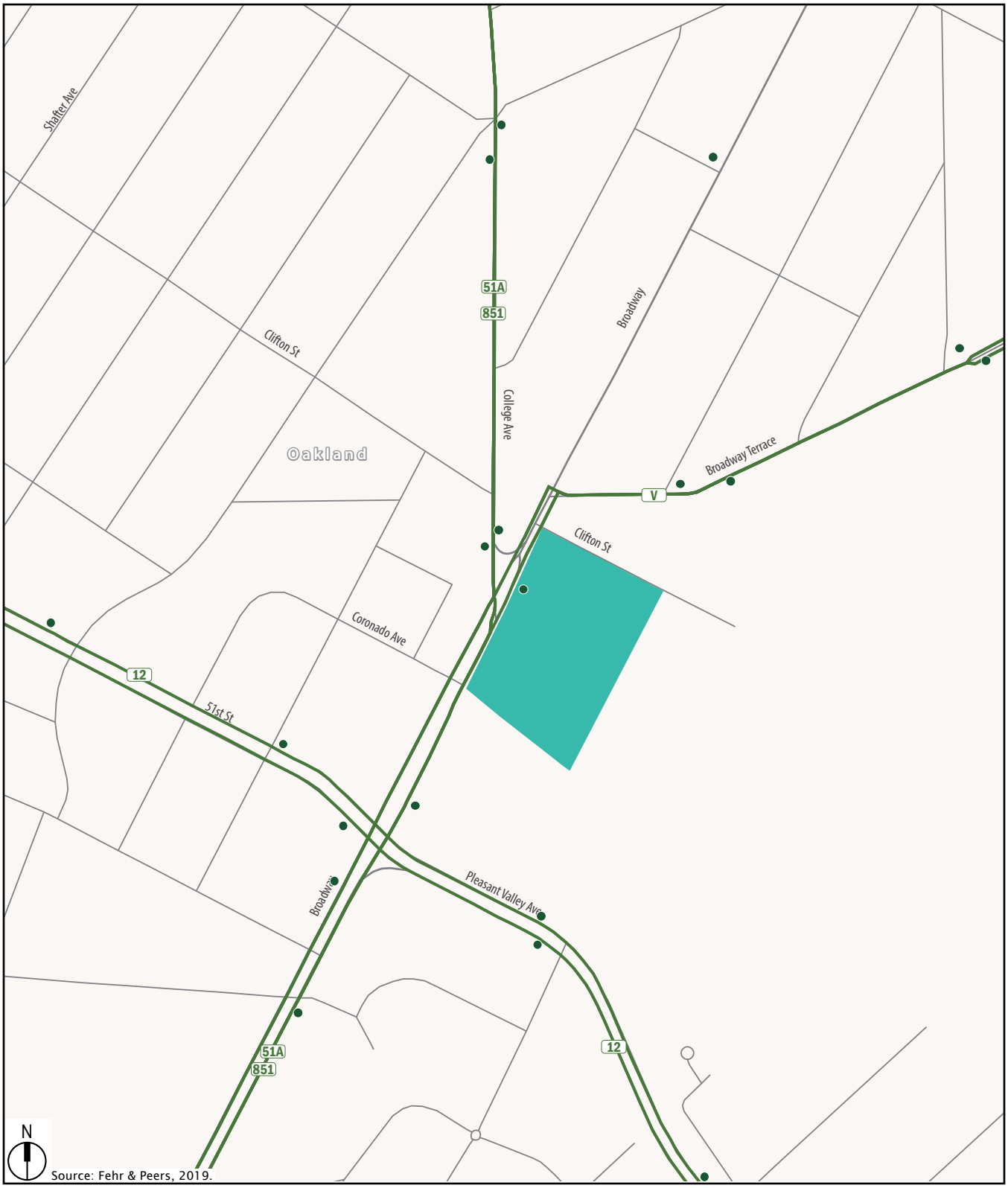


Figure V.C-2
Existing Transit Service Near Project Site

(1) Bus Services

AC Transit is the primary bus service provider in 13 cities and adjacent unincorporated areas in Alameda and Contra Costa Counties, with transbay service to destinations in San Francisco, San Mateo, and Santa Clara Counties. Table V.C-1 summarizes the characteristics of the AC Transit routes operating in the project area. Four local routes, one transbay route, and one night route operate in the vicinity of the project site. Two of these routes, 51B and 79, terminate at the Rockridge BART Station, but are included as connecting services.

TABLE V.C-1 AC TRANSIT ROUTES IN PROJECT VICINITY

Route	Type	Termini	Closest Stop	Peak Frequency (Minimum)
51A	Local	Rockridge BART to Fruitvale BART	College Ave & Broadway	12
12	Local	Gilman St & 6th St, Berkeley to Oakland Amtrak at Jack London Square	51st St & Broadway	23
51B	Local	Rockridge BART to Berkeley Amtrak/Marina	Rockridge BART	15
79	Local	Rockridge BART to El Cerrito Plaza BART	Rockridge BART	34
V	Transbay	Broadway & Broadway Terrace	Broadway & College Ave	71
851	All-Nighter	Downtown Berkeley to Fruitvale BART	College Ave & Broadway	N/A

Source: AC Transit, Maps and Schedules, accessed December 5, 2023.

Table V.C-2 shows the performance characteristics of the AC Transit routes serving the project area and vicinity.

TABLE V.C-2 AC TRANSIT ROUTE PERFORMANCE CHARACTERISTICS

Route	Average Daily Ridership	On-Time Performance	Average Load Factor[a]
51A	8,853	73.32%	12.49
12	2,80137	*67.45%*	6.29
51B	8,947	*76.08%*	11.25
79	1,420	*69.51%*	6.54
V	765	57.24%	18.64
851	123	57.20%	4.20

[a] Average Load Factor – daily ridership as a percentage of seating capacity.
Source: AC Transit 2018, Annual Ridership and Route Performance Report.

(2) Bay Area Rapid Transit (BART)

BART provides regional rail service throughout the East Bay and across the Bay to San Francisco and the Peninsula. The nearest BART station to the project site is the Rockridge BART Station, seven blocks (0.6 miles) north of the project site, directly under CA-24. Several AC Transit routes terminate at the station as can be seen in Table V.C-1. The parking lots servicing the station also feature drop-off and pickup zones.

As of May 2019, the Rockridge BART station saw a daily average of 5,333 entries and 5,543 exits.[1] The station serves only the Antioch-SFO/Millbrae (Yellow) line, at headways of 15 minutes during off-peak periods. Express trains running from the Pleasant Hill Station to the 24th Street Mission Station in San Francisco stop at Rockridge during the PM peak.

c. Existing Bicycle Network

The City of Oakland's Bicycle Plan[2] recognizes a number of bicycle facility types, including the following.

- Class I Paths are located off-street and can serve both bicyclists and pedestrians. Recreational trails can be considered Class 1 facilities. Class 1 paths are typically 8 to 10 feet wide excluding shoulders and are generally paved.
- Class 2 Bicycle Lanes provide a dedicated area for bicyclists within the paved street width through the use of striping and appropriate signage. These facilities are typically 5 to 6 feet wide.
- Class 2B Buffered Bicycle Lanes provide separation from traffic via a painted buffer, for additional comfort.
- Class 3 Bicycle Routes are located along streets that do not provide sufficient width for dedicated bicycle lanes. The street is then designated as a bicycle route through the use of signage informing drivers to expect bicyclists.
- Class 3A Arterial Bicycle Routes are located along some arterial streets where bicycle lanes are not feasible and parallel streets do not provide adequate connectivity. Speed limits as low as 25 miles per hour (mph), and shared-lane bicycle stencils, wide curb lanes, and signage are used to encourage shared use.
- Class 3B Bicycle Boulevards are located along residential streets with low traffic volumes. Assignment of right-of-way to the route, traffic calming measures and bicycle traffic signal actuation are used to prioritize through-trips for bicycles.

[1] BART, 2019. Monthly Ridership Reports, May.
[2] Oakland Bicycle Plan, *Let's Bike Oakland*, July 2019, City of Oakland, Department of Transportation.

- Class 4 Protected Bicycle Lanes, also known as cycle tracks, provide space that is exclusively for bicyclists and separated from motor vehicle travel lanes, parking lanes, and sidewalks. Parked cars, curbs, bollards, or planter boxes provide physical separation between bicyclists and moving cars. Where on-street parking is allowed, it is placed between the bikeway and the travel lanes (rather than between the bikeway and the sidewalk, as is typical for Class 2 bike lanes).

Figure V.C-3 shows the existing and planned bicycle facilities in the project vicinity at the time of the NOP:

- Broadway provides Class 2 Bicycle lanes near the project site, and Class 2B Buffered Bicycle Lanes provided south of College Avenue.
- Broadway Terrace provides a Class 2 facility in the eastbound direction, and a Class 3A facility in the westbound, downhill direction.

d. Existing Pedestrian Network

The City of Oakland's Pedestrian Master Plan[3] (PMP), adopted in 2002 and updated in 2017, identifies several categories of roadways depending on their function, and provides design guidelines for pedestrian access.

- City Routes are pedestrian facilities located on designated streets that are destinations in themselves – places to live, work, shop, socialize and travel. They provide the most direct connections between walking and transit and connect multiple districts in the City. Telegraph, Broadway, and Grand Avenue/West Grand Avenue are all considered city routes. Broadway functions as a City Route.
- District Routes provide a local function, located within a single district and help define the character of that district. Schools, community centers, and smaller-scale shopping are located along district routes. Broadway Terrace and College Avenue are designated as District Routes.
- Neighborhood Routes are located on local streets that connect to schools, parks, recreational centers, and libraries. They are places for people to meet and they provide the basis for neighborhood life. They are used for walking to school, walking for exercise, and safe walking at night. Many of the other roadways surrounding the project are considered local routes. Pedestrian facilities include sidewalks, crosswalks, and pedestrian signals. Figure V.C-4 summarizes pedestrian facilities in the study area and shows the major pedestrian routes to and from the project site.

[3] City of Oakland, Department of Transportation. 2017 Pedestrian Plan, "Oakland Walks!" available at: https://www.oaklandca.gov/resources/pedestrian-plan-update

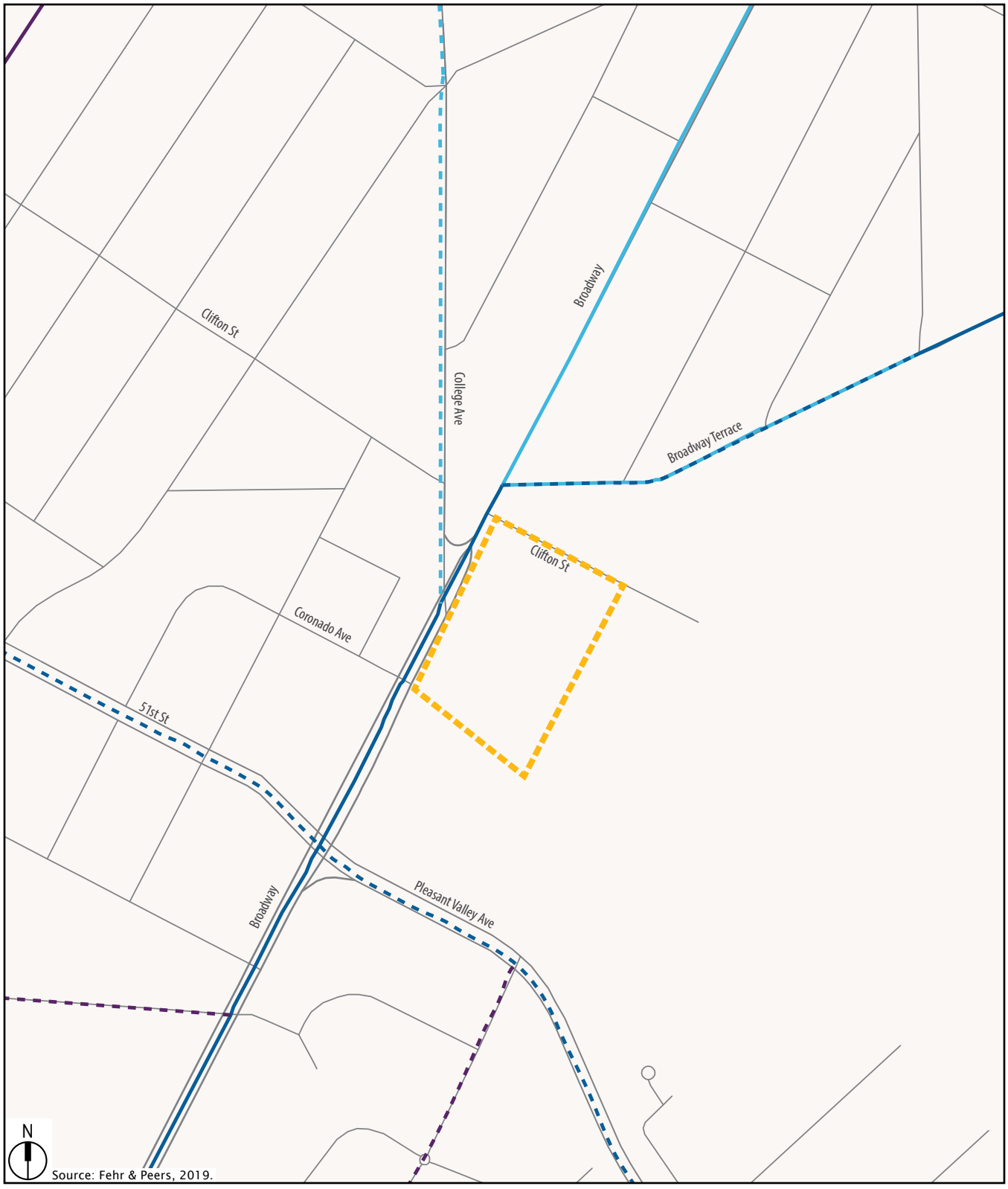


Figure V.C-3
Existing and Planned Bicycle Facilities

Figure V.C-4
Pedestrian Facilities

Sidewalks are provided on both sides of streets in the project vicinity. The effective sidewalk width is less than the actual sidewalk width because it accounts for the lost space due to landscaping, parking meters, light poles, and storefronts. The minimum effective sidewalk width in the area ranges from 4 to 8 feet. Pedestrian facilities on the streets adjacent to the project site include:

- Broadway includes sidewalks along the project frontage about 8 feet wide, including space for tree, benches, hydrants, and sign poles. The sidewalk does not currently meet the guidelines set forth in the PMP, which calls for at least 8 feet of room exclusively for pedestrians.
- Broadway Terrace provides 8-foot sidewalks on both sides of the street near its intersection with Broadway.
- Clifton Street provides 10- to 14-foot sidewalks on either side of the street close to its intersection with Broadway.

The intersection of Broadway and Broadway Terrace is signalized and provides pedestrian signals and marked crosswalks on the north and east approaches. Curb ramps serve both crosswalks.

- The side-street stop-controlled Broadway and Clifton Street intersection provides a crosswalk only across Clifton Street. There are curb ramps at either end.
- The signalized Broadway and College Avenue intersection provides crosswalks on the northern approach of Broadway, and the western approach of College, with curb ramps serving both.
- The intersection of Broadway and Coronado Avenue is signalized and provides pedestrian signals and crosswalks on all four approaches, as well as curb ramps.
- Broadway and 51st Street is a major intersection with curb ramps, crosswalks, and pedestrian signal heads in all four directions.

e. Existing Parking

The existing on-street and off-street parking facilities at the time of the NOP are described below.

(1) On-Street Parking

Most streets in the project vicinity provide on-street parking on both sides of the street. Figure V.C-5 summarizes the parking conditions on the major streets in the vicinity of the site.

Figure V.C-5
Parking Conditions on Major Streets

Metered parking is available on:
- Broadway, between Coronado Avenue and Broadway Terrace
- College Avenue

Unmetered parking is available on:
- Clifton Street
- Other portions of Broadway
- Broadway Terrace
- Local streets

In addition, there are also loading zones and driveway red zones throughout the study area.

(2) Off-Street Parking

There are no public off-street parking facilities in the vicinity of the project.

f. Existing Traffic Conditions

Traffic conditions at the time of the NOP in the project vicinity are described below.

(1) Traffic Volumes

Intersection automobile and bicycle turning movement counts, as well as pedestrian counts, were collected at the study intersections on weekdays in January 2019. The count data were collected on a clear day, while area schools were in normal session. The traffic data collection was conducted during the morning (7:00 a.m. to 9:00 a.m.) and evening (4:00 p.m. to 6:00 p.m.). Appendix C presents the traffic counts at the study intersections. These time periods were selected because trips generated by the project, in combination with background traffic, are expected to represent typical worst traffic conditions at these times. Within the peak periods, the peak hours (i.e., the hour with the highest traffic volumes observed in the study area) are from 8:00 a.m. to 9:00 a.m. (AM peak hour) and from 5:00 p.m. to 6:00 p.m. (PM peak hour).

Field reconnaissance was performed at each intersection to identify intersection lane configurations and signal operations data. Intersection operations were also observed at the study intersections. In addition, the City of Oakland provided signal timing data for the signalized study intersections.

Appendix C presents the existing AM and PM peak hour traffic volumes, intersection lane configurations and traffic control devices at the study intersections. Appendix C.1 presents the existing pedestrian and bicycle volumes for all study intersections. Intersection operations, delay, and level of service (LOS) at these intersections are evaluated as part of the non-CEQA documentation, in Appendix C.

g. Planned Transportation Network Changes

Changes are planned for the various transportation modes in the project vicinity, as described below. Planned changes include improvement projects planned by the City of Oakland or AC Transit. These are changes that are not related to the project and would be implemented regardless of the project. Changes that have full approval and funding are assumed in the analysis of future conditions in this EIR. Changes lacking final design, full approval, and/or full funding are not considered reasonably foreseeable, and therefore are not assumed in the analysis of future conditions. As summarized below there are no significant planned changes that were assumed in the EIR.

(1) Planned Transit Changes

There are no major transit changes planned in the project vicinity. AC Transit is constantly in the process of minor schedule refinements. The last schedule change (minor) at time of writing occurred on August 6, 2023.

(2) Planned Bicycle/Pedestrian Changes

The 2019 City of Oakland Bicycle Master Plan Update proposes the following improvements to the bicycle facilities in the project vicinity:

- Converting the Class 2 facility eastbound on Broadway Terrace to a Class 2B buffered facility
- Adding a Class 2 facility on College Avenue (under construction in May 2021)
- Adding a Class 2B facility on 51st Street and Pleasant Valley Avenue

None of the major streets in the project vicinity were identified as High Injury Corridors in the 2017 Oakland Pedestrian Master Plan Update. No sidewalk gaps were identified, and as a high-walkability neighborhood, it is unlikely that significant changes will be made to the pedestrian environment in the project vicinity.

(3) Planned Roadway Network Changes

No roadway modifications are currently planned and funded within the immediate study area.

2. Regulatory Setting

This section includes plans, ordinances, or policies addressing the safety or performance of the circulation system.

a. State and Regional Regulatory Frameworks

(1) Senate Bill 743

On September 27, 2013, Senate Bill 743 was signed into law, building on legislative changes from SB 375, AB 32, and AB 1358. SB 743 began the process to modify how impacts to the transportation system are assessed for purposes of CEQA compliance. These changes include the elimination of auto delay, LOS, and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts. SB 743 includes amendments that revise the definition of "infill opportunity zones" to allow cities and counties to opt out of traditional LOS standards established by congestion management programs (CMPs) and require OPR to update the CEQA Guidelines and establish criteria for determining the significance of transportation impacts of projects within transit priority areas.

As part of the new CEQA Guidelines, the new criteria "shall promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses." The final guidelines were finalized in December 2018 and took effect statewide in July 2020.

(2) Plan Bay Area

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating, and financing agency for the nine-county Bay Area, including Alameda County. It also functions as the federally mandated metropolitan planning organization (MPO) for the region. Plan Bay Area 2040 is the Bay Area's Regional Transportation Plan (RTP)/Sustainable Community Strategy (SCS). Plan Bay Area 2040, adopted jointly by Association of Bay Area Governments (ABAG) and MTC on July 26, 2017, lays out a development scenario for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce GHG emissions from transportation (excluding goods movement) beyond the per capita reduction targets identified by California Air Resources Board. It serves as a limited and focused update to Plan Bay Area (2013), with updated planning assumptions that incorporate key economic, demographic, and financial trends from the last several years. MPOs must use transportation and air emissions modeling techniques consistent with guidelines prepared by the California Transportation Commission.

b. General Plan

The General Plan is a comprehensive plan for the growth and development of the City. The General Plan includes policies related to land use and circulation; housing; recreation; conservation and open space; noise; environmental hazards; and historic resources. These topics are addressed within individual elements of the General Plan: Land Use and Transportation;

Pedestrian Master Plan; Bicycle Master Plan; Housing; Historic Preservation; Open Space; Conservation; Recreation; Noise; and Safety. Each is addressed separately below.

Regarding a project's consistency with the General Plan in the context of CEQA, the General Plan states the following:

> The General Plan contains many policies which may in some cases address different goals, policies and objectives and thus some policies may compete with each other. The Planning Commission and City Council, in deciding whether to approve a proposed project, must decide whether, on balance, the project is consistent (i.e., in general harmony) with the General Plan. The fact that a specific project does not meet all General Plan goals, policies and objectives does not inherently result in a significant effect on the environment within the context of CEQA.[4]

(1) Land Use and Transportation Element (LUTE)

The City of Oakland, through various policy documents, states a strong preference for encouraging use of pedestrian, bicycle, and transit travel modes. The following policies are included in the LUTE:

LUTE Policy Framework, Encouraging Alternative Means of Transportation: "A key challenge for Oakland is to encourage commuters to carpool or use alternative modes of transportation, including bicycling or walking. The Policy Framework proposes that congestion be lessened by promoting alternative means of transportation, such as transit, biking, and walking, providing facilities that support alternative modes, and implementing street improvements. The City will continue to work closely with local and regional transit providers to increase accessibility to transit and improve intermodal transportation connections and facilities. Additionally, policies support the introduction of light rail and trolley buses along appropriate arterials in heavily traveled corridors, and expanded use of ferries in the bay and estuary."

Policy T3.5, Including Bikeways and Pedestrian Walks: The City should include bikeways and pedestrian walks in the planning of new, reconstructed, or realized streets, wherever possible.

Policy T3.6, Encouraging Transit: The City should encourage and promote use of public transit in Oakland by expediting the movement of and access to transit vehicles on designated "transit streets" as shown on the Transportation Plan. (Policies T3.6 and T3.7 are based on the City Council's passage of "Transit First" policy in October 1996.)

Policy T3.7, Resolving Transportation Conflicts: The City, in constructing and maintaining its transportation infrastructure, should resolve any conflicts between public transit and single occupant vehicles in favor of the transportation mode that has the potential to provide the greatest mobility and access for people, rather than vehicles, giving due consideration to the environmental, public safety, economic development, health and social equity impacts.

[4] City Council Resolution No. 79312 C.M.S.; adopted June 2005.

Policy T4.1, Incorporating Design Features for Alternative Travel: The City will require new development, rebuilding, or retrofit to incorporate design features in their projects that encourage use of alternative modes of transportation such as transit, bicycling, and walking.

(2) Pedestrian Master Plan

In June 2017, the City of Oakland adopted the Oakland Walks! 2017 Pedestrian Master Plan Update (2017 PMP). The 2017 PMP is an update to the 2002 Pedestrian Master Plan (2002 PMP), which was adopted by the City Council and incorporated into the adopted General Plan. The PMP was updated in 2017 to reflect four goals:

1. **Holistic Community Safety:** Make Oakland's pedestrian environment safe and welcoming.
2. **Responsiveness:** Develop and provide tools to ensure that Oakland creates and maintains a vibrant pedestrian environment.
3. **Equity:** Recognizing a historical pattern of disinvestment, focus investment and resources to create equitable, accessible walking conditions to meet the needs of Oakland's diverse communities.
4. **Vitality:** Ensure that Oakland's pedestrian environment is welcoming, well connected, supports the local economy, and sustains healthy communities.

The 2017 PMP also identifies the following five outcomes:

- **Outcome 1: Increase Pedestrian Safety.** The City will install pedestrian safety improvements in high injury corridors, develop new policies, adopt Vision Zero, upgrade signals and other infrastructure, work to reduce vehicle speeds, improve lighting, and explore ways to equitably enforce traffic laws.
- **Outcome 2: Create Streets and Places that Promote Walking.** The City will integrate safety into the design of new streets, incorporate art into pedestrian infrastructure, plant more street trees, repair sidewalks, install accessible curb ramps, and provide public open space in underutilized roadways. The City will also pursue citywide programs and partnerships with nonprofits and community groups to promote walking.
- **Outcome 3: Improve Walkability to Key Destinations.** The City will develop a prioritization strategy to best focus the benefits of the Safe Routes to School program, establish a similar program focused on first and last mile access to transit, support wayfinding efforts, and identify strategies for improving the walking environment in and near Caltrans-owned rights-of-way, such as underneath freeway overpasses. Additionally, the City will use Walk Score® to improve key destinations.
- **Outcome 4: Engage the Oakland Community in Creating Vibrant Pedestrian Environments.** The City will reinvigorate existing communication methods and establish new

protocols for engaging about pedestrian projects and enabling community-determined pedestrian projects.

- **Outcome 5: Improve Metrics, Evaluations, Funding and Tools for Creating Pedestrian Environments.** The City will develop and implement a host of data collection, data analysis, and data reporting efforts, as well as ensure adequate staff training in pedestrian design standards to ensure that the Plan implementation is efficient, accountable, effective, and equitably distributed.

(3) Bicycle Master Plan

The Oakland City Council adopted a new Bike Plan in 2019, titled Let's Bike Oakland. The plan features increased emphasis on equity in pursuit of its four goals: Access, Health & Safety, Affordability, and Collaboration. Relevant actions and policy objectives from this plan are provided below.

Access: Support increased access to neighborhood destinations such as grocery stores, libraries, schools, recreation centers, bus stops, and BART.

- Objective A: Increase access to jobs, education, retail, parks and libraries, schools, recreational centers, transit, and other neighborhood destinations.
  - Action 1: Build low-stress bicycle facilities that provide access to local destinations in every neighborhood in Oakland.
  - Action 2: Increase the supply of bicycle parking at neighborhood destinations like schools, medical centers, grocery stores, and government offices.
- Objective C: Support public transit service.
  - Action 1: Design bikeways that provide first and last mile connections to transit
- Objective D: Reduce travel times for low-income households.
  - Action 1: Increase the overall mileage of the low-stress bicycle network in low-income neighborhoods by 25% by 2025.
- Objective E: Prioritize the needs and trip patterns of vulnerable populations.
  - Action 1: Prioritize the construction of bikeways that address disparities and close gaps in the bicycle network between neighborhoods.
- Objective F: Serve people with disabilities.
  - Action 1: Ensure that bikeway designs do not create additional barriers for people with disabilities.

Health and Safety: Empower Oaklanders to live a more active lifestyle by providing a network of safe and comfortable bikeways for everyone to enjoy.

- Objective A: Reduce bicycle crashes through safe and comfortable bikeways.
  - Action 1: Prioritize quick implementation of bicycle facilities on Oakland's high-injury network to rapidly address known safety issues.
  - Action 2: Adopt bikeway design guidelines that guide planners and engineers in designing streets with separation between bicyclists and drivers.
- Objective C: Reduce air pollution, asthma rates, and greenhouse gas emissions.
  - Action 1: Build a bicycle network that encourages Oaklanders to choose modes of transportation other than driving by providing low-stress facilities and integrating bikes with transit.
  - Action 2: Achieve a 20% reduction in vehicle miles traveled annually as residents, workers, and visitors meet daily needs by walking, bicycling, and using transit, consistent with the City's Energy and Climate Action Plan (2018).

Affordability: Let's Bike Oakland will work to reduce the burden of household transportation costs

- Objective A: Reduce the overall household costs for all Oaklanders.
  - Action 1: Build a bicycle network that provides low-stress bicycle facilities for people in low-income neighborhoods, encouraging the use of bicycling as low-cost transportation.
  - Action 2: Build bikeways that provide first and last mile connections to public transit stations and major bus stops.

c. City of Oakland Public Transit and Alternative Modes Policy

The City of Oakland adopted the Public Transit and Alternative Modes Policy, also known as the "Transit-First Policy," in October 2006.[5] This resolution supports public transit and other alternatives to single occupant vehicles and directs the LUTE to incorporate "various methods of expediting transit services on designated streets and encouraging greater transit use." The resolution also directs the City, in constructing and maintaining its transportation infrastructure, to resolve any conflicts between public transit and single occupant vehicles on City streets in favor of the transportation mode that provides the greatest mobility for people rather than vehicles giving due consideration to the environment, public safety, economic development, health, and social equity impacts.

[5] Oakland City Council Resolution 73036 C.M.S.

d. City of Oakland Complete Street Policy

In January 2013, the City of Oakland adopted the Complete Street Policy to further ensure that Oakland streets provide safe and convenient travel options for all users.[6] This resolution, consistent with the California Complete Streets Act of 2008, directs the City of Oakland to plan, design, construct, operate, and maintain the street network in the City to accommodate safe, convenient, comfortable travel for all modes, including pedestrians, bicyclists, transit users, motorists, trucks, and emergency vehicles.

e. City of Oakland Equitable Climate Action Plan

The City of Oakland adopted the Oakland 2030 Equitable Climate Action Plan (ECAP) in July 2020 (City Council Resolution 87397 C.M.S.), a comprehensive equity-focused plan to achieve the 2030 GHG reduction target and increase Oakland's resilience to the impacts of the climate crisis. Since cars and trucks account for two-thirds of local emissions in Oakland, the ECAP has a focus on transportation and land use policies. The following actions are applicable to the project:

- Action TLU-1: Align All Planning Policies & Regulations with ECAP Goals and Priorities.
  - Remove parking minimums and establish parking maximums where feasible, ensuring public safety and accessibility.
  - Require transit passes bundled with all new major developments.
- Action TLU-2: Align Permit and Project Approvals with ECAP Priorities. Amend Standard Conditions of Approval (SCAs), as well as mitigation measures and other permit conditions, to align with the City's GHG reduction priorities stated in this ECAP. Explore, through the Planning Commission, adoption of a threshold of significance for GHG impacts to align with this ECAP. In applying conditions on permits and project approvals, ensure that all cost-effective strategies to reduce GHG emissions from buildings and transportation are required or otherwise included in project designs, including infrastructure improvements like bicycle corridor enhancements, wider sidewalks, crossing improvements, public transit improvements, street trees and urban greening, and green stormwater infrastructure. Where onsite project GHG reductions are not cost-effective, prioritize local projects benefiting frontline communities.
- Action TLU-4: Abundant, Affordable, and Accessible Public Transit. The City will work with public transit agencies to replace autos with public transit as a primary transportation mode for trips beyond walking distance, ensuring convenient, safe, and affordable public transit access within Oakland and to neighboring cities for all Oaklanders.
- Action TLU-5: Create a Zero Emission Vehicle (ZEV) Action Plan. By 2021, develop a ZEV Action Plan to increase adoption of electric vehicles and e-mobility while addressing equity concerns and prioritizing investment in frontline communities. The plan must set ambitious

targets for ZEV infrastructure and must be coordinated with other land use and mobility options so that ZEV ownership is not necessary for access to ZEV trips, and ZEVs increase as a percentage of all vehicles while overall vehicle miles traveled decreases. The plan must address the following sectors: medium and heavy-duty vehicle electrification, including trucks and delivery vehicles; personal vehicle charging infrastructure in multifamily buildings, including affordable buildings; curbside charging; school and transit buses; and coordination with private and public fleet operators.

- Action TLU-8: Expand and Strengthen Transportation Demand Management (TDM) Requirements. Increase TDM performance requirements for new developments where feasible to support the mode shifts necessary to achieve a low carbon transportation system. Expand the TDM program to include requirements for existing employers. Fund ongoing monitoring and enforcement of TDM requirements.

f. Standard Conditions of Approval

The City's Standard Conditions of Approval (SCA) that directly pertain to transportation and circulation and that apply to the project are listed below. If the project is adopted by the City, all applicable SCAs will be adopted as conditions of approval and required, as applicable, of the project to help ensure no significant impacts. Because the conditions of approval are incorporated as part of the project, they are not listed as mitigation measures. SCA-SERV-2: Construction Management Plan (#13) also addresses construction impacts related to traffic control and is listed in *Section V.M, Public Services, Utilities, and Recreation.*

SCA-TRANS-1: Construction Activity in the Public Right-of-Way (#80)
a. Obstruction Permit Required
Requirement: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops.
When Required: Prior to approval of construction-related permit
Initial Approval: Department of Transportation
Monitoring/Inspection: Department of Transportation

b. Traffic Control Plan Required
Requirement: In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian accommodations (or detours, if accommodations are not feasible), including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The Traffic Control Plan shall be in conformance with the City's Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists, and Bus

Facilities in Construction Zones. The project applicant shall implement the approved Plan during construction.
Initial Approval: Department of Transportation
Monitoring/Inspection: Department of Transportation

c. Repair of City Streets
Requirement: The project applicant shall repair any damage to the public right-of way, including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.
When Required: Prior to building permit final
Initial Approval: N/A
Monitoring/Inspection: Department of Transportation

SCA-TRANS-2: Bicycle Parking (#81)
Prior to issuance of a demolition, grading, or building permit.
Requirement: The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.
When Required: Prior to approval of building permit
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

SCA-TRANS-3: Transportation Improvements (#82)
Prior to issuance of a demolition, grading, or building permit.
Requirement: The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Review for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, transportation demand management measures, and transit, pedestrian, and bicyclist amenities). The project applicant is responsible for funding and installing the improvements and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:

a. 2070L Type Controller with cabinet accessory
b. GPS communication (clock)

c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)
d. Countdown pedestrian head module switch out
e. City Standard ADA wheelchair ramps
f. Video detection on existing (or new, if required)
g. Mast arm poles, full activation (where applicable)
h. Polara Push buttons (full activation)
i. Bicycle detection (full activation)
j. Pull boxes
k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum
l. Conduit replacement contingency
m. Fiber switch
n. PTZ camera (where applicable)
o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor
p. Signal timing plans for the signals in the coordination group
q. Bi-directional curb ramps (where feasible, and if project is on a street corner)
r. Upgrade ramps on receiving curb (where feasible, and if project is on a street corner)

When Required: Prior to building permit final or as otherwise specified
Initial Approval: Bureau of Building; Department of Transportation
Monitoring/Inspection: Bureau of Building

SCA-TRANS-4: Transportation and Parking Demand Management (#83)

a. Transportation and Parking Demand Management (TDM) Plan Required. *Prior to approval of planning application.*

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

i. The goals of the TDM Plan shall be the following:
   - Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable.
   - Achieve the following project vehicle trip reductions (VTR):
     - Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR
     - Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR
   - Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate.
   - Enhance the City's transportation system, consistent with City policies and programs.

ii. The TDM Plan should include the following:
   - Baseline existing conditions of parking and curbside regulations within the surrounding neighborhood that could affect the effectiveness of TDM strategies, including inventory of parking spaces and occupancy if applicable.
   - Proposed TDM strategies to achieve VTR goals (see below).

- For employers with 100 or more employees at the subject site, the TDM Plan shall also comply with the requirements of Oakland Municipal Code Chapter 10.68 Employer-Based Trip Reduction Program.
- The following TDM strategies must be incorporated into a TDM Plan based on a project location or other characteristics. When required, these mandatory strategies should be identified as a credit toward a project's VTR.

SCA-TRANS-4 Improvement	**Required by code or when…**
Bus boarding bulbs or islands.	• A bus boarding bulb or island does not already exist, and a bus stop is located along the project frontage; and/or • A bus stop along the project frontage serves a route with 15 minutes or better peak hour service and has a shared bus-bike lane curb.
Bus shelter.	• A stop with no shelter is located within the project frontage, or • The project is located within 0.10 miles of a flag stop with 25 or more boardings per day.
Concrete bus pad.	• A bus stop is located along the project frontage and a concrete bus pad does not already exist.
Curb extensions or bulb-outs.	• Identified as an improvement within site analysis.
Implementation of a corridor-level bikeway improvement.	• A buffered Class II or Class IV bikeway facility is in a local or county adopted plan within 0.10 miles of the project location; and • The project would generate 500 or more daily bicycle trips.
Implementation of a corridor-level transit capital improvement.	• A high-quality transit facility is in a local or county adopted plan within 0.25 miles of the project location; and • The project would generate 400 or more peak period transit trips.
Installation of amenities such as lighting; pedestrian-oriented green infrastructure, trees, or other greening landscape; and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.	• Always required.
Installation of safety improvements identified in the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.).	• When improvements are identified in the Pedestrian Master Plan along project frontage or at an adjacent intersection.
In-street bicycle corral.	• A project includes more than 10,000 square feet of ground floor retail, is located along a Tier 1 bikeway, and on-street vehicle parking is provided along the project frontages.
Intersection improvements.[6]	• Identified as an improvement within site analysis.
New sidewalk, curb ramps, curb and gutter meeting current City and ADA standards.	• Always required.
No monthly permits and establish minimum price floor for public parking.[7]	• If proposed parking ratio exceeds 1:1000 square feet (commercial).
Parking garage is designed with retrofit capability.	• Optional if proposed parking ratio exceeds 1:1.25 (residential) or 1:1000 square feet (commercial).

[6] Including but not limited to visibility improvements, shortening corner radii, pedestrian safety islands, accounting for pedestrian desire lines.
[7] May also provide a cash incentive or transit pass alternative to a free parking space in commercial properties.

SCA-TRANS-4 Improvement	Required by code or when…
Parking space reserved for car share.	• If a project is providing parking and a project is located within downtown. One car share space reserved for buildings between 50 – 200 units, then one car share space per 200 units.
Paving, lane striping or restriping (vehicle and bicycle), and signs to midpoint of street section.	• Typically required.
Pedestrian crossing improvements.	• Identified as an improvement within site analysis.
Pedestrian-supportive signal changes.[8]	• Identified as an improvement within operations analysis.
Real-time transit information system.	• A project frontage block includes a bus stop or BART station and is along a Tier 1 transit route with 2 or more routes or peak period frequency of 15 minutes or better.
Relocating bus stops to far side.	• A project is located within 0.10 mile of any active bus stop that is currently near-side.
Signal upgrades.[9]	• Project size exceeds 100 residential units, 80,000 square feet of retail, or 100,000 square feet of commercial; and • Project frontage abuts an intersection with signal infrastructure older than 15 years.
Transit queue jumps.	• Identified as a needed improvement within operations analysis of a project with frontage along a Tier 1 transit route with two or more routes or peak period frequency of 15 minutes or better.
Trenching and placement of conduit for providing traffic signal interconnect.	• Project size exceeds 100 units, 80,000 square feet of retail, or 100,000 square feet of commercial; and • Project frontage block is identified for signal interconnect improvements as part of a planned ITS improvement; and • A major transit improvement is identified within operations analysis requiring traffic signal interconnect.
Unbundled parking.	• If proposed parking ratio exceeds 1:1.25 (residential).

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

- Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.
- Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.
- Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project. Pedestrian refuge islands, particularly at the crossing of Broadway at College Avenue, north side. Islands would be minimum 6 feet in width, likely requiring some lane and striping realignment.
- Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan, the Master Street Tree List and Tree Planting Guidelines (which can be viewed at

[8] Including but not limited to reducing signal cycle lengths to less than 90 seconds to avoid pedestrian crossings against the signal, providing a leading pedestrian interval, provide a "scramble" signal phase where appropriate.
[9] Including typical traffic lights, pedestrian signals, bike actuated signals, transit-only signals.

http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf and http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf, respectively) and any applicable streetscape plan.

- Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.
- Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency).
- Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes.
- Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3).
- Guaranteed ride home program for employees, either through 511.org or through separate program.
- Pre-tax commuter benefits (commuter checks) for employees.
- Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.
- On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.
- Distribution of information concerning alternative transportation options.
- Parking spaces sold/leased separately for residential units. Charge employees for parking or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.
- Parking management strategies including attendant/valet parking and shared parking spaces.
- Requiring tenants to provide opportunities and the ability to work off-site.
- Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week).
- Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours.

The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.
When Required: Prior to approval of planning application.
Initial Approval: Bureau of Planning
Monitoring/Inspection: N/A

b. TDM Implementation – Physical Improvements. *Prior to building permit final.*
Requirement: For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.
When Required: Prior to building permit final
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

c. TDM Implementation – Operational Strategies. *On-Going.*
Requirement: For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.
When Required: Ongoing
Initial Approval: Department of Transportation
Monitoring/Inspection: Department of Transportation

SCA-TRANS-5: Transportation Impact Fee (#84)
Prior to issuance of building permit.
Requirement: The project applicant shall comply with the requirements of the City of Oakland Transportation Impact Fee Ordinance (chapter 15.74 of the Oakland Municipal Code).
When Required: Prior to issuance of building permit
Initial Approval: Bureau of Building
Monitoring/Inspection: N/A

SCA-TRANS-6: Plug-In Electric Vehicle (PEV) Charging Infrastructure (#86)
Prior to issuance of building permit.
a. PEV-Ready Parking Spaces
Requirement: The applicant shall submit, for review and approval of the Building Official and the Zoning Manager, plans that show the location of parking spaces equipped with full electrical circuits designated for future PEV charging (i.e., "PEV-Ready) per the requirements of Chapter 15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-Ready parking spaces.

b. PEV-Capable Parking Spaces
Requirement: The applicant shall submit, for review and approval of the Building Official, plans that show the location of inaccessible conduit to supply PEV-capable parking spaces per the requirements of Chapter

15.04 of the Oakland Municipal Code. Building electrical plans shall indicate sufficient electrical capacity to supply the required PEV-capable parking spaces.

c. ADA-Accessible Spaces
Requirement: The applicant shall submit, for review and approval of the Building Official, plans that show the location of future accessible EV parking spaces as required under Title 24 Chapter 11B Table 11B-228.3.2.1, and specify plans to construct all future accessible EV parking spaces with appropriate grade, vertical clearance, and accessible path of travel to allow installation of accessible EV charging station(s).
When Required: Prior to Issuance of Building Permit
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

3. Project Transportation Characteristics

a. Existing Characteristics

The proposed mixed-use development (hereby referred to as the project) would be located at the southeast corner of the Broadway/Clifton Street intersection in Oakland, California, where the existing California College of the Arts (CCA) Oakland campus is located. Vehicular access to the existing CCA Oakland campus is provided by a driveway on Clifton Street, accessed via an unsignalized intersection at Broadway. The unsignalized intersection of Broadway/Clifton Street is located between the closely spaced signalized intersections of Broadway/Broadway Terrace and Broadway/College Avenue.

b. Project

The project proposes to develop the CCA Oakland campus property with the following key initial plan elements:

- Construction of 510 residential units focused in two building complexes, one located along the site's eastern edge and one at the corner of Clifton Street and Broadway; and
- Construction of 16,945 square feet of office space and 1,408 square feet of ground floor café/retail space fronting Broadway.
- Provision of 11,884 square feet of personal instruction and improvement services or group assembly. This would include 10, 718 square feet of assembly space on Macky Lawn and 1,166 square feet of assembly space on the Carriage House Terrace. Macky Lawn and the Carriage House Terrace would be available to be used for community or cultural performing arts by non-profit groups. The ground floor of the Carriage House would also be available for assembly activities, including community meetings.

This analysis examines project components described above—510 new multi-family dwelling units, 16,945 square feet of office space, and approximately 1,408 square feet of space

designated for ground floor commercial uses. A total of 268 off-street parking spaces are proposed, with 251 dedicated to residents and 13 dedicated to the historic and commercial uses. A total of 510 bicycle parking spaces would be provided on-site, with 27 being short term bicycle parking (bicycle rooms/racks that are accessible to the public) and 483 being long term bicycle parking (secured with key card access for residents and employees).

c. Trip Generation

Trip generation for the project was estimated using the Trip Generation Manual, 10th Edition (2017) published by the Institute of Traffic Engineers (ITE), as presented in Table V.C-3. The project's on-site residential, office, and retail/café uses are expected to generate 2,259 daily vehicle trips, including 180 morning and 169 evening peak hour trips on a typical weekday.

TABLE V.C-3 PROJECT TRIP GENERATION

				Weekday AM Peak Hour			Weekday PM Peak Hour		
Use	**Setting/Location**	**Size**	**Daily**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Multi-Family Housing (Mid-Rise)[a]	Dense Multi-Use Urban	510 Occupied Dwelling Units[e]	1,953	40	108	148	87	51	138
Office[b]	General Urban/ Suburban	16,945 sq.ft.[e]	170	17	3	20	3	16	19
Café/Retail[c]	General Urban/ Suburban	1,408 sq.ft.[e]	160	8	6	14	9	5	14
Café/Retail (Internalization – 15%)[d]			-24	-1	-1	-2	-1	-1	-2
		Project Trip Generation	*2,259*	*64*	*116*	*180*	*98*	*71*	*169*
CCA Campus	Urban	Existing to be removed	100	12	2	14	2	8	10
		Existing CCA Campus Trip Generation	*-100*	*-12*	*-2*	*-14*	*-2*	*-8*	*-10*
		Net New Trips	**2,159**	**52**	**114**	**166**	**96**	**63**	**159**

[a] Land Use Category 221- Multi-family Housing (Mid-Rise) in a Dense Multi-Use Urban Setting
[b] Land Use Category 710- General Office Building in a General Urban/Suburban Setting
[c] Land Use Category 932- High Turnover (Sit Down) Restaurant in a General Urban/Suburban Setting
[d] Internalization of trips/mixed use credits (i.e., retail customers originating from project office or residential uses.
Source: Trip Generation Manual (10th Edition), ITE, 2017.

The number of vehicle trips generated by existing CCA uses to be removed was estimated through site observations of travel to and from on-site parking lots. These observations identified approximately 100 daily vehicle trips, including 14 morning and 10 evening peak hour trips on a typical weekday.

The total net new trips forecast to be generated by the project includes approximately 2,159 daily vehicle trips, including 166 morning and 159 evening peak hour trips on a typical weekday.

The neighborhood group assembly space is not expected to generate regular vehicular traffic during typical weekday morning and evening peak commute hours. Events in these spaces will be seasonal in nature, occur infrequently and be scheduled on days and hours that do not coincide with weekday peak commute periods.

4. Impacts, Standard Conditions of Approval, and Mitigation Measures

This section describes environmental impacts related to transportation and circulation that could result from the implementation of the project. The section begins with the criteria of significance that establish the thresholds for determining whether an impact is significant. The latter part of this section presents the impacts associated with the project and identifies SCAs and/or mitigation measures to address these impacts as needed.

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

a. Significance Criteria

The project would have a significant impact on the environment if it would conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit, specifically:

1. Cause substantial additional vehicle miles traveled (VMT) per capita, per service population, or other appropriate efficiency measure. Specifically,
    - For residential projects, a project would cause substantial additional VMT if it exceeds existing regional household VMT per capita minus 15 percent

- For office projects, a project would cause substantial additional VMT if it exceeds the existing regional VMT per employee minus 15 percent.
- For retail projects greater than 80,000 square feet, a project would cause substantial additional VMT if it results in a net increase in citywide total VMT per service population.
- Grocery stores, local-serving entertainment venues, religious institutions, parks, and athletic club land uses should be treated as retail for screening and analysis.

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

The project's proposed group assembly space is expected to serve trips with local origins and destinations and per the City's guidelines is treated as retail for the purposes of VMT screening and analysis.

b. Less-Than-Significant Traffic and Transportation Impacts

(1) Vehicle Miles Traveled (Criterion 1)

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

Given these travel behavior factors, most of Oakland has lower VMT per capita and VMT per worker ratios than the nine-county San Francisco Bay Area region. Furthermore, within the City of Oakland, some neighborhoods may have lower VMT ratios than others.

Estimating VMT generally requires the use of travel demand models to fully capture the length of trips on the transportation network, as well as the changes in VMT behavior that may occur with the introduction of the Project. This analysis uses the latest version of the Alameda County Transportation Commission (CTC) Travel Demand Model which was released in May 2019 and is consistent with the Metropolitan Transportation Commission (MTC) Plan Bay Area 2040 (i.e., Sustainable Communities Strategy) transportation network and land uses for 2020 and 2040. The

model produces forecasts that are generally consistent with the travel demand forecasts that the MTC has produced for Plan Bay Area 2040 for the Plan horizon year of 2040 and meets the regional model consistency requirements.

Neighborhoods within Oakland are expressed geographically in transportation analysis zones, or TAZs, which are used in transportation planning models for transportation analysis and other planning purposes. The Alameda CTC Travel Demand Model includes 369 TAZs within Oakland that vary in size from a few city blocks in the downtown core, to multiple blocks in outer neighborhoods, to even larger geographic areas in lower-density neighborhoods. Based on the transportation network and land use inputs, such as population and employment characteristics by TAZ, the model assigns all predicted trips within, across, or to/from the county onto the roadway network and the transit system by mode (single-driver and carpool vehicle, biking, walking, or transit) and transit carrier (bus, rail) for a particular scenario.

The Alameda CTC Model outputs the household VMT per capita, which measures all the VMT by passenger vehicles on a typical weekday that begin or end at homes. Based on the Alameda CTC Travel Demand Model, the regional average household VMT per capita is 19.8 under 2020 conditions and 19.1 under 2040 conditions. The regional average daily VMT per worker is 18.1 under 2020 conditions and 18.2 under 2040 conditions.

Screening Criteria

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

1. Small Projects: The project generates fewer than 100 vehicle trips per day.
2. Low-VMT Areas: The project meets map-based screening criteria by being located in an area that exhibits below threshold VMT, or 15-percent or more below the regional average.
3. Near Transit Stations: The project is located in a Transit Priority Area or within a one-half mile of a Major Transit Stop[10] or high-quality transit corridor[11] and satisfies the following:
    - Has a Floor Area Ratio (FAR) of greater than 0.75;
    - Does not include more parking for use by residents, customers, or employees than other typical nearby uses, or more than required by the City (if parking minimums pertain to the

[10] CEQA Guidelines Section 15191(i) defines a "major transit stop" as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during morning and afternoon peak commute times.

[11] CEQA Guidelines Section 21155(b) defines a "high quality transit corridor: means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

site) or allowed without a conditional use permit (if minimums and/or maximums pertain to the site); and

- Is consistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the MTC).

The project's relation to each of the three criteria are described below. The project satisfies the Near Transit Stations (#3) criterion as described below.

Criterion #1: Small Projects

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

Criterion #2: Low-VMT Area

Table V.C-4 shows the estimated 2020 and 2040 VMT per capita for TAZ 332, the TAZ in which the project site is located, as well as the applicable VMT thresholds of 15-percent below the regional average.

As shown in Table V.C-4, the 2020 and 2040 estimated average daily VMT per capita for residential uses in the Project TAZ are less than the regional averages minus 15-percent. The 2020 and 2040 daily per worker in the project TAZ are greater than the regional averages minus 15-percent. The project does not satisfy criterion #2 for its employment uses.

TABLE V.C-4 DAILY VEHICLE MILES TRAVELLED PER CAPITA

	Bay Area				TAZ 332	
	2020		2040			
Land Use	Regional Average	85% Regional Average	Regional Average	85% Regional Average	2020	2040
Residential	19.8	16.8	19.1	16.2	16.0	15.6
Worker	18.1	15.4	18.2	15.5	17.4	17.5

Source: SB 743 and VMT Tool - Alameda CTC, accessed December 2023.

Criterion #3: Near Transit Stations

The project site is directly adjacent to a high-quality transit (bus) corridor. Route 51A operates along the Broadway/College Avenue corridors with 10- to 15-minute peak headways during both the morning and afternoon peak commute periods. As described below, the project meets the three conditions necessary to satisfy Criterion #3:

- The project would have a FAR of 2.51, which is greater than the threshold of 0.75.
- The project proposes a total of 268 parking spaces with 255[12] of the spaces being reserved for residential use. The City has eliminated minimum parking ratios for deed restricted affordable units. The criteria state that a project meets this requirement if the project does not include **more parking for use** by residents, customers, or employees than **other typical nearby uses, or more than required by the City (if parking minimums pertain to the site); or** allowed without a conditional use permit (if minimums and/or maximums pertain to the site).
- For market rate residential the City's minimum standard is 0.50 spaces per unit. With 459 market rate units; a minimum of 230 spaces are required, leaving 25 spaces to serve the affordable units resulting in approximately 0.49 spaces per affordable unit. According to the US Census data, the average automobile ownership for renter households in the project vicinity (census track) is about 0.75 vehicles per household[13]; one of the lowest in the City.[14] Given the residential portion of the project would be at 0.49 spaces per unit (including both market and affordable units) and the affordable independent of the market rate would be parked at 0.49 spaces per unit, the project would provide fewer parking spaces than other typical uses nearby.

    The City of Oakland Planning Code (Section 17.116.80) requires a minimum of 1 parking space for 1,000 square feet of commercial space in the CC-2 Zone. A total of 6,982 of ground floor commercial is proposed in Building A, resulting in the need for an additional 7 spaces and then an additional 11 spaces for the historic buildings.

        City Planning Code Section 17.116.110 provides that for the conversion of historic buildings existing parking on site must be retained in proportion of the size of the buildings to be retained in relationship to the total existing square footage. The two historic buildings on-site being converted to new uses, the Macky Hall and Carriage House buildings, are 10,654 square feet in size. Their retention requires that six of the existing 41 parking spaces on site be retained or provided within a new parking facility.

[12] Note the project plans dated August 25, 2022 state that 251 parking spaces are dedicated to residential. Since those planse were submitted the City's parking standards have been revised and the amount of spaces required for commercial is reduces from 18 to 13 spaces. The remaining 5 spaces will shift to provide some parking for the affordable units.

[13] 61 Based on American Community Survey 2017-2021 Five-Year Estimates, Census Tract 4042, Table B25044. and DPO4.

[14] The Census track that includes the MacArthur BART TOD has an average of 1.24 vehicles per unit and the Census track that is south of 51st Avenue and includes the Baxter is has an average of 1.21 vehicles per unit

Non site residents or employees that choose to attend events at the community group assembly space would use on-street parking in the project's vicinity.

In summary the project would not exceed any of the City's established minimum parking standards and for uses where no minimum exists (i.e., affordable units) the parking provided is significantly below what is typical for the project vicinity.

- The project proposes new multi-family residential development within the MacArthur Transit Village Priority Development Area as defined by Plan Bay Area and is therefore consistent with the region's Sustainable Communities Strategy.

The retail portion of the project is 1,408 square feet of locally serving retail space, which is less than 80,000 square feet stated in the criterion. The 11,884 square feet of group assembly space, treated as retail per the City's guidelines, is also less than the 80,000 square feet stated within the criterion. These spaces are expected to serve local uses and not be accretive to overall VMT.

In addition, because the project would generate more than 50 net new peak hour trips, the project would be required to implement SCA-TRANS-4: Transportation and Parking Demand Management Plan (#83), which would require the preparation and implementation of a detailed TDM Plan, and impacts related to VMT would be further reduced. Because the project meets the requirement of Criterion #3: Near Transit Stations, the project's impacts related to VMT would be less than significant and no additional mitigation measures would be required. The TDM Plan will have a vehicle trip reduction goal of at least 20 percent.

(2) Consistency with Plan, Ordinances, or Policies Addressing the Safety or Performance of the Circulation System (Criterion 2)

The project is consistent with applicable plans, ordinances, and policies, and would not cause a significant impact by conflicting with adopted plans, ordinances, or policies addressing the safety and performance of the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths.

The LUTE, as well as the City's Public Transit and Alternative Mode and Complete Streets policies, states a strong preference for encouraging the use of non-automobile transportation modes, such as transit, bicycling, and walking. The project would encourage such uses by providing housing units in a dense, walkable urban environment that is well-served by local and regional transit, as well as providing fewer parking spaces than those required by the City's planning code.

The project is consistent with both the City's Pedestrian Master Plan and Bicycle Master Plan as it would not make major modifications to existing pedestrian or bicycle facilities in the surrounding areas nor adversely affect installation of future facilities. The project would improve and widen

sidewalks abutting the project site on Broadway and Clifton Street. The improved sidewalks along Broadway would provide an effective 8 feet of width, consistent with the City's PMP requirements and the sidewalk along Clifton Street would be 14 feet wide.

In addition, because the project would generate more than 50 net new peak hour trips, the project would be required to implement SCA-TRANS-4: Transportation and Parking Demand Management Plan (#83), which would require the preparation and implementation of a detailed TDM Plan. Implementation of a detailed TDM plan would help to achieve some of the goals of the LUTE, the Pedestrian Master Plan, the Bicycle Master Plan, the Public Transit and Alternative Mode policy, and the Complete Streets policy. Overall, the project would not conflict with adopted plans, ordinances, or policies addressing the safety and performance of the circulation system. This is a less-than-significant impact; no mitigation measures are required.

(3) Induce Automobile Travel by Increasing Physical Roadway Capacity or by Adding New Roadways (Criterion 3)

The project does not propose to increase physical roadway capacity to the roadway network and therefore would have a less-than-significant impact on induced travel.

c. Significant Traffic and Transportation Impacts

Implementation of the project would not result in any significant traffic or transportation impacts.

d. Cumulative Impacts

This section measures the project against the significance criteria under cumulative conditions in 2040 and establishes whether or not the project would result in any cumulative traffic or transportation impacts.

(1) Vehicle Miles Travel (Criterion 1)

Table V.C-4 shows the project's 2040 VMT for office and residential uses. As shown, per capita VMT in 2040 for the project will be 15.6 compared to the regional average of 19.1. The per worker VMT within the project's TAZ is 17.5 compared to the regional average of 18.2. The project is located in an area with low 2040 residential levels of VMT and is adjacent to a high-quality transit corridor. AC Transit's Route 51A is identified as one of the service provider's "major corridors" and current planning documents[15] call for the implementation of Enhanced Bus Service and Rapid Bus Service on the route by the year 2040. These improvements will increase bus frequencies, speeds,

[15] AC Transit, 2016. Major Corridor Study Final Report, July.

and reliability within the corridor. Thus, the project is expected to continue to exist adjacent to a high-quality transit corridor through the year 2040 and beyond.

(2) Consistency with Plan, Ordinances, or Policies Addressing the Safety or Performance of the Circulation System (Criterion 2)

The project and the associated SCAs presented in this section are consistent with the City's policies, plans, and programs, and would not cause a significant impact by conflicting with adopted policies, plans, or programs supporting public transit, bicycle usage, or pedestrian activity.

(3) Induce Automobile Travel by Increasing Physical Roadway Capacity or by Adding New Roadways (Criterion 3)

The project does not propose any new streets under cumulative conditions in 2040. Nor does the project modify existing streets that would substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network. The project would not have a significant impact on roadway capacity.

D. AIR QUALITY

This section describes the existing air quality conditions in the vicinity of the project site; discusses the federal, State, and local regulations and policies pertinent to air quality; and assesses the potentially significant impacts to existing air quality as a result of implementation of the project. The potential impacts assessed include increases in criteria air pollutant and toxic air contaminant (TAC) emissions during both the construction and operational phases of the project. The analysis in this section was prepared in accordance with the Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines (CEQA Guidelines).[1] The City's Standard Conditions of Approval (SCAs) that would reduce potential impacts are identified, as appropriate.

1. Setting

The project site is in the City of Oakland, which is situated within the San Francisco Bay Area Air Basin (SFBAAB). Some air basins have natural characteristics that limit the ability of natural processes to either dilute or transport air pollutants. The major determinants of air pollution transport and dilution are climatic and topographic factors such as wind, atmospheric stability, terrain that influences air movement, and sunshine. Wind and terrain can combine to transport pollutants away from upwind areas, while solar energy can chemically transform pollutants in the air to create secondary photochemical pollutants such as ozone. The following discussion provides an overview of the environmental setting with regard to air quality in the SFBAAB.

a. Regional Climate, Meteorology, and Topography

The San Francisco Bay Area (Bay Area) has a Mediterranean climate characterized by wet winters and dry summers. During the summer, a high-pressure cell centered over the northeastern Pacific Ocean results in stable meteorological conditions and a steady northwesterly wind flow that keep storms from affecting the California coast. During the winter, the Pacific high-pressure cell weakens, resulting in increased precipitation and the occurrence of storms. The highest air pollutant concentrations in the Bay Area generally occur during inversions, when a surface layer of cooler air becomes trapped beneath a layer of warmer air. An inversion reduces the amount of vertical mixing and dilution of air pollutants in the cooler air near the surface.

Oakland is within a climatological subregion that stretches from Richmond to San Leandro. The western boundary of this subregion is defined by the San Francisco Bay and the eastern boundary by the Oakland-Berkeley Hills. The Oakland-Berkeley Hills have a ridge-line height of approximately 1,500 feet, which creates a significant barrier to air flow in the Bay Area. The

[1] Bay Area Air Quality Management District (BAAQMD), 2022. California Environmental Quality Act Air Quality Guidelines, April.

prevailing wind direction is from the west.[2] Average summer temperatures range from about 55 to 75 degrees Fahrenheit (°F), and average winter temperatures range from about 45 to 55 °F.

b. Air Pollutants of Concern

The California Air Resources Board (CARB) and United States Environmental Protection Agency (EPA) focus on the following air pollutants as regional indicators of ambient air quality:

- carbon monoxide (CO)
- ozone
- suspended particulate matter—both respirable (PM_{10}) and fine ($PM_{2.5}$)
- nitrogen dioxide (NO_2)
- sulfur dioxide (SO_2)
- lead

Because these are the most prevalent air pollutants known to be harmful to human health, based on extensive criteria documents, they are referred to as "criteria air pollutants." In the SFBAAB, the primary criteria air pollutants of concern are CO, ground-level ozone formed through reactions of oxides of nitrogen (NO_x) and reactive organic gases (ROG), PM_{10}, and $PM_{2.5}$. The SFBAAB was redesignated in June 2018 from maintenance to attainment with regards to CO, which is described in more detail below. The BAAQMD operates a network of air monitoring stations throughout the SFBAAB to monitor air pollutants such as ozone, PM_{10}, and $PM_{2.5}$. Table V.D-1 presents a 5-year summary for the period 2013 to 2017 of the highest annual concentrations of ozone and $PM_{2.5}$, which is collected at the Oakland West monitoring station located at 1100 21st Street in Oakland and is the closest monitoring station to the project. The nearest station where PM_{10} levels are measured is the Concord monitoring station at 2975 Treat Boulevard in Concord. Table V.D-1 also compares measured pollutant concentrations with applicable State and federal ambient air quality standards, which are discussed further under Section V.D.2.a of this resource topic. The primary air pollutants of concern are discussed further below.

(1) Carbon Monoxide

CO is a colorless, odorless gas produced by the incomplete combustion of fuels. The primary source of CO in the SFBAAB is motor vehicles. CO impacts are generally localized as concentrations disperse rapidly into the atmosphere; however, high CO concentrations can be a concern in areas with heavy traffic congestion. CO concentrations tend to be highest during winter mornings when there is little to no wind, when surface-based inversions trap the pollutant at ground levels. The highest ambient CO concentrations are generally found near highly

[2] Bay Area Air Quality Management District (BAAQMD), 2000. BAAQMD Meteorological Data; Oakland STP, Station No. 1804.

TABLE V.D-1 AIR QUALITY TRENDS

Pollutant	Standard	2013	2014	2015	2016	2017
Ozone (O_3)	Max 1-hour Concentration (ppm)	0.071	0.072	0.091	0.065	0.087
	Days > CAAQS (0.09 ppm)	0	0	0	0	0
	Max 8-hour Concentration (ppm)	0.06	0.059	0.065	0.053	0.069
	Days > CAAQS (0.070 ppm)	0	0	0	0	0
	Days > NAAQS (0.070 ppm)	0	0	0	0	0
Particulate Matter (PM_{10})	Max 24-hour Concentration ($\mu g/m^3$)	50.5	42.5	24	19	41.0
	Days > CAAQS (50 $\mu g/m^3$)	NV	0	0	0	NV
	Days > NAAQS (150 $\mu g/m^3$)	0	0	0	0	NV
	Annual Arithmetic Mean ($\mu g/m^3$)	8.3	7.3	6.7	6.2	6.5
Particulate Matter ($PM_{2.5}$)	Max 24-hour Concentration ($\mu g/m^3$)	42.7	38.8	38.7	23.9	56
	Days > NAAQS (35 $\mu g/m^3$)	3	1	4	0	8
	Annual Arithmetic Mean ($\mu g/m^3$)	12.8	9.5	10.2	8.7	12.8

Notes: CAAQS = California ambient air quality standards; $\mu g/m^3$ = micrograms per cubic meter; NAAQS = National ambient air quality standards; ppm = parts per million; NV = no value due to insufficient data.
State statistics are based on California-approved samplers, whereas national statistics are based on samplers using federal reference or equivalent methods. State and national statistics may therefore be based on different samplers. When the measured state and national concentrations varied due to different sample methods, the highest concentration was reported in the summary table.
Source: California Air Resources Board (CARB), 2019. iADAM: Air Quality Data Statistics; Trend Summaries. Available at: https://www.arb.ca.gov/adam/trends/trends1.php, accessed December 5, 2023.

congested transportation corridors and intersections. When inhaled at high concentrations, CO combines with hemoglobin in the blood and reduces the oxygen-carrying capacity of the blood. This results in reduced oxygen reaching the brain, heart, and other body tissues. This condition is especially critical for people with cardiovascular diseases, chronic lung disease, or anemia, as well as for fetuses. Even healthy people exposed to high CO concentrations can experience headaches, dizziness, fatigue, unconsciousness, and even death.

(2) Ozone

While ozone serves a beneficial purpose in the upper atmosphere (stratosphere) by reducing ultraviolet radiation, it can be harmful to the human respiratory system and to sensitive species of plants when it reaches elevated concentrations in the lower atmosphere. Ozone is not emitted directly into the environment but is formed in the atmosphere by complex chemical reactions between ROG and NO_x in the presence of sunlight. Ozone formation is greatest during periods of little or no wind, bright sunshine, and high temperatures. As a result, levels of ozone usually build up during the day and peak in the afternoon.

Sources of ROG and NO_x are vehicle tailpipe emissions; evaporation of solvents, paints, and fuels; and biogenic emissions.[3] Automobiles are the single largest source of ozone precursors in the SFBAAB. Short-term ozone exposure can reduce lung function in children, facilitate respiratory infections, and produce symptoms of respiratory distress. Long-term exposure can impair lung defense mechanisms and lead to emphysema and chronic bronchitis. Ozone can also damage plants and trees and materials such as rubber and fabrics.

(3) Particulate Matter

PM_{10} and $PM_{2.5}$ consist of extremely small, suspended particles or droplets that are 10 microns and 2.5 microns or smaller in diameter, respectively. Some sources of particulate matter, like pollen, forest fires, and windblown dust, are naturally occurring. In populated areas, however, most particulate matter is caused by road dust, combustion by-products, abrasion of tires and brakes, and construction activities. Particulate matter can also be formed in the atmosphere by condensation of SO_2 and ROG.

Particulate matter exposure can affect breathing, aggravate existing respiratory and cardiovascular disease, alter the body's defense systems against foreign materials, and damage lung tissue, contributing to cancer and premature death. Individuals with chronic obstructive pulmonary or cardiovascular disease, asthmatics, the elderly, and children are most sensitive to the effects of particulate matter.

(4) Nitrogen Dioxide

Nitrogen Dioxide (NO_2) is one of a group of highly reactive gases known as nitrogen oxides. NO_2 is primarily emitted into in the air from the burning of fuel during operations of cars, trucks and buses, power plants, and off-road equipment. NO_2 is one of the precursor compounds for ozone production. Chemical reactions of NO_2 in the atmosphere would form nitrate particles, which results in reduced visibility. NO_2 and other nitrogen oxides in the atmosphere also react with water in the atmosphere to cause acid rain that harms sensitive ecosystems.

NO_2 and other nitrogen oxides are irritants to eyes and the upper respiratory tract in high concentration. Acute exposure can aggravate respiratory diseases, particularly asthma. Chronic exposure to elevated concentrations of NO_2 may contribute to the development of asthma and potentially increase susceptibility to respiratory infections.

[3] Biogenic sources include volatile organic compounds, which include ROG, from the decomposition of vegetative matter and certain plants, such as oak and pine trees.

(5) Sulfur Dioxide

The largest source of SO_2 in the atmosphere is the burning of fossil fuels by power plants and other industrial facilities. Other minor sources of SO_2 emissions include: industrial processes such as extracting metal from ore; natural sources such as volcanoes; and locomotives, ships and other vehicles and heavy equipment that burn fuel with a high sulfur content. Similar to NO_2, SO_2 is a precursor to particulate matter, which result in reduced visibility and can affect breathing. SO_2 can also contribute to acid rain, which harms sensitive ecosystems.

(6) Lead

Sources of atmospheric lead include ore and metals processing, piston-engine aircraft operating on leaded fuel, waste incinerators, utilities, and lead-acid battery manufacturer. Lead can accumulate in human bodies over time if inhaled or ingest. Health effects of lead include premature birth, decreased kidney function, hypertension, increased blood pressure, anemia, brain defects, and others. Young children and pregnant women are especially susceptible to lead.

(7) Toxic Air Contaminants

In addition to criteria air pollutants, local emissions of toxic air contaminants (TACs), such as diesel particulate matter (DPM), are a concern for nearby receptors. TACs include a diverse group of air pollutants that can adversely affect human health. Unlike criteria air pollutants, which generally affect regional air quality, TAC emissions are evaluated based on estimations of localized concentrations and risk assessments. The adverse health effects a person may experience following exposure to any chemical depend on several factors, including the amount (dose), duration, chemical form, and any simultaneous exposure to other chemicals.

For risk assessment purposes, TACs are separated into carcinogens and non-carcinogens. 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 over a lifetime of exposure. Non-carcinogenic substances are generally assumed to have a safe threshold below which health impacts would not occur. Acute and chronic exposure to non-carcinogens is expressed as a hazard index (HI), which is the sum of expected exposure levels divided by the corresponding acceptable exposure levels. In the SFBAAB, adverse air quality impacts on public health from TACs are predominantly from DPM.

DPM and $PM_{2.5}$ generated from diesel-powered engines are a complex mixture of soot, ash particulates, metallic abrasion particles, volatile organic compounds, and other components that can penetrate deeply into the lungs and contribute to a range of health problems. In 1998, the CARB identified DPM from diesel-powered engines as a TAC based on its potential to cause

cancer and other adverse health effects.[4] While diesel exhaust is a complex mixture that includes hundreds of individual constituents, under California regulatory guidelines, DPM is used as a surrogate measure of exposure for the mixture of chemicals that make up diesel exhaust as a whole. More than 90 percent of DPM is less than 1 micron in diameter, and thus is a subset of PM_{10} and $PM_{2.5}$.[5] The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

c. Existing Sources and Levels of Local Air Pollution

In the Bay Area, stationary and mobile sources are the primary contributors of TACs and $PM_{2.5}$ emissions to local air pollution. In an effort to promote healthy infill development from an air quality perspective, the BAAQMD has prepared guidance entitled Planning Healthy Places.[6] The purpose of this guidance document is to encourage local governments to address and minimize potential local air pollution issues early in the land-use planning process, and to provide technical tools to assist them in doing so. Based on a screening-level cumulative analysis of mobile and stationary sources in the Bay Area, the BAAQMD mapped localized areas of elevated air pollution that: 1) exceed an excess cancer risk of 100 in a million; 2) exceed $PM_{2.5}$ concentrations of 0.8 micrograms per cubic meter; or 3) are located within 500 feet of a freeway, 175 feet of a major roadway (with more than 30,000 annual average daily vehicle trips), or 500 feet of a ferry terminal. As shown on Figure V.D-1, elevated levels of $PM_{2.5}$ and/or TAC pollution currently extend across the southwest portion of the project site.

d. Existing Sensitive Receptors

Sensitive receptors are individuals who are more susceptible to air-quality-related health problems compared to other members of the public, such as the very young, the old, and the infirm.

Sensitive land uses are places where sensitive receptors are most likely to spend their time, such as schools, convalescent homes, and hospitals. Residential areas are also considered sensitive to poor air quality because people are often at home for extended periods, thereby increasing the duration of exposure to potential air contaminants.

[4] California Air Resources Board (CARB), 1998. Initial Statement of Reasons for Rulemaking; Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant, June.

[5] California Air Resources Board (CARB), 2016. Overview: Diesel Exhaust and Health. Available at: https://www.arb.ca.gov/research/diesel/diesel-health.htm, accessed December 5, 2023. Last updated April 12, 2016.

[6] Bay Area Air Quality Management District (BAAQMD), 2016. Planning Healthy Places; A Guidebook for Addressing Local Sources of Air Pollutants in Community Planning, May.

Figure V.D-1
Localized Areas of Elevated Air Pollution

Existing sensitive land uses near the project site include multi-family residential buildings located at 225 Clifton Street and 5217 Broadway (adjacent to the project site); the Oakland Technical High School (adjacent to the northeast corner of the project site across Clifton Street); and an assisted living facility (Merrill Gardens at Rockridge, approximately 100 feet southwest of the project site).

e. Existing Odors

Other air quality issues of concern in the SFBAAB include nuisance impacts from odors; objectionable odors may be associated with a variety of pollutants. Odors rarely have direct health impacts, but they can be very unpleasant and lead to anger and concern over possible health effects among the public. According to the BAAQMD, the following odor sources are of particular concern: wastewater treatment plants, oil refineries, asphalt plants, chemical manufacturing, painting/coating operations, coffee roasters, food processing facilities, recycling operations and metal smelters.[7] None of these types of facilities are located in proximity to the project.

2. Regulatory Setting

This section discusses applicable regulatory provisions, including federal, State, and regional regulations, and policies from the City of Oakland's General Plan and SCAs.

a. Federal, State, and Regional Regulations

The EPA is responsible for implementing the programs established under the federal Clean Air Act, such as establishing and reviewing the National Ambient Air Quality Standards (NAAQS) and judging the adequacy of State Implementation Plans to attain the NAAQS. A State Implementation Plan must integrate federal, State, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. If a state fails to enforce its implementation approved regulations, or if the EPA determines that a state's Implementation Plan is inadequate, the EPA is required to prepare and enforce a Federal Implementation Plan to promulgate comprehensive control measures for a given State Implementation Plan.

The CARB is responsible for establishing and reviewing the California Ambient Air Quality Standards (CAAQS), developing and managing the California Implementation Plan, identifying TACs, and overseeing the activities of regional air quality management districts. In California, mobile emissions sources (e.g., construction equipment, trucks, and automobiles) are regulated

[7] Bay Area Air Quality Management District (BAAQMD), 2022. California Environmental Quality Act Air Quality Guidelines, April.

by the CARB, and stationary emissions sources (e.g., industrial facilities) are regulated by the regional air quality management districts.

The CAAQS and NAAQS, which were developed for criteria air pollutants, are intended to incorporate an adequate margin of safety to protect the public health and welfare. California also has ambient air quality standards for sulfates, visibility-reducing particles, hydrogen sulfide, and vinyl chloride. To achieve CAAQS, criteria air pollutant emissions are managed through control measures described in regional air quality plans as well as emission limitations placed on permitted stationary sources.

In accordance with the federal Clean Air Act and California Clean Air Act, areas in California are classified as either in attainment, maintenance (i.e., former nonattainment), or nonattainment of the NAAQS and CAAQS for each criteria air pollutant. To assess the regional attainment status, the BAAQMD collects ambient air quality data from over 30 monitoring sites within the SFBAAB. Based on current monitoring data, the SFBAAB is designated as a nonattainment area for ozone, PM_{10}, and $PM_{2.5}$, and is designated an attainment or unclassified area for all other pollutants (see Table V.D-2).

Regulation of TACs, referred to as hazardous air pollutants (HAPs) under federal regulations, is achieved through federal, State, and local controls on individual sources. The air toxics provisions of the federal Clean Air Act require the EPA to identify HAPs that are known or suspected to cause cancer or other serious health effects to protect public health and welfare, and to establish National Emission Standards for Hazardous Air Pollutants. California regulates TACs primarily through the Tanner Air Toxics Act (Assembly Bill [AB] 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588). The Tanner Act created California's program to identify and reduce exposure to TACs. To date, the CARB has identified over 21 TACs and adopted the EPA's list of 187 HAPs as TACs. The Hot Spots Act supplements the Tanner Act by requiring a statewide air toxics inventory, notification of people exposed to a significant health risk, and facility plans to reduce these risks.

b. Bay Area Air Quality Management District Responsibilities

The BAAQMD is primarily responsible for ensuring that the NAAQS and CAAQS are attained and maintained in the SFBAAB. The BAAQMD fulfills this responsibility by adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits, inspecting stationary sources of air pollutants, responding to citizen complaints, and monitoring ambient air quality and meteorological conditions.

The BAAQMD also awards grants to reduce motor vehicle emissions and conducts public education campaigns and other activities associated with improving air quality within the SFBAAB.

TABLE V.D-2 AIR QUALITY STANDARDS AND ATTAINMENT STATUS

		CAAQS		NAAQS	
Pollutant	**Averaging Time**	**Concentration**	**Attainment Status**	**Concentration**	**Attainment Status**
Ozone	8-Hour	0.070 ppm	N	0.070 ppm	N
	1-Hour	0.09 ppm	N	Revoked in 2005	---
Carbon Monoxide (CO)	8-Hour	9.0 ppm	A	9 ppm	A
	1-Hour	20 ppm	A	35 ppm	A
Nitrogen Dioxide (NO_2)	1-Hour	0.18 ppm	A	0.100 ppm	U
	Annual	0.030 ppm	---	0.053 ppm	A
Sulfur Dioxide (SO_2)	24-Hour	0.04 ppm	A	0.14 ppm	A
	1-Hour	0.25 ppm	A	0.075 ppm	A
	Annual	---	---	0.030 ppm	A
Respirable Particulate Matter (PM_{10})	Annual	20 µg/m³	N	---	---
	24-Hour	50 µg/m³	N	150 µg/m³	U
Fine Particulate Matter ($PM_{2.5}$)	Annual	12 µg/m³	N	12 µg/m³	U/A
	24-Hour	---	---	35 µg/m³	N
Sulfates	24-Hour	25 µg/m³	A	---	---
Lead	30-Day	1.5 µg/m³	A	---	---
	Calendar Quarter	---	---	1.5 µg/m³	A
	Rolling 3-Month	---	---	0.15 µg/m³	A
Hydrogen Sulfide	1-Hour	0.03 ppm	U	---	---
Vinyl Chloride	24-Hour	0.010 ppm	U	---	---
Visibility Reducing Particles	8 Hour (10:00 to 18:00 PST)	---	U	---	---

Notes: A = Attainment; N = Nonattainment; U = Unclassified; "---" = not applicable; ppm = parts per million; µg/m³ = micrograms per cubic meter; PST = Pacific Standard Time.
Source: Bay Area Air Quality Management District (BAAQMD), 2017. Air Quality Standards and Attainment Status. Available at: http://www.baaqmd.gov/research-and-data/air-quality-standards-and-attainment-status, accessed December 5, 2023. Last updated January 5, 2017.

The demolition of existing buildings and structures are subject to BAAQMD's Regulation 11, Rule 2 (Asbestos Demolition, Renovation, and Manufacturing), which limits asbestos emissions from demolition or renovation of structures and the associated disturbance of asbestos-containing waste material generated or handled during these activities. The rule addresses the

national emissions standards for asbestos and contains additional requirements. The rule requires the lead agency and its contractors to notify the BAAQMD of any regulated renovation or demolition activity. The notification must include a description of the affected structures and the methods used to determine the presence of asbestos-containing materials. All asbestos-containing material found on-site must be removed prior to demolition or renovation activity in accordance with BAAQMD Regulation 11, Rule 2, which includes specific requirements for surveying, notification, removal, and disposal of materials that contain asbestos. Therefore, projects that comply with Regulation 11, Rule 2, would ensure that asbestos-containing materials would be disposed of appropriately and safely.

The use of odorous compounds is subject to BAAQMD's Regulation 7, which places general limitations on odorous substances and specific emission limitations on certain odorous compounds. The regulation limits the "discharge of any odorous substance which causes the ambient air at or beyond the property line…to be odorous and to remain odorous after dilution with four parts of odor-free air." The BAAQMD must receive odor complaints from 10 or more complainants within a 90-day period in order for the limitations of this regulation to go into effect. If this criterion has been met, an odor violation can be issued by the BAAQMD if a test panel of people can detect an odor in samples collected periodically from the source.

The BAAQMD's CEQA Air Quality Guidelines[8] include thresholds of significance to assist lead agencies in evaluating and mitigating air quality impacts under CEQA. The BAAQMD's thresholds established levels at which emissions of ozone precursors (ROG and NOx), PM_{10}, $PM_{2.5}$, local CO, TACs, and odors could cause significant air quality impacts. The scientific soundness of the thresholds is supported by substantial evidence presented in the BAAQMD's Revised Draft Options and Justification Report.[9]

c. Bay Area Clean Air Plan

In accordance with the California Clean Air Act, the BAAQMD is required to prepare and update an air quality plan that outlines measures by which both stationary and mobile sources of pollutants can be controlled to achieve the NAAQS and CAAQS in areas designated as nonattainment. In April 2017, the BAAQMD adopted the 2017 Clean Air Plan: Spare the Air, Cool the Climate (2017 CAP).[10] The 2017 CAP includes 85 control measures to reduce ozone precursors, particulate matter, TACs, and greenhouse gases. The 2017 CAP was developed based on a multi-

[8] Bay Area Air Quality Management District (BAAQMD), 2022. California Environmental Quality Act Air Quality Guidelines, April.

[9] Bay Area Air Quality Management District (BAAQMD), 2009. Revised Draft Options and Justification Report; California Environmental Quality Act Thresholds of Significance, October.

[10] Bay Area Air Quality Management District (BAAQMD), 2010b. Bay Area 2010 Clean Air Plan. Adopted September 15.

pollutant evaluation method that incorporates well-established studies and methods of quantifying the health benefits and air quality regulations, computer modeling and analysis of existing air quality monitoring data and emissions inventories, and traffic and population growth projections prepared by the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments, respectively.

d. City of Oakland

The following section summarizes relevant air quality policies and standards from the General Plan, Municipal Code, and SCAs.

(1) General Plan

The following air quality policies from the Open Space, Conservation and Recreation Element and Environmental Justice Element of the City of Oakland General Plan would relate to the project.

Open Space, Conservation, and Recreation Element

Policy CO-12.1: Land Use Patterns Which Promote Air Quality. Promote land use patterns and densities which help improve regional air quality conditions by: (a) minimizing dependence on single passenger autos; (b) promoting projects which minimize quick auto starts and stops, such as live-work development, mixed use development, and office development with ground floor retail space; (c) separating land uses which are sensitive to pollution from the sources of air pollution; and (d) supporting telecommuting, flexible work hours, and behavioral changes which reduce the percentage of people in Oakland who must drive to work on a daily basis.

Policy CO-12.4: Design of Development to Minimize Air Quality Impacts. Require that development projects be designed in a manner which reduces potential adverse air quality impacts. This may include: (a) the use of vegetation and landscaping to absorb carbon monoxide and to buffer sensitive receptors; (b) the use of low-polluting energy sources and energy conservation measures; and (c) designs which encourage transit use and facilitate bicycle and pedestrian travel.

Policy CO-12.6: Control of Dust Emissions. Require construction, demolition, and grading practices which minimize dust emissions. These practices are currently required by the City and include the following:

- Avoiding earth moving and other major dust generating activities on windy days.
- Sprinkling unpaved construction areas with water during excavation, using reclaimed water where feasible. (Watering can reduce construction-related dust by 50 percent.)
- Covering stockpiled sand, soil, and other particulates with a tarp to avoid blowing dust.
- Covering trucks hauling dirt and debris to reduce spills. If spills do occur, they should be swept up promptly before materials become airborne.

- Preparing a comprehensive dust control program for major construction in populated areas or adjacent to sensitive uses like hospitals and schools.
- Operating construction and earth-moving equipment, including trucks, to minimize exhaust emissions.

Environmental Justice Element

Policy EJ-1.18: Impact Assessment and Mitigation. Continue to use BAAQMD modeling tools and guidance documents as appropriate to identify and mitigate air quality impacts from proposed development projects.

(2) Oakland Municipal Code

Chapter 15.34 of the Oakland Municipal Code requires new construction projects to submit a Waste Reduction and Recycling Plan to the City's Building Official for review and approval. The intent of the provisions is to divert (e.g., reuse on-site) at least 50 percent of construction and demolition debris from landfills. The purpose of these provisions is to prescribe requirements designed to meet and further the goals of the California Integrated Waste Management Act of 1989 AB 939 and the Alameda County Waste Reduction and Recycling Act of 1990 (Measure D).

Chapter 15.36 of the Municipal Code requires the implementation of the following dust control measures during demolition activities:

- "Best manager practices" shall be used throughout all phases of work, including suspension of work, to alleviate or prevent fugitive dust nuisance and the discharge of smoke or any other air contaminants into the atmosphere in such quantity as will violate any city or regional air pollution control rules, regulations, ordinances, or statutes.
- Water or dust palliatives or combinations of both shall be applied continuously and in sufficient quantity during the performance of work and at other times as required. Dust nuisance shall also be abated by cleaning and sweeping or other means as necessary.
- A dust control plan may be required as condition of permit issuance or at other times as may be deemed necessary to assure compliance with this section. Failure to control effectively or abate fugitive dust nuisance or the discharge of smoke or any other air contaminants into the atmosphere may result in suspension or revocation of the permit, in addition to any other applicable enforcement actions or remedies.

(3) Standard Conditions of Approval

The City of Oakland Uniformly Applied Development Standards would be incorporated into the project as SCAs. SCA-TRANS-4: Transportation and Parking Demand Management (#79) would also provide further incentives that encourage walking, biking, and transit and reduce private

automobile trips and is described further in *Section V.C, Traffic and Transportation*. Additionally, the following SCAs would apply to the project.

SCA-AIR-1: Dust Controls – Construction Related (#20)

Requirement: The project applicant shall implement all of the following applicable dust control measures during construction of the project:

a) Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.
b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
d) Limit vehicle speeds on unpaved roads to 15 miles per hour.
e) All excavation, grading, and/or demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph.
f) All trucks and equipment, including tires, shall be washed off prior to leaving the site.
g) Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.
h) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

Enhanced Controls

i) Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities.
j) Apply and maintain vegetative ground cover (e.g., hydroseed) or non-toxic soil stabilizers to disturbed areas of soil that will be inactive for more than 10 days. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
k) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.
l) When working at a site, install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of the site, to minimize wind-blown dust. Windbreaks must have a maximum 50 percent air porosity.
m) Post a publicly-visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours.
n) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
o) Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.

p) Plant vegetation in areas designated for landscaping as soon as possible and water appropriately until vegetation is established.

When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-AIR-2: Criteria Air Pollutant Controls – Construction and Operation Related (#21)

Requirement: The project applicant shall implement all of the following applicable basic and enhanced control measures for criteria air pollutants during construction of the project as applicable:

a) Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two 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.
b) Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes and fleet operations must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations").
c) 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. Equipment check documentation should be kept at construction site and be available for review by the City and the Bay Area Air Quality District as needed.
d) Portable equipment shall be powered by grid electricity if available. If electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand.
e) Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings.
f) All equipment to be used on the construction site shall comply with the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") and upon request by the City (and the Air District if specifically requested), the project applicant shall provide written documentation that fleet requirements have been met.

When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

ENHANCED CONTROLS: All "Basic" controls listed above plus the following controls if the project involves:

g) Criteria Air Pollutant Reduction Measures

Requirement: Project applicants proposing projects that exceed BAAQMD screening levels (as amended to specify projects that include extensive demolition i.e., demolition greater than 100,000 square feet of building space) shall retain a qualified air quality consultant to prepare a project-level criteria air pollutant assessment of construction and operational emissions at the time the project is proposed. The project-level assessment shall either include a comparison of the project with other similar projects where a quantitative

analysis has been conducted or shall provide a project-specific criteria air pollutant analysis to determine whether the project exceeds the City's criteria air pollutant thresholds.

