Initial Study / Mitigated Negative Declaration
Cole Administrative/Education Center Project
1011 Union Street, Oakland

Prepared for:

Oakland Unified School District

Prepared By:

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Oakland, CA 94606

May 2022

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Introduction

This document serves as the Initial Study for the Oakland Unified School District Central Administrative/Education Center at Cole Campus Project (Project). Per CEQA Guidelines Section 15063, following preliminary review, the Lead Agency shall conduct an Initial Study to determine if the project may have a significant impact on the environment. The purposes of an Initial Study are to provide the Lead Agency with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration. The Initial Study is also used to enable the project applicant or the Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration. An Initial Study can also serve to focus the EIR on the effects determined to be significant, identifying the effects determined not to be significant and for other reasons.

This document is organized in three sections as follows:

- **Introduction and Project Description:** This section introduces the document and discusses the project description including location, setting, and specifics of the lead agency and contacts.
- **Initial Study:** This section discusses the CEQA environmental topics and checklist questions and identifies the potential for impacts and proposed mitigation measures to avoid these impacts.
- **Mitigated Negative Declaration**: This section includes the CEQA Findings, which conclude that although the Project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures to reduce these impacts will be required of the project. Pursuant to CEQA Guidelines Section 15071 (e), this section also includes a list of all mitigation measures required of the Project to avoid potentially significant effects. These measures have been agreed to by the District (as both applicant and lead agency), and would avoid or mitigate the effects of the Project to a point where clearly no significant effects (as defined by CEQA) would occur.

Project Information

1. Project Title: Cole Administrative / Education Center Project
Oakland Unified School District Project # 19119

2. Lead Agency Name and Address: Oakland Unified School District
955 High Street
Oakland, CA 94601

3. Contact Person and Phone Number: Kenya Chatman, Executive Director of Facilities
510.535.7050
kenya.chatman@ousd.org

4. Project Location: 1011 Union Street
Oakland, CA
Assessor's Parcel No. 004-0053-007

5. Project Sponsor's Name and Address: Oakland Unified School District
Facilities Planning and Management Department
955 High Street
Oakland, CA 94601

6. Existing General Plan Designations: Urban Residential

7. Existing Zoning: Urban Residential-2 (RU-2)

8. Approvals needed from Public Agencies

The Division of the State Architect (DSA) within the California Department of General Services has jurisdiction over and regulation of construction activities by public school districts in California. Therefore, development of the Project would require demolition, grading and building permits issued by the Division of the State Architect.

Land use and zoning jurisdiction rests with the City of Oakland. As a partially non-educational building (i.e., OUSD administrative staff occupancy), the Project would require Design Review approval and potentially a Conditional Use Permit from the City of Oakland.

The Brownfields Restoration and School Evaluation Branch of the California Department of Substances Control (DTSC) has established protocols for site evaluation and cleanup. Pursuant to this process, remaining steps include, but are not limited to approval and acceptance of a final Preliminary Environmental Assessment, entering into a subsequent Voluntary Cleanup Agreement or School Cleanup Agreement, and preparation of a Removal Action Work Plan or Remedial Action Plan, including providing additional opportunities for public comment. Following that approval, the District will be responsible for conducting all necessary cleanup activities pursuant to an approved Removal Action Work Plan or Remedial Action Plan and obtaining a "No Further Action" letter from DTSC, once all cleanup activities are satisfactorily completed under DTSC oversight,

9. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Pursuant to Public Resources Code §21080.3.1, the California Native American tribes traditionally and culturally affiliated with the project area have been contacted to inform them of the project, and to provide an opportunity to request further consultation. To date, no tribes have requested consultation pursuant to Public Resources Code §21083.3.2.

Project Description

Background

The Oakland Unified School District's (OUSD, or District) primary administrative functions were formerly located at the District's Administration Building at 1025 2nd Avenue in Oakland, along the Estuary channel south of Lake Merritt and north of Laney College. In 2013, a substantial water leak occurred on the top floor of this building, causing excessive damage to the entire structure. As a result, the Administrative Building was vacated, and District staff members were relocated to numerous other locations including the Cole Middle School, Lakeview Elementary School, Tilden Elementary, and 2111 International Boulevard, while the District assessed its long-term options for permanent replacement space for these administrative functions. Currently, the majority of the District's core administrative functions and staff have been consolidated in leased space at 1000 Broadway in downtown Oakland, and the OUSD Board of Education meets in Chamber at the Great Room of La Escuelita K-8 community school at 1050 2nd Avenue, adjacent to the former Administration Building.

The District Board of Education directed the District's Facilities Department to analyze various long-term options to accommodate these core administrative functions, other than under a continued lease at 1000 Broadway. The Facilities Department identified a number of potential locations for a new, permanent location for these core administrative functions, and four primary options were seen as most viable as a permanent location:

- using other existing but underutilized District facilities throughout Oakland, as a non-centralized administrative approach
- leasing an alternative, less expensive building near the Oakland Airport
- rehabilitating the District's prior building space at 1025 2nd Avenue, and
- building a new Administrative Center by redeveloping the Cole Middle School Campus in West Oakland

Ultimately, the Facilities Department recommended rebuilding the Cole Campus as a permanent home for the District's core administrative functions. The three primary advantages of rebuilding the Cole property are:

- rebuilding at Cole was found to be less expense than rehabilitating the former building at 1025 2nd Avenue,
- the Cole property is currently in OUSD ownership and would not require leasing from a third party, and
- the Cole property is large enough to reunify the District's core administrative functions in a centralized location, allowing for more efficient operations

The District's Board of Education agreed with the Facilities Department's recommendation, and selected the Districts' Cole Campus property at 10th Street and Union Street in West Oakland as the preferred permanent site for the District's core administrative functions. With voter approval of the November 2020 School Bond Measure, the District now has funds to begin implementation of this Project, known as the Cole Administrative/Education Center (i.e., the Project).