In the event that a project-specific analysis finds that the project could result in criteria air pollutant emissions that exceed City significance thresholds (54 pounds per day of ROG, NO_X, or $PM_{2.5}$ or 82 pounds per day of PM_{10}), the project applicant shall identify criteria air pollutant reduction measures to reduce the project's average daily emissions below these thresholds. The following emission reduction measures shall be implemented to the degree necessary to reduce emissions to levels below the significance thresholds. Additional measures shall be implemented if necessary. Quantified emissions and identified reduction measures shall be submitted to the City (and the Air District if specifically requested) for review and approval prior to the issuance of building permits and the approved criteria air pollutant reduction measures shall be implemented during construction.

i. Clean Construction Equipment

a) Where access to grid-powered electricity is reasonably available, portable diesel engines shall be prohibited and electric engines shall be used for concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, cement and mortar mixers, pressure washers, and pumps.

b) Diesel off-road equipment shall have engines that meet the Tier 4 Final off-road emission standards, as certified by CARB, as required to reduce the emissions to less than the thresholds of significance shown in Table 2-1 of BAAQMD CEQA Guidelines (BAAQMD 2017b). This requirement shall be verified through submittal of an equipment inventory that includes the following information: (1) type of equipment; (2) engine year and age; (3) number of years since rebuild of engine (if applicable); (4) type of fuel used; (5) engine HP; (6) engine certification (tier rating); (7) verified diesel emission control strategy (VDECS) information if applicable, and other related equipment data. A Certification Statement is also required to be made by the Contractor as documentation of compliance and for future review by the air district as necessary. The Certification Statement must state that the Contractor agrees to comply and acknowledges that a violation of this requirement shall constitute a material breach of contract.

c) Any other best available technology that reduces emissions offered at the time that future projects are reviewed may be included in the construction emissions minimization plan (e.g. alternative fuel sources, etc.).

d) Exceptions to requirements a), b), and c) above may be granted if the project sponsor has submitted information providing evidence that meeting the requirement (1) is technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, or (3) there is a compelling emergency need to use equipment that do not meet the engine standards and the sponsor has submitted documentation that the requirements of this exception provision apply. In seeking an exception, the project sponsor shall demonstrate that the project will use the cleanest piece of construction equipment available and feasible and strive to meet a performance standard of average construction emissions of ROG, NOx, PM2.5 below 54 lbs/day, and PM10 emissions below 82 lbs/day.

ii. Super-Compliant VOC Architectural Coatings during Construction

The Project sponsor shall use super-compliant VOC architectural coatings during construction for all interior and exterior spaces and shall include this requirement on plans submitted for review by the City's building official. "Super-Compliant" refers to paints that meet the more stringent regulatory

limits in South Coast Air Quality Management District rule 1113 which requires a limit of 10 grams VOC per liter.

iii. Use Low and Super-Compliant VOC Architectural Coatings in Maintaining Buildings
Subsequent projects shall use super-compliant VOC architectural coatings in maintaining buildings. "Super-Compliant" refers to paints that meet the more stringent regulatory limits in South Coast Air Quality Management District rule 1113, which requires a limit of 10 grams VOC per liter.

iv. Promote Use of Green Consumer Products
To reduce ROG emissions associated with the Project, the Project Sponsor and/or future developer(s) shall provide education for residential tenants concerning green consumer products. The Project sponsor and/or future developer(s) shall develop electronic correspondence to be distributed by email annually and upon any new lease signing to residential tenants of each building on the Project site that encourages the purchase of consumer products that generate lower than typical VOC emissions. The correspondence shall encourage environmentally preferable purchasing.

v. Best Available Control Technology for Projects with Diesel Backup Generators and Fire Pumps
The Project sponsor shall implement the following measures. 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:
a) Pursuant to SCA 24, non-diesel fueled generators shall be installed to replace diesel- fueled generators if feasible. Alternative fuels used in generators, such as biodiesel, renewable diesel, natural gas, or other biofuels or other nondiesel emergency power systems, must be demonstrated to reduce criteria pollutant emissions compared to diesel fuel.
b) Pursuant to SCA 24, all new diesel backup generators shall have engines that meet or exceed CARB Tier 4 off-road Compression Ignition Engine Standards (title 13, CCR, section 2423). If CARB adopts future emissions standards that exceed the Tier 4 requirement, the emissions standards resulting in the lowest criteria pollutant emissions shall apply.
c) All new diesel backup generators shall have an annual maintenance testing limit of 20 hours, subject to any further restrictions as may be imposed by BAAQMD in its permitting process.
d) For each new diesel backup generator permit submitted to BAAQMD for the Project, the Project sponsor shall submit the anticipated location and engine specifications to the City for review and approval prior to issuance of a permit for the generator from the City of Oakland Department of Building Inspection. Once operational, all diesel backup generators shall be maintained in good working order for the life of the equipment and any future replacement of the diesel backup generators shall be required to be consistent with these emissions specifications. The operator of the facility at which the generator is located shall be required to maintain records of the testing schedule for each diesel backup generator for the life of that diesel backup generator and to provide this information for review to the planning department within three months of requesting such information.

vi. Electric Vehicle Charging
Prior to the issuance of the building's final certificate of occupancy, the project applicant shall demonstrate that the project is designed to comply with EV requirements in the most recently adopted version of CALGreen Tier 2 at the time of project-specific CEQA review. The installation of all EV charging equipment shall be included on the project drawings submitted for the construction-related permit(s) or on other documentation submitted to the City.

vii. Additional Operational Emissions Reduction Measures

Subsequent projects that do not meet the screening criteria and exceed the applicable criteria air pollutant thresholds of significance shall implement the following additional measures to reduce operational criteria air pollutant emissions:

a) Prohibit TRUs from operating at loading docks for more than 30 minutes by posting signs at each loading dock presenting this TRU limit.

b) All newly constructed loading docks that can accommodate trucks with TRUs shall be equipped with electric vehicle (EV) charging equipment for heavy-duty trucks. This measure does not apply to temporary street parking for loading or unloading.

c) Require that all future tenants have a plan to convert their vehicle fleet(s) to zero emission vehicles (ZEVs) no later than 2040. This would be a condition of all leases at the project site.

d) Other measures that become available and are shown to effectively reduce criteria air pollutant emissions on site or off site if emission reductions are realized within the air basin. Measures to reduce emissions on site are preferable to off-site emissions reductions.

h) Construction Emissions Minimization Plan

Requirement: For projects that involve construction activities with average daily emissions exceeding the CEQA thresholds for construction activity, currently 54 pounds per day of ROG, NOx, of PM2.5 or 82 pounds per day of PM10, the project applicant shall prepare a Construction Emissions Minimization Plan (Emissions Plan) for all identified criteria air pollutant reduction measures. The Emissions Plan shall be submitted to the City (and the Air District if specifically requested) for review and approval prior to the issuance of building permits. The Emissions Plan shall include the following:

i. An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all Verified Diesel Emissions Control Strategies (VDECS), the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date.
ii. A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract.

When Required: Prior to issuance of a construction related permit
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

SCA-AIR-3: Toxic Air Contaminant Controls – Construction Related (#22)

a) Particulate Matter Reduction Measures

Requirement: The project applicant shall implement appropriate measures during construction to reduce potential health risks to sensitive receptors due to exposure to diesel particulate matter (DPM) and particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) in exhaust and fugitive emissions from construction activities. The project applicant shall choose to implement I or both ii and iii:

i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with current guidance from the California Air Resources Board (CARB), the Office of Environmental Health and Hazard Assessment, and the Bay Area Air Quality Management District (BAAQMD) to determine the health risk to sensitive receptors exposed to DPM and $PM_{2.5}$ from

exhaust and fugitive emissions from project construction. The HRA shall be based on project-specific construction schedule, equipment, and activity data. Estimated project-level health risks shall be compared to the City's health risk significance thresholds for projects. The HRA shall be submitted to the City (and the Air District if specifically requested) for review and approval. If the HRA concludes that the health risk is at or below the City's health risk significance thresholds for projects, then DPM and $PM_{2.5}$ reduction measures are not required. If the HRA concludes that the health risk exceeds the City's health risk significance thresholds for projects, DPM and $PM_{2.5}$ reduction measures shall be identified to reduce the health risk to below the City's health risk significance thresholds as set forth under subsection b below. Identified DPM and $PM_{2.5}$ reduction measures shall be submitted to the City for review and approval prior to the issuance of building permits and the approved DPM and $PM_{2.5}$ reduction measures shall be implemented during construction.

ii. The project applicant shall incorporate the following health risk reduction measures into the project to reduce TAC emissions from construction equipment. 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:
   - All off-road diesel equipment shall be equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by CARB. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications. This shall be verified through an equipment inventory submittal and Certification Statement that the Contractor agrees to compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of contract.
   - Where access to grid-powered electricity is available, portable diesel engines shall be prohibited and electric engines shall be used for concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, cement and mortar mixers, pressure washers, and pumps.

   Any other best available technology that reduces emissions offered at the time that future projects are reviewed may be included in the construction emissions minimization plan (e.g., alternative fuel sources, etc.). -and-

iii. The project applicant shall implement all enhanced control measures included in SCA-AIR-1: Dust Controls – Construction Related (#20).

When Required: Prior to issuance of a construction related permit (i), during construction (ii)
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

b) Construction Emissions Minimization Plan (if required by *a* above)

Requirement: The project applicant shall prepare a Construction Emissions Minimization Plan (Emissions Plan) for all identified DPM reduction measures (if any). The Emissions Plan shall be submitted to the City (and the Bay Area Air Quality District if specifically requested) for review and approval prior to the issuance of building permits. The Emissions Plan shall include the following:

i. An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all VDECS, the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date.

ii. A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract.

When Required: Prior to issuance of a construction related permit
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

SCA-AIR-4: Reduce Exposure to Air Pollution (Toxic Air Contaminants) (#23)

a) 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 California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements and in accordance with Bay Area Air Quality Management District (BAAQMD) CEQA guidance for HRAs to determine the health risk of exposure of project residents/occupants/users to air pollutants and the exposure of existing off-site sensitive receptors to project-generated TAC emissions. The HRA shall be based on project- specific activity data. Estimated project-level health risks shall be compared to the City's health risk significance thresholds for projects. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below the City's health risk significance thresholds for projects, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds the City's health risk significance thresholds for projects, health risk reduction measures shall be identified to reduce the health risk below the City's health risk significance thresholds. 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. The approved risk reduction measures shall be implemented during construction and/or operations as applicable.

- or -

ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:

   - Installation of mechanical ventilation systems 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. Mechanical ventilation systems shall be capable of achieving the protection from particulate matter (PM2.5) equivalent to that associated with a MERV-16 filtration (as defined by American Society of Heating, Refrigerating, and Air-Conditioning Engineers standard 52.2). As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.
   - Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).

- Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.
- The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods.
- Sensitive receptors shall be located on the upper floors of buildings, if feasible.
- Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (*Pinus nigra var. maritima*), Cypress (*X Cupressocyparis leylandii*), Hybrid poplar (*Populus deltoids X trichocarpa*), and Redwood (*Sequoia sempervirens*).
- Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.
- Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible.
- Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:
- Installing electrical hook-ups for diesel trucks at loading docks.
- Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards.
- Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels.
- Prohibiting trucks from idling for more than two minutes.
- Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.

When Required: Prior to issuance of a construction related permit
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

SCA-AIR-5: Stationary Sources of Air Pollution (Toxic Air Contaminants) (#24)
Requirement: The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose **one** of the following methods:

a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements and in accordance with Bay Area Air Quality Management District (BAAQMD) CEQA guidance for HRAs to determine the health risk associated with proposed stationary sources of pollution in the project. The HRA shall be based on project-specific activity data. Estimated project-level health risks shall be compared to the City's health risk significance thresholds for the project. The HRA shall be submitted to the City for review and approval. If the HRA concludes

that the health risk is at or below the City's health risk significance thresholds for projects, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds the City's health risk significance thresholds for projects, health risk reduction measures shall be identified to reduce the health risk to the City's health risk significance thresholds for projects. 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. The approved risk reduction measures shall be implemented during construction and/or operations as applicable.

- or -

b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:
    i. Installation of non-diesel fueled generators, if feasible, or,
    ii. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible. If CARB adopts future emissions standards that exceed the Tier 4 requirement, the emissions standards resulting in the lowest DPM emission shall apply.
    iii. All new diesel backup generators shall have an annual maintenance testing limit of 20 hours, subject to any further restrictions as may be imposed by BAAQMD in its permitting process.
    iv. All diesel backup generator exhaust shall be vented on the rooftops of each building where the generators are located. This could be achieved by either placing the diesel backup generators themselves on the rooftops, or by constructing exhaust stacks from the diesel backup generator locations to the rooftops. Alternatively, the generators or exhaust stacks could be located in areas where the Project sponsor can quantitatively demonstrate that these locations would not result in health risks that exceed those associated with rooftop placement for both existing offsite and future onsite sensitive receptors.
    v. For each new diesel backup generator permit submitted to BAAQMD for the Project, the Project sponsor shall submit the anticipated location and engine specifications to the City for review and approval prior to issuance of a permit for the generator from the City of Oakland Department of Building Inspection. Once operational, all diesel backup generators shall be maintained in good working order for the life of the equipment and any future replacement of the diesel backup generators shall be required to be consistent with these emissions specifications. The operator of the facility at which the generator is located shall be required to maintain records of the testing schedule for each diesel backup generator for the life of that diesel backup generator and to provide this information for review to the planning department within three months of requesting such information.

When Required: Prior to approval of construction-related permit
Initial Approval: Planning and Zoning Division
Monitoring/Inspection: Bureau of Building

SCA-AIR-6: Truck-Related Risk Reduction Measures (Toxic Air Contaminants) (#25)

a) Truck Loading Docks

Requirement: The project applicant shall locate proposed truck loading docks as far from nearby sensitive receptors as feasible.
When Required: Prior to approval of a construction related permit
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

b) Truck Fleet Emissions Standards

Requirement: The project applicant shall comply with all applicable California Air Resources Board (CARB) requirements to control emissions from diesel engines and demonstrate compliance to the satisfaction of the City. Methods to comply include, but are not limited to, new clean diesel trucks, higher-tier diesel engine trucks with added Particulate Matter (PM) filters, hybrid trucks, alternative energy trucks, or other methods that achieve the applicable CARB emission standard. Compliance with this requirement shall be verified through CARB's Verification Procedures for In-Use Strategies to Control Emissions from Diesel Engines.

c) Diesel Truck Emission Reduction Measures

Requirement: The Project sponsor shall incorporate the following health risk reduction measures into the Project design and construction contracts (as applicable) in order to reduce the potential health risk due to exposure to toxic air contaminants. 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. Emissions from Project-related diesel trucks shall be reduced through implementing the following measures, if feasible:

i. Prohibit TRUs from operating at loading docks for more than 30 minutes by posting signs at each loading dock presenting this TRU limit.
ii. All newly constructed loading docks that can accommodate trucks with TRUs shall be equipped with electric vehicle (EV) charging equipment for heavy-duty trucks. This measure does not apply to temporary street parking for loading or unloading.
iii. Require that all future tenants have a plan to convert their vehicle fleet(s) to zero emission vehicles (ZEVs) no later than 2040. This would be a condition of all leases at the project site.
iv. Requiring truck-intensive tenants to use advanced exhaust technology (e.g., hybrid) or alternative fuels.
v. Other measures that become available and are shown to effectively reduce criteria air pollutant emissions on site or off site if emission reductions are realized within the air basin. Measures to reduce emissions on site are preferable to off-site emissions reductions.
vi. The project sponsor shall develop a Truck Route Plan that establishes operational truck routes to avoid sensitive receptors as identified in the environmental review analysis completed for the project. The purpose of the Truck Route Plan is to route trucks on streets that are located as far from offsite sensitive receptors as possible, while still maintaining the operational goals of the project. The Truck Route Plan must include route restrictions, truck calming, truck parking, and truck delivery restrictions to minimize exposure of nearby sensitive receptors to truck exhaust and fugitive particulate emissions. Prior to the commencement of operational activities, the project sponsor shall certify (1) compliance with the Truck Route Plan, and (2) all applicable requirements of the Truck Route Plan have been incorporated into tenant contract specifications.

When Required: Prior to building permit final; ongoing
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

SCA-AIR-7: Asbestos in Structures (#27)
Requirement: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.
When Required: Prior to approval of construction-related permit
Initial Approval: Applicable regulatory agency with jurisdiction
Monitoring/Inspection: Applicable regulatory agency with jurisdiction

SCA-AIR-8: Naturally-Occurring Asbestos (#27)
Requirement: The project applicant shall comply with all applicable laws and regulations regarding construction in areas of naturally-occurring asbestos, including but not limited to, the Bay Area Air Quality Management District's (BAAQMD) Asbestos Airborne Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations (implementing California Code of Regulations, section 93105, as may be amended) requiring preparation and implementation of an Asbestos Dust Mitigation Plan to minimize public exposure to naturally- occurring asbestos. Evidence of compliance shall be submitted to the City upon request.
When Required: Prior to approval of construction-related permit
Initial Approval: Applicable regulatory agency with jurisdiction
Monitoring/Inspection: Applicable regulatory agency with jurisdiction

3. Impacts, Standard Conditions of Approval, and Mitigation Measures

This section analyzes environmental impacts related to air quality that could result from implementation of the project. This section begins with the criteria of significance that establish the thresholds for determining whether an impact is significant. The latter part of this section presents the impacts associated with the project and identifies SCAs to address these impacts as needed.

a. Significance Criteria

The City has established CEQA Thresholds of Significance Guidelines, intended to implement and supplement provisions in the CEQA Guidelines for determining the significance of environmental effects, including sections 15064, 15064.4, 15064.5, 15064.7, 15065, 15382, and Appendix G. The City's thresholds of significance are specific to the City and intend to help clarify and standardize analysis and decision making in the City's environmental review process. As presented below, the City's air quality thresholds establish levels at which emissions of ozone precursors (ROG and NO_x), PM_{10}, $PM_{2.5}$, local CO, and TACs could cause significant air quality impacts. These

thresholds are supported by substantial evidence presented in the BAAQMD's Revised Draft Options and Justification Report.[11] While the thresholds pertaining to the effect of the environment on the project (as compared to the project's impact on the environment) are not legally required to be analyzed under CEQA,[12] they are nevertheless evaluated to provide information to decision makers and the public.

In developing thresholds of significance related to criteria air pollutants (thresholds 1 through 3, below), the City considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project does not exceed the identified significance thresholds, its emissions would not be considered cumulatively considerable, resulting in less-than-significant cumulative air quality impacts relative to existing air quality conditions.[13]

Implementation of the project would result in a significant air quality impact if it would:

1. During project construction, result in average daily emissions of 54 pounds per day of ROG, NO_x, or $PM_{2.5}$ or 82 pounds per day of PM_{10}.
2. During project operation, result in average daily emissions of 54 pounds per day of ROG, NO_x, or $PM_{2.5}$ or 82 pounds per day of PM_{10}, or result in maximum annual emissions of 10 tons per year of ROG, NO_x, or $PM_{2.5}$ or 15 tons per year of PM_{10}.
3. Contribute to CO concentrations exceeding the CAAQS of 9 parts per million (ppm) averaged over 8 hours or 20 ppm over 1 hour. [14]
4. For new sources of TACs, during either project construction or project operation, expose sensitive receptors[15] to substantial levels of TACs under project conditions resulting in:
   (a) an increase in cancer risk level greater than 10 in 1 million,
   (b) a non-cancer risk (chronic or acute) hazard index greater than 1.0, or

[11] Bay Area Air Quality Management District (BAAQMD), 2009. Revised Draft Options and Justification Report; California Environmental Quality Act Thresholds of Significance, October.

[12] California Building Industry Association v Bay Area Air Quality Management District (S213478, December 17, 2015).

[13] City of Oakland, 2013. CEQA Thresholds of Significance Guidelines. October 28. See also Bay Area Air Quality Management District (BAAQMD), 2009. Revised Draft Options and Justification Report; California Environmental Quality Act Thresholds of Signifcance, October.

[14] Pursuant to BAAQMD CEQA Guidelines, localized CO concentrations should be estimated for projects in which: (a) project-generated traffic would conflict with an applicable congestion management program established by the county congestion management agency; or (b) project-generated traffic would increase traffic volumes at affected intersections to more than 44,000 vehicles per hour (or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited, such as tunnels, parking garages, bridge underpasses, natural or urban street canyons, and below-grade roadways). In Oakland, only the MacArthur Maze portion of Interstate 580 exceeds the 44,000 vehicles per hour screening criteria.

[15] Pursuant to the BAAQMD CEQA Guidelines, when siting new TAC sources, consider receptors located within 1,000 feet. For this threshold, sensitive receptors include residential uses, schools, parks, daycare centers, nursing homes, and medical centers. The cumulative analysis should consider the combined risk from all TAC sources.

(c) an increase of annual average $PM_{2.5}$ of greater than 0.3 micrograms per cubic meter; or, under cumulative conditions, resulting in: a cancer risk level greater than 100 in a million; a non-cancer risk (chronic or acute) hazard index greater than 10.0; or annual average PM2.5 of greater than 0.8 micrograms per cubic meter.

5. Expose new sensitive receptors to substantial ambient levels of TACs resulting in
   (a) a cancer risk level greater than 100 in a million,
   (b) a non-cancer risk (chronic or acute) hazard index greater than 10.0, or
   (c) annual average $PM_{2.5}$ of greater than 0.8 micrograms per cubic meter.[16]
6. Frequently and for a substantial duration, create or expose sensitive receptors to substantial objectionable odors affecting a substantial number of people.[17]

b. Less-Than-Significant Air Quality Impacts

Implementation of the project would result in the less-than-significant impacts described below.

(1) Criteria Air Pollutants During Construction (Criterion 1)

Project construction would generate criteria air pollutant emissions that could affect regional air quality. The BAAQMD recommends using the most recent version of the California Emissions Estimator Model (CalEEMod versions 2016.3.2) [18] to estimate construction emissions of criteria air pollutants and precursors for a proposed project. CalEEMod uses widely accepted models for emissions estimates combined with appropriate default data for a variety of land use projects that can be used if site-specific information is not available. The default data (e.g., type and power of construction equipment) are supported by substantial evidence from regulatory agencies and a combination of statewide and regional surveys of existing land uses. The primary input data used to estimate emissions associated with construction and operation of the project are summarized in Table V.D-3. A copy of the CalEEMod report for the project, which summarizes the input parameters, assumptions, and findings, is provided in Appendix D.

[16] Pursuant to the BAAQMD CEQA Guidelines, when siting new sensitive receptors, consider TAC sources located within 1,000 feet, including but not limited to stationary sources, freeways, major roadways (10,000 or greater vehicles per day), truck distribution centers, airports, seaports, ferry terminals, and rail lines. For this threshold, sensitive receptors include residential uses, schools, parks, daycare centers, nursing homes, and medical centers.

[17] For this threshold, sensitive receptors include residential uses, schools, daycare centers, nursing homes, and medical centers (but not parks).

[18] An updated version of CalEEMod was released in 2022 after the project analysis was completed using CalEEMod version 2016.3.2. However, the estimated emissions for the primary criteria air pollutant (NOx) would be substantailly the same or higher using CalEEMod version 2016.3.2 because the average vehicle trip lengths for residents are about 10 percent higher in CalEEMod version 2016.3.2.

TABLE V.D-3 SUMMARY OF LAND USE INPUT PARAMETERS FOR CALEEMOD

Land Use Type	CalEEMod Land Use Type	Unit	Amount
Residential	Apartments mid-rise	Dwelling Unit	510
Parking	Enclosed parking with elevator	Square Foot	111,000
Commercial	General Office Building	Square Foot	17,000
Retail	High-Turnover Restaurant	Square Foot	1,400

Note: These land use input parameters were used to evaluate emissions during both project construction and operation. Square footages rounded to the nearest hundred.
[a] The current project now includes parking stackers instead of a single conventional car space which has reduced the parking area from 111,000 to 38,661 square feet. However, the larger parking area was used for the CalEEMod input to obtain a more conservative air quality analysis,
Source: CalEEMod (Appendix D).

Project construction activities would include demolition, structure relocation, grading, building construction, paving, and street improvement. The primary pollutant emissions of concern during project construction would be ROG, NOx, PM_{10}, and $PM_{2.5}$ from the exhaust of off-road construction equipment and on-road vehicles (worker vehicles, vendor trucks, and haul trucks). In addition, fugitive dust emissions of PM_{10} and $PM_{2.5}$ would be generated by soil disturbance and demolition activities, and fugitive ROG emissions would result from paving. While emissions of fugitive dust $PM_{2.5}$ and PM_{10} are a common concern, these emissions would be minimized by implementation of the dust control measures required under SCA-AIR-1: Dust Controls – Construction Related (#20). Emissions of ROG, NOx, PM_{10}, and $PM_{2.5}$ during project construction were estimated using the CalEEMod input parameters summarized in Table V.D-3 and the additional assumptions summarized in Table V.D-4.

TABLE V.D-4 CONSTRUCTION ASSUMPTIONS FOR CALEEMOD

CalEEMod Input Category	Assumptions and Changes to Default Data
Construction Schedule and Equipment	Construction was assumed to begin as early as Fall 2023 and last about 28 months. This is conservative because fleetwide emission rates from offroad equipment get cleaner over time as technology improves. CalEEMod applies default equipment usage and construction phase durations based on the findings of a survey of construction projects of less than 5 acres. A list of default CalEEMod construction equipment and phase durations was modified and refined by the Project Sponsor to be specific to the project to include relocation of Carriage House and street improvements.
Material Movement	Approximately 7,700 cubic yards of soil export and 60 cubic yard of soil import is expected.
Demolition	Approximately 115,130 square feet of existing building would be demolished and hauled off-site.

Notes: Construction assumptions are based on information provided by the Project Sponsor. Default CalEEMod data was used for all other parameters not described.
Source: CalEEMod (Appendix D).

To analyze the daily emissions rates during construction, the total emissions estimated during construction were averaged over the total work days (working 28 months and 6 work days per

week is equivalent to about 730 work days) and compared to the City's thresholds of significance in Table V.D-5. The project's estimated emissions for ROG, NOx, and exhaust PM_{10} and $PM_{2.5}$ would be below the applicable thresholds of significance, and, therefore, would have a less-than-significant impact on regional air quality. Furthermore, the enhanced controls for criteria air pollutant emissions described under SCA-AIR-2: Criteria Air Pollutant Controls – Construction and Operation Related (#21) would not apply to the project.

TABLE V.D-5 ESTIMATED CONSTRUCTION EMISSIONS (POUNDS PER DAY)

Emission Scenario	ROG	NOx	Exhaust PM_{10}	Exhaust $PM_{2.5}$
Construction Emissions	0.6	3.7	0.11	0.11
Thresholds of Significance	54	54	82	54
Exceed Threshold?	No	No	No	No

Source: CalEEMod (Appendix D).

The generation of fugitive dust PM_{10} and $PM_{2.5}$ from soil disturbance and demolition activities could adversely affect local air quality. Neither BAAQMD nor the City has a quantitative threshold of significance for fugitive dust PM_{10} and $PM_{2.5}$ emissions; however, the BAAQMD considers implementation of best management practices (BMPs) to control dust during construction sufficient to reduce potential impacts to a less-than-significant level.[19] Implementation of the enhanced dust-control measures described under SCA-AIR-1: Dust Controls – Construction Related (#20) would satisfy the BAAQMD's requirement for BMPs during construction. Because implementation of these dust-control measures would satisfy the BAAQMD's requirement for BMPs for dust control, the impact on local air quality from dust generated during project construction would be less than significant.

(2) Criteria Air Pollutants During Operation (Criterion 2)

Project operation would generate criteria air pollutant emissions that could potentially affect regional air quality. The primary pollutant emissions of concern during project operation would be ROG, NOx, and exhaust PM_{10} and $PM_{2.5}$ from mobile sources, energy use, area sources (e.g., consumer products and architectural coatings), and stationary sources (e.g., backup generator). Project emissions were estimated for 2026, which is the earliest possible year of operation. Since Statewide vehicle emission standards are required to improve over time in accordance with the Pavley (Assembly Bill (AB) 1493) and Low-Emission Vehicle regulations (Title 13, CCR, Section 1961.2), estimating emissions for the earliest year of operation provides the maximum expected annual emissions. Emissions of ROG, NOx, and exhaust PM_{10} and $PM_{2.5}$ during project operation

[19] Bay Area Air Quality Management District (BAAQMD), 2022. California Environmental Quality Act Air Quality Guidelines, April.

were estimated using the CalEEMod input parameters summarized in Table V.D-3 and additional assumptions summarized in Table V.D-6.

TABLE V.D-6 OPERATION ASSUMPTIONS FOR CALEEMOD

CalEEMod Input Category	Assumptions and Changes to Default Data
Vehicle Trips	Daily trip rates for each type of land use were adjusted according to the total daily trips generated by each land use in the project traffic analysis by Fehr & Peers.
Energy Sources	The project would comply with the City of Oakland's All-Electric Building Ordinance. To account for no natural gas use, the default natural gas consumption rates were converted from British-thermal units to kilo-watt hours and added to the default electricity consumption rates. This is conservative, because electric appliances are typically two to three times more efficient than natural gas appliances.[a]
Stationary Sources	It was assumed that a 1,000-kilowatt emergency diesel generator would potentially be used at each of the two proposed new buildings. The generators would be powered by diesel and used for non-emergency operation up to 50 hours per year (for routine testing and maintenance).
Woodstoves and Fireplaces	Assumed no woodstoves or fireplaces are included in the proposed project.

Notes: Default CalEEMod data was used for all other parameters not described.
[a] California Air Pollution Control Officers Association, 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity, December.
Source: CalEEMod (Appendix D).

The estimated maximum annual emissions and average daily emissions during the operational phase of the project are compared to the City's thresholds of significance in Table V.D-7. The estimated operational emissions for ROG, NOx, and exhaust PM_{10} and $PM_{2.5}$ were below the City's thresholds of significance and, therefore, operation of the project would have a less-than-significant impact on regional air quality.

TABLE V.D-7 ESTIMATED OPERATION EMISSIONS

	Maximum Annual Emissions (Tons)				Average Daily Emissions (Pounds)			
Emissions Scenario	ROG	NO_x	Exhaust PM_{10}	Exhaust $PM_{2.5}$	ROG	NO_x	Exhaust PM_{10}	Exhaust $PM_{2.5}$
Area	2.62	0.04	0.02	0.02	14.36	0.24	0.12	0.12
Energy	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	0.80	1.00	0.01	0.01	4.40	5.46	0.07	0.06
Generator	0.11	0.49	0.02	0.02	0.60	2.70	0.09	0.09
Total Emissions	3.5	1.5	0.05	0.05	18.8	5.7	0.2	0.2
Thresholds of Significance	10	10	15	10	54	54	82	54
Exceed Threshold?	No	No	No	No	No	No	No	No

Source: CalEEMod (Appendix D).

(3) Local Carbon Monoxide Concentration (Criterion 3)

The vehicle trips generated by operation of the project could increase localized CO concentrations (also known as hotspots), which would affect sensitive receptors in the local community. The source of local CO concentrations is often associated with heavy traffic congestion, which most frequently occurs at signalized intersections of high-volume roadways. The City's threshold of significance for local CO concentrations is equivalent to the 1- and 8-hour CAAQS of 20.0 ppm and 9.0 ppm, respectively, because these represent levels that are protective of public health. As described in Subsection D.3.a., the City recommends using the BAAQMD's screening criteria to evaluate potential impacts related to localized CO concentrations.

The Alameda County Transportation Commission (Alameda CTC) serves as the County Congestion Management Agency. The Alameda CTC updates the County's Congestion Management Program (CMP) every 2 years to assess, monitor, and improve the performance of the County's multimodal transportation system and strengthen the integration of transportation and land use planning. The current CMP requires an analysis of any project that is expected to generate more than 100 PM peak hour vehicle trips. [20] During weekdays, the project is expected to generate 159 PM net new peak hour vehicle trips. Because the project would generate more than 100 PM peak hour trips, a traffic analysis was conducted to evaluate potential traffic congestion impacts to nearby intersections affected by the project in accordance with the CMP requirements (see *Section V.C, Traffic and Transportation*). The traffic analysis demonstrated that the project is located adjacent to a high-quality transit corridor and would have a less-than-significant impact related to vehicle miles traveled.

The intersection with the highest traffic volume near the project site has about 3,400 vehicles per hour during PM peak hour, under the existing conditions; the project would increase the existing traffic volume at this intersection by about four percent, to about 3,600 vehicles per hour. This is below the BAAQMD's screening criteria of 44,000 vehicles per hour or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited. Therefore, the project would not be required to estimate localized CO concentrations because of the increase in traffic volume and consistency with the current CMP. The project-generated traffic would be below the BAAQMD's screening criteria adopted by the City. The project would have a less-than-significant impact on nearby sensitive receptors related to the increase of local CO concentrations.

(4) New Toxic Air Contaminants (Criterion 4)

Project construction would generate DPM and $PM_{2.5}$ emissions primarily from the exhaust of off-road diesel construction equipment. Similarly, project operations could generate DPM and $PM_{2.5}$

[20] Alameda County Transportation Commission, 2021. Congestion Management Program, October.

emissions from testing and maintenance of emergency generators. The emissions of DPM and $PM_{2.5}$ from diesel exhaust during project construction and operation could pose a health risk to nearby sensitive receptors. The BAAQMD recommends evaluating the potential health risks to sensitive receptors within 1,000 feet of a project that could be exposed to TACs, such as DPM and $PM_{2.5}$. The following analysis meets the requirements for an HRA in SCA-AIR-3: Toxic Air Contaminant Controls – Construction Related (#22), (see method *i* of the SCA).

Generation of TAC Emissions during Construction

The annual average concentrations of DPM and exhaust $PM_{2.5}$ during construction were estimated within 1,000 feet of the project using the EPA's Industrial Source Complex Short Term (ISCST3) air dispersion model. For this analysis, emissions of exhaust PM_{10} were used as a surrogate for DPM, which is a conservative assumption because more than 90 percent of DPM is less than 1 micron in diameter. The input parameters and assumptions used for estimating emission rates of DPM and $PM_{2.5}$ from off-road diesel construction equipment are included in Appendix D.

The exhaust from off-road equipment was represented in the ISCST3 model as a series of volume sources with a release height of 5 meters to represent the mid-range of the expected plume rise from frequently used construction equipment. Dispersion of air pollutants from off-road construction equipment was modeled using a unit emission rate (e.g., 1 gram per second for volume sources). The annual average concentration profiles from the air dispersion model were then scaled according to the ratio between the unit emission rate and the actual emission rate from each source. Actual emission rates for off-road equipment were based on the actual hours of work and averaged over the entire duration of construction. Daily emissions from construction were assumed to occur from 7:00 a.m. to 7:00 p.m. Monday through Friday, and from 9:00 a.m. to 5:00 p.m. on Saturday.

A uniform grid of receptors spaced 20 meters apart with receptor heights of 1.8 meter (for ground-level receptors) was placed around the project site as a means of developing isopleths (i.e., concentration contours) that illustrate the dispersion pattern from the emissions sources. Terrain variation on and near the project site was incorporated in the ISCST3 model to assign elevations to the emission sources and receptors, based on the United States Geological Survey 7.5-minute Digital Elevation Model data. The ISCST3 model input parameters included 3 years of BAAQMD meteorological data from the Oakland Sewage Treatment Plant weather station located about 2 miles west of the project site.

The air dispersion model was used to estimate annual average concentrations of DPM and $PM_{2.5}$, both before and after applying the requirement under SCA-AIR-3: Toxic Air Contaminant Controls- Construction Related (#22), to use the most effective VDECS available for the engine type as certified by CARB. Tier 4 engines automatically meet this requirement and would result in

the greatest reduction in particulate matter emissions, but to be conservative emissions were estimated based on the fleetwide average mix of engines (which includes lower tier engines) equipped with Level III diesel particulate filters to comply with SCA-AIR-3. Based on the results of the air dispersion model (Appendix D), potential health risks were evaluated for the maximally exposed individual student (MEIS) on the ground floor of a high school about 60 feet north of the project site, and the maximally exposed individual resident (MEIR) located at a ground-floor apartment, about 25 feet east of the project site. Locations of the MEIR and the MEIS are shown in Figure V.D-2.

In accordance with guidance from the BAAQMD[21] and the Office of Environmental Health Hazard Assessment (OEHHA),[22] a health risk assessment was conducted to calculate the incremental increase in cancer risk and chronic HI to sensitive receptors from DPM emissions during construction. Analysis of acute non-cancer health hazards from construction activity is not recommended by BAAQMD, nor has a reference exposure level been approved by OEHHA and CARB. The annual average concentration of DPM at the MEIR was used to conservatively assess potential health risks to nearby sensitive receptors.

At the MEIR location, the incremental increase in cancer risk from on-site DPM emissions during construction was assessed for a young child exposed to DPM for 2.33 years (28 months) starting from in utero in the third trimester of pregnancy. At the MEIS location, the incremental increase in cancer risk from on-site DPM emissions during construction was assessed for a child exposed to DPM for 2.33 years starting at the age of 14. These exposure scenarios represent the most sensitive individuals who could be exposed to adverse air quality conditions in the vicinity of the project site. The input parameters and results of the health risk assessment are included in Appendix D.

In accordance with method *i* of SCA-AIR-3: Toxic Air Contaminant Controls – Construction Related (#22), the project would be required to identify and implement health risk reduction measures if the screening health risk analysis shows that the health risks resulting from the project's construction emissions would exceed the City's thresholds. Estimates of the health risks at the MEIR and MEIS from exposure to DPM and $PM_{2.5}$ concentrations during construction are summarized and compared to the City's thresholds of significance in Table V.D-8. Under the construction scenario without any health risk reduction measures, the estimated chronic HI for

[21] Bay Area Air Quality Management District (BAAQMD), 2012. Recommended Methods for Screening and Modeling Local Risks and Hazards, May.

[22] Office of Environmental Health Hazard Assessment (OEHHA), 2015. Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments, February.

Figure V.D-2
Cumulative Sources of TACs and PM2.5 Emissions

DPM and annual average $PM_{2.5}$ concentration from construction emissions were below the City's thresholds, for both the MEIR and MEIS; the excess cancer risk at the MEIS was also below the threshold. However, the excess cancer risk at the MEIR would exceed the City's threshold. In accordance with SCA-AIR-3: Toxic Air Contaminant Controls – Construction Related (#22), the project would use construction equipment equipped with the most effective VDECS (e.g., level III diesel particulate filters or Tier 4 engines) to reduce health risks to below the City's threshold. As shown in Table V.D-8, the use of VDECS would reduce the excess cancer risk at the MEIR to below the City's threshold. The project applicant would prepare a Construction Emissions Minimization Plan (Emissions Plan) to ensure VDECS are used during construction, and then submit the Emissions Plan to the City for review and approval prior to issuance of building permits.

TABLE V.D-8 HEALTH RISKS AT THE MAXIMALLY EXPOSED INDIVIDUAL RESIDENT (MEIR) AND MAXIMALLY EXPOSED INDIVIDUAL STUDENT (MEIS) DURING PROJECT CONSTRUCTION

	DPM				$PM_{2.5}$	
	MEIR		MEIS		MEIR	MEIS
Emission Scenario	Cancer Risk (per million)	Chronic Hazard Index	Cancer Risk (per million)	Chronic Hazard Index	Annual Average Concentrations ($\mu g/m^3$)	
Construction without SCA-AIR-3	18.1	0.01	1.9	<0.01	0.09	0.04
Construction with SCA-AIR-3	2.7	<0.01	0.3	<0.01	<0.01	<0.01
BAAQMD Threshold of Significance	10	1	10	1	0.3	
Exceed Thresholds with SCA-AIR-3?	No	No	No	No	No	No

Notes: DPM = diesel particulate matter; $\mu g/m^3$ = micrograms per cubic meter; MEIR = maximally exposed individual resident; MEIS = maximally exposed individual student.
Source: CalEEMod (Appendix D).

With the implementation of SCA-AIR-3, the project would have a less-than-significant impact related to the exposure of sensitive receptors to the project's construction emissions.

Generation of TAC Emissions during Operation

This analysis assumes that up to two 1,000-kilowatt emergency generators could be used on the project site in the future. To operate the emergency generators, the project would be required to comply with the BAAQMD's permit requirements for a stationary source. In accordance with BAAQMD's Regulation 2-5, New Source Review of Toxic Air Contaminants, the BAAQMD does not issue permits for generators that would result in an excess cancer risk greater than 10 in 1 million or a chronic HI greater than 1.0. These health standards are also enforced through the City's SCA-AIR-5: Stationary Sources of Air Pollution (Toxic Air Contaminants) (#24).

Conservatively assuming each of the project's emergency generators would result in the BAAQMD's maximum permissible excess cancer risk of 10 in 1 million due to emissions of DPM, the BAAQMD Health Risk Calculator (Beta Version 3.0) was used to back-calculate the equivalent screening-level health risk values for chronic HI and annual average $PM_{2.5}$ concentrations.[23] The calculator applies similar methods used to establish the emission threshold levels for TACs reported in the BAAQMD's Regulation 2-5 and includes the most recent health risk parameters recommended by OEHHA.[24] Based on the emission rate for DPM (0.0071 pounds per day) that would result in a cancer risk of 10 in 1 million, the associated fraction of $PM_{2.5}$ emissions from an emergency generator were estimated using the CARB's speciation profiles.[25] The health risk screening values from the project's emergency generator were then refined based on the distances from the generator to the MEIR and the MEIS using the BAAQMD's Diesel Internal Combustion Engine Distance Multiplier Tool incorporated in the BAAQMD Health Risk Calculator (Beta Version 4.0).[26] The supporting health risk calculations are included in Appendix D.

The conservative screening-level health risks to sensitive receptors associated with operation of the emergency generators are summarized and compared to the BAAQMD's thresholds of significance in Table V.D-9. The estimated excess cancer risks and chronic HIs for DPM and the annual average $PM_{2.5}$ concentrations at the MEIR and MEIS from operation of the emergency generators were below the thresholds of significance; therefore, the project's emissions of DPM and $PM_{2.5}$ during operation of the emergency generators would have a less-than-significant impact on nearby sensitive receptors.

Cumulative TAC Generation

In addition to a project's individual TAC emissions during construction and operation, the potential cumulative health risks to sensitive receptors from existing and reasonably foreseeable future sources of TACs were evaluated. Cumulative health risks were estimated at the MEIR to represent the worst-case-exposure scenario for sensitive receptors in the project vicinity. The BAAQMD's online screening tools were used to provide conservative estimates of how much existing and foreseeable future TAC sources would contribute to cancer risk, HI, and $PM_{2.5}$

[23] Bay Area Air Quality Management District (BAAQMD), 2019. BAAQMD Health Risk Calculator (Beta Version 4.0. Available at: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/tools/baaqmd-health-risk-calculator-beta-4-0-xlsx.xlsx?la=fil-ph&rev=dab7d85a772d45caa9c99e59395bf12d, accessed November 14, 2023..

[24] Office of Environmental Health Hazard Assessment (OEHHA), 2015. Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments, February.

[25] California Air Resources Board (CARB), 2018. Speciation Profiles Used in ARB Modeling. PMPROF spreadsheet for particulate matter chemical profiles for source categories. Available at: https://www.arb.ca.gov/ei/speciate/speciate.htm#assnfrac, accessed December 5, 2023.

[26] Bay Area Air Quality Management District (BAAQMD), 2019. BAAQMD Health Risk Calculator (Beta Version 4.0. Available at: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/tools/baaqmd-health-risk-calculator-beta-4-0-xlsx.xlsx?la=fil-ph&rev=dab7d85a772d45caa9c99e59395bf12d, accessed November 14, 2023..

TABLE V.D-9 HEALTH RISKS AT MAXIMALLY EXPOSED INDIVIDUAL RESIDENT (MEIR) AND MAXIMALLY EXPOSED INDIVIDUAL STUDENT (MEIS) FROM DIESEL EMERGENCY GENERATORS

			Diesel Particulate Matter		Exhaust $PM_{2.5}$
Sensitive Receptor	Generator Location	Distance from Generator (Feet)	Cancer Risk (Per Million)	Chronic Hazard Index	Annual Average Concentration ($\mu g/m^3$)
Maximally Exposed Individual Resident	Building A	260	2.5	<0.01	0.01
	Building B	85	1.6	<0.01	<0.01
	Total		**4.1**	**<0.01**	**0.01**
Maximally Exposed Individual Student	Building A	230	1.2	<0.01	<0.01
	Building B	275	1.2	<0.01	<0.01
	Total		**2.4**	**<0.01**	**0.01**
	Thresholds of Significance		10	1	0.3
	Exceed Threshold?		No	No	No

Notes: $\mu g/m^3$ = micrograms per cubic meter
Source: CalEEMod (Appendix D).

concentrations. The individual health risks associated with each source were summed to find the cumulative health risk at the MEIR. The supporting health risk calculations are included in Appendix D.

Based on the BAAQMD's 2017 inventory of permitted stationary sources for TAC and $PM_{2.5}$ emissions,[27] three existing stationary sources are located within 1,000 feet of the MEIR (see Table V.D-10 and Figure V.D-2). Preliminary health risk screening values at the MEIR were determined using the BAAQMD Health Risk Calculator (Beta Version 3.0), recent facility emissions data, and the BAAQMD's Gasoline Dispensing Facility Distance Multiplier Tool.[28] The screening-level health risks were not available for one of the permitted stationary sources, a gasoline dispensing facility at the Claremont Country Club (Plant #108633). To be conservative, the screening-level health risks associated with the Claremont Country Club (Plant #108633) were

[27] Bay Area Air Quality Management District (BAAQMD), 2019. CSV file for 2017 permitted stationary sources provided by Areana Flores, BAAQMD, to Ivy Tao, Baseline Environmental Consulting, June 11.

[28] Bay Area Air Quality Management District (BAAQMD), 2012. Gasoline Dispensing Facility Distance Multiplier Tool, June 13.

assumed to be the same as those associated with the Stop'N'Go Gas Station (Plant #112140), which is located closer to the project and uses 50 percent more fuel per year.[29]

Preliminary health risk screening values at the MEIR from exposure to mobile sources of TACs were estimated based on the BAAQMD's Bay Area modeling of health risks from highways, railroads, and major roadways with an average annual daily traffic (AADT) volume greater than 30,000 vehicles per day.[30] According to the BAAQMD's modeling of mobile sources, there is one major roadway (Broadway) located within 1,000 feet of the MEIR (see Table V.D-10 and Figure V.D-2), but there are no highways or railroads within 1,000 feet of the MEIR.

The BAAQMD also recommends using the Roadway Screening Analysis Calculator[31] to evaluate health risks from major roadways with between 10,000 and 30,000 AADT. Based on review of 2020 AADT volumes forecasted by Alameda CTC,[32] there is one roadway (Pleasant Valley Avenue) with between 10,000 and 30,000 AADT within 1,000 feet of the MEIR (see Table V.D-10 and Figure V.D-2). The health risk screening values at the MEIR from the roadway were estimated using the BAAQMD's Roadway Screening Analysis Calculator and the cancer risks were adjusted using a factor of 1.374 to account for the most recent health risk parameters recommended by OEHHA.

There are two foreseeable future developments within 1,000 feet of the MEIR (Figure V.D-2). Projects with high-rise buildings more than 75 feet above the lowest level of fire vehicle access are required to install emergency generators.[33] There is a proposed residential development (4901 Broadway) within 1,000 feet of the MEIR, which would be more than 75 feet tall and could involve the operation of emergency diesel generators (Table V.D-10 and Figure V.D-2).[34] In addition, the Safeway Redevelopment Project would be less than 75 feet tall, but would include a back-up generator for the retail functions of the project. As previously noted, the BAAQMD does

[29] According to the BAAQMD, the Stop'N'Go Gas Station (Plant 112140) has a permitted max throughput of 600,000 gallons per year in 2018, and the Claremont County Club (Plant 108633) has a permitted max throughput of 400,000 gallons per year in 2018. Source: Bay Area Air Quality Management District (BAAQMD), 2019. CSV file for 2017 permitted stationary sources provided by Areana Flores, BAAQMD, to Ivy Tao, Baseline Environmental Consulting, June 11.

[30] Bay Area Air Quality Management District (BAAQMD), 2014. BAAQMD Planning Healthy Places Highway, Major Street, and Rail Health Risk Raster Files, 2014.

[31] Bay Area Air Quality Management District (BAAQMD), 2015. Roadway Screening Analysis Calculator, April 16.

[32] Alameda County Transportation Commission, 2014. Countywide Travel Demand Model. Planning Area 1; 2020 Daily Model Vehicle Volumes, July.

[33] 2016 California Fire Code 604.2.9.

[34] City of Oakland, 2019. List of Active Major Development Project Proposals. Available at: https://oakgis.maps.arcgis.com/apps/mapviewer/index.html?webmap=4ec2a2b79c7f4f689e04550d7d6fa5a9, accessed December 5, 2023.

TABLE V.D-10 CUMULATIVE HEALTH RISKS AT THE MAXIMALLY EXPOSED INDIVIDUAL RESIDENT (MEIR)

Source	Source Type	Method Ref	Cancer Risk (10^{-6})	Chronic HI	$PM_{2.5}$ ($\mu g/m^3$)
Project					
Off-Road Construction Equipment without SCA-AIR-3	Diesel Exhaust		18.1	0.01	0.06
Off-Road Construction Equipment with SCA-AIR-3	Diesel Exhaust		2.7	<0.01	<0.01
Emergency Generators	Diesel Generator	1,7	4.1	<0.01	0.01
Existing Stationary Sources					
Stop'N'Go Gas Station (Plant #112140)	Gas Station	3,8	0.51	<0.01	NA
Claremont Country Club (Plant #108633)	Gas Station	3,8	0.31	<0.01	NA
Safeway Inc #3132 (Plant 22827)	Emergency Natural Gas Generator	1,2, 7	<0.01	<0.01	<0.01
Existing Mobile Sources					
Major Roadway	Mobile	6	3.6	NA	0.06
Pleasant Valley Avenue (10,677 AADT)	Mobile	4,5	1.6	NA	0.02
Future Stationary Sources					
4901 Broadway	Diesel Generator	1,7	0.4	<0.01	<0.01
Safeway Redevelopment	Diesel Generator	1,7	1.8	<0.01	<0.01
Cumulative Health Risks without SCA-AIR-3			30	<0.1	0.2
Cumulative Health Risks with SCA-AIR-3			15	<0.1	<0.1
Thresholds of Significance			100	10.0	0.8
Exceed Thresholds with SCA-AIR-3?			No	No	No

Notes: $\mu g/m^3$ = micrograms per cubic meter; HI = hazard index; NA = not applicable; Ref = reference; AADT = annual average daily traffic.
Health risk screening values derived using the following BAAQMD tools and methodologies:
1) BAAQMD's Health Risk Calculator (Beta Version 3.0).
2) BAAQMD's 2017 stationary source emissions data.
3) BAAQMD's 2014 stationary source emissions data.
4) BAAQMD's Roadway Screening Analysis Calculator.
5) BAAQMD's recommended Office of Environmental Health Hazard Assessment cancer risk adjustment factor.
6) BAAQMD's Bay Area Model of Health Risks from Highways, Railroads, and Major Roadways.
7) BAAQMD's Diesel Internal Combustion Engine Distance Multiplier Tool.
8) BAAQMD's Gasoline Dispensing Facility Distance Multiplier Tool.
Source: See Appendix D.

not issue stationary source permits for projects that result in an excess cancer risk greater than 10 in 1 million or a chronic HI greater than 1.0. Conservatively assuming each proposed generator would result in a maximum excess cancer risk of 10 in 1 million (the greatest allowed by BAAQMD) due to emissions of DPM, preliminary health risk screening values at the MEIR were

determined using the BAAQMD Health Risk Calculator (Beta Version 3.0) and the BAAQMD's Diesel Internal Combustion Engine Distance Multiplier Tool.

Estimates of the cumulative health risks at the MEIR for the project are summarized and compared to the cumulative thresholds of significance in Table V.D-10. The cumulative excess cancer risk, the chronic HI, and the annual average $PM_{2.5}$ concentration at the MEIR for the project were below the BAAQMD's cumulative thresholds, both with and without the requirement of using the most effective VDECS available and a Construction Emissions Minimization Plan in accordance with SCA-AIR-3: Toxic Air Contaminant Controls – Construction Related (#22). Therefore, the project would have a less-than-significant cumulative impact related to the exposure of existing sensitive receptors to TAC and $PM_{2.5}$ from project construction and operation.

(5) Exposure to Existing Toxic Air Contaminants (Criterion 5)

Future residents on the project site could be exposed to existing and reasonably foreseeable future sources of TAC emissions. While CEQA does not require the analysis or mitigation of potential effects that the existing environment may have on a project (with certain exceptions), the following HRA summarized in Table V.D-11 for future sensitive receptors on the project site meets the requirements of SCA-AIR-4: Reduce Exposure to Air Pollution (Toxic Air Contaminants) (#23). The health risks posed to the closest residential receptor on the project site to each TAC source were considered to conservatively analyze cumulative health risks to all future receptors on the project site.

The approach for assessing the cumulative health risks to future sensitive receptors on the project site was the same as the methods described above to determine potential project-level health risks to existing sensitive receptors. Existing sources of TAC emissions identified within 1,000 feet of the project included four stationary sources and one major roadway. There is a proposed development that would be reasonably foreseeable future sources of TAC emissions (including the project site) that could potentially operate emergency diesel generators (Table V.D-11 and Figure V.D-2).

As shown in Table V.D-11, the estimated cumulative cancer risk, the chronic HI, and the annual average $PM_{2.5}$ concentration at the project site would be below the City of Oakland's cumulative threshold of significance. Therefore, the project would have a less-than-significant cumulative impact related to the exposure of new sensitive receptors to TACs and $PM_{2.5}$ from project operation.

TABLE V.D-11 CUMULATIVE HEALTH RISKS AT THE FUTURE MAXIMALLY EXPOSED INDIVIDUAL RESIDENT (MEIR) ON THE PROJECT SITE

Source	Source Type	Method Ref	Cancer Risk (10^{-6})	Chronic HI	$PM_{2.5}$ ($\mu g/m^3$)
Project					
Emergency Generators	Diesel Generator		20.0	0.0	0.0
Existing Stationary Sources					
Stop'N'Go Gas Station (Plant #112140)	Gas Station	3,8	6.17	<0.01	NA
Claremont Country Club (Plant #108633)	Gas Station	3,8	0.46	<0.01	NA
The Point at Rockridge (Plant #20198)	Multiple	1,2	0.88	<0.01	0.054
Safeway Inc #3132 (Plant 22827)	Emergency Natural Gas Generator	1,2,7	<0.01	<0.01	<0.01
Existing Mobile Sources					
Major Roadway	Mobile	3	3.4	NA	0.05
Pleasant Valley Avenue (10,677 AADT)	Mobile	4,5	1.8	NA	0.03
Future Stationary Sources					
4901 Broadway	Diesel Generator	1,7	0.6	<0.01	<0.01
Safeway Redevelopment	Diesel Generator	1,7	7.3	<0.01	0.01
Cumulative Health Risks			41	<0.1	0.2
Thresholds of Significance			100	10.0	0.8
Exceed Thresholds?			No	No	No

Notes: $\mu g/m^3$ = micrograms per cubic meter; HI = hazard index; NA = not applicable; Ref = reference; AADT = annual average daily traffic
Health risk screening values derived using the following BAAQMD tools and methodologies:
1) BAAQMD's Health Risk Calculator (Beta Version 3.0).
2) BAAQMD's 2017 stationary source emissions data.
3) BAAQMD's 2014 stationary source emissions data.
4) BAAQMD's Roadway Screening Analysis Calculator.
5) BAAQMD's recommended Office of Environmental Health Hazard Assessment cancer risk adjustment factor.
6) BAAQMD's Bay Area Model of Health Risks from Highways, Railroads, and Major Roadways.
7) BAAQMD's Diesel Internal Combustion Engine Distance Multiplier Tool.
8) BAAQMD's Gasoline Dispensing Facility Distance Multiplier Tool.
Source: See Appendix D.

(1) Odors (Criterion 6)

As a mixed-use development, the project would not be expected to generate significant odors from its residential and office land uses. The tenant for the proposed retail land use has not been determined at the time of this analysis, but may include a coffee shop or café. Some specialty coffee shops roast their own beans, which can potentially generate substantial odors according to the BAAQMD. However, any future coffee roasting operations that could potentially generate

substantial odors would be required to comply with the BAAQMD permitting process for coffee roasters to control emissions,[35] which would ensure that any potential odor impact would be less than significant.

Land uses surrounding the project site include mixed residential and commercial land uses, which would also not be expected to generate significant odors. Therefore, project impacts related to odors would be less than significant.

c. Significant Air Quality Impacts

Implementation of the project would not result in any significant impacts to air quality.

d. Cumulative Impacts

Criteria air pollutant impacts are cumulative impacts because no single project is sufficient in size, by itself, to result in non-attainment of air quality standards. The City of Oakland's thresholds of significance for criteria air pollutants were designed to represent levels above which a project's individual emissions would result in a cumulatively considerable contribution to the SFBAAB's existing air quality conditions. Since construction and operation of the project would not exceed the City's thresholds of significance for criteria pollutants (including ozone precursors), the cumulative impacts on regional air quality would be less than significant.

The City's thresholds of significance for TACs and $PM_{2.5}$ were also designed to determine if a project's contribution to local air pollution would be cumulatively considerable. Based on the analysis above, emissions of DPM and $PM_{2.5}$ generated during construction and operation of the project would have a less-than-significant impacts on local air quality with implementation of SCA-AIR-3: Toxic Air Contaminant – Construction Related (#22).

[35] Bay Area Air Quality Management District (BAAQMD), Engineering Division, 2018. Permit Handbook. Revised October 23.

E. GREENHOUSE GAS EMISSIONS AND ENERGY

This section describes the existing conditions with respect to greenhouse gas (GHG) emissions in the vicinity of the project site; discusses the federal, State, and local regulations and policies pertinent to GHG emissions; assesses the potentially significant impacts to the environment as a result of GHG emissions generated by the project; and provides, where appropriate, mitigation measures and Standard Conditions of Approval (SCAs) to address those impacts. The potential impacts assessed include increases in GHG emissions during both the construction and operational phases of the project. This section additionally analyzes the projects consumption of energy during construction and operation and evaluates whether that consumption rises to a level of significance based on waste, inefficient, and unnecessary consumption or conflict with relevant energy plans.

The analysis in this section was prepared in accordance with the Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines (CEQA Guidelines).[1]

1. Setting

a. Climate Change and Greenhouse Gas Emissions

Climate change refers to changes in the Earth's weather patterns, including the rise in temperature due to an increase in heat-trapping GHGs in the atmosphere. Existing GHGs allow about two-thirds of the visible and ultraviolet light from the sun to pass through the atmosphere and be absorbed by the Earth's surface. To balance the absorbed incoming energy, the surface radiates thermal energy back to space at longer wavelengths, primarily in the infrared part of the spectrum. Much of the thermal radiation emitted from the surface is absorbed by the GHGs in the atmosphere and is re-radiated in all directions. Because part of the re-radiation is back toward the surface and the lower atmosphere, global surface temperatures are elevated above what they would be in the absence of GHGs. This process of trapping heat in the lower atmosphere is known as the greenhouse effect.

An increase of GHGs in the atmosphere affects the energy balance of the Earth and results in a global warming trend. Increases in global average temperatures have been observed since the mid-20th century and have been linked to observed increases in GHG emissions from anthropogenic sources. The primary GHG emissions of concern are carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). Other GHGs of concern include hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6), but their contribution to climate

[1] Bay Area Air Quality Management District (BAAQMD), 2017. California Environmental Quality Act Air Quality Guidelines, May.

change is less than 1 percent of the total by well-mixed[2] GHGs (i.e., that have atmospheric lifetimes long enough to be homogeneously mixed in the troposphere).[3] Each GHG has a different global warming potential (GWP); for instance, CH_4 traps about 21 times more heat per molecule than does CO_2. Therefore, emissions of GHGs are reported in terms of metric tons of carbon dioxide equivalents (CO_2e), wherein each GHG is weighted by its GWP relative to CO_2.

According to the Intergovernmental Panel on Climate Change (IPCC), the atmospheric concentrations of CO_2, CH_4, and N_2O have increased to levels unprecedented in at least the past 800,000 years due to anthropogenic sources. In 2011, concentrations of CO_2, CH_4, and N_2O exceeded the pre-industrial era (before 1750) by about 40,150, and 20 percent, respectively.[4] The Earth's mean surface temperature in the Northern Hemisphere from 1983 to 2012 was likely the warmest 30-year period over the past 1,400 years.[5] The first 6 months of 2016 also ranked as the Earth's warmest period on record since 1880.[6]

The global increases in CO_2 concentrations are due primarily to fossil fuel combustion, cement production, and land use changes (e.g., deforestation). The dominant anthropogenic sources of CH_4 are ruminant livestock, fossil fuel extraction and use, rice paddy agriculture, and landfills, while the dominant anthropogenic sources of N_2O are ammonia for fertilizer and industry.[7] No emissions of HFCs, PFCs, and SF_6 are naturally occurring; they all originate from industrial processes such as semiconductor manufacturing, their use as refrigerants and other products, and electric power transmission and distribution.[8]

b. Existing GHG Emissions and Projections

In 2019, the California Air Resources Board (CARB) estimated that transportation was responsible for about 41 percent of California's GHG emissions, followed by industrial sources at about 24

[2] GHGs that have atmospheric lifetimes long enough to be relatively homogeneously mixed in the troposphere.

[3] Intergovernmental Panel on Climate Change, 2013. Climate Change 2013; the Physical Science Basis; Working Group I Contribution to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change.

[4] Bay Area Air Quality Management District (BAAQMD), 2015. Bay Area Emissions Inventory Summary Report: Greenhouse Gases, Base Year 2011, January.

[5] Intergovernmental Panel on Climate Change, 2013. Climate Change 2013; the Physical Science Basis; Working Group I Contribution to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change.

[6] National Aeronautics and Space Administration (NASA), 2016. 2016 Climate Trends Continue to Break Records. Available at https://www.nasa.gov/feature/goddard/2016/climate-trends-continue-to-break-records. Last updated July 16.

[7] Intergovernmental Panel on Climate Change, 2013. Climate Change 2013; the Physical Science Basis; Working Group I Contribution to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change.

[8] Bay Area Air Quality Management District (BAAQMD), 2015. Bay Area Emissions Inventory Summary Report: Greenhouse Gases, Base Year 2011, January.

percent, and electrical power generation at about 14 percent.[9] In 2015, 85 million metric tons of CO_2e was emitted from anthropogenic sources within the San Francisco Bay Area Air Basin (SFBAAB). Emissions of CO_2 dominate the GHG inventory in the SFBAAB, accounting for about 90 percent of the total CO_2e emissions reported.[10] The 2015 GHG emissions in the SFBAAB are summarized in Table V.E-1.

TABLE V.E-1 SAN FRANCISCO BAY AREA 2015 GHG EMISSIONS INVENTORY

Pollutant	Percent	CO_2e (MMT/Year)
Carbon Dioxide	90	76.5
Methane	4	3.4
Nitrous Oxide	2	1.7
Hydrofluorocarbons, Perfluorocarbons, and Sulfur Hexafluoride	4	3.4
Total	**100**	**85**

Note: MMT = million metric tons
Source: Bay Area Air Quality Management District (BAAQMD), 2017. Final 2017 Clean Air Plan, April 19.

The City of Oakland's (City's) GHG emissions inventories for 2005, 2010, 2013, and 2015 are summarized in Table V.E-2 for various land-use sectors. As indicated in Table V.E-2, the greatest sources of GHG emissions in the City are from the On-Road Vehicles (includes highways and public roads) and Buildings and Energy Use land-use sectors. The 2015 GHG emissions decreased for each land-use sector compared to 2005 and the overall GHG emissions decrease by 16.4 percent. The largest overall reductions for GHG emissions over this same period were from the Buildings and Energy Use (6.7 percent) and Port of Oakland (5.6 percent) land-use sectors.

c. Effects of GHG Emissions

Some of the potential effects of increased GHG emissions and associated climate change may include loss of snow pack (affecting water supply), more frequent extreme weather events, more large forest fires, more drought years, and sea level rise. In addition, climate change may increase electricity demand for cooling, decrease the availability of hydroelectric power, and affect

[9] California Air Resources Board (CARB), 2022. California Greenhouse Gas Emissions for 2000 to 2020, Trends of Emissions and Other Indicators, October 26. Available at: https://ww2.arb.ca.gov/sites/default/files/classic/cc/inventory/2000-2020_ghg_inventory_trends.pdf, accessed December 3, 2023.

[10] Bay Area Air Quality Management District (BAAQMD), 2017. Final 2017 Clean Air Plan, April 10.

regional air quality and public health.[11] Table V.E-2 shows GHG emission trends in Oakland by category.

TABLE V.E-2 CITY OF OAKLAND GHG EMISSION TRENDS (METRIC TONS CO_2E)

Category	2005	2017	Net Reductions[a]	Overall Reduction[b]
Buildings & Energy Use	1,116,559	694,019	422,540	37.84%
Transportation & Mobile Sources	2,116,238	1,797,052	319,186	15.08%
Materials Use & Waste	180,455	125,977	54,478	30.19%
City Government	44,222	26,836	17,386	39.32%
Total	**3,457,474**	**2,643,884**	**813,590**	**23.53%**

Note: Lifecycle emissions associated with the production, use, and disposal of products and services are not included.
[a] Net Reduction = 2017 emissions – 2005 emissions.
[b] Overall Net Reduction = (2017 emissions – 2005 emissions) / Total 2005 emissions.
Source: City of Oakland, 2022. 2019 Greenhouse Gas Emissions Inventory Report.

d. Electricity and Natural Gas

Pacific Gas and Electric Company (PG&E) provides electricity and natural gas service to the city of Oakland, including the project site. PG&E charges connection and user fees for all new development, in addition to sliding rates for electrical and natural gas service based on use.

Of the energy provided to PG&E customers in 2020, approximately 31 percent came from renewable resources (e.g., wind, geothermal, biomass, small hydroelectric sources, and solar); 43 percent from nuclear generation; 16 percent from fossil fuels; and 10 percent from large hydroelectric facilities.[12] Because many agencies in California have adopted policies seeking increased use of renewable resources (and have established minimum standards for the provision of energy generated by renewable resources), PG&E is expected to continue to meet future demand for energy via an increasing reliance on renewable resources, including small-scale sources such as photovoltaic panels and wind turbines, in addition to larger-scale facilities such as wind farms.

Regulatory requirements for efficient use of electricity and gas are contained in Title 24, Part 6, of the California Code of Regulations (CCR), entitled "Energy Efficiency Standards for Residential and Nonresidential Buildings." These regulations specify the State's minimum energy efficiency

[11] Bay Area Air Quality Management District (BAAQMD), 2017. Final 2017 Clean Air Plan, April 10.
[12] Pacific Gas and Electric Company (PG&E), 2021. Corporate Sustainability Report. Available at: https://www.pgecorp.com/corp_responsibility/reports/2021/index.html, accessed December 5, 2023.

standards and apply to new construction of both residential and nonresidential buildings. The standards regulate energy consumed for heating, cooling, ventilation, water heating, and lighting. Compliance with these standards is verified and enforced through the local building permit process.

(1) Existing Energy Demand

The total square footage of buildings on the project site is approximately 127,000 square feet. For the baseline conditions for this analysis, electricity demand at the project site was approximately 320,500 kilowatt-hours (kWh) of electricity per year and 9,725 therms of natural gas per year in the existing buildings.

(2) Existing Electrical and Natural Gas System near the Project Site

The existing electric distribution system includes both overhead and underground facilities. The plan set indicates that a 12-kilovolt underground distribution line, located on Clifton Street provides service to the project site. In addition, the project site is served by a gas main and 6-inch gas line located on Clifton Street. However, the new buildings will not use natural gas hookups in accordance with the City of Oakland's All-Electric Building Ordinance adopted on December 15, 2020.

2. Regulatory Setting

This section describes the federal, State, and local regulations relevant to greenhouse gas emissions.

a. Federal Regulations

The United States (U.S.) participates in the United Nations Framework Convention on Climate Change. In 1998 under the Clinton administration, the U.S. signed the Kyoto Protocol, which would have required reductions in GHGs; however, the protocol did not become binding in the U.S. as it was never ratified by Congress. Instead, the federal government chose voluntary and incentive-based programs to reduce emissions and has established programs to promote climate technology and science. In 2002, the U.S. announced a strategy to reduce the GHG intensity of the American economy by 18 percent over a 10-year period from 2002 to 2012. In 2015, the U.S. submitted its "intended nationally determined contribution" to the framework convention, which targets to cut net GHG emissions by 26 to 28 percent below 2005 levels by 2025.

The U.S. Environmental Protection Agency (EPA) is responsible for enforcing the federal Clean Air Act and the 1990 amendments to it. On April 2, 2007, the U.S. Supreme Court ruled that CO_2 is an air pollutant as defined under the Clean Air Act, and that the EPA has the authority to

regulate emissions of GHGs.[13] The EPA made two distinct findings regarding GHGs under Section 202(a) of the Clean Air Act, as follows:

- **Endangerment Finding:** The current and projected concentrations of the six key well-mixed GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding:** The combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution that threatens public health and welfare.

These findings do not themselves impose any requirements on industry or other entities. However, they were a prerequisite for implementing GHG emissions standards for vehicles. In collaboration with the National Highway Traffic Safety Administration (NHSTA), the EPA finalized emissions standards for light-duty vehicles (2012–2016 model years) in May 2010 and heavy-duty vehicles (2014–2018 model years) in August 2011.

(1) National Energy Conservation Policy Act

The National Energy Conservation Policy Act (NECPA) is the foundation for federal-level conservation and efficiency goals and requirements for energy and water, and the use of renewable energy sources. The NECPA was a result of the energy crisis during the mid-1970s and was signed into law in 1978. As passed, the NECPA promoted three major roles for the federal government in energy conservation: setting energy-efficiency standards; disseminating information about energy conservation opportunities; and improving efficiencies of federal buildings.

(2) Energy Policy Act of 2005

The Energy Policy Act addresses energy production in the U.S. in the following aspects: energy efficiency, renewable energy, oil and gas, coal, tribal energy, nuclear matters and security, vehicles and motor fuels, hydrogen, electricity, energy tax incentives, hydropower and geothermal, and climate change technology. The Energy Policy Act of 2005 granted the Federal Energy Regulatory Commission the responsibilities and the authority to oversee the nation's electricity transmission grid, ensure fair competition in the wholesale power markets, and provide rate incentives to promote electric transmission investment, among other duties.

[13] Massachusetts, et al. v. U.S. Envtl. Prot. Agency, et al. (2007) 549 U.S. 497.

b. State Regulations

(1) Pavley Regulations – Assembly Bill 1493

In 2002, the California Legislature adopted Assembly Bill (AB) 1493, referred to as the "Pavley regulations," which required the CARB to develop and adopt regulations that achieve the maximum feasible and cost-effective reductions in GHG emissions from new passenger vehicles. To meet the requirements of AB 1493, the CARB approved amendments to the California Code of Regulations in 2004 that added GHG emissions standards to California's existing standards for motor vehicle emissions. In 2009, the CARB adopted amendments to the Pavley regulations that reduce GHG emissions in new passenger vehicles from 2009 through 2016. These regulations are expected to reduce GHG emissions from California passenger vehicles by 30 percent through 2016.

(2) Renewable Portfolio Standard – Senate Bills 1078, 107, X1-2, and 350

In 2002, under Senate Bill (SB) 1078, the State enacted the Renewable Portfolio Standard (RPS) program, which aims to increase the percentage of renewable energy in California's electricity mix to 20 percent of retail sales by 2017. The RPS timeline was accelerated in 2006 under SB 107 and expanded in 2011 and 2015 under SB X1-2 and SB 350, respectively. The RPS program currently requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent by 2020 and to 50 percent by 2030.

(3) Executive Order S-3-05

In 2005, Governor Schwarzenegger issued Executive Order S-3-05, which states that California is vulnerable to the effects of climate change, including reduced snowpack in the Sierra Nevada Mountains, exacerbation of California's existing air quality problems, and sea level rise. To address these concerns, the executive order established the following statewide GHG emissions reduction targets:

- By 2010, reduce GHG emissions to 2000 levels.
- By 2020, reduce GHG emissions to 1990 levels.
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

It should be noted that executive orders are legally binding only on State agencies and have no direct effect on local government or private actions.

(4) California Global Warming Solutions Act of 2006 – Assembly Bill 32

In 2006, Governor Schwarzenegger signed AB 32, the California Global Warming Solutions Act, which requires California to reduce statewide GHG emissions to 1990 levels by 2020. In December

2008, the CARB adopted the AB 32 Scoping Plan, which outlines a statewide strategy to achieve AB 32 goals. At the regional level, in response to SB 375 (see below), the Bay Area and other major metropolitan areas in California have developed sustainable communities strategies (SCSs) to integrate land use and transportation planning in order to reduce future motor vehicle travel and decrease GHG emissions. In addition, the BAAQMD is implementing a wide range of programs that promote energy efficiency, reduce vehicle miles traveled (VMTs), and develop alternative sources of energy.

(5) Low-Carbon Fuel Standard – Executive Order S-1-07

In 2007, Governor Schwarzenegger issued Executive Order S-1-07 to enact a low-carbon fuel standard (LCFS). The LCFS calls for a reduction of at least 10 percent in the carbon intensity of California's transportation fuels by 2020.

(6) California Environmental Quality Act and Senate Bill 97

In 2007, under SB 97, the State acknowledged that climate change is a prominent environmental issue requiring analysis under CEQA. SB 97 directed the Governor's Office of Planning and Research to prepare, develop, and transmit to the California Natural Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, as required by CEQA. In 2009, the Natural Resources Agency adopted the State CEQA Guidelines amendments, which provide guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in CEQA documents. The amendments became effective in March 2010. The amendments added Sections 15126.4(c) and 15064.4 (discussed further below) to the CEQA Guidelines, which specifically pertain to the significance of GHG emissions, and provide guidance on measures to mitigate GHG emissions when such emissions are found to be significant.

(7) Sustainable Communities Strategy – Senate Bill 375

In 2008, Governor Schwarzenegger signed SB 375, which aligns regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocations to reduce vehicle emissions and help California meet the GHG reduction goals established in AB 32. Under SB 375, metropolitan planning organizations are required to incorporate an SCS into their regional transportation plans. The goal of the SCS is to reduce regional VMTs and associated GHG emissions through land use planning strategies, such as promoting compact, mixed-use commercial and residential development near public transportation hubs. In accordance with SB 375, the Metropolitan Transportation Commission and Association of Bay Area Governments

adopted Plan Bay Area in 2013.[14] The plan incorporates the SCS and the regional transportation plan for the Bay Area.

(8) Low-Emission Vehicle Program

In 2012, the CARB adopted amendments to the low-emission vehicle regulations, which established more stringent emissions reduction standards for GHGs and criteria air pollutants from 2015 and subsequent model year passenger cars, light-duty trucks, and medium-duty vehicles. The low-emission vehicle program essentially expands the scope of the GHG emissions standards established under the Pavley regulations.

(9) Executive Order B-30-15 and Senate Bill 32

In 2015, Governor Brown issued Executive Order B-30-15, which set a statewide GHG emissions reduction target of 40 percent below 1990 levels by 2030. This target is in addition to the previous GHG emissions reduction targets established in Executive Order S-3-05 for 2010, 2020, and 2050. The executive order also requires the CARB to update the AB 32 Scoping Plan to identify measures to meet the 2030 target. In November 2017, CARB approved the final scoping plan, which identified new, technologically feasible, and cost-effective strategies to ensure that the State meets its GHG reduction targets and included policies to reduce GHG emissions from stationary and mobile sources.[15]

In September 2016, Governor Brown signed SB 32, which expands on the mandate set forth by AB 32 to reduce statement emissions of GHGs to 1990 levels by 2020 by requiring California to reduce GHG emissions to 40 percent below 1990 levels by 2030. This mandate is also consistent with the GHG emissions reduction target established under Executive Order B-30-15.

(10) Senate Bill 743

SB 743 changes the way that public agencies must evaluate the transportation impacts of projects under CEQA. The bill required revisions to the CEQA guidelines that would establish new criteria for determining the significance of a project's transportation impacts that will more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of GHG emissions.

[14] Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), 2013. Plan Bay Area, Strategy for a Sustainable Region. Adopted July. Available at https://www.planbayarea.org/previous-plan/plan-bay-area, accessed December 5, 2023.

[15] California Air Resources Board (CARB), 2017. California's 2017 Climate Change Scoping Plan, November.

As required under SB 743, the Governor's Office of Planning and Research (OPR) developed potential metrics to measure transportation impacts that may include, but are not limited to, VMT, VMT per capita, automobile trip generation rates, or automobile trips generated. The new metric would replace the use of delay and level of service (LOS) as the metric to analyze transportation impacts under CEQA. OPR recommends different thresholds of significance for projects depending on land use types. For example, residential and office space projects demonstrating a VMT level that is 15 percent less than that of existing development in the region may be a reasonable criterion for determining whether the mobile-source GHG emissions associated with the project are consistent with statewide GHG reduction targets. With respect to retail land uses, any net increase of VMT may be sufficient to indicate a significant transportation impact.

(11) Warren-Alquist Act

The Warren-Alquist Act of 1975 is the legislation that created the California Energy Commission. The Act enables the California Energy Commission to formulate and adopt the nation's first-ever energy conservation standards for buildings constructed and appliances sold in California. The California Energy Commission was also directed to create a research and development program with a focus on fostering non-conventional energy sources.

(12) Title 24 Building Efficiency Standards

The State regulates energy consumption under Title 24 Building Standards Code, Part 6 of the California Code of Regulations (also known as the California Energy Code). The Title 24 Building Energy Efficiency Standards were developed by the California Energy Commission and apply to energy consumed for heating, cooling, ventilation, water heating, and lighting in new residential and nonresidential buildings. The California Energy Commission has estimated that the 2019 Building Energy Efficiency Standards, which took effect on January 1, 2020, will reduce energy consumption by about 79 percent for newly constructed residential buildings and 11 percent for newly constructed nonresidential buildings on average compared to the 2016 Building Energy Efficiency Standards.[16,17]

(13) Title 24 California Green Building Standards Code

Title 24 Building Standards Code, Part 11 of the California Code of Regulations is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen

[16] California Energy Commission, 2014. News Release: New Title 24 Standards Will Cut Residential Energy Use by 25 Percent, Save Water, and Reduce Greenhouse Gas Emissions. Available at: http://calenergycommission.blogspot.com/2014/06/new-title-24-standards-take-effect-july.html, accessed December 5, 2023.

[17] California Energy Commission, 2018. Impact Analysis, 2019 Update to the California Energy Efficiency Standards for Residential and Non-Residential Buildings, June 29.

Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) planning and design; (2) energy efficiency; (3) water efficiency and conservation; (4) material conservation and resource efficiency; and (5) environmental air quality.

c. Regional and Local Regulations

(1) Bay Area Air Quality Management District

The BAAQMD is the regional government agency that regulates sources of air pollution within the nine Bay Area counties. The BAAQMD regulates GHG emissions through the plans, programs, and guidelines outlined below.

Regional Clean Air Plans

The BAAQMD and other air districts prepare clean air plans in accordance with the State and federal Clean Air Acts. In April 2017, the BAAQMD adopted the 2017 Clean Air Plan: Spare the Air, Cool the Climate (2017 CAP), which is a comprehensive plan to improve Bay Area air quality and protect public health through implementation of a control strategy designed to reduce emissions and ambient concentrations of harmful pollutants. The 2017 CAP also includes measures designed to reduce GHG emissions.

Bay Area Air Quality Management District Climate Protection Program

The BAAQMD established a climate protection program to reduce pollutants that contribute to global climate change and affect air quality in the SFBAAB. The climate protection program includes measures that promote energy efficiency, reduce VMTs, and develop alternative sources of energy, all of which assist in reducing emissions of GHGs and in reducing air pollutants that affect the health of residents. The BAAQMD also seeks to support current climate protection programs in the region and to stimulate additional efforts through public education and outreach, technical assistance to local governments and other interested parties, and promotion of collaborative efforts among stakeholders.

(2) City of Oakland Equitable Climate Action Plan

On July 28, 2020, the City adopted the Oakland 2030 Equitable Climate Action Plan (ECAP).[18] The 2030 ECAP built on the progress made by the 2020 Energy and Climate Action Plan, adopted by the City in December 2012. The goal of the 2030 ECAP is to identify an equitable and cost-

[18] City of Oakland, 2020. Oakland 2030 Equitable Climate Action Plan, July.

effective path of reducing the City's GHG emissions to at least 56 percent below the 2005 levels by 2030, and to ensure that the City is resilient to the foreseeable impacts of climate change. The 40 actions from the ECAP are designed to be equitable, realistic, ambitious, balanced, and adaptive, and cover the following sectors: Transportation and Land Use, Buildings, Material Consumption and Waste, Adaptation, Carbon Removal, City Leadership, and Port of Oakland. The 2030 ECAP also provides a detailed roadmap on funding the actions and the implementation timeline. Implementation of the 2030 ECAP action would not only support the GHG reduction and climate resiliency goals, but also result in positive impacts for four topics that are interconnected with the climate goals: public health, housing security, food, and green economy. In December 2020, the City adopted a threshold of significance for CEQA analysis based on a project's consistency with the 2030 ECAP, pursuant to CEQA Guidelines Section 15064.7. The City's threshold of significance determines whether a development project complies with the 2030 ECAP and the City's GHG emission reduction targets related the ECAP Consistency Review Checklist (the Checklist). A project's impact related to generation of GHG emissions is considered less than significant if the project completes the Checklist and can qualitatively demonstrate compliance with the Checklist items.

The City of Oakland's current adopted thresholds for GHG emissions rely upon the technical and scientific basis for the City's 2030 ECAP, which provide substantial evidence that adherence to the 2030 ECAP action items will achieve GHG emissions reduction targets of at least 56 percent below 2005 levels by 2030 and 83 percent below 2005 levels by 2050. These reduction targets are more aggressive than the State's adopted 2030 reduction target of 40 percent below 1990 levels (per AB 32). Therefore, reductions below the City of Oakland's reduction targets also meet the State's adopted 2030 goals.

(3) City of Oakland Green Building Ordinance

In October 2010, the City adopted the Green Building Ordinance for Private Development Projects. This ordinance affects a wide range of projects, including new residential developments. The minimum green building requirements described in the ordinance are designed to reduce energy use, conserve water and other natural resources, limit solid waste during construction and operation, and promote healthy indoor air quality. Requirements from both the City's local ordinance and the State's CALGreen code apply to future City developments.

(4) City of Oakland All-Electric Building Ordinance

In December 2020, the City adopted the All-Electric Building Ordinance to eliminate natural gas use for all newly constructed buildings. The ordinance cites a 2018 report which indicates that the City will not achieve its GHG reduction targets without eliminating natural gas combustion in buildings. The requirements within this ordinance will help the City of Oakland towards achieving

its GHG emissions reductions targets, relative to 2005 levels, of 83 percent by 2050 and 56 percent by 2030.

(5) General Plan

The following GHG and energy policies from the City of Oakland General Plan would relate to the project.

Open Space, Conservation, and Recreation

Policy CO-12.1: Land Use Patterns Which Promote Air Quality. Promote land use patterns and densities which help improve regional air quality conditions by: (a) minimizing dependence on single passenger autos; (b) promoting projects which minimize quick auto starts and stops, such as live-work development, mixed use development, and office development with ground floor retail space; (c) separating land uses which are sensitive to pollution from the sources of air pollution; and (d) supporting telecommuting, flexible work hours, and behavioral changes which reduce the percentage of people in Oakland who must drive to work on a daily basis.

Policy CO-12.4: Design of Development to Minimize Air Quality Impacts. Require that development projects be designed in a manner which reduces potential adverse air quality impacts. This may include: (a) the use of vegetation and landscaping to absorb carbon monoxide and to buffer sensitive receptors; (b) the use of low-polluting energy sources and energy conservation measures; and (c) designs which encourage transit use and facilitate bicycle and pedestrian travel.

Policy CO-13.3: Construction Methods and Materials. Encourage the use of energy-efficient construction and building materials. Encourage site plans for new development which maximize energy efficiency.

Policy CO-13.4: Alternative Energy Sources. Accommodate the development and use of alternative energy resources, including solar energy and technologies which convert waste or industrial byproducts to energy, provided that such activities are compatible with surrounding land uses and regional air and water quality requirements.

Land Use and Transportation Element

Policy T.2.1: Encouraging Transit-Oriented Development: Transit-oriented development should be encouraged at existing or proposed transit nodes, defined by the convergence of two or more modes of public transit such as BART, bus, shuttle service, light rail or electric trolley, ferry, and inter-city or commuter rail.

Policy T.2.2: Guiding Transit-Oriented Development. Transit-oriented developments should be pedestrian oriented, encourage night and day time use, provide the neighborhood with needed goods and services, contain a mix of land uses, and be designed to be compatible with the character of surrounding neighborhoods.

Policy T.3.5: Including Bikeways and Pedestrian Walks. The City should include bikeways and pedestrian ways in the planning of new, reconstructed, or realigned streets, wherever possible.

Policy T.3.6: Incorporating Design Feature for Alternative Travel. The City will require new development, rebuilding, or retrofit to incorporate design features in their projects that encourage use of alternative modes of transportation such as transit, bicycling, and walking.

Policy T.4.2: Creating Transportation Incentives. Through cooperation with other agencies, the City should create incentives to encourage travelers to use alternative transportation options.

Policy N.3.2: Encouraging Infill Development. In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City.

Environmental Justice Element

Policy EJ-1.13: Emissions from Construction Activities. Require projects to implement construction air pollution and greenhouse gas emissions controls and applicable mitigation strategies for all construction sites to the maximum extent feasible. Refer to Best Construction Practices and Best Available Retrofit Control Technology (BARCT) recommended by BAAQMD.

(6) City of Oakland Municipal Code

Chapter 15.34 of Oakland's Municipal Code requires new construction projects to submit a Waste Reduction and Recycling Plan to the City's Building Official for review and approval. The intent of the provisions is to divert (e.g., reuse on-site) at least 50 percent of construction and demolition debris from landfills. The purpose of these provisions is to prescribe requirements designed to meet and further the goals of the California Integrated Waste Management Act of 1989 (AB 939) and the Alameda County Waste Reduction and Recycling Act of 1990 (Measure D).

As of March 2017, Chapter 15.04, Part 11 of the City's Municipal Code requires all new multi-family and non-residential buildings to include full circuit infrastructure for plug-in electric vehicle (PEV) charging stations for at least 10 percent of the total parking spaces. In addition, inaccessible conduits for future expansion of PEV spaces must be installed for 90 percent of the total parking at multi-family buildings and 10 percent of the total parking at non-residential buildings. The new requirements are designed to accelerate the installation of vehicle chargers to address demand.

(7) Standard Conditions of Approval

The City's Uniformly Applied Development Standards would be incorporated into the project as SCAs. SCA-TRANS-4: Transportation and Parking Demand Management (TDM) Measures (#83) would provide further incentives that encourage walking, biking, and transit and reduce private

automobile trips and is further described in *Section V.C, Traffic and Transportation*. SCA-SERV-5: Construction and Demolition Waste Reduction and Recycling (#87) would require the project to divert construction and demolition debris waste from landfill disposal in accordance with current City requirements and SCA-SERV-8: Green Building Requirements (#90) would require the project to comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance, both of which are further described in *Chapter VI, Effects Found Not to be Significant or Less than Significant with Standard Conditions of Approval*. Additionally, SCA-GHG-1: Project Compliance with the ECAP Consistency Checklist (#45) would also apply to the project.

SCA-GHG-1: Project Compliance with the Equitable Climate Action Plan (ECAP) Consistency Checklist (#45)
Requirement: The project applicant shall implement all the measures in the Equitable Climate Action Plan (ECAP) Consistency Checklist that was submitted during the Planning entitlement phase.

a. For physical ECAP Consistency Checklist measures to be incorporated into the design of the project, the measures shall be included on the drawings submitted for construction-related permits.
When Required: Prior to approval of construction-related permit.
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Planning

b. For physical ECAP Consistency Checklist measures to be incorporated into the design of the project, the measures shall be implemented during construction.
When Required: During construction
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

c. For ECAP Consistency Checklist measures that are operational but not otherwise covered by these SCAs, including but not limited to the requirement for transit passes or additional Transportation Demand Management measures, the applicant shall provide notice of these measures to employees and/or residents and post these requirements in a public place such as a lobby or work area accessible to the employees and/or residents.
When Required: Ongoing
Monitoring/Inspection: Bureau of Planning

The following SCA applies under any of the following scenarios for projects which require a consistency analysis or GHG analysis under CEQA.

a. Scenario A: Projects which (a) involve a land use development (i.e., a project that does not require a permit from the Bay Area Air Quality Management District (BAAQMD) to operate), (b) does not commit to all the GHG emissions reduction strategies described in the ECAP Consistency Checklist, as originally adopted by the Planning Commission on December 16, 2020 and as may be amended administratively from time to time;

b. Scenario B: Projects which (a) involve a stationary source of GHG (i.e., a project that requires a permit from BAAQMD to operate) and (b) after a GHG analysis is prepared would produce total GHG emissions of more than 10,000 metric tons of CO_2e annually.

3. Impacts, Standard Conditions of Approval, and Mitigation Measures

This section describes environmental impacts related to GHG emissions and Energy that could result from implementation of the project. The section begins with the criteria of significance that establish the thresholds for determining whether an impact is significant. The latter part of this section presents the impacts associated with the project and identifies SCAs and/or mitigation measures to address these impacts as needed.

a. Significance Criteria

The City has established CEQA Thresholds of Significance Guidelines to help clarify and standardize analysis and decision making in the environmental review process.

The project would have a significant impact on the environment if it would:

1. For a project involving a stationary source, produce total emissions of more than 10,000 metric tons of CO_2e annually. [Note: Stationary sources are projects that require a BAAQMD permit to operate.]
2. For a project involving a land use development, fail to demonstrate consistency with the 2030 ECAP adopted by the City Council on July 28, 2020. [Note: Land use developments are projects that do not require a BAAQMD permit to operate.] Consistency with the 2030 ECAP can be shown by either:
    a. committing to all of the GHG emissions reductions strategies described on the ECAP Consistency Checklist, or
    b. complying with the GHG Reduction Plan Standard Conditions of Approval that requires a project-level GHG Reduction Plan quantifying how alternative reduction measures will achieve the same or greater emissions than would be achieved by meeting the ECAP Consistency Checklist.

The City does not have established CEQA Thresholds of Significance Guidelines for energy impacts. Therefore, the significance criteria from the California Natural Resources Agency's CEQA Guidelines, Appendix G, are used below. Implementation of the project would result in a significant energy impact if it would:

1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.
2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

b. Less-Than-Significant Greenhouse Gas Emissions and Energy Impacts

Implementation of the project would result in the less-than-significant impacts described below. Because implementation of the project would not exceed the significance criteria described above, the project's impacts would not be considered significant, and no mitigation measures are needed.

(1) GHG Emissions from a Stationary Sources (GHG Criterion 1)

The City's threshold of significance requires analyzing GHG emissions from permitted stationary sources separately from a project's land use emissions and comparing the proposed stationary source's emissions to 10,000 metric tons of CO_2e per year. The project would be required to operate two emergency diesel generators each at 1,000 kilowatts for non-emergency operation up to 50 hours per year for routine testing and maintenance. As summarized in Table V.E-3, the average CO_2e emissions from routine testing and maintenance of the emergency diesel generators would be below the City's stationary-source threshold. Therefore, the project's operation of stationary sources would have a less-than-significant impact on the environment.

TABLE V.E-3 AVERAGE GHG EMISSIONS FROM EMERGENCY GENERATORS

Stationary Source	CO_2e (MT/year)
Emergency Diesel Generators	51.2
City's Stationary Source GHG Threshold	10,000
Threshold Exceedance?	**No**

Notes: MT = metric tons.
Source: CalEEMod (Appendix D).

(2) Consistency with the 2030 ECAP (GHG Criterion 2)

As previously discussed, the City has adopted a qualitative threshold of significance based on the ECAP Consistency Review Checklist for projects involving land use developments. The full ECAP Consistency Review Checklist prepared for this project is included in Appendix H. The items applicable to the project are listed in Table V.E-4, below. The project's ECAP Consistency Review Checklist indicates that the project's design will meet all the applicable requirements for Transportation and Land Use, Buildings, Material Consumption and Waste, and Carbon Removal. Specific project design features consistent with the ECAP include, but are not limited to, land use density, vehicle parking reduction, provision of electric charging stations and bike parking, Transportation Demand Management measures, exclusion of natural gas hook-ups, and certification of Leadership in Energy and Environmental Design (LEED) Gold rating. The ECAP Checklist's requirements related to City Leadership and Adaptation are not applicable to this

project. Therefore, the project would be consistent with the City's 2030 ECAP and would have a less-than-significant impact related to the generation of GHG emissions.

TABLE V.E-4 ECAP CONSISTENCY CHECKLIST SUMMARY

ECAP Checklist Criteria	Consistent?	Demonstration of Consistency
Transportation & Land Use		
1) For residential and mixed-use development, if the project is located on a parcel designated in the City of Oakland Housing Element as a Housing Inventory Site, is the proposed project a majority residential use (at least two-thirds of the square footage utilized for residential purposes) with either i) a minimum residential unit count no less than seventy-five percent of the realistic capacity designated for the site or ii) a minimum density of 30 dwelling units/acre?	Yes	The site is a Housing Inventory Site and the majority of the development is residential use. The Housing Inventory identified a 510-unit capacity for this site, which results in a minimum residential count of 383 units. The project includes up to 510 units.
2) For developments in "Transit Accessible Areas" as defined in the Planning Code, would the project provide less than the following off-street parking: ▪ For Residential Activities, less than one parking space per dwelling unit? ▪ For Commercial Activities, less than one parking space per 600 square feet of floor area on the ground floor and one parking space per 1,000 square feet of floor area on other floors? Where developments contain a mix of activities, each standard above should be applied to the respective component.	Yes	The project provides parking at approximately 0.5 spaces per unit and the commercial is one space for each 1,000 square feet of floor area.
3) For projects including structured parking, would the structured parking be designed for future adaptation to other uses? (Examples include, but are not limited to: the use of speed ramps instead of sloped floors.)	Yes	The parking garage is designed for future adaption of other uses as it is primarily comprised of speed ramps that are adaptable.
4) For projects that *are* subject to a Transportation Demand Management Program, would the project include transit passes for employees and/or residents?	Yes	The project is likely to include several TDM measures including transit passes for employees, car sharing, EV charging stations, bike parking far in excess requirements (1:1), and improvements to the adjacent bus stop.
6) Does the project comply with the Plug-In Electric Vehicle (PEV) Charging Infrastructure requirements (Chapter 15.04 of the Oakland Municipal Code), if applicable?	Yes	10 precent of parking spaces will be full circuit; of the remaining 90 percent, any inaccessible raceways shall be installed; the electrical panel will be sufficient to supply 20 percent of the spaces with PEV power.