Project Location

The Project site is located at the former Cole Middle School campus in the Acorn neighborhood of West Oakland (see **Figure 1**). This site occupies the entire block bounded by Union Street to the east, 10th Street to the south, and Poplar Street to the west, and has a street address of 1011 Union Street. At this location, 12th Street is discontinued for the 1-block segment north of the site, such that the Project site is immediately adjacent to Wade Johnson Park to the north. The Project site is approximately midway between Mandela Parkway (two blocks to the west) and Adeline Street (two blocks to the east).

Surrounding the Project site is a mix of land use types include Wade Johnson Park to the immediate north, the Oakland Housing Authority's West District offices to the immediate south, single-family residential homes to the east, and attached low-rise apartments of the Peralta Villa public housing community (owned and operated by the Oakland Housing Authority) to the west. Lowell Park and the adjoining West Oakland Middle School are several blocks to the east between Adeline Street and Market Street, and industrial and light-industrial land uses line 14th Street from Mandela Parkway to Union Street (a full block to the north).

Regional access to the site is provided by the I-880 and I-980 freeways, the Bay Area Rapid Transit District's (BART) West Oakland station, which is less than one-half mile walk to the southwest, and AC Transit bus lines that run along Adeline Street, 10th Street and 14th Street. Vehicles can access the site from multiple routes from I-880, via Union Street from the south or West Grand Avenue to Adeline from the north. Vehicles can access the site from I-980 to the east via either 14th Street or 12th Street. Mandela Parkway is a regional connector road only 2 blocks to the east, connecting between the West Oakland BART station and the City of Emeryville. The primary AC Transit routes serving the site include:[1]

- Route 29, providing service between Emeryville and Lakeshore Avenue, with stops at the West Oakland BART station and the City Center BART station, and a stop at the Project site's corner of 10th and Union Streets, generally running with headways of every 30 minutes throughout the day
- Route 14, providing service between the West Oakland BART station and the Fruitvale BART station, with a stop just one block to the north of the Project site at 14th Street and Poplar, generally running on 15 to 20-minute headways throughout the day, and
- Route 36, providing service between downtown Berkeley and the West Oakland BART station, with a stop 2 blocks to the east of the Project site at 10th and Adeline, generally running with headways of every 30 minutes throughout the day

Dedicated bike lanes exist on Mandela Parkway to the west, on 8th Street to the south, and 14th Street from Kirkham Street to Market Street to the north. Buffered bike lanes exist on Adeline Street from 10th to 19th Street to the east.[2]

[1] Alameda – Contra Costs Transit District, Map and Schedules, accessed at: https://www.actransit.org/maps-schedules

[2] City of Oakland, Bicycle Facilities and Projects, Accessed at: https://oakgis.maps.arcgis.com/apps/MapSeries/index.html?appid=e778c7f232c8400182a7f11e7449b9b2

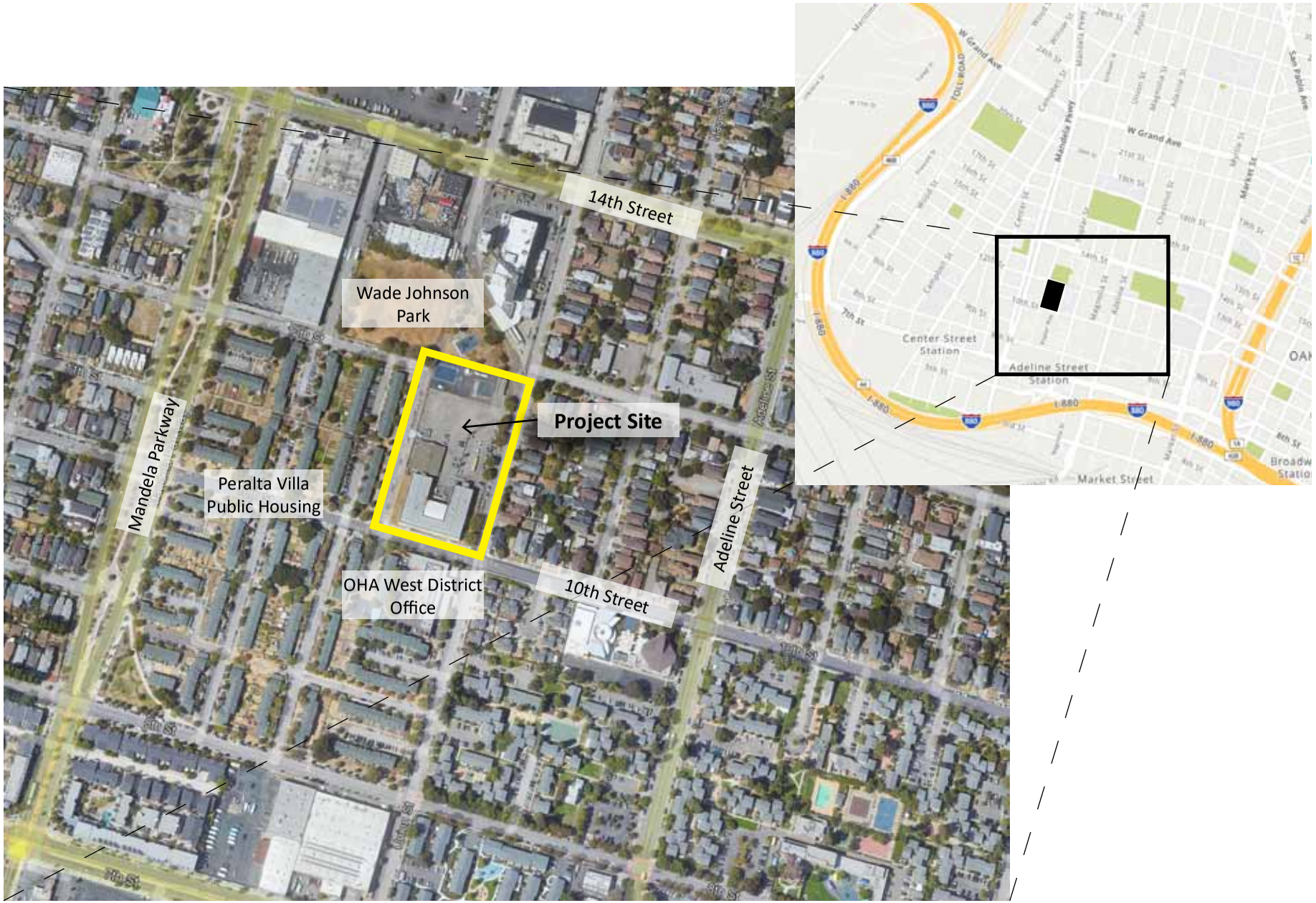


Figure 1
Project Site Location

Existing Conditions at the Site

The Project site consists of a 2.6-acre property located at 1011 Union Street in West Oakland, (Assessor's Parcel No. 004-0053-007). Three buildings formerly occupied the site (see **Figure 2**). The Cole Middle School classroom building, located at the south end of the site with its primary façade fronting Union Street remains. The Cafeteria building, which was located northwest of the Cole Middle Schools' west wing, with its west façade fronting Poplar Street; and a wood-frame modular building that was located at the far northeast corner of the site, have recently been removed (as of early 2022).

- The Cole Middle School building is a two-story, U-plan building of approximately 44,000 square feet. The Cole building was originally constructed in 1925 and designed in the Gothic Revival style, but was later renovated and restyled in 1936, resulting in its current Moderne aesthetic,[3] (see **Figure 3**). The building was originally used as an elementary or grammar school, and was converted to a middle school in 1980. Traditional middle school academic activities at the Cole Middle School ended in 2009 due to declining enrollment, and students were reassigned to other middle schools in the District. Since 2009, the Cole building had been used (until recently) for several different OUSD staff and functional groups, including the OUSD Police Department (which has since been defunded at the end of 2020), the OUSD Special Education staff and Special Education classes (which has been relocated to another OUSD school site in 2021). The OUSD Data Center (the Data Center houses computer servers, electronic data storage, and related devices for the District) will remain operational until its relocation to the new Administrative /Education Center building pursuant to the Project).
- The Cafeteria building was built in 1949 and was situated immediately north of the west wing of the Cole Middle School building. This one-story building had a rectangular footprint of approximately 6,400 square feet and a moderately pitched gabled roof (see also **Figure 3**). The Cafeteria building was originally designed to house a student cafeteria and the school's music program, and had one additional classroom. The Cafeteria building was demolished in early 2022.
- The small modular building at the northeast corner of the site was erected in 2011, and previously served as a small storage area for the District. The modular building was removed in early 2022.

The remainder of the Project site was originally used as hard-surfaced outdoor play space when the campus was functioning as a middle school, and had (until recently) been used as vehicle parking for District staff (parking lots that were used by OUSD and the OUSD's Police Unit are divided by a chain-link fence). The frontage of the Cole building to the southeast, south, and west is planted with grass. A fenced enclosure surrounds HVAC equipment at the southeast corner of the Cole School. To the north, several raised planting beds and movable planters occupy the portion of the site immediately east of the Cole building. Currently, the Cole Middle School building is essentially unused, other than on-going operation of the Data Center.

[3] Page & Turnbull, *Cole Middle School at 1011 Union Street, Historic Resource Evaluation*, December 2019 (see Appendix B)