ECAP Checklist Criteria	Consistent?	Demonstration of Consistency
7) Would the project reduce or prevent the direct displacement of residents and essential businesses? (For residential projects, would the project comply with SB 330, if applicable? For projects that demolish an existing commercial space, would the project include comparable square footage of neighborhood serving commercial floor space.)	Yes	The site is currently unoccupied; it was formerly occupied by an arts college that relocated. As a result, no residents will be displaced. Also there is no existing neighborhood commercial space on site.
8) Would the project prioritize sidewalk and curb space consistent with the City's adopted Bike and Pedestrian Plans? (The project should not prevent the City's Bike and Pedestrian Plans from being implemented. For example, do not install a garage entrance where a planned bike path would be unless otherwise infeasible due to Planning Code requirements, limited frontage or other constraints.)	Yes	The project provides bikeways and pedestrian walkways, as well as bicycle parking, and is consistent with the Bike and Pedestrian Plans and will not prevent the Plans from being implemented.
Buildings		
9) Does the project not create any new natural gas connections/hook-ups?	Yes	There will be no new natural gas hook-ups.
10) Does the project comply with the City of Oakland Green Building Ordinance (Chapter 18.02 of the Oakland Municipal Code), if applicable?	Yes	The project is projected to receive a LEED Gold.
Material Consumption & Waste		
12) Would the project reduce demolition waste from construction and renovation and facilitate material reuse in compliance with the Construction Demolition Ordinance (Chapter 15.34 of the Oakland Municipal Code)?	Yes	The project is projected to receive a LEED Gold.
Carbon Removal		
15) Would the project replace a greater number of trees than will be removed in compliance with the Tree Preservation Ordinance (Chapter 12.36 of the Oakland Municipal Code) and Planning Code if applicable and feasible given competing site constraints?	Yes	The project will replace an equal or greater number of trees than it will remove in compliance with the Tree Preservation Ordinance.
16) Does the project comply with the Creek Protection, Stormwater Management and Discharge Control Ordinance (Chapter 13.16 of the Oakland Municipal Code), as applicable?	Yes	No creek exists on or near the project site and the project will comply with all applicable provisions of Chapter 13.16 of the Oakland Municipal Code.

Note: Includes items applicable to the project.
Source: Appendix H.

The City's GHG threshold of significance based on the ECAP Checklist was designed to ensure project compliance with the City's 2030 GHG reduction targets. Because the project demonstrates compliance through the completion of the ECAP Checklist, the project is also consistent and not in fundamental conflict with the goals of AB 32 and SB 32.

The project is subject to the City's SCAs, some of which reduce GHG emissions. These include but are not limited to CALGreen requirements under SCA-SERV-8: Green Building Requirements (#90), compliance requirements under SCA-GHG-1: Project Compliance with the Equitable Climate Action Plan Consistency Checklist (#45), and SCA-TRANS-4: Transportation and Parking Demand Management (TDM) Measures (#83). The City has adopted GHG reductions goals for 2030 and 2050, which are more aggressive than the statewide GHG reduction goals. The project is consistent with, and would not hinder, the implementation of the City's 2030 ECAP and the relevant policies in the General Plan, because the project would promote land use patterns and densities that help improve regional air quality conditions. For example, the project would be constructed within a Priority Development Area with land uses at a density and intensity that meets or exceeds Plan Bay Area recommendations. The project would also be required to comply with the CALGreen Code, which supports the goals, policies, and actions of the City's 2030 ECAP and the General Plan.

In summary, the land-based and stationary source operations of the project would have a less-than-significant impact related to the generation of GHG emissions.

(1) Energy Consumption (Energy Criterion 1)

Discussion of whether construction and operation of the project would result in a wasteful, inefficient, or unnecessary consumption of energy resources are discussed below.

Construction Energy Use

Construction of the project would require the use of fuels (primarily gasoline and diesel) for the operation of construction equipment and vehicles to perform a variety of activities, including excavation, demolition, hauling, paving, and vehicle travel. Energy in the form of electricity may also be consumed by some pieces of construction equipment, such as power tools, lighting, etc. Calculations to estimate fuel use for off-road equipment and on-road vehicles during project construction are included Appendix D and summarized in Table V.E-5, below.

Total fuel consumption would occur incrementally during construction over a period of approximately 28 months (730 workdays), rather than all at once. The fuel usage would fluctuate depending on the type of construction activities underway during any particular period. Gasoline would be the primary energy source for vehicles driven by construction workers and diesel would be the primary energy source for off-road equipment, vendor trucks, and haul trucks. The highest

TABLE V.E-5 AVERAGE FUEL USE DURING CONSTRUCTION

Equipment	Total Workdays	Total Gallons Gasoline	Total Gallons Diesel	Gallons Gasoline Per Day	Gallons Diesel Per Day
Off-Road Equipment	730	0	13,650	0	19
On-Road Vehicles	730	38,109	75,933	52	104

Source: Appendix D.

rates of fuel use would be associated with vendor and haul trips during demolition, grading, and building construction. Electricity would be used to power automated hand tools and smaller types of construction machinery such as compressors for painting applications; however, the energy consumption for electric powered equipment is assumed to be negligible compared to the larger off-road equipment and on-road vehicles.

During construction, SCA-AIR-2 – Criteria Air Pollutant Controls – Construction and Operation Related (#21) would require the proper maintenance and tuning of diesel off-road equipment and limits idling time, which would encourage more efficient use of fuel. The construction contractor would have a financial disincentive to waste fuel used by the construction equipment (i.e., excess fuel usage reduces profits). Therefore, it is generally assumed that fuel used during construction would be conserved to the maximum extent feasible. Furthermore, regulations enforced by the California Air Resources Board (Title 13, Section 2485 of California Code of Regulations) limit the idling time of diesel construction equipment to 5 minutes. For the reasons stated above, project construction is not expected to result in wasteful, inefficient, or unnecessary consumption of energy resources.

Operational Energy Use

The project would cause an increased demand for electrical services but would be developed in a location where such services are already being provided with adequate capacity to accommodate the project. Connecting new buildings to existing lines would involve relatively minor improvements to the existing energy infrastructure.

During operations, the project's energy demand is conservatively estimated as follows:

- **Electricity:** The project land uses would consume approximately 4,256,900 kWh of electricity per year (3,936,400 kWh per year more than existing conditions). An additional 28,600 kWh of electricity would be consumed by electric vehicles travelling to and from the project site.
- **Gasoline:** According to the CalEEMod results, vehicle trips generated by the project would consume approximately 160,300 gallons of gasoline a year.

- **Diesel:** According to the CalEEMod results, vehicle trips generated by the project would consume approximately 53,100 gallons of diesel a year. In addition, 100 hours operating two emergency diesel generators for testing and maintenance each year would consume about 4,900 gallons of diesel.
- **Natural Gas:** In accordance with the City of Oakland's All-Electric Building Ordinance, the project would not use any natural gas. This would result in a net reduction of 9,725 therms per year compared to the existing conditions.

Based on the above analysis, the project would be a consumer of energy for ongoing operations. The project would include a range of energy-use efficiencies including low flow fixtures beyond code, native plantings, energy efficiency measures beyond code, and reduced water use for irrigation. The project would be required to comply with both State and local energy policies, as described above. The project would be required to conform to Title 24 standards, which would increase the energy efficiency of all operations. In addition, the project would be required to implement the City's SCAs that would reduce the project's energy consumption, including SCA-SERV-5: Construction and Demolition Waste Reduction and Recycling (#81), requiring the project to divert construction and demolition debris waste from landfill disposal in accordance with current City requirements, and SCA-SERV-8: Green Building Requirements (#84), requiring the Project Sponsor to comply with the applicable requirements of the City of Oakland Green Building Ordinance. The Project Sponsor would also implement the following energy reduction strategies: low flow fixtures beyond code, efficient appliances and water heating, light sensors in stairwells (where permitted by code), native plantings, and reduced water use for irrigation. Lastly, the project would follow all requirements as set forth in the City's 2030 ECAP, including the elimination of natural gas. Since the project would comply with all applicable State and local policies, the project would have a less-than-significant impact related to energy use. Furthermore, the project would primarily serve office and residential space and would not contain any features that would result in the wasteful usage of energy, would not use natural gas, would not result in the violation of any GHG polices or quantitative standards, and would incorporate energy efficiency measures required by Title 24, City SCAs described above, and the 2030 ECAP.

(2) Conflict with or Obstruct a State or Local Plan (Energy Criterion 2)

Discussion of whether construction and operation of the project would result in a conflict with adopted energy conservation plans or violate energy efficiency standards are discussed below relative to construction vehicles and equipment, building efficiency, and transportation.

The project would comply with existing energy standards, including State and local standards designed to minimize use of fuel in passenger and construction vehicles, ensure that buildings employ energy efficiency techniques, and operate transportation demand management program, as described further below.

Construction Vehicles and Equipment

Project construction would require use of on-road trucks for soil and debris hauling and material deliveries, and off-road equipment such as excavators, forklifts, and pavers. The project would comply with State and local requirements designed to minimize idling and associated emissions, which also minimizes use of fuel (as required by SCA-AIR-2).

Building Energy Efficiency

The project's anticipated electricity use in buildings is discussed above. New building construction is subject to California's Title 24, as discussed in subsection 2.b.11, above. Title 24 reduces energy use in residential and commercial buildings through progressive updates to both the Green Building Standards Code (Title 24, Part 11) and the Energy Efficiency Standards (Title 24, Part 6). Reductions in energy use associated with the project's operation would also be consistent with the City's 2030 ECAP. The City's All-Electric Building Ordinance prohibits new buildings and major renovations from connecting to natural gas infrastructure. In accordance with the ordinance, the Project Sponsor has committed to eliminating the use of natural gas in the project. The project would also pursue certification in LEED Gold rating.

Transportation

Pursuant to SCA-AIR-2: Criteria Air Pollutant Controls – Construction and Operation Related (#21), idling of commercial vehicles over 10,000 pounds and off-road equipment over 25 horsepower would be limited to a maximum of 2 minutes in accordance with the Title 13, Section 2485, of the California Code of Regulations and Title 13, Section 2449, of the California Code of Regulations. SCA-AIR-3: Diesel Particulate Matter Controls – Construction Related (#22), would reduce diesel fuel consumption through the use of newer model, more efficient off-road construction equipment.

Operational vehicle use associated with the project would be reduced and achieved and monitored through the TDM Plan via implementation of SCA-TRANS-4: Transportation and Parking Demand Management (#79). Reductions in operational vehicle use associated with the project would also be consistent with the City's 2030 ECAP. ECAP Measure TLU-1 calls for future updates to the General Plan, Specific Plans, Zoning Ordinance, Subdivision Regulations, Parks Master Plan, and appropriate planning policies or regulations to be consistent with the GHG reduction, adaptation, resilience, and equity goals in the ECAP. The project is consistent with TLU-1 in that it supports its relevant objectives regarding transit, transit-oriented development (TOD) and VMT reduction:

- The project will meet the VMT reductions under the City CEQA thresholds.

- The project may assist in meeting the City's goal of constructing 17,000 new housing units between 2015 and 2023, as identified in the 2014 Housing Element of the General Plan by constructing up to 510 new dwelling units.

Based on the above analysis, the project would not conflict with adopted energy conservation plans or violate energy standards, resulting in a less-than-significant impact.

c. Significant Greenhouse Gas Emissions and Energy Impacts

Implementation of the project would not result in any significant impacts related to GHG emissions or energy consumption.

d. Cumulative Greenhouse Gas Emissions and Energy Impacts

(1) Greenhouse Gas Emissions

GHG emissions and global climate change represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the combination of GHG emissions from past, present, and future projects have contributed and will continue to contribute to global climate change and its associated environmental impacts. Therefore, because the project would have less-than-significant impacts on GHG emissions and is consistent with State and local regulations designed for GHG emission reduction, its cumulative impacts are also less than significant.

(2) Energy Consumption

The project would increase demand on energy resources in an area where those services already exist, along with other foreseeable cumulative development projects. Further, the extent to which demand would grow is not expected to have a significant adverse cumulative impact. All applicable cumulatively considerable developments, including the project, would be subject to California Title 24 energy conservation standards for new construction, which require specific energy-conserving design features, the use of non-depletable energy resources, or a demonstration that buildings would comply with a designated energy budget. Therefore, the project would not violate applicable statues and regulation related to energy standards. No significant adverse cumulative energy impacts are expected.

The City of Oakland's 2030 ECAP requires new development to include electricity efficiency improvements, eliminate natural gas, and incorporate TDM efforts to reduce the number of vehicle miles traveled, which will further the efficient use of energy. The project would comply with the City's 2030 ECAP requirement and the City's All-Electric Building Ordinance by not

including natural gas hookups. Consequently, the project, in combination with other development in the project area, would not be expected to use natural gas or electricity in a wasteful manner. Cumulative impacts related to the wasteful or inefficient use of energy would be less than significant.

F. SOILS, GEOLOGY, AND SEISMICITY

This section describes the soil, geologic, and seismic environment in the vicinity of the project site; discusses the State and local regulations pertinent to soils, geology, and seismicity; assesses the potential impacts related to soils, geology, and seismicity that could result from project implementation; and identifies the City's Standard Conditions of Approval (SCAs) and develops mitigation measures, where appropriate, to address those impacts.

The evaluation in this section is based on information obtained from a Preliminary Geotechnical Study[1] and geologic reports and maps from the United States Geological Survey (USGS), California Geological Survey (CGS), City of Oakland (City), among others.

1. Setting

The existing soil, geologic, and seismic conditions at the project site and vicinity are discussed below.

a. Geologic Conditions

(1) Topography

The roughly 3.95-acre project site is located within an urbanized area of Oakland. The project site slopes down toward the west. The existing ground surface elevation of the project site ranges from approximately 180 feet above the North American Vertical Datum of 1988 (NAVD88) on the west side of the site to approximately 220 feet NAVD88 on the east side.[2]

(2) Regional and Site-Specific Geology

The project site is located within the Coast Ranges geomorphic province,[3] a relatively geologically young and seismically active region.[4,5] The Coast Ranges are composed of mountain ridges (approximately 2,000 to 4,000, and occasionally 6,000 feet elevation above sea level) and valleys that trend northwest, approximately parallel to the San Andreas fault, from near the Oregon border to southern California. The only major break in the Coast Ranges is the depression containing San Francisco Bay area within which the project site is located.

[1] Rockridge Geotechnical, 2019. Preliminary Geotechnical Study, July 26.
[2] United States Geological Survey (USGS), 2018. Oakland West Quadrangle, California, 7.5-Minute Series.
[3] A geomorphic province is a naturally defined geologic region that displays a distinct combination of features based on geology, faults, topography, and climate. Eleven geomorphic provinces are recognized in California.
[4] California Geological Survey (CGS), 2002. California Geomorphic Provinces, Note 36.
[5] Norris, Robert M. and Robert W. Webb, 1976. Geology of California, 2nd Edition. J. Wiley & Sons, Inc.

Based on USGS regional mapping of the San Francisco Bay region, the northwest portion of the project site is underlain by alluvium, the central portion of the project site is underlain by Franciscan Complex sedimentary rocks, and the southeast portion is underlain by Franciscan Complex volcanic rocks.[6,7]

(3) Soils

Regional soil mapping indicates that the project site is located within an area classified as Xerorthents-Los Osos complex, 30 to 50 percent slopes. This soil unit consists of about 70 percent Xerorthents, 20 percent Los Osos and similar soils, and 10 percent minor components.[8] The shrink-swell potential and hydrologic characteristics of the soils types found at the project site are summarized in Table V.F-1 (and discussed in more detail below).

TABLE V.F-1 SOILS AT THE PROJECT SITE

Soil Name	Soil Profile Summary	Shrink-Swell Potential[a]	Hydrologic Soil Group
Xerorthents	Not applicable	Not applicable	Not applicable
Los Osos	Clay loam (0 to 10 inches) Silty clay loam (10 to 30 inches) Weathered bedrock (30 to 34 inches)	Moderate High Low	D[b]

[a] Shrink-swell potential of soils is determined by measuring the linear extensibility, which is the change in length of an unconfined clod as moisture content is decreased from a moist to a dry state. A moderate, high, or very high shrink-swell potential can cause significant changes in soil volume as moisture content changes, which can result in damage to overlying improvements and buildings.
[b] Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.
Source: Natural Resources Conservation Service, 2019. USDA Mapping Website. Available at: https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm, accessed December 5, 2023.

b. Seismic, Soils, and Geologic Hazards

Seismic, soils, and geologic hazards include surface rupture, ground shaking, liquefaction, lateral spreading, landslides, settlement and differential settlement, and expansive and corrosive soils. Each of these hazards is discussed below.

[6] Graymer et al., 2006. Geologic Map of the San Francisco Bay Region.
[7] United States Geological Survey (USGS), 2019. Available at: https://pubs.usgs.gov/publication/sim2918 accessed December 5, 2023.
[8] Natural Resources Conservation Service, 2019. Web Soil Survey, USDA Mapping Website. Available at: http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm, accessed December 5, 2023.

(1) Surface Rupture

Surface rupture occurs when the ground surface is broken due to fault movement during an earthquake. Surface rupture generally can be expected to occur along an active or potentially active fault trace. The project site is not located within an area mapped as subject to surface rupture under the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults cross the site.[9] The nearest Alquist-Priolo Earthquake Fault Zone is the Hayward Fault, located about 1.3 miles east of the project site (Figure V.F-1).[10] The Preliminary Geotechnical Study concludes that the risk of fault offset at the project site from a known active fault is very low and the risk of surface faulting and consequent secondary ground failure from previously unknown faults is also very low.

(2) Ground Shaking

Ground shaking is a general term referring to all aspects of motion of the earth's surface resulting from an earthquake and is normally the major cause of damage in seismic events. The extent of ground shaking is controlled by the magnitude and intensity of the earthquake, distance from the epicenter, and local geologic conditions. The Modified Mercalli Intensity Scale (MMI) is the most commonly used scale for measurement of the subjective effects of earthquake intensity (Table V.F-2). The MMI values range from I (earthquake not felt) to XII (damage nearly total), and intensities ranging from VI to XII can cause moderate to significant structural damage. As described above, the closest active fault to the project site is the Hayward Fault. The Hayward Fault (both north and south segment together) is considered capable of generating an M_w 7.0 earthquake.[11] An earthquake of this magnitude on the Hayward Fault could generate very strong (MMI VIII) ground shaking at the project site.[12] The project site also has the potential to experience moderate (MMI VI) to strong (MMI VII) ground shaking generated by earthquakes on other regional faults including the San Gregorio Fault, Rodgers Creek Fault, Calaveras Fault, and San Andreas Fault.[13] The Preliminary Geotechnical Study concludes that strong to very strong

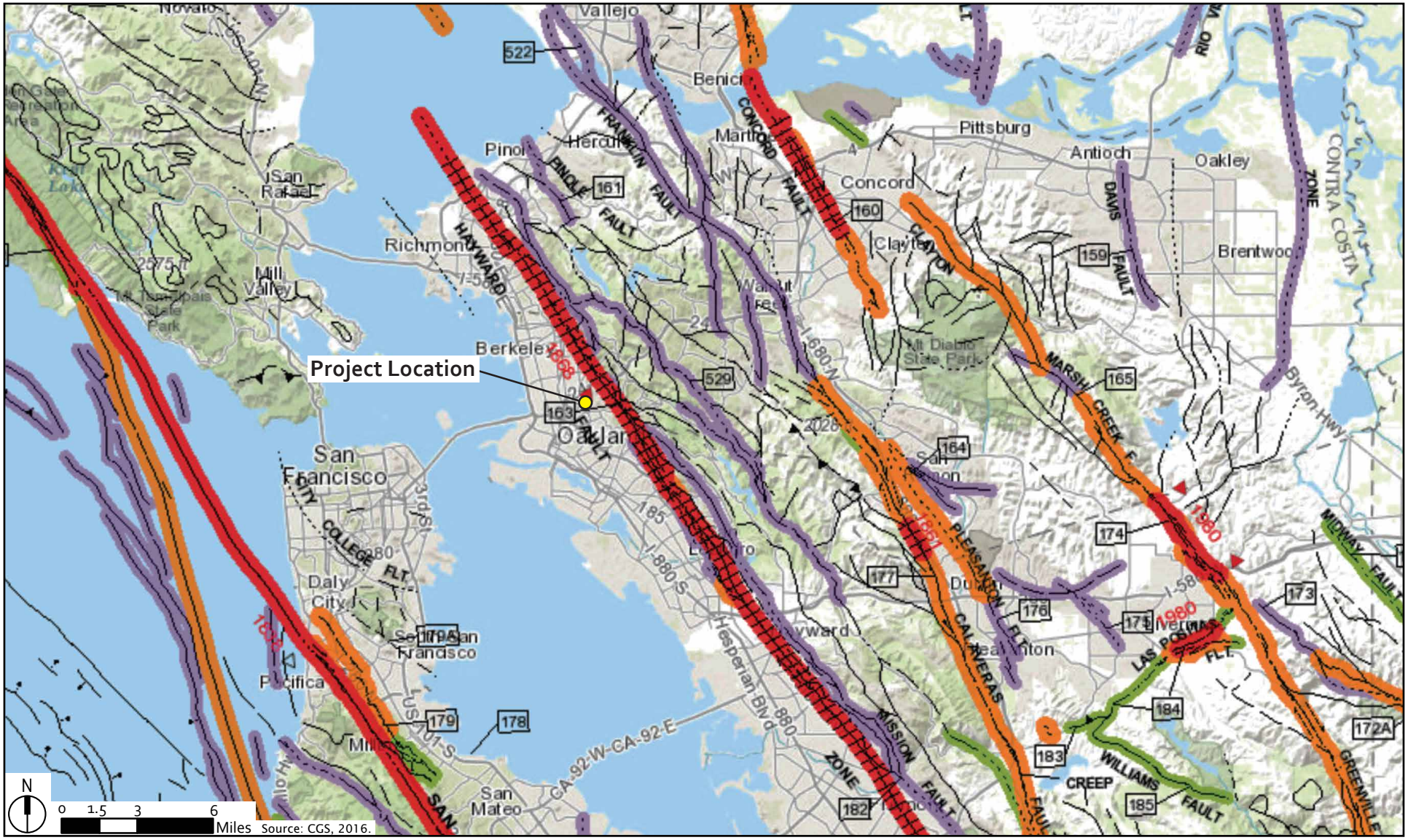
[9] California Geological Survey (CGS). Earthquake Zones of Required Investigation, Oakland East Quadrangle. Earthquake Fault Zones revised January 1, 1982. Seismic Hazard Zones revised February 14, 2003.

[10] California Geological Survey (CGS), 2010. 2010 Fault Activity Map of California Viewer. Available at: https://maps.conservation.ca.gov/cgs/fam/, accessed December 5, 2023.

[11] Association of Bay Area Governments (ABAG), 2013. Alameda County Hazard Map Viewer. Available at: https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8, accessed December 5, 2023.

[12] Association of Bay Area Governments (ABAG), 2013. Alameda County Hazard Map Viewer. Available at: https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8, accessed December 5, 2023.

[13] Association of Bay Area Governments (ABAG), 2013. Alameda County Hazard Map Viewer. Available at: https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8, accessed December 5, 2023.



Note: Fault traces on land are indicated by solid lines where well located, by dashed lines where approximately located or inferred, and by dotted lines where concealed by younger rocks or by lakes or bays. Fault traced are queried where continuation or existence is uncertain.

Figure V.F-1
Fault Activity Map
CCA Oakland Campus Redevelopment Project EIR

TABLE V.F-2 MODIFIED MERCALLI SCALE

I	Not felt except by a very few under especially favorable circumstances.
II	Felt only by a few persons at rest, especially on upper floors of buildings. Delicately suspended objects may swing.
III	Felt quite noticeably indoors, especially on upper floors of buildings, but many people do not recognize it as an earthquake. Standing motor cars may rock slightly. Vibration like passing of truck. Duration estimated.
IV	During the day felt indoors by many, outdoors by few. At night some awakened. Dishes, windows, doors disturbed; walls make cracking sound. Sensation like heavy truck striking building. Standing motor cars rocked noticeably.
V	Felt by nearly everyone, many awakened. Some dishes, windows, etc., broken; a few instances of cracked plaster; unstable objects overturned. Disturbances of trees, poles, and other tall objects sometimes noticed. Pendulum clocks may stop.
VI	Felt by all, many frightened and run outdoors. Some heavy furniture moved; a few instances of fallen plaster or damaged chimneys. Damage slight.
VII	Everybody runs outdoors. Damage negligible in building of good design and construction; slight to moderate in well-built ordinary structures; considerable in poorly built or badly designed structures; some chimneys broken. Noticed by persons driving motor cars.
VIII	Damage slight in specially designed structures; considerable in ordinary substantial buildings, with partial collapse; great in poorly built structures. Panel walls thrown out of frame structures. Fall of chimneys, factory stacks, columns, monuments, walls. Heavy furniture overturned. Sand and mud ejected in small amounts. Changes in well water. Persons driving motor cars disturbed.
IX	Damage considerable in specially designed structures; well-designed frame structures thrown out of plumb; great in substantial buildings, with partial collapse. Buildings shifted off foundations. Ground cracked conspicuously. Underground pipes broken.
X	Some well-built wooden structures destroyed; most masonry and frame structures destroyed with foundations; ground badly cracked. Rails bent. Landslides considerable from river banks and steep slopes. Shifted sand and mud. Water splashed (slopped) over banks.
XI	Few, if any, (masonry) structures remain standing. Bridges destroyed. Board fissures in ground. Underground pipelines completely out of service. Earth slumps and land slips in soft ground. Rails bent greatly.
XII	Damage total. Practically all works of construction are damaged greatly or destroyed. Waves seen on ground surface. Lines of sight and level are distorted.

Source: California Geology Survey, 2002. How Earthquakes and Their Effects are Measured, Note 32.

ground shaking could occur at the project site during a large earthquake on one of the nearby faults.

(3) Liquefaction and Lateral Spreading

Liquefaction is the temporary transformation of loose, saturated granular sediments from a solid state to a liquefied state as a result of seismic ground shaking. In the process, the soil undergoes

transient loss of strength, which commonly causes ground displacement or ground failure to occur. Because saturated soils are a necessary condition for liquefaction, soil layers in areas where the groundwater table is near the surface have higher liquefaction potential than those in which the water table is located at greater depths. Lateral spreading is a form of horizontal displacement of soil toward an open channel or other "free" face, such as an excavation boundary or a creek bank. In a lateral spread failure, a layer of ground at the surface is carried on an underlying layer of liquefied material over a nearly flat surface toward a free face.[14] The lateral spreading hazard tends to mirror the liquefaction hazard for a site (when a free face is present).

USGS regional studies for the Bay Area provide information on Quaternary deposits and liquefaction susceptibility in the area.[15] Based on these regional studies, the project site is located in an area with low to very low susceptibility to liquefaction.[16] In addition, it is not located within a liquefaction hazard zone as designated on a map prepared by the CGS.[17] The Preliminary Geotechnical Study concludes that the potential for liquefaction and liquefaction-induced hazards (i.e. lateral spreading) to occur at the site is very low.

(4) Landslides

Slope failure can occur as either rapid movement of large masses of soil (landslide) or slow, continuous movement (creep) on slopes of varying steepness. There are existing slopes adjacent to the southern portion of the project site that are mapped by CGS as a seismic hazard zone for earthquake-induced landslides.[18]

(5) Settlement, Differential Settlement, and Subsidence

Settlement is the lowering of the land surface elevation as a result of loading (i.e., placing heavy loads, typically fill or structures), which often occurs with the development of a site. Settlement or differential (e.g., unequal) settlement could occur if buildings or other improvements are built on low-strength foundation materials (including imported non-engineered fill) or if improvements straddle the boundary between different types of subsurface materials (e.g., a boundary between native material and/or new engineered fill). Although settlement generally

[14] Assocation of Bay Area Governments (ABAG), 2001.The REAL Dirt on Liquefaction, A Guide to the Liquefaction Hazard in Future Earthquakes Affecting the San Francisco Bay Area, February.

[15] United States Geological Survey (USGS), 2006. Maps of Quaternary Deposits and Liquefaction Susceptibility in the Central San Francisco Bay Region, California. Available at: http://pubs.usgs.gov/of/2006/1037/, accessed June 20, 2019.

[16] United States Geological Survey (USGS), 2019. Available at: https://earthquake.usgs.gov/learn/topics/geologicmaps/liquefaction.php, accessed December 5, 2023.

[17] California Geological Survey (CGS). Earthquake Zones of Required Investigation, Oakland East Quadrangle. Earthquake Fault Zones revised January 1, 1982. Seismic Hazard Zones revised February 14, 2003..

[18] California Geological Survey (CGS). Earthquake Zones of Required Investigation, Oakland East Quadrangle. Earthquake Fault Zones revised January 1, 1982. Seismic Hazard Zones revised February 14, 2003.

occurs slowly enough that its effects are not dangerous to inhabitants, it can cause significant building damage over time.

Subsidence is the lowering of the land-surface elevation. The mechanism for subsidence is generally related to groundwater pumping and subsequent consolidation of loose aquifer sediments. The primary hazards associated with subsidence are increased flooding hazards and damage to underground utilities as well as above-ground structures. Other effects of subsidence include changes in the gradients of stormwater and sanitary sewer drainage systems in which the flow is gravity-driven.

Cyclic densification can occur during strong ground shaking in loose, clean granular deposits above the water table, resulting in ground surface settlement. However, the Preliminary Geotechnical Study anticipates the soil above the groundwater at the site is sufficiently dense or cohesive to resist cyclic densification and the fill (if present at the site) will be removed during construction of the proposed improvements. Therefore, the Preliminary Geotechnical Study concludes the potential for ground surface settlement resulting from cyclic densification at the site is very low.

(6) Expansive Soils

Expansion and contraction of soil volume can occur when expansive soils undergo alternating cycles of wetting (swelling) and drying (shrinking). During these cycles, the volume of the soil changes markedly. As a consequence of such volume changes, structural damage to buildings and infrastructure can occur if potentially expansive soils are not considered in project design and during construction.

As indicated in Table V.F-1 above, the project site is underlain by Los Osos soil, which is classified as Hydrologic Group D. Group D soils consist chiefly of clays that may have a high shrink-swell potential.

2. Regulatory Setting

This subsection discusses the pertinent federal, State, and local regulations related to geology, soils, and seismicity.

a. Federal Regulations

(1) Federal National Earthquake Hazards Reduction Program

The National Earthquake Hazards Reduction Program (NEHRP) was established by the US Congress when it passed the Earthquake Hazards Reduction Act of 1977, Public Law (PL) 95–124. In establishing NEHRP, Congress recognized that earthquake-related losses could be reduced

through improved design and construction methods and practices, land use controls and redevelopment, prediction techniques and early-warning systems, coordinated emergency preparedness plans, and public education and involvement programs. The four basic NEHRP goals are:

- Develop effective practices and policies for earthquake loss reduction and accelerate their implementation.
- Improve techniques for reducing earthquake vulnerabilities of facilities and systems.
- Improve earthquake hazards identification and risk assessment methods, and their use.
- Improve the understanding of earthquakes and their effects.

Implementation of NEHRP priorities is accomplished primarily through original research, publications, and recommendations to assist and guide State, regional, and local agencies in the development of plans and policies to promote safety and emergency planning.

b. State Regulations

(1) California Building Code

The 2019 California Building Code (CBC), which refers to Part 2 of the California Building Standards Code in Title 24 of the California Code of Regulations, is based on the 2018 International Building Code, and is the most current State building code. The 2019 CBC covers grading and other geotechnical issues, building specifications, and non-building structures. The City of Oakland Municipal Code amends the State building codes, as indicated in Municipal Code Chapter 15.04. The City's Bureau of Building is responsible for reviewing plans, issuing building permits, and conducting field inspections. The design of the project would be required to conform to the current CBC at the time of plan review.

The CBC requires that a site-specific geotechnical investigation be conducted and a geohazard report be prepared by a licensed professional for all proposed construction greater than 4,000 square feet in floor area to evaluate geologic and seismic hazards. Buildings less than or equal to 4,000 square feet in floor area also are required to prepare a geohazard report, except for one-story, wood-frame and light-steel-frame buildings that are located outside of the Alquist-Priolo Earthquake Faults Zones. The purpose of the geotechnical investigation is to identify seismic and geologic conditions that require project mitigation, such as ground shaking, liquefaction, differential settlement, and expansive soils. Based on the conditions of the site, the building code requires specific design parameters to ensure construction of buildings that will resist collapse during an earthquake. These design parameters do not protect buildings from all earthquake shaking hazards but are designed to reduce hazards to a manageable level. Requirements for the geotechnical investigation are presented in Chapter 16 "Structural Design" and Chapter 18 "Soils

and Foundation" of the 2019 CBC. Geotechnical investigation reports for individual projects are reviewed by the City's Bureau of Building prior to issuance of building permits.

(2) California Alquist-Priolo Earthquake Fault Zoning Act

The California Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972, and its main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active earthquake faults. The Alquist-Priolo Earthquake Fault Zoning Act requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of known active faults and to issue appropriate maps. "Earthquake Fault Zones" were called "Special Studies Zones" prior to January 1, 1994. The maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. As mentioned above, the project site is not located within an area mapped as subject to surface rupture under the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults cross the site.

(3) Seismic Hazards Mapping Act

In 1990, following the Loma Prieta earthquake, the California Legislature enacted the Seismic Hazards Mapping Act to help protect the public from the effects of strong ground shaking, liquefaction, landslides, and other seismic hazards. The Seismic Hazards Mapping Act established a statewide mapping program to identify areas subject to violent shaking and ground failure; the program is intended to assist cities and counties in protecting public health and safety. The Seismic Hazards Mapping Act requires the State Geologist to delineate various seismic hazard zones, and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones. As a result, the CGS is mapping Seismic Hazards Mapping Act Zones and has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, ground shaking, and landslides (primarily the Bay Area and the Los Angeles basin). Before a development permit is granted for a site within a seismic hazard zone, a geotechnical investigation must be conducted, and appropriate mitigation measures incorporated into the project design. The project site is not located within a liquefaction hazard zone or an earthquake-induced landslide zone; however, the project site is adjacent to slopes deemed susceptible to earthquake-induced landslides to the south as designated on a map prepared by the CGS.[19]

[19] California Geological Survey (CGS). Earthquake Zones of Required Investigation, Oakland East Quadrangle. Earthquake Fault Zones revised January 1, 1982. Seismic Hazard Zones revised February 14, 2003.

c. Local Regulations

(1) General Plan

The following policies and action items from the Open Space, Conservation, and Recreation and Safety Elements of the City of Oakland General Plan specifically address soils, geology, and/or seismic hazards, and are applicable to the project.

Policy Statements Related to Geologic Hazards

Policy SAF-1.1: Seismic Hazards. Develop and continue to enforce and carry out regulations and programs to reduce seismic hazards and hazards from seismically triggered phenomena. Prioritize programs in areas of highest seismic risk and seismic vulnerability.

Policy SAF-1.2: Structural Hazards. Continue, enhance or develop regulations and programs designed to minimize seismically related structural hazards from new and existing buildings.

Policy SAF-1.3: Limit Development in Hazardous Areas and Minimize Erosion. Minimize threat to structures and humans by limiting development in areas subject to landslides or other geologic threat and undertake efforts to limit erosion from new development.

SAF-A.3. Regulate development by slope categories and continue to enforce provisions that require geotechnical reports and soil hazards investigations be made in areas prone to landslides as shown in Figure SAF-2 as part of project proposals.

SAF-A.4. Continue to enforce ordinances for grading, erosion, and sedimentation; provisions under the creek protection, storm water management and discharge control ordinance; and regulations for site-design and source control techniques for peak stormwater runoff flows and landslide and erosion impacts from increased runoff volumes as shown in Figure SAF-2.

SAF-A.5. Design fire-preventive vegetation-management techniques and practices for creeksides and high-slope areas that align with practices designed to stabilize hillsides, prevent erosion and sedimentation to help prevent landslide and erosion hazards. Policy Statements Related to Soils

Policy CO-1.1: Soil loss in new development. Regulate development in a manner which protects soil from degradation and misuse or other activities which significantly reduce its ability to support plant and animal life. Design all construction to ensure that soil is well secured so that unnecessary erosion, siltation of streams, and sedimentation of water bodies does not occur.

Action CO-1.1.1: Soil-related development controls—Maintain, enforce, and periodically review development controls affecting soil removal, including the Grading Ordinance and the Sedimentation and Erosion Control Ordinance.

Action CO-1.1.3: Consideration of soil constraints in development—Consider soil constraints such as shrink-swell and low soil strength in the design of buildings and roads. Suitable base materials and drainage provisions should be incorporated where necessary.

Policy CO-2.2: Unstable geologic features. Retain geologic features known to be unstable, including serpentine rock, areas of known landsliding, and fault lines, as open space. Where feasible, allow such lands to be used for low-intensity recreational activities.

Action CO-2.2.1: Geo-technical study requirements—Maintain Standard Operating Procedures in the Office of Planning and Building which require geo-technical studies for major developments in areas with moderate to high ground shaking or liquefaction potential, or other geologically unstable features.

Policy CO-2.3: Development on filled soils. Require development on filled soils to make special provisions to safeguard against subsidence and seismic hazards.

Annex to Local Hazard Mitigation Plan

As part of the Association of Bay Area Governments (ABAG) multi-jurisdictional Local Hazard Mitigation Plan, the City prepared a plan annex,[20] which serves as an amendment to the Safety Element of the General Plan. The mitigation strategies in the plan annex that apply to geologic and seismic safety are listed below.

Specific Mitigation Strategy INFR-b-4: Install specially-engineered pipelines in areas subject to faulting, liquefaction, earthquake-induced landsliding, or other earthquake hazard.

Specific Mitigation Strategy INFR-b-6: Install portable facilities (such as hoses, pumps, emergency generators, or other equipment) to allow pipelines to bypass failure zones such as fault rupture areas, areas of liquefaction, and other ground failure areas (using a priority scheme if funds are not available for installation at all needed locations).

Specific Mitigation Strategy INFR-b-8: Comply with all applicable building and fire codes, as well as other regulations (such as State requirements for fault, landslide, and liquefaction investigations in particular mapped areas) when constructing or significantly remodeling infrastructure facilities.

[20] City of Oakland, 2012. Annex to 2010 Association of Bay Area Governments Local Hazard Mitigation Plan Taming Natural Disasters, January 20.

(2) Oakland Municipal Code

Building and Construction Ordinance (Chapter 15)

The City's building construction standards are based on the most current version of the CBC, which is amended in Chapter 15.04 of the City's Municipal Code to reflect local conditions, including requirement related to foundations and anchor bolts which improve seismic safety. The Building and Construction Ordinance includes amendment of the CBC to include Chapter 18B Grading, Excavations, and Fills Chapter 15.04.3.2240 of the City's Municipal Code, which establishes standards governing the application for a grading permit and the necessary steps to meet grading permit requirements. A grading permit is required for grading activities for projects that exceed certain criteria, including if the volume of excavation or fill would exceed 500 cubic yards on a parcel or contiguous parcels; or if grading, clearing or grubbing, or land disturbance activity that otherwise does not require a grading permit involves an area of 1 acre or more. When a grading permit is required, the application for the grading permit must include a grading plan, erosion and sedimentation control plan (where required by the Building Official) which must include interim and permanent erosion and sedimentation control measures, statement from the Civil Engineer(s) in Responsible Charge, soils report, dust control measures, and proposed work schedule. The ordinance indicates that no grading work may occur during the grading moratorium (wet season, October 15 to April 15) except for emergency stabilization of geotechnical instability. Temporary erosion and sedimentation control facilities must be completely in place prior to October 15, and must be diligently maintained to ensure effectiveness through April 15.

(3) Standard Conditions of Approval

The City has developed SCAs that are applied to projects when they receive discretionary planning-related approval. The SCAs related to geologic, soils, and seismic hazards that would apply to the project are presented below.

SCA-GEO-1: Construction-Related Permit(s) (#40)
Requirement: The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.
When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

SCA-GEO-2: Soil Report (#41)
Requirement: The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and

observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.
When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

3. Impacts, Standard Conditions of Approval, and Mitigation Measures

This section analyzes impacts related to geology, soils, and seismicity that could result from implementation of the project. This section begins with the criteria of significance that establish the thresholds for determining whether an impact is significant. The latter part of this section presents the impacts associated with the project and identifies SCAs and/or mitigation measures to address these impacts as needed.

a. Significance Criteria

Implementation of the project would result in a significant soils, geology, and seismicity impact if it would:

1. Expose people or structures to substantial risk of loss, injury, or death involving:
    a. 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.[21]
    b. Strong seismic ground shaking.
    c. Seismic-related ground failure, including liquefaction, lateral spreading, subsidence, collapse.
    d. Landslides.
2. Result in substantial soil erosion or loss of topsoil, creating substantial risks to life, property, or creeks/waterways.
3. Be located on expansive soil, as defined in Section 1802.3.2 of the CBC,[22] creating substantial risks to life or property.
4. Be located above a well, pit, swamp, mound, tank vault, or unmarked sewer line, creating substantial risks to life or property.

[21] Refer to CGS 42 and 117 and Public Resources Code Section 2690 et. seq.
[22] 2007 CBC, as it may be revised.

5. Be located above landfills for which there is no approved closure and post-closure plan, or unknown fill soils, creating substantial risks to life or property.
6. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

b. Less-Than-Significant Soils, Geology, and Seismicity Impacts

Implementation of the project would result in the less-than-significant impacts described below. Because these impacts would not exceed the significance criteria described above, they do not require mitigation measures.

(1) Surface Rupture (Criterion 1a)

Surface fault rupture occurs when the ground surface is broken due to fault movement during an earthquake. Fault rupture is generally expected to occur along known active fault traces. Areas susceptible to fault rupture are delineated by the CGS Alquist-Priolo Earthquake Fault Zones map and require specific geological investigations prior to development to reduce the threat to public health and safety and to minimize the loss of life and property posed by earthquake-induced ground failure. The project site is not located within or adjacent to an Alquist-Priolo Earthquake Fault Zone[23] or an active or potentially active fault (Figure V.F-1). The Preliminary Geotechnical Study concludes that the risk of fault offset at the project site from a known active fault is very low and the risk of surface faulting and consequent secondary ground failure from previously unknown faults is also very low. Therefore, potential impacts related to surface fault rupture would be less than significant.

(2) Seismic Ground Shaking and Ground Failure (Criterion 1b)

As discussed above, the project site would be potentially subject to damage from seismic ground shaking. The project would be required to conform with, or exceed, current best standards for earthquake resistant construction in accordance with the current CBC at the time of plan review (which would be the 2019 CBC or later) and with the generally accepted standards of geotechnical practice for seismic design in Northern California. Compliance with the 2019 CBC, including local Oakland amendments related to soils, foundations, grading, excavation, fills, and seismic safety, and the Seismic Hazards Mapping Act would ensure that the project would be designed and constructed in accordance with geotechnical recommendations to account for and withstand seismic and geologic hazards which could have adverse effects on the project, thereby minimizing exposure of people and structures to substantial risk of loss, injury, or death during a

[23] California Geological Survey (CGS), 2003. Earthquake Zones of Required Investigation, Oakland East Quadrangle. Earthquake Fault Zones revised January 1, 1982. Seismic Hazard Zones revised February 14, 2003.

large regional earthquake. It is acknowledged that seismic hazards cannot be completely eliminated, even with site-specific geotechnical investigation/design and advanced building practices. However, the seismic design standards of the CBC, including the local Oakland amendments, are intended to prevent catastrophic building failure in the most severe earthquakes currently anticipated.

Compliance with SCA-GEO-1: Construction-Related Permits (#40) would ensure that the project would be designed and constructed in accordance with local and state construction requirements related to seismic hazards, including the CBC. Therefore, the project would result in less-than-significant impacts related to structural damage from strong seismic ground shaking.

(3) Liquefaction, Lateral Spreading, Subsidence or Collapse (Criterion 1c)

Based on the regional studies, the project site is located in an area with low to very low susceptibility to liquefaction.[24] In addition, it is not located within a liquefaction hazard zone as designated on a map prepared by the CGS.[25] The Preliminary Geotechnical Study concludes that the potential for liquefaction and liquefaction-induced hazards (i.e., lateral spreading) to occur at the site is very low. Therefore, the risk of liquefaction and lateral spreading at the project site is less than significant.

As discussed above, ground surface settlement could result from cyclic densification, which can occur during strong ground shaking in loose, clean granular deposits above the water table. The Preliminary Geotechnical Study concludes the potential for ground surface settlement resulting from cyclic densification at the project site is very low because the soil above the groundwater at the project site is sufficiently dense or cohesive to resist cyclic densification and the fill (if present at the site) would be removed during construction of the proposed improvements.

The Preliminary Geotechnical Study[26] provides foundation recommendations for the two proposed buildings and estimates total settlement and differential settlement based on the recommended foundation. For Buildings A and B, the Preliminary Geotechnical Study recommends conventional spread footings bearing on firm native soil and/or bedrock and estimates total settlement to be less than 0.75-inch and differential settlement to be on the order of 0.5-inch across a horizontal distance of 30 feet. These preliminary conclusions and

[24] United States Geological Survey (USGS), 2019. Available at: https://www.usgs.gov/programs/earthquake-hazards/science/san-francisco-bay-area-liquefaction-hazard-maps, accessed December 5, 2023.

[25] California Geological Survey (CGS), 2003. Earthquake Zones of Required Investigation, Oakland East Quadrangle. Earthquake Fault Zones revised January 1, 1982. Seismic Hazard Zones revised February 14, 2003.

[26] The Preliminary Geotechnical Study was performed for a previous project scenario that included five buildings; however,the conclusions would still be applicable to the project because building A is essentially the same as the previous scenario and building B is essentially a combination of buildings B and C from the previous scenario.

recommendations of the foundation types and the foundation settlement were based on the data from the seismic refraction survey.[27] The Preliminary Geotechnical Study recommends a site-specific geotechnical investigation including drilling exploratory soil borings to further evaluate subsurface conditions and provide final conclusion and recommendations regarding the geotechnical aspects of the project.

The project would be required to comply with SCA-GEO-1: Construction-Related Permit(s) (#40) and with SCA-GEO-2: Soils Report (#41). Compliance with these measures would require the investigation of development sites prior to construction. This would ensure that subsurface conditions (where unstable soils may be present) are identified within the project site, and that the project implement construction methods and building designs consistent with the CBC, as locally amended, that would prevent damage to structures and utilities (through subsidence or collapse) from unstable soils. Therefore, adherence to the existing building code and SCAs would reduce potential impacts from unstable soils to a less-than-significant level.

(4) Soil Erosion and Loss of Topsoil (Criterion 2)

Soil erosion, which is discussed in detail in *Section V.H, Hydrology and Water Quality*, could occur during project construction. As described in Section *V.H, Hydrology and Water Quality,* compliance with the Construction General Permit, including preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP), would ensure that the project would result in less-than-significant impacts related to erosion or loss of top soil during construction of the project. During operation of the project, compliance with SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58) and the San Francisco Bay Region, Municipal Regional Stormwater National Discharge Elimination System Permit would ensure that the project would result in less-than-significant impacts related to erosion or loss of top soil.

(5) Expansive Soils (Criterion 3)

Regional soil mapping indicates that the project site contains soils with moderate to high shrink-swell potential (Table V.F-1). These soils are expansive and, if not properly managed, could result in structural damage to buildings and underground utilities within the project site. The project would be required to comply with SCA-GEO-1: Construction-Related Permit(s) (#40) and with SCA-GEO-2: Soils Report (#41). Compliance with these measures would require the investigation of development sites prior to construction. This would ensure that expansive soils are identified within the project site, and that the project implement construction methods and building

[27] The seismic refraction method uses compressional (P-) wave energy to delineate subsurface seismic velocity layers. To perform a refraction survey, an elastic wave (compressional, or P-wave) is generated at certain locations (shotpoints) along a survey line. The P-wave energy is usually produced with a small explosion or by striking the ground with a sledgehammer.

designs consistent with the CBC, as locally amended, that would prevent damage to structures and utilities from expansive soils. Therefore, adherence to the existing building code and SCAs would reduce potential impacts from expansive soils to a less-than-significant level.

(6) Located Above a Well, Pit, Swamp, Mound, Tank Vault, or Unmarked Sewer Line (Criterion 4)

No known wells, pits, swamps, mounds, tank vaults, or unmarked sewer line underlie the project site. For a detailed description of the site history related to hazardous materials, please refer to *Section V.G, Hazards and Hazardous Materials* of this EIR. Therefore, this is a less-than-significant impact.

(7) Located Above a Landfill (Criterion 5)

No records of a historic landfill at the project site have been identified. For a detailed description of the site history related to hazardous materials, please refer to *Section V.G, Hazards and Hazardous Materials* of this EIR. Therefore, this is a less-than-significant impact.

(8) Soils Incapable of Supporting Wastewater Disposal Systems (Criterion 6)

The project would not involve the use of septic tanks or alternative waste water disposal systems; therefore, no impact would occur.

c. Significant Soils, Geology, and Seismicity Impacts

(1) Landslides (Criterion 1d)

The project site is not located within an earthquake-induced landslide zone; however, the project site is adjacent to slopes with near-vertical rock faces deemed susceptible to earthquake-induced landslides to the south as designated on a map prepared by the CGS.[28]

Impact GEO-1: Construction activities could potentially trigger landslides or destabilize existing slopes. (S)

Construction of the project could potentially trigger landslides or destabilize existing slopes, making them more susceptible to earthquake-induced landslides. Implementation of the following mitigation measure would reduce the impact to a less-than-significant level.

[28] California Geological Survey (CGS), 2003. Earthquake Zones of Required Investigation, Oakland East Quadrangle. Earthquake Fault Zones revised January 1, 1982. Seismic Hazard Zones revised February 14, 2003.

Mitigation Measure GEO-1: Prior to the issuance of any grading or construction permits, a design level geotechnical report shall be prepared by a qualified Geotechnical Engineer or Certified Engineering Geologist with input from a structural engineer and submitted to the City's Bureau of Building for review and approval. In addition to all other requirements, the design level geotechnical report shall specifically identify areas of the project site and adjacent areas where potentially unstable soil and/or rock formations could be impacted by project construction activities, and shall provide recommendations to minimize the potential for construction activities to trigger landslides or rockfalls, destabilize existing slopes, or result in soil collapse (e.g., shoring or retaining wall failure). The geotechnical recommendations shall include off-site protective measures (e.g., slope stabilization and/or rockfall protection), if necessary, to protect adjacent properties from potential landslides/rockfalls. The geotechnical recommendations shall be incorporated into the project plans and shall be implemented during construction of the project. The qualified Geotechnical Engineer or Certified Engineering Geologist that prepares the design level geotechnical report and the City's Bureau of Building shall inspect construction activities to ensure that the geotechnical recommendations are implemented and that slopes remain stable throughout construction activities.

Implementation of the above mitigation would reduce potential impacts associated with landslides and slope stability to a less-than-significant level. (LTS)

d. Cumulative Impacts

The geographic area considered for the geology, soils, and seismicity cumulative impact analysis is the project site and its immediate vicinity. Impacts related to geologic hazards are generally site-specific rather than cumulative in nature, because each project area has unique geologic considerations that would be subject to uniform site development and construction standards. Therefore, the potential for cumulative impacts is limited to the project site and adjacent sites. Impacts associated with potential geologic hazards related to soil or other conditions generally occur at individual building sites. These effects are site specific and impacts would not be compounded by additional development with the exception that cumulative slope stability impacts can occur when multiple projects are adjacent to or within an area of unstable slopes. Redevelopment activities have already occurred adjacent to the south of the project site and to the east of the project site at the base of the steeply sloping areas that surround the project site in these directions. An access roadway and retaining wall were constructed at the base of the slope to the south of the project site, and an access roadway, parking areas, and new shopping center were constructed at the base of the slope to the east of the project site. Rockfall protection/retaining walls including concrete K-rails and wooden retaining walls are located at the base of the slope to the east of the project site. A concrete retaining wall with rockfall netting

above it are present further east of the project site on the north side of the Safeway grocery store.

Because redevelopment activities, including rockfall protection/retaining walls, have been completed at the base of these sloping areas surrounding the project site and because the project would not have the potential to affect these slope stability improvements, the project would not contribute to any cumulative impact. Implementation of Mitigation Measure GEO-1 would ensure that the project would not result in new slope instability and therefore would not contribute to potential cumulative impacts related to slope stability (i.e., landslides/rockfalls). To the south of the project site there is vacant lot across the access roadway, identified as the Ridge Phase 2, that may be redeveloped in the future. The vacant lot is located at a sufficient distance from the steeply sloping areas such that redevelopment activities at the vacant lot would not be expected to impact the stability of the sloping areas surrounding the project site. Therefore, no significant cumulative impact relating to geology and soils is occurring or would be expected to occur in the vicinity of the project site.

G. HAZARDS AND HAZARDOUS MATERIALS

This section describes the environmental setting with regards to hazards and hazardous materials[1] at the project site; discusses the relevant federal, State, regional, and local regulatory considerations; evaluates the potential impacts of the project related to hazards and hazardous materials (during both the construction phase and following project completion); and identifies the City's Standard Conditions of Approval (SCAs) and develops mitigation measures, where appropriate, to address the identified significant impacts. The evaluation in this section is based on a review of available information included with the project application, previous environmental investigations conducted at the project site, and other published materials.

1. Setting

The existing hazards and hazardous materials conditions at the project site and vicinity are discussed below.

a. Previous Environmental Investigations Project Site

Previous environmental investigations conducted at the project site include Phase I environmental site assessments (ESAs) and a subsurface investigation. The findings of these investigations are summarized below as they relate to project site.[2]

(1) 1999 Phase I ESA for Faculty Parking Lot

In 1999, a Phase I ESA[3] was prepared for the faculty parking lot located in the northwest corner of the project site and the Clifton Hall parcel (which is located adjacent to the north of the project site and was occupied by a student parking lot at the time the Phase I ESA was prepared). This Phase I ESA did not cover the remainder of the project site.

The faculty parking lot, which is on the project site, was undeveloped in the early 1900s and was later landscaped as part of the CCA campus grounds. The faculty parking lot was then constructed in 1959. CCA was identified as a Resource Conservation and Recovery Act (RCRA)

[1] The California Health and Safety Code defines a hazardous material as, "…any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety, or to the environment. Hazardous materials include, but are not limited to, hazardous substances, hazardous waste, radioactive materials, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment" (California Health and Safety Code Section 25501).

[2] Note that the Clifton Hall parcel is no longer part of the project site. The summaries below focus on the project site portion of the investigations.

[3] RGA, 1999. Phase I Environmental Site Assessment, Adjacent Parking Lots, Clifton Street and Broadway, Oakland, CA, October 5.

small quantity generator of hazardous wastes including unspecified oil-containing waste, photochemical/photoprocessing waste, and surplus organics. CCA was not listed as a RCRA violator and was not listed on any other database as having illegally disposed of hazardous materials and no recommendations specific to this site for further study were recommended.[4]

(2) 2017 Phase I ESA for Project Site

In 2017, a Phase I ESA,[5] (see Appendix J) was prepared for the project site. The project site was occupied by residences and four small associated structures in 1911. The project site was purchased in 1922 by Frederick Meyer for use as the California Guild of Arts and Crafts, now known as CCA. Macky Hall and the Carriage House are the oldest buildings on the project site and were constructed circa 1879-1881 Macky Hall was remodeled in 1925 and 1988, and the Carriage House was remodeled in 1978. Macky Hall is in its original location; the Carriage House was relocated multiple times from its original location east of Macky Hall to its current location in the center of the project site. Other structures were constructed between 1959 and 1993.[6]

Art-related hazardous materials including artist paints, lacquers, inks, thinners, acids, and photo processing chemicals have been stored in various buildings on shelves and in designated hazardous materials cabinets. The 2017 Phase I indicates that sinks in areas with active art use contained particulate traps, and sediment was disposed off-site on a regular basis. Some staining was observed in sinks and on floors in select areas of the project site. According to the 2017 Phase I, CCA maintains a strict policy against disposing art materials, waste chemical products, or photo processing chemicals down drains. CCA disposes of hazardous waste biannually and provided manifests for disposals of a variety of waste products. The Phase I ESA indicated that based on the age of Macky Hall, heating may historically have been provided by bunker oil (or equivalent) and a historical UST cannot be ruled out with the available information.

The project site is located in an area of Oakland that contains numerous Completed-Case Closed leaking UST (LUST) sites, and several other environmental sites. One nearby property to the east (Former Rockridge Cleaners) is a former dry-cleaning site that has chlorinated volatile organic compounds (CVOCs) in soil vapor at concentrations above commercial and industrial screening levels developed for the protection of human health. The lateral extent of CVOCs in soil vapor does not appear to be delineated near the project site boundary. Due to historical quarry operations that removed significant volumes of bedrock immediately east and southeast of the

[4] RGA, 1999. Phase I Environmental Site Assessment, Adjacent Parking Lots, Clifton Street and Broadway, Oakland, CA, October 5.

[5] Geoterren Environmental Services, 2017. All Appropriate Inquiry - Phase I Environmental Site Assessment California College of the Arts 5212 Broadway Avenue Oakland, CA, September 21.

[6] Geoterren Environmental Services, 2017. All Appropriate Inquiry - Phase I Environmental Site Assessment California College of the Arts 5212 Broadway Avenue Oakland, CA, September 21.

project site, the elevation of the project site appears to be over 20 feet higher than the elevation of the former cleaners. The Phase I ESA indicates that CVOC vapors are typically heavier than air and are unlikely to travel large vertical distances through bedrock in an upward direction.

The project site is located in an area that historically contained light industrial operations including (but not limited to) automobile repair facilities, a gasoline station, and a potential historical laundry/cleaners (in 1925). Consequently, unidentified spills or releases of petroleum hydrocarbons or hazardous materials may have occurred. However, the potential for transport of chemicals onto the project site via groundwater is unlikely due to the location of the project site on a hillside, where groundwater likely travels from the project site to lower elevations.

b. Clifton Hall Parcel

As noted earlier in this EIR, the project site initially included the Clifton Hall parcel. Since the publication of the NOP, this portion of the site has been removed from the project. Given the adjacency of this site to the project site, a summary of the site's environmental conditions is provided below.

The 1999 Phase I ESA[7] addressed the Clifton Hall parcel (which is located adjacent to the north of the project site) in addition to the faculty parking lot on the project site. The Clifton Hall parcel was historically occupied by a gas station and auto service facility from at least 1928 until the station building was demolished in 1982. There were no records found by the preparers of the Phase I ESA with any regulatory agency in either Alameda County or the City that indicated that the subsurface components (e.g., piping, underground tanks, etc.) associated with the service station were removed when the building was demolished. The Phase I ESA includes photos of the Clifton Hall parcel that identified potential evidence of underground storage tanks (USTs) on the ground surface including two cover plates that were possibly UST fill ports, a possible UST access hatch, and possible vent pipes/conduits. The Phase I ESA recommended further investigation into whether USTs and piping remained in the subsurface on the Clifton Hall parcel.

In 2000, a Memorandum[8] was prepared which documents a subsurface investigation performed for the Clifton Hall parcel in December 1999. The subsurface investigation involved the sampling and analysis of soil from three borings advanced as part of a geotechnical evaluation of the Clifton Hall parcel. Concentrations of gasoline, benzene, toluene, ethylbenzene, and xylenes (BTEX) were detected in the soil and bedrock samples collected from one boring in the western portion of the Clifton Hall parcel. The Memorandum indicated that the presence of gasoline and

[7] RGA, 1999. Phase I Environmental Site Assessment, Adjacent Parking Lots, Clifton Street and Broadway, Oakland, CA, October 5.

[8] Treadwell & Rollo, 2000. Memorandum, Results of Analytical Testing, CCAC Student Housing, Oakland, California, January 28.

in the subsurface indicates that these chemicals may be present in groundwater as well. The Memorandum recommended that additional soil and groundwater sampling should be completed to determine the extent of potentially contaminated soil and groundwater. Based on available records, this additional sampling was not conducted at that time.

According to the Project Sponsor, the entire Clifton Hall parcel was excavated for construction of a two level underground parking garage, and the architect of Clifton Hall (Mark Horton) indicated that no USTs were encountered during excavation for the underground parking lot for the current structure on Clifton Hall parcel, and that all of the dirt off-hauled was disposed of as clean fill. According to building plans provided by the Project Sponsor, the underground parking garage effectively covers the full extent of the Clifton Hall parcel and extends to depths ranging from approximately 10 feet at the western end of the Clifton Hall parcel to approximately 20 feet at the eastern end of the Clifton Hall parcel. Based on the extent and depth of the underground garage, if USTs were present at the Clifton Hall parcel, they would have been encountered during construction of the existing structure.

c. Hazardous Building Materials

Based on the ages of the structures on the project site, hazardous building materials including asbestos containing materials (ACMs), lead based paint, and polychlorinated biphenyls (PCBs) containing equipment and materials could be present in structures on the project site.

2. Regulatory Setting

The following subsection provides the federal, State, and local regulatory framework for hazardous materials and hazardous waste, hazardous building materials that could be encountered during construction (e.g., building demolition activities and worker health and safety requirements) and operation.

a. Federal, State, and Regional Regulations

The use, storage, and disposal of hazardous materials, including management of contaminated soils and groundwater, is regulated by numerous local, State, and federal laws and regulations. The United States Environmental Protection Agency (EPA) is the federal agency that administers hazardous materials and hazardous waste regulations. Relevant State agencies include the Department of Toxic Substances Control (DTSC), the State Water Resources Control Board (SWRCB), and the California Air Resources Board (CARB). The San Francisco Bay Regional Water Quality Control Board (Regional Water Board), the Bay Area Air Quality Management District (BAAQMD), and the Alameda County Department of Environmental Health (ACEH) have jurisdiction at the regional and local level.

A description of each federal, State, and regional/local agency's jurisdiction and involvement in the management of hazardous materials and wastes are provided below.

(1) Federal

- **U.S. Environmental Protection Agency.** The EPA is the federal agency responsible for enforcement and implementation of federal laws and regulations pertaining to hazardous materials and hazardous waste. The federal regulations are primarily codified in Title 40 of the Code of Federal Regulations. The legislation includes the Resource Conservation and Recovery Act of 1976, the Superfund Amendments and Reauthorization Acts of 1986, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and the Toxic Substances Control Act of 1976 (TSCA). The EPA provides oversight for site investigation and remediation projects, and has developed protocols for sampling, testing, and evaluation of solid wastes.
- **Occupational Safety and Health Administration.** Worker health and safety is regulated at the federal level by the Occupational Safety and Health Administration (OSHA). The Federal Occupational Safety and Health Act of 1970 authorizes states to establish their own safety and health programs with OSHA approval. Workers at hazardous waste sites (or workers who may be exposed to hazardous wastes that might be encountered during excavation of contaminated soils) must receive specialized training and medical supervision according to the Hazardous Waste Operations and Emergency Response (HAZWOPER) regulations. Additional regulations have been developed for construction workers potentially exposed to lead and asbestos.
- **Department of Transportation.** In 1990 and 1994, the federal Hazardous Material Transportation Act was amended to improve the protection of life, property, and the environment from the inherent risks of transporting hazardous material in all major modes of commerce. The United States Department of Transportation (DOT) developed hazardous materials regulations, which govern the classification, packaging, communication, transportation, and handling of hazardous materials, as well as employee training and incident reporting. The transportation of hazardous materials is subject to both RCRA and DOT regulations. The California Highway Patrol, California Department of Transportation (Caltrans), and the DTSC are responsible for enforcing federal and state regulations pertaining to the transportation of hazardous materials.

(2) State

The State agencies described below regulate hazardous materials and waste that may occur on or around the project site.

- **Department of Toxic Substances Control.** In California, DTSC is authorized by the EPA to enforce and implement federal hazardous materials laws and regulations. California

regulations pertaining to hazardous materials are equal to or exceed the federal requirements. Most State hazardous materials regulations are contained in Title 22 of the California Code of Regulations (CCR). The DTSC generally acts as the lead agency for soil and groundwater cleanup projects that affect public health and establishes cleanup levels for subsurface contamination that are equal to or more restrictive than federal levels. The DTSC has also developed land disposal restrictions and treatment standards for hazardous waste disposal in California.

- **State Water Resources Control Board.** The State Water Resources Control Board (State Water Board) enforces regulations on how to implement UST programs. It also allocates monies to eligible parties that request reimbursement of funds to clean up soil and groundwater pollution from UST leaks. The State Water Board also enforces the Porter-Cologne Water Quality Act through its nine regional boards, including the San Francisco Bay Regional Water Board, described below.
- **California Air Resources Board.** The CARB is responsible for coordination and oversight of State and local air pollution control programs in California, including implementation of the California Clean Air Act of 1988. The CARB has developed State air quality standards and is responsible for monitoring air quality in conjunction with the local air districts.
- **California OSHA.** Worker health and safety protections in California are regulated by the California Department of Industrial Relations, which includes the Division of Occupational Safety and Health, which acts to protect workers from safety hazards through its California OSHA (Cal/OSHA) program and provides consultant assistance to employers. California standards for workers dealing with hazardous materials are contained in California Code of Regulations Title 8 and include practices for all industries (General Industrial Safety Orders), and specific practices for construction, and other industries. Cal/OSHA enforcement units conduct on-site evaluations and issue notices of violation to enforce necessary improvements to health and safety practices.

(3) Regional

The following regional agencies have regulatory authority over the project's management of hazardous materials and waste.

- **San Francisco Bay Regional Water Quality Control Board.** The nine regional boards, including the San Francisco Bay Regional Water Board provide for protection of state waters in accordance with the Porter-Cologne Water Quality Act of 1969. The Regional Water Board can act as lead agency to provide oversight of sites where the quality of groundwater or surface waters is threatened and has the authority to require investigations and remedial actions. The Regional Water Board also developed Environmental Screening Levels to help expedite the evaluation of environmental risks at sites where contaminated soil and groundwater have been identified.

- **Bay Area Air Quality Management District.** The Bay Area Air Quality Management District (BAAQMD) has primary responsibility for control of air pollution from sources other than motor vehicles and consumer products (which are the responsibility of the EPA and the CARB). The BAAQMD is responsible for preparing attainment plans for nonattainment criteria pollutants, control of stationary air pollutant sources, and issuance of permits for activities that include asbestos demolition and renovation activities (District Regulation 11, Rule 2).
- **Alameda County Environmental Health.** The ACEH is the primary agency responsible for local enforcement of State and federal laws pertaining to hazardous materials and hazardous waste management. In Oakland, the ACEH is the Certified Unified Program Agency (CUPA), responsible for coordination of the following programs: Hazardous Materials Business Plan Program, Hazardous Waste Generator Program, UST Program, California Accidental Release Program (CalARP), Tiered Permitting Program, and Aboveground Storage Tank Program. The ACEH also provides regulatory oversight for investigation and cleanup of leaking underground fuel tank sites and spills, leaks, investigation, and cleanup sites.

  Chapter 6.95 of the Health and Safety Code establishes minimum statewide standards for Hazardous Materials Business Plan (HMBPs), including basic information on the location, type, quantity, and health risks of hazardous materials and/or waste. Each business must prepare a HMBP if that business uses, handles, or stores a hazardous material and/or waste or an extremely hazardous material in quantities greater than or equal to the following:
  - 55 gallons for a liquid,
  - 500 pounds of a solid,
  - 200 cubic feet for any compressed gas,
  - Threshold planning quantities of an extremely hazardous substance.

  The CalARP Program requires any business that handles more than threshold quantities of an extremely hazardous substance to develop a Risk Management Plan (RMP). The RMP is implemented by the business to prevent or mitigate releases of regulated substances that could have off-site consequences through hazard identification, planning, source reduction, maintenance, training, and engineering controls.

b. Lead, Asbestos, and Other Hazardous Building Materials

Prior to 1978, lead compounds were commonly used in exterior and interior paints. Lead is a suspected human carcinogen (i.e., may cause cancer), a known teratogen (i.e., causes birth defects), and a reproductive toxin (i.e., can cause sterility). Prior to the 1980s, building materials often contained asbestos fibers, which are a known human carcinogen. Due to its strength and fire resistance, asbestos was frequently incorporated into insulation, roofing, siding, textured paint and patching compounds used on wall and ceiling joints, vinyl floor tiles and adhesives, and water and steam pipes.

PCBs were used as coolants and lubricants in transformers, capacitors, heating/cooling equipment, and other electrical equipment, and were also used as plasticizers in paints, plastics, rubber products, and caulking. Although manufacturing of PCBs has been banned in the United States since 1979, they may still be found in older electrical equipment and other building materials such as light ballasts and caulking. PCBs have been demonstrated to cause cancer and a variety of other adverse health effects in animals, including effects on the immune system, reproductive system, nervous system, and endocrine system. Studies in humans support evidence for potential carcinogenic and non-carcinogenic effects of PCBs.[9] PCBs and PCB-contaminated items require proper off-site transport and disposal at a facility that can accept such wastes.

Fluorescent lighting tubes and ballasts, computer displays, and several other common items containing hazardous materials (including mercury, a heavy metal) are regulated as "universal wastes" by the State of California. Universal waste regulations allow common, low-hazard wastes to be managed under less stringent requirements than other hazardous wastes. Management of other hazardous wastes is governed by DTSC hazardous waste rules.

c. City of Oakland Regulations

The following section summarizes relevant hazards and hazardous materials related policies and standards from the General Plan and Standard Conditions of Approval (SCAs).

(1) General Plan

The Safety Element[10] and Environmental Justice Element[11] of the City of Oakland General Plan contains the following policies and action items related to hazardous materials:

Safety Element

Policy SAF-5.2: Hazardous Materials. Minimize the potential risks to human and environmental health and safety associated with the past and present use, handling, storage and disposal of hazardous materials. Toxic materials removed as part of cleanup efforts should be disposed of in the least harmful manner so that the impact is not shifted from one vulnerable community to another.

[9] United States Environmental Protection Agency (EPA), 2016b. Learn about Polychlorinated Biphenyls (PCBs). Updated September 15. Available at: https://www.epa.gov/pcbs/learn-about-polychlorinated-biphenyls-pcbs, accessed December 5, 2023.

[10] City of Oakland, 2023. General Plan, Oakland Safety Element. Available at: https://cao-94612.s3.us-west-2.amazonaws.com/documents/Safety-Element_Adopted-9.26.23_89907-C.M.S-1.pdf.

[11] City of Oakland, 2023. General Plan, Oakland Environmental Justice Element. Available at: https://cao-94612.s3.us-west-2.amazonaws.com/documents/EJ-Element_Adopted-9.26.23_89907-C.M.S.pdf.

Action SAF-A.25: Continue to coordinate with ACDEH, the unified-program agency responsible for issuance of permits for and inspection of certain industrial facilities, monitoring the filing of disclosure forms and risk-management plans, hazardous-materials assessment reports and remediation plans, and closure plans by such facilities.

Action SAF-A.28: Continue to participate in the Alameda County Waste Management Authority and, as a participant, continue to implement policies under the county's hazardous-waste management plan to properly dispose of hazardous wastes.

Policy SAF-5.4: Hazardous Materials Accidents. Seek to prevent industrial and transportation accidents involving hazardous materials, and enhance the City's capacity to respond to such incidents. Continue to enforce regulations limiting truck travel through certain areas of the city to designated routes, and consider updating OMC 10.52.010 to establish timebased restrictions on truck travel on certain routes to reduce the risk and potential impact of accidents during peak traffic hours.

Action SAF-A.24: As part of the LUTE, the City of Oakland will include policy recommendations from the West Oakland Truck Management Plan. These include: 1) traffic calming measures to keep truck traffic off residential streets; 2) improved signage regarding existing truck routes; 3) preferred routes to use when destinations are not located on truck routes; and 3) modifications to truck routes and prohibited streets.

Action SAF-A.26: Continue to rely on, and update, the City's hazardous materials area plan to respond to emergencies related to hazardous materials.

Action SAF-A.27: Continue to offer basic emergency-response education and training to local businesses.

Environmental Justice Element

Policy EJ-1.1: Toxic Air Contaminants. Reduce the public's exposure to toxic air contaminants through appropriate land use and transportation strategies, identified through the LUTE update in Phase 2 of the GPU process, particularly in Environmental Justice Communities and other areas most burdened by air pollution, as identified in Figure EJ-12.

Action EJ-A.2: Adopt more stringent air quality construction and operations requirements for development near or within industrially zoned land as part of standard conditions of approval.

(2) Standard Conditions of Approval

The City has developed SCAs that are applied to projects when they receive discretionary planning-related approval. The SCAs related to hazards and hazardous materials would apply to the project are presented below. SCA-AIR-7: Asbestos in Structures (#26) also addresses impacts related to releases of hazardous materials, and is listed *in Section V.D, Air Quality.*

SCA-HAZ-1: Hazardous Materials Related to Construction (#47)

Requirement: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:

a. Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction;
b. Avoid overtopping construction equipment fuel gas tanks;
c. During routine maintenance of construction equipment, properly contain and remove grease and oils;
d. Properly dispose of discarded containers of fuels and other chemicals;
e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and
f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#48)

a. Hazardous Building Materials Assessment

Requirement: The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.
When Required: Prior to approval of demolition, grading, or building permits
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

b. Environmental Site Assessment Required

Requirement: The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.
When Required: Prior to approval of construction-related permit
Initial Approval: Applicable regulatory agency with jurisdiction
Monitoring/Inspection: Applicable regulatory agency with jurisdiction

c. Health and Safety Plan Required

Requirement: The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.
When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

d. Best Management Practices (BMPs) Required for Contaminated Sites

Requirement: The project applicant shall ensure that BMPs are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:

i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements.
ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.

When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

3. Impacts, Standard Conditions of Approval, and Mitigation Measures

This section describes the impacts related to hazardous materials that could result from implementation of the project. The section begins with the criteria of significance that establish the thresholds for determining whether an impact is significant. The latter part of this section presents the impacts associated with the project and identifies SCAs and/or mitigation measures to address these impacts as needed.

a. Significance Criteria

Implementation of the project would result in a significant hazard and hazardous materials impact on the environment if it would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials
2. 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
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school
4. Be located on a site that 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, create a significant hazard to the public or the environment
5. 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
6. Be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, and result in a significant safety hazard for people residing or working in the project area
7. Be located within the vicinity of a private airstrip, and result in a significant safety hazard for people residing or working in the project area
8. Fundamentally impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan
9. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands

b. Less-Than-Significant Hazards and Hazardous Materials Impacts

Implementation of the project would result in the less-than-significant impacts described below. Because implementation of the project would not exceed the significance criteria described above, the project's impacts described in this subsection would not be considered significant and no mitigation measures are needed.

(1) Routine Transportation, Use, or Disposal of Hazardous Materials (Criterion 1)

Operation of the project would result in less-than-significant impacts related to the routine transport, use, or disposal of hazardous materials, as the proposed residential land use would involve only small quantities of commercially available hazardous materials for routine maintenance (e.g., paint and cleaning supplies).

Construction of the project would involve transportation, use, and disposal of hazardous materials. These materials could include building demolition debris containing hazardous materials; and fuels, oils, paints, adhesives, and other chemicals used during construction activities. The routine transportation, use, and disposal of hazardous materials during construction and operation may pose health and safety hazards to workers if the hazardous materials are improperly handled, or to nearby residents and the environment if the hazardous materials are accidentally released into the environment. Potential impacts associated with accidental releases of hazardous materials into the environment are discussed below.

The routine handling and use of hazardous materials by workers would be performed in accordance with OSHA regulations, which include training requirements for workers and a requirement that hazardous materials are accompanied by manufacturer's Safety Data Sheets (SDSs). Cal/OSHA regulations include requirements for protective clothing, training, and limits on exposure to hazardous materials. Compliance with these existing regulations would ensure that workers are protected from exposure to hazardous materials that may be transported, stored, or used on-site.

The project would be required to comply with SCA-HAZ-1: Hazardous Materials Related to Construction (#47), which requires that BMPs are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health which could occur as a result of hazardous materials handling and storage. Compliance with SCA-HAZ-1: Hazardous Materials Related to Construction (#47) would minimize the potential for accidental releases of hazardous materials used during construction and ensure that potential impacts of the project associated with routine transport, use, or disposal of hazardous materials would be less than significant.

Because the project would result in soil disturbance greater than 1 acre, management of hazardous materials during construction activities would be subject to the requirements of the Stormwater Construction General Permit (described in detail under *Section V.H, Hydrology and Water Quality)*, which requires preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) that includes hazardous materials storage requirements. For example, construction site operators must store chemicals in watertight containers (with appropriate

secondary containment to prevent any spillage or leakage) or in a storage shed (completely enclosed).

Construction of the project would result in the generation of various waste materials that would require recycling and/or disposal, including some waste materials that may contain hazardous materials or be classified as hazardous waste. Hazardous materials would be transported by a licensed hazardous waste hauler and disposed of at facilities that are permitted to accept such materials as required by DOT, RCRA, and State regulations.

Compliance with existing hazardous materials regulations enforced by OSHA and Cal/OSHA, implementation of the SWPPP as required by the Construction General Permit, and compliance with SCA-HAZ-1: Hazardous Materials Related to Construction (#47) would ensure that the project would have less-than-significant impacts related to the routine transportation, use, or disposal of hazardous materials.

(2) Government Code Section 65962.5 (Criterion 4)

The project site is not included on any of the lists of hazardous materials release sites compiled pursuant to Government Code Section 65962.5, also known as the "Cortese List".[12] Therefore, the project would not result in impacts related to being included on a list of hazardous materials release sites compiled pursuant to Government Code Section 65962.5.

(3) Emergency Response and Evacuation (Criteria 5 and 8)

Figure SAF-13aof the Safety Element of the City of Oakland General Plan [13] identifies Broadway and 51st Street/Paradise Valley Avenue as primary local routes as part of the City's emergency assessment in the vicinity of the project site. Construction of the project could require temporary closure of portions of streets adjacent to the project site, including Broadway for construction activities such as utility connections and driveway construction. Traffic control requirements imposed by the City for the permitting of temporary closure of streets areas would ensure that appropriate emergency access is maintained at all times during construction activities.

The project would not permanently alter roadways in the vicinity of the project site. Therefore, the project would not result in less than two emergency access routes for streets exceeding 600 feet in length. As a result, the project would have a less-than-significant impact related to emergency response and evacuation.

[12] California Environmental Protection Agency (CalEPA), 2019. Cortese List data Resources. Available at: https://calepa.ca.gov/sitecleanup/corteselist/, accessed December 5, 2023.

[13] City of Oakland, 2023. General Plan, Safety Element. Available at: https://cao-94612.s3.us-west-2.amazonaws.com/documents/Safety-Element_Adopted-9.26.23_89907-C.M.S-1.pdf, accessed December 5, 2023.

(4) Aviation Hazards (Criteria 6 and 7)

Oakland International Airport is the closest airport to the project site. The project site is located approximately 8 miles north of the nearest runway at the Oakland International Airport. The project site is not located within the Airport Influence Area of the Oakland International Airport or in the vicinity of a private airstrip.[14] Therefore, the project would not result in aviation-related noise or safety hazards.

(5) Wild Fires (Criterion 9)

The project site is within a highly urbanized area and is not located near heavily vegetated areas or wildlands that could be susceptible to wild fires. The project site is not located in or near a State responsible area or a very high fire hazard severity zone as mapped by the California Department of a Forestry and Fire Protection.[15] Therefore, the project would have no significant impact related to wild fires.

c. Significant Hazards and Hazardous Materials Impacts

(1) Accidental Release of Hazardous Materials (Criterion 2)

An accidental release of hazardous materials (e.g., oils, fuels, solvents, paints, contaminated soil/groundwater, or hazardous building materials) during project construction could result in exposure of construction workers, the public, and/or the environment to hazardous materials. As discussed above, construction of the project would be subject to the requirements of the Construction General Permit and SCA-HAZ-1: Hazardous Materials Related to Construction (#47), which require preparation and implementation of a SWPPP and BMPs to reduce the risk of spills or leaks from reaching the environment, including procedures to address minor spills of hazardous materials. Measures to control spills, leakage, and dumping must be addressed through structural as well as nonstructural BMPs, as required by the Construction General Permit. For example, equipment and materials for cleanup of spills must be available on-site, and spills and leaks must be cleaned up immediately and disposed of properly. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. Potential impacts to stormwater runoff quality related to hazardous materials that would be handled during construction are discussed under *Section V.H, Hydrology and Water Quality.*

[14] Alameda County Community Development Agency, 2010. Oakland International Airport, Airport Land Use Compatibility Plan, December.

[15] California Department of a Forestry and Fire Protection, 2008. Very High Fire Hazard Severity Zones in LRA, Alameda County, September 3.

The project would be required to comply with SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#48), which requires that the Project Sponsor ensure that BMPs are implemented by the contractor during construction to minimize potential soil and groundwater hazards including proper management of potentially contaminated soil and groundwater, and use of engineering controls such as impermeable barriers to prohibit groundwater and vapor intrusion into buildings. The management and disposal of potentially contaminated groundwater that could be generated during construction activities is discussed in *Section V.H, Hydrology and Water Quality.*

As discussed in the Regulatory Setting above, the transportation of hazardous materials is subject to both RCRA and DOT regulations. If a discharge or spill of hazardous materials occurs during transportation, the transporter is required to take appropriate immediate action to protect human health and the environment (e.g., notify local authorities and contain the spill), and is responsible for the discharge cleanup.

Existing structures on the project site may contain hazardous building materials including ACMs; lead based paint, and PCBs containing equipment and material. Demolition and relocation of structures on the project site would require the disturbance and management/disposal of these hazardous building materials.

Compliance with SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#48) requires that a comprehensive assessment be prepared to document the presence of ACMs, lead based paint, PCBs-containing equipment and material, or any other hazardous materials present at the project site, and would require the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations.

As discussed in the Setting section above, a gas station and auto service facility were formerly located on the Clifton Hall parcel. Documentation of the removal of USTs associated with the gas station was not identified; however, according to the architect of Clifton Hall (Mark Horton), USTs were not encountered during construction of the underground parking garage of the existing structure.[16] Contamination from the former gas station was identified in soil samples collected in the western portion of the Clifton Hall parcel during a subsurface investigation in 1999.[17] Although excavation was performed throughout the Clifton Hall parcel for construction of the existing structure and underground parking garage, it is possible that contaminated soil and groundwater remain in the area of the Clifton Hall parcel, and contaminated soil and groundwater could extend away from the Clifton Hall parcel and potentially beneath the adjacent

[16] Brandon Northart, 2019. Email communication between Brandon Northart of Urban Planning Partners and Cem Atabek of Baseline Environmental Consulting, July 8.

[17] Treadwell & Rollo, 2000. Memorandum, Results of Analytical Testing, CCAC Student Housing, Oakland, California, January 28.

project site. The Memorandum prepared in 2000 to document the subsurface investigation performed in 1999 recommended further investigation of the extent of potentially contaminated soil and groundwater at the Clifton Hall parcel;[18] however, additional investigation was not performed. Additionally, the 2017 Phase I ESA indicated that there could be an historical heating oil UST associated with Macky Hall;[19] however, the 2017 Phase I ESA did not recommend performing a Phase II ESA.

Impact HAZ-1: Contaminated soil or groundwater in the subsurface of the project site could pose a risk of exposure to hazardous materials. (S)

If contaminated soil or groundwater are present beneath the project site, construction workers and the surrounding public could be exposed to hazardous vapors that could be generated by excavation into the subsurface, construction dewatering activities could potentially draw contaminated groundwater towards areas that were not previously contaminated, and future residents could be exposed to hazardous materials in indoor air from soil vapor intrusion. This is a potentially significant impact. Implementation of the following mitigation measure would reduce impacts related to contaminated soil and groundwater to a less-than-significant level.

> Mitigation Measure HAZ-1: A Phase II Environmental Site Assessment (ESA) shall be performed for the project site by a qualified environmental professional before the start of construction. The Phase II ESA shall include, but not necessarily be limited to, a geophysical survey to evaluate the potential presence of a UST in the area of Macky Hall, and sampling of soil and groundwater in the area between the Clifton Hall parcel and the northern edge of the project site. The Phase II ESA shall also include sampling of soil and groundwater in the area of Macky Hall if a potential UST is identified in the area. If a potential UST is identified by the geophysical survey or if soil or groundwater contamination is identified in any area of the project site at levels that exceed appropriate human health screening levels for residential land use (e.g., the Regional Water Board's environmental screening levels), the appropriate regulatory agencies shall be immediately notified of the findings and further investigation and/or remediation of the project site shall be performed under regulatory agency oversight. A report documenting the findings of the Phase II ESA shall be submitted to the City for review and approval prior to the issuing of construction permits. (LTS)

In accordance with the requirements SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#48) the Phase II ESA report must include recommendations for remedial action, as appropriate, and the Project Sponsor must implement the approved recommendations and

[18] Treadwell & Rollo, 2000. Memorandum, Results of Analytical Testing, CCAC Student Housing, Oakland, California, January 28.

[19] Geoterren Environmental Services, 2017. All Appropriate Inquiry – Phase I Environmental Site Assessment California College of the Arts 5212 Broadway Avenue Oakland, CA, September 21..

submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, State, or federal regulatory agency.

Implementation of Mitigation Measure HAZ-1 and compliance with SCA-HAZ-1: Hazardous Materials Related to Construction (#47), and SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#48), and SCA-AIR-7: Asbestos in Structures (#26) would ensure that potential impacts related to releases of hazardous materials would be less than significant.

(2) Hazardous Emissions near Schools (Criterion 3)

The only school located within a ¼-mile of the project site is Oakland Technical High, a public high school. The Oakland Technical High Main Campus is located at 4351 Broadway, approximately 1,000 feet southwest of the project site. The Oakland Technical High Upper Campus is located at 5623 Broadway Terrace, immediately north of the project site.[20]

Impact HAZ-2: Potential excavation and handling of contaminated soil, groundwater, and underground storage tanks (USTs) in the subsurface of the project site could result in emissions of hazardous materials that could pose a risk of exposure for nearby schools. (S)

Mitigation Measure HAZ-2: Implementing Mitigation Measure HAZ-1 would also mitigate Impact HAZ-2; no additional mitigation is necessary. (LTS)

As discussed above, the project would include the handling of hazardous materials during construction and implementation of implementation of a SWPPP, compliance with SCA-HAZ-1: Hazardous Materials Related to Construction (#47) and SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#48), and implementation of Mitigation Measure HAZ-1 would ensure that the project would result in less than significant impacts related to potential releases of hazardous materials. Therefore, the project would result in less than significant impacts related to the handling of hazardous materials near schools.

d. Cumulative Impacts

Hazards and hazardous materials impacts are generally site-specific and/or have limited mobility and would not be expected to have cumulatively considerable effects beyond this distance. The geographic area considered for potential public health or hazards cumulative impacts consists of an area within ¼-mile of the project site, and the area along transportation routes used during demolition and construction activities associated with projects within this radius.

[20] California Department of Education. 2019. California Schools Directory. Available at: https://www.cde.ca.gov/schooldirectory/, accessed December 5, 2023.

As discussed above, accidents involving hazardous materials releases or disturbance of soil and groundwater that may be impacted with hazardous materials during construction activities could result in adverse effects to construction workers, the public, or the environment. Occurrence of a cumulative effect would require that multiple projects release hazardous materials at the same time in close proximity to each other. Compliance with existing regulations, implementation of Mitigation Measures HAZ-1, and implementation of SCA- HAZ-1: Hazardous Materials Related to Construction (#47) and SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#48) would ensure that potential impacts associated with releases of hazardous materials or disturbance of soil and groundwater that may be impacted with hazardous materials would be less than significant. Each site, including the project, would be required to comply with existing hazardous materials regulations to reduce the risk of impacts associated with hazardous materials releases. Therefore, the potential for impacts associated with hazardous materials releases from the project to combine with impacts associated with hazardous materials releases from other sites is not cumulatively considerable.

H. HYDROLOGY AND WATER QUALITY

This section describes the existing hydrological setting at the project site, including runoff, drainage, and water quality characteristics; summarizes the federal, State, and local regulations related to hydrology and water quality; assesses the potentially significant impacts that could result from implementation of the project; describes required Standard Conditions of Approval (SCAs); and provides mitigation measures, where appropriate, to reduce the identified impacts to a less-than-significant level.

The evaluation in this section is based on a review of information provided as part of the project application, as well as other published materials.

1. Setting

The following describes the existing hydrological setting at the project site and vicinity.

a. Climate

The climate of the project site vicinity is characterized as Mediterranean, with cool wet winters and warm dry summers. The average annual high temperature between 1970 and 2012 was approximately 67 degrees Fahrenheit (ºF), and the average annual low temperature was approximately 51.8 ºF.[1] The mean annual rainfall in the project site vicinity for the period between 1970 and 2012 was approximately 23.27 inches, and primarily occurred from October through April.[2] During the period of record, annual rainfall has varied from approximately 9.99 inches (1976) to approximately 41.07 inches (1998), with a highest one-day precipitation total of approximately 4.47 inches on January 4, 1982.[3]

b. Runoff and Drainage

The project site slopes down towards the west. The existing ground surface elevation of the project site ranges from approximately 180 feet above the North American Vertical Datum of 1988 (NAVD88) on the west side of the project site to approximately 220 feet above the NAVD88 datum on the east side.[4] The project site is developed with buildings, a parking lot, access roads, and landscaped areas. Stormwater runoff from the project site flows over land into the City's

[1] Western Regional Climate Center, 2019a. General Climate Summary Tables-Temperature, Oakland Museum, California. Available at: https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca6336, accessed December 5, 2023.

[2] Western Regional Climate Center, 2019b. General Climate Summary Tables-Precipitation, Oakland Museum, California. Available at: https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca6336, accessed December 5, 2023.

[3] Western Regional Climate Center, 2019b. General Climate Summary Tables-Precipitation, Oakland Museum, California. Available at: https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca6336, accessed December 5, 2023.

[4] United States Geological Survey (USGS), 2018. Oakland West Quadrangle, California, 7.5-Minute Series.

storm drains in surrounding streets or is captured in the campus storm drain system beneath the project site that connects to the City's stormwater drainage system.

The northern portion of the project site is located within the West Oakland Watershed. Stormwater runoff within the West Oakland Watershed drains through underground storm drains and culverts and discharges to the Central San Francisco Bay (the Bay) approximately 2.5 miles west of the project site.[5]

The southern portion of the project site is located within the Glen Echo Creek Watershed. Stormwater runoff within the Glen Echo Creek Watershed drains through underground storm drains and culverts and natural creeks segments and discharges into Glen Echo Creek prior to being discharged into Lake Merritt.[6]

c. Flooding

The project site is not within a Federal Emergency Management Agency (FEMA)-designated 100-year Flood Hazard Zone. The project site is designated as "Other Areas" Zone X on Flood Insurance Rate Maps published by FEMA.[7] The "Other Areas" Zone X designation indicates that the project site is outside of the 0.2-percent-annual-chance floodplain (also known as the 500-year flood zone).