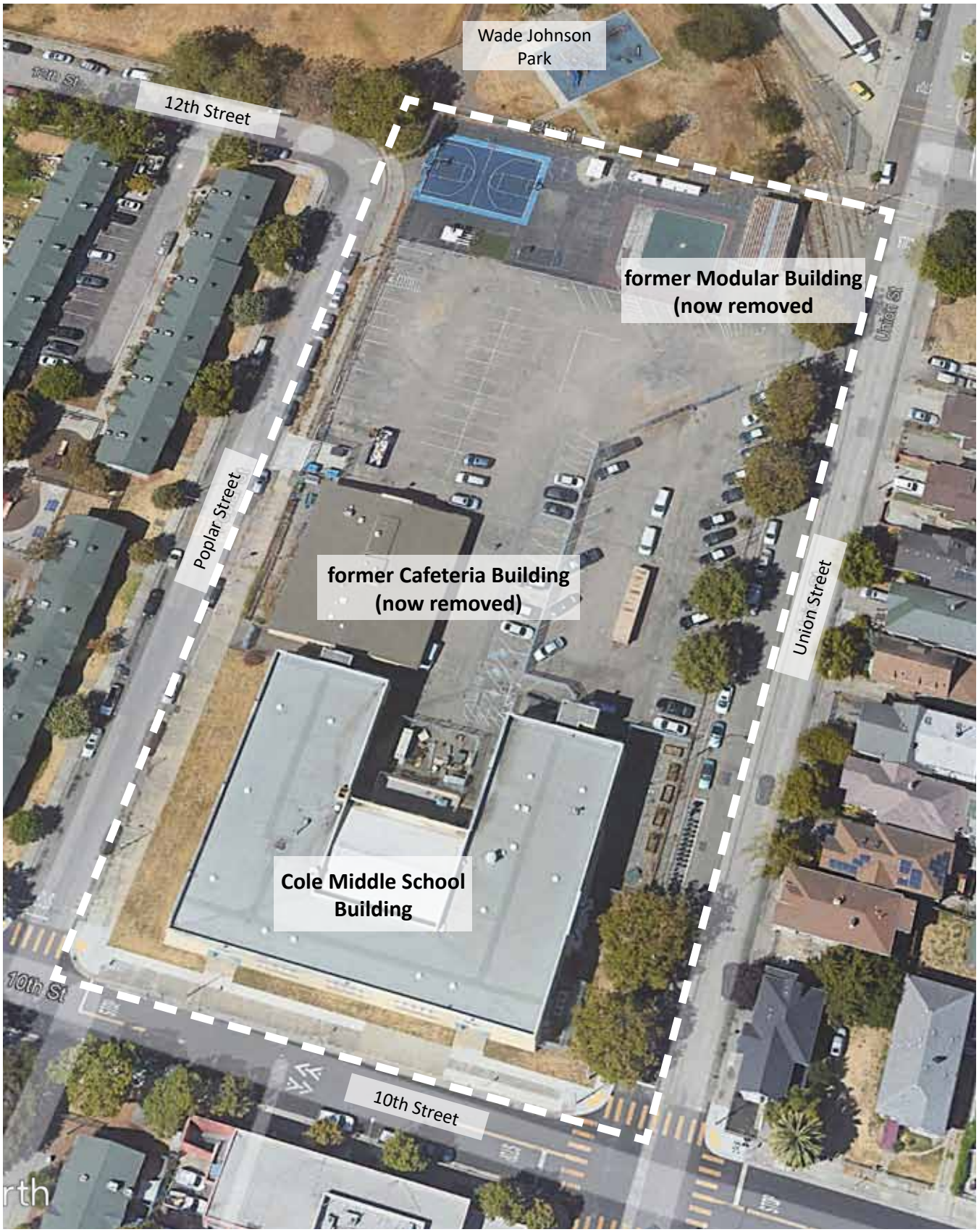


Figure 2
Project Site - Existing

Existing Cole Middle School Building

Former Cafeteria Building

Figure 3
Existing and Former Buildings on the Project Site

Source: Page & Turnbull, 2020

General Plan and Zoning Designations

General Plan Land Use Designation

The City of Oakland's General Plan Land Use and Transportation Element (LUTE) and Land Use Diagram (see **Figure 4**) classifies the Project site and surrounding blocks to the west and south as Urban Residential. The intent of the Urban Residential classification is to, "create, maintain and enhance areas of the City that are appropriate for multi-unit, mid-rise or high-rise residential structures in locations with good access to transportation and other services. The primary future use in this classification is residential, but mixed-use buildings that house ground floor commercial uses, and public facilities of compatible character, are also encouraged." The Project would be considered a public facility, as referred to in this land use classification.[4]

The neighborhood immediately to the east and across Union Street from the Project site has a land use classification of Mixed Housing Type Residential. This land use classification generally applies to many of the older established neighborhood housing areas of Oakland, where a mix of unit types (single family homes, townhouses, and small multi-unit buildings) along with small-scale neighborhood-serving businesses, are frequently found in close proximity to each other.

Zoning

The Project site and the surrounding blocks to the west and south are zoned Urban Residential Zone-2 (RU-2) (see also **Figure 4**).[5] The intent of the RU-2 zone is to, "create, maintain, and enhance areas of the City that are appropriate for multi-unit, low-rise or mid-rise residential structures and neighborhood businesses where appropriate in locations with good access to transportation and other services". Pursuant to Oakland Municipal Code (OMC) Table 17.19.01: Permitted and Conditionally Permitted Activities, community assembly, community education, and civic administration land uses are conditionally permitted activities within this zoning district. Pursuant to OMC Section 17.19.050, the property development standards in the RU-2 zone require 10-foot front setbacks, 4-foot side yard setbacks, and 15-foot rear yard setbacks. The maximum building height limit is 50 feet for the primary building and 15 feet for accessory structures.