The project site is not located within a dam failure inundation area, as indicated on Figure SAF-6 of the City of Oakland General Plan Safety Element.[8]

d. Coastal Hazards

Based on the location of the project site (approximately 2.5 miles from the Bay) and the elevation of the site (180 feet or greater above the NAVD88 datum), the project site is unlikely to be subject to coastal hazards, including sea level rise, seiche, tsunami, or extreme high tides.

[5] Alameda County Flood Control District, 2014a. West Oakland and West Oakland Bayshore Watersheds. Available at: https://acfloodcontrol.org/files/watersheds/maps/pdfs/west_oakland-west_oakland-bayshore.pdf, accessed December 5, 2023.

[6] Alameda County Flood Control District, 2014b. Glen Echo Creek Watershed. Available at: https://acfloodcontrol.org/files/watersheds/maps/pdfs/glen_echo_creek.pdf, accessed December 5, 2023.

[7] Federal Emergency Management Agency (FEMA), 2009. Flood Insurance Rate Map, Alameda County, California and Incorporated Areas, Map Number 06001C0059G. Effective August 3.

[8] City of Oakland, 2023. General Plan, Safety Element Update. September. Available at: https://cao-94612.s3.us-west-2.amazonaws.com/documents/Safety-Element_Adopted-9.26.23_89907-C.M.S-1.pdf.

e. Surface Water and Groundwater Quality

The quality of surface water and groundwater in the vicinity of the project site is affected by past and current land uses (both at the site and within the watershed) and by the composition of geologic materials in the vicinity. The State Water Resources Control Board (State Water Board) and its nine regional water quality control boards (regional water boards) regulate water quality of surface water and groundwater bodies throughout California. In the Bay Area, including the project vicinity, the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) is responsible for implementing the Water Quality Control Plan (Basin Plan).[9] The Basin Plan establishes beneficial water uses for waterways and water bodies within the region and is a master policy document for managing water quality in the region.

Glen Echo Creek is listed in the Basin Plan as providing the beneficial uses of warm freshwater habitat, wildlife habitat, water contact recreation, and noncontact water recreation. Lake Merritt is listed as providing the beneficial uses of commercial and sport fishing, shellfish harvesting, estuarine habitat, fish spawning, warm freshwater habitat, wildlife habitat, water contact recreation, and noncontact water recreation. The Central San Francisco Bay is listed as providing the beneficial uses of industrial service supply, industrial process supply, commercial and sport fishing, shellfish harvesting, estuarine habitat, fish migration, preservation of rare and endangered species, fish spawning, wildlife habitat, water contact and noncontact recreation, and navigation.[10]

Under Section 303 (d) of the Clean Water Act (CWA), described in the Regulatory Setting below, states must present the U.S. Environmental Protection Agency (EPA) with a list of "impaired water bodies," defined as those water bodies that do not meet water quality standards, that in some cases result in the development of a total maximum daily load (TMDL). On a broad level, the TMDL process leads to a "pollution budget" designed to restore the health of a polluted body of water. The TMDL process provides a quantitative assessment of the sources of pollution contributing to a violation of the water quality standards and identifies the pollutant load reductions or control actions needed to restore and protect the beneficial uses of the impaired waterbody. Glen Echo Creek is not listed as an impaired water body. Lake Merritt has been listed as an impaired water body due to impacts from organic enrichment/low dissolved oxygen and trash. The Central San Francisco Bay has been listed as an impaired water body due to impacts from pesticides (chlordane, dichlorodiphenyltrichloroethane [DDT], and dieldrin), dioxin compounds, furan compounds, invasive species, mercury, polychlorinated biphenyls (PCBs),

[9] San Francisco Bay Regional Water Quality Control Board, 2023. San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan). Incorporating all amendments as of March 7.

[10] San Francisco Bay Regional Water Quality Control Board, 2017. San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan). Incorporating all amendments as of May 4.

dioxin-like PCBs, selenium, and trash. TMDLs have been established for mercury, PCBs, and selenium in San Francisco Bay.

The project site is in the Santa Clara Valley Groundwater Basin, East Bay Plain Subbasin. The East Bay Plain Subbasin is listed in the Basin Plan as providing the beneficial uses of municipal and domestic water supply, industrial process water supply, industrial service water supply, and agricultural water supply.[11]

2. Regulatory Setting

This section provides a brief description of the regulations affecting water resources at the federal, State, and local level; and local policies and programs related to hydrology and water quality.

a. Federal

(1) Federal Clean Water Act of 1972

The Federal CWA of 1972 is the primary federal law that protects the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. It is administered by the EPA. The CWA operates on the principle that all discharges into the nation's waters are unlawful unless specifically authorized by a permit. The EPA has delegated its authority to implement and enforce most of the applicable water quality provisions of this law to the individual states. In California, the provisions are enforced by nine regional water boards under the oversight of the State Water Board.

(2) National Pollutant Discharge Elimination System Permit Program

Under Section 402 of the CWA, the discharge of pollutants through a point source[12] into waters of the United States is prohibited unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The NPDES program regulates the discharge of pollutants from municipal and industrial wastewater treatment plants and sewer collection systems, as well as stormwater discharges from industrial facilities, municipalities, and construction sites. In California, implementation and enforcement of the NPDES program is conducted through the State Water Board and the nine regional water boards. The regional

[11] State Water Board, 2017. Final 2014 and 2016 California Integrated Report (Clean Water Act Section 303(d) List/305(b) Report), Available at: https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2014_2016.shtml , accessed December 5, 2023.

[12] A point source is any single identifiable source of pollution from which pollutants are discharged, such as a pipe, ditch, ship, or smokestack.

water boards set standard conditions for each permittee in their region that include effluent limitations and monitoring programs.

(3) Federal Flood Insurance Program

In 1968, Congress created the National Flood Insurance Program (NFIP) in response to the rising cost of taxpayer-funded disaster relief for flood victims and the increasing amount of damage caused by floods. The NFIP makes federally backed flood insurance available for communities that agree to adopt and enforce floodplain management ordinances to reduce future flood damage. FEMA manages the NFIP and creates flood insurance rate maps that designate 100-year flood hazard zones and delineate other flood hazard areas. A 100-year Flood Hazard Zone defines the areas that have a 1-in-100 (1 percent) chance of being flooded in any given year based on historical data and hydraulic modeling.

b. State Regulations

(1) Porter-Cologne Act and State Implementation of Clean Water Act Requirements

The Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Water Quality) was promulgated in 1969. It established the State Water Board and divided the State into nine hydrologic regions, each overseen by a regional water board. The State Water Board is the primary State agency responsible for protecting the quality of the State's surface and groundwater supplies, but much of its daily implementation authority is delegated to the nine regional water boards. The Porter-Cologne Act also provides for the development and tri-annual review of Water Quality Control Plans that designate beneficial uses of California's major rivers and groundwater basins and establish narrative and numerical water quality objectives for those waters. The City of Oakland lies within the jurisdiction of the San Francisco Bay Regional Water Board, which enforces compliance with water quality objectives for beneficial uses of surface waters.

(2) Sustainable Groundwater Management Act Requirements

The Sustainable Groundwater Management Act (SGMA) was signed into law in September 2014 and requires local public agencies and Groundwater Sustainability Agencies in high- and medium-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs.[13] GSPs are detailed road maps for how groundwater basins will reach long

[13] California Department of Water Resources (DWR), 2019. Groundwater Sustainability Plans. Available at: https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management/Groundwater-Sustainability-Plans, accessed December 5, 2023.

term sustainability. Existing Groundwater Management Plans (GWMPs), if completed, will continue to be in effect until GSPs are adopted in medium and high priority basins. The project site is located in the Santa Clara Valley, East Bay Plain Groundwater Basin, which is designated as a medium priority basin, subject to SGMA, and required to develop a GSP.[14] A GSP or GWMP has not yet been developed for the portion of the Santa Clara Valley, East Bay Plain Groundwater Basin where the project site is located.[15]

(3) National Pollutant Discharge Elimination System Construction General Permit

Construction projects disturbing more than 1 acre of land during construction are required to comply with the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ (as amended by Orders 2010-0014-DWQ and 2012-0006-DWQ), NPDES No. CAS000002 (Construction General Permit).[16]

To obtain coverage under the Construction General Permit, the Project Sponsor must provide, via electronic submittal, a Notice of Intent (NOI), a Stormwater Pollution Prevention Plan (SWPPP), and other documents required by Attachment B of the Construction General Permit. Activities subject to the Construction General Permit include clearing, grading, and ground disturbances such as grubbing and excavation. The permit also covers linear underground and overhead projects such as pipeline installations. Construction General Permit activities are regulated at the local level by the Regional Water Board.

The Construction General Permit uses a risk-based permitting approach and mandates certain requirements based on the project risk level (i.e., Level 1, Level 2, or Level 3). The project risk level is based on the risk of sediment discharge and the receiving water risk. The sediment discharge risk depends on the project location and season (e.g., wet-weather versus dry-weather activities). The receiving water risk depends on whether the project would discharge to a sediment-sensitive water body. The project risk level would be determined by the Project Sponsor when the NOI is filed (and when further details on the timing of construction activity are known).

[14] California Department of Water Resources (DWR), 2019b. 2018 SGMA Basin Prioritization Dashboard. Available at: https://gis.water.ca.gov/app/bp2018-dashboard/p1/#, accessed December 5, 2023.

[15] California Department of Water Resources (DWR), 2019c. Groundwater Information Center Interactive Map Application. Available at: https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#gwlevels, accessed December 5, 2023.

[16] State Water Board, 2009. Construction General Permit Fact Sheet. 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ.

The Construction General Permit performance standard calls for dischargers to minimize or prevent pollutants in stormwater discharges (as well as authorized non-stormwater discharges) through the use of controls, structures, and best management practices (BMPs) that utilize Best Available Technology for treatment of toxic and nonconventional pollutants and Best Conventional Technology for treatment of conventional pollutants. A SWPPP must be prepared by a Qualified SWPPP Developer that meets the certification requirements in the Construction General Permit. The purposes of the SWPPP are to (1) help identify the sources of sediment and other pollutants that could affect the quality of stormwater discharges; and (2) describe and ensure implementation of BMPs to reduce or eliminate sediment and other pollutants in stormwater as well as non-stormwater discharges resulting from construction activity. The operation of BMPs must be overseen by a Qualified SWPPP Practitioner who meets the requirements outlined in the Construction General Permit.

The SWPPP must include a construction site monitoring program. Depending on the project risk level, the monitoring program could include visual observations of site discharges, water quality monitoring of site discharges (pH, turbidity, and non-visible pollutants, if applicable), and receiving water monitoring (pH, turbidity, suspended sediment concentration, and bioassessment).

(4) National Pollutant Discharge Elimination System Municipal Regional Permit

Pursuant to Section 402 of the CWA and the Porter-Cologne Water Quality Control Act, municipal stormwater discharges in the City of Oakland are regulated under the California Regional Water Quality Control Board, San Francisco Bay Region, Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049, NPDES Permit No. CAS612008 (MRP). The MRP is overseen by the Regional Water Board.[17] The City participates in the Alameda Countywide Clean Water Program, which provides guidance and assistance to municipalities in Alameda County to help them comply with requirements of the MRP.

MRP Provision C.3 addresses post-construction stormwater management requirements for regulated projects: new development and redevelopment projects that create or replace 10,000 square feet or more of impervious surface, and special land use categories[18] that create or replace 5,000 square feet or more of impervious surface. Provision C.3 requires regulated projects to implement Low Impact Development (LID) source control, site design, and stormwater

[17] Regional Water Board, 2022. San Francisco Bay Region Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008, May.

[18] Special land use categories include auto service facilities, retail gasoline outlets, restaurants, or stand-alone uncovered parking lots.

treatment. LID employs principles such as preserving and recreating natural landscape features and minimizing impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and flow-through planter/tree boxes.

MRP Provision C.3.g pertains to hydromodification[19] management and contains the following requirements: (1) stormwater discharges shall not cause an increase in the erosion potential of the receiving stream over the existing condition; and (2) increases in runoff flow and volume shall be managed such that post-project runoff does not exceed estimated pre-project rates and durations, where such increased flow and/or volume is likely to cause increased potential for erosion of creek beds and banks, silt pollutant generation, or other adverse impacts on beneficial uses due to increased erosive force. The northern portion of the project site is located within the West Oakland Watershed, which is not susceptible to hydromodification as all drainage to the Bay is conveyed through underground storm drains and culverts (i.e., pipes and structures not subject to erosion).[20] The southern portion of the project site is located within the Glen Echo Creek Watershed, and drainage from this portion of the project site would be conveyed through segments of natural creeks prior to being discharged into Lake Merritt, and therefore would be susceptible to hydromodification.

To address the impairment of water bodies with trash, the City of Oakland prepared a Long-Term Trash Load Reduction Plan and Assessment Strategy (Long-Term Plan)[21] and submitted it to the Regional Water Board in compliance with Provision C.10.c of the MRP. The Long-Term Plan is consistent with the Long-Term Trash Load Reduction Framework developed in collaboration with Water Board staff. The Long-Term Plan includes specific provisions to address trash problems in the area of the project site, which is identified as part of the arterial roadways Trash Management Area where passengers littering from cars and retail industries result in an elevated trash problem. Specifically, the Long-Term Plan calls for street sweeping three times per week; litter cleanup; trash reduction policies that will encourage installation of automatic retractable screens, pipe screen baskets, and other trash capture devices; and jurisdiction-wide control measures including a polystyrene foam ban, single use bag ban, trash neutral policies, special events waste

[19] Hydromodification is defined as the modification of a stream's hydrograph, caused in general by increases in runoff flow rate and duration that result when land is developed (e.g., made more impervious). The effects of hydromodification include, but are not limited to, increased bed and bank erosion, loss of habitat, increased sediment transport and deposition, and increased flooding.

[20] Alameda County Flood Control District, 2014a. West Oakland and West Oakland Bayshore Watersheds. Available at: https://acfloodcontrol.org/files/watersheds/maps/pdfs/west_oakland-west_oakland-bayshore.pdf, accessed December 5, 2023.

[21] City of Oakland, 2014. Long-Term Trash Reduction Plan and Progress Assessment Strategy, February 1.

reduction, and street sweeping evaluation and recommendations for the arterial roadways Trash Management Area.

c. City of Oakland Regulations

(1) City of Oakland General Plan

The following objections, policies, and actions from the City of Oakland General Plan's Open Space, Conservation and Recreation Element and Safety Element related to hydrology and water quality pertain to the project.

Open Space, Conservation, and Recreation – Chapter 3: Conservation, Water Resources

Objective CO-5: Water Quality. To minimize the adverse effects of urbanization on Oakland's groundwater, creeks, lakes, and nearshore waters.

Policy CO 5.3: Control of Urban Runoff: Employ a broad range of strategies, compatible with the Alameda Countywide Clean Water Program, to: (a) reduce water pollution associated with stormwater runoff; (b) reduce water pollution associated with hazardous spills, runoff from hazardous material areas, improper disposal of household hazardous wastes, illicit dumping, and marina "live-aboards;" and (c) improve water quality in Lake Merritt to enhance the lake's aesthetic, recreational, and ecological function.

Safety Element – Chapter 2: Natural Hazards

Goal SAF-1: Minimize the risk to life and property caused by seismic and geologic hazards.

Policy SAF-1.3: Limit Development in Hazardous Areas and Minimize Erosion. Minimize threat to structures and humans by limiting development in areas subject to landslides or other geologic threat and undertake efforts to limit erosion from new development.

Action SAF-A.1: Continue to require site-specific geologic reports for development proposals in the Hayward Fault Special Studies Zone, or Zones of Required Investigation, as shown in Figure SAF-1. Restrict development within 50 feet of the fault trace.

Action SAF-A.3: Regulate development by slope categories and continue to enforce provisions that require geotechnical reports and soil hazards investigations be made in areas prone to landslides as shown in Figure SAF-2 as part of project proposals.

Action SAF-A.4: Continue to enforce ordinances for grading, erosion, and sedimentation; provisions under the creek protection, storm water management and discharge control ordinance; and regulations for site-design and source control techniques for peak stormwater runoff flows and landslide and erosion impacts from increased runoff volumes as shown in Figure SAF-2.

Goal SAF-3. Protect people and property from flooding.

Policy SAF-3.1: Minimize Storm-Induced Flooding. Continue or strengthen city programs that seek to minimize the storm-induced flooding hazard.

Policy SAF-3.2: Storm-Induced Flooding Structural Risk. Enforce and update local ordinances, and comply with regional orders, that would reduce the risk of storm-induced flooding.

Action SAF-A.17: Ensure that new construction and major improvements to existing structures within flood zones are in compliance with federal requirements and, thus, remain a participant in the National Flood Insurance Program (NFIP).

(2) Oakland Municipal Code

Creek Protection, Stormwater Management, and Discharge Control Ordinance (Chapter 13.16)

This ordinance prohibits activities that would result in the discharge of pollutants to Oakland's waterways or in damage to creeks, creek functions, or habitat. The ordinance requires the use of standard BMPs to prevent pollution or erosion to creeks and/or storm drains. The ordinance establishes comprehensive guidelines for the regulation of discharges to the city's storm drain system and the protection of surface water quality. The ordinance identifies BMPs and other protective measures for development projects. In 1997, the ordinance was amended to include the requirement for a creek protection permit for any construction or related activity on Creekside property.[22] As the project would not involve any construction or related activity on Creekside property, a creek protection permit is not required for the project. The ordinance includes enforcement provisions to provide more effective methods to deter and reduce the discharge of pollutants to the storm drain system, local creeks, and San Francisco Bay. The provisions also list clear guidelines for creekside residents to protect the creek and habitat.

CBC Chapter 18B Added, Grading, Excavation, and Fills Ordinance (Chapter 15.04.3.2240)

This ordinance requires a permit for grading activities on private or public property for projects that exceed certain criteria, including if the volume of excavation or fill would exceed 100 cubic yards on a parcel or contiguous parcels; or if grading, clearing or grubbing, or land disturbance activity that otherwise does not require a grading permit involves an area of one acre or more. When a grading permit is required, the application for the grading permit must include a grading plan, erosion and sedimentation control plan (where required by the Building Official), which

[22] Creekside property means those properties located in Oakland, as identified by the Environmental Services Manager, as having a creek or riparian corridor crossing the property and/or are contiguous to a creek or riparian corridor.

must include interim and permanent erosion and sedimentation control measures, statement from the Civil Engineer(s) in Responsible Charge, soils report, dust control measures, and proposed work schedule. The ordinance indicates that no grading work may occur during the grading moratorium (wet season, October 15 to April 15) except for emergency stabilization of geotechnical instability. Temporary erosion and sedimentation control facilities must be completely in place prior to October 15 and must be diligently maintained to ensure effectiveness through April 15.

(3) Standard Conditions of Approval

The City has developed SCAs that are applied to projects when they receive discretionary planning-related approval. The SCAs related to hydrology and water quality would apply to the project are presented below.

SCA-HYD-1: Erosion and Sedimentation Control Plan Measures for Construction (#53)
Erosion and Sedimentation Control Plan Required
Requirement: The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. The Erosion and Sedimentation Control Plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials onto lands of adjacent property owners or public streets or into creeks as a result of conditions created by grading and/or construction operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting; waterproof slope covering; check dams; interceptor ditches; benches; storm drains; dissipation structures; diversion dikes; retarding berms and barriers; devices to trap, store, and filter out sediment; and stormwater retention basins. Off-site work by the project applicant could be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to modification as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The plan shall specify that, after construction is completed, the project applicant shall ensure that the storm drain system is inspected and that the project applicant clears the system of any debris or sediment.
When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Building
Monitoring/Inspection: N/A

Erosion and Sedimentation Control During Construction
Requirement: The project applicant shall implement the approved Erosion and Sedimentation Control Plan. No grading shall occur during the wet-weather season (October 15 through April 15) unless specifically authorized in writing by the Bureau of Building.
When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-HYD-2: State Construction General Permit (#54)
Requirement: The project applicant shall comply with the requirements of the Construction General Permit issued by the SWRCB. The project applicant shall submit an NOI, SWPPP, and other required Permit Registration Documents to the SWRCB. The project applicant shall submit evidence of compliance with permit requirements to the City.
When Required: Prior to approval of construction-related permit
Initial Approval: SWRCB; evidence of compliance submitted to Bureau of Building
Monitoring/Inspection: SWRCB

SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58)
Post-Construction Stormwater Management Plan Required
Requirement: The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the NPDES. The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:

i. Location and size of new and replaced impervious surface.
ii. Directional surface flow of stormwater runoff.
iii. Location of proposed on-site storm drain lines.
iv. Site design measures to reduce the amount of impervious surface area.
v. Source control measures to limit stormwater pollution.
vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures.
vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.

When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Planning; Bureau of Building
Monitoring/Inspection: Bureau of Building

Maintenance Agreement Required
Requirement: The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:

i. The project applicant accepting responsibility for the adequate installation/ construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity.
ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the RWQCB, San Francisco Bay Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures, and to take corrective action if necessary.

The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.
When Required: Prior to building permit final
Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

3. Impacts, Standard Conditions of Approval, and Mitigation Measures

This section describes the impacts related to hydrology and water quality that could result from implementation of the project. The section begins with the criteria of significance that establish the thresholds for determining whether a project impact is significant. The latter part of this section presents the impacts associated with the project and identifies SCAs and/or mitigation measures to address these impacts, as needed.

a. Significance Criteria

Implementation of the project would result in a significant hydrology or water quality impact if it would:

1. Violate any water quality standards or waste discharge requirements.
2. 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 level which would not support existing land uses or planned uses for which permits have been granted).
3. Result in substantial erosion or siltation on- or off-site that would affect the quality of receiving waters.
4. Result in substantial flooding on- or off-site.
5. Create or contribute substantial runoff which would exceed the capacity of existing or planned stormwater drainage systems.
6. Create or contribute substantial runoff which would be an additional source of polluted runoff.
7. Otherwise substantially degrade water quality.
8. 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.
9. Place within a 100-year flood hazard area structures which would impede or redirect flood flows.
10. Expose people or structures to a substantial risk of loss, injury or death involving flooding.
11. Expose people or structures to a substantial risk of loss, injury or death involving seiche, tsunami, or mudflow.

12. 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.
13. Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect hydrologic resources.[23]

b. No Impacts

Implementation of the project would result in no impacts related to the topics described below.

(1) Placing Housing or Structures in a 100-Year Flood Hazard Area that Could Impede or Redirect Flood Flows (Criteria 8 and 9)

The project site is not located within a FEMA-designated 100-year Flood Hazard Zone.[24] Therefore, the project would have no impact related to impeding or redirecting flood flows within a FEMA-designated 100-year flood hazard zone.

(2) Exposure People or Structures to Flooding (Criterion 10)

As discussed above, the project site is not located within a FEMA-designated 100-year Flood Hazard Zone, 500-year flood zone, or area protected from flooding by levees, and compliance with SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58), which requires the City's review of the Post-Construction Stormwater Management Plan, would ensure that the project would have less-than-significant impacts related to flooding on- or off-site. The project site is not located in a dam failure inundation area.[25] Therefore, the project would have no impact related to exposing people or structures to significant risk of loss, injury, or death involving flooding.

(3) Seiche, Tsunami, or Mudflow (Criterion 11)

As discussed in the City's General Plan, the only threat of large-scale damage from seiches in Oakland appears to come from downstream flooding that would be caused by large volumes of

[23] Although there are no specific, numeric/quantitative criteria to assess impacts, factors to be considered in determining significance include whether there is substantial degradation of water quality through (a) discharging a substantial amount of pollutants into a creek, (b) significantly modifying the natural flow of the water or capacity, (c) depositing substantial amounts of new material into a creek or causing substantial bank erosion or instability, or (d) substantially endangering public or private property or threatening public health or safety.

[24] Federal Emergency Management Agency (FEMA), 2009. Flood Insurance Rate Map, Alameda County, California and Incorporated Areas, Map Number 06001C0059G. Effective August 3.

[25] City of Oakland, 2023. General Plan, Safety Element. September. Available at: https://cao-94612.s3.us-west-2.amazonaws.com/documents/Safety-Element_Adopted-9.26.23_89907-C.M.S-1.pdf.

water overtopping a dam or reservoir.[26] Since the project site is not located in a dam failure inundation area as indicated above, the likelihood of flooding at the project site resulting from seiches is negligible. The project site is also not located in a tsunami inundation area.[27]

A mudflow is defined by FEMA as "a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water. Other earth movements, such as landslide, slope failure or a saturated soil mass moving down a slope, are not mudflows."[28] There are no river or stream channels that could support and convey a mudflow in the vicinity of the project site. In addition, the project would not exacerbate the likelihood of a mudflow occurring. Therefore, the project would have no impacts related to inundation from seiches, tsunamis, or mudflows.

(4) Fundamentally Conflicting with the City of Oakland Creek Protection Ordinance (Criterion 13)

The project would not alter a creek. The project would also not involve any construction or related activity on Creekside property,[29] and therefore a creek protection permit is not required for the project. However, stormwater from portions of the project site could drain through underground storm drains and culverts and natural creek segments then into Glen Echo Creek prior to being discharged into Lake Merritt. As discussed above, compliance with the Construction General Permit, MRP, SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#53), SCA-HYD-2: State Construction General Permit (#54), and SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58) would ensure that stormwater runoff from the project site would not result in adverse impacts to creeks, therefore the project would have no impact related to conflicting with the City's Creek Protection Ordinance.

c. Less-Than-Significant Impacts

Implementation of the project would result in the less-than-significant impacts described below. Because implementation of the project would not exceed the significance criteria described above, the project's impacts would not be considered significant and no mitigation measures are needed.

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[26] Ibid.

[27] California Emergency Management Agency, 2009. Tsunami Inundation Map for Emergency Planning, Oakland West Quadrangle. July 31.

[28] Federal Emergency Management Agency (FEMA), 2019. Definitions web page. Available at: https://www.fema.gov/national-flood-insurance-program/definitions, accessed December 5, 2023.

[29] Creekside property means those properties located in Oakland, as identified by the Environmental Services Manager, as having a creek or riparian corridor crossing the property and/or are contiguous to a creek or riparian corridor.

(1) Water Quality (Criterion 1)

Construction Period

The project would involve construction activities that would disturb over 1 acre of land and would therefore be required to comply with the Construction General Permit issued by the State Water Board. On-site construction activities subject to the Construction General Permit include clearing, grading, excavation, and stockpiling. The Construction General Permit also requires the development of a SWPPP by a certified Qualified SWPPP Developer. A SWPPP identifies all potential pollutants and their sources, including erosion, sediments and constructions materials and includes a list of BMPs to reduce discharges of construction-related stormwater pollutants. A SWPPP includes a detailed description of controls to reduce pollutants and outlines maintenance and inspection procedures and is kept onsite for ongoing monitoring requirements. Typical sediment and erosion BMPs include protecting storm drain inlets, establishing and maintaining construction exists, and perimeter controls. A SWPPP also defines proper building material staging areas, paint and concrete washout areas, outlines proper equipment/vehicle fueling and maintenance practices, controls equipment/vehicle washing and allowable non-stormwater discharges, and includes a spill prevention and response plan. Under existing programs, the Project Sponsor must submit evidence of compliance with Construction General Permit requirements to the City, in accordance with SCA-HYD-2: State Construction General Permit (#49).

In addition, the project would be required to comply with SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#53), which requires construction activities to be performed under an Erosion and Sedimentation Control Plan, which, when properly implemented, would prevent excessive erosion and stormwater runoff of solid materials as a result of construction activities, which could otherwise degrade receiving water quality.

Dewatering may be performed during construction of the project. As discussed in *Section V.G, Hazards and Hazardous Materials*, there is the potential for groundwater contamination to be present near or within the project site related to former off-site USTs and potential unidentified on-site USTs. Impacts related to potential accidental spreading of groundwater contamination as a result of dewatering are discussed in *Section V.G, Hazards and Hazardous Materials*. Dewatering effluent may have high turbidity and could contain contaminants. Turbid/contaminated groundwater could cause degradation of the receiving water quality if discharged directly to storm drains without treatment. Any groundwater dewatering would be limited in duration (to the construction period) and the discharge of dewatering effluent would be subject to permits from East Bay Municipal Utility District (EBMUD) or the Regional Water Quality Control Board (RWQCB), depending if the discharge were to the sanitary sewer or storm drain system, respectively. Dewatering activities would also be required to comply with SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#48) (as discussed under *Section V.G, Hazards and*

Hazardous Materials), which requires that groundwater pumped from the subsurface be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies.

Under existing State law, it is illegal to allow unpermitted non-stormwater discharges to receiving water. As stated in the Construction General Permit, non-stormwater discharges directly connected to receiving waters or the storm drain system have the potential to negatively impact water quality. The discharger must implement measures to control all non-stormwater discharges during construction, and from dewatering activities associated with construction. Discharging any pollutant-laden water that would cause or contribute to an exceedance of the Basin Plan criteria from a dewatering site or sediment basin into any receiving water or storm drain is prohibited (i.e., illegal).[30]

The Construction General Permit allows the discharge of dewatering effluent if the water is not contaminated and properly filtered or treated, using appropriate technology. These technologies include but are not limited to retention in settling ponds (where sediments settle out prior to discharge of water) and filtration using gravel and sand filters (to mechanically remove the sediment). If the dewatering activity is deemed by the Regional Water Board not to be covered by the Construction General Permit, then the discharger could potentially prepare a Report of Waste Discharge, and if approved by the Regional Water Board, be issued site-specific Waste Discharge Requirements (WDRs) under the NPDES regulations. Site-specific WDRs contain rigorous monitoring requirements and performance standards that, when implemented, ensure that receiving water quality is not substantially degraded.

If the water is not suitable for discharge to the storm drain (receiving water), as discussed above, dewatering effluent may be discharged to EBMUD's sanitary sewer system if special discharge criteria are met. These include, but are not limited to, application of treatment technologies or BMPs which will result in achieving compliance with the wastewater discharge limits. Discharges to EBMUD's facilities must occur under a Special Discharge Permit. EBMUD manages the water it accepts into its facilities so that it can ensure proper treatment of wastewater at the treatment facility prior to discharge.

If it is infeasible to meet the requirements of the Construction General Permit, acquire site-specific WDRs, or meet the EBMUD Special Discharge Permit requirements, the construction contractor would be required to transport the dewatering effluent off-site for treatment in order to comply with existing regulations for the disposal of dewatering effluent.

[30] State Water Board, 2009. Construction General Permit Fact Sheet. 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ.

Compliance with SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#53), SCA-HYD-2: State Construction General Permit (#54), SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#48), and Construction General Permit regarding stormwater and dewatering would protect receiving water quality and ensure that the project would result in less-than-significant impacts to water quality during construction.

Operational Period

Because the project site would replace over 10,000 square feet of existing impervious surface area, the project would be required to comply with Provision C.3 requirements of the NPDES Municipal Regional Permit (MRP),[31] which is also required by SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58). Regulated projects are required to incorporate post-construction stormwater management measures to reduce stormwater pollution from all new and replaced impervious surfaces. Stormwater from portions of the project site could be conveyed to the Bay via enclosed pipes and culverts, and stormwater runoff from these portions of the project site would not be subject to hydromodification requirements of the MRP. Stormwater from portions of the project site could also drain through underground storm drains and culverts and natural creek segments then into Glen Echo Creek prior to being discharged into Lake Merritt. In accordance with the requirements of the MRP,[32] because the project would include replacement of over 1 acre of impervious surfaces and would result in an increase in impervious surface area (as the project would replace the existing impervious surfaces from demolition and new construction on the project site and increase impervious surface area from 3.13 acres to 3.27 acres), the project would be required to implement hydromodification management for the portions of the project site that would drain to Glen Echo Creek. Potential increases in runoff flow and volume from these portions of the project site must be managed (e.g., through detention, retention, and/or infiltration) so that the post-project runoff does not exceed estimated pre-project rates and durations, such that increased flow and/or volume would not cause increased potential for erosion of creek beds and banks, silt pollutant generation, or other adverse impacts on beneficial uses due to increased erosive force.

The project would be required to comply with SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58), which requires compliance with provision C.3 of the MRP, and the preparation and implementation of a Post-Construction Stormwater Management Plan, which would include and identify stormwater control and treatment systems. Compliance with SCA-HYD-3 also requires the Project Sponsor to enter into a maintenance agreement with the City, to

[31] San Francisco Bay Regional Water Quality Control Board, 2017. San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan). Incorporating all amendments as of May 4.

[32] Regional Water Board, 2015. San Francisco Bay Region Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049, NPDES Permit No. CAS612008, November 19.

ensure adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures.

Compliance with SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58) and the MRP requirements regarding stormwater control and treatment would ensure that the project would result in less-than-significant impacts to water quality during operation.

(2) Groundwater Supplies (Criterion 2)

The project would replace the existing impervious surfaces from demolition and new construction on the project site and increase impervious surface area from 3.13 acres to 3.27 acres. The project site is underlain with Hydrologic Group D soils,[33] which have high runoff potential and water transmission through the soil is restricted or very restricted. Hydrologic D soils have high clay content and little infiltration capacity.[34] Therefore, even under undeveloped conditions (i.e., no impervious cover), these soils would not allow substantial infiltration of precipitation and aquifer recharge to occur.

As discussed above, compliance with Provision C.3 of the MRP would require the project to implement hydromodification management measures (e.g., detention, retention, and/or infiltration) and LID stormwater control/treatment measures (e.g., infiltration, permeable pavement, and biotreatment/bioretention) for runoff from the project site. Implementation of hydromodification management measures and LID stormwater control/treatment measures would allow some of the runoff from impervious surfaces to infiltrate the ground surface.

As discussed above, dewatering may be performed during construction of the project. Construction-related dewatering would be temporary and limited to the area of the project site and would not substantially contribute to depletion of groundwater supplies. Operation of the project would not involve long-term (i.e., operation period) dewatering or the use of groundwater as potable water would be supplied to the project site by EBMUD. Therefore, the project would result in less-than-significant impacts related to depletion of groundwater supplies or interference with groundwater recharge.

[33] Natural Resources Conservation Service, 2019. Web Soil Survey, USDA Mapping Website. Available at: http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm, accessed December 5, 2023.

[34] Natural Resources Conservation Service, 2007. Part 630 Hydrology National Engineering Handbook, Chapter 7, Hydrologic Soil Groups. Available at: https://directives.sc.egov.usda.gov/OpenNonWebContent.aspx?content=17757.wba, accessed December 5, 2023.

(3) Erosion/Siltation (Criterion 3)

Construction activities would involve excavation and grading, which would temporarily alter drainage patterns and expose soil to potential erosion. As described under the Water Quality section above, compliance with the Construction General Permit and the City's SCAs would ensure that erosion of exposed soil and sedimentation of receiving waters or the sewer system would not occur during construction of the project.

During operation of the project, stormwater could be conveyed from portions of the project site to the Bay via enclosed pipes and culverts, therefore stormwater runoff from these portions of the project site would not cause erosion in the downstream drainage courses.

As discussed above, runoff from portions of the project site could also drain through natural creek segments and Glen Echo Creek and these portions of the project site would be subject to hydromodification management requirements of the MRP so that increased runoff would not cause erosion/siltation. Compliance with SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58) and the hydromodification management requirements of the MRP would ensure that the project would result in less-than-significant impacts related to erosion or siltation associated with changing drainage patterns.

(4) Result in Flooding or Exceed Storm Drain System Capacity (Criteria 4 and 5)

The project site is not located within a FEMA-designated 100-year Flood Hazard Zone.[35] The project would convey stormwater runoff to the same storm drains which currently serve the project site, which ultimately discharge to the Glen Echo Creek and Lake Merritt, and the Bay.

The project would be required to comply with SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58), which requires preparation and implementation of a Post-Construction Stormwater Management Plan that must include and identify the location and size of new and replaced impervious surface; directional surface flow of stormwater runoff; location of proposed on-site storm drain lines; site design measures to reduce the amount of impervious surface area; and the method used to hydraulically size stormwater runoff treatment measures. Compliance with SCA-HYD-3 and the City's review of the Post-Construction Stormwater Management Plan would ensure that appropriate stormwater controls are incorporated into the project design to ensure that changes in drainage patterns and stormwater runoff from the project would have less-than-significant impacts related to exceeding the capacity of existing storm drain systems or resulting in flooding on- or off-site.

[35] Federal Emergency Management Agency (FEMA), 2009. Flood Insurance Rate Map, Alameda County, California and Incorporated Areas, Map Number 06001C0059G. Effective August 3.

(5) Contribution to Polluted Runoff or Otherwise Degrade Water Quality (Criteria 6 and 7)

As discussed above, compliance with the requirements of SCA-HAZ-2: Hazardous Building Materials and Site Contamination (#48), SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#53), SCA-HYD-2: State Construction General Permit (#54), SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58), the Construction General Permit, and the MRP, would ensure that the project would result in less-than-significant impacts related to polluted runoff. No other potential impacts to water quality were identified beyond those discussed above.

(6) Resulting in Erosions, Siltation or Flooding from Altering Drainage Patterns, Including Altering a Creek, River, or Stream (Criterion 12)

The project would not alter a creek, river, or stream. As discussed previously, the project could alter drainage patterns; however, compliance with the Construction General Permit, MRP, SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#53), SCA-HYD-2: State Construction General Permit (#54), and SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58) would ensure that the project would result in less-than-significant impacts related to erosion/siltation and flooding.

d. Significant Impacts

Implementation of the project would not result in any significant impacts to hydrology and water quality.

e. Cumulative Impacts

The geographic area of concern for cumulative hydrology and water quality impacts to stormwater and surface water is the local watershed and the waterbody that receives runoff from the project site, primarily Glen Echo Creek, Lake Merritt, and the Central San Francisco Bay. As Lake Merritt and the Central San Francisco Bay are designated as "impaired" by the State Water Board, a cumulative water quality impact related to particular pollutants is currently occurring. Many of the pollutants for which the Central San Francisco Bay is considered impaired are related to legacy pollutants[36] that are no longer in use (and therefore would not be used for the project)

[36] Legacy pollutants are those that are primarily the result of historical contributions. They are pollutants that were used in the development of Northern California's industries before their negative aspects were understood. Legacy pollutants stem from agricultural, manufacturing, and mining activities no longer practiced and include some pollutants currently banned by regulation.

but persist in the environment. For example, DDT was banned in the United States in 1972, but residual amounts of DDT persist in soils and surface water bodies in the Bay Area.

To address cumulative water quality impacts, stormwater regulations have become progressively more stringent since the passage of the federal CWA, and the continued evolution of NPDES permits which now require new development and redevelopment projects to manage and treat all significant sources of stormwater pollutants and reduce runoff rate and volume. NPDES permit requirements apply to the cumulative projects as well as that would be implemented under the project. As such, a reduction in runoff and overall pollutant loads in stormwater in the vicinity of the project site is anticipated over time, thereby reducing cumulative impacts. As the project would be required to comply with NPDES programs and applicable SCAs, the project's contribution related to future projects would not be cumulatively considerable.

Because the project would increase the amount of impervious area, the amount of stormwater runoff leaving the project site would increase compared to the existing condition. Compliance with SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#58), the hydromodification management requirements of the MRP, and the City's review of the Post-Construction Stormwater Management Plan would ensure that appropriate stormwater controls are incorporated into the project design to ensure that changes in drainage patterns and stormwater runoff from the project would have less-than-significant impacts related to exceeding the capacity of existing storm drain systems, erosion/siltation, or flooding on- or off-site. Other cumulative projects would be subject to similar existing stormwater regulations and local requirements (SCAs) that would ensure that stormwater runoff is appropriately managed to prevent flooding, erosion/siltation, or exceeding storm drainage capacity. Therefore, the project would not have a cumulatively considerable impact on flooding, erosion/siltation, or exceeding storm drainage capacity.

The project is not anticipated to substantially affect groundwater recharge and would not use groundwater during operation of the project. Therefore, the project would not have a cumulatively considerable impact related to impeding groundwater recharge or depletion of groundwater resources.

I. NOISE AND VIBRATION

This section described the noise and vibration setting at the project site; defines noise and vibration terminology; summarizes the relevant State and local regulatory policies and guidance for evaluating noise and vibration; assesses the potential noise and vibration impacts that may result from project implementation; and provides, where appropriate, the City's Standard Conditions of Approval (SCAs) and mitigation measures to address those impacts.

1. Setting

The following discussion provides background information on noise and vibration and summarizes the existing noise environment.

a. Noise and Vibration Context

The following subsections provide general information about noise and vibration to provide context for the remaining section.

(1) General Information on Noise

Noise is commonly defined as unwanted sound that annoys or disturbs people and that can have an adverse psychological or physiological effect on human health. Sound is measured in units of decibels (dB) on a logarithmic scale. Decibels describe the purely physical intensity of sound based on changes in air pressure but cannot accurately describe sound as perceived by the human ear, which is only capable of hearing sound within a limited frequency range. Thus, to obtain a single number that better characterizes the noise level perceived by a human ear, a decibel scale called A-weighting (dBA) is typically used. On this scale, the low and high frequencies are given less weight than the middle frequencies. Decibels and other technical terms are defined in Table V.I-1. Typical A-weighted noise levels at specific distances are shown for different noise sources in Table V.I-2.

In an unconfined space, such as outdoors, noise attenuates with distance. Noise levels at a known distance from point sources are reduced by 6 dBA for every doubling of that distance for hard surfaces (e.g., cement or asphalt) and by 7.5 dBA for every doubling of distance for soft surfaces (e.g., undeveloped or vegetative).[1] Noise levels at a known distance from line sources (e.g., roads, highways, and railroads) are reduced by 3 dBA for every doubling of the distance for hard surfaces and 4.5 dBA for every doubling of distance for soft surfaces. Greater decreases in noise levels can result from the presence of intervening structures or buffers.

[1] California Department of Transportation (Caltrans), 1998. Technical Noise Supplement: A Technical Supplement to the Traffic Noise Analysis Protocol.

TABLE V.I-1 DEFINITION OF ACOUSTICAL TERMS

Term	Definition
Decibel (dB)	A unit describing the amplitude of sound on a logarithmic scale. Sound described in decibels is usually referred to as sound or noise "level." This unit is not used in this analysis because it includes frequencies that the human ear cannot detect.
Frequency (Hz)	The number of complete pressure fluctuations per second above and below atmospheric pressure.
A-Weighted Sound Level (dBA)	The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound, in a manner similar to the frequency response of the human ear, and correlates well with subjective reactions to noise. All sound levels in this report are A-weighted.
Equivalent Noise Level (L_{eq})	The average A-weighted noise level during the measurement period. For this CEQA evaluation, L_{eq} refers to a 1-hour period unless otherwise stated.
Community Noise Equivalent Level (CNEL)	The average A-weighted noise level during a 24-hour day, obtained after addition of 5 decibels to sound levels during the evening from 7:00 to 10:00 p.m. and after addition of 10 decibels to sound levels during the night between 10:00 p.m. and 7:00 a.m.
Day/Night Noise Level (L_{dn})	The average A-weighted noise level during a 24-hour day, obtained after addition of 10 decibels to sound levels during the night between 10:00 p.m. and 7:00 a.m.
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
Vibration Decibel (VdB)	A unit describing the amplitude of vibration on a logarithmic scale.
Peak Particle Velocity (PPV)	The maximum instantaneous peak of a vibration signal.
Root Mean Square (RMS) Velocity	The average of the squared amplitude of a vibration signal.

Sources: Charles M. Salter Associates, Inc., 1998. Acoustics – Architecture, Engineering, the Environment. William Stout Publishers. Federal Transit Administration, 2018. Transit Noise and Vibration Impact Assessment Manual. FTA Report No.0123, September.

TABLE V.I-2 TYPICAL SOUND LEVELS MEASURED IN THE ENVIRONMENT AND INDUSTRY

Noise Source (Distance in Feet)	A-Weighted Sound Level in Decibels (dBA)
Jet Aircraft (200)	112
Subway Train (30)	100
Truck/Bus (50)	85
Vacuum Cleaner (10)	70
Automobile (50)	65
Normal Conversation (3)	65
Whisper (3)	42

Source: Charles M. Salter Associates Inc., 1998. Acoustics – Architecture, Engineering, the Environment, William Stout Publishers.

A typical method for determining a person's subjective reaction to a new noise is by comparing it to existing conditions. The following describes the general effects of noise on people:[2]

- A change of 1 dBA cannot typically be perceived except in carefully controlled laboratory experiments.
- A 3-dBA change is considered a just-perceivable difference.
- A minimum of 5-dBA change is required before any noticeable change in community response is expected.
- A 10-dBA change is subjectively perceived as approximately a doubling or halving in loudness.

Because sound pressure levels are based on a logarithmic scale, they cannot be simply added or subtracted. For instance, if one noise source emits a sound level of 90 dBA and a second source is placed beside the first and also emits a sound level of 90 dBA, the combined sound level is 93 dBA, not 180 dBA. When the difference between two noise levels is 10 dBA or more, the amount to be added to the higher noise level is zero. In such cases, no adjustment factor is needed because adding in the contribution of the lower noise source makes no perceptible difference in what people can hear or measure. For example, if one noise source generates a noise level of 95 dBA and another noise source is added that generates a noise level of 80 dBA, the higher noise source dominates, and the combined noise level will be 95 dBA.

(2) General Information on Groundborne Vibration

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Several different methods are used to quantify vibration. Typically, groundborne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receptors to vibration include structures (especially older masonry structures), people (especially residents, the elderly, and sick), and vibration-sensitive equipment. Vibration amplitudes are usually expressed as either PPV or as RMS velocity. PPV is defined as the maximum instantaneous peak of the vibration signal. PPV is appropriate for evaluating potential damage to buildings, but it is not suitable for evaluating human response to vibration because it takes the human body time to respond to vibration signals. The response of the human body to vibration is dependent on the average amplitude of a vibration. Thus, RMS is more appropriate for evaluating human response to vibration. PPV and RMS are normally described in units of inches per second (in/sec), and RMS is also often described in VdB.

[2] Charles M. Salter Associates, Inc., 1998. Acoustics – Architecture, Engineering, the Environment. William Stout Publishers.

b. Local Noise Environment

The local noise environment in the vicinity of the project site, including sensitive receptors and existing noise conditions, is described below.

(1) Surrounding Receptors

The Noise Element of the Oakland General Plan defines noise-sensitive receptors as land uses whose purpose and function can be disrupted or jeopardized by noise. Noise-sensitive receptors include residences, schools, churches, hospitals, elderly-care facilities, hotels, libraries, and certain types of passive recreational open space.[3,4]

Noise-sensitive receptors located near the project site include: (1) transitional housing (Clifton Hall) at 5276 Broadway, located 50 feet north of the project site boundary; (2) an apartment building at 5217 Broadway Terrace, located 110 feet north of the project site boundary;[5] (3) an apartment building at 225 Clifton Street, located approximately 15 feet east of the project site boundary;[6] (4) Oakland Technical High School Upper Campus, located 50 feet from the project site boundary; and (5) the Merrill Gardens at Rockridge assisted living facility, located approximately 100 feet west of the project site across Broadway.[7]

Commercial land uses, which are not considered noise-sensitive receptors, are located approximately 95 feet west of the project site across Broadway.[8] A gas station, located to the north, and a vacant lot, located to the south, are not considered susceptible to noise or vibration disturbance because they do not contain noise-sensitive activities or uses.

(2) Ambient Noise Environment

The primary sources of noise in the vicinity of the project site are related to traffic on State Route (SR) 24 and traffic along major roadways. Sources of noise from major roadways include: (1) traffic on Broadway, which runs north to south adjacent to the western border of the project site; and (2) traffic on Broadway Terrace, which runs east and west adjacent to the northern border of the project site. Based on the roadway noise contours for the year 2025 in the City of Oakland

[3] Passive open space is generally undeveloped and covered with vegetation.

[4] City of Oakland, 2005. General Plan, Noise Element, March.

[5] The apartment buliding is located 65 feet from the nearest outdoor construction activities (street improvement), and 125 feet from the other outdoor construction activities.

[6] The apartment building is located 25 feet from all outdoor construction activities due to the 10-foot setback.

[7] The assisted living facility is located 100 feet from all outdoor construction activities.

[8] Commercial land use is located 95 feet from all outdoor construction activities.

General Plan, traffic noise levels range from 60 to 65 dBA Ldn[9] at the project site and its vicinity.[10,11]

2. Regulatory Setting

Noise standards in the City of Oakland (City) are promulgated by the State as well as by the City of Oakland General Plan and local ordinances. In California, noise is primarily regulated at the local level, through the implementation of general plan policies and local noise ordinances, and the State provides guidance for the preparation of general plan noise elements. The purpose of a local general plan is to identify the general principles intended to guide land use and development, and the purpose of the ordinances is to specify the standards and requirements for implementing the principles of the general plan.

a. Federal Transit Administration

The United States Federal Transit Administration's (FTA's) Transit Noise and Vibration Impact Assessment Manual establishes general methodology guidelines and impact criteria for assessment of construction noise impacts for transit projects. It is not a regulation but does function as one of the few federal sources that suggest both a methodology and guidelines for assessing noise impacts from construction activities. The FTA Manual does not contain standardized criteria for assessing construction noise impacts but includes noise limit thresholds at land uses that, when exceeded, may result in an adverse community reaction. Guidelines are provided for both general assessment and detailed assessments of construction noise. As a reasonable worst-case scenario, this methodology calls for estimating a combined noise level from the simultaneous and side-by-side operation of the two noisiest pieces of equipment expected to be used in each construction phase.

Although not a regulation, the FTA's Transit Noise and Vibration Impact Assessment Manual also provides guidance on the evaluation of building damage and human response to different levels of construction-related groundborne vibration. It functions as one of the few federal sources that provide guidance on the evaluation and assessment procedures and impact criteria for groundborne vibration induced by construction equipment.

[9] The average A-weighted noise level during a 24-hour day, obtained after addition of 10 decibels to sound levels during the night between 10:00 p.m. and 7:00 a.m.

[10] City of Oakland, 2005. General Plan, Noise Element, March.

[11] The City of Oakland General Plan notes that existing traffic noise levels are not expected to change substantially over the 20-year period between 2005 and 2025 (i.e., changes in noise levels would not be distinguishable) given the minor changes expected to occur in traffic levels. Therefore, existing noise levels at the project site and its vicinity from traffic along the surrounding streets are assumed to be the same as what is indicated in the 2025 roadway noise contours.

b. State Regulations

The California Noise Act and the applicable sections of the California Building Code are summarized below.

(1) California Noise Control Act

Sections 46000 to 46080 of the California Health and Safety Code codify the California Noise Control Act of 1973. This act established the Office of Noise Control under the California Department of Health Services. It requires that the Office of Noise Control adopt, in coordination with the Office of Planning and Research, guidelines for the preparation and content of noise elements for general plans. The most recent guidelines are contained in the California Office of Planning and Research's General Plan Guidelines.[12] The document provides land use compatibility guidelines for cities and counties to use in general plans to reduce conflicts between land use and noise. The City has adopted a modified version of the State's land use compatibility guidelines, as discussed below.

(2) California Occupational Safety and Health Administration Regulations

Noise exposure of construction workers is regulated by the California Occupational Safety and Health Administration (Cal/OSHA). Title 8, Subchapter 7, Group 15, Article 105 of the California Code of Regulations (Control of Noise Exposure) sets noise exposure limits for workers and requires employers who have workers who may be exposed to noise levels above these limits to establish a hearing conservation program, make hearing protection available, and keep records of employee noise exposure measurements. The Cal/OSHA also requires backup warning alarms that activate immediately upon reverse movement on all vehicles that have a haulage capacity of 2.5 cubic yards or more (Title 8, California Code of Regulations). The backup alarms must be audible above the surrounding ambient noise level at a distance of 200 feet. In order to meet this requirement, backup alarms are often designed to generate sound as loud as 82 to 107 dBA L_{max} at 4 feet.[13]

[12] California Office of Planning and Research, 2017. State of California General Plan Guidelines.

[13] National Cooperative Highway Research Program (NCHRP), 1999. Mitigation of Nighttime Construction Noise, Vibrations, and Other Nuisances. NCHRP Synthesis 218.

(3) California Building Standards Code

The 2019 California Building Standards Code[14] specifies interior noise levels for both residential and nonresidential uses during operation. Specifically, it specifies that interior noise levels attributable to exterior sources shall not exceed 45 dBA L_{dn} in any habitable room (e.g., residential homes for living, sleeping, eating, or cooking).[15] The noise metric used (either L_{dn} or CNEL) shall be consistent with the noise element of the local general plan.[16] The 2019 California Building Standards Code also specifies that buildings containing non-residential uses (e.g., retail spaces and offices) that are exposed to exterior noise levels at or above 65 dBA L_{eq} or CNEL shall maintain an interior noise level below 50 dBA L_{eq} in occupied areas during any hour of operation.[17] An acoustical analysis documenting compliance with this interior sound level is required.

c. City of Oakland

The following section summarizes relevant noise policies and standards from the General Plan, Noise Ordinances, and SCAs.

(1) General Plan

The Noise Element of the City of Oakland General Plan contains the following noise policies and action items that are applicable to the project:[18]

> **Policy 1:** Ensure the compatibility of existing and, especially, of proposed development projects not only with neighboring land uses but also with their surrounding noise environment.
>
> Action 1.1: Use the noise-land use compatibility matrix (Figure 6 of the Noise Element [Table V.I-3 below]) in conjunction with the noise contour maps (especially for roadway traffic) to evaluate the acceptability of residential and other proposed land uses and also the need for any mitigation or abatement measures to achieve the desired degree of acceptability.
>
> Action 1.2: Continue using the City's zoning regulations and permit processes to limit the hours of operation of noise-producing activities which create conflicts with residential uses and to attach noise-abatement requirements to such activities.

[14] The design of the project would be required to conform to the 2019 CBC (which went into effect on January 1, 2020).

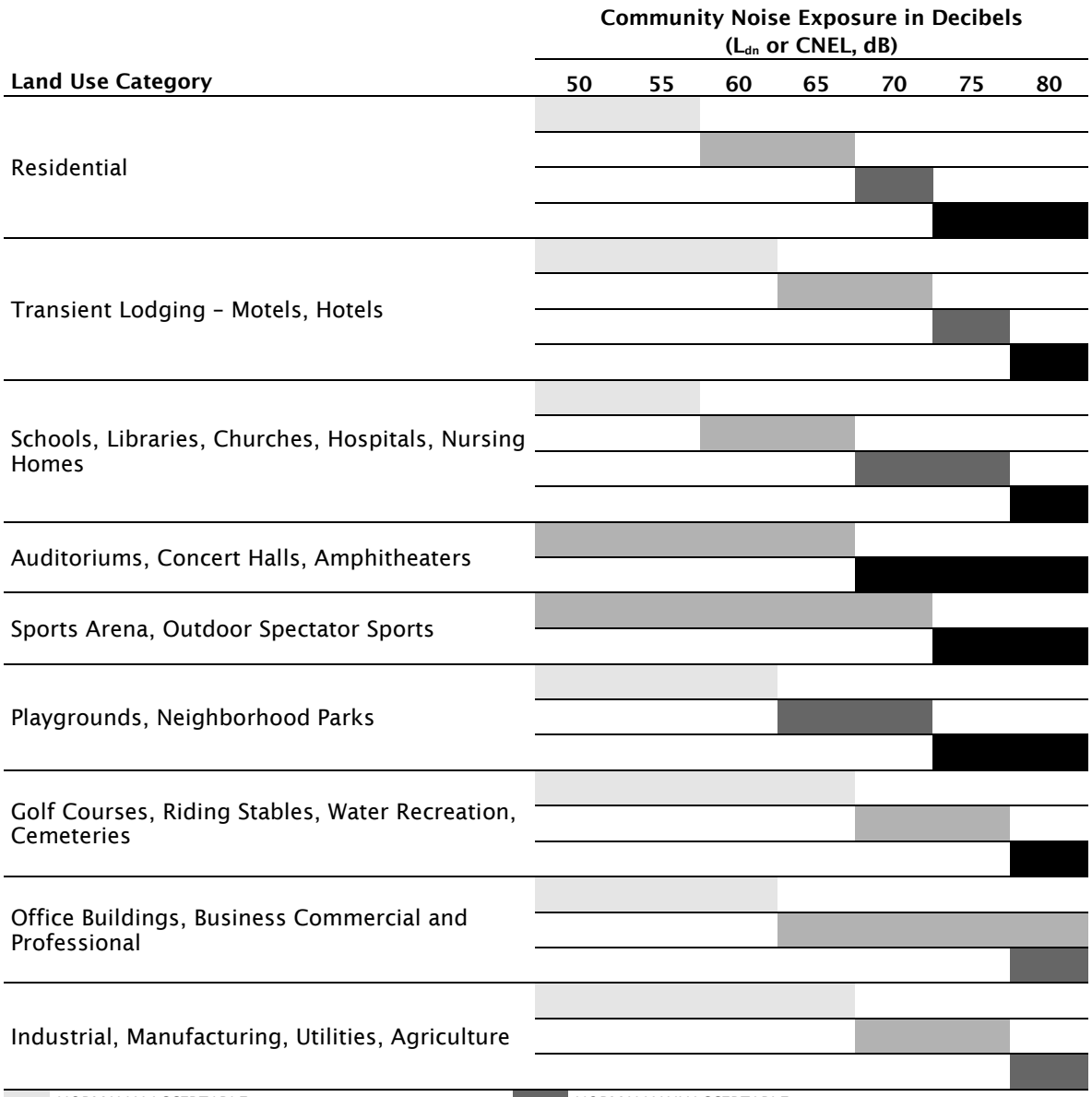
[15] Habitable space is a space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

[16] California Code of Regulations, Title 24, Part 2, Vol. 1, Section 1206.4.

[17] California Code of Regulations, Title 24, Part 11, Section 5.507.

[18] City of Oakland, 2005. General Plan, Noise Element, March.

TABLE V.I-3 OAKLAND GENERAL PLAN NOISE LAND USE COMPATIBILITY MATRIX



NORMALLY ACCEPTABLE Development may occur without an analysis of potential noise impacts to the proposed development (though it might still be necessary to analyze noise impacts that the project might have on its surroundings).	NORMALLY UNACCEPTABLE Development should generally de discouraged; it may be undertaken only if a detailed analysis of the noise-reduction requirements is conducted, and if highly effective noise insulation, mitigation or abatement features are included in the design.
CONDITIONALLY ACCEPTABLE Development should be undertaken only after an analysis of noise-reduction requirements is conducted, and if necessary, noise-mitigating features are included in the design. Conventional construction will usually suffice as long as it incorporates air conditioning or forced-air-supply systems, though it will likely require that project occupants maintain their windows closed.	CLEARLY UNACCEPTABLE Development should not be undertaken.

Source: City of Oakland, 2005. City of Oakland General Plan, Noise Element, March. Figure 6.

Policy 2: Protect the noise environment by controlling the generation of noise by both stationary and mobile noise sources.

Action 2.2: As resources permit, increase enforcement of noise-related complaints and also of vehicle speed limits and of operational noise from cars, trucks and motorcycles.

Policy 3: Reduce the community's exposure to noise by minimizing the noise levels that are received by Oakland residents and others in the City. (This policy addresses the reception of noise whereas Policy 2 addresses the generation of noise.)

Action 3.1: Continue to use the building-permit application process to enforce the California Noise Insulation Standards regulating the maximum allowable interior noise level in new multi-unit buildings.

Policy N3.9: Orienting Residential Development. Residential developments should be encouraged to face the street and to orient their units to desirable sunlight and views, while avoiding unreasonably blocking sunlight and views for neighboring buildings, respecting the privacy needs of residents of the development and surrounding properties, providing for sufficient conveniently located on-site open space, and avoiding undue noise exposure.

Policy N5.2: Buffering residential areas. Residential areas should be buffered and reinforced from conflicting uses through the establishment of performance-based regulations, the removal of non-conforming uses, and other tools.

(2) Noise Ordinances

Chapter 17.120.050 of the Municipal Code establishes performance standards to control dangerous or objectionable environmental effects of noise. The operational noise level standards for residential and commercial zones are presented in Table V.I-4. The construction and demolition noise level standards for residential and commercial/industrial land uses are presented in Table V.I-5. Noise from mechanical heating, ventilation, and air conditioning (HVAC) systems is prohibited from exceeding the nighttime noise levels presented in Table V.I-4, and the systems are required to be housed within an enclosure if located within 200 feet of a residential zone. Chapter 17.120.060 prohibits activities from generating vibration that is perceptible without instruments by the average person at or beyond the lot line of the lot containing such activities. Vibration generated by motor vehicles, trains, and temporary construction or demolition work is exempt from this standard. Chapter 17.120.050 further requires that:

(1) All construction equipment powered by internal combustion engines shall be properly muffled and maintained.

(2) Unnecessary idling of internal combustion engines is prohibited.

TABLE V.I-4 CITY OF OAKLAND OPERATIONAL NOISE STANDARDS AT RECEIVING PROPERTY LINE, DBA

Receiving Land Use	Cumulative Number of Minutes in a 1-Hour Period	Maximum Allowable Noise Level (dBA)[a,b]	
		Daytime 7:00 a.m. to 10:00 p.m.	Nighttime 10:00 p.m. to 7:00 a.m.
Residential and Civic[c]	20	60	45
	10	65	50
	5	70	55
	1	75	60
	0 (L_{max}[d])	80	65
		Anytime	
Commercial	20	65	
	10	70	
	5	75	
	1	80	
	0 (L_{max}[d])	85	
Industrial	20	70	
	10	75	
	5	80	
	1	85	
	0 (L_{max}[d])	90	

[a] These standards are reduced by 5 dBA for simple tone noise, noise consisting primarily of speech or music, or recurring impact noise.
[b] If the ambient noise level exceeds these standards, the standard shall be adjusted to equal the ambient noise level.
[c] Legal residences, schools and childcare facilities, health care or nursing home, public open space, or similarly sensitive land uses.
[d] L_{max}= maximum instantaneous noise level
Source: City of Oakland Municipal Code Section 17.120.050 Noise.

(3) All stationery noise-generating construction equipment such as tree grinders and air compressors are to be located as far as is practical from existing residences.

(4) Quiet construction equipment, particularly air compressors, are to be selected whenever possible.

(5) Use of pile drivers and jack hammers shall be prohibited on Sundays and holidays, except for emergencies and as approved in advance by the Building Official.

TABLE V.I-5 CITY OF OAKLAND CONSTRUCTION NOISE STANDARDS AT RECEIVING PROPERTY LINE, DBA

	Daily 7:00 a.m. to 7:00 p.m.	Weekends 9:00 a.m. to 8:00 p.m.
Short-Term Operation[a]		
Residential	80	65
Commercial, Industrial	85	70
Long-Term Operation[b]		
Residential	65	55
Commercial, Industrial	70	60

Notes: If the ambient noise level exceeds these standards, the standard shall be adjusted to equal the ambient noise level. Nighttime noise levels from construction and demolition between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and between 8:00 p.m. and 9:00 a.m. on weekends and federal holidays are prohibited from exceeding the applicable nighttime operational noise level standards (see Table V.I-4).
[a] Nonscheduled, intermittent, short-term construction or demolition operation is less than 10 days.
[b] Repetitively scheduled and long-term construction or demolition operation is 10 days or more.
Source: City of Oakland Municipal Code Section 17.120.050 Noise.

Standard Conditions of Approval

The City's SCAs[19] that are relevant to noise and vibration are listed below. The SCAs are adopted as requirements for all projects approved within the City of Oakland.

SCA-NOI-1: Construction Days/Hours (#67)

Requirement: The project applicant shall comply with the following restrictions concerning construction days and hours:

a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.
b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.
c. No construction is allowed on Sunday or federal holidays.

Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.

Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-

[19] City of Oakland Department of Planning and Building Bureau of Planning. Standard Conditions of Approval. Adopted by City Council on November 3, 2008 (Ordinance No. 12899 C.M.S.), revised January 24, 2020.

case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.
When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-NOI-2: Construction Noise (#68)
Requirement: The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:

a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.
b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.
c. Applicant shall use temporary power poles instead of generators where feasible.
d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.
e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-NOI-3: Extreme Construction Noise (#69)
a. Construction Noise Management Plan Required
Requirement: Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90 dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:

i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;
ii. Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;
iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and
v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.

When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

b. Public Notification Required

Requirement: The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.
When Required: During construction
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

SCA-NOI-4: Construction Noise Complaints (#71)

Requirement: The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:

a. Designation of an on-site construction complaint and enforcement manager for the project;
b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit;
c. Protocols for receiving, responding to, and tracking received complaints; and
d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.

When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

SCA-NOI-5: Exposure to Community Noise (#72)

Requirement: The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window,

wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:

a. 45 dBA: Residential activities, civic activities, hotels
b. 50 dBA: Administrative offices; group assembly activities
c. 55 dBA: Commercial activities
d. 65 dBA: Industrial activities

When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

SCA-NOI-6: Operational Noise (#73)
Requirement: Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.
When Required: Ongoing
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-NOI-7: Vibration Impacts on Adjacent Structures or Vibration-Sensitive Activities (#75)
Requirement: The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage Macky Hall, Carriage House, and retained portion of Broadway Wall and Stairs. The Vibration Analysis shall identify design means and methods of construction that shall be utilized in order to not exceed the thresholds. The applicant shall implement the recommendations during construction.
When Required: Prior to construction
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

3. Impacts, Standard Conditions of Approval, and Mitigation Measures

This section describes environmental impacts related to noise and vibration that could result from implementation of the project. The section begins with the criteria of significance that establish the thresholds for determining whether an impact is significant. The latter part of this section presents the impacts associated with the project and identifies SCAs and/or mitigation measures to address these impacts as needed.

a. Significance Criteria

Implementation of the project would have a significant impact related to noise and vibration if it would result in the following:

1. Generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding construction noise (Table V.I-5), except if an acoustical analysis is performed that identifies recommended measures to reduce potential impacts.[20] During the hours of 7:00 p.m. to 7:00 a.m. on weekdays and 8:00 p.m. to 9:00 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 (Table V.I-4).
2. Generate noise in violation of the City of Oakland nuisance standards (Oakland Municipal Code Section 8.18.020) regarding persistent construction-related noise.
3. Generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding operational noise.
4. 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).[21]
5. Expose persons to interior L_{dn} or CNEL greater than 45 dBA for multi-family dwellings, hotels, motels, dormitories, and long-term care facilities (may be extended by local legislative action to include single-family dwellings) per California Noise Insulation Standards (Title 24 of the California Code of Regulations, Part 2).
6. Expose the project to community noise in conflict with the land use compatibility guidelines of the City of Oakland General Plan (Table V.I-3) after incorporation of all applicable SCAs.[22]

[20] The acoustical analysis must identify, at a minimum: (a) the types of construction equipment expected to be used and the noise levels typically associated with the construction equipment; and (b) the surrounding land uses, including any sensitive land uses (e.g., schools and childcare facilities, health care and nursing homes, public open space). If sensitive land uses are present, the acoustical analysis must recommend measures to reduce potential impacts.

[21] Outside of a laboratory, a 3-dBA change is considered a just-perceivable difference. Therefore, 3 dBA is used to determine if the project-related noise increases are cumulatively considerable. Project-related noise should include both vehicle trips and project operations.

[22] The evaluation of land use compatibility should consider the following factors: type of noise source; sensitivity of the noise receptor; the noise reduction likely to be provided by structures; the degree to which the noise

7. 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).
8. During either project construction or project operation, expose persons to or generate groundborne vibration that exceeds the criteria established by the FTA.[23]
9. Be located within an airport land use plan and expose people residing or working in the project area to excessive noise levels.
10. Be located within the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels.

b. Less-Than-Significant Noise and Vibration Impacts

Implementation of the project would result in the less-than-significant impacts described below. Because these impacts would not exceed the significance criteria described above, they do not require mitigation measures.

(1) Construction Noise (Criteria 1 and 2)

Construction is expected to occur over a period of approximately 28 months and would temporarily increase noise levels in the vicinity of the project site. The primary noise impacts from construction of the project would occur from noise generated by the operation of heavy construction equipment on the project site, which is are analyzed under Section I.3.c. Secondary sources of noise during construction include increased traffic flow from the transport of equipment and materials to the project site, which are analyzed below.

Construction Truck Trips

Construction of the project could generate up to 524 truck trips during demolition over a course of 30 work days, and 1,750 truck trips during grading over a course of 10 work days.[24] Based on noise modeling results (Appendix E), truck trips during demolition could generate noise levels of up to approximately 50.7 dBA L_{eq}, which is lower than the long-term (more than 10 days)

source may interfere with speech, sleep, or other activities characteristic of the land use; seasonal variations in noise source levels; existing outdoor ambient levels; general societal attitudes toward the noise source; prior history of the noise source; and tonal characteristics of the noise source. To the extent that any of these factors can be evaluated, the measured or computed noise exposure values may be adjusted to more accurately assess local sentiments toward acceptable noise exposure.

[23] The FTA criteria were developed to apply to transit-related groundborne vibration. However, these criteria should also be applied to non-transit-related sources of vibration.

[24] Numbers of truck trips and duration are based on the California Emissions Model (CalEEMod) (see *Section V.D, Air Quality* and Appendix D).

construction noise threshold of 65 dBA at residential land use and 70 dBA at commercial and industrial land uses (Table V.I-5). Truck trips during grading could generate noise levels of up to approximately 59.3 dBA L_{eq}, which is lower than the short-term (less than ten days) construction noise threshold of 80 dBA at residential land use and 85 dBA at commercial and industrial land uses (Table V.I-5). Therefore, impacts related to increased truck trips along local roadways during construction would be less than significant.

(2) Operational Noise (Criteria 3 and 4)

The primary noise generation from the long-term operation of the project would occur as a result of (1) the use of HVAC systems; (2) increased vehicular traffic on area roads; or (3) outdoor community events.

HVAC Systems

Noise generated from HVAC systems would be subject to SCA-NOI-6: Operational Noise (#73), which requires all operational noise to comply with the performance standards of Chapter 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. Implementation of SCA-NOI-6: Operational Noise (#73) would ensure that the project would not violate the City's operational noise standards (Table V.I-4), which is required by law and will be enforced by the City, and no significant impacts would occur. In addition, given the existing urban setting at the project site, which include noise generated by traffic and similar HVAC systems at surrounding buildings, the noise generated by HVAC systems at the project site would not result in a perceptible (i.e., 3 dBA) increase in ambient noise levels. For these reasons, the potential for noise generated by the HVAC systems to result in a significant permanent noise increase at the project site is less than significant.

Traffic-Generated Noise

Implementation of the project would result in increased traffic on local area roadways. As indicated in Criterion 4, a project is considered to generate a significant increase in ambient noise levels if it results in a 5-dBA permanent increase in noise levels in the project vicinity.

The assessment of AM and PM peak hour traffic volumes at five intersections near the project site indicates that the highest project-generated traffic volumes would occur along Clifton Street between Broadway and project driveway (149 vehicles per hour during AM peak hour). Based on the roadway noise contours for the year 2025 in the City of Oakland General Plan, traffic noise levels range from 60 to 65 dBA L_{dn} at the project site and its vicinity.[25] Generally, during the peak

[25] City of Oakland, 2005. City of Oakland General Plan, Noise Element, March.

traffic hour under normal traffic conditions, L_{dn} is within plus or minus 2 dBA of the L_{eq}.[26] Therefore, the existing AM and PM peak hour traffic noise levels range from approximately 58-67 dBA L_{eq}.

The ambient noise levels and predicted ambient plus project traffic noise levels for this roadway segment are summarized in Table V.I-6 below. Traffic noise is expected to increase by up to about 1 dBA L_{eq} along this roadway segment. Because this is the roadway segment with the greatest predicted increase in traffic volumes, traffic noise increases along other roadway segments would be less than 1 dBA L_{eq}. This is below the 5-dBA significance threshold for project-generated traffic noise. Therefore, implementation of the project would not result in a significant increase in traffic noise.

TABLE V.I-6 AMBIENT NOISE AND AMBIENT PLUS PROJECT PEAK HOUR TRAFFIC NOISE LEVELS FOR THE ROADWAY SEGMENT WITH HIGHEST INCREASE, DBA L_{EQ} AT 50 FEET

Roadway Segment	Ambient Noise	Ambient Plus Project Traffic Noise Levels[a]	Estimated Increase in Noise[b]
Clifton Street between Broadway and project driveway (AM peak hour)	58-67	59-67	0-1

[a] Noise levels were determined using FHWA TNM Version 2.5 model. Traffic noise model outputs are included in Appendix E. Road center to receptor distance is approximately 50 feet. The analysis considered 100 percent automobile for project-generated traffic. Traffic speeds for automobiles were set at 30 mph.
[b] Considered significant if the incremental increase in noise from traffic is greater than the existing ambient noise level by 5 dBA L_{eq}, per City of Oakland, CEQA Thresholds/Criteria of Significance Guidelines. Violations are in **bolded** text.
Source: Traffic Study (Appendix C).

Outdoor Community Events

The project would include the provision of 11,884 square feet of assembly space. This would include 10,718 square feet of group assembly space on Macky Lawn, 1,487 square feet of recreational assembly (playground) and 1,166 square feet of gr recreational assembly or personal instruction and improvement services. Macky Lawn and the Carriage House Terrace would be available to be used for activities including community or cultural performing arts by non-profit groups. Outdoor community events would be limited to between 8:00 a.m. to 10:00 p.m. and could generate noise from people congregating and amplified-sound systems. The closest sensitive receptor is the Merrill Gardens at Rockridge assisted living facility, located approximately 250 feet southwest of Macky Lawn across Broadway. Offsite sensitive receptors located to the north, northeast, east, and southeast of the project would be shielded from noise

[26] California Department of Transportation (Caltrans), 1998. Technical Noise Supplement: A Technical Supplement to the Traffic Noise Analysis Protocol.

generated by the outdoor community events by the proposed buildings surrounding Macky Lawn and the Carriage House Terrace. There are no nearby sensitive receptors south of the project site.

According to the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code, the maximum allowable noise level during the daytime (7:00 a.m. to 10:00 p.m.) at a receiving residential property is 60 dBA (see Table V.I-4) or the ambient noise level, whichever is higher. Conservatively assuming the ambient noise level at the assisted living facility is 60 dBA or lower, outdoor community events at the project site could generate noise levels as high as about 95 dBA onsite without exceeding the 60 dBA limit at the offsite assisted living facility (see Table V.I-7). If an outdoor community event at the project site could potentially exceed 60 dBA at the assisted living facility, then SCA-NOI-6: Operational Noise (#73) would require the project to implement noise reduction measures to ensure compliance with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. Examples of noise reduction measures could include lowering speaker volumes or angling speakers away from nearby receptors. Alternatively, if an event is open to the public and a Special Event Permit and Sound Amplification Permit (if applicable) have been obtained from the City, then the noise generated by the event may be exempt from the City's noise limits summarized in Table V.I-4. Therefore, implementation of the project would not result in a significant increase in noise from outdoor community events.

TABLE V.I-7 POTENTIAL NOISE LIMIT FOR OUTDOOR COMMUNITY EVENTS

Source	Noise Limit at Receptor (dBA_1)	Distance to Receptor (D_1)	Distance from Source (D_2)	Noise Limit at Source (dBA_2)
Community Event	60 dBA	250 Feet	10 Feet	95 dBA L_{eq}

Notes: Noise level at the receptor calculated based on the following equation: $dBA_2 = dBA_1 + 10 * \log_{10}(D_1/D_2)^{2.5}$.
Source: California Department of Transportation, 1998. Technical Noise Supplement (TeNS). Equation N-2141.2. October.

(3) Exposure of Persons to Significant Noise during Construction and Operation (Criteria 5, 6, and 7)

Construction Period

Construction workers could be exposed to excessive noise from the heavy equipment used during construction of the project. However, as discussed under Regulatory Setting, noise exposure of construction workers is regulated by Cal/OSHA. Title 8, Subchapter 7, Group 15, Article 105 of the California Code of Regulations (Control of Noise Exposure) sets noise exposure limits for workers and requires employers that have workers that may be exposed to noise levels above these limits to establish a hearing conservation program, make hearing protectors available, and keep records of employee noise exposure measurements. The construction contractor for the project

would be subject to these regulations, and compliance with these Cal/OSHA regulations would ensure that the potential for construction workers to be exposed to excessive noise is less than significant.

Operational Period

Upon completion of project construction, future occupants of the project could be exposed to noise levels in excess of regulatory standards. As described above, traffic noise levels from traffic on SR 24 and traffic along major roadways range from 60 to 65 dBA L_{dn} at the project site. This noise environment is regarded as "conditionally acceptable" for residential land uses and office buildings (Table V.I-3).[27] The City of Oakland General Plan indicates that development within a "conditionally acceptable" environment requires an analysis of noise-reduction requirements and, if necessary, noise mitigation features in the design.

The project would be subject to SCA-NOI-5: Exposure to Community Noise (#72), which requires noise reduction to be incorporated into building design based on the recommendations of a qualified acoustical engineer. The noise reduction measures would be required to reduce interior noise levels to 45 dBA L_{dn} for residential units and 50 dBA L_{eq} for non-residential spaces (e.g., offices) in accordance with the 2019 California Building Standards Code.

A typical building facade with windows closed provides a noise level reduction of approximately 25 dBA,[28] and therefore conventional construction of a building will ensure that the interior noise levels from exterior sources will be reduced to about 35 to 40 dBA L_{dn}, thereby satisfying the interior noise standards for both residential units of 45 dBA L_{dn} and non-residential spaces of 50 dBA L_{dn}. Sound Transmission Class (STC) rated windows, exterior doors (such as balcony doors), and exterior walls are also commonly used to control interior noise from exterior sources.

The noise control measures are required to be submitted to the City for review and approval prior to the issuance of a construction-related permit. Compliance with this SCA would therefore reduce the potential for future occupants of the project to be exposed to excessive or incompatible noise levels to a less-than-significant level.

[27] The project description specifies that the Project Sponsor is proposing to reclassify the entire project site to the Community Commercial General Plan Land Use. However, this analysis used the land use category as residential and office buildings from Table V.I-3 to discuss the land use compatibility impact.

[28] Charles M. Salter Associates, Inc., 1998. Acoustics – Architecture, Engineering, the Environment. William Stout Publishers.

(4) Groundborne Vibration during Project Construction (Criterion 8)

Construction activities can result in varying degrees of groundborne vibration, depending on the equipment, activity, and relative proximity to sensitive receptors.

Table V.I-8 summarizes the vibration criteria to prevent disturbance of the nearest residences and the Oakland Technical High School Upper Campus to the project site. In this analysis, the "occasional events" criterion is applied for construction equipment. Table V.I-9 summarizes the vibration criteria to prevent damage to structures.

TABLE V.I-8 VIBRATION CRITERIA TO PREVENT DISTURBANCE – RMS (VDB)

Land Use Category	Frequent Events[a]	Occasional Events[b]	Infrequent Events[c]
Residences and buildings where people normally sleep	72	75	80
Institutional land uses with primarily daytime use	75	78	83

[a] More than 70 vibration events of the same kind per day or vibration generated by a long freight train.
[b] Between 30 and 70 vibration events of the same kind per day.
[c] Fewer than 30 vibration events of the same kind per day.
Source: Federal Transit Administration, 2018. Transit Noise and Vibration Impact Assessment Manual. FTA Report No.0123, September.

TABLE V.I-9 VIBRATION CRITERIA TO PREVENT DAMAGE TO STRUCTURES

Building Category	PPV (In/Sec)	RMS (VdB)
Reinforced-concrete, steel, or timber (no plaster)	0.5	102
Engineered concrete and masonry (no plaster)	0.3	98
Non-engineered timber and masonry buildings	0.2	94
Buildings extremely susceptible to vibration damage	0.12	90

[a] More than 70 vibration events of the same kind per day or vibration generated by a long freight train.
[b] Between 30 and 70 vibration events of the same kind per day.
[c] Fewer than 30 vibration events of the same kind per day.
Source: Federal Transit Administration, 2018. Transit Noise and Vibration Impact Assessment Manual. FTA Report No.0123, September.

The vibration criterion for engineered concrete and masonry (no plaster) is selected to represent the building types adjacent to and near the project site.

The reference vibration levels at 25 feet away from the construction equipment that could be used at the project site are summarized in Table V.I-10. Although the table provides one vibration level for each piece of equipment, it should be noted that there is considerable variation in reported ground vibration levels from construction activities, primarily due to variation in soil characteristics. Table V.I-10 also shows the buffer distance that would be required to reduce vibration levels to below the FTA thresholds for disturbance and building damage. For instance, if

a vibratory roller is approximately 107 feet or more away from a given receptor, the vibration levels generated by the bulldozer would not have the potential to disturb that receptor. The potential impacts from vibration disturbance are evaluated further under Section I.3.c, and potential impacts from vibration damage are evaluated below.

Vibration Damage

All adjacent buildings are located more than 18 feet from construction activities. Therefore, according to Table V.I-10, vibration from the construction equipment would not have the potential to damage adjacent buildings. The impact would be less than significant. On-site buildings would be located adjacent to many of the demolition and construction locations under the project and therefore could be subject to potentially damaging levels of vibration during construction. However, consideration of damage to buildings on the developer's own property is a standard part of the design and review process for a development. This process would ensure that existing buildings remain in good condition both during and after the implementation of the project. In addition, with implementation of SCA-NOI-7: Vibration Impacts on Adjacent Structures or Vibration-Sensitive Activities (#75) the Project Sponsor shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage Macky Hall, the Carriage House and the Broadway Wall and Stairs. The Vibration Analysis shall identify design means and methods of construction that shall be utilized in order to not exceed the thresholds. Therefore, the potential of construction-generated vibration to result in damage to on-site buildings is less than significant.

(1) Aircraft Noise (Criteria 9 and 10)

Oakland Children's Hospital Heliport is located approximately 0.8 miles to the west of the project site.[29] A typical light- or medium-duty medical helicopter could generate noise levels of 90 dBA L_{max} at a distance of 50 feet.[30] According to Federal Aviation Administration, an altitude of 1,000 feet above the highest obstacle is required as the minimum safe helicopter flight altitude over a congested area of a city. At a distance of 1,000 feet, a light or medium helicopter would generate noise levels of approximately 57 dBA L_{max} on the ground surface directly below the flight path. As the existing ambient noise levels in the vicinity of the project site range from 60 dBA L_{dn} to 65 dBA L_{dn}, helicopter noise could increase ambient noise by 2 dBA if the project site is directly

[29] Federal Aviation Administration (FAA), 2019. Airport Data and Contact Information. Effective: June 20, 2019. Database searched for both public-use and private-use facilities in Alameda County. Available at: https://adip.faa.gov/agis/public/#/simpleAirportMap/7CL1/, accessed December 5, 2023.

[30] California Public Utilities Commission, 2017. Fulton-Fitch Mountain Reconductoring Project, Final Initial Study/Mitigated Negative Declaration. State Clearinghouse No. 2017072049, October.

TABLE V.I-10 REFERENCE SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT AND THE ASSOCIATED BUFFER DISTANCES REQUIRED TO PREVENT EXCEEDANCE OF FTA THRESHOLDS

	At 25 Feet		Required Buffer Distance from Source to Avoid Exceedance of:		
Equipment	PPV (In/Sec)[a]	RMS (VdB)[b]	Building Damage Threshold, 0.3 PPV (Feet)	Human Annoyance Threshold for Residences, 75 VdB (Feet)	Human Annoyance Threshold for Schools, 78 VdB (Feet)
Vibratory Roller	0.21	94	18	107	85
Large Bulldozer	0.089	87	7	63	50
Loaded Trucks	0.076	86	6	58	46
Small Bulldozers	0.003	58	<1	7	5

Notes: Receptors within the buffer distance could be affected by construction-generated vibration.
[a] PPV = peak particle velocity, in/sec = inches per second
[b] RMS = root mean square, VdB = vibration decibel
Buffer distances are calculated based on the following equations:

PPV2 = PPV1 x (D1/D2)^1

Where:

PPV1 is the reference vibration level at the reference distance (25 feet), and PPV2 is the calculated vibration level (in this case 0.3 in/sec).

D1 is the reference distance (in this case 25 feet), and D2 is the distance from the equipment to the receiver (in this case the buffer distance).

n=1 as the project site is underlain mostly by bedrock.

RMS2 = RMS1 – 30 Log10 (D2/D1)

Where:

RMS1 is the reference vibration level at the reference distance (25 feet), and RMS2 is the calculated vibration level (in this case 75 VdB or 78 VdB).

D1 is the reference distance (in this case 25 feet), and D2 is the distance from the equipment to the receiver (in this case the buffer distance).

Equation Source: Federal Transit Administration, 2018. Transit Noise and Vibration Impact Assessment Manual, FTA Report No.0123, September.
Source: California Department of Transportation (Caltrans), 2013. Transportation and Construction Vibration Guidance Manual, September.

below the flight path. As discussed above, a 3-dBA change is considered a just-perceivable difference and therefore helicopter noise would not be noticeable at the project site. In addition, an occasional overhead flight of a service helicopter is not an unusual event in a city setting. Therefore, the potential for exposure of people residing or working in the project area to excessive noise related to a private airstrip would be less than significant.

The nearest public use airport to the project site is the Oakland International Airport approximately 8 miles to the southwest of the project site. The project site is not within the area

of a public airport land use plan.[31] Therefore, the project would not expose people at the project site to excessive noise levels from any public use airports.

c. Significant Noise and Vibration Impacts

Implementation of the project would result in significant noise and vibration impacts as described below.

(1) Construction Noise (Criteria 1 and 2)

Construction of the project would involve demolition of existing structures, site preparation, grading, building construction, and paving and street improvement on the project site. Construction is expected to occur over a period of approximately 28 months and would temporarily increase noise levels in the vicinity of the project site. Demolition, excavation/ grading, and foundation work are typically the noisiest phases of construction and would occur during the first phases of construction. The later phases of construction include activities that are typically quieter and that occur within the building under construction, thereby providing a barrier for noise between the construction activity and any nearby receptors. Although pile driving can generate extreme levels of noise, pile driving is not proposed as part of this project.[32]

Construction Equipment

Table V.I-11 includes typical noise levels associated with various types of construction equipment that would be used at the project site. To evaluate potential construction noise impacts associated with the project, this analysis quantified the noise levels that would result from the simultaneous operation of the two noisiest pieces of equipment expected to be used during each construction phase (this is a standard analytical approach used in acoustical analysis to estimate construction noise associated with proposed projects).[33]

The addition of the two noisiest pieces of equipment presented in Table V.I-12 to characterize the noise impact from the project at the nearest receptors in the vicinity of the project site based on short-term and long-term construction activities. Site preparation is the only project construction phase that is anticipated to be less than 10 days and, therefore, noise levels are compared to the City's short-term construction thresholds. All other phases are repetitively scheduled to occur during weekdays over a longer period of time of 10 days or more and, therefore, noise levels are

[31] Alameda County Community Development Agency, 2010. Oakland International Airport, Airport Land Use Compatibility Plan, December.

[32] Northart, Brandon from Urban Planning Partners, Inc., 2019. Email communication with Lisa Luo from Baseline, June 25.

[33] Federal Transit Administration, 2018. Transit Noise and Vibration Impact Assessment Manual. FTA Report No.0123, September.

TABLE V.I-11 TYPICAL NOISE LEVELS FROM CONSTRUCTION EQUIPMENT (DBA)

Phase	Equipment	Noise Level at 50 Feet
Demolition and Relocation	Concrete/Industrial Saws	90
	Forklifts	NA
	Off-Highway Trucks	84
	Rubber Tired Dozers	80
	Rubber Tired Loaders	80
	Tractors/Loaders/Backhoes	84
Site Preparation	Graders	85
	Scrapers	85
	Tractors/Loaders/Backhoes	84
Grading	Graders	85
	Rubber Tired Dozers	85
	Tractors/Loaders/Backhoes	84
Building Construction	Forklifts	NA
	Welders	73
Paving and Street Improvement	Cement and Mortar Mixers	85
	Off-Highway Trucks	84
	Pavers	85
	Paving Equipment	85
	Rollers	85
	Sweepers/Scrubbers	80
	Tractors/Loaders/Backhoes	84

Notes: NA – Not available. Forklifts are not considered heavy construction equipment and therefore their noise levels are not available.
The types of construction equipment are based on the California Emissions Estimator Model (CalEEMod) equipment list (see *Section V.D, Air Quality*, and Appendix D).
Source: U.S. Department of Transportation, 2006. FHWA Highway Construction Noise Handbook.

compared to the City's short-term construction thresholds. As shown, site preparation would generate exterior noise levels above the 80 dBA short-term construction noise standard at the nearest noise-sensitive receptors, and above the 85 dBA short-term construction noise standard at the nearest commercial land uses. As shown, all other construction phases would generate exterior noise levels above the 65 dBA long-term construction noise standard at the nearest noise-sensitive receptors, and above the 70 dBA long-term construction noise standard at the nearest commercial land uses. Construction noise levels also have the potential to exceed 90 dBA at the apartment complex at 225 Clifton Street.

TABLE V.I-12 CALCULATED PROJECT CONSTRUCTION NOISE LEVELS AT NEAREST RECEPTORS, DBA

	Construction Noise at Receptors without SCAs[a]					
Phase	**Clifton Hall[b]**	**Oakland Technical High School Upper Campus[b]**	**Apartment at 225 Clifton Street[c]**	**Apartment at 5217 Broadway Terrace[d]**	**Assisted Living Facility[e]**	**Commercial Land Use[f]**
Short-Term Construction Activities						
Site Preparation	**86**	**86**	**94**	**80**	**82**	**82**
Short-Term Construction Thresholds (Table V.I-5)	80	80	80	80	80	85
Long-Term Construction Activities						
Demolition and Relocation	**89**	**89**	**97**	**83**	**85**	**85**
Grading	**86**	**86**	**94**	**80**	**82**	**82**
Building Construction	**71**	**71**	**79**	65	**67**	67
Paving and Street Improvement	**88**	**88**	**94**	**81**	**82**	**82**
Long-Term Construction Thresholds (Table V.I-5)	65	65	65	65	65	70

Notes: **Bold** text indicates exceedance of thresholds.
The two noisiest pieces of equipment during each construction phase are: a concrete/industrial saw and an off-highway truck or a tractor/loader/backhoe (demolition); a grader and a scraper (site preparation); a grader and a rubber-tired dozer (grading); one welder (building construction); two of the following: cement and mortar mixers, a paver, paving equipment, and rollers (paving and street improvement).
[a] Implementation of the City's SCAs will reduce construction noise levels. For example, a Construction Noise Management Plan will be prepared and implemented that contains site-specific noise attenuation measures to reduce construction impacts associated with extreme noise generating activities.
[b] Clifton Hall and the Oakland Technical High School Upper Campus is located 50 feet from the nearest outdoor construction activities (street improvement) and 65 feet from the other outdoor construction activities.
[c] The apartment complex at 225 Clifton Street is located 25 feet from all outdoor construction activities due to the 10-foot setback.
[d] The apartment building at 5217 Broadway Terrace is located 110 feet from the nearest outdoor construction activities (street improvement), and 125 feet from the other outdoor construction activities.
[e] The assisted living facility is located 100 feet from all outdoor construction activities.
[f] Commercial land use is located 95 feet from all outdoor construction activities.
Source: Baseline Environmental Consulting, 2019.