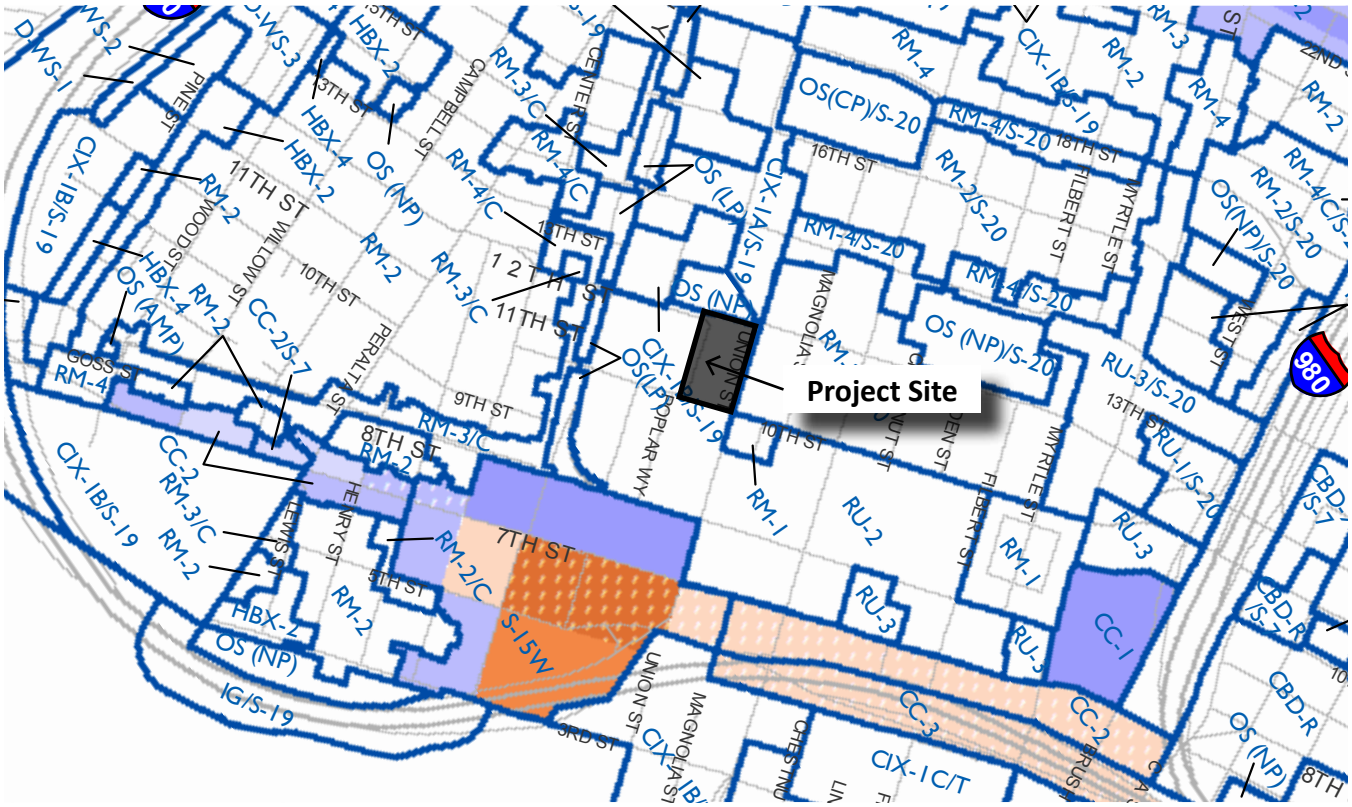
Relevant Provisions of the California Government Code

California Government Code, Section 53095 (2017) provides that, "the governing board of a school district . . . by a vote of two-thirds of its members, may render a city or county zoning ordinance inapplicable to a proposed use of property by the school district. The governing board of the school district *may not* take this action when the proposed use of the property by the school district is for non-classroom facilities, including, but not limited to warehouses, *administrative buildings*, and automotive storage and repair buildings" (emphasis added). This provision of the California Government Code does not exempt the portion of the proposed Project that is to be used for administrative use, from the requirements of the City Planning Code.

[4] City of Oakland General Plan Land Use and Transportation Element, March 1998, page 148

[5] City of Oakland Planning Code, updated as of June 2020, accessed at: https://www.oaklandca.gov/resources/planning-code

General Plan Land Use Diagram - Project Site as Urban Residential



Zoning Map, Project Site as Urban Residential-2 (RU-2)

Figure 4
City of Oakland General Plan and Zoning

Source: City of Oakland, at: https://www.oaklandca.gov/resources/zoning-map

Detailed Description of the Project

As further described below, the proposed Project is a phased approach to redevelopment of the Project site. This approach provides the District with the capability of building and furnishing the new space over time, as funding is allocated to the Project and as the Board of Education makes final determinations for the best use of the building space within the Project. The phasing sequence is as follows:

- The first phase of the Project includes removal of all existing building foundations on the northerly portion of the site. All existing concrete, pavement and asphalt, existing on-site utility infrastructure and fencing on the northerly portion of the site would be removed and disposed of.
- After the northerly portion of the site has been cleared, remediation of soil contaminants from throughout the site (except soils under the Cole Building) would occur. This remediation generally involves excavation and removal of the top three feet of soil from across the site, to be conducted in phases (see detailed description of Remediation, below).
- During the removal of the on-site soils, new clean fill will be brought to the site to reestablish existing grade. The clean fill will be placed back into the excavated area as reworked engineered fill, and the northerly portion of the site would be regraded to accommodate a new building.
- Once all site preparation and remediation activities are complete on the northerly portion of the site, the Project would involve construction of a new, two-story, 56,176 square-foot Cole Administrative /Education Center building on the northwest portion of the site.
- With completion of the Cole Administrative /Education Center building shell, the District's main computer servers and equipment (the Data Center, which is currently housed in the Cole Middle School building) would be relocated into the new Administrative /Education Center building, so that this critical function can continue to operate throughout the construction process.
- Once the Data Center has been relocated, the existing Cole Middle School building on the southerly portion of the site would be demolished. All existing building foundations, concrete, pavement and asphalt, existing on-site utility infrastructure and fencing on this portion of the site would be removed and disposed of, and this portion of the site would be graded to accommodate new parking.
- The Project's construction would be completed with installation of site landscape and hardscape improvements.