Construction of the project would be subject to Oakland's SCAs. The impacts from construction noise would be reduced by implementation of SCA-NOI-1: Construction Days/Hours (#67), SCA-NOI-2: Construction Noise (#68), SCA-NOI-3: Extreme Construction Noise (#69), and SCA-NOI-4: Construction Noise Complaints (#71). SCA-NOI-1: Construction Days/Hours (#67) includes limits on the days and hours of construction to avoid the project generating noise when it would be most objectionable to neighboring residences. These limitations, which specify that construction activities would be limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday (among other restrictions), would prevent the disturbance of nighttime sleep for residents

located near the project site. If the construction contractor wants to extend these work hours, this SCA also requires that the request be approved in advance by the City and requires property owners and occupants within 300 feet of the project site to be notified of such an extension. SCA-NOI-2: Construction Noise (#68) requires all construction projects to implement basic noise reduction measures during construction. Because the construction of the project could generate noise levels greater than 90 dBA at the nearest receptors; it also requires the noisiest phases of construction to be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented. SCA-NOI-3: Extreme Construction Noise (#69) would be triggered. This SCA requires that the Project Sponsor prepare and implement a Construction Noise Management Plan that contains site-specific noise attenuation measures to reduce construction impacts associated with extreme noise generating activities.

The types of measures that would be included in the Construction Noise Management Plan include the following:

- **Temporary Noise Blankets.** As feasible, noise control blankets may be utilized on the building structure or hung on scaffolding as the building is erected to reduce noise emission from the site upon sensitive receptors. The use of noise control blankets may be targeted to cover the levels of the building that have line of sight with the windows of nearby receptors. For example, when performing framing cutting and drywall installation prior to install of exterior skin, blankets will be hung from the perimeter of the building adjacent to sensitive receptors. A 5 dBA reduction can be provided by a temporary noise blanket, if breaking the line of sight between the noise source and the receptors.
- **Best Available Noise Control Techniques.** Best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds) may be used for commonly available project equipment and trucks during construction wherever feasible. For example, exhaust mufflers on pneumatic tools can lower noise levels by up to about 10 dBA and external jackets can lower noise levels by up to about 5 dBA.
- **Equipment Positioning.** Construction equipment may be positioned as far away from noise-sensitive receptors as possible. For every doubling of the distance between a given receptor and construction equipment for hard surfaces, noise will be reduced by approximately 6 dBA.
- **Monitoring.** Monitoring the effectiveness of noise attenuation measures by taking periodic noise measurements would ensure that the best practices being implemented are effective at reducing noise levels to acceptable levels.
- **Notification and Communication.** Notification and open lines of communication with potentially affected nearby receptors is an effective way to manage construction-period noise. When property owners and occupants feel informed about a project's daily schedule

and duration, they are typically better able to accept potential noise-related inconvenience. All receptors located within 300 feet of the construction activities should be notified and informed about the project prior to commencing extreme noise generating activities.

Implementation of site-specific measures identified in the Construction Noise Management Plan could provide noise reductions of at least 5 to 10 dBA for various equipment.

SCA-NOI-4: Construction Noise Complaints (#71) provides additional measures to respond to and track construction noise complaints during construction to allow sources of potentially disruptive construction noise to be quickly controlled or eliminated. The proximity of the project site to sensitive receptors, and the type of construction equipment that would be used as part of the project, are similar to other projects in Oakland and other urban areas. Because the project site and its vicinity are part of an established, urbanized area, periodic exposure to construction-related noise and vibration are existing conditions. Implementation of SCA-NOI-1: Construction Days/Hours (#67), SCA-NOI-2: Construction Noise (#68), SCA-NOI-3: Extreme Construction Noise (#69), and SCA-NOI-4: Construction Noise Complaints (#71) would lessen the impacts of noise generated by construction to receptors in the vicinity of the project site and would require the preparation of a Construction Noise Management Plan with site-specific noise attenuation measures.

Impact NOI-1: The noise levels from operation of heavy construction equipment on the project site could impact nearby receptors. (S)

The potential site-specific measures contained in a Construction Noise Mitigation Plan would be expected to achieve reductions of between 5 to 10 dBA per equipment, but the reductions may not reduce the construction noise below the thresholds of significance.

Mitigation Measure NOI-1: The Project Sponsor would be required to implement SCA-NOI-1: Construction Days/Hours (#67), SCA-NOI-2: Construction Noise (#68), SCA-NOI-3: Extreme Construction Noise (#69), and SCA-NOI-4: Construction Noise Complaints (#71), which includes preparation of a Construction Noise Management Plan with site-specific noise attenuation measures. To further reduce impacts, an acoustical analysis shall be prepared by a qualified acoustical consultant prior to first construction related-permit issuance. The acoustical analysis shall show how the measures identified in the Construction Noise Management Plan will reduce impacts to below the project-specific performance standard of 80 dBA at each sensitive receptor. If such measures cannot reduce construction noise impacts at the nearest sensitive receptors to below 80 dBA, then the specific construction equipment operating above 80 dBA will be limited to 5 days at a time. Even with this specific performance standard and additional project specific mitigation measures, the impact may exceed the City's noise thresholds so the impact would conservatively remain significant and unavoidable. (SU)

(2) Groundborne Vibration during Project Construction (Criterion 8)

Vibration Disturbance

As shown in Table V.I-10, the apartment building at 5217 Broadway Terrace is located outside of the 107-foot buffer distance for an exceedance of human annoyance threshold to occur. Therefore, the construction equipment would not have the potential to disturb the apartment building at 5217 Broadway Terrace. However, Clifton Hall, the apartment building at 225 Clifton Street and the assisted living facility are located within 107 feet from the nearest construction activities. Oakland Technical High School Upper Campus is also located within 85 feet from the nearest construction activities. Therefore, according to Table V.I-10, the construction equipment could have the potential to disturb sensitive receptors near the project site.

The nearest location where a vibratory roller could be used is located within 107 feet from Clifton Hall, the apartment building at 225 Clifton Street and the assisted living facility, and within 85 feet from the Oakland Technical High School Upper Campus. Each vibratory roller would be used for about 2 hours per day for 27 working days.[34] Because construction activity locations that would require the use of a vibratory roller with the potential to exceed the disturbance threshold (75 VdB for residences, and 78 VdB for schools) would vary over time across the site, the impacts of these activities on the adjacent receptors would not be expected to last more than a few days at a time.

Bulldozers and trucks could be used during other phases of construction. However, the other construction phases would occur at least 65 feet away from Clifton Hall and the Oakland Technical High School Upper Campus, and at least 100 feet away from the assisted living facility. As shown in Table V.I-10, these distances are beyond the 63-foot buffer distance (for residences) and the 50-foot buffer distance (for schools) for an exceedance of human annoyance threshold to occur. Therefore, bulldozers and trucks would not generate vibration levels that exceed the applicable thresholds at Clifton Hall, the Oakland Technical High School Upper Campus, and the assisted living facility. Bulldozers and trucks could be used within 63 feet of the apartment building at 225 Clifton Street. Although the nearest location where construction could occur is about 25 feet from the 225 Clifton Street apartment building, the furthest boundary of the project site is located more than 350 feet from the apartment. Because the locations of grading, soil compaction, and other construction activities that would require the use of construction equipment with the potential to exceed the disturbance threshold (75 VdB for residences) would vary over time across the site, the impacts of these activities on the residences at the 225 Clifton Street apartment building would not be expected to last more than a few days at a time. In

[34] The durations are based on the California Emissions Estimator Model (CalEEMod) equipment list (see Section V.D, Air Quality, and Appendix D).

addition, SCA-NOI-1: Construction Days/Hours (#67) limits construction activities to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday, and limits construction with the potential to generate extreme noise (which is generally correlated with the potential to generate high vibration) to the hours between 8:00 a.m. and 4:00 p.m. Therefore, severe vibration would be restricted to normal daytime hours, thereby reducing the likelihood of disturbing residents by interfering with sleep. However, the disturbances generated from vibrations during the daytime could have a potentially significant impact on high school activities when school is in session.

Impact NOI-2: Use of vibratory rollers from project construction could impact Oakland Technical High School Upper Campus activities when school is in session. (S)

Implementation of Mitigation Measures NOI-2 would reduce this impact to a less-than-significant level.

> Mitigation Measure NOI-2: Use of vibratory rollers for project construction within 85 feet from the Oakland Technical High School Upper Campus shall occur when school is not in session, such as after school hours or during school breaks (e.g., summer vacation). (LTS)

d. Cumulative Impacts

For noise and vibration, the geographic scope for assessing cumulative impacts is within 1,000 feet of the project site. Noise and vibration dissipate with increased distance from the source and therefore, cumulative noise and vibration impacts would not be expected unless new sources of noise are located in close proximity to each other. Because there are no other construction projects currently planned in vicinity of the proposed project, there would be no cumulative construction noise and vibration. The proposed Safeway Redevelopment Phase 2 Project is located within 1,000 feet of the project site. Under a conservative assumption that construction of the Safeway Redevelopment Phase 2 Project overlapped with construction of the project, the Safeway Redevelopment Phase 2 Project could generate construction noise and vibration levels that are perceptible at the same noise-sensitive receptors nearest the project site (i.e., the apartment building at 225 Clifton Street and the Merrill Gardens at Rockridge assisted living facility). As discussed above, with the implementation of the required SCAs, the impact of construction-generated noise and vibration from the project on nearby receptors would be reduced to a less-than-significant level. The Safeway Redevelopment Phase 2 Project would be subject to the same construction noise and vibration SCAs which also would reduce potential cumulative construction noise and vibration impacts to a less-than-significant level.

During operation, a project is considered to contribute to a significant cumulative impact if: (1) the cumulative increase results in a 5 dBA permanent increase in ambient noise levels in the vicinity of a project site; and (2) 3 dBA of the cumulative increase is attributable to the project. Under a cumulative scenario, which considers traffic generated by past, present, and probable

future projects, including the project, the assessment of AM and PM peak hour traffic volumes at five intersections in the vicinity of the project site indicates the most impacted locations (those with increase in ambient noise levels of over 5 dBA) would occur along the roadway segments as presented in Table V.I-13.

Although a significant cumulative noise increase is anticipated to occur along these roadway segments, the contribution from the project to the cumulative increase would be below the 3-dBA cumulative contribution significance threshold for all of the roadway segments as indicated in Table V.I-13. Consequently, the contribution of the project to the cumulative traffic noise increase is less than cumulatively considerable.

TABLE V.I-13 MODELED PEAK HOUR TRAFFIC NOISE LEVELS FOR THE MOST IMPACTED LOCATIONS UNDER CUMULATIVE SCENARIO, DBA LEQ AT 50 FEET

Roadway Segment	(A) Existing Ambient Noise	(B) Cumulative No Project Traffic Noise Levels (2040)[a]	(C) Cumulative Plus Project (2040)[a]	(C-A) Difference Between Cumulative Plus Project and Ambient[b]	(C-B) Biggest Difference Between Cumulative Plus Project and Cumulative No Project[c]
Broadway between College Avenue and Coronado Avenue (PM Peak Period)	58-67	64.6-68.6	65.1-68.8	1.8-7.1	0.2-0.5
Broadway between 51st Street/Pleasant Valley Avenue and Coronado Avenue (PM Peak Period)	58-67	64.6-68.6	65.1-68.8	1.8-7.1	0.2-0.5
Broadway between Clifton Street and College Avenue (PM Peak Period)	58-67	64.0-68.4	64.5-68.6	1.6-6.5	0.2-0.5
51st Street/Pleasant Valley Avenue east of Broadway (PM Peak Period)	58-67	64.5-68.6	64.5-68.6	1.6-6.5	0
Broadway between 51st Street/Pleasant Valley Avenue and Coronado Avenue (AM Peak Period)	58-67	64.3-68.5	64.9-68.7	1.7-6.9	0.2-0.6
Broadway between College Avenue and Coronado Avenue (AM Peak Period)	58-67	64.3-68.5	64.8-68.7	1.7-6.8	0.2-0.5
Broadway between Clifton Street and College Avenue (AM Peak Period)	58-67	63.8-68.3	64.5-68.6	1.6-6.5	0.3-0.7
Broadway between Broadway Terrace and Clifton Street (PM Peak Period)	58-67	63.9-68.3	64.0-68.4	1.4-6.0	0.1
Broadway between Broadway Terrace and Clifton Street (AM Peak Period)	58-67	63.8-68.3	64.0-68.4	1.4-6.0	0.1-0.2
51st Street/Pleasant Valley Avenue east of Broadway (AM Peak Period)	58-67	63.7-68.3	63.8-68.3	1.3-5.8	0-0.1
Broadway south of 51st Street/Pleasant Valley Avenue (AM Peak Period)	58-67	63.5-68.2	63.7-68.3	1.3-5.7	0.1-0.2
Broadway south of 51st Street/Pleasant Valley Avenue (PM Peak Period)	58-67	63.6-68.2	63.8-68.3	1.3-5.8	0.1-0.2
51st Street/Pleasant Valley Avenue west of Broadway (PM Peak Period)	58-67	63.4-68.2	63.7-68.3	1.3-5.7	0.1-0.3
Broadway north of Broadway Terrace (PM Peak Period)	58-67	63.1-68.1	63.2-68.1	1.1-5.2	0-0.1

TABLE V.I-13 MODELED PEAK HOUR TRAFFIC NOISE LEVELS FOR THE MOST IMPACTED LOCATIONS UNDER CUMULATIVE SCENARIO, DBA LEQ AT 50 FEET

Roadway Segment	(A) Existing Ambient Noise	(B) Cumulative No Project Traffic Noise Levels (2040)[a]	(C) Cumulative Plus Project (2040)[a]	(C-A) Difference Between Cumulative Plus Project and Ambient[b]	(C-B) Biggest Difference Between Cumulative Plus Project and Cumulative No Project[c]
51st Street/Pleasant Valley Avenue west of Broadway (AM Peak Period)	58-67	62.9-68.0	63.2-68.1	1.1-5.2	0.1-0.3
Broadway north of Broadway Terrace (AM Peak Period)	58-67	62.8-68.0	63.0-68.0	1.0-5.0	0-0.2

[a] Noise levels were determined using FHWA TNM Version 2.5 model. Traffic noise model outputs are included in Appendix E. Road center to receptor distance is approximately 50 feet for all roadway segments. The analysis considered the following vehicle distribution for AM Period: 94% automobile, 4% medium truck, and 2% heavy truck; and the following vehicle distribution for PM Period: 95% automobile, 4% medium truck, and 1% heavy truck. Traffic speeds for automobiles were set at 30 miles per hour.
[b] Considered significant if the incremental increase in noise is greater than 5 dBA.
[c] Considered a cumulatively considerable contribution to a significant noise increase if the incremental increase in noise is greater than 3.
Source: Traffic Study (Appendix C).

J. BIOLOGICAL RESOURCES

This section describes the biological resources setting for the project, including biological resources found at and in the vicinity of the project site, and discusses potential impacts to these resources that could result from implementation of the project, and provides, where appropriate, Standard Conditions of Approval (SCAs) and mitigation measures to address those impacts.

LSA completed a biological resources field survey and assessment (Biological Resources Assessment) and documented their findings in a letter dated June 12, 2019 (LSA letter). The LSA letter is included in Appendix F of this Draft EIR.

1. Setting

The following discussion provides background information on biological resources and summarizes the methodology used in the Biological Resources Assessment, describes habitat at the project site, the potential for special-status species, sensitive natural communities, and jurisdictional waters.

a. Methodology

LSA conducted a reconnaissance-level survey of the project site on May 22, 2019, to evaluate the potential occurrence of special-status species and sensitive habitats on the site. Prior to conducting the survey, LSA reviewed available background information/literature and searched the records of the California Natural Diversity Database (CNDDB), the Inventory of Rare and Endangered Plants, and the U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) online database for occurrences of special-status plant and wildlife species on or adjacent to the project site. LSA surveyed the project site by walking throughout the project site to search for biological resources such as special status plants, animals, and their habitats and sensitive habitats such as wetlands or drainages. The potential presence of special-status species was determined based on an evaluation of the habitat types present on the site and the CNDDB records and other occurrence information from the vicinity of the site. During the field survey, LSA also investigated the site for the presence of waters of the United States/waters of the State (including adjacent wetlands) that would be subject to regulation under Section 404 of the Clean Water Act and/or the California Porter-Cologne Water Quality Control Act (both of which are described further in *Section V.H, Hydrology and Water Quality)*.

b. Habitat

The project site is located in the Rockridge Neighborhood, a highly urban setting on Broadway, south of Clifton Street, north of Pleasant Valley Avenue and the Safeway Shopping Center, and east of the intersection of College Avenue and Broadway. The Rockridge Neighborhood is a

residential and commercial area within the North Oakland/North Hills planning areas. Existing uses in the vicinity primarily include a mix of single- and multi-family homes and commercial uses (including retail and restaurant).

The property is situated opposite to a variety of small-scale commercial establishments along Broadway and is surrounded by a shopping mall, apartment buildings, and a vacant lot (currently planned for Phase 2 of the Safeway Redevelopment Project) to the south. The project site currently supports the existing CCA campus, including buildings, parking lots, driveways, and landscaping. Soils on the project site are mapped as Xerorthents-Los Osos complex, 30 to 50 percent slopes, which is a well-drained soil type.

(1) Vegetative Habitat

Vegetation within the project site includes landscaping with planted native and ornamental/ non-native trees, shrubs, and forbs with patches of ruderal (weedy) grass and forb species. There are 119 trees both within the project site and 10 feet from the property line. A total of 109 trees were surveyed within the project site as part of a separate tree survey, of which 81 qualified as protected trees by the City of Oakland Tree Preservation and Removal Ordinance (Oakland Municipal Code [OMC] Chapter 12.36), which is further described below under the Regulatory Setting of this resource topic.[1,2]

Native species observed during the field survey include coast live oak (*Quercus agrifolia*), valley oak (*Q. lobata*), California bay (*Umbellularia californica*), California buckeye (*Aesculus californica*), and coast redwood (*Sequoia sempervirens*). Non-native trees, shrubs, and forbs observed include southern magnolia (*Magnolia grandiflora*), Canary Island palm (*Phoenix canariensis*), Mexican fan palm (*Washingtonia robusta*), Tasmanian blue gum (*Eucalyptus globulus*), red iron bark (*E. sideroxylon*), silver wattle (*Acacia dealbata*), blackwood acacia (*A. melanoxylon*), deodar cedar (*Cedrus deodara*), atlas cedar (*C. atlantica*), cedar of Lebanon (*C. libani*), incense cedar (*Calocedrus decurrens*), American sweetgum (*Liquidambar styraciflua*), Chinese elm (*Ulmus parvifolia*), London plane sycamore (*Platanus x hispanica*), yarwood (*Platanus x hispanica 'Yarwood'*), Lombardy poplar (*Populus nigra 'Italica'*), Japanese yew (*Taxus cuspidate*), bunya (*Araucaria bidwillii*), zelkova (*Zelkova serrata*), ponderosa pine (*Pinus ponderosa*), giant redwood (*Sequoiadendron giganteum*), holly oak (*Quercus ilex*), red oak (*Q. rubra*), Washington thorn (*Crataegus phaenopyrum*), western juniper (*Juniperus occidentalis*), Grecian bay (*Laurus nobles*), tulip tree (*Liriodendron tulipifera*), tarata (*Pittosporum eugenioides*), Victorian box *(P. undulatum*), olive (*Olea europaea*), loquat (*Eriobotrya japonica*), cherry (*Prunus serrulata*), Catalina cherry (*P. ilicifolia ssp. lyonii*), fig (*Ficus*

[1] Emerald Fund, 2022. California College of the Arts, Oakland, CA, Preliminary Development Application, April 22.

[2] SBCA Tree Consulting, 2018. California College of the Arts, Oakland, Tree Survey, January 25.

sp.), agave (*Agave* sp.), agapanthus (*Agapanthus* sp.), bamboo (*Phyllostachys* sp.), jade plant (*Crassula ovata*), cotoneaster (*Cotoneaster* sp.), French broom (*Genista monspessulana*), pink jasmine (*Jasminum polyanthum*), English ivy (*Hedera helix*), nasturtium (*Nasturtium officinale*), and turf grass.

(2) Wildlife Habitat

The project site provides suitable nesting habitat for several bird species. Birds, such as California towhee (*Melozone crissalis*) and house finch (*Haemorhous mexicanus*), could nest on the buildings and in the trees and shrubs on and adjacent to the site. Fox squirrel (*Sciurus niger*) nests were observed in some of the on-site trees, but nests of this non-native squirrel are not protected under the California Environmental Quality Act (CEQA).

Wildlife species or wildlife sign observed within or adjacent to the project site during the field survey consisted of American crow (*Corvus brachyrhynchos*), chestnut-backed chickadee (*Poecile rufescens*), bushtit (*Psaltriparus minimus*), oak titmouse (*Baeolophus inornatus*), Bewick's wren (*Thryomanes bewickii*), Anna's hummingbird (*Calypte anna*), cedar waxwing (*Bombycilla cedrorum*), dark-eyed junco (*Junco hyemalis*), California towhee, house finch, and fox squirrel.

c. Special-Status Species

Special-status species are defined as follows:

- Species that are listed, formally proposed, or designated as candidates for listing as threatened or endangered under the federal Endangered Species Act (FESA);
- Species that are listed, or designated as candidates for listing, as rare, threatened, or endangered under the California Endangered Species Act (CESA);
- Plant species that are on the California Rare Plant Rank Lists 1A, 1B, and 2;
- Animal species that are designated as Species of Special Concern or Fully Protected by the California Department of Fish and Wildlife (CDFW); or
- Species that meet the definition of rare, threatened, or endangered under Section 15380 of the CEQA Guidelines.

(1) Special-Status Plant Species

Several CNDDB occurrences of special-status plant species have been recorded within 2 miles of the project site, but the project site does not support suitable habitat for special-status plants due to prior disturbance and development at the site and the resulting lack of suitable natural habitat.

(2) Special-Status Animal Species

Special-status animal species that are known to occur in the vicinity of the site and for which suitable habitat may be present include the white-tailed kite (*Elanus leucurus*), which could nest in the trees and large shrubs within or adjacent to the project site, and the pallid bat (*Antrozous pallidus*), which could roost in the large trees or buildings on or adjacent to the project site. No trees with stick nests or large hollows or evidence of roosting bats were observed during the field survey. Special-status animal species evaluated at the project site are shown in the Table V.J-1 below.

d. Sensitive Natural Communities

(1) Riparian or Other Sensitive Habitat

No riparian habitat or other sensitive natural communities occur at the project site.

(2) Wildlife Nursery Sites

The project site does not support suitable habitat for wildlife nursery sites, including bird rookeries or roosting bat colonies. No evidence of roosting bats (i.e., guano, urine stains, droppings, and odor) or bird rookeries were detected during LSA's field survey.

(3) Wildlife Movement Corridors

The existing project site includes buildings, paved surfaces, and landscaping. Existing wildlife that currently move through the existing campus are urban-adapted species. Typical urban wildlife that may move through the site include various native and non-native birds, raccoon (*Procyon lotor*), Virginia opossum (*Didelphis virginiana*), and striped skunk (*Mephitis mephitis*).

(4) Habitat Conservation Plan or Natural Community Conservation Plan

The project site is not located within the limits of a habitat or natural community conservation plan.

e. Jurisdictional Waters

No wetlands or waters of the United States/State that are potentially jurisdictional under Section 404 of the Clean Water Act or the Porter-Cologne Act occur at the project site.

TABLE V.J-1 SPECIAL-STATUS SPECIES EVALUATED FOR THE PROJECT SITE

Species	Status (Federal/ State)	Habitat	Potential for Occurrence
Reptiles			
Alameda whipsnake (*Masticophis lateralis auryxanthus*)	FT/ST	Chaparral and sage scrub with rock outcrops and an abundance of prey species such as western fence lizard (*Sceloporus occidentails*)	No suitable habitat present.
Birds			
White-tailed kite (*Elanus leucurus*)	–/CFP	Nests in shrubs and trees in open areas and forages in adjacent grasslands and agricultural land.	Suitable nesting habitat present in the trees on and adjacent to the site, but limited foraging habitat present in the grasslands. No CNDDB occurrences within 5 miles of the project site.
American peregrine falcon (*Falco peregrinus anatum*)	Delisted/ CFP	Forages in open country, mountains, and sea coasts. Nests on high cliffs, bridges, and buildings.	No suitable habitat present.
Mammals			
Townsend's western big-eared bat (*Corynorhinus townsendii*)	–/SSC	Found in wooded areas with caves or old buildings for roost sites.	No suitable roosting or hibernating habitat present. No tree hollows or bat roosts observed on the buildings or in the trees during LSA's reconnaissance-level survey. Closest CNDDB occurrence is a possibly extirpated record from 1938 from specimens collected at Strawberry Canyon near UC Berkeley.
Pallid bat (*Antrozous pallidus*)	–/SSC	Occupies a wide variety of habitats at low elevations. Most commonly found in open, dry habitats with rock areas for roosting.	Suitable or hibernating habitat may be present within trees on or adjacent to the project site. No tree hollows or bat roosts observed on the buildings or in the trees during LSA's reconnaissance-level survey. Closest CNDDB occurrence is from specimens collected in 1919 at an unknown location in Berkeley.

Notes: Nearest records are based on CNDDB occurrences unless otherwise noted.
Status Codes:
FT = Federally Listed as a threatened species
ST = State-listed as a threatened species
CFP = State-listed as a fully protected species
SSC = State Species of Special Concern
– = No states
Source: LSA, 2019.

2. Regulatory Setting

An overview of federal, State, and local regulations related to biological resources is provided below.

a. Federal

(1) Federal Endangered Species Act

The USFWS and National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service are responsible for implementation of the FESA. The act protects fish and wildlife species that are listed as threatened or endangered, as well as their habitats. "Endangered" species, subspecies, or distinct population segments are those that are in danger of extinction through all or a significant portion of their range, and "threatened" species, subspecies, or distinct population segments are likely to become endangered in the near future.

Section 9 of the FESA prohibits the "take" of any fish or wildlife species listed as endangered, including the destruction of habitat that prevents the species' recovery. "Take" is defined as an action or attempt to hunt, harm, harass, pursue, shoot, wound, capture, kill, trap, or collect a species. Section 9 prohibitions also apply to threatened species unless a special rule has been defined with regard to take at the time of listing. Under Section 9 of the FESA, the take prohibition applies only to wildlife and fish species.

The USFWS also designates critical habitat for threatened and endangered species listed under the FESA. Critical habitats are areas occupied by the species, located within a specific geographic region determined to be critical for survival, and protected from adverse modification. No critical habitats were identified for federally threatened or endangered species in the project site or vicinity.[3]

(2) Migratory Bird Treaty Act

The USFWS is also responsible for implementing the Migratory Bird Treaty Act (MBTA). The MBTA implements a series of treaties between the United States, Mexico, and Canada that provide for the international protection of migratory birds. Wording in the MBTA makes it clear that most actions that result in taking or possession (permanent or temporary) of a protected species can be a violation of the MBTA. On December 27, 2017, the Department of the Interior issued an opinion that the MBTA only applies to the intentional and not the inadvertent take of

[3] U.S. Fish and Wildlife Services (USFWS), 2018. Threatened & Endagered Species Active Critical Habitat Report. Available at: https://ecos.fws.gov/ecp/report/table/critical-habitat.html, accessed December 5, 2023.

species protected under the Act. The word "take" is defined as to "pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect."

(3) Clean Water Act

The U.S. Army Corps of Engineers (USACE) regulates discharge of dredged or fill material into waters of the United States under Section 404 of the Clean Water Act. "Discharge of fill material" is defined as the addition of fill material into waters of the U.S., including, but not limited to the following: placement of fill that is necessary for the construction of any structure, or impoundment requiring rock, sand, dirt, or other material for its construction; site-development fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; fill for intake and outfall pipes and subaqueous utility lines requires any applicant for a federal license or permit to conduct any activity that may result in a discharge of a pollutant into waters of the United States to obtain a certification that the discharge will comply with the applicable effluent limitations and water quality standards.

Waters of the U.S. include a range of wet environments such as lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, and wet meadows. Wetlands are defined as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" [33 C.F.R. Section 328.3(b)].

Furthermore, jurisdictional "Waters of the U.S." can be identified where they exhibit a defined bed and bank and ordinary high water mark. The ordinary high water mark is defined by the USACE as "that line on shore established by the fluctuations of water and indicated by physical character of the soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas" [33 C.F.R. Section 328.3(e)].

b. State Regulations

(1) California Endangered Species Act

The CESA (Fish and Game Code (FGC) Section 2050 et seq.) was enacted in 1984 and establishes State policy to conserve, protect, restore, and enhance threatened or endangered species and their habitats. The CESA mandates that State agencies should not approve projects that jeopardize the continued existence of threatened or endangered species if reasonable and prudent alternatives are available that would avoid jeopardy. For projects that would affect a species that is on the federal and State lists, compliance with the FESA satisfies the CESA if the CDFW determines that the federal incidental take authorization is consistent with the CESA

under FGC Code Section 2080.1. For projects that would result in take of a species that is only State listed, the project proponent must apply for a take permit under Section 2081(b).

(2) California Native Plant Protection Act

The California Native Plant Protection Act (CNPPA) of 1977 prohibits importation of rare and endangered plants into California, "take" of rare and endangered plants, and sale of rare and endangered plants. The CESA defers to the CNPPA, which ensures that State-listed plant species are protected when State agencies are involved in projects subject to CEQA. In this case, plants listed as rare under the CNPPA are not protected under the CESA but rather under CEQA.

The California Native Plant Society (CNPS) is a non-governmental conservation organization dedicated to the preservation of native flora in California. The CNPS has been involved in assembling, evaluating, and distributing information on special-status plant species in the State, as listed in the Inventory of Rare and Endangered Plants of California (2001 and electronic inventory update). CNPS has updated their rating system for the rarity of special-status plants, and now include both a California Rare Plant Rank and a Threat Rank. CEQA requires government agencies to consider environmental impacts of discretionary projects and to avoid or mitigate them where possible. Under Section 15380, CEQA provides protection for both State-listed species and for any other species which can be shown to meet the criteria for State listing. The CDFW recognizes that special-status plants with a California Rare Plant Rank of 1A (Presumed extinct in California), 1B (Rare, threatened, or endangered in California and elsewhere), and 2 (Rare and endangered in California, but are more common elsewhere) in the CNPS Inventory consist of plants that, in a majority of cases, would qualify for listing and these species should be addressed under CEQA review. In addition, the CDFW recommends, and local governments may require, protection of species which are regionally significant, such as locally rare species, disjunct populations, essential nesting and roosting habitat for more common wildlife species, or plants with a CNPS California Rare Plant Rank of 3 (Plant species for which additional data is needed—a review list) and 4 (Plant species of limited distribution – a watch list).

(3) California Fish and Game Code

Under the State FGC, the CDFW provides protection from "take" for a variety of species. The CDFW also protects streams, water bodies, and riparian corridors through the Streambed Alteration Agreement process under Section 1601 to 1606 of the FGC. The FGC stipulates that it is "unlawful to substantially divert or obstruct the natural flow or substantially change the bed, channel or bank of any river, stream or lake" without notifying the Department, incorporating necessary mitigation, and obtaining a Streambed Alteration Agreement. CDFW's jurisdiction extends to the top of banks and often includes the outer edge of riparian vegetation canopy cover.

Plant and wildlife species receive additional consideration during the CEQA process. Species that may be considered for review are included on a list of California "Species of Special Concern" or SSC species developed by the CDFW. These species are broadly defined as animals that are of concern to the CDFW because of population declines and restricted distribution, and/or because they are associated with habitats that are declining in California. These species are sometimes inventoried in the CNDDB, focusing on nesting, roosting, and congregation sites for non-listed species. In addition, wildlife species designated as "Fully Protected" or "Protected" may not be taken or possessed without a permit from the Fish and Game Commission and/or the CDFW.

FGC Section 3503.5 prohibits "take," possession, or destruction of any raptor (e.g., bird of prey species in the orders Falconiformes and Strigiformes), including their nests or eggs. Violations of this law may include destruction of active raptor nests as a result of tree removal and disturbance to nesting pairs by nearby human activity that causes nest abandonment and reproductive failure.

Several provisions in the FGC provide for the protection of birds and bird nests in active use. Unless the FGC or its implementing regulations provide otherwise, under California law it is unlawful to:

- Take a bird, mammal, fish, reptile, or amphibian (FGC Section 2000).
- Take, possess, or needlessly destroy the nest or eggs of any bird (FGC Section 3503).
- Take, possess, or destroy any bird of prey in the orders Strigiformes (owls) and Falconiformes (such as falcons, hawks and eagles) or the nests or eggs of such bird (FGC Section 3503.5).
- Take or possess any of the 13 fully protected bird species listed in FGC Section 3511.
- Take any non-game bird (i.e., bird that is naturally occurring in California that is not a gamebird, migratory game bird, or fully protected bird) (FGC Section 3800).
- Take or possess any migratory non-game bird as designated in the MBTA or any part of such bird, except as provided by rules or regulations adopted by the Department of the Interior I under the MBTA (FGC Section 3513).
- Take, import, export, possess, purchase, or sell any bird (or products of a bird), listed as an endangered or threatened species under the CESA unless the person or entity possesses an Incidental Take Permit or equivalent authorization from CDFW (FGC Section 2050 et seq.).

(4) State Regulated Waters

In addition to waters regulated by the CDFW under the Streambed Alteration Agreement process, the Regional Water Quality Control Board (RWQCB) is responsible for implementing Section 401 of the Clean Water Act and for upholding state water quality standards. Pursuant to Section 401 of the Act, projects that apply for a Corps permit for discharge of dredge or fill

material, and projects that qualify for a Nationwide Permit must obtain water quality certification. The RWQCB has taken an increasing role over regulating wetlands that are hydrologically isolated following the U.S. Supreme Court decision in 2001 regarding the case Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, which limits the jurisdictional authority of the Corps under Section 404. These hydrologically isolated features are now often regulated by the RWQCB under authority of Section 401 of the Clean Water Act and the Porter-Cologne Water Quality Control Act.

c. Local Regulations

(1) City of Oakland General Plan

The Open Space, Conservation, and Recreation (OSCAR) Element of the City of Oakland General Plan was adopted in 1996. Relevant OSCAR policies pertaining to natural resources with the project include the following:

Open Space

Policy OS-1.2: Open Space Protection Priorities for Private Land. Conserve privately-owned areas with important natural resource values through a combination of land acquisition and development controls. Use the following criteria when developing priorities for acquisition or protection:

- Steep hillside parcels over 10 acres in size;
- Parcels with significant biological resources, including endangered species habitat and native plant communities;
- Parcels which can potentially link together or expand existing open space areas;
- Visually prominent properties, including ridgelines and other areas with high scenic value; and
- Properties where the use of eminent domain is not required.

Policy OS-1.3: Development of Hillside Sites. On large sites with subdivision potential, generally conserve ridges, knolls and other visually prominent features as open space. Maintain development regulations which consider environmental and open space factors such as land stability, plant, and animal resources, earthquake and fire hazards, and visual impacts, in the determination of allowable density. Where hillside development does occur, encourage creative architecture and site planning which minimizes grading and protects the natural character of the hills.

Policy OS-9.1: Protection of Natural Landforms. Design new development to preserve natural topography and terrain. Enhance prominent topographic features where appropriate by parks, plazas, or architectural expressions.

Conservation

Policy CO-1.1: Soil Loss in New Development. Regulate development in a manner which protects soil from degradation and misuse or other activities which significantly reduce its ability to support plant and animal life. Design all construction to ensure that soil is well secured so that unnecessary erosion, siltation of streams, and sedimentation of water bodies does not occur.

Policy CO-4.2: Drought-Tolerant Landscaping. Require use of drought-tolerant plants to the greatest extent possible and encourage the use of irrigation systems which minimize water consumption.

Policy CO-6.1: Creek Management. Protect Oakland's remaining natural creek segments by retaining creek vegetation, maintaining creek setbacks, and controlling bank erosion. Design future flood control projects to preserve the natural character of creeks and incorporate provisions for public access, including trails, where feasible. Strongly discourage projects which bury creeks or divert them into concrete channels.

Policy CO-7.1: Protection of Native Plant Communities. Protect native plant communities, especially oak woodlands, redwood forests, native perennial grasslands, and riparian woodlands, from the potential adverse impacts of development. Manage development in a way which prevents or mitigates adverse impacts to these communities.

Policy CO-7.2: Native Plant Restoration. Encourage efforts to restore native plant communities in areas where they have been compromised by development or invasive species, provided that such efforts do not increase an area's susceptibility to wildfire.

Policy CO-7.3: Forested Character. Make every effort to maintain the wooded or forested character of tree-covered lots when development occurs on such lots.

Policy CO-7.4: Tree Removal. Discourage the removal of large trees on already developed sites unless removal is required for biological, public safety, or public works reasons.

Policy CO-7.5: Non-Native Plant Removal. Do not remove non-native plants within park and open space areas solely because they are non-natives. Plant removal should be related to other valid management policies, including fire prevention.

Policy CO-7.6: Rehabilitation of Damaged or Dead Vegetation. Encourage programs which rehabilitate, enhance, or replace damaged or dead vegetation as appropriate.

Policy CO-8.1: Mitigation of Development Impacts. Work with federal, state, and regional agencies on an ongoing basis to determine mitigation measures for development which could potentially impact wetlands. Strongly discourage development with unmitigable adverse impacts.

Policy CO-9.1: Habitat Protection. Protect rare, endangered, and threatened species by conserving and enhancing their habitat and requiring mitigation of potential adverse impacts when development occurs within habitat areas.

Policy CO-11.1: Protection from Urbanization. Protect wildlife from the hazards of urbanization, including loss of habitat and predation by domestic animals.

Policy CO-11.2: Migratory Corridors. Protect and enhance migratory corridors for wildlife. Where such corridors are privately owned, require new development to retain native habitat or take other measures which help sustain local wildlife population and migratory patterns.

The Land Use and Transportation Element (LUTE) of the City of Oakland General Plan was adopted in 1998. The LUTE policy pertaining to natural resources and the project include the following:

Policy W3.3: Protecting and Preserving Wetland Plant and Animal Habitats. Native plant communities, wildlife habitats, and sensitive habitats should be protected and enhanced.

(2) City of Oakland Municipal Code

City of Oakland Tree Ordinance

City of Oakland Tree Preservation and Removal Ordinance (OMC Chapter 12.36) permits removal of protected trees under certain circumstances. To grant a tree removal permit, the City must determine that removal is necessary in order to accomplish one of the following objectives:

- to ensure public health and safety;
- to avoid an unconstitutional taking of property;
- to take reasonable advantage of views;
- to pursue acceptable professional practice of forestry or landscape design; or
- to implement the vegetation management prescriptions in the S-11 site development review zone.

Protected trees include *Quercus agrifolia* (California or coast live oak) measuring four inches diameter at breast height (dbh) or larger, and any other tree measuring 9 inches dbh or larger except *Eucalyptus* spp. and *Pinus radiata* (Monterey pine); provided, however, Monterey pine trees on City property and in development-related situations where more than five Monterey pine trees per acre are proposed to be removed are considered to be protected trees. Impacted protected trees would likely require a tree removal permit from the City, payment of a permit fee, and/or planting of replacement trees at a minimum 1:1 ratio.

City of Oakland Creek Ordinance

Title 13, Chapter 13.16, City of Oakland Creek Protection, Storm Water Management, and Discharge Control Ordinance, provides a high level of protection for creeks within Oakland's city

limits. The ordinance defines a creek as "…a watercourse that is a naturally occurring swale or depression, or engineered channel that carries fresh or estuarine water either seasonally or year around."

In addition, under the ordinance definition, a creek channel must be hydrologically connected to a waterway above or below a site location, and the channel must exhibit a defined bed and bank. A creek protection permit is required whenever work is to be undertaken on a creekside property. The ordinance prohibits, among other things, the discharge of concentrated stormwater or other modification of the natural flow of water in a watercourse, development within a watercourse or within 20 feet from the top of the bank, and the deposition or removal of any material within a watercourse without a permit. Depending on the type of activity being permitted, conditions of approval may include the submittal of a creek protection plan and/or a hydrology report, revegetation with native plant species, the use of soil bioengineering techniques for bank stabilization and erosion control, and implementation of stormwater quality protection measures.

The following activities, among others, are typically not permitted:
- Removal of riparian vegetation;
- Culverting or undergrounding of a creek;
- Moving the location of a creek;
- Structures spanning a creek; and/or
- Riprap, rock gabions, or concrete within the bed or on the creek banks.

(3) City of Oakland Standard Conditions of Approval

The City's SCAs that are relevant to biological resources are listed below. The SCAs are adopted as requirements for all projects approved within the City of Oakland.

SCA-BIO-1: Bird Collision Reduction Measures (#28)
Requirement: The project applicant shall submit a Bird Collision Reduction Plan for City review and approval to reduce potential bird collisions to the maximum feasible extent. The Plan shall include all of the following mandatory measures, as well as applicable and specific project Best Management Practice (BMP) strategies to reduce bird strike impacts to the maximum feasible extent. The project applicant shall implement the approved Plan. Mandatory measures include all of the following:

i. For large buildings subject to federal aviation safety regulations, install minimum-intensity white strobe lighting with three-second flash instead of solid red or rotating lights.
ii. Minimize the number of and co-locate rooftop-antennas and other rooftop structures.
iii. Monopole structures or antennas shall not include guy wires.
iv. Avoid the use of mirrors in landscape design.
v. Avoid placement of bird-friendly attractants (i.e., landscaped areas, vegetated roofs, water features) near glass unless shielded by architectural features taller than the attractant that incorporate bird

friendly treatments no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule), as explained below.

vi. Apply bird-friendly glazing treatments to no less than 90 percent of all windows and glass between the ground and 60 feet above ground or to the height of existing adjacent landscape or the height of the proposed landscape. Examples of bird-friendly glazing treatments include the following:
   - Use opaque glass in window panes instead of reflective glass.
   - Uniformly cover the interior or exterior of clear glass surface with patterns (e.g., dots, stripes, decals, images, abstract patterns). Patterns can be etched, fritted, or on films and shall have a density of no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule).
   - Install paned glass with fenestration patterns with vertical and horizontal mullions no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule).
   - Install external screens over non-reflective glass (as close to the glass as possible) for birds to perceive windows as solid objects.
   - Install UV-pattern reflective glass, laminated glass with a patterned UV-reflective coating, or UV-absorbing and UV-reflecting film on the glass since most birds can see ultraviolet light, which is invisible to humans.
   - Install decorative grilles, screens, netting, or louvers, with openings no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule).
   - Install awnings, overhangs, sunshades, or light shelves directly adjacent to clear glass which is recessed on all sides.
   - Install opaque window film or window film with a pattern/design which also adheres to the "two-by-four" rule for coverage.

vii. Reduce light pollution. Examples include the following:
   - Extinguish night-time architectural illumination treatments during bird migration season (February 15 to May 15 and August 15 to November 30).
   - Install time switch control devices or occupancy sensors on non-emergency interior lights that can be programmed to turn off during non-work hours and between 11:00 p.m. and sunrise.
   - Reduce perimeter lighting whenever possible.
   - Install full cut-off, shielded, or directional lighting to minimize light spillage, glare, or light trespass.
   - Do not use beams of lights during the spring (February 15 to May 15) or fall (August 15 to November 30) migration.

viii. Develop and implement a building operation and management manual that promotes bird safety. Example measures in the manual include the following:
   - Donation of discovered dead bird specimens to an authorized bird conservation organization or museums (e.g., UC Berkeley Museum of Vertebrate Zoology) to aid in species identification and to benefit scientific study, as per all federal, State and local laws.
   - Distribution of educational materials on bird-safe practices for the building occupants. Contact Golden Gate Audubon Society or American Bird Conservancy for materials.
   - Asking employees to turn off task lighting at their work stations and draw office blinds, shades, curtains, or other window coverings at end of work day.
   - Install interior blinds, shades, or other window coverings in windows above the ground floor visible from the exterior as part of the construction contract, lease agreement, or CC&Rs.

- Schedule nightly maintenance during the day or to conclude before 11:00 p.m., if possible.

When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

SCA-BIO-2: Tree Removal during Bird Breeding Season (#32)
Requirement: To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 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.
When Required: Prior to removal of trees
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

SCA-BIO-3: Tree Permit (#33)
a. Tree Permit Required
Requirement: Pursuant to the City's Tree Protection Ordinance (OMC Chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.
When Required: Prior to approval of construction-related permit
Initial Approval: Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building
Monitoring/Inspection: Bureau of Building

b. Tree Protection during Construction
Requirement: Adequate protection shall be provided during the construction period for any trees that are to remain standing, including the following, plus any recommendations of an arborist:

i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.
ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water

and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.

iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.

iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.

v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.

vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.

When Required: During construction
Initial Approval: Public Works Department, Tree Division
Monitoring/Inspection: Bureau of Building

c. Tree Replacement Plantings

Requirement: Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria:

i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.

ii. Replacement tree species shall consist of *Sequoia sempervirens* (Coast Redwood), *Quercus agrifolia* (Coast Live Oak), *Arbutus menziesii* (Madrone), *Aesculus californica* (California Buckeye), *Umbellularia californica* (California Bay Laurel), or other tree species acceptable to the Tree Division.

iii. Replacement trees shall be at least 24-inch box size, unless a smaller size is recommended by the arborist, except that three 15-gallon size trees may be substituted for each 24-inch box size tree where appropriate.

iv. Minimum planting areas must be available on-site as follows:
   - For *Sequoia sempervirens*, 315 square feet per tree;

- For other species listed, 700 square feet per tree.

v. In the event that replacement trees are required but cannot be planted due to site constraints, an in-lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.

vi. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within 1 year of planting shall be replanted at the project applicant's expense.

When Required: Prior to building permit final
Initial Approval: Public Works Department, Tree Division
Monitoring/Inspection: Bureau of Building

3. Impacts, Standard Conditions of Approval, and Mitigation Measures

This section describes environmental impacts related to biological resources that could result from implementation of the project. The section begins with the criteria of significance, which establish the thresholds for determining whether an impact is significant. The latter part of this section presents the impacts associated with the project and identifies SCAs and/or mitigation measures to address these impacts as needed.

a. Significance Criteria

Implementation of the project would result in a significant impact to biological resources if it would:

1. 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 by the California Department of Fish and Wildlife or United States Fish and Wildlife Service.
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife, or United States Fish and Wildlife Service.
3. Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
4. 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.
5. Fundamentally conflict with any applicable habitat conservation plan or natural community conservation plan.

6. Fundamentally conflict with the City of Oakland Tree Protection Ordinance (OMC Chapter 12.36) by removal of protected trees under certain circumstances;[4] or
7. Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect biological resources.[5]

b. Less-than-Significant Biological Resources Impacts

(1) Riparian Habitat or other Sensitive Natural Community (Criterion 2)

No riparian habitat or other sensitive natural community types were observed during LSA's field survey or have been identified by the CNDDB within, or immediately adjacent to, the project site. Therefore, the project would have no impacts related to riparian habitat or other sensitive natural communities and no mitigation measures are required.

(2) Regulated Waters (Criterion 3)

No wetlands or waters of the U.S./State that are potentially jurisdictional under Section 404 of the Clean Water Act or Porter-Cologne Act occur at the project site. Therefore, the project would have no impacts related to regulated waters and no mitigation measures are required.

(3) Movement of Fish and Wildlife Species (Criterion 4)

Urban wildlife that may move through the site include various native and non-native birds, racoon, Virginia opossum, striped skunk, and other urban-adapted wildlife. Under the project, the project site would continue to consist of buildings, paved surfaces, and landscaping. Due to the circumstances of the project site would be similar before and after redevelopment, and urban wildlife would be able to continue to move through the site. Therefore, the project would have a less-than-significant impact related to movement of wildlife species and no mitigation measures are required.

[4] Factors to be considered in determining significance include the number, type, size, location, and condition of (a) the protected trees to be removed and/or impacted by construction and (b) protected trees to remain, with special consideration given to native trees. Protected trees include Quercus agrifolia (California or coast live oak) measuring 4 inches dbh or larger, and any other tree measuring 9 inches dbh or larger except eucalyptus and Pinus radiata (Monterey pine); provided, however, that Monterey pine trees on City property and in development-related situations where more than five Monterey pine trees per acre are proposed to be removed are considered to be protected trees

[5] Although there are no specific, numeric/quantitative criteria to assess impacts, factors to be considered in determining significance include whether there is substantial degradation of riparian and/or aquatic habitat through (a) discharging a substantial amount of pollutants into a creek, (b) significantly modifying the natural flow of the water, (c) depositing substantial amounts of new material into a creek or causing substantial bank erosion or instability, or (d) adversely impacting the riparian corridor by significantly altering vegetation or wildlife habitat.

(4) Habitat Conservation Plan or Natural Community Conservation Plan (Criterion 5)

The project site is not located within the limits of a conservation plan, and therefore would not conflict with any adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan. Therefore, the project would have no impact related to habitat conservation plans or natural community conservation plans and no mitigation measures are required.

(5) City of Oakland Tree Protection Ordinance (Criterion 6)

As previously mentioned, the project site currently contains 109 surveyed trees and 81 are considered protected by the City of Oakland Tree Protection Ordinance standards. In 2018, prior to publication of the Notice of Preparation for this Draft EIR, a tree survey was conducted to determine the health and status of the trees at the project site. During this survey, it was determined that the two Giant Sequoia (*Sequoiadendron giganteum*) trees were in significant decline and in poor health.[6] As a result, after the Notice of Preparation, the current landowner obtained the necessary City of Oakland Tree Removal Permits to remove these two trees. In addition, several other dead trees have been removed under separate permits since release of the Notice of Preparation (14 total). After removal of these two trees, the project site now contains 99 trees.

Under the project, 38 trees would be preserved; 15 on-site and 23 within 10 feet of the property line within the public right-of-way on Broadway and on adjacent properties to the south and east, including 10 redwoods, 1 magnolia, 1 bunya bunya, 1 deodar cedar, 1 canary island palm and 1 coast live oak tree located in the existing sculpture garden area. Construction of the project would entail removal of the remaining 75 trees on-site subject to Tree Protection Ordinance Criteria. As a result, the Project Sponsor would be required to implement SCA-BIO-3: Tree Permit (#33), which requires the Project Sponsor to obtain and abide by the conditions of a Tree Permit pursuant to the City's Tree Protection Ordinance; provide adequate protection during the construction period for any trees which are to remain standing, plus any recommendations of an arborist; replacement plantings (often 1:1 replacements) or in-lieu fees for tree removals. Compliance with this SCA would ensure that the impact to protected trees is reduced to the maximum extent feasible.

Additionally, Mitigation Measure HIST-1c in *Chapter V.B, Cultural Resources* requires the applicant to prepare a Landscape Survey (HALS)-Type Documentation of Treadwell Estate landscape

[6] SBCA Tree Consulting, 2018. California College of the Arts, Oakland, Tree Survey, January 25.

features—Eucalyptus Row, Carnegie Bricks, and Sequoia trees that will include written and photographic documentation of the Treadwell Estate landscape features.

Therefore, with implementation of SCA-BIO-3: Tree Permit (#33) and Mitigation Measure HIST-1c, impacts related to the City's Tree Protection Ordinance would be less than significant.

(6) City of Oakland Creek Protection Ordinance (Criterion 7)

The project site does not contain any creeks or other aquatic features that would be subject to the City's Creek Protection Ordinance. Therefore, the project would have no impact related to the Oakland Creek Protection Ordinance and no mitigation measures are required.

c. Significant Biological Resources Impacts

(1) Sensitive or Special Status Species (Criterion 1)

Plant Species

As described above, several CNDDB occurrences of special-status plant species have been recorded within 2 miles of the project site but based on field reconnaissance conducted at the project site, it does not support suitable habitat for special-status plants due to prior disturbance and development.

Animal Species

As described above, several special-status animal species are known to occur in the vicinity of the project site. However, only two of these special-status species have moderate potential to occur at the project site due to the presence of suitable habitat. These species include the white-tailed kite, which could nest in the trees and large shrubs within or adjacent to the project site, and the pallid bat, which could roost in the large trees or buildings on or adjacent to the project site.

Impact BIO-1: Redevelopment at the project site could disturb nesting bird habitat. (S)

Nesting birds could nest in the trees and large shrubs within or adjacent to the project site. Construction activities, including tree removal, building demolition, and building construction have the potential to cause disturbance to nesting bird habitat, including suitable white-tailed kite nesting habitat (e.g., trees and large shrubs). Tree removal anticipated under the project would be required to comply with the City's SCAs, including SCA-BIO-2: Tree Removal During Bird Breeding Season (#32), which would ensure that appropriate protection of nesting habitat is provided when in active use during the bird nesting season (February 1 through August 15) and reduce impacts to suitable white-tailed kite nesting habitat. However, if construction activities

are scheduled during the nesting season, impacts could lead to a potentially significant impact. As a result, the Project Sponsor would be required to implement Mitigation Measure BIO-1.

> Mitigation Measure BIO-1: Identify and Avoid Active Nesting Birds during Nesting Season. If construction activities are scheduled to occur during the bird nesting season (February 1 through August 15), a qualified biologist shall be hired to conduct a pre-construction survey of all suitable nesting habitat (i.e., fields, trees, shrubs, buildings, etc.) within 200 feet of the project site (where accessible). Where direct access is not prohibited, a qualified biologist will scan for nests using binoculars or other surveying method determined by the biologist. The pre-construction survey shall be conducted no more than 14 days prior to the start of project-related work. If the survey indicates the presence of nesting birds, protective no-disturbance buffer zones shall be established around the nests as follows: for raptor nests, the size of the no-disturbance buffer zone shall be a 200-foot radius centered on the nest; for other birds, the size of the buffer zone shall be a 50- to 100-foot radius centered on the nest. In some cases, and as determined by the project biologist in consultation with the CDFW, these buffers may be increased or decreased depending on the bird species and the level of disturbance that will occur. (LTS)

Impact BIO-2: Redevelopment at the project site could disturb pallid bat habitat. (S)

Bats could roost in large trees or buildings on or adjacent to the project site. Construction activities including tree removal, building demolition, and building construction have the potential to cause disturbances to suitable roosting bat habitat, including pallid bat. As such, the project could lead to a potentially significant impact from construction-related activities. As a result, the Project Sponsor would be required to implement Mitigation Measure BIO-2.

> Mitigation Measure BIO-2: Pre-Construction Survey and Avoidance Measure for Pallid Bat: A qualified biologist shall be hired to conduct a pre-construction survey of all suitable bat roosting habitat (e.g., large trees, buildings, and structures) within the project site. The pre-construction survey shall be conducted no more than 14 days prior to the start of project-related work. If active bat roosts are discovered or if the evidence of recent prior occupation is established, a 200-foot protective no disturbance buffer shall be established by the project biologist around the roost site until the roost site is no longer active. If an active roost needs to be removed as a part of the project, the project biologist would be required to consult with the CDFW to determine appropriate methods for the removal of the roost, for which the Project Sponsor would be required to comply. (LTS)

Because the existing project site is substantially vegetated and would be located next to over an acre of open space and the topography of the site with buildings at the higher elevations, special-status and other bird species have a reasonable likelihood of colliding with buildings as they fly near the project. As such, the project would be required to implement SCA-BIO-1: Bird Collision

Reduction Measures (#28), which calls for minimizing the number of antennas and other rooftop structures, avoiding the use of mirrors in landscape design or bird-friendly attractants, applying bird-friendly glazing treatments on windows, reducing light pollution, and implementing operation and management activities that promotes bird safety.

Therefore, with implementation of SCA-BIO-1: Bird Collision Reduction Measures (#28), SCA-BIO-2: Tree Removal During Bird Breeding Season (#32), Mitigation Measure BIO-1: Identify and Avoid Active Nesting Birds during Nesting Season, and Mitigation Measure BIO-2: Pre-Construction Survey and Avoidance Measure for Pallid Bat, potential impacts related to sensitive or special-status species would be reduced to a less-than-significant level.

d. Cumulative Biological Resource Impacts

The geographic context for cumulative biological resources is generally the project site, the North Oakland/North Hills planning areas, and the greater-Oakland area. Because the project is not located within a riparian habitat or other sensitive natural community; is not located on wetlands or waters of the U.S./State; is not located within the limits of a conservation plan; and does not contain any creeks or aquatic features, it does not cumulatively contribute to any past, present, or future impacts from developments in relation to these aspects of biological resources nor would the project significantly impact movement of wildlife species as well.

As discussed above, the project has the chance to disturb sensitive or special status animal habitat but would be reduced to a less-than-significant impact with implementation of SCA-BIO-1: Bird Collision Reduction Measures (#28), SCA-BIO-2: Tree Removal During Bird Breeding Season (#32), Mitigation Measure BIO-1: Identify and Avoid Active Nesting Birds during Nesting Season, and Mitigation Measure BIO-2: Pre-Construction Survey and Avoidance Measure for Pallid Bat. Any past, present, or future project would be required to adhere to applicable federal, state, and local regulations as well as analyze and reduce any potential impacts to sensitive or special-status animal habitat on a project-level basis. Therefore, the project would make a less-than-cumulatively-considerable contribution to significant cumulative impacts on biological resources.

K. POPULATION AND HOUSING

This section describes the existing population and housing environment in the vicinity of the project site; discusses the State and local regulations pertinent to population and housing; assesses whether the project would have potentially significant impacts related to population growth or displacement of a significant number of existing housing units or people; and where appropriate identifies mitigation measures and Standard Conditions of Approval (SCAs) to address those impacts.

In assessing impacts to population and housing under CEQA, a project's effects related to inducing substantial unplanned population growth and substantial displacement of existing housing and/or people are the focus of the analysis. CEQA does not consider socioeconomic effects such as affordability, but the City does consider such issues as part of the review of the project merits. Consistent with this, the following Setting subsection describes the project site's and city's existing conditions related to population and housing and then provides a general overview of the City's planned/projected growth that provides the baseline for assessing the project's impacts, which are described in Section 3, Impacts, Standard Conditions of Approval and Impacts. Relevant policies are described in Section 2, Regulatory Setting.

1. Setting

The following describes existing conditions for population and housing based on the recently adopted Housing Element[1] after the Notice of Preparation date of June 21, 2019.

a. Project Site

The project site was operated as an institutional facility (college campus). The peak enrollment for CCA included 750 students and 155 staff and faculty.[2] The Irwin Student Center also was used as a student dormitory, which had 17 double rooms that provided housing for up to 34 first-year students.[3]

b. City of Oakland

(1) Population

According to the U.S. Census, Oakland had a population of 440,646 as of 2020 and was the eighth largest city in California. Oakland's population makes up 26 percent of Alameda County's population and has overall continued to grow in recent years. However, over the years Oakland's

[1] City of Oakland, 2023. 2023-2031 Housing Element. Available at: https://cao-94612.s3.amazonaws.com/documents/Oakland-Housing-Element-draft-ch1-4.pdf, accessed December 5.

[2] David Meckel, California College of the Arts. Email correspondence with Marc Babin, August 19, 2020.

[3] Marc Babsin. Email correspondence with City of Oakland, January 5, 2022.

growth has varied as described in the Housing Element Housing Needs Assessment Appendix B. Prior to 1980, Oakland experienced three decades of population decline. Beginning around 1990, the Bay Area became a focal point of significant economic development and investment in the technology sector. By the late 1990s, Oakland became an attractive target for investment and, in part, a respite from higher rents and home prices present throughout the region. By the early 2000s, significant population growth without significant regional housing production resulted in severe constraints on housing throughout the region. The 2008-2009 Great Recession and foreclosure crisis saw a brief decline in housing demand, with catastrophic impacts for affected residents, but population growth picked up throughout the economic recovery and has continued to date. Oakland's 2020 population represents an increase of over 40,000 (10.6 percent) from 390,724 in 2010, making Oakland one of the top ten cities in terms of overall population growth between 2010 and 2020. But over a longer time-span, between 2000 and 2022, Oakland's population increased by approximately 8.5 percent, below the regional growth rate of 14.8 percent.[4] Table V.K-1 shows Oakland's population estimate data from the California Department of Finance (DOF) and U.S. Census, compiled by ABAG for 2000 to 2020.

Recent data from the DOF indicates that Oakland's population decreased during the pandemic years with it dropping to 430,100 in 2021 and then to 424,464 in 2022, which is 1.8 percent drop since 2020 as shown in Table V.K-2. It is not known how much factors related to the pandemic impacted population in Oakland and other areas of the Bay Area which also experienced atypical changes in population. Alameda County's population decreased by 0.6 percent between 2021 and 2022 with the percent change in other jurisdictions within the County ranging from a decrease of -1.7 percent in communities such as Pleasanton, Union City and San Leandro to an increase of 2.7 and 5.4 percent in Berkeley and Albany.

(2) Housing Stock

The housing market and development conditions have changed in Oakland since the "Great Recession" of the late-2000s through early-2010. Since then, Oakland has been experiencing substantial new development, especially multi-story multi-family rental and condominium buildings. In 2021, even as people left Oakland, hundreds of new housing units were built (see Table V.K-2). The rate of new construction slowed during the pandemic, and in general, population growth has far outpaced housing production over the past 10+ years and is anticipated to continue grow following the current decline based on regional and State projections.

[4] California Department of Finance, 2020, Tables E-4, E-5 and E-8.

TABLE V.K-1 OAKLAND POPULATION AND HOUSING DATA 2000 TO 2020

	2000	2005	2010	Net Change 2000-2010	Percent Change 2000–2010	2015	2020	Net Change 2010-2020	Percent Change 2010–2020
Population	399,566	389,937	390,724	-8,842	-2.2%	419,490	432,327	41,603	10.6%
Housing Units	157,508	162,630	169,710	12,202	7.7%	171,138	175,547	5,837	3.4%
Vacancy	4.30%	6.80%	9.40%	5.10%		7.60%	5.90%	-3.50%	
Average Persons/Household	2.62	2.52	2.49	-0.13		2.60	2.57	0.08	

Sources: City of Oakland, 2022. 2023-2031 HCD 2023-2031 Housing Element. ABAG/MTC, 2022. Housing Needs Data Workbook. California Department of Finance, 2020.

TABLE V.K-2 OAKLAND POPULATION AND HOUSING DATA 2020 TO 2022

	2020	2021	2022	Net Change 2020-2022	Percent Change 2020-2022
Population	432,327	430,100	424,464	-7,863	-1.8%
Housing Units	175,547	180,178	183,729	8,182	4.7%
Vacancy	5.90%	6.40%	6.40%	0.50%	
Average Persons/Household	2.57	2.49	2.41	-0.16	

Source: California Department of Finance, Table E-5, January 2022.

Table V.K-1 shows Oakland's population and housing data from the California Department of Finance (DOF) and U.S. Census, compiled by ABAG for 2000 to 2020. Table V.K-2 shows Oakland Population and Housing in 2020 to 2022.

(3) Household Characteristics

Oakland has a significantly higher percentage of single adult households and a smaller portion of three to four-person households. This trend was noted in Oakland's 2015-2023 Housing Element and was speculated to be due, in part, to a relatively low proportion of housing units with more than two bedrooms compared to surrounding jurisdictions. According to American Community Survey (ACS) 5-year estimates data compiled from the California Department of Finance, the 5-year average household size in Oakland in 2019 was 2.58, a slight increase from 2.49 in 2010. Oakland's average is lower than the average for Alameda County as a whole (2.82). The share of Oakland's population in 2019 living in a one-person household (33.28 percent) was greater than that of Alameda County (24.44 percent) and the Bay Area as a whole (24.70 percent). However, two-person households account for approximately the same percentage of households in Oakland at 30.89 percent compared to Alameda County (30.46 percent) and the Bay Area overall (31.89 percent). Instead, Oakland has a smaller share of households of three to four persons (26.44 percent) than either the county (34.26 percent) or the Bay Area (32.6 percent).[5]

2. Regulatory Setting

This subsection discusses the applicable State and local regulations related to population and housing.

a. Federal

The federal Fair Housing Act (42 U.S.C. 3601 et seq.), enacted in 1968, prohibits discrimination by direct providers of housing, such as landlords and real estate companies as well as other entities, such as municipalities, banks or other lending institutions and homeowners' insurance companies whose discriminatory practices make housing unavailable to persons because of race or color, religion, sex, national origin, familial status, or disability.

b. State

California law (Government Code Section 65580, et seq.) requires cities and counties to include a Housing Element as a part of their General Plans to address housing conditions and needs in the community. Housing Elements are prepared approximately every 8 years, following timetables

[5] City of Oakland, 2022. City of Oakland 2023-2031 Housing Element, Appendix B, Housing Needs Assessment Available at:https://www.oaklandca.gov/documents/2023-2031-adopted-housing-element, accessed December 5, 2023.

set forth in the law. The Housing Element must identify and analyze existing and projected housing needs and "make adequate provision for the existing and projected needs of all Regional California Housing Element Requirements economic segments of the community," among other requirements. The City adopted its current Housing Element in 2023.

State law mandates that all cities and counties zone land appropriately to accommodate the increasing needs of regional population growth. Regional housing needs are determined by the California Department of Housing and Community Development (HCD).

(1) Plan Bay Area 2040 and 2050

Plan Bay Area 2040 is a joint regional planning document prepared jointly by ABAG and the Metropolitan Transportation Commission (MTC). Plan Bay Area 2040 focuses on the longer-term vision for growth through 2040. The Plan addresses housing affordability, transportation requirements, the region's widening income disparities and economic hardships faced by low- and middle-income workers, and the Bay Area's vulnerabilities to natural disasters such as earthquakes and floods. Three principal issues form the core of the Action Plan:

- **Housing:** Lower the share of income spent on housing and transportation costs, lessen displacement risk, and increase the availability of housing affordable to low- and moderate-income households.
- **Economic Development:** Improve transportation access to jobs, increase middle wage job creation, and maintain the region's infrastructure.
- **Resilience:** Enhance climate protection and adaptation efforts, strengthen open space protections, create healthy and safe communities, and protect communities against natural hazards.

In October, 2021, ABAG and MTC adopted an updated plan; Plan Bay Area 2050 (ABAG & MTC, 2021). While the plan has been adopted, it will take up to 3 years for the plan's growth forecast to be integrated into MTC's transportation model, after which updates to each county's transportation model will take place. For these reasons, and for purposes of this EIR, Plan Bay Area 2040 is the regional plan that forms the basis for population, housing and employment projections in this EIR.

The 2040 Plan promotes focused growth (housing and population) with Priority Development Areas (PDAs) being a key to implementing the focused growth strategy. An excerpt from the 2040 Plan is provided below.

- **Priority Development Areas (PDAs)** - Plan Bay Area 2040 focuses growth and development in nearly 200 PDAs. These existing neighborhoods are served by public transit and have been identified as appropriate for additional, compact development.

In 2020, the City of Oakland added the project site to the MacArthur BART PDA.[6]

(2) Regional Housing Needs Allocation

As required by State housing law, all California cities and counties must plan for the housing needs of their residents at various income levels. This number is called the Regional Housing Needs Allocation (RHNA).

The 2023-2031, or 6th cycle, Regional Housing Needs Assessment (RHNA) identifies an overall need of 26,251 new units in Oakland, a nearly 78 percent increase from the prior cycle's allocation of 14,765 new units. Oakland's RHNA is about 6 percent of the nine-county Bay Area allocation of 441,176 units.

c. Local

(1) Land Use and Transportation Element (LUTE)

The Oakland General Plan Land Use and Transportation Element (LUTE) contains the following policies that are relevant to the project:

> **Policy T2.1:** Transit-oriented development should be encouraged at existing or proposed transit nodes, defined by the convergence of two or more modes of public transit such as BART, bus, shuttle service, light rail or electric Trolley, ferry, and inter-city or commuter rail.
>
> **Policy N6.1:** The City will generally be supportive of a mix of projects that provide a variety of housing types, unit sizes, and lot sizes which are available to households with a range of incomes.

The LUTE also identifies the site as an area to study for higher density housing as discussed in more detail in Chapter 4, Planning Policy.

(2) Housing Element

The City recently adopted a new Housing Element, as a part of the State's 6th Cycle Housing Element update process. The Housing Elements identifies current and projected housing needs and sets goals, policies, and programs to address those needs, as specified by the State's RHNA process and new State legislation. The project site is identified as a "Housing Opportunity Site" in Housing Element with the potential for 510 residential units, including 51 moderate income units and within a High Resource housing area.[7] The Housing Element contains the following actions that are relevant to the project site as it is also within an identified high resource area.

[6] City of Oakland 2020, Priority Development Areas, July. Available at: https://cao-94612.s3.amazonaws.com/documents/Priority-Development-Areas.pdf, accessed December 5, 2023.

[7] City of Oakland, 2022. Sites Inventory. City of Oakland | 2023-2031 Adopted Housing Element. Available at: oaklandca.gov, accessed December 5, 2023.

Action 5.2.2: Promote infill, transit-oriented development (TOD), and mixed-use development.

Action 5.2.8: Encourage new affordable housing in higher resource neighborhoods.

Action 5.2.10: Promote the development of mixed-income housing to reduce income-based concentration.

(3) Standard Conditions of Approval

The City's SCAs that are relevant to population and housing are listed below. The SCAs are adopted as requirements for all projects approved within the City of Oakland.

SCA-POP-1: Jobs/Housing Impact Fee (#76)
Requirement: The project applicant shall comply with the requirements of the City of Oakland Jobs/Housing Impact Fee Ordinance (chapter 15.68 of the Oakland Municipal Code).
When Required: Prior to issuance of building permit; subsequent milestones pursuant to ordinance
Initial Approval: Bureau of Building
Monitoring/Inspection: N/A

SCA-POP-2: Affordable Housing Impact Fee (#77)
Requirement: The project applicant shall comply with the requirements of the City of Oakland Affordable Housing Impact Fee Ordinance (chapter 15.72 of the Oakland Municipal Code).
When Required: Prior to issuance of building permit; subsequent milestones pursuant to ordinance
Initial Approval: Bureau of Building
Monitoring/Inspection: N/A

SCA-POP-3: Residential Tenants (#97)
Requirement: The property owner shall comply with all applicable laws and requirements concerning residential tenants, including but not limited to, the City's Rent Adjustment Ordinance (OMC chap. 8.22, Article I), Just Cause Eviction Ordinance (OMC chap. 8.22, Articles II & III), Tenant Protection Ordinance (OMC chap. 8.22, Article V) and Code Compliance Relocation Ordinance (OMC chap. 15.60). Existing and former tenants temporarily or permanently evicted, displaced or relocated due to the project or City action related to the project may be entitled to protections and benefits, including, but not limited to, relocation payments and the right to return to previous units. The property owner may be required to submit evidence of compliance with applicable tenant protection laws upon request of the City. For more information, please contact the Oakland Housing Assistance Center: 250 Frank H. Ogawa Plaza, 6th Floor, Oakland, California, 94612; (510) 238-6182.
When Required: Ongoing
Initial Approval: N/A
Monitoring/Inspection: N/A

SCA-POP-4: Affordable Residential Rental Units – Agreement and Monitoring (#103)

a. Requirement #1: Pursuant to Section 17.107 of the Oakland Planning Code and the State Density Bonus Law California Government Code Section 65915 et seq. ("State Density Bonus Law"), the proposed project shall provide a minimum of __ target dwelling units available at very low/ low/ moderate income (as __ of the units) for receiving a density bonus, concession and/or waiver of development standards.

b. Requirement #2: The approved residential affordable units that are part of this approval shall remain and continue to be affordable at the specified level in accordance with California Health and Safety Code Section 50053 and its implementing regulations for a term of not less than 55 years or a longer period of time if required by the construction or mortgage finance assistance program, mortgage insurance program, or rental subsidy program. This Condition of Approval must also be in compliance with Section 65915(c)(1) of the State Density Bonus Law specifically, as well as all other applicable provisions of the State Density Bonus Law.

c. Requirement #3: Prior to submittal of a construction-related permit, the applicant shall contact the Housing and Community Development Department (Housing Development Services Division) to enter into a Regulatory Agreement based on the City's model documents, as may be amended from time to time, governing the target dwelling units. The Agreement shall contain restrictive covenants to ensure the continued affordability of the target dwelling units at the specified rent levels for a period of not less than fifty-five (55) years pursuant Section 65915 (c)(1) of the State Density Bonus Law, and restrict the occupancy of those units only to residents who satisfy the affordability requirement as approved for this project. Only households meeting the eligibility standards for the target dwelling units shall be eligible to occupy the target dwelling units.

If the property has an approved condominium map and the developer chooses to rent the affordable units at initial occupancy, the units cannot convert to ownership during the term of the Agreement, even if the market rate units in the development convert to ownership.

The Regulatory Agreement shall be recorded with the Alameda County Recorder's Office as an encumbrance against the property, and a copy of the recorded agreement shall be provided to and retained by the City. The Regulatory Agreement may not be subordinated in priority to any other lien interest in the property.

d. Requirement #4: Rental target dwelling units shall be managed / operated by the developer or developer's agent or the developer's successor. The developer of rental target dwelling units shall submit for review and approval by the Housing and Community Development Department and any other relevant City departments, an annual report identifying which units are target dwelling units, the monthly rent, vacancy information, monthly income for tenants of each target rental dwelling unit throughout the prior year, and other information required by the City. Said agreement shall maintain the tenants' privacy. The applicant shall pay to the Housing and Community Development Department an annual monitoring fee pursuant to the Master Fee Schedule (updated annually and available from the Budget Office of the City Oakland's Finance Department: https://www.oaklandca.gov/departments/finance-department) for City monitoring of target dwelling units.

e. Requirement #5: The floor area, number of bedrooms, and amenities (such as fixtures, appliances, location and utilities) of the affordable units shall be substantially equal in size and quality to those of the market rate units. Further, the proportion of unit types (i.e., three-bedroom and four-bedroom, etc.) of the affordable units shall be roughly the same as the project's market rate units.

f. Requirement #6: Tenant households in affordable units must have equal access to the project's services and facilities as tenant households in all other units within the project.

g. Requirement #7: Affordable units must be evenly distributed throughout the project.

h. Requirement #8: Applicant shall comply with the requirements of Section 65915(c)(3)(A) of the State Density Bonus Law requiring, without limitation, replacement units in those circumstances where the parcel subject to the density bonus requests contains or contained affordable units within the last five years.

i. Requirement #9: Applicants shall comply with all applicable provisions of State Density Bonus Law and all provisions of the City's density bonus law that are not preempted by state law.

j. Requirement #10: Affordable units shall be constructed concurrent with the construction of the market rate units in each phase of the project.

k. Requirement #11: The City will not issue final certificates of occupancy for more than fifty percent (50%) of the market rate units in any phase of development until final certificates of occupancy are issued for all of the affordable units in that phase.
When Required: First Construction-Related Permit Application and Ongoing
Initial Approval: Housing and Community Development Department – Housing Development Services Division
Ongoing Monitoring/Inspections: Housing Development Services Division

3. Impacts, Standard Conditions of Approval, and Mitigation Measures

This section analyzes impacts related to population, housing, and employment that could result from implementation of the project. The section begins with the criteria of significance, which establish the thresholds for determining whether an impact is significant. The latter part of this section presents the impacts associated with the project and identifies SCAs and/or mitigation measures to address these impacts as needed.

a. Significance Criteria

Implementation of the project would result in a significant impact related to the City's population and housing if it would:

1. Induce substantial population growth in a manner not contemplated in the General Plan, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads and other infrastructure), such that additional infrastructure is required but the impacts of such were not previously considered or analyzed.

2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere, in excess of that contained in the City's Housing Element.
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere, in excess of that contained in the City's Housing Element.

b. Less-than-Significant Population and Housing Impacts

The population and housing statistics analyzed in this chapter were sourced from U.S. Decennial Census data, American Community Survey 5-year estimates, and 2018 ABAG projections. Changes to population and housing that would result from implementation of the project were quantified and evaluated for potential physical environmental impacts that could result from displacement of housing and people.

(1) Induce Population Growth Not Contemplated in the General Plan Requiring Significant New Infrastructure (Criterion 1)

Population Growth – Project

As discussed above, the project site's current General Plan land use designation is Institutional and allows residential in association with an institutional use. The current LUTE Growth Strategy discussed in *Chapter 4, Planning Policy,* could be applied to Institutional growth on the site with additional intensive development allowed up to a floor area ratio of 8. Such growth could include additional dormitories as well as classrooms and administrative buildings.

The site is identified in other areas of the General Plan including: the 2023-2031 Housing Element Update as a Housing Opportunity Site and a High Resource Area C; and is within the MacArthur BART Priority Development Area (PDA).

As shown in Table V.K-3, when compared to existing conditions, the project would result in a net negative loss of approximately 33 jobs[8] and a net gain of approximately 1,277 residents and 493 households in Oakland.[9] Such a change would not induce substantial population growth as the site is an urban infill redevelopment project and no new major off-site infrastructure is needed for the project. Additional development may occur but it would not be a direct result of this project and likely would not be beyond what is already planned for in the Housing Element and other local and regional planning documents.

[8] Based on subtracting 72 jobs from the project from 155 previous staff and faculty.
[9] Based on subtracting 34 previous residents from 1,311 project residents.

TABLE V.K-3 PREVIOUS CCA CAMPUS VS. PROPOSED PROJECT POPULATION AND JOB

	Residents	Units/Households	Jobs	Students
Existing Conditions	34	17 dorm rooms	155	750
Proposed Project	1,311	510	72	0
Difference	**+1,277**	**+493**	**33**	**-750**

Note: Number of residents based on ABAG and DOF projected average household size of 2.57 persons in the City of Oakland, 2020. Existing jobs from project applicant. Proposed jobs estimated: office = 3.5 jobs per 1k sf and retail = 2.5 jobs per 1k sf plus 9 jobs related to property management per project sponsor.
Source: CCA Oakland, CA. Preliminary Development Permit Application, April 22, 2022 and personal communication with Ben Golvin, October 2019.

Population Growth – Proposed General Plan Land Use

As described in detail in *Chapter IV, Planning Policy*, the proposed development and the associated growth in households and population are specifically anticipated for this site, as detailed in the City's Housing Element and the Phase 1 General Plan Update and Policy Package and EIR that the City approved in October 2023. Although it is noted, the City has not revised the General Plan Land Use Designation for the site that remains Industrial understanding it was proposed as part of this project.

As a part of the project, the Project Sponsor is proposing to reclassify the entire project site to the Community Commercial (CC) General Plan designation. As discussed in *Chapter IV, Planning Policy*, the project's total site area, minus the open space area of 1.32 acres (57,433 square feet), results in a total of 2.64 acres (114,837 square feet) of residential lot area. At a density ratio of one unit per 198 square feet of lot area, this equates to a maximum development potential of approximately 580 units.[10]

As shown in Table V.K-4, assuming 580 units could be developed at the project site, the General Plan Amendment could result in up to 1,490 (2.57 persons per household) residents to the site and 580 households. In total, the proposed CC General Plan Amendment could lead to an additional 1,294 households and residents compared to the existing Institutional General Plan designation.

[10] City of Oakland, 2020. Zoning Code Bulletin: Clarification on how to calculate the maximum intensities for a site proposed for development. Amended on February 11, 2021 and August 27, 2021.

TABLE V.K-4 EXISTING INSTITUTIONAL GENERAL PLAN DESIGNATION VS. GENERAL PLAN AMENDMENT (NOT PROJECT)

	Residents	Households
Existing	34	17 dorms
CC General Plan Amendment	1,490	580
Difference	**+1,456**	**+580**

Source: City of Oakland, 2020. Zoning Code Bulletin: Clarification on how to calculate the maximum intensities for a site proposed for development. Amended on February 11, 2021 and August 27, 2021.

Summary

While the project proposes residential density at the site well above the existing General Plan designation, the estimated population and job growth from the project would only account for a small portion of the total growth in Oakland as anticipated by ABAG projections. Development of the site at the proposed residential density was assumed in the City's Housing Element. The project would not result in any indirect impacts. Implementation of the project would not require extensions of roads, as the project site is currently developed and connected to existing roadways. The project would also not require any additional infrastructure, such as major utility facilities or lines, fire stations, or other public facilities (the significance of which is evaluated in other EIR sections, primarily in *Section V.M, Public Services, Utilities, and Recreation*). Therefore, impacts related to population growth associated with implementation of the project would be less than significant and no SCAs or mitigation measures are required.

(2) Displacement of Housing and People (Criterion 2 and 3)

As described above, the project site previously provided housing for approximately 34 students in 17 dormitory rooming units as a use associated with college consistent with the requirements of the Institutional Land Use designation. While 493 net new residential units would be developed, these would not replace the existing dormitory units on the project site because eligibility for student housing is related to enrollment in the college, which is no longer on this campus. Although the new project does not include dormitory units, it will provide a significant amount of new housing on the site. The loss of 17 dormitory units that are no longer associated with a current institutional use and the net gain of 493 new units does not constitute displacement of a substantial numbers of existing housing units that would necessitate the construction of replacement housing elsewhere. Therefore, impacts related to displacement of housing and people associated with implementation of the project would be less than significant and no SCAs or mitigation measures are required.

c. Significant Population and Housing Impacts

Implementation of the project would not result in any significant impacts to population and housing.

d. Cumulative Population and Housing Impacts

For population and housing, the geographic scope for assessing cumulative impacts is the City of Oakland.

(1) Induce Population Growth not Comtemplated in the General Plan Requiring Significant New Infrastructure (Criterion 1)

The cumulative effects of the project and the proposed General Plan Amendment when considered together with other cumulative growth in the city, similar to the project and General Plan Amendment, would not be considered significant. Although not specifically contemplated based on the site's current land use designation in the LUTE, the LUTE also identifies Growth Strategy for North Oakland as partially in Growth and Change and partially in "enhance and maintain" with a note to study the area for higher density housing as discussed in more detail in *Chapter 4, Planning Policy*.

The site is also identified as a Housing Opportunity Site in the City's Housing Element update. Redevelopment of the site with higher density housing is consistent with the objectives of many city policies and programs to increase housing density/supply and will not result in induce unplanned population growth. Further as discussed in the transportation, utilities, and public services sections of this EIR, no significant new infrastructure is needed to serve this project or to serve future uses that may be allowed under the proposed General Plan Land Use designation.

Development under the project would not require construction or extension of new roads, or other infrastructure such as major utility facilities or lines, fire stations, or other public facilities (the significance of which is evaluated in other EIR sections). Current surrounding planned projects also would not require the construction of major infrastructure. Additionally, other future developments would be required to analyze their individual contributions to growth-related infrastructure improvements at the project level. For these reasons, the project's contribution to cumulative infrastructure improvements as a result of population growth would not be cumulatively considerable. Therefore, impacts related to population growth associated with implementation of the project and other planned and future projects would be less than significant.

(2) Displacement of Housing and People (Criterion 2 and 3)

Development of the project's 510 residential units would not result in the displacement of housing or people at the project site that would result in the construction of replacement housing and is therefore not cumulatively considerable. Surrounding planned and future developments would also be required to analyze and mitigate their individual contributions to displacement at the project level. Therefore, impacts related to displacement of housing and people associated with implementation of the project and other planned and future projects would be less than significant.

L. AESTHETICS AND SHADE AND SHADOW

This section describes the potential aesthetic effects that may result from development of the CCA Oakland Campus Redevelopment Project (project). The section begins with a description of existing visual character of the project site and in its vicinity, including scenic views and vistas. Relevant State and local regulations related to aesthetics are also identified. The section concludes with potential impacts that could result from implementation of the project, and provides, where appropriate, mitigation measures and the City's Standard Conditions of Approval (SCAs) to address those impacts.

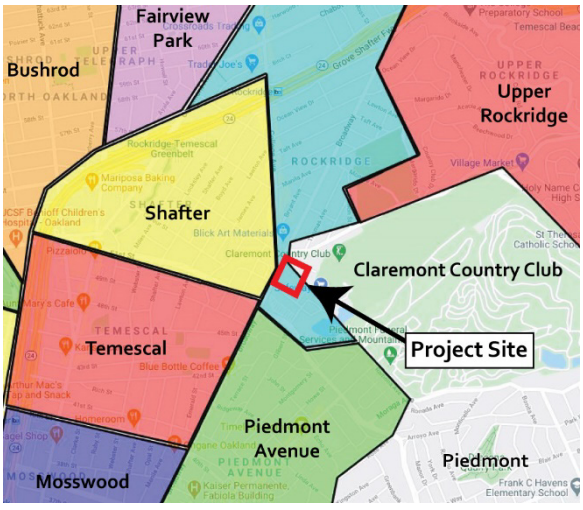
The analysis in this section is based on: (1) field surveys of the project site; (2) visual simulations and massing diagrams prepared by PreVision Design; and (3) shade/shadow simulations of existing building and of the project prepared by PreVision Design. Per the City of Oakland CEQA Thresholds of Significance Guidelines, Criterion 107 related to wind hazards does not apply to the project.

1. Setting

This section describes the visual character of the project site and its surroundings and views in the vicinity of the site, as well as the existing shade and shadow conditions in the area.

a. Local Context

The 3.95-acre project site is within an urbanized portion of Oakland along Broadway, a major arterial. The project site vicinity is an area where there is a confluence of several neighborhoods with varied scales of development and urban form, and land uses. The scale and form of development in this vicinity includes low-rise residential; commercial buildings ranging from 1 to 2 stories; and multi-family residential buildings ranging from 2 to 7 stories to the west, north, and east, with a large shopping center (retail) to the south. On-street parking is allowed along Clifton Street. Surrounding land uses generally include residential, institutional, commercial, and private open space.



b. Visual Character of the Project Site

The following describes the visual character from the context of the surrounding area, the project perimeter, and within the campus. "Visual character" is an impartial description of the defining physical features, landscape patterns, and distinctive physical qualities within a landscape. Visual character is informed by the composition of land, vegetation, water, and structures and their relationships to one another and their relative predominance, and by prominent elements of form, line, color, and texture that combine to define the composition of views. Visual character-defining resources and features within a landscape- may derive from notable landforms, vegetation, land uses, building design and façade treatments, transportation facilities, overhead utility structures and lighting, historic structures or districts, or panoramic open space.[1]

General Character Description of Site's Physical Location

When juxtaposed against the urban character of the surrounding neighborhood, the CCA campus is characterized by a dense tree canopy, concrete retaining wall and staircase that varies in height from less than 1 story at its northwest corner to 2 stories at the sites southwest corner, and the Founder's Hall building protruding from the site's southern facing precipice. The campus' location on a large precipice also contributes to the site's visual prominence, as shown in Figure V.L-1.

Description of Site's Visual Character from the Project Perimeter

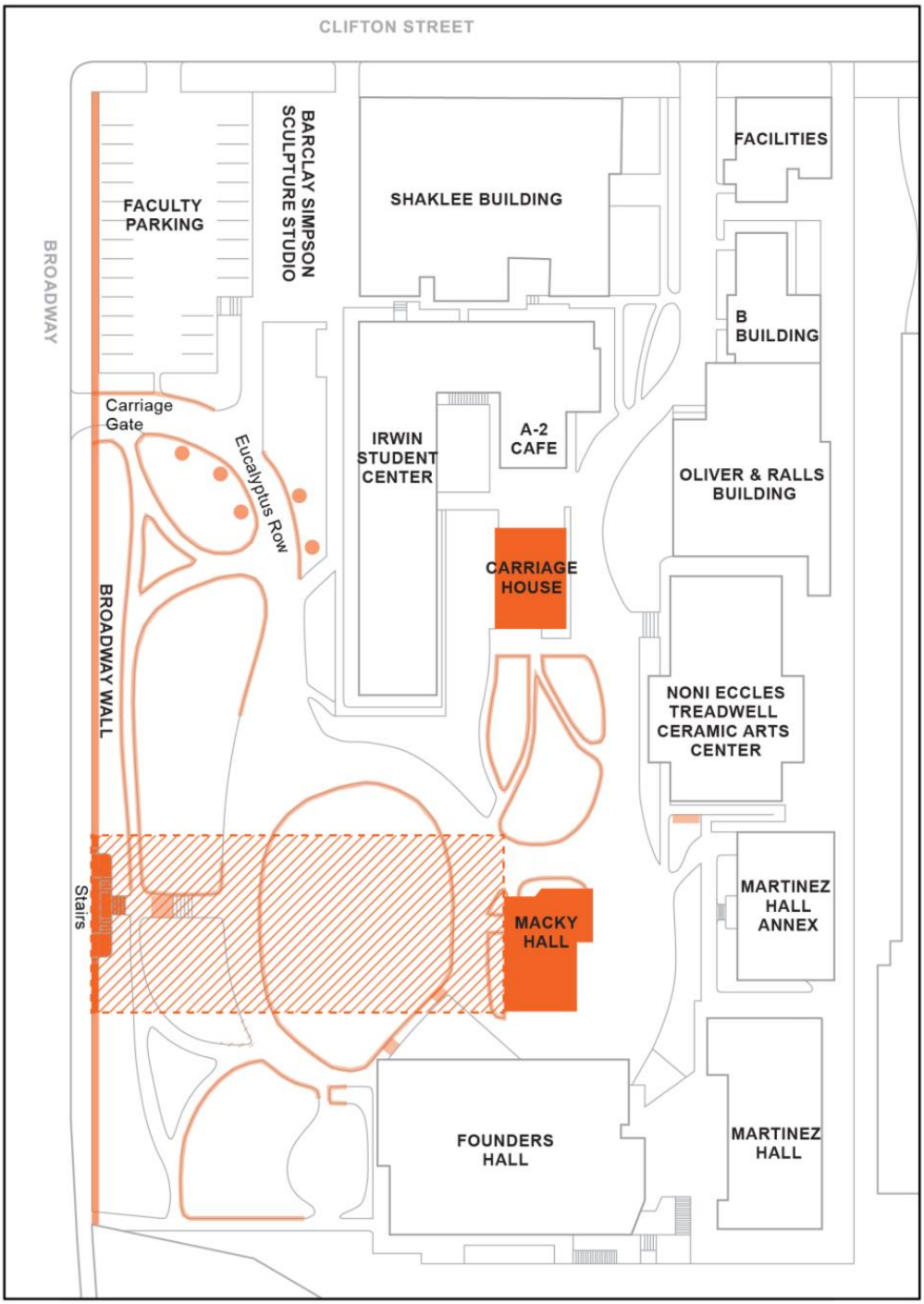
Looking towards the project site along Broadway, the campus and its inner structures are largely hidden by a dense layer of overgrown trees and landscaping and a concrete retaining wall. Although the wall along the Broadway frontage was constructed circa 1905 and is a historic contributor to the site, it is now mostly overgrown with vegetation. Other than the staircase, access to the site appears sequestered. As described in *Section V.B, Cultural and Historic Resources*, the site includes an 80-foot-wide view corridor extending westward from Macky Hall to the Broadway right-of-way that is part of the Landmark designation for the Treadwell Estate. It has not been maintained by the CCA campus and Macky Hall and other portions of the Treadwell Estate are almost entirely blocked from view from the project perimeter. Figure V.L-2 shows the location of this historic view corridor.

The Broadway Wall decreases in height to approximately less than 1 story and landscaping becomes sparse when approaching the northern perimeter of the site along Clifton Street. At that point, the visual character of the internal structures can be viewed.

[1] ESA, 2021. Waterfront Ballpark District at Howard Terminal. Available at: https://cao-94612.s3.amazonaws.com/documents/Chapter-4.1-Aesthetics-Shadow-and-Wind.pdf, accessed on December 5, 2023.

Source: Emerald Fund, 2022.

Figure V.L-1
Existing CCA Campus Site Slope



Source: Page & Turnbull, 2019.