Further details for each of these phases of development are provided below.

Site Remediation/Excavation and Fill

As is more fully described in the Hazards and Hazardous Materials section of this Initial Study, a Preliminary Endangerment Assessment for the property was conducted, and a Preliminary Environmental Assessment Work Plan was approved by DTSC.[6] Pursuant to that PEA, lead and arsenic was detected in soil samples from throughout the site, at levels that exceed DTSC screening levels. DTSC requires remediation of soil contaminated with lead and arsenic during the construction phase of the Project, and soil excavation and off-site disposal is the preferred remedial action alternative. This remediation will be separated into Phase 1 and Phase 2 remediation areas to accommodate the Project's construction schedule (see **Figure 5**).

[6] Ninyo and Moore, Preliminary Endangerment Assessment (PEA) Work Plan, August 2021, approved by DTSC October 21, 2021, per DTSC Envirostor website at https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60003015

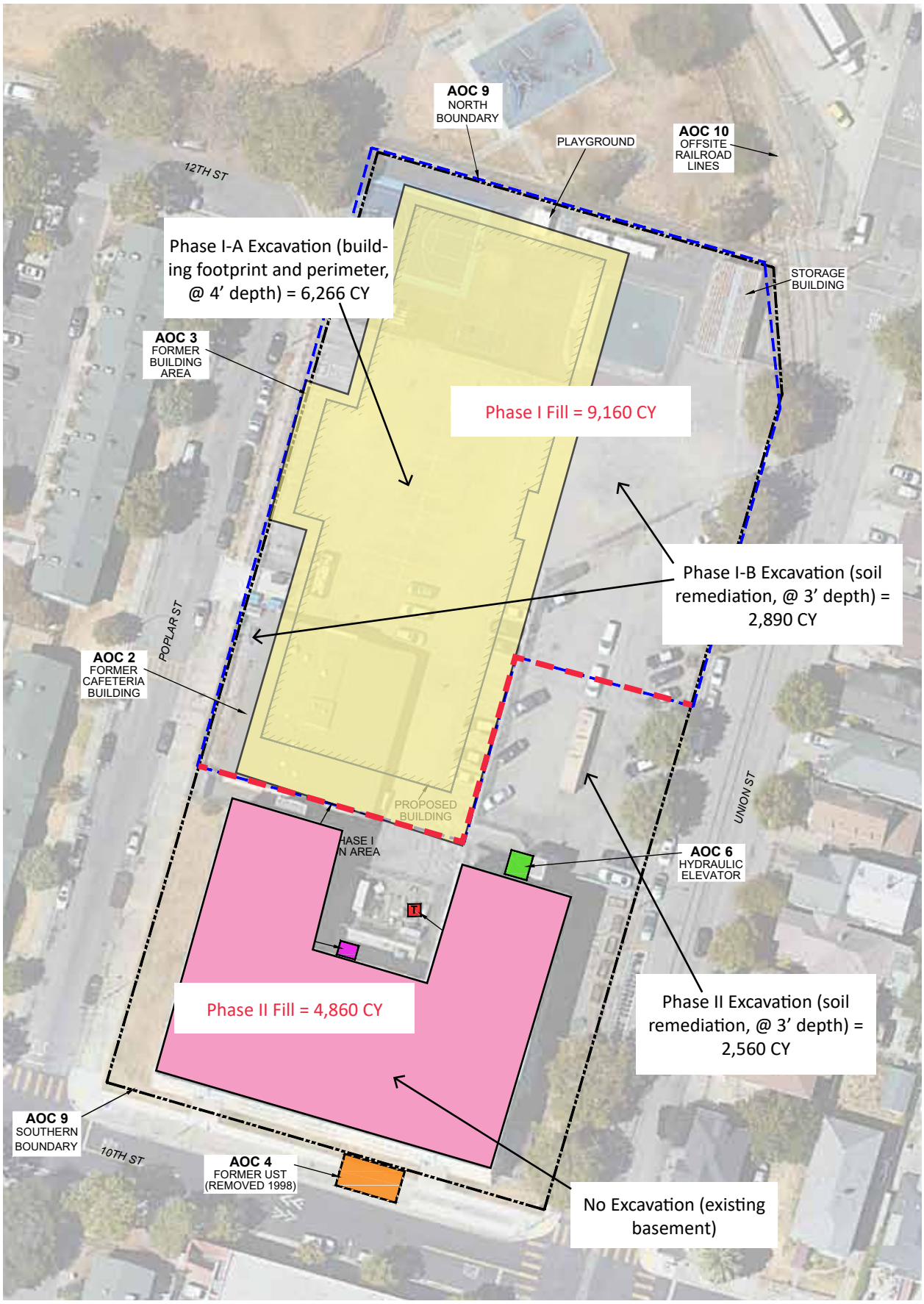


Figure 5
Soil Cut and Fill, for Site Preparation and Remediation

Source: Ninyo & Moore, March 2022

- Phase 1 will occur on an approximately 1.6-acre (67,000 square-foot) northerly portion of the site, and will include excavation of the area below the planned Cole Administration/Education building to a depth of 4 feet (as needed for the structure's foundation). Phase I will also include excavation of approximately 26,000 square feet of the remainder of the Phase I area to a depth of 3 feet, to remove/remediate soils with lead and arsenic concentrations at levels that exceed DTSC environmental screening levels. In total, Phase I remediation (plus excavation for the building foundation) will involve excavation and off-haul of approximately 9,160 cubic yards (CY) of soil.
- Once the building foundation is constructed, the Phase I portion of the site would be refilled with a similar amount of imported clean fill, reworked as engineered fill across the site.

After completion of the Cole Administrative /Education Center building shell, remediation of the Phase II portion of the site would commence.

- Phase 2 remediation will include the remaining area of the site, beginning with demolition and removal of the existing Cole Middle School building. That building has a basement level, so the remaining area surrounding the building foundation (approximately 23,000 square feet) will be excavated to a depth of 3 feet to remove/remediate soils with lead and arsenic at levels that exceed DTSC environmental screening levels. This would involve excavation and off-haul of approximately 2,560 CY of soil.
- The Phase II remediation portion of the site would then be refilled with a similar 2,560 CY of imported clean fill, and an additional 2,300 CY of imported clean fill will be needed to raise the prior basement level of the former Cole building to grade, for a total fill import of approximately 4,860 CY of clean fill material.

In total, the Project's site work (inclusive of soil remediation) will involve approximately 11,720 CY of soil export and 14,020 CY of clean fill import.

Prior to implementation of any proposed remediation (i.e., the proposed soil excavation and off-haul), the District will need to enter into a School Cleanup Agreement with DTSC. Pursuant to that Agreement, the District will develop detailed Remedial Action Work Plans (RAW) for DTSC approval for Phase 1 and Phase II remediation, and prepare Soils Management Plans and Health & Safety Plans, all subject to DTSC approval.

Remedial Action Workplan

The Phase I RAW will identify the remediation goals and objectives, and the performance measures for soil excavation and off-site disposal of lead and arsenic-contaminated soil. The RAW is subject to review and final approval from DTSC. Sections of the RAW will include:

- Description of the Removal Action process, site background information, description of the nature, source and extent of contamination, a risk evaluation and clean up goals, and an engineering evaluation/cost analysis
- All Applicable or Relevant and Appropriate Requirements (ARARs), including chemical-specific ARARs in accordance with DTSC human health risk screening process (including Air Quality Management and a Health and Safety Plan), action-specific ARARs (for waste management, storm water discharge and quality assurance) and location-specific ARARs
- RAW implementation, which will include field documentation, site preparation and security measures, identification of work zones, the excavation plan, meteorological and air monitoring, a Sampling and Analysis Plan (waste characterization and excavation confirmation sampling), a Transportation Plan for off-site disposal, backfill and site restoration plans, and a Project Schedule and Report of Completion.

A similar RAW will be needed prior to initiation of any remediation efforts in the Phase II area, which will also need to address delineated-lead contaminated soil around the current Cole school building, and further evaluation of soil vapor in the southern Phase II portion of the site.

Soils Management Plan

A Soil Management Plan (SMP) will be implemented during future remediation excavation and construction activities to protect construction workers, site occupants and off-site receptors from potential exposure to lead and arsenic in the soil. The SMP will serve as the guidance document for evaluation of clean, contaminated and hazardous soils during soil disturbance activities. Sections of the SMP will include:

- A program of participant roles and responsibilities, description of the physical setting, soil screening criteria, soil management objectives, remedial actions and notifications
- Health and Safety plans, including a discussion of proper personal protective equipment (PPE) to mitigate direct contact exposure of contaminated soils to site workers
- Delineation of exclusion work zones and hazard warning signage, best management practices (BMPs) for PPE and equipment decontamination and site worker hygiene
- Soil excavation and monitoring, soil segregation, stockpiling soil and stockpile management, including proper storage of excavated soils to prevent cross contamination (e.g. stockpiling on plastic sheeting and covering) and soil testing
- Clean imported fill based on DTSC requirements
- Risk management measures

The District will prepare separate site-specific Health and Safety Plans and a Soil Management Plans for DTSC approval prior to any work in Phase I and Phase II areas, where contractors will be working in, or excavating soil.

Site Grading

Following the remediation and excavation/fill process for the site, finish grading is generally anticipated to be minor surface grading to establish new site grades. Finish grade at the Project site is generally flat, with elevations of between 16 to 18 feet above mean sea level (msl).[7] Finish grading of the entire site will be conducted to provide a flat building pad at elevation 19 feet above msl at the northwest portion of the site, at 18.5 feet above msl at the northeast portion of the site, and at elevations of between 16 and 18 feet above msl at the southern portion of the site. These elevations will provide for positive drainage of the site, away from future building locations.

Administrative /Education Center Building Construction

Once all site preparation activities are complete on the northerly portion of the site, the Project would involve construction of a new two-story, 56,176 square-foot Cole Administrative /Education Center building on the northwest portion of the site. The District has considered numerous options for how to best program the space in this new building, and has concluded with the following programming of this space:

- The 28,826 net square-foot first floor of the Administrative /Education Center building would hold new OUSD school functions, accommodating the OUSD Adult and Career Education

[7] Shah Kawasaki Architects and Siegfried Engineers, *Grading Plan*, Sheet C-104 of Central Administration Center at Cole Campus submittal to State Architects, March 9. 2021

programs. The first floor of the building would include an entry lobby, 13 to 14 new classrooms, 3 offices/meeting rooms, an IT Department workroom and a separate server room relocation of the Data Center, plus multiple spaces for storage, hallways and circulation (staircases and elevators), restrooms and utility rooms (see **Figure 6**).