Treadwell Estate Buildings

Oakland Landmark View Corridor

Figure V.L-2
Oakland Landmark View Corridor

Visual Character of the Internal Site

Within the campus, the layer of trees and buildings near the project site perimeter create a natural curtain that blocks most views out of the campus. The parcel is at the terminus of a long gradual rise along both College Avenue and Broadway, and topography to the north and east rises higher to the steep terrain of the Oakland Hills. As mentioned above, the historic view corridor is mostly blocked by an overgrowth of vegetation.

In general, the site possesses the visual character that would typically be associated with a college campus, including institutional buildings with open classrooms, a café, walkways between buildings, and a central lawn.

Two of the buildings, Macky Hall and the Carraige House, are contributors to the Treadwell Estate Oakland Landmark and listed in the National Register. Four buildings were found to be both contributors to the CCAC API and individually eligible for listing in the California Register: Founders Hall, Martinez Hall, the Noni Eccles Treadwell Ceramic Arts Center, and the Barclay Simpson Sculpture Studio. Six additional CCA buildings and six associated landscape features—Macky Lawn, stairs with ceramic pots, faun sculpture, *Infinite Faith* sculpture, Bell Tower, and *Celebration Pole*—date to the period of significance and retain sufficient integrity to contribute to the historic district.

Within the campus, the 12 buildings, dense trees and landscaping, and various art features are the most visually prominent features and main contributors for the campus' visual character. The 12 buildings range in date of construction from circa 1879 to 1992 and possess a myriad of eclectic architectural styles. The eclectic nature of the building designs, which are typical of their respective eras, substantially contribute to the unique visual character of the campus. A detailed description of each of the individual building's visual and historic characteristics is provided in *Section V.B, Cultural and Historic Resources*. Below is a summary of the buildings' visual characteristics, including height, materials, and architectural style.

- **Macky Hall** (formerly a residence known as Treadwell Hall or the Treadwell Mansion**)** (ca. 1879-1881): The oldest building on campus, the 3-story wood-frame Queen Anne style building with Stick Eastlake detail is clad with horizontal wood channel drop siding, is fenestrated with double-hung wood-sash windows with ogee lugs and wide wood surrounds, and features a complex multiple-gabled roofline typical of its style.
- **Carriage House** (ca. 1879-1881): Constructed as an ancillary building to Macky Hall, the 2-story, wood-frame building has been moved multiple times from its original location east of Macky Hall. Clad with horizontal wood channel drop siding and board and batten siding, the building is complementary to Macky Hall with simple Queen Anne and Stick Eastlake style elements.

- **Facilities Building** (ca. 1922-1924): The oldest remaining building on the project site that was built specifically for use by the school. The 1- and 2-story over raised basement, wood-frame building has a rectangular plan, stucco cladding, and flat roof.
- **B Building** (ca. 1926): This was the second building constructed for use by the college. The 2-story over raised basement building has a rectangular plan, stucco cladding, and flat roof.
- **Irwin Student Center (Irwin Hall) and A-2 Café** (1959, 1974): Completed in 1959 as the campus' first dormitory. The addition housing the A-2 Café was constructed at the east side of Irwin Hall in 1974. The 1- and 2-story building has an L-shaped plan with its longer, north-south wing parallel to the hill slope. It is clad in stucco and wood board and batten siding, and has a complex roofline with low-pitched gable, hipped, and flat portions.
- **Martinez Hall** (1967): The 2-story Third Bay Tradition style building has a rectangular plan and box-like massing with shed-roof canopies and projections, vertical flush rustic wood siding, and a steeply pitched four-part sawtooth roof with glazed, north-facing vertical surfaces. A mural wall extends across both stories on a portion of the building's west façade.
- **Founders Hall** (1968): The 2-story concrete building has stepped cubic massing, exposed metal structural elements, and recessed windows characteristic of its Brutalist style. The roof slopes down slightly toward its south end.
- **Martinez Hall Annex** (1970): This 2-story, rectangular-plan building is clad with standing-seam metal siding and has multiple shallow-pitched shed rooflines.
- **Noni Eccles Treadwell Ceramic Arts Center** (1973): The 2-story building has a generally I-shaped footprint and is clad in striated unglazed terra cotta stack bond blocks with a concrete belt course and cornice. West-, south-, and east-facing shed-roof elements are clad in red standing-seam metal.
- **Raleigh and Claire Shaklee Building** (1979): The 2-story building with partially exposed basement is clad in stucco and features metal-frame windows and a generally flat roof with projecting shed-roofed elements. Mosaic tilework adorns a wall north of the east façade staircase.
- **Oliver Art Center and Ralls Painting Studio (Oliver and Ralls Building)** (1989): The 2-story, stucco-clad building has a flat roof and metal-frame glazed entry vestibule.
- **Barclay Simpson Sculpture Studio** (1992): The 2-story concrete, steel frame, and glass block sculpture studio features a prominent, exposed steel chimney extending from ground level above the height of the north façade.

In addition, some of the open space visual qualities are summarized below:

- **Broadway Wall and Stairs**: The wall is textured concrete, scored, and rusticated to simulate stone. A vehicular driveway near the north end of the wall is framed by concrete pilasters and a modern metal archway.

- **Carnegie Bricks**: Bricks stamped with the word "CARNEGIE" used to line pathways, roads, and other landscape features in the southern and western portions of the campus near Macky Hall.
- **Macky Lawn**: An oval shaped grass lawn west of Macky Hall, which includes several coast redwoods. The perimeter of the lawn is lined with Carnegie bricks.
- **Stairs with Ceramic Pots**: A set of stairs leads from the road by Macky Hall down toward the Carriage House with masonry walls and round insets with ceramic pots.
- **Faun Sculpture**: This bust of a half-human, half-goat male rendered in stone atop a tapered stone pedestal was created by Hazel Z. Weller for a sculpture class at the college.
- **Infinite Faith Sculpture**: A monolithic stone sculpture originally installed east of Irwin Hall.
- **Bell Tower**: An irregular, trapezoidal wood tower housing a bronze bell near its top is installed on a slope south of Irwin Hall.
- **Celebration Pole** (1982): This 35-foot-tall redwood carving was installed to commemorate the 75th anniversary of the college.

As discussed in *Section V.B, Cultural and Historic Resources*, the project site is designated as an Area of Primary Importance and contains several significant historic resources. Macky Hall and the Carriage House, together with two sequoia trees (which have since been removed with approved Tree Removal Permit Waivers), the Broadway Wall and Stairs, and an 80-foot-wide view corridor (centered on the Macky Hall entrance, extending to Broadway (intended to maintain the view of the Treadwell Estate all from Broadway and College Avenue)) were designated as an Oakland Historic Landmark in August of 1975. The Oakland Landmark nomination described the boundaries of the landmarked site as follows:

> *"The property within an area described by a line around the perimeter of the subject structure and carriage house at a distance of fifteen feet from the foundation line and the property within a corridor measuring forty feet on each side of a line running perpendicular to the south-easterly line of Broadway and extending from the center of the main entrance of Treadwell Hall to said southeasterly line of Broadway. The eighty foot corridor is intended to maintain the view of Treadwell Hall from Broadway and College Avenue and to preserve the stairway within the wall running along Broadway and the two large sequoia gigantea located in front of Treadwell Hall."*[2]

[2] City of Oakland, 1975. Landmarks Preservation Advisory Board, Section 5, Treadwell Hall, Resolution No. 1975-5, June.

Other character-defining site features of the CCA campus include the following:

- Spatial relationships between contributing buildings;
- Siting of contributing buildings within the sloped topography of the site, including clustering of buildings on the eastern side of the site;
- A meandering, informal network of circulation routes through campus, with primarily pedestrian access;
- Vehicular ingress and egress routes limited to the northwest portion of the property at the Broadway gate and Clifton Avenue driveways; and
- Orientation of purpose-built contributing buildings inward toward the center of campus, away from public streets.

Photos 1 through 4 display some of the existing range of architectural (from wood siding to metal-framed glazed surfaces) and open space features within the CCA campus from different eras.

Photo 1- Macky Hall

Photo 2- Broadway Wall and Stairs

Photo 3- Martinez Hall

Photo 4- Central Garden and open space

c. Visual Character of the Surrounding Area

The surrounding area is an urban environment with a combination of building types, building ages, architectural styles, and a mix of old and new landscaping. The buildings range from 1 to 7 stories in height with uses including single-family homes, multi-family complexes, multi-story mixed-use buildings, private open space, commercial, and a large shopping center. A map with the surrounding building heights in the project area is shown in Figure V.L-3.

Many of the buildings near the project site were built in the early twentieth century and are less than 3 stories in height; however, as of late, the area is beginning to include newer multi-family developments along the Broadway corridor, including the Merrill Gardens at Rockridge (5238 Coronado Avenue), a senior-living community, and Baxter on Broadway apartments (4901 Broadway), both 5 stories in height. Landscaping lines Broadway and Clifton Street with both mature and immature trees. A brief discussion of the visual character of the areas surrounding the project site is described below:

- **North.** North of site is mainly comprised of older single-family homes and is residential in character. Directly north of the project site is a high school and its associated older single-story institutional facilities (Oakland Technical High School Upper Campus), a 4-story multi-family building (Clifton Hall), several 2-story single-family homes/converted 2-story multi-family buildings that appear to be constructed in the 1920s (see photo 5), a gas station (Broadway Terrace 76), and 1- and 2-story commercial buildings (including the Blick art supplies store). The architectural styles range from Spanish- and Craftsman style homes, to wooden portables at the Oakland Technical High School Upper Campus, to the more contemporary Clifton Hall building comprised of glass, aluminum, and stucco.
- **South.** To the south and southeast of the project site is an undeveloped lot and a large-scale retail shopping center. The undeveloped lot is currently planned for construction as an expansion of the adjacent Safeway Redevelopment Project (Phase 2). As a part of Phase 1 of the Safeway Redevelopment Project, only the southeastern portion of the lot has been

Photo 5- 2-story residential buildings

Photo 6- Vacant lot and Rockridge Shopping Center in the distance

Figure V.L-3
Height Comparison with Surrounding Buildings

redeveloped with several commercial facilities, a Safeway grocery store, and a large surface parking lot. Phase 2 of the Safeway Redevelopment Project proposes to redevelop the lot directly to the south of the project site and west of Phase 1; however, at the time of this Draft Environmental Impact Report (EIR), the lot remains undeveloped and is completely devoid of any structures (see photo 6). Phase 2 of the Safeway Redevelopment Project would redevelop this part of the site with large-scale commercial and retail facilities, which would range up to 3 stories and approximately 126 feet in height at their tallest point.

Photo 7- 4-story multi-family apartment complex at 225 Clifton Street

- **East.** Directly east of the site is a 4-story multi-family apartment (varies in height from approximately 30 to 40 feet tall) complex at 225 Clifton that was constructed in 1964 (see photo 7) as well as a dense tree canopy. Also, to the east, while not directly adjacent to the project site, is a surface parking lot, pool, and tennis courts associated with the Claremont Country Club facilities. The main clubhouse of the Claremont Country Club, designed by Julia Morgan, is listed on the City of Oakland's Local Register.
- **West.** Directly to the west of the project site is a fast-food restaurant (Wendy's) and its associated surface parking lot. Also, to the west of the project site are several 1- and 2-story commercial business buildings that were mostly constructed in the 1910s through 1960s, including a laundro-mat, a Thai food restaurant, and print shop (see photo 8).

Photo 8- Older 1- and 2-story commercial buildings

d. Views from the Project Site

Due to the number of mature trees, landscaping, and buildings within the project site, views from within the project site and out of the campus are extremely limited. Because of the urban nature of the surrounding area, views from the perimeter of the project site are also largely limited to the adjacent buildings and features.

- **Views looking North.** Views looking northward from the project site are limited by an existing CCA structure (Clifton Hall), Oakland Technical High School Upper Campus facilities, mature trees, utility poles, and fencing. In addition, views are also limited due to the topography of the area, which rises from south to north. Very limited views of the Oakland

Hills can be seen from the northern perimeter of the site, in between the setbacks of the high school's structures. From Clifton Hall, along Broadway and Broadway Terrace, views mostly consist of the Broadway Terrace 76 gas station, the surrounding 1- to 2-story residential and commercial buildings, mature trees, and utility poles, with some views of the Oakland Hills in the background.

- **Views looking South.** Most views looking south from the project site are also limited due to CCA's existing buildings (including Founder's Hall and Martinez Hall), mature trees, and landscaping along the project site's southernmost perimeter. Views from the project site's southern precipice, which can be accessed via walkways near the existing Founder's Hall building, include a direct view of the Access Road and undeveloped lot below, landscaping, and some commercial structures. In the distance, this vantage point also provides views of the greater Downtown Oakland skyline and its high-rise buildings. Even farther off into the distance, slight views of the Santa Cruz mountains and San Pedro Valley Park are visible (as shown in Photo 9).

Photo 9- Views of the Santa Cruz Mountains

- **Views looking East.** From within the project site, views looking directly east are completely obstructed by the 4-story apartment complex adjacent to the site.
- **Views looking West.** From within the project site, views looking west out of the project site are almost completely obstructed by mature trees and landscaping lining the campus' western perimeter along Broadway. Views from the campus' western boundary along the -Broadway sidewalk consist of surrounding 1- and 2-story commercial buildings, the Wendy's fast-food restaurant, the 5-story Merrill Gardens at Rockridge building, single-family homes, mature trees, and utility poles, which generally block views westward beyond these structures.

e. Views of the Project Site

Views into and through the project site are generally limited due to the developed nature of the site and the significant tree canopy lining the project perimeter.

- **Views from the North.** Views into the project site from the north along Broadway and Clifton Street are limited to the surface parking lot, mature trees along the street and on-site, and the perimeter CCA buildings, including the Barclay Simpson Sculpture Studio, Shaklee Building, the Facilities building, and some of the interior landscaping (see photo 10).

- **Views from** the **South.** The southern perimeter of the project site has restricted visibility through the site, largely due to the tree canopy lining the perimeter of the site as well as the raised topography, which slopes upward from the access road below (see photos 11, 12, and 13). Besides landscaping, the only distinguishable feature of the project site visible from the south is the Founder's Hall building, which overlooks the southern precipice of the site.

Photo 10- View of the project site from the north at Broadway

Photo 11- View of the project site from the southwest corner of Broadway and Pleasant Valley Avenue

Photo 12- View of project site's southern precipice from Access Road below

Photo 13- View of project site's southern precipice from Pleasant Valley Avenue

- **Views from the East.** There are very limited views into the project site from the East due to the Clifton apartment complex and the surrounding tree canopy which is taller than the Clifton apartments. There are limited views from the adjacent apartment complex parking lot (see photos 14 and 15). Although there are also limited views from some of the units on the western edge of the Clifton apartment complex, views from private residences and properties are not addressed under CEQA and will not be evaluated.

Photo 14- View of project site from the 225 Clifton apartment complex parking lot

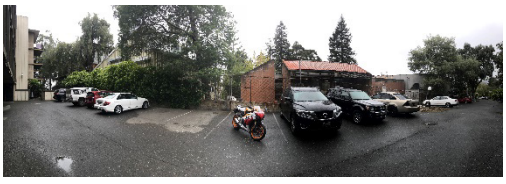


Photo 15- View of the project site from the 225 Clifton apartment complex parking lot

- **Views from the West.** Views of the project site from the west are generally limited by the Broadway Wall and Stairs and the trees and landscaping along the western perimeter of the site along Broadway .The 80-foot-wide view corridor extending from Broadway and College to the Macky Hall entrance, is intended to maintain the view of the Treadwell Estate from Broadway and College Avenue but this corridor is blocked by overgrowth trees resulting in limited views into the site from the Broadway corridor (see photos 16, 17, 18, and 19). In addition, all the buildings within the project site are set back between 100 to 150 feet from Broadway, further reducing visibility of any of the internal structures on the western perimeter of the project site. However, along the northwestern perimeter of the project site near the intersection of Broadway and Clifton Street, the landscaping becomes less dense, and the Broadway Wall reduces in height, which allows for views of the surface parking lot and the western façade of the Barclay Simpson Sculpture Studio.

Photo 16- View of the southwestern corner of the project site from the corner of Broadway and Coronado Avenue

Photo 17- View of the northern portion of the project site from College Avenue

Photo 18- View of the Broadway Wall and CCA campus from the Wendy's parking lot

Photo 19- View of the entry staircase from College Avenue.

f. Scenic Highways/Routes

The City of Oakland General Plan's Scenic Highway Element defines scenic routes as "distinctively attractive roadways that traverse the city, and the visual corridors which surround them." Further discussion of scenic highways/routes can be found below in Regulatory Setting.

g. Scenic Vistas

Scenic vistas are view corridors that capture the total field of vision from a specific viewpoint; they generally encompass a large geographic area for which the field of view can be quite wide and extend in the distance. Scenic vistas are formed by built and natural physical elements that guide lines-of-sight and control view directions available to pedestrians and motorists. Scenic vistas generally include elements of high scenic value or visual prominence. Scenic views identified in the Oakland General Plan include views of the Oakland Hills from the flatlands, views of downtown and Lake Merritt, views of the shoreline, and panoramic views from Skyline Boulevard, Grizzly Peak Boulevard, and other hillside locations.

2. Shade and Shadow

Shadow pattern simulations were prepared by PreVision Design for the existing conditions surrounding the project site for the following dates: June 21 (the summer solstice, when the sun is at its highest point in the sky); December 21 (the winter solstice, when the sun is at its lowest point in the sky); and March 20 and September 22 (the spring and fall equinoxes, respectively, when day and night are approximately the same lengths). Simulations were prepared for three times during each day: 9:00 a.m. (morning); 12:00 p.m. (noon); and 3:00 p.m. (afternoon).

Under existing conditions, shade and shadows cast by existing structures in the project vicinity is minimal all day during the summer solstice, in the afternoons to evenings in the spring and fall equinoxes, and at noon during the winter solstice. Shadows extend for much greater lengths and create much more shading on streets and backyards during the mornings on the spring and fall equinoxes and in the morning and later-afternoons during the winter solstice. However, even during times of great shadow length, there are minimal amounts of shadow being cast on building rooftops in the area. See Appendix G for shadow diagrams of the existing conditions and project.

3. Regulatory Setting

This section discusses applicable regulatory provisions, including policies from the City of Oakland General Plan, the Oakland Planning Code, and the City's SCAs.

a. General Plan

The Land Use and Transportation Element of the General Plan contains the following goals and policies related to aesthetics and shade and shadow impacts.

Policy T6.5: Improving Streetscapes. The City should make major efforts to improve the visual quality of streetscapes. Design of the streetscape, particularly in neighborhoods and commercial centers, should be pedestrian-oriented and include lighting, directional signs, trees, benches, and other support facilities.

Policy 6.5: Protecting Scenic Routes. The City should protect and encourage enhancement of the distinctive character of scenic routes within the city, through prohibition of billboards, design review, and other means.

Policy N1.5: Designing Commercial Development. Commercial development should be designed in a manner that is sensitive to surrounding residential uses.

Policy N8.2: Making Compatible Interfaces Between Densities. The height of development in urban residential and other higher density residential areas should step down as it nears lower density residential areas to minimize conflicts at the interface between the different types of development.

The Open Space, Conservation, and Recreation (OSCAR) Element promotes the preservation and good design of open space and the protection of natural resources to improve aesthetic quality in Oakland. The following objectives and policies are relevant to visual resource concerns associated with the project.

Policy OS-10.1: View Protection. Protect the character of existing scenic views in Oakland, paying particular attention to: (a) views of the Oakland Hills from the flatlands; (b) views of downtown and Lake Merritt; (c) views of the shoreline; and (d) panoramic views from Skyline Boulevard, Grizzly Peak Road, and other hillside locations.

Policy OS-10.2: Minimizing Adverse Visual Impacts. Encourage site planning for new development that minimizes adverse visual impacts and takes advantage of opportunities for new vistas and scenic enhancement.

Policy OS-10.3: Underutilized Visual Resources. Enhance Oakland's underutilized visual resources, including the waterfront, creeks, San Leandro Bay, architecturally significant buildings or landmarks, and major thoroughfares.

b. Oakland Planning Code – Design Review

The City of Oakland Planning Code contains the following regulations related to the design of new projects. Site-specific design guidelines would also be proposed for the project through the Planned Unit Development (PUD) process as a basis for evaluating the architectural quality and compatibility of the project with the character of the existing California College of Arts & Crafts

(CCAC) API and the surrounding neighborhood. The following performance criteria are utilized as part of the City's design review process.

17.136.050 – Regular Design Review Criteria

A. For Residential Facilities

1. That the proposed design will create a building or set of buildings that are well related to the surrounding area in their setting, scale, bulk, height, materials, and textures;
2. That the proposed design will protect, preserve, or enhance desirable neighborhood characteristics;
3. That the proposed design will be sensitive to the topography and landscape;
4. That, if situated on a hill, the design and massing of the proposed building related to the grade of the hill;
5. That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable design review guidelines or criteria, district plan, or development control map which have been adopted by the Planning Commission or City Council.

B. For Nonresidential Facilities and Signs

1. That the proposal will help achieve or maintain a group of facilities which are well related to one another and which, when taken together, will result in a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area. Only elements of design which have some significant relationship to outside appearance shall be considered, except as otherwise provided in Section 17.136.060;
2. That the proposed design will be of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area;
3. That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable design review guidelines or criteria, district plan, or development control map which have been adopted by the Planning Commission or City Council.

C. For Local Register Properties that are not Landmarks or located in the S-7 or S-20 Zone:

1. That for additions or alterations, the proposal will not substantially impair the visual, architectural, or historic value of the affected site or facility. Consideration shall be given to design, form, scale, materials, texture, lighting, landscaping, Signs, and any other relevant design element or effect, and, where applicable, the relation of the above to the original design of the affected facility.

D. For Potential Designated Historic Properties that are not Local Register Properties: That for additions or alterations,

1. The design matches or is compatible with, but not necessarily identical to, the property's existing or historical design; or
1. The proposed design comprehensively modifies and is at least equal in quality to the existing design and is compatible with the character of the neighborhood; or
2. The existing design is undistinguished and does not warrant retention and the proposed design is compatible with the character of the neighborhood.

17.136.060 – Review by Landmarks Board in Certain Cases

A. Whenever an application is for regular design review in the S-7 Zone, or on a designated landmark site, the Director of City Planning shall refer the proposal to the Landmarks Preservation Advisory Board for its recommendations.

B. Whenever an application is for regular design review in the S-20 Zone, and the Director of City Planning determines that a proposed addition or alteration will have a significant effect on the property's character-defining elements that are visible from a street or other public area, the Director may, at his or her discretion, refer the project to the Landmarks Preservation Advisory Board for its recommendations. "Character-defining elements" are those features of design, materials, workmanship, setting, location, and association that identify a property as representative of its period and contribute to its visual distinction or historical significance. An addition or alteration is normally considered "visible from a street or other public area" if it affects a street face or public face of the facility or is otherwise located within the "critical design area," defined as the area within forty (40) feet of any street line, public alley, public path, park or other public area.

17.136.070 – Special Regulations for Designated Landmarks

A. Designation. In any zone, the City Council may designate as a landmark any facility, portion thereof, or group of facilities which has special character, interest, or value of any of the types referred to in Section 17.07.030P. The designating ordinance for each landmark shall include a description of the characteristics of the landmark which justify its designation and a clear description of the particular features that should be preserved. Each ordinance shall also include the location and boundaries of a landmark site, which shall be the lot, or other appropriate immediate setting, containing the landmark. Designation of each landmark and landmark site shall be pursuant to the rezoning and law change procedure in Chapter 17.144.

B. Design Review for Construction or Alteration. Except for projects that are exempt from design review as set forth in Section 17.136.025, no Building Facility, Telecommunications Facility, Sign, or other associated structure on any designated landmark site shall be constructed or established, or altered in such a manner as to affect exterior appearance unless plans for the proposal have been approved pursuant to the design review procedure in this Chapter and the applicable provisions of this Section. Furthermore, for a publicly-owned landmark, the designating ordinance may require such approval of proposed changes to major interior architectural features.

C. Regular Design Review Criteria. Proposals involving designated landmarks that require Regular design review approval may be granted only upon determination that the proposal conforms to the Regular design review criteria set forth in Section 17.136.050 and to the additional criteria set forth below in Subdivisions 1, 2 and 3 or to one or both of the criteria set forth in Subdivision 4:

1. That the proposal will not adversely affect the exterior features of the designated landmark nor, when subject to control as specified in the designating ordinance for a publicly-owned landmark, its major interior architectural features;
2. That the proposal will not adversely affect the special character, interest, or value of the landmark and its site, as viewed both in themselves and in their setting;

3. That the proposal conforms with the Design Guidelines for Landmarks and Preservation Districts as adopted by the City Planning Commission and, as applicable for certain federally related projects, with the Secretary of the Interior's Standards for the Treatment of Historic Properties;
4. If the proposal does not conform to the criteria set forth in Subdivisions 1, 2 and 3:
   i. That the designated landmark or portion thereof is in such condition that it is not architecturally feasible to preserve or restore it, or
   ii. That, considering the economic feasibility of alternatives to the proposal, and balancing the interest of the public in protecting the designated landmark or portion thereof, and the interest of the owner of the landmark site in the utilization thereof, approval is required by considerations of equity.

D. Duty to Keep in Good Repair. Except as otherwise authorized under Subsections B. and C. of this Section, the owner, lessee, or other person in actual charge of each designated landmark shall keep good repair all of the exterior portions thereof, all of the interior portions thereof when subject to control as specified in the designating ordinance, and all interior portions thereof the maintenance of which is necessary to prevent deterioration and decay of any exterior portion.

17.136.075 – Regulations for Demolition or Removal of CIX-1A Zone Properties, Designated Historic Properties, and Potentially Designated Historic Properties

A. With the exception of structures declared to be a public nuisance by the Building Official or City Council, Regular Design Review of the demolition or removal of a Designated Historic Property (DHP) or Potentially Designated Historic Property (PDHP) shall only be approved after the Regular Design Review of a replacement project at the subject site has been approved; however, demolition of nuisance structures must still undergo Regular Design Review for demolition as required by this Chapter.

B. Regular Design Review approval for the demolition or removal of any Landmark, Heritage Property, structure rated "A" or "B" by the Oakland Cultural Heritage Survey, and structure on the City's Preservation Study List that are not in an S-7 or S-20 Zone, or Area of Primary Importance (API) as determined by the Oakland Cultural Heritage Survey may be granted only if the proposal conforms to the Regular design review criteria, all other applicable design review criteria, and the following additional criteria:
1. The applicant demonstrates that: a) the existing property has no reasonable use or cannot generate a reasonable economic return and that the development replacing it will provide such use or generate such return, or b) the applicant demonstrates that the structure constitutes a hazard and is economically infeasible to rehabilitate on its present site. For this finding, a hazard constitutes a threat to health and safety that is not immediate;
2. If a replacement facility is required by Subsection 17.136.075.A., the design quality of the replacement facility is equal or superior to that of the existing facility; and
3. It is economically, functionally architecturally, or structurally infeasible to incorporate the historic structure into the proposed development.

C. Regular Design Review Approval for the demolition or removal of any structure in the CIX-1A Zone, or an S-7 or S-20 Zone, or an Area of Primary Importance (API) as determined by the Oakland Cultural Heritage Survey may be granted only if the proposal conforms to the general design review criteria, all other applicable design review criteria, and the following additional criteria:
1. For the demolition of structures in the CIX1A Zone; or contributors to an S-7 Zone, S-20 Zone, or API:

a. The Applicant demonstrates that: i) the existing property has no reasonable use or cannot generate a reasonable economic return and that the development replacing it will provide such use or generates such return, or ii) the applicant demonstrates that the structure constitutes a hazard and is economically infeasible to rehabilitate on its present site. For this criterion, a hazard constitutes a threat to health and safety that is not immediate; and
b. It is economically, functionally, architecturally, or structurally infeasible to incorporate the historic structure, or existing structure in the CIX-1A Zone, into the proposed development.

2. For the demolition of noncontributors to an S-7 Zone, S-20 Zone, or API: The existing structure is either: i) seriously deteriorated or a hazard; or ii) the existing design is undistinguished and does not warrant retention. For this finding, a hazard constitutes a threat to health and safety that is not immediate;
3. For the demolition of any structure in an S-7 Zone, S-20 Zone, or API:
   a. The design quality of the replacement structure is equal/superior to that of the existing structure; and
   b. The design of the replacement project is compatible with the character of the district, and there is no erosion of design quality at the replacement project site and in the surrounding area. This includes, but is not limited to, the following additional findings:
   i. The replacement project is compatible with the district in terms of massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing;
   ii. New street frontage includes forms that reflect the widths and rhythm of the facades on the street and entrances that reflect the patterns on the street;
   iii. The replacement project provides high visual interest that either reflects the level and quality of visual interest of the district contributors or otherwise enhances the visual interest of the district;
   iv. If the design contrasts the new to the historic character, the replacement project enriches the historic character of the district;
   v. The replacement project is consistent with the visual cohesiveness of the district. For the purpose of this item, visual cohesiveness is the architectural character, the sum of all visual aspects, features, and materials that defines the district. A new structure contributes to the visual cohesiveness of a district if it relates to the design characteristics of a historic district. New construction may do so by drawing upon some basic building features, such as the way in which a building is located on its site, the manner in which it relates to the street, its basic mass, form, direction or orientation (horizontal vs. vertical), recesses and projections, quality of materials, patterns of openings and level of detailing. When a combination of some of these design variables are arranged in a new building to relate to those seen traditionally in the area, but integral to the design and character of the proposed new construction, visual cohesiveness results; and
   vi. The replacement project will not cause the district to lose its current historic status.

D. Regular Design Review Approval for the demolition or removal of any structure rated "C" by the Oakland Cultural Heritage Survey or contributes to an Area of Secondary Importance (ASI) as determined by the Oakland Cultural Heritage Survey may be granted only if the proposal conforms to the general design review criteria, all other applicable design review criteria, and to either: 1., 2., or 3., below:

1. The design quality of the proposed replacement project is at least equal to that of the original structure and the proposed replacement project is compatible with the character of the neighborhood; or

2. The public benefits of the proposed replacement project outweigh the benefit of retaining the original structure and the proposed replacement project is compatible with the character of the neighborhood; or
3. The existing design is undistinguished and does not warrant retention and the proposed design is compatible with the character of the neighborhood.

E. For proposals that have received Design Review approval pursuant to this Section, the issuance of a demolition permit for any structure or portion thereof may be postponed by the Director of City Planning for a period not to exceed one hundred twenty (120) days from the date of application for such permit. The Director may do so upon determination that the structure or portion thereof is listed as a Local Register Property or is on a study list of facilities under serious study by the Landmarks Preservation Advisory Board, the City Planning Commission, or the Director, for possible landmark designation under Section 17.136.070 or for other appropriate action to preserve it. During the period of postponement, the Board, the Commission, or the Director shall explore means for preserving or restoring the structure or portion thereof. However, demolition may not be postponed under this Section if, after notice to the Director of City Planning, the Building Services Department, the Housing Conservation Division, their respective appeals boards, or the City Council determines that immediate demolition is necessary to protect the public health or safety. Any determination made by the Director of City Planning under this Section may be appealed pursuant to the administrative appeal procedure in Chapter 17.132.

c. City of Oakland Commercial Corridor Design Guidelines

The Commercial Corridor Design Guidelines (Guidelines) apply to any project, including additions and new construction, in the City's major corridor zones (RU4, RU-5, CN-1, CN-2, CN-3, CC-1, CC-2, and S-15) that require Design Review under Chapter 17.136 of the Zoning Regulations. The Guidelines further build upon the intent of the General Plan by providing a series of design guidelines that are more descriptive and illustrative than suitable for a zoning code by supplementing the design review criteria. The Guidelines also make the Design Review process more transparent and straightforward by clearly presenting the City's expectations to the public, applicants, staff, and decision makers. The Guidelines apply to various contexts on the commercial corridors such as built-out storefronts and residential neighborhoods, under-developed areas, historic districts, and wide or narrow corridors. The Guidelines also apply to all types of construction: stand-alone residential, mixed-use (residential over commercial), standalone commercial buildings, and civic buildings. Special consideration is also provided for large developments (generally sites over 60,000 square feet) and corner lots. Each guideline in this document expands on the General Plan and Zoning Regulations by providing design direction that is not suited to objective standards in Oakland's Zoning Regulations. Instead, they descriptively and graphically express the City's expectations for new development on the corridors.

The Guidelines often refer to "primary" and "secondary" corridors. In general, the primary corridors are wider and more urban in character, such as International Boulevard, San Pablo Avenue, Telegraph Avenue, and Broadway. The secondary corridors generally have a less dense

character and include Foothill Boulevard, Bancroft Avenue, College Avenue, Shattuck Avenue, MacArthur Boulevard.

d. Standard Conditions of Approval

The City's SCAs relevant to aesthetics and shade and shadow are listed below for reference. If the project is approved by the City, the SCAs would be adopted as requirements to help ensure that no significant impacts (for the applicable topic) occur because of the project. Therefore, the SCAs are not listed as mitigation measures.

SCA-AES-1: Trash and Blight Removal (#16)
Requirement: The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.
When Required: Ongoing
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-AES-2: Graffiti Control (#17)
Requirement:

a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:
    i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.
    ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.
    iii. Use of paint with anti-graffiti coating.
    iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).
    v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.
b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:
    i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system.
    ii. Covering with new paint to match the color of the surrounding surface.
    iii. Replacing with new surfacing (with City permits if required).

When Required: Ongoing
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-AES-3: Landscape Plan (#18)

a. Landscape Plan Required

Requirement: The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.
When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Planning
Monitoring/Inspection: N/A

b. Landscape Installation

Requirement: The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of $2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.
When Required: Prior to building permit final
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

c. Landscape Maintenance

Requirement: All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.
When Required: Ongoing
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-AES-4: Lighting (#19)

Requirement: Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.
When Required: Prior to building permit final
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-AES-5: Public Art for Private Development (#98)

Requirement: The project is subject to the City's Public Art Requirements for Private Development, adopted by Ordinance No. 13275 C.M.S. ("Ordinance"). The public art contribution requirements are equivalent to one-half percent (0.5%) for the "residential" building development costs, and one percent (1.0%) for the "non-residential" building development costs.

The contribution requirement can be met through: 1) the installation of freely accessible art at the site; 2) the installation of freely accessible art within one-quarter mile of the site; or 3) satisfaction of alternative compliance methods described in the Ordinance, including, but not limited to, payment of an in-lieu fee contribution. The applicant shall provide proof of full payment of the in-lieu contribution

and/or provide plans, for review and approval by the Planning Director, showing the installation or improvements required by the Ordinance prior to issuance of a building permit.

Proof of installation of artwork, or other alternative requirement, is required prior to the City's issuance of a final certificate of occupancy for each phase of a project unless a separate, legal binding instrument is executed ensuring compliance within a timely manner subject to City approval.
When Required: Payment of in-lieu fees and/or plans showing fulfillment of public art requirement – Prior to Issuance of Building permit
Installation of art/cultural space – Prior to Issuance of a Certificate of Occupancy
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

4. Impacts, Standard Conditions of Approval, and Mitigation Measures

This section discusses potential aesthetic impacts that could result from implementation of the project. It presents the thresholds of significance and identifies potential impacts. Visual simulations of the project are also provided to help reviewers understand the project at the end of this section. Locations discussed and displayed in the corresponding figures are shown in Figure V.L-4. Visual simulations of the project are shown in Figures V.L-5 through V.L-14, sorted in order of nearest to farthest from the project site. Visual simulations with views looking on the project site are shown in Figures V.L-15 and V.L-16.

a. Significance Criteria

Implementation of the project would result in a significant impact related to aesthetics and shade and shadow if it would result in any of the following:

1. Have a substantial adverse effect on a public scenic vista.
2. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state or locally designated scenic highway.
3. Substantially degrade the existing visual character or quality of the site and its surroundings.
4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.
5. 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).
6. 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.

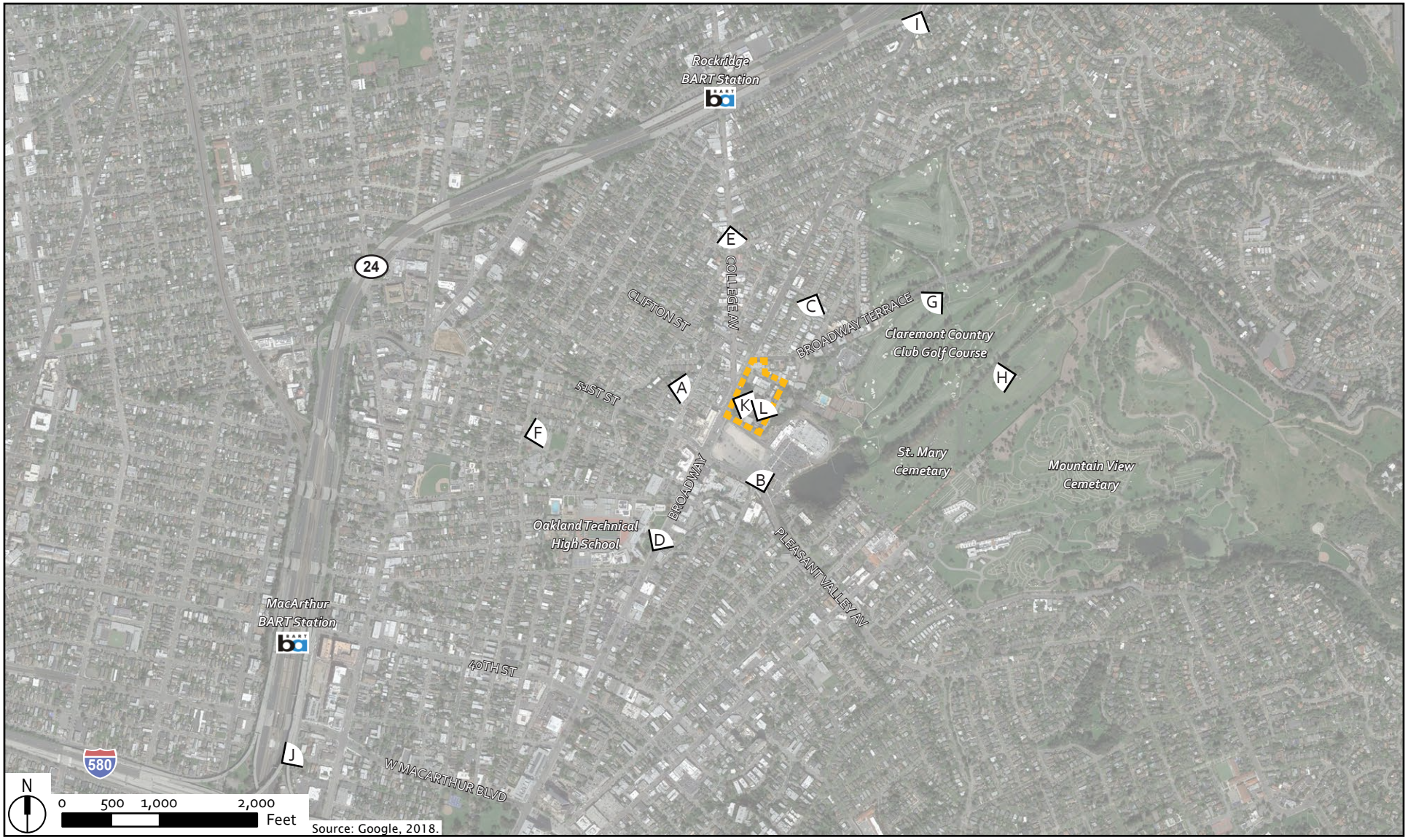


Figure V.L-4
Visual Simulations - Viewpoint Locations

Existing Conditions

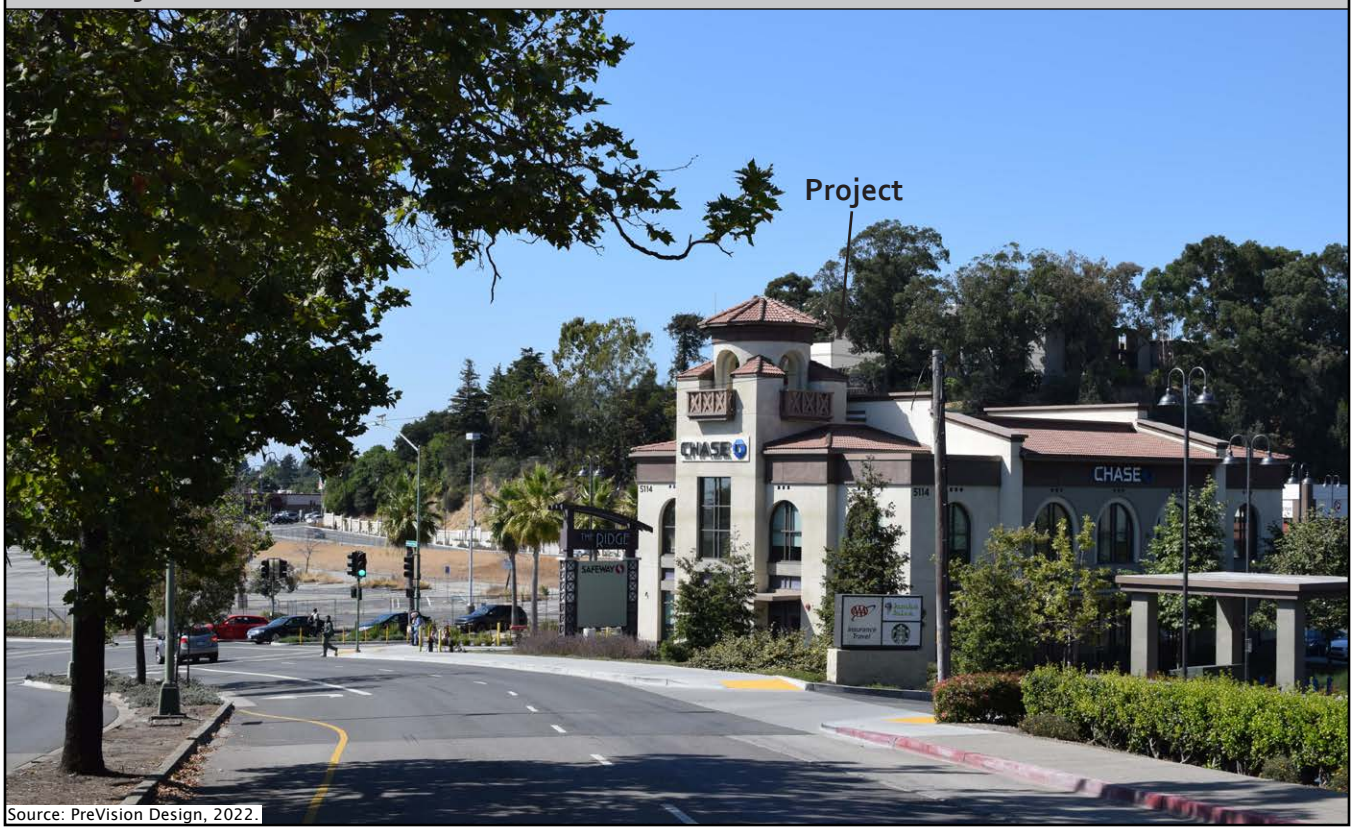
With Project

Source: PreVision Design, 2022.

Figure V.L-5
Visual Simulation Location A - View from Coronado Avenue

Existing Conditions

With Project



Source: PreVision Design, 2022.

Figure V.L-6
Visual Simulation Location B - View from Pleasant Valley Avenue near Rockridge Shopping Center

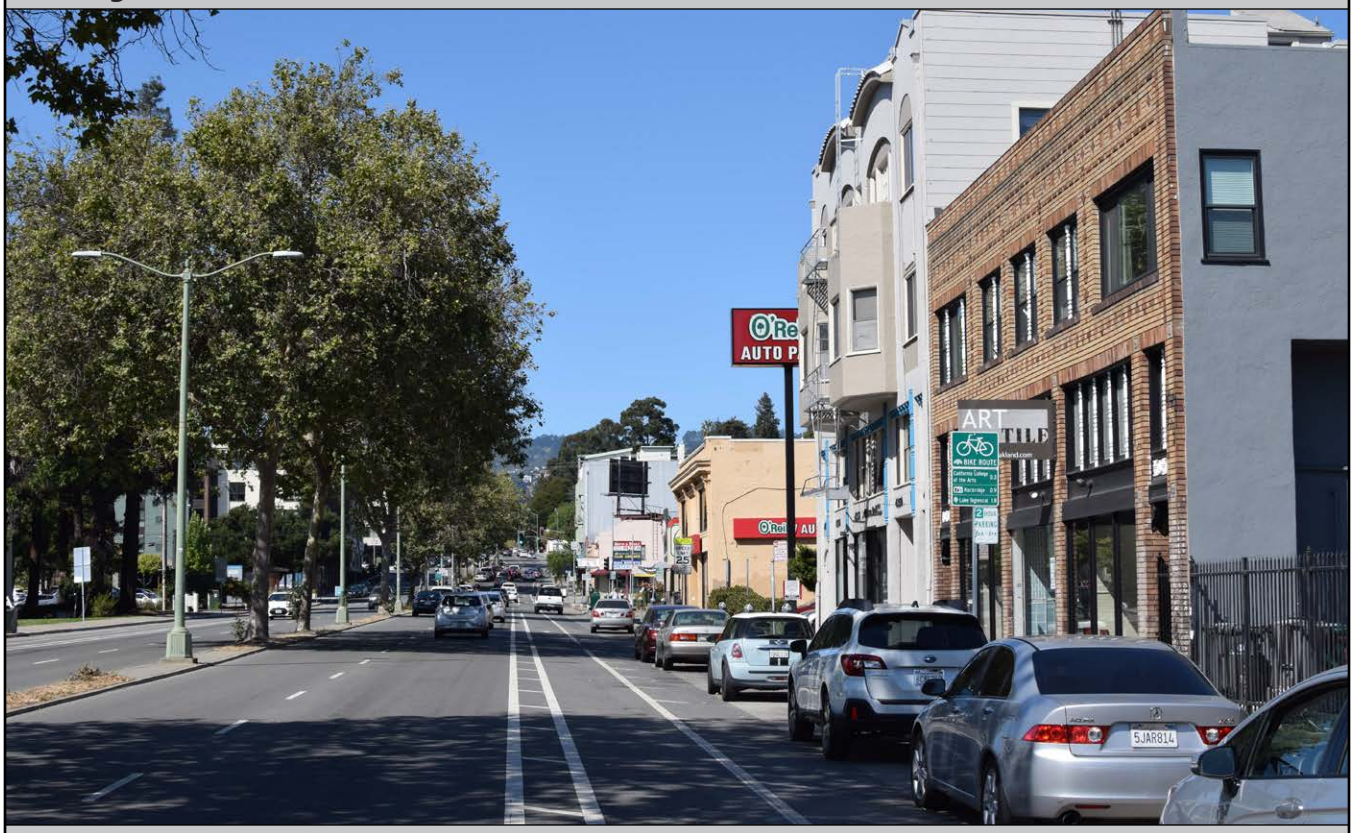
Existing Conditions

With Project

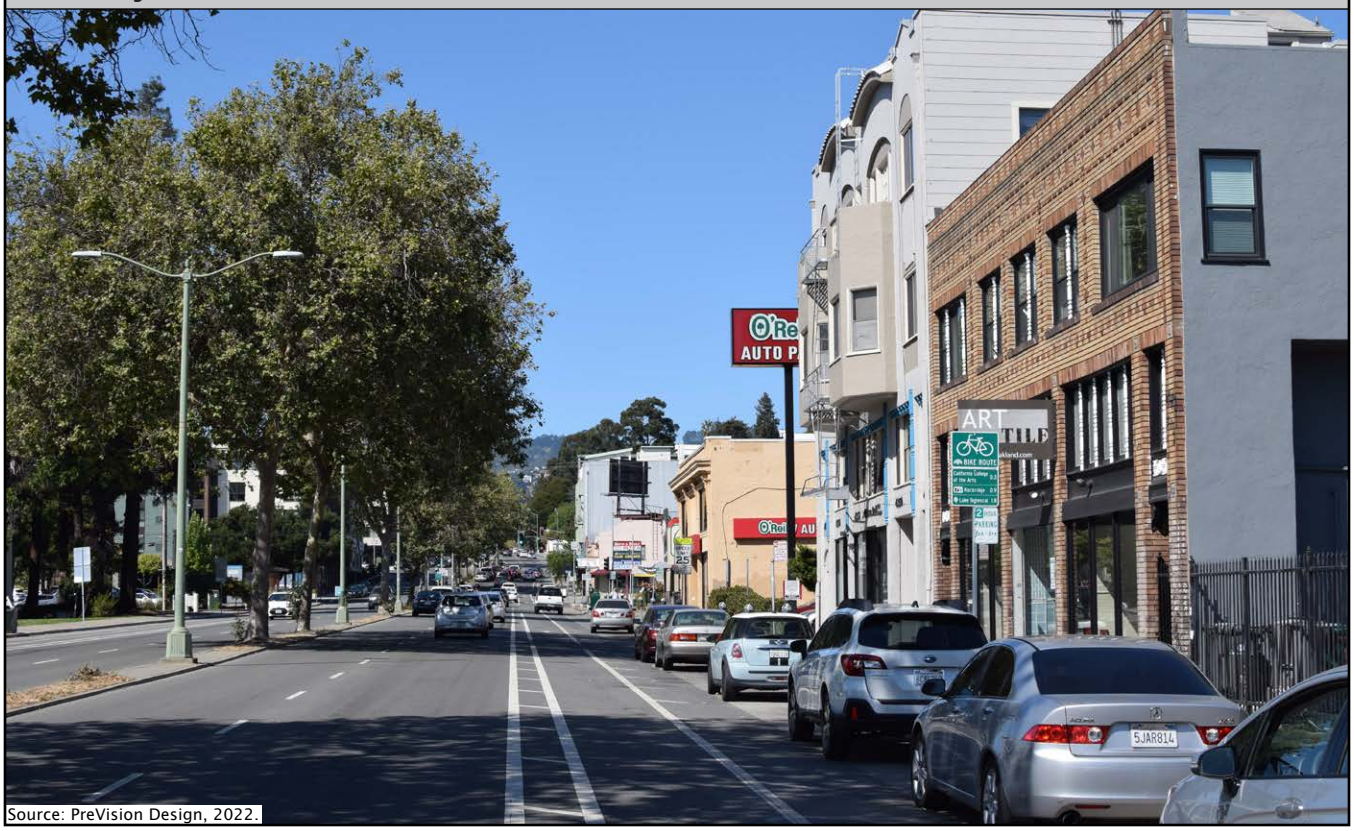
Source: PreVision Design, 2022.

Figure V.L-7
Visual Simulation Location C - View from Napa Street and Thomas Avenue

Existing Conditions



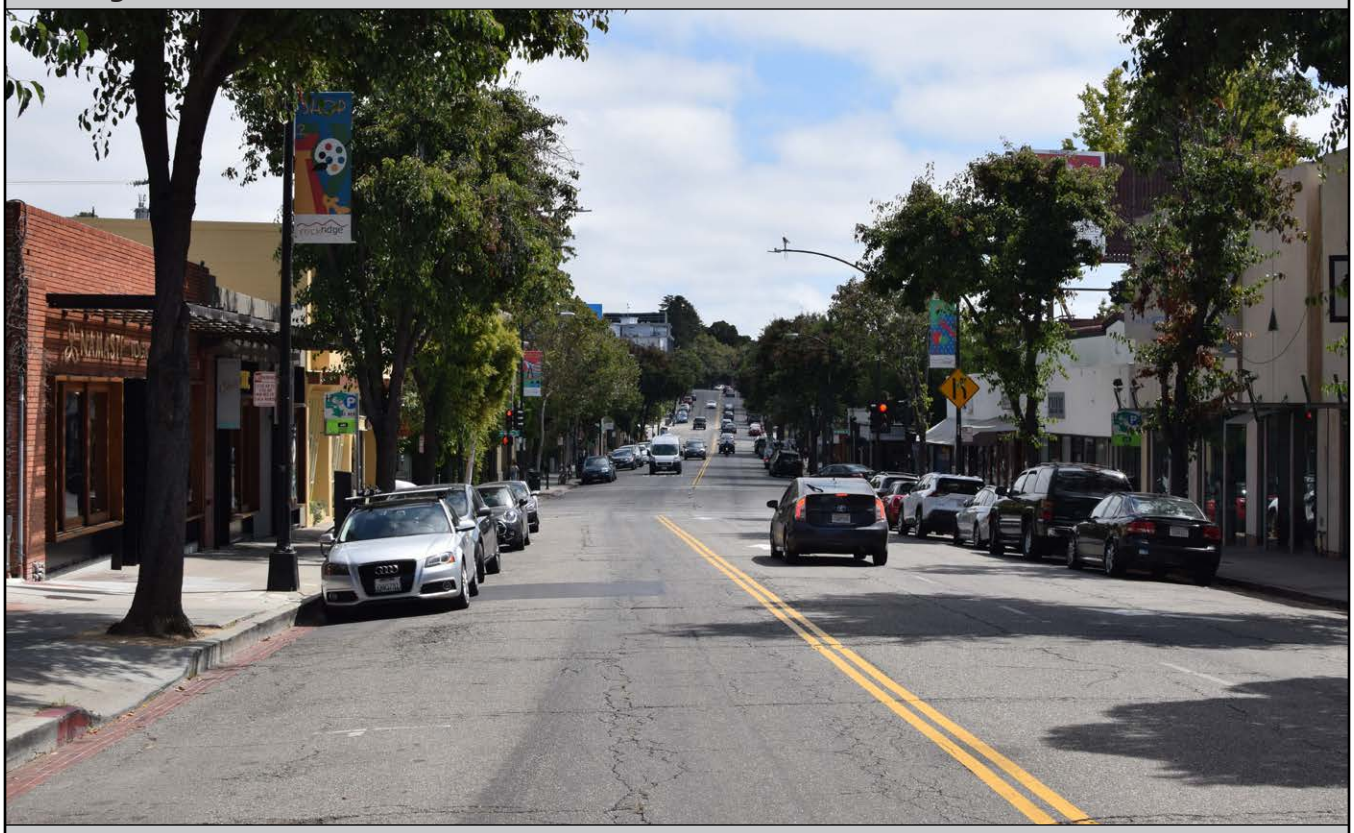
With Project



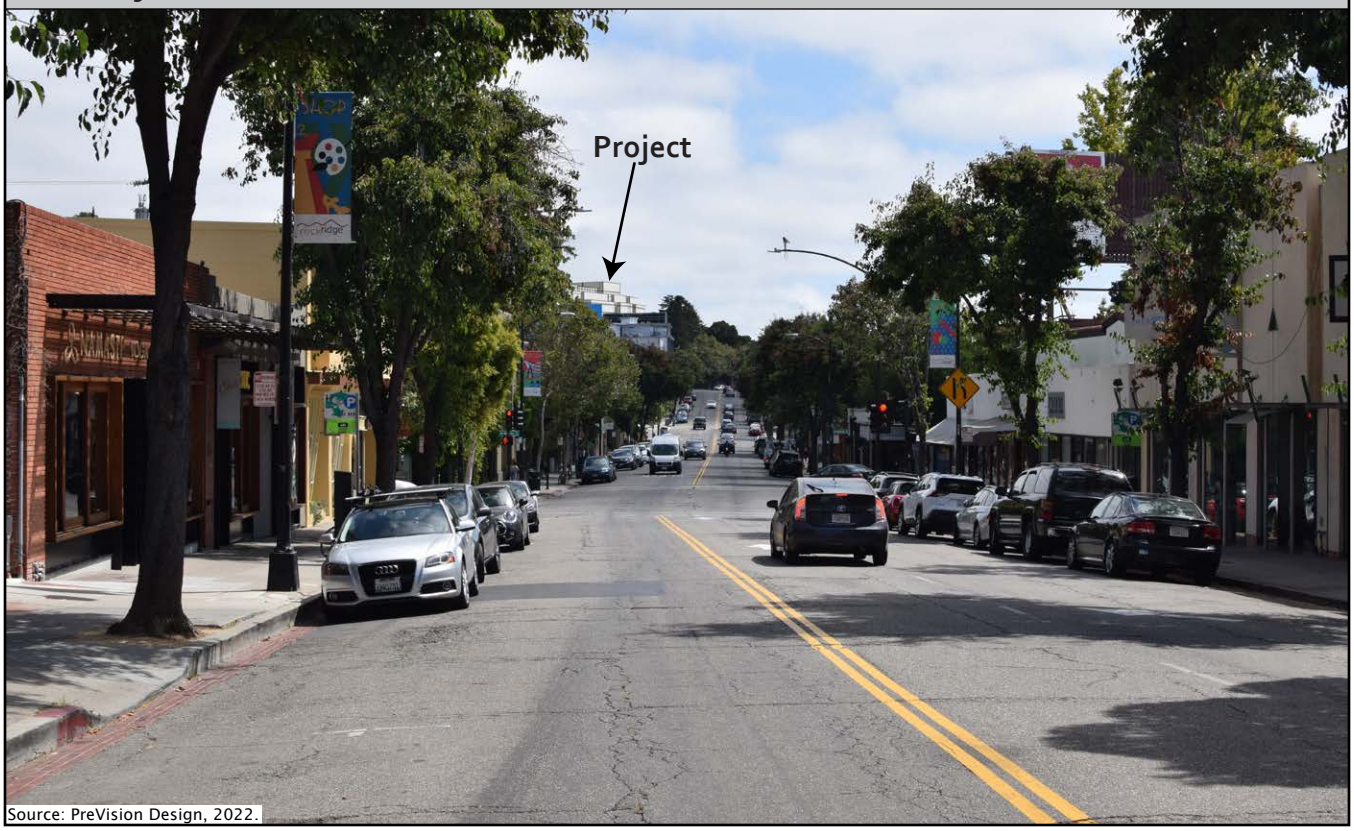
Source: PreVision Design, 2022.

Figure V.L-8
Visual Simulation Location D - View from Broadway near Oakland Technical High School

Existing Conditions



With Project



Source: PreVision Design, 2022.

Figure V.L-9
Visual Simulation Location E - View from College Avenue and Kales Avenue

Existing Conditions

With Project

Source: PreVision Design, 2022.

Figure V.L-10
Visual Simulation Location F - View from Emerson Elementary School

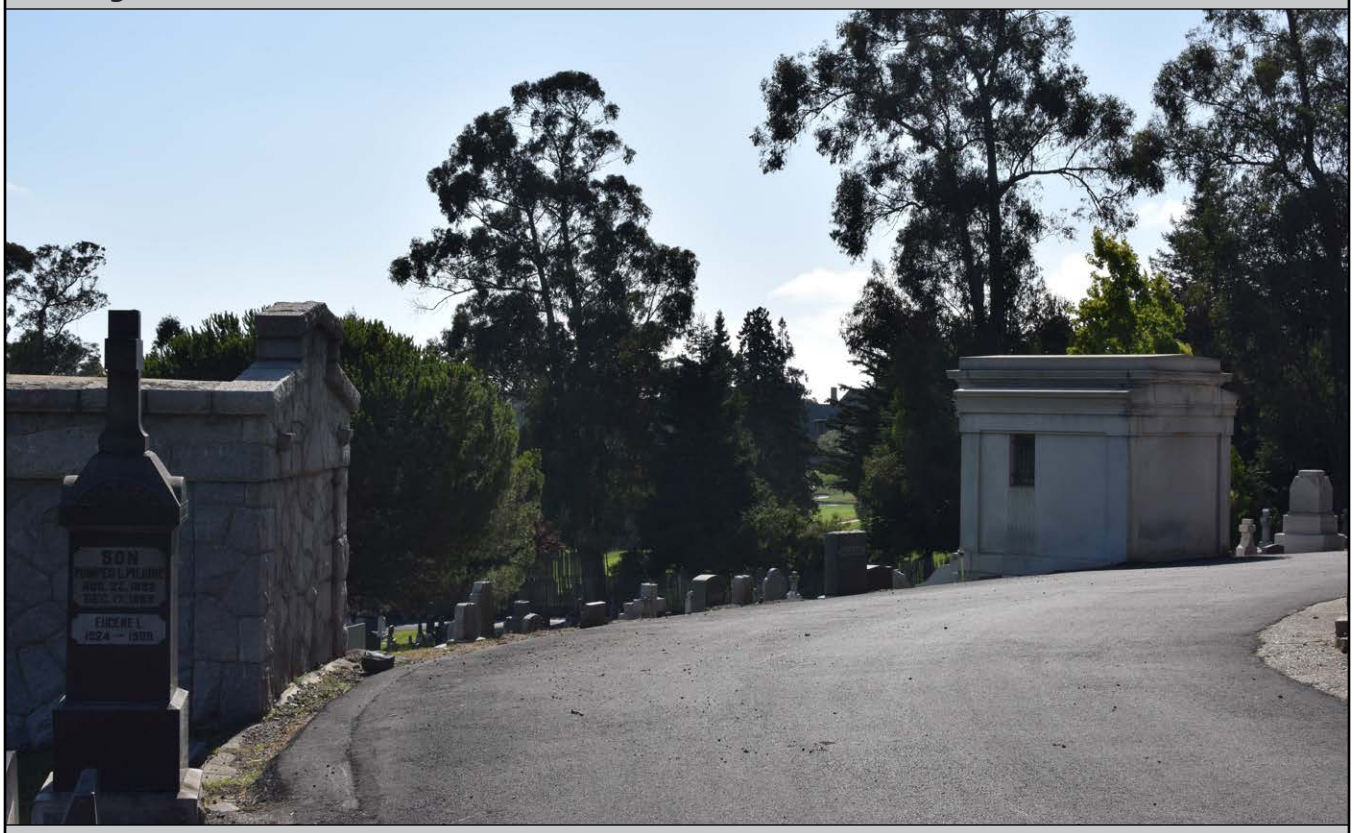
Existing Conditions

With Project

Source: PreVision Design, 2022.

Figure V.L-11
Visual Simulation Location G - View from Claremont Country Club Golf Course

Existing Conditions



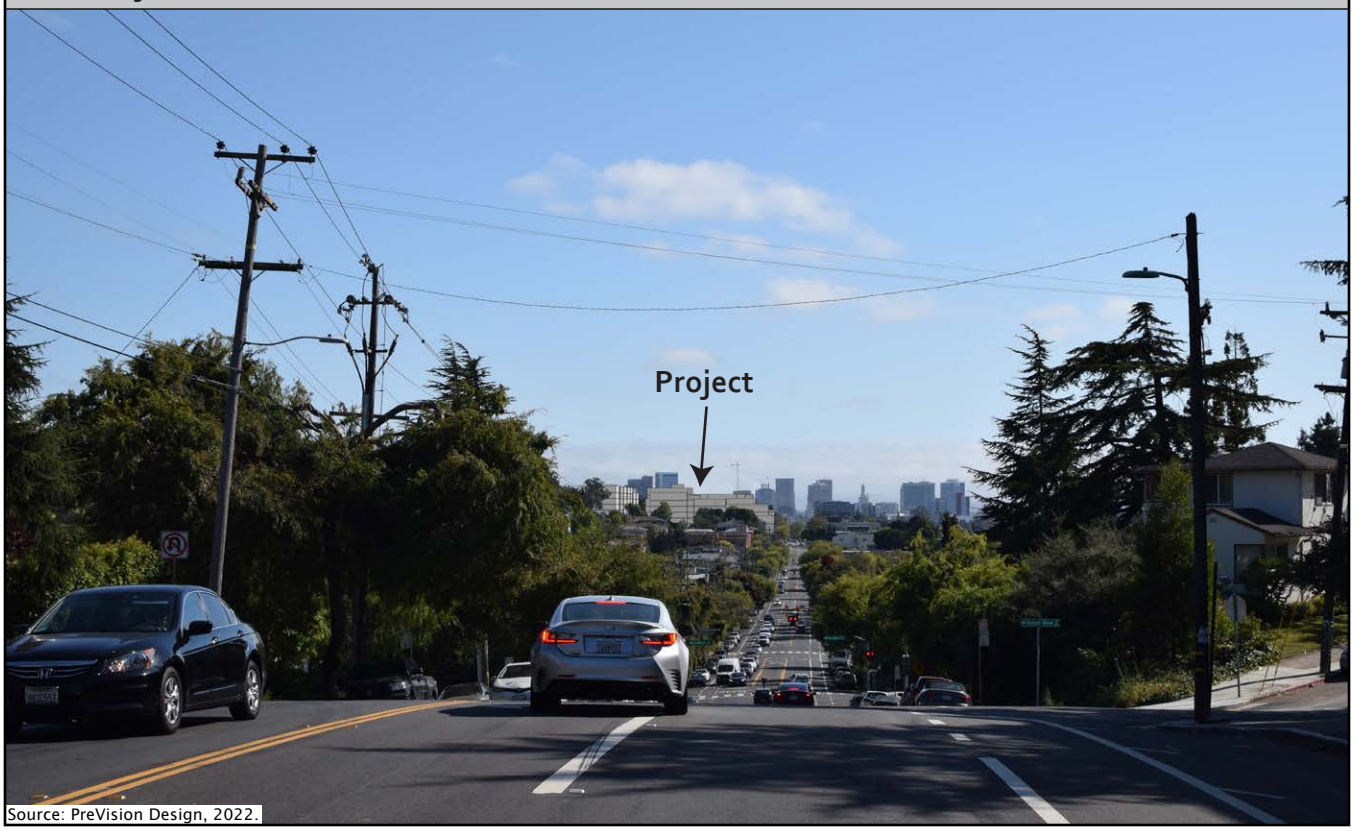
With Project

Source: PreVision Design, 2022.

Figure V.L-12
Visual Simulation Location H - View from St. Mary Cemetery

Existing Conditions

With Project



Source: PreVision Design, 2022.

Figure V.L-13
Visual Simulation Location I - View from Broadway near Highway 24

Existing Conditions

With Project

Source: PreVision Design, 2022.

Figure V.L-14
Visual Simulation Location J - View from Interstate 580 / Highway 24 Interchange

Existing Conditions

With Project

Source: PreVision Design, 2022.

Figure V.L-15
Visual Simulation Location K - View on the Site Looking East

Existing Conditions

With Project

Source: PreVision Design, 2022.

Figure V.L-16
Visual Simulation Location L - View on the Site Looking North

7. Create winds that exceed 36 miles per hour (mph) for more than one hour during daylight hours during the year.[3]

Per the City of Oakland CEQA Thresholds of Significance Guidelines, Criterion 10 related to wind hazards does not apply to the project; while the project would result in development of a building taller than 100 feet high, the project site is not located near a substantial body of water (i.e., Oakland Estuary, Lake Merritt, or San Francisco Bay), or in Downtown Oakland. For these reasons, impacts related to wind hazards are not analyzed for this project.

Photo 20- View from the Site looking north towards the Oakland Hills

b. Less-Than-Significant Impacts

Implementation of the project would result in the less-than-significant impacts described below. Because implementation of the project would not exceed the significance criteria described above, the project's impacts would not be considered significant, and no mitigation measures are needed.

(1) Scenic Vistas (Criterion 1)

The OSCAR element of the City of Oakland General Plan identifies the following views as scenic resources that need to be protected: Downtown Oakland to the south and southwest, Lake Merritt to the south, the San Francisco Bay shoreline to the south and west, the Oakland Hills to the north and east, and panoramic views from Skyline Boulevard and Grizzly Peak Road. The OSCAR Element has determined that these views should be protected through a combination of development review, zoning

Photo 21- View from the site looking south towards Downtown Oakland

[3] 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. Downtown is defined in the Land Use and Transportation Element of the General Plan (page 67) as the area generally bounded by West Grand Avenue to the north, Lake Merritt and Channel Park to the east, the Oakland Estuary to the south and I-980/Brush Street to the west. The wind analysis must consider the project's contribution to wind impacts to on- and off-site public and private spaces. Only impacts to public spaces (on- and off-site) and off-site private spaces are considered CEQA impacts. Although impacts to on-site private spaces are considered a planning-related non-CEQA issue, such potential impacts still must be analyzed.

standards (including height limits in appropriate areas), design review, and proper management of park and open space areas.

Existing views from and through the project site of scenic vistas are very limited. As a result, the project would not have a substantial adverse effect on a scenic vista as further discussed below.

Photo 22- View from the site looking west towards the San Francisco Bay

From Project Site

Given the urban nature and gently sloping topography of the project area together with the site's juxtaposition of being elevated above Broadway and the area south of the site, views of the area from and through the project site are generally limited to the immediate developed area adjacent to the site. Due to the number of mature trees, landscaping, and buildings within the project site, views from the project site are extremely limited. See section L.1.d above for additional detail. Once the project is complete, views from the site will be more open providing a slightly more direct view of the Oakland Hills as shown in Figure V.L-15 and 16, which are simulations of views from the site of the project compared to existing views. There are no views of the other identified scenic vistas including Downtown and Lake Merritt from the ground plan at the project site. As a result, there are no views of scenic resources from the project site that will be adversely significantly impacted by the project.

Through Project Site

Views through the site within the immediate vicinity and the area south of the site are also almost entirely obstructed given the site's dense vegetation and juxtaposition elevation above Broadway as shown in Photos 10-18 included in section L.1.e above, which also includes detailed description of existing views of Lake Merritt or the Oakland Hills from or through the site. The following visual simulations of the project compared to existing views also show that there are no views through the site beyond to

As one moves further away from the site at elevations higher than the site, the views through the site beyond to scenic vistas are also very limited by the dense vegetation and the area's topography. The visual simulations provided in Figures V.L-5 through Figure V.L-14 provide view simulations towards the project site with and without the project from a range of representative viewpoints. The effects of the project on each of the identified scenic vistas from public vantage points are detailed below. It is noted that although the project may alter views from nearby buildings, impacts to views from private development are not considered significant under CEQA. As a result, the project would not significantly impact scenic vistas identified in the OSCAR.

Existing views from and through the project site of scenic vistas are generally limited due to the site's elevation above Broadway, existing CCA facilities, mature on-site landscaping, and the other nearby development.

Oakland Hills

Views north and east towards the site are shown in Photo 20 and Figures V.L-5, V.L-6, V.L-10, V.L-14. Views through the site of the Oakland Hills to the east are only seen in Figure V.L-10 from Emerson Elementary and from Figure V.L-14, from travelling East on State Route (SR) 24.

Figure V.L-14 shows views of the site from SR 24 travelling east with and without the project. The project will be visible from these viewpoints; although it is difficult to distinguish amongst the other development given the dense vegetation, each viewpoint's relative distance from the site, the proposed buildings are similar in scale to other buildings in the vicinity (such as the new multi-family residential projects further south on Broadway and the mid-rise developments on Clifford and Broadway Terrace) although incrementally taller. As a result, the existing views north and east through the project site towards the Oakland Hills would not be significantly altered by the project). Figure V.L-17 provides visual simulations towards the Oakland Hills with the project from several vantage points: Coronado Avenue, view through the site looking north, Emerson Elementary School, and I-580/SR 24 Interchange.

Downtown Oakland

Existing views of Downtown Oakland are visible from the Broadway corridor adjacent to and north and south of the project site. The project will have the greatest impact on views from the north end of Broadway near SR 24 to Downtown as shown in Figure V.L-13. Although the project would be visible from this viewpoint, the portion of the Downtown skyline that is seen from this viewpoint will slightly increase after completion of the project. Figure V.L-18 provides visual simulations looking towards Downtown Oakland with the project from College Avenue and Kales Avenue, Broadway near SR 24, and Napa Street and Thomas Avenue.

Photo 23- View from the site looking south towards Downtown Oakland

As shown in Figure V.L-13 (from Broadway near SR 24), elimination of the taller trees actually increases visibility of the Downtown Oakland skyline. Thus, the project would not adversely impact views through the site of Downtown.

Source: PreVision Design, 2022.

Figure V.L-17
Various Views of the Oakland Hills with Project

Source: PreVision Design, 2022.

Figure V.L-18
Various Views of Downtown Oakland with Project

San Francisco Bay Shoreline

Views of San Francisco Bay Shoreline are generally not visible through the site as illustrated in the simulated views from public vantage points north and east of the site (see Figures V.L-7, 9, 11, 12 and 13). Views through the site of the San Francisco Bay Shoreline likely exist from some of the taller buildings or development at higher elevations, most of which would be from private views. Although CEQA does not consider impacts to private views, the impact to such views would be similar to that described above from SR 24 (Figure V.L-14) and the new development would not be very distinguishable within the scenic vista and would not significantly impact any views of the Bay through the site. Figure V.L-19 provides visual simulations looking towards the San Francisco Bay with the project from the Claremont Country Club Golf Course and St. Mary Cemetery.

Lake Merritt

No existing views of Lake Merritt are visible from or through the site at the ground plane. Implementation of the project would not substantially alter these existing conditions.

Grizzly Peak Road and Skyline Boulevard

The project would be viewable from Grizzly Peak Road but would be of a similar scale to much of the nearby development and would not significantly adversely affect panoramic views. The project would not be viewable from Skyline Boulevard.

Summary

The project would construct buildings ranging in height up to 95 feet, which are taller than buildings currently on-site that range in height from 22 to 64 feet. However, construction of these buildings would not substantially change or affect existing views of scenic vistas in the project vicinity. Therefore, implementation of the project would alter some views, but would not create any new impediments to scenic vistas from public rights-of-way and would result in a less-than-significant impact.

(2) Scenic Resources (Criterion 2)

The scenic highways in Alameda County are as follows:

- Interstate (I-) 580, from the San Joaquin County Line to SR 205, and from San Leandro city limits to SR 4 in Oakland.
- I-680, from Mission Boulevard in Fremont to the Contra Costa County line.

Scenic resources for purposes of this criterion include but are not limited to, trees, rock outcroppings, and historic buildings, within state or locally designated scenic highways.

Source: PreVision Design, 2022.

Figure V.L-19
Various Views of San Francisco Bay with Project

The project site is approximately 1 mile north of the State Scenic Highway's segment of I-580 that terminates at SR 24. Because the I-580/SR 24 interchange is elevated and the project would be one of the tallest developments in North Oakland, it would be visible to motorists travelling on the designated scenic highway, as shown in Figure V.L-14. However, the project would not significantly alter views of motorists travelling along I-580 due to its distance from the scenic highway. Because of the 1-mile distance, the project only appears as an additional feature to the visual backdrop, rather than obtrusive visual impediment to any views of scenic vistas, specifically the Oakland Hills. The project's buildings would not affect views from I-580 of Downtown Oakland, Lake Merritt, the San Francisco Bay, or the San Francisco Skyline and therefore would result in a less-than-significant impact.

(3) Visual Character (Criterion 3)

The site includes an historic 80-foot-wide view corridor extending westward from Macky Hall (centered on the entrance, extending to Broadway (intended to maintain the view of Macky Hall from Broadway and College Avenue)). This protected, historic view corridor is addressed in *Section V.B, Cultural and Historic Resources*. The visual character of the project site, as informed by the existing buildings, vegetation, and landscape features are the subject of the analysis presented here.

As previously described, within the vicinity of the project site the visual character of the CCA campus is characterized by a dense tree canopy, concrete retaining wall, staircase, and circulation paths. The landscaping has not been maintained and views into the CCA Campus are almost entirely blocked from the project perimeter. Figure V.L-2 shows the location of the view corridor from Broadway and College Avenue (see photos 24 and 25) that is protected by the City of Oakland Landmark Ordinance as it is part of the Treadwell Estate.

Photo 24- View of the project's tree canopy from the southeast

Photo 25- View of the project site from the west

Once inside the site, the most defining visual qualities to the campus are its mixture of buildings with varying ages, styles, sizes, and the internal-focused relationship between said buildings. Over time, many of the buildings have been added to several times (Facilities Building, B Building, Carriage House, and Macky Hall). Though given the dense vegetation and sloped topography, these elements generally do not contribute to the visual character of the site from outside the campus.

The following section analyzes how the project may adversely impact the area's visual character in relation to the project's effect on views of the project site, the contrast to existing building heights and scale, streetscape and pedestrian realm, and architectural style differences. This section also considers consistency with the Design Review process and applicable General Plan policies.

Views of the Project Site

As previously described, within the vicinity of the project site the visual character of the CCA campus is characterized by a dense tree canopy, concrete retaining wall, and staircase. A small portion of the Founder's Hall building protrudes from the site's southern facing precipice. As described in *Section V.B, Cultural and Historic Resources*, the site includes an historic 80-foot-wide view corridor extending westward from Macky Hall to the Broadway right-of-way. However, it has not been maintained and Macky Hall is almost entirely blocked from view from the project perimeter. Figure V.L-2 shows the location of this historic view corridor (see photos 23 and 24).

Key elements of the project that would change the views of the site include:

- Redeveloping the site with two residential buildings up to 10 stories (95 feet) in height.
- Retaining and renovating Macky Hall (48 feet tall) and relocating the Carriage House (36 feet) on-site and removal of the other 10 on-site structures.
- Reducing and improving accessibility of the site's Privately Owned Publicly Accessible Open Space (POPOS) from 87,779 square feet to 63,727 square feet (-24,052), preserving 38 trees (15 on site and 23 within 10 feet of the property line), removing 81 of the existing 119 on-site and off-site trees and providing 81 new trees.
- Restoring the general visibility of views through the site respecting the historic 80-foot-wide view corridor that extends westward from Macky Hall to the Broadway right-of-way.
- Increasing visibility of the Downtown, central courtyard, the historic 80-foot-wide view corridor from Broadway, and views to the south of Downtown Oakland.

See *Chapter III, Project Description,* for more details and the three-dimensional exhibit with a view from the northwest provided below.

THREE-DIMENSIONAL EXHIBIT: VIEW FROM NORTHWEST

Buildings A and B would be substantially taller than Macky Hall and Carriage House and other structures in the project vicinity (except for the 7-story Heritage of Claremont Condominiums). The proposed buildings would also be contemporary in their style and material palette. The

Design Guidelines proposed as part of the project, identify elements of the proposed buildings and site design that reflect the scale materials and design features of existing campus buildings (see Appendix J).

The Treadwell Estate's buildings, the Broadway Wall and Stairs, and the 80-foot-wide view corridor toward Broadway would be retained and restored consistent with the Secretary of the Interior's Standards for Rehabilitation. The proposed new buildings would be set back from Macky Hall and the relocated Carriage House. The siting of the new buildings and retained central open space would allow the Treadwell Estate to continue to exist in a park-like setting at the southwest portion of the site. In addition, the proposed Design Guidelines include standards related to height and setbacks of relocated and new buildings around the Treadwell Estate buildings, particularly Macky Hall to reduce massing of the adjacent new buildings. Macky Hall, the relocated Carriage House, and Broadway Wall and Stairs would remain eligible for National, State and Local listing. Additionally, the building placement, site planning and landscaping will increase visibility of the project site by restoring the 80-foot-wide view corridor thus improving views of the Treadwell Estate from Broadway and College Avenue as originally intended by City of Oakland Landmark Designation.

Building Height and Scale

Construction of this development would result in two buildings up to 10 stories in height (up to 95 feet) that step up the site east of Broadway. The proposed buildings would be up to 26 feet taller than the existing buildings on-site, which range from 1 to 3 stories (22 to 64 feet). The proposed buildings would also be taller than the surrounding single-family residential and commercial buildings in the project vicinity, which range in height from 1 to 2 stories. The project buildings' height and scale would contribute to the eclectic character of the area that includes a mix of new and older buildings that vary significantly in height throughout the Rockridge neighborhood as well as other areas near BART stations and outside of Downtown. The overall scale would generally be consistent with the new multi-family buildings anticipated along the Broadway corridor by new zoning standards allowing heights from 65 feet to 95 feet and by existing buildings in the vicinity which typically range from 4 to 7 stories in height, including the following buildings:

- Merrill Gardens at Rockridge at 5238 Coronado Avenue (directly adjacent to the southwest) (see photo 26).
- Baxter on Broadway at 4901 Broadway (approximately 525 feet to the southwest).
- The Heritage of Claremont Condominiums at 5370 Belgrave Place (approximately 750 feet to the northeast) (see photo 27).
- The Terrace at 5319 Broadway Terrace (approximately 775 feet to the northeast).

Photo 26- Merrill Gardens at Rockridge

Photo 27- The Heritage of Claremont Condominiums

The project would be of a similar height and scale (only incrementally taller) to other recently approved or constructed projects near transit hubs in Oakland (particularly the MacArthur BART Transit Village and West Oakland BART Station) that are experiencing growth in multi-family developments.

Streetscape and Pedestrian Realm

The improvements along Broadway would change the visual character of this site as it is viewed by all modes of mobility that pass by the site. As shown in the West Elevation, the southern portion of the site would be densely vegetated, and the historic stairs and wall would be retained. The most notable modification to the visual character here is the restoration of the 80-foot historic view corridor and views into the site to the historic Macky Hall. These improvements will improve the visual character along the Broadway corridor by improving views into the site and restoring the gateway into the site.

Building A, which is 7 stories at the street frontage, fronts the northern portion of the Broadway frontage and includes a ground-floor office, lobby, and café space consistent with other ground-floor uses in the area that would increase pedestrian activity in the Rockridge neighborhood, including the Rockridge BART Station, and along two major commercial corridors: College Avenue and Broadway. Such activity would complement the already pedestrian-orientated visual character of the area.

The presence of this building would alter the character of this portion of the site, but not in a way that would adversely compromise the visual character of this area along Broadway and College Avenue as discussed above under building height and scale.

Lastly, although the project proposes developing buildings with larger massing than those that currently exist on-site and in the project vicinity, with the rezoning of the site to the CC-2 Zone

with a 95-foot height area, the height and scale of the project would be permitted, as described in *Chapter IV, Planning Policy*.

Architectural Styles

In addition to the differences in height, there is also a difference in architectural styles between the proposed development, existing structures at the project site, and structures in the surrounding area. The project's contemporary design would contrast with many of the buildings constructed between 1910 and 1970 in the project vicinity, which feature architectural styles representative of their construction date. However, the juxtaposition of historic and modern buildings can subjectively contribute to an interesting urban fabric and provide evidence of the way that cities continually grow and change.

Moreover, this juxtaposition is consistent with the architectural character of the area. While many of the buildings in the area were constructed in the early twentieth century, the area has recently seen an increase in newer developments, particularly along the Broadway corridor to the south, where several multi-family apartments (e.g., Merrill Gardens at Rockridge and Baxter on Broadway) have been constructed. In addition, the Broadway corridor stretching from the project site towards Downtown Oakland is also seeing a growth in multi-family developments, most of which are being developed in a contemporary style similar to the project. This development would extend that trend to the north into areas that are of a smaller-scale, residential and commercial development pattern.

Design Review

For the project to be approved, Design Review findings must be met per OMC 17.136 for both residential and non-residential aspects of the project. A set of site-specific Design Guidelines were developed by the project sponsor as part of the planning application to guide the final architectural design and site planning. Design Review will be conducted for the project as a whole pursuant to the Planned Unit Development Permit and the Final Development Plan (FDP). Design Review allows for City staff and Planning Commission consideration of the visible features of the project and the project's relationship to its physical surroundings. Design Review is focused on ensuring quality design, including site landscaping, site plan arrangement, building height and bulk, texture, materials, colors and appurtenances, and potential shadowing effects on adjacent properties. This EIR does not assess or pre-suppose the outcome of the City's Design Review process, but that process is specifically intended to ensure the following design considerations, pursuant to OMC Section 17.136:[4]

[4] Criteria as established per Oakland Municipal Code, Section 17.136: Design Review.

- That the proposal will help achieve or maintain a group of facilities which are well related to one another and which, when taken together, will result in a well-composed design (only elements of design which have some significant relationship to outside appearance are considered);
- That the proposed design will be of a quality and character which harmonizes with, and serves to protect the value of private and public investments in the area;
- That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable district plan or development control map that has been adopted by the City Council; and
- That any retaining walls are consistent with the overall building and site design, and respect the natural landscape and topography of the site and surrounding areas.

The project's impacts related to the historic character of the site and the loss of the CCA historic district are described in detail in *Section V.B, Cultural and Historic* Resources and *Section V.A, Land Use*, including consistency with Landmarks Design Review Criteria (OMC 17.136.070) and Demolition Findings Guidelines (OMC 17.136.075).

General Plan Policies

The project would be consistent with the following General Plan policies related to improving the visual quality of the area:

- **OS-9.3 Gateway Improvements**. The project would preserve the gateway features of the Treadwell Estate including the Broadway Wall and entry steps and 80-foot-wide view corridor and will restore the view by removing the existing overgrowth of vegetation.
- **OS-10.2 Minimizing Adverse Visual Impacts**. The project would retain some of the natural character and features of the site, including Macky Lawn and many existing trees (10 redwoods, 1 magnolia, 1 bunya, 1 deodar cedar, 1 coast live oak, and 1 canary island palm). The Eucalyptus Grove will be replaced by incorporating new plantings that create a similar entry feature and site amenity.
- **OS-10.3 Underutilized Visual Resources**. The project's restoration of the 80-foot-wide view corridor would enhance the views of Macky Hall and the Carriage House (both contributors to the Oakland Landmark and National Register resource) from Broadway. The 80-foot-wide view corridor extends from Broadway to the Macky Hall entrance, (intended to maintain the view of Treadwell Hall from Broadway and College Avenue).
- **OS-11 Civic Open Spaces**. The project proposes to preserve and improve a significant area of Macky Lawn that will be available for personal instruction and improvement services or group assembly, the ground floor of the Carriage House, and the Carriage House Terrace. The intent of these spaces would be to serve both on-site residents and the local community. Macky

Lawn and the Carriage House Terrace would be available to be used for civic activities including community or cultural performing arts by non-profit groups. The ground floor of the Carriage House would be available to be used for civic activities including community meetings.

Summary

Implementation of the project consists of renovating Macky Hall, relocating and renovating the Carriage House and Sundial, Faun sculpture, *Infinite Faith* sculpture, Bell Tower sculpture, and the *Celebration Pole*, restoring the historic view corridor, demolishing ten of the twelve buildings on site, and constructing two mixed-use buildings. The project's size, scale, and architectural style would be consistent with the other more recent multi-family residential buildings in the project vicinity and in the greater context of the Broadway corridor and other transit hubs in Oakland but would not be the same architectural style or scale as the existing structures on-site or in the immediate vicinity of the project, as most were constructed before 1970. Furthermore, the project would be subject to design review and required to conform with applicable design review criteria, including the site-specific design guidelines created as part of the PUD approval process. For these reasons, the project would have a less-than-significant impact on the visual character of the project site and the surrounding area.

(4) Light and Glare (Criterion 4)

The proposed development would provide additional sources of nighttime lighting within the Rockridge Neighborhood. In addition, pedestrians and motorists could experience some degree of glare during daylight hours due to light reflecting off the new building façades. Implementation of SCA-AES-4: Lighting (#19) would ensure that the use of reflective exterior materials is minimized and that proposed reflective material would not create additional daytime or nighttime glare.

With the Zoning Amendment to the CC-2 Zone with a 95-foot height area, future development on the site could be taller and more intense and with potential new sources of light and glare. However, any future development proposals would be required to adequately shield any new exterior lighting fixtures, as described under SCA-AES-4: Lighting (#19). Therefore, with implementation of SCA-AES-4: Lighting (#19), impacts related to light and glare would be less than significant and no additional mitigation measures are required.

(5) Shade and Shadow (Criterion 5)

Shade and shadow impacts occur when the project would introduce landscape features that would now or in the future cast substantial shadows on existing solar collectors (in conflict with California Public Resource Code sections 25980-25986).

In a built urban environment like the project area, nearly all land uses create shade and shadow for neighboring structures and, in turn, are subject to shade and shadows from those same structures. Below is a summary of the shadow study results. See Appendix G for shadow diagrams.

As described above, shade and shadow under existing conditions varies depending on the time of year and time of day. While implementation of the project would generate net new shadow, this new shadow would generally be consistent with the existing shading patterns in the surrounding area. Between the hours of 9:00 a.m. and 3:00 p.m., the project would cast net new shadow throughout the year westward towards (but not reaching) Desmond Street, northwest just across Clifton Street near the intersection with Desmond Street, northeast across Clifton Street towards (but not reaching) Broadway Terrace, and eastward along Clifton Street short of the Claremont Country Club.

The shadow study identified several solar collector sites on top of single-family residences in the vicinity of the project; however, the study found that no net new shadow generated by the project would reach any of these solar collectors.

Shade and Shadow with Zoning Amendment

If the project's Zoning Amendment is approved and the entire site is rezoned to the CC-2 Zone with a 95-foot Height Area, future development on the site could be taller and more intense and with potentially more shade and shadow impacts. However, any future development proposals would be required to conduct its own shadow study to ensure such effects are minimized.

Summary

While the project would generate net new shadow in the area, none of the new shading would affect solar collectors. However, the project would cast net new shadow for a few hours in the morning during the summer solstice and in the afternoon during the winter solstice in the public plaza space in front of Building B. The project would also cast new shadows on a portion of Macky Lawn POPOS area and historic view corridor in the morning during the spring and fall equinoxes. The project would also cast shadow in the morning throughout the year on Macky Hall, the relocated Carriage House, and other historic houses identified above. However, the public open space is only impacted for a few hours during certain seasons and the affected historic buildings

do not contain features that contribute and/or justify their designation as an historic resource that would be materially altered by the presence of additional net new shadow cast by the project. Therefore, the project would have a less-than-significant impact related to shade and shadow and no mitigation measures are required.

(6) Provision of Adequate Light Related to Appropriate Uses (Criterion 6)

The project is not requesting any variances to the policies and regulations in the General Plan, Planning Code, or Uniform Building Code that would cause 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.

c. Significant Aesthetics Impacts

The project would not result in any significant impacts related aesthetic resources or shade and shadow.

d. Cumulative Impacts

The geographic area considered for the aesthetic cumulative analysis includes the area near the project site including portions of North Oakland and the North Hills districts north of I-580 and south and west of SR 24, east of SR 13, and northwest of the Piedmont city limits. This area was defined because it includes the project site, the immediately surrounding neighborhood, and the larger City context for the project. The most significant development projects included in this area and considered in this cumulative analysis include Phase 2 of the Safeway Redevelopment Project, located due south of the project site and a development at 4207 Broadway. There are several other smaller infill developments proposed, approved or under construction in North Oakland primarily along Telegraph Avenue. These are also considered but not individually listed.

(1) Scenic Vistas and Visual Character

As discussed above, existing views from and through the project site of scenic vistas are limited. As a result, the project would not have a substantial adverse effect on a scenic vista as further discussed below.

Related to visual character, the project and proposed General Plan and Zoning amendments would intensify development in the area changing the visual character. The project introduces a new land use and vertical development (up to 10 stories) where there are currently more open, low developed areas. The project would alter the visual character, including mass, density, and volume, within the project site and upper Broadway area, and to a greater extent than other

recently approved or constructed projects along the Broadway corridor and Broadway Terrace, which typically range from 4 to 7 stories in height including the following buildings:

- Merrill Gardens at Rockridge at 5238 Coronado Avenue (5 stories).
- Baxter on Broadway at 4901 Broadway (5 stories).
- The Heritage of Claremont Condominiums at 5370 Belgrave Place (7 stories).
- The Terrace at 5219 Broadway Terrace (4 stories).

The project's larger height and scale would further contribute to changes in the visual character of the North Oakland area including the Rockridge, Temescal and other neighborhoods that are occurring independent of this project

However, as analyzed throughout this section, the project would not result in a significant aesthetic impact by substantially degrading the existing visual character or quality of the site and its surroundings.

The project would be subject to the City's design review process and required to conform with applicable design review criteria, including the site-specific design guidelines created as part of the PUD approval process. The purpose of the design review process is to consider the design treatment and relationship of buildings to the surrounding built environment and ensure no significant adverse aesthetic impacts would result. Thus, the project would not combine with, or add to, any potential adverse aesthetic impacts that may be associated with other foreseeable development.

(2) Light and Glare

As described above, the project would not result in significant impacts related to light and glare. Development of cumulative projects would increase the overall amount of light in the Rockridge neighborhood. However, cumulative projects would be required to implement SCA-AES-4: Lighting (#19), which would require exterior lighting fixtures to be adequately shielded to prevent unnecessary glare onto adjacent properties.

(3) Shade and Shadow

As described above, the project would not result in significant impacts related to or shade and shadow. The cumulative condition scenario analysis assessed the project's potential impacts along with other proposed projects in the immediate vicinity that have the potential to cast shadow on sites affected by project shading. The Phase 2 of the Safeway Redevelopment Project, located due south of the project site, is considered in the cumulative shadow analysis (see Appendix G). While shadows cast by the Phase 2 Project would fall across some of the same locations as the shadow from the proposed project in summer mornings (see Figure C.1-1 of Appendix G), the Phase 2 Project would not generate net new shadow that would fall on any

identified sites affected by net new shadow from the proposed project. Thus, the project would not combine with, or add to, any potential adverse aesthetic impacts that may be associated with other cumulative development.

M. PUBLIC SERVICES, UTILITIES, AND RECREATION

This section describes the existing public services, utilities systems, and recreation in the vicinity of the project site; discusses State and local regulations and policies pertinent to public services, utilities, and recreation; assesses the project's potentially significant impacts that could result from implementation of the project; and provides mitigation measures and the City's Standard Conditions of Approval (SCAs), where appropriate, to reduce the identified impacts to a less-than-significant level.

1. Setting

The following discussion describes existing public services, utilities, and recreation locations, capacities, and expansion possibilities in the vicinity of the project site.

a. Fire Protection

The Oakland Fire Department (OFD) provides fire suppression, prevention, life safety, and hazardous material response and containment services for the City of Oakland. Staffing levels for the OFD include 25 fire stations, 6 divisions, 510 sworn staff, and 141 civilian staff.

The two closest fire stations to the project site are Oakland Fire Station #8 at 463 51st Street, approximately 0.55 miles to the west, and Oakland Fire Station #19 at 5776 Miles Avenue, approximately 0.61 miles to the north. Oakland Fire Station #8 has an engine company assigned and a truck company, while Station #19 has an engine company assigned and an air van.[1]

Citywide, OFD aims to respond within 7 minutes of notification of an emergency and 8 minutes and 30 seconds for a medical emergency. Per 2016-2018 call data, these goals were met 100 percent of the time. The 3-year average response time for responding to 5200 Broadway, where the CCA campus is located, was 5 minutes and 13 seconds. Per OFD, these response times are considered acceptable.[2]

b. Police Protection

Police protection services are provided to the project site by the Oakland Police Department (OPD), which is headquartered in Downtown Oakland at 455 7th Street. OPD is currently authorized with 792 sworn personnel.

[1] Nick Luby, Oakland Fire Department (OFD), 2019. Personal communication with Urban Planning Partners, August 18.

[2] Nick Luby, Oakland Fire Department (OFD), 2019. Personal communication with Urban Planning Partners, August 18.

For the purposes of police protection, the city is divided into six geographic areas *with 57 patrol beats (1X through 35Y)*. The project site is located within the Police Services Agency's Community Policing Area 2 and is split between Beat 13X on the northern side of the project site and Beat 9X on the southern side. Policing Area 2 has 74 positions assigned, including all sworn personnel. The median response time to Area 2 for Priority 1 calls is 7 minutes and 49 seconds, and 37 minutes and 10 seconds for priority 2 calls.[3,4] Officer assignments are based on beats. Beat 13, which includes service for beats 13X, 13Y, and 13Z, has six patrol officers that are assigned to cover a 24-hour operational period throughout the year, as well as one community service officer. Six patrol officers are assigned to Beat 9X to cover a 24-hour operational period throughout the year, as well as one community service officer.[5]

c. Schools

The project site is served by the Oakland Unified School District (OUSD). The OUSD operates 86 schools, including 49 elementary schools, 5 grade K–8 schools, 13 middle schools, 1 alternative middle school, 3 grade 6–12 schools, 7 high schools, 7 alternative or continued-education schools, and 1 independent study school. Total enrollment in OUSD schools for the 2022 to 2023 school year was 34,265 students.[6] Neighborhood schools serving the project site include:

- Oakland Tech High School at 4351 Broadway (0.2 miles away)
- Emerson Elementary at 4803 Lawton Avenue (0.36 miles away)
- Oakland International High School at 4521 Webster Street (0.49 miles away)
- Piedmont Elementary at 4314 Piedmont Avenue (0.5 miles away)
- Claremont Middle School at 5750 College Avenue (0.66 miles away)

d. Libraries

The Oakland Public Library system consists of a downtown Main Library, 16 neighborhood branches, and three special collection libraries, the African American Museum and Library at Oakland (AAMLO), the Oakland History Room, and the Oakland Tool Lending Library.[7] The Main

[3] Priority 1 calls are defined as those that include potential danger for serious injury to persons, prevention of violent crimes, serious public hazards, and felonies in progress. Priority 2 calls are defined as urgent but not emergency situations, hazardous/senstive matters, in-progress misdemeanors, and crimes where quick response may facilitate apprehension of suspect(s).

[4] Best, Andy, Oakland Police Department (OPD), 2019. Personal communication with Urban Planning Partners, October 11.

[5] Wallington, Donneshia, Oakland Police Department (OPD), 2019. Personal communication with Urban Planning Partners, August 16.

[6] Oakland Unified School District (OUSD), 2023. Fast Facts 2022-2023. February 16. Available at: https://drive.google.com/drive/folders/0B6QEqRqzjxxzOGllWlBUS2d2ZXc, accessed December 5, 2023.

[7] Oakland Library, 2019. Locations & Hours. Available at: http://oaklandlibrary.org/using-library/locations-hours, accessed December 5, 2023.

Library, located at 125 14th Street, is approximately 2.47 miles to the south of the project site. There are three branch libraries serving the project site:

- Rockridge Branch at 5366 College Avenue (0.2-miles away)
- Piedmont Avenue Branch at 80 Echo Avenue (0.55-miles away)
- Temescal Branch at 5205 Telegraph Avenue (0.63-miles away)

e. Recreation

The City of Oakland Parks, Recreation & Youth Development Department manages recreation programs, public parks, and services in the Plan Area.

As of 2022, the City of Oakland has 166 parks totaling 4,927 acres. The median park size is 2.1 acres.[8] The Oakland Parks, Recreation & Youth Development Department oversees 149 of these parks which represents approximately 3,633 acres. The East Bay Regional Park District (EBPRD), which acquires and develops regional parks, open spaces and regional trails throughout the East Bay, also provides open space and recreational facilities within Oakland's city limits. The EBRPD accounts for 1,033 acres of land spread across 14 parks within Oakland. This open space within city limits also contributes to the City's parkland acreage goal. The remaining three parks and 261 acres are managed by the Port of Oakland.[9]

The project site is located in an urban area of Oakland that contains approximately 10.35 acres of local-serving parks within 1 mile of the project site. These include:

- Redondo Park (0.59 acres in size)
- Rockridge-Temescal Greenbelt (0.27 acres in size)
- FROG Park (0.34 acres in size)
- Chabot Recreation Center (3.58 acres in size)
- Glen Echo Park (1.0 acres in size)
- Ostrander Park (2.37 acres in size)
- Hardy Park (dog park) (1.54 acres in size)
- Helen McGregor Park (0.22 acres in size)
- Colby Park (0.31 acres in size)
- Ayala Mini Park (0.08 acres in size)
- Piedmont Plaza (0.05 acres in size)

[8] Trust for Public Land, 2022a. 2022 ParkScore Index. Available: 2023 City Park Facts - Trust for Public Land (tpl.org). Accessed December 5, 2023.

[9] Trust for Public Land, 2022b. 2022 City Park Facts. Available: https://www.tpl.org/city/oakland-california. Accessed December 5, 2023.

The City's Open Space, Conservation, and Recreation Element (OSCAR)[10] sets a citywide goal of establishing 10 acres of total park land for each 1,000 residents with 4 of those acres in local-serving parks. As identified in the OSCAR, the existing average total park acreage citywide is 8.26 acres per 1,000 residents. However, according to the Trust for Public Land, which includes data for 2022, the City of Oakland has approximately 11.7 acres per 1,000 residents. In the North Oakland Planning Area (in which the project is located), the total local-serving park area, including the public schoolyards and athletic fields, is estimated to be 54.5 acres and 1.18 acres per 1,000 residents, well below the City's target. However, this data is from 1998 so it is anticipated that the local-serving ratio has improved some given how significantly the citywide ratio has improved. Further, the OSCAR recognizes the difficulty in meeting the established goals—which it notes would be impossible without massive redevelopment—especially in built-out urban areas, but states that major gains toward the goal can be made through the expansion of existing parks, improvement of creek and shoreline access, acquisition of vacant parcels, and incorporation of new parks in major redevelopment projects.

f. Water

The project site is served by existing water supplies, treatment facilities, and distribution systems, which are operated and managed by the East Bay Municipal Utility District (EBMUD) as described below. The information presented in this section is based on the EBMUD Urban Water Management Plan[11] and the Oakland Sanitary Sewer Guidelines.[12]

(1) Water Supply

EBMUD provides potable water to approximately 1.4 million people throughout portions of Alameda and Contra Costa counties, including the City of Oakland. EBMUD obtains approximately 90 percent of its water from the Mokelumne River watershed, and transports it through pipe aqueducts to temporary storage reservoirs in the East Bay hills. EBMUD has water rights and facilities to divert up to a daily maximum of 325 million gallons per day (mgd). However, this allocation may be constrained by several factors—including upstream water use by prior water right holders; downstream water use and other downstream obligations, including protection of public trust resources; drought, or less-than normal rainfall for more than a year; and emergency outage.

In 2020, the average daily water demand within the EBMUD service area was 181 mgd. This demand is adjusted for conservation and recycled water program savings. Demand is projected to increase to 190 mgd in 2030 and to 218 mgd by 2050. In spite of EBMUD's aggressive

[10] City of Oakland, 1996. General Plan, Open Space, Conservation, and Recreation Element, June.
[11] East Bay Municipal Utility District (EBMUD), 2021. Urban Water Management Plan 2020, June.
[12] City of Oakland, 2009. Sanitary Sewer Design Standards. Updated October 2014.

conservation and water recycling programs, Mokelumne River and local watershed supply is not sufficient to meet the projected 2050 customer demands during multi-year droughts without achieving potentially significant water use reductions and obtaining supplemental water supplies.

To meet projected water needs and address deficient supply during severe droughts, EBMUD is working to identify supplemental water supplies and recycled water programs. New water supplies will come from water transfers, groundwater storage, and regional supply projects. In dry years, EBMUD may use Sacramento River water (up to 100 mgd) via the Freeport Regional Water Facility, located south of Sacramento on the Sacramento River.[13]

In addition, recycled water treatment facilities have been constructed at EBMUD's wastewater treatment plant, located at the foot of the San Francisco-Oakland Bay Bridge. EBMUD stores the recycled water in a 1.5-million-gallon storage tank at the wastewater treatment plant and uses another 2.4 mgd at the plant for various industrial processes as well as landscape irrigation. EBMUD's Policy 9.05 requires that, when non-potable water (recycled and other non-potable water sources) is available, customers use it for non-domestic purposes not detrimental to public health and not injurious to plant life, fish or wildlife. One of the programs under this policy is the East Bayshore Recycled Water Project, which supplies recycled water for landscape irrigation in areas of Oakland and Emeryville where recycled water pipelines have been installed. A recycled water transmission pipeline along 4.4 miles of the Eastshore Freeway is largely completed, and 2 miles of transmission pipeline have been installed in Oakland; however, these pipelines do not currently extend to the project site.[14]

(2) Water Treatment Facilities

There are six water treatment plants in the EBMUD water supply and distribution system. These plants combined have a treatment capacity of 495 mgd. The Orinda Water Treatment Plant, which serves Oakland and the project site, has the largest output with a maximum capacity of 200 mgd. All water delivered to customers is filtered through sand and anthracite, or carbon treatment, with plants providing disinfection, fluoridation, and corrosion control.

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[13] East Bay Municipal Utility District (EBMUD), 2020. About Your Water. Available at: About your water :: East Bay Municipal Utility District (ebmud.com).,http://www.ebmud.com/water-and-drought/about-your-water/accessed December 5, 2023.

[14] East Bay Municipal Utility District (EBMUD), 2020. East Bayshore Recycled Water Project. Available at: https://www.ebmud.com/water/about-your-water/water-quality/water-treatment#:~:text=The%20Orinda%20Water%20Treatment%20Plant,maximum%20capacity%20of%20200%20MGD.,, accessed December 5, 2023.

(3) Water Distribution Systems

From the water treatment plants, water is distributed throughout EBMUD's service area, which is divided into 125 pressure zones ranging in elevation from sea level to 1,450 feet. Approximately 50 percent of treated water is distributed to customers purely by gravity. The EBMUD water distribution network includes 4,200 miles of pipe, 131 pumping plants, and 167 water distribution reservoirs (tanks storing treated drinking water), generating a total capacity of 748 million gallons.[15] The project site is located within EBMUD's Central Pressure Zone, which provides water service to customers within an elevation range of 0–100 feet. Water pressure is generally adequate throughout the city, but pressure may be reduced in some locations with older water mains if they are not sized based on current standards or have lost capacity due to deterioration. EBMUD owns and operates distribution pipelines under all of the streets within the vicinity of the project area. Typically, required pipeline relocations and extensions, in addition to other water distribution infrastructure improvements, are made at the expense of the Project Sponsor in consultation with EBMUD's business office.

g. Wastewater System

The City of Oakland provides citywide sanitary sewer collection services to the project area, and EBMUD provides sewage transport, treatment, and discharge services. These services and existing infrastructure are described below.

(1) Collection System

Sewer discharge from buildings within Oakland flows through lateral lines to the City's sewer network, which is mostly gravity fed. Currently, the City operates and maintains approximately 930 miles of sewer lines and seven pump stations.[16] Most of the City's wastewater collection system is 50 years old, and some of the existing infrastructure is as old as 100 years.[17] The sewer network is connected directly to trunk lines that convey flows to EBMUD wastewater interceptors and finally to the Municipal Waste Water Treatment Plant (MWWTP) located in West Oakland. EBMUD wastewater interceptors consist of 29 miles of reinforced concrete pipes ranging from 1 to 9 feet in diameter. Wastewater from the project site is conveyed through these interceptors to the MWWTP.

[15] East Bay Municipal Utility District (EBMUD), 2021. Urban Water Management Plan 2020, June.

[16] City of Oakland, 2020. Sanitary Sewer System. Available at: https://cao-94612.s3.us-west-2.amazonaws.com/documents/2019_AMIP-SSMP-FINAL_pSTAMPED_e-copy.pdf and https://www.oaklandca.gov/projects/sanitary-sewer-master-plan, accessed December 5, 2023.

[17] East Bay Municipal Utility District (EBMUD), 2015. Sewer System Management Plan. Available at: https://www.ebmud.com/application/files/7216/7666/0153/East_Bay_Sewer_System_Management_Plan.pdf, accessed December 5, 2023.

The project site is currently served by existing sewer infrastructure located beneath surrounding roadways. The project site is situated in sewer Sub-basin 5005.[18]

(2) Wastewater Treatment Facilities

Wastewater treatment is provided by EBMUD's wastewater service district, known as Special District No. 1. EBMUD owns and operates a network of 15 wastewater pumping stations (with 0.5- to 54.7-mgd capacity) and 8 miles of force mains that convey wastewater to the MWWTP. The City's collection system connects with EBMUD's sewer interceptor system and transports sewage to the EBMUD MWWTP. The MWWTP provides both primary and secondary treatment of wastewater.

The MWWTP provides primary treatment for up to a peak flow of 320 mgd and secondary treatment for a maximum flow of 168 mgd. EBMUD's SD-1 treats domestic, commercial, and industrial wastewater for approximately 740,000 customers in the East Bay, and the average annual daily flow into the plant is approximately 52 mgd. Projected average dry weather flows of collected and treated wastewater discharged from the Special District No. 1 service area through 2040 is 54 mgd. The treated water is then disinfected, dechlorinated and discharged through an outfall 1 mile off the East Bay shore into the San Francisco Bay. Solids are pumped to digesters for stabilization and are then dewatered and hauled offsite. Methane generated by the digesters is used to produce renewable energy. There are no planned improvements to the wastewater treatment plant that would affect treatment capacity.

As noted under subsection V.M.1.f, Water Supply, EBMUD recycles water at its main wastewater treatment facility and has since the early 1970s. Recycled water is suitable for land uses that do not require potable water sources, such as golf courses, some agricultural areas, and industrial uses. EBMUD has a goal to recycle 20 mgd by 2040. Incentives used by EBMUD to encourage customers to utilize recycled water include rate discounts on recycled water, long-term contracts, grants, and low-interest loans used to retrofit buildings so that they can accommodate recycled water.[19]

h. Stormwater

The Alameda County Flood Control District was created in 1949 by the State Legislature to provide flood control services to Alameda County. The District's flood control infrastructure includes hundreds of miles of pipelines, channels, creeks, erosion control measures and pump stations. The city of Oakland is within Zone 12, which also includes the city of Emeryville, and is

[18] City of Oakland, 2020. Public Works Infrastructure Map. Available at: https://oakbec.s3.amazonaws.com/MapLanding/maps/DEC.html#, accessed December 5, 2023.

[19] East Bay Municipal Utility District (EBMUD), 2021. Urban Water Management Plan 2020, June.

the largest of the District's zones. Zone 12 has approximately 50 miles of closed conduit, approximately 12 miles of earthen and concrete channels, as well as the existing natural waterways, which move stormwater to the San Francisco Bay. Four pump stations (Lake Merritt, Ettie, McKillop, and Temescal) lift stormwater to the Bay. The project site is split between both the West Oakland Watershed, which covers the northern half of the project site, and the Glen Echo Creek Watershed, which covers the southern half of the project site.[20] Recent Flood Control District projects include: the FEMA Tidal Study; improving levees to meet FEMA certification; Bypass Creek (line J); line K desilting between I-880 and the confluence at line J; Stonehurst Creek crossing improvement at Knight Street (line N); San Leandro Creek floodwall repair in Oakland (line P); line S capacity enhancement—storm drain bypass between 65th Street and San Pablo Avenue, along LaCoste Avenue, 64th Street, Overland Avenue, and 62nd Street; Peralta Creek Restoration; and San Leandro Creek rehabilitation of U.S. Army Corps constructed concrete channel.[21]

The city of Oakland's storm drainage system consists of more than 300 miles of storm drainpipes, over 100 miles of open creeks, and 15,000 structures (mostly inlets, manholes, and catch basins). These facilities are both publicly and privately owned. City-owned drainage systems are typically located within easements and rights-of-way.[22] Runoff on the impervious portions of the site is directed by sheetflow primarily towards curbside storm drains.

i. Solid Waste and Recycling

Solid waste and green waste (e.g., yard trimmings) within the city of Oakland is collected by Waste Management of Alameda County. These materials are taken to the Davis Street Resource and Recovery Complex in San Leandro for processing, and then hauled to the Altamont Landfill and Resource Facility near the city of Livermore. The Davis Street transfer station has a permitted maximum daily throughput of 5,600 tons. The Altamont Landfill facility comprises approximately 2,170 acres (472 acres of permitted landfill area) and has a permitted maximum daily disposal of 7,000 tons per day. The Altamont Landfill is projected to have sufficient capacity to operate until 2037 (its expected closure date).[23]

[20] Alameda County Flood Control and Water Conservation District (ACFCD), 2020. Explore Watersheds. Available at: https://acfloodcontrol.org/resources/explore-watersheds/, accessed December 5, 2023.

[21] Alameda County Flood Control and Water Conservation District (ACFCD), 2017. Zone 12. Available at: https://acfloodcontrol.org/the-work-we-do/resources/and https://acfloodcontrol.org/the-work-we-do/the-work-we-do-plans-and-studies/, accessed December 5, 2023.

[22] City of Oakland, 2014. Bureau of Engineering and Construction, Storm Drainage Design Standards. October.

[23] Alameda County Waste Management Authority, 2003. Alameda County Integrated Waste Management Plan. Amended March 2017.

In 2019, the city of Oakland disposed of approximately 343,308.89 tons (4.3 pounds per day (ppd) per person, 9.4 ppd per employee) of solid waste at various disposal facilities.[24]

j. Electricity and Natural Gas

Pacific Gas and Electric Company (PG&E) provides electricity and natural gas service to the city of Oakland, including the project site. PG&E charges connection and user fees for all new development, in addition to sliding rates for electrical and natural gas service based on use.

Of the energy provided to PG&E customers in 2021, approximately 50 percent came from renewable resources (e.g., wind, geothermal, biomass, small hydroelectric sources, and solar); 39 percent from nuclear generation; 4 percent from large hydroelectric facilities; and 7 percent from natural gas.[25] Because many agencies in California have adopted policies seeking increased use of renewable resources (and have established minimum standards for the provision of energy generated by renewable resources), PG&E is expected to continue to meet future demand for energy via an increasing reliance on renewable resources, including small-scale sources such as photovoltaic panels and wind turbines, in addition to larger-scale facilities such as wind farms.

Regulatory requirements for efficient use of electricity and gas are contained in Title 24, Part 6, of the California Code of Regulations (CCR), entitled "Energy Efficiency Standards for Residential and Nonresidential Buildings." These regulations specify the State's minimum energy efficiency standards and apply to new construction of both residential and nonresidential buildings. The standards regulate energy consumed for heating, cooling, ventilation, water heating, and lighting. Compliance with these standards is verified and enforced through the local building permit process.

(1) Existing Energy Demand

The total square footage of buildings on the project site is approximately 127,000 square feet. For the baseline conditions for this analysis, electricity demand at the project site was approximately 320,500 kilowatt-hours (kWh) of electricity per year and 9,725 therms of natural gas per year in the existing buildings.

[24] California Department of Resources Recycling and Recovery (CalRecycle), 2018. Jurisdiction Diversion/Disposal Rate Detail - Oakland. Available at: https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/slcp/capacityplanning/recycling/JurisdictionDiversionDetail?year=2019&jurisdictionID=345, accessed December 5, 2023.

[25] Pacific Gas and Electric Company (PG&E), 2021. Clean Energy Sources. Available at: https://www.pgecorp.com/sustainability/corporate-sustainability.html, accessed December 5, 2023.

(2) Existing Electrical and Natural Gas System near the Project Site

The existing electric distribution system includes both overhead and underground facilities. The plan set indicates that a 12-kilovolt underground distribution line, located on Clifton Street provides service to the project site. In addition, the project site is served by a gas main and 6-inch gas line located on Clifton Street. However, the new buildings will not use natural gas hookups in accordance with the City of Oakland's All-Electric Building Ordinance adopted on December 15, 2020.

2. Regulatory Setting

An overview of State and local regulations related to public services, utilities, and recreation is provided below.

a. State Regulations

The following State regulations apply to water supply and conservation, wastewater collection, solid waste disposal, and energy conservation, and are applicable to the project.

(1) Water Conservation in Landscaping Act (Assembly Bill 1881, 2006)

The Water Conservation in Landscaping Act of 2006 (Assembly Bill [AB] 1881, Laird) requires cities, counties, and charter cities and charter counties to adopt landscape water conservation ordinances by January 1, 2010. Pursuant to this law, the Department of Water Resources has prepared a Model Water Efficient Landscape Ordinance for use by local agencies. Most new and rehabilitated landscapes are subject to a water efficient landscape ordinance. Public landscapes and private development projects, including developer-installed single-family and multi-family residential landscapes with at least 2,500 square feet of landscape area, are subject to the model water ordinance. Homeowner-provided landscaping at single-family and multi-family homes is subject to the ordinance if the landscape area is at least 5,000 square feet. However, the ordinance does not apply to registered local, State, or federal historic sites; ecological restoration projects; mined-land reclamation projects; or plant collections.

(2) Water Supply Consultation (Senate Bills 610/221)

Local water suppliers must also prepare (or have already prepared) an urban water management plan to guide planning and development in the water supplier's service area, and specifically to pursue efficient use of water resources. As a part of this requirement, EBMUD prepared the Urban Water Management Plan in 2015 and adopted in 2016. Issuance of a water supply assessment determination by the local water supplier for a proposed project verifies that the supplier has previously considered a project in its plan, and has adequate capacity to serve a

project in addition to its existing service commitments (or, alternatively, measures that would be required to adequately serve the proposed project).

(3) California Integrated Waste Management Act (AB 939)

In 1989, the California Legislature enacted the California Integrated Waste Management Act (AB 939), which requires the diversion of waste materials from landfills in order to preserve landfill capacity and natural resources. Cities and counties in California were required to divert 25 percent of solid waste by 1995 and 50 percent of solid waste by 2000. The City of Oakland met this requirement by diverting 52 percent of its waste in 2000.[26] AB 939 further requires every city and county to prepare two documents demonstrating how the mandated rates of diversion will be achieved. The Source Reduction and Recycling Element must describe the chief source of the jurisdiction's waste, the existing diversion programs, and current rates of waste diversion and new or expanded diversion programs. The Household Hazardous Waste Element must describe each jurisdiction's responsibility in ensuring that household hazardous wastes are not mixed with nonhazardous solid wastes and subsequently deposited at a landfill. Oakland's Source Reduction and Recycling Element and Household Hazardous Waste Element were approved in 1995 by CalRecycle.

(4) California Solid Waste Reuse and Recyclcing Access Act of 1991

Public Resources Code Sections 42900–42901, also known as the California Solid Waste Reuse and Recycling Access Act, are part of the California Integrated Waste Management Act. In addition to the solid waste diversion requirements of AB 939, this legislation required the California Integrated Waste Management Board, on or before March 1, 1993, to adopt a model ordinance for adoption by a local agency relating to adequate areas for collecting and loading recyclable materials in development projects. A local agency is required to adopt and enforce that model ordinance if it did not adopt an ordinance providing for collection and loading by September 1, 1994. In 2010, the California Integrated Waste Management Board was replaced by CalRecycle.

(5) Title 24 (California Building Standards) of the California Code of Regulations 2010 (CALGreen)

CALGreen is a Statewide regulatory code for all residential, commercial, hospital, and school buildings. The regulations are intended to encourage more sustainable and environmentally friendly building practices, require low-pollution-emitting substances that cause less harm to the

[26] California Department of Resources Recycling and Recovery (CalRecycle), 2000. Jurisdiction Diversion/Disposal Rate Summary (1995 - 2006). Available at: https://www2.calrecycle.ca.gov/LGCentral/%20DiversionProgram/JurisdictionDiversionDetail/345/Year/2000, accessed December 5, 2023.

environment, conserve natural resources, and promote the use of energy-efficient materials and equipment. Title 24 standards require all new residential and nonresidential development to comply with several energy conservation standards through the implementation of various energy conservation measures—including ceiling, wall, and concrete slab insulation; vapor barriers; weather stripping on doors and windows; closeable doors on fireplaces; insulated heating and cooling ducts; water heater insulation blankets; and certified energy-efficient appliances. CALGreen became mandatory on January 1, 2011, for new residential and commercial construction. Please refer to the regulatory framework subsection of *Section V.E, Greenhouse Gas Emissions*, for a detailed discussion of AB 32, and other energy-related State regulations.

(6) Quimby Act

California Government Code Section 66477, Subdivision Map Act, referred to as the Quimby Act, permits local jurisdictions to require the dedication of land and/or the payment of in-lieu fees solely for park and recreation purposes. The dedication of land or in-lieu fees may be required for land or condominium subdivisions. The dedication of land or in-lieu fees is not to exceed the proportionate amount necessary to provide 3 acres of neighborhood and community parkland per 1,000 persons. Dedication requirements may be increased if the existing ratio of parkland per 1,000 persons at the time of adoption of a City's local park and land dedication and fees collected pursuant to the Quimby Act may only be used for developing new, or rehabilitating existing park or recreational facilities. The City of Oakland does not have a parkland dedication requirement pursuant to the Quimby Act, although the OSCAR proposes an action to adopt a Quimby Act parkland dedication requirement. Alternatively, the City has incorporated park facilities into their Capital Improvements Impact Fee. Capital improvement projects can range from restoring aging public buildings, to improving streets and sidewalks, to creating or improving our parks.[27]

b. Local Regulations

The City of Oakland regulations related to public services, utilities and service systems, and recreation that are applicable to the project are discussed below.

(1) City of Oakland General Plan

The Oakland General Plan Land Use and Transportation (LUTE) contain the following policies that are relevant to the project:

> **Policy N.2.2:** Provision of government and institutional services should be distributed and coordinated to meet the needs of City residents.

[27] City of Oakland, 2021. Oakland's Capital Improvement Program. Available at: https://www.oaklandca.gov/topics/capital-improvement-program, accessed December 5, 2023.

Policy N.12.1: The development of public facilities and staffing of safety-related services, such as fire stations, should be sequenced and timed to provide a balance between land use and population growth, and public services at all times.

Policy N.12.2: Adequate public school capacity should be available to meet the needs of Oakland's growing community. The City and the Oakland Unified School District (OUSD) should work together to establish a continuing procedure for coordinating residential and commercial development and exploring the imposition of mutually agreed upon reasonable and feasible strategies to provide adequate school capacity. The City and OUSD should jointly consider where feasible and appropriate, funding mechanisms such as assessment districts, redevelopment agency funding (AB 1290), use of surplus, City-owned land, bond issues, and adjacent or shared use of land or school facilities with recreation, libraries, child care and other public uses.

Policy N.12.4: Electrical, telephone, and related distribution lines should be underground in commercial and residential areas, except where special local conditions such as limited visibility of the poles and wires make this unneeded. They should also be underground in appropriate institutional, industrial, and other areas, and generally along freeways, scenic routes, and heavily traveled streets. Programs should lead systematically toward the eventual undergrounding of all existing lines in such places. Where significant utility extensions are taking place in these areas, such as in new subdivisions, utilities should be installed underground at the start.

Policy N.12.5: In its capital improvement and public service programs, the City should give priority to reducing deficiencies in, and disparities between, existing residential areas. The Oakland General Plan Safety Element contains the following policy that is relevant to the project:

Policy FI-1: Maintain and enhance the City's capacity for emergency response, fire prevention and fire fighting.

Action FI-1.2: Strive to meet a goal of responding to fires and other emergencies within seven minutes of notification 90 percent of the time.

The OSCAR Element of the General Plan includes the following policies related to public services, utilities and recreation:

Policy OS-3.1: University, College, and Institutional Open Space. Retain open space at Oakland's universities, colleges, and other institutions where such open space provides recreational, aesthetic, conservation, or historic benefits to the community. Where such spaces are publicly owned, as at the community colleges, support the permanent retention of athletic fields and other recreational areas as open space, provided that the long-range needs of the institution can be met and that the space can be made accessible to the general public. Such areas should not be converted to development unless they are replaced in kind with comparable areas or facilities in the immediate vicinity.

. . . An effort should be made to retain vegetation and other natural features as new buildings are added at Oakland's colleges and institutions. If such establishments should close or become available

for re-use, efforts should be made to retain the features which have made the properties desirable neighbors in the past.

Objective OS-4: Private Open Space. To supplement public open spaces with outdoor open space for private use.

Policy OS-4.1: Provision of Useable Open Space. Continue to require new multi-family development to provide useable outdoor open space for its residents.

Policy CO-4.1: Emphasize water conservation and recycling strategies in efforts to meet future demand.

Policy CO-4.2: Require use of drought-tolerant plants to the greatest extent possible and encourage the use of irrigation systems which minimize water consumption.

Policy CO-4.3: Promote the use of reclaimed wastewater for irrigating landscape medians, cemeteries, parks, golf courses, and other areas requiring large volumes of non-potable water.

Policy CO-13.1: Promote a reliable local energy network which meets future needs and long-term economic development objectives at the lowest practical cost.

Policy CO-13.3: Encourage the use of energy-efficient construction and building materials. Encourage site plans for new development which maximize energy efficiency.

Policy CO-13.4: Accommodate the development and use of alternative energy resources, including solar energy and technologies which convert waste or industrial byproducts to energy, provided that such activities are compatible with surrounding land uses and regional air and water quality requirements.

Policy REC-3.1: Use level of service standards of 10 acres of total parkland and 4 acres of local-serving parkland per 1,000 residents as a means of determining where unmet needs exist and prioritizing future capital investment.

Policy REC-10.2: To the extent permitted by law, require recreational needs created by future growth to be offset by resources contributed by that growth. In other words, require mandatory land dedication for large-scale residential development and establish a park impact fee for smaller-scale residential development projects, including individual new dwelling units. Calculate the dedication of fee requirement based on standard of 4 acres of local-serving parkland per 1,000 residents.

Action REC-10.2.1: Adopt an ordinance authorizing a Quimby Act parkland dedication and in-lieu/impact fee requirement. Prior to adoption, perform the necessary fiscal studies to determine the dollar amount of park impact fees to be charged for single family and multi-family dwellings. Following adoption, prioritize the expenditure of in-lieu fees collected from new development to ensure that the fees are spent in the appropriate areas.

(2) City of Oakland Municipal Code

Oakland Municipal Code Chapter 15.74, Transportation and Capital Improvement Fees, establishes citywide transportation and capital improvements impact fees in the City of Oakland to assure that development projects pay their fair share to compensate for the increased demand for transportation and capital improvements infrastructure generated by development projects within the City. Funds deposited into the Capital Improvements Impact Fee Fund are used to pay for projects that are required for fire, police, library, parks and recreation, or storm drain services.

The City's Planning Code includes standards for open space for construction of new residential units. As described in *Chapter III, Project Description*, the project site currently has a split zoning designation of Mixed Housing Type Residential – 4 (RM-4) Zone and Neighborhood Commercial – 1 (CN-1) Zone. Under the RM-4 Zone, the project would be required to provide 200 square feet of group usable open space per regular residential unit/25 square feet of group usable open space per regular unit when private open space is substituted (Code Section 17.17.050). Under the CN-1 Zone, the project would be required to provide 75 square feet of group usable open space per regular residential unit/30 square feet of group usable open space per regular unit when private open space is substituted (Code Section 17.33.050).

The project includes a proposal to rezone the entire project site to the Community Commercial – 2 (CC-2) Zone, which requires 75 square feet of group usable open space per regular residential unit or a minimum of 20 square feet of group usable open space per regular unit when private open space is substituted (Code Section 17.35.050).

In addition, the City of Oakland amended Municipal Code Chapter 15.37 All-Electric Construction in Newly Constructed Buildings, which requires some new construction, including the project, to eliminate the use and installation of natural gas and propane utilities.

(3) City of Oakland Energy and Climate Action Plan

On July 28, 2020, the City adopted the Oakland 2030 Equitable Climate Action Plan (ECAP).[28] The 2030 ECAP built on the progress made by the 2020 Energy and Climate Action Plan, adopted by the City in December 2012. The goal of the 2030 ECAP is to identify an equitable and cost-effective path of reducing the City's GHG emissions to at least 56 percent below the 2005 levels by 2030, and to ensure that the City is resilient to the foreseeable impacts of climate change. The 40 actions from the ECAP are designed to be equitable, realistic, ambitious, balanced, and adaptive, and cover the following sectors: Transportation and Land Use, Buildings, Material Consumption and Waste, Adaptation, Carbon Removal, City Leadership, and Port of Oakland.

[28] City of Oakland, 2020. Oakland 2030 Equitable Climate Action Plan, July.

The 2030 ECAP also provides a detailed roadmap on funding the actions and the implementation timeline. Implementation of the 2030 ECAP action would not only support the GHG reduction and climate resiliency goals, but also result in positive impacts for four topics that are interconnected with the climate goals: Public health, housing security, food, and green economy. The 2030 ECAP includes several policies related utilities, specifically including the following:

B-1: Eliminate Natural Gas in New Buildings

B-2: Plan for All Existing Buildings to be Efficient and All-Electric by 2040

B-3: Prevent Refrigerant Pollution

B-4: Reduce Lifecycle Emissions from Building Materials

B-5: Require All Major Retrofits of City Facilities to be All-Electric

MCW-1: Eliminate Disposal of Compostable Organic Materials to Landfills

MCW-6: Establish a Deconstruction Requirement

(4) Oakland Zero Waste Strategic Plan

In March 2006, the City of Oakland adopted a zero-waste goal by 2020, and passed a resolution adopting the Zero Waste Strategic Plan in December 2006. The main strategies outlined in the plan include (1) expand and improve local and regional recycling and composting; (2) develop and adopt new rules and incentives to reduce waste disposal; (3) preserve land for sustainable development and green industry infrastructure; (4) advocate for manufacturer responsibility for produce waste, ban problem materials; and (5) educate, promote, and advocate a zero waste sustainability agenda.

(5) Oakland Construction and Demolition Debris Waste Reduction and Recycling Requirements

The City of Oakland's construction and demolition debris waste reduction and recycling requirements (Municipal Code Chapter 15.34) are intended to further the goals of AB 939. They require a Project Sponsor to prepare and submit a Construction and Demolition Debris Waste Reduction and Recycling Plan to divert at least 50 percent of all construction and demolition debris generated by project construction from landfill disposal. The Construction and Demolition Debris Waste Reduction and Recycling Plan is required to document the ways in which the Sponsor will reduce the quantity of construction and demolition debris disposed of at landfills by 50 percent or more. The City will not approve a building permit for a project until the plan is approved.

(6) City of Oakland Parks and Homeless Services Measure (Measure Q)

In March 2020, City of Oakland voters passed an ordinance that authorizes a 20-year special annual parcel tax to fund parks and recreational facilities, services for unhoused and unsheltered persons, and maintenance of stormwater trash collection systems. Approximately 64 percent of tax revenue could be used for parks, landscape maintenance, and recreational services, and no more than 55 percent can be used to preserve current parks and operational services. Residential parcels are taxed on a per parcel basis with a higher rate for single-family residential parcels. Non-residential parcels are taxed based on parcel frontages and square footage.

(7) City of Oakland Standard Conditions of Approval

The City's SCAs that are relevant to public services, utilities and service systems, and recreation are listed below. The SCAs are adopted as requirements for all projects approved within the City of Oakland.

SCA-SERV-1: Compliance with Other Requirements (#3)
The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Bureau of Buildings, Fire Marshal, Department of Transportation, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processes in accordance with the procedures contained in Condition #4.

SCA-SERV-2: Construction Management Plan (#13)
Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.

SCA-SERV-3: Fire Safety Phasing Plan (#50)
Requirement: The project applicant shall submit a Fire Safety Phasing Plan for City review and approval, and shall implement the approved Plan. The Fire Safety Phasing Plan shall include all of the fire safety features and emergency vehicle access incorporated into each phase of the project and the schedule for implementation of the features.

When Required: Prior to approval of construction-related permit
Initial Approval: Oakland Fire Department
Monitoring/Inspection: Bureau of Building

SCA-SERV-4: Capital Improvements Impact Fee (#78)
Requirement: The project applicant shall comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code).
When Required: Prior to issuance of building permit
Initial Approval: Bureau of Building
Monitoring/Inspection: N/A

SCA-SERV-5: Construction and Demolition Waste Reduction and Recycling (#87)
Requirement: The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (Chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of $50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.
When Required: Prior to approval of construction-related permit
Initial Approval: Public Works Department, Environmental Services Division
Monitoring/Inspection: Public Works Department, Environmental Services Division

SCA-SERV-6: Underground Utilities (#88)
Requirement: The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.
When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-SERV-7: Recycling Collection and Storage Space (#89)
Requirement: The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (Chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least 2 cubic feet of storage and collection space per residential unit

is required, with a minimum of 10 cubic feet. For nonresidential projects, at least 2 cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of 10 cubic feet.
When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

SCA-SERV-8: Green Building Requirements (#90)
a. Compliance with Green Building Requirements During Plan-Check
Requirement: The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (Chapter 18.02 of the Oakland Municipal Code).

i. The following information shall be submitted to the City for review and approval with the application for a building permit:
   - Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.
   - Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.
   - Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.
   - Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.
   - Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.
   - Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.
   - Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

ii. The set of plans in subsection (i) shall demonstrate compliance with the following:
   - CALGreen mandatory measures.
   - Green building point level/certification requirement of 53 points, approved during the Planning entitlement process.
   - All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted.
   - The required green building point minimums in the appropriate credit categories.

When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Building
Monitoring/Inspection: N/A

b. Compliance with Green Building Requirements During Construction

Requirement: The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.

The following information shall be submitted to the City for review and approval:

i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.
ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance.
iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

c. Compliance with Green Building Requirements After Construction

Requirement: Prior to finalizing the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.
When Required: Prior to Final Approval
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

SCA-SERV-9: Sanitary Sewer System (#92)

Requirement: The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system.
When Required: Prior to approval of construction-related permit
Initial Approval: Public Works Department, Department of Engineering and Construction
Monitoring/Inspection: N/A

SCA-SERV-10: Storm Drain System (#93)

Requirement: The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.
When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Building
Monitoring/Inspection: Bureau of Building

SCA-SERV-11: Water Efficient Landscape Ordinance (#95)

Requirement: The project applicant shall comply with California's Water Efficient Landscape Ordinance (WELO) in order to reduce landscape water usage. For the specific ordinance requirements, see the link

below: http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf.

For any landscape project with an aggregate (total noncontiguous) landscape area equal to 2,500 sq. ft. or less, the project applicant may implement either the Prescriptive Measures or the Performance Measures, of, and in accordance with the California's Model Water Efficient Landscape Ordinance. For any landscape project with an aggregate (total noncontiguous) landscape area over 2,500 sq. ft., the project applicant shall implement the Performance Measures in accordance with the WELO.

Prescriptive Measures: Prior to construction, the project applicant shall submit the Project Information (detailed below) and documentation showing compliance with Appendix D of California's Model Water Efficient Landscape Ordinance (see page 38.14(g) in the link above).

Performance Measures: Prior to construction, the project applicant shall prepare and submit a Landscape Document Package for review and approval, which includes the following:

a. Project Information:

i. Date,
ii. Applicant and property owner name,
iii. Project address,
iv. Total landscape area,
v. Project type (new, rehabilitated, cemetery, or home owner installed),
vi. Water supply type and water purveyor,
vii. Checklist of documents in the package, and
viii. Project contacts.
ix. Applicant signature and date with the statement: "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package."

b. Water Efficient Landscape Worksheet

i. Hydrozone Information Table
ii. Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use

c. Soil Management Report

d. Landscape Design Plan

e. Irrigation Design Plan, and

f. Grading Plan

Upon installation of the landscaping and irrigation systems, and prior to the final of a construction-related permit, the Project applicant shall submit a Certificate of Completion (see page 38.6 in the link above) and landscape and irrigation maintenance schedule for review and approval by the City. The Certificate of Completion shall also be submitted to the local water purveyor and property owner or his or her designee
When Required: Prior to approval of construction-related permit
Initial Approval: Bureau of Planning
Monitoring/Inspection: Bureau of Building

3. Impacts, Standard Conditions of Approval, and Mitigation Measures

This section describes environmental impacts related to public services, utilities, and recreation that could result from implementation of the project. The section begins with the criteria of significance, which establish the thresholds for determining whether an impact is significant. The latter part of this section presents the impacts associated with the project and identifies SCAs and/or mitigation measures to address these impacts as needed.

a. Significance Criteria

Implementation of the project would result in a significant impact to public services, utilities, and recreation if it would:

1. Result in substantial adverse physical impacts associated with the provision of or 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, parks, other public facilities;
2. 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;
3. Include recreational facilities or require the construction or expansion of recreational facilities which might have a substantial adverse physical effect on the environment;
4. Exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board;
5. Require or result in construction of new storm water drainage facilities or expansion of existing facilities, construction of which could cause significant environmental effects;
6. 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;
7. 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;
8. 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;

9. Violate applicable federal, state, and local statutes and regulations related to solid waste.

b. Less-than-Significant Public Services, Utilities, and Recreation Impacts

(1) Fire Protection (Criterion 1)

The project would result in an increase in demand for fire services within the City. Implementation of the project would add 1,311 persons to the city's population. The addition of 1,311 persons would represent approximately 0.27 percent of Oakland's projected total population of 516,885 in 2025, or 1.7 percent of the growth projected from 2020 to 2025.[29] As discussed with Nick Luby of the OFD, implementation of the project could increase response times within the area due to additional calls for service, but would not trigger the need for OFD to construct new or expand existing facilities in order to maintain acceptable service.[30]

The project would be required to meet all City of Oakland and California State Fire Code requirements for sprinkled systems, alarms, fire flow, access, and fire hydrant spacing in accordance with SCA-SERV-1: Compliance with Other Requirements (#3), described below. In addition, the Project Sponsor would be required to comply with SCA-SERV-4: Capital Improvements Impact Fee (#78), which would require the Project Sponsor to comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code). Funds deposited into the Capital Improvements Impact Fee Fund, and all interest and investment earnings thereon, shall be used to pay for projects that are required for fire, police, library, parks and recreation, or storm drain services. Therefore, the project would have less-than-significant impacts on the need for additional fire protection facilities and would require no mitigation measures.

(2) Police Protection (Criterion 1)

The project would result in an increased demand for the OPD. Implementation of the project would add 1,311311 persons to the city's population. The addition of 1,31111 persons would represent approximately 0.25 percent of Oakland's projected total population of 516,885 in 2025, or 1.6 percent of growth from 2020 to 2025.[31] However, this increase would represent a larger percentage of the total increase in the overall citizen population within Beat 9X and 13X, and thus increase the number of calls for service within these respective beats. Although the project would

[29] Association of Bay Area Governments (ABAG), 2018. Projections 2040, November.

[30] Luby, Nick, Oakland Fire Department (OFD), 2019. Personal communiciation with Urban Planning Partners, August 18.

[31] Association of Bay Area Governments (ABAG), 2018. Projections 2040, November. State of California Department of Finance, 2020. January Population and Housing Estimates.

add residents to Policing Area 2, it would add only a marginal number of residents to the area, and officers assigned to all six areas would be available to respond to high-priority calls.

According to the Oakland Police Department, the Department is currently at capacity with existing personnel and services. Although the addition of 1,311 persons related to this project is minimal given Oakland's total population, the Department expressed concern for insufficient staffing and services in the area.[32] However, the Project Sponsor would be required to comply with SCA-SERV-4: Capital Improvements Impact Fee (#78), which would require the Project Sponsor to comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code). Funds deposited into the Capital Improvements Impact Fee Fund, and all interest and investment earnings thereon, shall be used to pay for projects that are required for fire, police, library, parks and recreation, or storm drain services. Furthermore, the project would incorporate design measures aimed to heighten safety (through lighting, access, and visibility) in public spaces and would develop emergency response and security plans in coordination with relevant City departments. Thus, the project would have a less-than-significant impact on the need for additional police protection facilities and require no mitigation measures.

(3) Schools (Criterion 1)

The project entails the construction of 510 residential units, which could increase the number of families with children in Oakland. To address the increased demand placed on the OUSD by the project, the Project Sponsor would pay the required development fee to the OUSD. Pursuant to California Education Code Section 17620(a)(1), developers pay fees to address additional demand placed on the school district by the project. The current impact/mitigation fee is $4.08 per square foot of residential development and $0.66 per square foot of commercial/industrial.[33] This would result in a total of approximately $2.132 million in fees paid by the developer to the OUSD. With the payment of these fees, the impact of the project on school facilities would be less than significant.

(4) Libraries (Criterion 1)

The project would cause an increase in the demand for library services due to the addition of 1,311 residents generated by the project. LUTE Policy N2.2 of the Oakland General Plan states that provisions of services by civic and institutional uses should be distributed and coordinated to meet the needs of city residents. In addition, the Project Sponsor would be required to comply with SCA-SERV-4: Capital Improvements Impact Fee (#78), which would require the Project

[32] Bolton, Christopher, Oakland Police Department (OPD), 2021. Personal communication with Urban Planning Partners, June 11, 2021.

[33] City of Oakland, 2021. Building Impact Fee Amounts. Available at: https://www.oaklandca.gov/topics/impact-fees, accessed December 5 2023.

Sponsor to comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code). Funds deposited into the Capital Improvements Impact Fee Fund, and all interest and investment earnings thereon, shall be used to pay for projects that are required for fire, police, library, parks and recreation, or storm drain services. Adherence to these City of Oakland SCAs would reduce the potential impact on libraries to less than significant. Thus, the Oakland library system would have adequate capacity to serve the incremental increase in library use that would result from implementation of the project and would not require the unanticipated construction of new or remodeled library facilities.

(5) Parks and Recreation (Criteria 2 and 3)

Although the project would increase the resident population, the project would not 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. As described in *Chapter III, Project Description,* the project would provide open space in three different forms, including: private-open space, group-usable open space, and privately-owned but publicly accessible open space (POPOS). The project would provide a total of approximately 98,258 square feet of open space/areas for recreation and outdoor experiences as shown in Table V.M-1. The proposed on-site group and private residential open space areas as well as the POPOS will provide opportunities for the on-site residents and help offset the demand and use existing open space areas.

TABLE V.M-1 EXISTING AND PROPOSED OPEN SPACE

Type	Existing (sf)	Proposed (sf)	Net Difference (sf)
Non-Residential			
Institutional (generally accessible to public)	87,779	--	
POPOS	--	57,433[a]	-30,346
Residential[b]			
Group Usable Open Space (min. 10,200 sf)	N/A	24,633[c]	+24,633
Private-Open Space (counts 2 x 13,192)	N/A	26,384	+13,192
Total (Residential Open Space)	**0**	**37,825**	**+37,825**
TOTAL	**87,779**	**95,258**	**+7,479**

[a] Includes POPOS (paseo, play area, and general open space available for public use) (41,193 sf) and public plaza (16,240 sf)

[b] CC-2 zone in the 90-foot height area requires 100 sf per/du = 51,000 sf; private counts 2x but must have min 20 sf per/du of group = 10,200. Proposed private:13,192f x 2 = 26,384 sf, resulting in the need for 24,616 sf of group open space area (51,000- 26,384 = 24,616).

[c] Outdoor courtyard, amenity space, and two outdoor decks.

Source: CCA Oakland, CA, Preliminary Development Permit Application, August 25, 2022.

As shown above in Table V.M-1, about 1/3 of the existing Institutional Open Space areas that was generally accessible to the public will shift to accommodate residential-specific open space consistent with the City's residential development standards.

The remaining two-thirds (~57,433 sf) of the existing institutional open space will be retained and improved as on-site POPOS area. Although the POPOS area is smaller than the prior Institutional Open Space area, the new POPOS area would be more accessible to the public by adding ramps on the western frontage leading up to the various recreational areas. The reprogrammed open space would also more proactively encourage more public use by providing increased access to the site and additional amenities including a promenade, outdoor eating areas, a play area, and other general recreational areas which are the types of recreational amenities lacking currently lacking within ¼- to ½-mile of the project site;[34] whereas areas of the current space are overgrown, direct access is limited to stairs from Broadway, and there are very few usable amenities.

The POPOS together with the residential open space will provide a net increase in open space and recreational amenities (paseo, play area, and general open space) available for use by the public and on-site residents as well as residential-specific open space to address the need of the site's proposed residential development consistent with the City's requirement. When all three types of open space are collectively considered, the on-site open space and recreational amenities will result in a net increase of approximately 7,479 square feet. Although the purpose of each type of open space and the POPOS is different each will contribute to off-setting the project's residents' and surrounding residents' demand on existing open space and recreational amenities.

As noted in the OSCAR, development opportunities to create parks and recreational facilities in North Oakland are very limited given the constraints of existing development. Development of the project would further the goals of the OSCAR by encouraging the re-use of an Institutional use that will include POPOS and on-site private residential open space and recreational amenities.

With development of the three types of open spaces described above as part of the project, future project residents' reliance on surrounding public recreation facilities would be reduced. In addition, the Project Sponsor would be required to comply with SCA-SERV-4: Capital Improvements Impact Fee (#78), which would require the project applicant to comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code). Funds deposited into the Capital Improvements Impact Fee Fund, and

[34] See Figure 4.14-1 of the Phase I Oakland 2045 General Plan Update Draft EIR, 2023.

all interest and investment earnings thereon, shall be used to pay for projects that are required for fire, police, library, parks and recreation, or storm drain services.

For these reasons, the project would have less-than-significant impacts on existing park and recreational facilities and no mitigation measures are required. Additionally, the development of the improved POPOS and on-site residential open space areas would not result in any new or more significant impacts than those already identified as part of the project analysis in this EIR. See subsection d.4, Cumulative Public Services, Utilities and Recreation Impacts for additional discussion.

(6) Wastewater Treatment (Criteria 4 and 7)

Based on wastewater generation numbers provided in the City of Oakland Sanitary Sewer Design Standards, implementation of the project would be expected to generate an additional 86,800 gallons per day (gpd).[35,36] Wastewater generated by the project would represent less than 0.03 to 0.05 percent of the MWWTP's peak or secondary treatment capacity (320 mgd and 168 mgd, respectively). Because the project would be served by the MWWTP for its wastewater treatment, it would not violate the wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board (RWQCB).

In addition, the project would be required to adhere to SCA-SERV-9: Sanitary Sewer System (#92). Under these standards, the project would require an impact analysis to ensure that the existing system has enough hydraulic capacity to accommodate the development.

Therefore, the project would have less-than-significant impacts on wastewater capacity, would not trigger the need for additional wastewater treatment facilities, and would not violate any wastewater treatment requirements set by the San Francisco Bay RWQCB.

(7) Stormwater (Criterion 5)

As explained in *Section V.H, Hydrology and Water Quality*, the project sponsor would be required to prepare an Erosion and Sedimentation Control Plan (SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction [#53]) that would prevent excessive erosion and stormwater runoff of solid materials as a result of construction activities and a Post-Construction Stormwater Management Plan (as a part SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects [#58]), which would ensure that stormwater management systems are appropriately designed and maintained to prevent flooding on-site. In addition, the project would be subject to

[35] City of Oakland, 2009. Sanitary Sewer Design Standards. Updated October 2014.

[36] Assuming 100 gpd per studio and loft unit, 150 gpd per 1-bedroom unit, 200 gpd per 2-bedroom unit, 330 gpd per townhome, 200 gpd per 1,000 square feet of office space, and 100 gpd per 1,000 square feet of commercial.

SCA-SERV-2: Construction Management Plan (#13), which requires compliance with stormwater pollution prevention during construction and SCA-SERV-10: Storm Drain System (#93), which requires the project storm drainage system be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines.

Under these requirements, drainage from the proposed improvements would not exceed the capacity of the downstream drainage system. Grading and stormwater pollution management plans must be reviewed for compliance with these requirements by the City's Bureau of Planning and Building. Any improvements to the storm drainage system deemed necessary by the City, including construction of or improvements to stormwater conveyances, must be part of the conditions of approval for development. These measures would require participation in the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the project. Therefore, the project is not anticipated to require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and this impact would be less than significant.

(8) Water Supply (Criterion 6)

Estimates of annual water use for the project, prepared by EBMUD, estimate that the project could potentially use 102,038 gpd.[37,38] The anticipated 102,038 gallons of daily demand for water that would result from implementation of the project represents approximately 0.10 percent of the 108,000,000 average remaining daily water demand from EBMUD in 2020.[39] EBMUD's water demand projections take into consideration densification and land use changes within commercial and residential areas; therefore, these increases are not expected to cause any impacts on water supply to the project site.

The project area is not located within the vicinity of an existing EBMUD recycled water supply pipeline, and thus is not currently a candidate for recycled water.[40] The project would also require water for maintenance and upkeep of the main POPOS and other open spaces; however, the project would be required to comply with SCA-SERV-11: Water Efficient Landscape Ordinance

[37] East Bay Municipal Utility District (EBMUD), 2020. Water Supply Assessment.

[38] A Water Supply Assessment prepared in 2020 (2020 WSA) assumed a larger project with 589 multi-family housing units, 24,000 square feet of arts production spae, 6,300 square feet of office space, a 1,200 square foot historical interpretive center, 2,580 square feet of arts space, 1.71 acres of public open space, and 0.34 acres of group usable open space. Given the project analyzed in this EIR has fewer units and less commercial space, it would utilize less water than the project evaluated in the 2020 WSA and the conclusions of the 2020 Water Supply Assessment remain applicable to the current project.

[39] Based on 2020 EBMUD anticipated water use of 217 mgd and capacity of EBMUD supplies of 325 mdg, resulting in an available supply of 108 mdg.

[40] East Bay Municipal Utility District (EBMUD), 2016. East Bay Recycled Water Project Map. Available at: https://www.ebmud.com/water/recycled-water/current-recycled-water-users/east-bayshore/, accessed December 5, 2023.

(#95), which would require the project to reduce the amount of water required for landscaping. Water usage for landscaping would only minimally contribute to the total water usage of the project. However, the project would include a number of water conservation measures, including low-flow fixtures. The project would also be required to comply with SCA-SERV-1: Compliance with Other Requirements (#3), described above, and SCA-SERV-6: Underground Utilities (#88), which would further reduce any impacts related to water supply.

Because the project would only represent 0.10 percent of EBMUD available capacity and follow City SCAs related to water conservation, the project would have less-than-significant impacts on available water supplies and would not trigger the construction of additional water facilities.

(9) Solid Waste (Criteria 8 and 9)

The estimated 1,311 residents and 72 employees that would result from implementation of the project would generate an estimated 6,314 ppd (approximately 3.16 tons per day) of solid waste. This represents approximately 0.06 percent of the total daily permitted throughput for both the Davis Street facility (5,600 tons) and 0.05 percent for the Altamont Landfill (7,000 tons).

The project sponsor would be required to comply with SCA-SERV-5: Construction and Demolition Waste Reduction and Recycling (#87), which requires compliance with waste reduction and recycling during construction and SCA-SERV-7: Recycling Collection and Storage Space (#89). Compliance with applicable regulations and implementation of City SCAs would ensure impacts related to solid waste would be reduced to a less-than-significant level.

(10) Electricity and Gas (Criteria 10 and 11)

The project would cause an increased demand for electrical and gas services but would be developed in a location where such services are already being provided. Connecting new buildings to existing lines would involve relatively minor improvements to the existing energy infrastructure. The project would primarily serve residential and office space and would not contain any features that would result in the wasteful usage of energy.

The Project Sponsor would implement the following energy reduction strategies: low flow fixtures beyond code, native plantings, energy efficiency measures beyond code, and reduced water use for irrigation. The project would be required to conform to Title 24 standards, which would increase the energy efficiency of all operations, and the City of Oakland's All-Electric Building Ordinance requiring the project to eliminate use of natural gas for building operations. Lastly, the project would be required to implement several SCAs that would reduce the project's energy consummation, including SCA-SERV-5: Construction and Demolition Waste Reduction and Recycling (#87), requiring the project to divert construction and demolition debris waste from landfill disposal in accordance with current City requirements, SCA-GHG-1: Project

Compliance with the ECAP Consistency Checklist (#45) (described in *Section V.E, Greenhouse Gas Emissions*), and SCA-SERV-10: Green Building Requirements (#90), requiring the Project Sponsor to comply with the applicable requirements of the City of Oakland Green Building Ordinance. With implementation of the above measures, the project would result in a less-than-significant impact related to electricity and gas. A more detailed analysis related to energy and gas consumption is provided in *Section V.E, Greenhouse Gas Emissions and Energy*.

c. Significant Public Services, Utilities, and Recreation Impacts

Implementation of the project would not result in any significant impacts to public services, utilities, and recreation.

d. Cumulative Public Services, Utilities, and Recreation Impacts

The geographic context for cumulative public services, utilities, and recreation is generally the project site, the North Oakland/North Hills planning areas, and the greater-Oakland area. As detailed below, the project would not make a cumulatively considerable contribution towards a significant impact related to public services, utilities, and recreation.

(1) Police and Fire Protection

The anticipated growth associated with the project, in combination with past, present, and reasonably foreseeable future projects (as described in *Chapter V, Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures*), could increase the need for additional City fire protection and City police services and could affect response times, service levels, and the need for additional facilities. Cumulative demand for police, fire, and emergency services would be mitigated to less-than-significant levels through individual project planning, design, and approvals. Similar measures could also be incorporated into other planned projects of a similar size, which would reduce the impact of cumulative development on emergency response times (and avoid the need for new capital facilities to retain existing response times). Additionally, the project would incorporate design measures aimed to heighten safety (through lighting, access, and visibility) in public spaces and would develop emergency response and security plans in coordination with the relevant City departments. In addition, throughout the course of the development review process, the police and fire departments will review plans and other physical features which will provide enhanced life safety standards, such as exterior lighting levels, fire hydrants locations, and other facilities. Lastly, applicable cumulative projects would be required to comply with SCA-SERV-4: Capital Improvements Impact Fee (#78), which would require the project sponsors to comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code). Funds deposited into the Capital Improvements Impact Fee Fund, and all interest and investment earnings thereon, shall be used to pay for projects that are required for fire, police, library, parks and recreation, or storm drain

services. Thus, no cumulative impacts to police, fire, and emergency services are anticipated that would result in adverse physical impacts associated with the maintenance of service standards.

(2) Schools

School-aged children generated by the project, in conjunction with those generated by other foreseeable development in the city, would result in a cumulative increased demand and could result in a potentially significant impact on schools. However, pursuant to SB 50, the project sponsors of all future projects would be required to pay school impact fees established to offset potential impacts on school facilities. Therefore, cumulative impacts of development on school district facilities would be less than significant.

(3) Libraries

Development in Oakland, including the project, would result in an increased population, which could result in the need for new or expanded library facilities. The Oakland Public Library has prepared a Facilities Plan that includes a needs assessment and long-range strategy to address the community's growing needs for library services, which considers the long-term population growth anticipated for the city. The plan is funded in part by Measure Q, adopted in March 2004, to facilitate library improvements and expansion. As part of this effort, the Oakland Public Library is evaluating ways the existing facilities could improve the delivery of programs, services, and materials. Thus, library system improvements are underway to address cumulative demand. The project would increase the population served by the Rockridge, Piedmont, and Temescal Branches, and thus there would be a greater cumulative demand for books, library programs, and resources. The increased population from the project would result in a greater utilization of library facilities but would not result in the expansion of the facility beyond what is already being proposed as part of the Facilities Plan. In addition, applicable cumulative projects would be required to comply with SCA-SERV-4: Capital Improvements Impact Fee (#78), which would require the project sponsors to comply with the requirements of the City of Oakland Capital Improvements Fee Ordinance (chapter 15.74 of the Oakland Municipal Code). Funds deposited into the Capital Improvements Impact Fee Fund, and all interest and investment earnings thereon, shall be used to pay for projects that are required for fire, police, library, parks and recreation, or storm drain services. Consequently, the project would not be expected to have a considerable contribution to a cumulative impact that would require a new or expanded branch library.

(4) Parks and Recreation

As discussed under less-than-significant project impacts above, the project itself would not result in any significant impacts related to parks and recreation. The project will also meet the City's development standard for providing the required private and shared amenity space on site.

However, the City is falling short of meeting its goal to provide 10 acres of open space including regions opens space per 1,000 residents. The project, in conjunction with other past, present, planned and foreseeable development under the cumulative scenario (as described in *Chapter V, Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures*), would incrementally contribute to the City not meeting this goal.

The OSCAR recognizes the difficulty in meeting the established goals—which it notes would be impossible without massive redevelopment—especially in built-out urban areas, but states that major gains toward the goal can be made through the expansion of existing parks, improvement of creek and shoreline access, acquisition of vacant parcels, and incorporation of new parks in major redevelopment projects.

The fact that this goal is not met by itself is not a significant impact under CEQA as it is a goal of the General Plan which is intended to be visionary, and it is not a policy or standard adopted to reduce potentially significant adverse impacts. The project would meet the service ratio and performance objectives required by the City. The provision of on-site amenities that will be available to the public and the residences would minimize substantial or accelerated physical deterioration of existing park and open space facilities. Additionally, continued implementation and collection of the capital improvements impact fees from the project and other future projects would further ensure that parks or public facilities are well-maintained and improved as needed, avoiding substantial physical deterioration of recreational facilities. Capital improvement projects are defined by the City as projects that improve and maintain Oakland's public facilities and infrastructure. "They can range from restoring aging public buildings, to improving streets and sidewalks, to creating or improving our parks."[41]

Future projects would also be required to meet City of Oakland's minimum open space standards, which would further reduce the reliance on publicly owned parks and recreational facilities. Therefore, the project would not contribute to a significant cumulative impact related to the provision or substantial or accelerated deterioration of existing parks and open space facilities.

(5) Water and Wastewater

The project and cumulative development projects would incrementally increase demand for wastewater and water services and other utilities in Oakland. While development of the project would place additional demands on City services and utility projects, buildout of the project and other planned development would not result in any significant impacts to services and utility projects, as discussed above. EBMUD accounted for water demands associated with the project

[41] City of Oakland Capital Improvement Program. Available at: https://www.oaklandca.gov/topics/capital-improvement-program, accessed December 5, 2023.

within the 2015 Urban Water Management Plan. The Urban Water Management Plan acknowledges that Oakland is projected to continue to have over 25 percent of the county's residents, adding over 135,000 residents and 63,000 new jobs by 2040. In addition, EBMUD has stated that it can meet customer demands for treated water through 2040 during normal years and single dry years.[42] Assuming adherence to the City's SCAs, it is not expected that the project in combination with other cumulative development would result in a significant impact on these utilities.

(6) Solid Waste

As stated previously, the project would generate an estimated 6,681 ppd (approximately 3.3 tons per day) of solid waste. This represents approximately 0.06 percent of the total daily permitted throughput for the Davis Street facility and 0.05 percent for the Altamont Landfill.

It is not projected that the amount of waste generated from the project in conjunction with other cumulative development would exceed the capacity of these solid waste facilities. In addition, all cumulatively considerable projects would be required to be within compliance of the City's waste reduction and recycling requirements. Thus, the cumulative impact of the project would be less than significant.

[42] East Bay Municipal Utility District (EBMUD), 2021. Urban Water Management Plan 2020, page 57, June.

VI. EFFECTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT WITH STANDARD CONDITIONS OF APPROVAL

This chapter contains a brief analysis of the environmental topics determined to be less than significant that are relevant to the proposed California College of the Arts (CCA) Oakland Campus Redevelopment Project (or project). The following topics were excluded from extensive discussion in this EIR: Agriculture and Forest Resources; Mineral Resources; Tribal Cultural Resources; and Wildfire. During the scoping phase for the EIR, it was determined that the project would have no impact or a less-than-significant impact related to these topics as a result of the project's characteristics and, if applicable, the implementation of the City of Oakland's (City) Standard Conditions of Approval (SCAs).

A. AGRICULTURE AND FOREST RESOURCES

The project would be located in a built-out urban area that contains a variety of institutional, commercial, and residential uses. Neither the project site nor any adjacent land has been identified as an agricultural resource or forest land, and there are no agricultural uses in the vicinity.[1] The project, therefore, would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and would not result in the loss of forest land or conversion of forest land to non-forest use. Thus, the project would not have any impact on agriculture or forest resources.

B. MINERAL RESOURCES

The project would be located in an urban area and would replace the existing college campus and several of its associated structures. The project site has no known existing mineral resource. The project would not require quarrying, mining, dredging, or extraction of locally important mineral resources on-site, nor would it deplete any known mineral resource that would be of value to the region and the residents of the state. As a result, the project would have no significant impacts related to mineral resources.

[1] California Department of Conservation (CDC), 2016. Farmland Mapping and Monitoring Program, California Important Farmland Finder. Available at: https://maps.conservation.ca.gov/agriculture/, accessed December 5, 2023.

C. TRIBAL CULTURAL RESOURCES

Assembly Bill (AB) 52 was enacted on July 1, 2015 and establishes that "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (Public Resources Code [PRC] Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and meets either of the following criteria:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k); or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding tribal cultural resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

According to Appendix G of the State CEQA Guidelines, an impact to tribal cultural resources from implementation of the project would be significant if the project would cause a substantial adverse change in the significance of a tribal cultural resource that meets the criteria listed in PRC Section 21074.The City of Oakland prepared and mailed formal notification letters in accordance with the provisions of AB 52 to the following tribes:

1. Muwekma Ohlone Tribe of the San Francisco Bay Area
2. Costanoan Rumsen Carmel Tribe
3. North Valley Yokuts Tribe
4. The Ohlone Indian Tribe
5. Indian Canyon Mutsun Band of Costanoan
6. Amah Mutsun Tribal Band of Mission San Juan Bautista

No responses have been received as of the publication of this Draft EIR. The project has been subject to development over the past century, and it is likely that any archaeological resources that would qualify as tribal cultural resources would be buried by fill. In addition, the project

would be subject to SCA-HIST-1, SCA-CULT-1, and SCA-HIST-2 which would reduce any potential adverse effects to unknown tribal cultural resources to a less-than-significant level.

SCA-HIST-1: Archaeological and Paleontological Resources – Discovery During Construction (#36)
Requirement: Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.

In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.

In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.
When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

SCA-CULT-1: Archaeologically Sensitive Areas – Pre-Construction Measures (#37)
Requirement: The project applicant shall implement Provision A (Intensive Pre-Construction Study) and Provision B (Construction ALERT Sheet) concerning archaeological its. If Native American archaeological resources are identified or suspected in a project site, the City shall consult with a Native American representative(s) registered with the Native American Heritage Commission

that is traditionally and culturally affiliated with the geographic area as described in Public Resources Code Section 21080.3.

Provision A: Intensive Pre-Construction Study. The project applicant shall retain a qualified archaeologist to conduct a site-specific, intensive archaeological resources study for review and approval by the City prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. At a minimum, the study shall include:

a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources.
b. A report disseminating the results of this research.
c. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources.

If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction and prepare an ALERT sheet pursuant to Provision B below that details what could potentially be found at the project site. Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT sheet, required per Provision B below) and the procedures to follow if any artifacts are encountered, field recording and sampling in accordance with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, and preparing a report to document negative findings after construction is completed if no archaeological resources are discovered during construction.

Provision B: Construction ALERT Sheet. The project applicant shall prepare a construction "ALERT" sheet developed by a qualified archaeologist for review and approval by the City prior to soil-disturbing activities occurring on the project site. The ALERT sheet shall contain, at a minimum, visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor, any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving), and utility firms involved in soil-disturbing activities within the project site.

The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, all work must stop and the City's Environmental Review Officer contacted in the event of discovery of the following cultural materials: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The ALERT sheet shall also be posted in a visible location at the project site.

When Required: Prior to approval of construction-related permit; during construction
Initial Approval: Bureau of Building; Bureau of Planning
Monitoring/Inspection: Bureau of Building

SCA-HIST-2: Human Remains – Discovery During Construction (#38)
Requirement: Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.
When Required: During construction
Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

D. WILDFIRE

The City of Oakland has drafted a Vegetation Management Plan that evaluates the specific wildfire hazard factors in the City's very high fire hazard severity zone and establishes a framework for managing vegetative fuel loads on City-owned properties and along roadways, such that wildfire hazard is reduced and negative environmental effects resulting from vegetation management activities are avoided or minimized. The project is located approximately one mile from the nearest area (North Oakland Regional Sports Center) subject to the requirements of the Vegetation Management Plan and is located in a highly urbanized area.[2] Areas subject to the very high fire hazard severity zone are typically in the Oakland Hills close to a large amount of vegetation. The project site is not close to these areas. The period for the highest risk of fire in the Oakland Hills starts in September as the fog recedes earlier in the day and vegetation begins to dry out from regular, dry, offshore winds, and ends in November with the onset of winter rainfall, cooler temperatures, and higher relative humidity.

Impacts associated with implementation of the project would be less than significant related to wildfires given the distance of the project site from the City's very high fire hazards severity zone.

[2] Oakland Fire Department, 2019. Revised Draft Oakland Vegetation Management Plan. Available at: https://oaklandvegmanagement.org/, accessed December 5, 2023.

VII. ALTERNATIVES ANALYSIS

The CEQA Guidelines require the analysis of a range of reasonable alternatives to the proposed California College of the Arts (CCA) Oakland Campus Redevelopment Project ("project"), or to the location of the project, which would feasibly attain most of the project's basic objectives and avoid or substantially lessen any of the significant effects of the project. The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.[1] An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. A No Project Alternative should also be considered.

The primary purpose of this chapter is to ascertain whether there are alternatives of design, scale, land use, or location that would substantially lessen the project's significant impacts, even if those alternatives "impede to some degree the attainment of the project objectives or would be more costly."[2]

The five project alternatives considered include:

- **No Project/Reuse Alternative**: assumes no new development would be constructed on the project site except for the refurbishing of 17 existing dormitory units in Irwin Student Center as affordable housing. The other 11 existing buildings (approximately 93,000 square feet) could be renovated and repurposed for civic/office space or supportive services, consistent with the Institutional General Plan land use designation.
- **General Plan Amendment (No Rezoning) Alternative:** assumes the existing RM-4 and CN-1 zoning designations would remain but a General Plan Amendment to reclassify the project site from Institutional to Community Commercial would allow residential development at the project site. This alternative assumes up to 78 residential units would be constructed in a new 8-story building and 17 existing dormitory units in Irwin Student Center would be refurbished as affordable housing for a total of 95 units. The remaining nine buildings (87,000 square feet) would be renovated and repurposed for civic/office space or supportive services.
- **Historic Preservation Alternative**: assumes the construction of up to 306 residential units across two new 8-story buildings. The five preserved buildings (57,00 square feet) would be renovated and repurposed to accommodate office space.

[1] CEQA Guidelines, Section 15126.6.

[2] City of Oakland, 1998. Land Use and Transportation Element, March.

- **Historic Preservation with Tower Alternative**: assumes the construction of up to 446446 residential units across two new 8-story buildings and a 21-story tower. The five preserved buildings (57,00 square feet) would be renovated and repurposed to accommodate office space.
- **Small Housing Campus Alternative**: assumes the construction of up to 97 residential units across three new 5-story buildings. The nine preserved buildings (77,000 square feet) would be renovated and repurposed to accommodate office space.

A comparison of these five alternatives with the project is provided in Table VII-1 and VII-2 on the following pages. Also, in comparing the project alternatives, the project site's designation as a Housing Opportunity Area and High Resource Area with a feasible capacity of 510 units in the City's recently adopted Housing Element is important to consider. When projects do not achieve the feasible capacity a set of findings are required which identify the loss of capacity and require the City to evaluate whether sufficient capacity exists elsewhere in an equivalent area (e.g., High Resource area in the case of CCA) where the required housing units can be accommodated. These findings would be required for alternatives that do not achieve the feasible capacity.

In addition, the Housing Element policies are now implemented, among other ways, by a new Zoning Overlay, the S-14 Overlay, codified at Oakland Municipal Code Section 17.96. The S-14 Overlay applies to all Housing Opportunity sites. The Overlay regulations, specifically Section 17.96.050, require all development in Housing Opportunity Areas within the S-14 Overlay to achieve a minimum density defined as achieving 75 percent of the feasible capacity identified for the site. For the CCA site this minimum is 383 units.

The S-14 Overlay also contains a requirement that all development is "Majority Residential Use," which is defined by OMC Section 17.96.020 as "a use consisting of residential units only, mixed use developments consisting of residential and non-residential uses with at least two-thirds of the square footage designated for residential activity, or transitional or supportive housing."

The remainder of this chapter is organized as follows: overview of project objectives and impacts; description of alternatives considered and rejected; description and analysis of CEQA project alternatives; and discussion of environmentally superior alternatives.

A. PROJECT OBJECTIVES AND IMPACTS

To determine what range of alternatives should be considered, the impacts identified for the project were considered along with the project objectives. The project is described in detail in *Chapter III, Project Description*, and the potential environmental effects of the project are analyzed in *Chapter V, Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures*. The project objectives and impacts are summarized below.

TABLE VII-1 ALTERNATIVES COMPARISON

Project/Alternative	Residential Units	Civic/Office Space (Sq.Ft.)[a]	Parking Spaces	Publicly Accessible Open Space (Sq.Ft.)
Project	510	16,945	268	63,727
No Project/Reuse Alternative	17	93,000	41	87,779
General Plan Amendment (No Rezoning) Alternative	95	87,000	41	87,779
Historic Preservation Alternative	306	57,000	236	50,000
Historic Preservation with Tower Alternative	446	57,000	291	50,000
Small Housing Campus Alternative	97	77,000	55	87,779

[a] Alternative office square footage conservatively rounded up to the nearest thousandth for alternatives.
Source: Mithun, 2012. EIR Alternatives, June. Urban Planning Partners, 2022.

TABLE VII-2 PRESERVED BUILDING SQUARE FOOTAGE FOR EACH ALTERNATIVE

		Alternative				
Building	Current Project	No Project/ Reuse	General Plan Amendment (No Rezoning)	Historic Preservation	Historic Preservation w/Tower	Small Housing Campus
1. Facilities	–	1,402	–	–	–	1,402
2. B Building	–	4,933	–	–	–	4,933
3. Oliver Ralls Sculpture Studio	–	7,655	–	–	–	7,655
4. Noni Eccles Treadwell Ceramic Arts Center*	–	**11,606**	**11,606**	**11,606**	**11,606**	**11,606**
5. Martinez Annex	–	5,262	5,262	–	–	5,262
6. **Martinez Hall***	–	**8,513**	**8,513**	**8,513**	**8,513**	**8,513**
7. **Founders Hall***	–	**26,012**	**26,012**	**26,012**	**26,012**	**26,012**
8. **Macky Hall**	**7,760**	**7,760**	**7,760**	**7,760**	**7,760**	**7,760**
9. **Carriage House**	**2,622**	**2,622**	**2,622**	**2,622**	**2,622**	**2,622**
10. Irwin Student Center	–	-	7,716	–	–	–
11. **Barclay Simpson Sculpture Center**	–	**2,644**	**2,644**	–	–	–
12. Raleigh and Claire Shaklee Building	–	14,263	14,263	–	–	–
Total		**92,925**	**86,651**	**56,766**	**56,766**	**76,018**

Note: Buildings listed in **bold** are individually eligible for listing in the California Register and as a Oakland Landmark. All buildings are contributors to the California Register- and National Register-eligible CCAC Historic District Area of Primary Importance (API). Buildings with * are examples of Late Modern Architecture.
Source: LMS[A], 2020. CCA Existing Buildings Rehabilitation Pricing Package.

1. Project Objectives

The project objectives, which are first presented in *Chapter III, Project Description*, include:

- Redevelop a site previously utilized as college campus (educational use) into a mixed-use development with residential and commercial uses.
- Respect the historic resources through adaptive reuse and rehabilitation of the Landmarked structures and landscape that includes documentation and commemoration of the site history and incorporation of outdoor art.
- Locate dense residential development on a large site approximately ½-mile from BART and adjacent to existing community and neighborhood commercial uses to reduce dependency on motorized transportation.
- Further the City's achievement of the General Plan's Housing Element goals and of the Association of Bay Area Governments' Regional Housing Needs Allocation for the City of Oakland and meet the City's minimum residential density and major residential use requirements.
- Increase affordable housing units in the Rockridge neighborhood by providing affordable housing units on-site.
- Generate tax revenues for the City of Oakland and employment opportunities for the City of Oakland community.
- Produce a high-quality architectural and landscape design that promotes sustainability and exceeds the requirements of the City of Oakland's Green Building Ordinance.
- Design a project that varies dwelling sizes and types, to accommodate a range of potential residents.
- Maintain and improve quasi-public open space at the project site through restoration of Landmarked landscaped areas and a view corridor with enhanced open space accessibility and visibility.
- Construct enough residential units and non-residential space to make the redevelopment of the site economically feasible, produce a reasonable return on investment for the project that is sufficient to attract investment capital and construction financing, and generate sufficient revenue to meet the project objectives.

2. Project Impacts

As detailed in *Chapter V, Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures* and *Chapter VI, Effects Found not to be Significant or Less Than Significant with Standard Conditions of Approval*, the project's impacts, with the exception of four significant and unavoidable impacts, would be less than significant with implementation of the City's Standard

Conditions of Approval (SCAs) and/or mitigation measures. To help define project alternatives that could further reduce or eliminate significant impacts, the impacts of the project are summarized below.

The significant and unavoidable impacts for the project are listed below.

Cultural and Historic Resources:

- Impact HIST-2: The project proposes to demolish 10 buildings on the project site, all of which are contributors to the California Register- and National Register-eligible CCAC API. Demolition of 10 of the 12 contributing buildings and alteration of six contributing landscape features in the CCAC API would adversely impact the district such that it would no longer be able to convey its significance, resulting in a substantial adverse change to the historical resource. The numerous demolitions would result in the loss of CCAC Campus District eligibility for listing in the California Register and National Register.
- Impact HIST-3: Four of the 10 buildings proposed to be demolished—Martinez Hall, Founders Hall, Noni Eccles Treadwell Ceramic Arts Center, and Barclay Simpson Sculpture Studio—are individually eligible for listing in the California Register and as Oakland Landmarks. Demolition of these four buildings would render them ineligible for listing in the California Register or as Oakland Landmarks.
- Cumulative Impact HIST-4: To facilitate construction of the project, three significant examples of Late Modern architecture would be demolished: Founders Hall, a 1968 Brutalist building designed by DeMars & Reay; Martinez Hall, a 1968 Third Bay Tradition building designed by DeMars & Reay; and the Noni Eccles Treadwell Ceramic Arts Center, a 1973 Third Bay Tradition building designed by Worley Wong and Ronald Brocchini. Implementation of the project, as designed, combined with cumulative development citywide, including past, present, existing, approved, pending, and reasonably foreseeable future development, would contribute to a significant and unavoidable adverse cumulative impact to Oakland's Late Modern architectural resources.

Noise and Vibration:

- Impact NOI-1: The operation of heavy construction equipment on the project site could impact nearby receptors.

Potentially significant impacts that could be mitigated to a less-than-significant level with implementation of recommended SCAs or mitigation measures (as described in Table II-1, Summary of Impacts, Standard Conditions of Approval, and/or Mitigation Measures in *Chapter II, Summary*) include:

Cultural and Historic Resources:

- HIST-1a: The project's rehabilitation of Macky Hall, the Carriage House, and the Broadway Wall and Stairs, has the potential to affect the integrity of the Treadwell Estate Landmark.
- HIST-1b: The project's relocation of the Carriage House has the potential to affect the integrity of the Treadwell Estate Landmark.
- HIST-1c: The project's full or partial removal of landscape features has the potential to affect the integrity of the Treadwell Estate Landmark.

Soils, Geology, and Seismicity:

- GEO-1: Construction activities could potentially trigger landslides or destabilize existing slopes.

Hazards and Hazardous Materials:

- HAZ-1: Contaminated soil or groundwater in the subsurface of the project site could pose a risk of exposure to hazardous materials.
- HAZ-2: Potential excavation and handling of contaminated soil, groundwater, and underground storage tanks (USTs) in the subsurface of the project site could result in emissions of hazardous materials that could pose a risk of exposure for nearby schools.

Biological Resources:

- BIO-1: Redevelopment at the project site could disturb nesting bird habitat.
- BIO-2: Redevelopment at the project site could disturb pallid bat habitat.

Noise and Vibration:

- NOI-2: Use of vibratory rollers from project construction could impact Oakland Technical High School Upper Campus activities when school is in session.

Impacts for all other environmental topics are anticipated to be less than significant.

B. CEQA ALTERNATIVES CONSIDERED

Five CEQA-based alternatives were considered as described below. These five alternatives are included to meet the CEQA requirement for an EIR to describe a range of reasonable alternatives to the project that would feasibly attain most of the basic objectives of the project while avoiding or substantially lessening significant impacts.

A comparison of the impacts associated with each alternative is provided in Table VII-3 for all significant and unavoidable impacts of the project as well as those that would be significant prior to the implementation of mitigation measures or SCAs.

TABLE VII-3 SUMMARY COMPARISON OF ALTERNATIVES IMPACTS

		Project Alternatives			
Project	**No Project/ Reuse**	**General Plan Amendment (GPA)**	**Historic Preservation (HP)**	**HP + Tower**	**Small Housing Campus**
Impact HIST-2: **Demolish 10 of 12** contributors to the California Register- and National Register-eligible CCAC API. The numerous demolitions would result in the **loss of eligibility** for listing in the California Register and National Register. (SU)	Decreased Demolish 0 of 12 Maintain CCAC District eligibility	Decreased Demolish 2 of 12 Maintain CCAC District eligibility	Decreased Demolish 7 of 10 Maintain CCAC District eligibility	Decreased Demolish 7 of 10 Maintain CCAC District eligibility	Decreased Demolish 3 of 10 Maintain CCAC District eligibility
Impact HIST-3: **Demolish four of six buildings individually eligible** for listing in the California Register and as Oakland Landmarks. (SU)	Decreased Demolish 0 of 6	Decreased Demolish 0 of 6	Decreased Demolish 1 of 6	Decreased Demolish 1 of 6	Decreased Demolish 1 of 6
Cumulative Impact HIST-4: Demolish **3 of 3 significant examples of Late Modern architecture** contributing to adverse cumulative impact to Oakland's Late Modern architectural resources. (SU)	Decreased Demolish 0 of 3	Decreased Demolish0 of 3	Decreased Demolish 0 of 3	Decreased Demolish 0 of 3	Decreased Demolish 0 of 3
Impact NOI-1: The operation of heavy construction equipment on the project site could impact nearby receptors. (SU)	No Impacts	Decreased	Similar	Similar	Decreased
Impact HIST-1a: The project's rehabilitation of Macky Hall, the Carriage House, and the Broadway Wall and Stairs, has the potential to affect the integrity of the Treadwell Estate Landmark.(LTS with MM)	No Impact	Similar LTS with MM	Similar LTS with MM	Similar LTS with MM	Similar LTS with MM
Impact HIST-1b: The project's relocation of the Carriage House has the potential to affect the integrity of the Treadwell Estate Landmark. (LTS with MM)	No Impact	LTS Impact	Similar LTS with MM	Similar LTS with MM	LTS Impact
Impact HIST-1c: The project's full or partial removal of landscape features has the potential to affect the integrity of the Treadwell Estate Landmark. (LTS with MM)	No Impact	LTS Impact	Similar LTS with MM	Similar LTS with MM	LTS Impact
Soils, Geology, and Seismicity	No Impact	*The project impacts for these topics would be essentially the same for all project alternatives, except the No Project Alternative. Each of these impacts could be mitigated to a LTS level with mitigation or SCAs for each alternative.*			
Hazards and Hazardous Materials					
Biological Resources					
Vibration					

Note: Project impacts are abbreviated as LTS (Less Than Significant) and SU (Significant and Unavoidable).
Source: Urban Planning Partners, 2023.

1. No Project/Reuse Alternative

a. Principal Characteristics

The No Project/Reuse Alternative is considered so that the impacts of approving the project may be compared to the impacts of not approving the project. The No Project/Reuse Alternative assumes no new development would occur except for the refurbishing of 17 existing dormitory units in Irwin Student Center as affordable studios for rent. The other 11 existing buildings, which are currently vacant, (93,000 square feet) could be repurposed for civic/office uses or supportive services such as short-term shelter space, job training, health services, housing assistance, and legal assistance. Such uses are all permitted by right under existing zoning and may require design review for approval. This alternative would include 41 existing surface parking spaces, approximately 87,779 square feet of publicly accessible open space, and restoration of the 80-foot-wide view corridor associated with the Treadwell Estate Landmark. Generally, the amount of construction needed to modify buildings for reuse under this alternative would be minimal compared to the project. Under this alternative, there would be no increase in gross square footage and tenant improvements would be consistent with historic building code requirements. It would also exclude any new gas hook-ups. The site would not be reclassified under the General Plan, would not be rezoned and the aesthetic and historic elements of the site would remain unchanged. A conceptual site plan is shown in Figure VII-1.

b. Relationship to Project Objectives

The No Project/Reuse Alternative would not achieve most of the key project objectives of the project, including:

- Redevelop a site previously utilized as college campus (educational use) into a mixed-use development with residential and commercial uses.
- Respect the historic resources through adaptive reuse and rehabilitation of the Landmarked structures and landscape that includes documentation and commemoration of the site history and incorporation of outdoor art.
- Locate dense residential development on a large site approximately ½mile from BART and adjacent to existing community and neighborhood commercial uses to reduce dependency on motorized transportation.
- Further the City's achievement of the General Plan's Housing Element goals and of the Association of Bay Area Governments' Regional Housing Needs Allocation for the City of Oakland and meet the City's minimum residential density and major residential use requirements.
- Design a project that varies dwelling sizes and types, to accommodate a range of potential residents.

Source: Mithun, 2021.

PRESERVED BUILDINGS:

FACILITIES
OLIVER ARTS CENTER & B BLDG
TREADWELL HALL
MARTINEZ HALL
MARTINEZ ANNEX
FOUNDER'S HALL
MACKY HALL
CARRIAGE HOUSE
IRWIN STUDENT CENTER
BARCLAY SIMPSON SCULPTURE CENTER
SHAKLEE BUILDING

NEW BUILDINGS:

NONE

Figure VII-1
No Project/No Build Alternative

- Maintain and improve quasi-public open space at the project site through restoration of Landmarked landscaped areas and a view corridor with enhanced open space accessibility and visibility.
- Increase affordable housing units in the Rockridge neighborhood by providing affordable housing units on-site.
- Construct enough residential units and non-residential space to make the redevelopment of the site economically feasible, ~~to~~ produce a reasonable return on investment for the project that is sufficient to attract investment capital and construction financing, and ~~to~~ generate sufficient revenue to meet the project objectives.

c. Analysis of the No Project/Reuse Alternative

(1) Land Use

Implementation of the No Project/Reuse Alternative would maintain the existing land uses on the project site, which is currently developed with 12 educational-use structures, a surface parking lot, and landscaping. In addition, the existing General Plan Land Use and zoning designations would remain. As identified in *Section V.A, Land Use*, the project would not result in any significant impacts related to land use. This alternative assumes 17 existing dormitory units would be refurbished as affordable housing. The existing Institutional General Plan designation allows, "educational facilities, cultural and institutional uses, health services and medical uses as well as other uses of similar character. Under certain conditions, mixed use housing and commercial development that supports these institutional areas may be allowed."[3] Therefore, the 17 affordable housing units could be permitted under the existing General Plan designation so long as they support the institutional uses occupying the other 11 preserved buildings. Since no new buildings would be constructed, or land uses would be introduced beyond the uses that are currently permitted by zoning, the No Project/Reuse Alternative would not result in any significant land use impacts. This alternative would not be subject to the City's minimum density and majority residential use requirements given no new development is proposed..

(2) Cultural and Historic Resources

The No Project/Reuse Alternative would not result in any demolition and only interior building renovations for reuse of existing buildings. As identified in *Section V.B, Cultural and Historic Resources*, the project would result in four potentially significant or significant and unavoidable impacts related to cultural and historic resources (see Impact HIST-2, HIST-3, and HIST-4). The No Project/Reuse Alternative would maintain the physical structures, as well as the integrity of

[3] City of Oakland, 1998. Land Use and Transportation Element, March.

setting and feeling of the site's historic resources, including the structures, features, and landscaping. This alternative would not alter the exterior of existing buildings nor the surrounding landscape features and setting, with the exception of restoring the 80-foot-wide view corridor associated with the Treadwell Estate Landmark. Any modifications would also be subject to the Secretary of the Interior's Standards for Rehabilitation Therefore, the No Project/Reuse Alternative would not result in any significant or significant and unavoidable cultural or historic impacts.

(3) Traffic and Transportation

Implementation of the No Project/Reuse Alternative would result in the refurbishing 17 existing dormitory units and reuse of 93,000 square feet for civic/office space or supportive services that is currently vacant. As identified in *Section V.C, Traffic and Transportation*, the project would not result in any significant impacts related to traffic and transportation. The City's thresholds for traffic and transportation are focused on vehicle miles traveled (VMT). A project causes substantial additional VMT if it exceeds the existing regional VMT per employee minus 15 percent. Given the project's site location adjacent to a high-quality transit (bus) corridor, this alternative, similar to the project, would not cause substantial additional VMT.

Similar to the project, with implementation of SCAs, the No Project/Reuse Alternative would not conflict or create inconsistencies with standards set forth in the General Plan and other plans, ordinances, and policies addressing the City's circulation system. Therefore, the No Project/Reuse Alternative would result in less severe traffic and transportation impacts compared to the project.

(4) Air Quality

Construction associated with implementation of the No Project/Reuse Alternative would primarily be associated with interior building renovations and be significantly less than construction associated with the project's construction of two new buildings. Similarly, net new emissions associated with operations would be substantially lower than the project. As described in *Section V.D, Air Quality*, all potential construction impacts of the project would be reduced to less-than-significant levels with the implementation of SCAs. Under the No Project/Reuse Alternative, there would be limited construction activities and an incremental increase in vehicle trips/miles as compared with existing conditions. Like the project, the No Project/Reuse Alternative would not result in significant impacts related to criteria air pollutants, toxic air contaminants, emissions standards, and odors. The minimal change assumed under this alternative would result in substantially fewer emissions affecting air quality from construction and operation. Therefore, the No Project/Reuse Alternative would result in less severe less-than-significant air quality impacts than the project.

(5) Greenhouse Gas Emissions and Energy

The No Project/Reuse Alternative would not result in any demolition and only interior building renovations for reuse of existing buildings. As described in *Section V.E, Greenhouse Gas Emissions and Energy*, the project's Equitable Climate Action Plan (ECAP) Checklist indicates the project's design would meet all the applicable requirements for Transportation and Land Use, Buildings, Material Consumption and Waste, and Carbon Removal. As such, the project would not result in potentially significant impacts related to GHG emissions, nor would it result in a significant energy impact. Similarly, the No Project/Reuse Alternative would meet the ECAP Checklist requirements due to the low number of existing parking spaces and no new gas hook-ups. Therefore, the No Project/Reuse Alternative would not conflict with any plans or policies related to the reduction of GHGs, nor would it conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Similar to the project, construction and operation of the No Project/Reuse Alternative would result in land use activities that would generate GHG emissions and consume energy. However, GHG emissions and energy use from the No Project/Reuse Alternative would be less than the project because of the reductions in residential units and other land uses under the No Project/Reuse Alternative compared to the project. Therefore, GHG and energy impacts of the No Project/Reuse Alternative would also be less than the project, and would not exceed the applicable thresholds of significance. Therefore, the No Project/Reuse Alternative would result in less severe GHG emissions and energy impacts compared to the project.

(6) Soils, Geology, and Seismicity

Implementation of the No Project/Reuse Alternative would not result in any demolition and only interior building renovations for reuse of existing buildings. As described in *Section V.F, Soils, Geology, and Seismicity*, of this EIR, the project would result in one potentially significant impact related to landslides and instability of slopes (see Impact GEO-1). Given no new development would occur on the site, this alternative would avoid the need for mitigation measures to address potentially significant impacts associated with new buildings on a site with potentially unstable soil conditions. However, the project site, and its existing structures, would still be susceptible to unstable soils, but this would not be a significant change from existing conditions. As such, the No Project/Reuse Alternative would result in less severe geology, soils, and seismicity impacts compared to the project.

(7) Hazards and Hazardous Materials

Implementation of the No Project/Reuse Alternative would not result in any demolition and only interior building renovations for reuse of existing buildings. As such, this alternative would not cause significant hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials, or create a significant hazard to the public or the environment

through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment. As identified in *Section V.G, Hazards and Hazardous Materials*, contaminated soil, groundwater, and potential USTs in the subsurface of the project site could pose a risk of exposure to hazardous materials (see Impacts HAZ-1 and HAZ-2). Unlike the project, this alternative would not expose construction workers, nearby schools, or the public to hazardous materials from contaminants in the soil during and following construction activities. As such, the No Project/Reuse Alternative would not result in less severe impacts related to hazards and hazardous materials compared to the project.

(8) Hydrology and Water Quality

Implementation of the No Project/Reuse Alternative would not result in any demolition and only interior building renovations for reuse of existing buildings. As described in *Section V.H, Hydrology and Water Quality*, the project would not result in any significant impacts related to hydrology and water quality. This alternative would not affect water quality standards, water quality degradation, runoff, flooding, water-oriented natural hazards, groundwater, or drainage. Therefore, the No Project/Reuse Alternative would not result in any impacts related to hydrology or water quality.

(9) Noise and Vibration

Implementation of the No Project/Reuse Alternative would not result in any demolition and only interior building renovations for reuse of existing buildings. As identified in *Section V.I, Noise and Vibration*, the project would result in two significant impacts related to noise and vibration. This alternative would result in an incremental increase in vehicle trips/miles and would not expose residences or offices to increased noise levels. Therefore, the No Project/Reuse Alternative would not result in any impacts related to noise exposure, increased noise levels and construction-related noise.

(10) Biological Resources

Implementation of the No Project/Reuse Alternative would not result in any demolition and only interior building renovations for reuse of existing buildings. As identified in *Section V.J, Biological Resources*, the project would result in two potentially significant impacts related to disturbing nesting bird habitat and pallid bat habitat (see Impact BIO-1 and BIO-2). This alternative would leave the site to its existing conditions, and therefore, would not affect riparian habitat, regulated waters, creeks, trees, or sensitive plants and animals. As such, the No Project/Reuse Alternative would result in less severe biological impacts compared to the project.

(11) Population and Housing

Implementation of the No Project/Reuse Alternative would result in the refurbishing of 17 existing housing units and interior building renovations for reuse of existing buildings. As identified in *Section V.K, Population and Housing*, the project would not result in any significant impacts related to population and housing. Although this alternative assumes 17 existing dormitory units would be refurbished as affordable housing, it would not induce substantial growth or displace people or housing. Therefore, the No Project/Reuse Alternative would not result in any impacts related to population and housing.

(12) Aesthetics and Shade and Shadow

Under the No Project/Reuse Alternative, the existing project site and its visual quality and impact on scenic resources would be unchanged. As identified in *Section V.L, Aesthetics and Shade and Shadow*, the project would have a less-than-significant impact on a scenic vista, scenic resources viewed from a state scenic highway, visual character, light and glare, and shade and shadow. As no new construction would occur under the No Project/Reuse Alternative. the No Project/Reuse Alternative would result in a less severe aesthetic impact compared to the project.

(13) Public Services, Utilities, and Recreation

Implementation of the No Project/Reuse Alternative would not result in the addition of any housing units or a net reduction in privately-owned but publicly accessible open space (POPOS) when compared to the project. As identified in *Section V.M, Public Services, Utilities, and Recreation*, the project would have a less-than-significant impact on fire protection, police protection, schools, libraries, parks and recreation, wastewater treatment, stormwater, water supply, and solid waste. As no new construction would occur under the No Project/Reuse Alternative, demand for these public services would remain unchanged and no impacts related to these services. Therefore, the No Project/Reuse Alternative would result in a less severe impact related to public services, utilities, and recreation compared to the project.

2. General Plan Amendment (No Rezoning) Alternative

a. Principal Characteristics

The General Plan Amendment (No Rezoning) Alternative assumes the existing RM-4 and CN-1 zoning designations would remain but a General Plan Amendment would reclassify the project site's General Plan Land Use designation from Institutional to Community Commercial. The General Plan Amendment would allow residential development at the project site (without the need for supporting an institutional use). Under this analysis, up to 78 residential multi-family rental units would be constructed in an 8-story building and the 17 existing dormitory units in

Irwin Student Center would be refurbished as affordable rental studios for a total of 95 units. This alternative would also require an increase in height from 35 feet to 90 feet via either a Planned Development bonus or Variance. Three buildings (Facilities Building, B Building, and Oliver Ralls Sculpture Studio) would be demolished and the nine preserved buildings (57,000 square feet) would be renovated and repurposed for office space. No new gas hook-ups would be installed. This alternative would include 41 existing surface parking spaces, approximately 87,779 square feet of publicly accessible open space, and restoration of the 80-foot-wide view corridor associated with the Treadwell Estate Landmark (Macky Hall and Carriage House). A conceptual site plan is shown in Figure VII-2.

b. Relationship to Project Objectives

The General Plan Amendment (No Rezoning) Alternative would achieve some of the key project objectives of the project, although in most cases to a significantly lesser extent than the project, including those related to:

- Redevelop a site previously utilized as college campus (educational use) into a mixed-use development with residential and commercial uses.
- Locate dense residential development on a large site approximately ½-mile from BART and adjacent to existing community and neighborhood commercial uses to reduce dependency on motorized transportation.
- Design a project that varies dwelling sizes and types, to accommodate a range of potential residents.
- Respect the historic resources through adaptive reuse and rehabilitation of the Landmarked structures and landscape that includes documentation and commemoration of the site history and incorporation of outdoor art.
- Generate tax revenues for the City of Oakland and employment opportunities for the City of Oakland community.
- Increase affordable housing units in the Rockridge neighborhood by providing affordable housing units on-site.

The General Plan Alternative would not meet several of the project objectives including:

- Further the City's achievement of the General Plan's Housing Element goals and of the Association of Bay Area Governments' Regional Housing Needs Allocation for the City of Oakland and meet the City's minimum residential density and major residential use requirements.

Source: Mithun, 2021.

PRESERVED BUILDINGS:

TREADWELL HALL
MARTINEZ HALL
MARTINEZ ANNEX
FOUNDER'S HALL
MACKY HALL
CARRIAGE HOUSE
IRWIN STUDENT CENTER
BARCLAY SIMPSON SCULPTURE CENTER
SHAKLEE BUILDING

NEW BUILDINGS:

BUILDING A
8 STORIES
78 UNITS
16 PARKING SPACES
+ 41 EXISTING SURFACE PARKING SPACES

Figure VII-2
General Plan Amendment (No Rezoning) Alternative

- Construct enough residential units and non-residential space to make the redevelopment of the site economically feasible, produce a reasonable return on investment for the project that is sufficient to attract investment capital and construction financing, and generate sufficient revenue to meet the project objectives.

c. Analysis of the General Plan Amendment (No Rezoning) Alternative

(1) Land Use

Implementation of the General Plan Amendment (No Rezoning) Alternative would result in the construction of an 8-story building with 78 units and the refurbishing of 17 existing dormitory units for a total of 95 units. This is 415 units less than what is proposed by the project. The alternative also assumes the existing RM-4 and CN-1 zoning designations would remain but a General Plan Amendment would reclassify the project site from Institutional to Community Commercial. This alternative would also require an increase in allowable height via either a Planned Development bonus or Variance. As identified in *Section V.A, Land Use*, the project would not result in any significant impacts related to land use because it would not physically divide an established community nor conflict with adjacent land uses or land use policies. For these same reasons, the General Plan Amendment (No Rezoning) Alternative would result in equal impacts compared to the project. Additionally, this alternative would not meet the City's minimum density and majority residential use requirements as the minimum is 383 units and this alternative provides 95 units.[4]

(2) Cultural and Historic Resources

Implementation of the General Plan Amendment (No Rezoning) Alternative would result in the demolition of three buildings which are contributors to the National- and California Register-eligible CCAC API: the Facilities Building, B Building, and Oliver Ralls Sculpture Studio. Macky Hall and Carriage House would be retained and rehabilitated in their current location and the Broadway Wall and Stairs would be retained. Four sculptures (Celebration Pole, Bell Tower, Infinite Faith, and Faun sculpture) which are contributing landscape features to the CCAC API would be retained and relocated to the proposed sculpture garden.

As identified in *Section V.B, Cultural and Historic Resources*, the project would result in four potentially significant and significant and unavoidable impacts related to cultural and historic resources (see Impact HIST-2, HIST-3, and HIST-4). Under the General Plan Amendment (No Rezoning) Alternative, Founders Hall, Martinez Hall, and the Noni Eccles Treadwell Ceramic Arts

[4] 87,000 square feet of commercial and civic space is proposed, Even with assuming a high average of 1,000 square feet per unit, the residential would not be equal to two-thirds of the total build square feet.

Center would be preserved; therefore, Impact HIST-4, pertaining to the demolition of these three buildings, would be avoided.

Treadwell Estate Landmark Impacts

The project's rehabilitation of Macky Hall, the Carriage House, and the Broadway Wall and Stairs (Impact HIST-1a), relocation of the Carriage House (Impact HIST-1b), and full or partial removal of landscape features (Impact HIST-1c) has the potential to affect the integrity of the Treadwell Estate Landmark. Under this alternative, the impacts to the Treadwell Estate Landmark would be consistent with that described as Impact HIST-1a and Impact HIST-1c. With implementation of mitigation measures recommended for the project, this resource would retain its historic integrity. Its designation as an Oakland Landmark and listing in the National Register would not be compromised.

CCAC API Impacts

The project proposes to demolish 10 buildings on the project site, all of which are contributors to the California Register- and National Register-eligible CCAC API. This alternative would demolish three buildings which are contributors to the CCAC API. As such, the character-defining spatial relationships and siting of the retained buildings, clustered toward the eastern portion of the site on sloping topography and oriented inward rather than toward public streets, would be preserved. The existing character-defining network of pedestrian paths would also be preserved across the project site. New vehicle circulation and ingress/egress routes would not be introduced between or adjacent to the retained CCAC API buildings.

The new building would be constructed in the northeastern portion of the site, spatially and architecturally distinct from the retained CCAC API contributors.

While this alternative would result in the removal of three contributing buildings, the remaining nine contributors to the district, the spatial association of these buildings, and four contributing landscape features would together continue to convey their association with a long-operating and locally influential campus dedicated to post-secondary arts education, for which the CCAC API is significant under California Register Criterion 1.

Therefore, with implementation of this alternative, the CCAC API would continue to possess sufficient integrity as a district to convey its significance as a post-secondary arts education institution, and thus retain its eligibility for listing as a district in the California Register and National Register-eligible and its listing as an Oakland API thereby avoiding the significant and unavoidable impact identified for the project (see Impact HIST-2).

Individually California Register-Eligible Buildings Impacts

Unlike the project, the General Plan Amendment (No Rezoning) Alternative would preserve all four buildings individually eligible for listing in the California Register and as Oakland Landmarks – Founders Hall, Martinez Hall, the Noni Eccles Treadwell Ceramic Arts Center, and Barclay Simpson Sculpture Studio. Provided that planned rehabilitation and reuse of the retained buildings adhered to the *Secretary of the Interior's Standards for Rehabilitation*, these buildings would retain their eligibility for individual listing in the California Register. As such, this alternative would avoid the significant and unavoidable impact identified for the project (see Impact HIST-3).

Therefore, the General Plan Amendment (No Rezoning) Alternative would result in less severe cultural and historic resources impacts compared to the project.

(3) Traffic and Transportation

Implementation of the General Plan Amendment (No Rezoning) Alternative would result in 95 units and the rehabilitation and reuse of 87,000 square feet for office space. As identified in *Section V.C, Traffic and Transportation*, the project would not result in any significant impacts related to traffic and transportation. The City's thresholds for traffic and transportation are focused on VMT. Similar to the project, the General Plan Alternative is anticipated to not exceed the screening criteria for VMT. Given the project's site location adjacent to a high-quality transit (bus) corridor and the minimal parking proposed, this alternative, similar to the project, would not cause substantial additional VMT.

Similar to the project, with implementation of SCAs, the General Plan Amendment (No Rezoning) Alternative would not conflict or create inconsistencies with standards set forth in the General Plan and other plans, ordinances, and policies addressing the City's circulation system. Therefore, the General Plan Amendment (No Rezoning) Alternative would result in less severe traffic and transportation impacts compared to the project.

(4) Air Quality

The General Plan Amendment (No Rezoning) Alternative would contribute to an increase in emissions affecting air quality due to construction activities; however, to a lesser extent than the project. As described in *Section V.D, Air Quality*, all potential construction impacts of the project would be reduced to less-than-significant levels with the implementation of SCAs. Under the General Plan Amendment (No Rezoning) Alternative, there would be construction activities and an increase in vehicle trips as compared with existing conditions. Like the project, the General Plan Amendment (No Rezoning) Alternative would not result in significant impacts related to criteria air pollutants, toxic air contaminants, emissions standards, and odors. The smaller

development size and scale assumed under this alternative would result in fewer emissions affecting air quality from construction and operation. Therefore, the General Plan Amendment (No Rezoning) Alternative would result in less severe air quality impacts compared to the project.

(5) Greenhouse Gas Emissions and Energy

The General Plan Amendment (No Rezoning) Alternative would have fewer units and parking spaces than the project. As described in *Section V.E, Greenhouse Gas Emissions and Energy*, the project's ECAP Checklist indicates the project's design would meet all the applicable requirements for Transportation and Land Use, Buildings, Material Consumption and Waste, and Carbon Removal. As such, the project would not result in potentially significant impacts related to GHG emissions, nor would it result in a significant energy impact. Similarly, the General Plan Amendment (No Rezoning) Alternative would meet the ECAP Checklist requirements due to the low number of existing parking spaces and no new gas hook-ups. Therefore, the General Plan Amendment (No Rezoning) Alternative would not conflict with any plans or policies related to the reduction of GHGs, nor would it conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Similar to the project, construction and operation of the General Plan Amendment (No Rezoning) Alternative would result in land use activities that would generate GHG emissions and consume energy. However, GHG emissions and energy use from the General Plan Amendment (No Rezoning) Alternative would be less than the project because of the reductions in residential units and other land uses under the General Plan Amendment (No Rezoning) Alternative compared to the project. Therefore, GHG and energy impacts of the General Plan Amendment (No Rezoning) Alternative would also be less than the project and would not exceed the applicable thresholds of significance. Therefore, the General Plan Amendment (No Rezoning) Alternative would result in less severe GHG emissions and energy impacts compared to the project.

(6) Soils, Geology, and Seismicity

Under the General Plan Amendment (No Rezoning) Alternative, the project site would still be susceptible to seismic ground shaking, ground failure (including liquefaction), soil erosion or loss of topsoil, unstable soil, and expansive soils, as identified under the project (see Impact GEO-1). However, because of the reduced square footage under this alternative, fewer residents and employees would be exposed to the hazards expressed above, as compared to the project. As with the project, the potential significant impact related to landslides and slope instability would be reduced to a less-than-significant level with implementation of Mitigation Measure GEO-1 identified in *Chapter V.F, Soils, Geology, and Seismicity.* Therefore, the General Plan Amendment (No Rezoning) Alternative would result in less severe soils, geology, and seismicity impacts compared to the project.

(7) Hazards and Hazardous Materials

Implementation of the General Plan Amendment (No Rezoning) Alternative would result in the construction of development with similar uses with less development intensity. As described in *Section V.G, Hazards and Hazardous Materials*, construction of the project could expose construction workers and future residents to hazardous materials from contaminants in the soil during and following construction activities (see Impact HAZ-1). Potential excavation and handling of contaminated soil, groundwater, and USTs during construction could also result in emissions of hazardous materials that could pose a risk of exposure for nearby schools (see Impact HAZ-2). However, the impacts of the General Plan Amendment (No Rezoning) Alternative would be less severe than the project because there would be less soil disturbance and subsurface work. Implementation of Mitigation Measure HAZ-1 would also reduce these potential impacts to a less-than-significant level.

(8) Hydrology and Water Quality

Implementation of the General Plan Amendment (No Rezoning) Alternative would result in the construction of a new structure on the project site. Similar to the project, this alternative would replace over 10,000 square feet of existing impervious surface area. As described in *Section V.H, Hydrology and Water Quality*, the project would not result in potentially significant impacts related to water quality, groundwater supplies, erosion/siltation, flooding, runoff, flood zones, or Oakland Creek Protection Ordinance. As such, this alternative would have similar, albeit reduced, impacts as the project related to hydrology and water quality. With implementation of the SCAs described in *Chapter V.H, Hydrology and Water Quality,* potential impacts related to hydrology and water quality would be reduced to a less-than-significant level for the General Plan Amendment (No Rezoning) Alternative.

(9) Noise and Vibration

The General Plan Amendment (No Rezoning) Alternative would result in noise impacts associated with the construction of the project. However, given only two buildings will be demolished and significantly fewer units will be constructed, the impact will be significantly less than the project's construction-period noise impact as described in *Section V.I, Noise and Vibration*. The smaller development size would result in a decrease in construction activity over a shorter duration. The use of similar construction equipment would be needed under this alternative. Construction activities would generate minimal, temporary increases in noise levels and new traffic resulting from the operation of the project would generate negligible increases in noise levels in the area. Similar to the project, implementation of the Mitigation Measure NOI-1 together with the City's SCAs would lessen the impacts of noise generated by construction to receptors in the vicinity of the project site for the General Plan Amendment (No Rezoning) Alternative.

(10) Biological Resources

Implementation of the General Plan Amendment (No Rezoning) Alternative would result in the construction of a new structure on the project site. As identified in *Section V.J, Biological Resources*, the project would result in two potentially significant impacts related to disturbing nesting bird habitat and pallid bat habitat (see Impacts BIO-1 and BIO-2). Similar to the project, construction activities under this alternative could impact the nesting bird and pallid bat habitat. However, with mitigation measures, these impacts would be reduced to a less-than-significant level. Therefore, the General Plan Amendment (No Rezoning) Alternative biological impacts would be equal to the project.

(11) Population and Housing

Implementation of the General Plan Amendment (No Rezoning) Alternative would result in the construction of 78 new housing units and the refurbishing of 17 dormitory units. As identified in *Section V.K, Population and Housing*, the project would not result in any significant impacts related to population and housing. Although this alternative assumes 95 units, it would not induce substantial growth or displace people or housing. Therefore, the General Plan Amendment (No Rezoning) Alternative would not result in any impacts related to population and housing.

(12) Aesthetics and Shade and Shadow

The General Plan Amendment (No Rezoning) Alternative would result in a less intense development on the site as there would only be one new structure instead of two. As identified in *Section V.L, Aesthetics and Shade and Shadow*, the project would have a less-than-significant impact on a scenic vista, scenic resources viewed from a state scenic highway, visual character, light and glare, and shade and shadow.

Under this alternative, the new 8-story building would be less than half the footprint of the project's Building B. Although it would cast net new shadows throughout the year, they would be generally consistent with the existing shading patterns in the surrounding area. Similar to the project, no net new shadow from this alternative would reach the Treadwell Estate Landmark nor any nearby solar collectors or parks/public open spaces.

Under the General Plan Amendment (No Rezoning) Alternative, the placement of the new building at the rear northeastern corner of the project site would be setback far enough from the street frontage to not substantially change the existing visual character of the area and the majority of existing buildings would remain in a campus-like setting. Additionally, the smaller-scale development size of this alternative would not substantially change the existing visual

conditions of the project site. As such, the General Plan Amendment (No Rezoning) Alternative would have less severe impacts compared to the project.

(13) Public Services, Utilities, and Recreation

Implementation of the General Plan Amendment (No Rezoning) Alternative would result in the construction of 78 new housing units, the refurbishing of 17 dormitory units, and would maintain the 87,779 square feet of existing POPOS. As identified in *Section V.M, Public Services, Utilities, and Recreation*, the project would have a less-than-significant impact on fire protection, police protection, schools, libraries, parks and recreation, wastewater treatment, stormwater, water supply, and solid waste. Since this alternative assumes 95 units (415 units less than what is proposed by the project) and would not result in a loss of POPOS, impacts to these public services and facilities would not be as great. Therefore, the General Plan Amendment (No Rezoning) Alternative would have a less severe impact compared to the project.

3. Historic Preservation Alternative

a. Principal Characteristics

The Historic Preservation Alternative assumes the construction of up to 306 residential multi-family rental or condominium units across two 8-story buildings, the rehabilitation and reuse of 57,000 square feet of office (from five preserved buildings), and 236 parking spaces. Building A would be in the same northwestern corner of the site as the project. Building B would be in the same northeastern corner of the site as the project, except the footprint would be significantly smaller and not extend as far south. Seven buildings (Facilities, B Building, Oliver Ralls Sculpture Studio, Martinez Annex, Founders Hall, Irwin Student Center, Barclay Simpson Sculpture Studio, and Raleigh and Claire Shaklee Building) would be demolished to construct Building A and B. Similar to the project, this alternative would relocate the Carriage House; however, instead of moving to Founders Hall, it would replace Martinez Annex in between the Noni Eccles Treadwell Ceramic Art Center and Martinez Hall buildings. No new gas hook-ups would be installed. This alternative would include approximately 50,000 square feet of publicly accessible open space, and restoration of the 80-foot-wide view corridor associated with the Treadwell Estate Landmark. A conceptual site plan is shown in Figure VII-3.

b. Relationship to Project Objectives

The Historic Preservation Alternative would achieve some of the key project objectives of the project, although not to the extent the project would, including those related to:

- Redevelop a site previously utilized as college campus (educational use) into a mixed-use development with residential and commercial uses.

Source: Mithun, 2021.

PRESERVED BUILDINGS:

TREADWELL HALL
CARRIAGE HOUSE (RELOCATED)
MARTINEZ HALL
FOUNDER'S HALL
MACKY HALL

NEW BUILDINGS:

BUILDING A

8 STORIES
228 UNITS
220 PARKING SPACES

BUILDING B

8 STORIES
78 UNITS
16 PARKING SPACES

TOTALS

306 UNITS
236 PARKING SPACES

Figure VII-3
Historic Preservation Alternative

- Respect the historic resources through adaptive reuse and rehabilitation of the Landmarked structures and landscape that includes documentation and commemoration of the site history and incorporation of outdoor art.
- Locate dense residential development on a large site approximately ½-mile from BART and adjacent to existing community and neighborhood commercial uses to reduce dependency on motorized transportation.
- Design a project that varies dwelling sizes and types, to accommodate a range of potential residents.
- Increase affordable housing units in the Rockridge neighborhood by providing affordable housing units on-site.
- Maintain and improve quasi-public open space at the project site through restoration of Landmarked landscaped areas and a view corridor with enhanced open space accessibility and visibility.

Project objectives that would not be met by the Historic Preservation Alternative include:

- Further the City's achievement of the General Plan's Housing Element goals and of the Association of Bay Area Governments' Regional Housing Needs Allocation for the City of Oakland and meet the City's minimum residential density and major residential use requirements.
- Construct enough residential units and non-residential space to make the redevelopment of the site economically feasible, ~~to~~ produce a reasonable return on investment for the project that is sufficient to attract investment capital and construction financing, and ~~to~~ generate sufficient revenue to meet the project objectives.

c. Analysis of the Historic Preservation Alternative

(1) Land Use

Implementation of the Historic Preservation Alternative would result in the construction of two 8-story buildings with 306 units which is 204 fewer units than what is proposed by the project. A General Plan Amendment and rezoning would also be required. As described in *Section V.A, Land Use*, the project would not result in any potentially significant impacts related to land use because it would not physically divide an established community nor conflict with adjacent land uses or land use policies. For these same reasons, the Historic Preservation Alternative, like the project, also would not result in any significant land use impacts. Additionally this alternative would not meet the City's minimum density requirement as the minimum is 383 units and this alternative provides 306 units.

(2) Cultural and Historic Resources

Implementation of the Historic Preservation Alternative would result in the demolition of seven buildings which are contributors to the California and National Register-eligible CCAC API: the Facilities Building, B Building, Oliver Ralls Sculpture Studio, Martinez Hall Annex, Barclay Simpson Sculpture Studio, Shaklee Building, and Irwin Student Center. Macky Hall would be retained and rehabilitated in its current location. The Carriage House would be moved to the location of the demolished Martinez Annex and rehabilitated and the Broadway Wall and Stairs would be retained. Four sculptures (Celebration Pole, Bell Tower, Infinite Faith, and Faun sculpture) which are contributing landscape features to the CCAC API would be retained and relocated to the proposed sculpture garden.

As identified in *Section V.B, Cultural and Historic Resources*, the project would result in four potentially significant and significant and unavoidable impacts related to cultural and historic resources (see Impact HIST-2, HIST-3, and HIST-4). Under the Historic Preservation Alternative, Founders Hall, Martinez Hall, and the Noni Eccles Treadwell Ceramic Arts Center would be preserved; therefore, Impact HIST-4, pertaining to the demolition of these three buildings, would be avoided.

Treadwell Estate Landmark Impacts

The project's rehabilitation of Macky Hall, the Carriage House, the Broadway Wall and Stairs (Impact HIST-1a), relocation of the Carriage House (Impact HIST-1b), and full or partial removal of landscape features (Impact HIST-1c) has the potential to affect the integrity of the Treadwell Estate Landmark. Under this alternative, the impacts to the Treadwell Estate Landmark would be consistent with that described as Impact HIST-1a, Impact HIST-1b, and Impact HIST-1c. With implementation of mitigation measures recommended for the project, this resource would retain its historic integrity. Its designation as an Oakland Landmark and listing in the National Register would not be compromised.

CCAC API Impacts

The project proposes to demolish 10 buildings on the project site, all of which are contributors to the California Register- and National Register-eligible CCAC API. This alternative would demolish seven buildings which are contributors to the CCAC API. As such, the character-defining spatial relationships and siting of the retained buildings, clustered toward the eastern portion of the site on sloping topography and oriented inward rather than toward public streets, would be preserved. While the existing character-defining network of pedestrian paths would not be preserved across the project site, the proposed landscape development west of Macky Hall includes intersecting accessible paths and staircases which would be evocative of the historic paths and compatible with the setting of the remaining CCAC API buildings. New vehicle

circulation and ingress/egress routes would not be introduced between or adjacent to the retained CCAC API buildings.

The two new buildings would be constructed in the northern portion of the site, spatially and architecturally distinct from the retained CCAC API contributors.

While this alternative would result in the removal of seven contributing buildings, the remaining five contributors to the district, the spatial association of these buildings, and four contributing landscape features would together continue to convey their association with a long-operating and locally influential campus dedicated to post-secondary arts education, for which the CCAC API is significant under California Register Criterion 1.

Therefore, with implementation of this alternative, the CCAC API would continue to possess sufficient integrity as a district to convey its significance as a post-secondary arts education institution, and thus retain its eligibility for listing as a district in the California and National Register and its listing as an Oakland API thereby avoiding the significant and unavoidable impact identified for the project (see Impact HIST-2).

Individually California Register-Eligible Buildings Impacts

Unlike the project, the Historic Preservation Alternative would preserve three of the four buildings individually eligible for listing in the California Register and as Oakland Landmarks – Founders Hall, Martinez Hall, and the Noni Eccles Treadwell Ceramic Arts Center. Provided that planned rehabilitation and reuse of the retained buildings adhered to the *Secretary of the Interior's Standards for Rehabilitation*, these buildings would retain their eligibility for individual listing in the California Register. However, this alternative would include demolition of the Barclay Simpson Sculpture Studio, which is eligible for listing in the California Register as an individual resource. This would constitute a significant and unavoidable impact on a historical resource under CEQA. Implementation of Mitigation Measure HIST-3 for the Barclay Simpson Sculpture Studio would not mitigate this impact to a less-than-significant level.

As a result, the cultural and historic resource impacts of the Historic Preservation Alternative would be reduced when compared to the project, but Impact HIST-3 would remain significant and unavoidable.

(3) Traffic and Transportation

Implementation of the Historic Preservation Alternative would result in 306 units and the rehabilitation and reuse of 57,000 square feet for office space. As identified in *Section V.C, Traffic and Transportation*, the project would not result in any significant impacts related to traffic and transportation. The City's thresholds for traffic and transportation are focused on VMT. Given the

amount of parking proposed under the Historic Preservation Alternative, it may exceed the VMT screening criteria and result in a VMT impact. Since the site is adjacent to a high-quality transit (bus) corridor, the project cannot exceed minimum parking requirements or parking standards typical for the area. The assumed parking ratio for this alternative is approximately 0.59 spaces per unit assuming the minimum allowed parking for commercial uses. To avoid a significant VMT impact, the parking would need to be reduced to provide less than 0.5 spaces per residential unit and a maximum on one space per 1,000 square feet for the commercial uses. As a result, this alternative could result in a significant VMT impact and greater impacts than the project. However, similar to the project, with implementation of SCAs, the Historic Preservation with Tower Alternative would not conflict or create inconsistencies with standards set forth in the General Plan and other plans, ordinances, and policies addressing the City's circulation system.

(4) Air Quality

The Historic Preservation Alternative would contribute to an increase in emissions affecting air quality due to construction activities; however, to a lesser extent than the project. As described in *Section V.D, Air Quality*, all potential construction impacts of the project would be reduced to less-than-significant levels with the implementation of SCAs. Under the Historic Preservation Alternative, there would be construction activities and an increase in vehicle trips as compared with existing conditions. Like the project, the Historic Preservation Alternative would not result in significant impacts related to criteria air pollutants, toxic air contaminants, emissions standards, and odors. The smaller development size and scale assumed under this alternative would result in fewer emissions affecting air quality from construction and operation. Therefore, the Historic Preservation Alternative would result in less severe air quality impacts compared to the project.

(5) Greenhouse Gas Emissions and Energy

The Historic Preservation Alternative would have fewer units and parking spaces than the project. As described in *Section V.E, Greenhouse Gas Emissions and Energy*, the project's ECAP Checklist indicates the project's design would meet all the applicable requirements for Transportation and Land Use, Buildings, Material Consumption and Waste, and Carbon Removal. As such, the project would not result in potentially significant impacts related to GHG emissions, nor would it result in a significant energy impact. Similarly, the Historic Preservation Alternative would meet the ECAP Checklist requirements due to the low number of existing parking spaces and no new gas hook-ups. Therefore, the Historic Preservation Alternative would not conflict with any plans or policies related to the reduction of GHGs, nor would it conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Similar to the project, construction and operation of the Historic Preservation Alternative would result in land use activities that would generate GHG emissions and consume energy. However, GHG emissions and energy use from the Historic Preservation Alternative would be less than the project because of the reductions in residential units and other land uses under the Historic Preservation Alternative compared to the project.

Therefore, GHG and energy impacts of the Historic Preservation Alternative would also be less than the project and would not exceed the applicable thresholds of significance. Therefore, the Historic Preservation Alternative would result in less severe GHG emissions and energy impacts compared to the project.

(6) Soils, Geology, and Seismicity

Under the Historic Preservation Alternative, the project site would still be susceptible to seismic ground shaking, ground failure (including liquefaction), soil erosion or loss of topsoil, unstable soil, and expansive soils, as identified under the project (see Impact GEO-1). However, because of the reduced square footage under this alternative, fewer residents and employees would be exposed to the hazards expressed above, as compared to the project. As with the project, the potential significant impact related to landslides and slope instability would be reduced to a less-than-significant level with implementation of Mitigation Measure GEO-1 identified in *Chapter V.F, Soils, Geology, and Seismicity.* Therefore, the Historic Preservation Alternative would result in less severe soils, geology, and seismicity impacts compared to the project.

(7) Hazards and Hazardous Materials

Implementation of the Historic Preservation Alternative would result in the construction of development with similar uses with less development intensity. As described in *Section V.G, Hazards and Hazardous Materials*, construction of the project could expose construction workers and future residents to hazardous materials from contaminants in the soil during and following construction activities (see Impact HAZ-1). Potential excavation and handling of contaminated soil, groundwater, and USTs during construction could also result in emissions of hazardous materials that could pose a risk of exposure for nearby schools (see Impact HAZ-2). However, the impacts of the Historic Preservation Alternative would be less severe than the project because there would be less soil disturbance and subsurface work. Implementation of Mitigation Measure HAZ-1 would also reduce these potential impacts to a less-than-significant level.

(8) Hydrology and Water Quality

Implementation of the Historic Preservation Alternative would result in the construction of a new structure on the project site. Similar to the project, this alternative would replace over 10,000 square feet of existing impervious surface area. As described in *Section V.H, Hydrology and Water Quality*, the project would not result in potentially significant impacts related to water quality, groundwater supplies, erosion/siltation, flooding, runoff, flood zones, or Oakland Creek Protection Ordinance. As such, this alternative would have similar, albeit reduced, impacts as the project related to hydrology and water quality. With implementation of the SCAs described in *Chapter V.H, Hydrology and Water Quality,* potential impacts related to hydrology and water quality would be reduced to a less-than-significant level for the Historic Preservation Alternative.

(9) Noise and Vibration

The Historic Preservation Alternative would result in noise impacts associated with the construction of the project, similar to the impacts that would be the result of the project as described in *Section V.I, Noise and Vibration*. The smaller development size may result in a slight decrease in construction activity over a shorter duration; however, it is likely that use of similar construction equipment would be needed under this alternative. Construction activities would generate minimal, temporary increases in noise levels and new traffic resulting from the operation of the project would generate negligible increases in noise levels in the area. Similar to the project, implementation of the Mitigation Measure NOI-1 together with the City's SCAs would lessen the impacts of noise generated by construction to receptors in the vicinity of the project site for the Historic Preservation Alternative. Although the construction activity would be incrementally less than the project, this alternative would result in a significant and unavoidable impact for construction noise, similar to the project.

(10) Biological Resources

Implementation of the Historic Preservation Alternative would result in the construction of two structures on the project site. As identified in *Section V.J, Biological Resources*, the project would result in two potentially significant impacts related to disturbing nesting bird habitat and pallid bat habitat (see Impacts BIO-1 and BIO-2). Similar to the project, construction activities under this alternative could impact the nesting bird and pallid bat habitat. However, with mitigation measures, these impacts would be reduced to a less-than-significant level. Therefore, the Historic Preservation Alternative biological impacts would be equal to the project.

(11) Population and Housing

Implementation of the Historic Preservation Alternative would result in the construction of 306 new housing units. As identified in *Section V.K, Population and Housing*, the project would not result in any significant impacts related to population and housing. Although this alternative assumes 306 units, similar to the project, it would not induce substantial growth or displace people or housing. Therefore, the Historic Preservation Alternative would not result in any impacts related to population and housing.

(12) Aesthetics and Shade and Shadow

The Historic Preservation Alternative would result in the construction of two 8-story buildings. As identified in *Section V.L, Aesthetics and Shade and Shadow*, the project would have a less-than-significant impact on a scenic vista, scenic resources viewed from a state scenic highway, visual character, light and glare, and shade and shadow.

Under the Historic Preservation Alternative, both buildings would be in the same location as the project; however, the Building B footprint would be less than half the footprint of the project's Building B. While this alternative would cast net new shadows throughout the year, they would be generally consistent with the existing shading patterns in the surrounding area. Similar to the project, no net new shadow from this alternative would reach the Treadwell Estate Landmark nor any nearby solar collectors or parks/public open spaces.

Additionally, the smaller-scale development size of this alternative would not substantially change the existing visual conditions of the project site. As such, the Historic Preservation Alternative would have less severe impacts compared to the project.

(13) Public Services, Utilities, and Recreation

Implementation of the Historic Preservation Alternative would result in the construction of two 8-story buildings with 306 units (204 fewer units than what is proposed by the project) and 50,000 square feet of POPOS. As identified in *Section V.M, Public Services, Utilities, and Recreation*, the project would have a less-than-significant impact on fire protection, police protection, schools, libraries, parks and recreation, wastewater treatment, stormwater, water supply, and solid waste. Since this alternative assumes less units than the project, impacts to these public services and facilities would not be as great; however, the project would provide a reduced amount of open space. Therefore, the Historic Preservation Alternative would have a less severe impact compared to the project in terms of public services and utilities but could have a greater impact related to recreation.

4. Historic Preservation with Tower Alternative

a. Principal Characteristics

The Historic Preservation with Tower Alternative assumes the construction of up to 446 residential multi-family rental or condominium units across two 8-story buildings and a 21-story tower, the rehabilitation and reuse of 57,000 square feet of office (from five preserved buildings), and 291 parking spaces. A General Plan Amendment, rezoning, and either a Planned Development bonus or Variance would also be required.

Building A would be in the same northwestern corner of the site as the project. Building B would be in the same northeastern corner of the site as the project, except the footprint would be significantly smaller and not extend as far south. Seven buildings (Facilities, B Building, Oliver Ralls Sculpture Studio, Martinez Annex, Founders Hall, Irwin Student Center, Barclay Simpson Sculpture Studio, and Raleigh and Claire Shaklee Building) would be demolished to construct Building A and B. Similar to the project, this alternative would relocate the Carriage House; however, instead of moving to Founders Hall, it would replace Martinez Annex in between the Noni Eccles Treadwell Ceramic Art Center and Martinez Hall buildings. No new gas hook-ups

would be installed. This alternative would include approximately 50,000 square feet of publicly accessible open space, and restoration of the 80-foot-wide view corridor associated with the Treadwell Estate Landmark. A conceptual site plan is shown in Figure VII-4.

b. Relationship to Project Objectives

The Historic Preservation with Tower Alternative would achieve all the project objectives to very similar degree as the project and in some cases even more so.

c. Analysis of the Historic Preservation with Tower Alternative

(1) Land Use

Implementation of the Historic Preservation with Tower Alternative would result in the construction of two 8-story buildings and a 21-story tower with 446 units which is 64 fewer units fewer than what is proposed by the project. A General Plan Amendment, rezoning, and either a Planned Development bonus or Variance would also be required. As described in *Section V.A, Land Use*, the project would not result in any potentially significant impacts related to land use because it would not physically divide an established community nor conflict with adjacent land uses or land use policies. For these same reasons, the Historic Preservation with Tower Alternative, like the project, also would not result in any significant land use impacts. Additionally, this alternative would meet the City's minimum density and majority residential use requirements as the minimum is 383 units and this alternative provides 446 units and only 57,000 square feet of commercial and civic space.

(2) Cultural and Historic Resources

Implementation of the Historic Preservation with Tower Alternative would result in the demolition of seven buildings which are contributors to the California Register-eligible CCAC API: the Facilities Building, B Building, Oliver Ralls Sculpture Studio, Martinez Hall Annex, Barclay Simpson Sculpture Studio, Shaklee Building, and Irwin Student Center. Macky Hall would be retained and rehabilitated in their current location. The Carriage House would be moved to the location of the demolished Martinez Annex and be rehabilitated, and the Broadway Wall and Stairs would be retained. Four sculptures (Celebration Pole, Bell Tower, Infinite Faith, and Faun sculpture) which are contributing landscape features to the CCAC API would be retained and relocated to the proposed sculpture garden.

As identified in *Section V.B, Cultural and Historic Resources*, the project would result in four potentially significant and significant and unavoidable impacts related to cultural and historic resources (see Impact HIST-2, HIST-3, and HIST-4). Under the Historic Preservation with Tower Alternative, Founders Hall, Martinez Hall, and the Noni Eccles Treadwell Ceramic Arts Center

Source: Mithun, 2021.

PRESERVED BUILDINGS:

TREADWELL HALL
CARRIAGE HOUSE (RELOCATED)
MARTINEZ HALL
FOUNDER'S HALL
MACKY HALL

NEW BUILDINGS:

BUILDING A

8 STORIES
224 UNITS
275 PARKING SPACES

BLDG. A TOWER

21 STORIES
144 UNITS

BUILDING B

8 STORIES
78 UNITS
16 PARKING SPACES

TOTALS

446 UNITS
291 PARKING SPACES

Figure VII-4
Historic Preservation with Tower Alternative

would be preserved; therefore, Impact HIST-4, pertaining to the demolition of these three buildings, would be avoided.

Treadwell Estate Landmark Impacts

The project's rehabilitation of Macky Hall, the Carriage House, and the Broadway Wall and Stairs (Impact HIST-1a), relocation of the Carriage House (Impact HIST-1b), and full or partial removal of landscape features (Impact HIST-1c) has the potential to affect the integrity of the Treadwell Estate Landmark. Under this alternative, the impacts to the Treadwell Estate Landmark would be consistent with that described as Impact HIST-1a, Impact HIST-1b, and Impact HIST-1c. While the height of the tower at 21 stories is much greater than that proposed by project, the impact of this alternative would not differ from that of the project as less than significant. The proposed setback and spacing of the architecturally incompatible Building A and Building B from the historic Treadwell Estate Landmark buildings would allow the historic resource to remain legible as a 19th-century residential estate. With implementation of mitigation measures recommended for the project, this resource would retain its historic integrity. Its designation as an Oakland Landmark and listing in the National Register would not be compromised.

CCAC API Impacts

The project proposes to demolish 10 buildings on the project site, all of which are contributors to the California Register- and National Register-eligible CCAC API. This alternative would demolish seven buildings which are contributors to the CCAC API. As such, the character-defining spatial relationships and siting of the retained buildings, clustered toward the eastern portion of the site on sloping topography and oriented inward rather than toward public streets, would be preserved. While the existing character-defining network of pedestrian paths would not be preserved across the project site, the proposed landscape development west of Macky Hall includes intersecting accessible paths and staircases which would be evocative of the historic paths and compatible with the setting of the remaining CCAC API buildings. New vehicle circulation and ingress/egress routes would not be introduced between or adjacent to the retained CCAC API buildings.

The two new buildings would be constructed in the northern portion of the site, spatially and architecturally distinct from the retained CCAC API contributors. The proposed 21-story tower at Building A would be disproportionately large relative to the 2- and 3-story retained buildings of the CCAC API. However, as the proposed tower would not block significant views to and from the retained buildings of the CCAC API and would not interrupt the spatial relationships between the retained buildings, the impact of the disproportionate scale would not exceed that of the 9- and 10-story story project.

While this alternative would result in the removal of seven contributing buildings, the remaining five contributors to the district, the spatial association of these buildings, and four contributing landscape features would together continue to convey their association with a long-operating and locally influential campus dedicated to post-secondary arts education, for which the CCAC API is significant under California Register Criterion 1.

Therefore, with implementation of this alternative, the CCAC API would continue to possess sufficient integrity as a district to convey its significance as a post-secondary arts education institution, and thus retain its eligibility for listing as a district in the National and California Register and its listing as an Oakland API thereby avoiding the significant and unavoidable impact identified for the project (see Impact HIST-2).

Individually California Register-Eligible Buildings Impacts

Unlike the project, the Historic Preservation with Tower Alternative would preserve three of the four buildings individually eligible for listing in the California Register and as Oakland Landmarks – Founders Hall, Martinez Hall, and the Noni Eccles Treadwell Ceramic Arts Center. Provided that planned rehabilitation and reuse of the retained buildings adhered to the *Secretary of the Interior's Standards for Rehabilitation*, these buildings would retain their eligibility for individual listing in the California Register. However, this alternative would include demolition of the Barclay Simpson Sculpture Studio, which is eligible for listing in the California Register as an individual resource. This would constitute a significant and unavoidable impact on a historical resource under CEQA. Implementation of Mitigation Measure HIST-3 for the Barclay Simpson Sculpture Studio would not mitigate this impact to a less-than-significant level.

As a result, the cultural and historic resource impacts of the Historic Preservation with Tower Alternative would be reduced when compared to the project, but Impact HIST-3 would remain significant and unavoidable.

(3) Traffic and Transportation

Implementation of the Historic Preservation with Tower Alternative would result in the construction of 446 units and rehabilitation and reuse of 57,000 square feet for office space. The significant increase in office space would result in this alternative generating more vehicle trips than the project. As identified in *Section V.C, Traffic and Transportation*, the project would not result in any significant impacts related to traffic and transportation. The City's thresholds for traffic and transportation are focused on VMT. Given the amount of parking proposed under the Historic Preservation Tower Alternative, it may exceed the VMT screening criteria and result in a VMT impact. Since the site is adjacent to a high-quality transit (bus) corridor, the project cannot exceed minimum parking requirements or parking standards typical for the area. The assumed parking ratio for this alternative is approximately 0.54 spaces per unit, assuming the minimum

allowed parking for commercial uses. To avoid a significant VMT impact, the parking would need to be reduced to provide less than 0.5 spaces per residential unit and a maximum on one space per 1,000 square feet for the commercial uses.

However, similar to the project, with implementation of SCAs, the Historic Preservation with Tower Alternative would not conflict or create inconsistencies with standards set forth in the General Plan and other plans, ordinances, and policies addressing the City's circulation system.

(4) Air Quality

The Historic Preservation with Tower Alternative would contribute to an increase in emissions affecting air quality due to construction activities and operation. As described in *Section V.D, Air Quality*, all potential construction impacts of the project would be reduced to less-than-significant levels with the implementation of SCAs. Under the Historic Preservation with Tower Alternative, there would be construction activities and an increase in vehicle trips as compared with existing conditions. However, similar to the project, with implementation of SCAs, the Historic Preservation with Tower Alternative would not result in significant impacts related to criteria air pollutants, toxic air contaminants, emissions standards, and odors. Under this alternative, the increase in office could lead to incrementally greater emissions affecting air quality from construction and operation compared with the project, but it is expected the impacts would remain similar.

(5) Greenhouse Gas Emissions and Energy

As described in *Section V.E, Greenhouse Gas Emissions and Energy*, the project's ECAP Checklist indicates the project's design would meet all the applicable requirements for Transportation and Land Use, Buildings, Material Consumption and Waste, and Carbon Removal. As such, the project would not result in potentially significant impacts related to GHG emissions, nor would it result in a significant energy impact. Although the Historic Preservation with Tower Alternative would have more office space, it would meet the ECAP Checklist requirements because the number of parking spaces is lower than what is required on the ECAP Checklist (less than 1 space per residential unit and 1 space per 1,000 square feet of commercial space) and there would be no new gas hook-ups. Therefore, the Historic Preservation with Tower Alternative would not conflict with any plans or policies related to the reduction of GHGs, nor would it conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Similar to the project, construction and operation of the Historic Preservation Alternative would result in land uses and activities that would generate GHG emissions (primarily from mobile emissions) and consume energy. The Historic Preservation with Tower Alternative would have more parking spaces than the project; however, the ECAP Checklist recognizes that encouraging infill development in the City can help reduce regional GHG emissions per service population.

Similar to the project, the GHG emissions and energy use from this alternative would not exceed the applicable thresholds of significance with implementation of the SCAs. In conclusion, the Historic Preservation with Tower Alternative would result in about the same GHG emissions and energy impacts compared to the project.

(6) Soils, Geology, and Seismicity

Under the Historic Preservation with Tower Alternative, the project site would still be susceptible to seismic ground shaking, ground failure (including liquefaction), soil erosion or loss of topsoil, unstable soil, and expansive soils, as identified under the project (see Impact GEO-1). However, as with the project, the potential significant impact related to landslides and slope instability would be reduced to a less-than-significant level with implementation of Mitigation Measure GEO-1 identified in *Chapter V.F, Soils, Geology, and Seismicity.* Therefore, the Historic Preservation with Tower Alternative soils, geology, and seismicity impacts would be equal to the project.

(7) Hazards and Hazardous Materials

Implementation of the Historic Preservation with Tower Alternative would result in two 8-story buildings and a 21-story tower; however, Building B would be less than half the footprint of the project. As described in *Section V.G, Hazards and Hazardous Materials*, construction of the project could expose construction workers and future residents to hazardous materials from contaminants in the soil during and following construction activities (see Impact HAZ-1). Potential excavation and handling of contaminated soil, groundwater, and USTs during construction could also result in emissions of hazardous materials that could pose a risk of exposure for nearby schools (see Impact HAZ-2). The impacts of the Historic Preservation Alternative would be about the same as the project because there would be about the same level disturbance and subsurface work. However, implementation of Mitigation Measure HAZ-1 would also reduce these potential impacts to a less-than-significant level.

(8) Hydrology and Water Quality

Implementation of the Historic Preservation with Tower Alternative would result in the construction of two new structures and a tower on the project site. Similar to the project, this alternative would replace over 10,000 square feet of existing impervious surface area. As described in *Section V.H, Hydrology and Water Quality*, the project would not result in potentially significant impacts related to water quality, groundwater supplies, erosion/siltation, flooding, runoff, flood zones, or Oakland Creek Protection Ordinance. As such, this alternative would have similar impacts as the project related to hydrology and water quality. With implementation of the SCAs described in *Chapter V.H, Hydrology and Water Quality,* potential impacts related to hydrology and water quality would be reduced to a less-than-significant level for the Historic Preservation with Tower Alternative.

(9) Noise and Vibration

The Historic Preservation with Tower Alternative would result in noise impacts associated with the construction of the project, similar to the impacts that would be the result of the project as described in *Section V.I, Noise and Vibration*. The development would result in significantly less demolition than the project and a portion of the project includes a tower, which will be constructed with steel that generally generates less noise given that any piles are now required to be drilled and not driven and the assembly of steel in not as noisy as the construction of wood. Construction activities would generate minimal, temporary increases in noise levels and new traffic resulting from the operation of the project would generate negligible increases in noise levels in the area.

Given the similar size and scale of the Historic Preservation with Tower Alternative to the project, the noise impacts would be very similar to the project. Like the project, implementation of the Mitigation Measure NOI-1 together with the City's SCAs would lessen the impacts of noise generated by construction to receptors in the vicinity of the project site but likely not below the City's thresholds. As a result, this alternative would still result in a significant and unavoidable impact for construction noise.

(10) Biological Resources

Implementation of the Historic Preservation with Tower Alternative would result in the construction of new development on the project site. As identified in *Section V.J, Biological Resources*, the project would result in two potentially significant impacts related to disturbing nesting bird habitat and pallid bat habitat (see Impacts BIO-1 and BIO-2). Similar to the project, construction activities under this alternative could impact the nesting bird and pallid bat habitat. However, with mitigation measures, these impacts would be reduced to a less-than-significant level. Therefore, the Historic Preservation with Tower Alternative biological impacts would be equal to the project.

(11) Population and Housing

Implementation of the Historic Preservation with Tower Alternative would result in the construction of 446 new housing units. As identified in *Section V.K, Population and Housing*, the project would not result in any significant impacts related to population and housing. Therefore, the Historic Preservation Tower Alternative would not result in any impacts related to population and housing.

(12) Aesthetics and Shade and Shadow

The Historic Preservation with Tower Alternative would result in the construction of two 8-story buildings and a 21-story tower. As identified in *Section V.L, Aesthetics and Shade and Shadow*, the project would have a less-than-significant impact on a scenic vista, scenic resources viewed from a state scenic highway, visual character, light and glare, and shade and shadow.

Under this alternative, the structures would be in the same location as the project; however, the Building B footprint would be less than half the footprint of the project's Building B. A 21-story tower would also be more visible to the surrounding area. Unlike the project, net new shadow from this alternative would reach the Treadwell Estate (on-site) and four other nearby historic buildings (5253-5257 College Avenue, 5245 College Avenue, 5237 College Avenue, and 5251 Broadway) in the morning throughout the year. However, these affected buildings and landscape elements do not contain features that contribute and/or justify their designation as an historic resource that would be materially altered by the presence of additional net new shadow from the alternative. No net new shadow would reach any nearby solar collectors or parks/public open spaces. Given the placement of the tower on the site, unlike the project, net new shadow would not be expected in the POPOS area or historic view corridor. Therefore, Historic Preservation with Tower Alternative would have a less-than-significant impact related to shade and shadow.

However, unlike the project, this alternative would substantially change the existing visual conditions of the project site by adding a 21-story tower; however, this would not necessarily result in a significant aesthetic impact as there are many varied heights and building forms in this area.

(13) Public Services, Utilities, and Recreation

Implementation of the Historic Preservation with Tower Alternative would result in the construction of two 8-story buildings with 446 units and 50,000 square feet of POPOS. As identified in *Section V.M, Public Services, Utilities, and Recreation*, the project would have a less-than-significant impact on fire protection, police protection, schools, libraries, parks and recreation, wastewater treatment, stormwater, water supply, solid waste, public services and facilities. Therefore, the Historic Preservation with Tower Alternative's impact would be very similar to the project.

5. Small Housing Campus Alternative

a. Principal Characteristics

The Small Housing Campus Alternative assumes the construction of up to 97 residential multi-family rental or condominium units across three 5-story buildings, the rehabilitation and reuse of

77,000 square feet of office (from nine preserved buildings), and 55 parking spaces. Three buildings (Irwin Student Center, Barclay Simpson Sculpture Studio, and Raleigh and Claire Shaklee Building) would be demolished. The Carriage House would remain in its existing location. No new gas hook-ups would be installed. This alternative would include approximately 87,779 square feet of publicly accessible open space, and restoration of the 80-foot-wide view corridor associated with the Treadwell Estate Landmark. A conceptual site plan is shown in Figure VII-5.

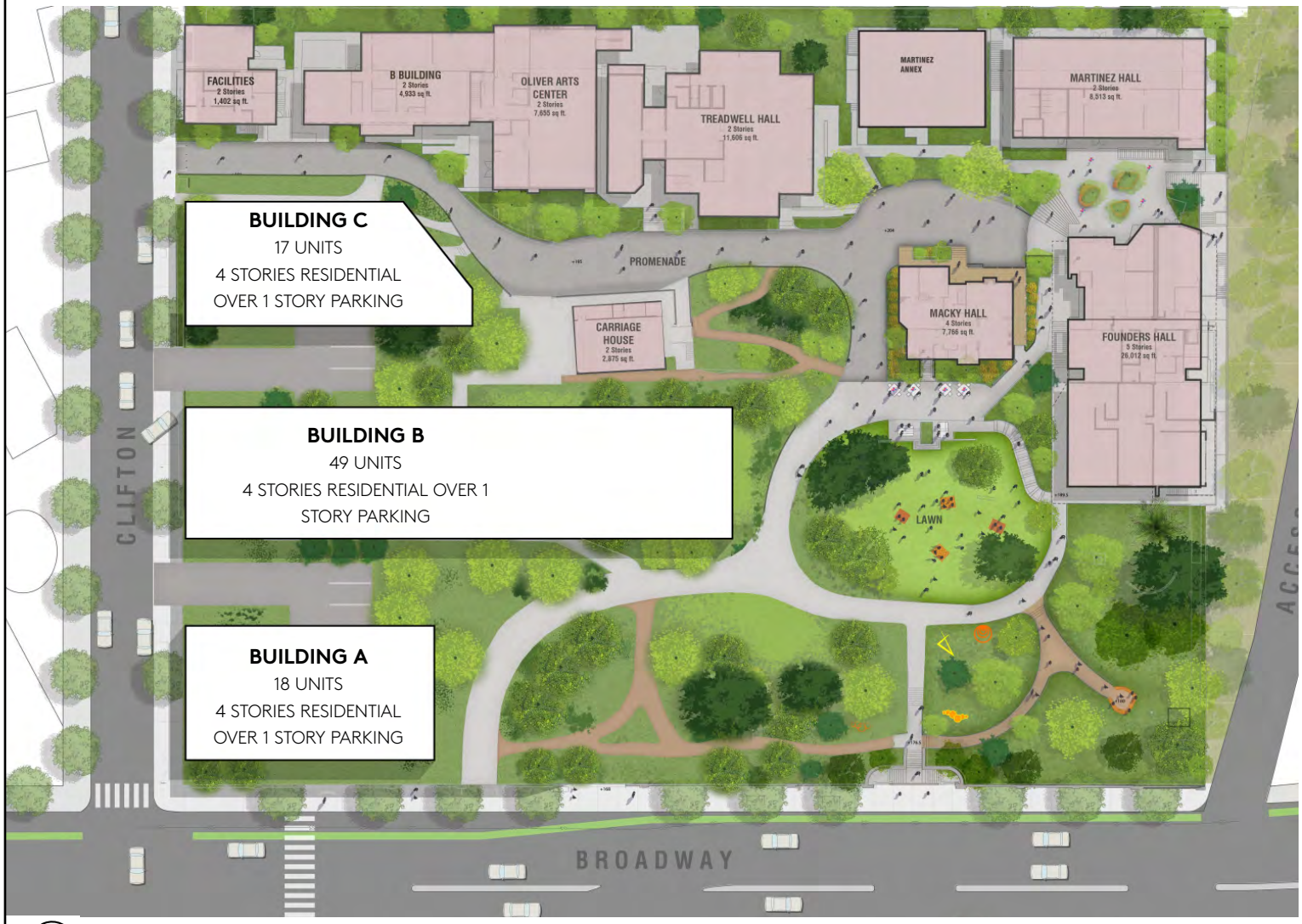
b. Relationship to Project Objectives

The Small Housing Campus Alternative would achieve some of the key project objectives of the project, although in most cases to a significantly lesser extent than the project, including those related to:

- Redevelop a site previously utilized as college campus (educational use) into a mixed-use development with residential and commercial uses.
- Locate dense residential development on a large site approximately ½-mile from BART and adjacent to existing community and neighborhood commercial uses to reduce dependency on motorized transportation.
- Design a project that varies dwelling sizes and types, to accommodate a range of potential residents.
- Respect the historic resources through adaptive reuse and rehabilitation of the Landmarked structures and landscape that includes documentation and commemoration of the site history and incorporation of outdoor art.
- Generate tax revenues for the City of Oakland and employment opportunities for the City of Oakland community.
- Increase affordable housing units in the Rockridge neighborhood by providing affordable housing units on-site.

The General Plan Alternative would not meet several of the project objectives including:

- Further the City's achievement of the General Plan's Housing Element goals and of the Association of Bay Area Governments' Regional Housing Needs Allocation for the City of Oakland and meet the City's minimum residential density and major residential use requirements.
- Construct enough residential units and non-residential space to make the redevelopment of the site economically feasible, produce a reasonable return on investment for the project that is sufficient to attract investment capital and construction financing, and generate sufficient revenue to meet the project objectives.



Source: Mithun, 2021.

PRESERVED BUILDINGS:

FACILITIES
OLIVER ARTS CENTER & B BLDG
TREADWELL HALL
MARTINEZ HALL
MARTINEZ ANNEX
FOUNDER'S HALL
MACKY HALL
CARRIAGE HOUSE

NEW BUILDINGS:

BUILDING A
5 STORIES
23 UNITS
12 PARKING SPACES

BUILDING B
5 STORIES
51 UNITS
31 PARKING SPAC

BUILDING C
5 STORIES
23 UNITS
12 PARKING SPAC

TOTALS
97 UNITS
55 PARKING SPACES

Figure VII-5
Small Housing Campus Alternative

c. Analysis of the Small Housing Campus Alternative

(1) Land Use

Implementation of the Small Housing Campus Alternative would result in the construction of three 5-story buildings with 97 units. This is 413 units less than what is proposed by the project. The alternative also assumes the existing RM-4 and CN-1 zoning designations would remain but a Small Housing Campus Alternative would reclassify the project site from Institutional to Community Commercial as well as a change from a 35-foot Height Area to a 90-foot Height Area. As identified in *Section V.A, Land Use*, the project would not result in any significant impacts related to land use because it would not physically divide an established community nor conflict with adjacent land uses or land use policies. For these same reasons, the Small Housing Campus Alternative would result in less severe land use impacts compared to the project. However, this alternative would not meet the minimum density required by City's Housing Element as the minimum is 383 units and this alternative provides 97 units.

(2) Cultural and Historic Resources

Implementation of the Small Housing Campus Alternative would result in the demolition of three buildings which are contributors to the National and California Register-eligible CCAC API: the Barclay Simpson Sculpture Studio, Raleigh and Claire Shaklee Building, and Irwin Student Center. Macky Hall and Carriage House would be retained and rehabilitated in their current location and the Broadway Wall and Stairs would be retained. Four sculptures (Celebration Pole, Bell Tower, Infinite Faith, and Faun sculpture) which are contributing landscape features to the CCAC API would be retained and relocated to the proposed sculpture garden.

As identified in *Section V.B, Cultural and Historic Resources*, the project would result in four potentially significant and significant and unavoidable impacts related to cultural and historic resources (see Impact HIST-2, HIST-3, and HIST-4). Under the Small Housing Campus Alternative, Founders Hall, Martinez Hall, and the Noni Eccles Treadwell Ceramic Arts Center would be preserved; therefore, Impact HIST-4, pertaining to the demolition of these three buildings, would be avoided.

Treadwell Estate Landmark Impacts

The project's rehabilitation of Macky Hall, the Carriage House, and the Broadway Wall and Stairs (Impact HIST-1a), relocation of the Carriage House (Impact HIST-1b), and full or partial removal of landscape features (Impact HIST-1c) has the potential to affect the integrity of the Treadwell Estate Landmark. Under this alternative, the impacts to the Treadwell Estate Landmark would be consistent with that described as Impact HIST-1a and Impact HIST-1c. The 5-story heights of the three new buildings proposed by this alternative would be less than the 9- to 10-story buildings

proposed by the project. As such, the impact of this alternative would be less than the project, and also considered less than significant with applicable mitigation measures. Building B would be longer than Buildings A and C and would extend west of the Carriage House, but it would occupy a footprint approximately the same as the current Irwin Student Center. According to this finding, the proposed locations of the new Building A, Building B, and Building C from the historic Treadwell Estate Landmark buildings would allow the historic resource to remain eligible as a 19th-century residential estate. With implementation of mitigation measures recommended for the project, this resource would retain its historic integrity. Its designation as an Oakland Landmark and listing in the National Register would not be compromised.

CCAC API Impacts

The project proposes to demolish 10 buildings on the project site, all of which are contributors to the California Register- and National Register-eligible CCAC API. This alternative would demolish three buildings which are contributors to the CCAC API. As such, the character-defining spatial relationships and siting of the retained buildings, clustered toward the eastern portion of the site on sloping topography and oriented inward rather than toward public streets, would be preserved. The landscape west of Macky would also be retained. The existing character-defining network of pedestrian paths would also be preserved across the project site. New vehicle circulation and ingress/egress routes would not be introduced between or adjacent to the retained CCAC API buildings.

The three new buildings would be constructed in the northern portion of the site, in an area spatially distinct from the retained CCAC API contributors. The proposed 5-story buildings would be compatible with the 2- and 3-story retained buildings of the CCAC API. They would not block significant views to and from the retained buildings of the CCAC API and would not interrupt the spatial relationships between the retained buildings.

While this alternative would result in the removal of three contributing buildings, the remaining nine contributors to the district, the spatial association of these buildings, and four contributing landscape features, and landscape west of Macky Hall would together continue to convey their association with a long-operating and locally influential campus dedicated to post-secondary arts education, for which the CCAC API is significant under California Register Criterion 1.

Therefore, with implementation of this alternative, the CCAC API would continue to possess sufficient integrity as a district to convey its significance as a post-secondary arts education institution, and thus retain its eligibility for listing as a district in the National and California Register and its listing as an Oakland API thereby avoiding the significant and unavoidable impact identified for the project (see Impact HIST-2).

Individually California Register-Eligible Buildings Impacts

Unlike the project, the Small Housing Campus Alternative would preserve three of the four buildings individually eligible for listing in the California Register and as Oakland Landmarks – Founders Hall, Martinez Hall, and the Noni Eccles Treadwell Ceramic Arts Center. Provided that planned rehabilitation and reuse of the retained buildings adhered to the *Secretary of the Interior's Standards for Rehabilitation*, Founders Hall, Martinez Hall, and the Noni Eccles Treadwell Ceramic Arts Center would retain their eligibility for individual listing in the California Register. However, this alternative would include demolition of the Barclay Simpson Sculpture Studio, which is eligible for listing in the California Register as an individual resource. This would constitute a significant and unavoidable impact on a historical resource under CEQA. Implementation of Mitigation Measure HIST-3 for the Barclay Simpson Sculpture Studio would not mitigate this impact to a less-than-significant level.

As a result, the cultural and historic resource impacts of the Small Housing Campus Alternative would be reduced when compared to the project, but Impact HIST-3 would remain significant and unavoidable.

(3) Traffic and Transportation

Implementation of the Small Housing Campus Alternative would result in the construction of 97 units and rehabilitation and reuse of 77,000 square feet for office space. As identified in *Section V.C, Traffic and Transportation*, the project would not result in any significant impacts related to traffic and transportation. The City's thresholds for traffic and transportation are focused on VMT. A project causes substantial additional VMT if it exceeds the existing regional VMT per employee minus 15 percent. Given the project's site location adjacent to a high-quality transit (bus) corridor, this alternative, similar to the project, would not cause substantial additional VMT.

Similar to the project, with implementation of SCAs, the Small Housing Campus Alternative would not conflict or create inconsistencies with standards set forth in the General Plan and other plans, ordinances, and policies addressing the City's circulation system. Therefore, the Small Housing Campus Alternative would result in equal traffic and transportation impacts compared to the project.

(4) Air Quality

The Small Housing Campus Alternative would contribute to an increase in emissions affecting air quality due to construction activities; however, to a lesser extent than the project. As described in *Section V.D, Air Quality*, all potential construction impacts of the project would be reduced to less-than-significant levels with the implementation of SCAs. Under the Small Housing Campus Alternative, there would be construction activities and an increase in vehicle trips as compared

with existing conditions. Like the project, the Small Housing Campus Alternative would not result in significant impacts related to criteria air pollutants, toxic air contaminants, emissions standards, and odors. The smaller development size and scale assumed under this alternative would result in fewer emissions affecting air quality from construction and operation. Therefore, the Small Housing Campus Alternative would result in less severe air quality impacts compared to the project.

(5) Greenhouse Gas Emissions and Energy

The Small Housing Campus Alternative would have fewer units and parking spaces than the project. As described in *Section V.E, Greenhouse Gas Emissions and Energy*, the project's ECAP Checklist indicates the project's design would meet all the applicable requirements for Transportation and Land Use, Buildings, Material Consumption and Waste, and Carbon Removal. As such, the project would not result in potentially significant impacts related to GHG emissions, nor would it result in a significant energy impact. Similarly, the Small Housing Campus Alternative would meet the ECAP Checklist requirements due to the low number of existing parking spaces and no new gas hook-ups. Therefore, the Small Housing Campus Alternative would not conflict with any plans or policies related to the reduction of GHGs, nor would it conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Similar to the project, construction and operation of the Small Housing Campus Alternative would result in land uses and activities that would generate GHG emissions (primarily from mobile emissions) and consume energy. Based on the available parking spaces, the Small Housing Campus Alternative would be expected to generate fewer vehicle trips and associated GHG emissions than the project. Therefore, GHG and energy impacts of the Small Housing Campus Alternative would also be less than the project and would not exceed the applicable thresholds of significance. Therefore, the Small Housing Campus Alternative would result in less severe GHG emissions and energy impacts compared to the project.

(6) Soils, Geology, and Seismicity

Under the Small Housing Campus Alternative, the project site would still be susceptible to seismic ground shaking, ground failure (including liquefaction), soil erosion or loss of topsoil, unstable soil, and expansive soils, as identified under the project (see Impact GEO-1). However, because of the reduced square footage under this alternative, fewer residents and employees would be exposed to the hazards expressed above, as compared to the project. As with the project, the potential significant impact related to landslides and slope instability would be reduced to a less-than-significant level with implementation of Mitigation Measure GEO-1 identified in *Chapter V.F, Soils, Geology, and Seismicity.* Therefore, the Small Housing Campus Alternative would result in less severe soils, geology, and seismicity impacts compared to the project.

(7) Hazards and Hazardous Materials

Implementation of the Small Housing Campus Alternative would result in the construction of development with similar uses with less development intensity. As described in *Section V.G, Hazards and Hazardous Materials*, construction of the project could expose construction workers and future residents to hazardous materials from contaminants in the soil during and following construction activities (see Impact HAZ-1). Potential excavation and handling of contaminated soil, groundwater, and USTs during construction could also result in emissions of hazardous materials that could pose a risk of exposure for nearby schools (see Impact HAZ-2). However, the impacts of the Small Housing Campus Alternative would be less severe than the project because there would be less soil disturbance and subsurface work. Implementation of Mitigation Measure HAZ-1 would also reduce these potential impacts to a less-than-significant level.

(8) Hydrology and Water Quality

Implementation of the Small Housing Campus Alternative would result in the construction of a new structure on the project site. Similar to the project, this alternative would replace over 10,000 square feet of existing impervious surface area. As described in *Section V.H, Hydrology and Water Quality*, the project would not result in potentially significant impacts related to water quality, groundwater supplies, erosion/siltation, flooding, runoff, flood zones, or Oakland Creek Protection Ordinance. As such, this alternative would have similar, albeit reduced, impacts as the project related to hydrology and water quality. With implementation of the SCAs described in *Chapter V.H, Hydrology and Water Quality,* potential impacts related to hydrology and water quality would be reduced to a less-than-significant level for the Small Housing Campus Alternative.

(9) Noise and Vibration

The Small Housing Campus Alternative would result in noise impacts associated with the construction of the project. However, given only two buildings will be demolished and significantly fewer units will be constructed, the impact will be significantly less than the project's construction-period noise impact as described in *Section V.I, Noise and Vibration*. The smaller development size would result in a decrease in construction activity over a shorter duration. The use of similar construction equipment would be needed under this alternative. Construction activities would generate minimal, temporary increases in noise levels and new traffic resulting from the operation of the project would generate negligible increases in noise levels in the area. Similar to the project, implementation of the Mitigation Measure NOI-1 together with the City's SCAs would lessen the impacts of noise generated by construction to receptors in the vicinity of the project site for the Small Housing Campus Alternative.

(10) Biological Resources

Implementation of the Small Housing Campus Alternative would result in the construction of a new structure on the project site. As identified in *Section V.J, Biological Resources*, the project would result in two potentially significant impacts related to disturbing nesting bird habitat and pallid bat habitat (see Impacts BIO-1 and BIO-2). Similar to the project, construction activities under this alternative could impact the nesting bird and pallid bat habitat. However, with mitigation measures, these impacts would be reduced to a less-than-significant level. Therefore, the Small Housing Campus Alternative biological impacts would be equal to the project.

(11) Population and Housing

Implementation of the Small Housing Campus Alternative would result in the construction of 97 new housing units. As identified in *Section V.K, Population and Housing*, the project would not result in any significant impacts related to population and housing. Although this alternative assumes 97 units, it would not induce substantial growth or displace people or housing. However, as discussed in Land Use above it would not meet the minimum density for the site to help the City ensure it meets its regional housing requirements. Therefore, the Small Housing Campus Alternative would result in more adverse impacts related to population and housing compared to the project.

(12) Aesthetics and Shade and Shadow

The Small Housing Campus Alternative would result in a less intense development on the site as the buildings would only be 5-stories in height. As identified in *Section V.L, Aesthetics and Shade and Shadow*, the project would have a less-than-significant impact on a scenic vista, scenic resources viewed from a state scenic highway, visual character, light and glare, and shade and shadow.

Under this alternative, the three 5-story structures would have much a smaller footprint than the project. The placement of the three new buildings at the northern portion of the project site would not substantially change the existing visual character of the area because they would not be as tall as the project (9 to 10 stories) and the nine preserved buildings would remain in a campus-like setting. While this alternative would cast net new shadows throughout the year, they would be generally consistent with the existing shading patterns in the surrounding area. Similar to the project, no net new shadow from this alternative would reach the Treadwell Estate Landmark nor any nearby solar collectors or parks/public open spaces.

Additionally, the smaller-scale development size of this alternative would not substantially change the existing visual conditions of the project site. As such, the Small Housing Campus Alternative would have less severe impacts compared to the project.

(13) Public Services, Utilities, and Recreation

Implementation of the Small Housing Campus Alternative would result in the construction of three 5-story buildings with 97 units (413 units less than what is proposed by the project), convert many of the existing buildings into offices, and would maintain the 87,779 square feet of existing POPOS. As identified in *Section V.M, Public Services, Utilities, and Recreation*, the project would have a less-than-significant impact on fire protection, police protection, schools, libraries, parks and recreation, wastewater treatment, stormwater, water supply, and solid waste. Since this alternative assumes less units than the project and the same amount of POPOS, impacts to these public services and facilities would not be as great. Therefore, the Small Housing Campus Alternative would have a less severe impact compared to the project.

C. ALTERNATIVE SITES AND ALTERNATIVES CONSIDERED AND REJECTED

In considering the range of alternatives to be analyzed in an EIR, the CEQA Guidelines state that an alternative site/location should be considered when feasible alternative locations are available and the "significant effects of the project would be avoided or substantially lessened by putting the project in another location." No specific alternative site locations are considered in this EIR as there are no comparable sites in the area that are available for CCA and the developer. Several of the comments on the Notice of Preparation raised the possibility of utilizing the undeveloped portion of the Safeway site that is immediately adjacent to the project site. Although relocation of the project to that site could eliminate the significant and unavoidable impacts related to historic resources, neither CCA or the project developer has control of that site.

Further three of the overarching objectives of this project relate to redeveloping the former CCA campus into a mixed-use development with residential and commercial uses in a way that respects the historic resources through adaptive reuse and rehabilitation of the Landmarked structures and landscape as well as developing a Housing Element Inventory site that is in a Priority Development Area and a High Resource Area. As such, an alternative site location is not considered.

CEQA Guidelines section 15125.6(c) explains that alternatives may be eliminated from detailed consideration in the EIR if they fail to meet most of the basic project objectives, are infeasible, or do not avoid any significant environmental effects. CEQA Guidelines section 15126.6(f) indicates that the Lead Agency should consider site suitability, economic viability, availability of infrastructure, general plan consistency, other regulatory limitations, jurisdictional boundaries, and the proponent's control over alternative sites in determining the rate of alternatives to be evaluated in the EIR.

Given that the most severe impacts that would result from the project are related to historic resources and construction noise, the alternatives chosen to be further analyzed in this chapter were those that best addressed and mitigated the historic resources and noise impacts identified.

D. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the identification of the environmentally superior alternative in an EIR. The No Project/Reuse Alternative is considered the environmentally superior alternative in the strict sense that environmental impacts associated with its implementation would be the least of all the scenarios examined (including the project). Maintaining the project site at its current conditions would avoid each of the impacts that would result from the project. In cases like this where the No Project Alternative is the environmentally superior alternative, CEQA requires that the second most environmentally superior alternative be identified. Comparison of the environmental impacts associated with each alternative as described above, indicates that General Plan Amendment (No Rezoning) Alternative would represent the next-best alternative in terms of the fewest significant environmental impacts. This alternative would reduce the most significant historic and noise impacts more than the other alternatives examined with the fewest number of proposed buildings to be demolished. This alternative does not meet all of the project objectives and does not provide the required minimum number of housing units. The only alternative that reduces the significant impacts and meets provides the required number of housing units and the Project Objectives is the Historic Preservation with Tower Alternative.

VIII. CEQA REQUIRED ASSESSMENT CONCLUSIONS

As required by the California Environmental Quality Act (CEQA), this chapter discusses the following types of impacts that could result from implementation of the California College of the Arts (CCA) Oakland Campus Redevelopment Project (the project): growth-inducing impacts, significant unavoidable environmental impacts, significant irreversible changes, and cumulative impacts. Effects found not to be significant are discussed in *Chapter VI, Effects Found Not to be Significant or Less Than Significant with Standard Conditions of Approval.*

A. GROWTH-INDUCING IMPACTS

As required by Section 15126.2(e) of the California Environmental Quality Act (CEQA) Guidelines, an Environmental Impact Report (EIR) should discuss "… the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Growth can be induced in several ways, including through the elimination of obstacles to growth, through the stimulation of economic activity within the region, or through precedent-setting action.

Examples of projects likely to have significant growth-inducing impacts include extensions or expansions of infrastructure systems beyond those needed to serve project-specific demand, and development of new residential subdivisions or industrial parks in areas that are currently only sparsely developed or are undeveloped. Typically, redevelopment projects on infill sites that are surrounded by existing urban uses are not considered growth-inducing because redevelopment by itself usually does not facilitate development intensification on adjacent sites.

As described in detail in *Chapter III, Project Description*, and *Chapter IV, Planning Policy*, implementation of the project would require a General Plan Amendment and rezoning, both of which permit the development of dense residential development, taller buildings, and other commercial uses, which otherwise would not be permitted at the site. The project itself in combination with the General Plan Amendment and rezoning could be considered a direct growth-inducing impact, as such, associated impacts are analyzed as part of the project analysis and throughout this EIR.

As described throughout this document, the project site is located on an infill site served by substantial public utilities (roads, water lines, etc.) and services with sufficient capacity (as discussed in *Section V.M, Public Services, Utilities, and Recreation*). It would not result in the extension of new utilities or roads into urban areas and would not directly or indirectly lead to the

development of greenfield sites in the East Bay. Furthermore, the project would not result in surplus property (e.g., vacant land), so the potential for future new development would not occur.

Because the project site is located within an existing urbanized area and is immediately adjacent to a major transit station, anticipated growth as envisioned by the City and ABAG would benefit the existing transit system and could reduce adverse impacts associated with automobile use, such as air pollution and noise. In addition, the provision of additional housing in Oakland would allow more people to live in an existing urbanized area, which could reduce development pressures on farmland and open space in the greater San Francisco Bay Area. Therefore, the population growth that would occur because of project implementation would be largely beneficial and not considered substantial and adverse.

Implementation of the project would not result in substantial population and employment growth in the City that has not already been accounted for in local and regional planning efforts, Development of the project would be consistent with local and regional planning efforts to accommodate population and employment growth in proximity to transit and services, as described below:

- At the local level, the Oakland Neighborhood Community and Economic Development Strategy of the General Plan specifically targets the project site as an area of for community and economic development and that the site should be studied to determine the feasibility of higher density housing.
- At a regional level, ABAG's Plan Bay Area 2040 created Priority Development Areas (PDAs) which are intended to target areas where future growth should be directed toward existing urban areas to increase housing near jobs and reduce urban sprawl. PDAs are defined as urban infill sites of at least 100 acres served by transit and designated for compact land development along with investments in community improvements and infrastructure. The project site is located within the MacArthur Transit Village PDA, and thus a targeted area for future development.[1]

The project would result in the development of approximately 72 permanent jobs, as described in *Section V.K, Population and Housing* of this document. Indirect residential population growth associated with the project could also occur. The economic stimulus generated by the project could result in the creation of new construction-related jobs. However, the jobs created during the construction phase of the project would not be substantial in the context of job growth in Oakland and the region. Although some of the people working on construction of the project

[1] Metropolitan Transportation Commission (MTC), 2020. Priority Development Areas (current). Available at: https://mtc.maps.arcgis.com/apps/mapviewer/index.html?webmap=fdebb9275194452d8d0445af95720ebf, accessed December 5, 2023.

could decide to live in Oakland, the migration of these employees into Oakland would not result in a substantial population increase.

As described in the cumulative impacts analysis of *Section V.K, Population and Housing*, implementation of the project would result in a residential population increase of approximately 1,133 people to Oakland. ABAG projected a 19-percent population growth rate between 2020 and 2025, or an increase of 83,158 persons in Oakland.[2] Residents added by the project would account for approximately 1.6 percent of this increase. This residential growth is well within the anticipated population growth for the Oakland.

Based on the preceding discussion and analysis, The project would not expand infrastructure, public services, and transit capacity beyond what is required to serve the project-specific demand. The project would contribute to the City and ABAG's housing production goals and would conform with local and regional efforts to focus growth and development into PDAs by creating compact communities with a diversity of housing, jobs, activities and services, and increasing housing supply, improving housing affordability, and increasing transportation efficiency and choices. The projected population and employment growth that can be attributed to the project would not cause substantial population growth or concentration in employment that would result in significant growth-inducing impacts related to unplanned population, employment, or housing demand increases in the City or across the Bay Area region. To the extent that this growth would have been otherwise accommodated at other City or Bay Area locations, the project would focus growth on an infill site near existing employment centers and existing and planned transit facilities, infrastructure, retail services, and cultural and recreational facilities. Therefore, the project would not indirectly induce growth in the City or region. In this respect, implementation of the project may be considered growth-managing rather than growth-inducing by facilitating urban infill.

While the project represents growth, the provision of new housing and employment opportunities would not encourage substantial new growth in the City that has not been previously projected. The project site is also located in an area of the City that has been identified through local and regional planning processes as an area that could accommodate future population, housing, and employment growth. Thus, the project would not have a substantial growth-inducing impact.

[2] Association of Bay Area Governments (ABAG), 2018. Projections 2040, November.

B. SIGNIFICANT IRREVERSIBLE CHANGES

CEQA Guidelines Section 15126.2(d) requires that Environmental Impact Reports (EIRs) assess whether a project could result in significant irreversible changes to the physical environment. These changes may include current or future uses of nonrenewable resources, and secondary or growth-inducing impacts that commit future generations to similar uses. CEQA Guidelines discusses three categories of significant irreversible changes that should be considered, as discussed below.

1. Changes in Land Use that Commit Future Generations

The project would allow for the redevelopment of an approximately 3.95-acre site located in the Rockridge neighborhood of Oakland. The project site currently contains several institutional facilities as a part of the CCA Oakland campus. As described in *Chapter IV, Planning Policy*, the high-density multi-family residential development proposed by the project would not be in conformance with the existing General Plan Land Use designation of Institutional and zoning of Neighborhood Commercial – Zone 1 (CN-1) and Mixed Housing Type Residential – Zone 4 (RM-4). As a result, the Project Sponsor is proposing to reclassify the entire project site to the Community Commercial (CC) General Plan Land Use designation. The CC designation applies to areas suitable for a variety of commercial and institutional operations along major corridors and in shopping districts or centers and is the same General Plan classification as many of the areas surrounding the project site. In addition, the Project Sponsor is proposing to rezone the entire project site to Community Commercial – Zone 2 (CC-2). The CC-2 Zone is intended to create, maintain, and enhance areas with a wide range of commercial businesses with direct frontage and access along the City's corridors and commercial areas. The Oakland Planning Commission and the City Council would be required to approve both the General Plan and zoning amendments. The fundamental change from an institutional land use to a high-density residential development, as proposed by the project, would commit future generations to the new land use on the site but not in a way that constitute significant irreversible changes to the physical environment. As described in *Section V.A, Land Use*, the project would not introduce new land uses that are not already existing near the project site. The project site is in an urban area, surrounded by similar uses in the project vicinity and would occur on an infill site. As described above, the project does not propose land uses that would spur significant population or economic growth and is in an area targeted for growth.

2. Changes in Historic Features

The project proposes to demolish 10 of the 12 existing buildings and several historic landscape elements on the project site, most of which are considered significant under CEQA and are contributors to the historic district. As described in detail in *Section V.C, Cultural and Historic*

Resources, the project proposes several different mitigation measures and other actions to reduce the impacts from the loss of these elements; however, the project would still result in a significant and unavoidable impact. The loss of these contributing buildings and landscape elements is irreversible.

3. Irreversible Damage from Environmental Accidents

No significant irreversible environmental damage, such as what could occur as a result of an accidental spill or explosion of hazardous materials, is anticipated due to implementation of the project. Furthermore, compliance with federal, State of California, and local regulations, and the implementation of the City's Standard Conditions of Approval (SCAs) identified in *Section V.G, Hazards and Hazardous Materials*, would reduce to a less-than-significant level the possibility that hazardous substances within the project site could cause significant environmental damage.

3. Consumption of Nonrenewable Resources

Consumption of nonrenewable resources includes the use of nonrenewable energy sources, conversion of agricultural lands, and loss of access to mining reserves. Because the site has not been used for mineral extraction, loss of access to any minerals that historically occurred on site would not be considered significant. Implementation of the project would require electricity and possibly other forms of energy. However, the scale of such consumption for the proposed uses would be typical for a residential infill development of this size. The project would incorporate energy-conserving features, as required by the Uniform Building Code and the California Energy Code (Title 24, Part 6), and as stipulated by SCA-SERV-8: Green Building Requirements (#90). Additionally, the placement of the project on a site within an urban area near City services and easily accessible transit and regional roadways would facilitate the increased use of public transit, further reducing nonrenewable energy consumption associated with single-occupancy vehicles and reducing total vehicle miles traveled. The project would not convert land used for prime agriculture to residential and public uses, as no agricultural uses or farmland are present within or adjacent to the project site.

C. SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS

As discussed at the end of each topical section in *Chapter V, Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures*, the project would not significantly contribute to any significant and unavoidable impacts, with the exception of impacts related to Cultural and Historic Resources and Noise and Vibration. Implementation of the project would result in four significant unavoidable impacts that could not be avoided by implementation of mitigation measures, or reduced to a less-than-significant level:

Impact HIST-2: The project proposes to demolish 10 buildings on the project site, all of which are contributors to the California Register- and National Register-eligible CCAC API. Demolition of 10 of the 12 contributing buildings and alteration of six contributing landscape features in the CCAC API would adversely impact the district such that it would no longer be able to convey its significance, resulting in a substantial adverse change to the historical resource. The numerous demolitions would result in the loss of eligibility of the district for listing in the California Register and National Register.

Impact HIST-3: Four of the 10 buildings proposed to be demolished—Martinez Hall, Founders Hall, Noni Eccles Treadwell Ceramic Arts Center, and Barclay Simpson Sculpture Studio—are individually eligible for listing in the California Register and as Oakland Landmarks. Demolition of these four buildings would render them ineligible for listing in the California Register or as Oakland Landmarks.

Cumulative Impact HIST-4: To facilitate construction of the project, three significant examples of Late Modern architecture would be demolished: Founders Hall, a 1968 Brutalist building designed by DeMars & Reay; Martinez Hall, a 1968 Third Bay Tradition building designed by DeMars & Reay; and the Noni Eccles Treadwell Ceramic Arts Center, a 1973 Third Bay Tradition building designed by Worley Wong and Ronald Brocchini. Implementation of the project, as designed, combined with cumulative development citywide, including past, present, existing, approved, pending, and reasonably foreseeable future development, would contribute to a significant and unavoidable adverse cumulative impact to Oakland's Late Modern architectural resources.

Impact NOI-1: The noise levels from operation of heavy construction equipment on the project site could impact nearby receptors.

D. CUMULATIVE IMPACTS

CEQA defines cumulative impacts as "two or more individual effects which, when considered together, are considerable, or which can compound or increase other environmental impacts."[3] CEQA Guidelines Section 15130 requires that an EIR evaluate potential environmental impacts that are individually limited, but cumulatively considerable. Per Section 15065(a)(3) of the CEQA Guidelines, "cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects. Cumulative effects of the project are discussed under the respective topic sections in *Chapter V, Settings, Impacts, Standard Conditions of Approval, and Mitigation Measures*.

[3] CEQA Guidelines, Section 15355.

E. EFFECTS FOUND NOT TO BE SIGNIFICANT

Meetings among representatives of the City departments involved in project planning and review and consultants for the City were held to preliminarily determine the scope of the EIR. In addition to these meetings, a Notice of Preparation (NOP) was circulated on June 21, 2019, and public scoping sessions were held before the Landmarks Advisory Preservation Board on September 23, 2019 and before the Planning Commission on August 21, 2019 and continued to October 16, 2019. Written comments received on the NOP and public comments received during the scoping meetings were considered in the preparation of the final scope for this document and in the evaluation of the project.

The environmental topics analyzed in *Chapter V, Setting, Impacts, Standard Conditions of Approval, and Mitigation Measures* represent the topics that generated the greatest potential controversy and expectation of adverse impacts among City staff and members of the public. The following topics were excluded from discussion in the EIR because it was determined during the scoping phase of the project that impacts would be less than significant: Agriculture and Forest Resources; Mineral Resources; Tribal Cultural Resources; and Wildfire. The project's impacts related to each of these topics are described in *Chapter VI, Effects Found Not to be Significant or Less Than Significant with Standard Conditions of Approval.*

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None.

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