- The 27,350 net square-foot second floor of the Administrative/Education Center building would include a large meeting room, 3 large open office spaces (each over 2,300 sf), 34 individual office spaces and 23 shared offices/collaboration rooms/huddle rooms. Accessory spaces include a central lobby at the elevator bays, multiple spaces for storage, hallways and staircases, elevator bays, restrooms and utility rooms (see **Figure 7**).

Furnishing and occupancy of this building may occur in phases. For example, the second floor administrative offices may be furnished and occupied as part of a first phase, and the first floor may remain as "shell space" while the District defines a specific educational program plan for the first floor classrooms.

Parking

Parking for the Project will be provided in two separate parking areas of the site. The first is a 63-space parking lot at the southern portion of the site, with access via one curb cut on 10th Street. The second is a 30-space parking area on the westerly portion of the site near the entrance to the Administrative/ Education Center building, with a one-way looped driveway (2 curb cuts) off of Union Street (see **Figure 8**). Included within the 93 total parking spaces are 5 ADA-accessible spaces (including two accessible van spaces), 10 EV-ready spaces, 10 EV spaces with electrical conduit installed, and 10 designated clean-air vehicle spaces.

The Project would also provide a total of 8 short-term bike racks, located between the staff parking lot and the Administrative/Education Center building; and 16 long-term bike lockers, located at the rear of the building along Poplar Street.

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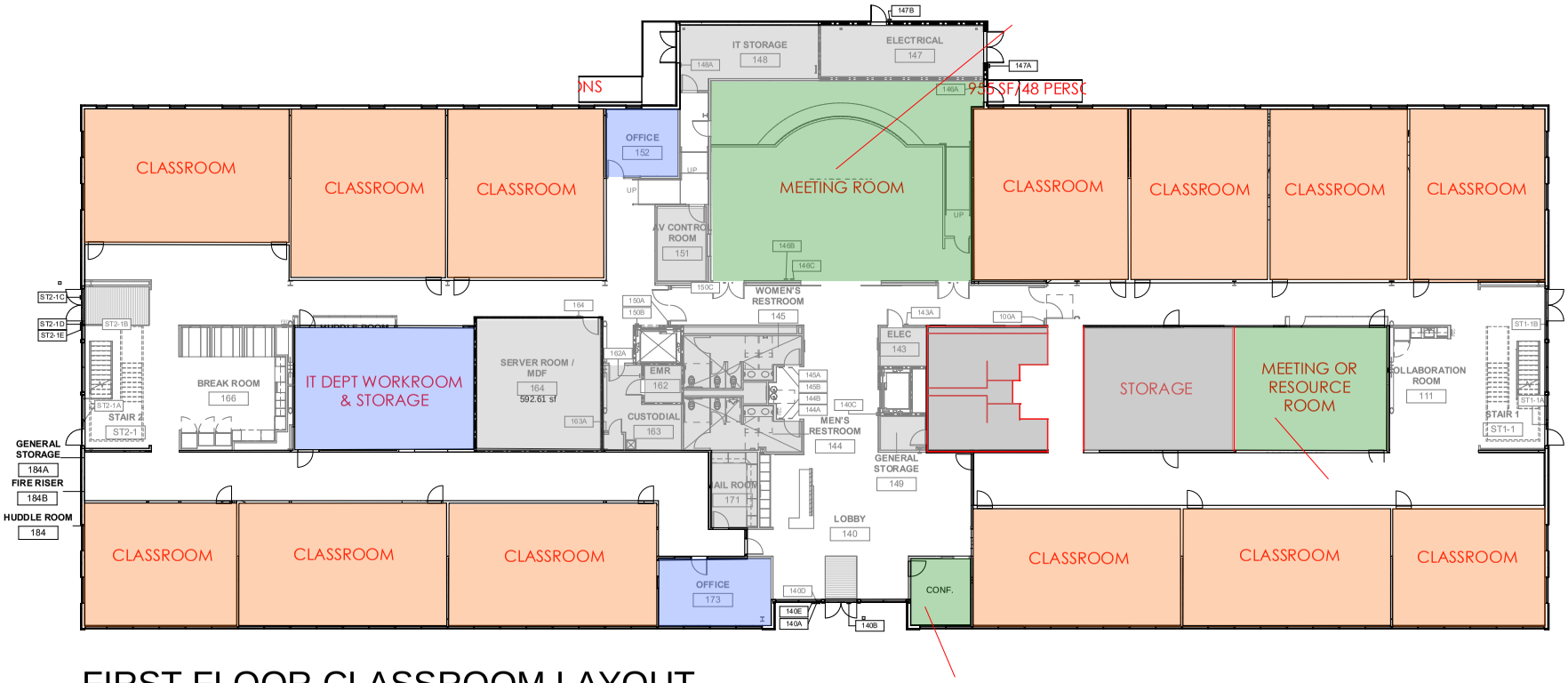


FIRST FLOOR CLASSROOM LAYOUT

Figure 6
Proposed Cole Administrative Office/Education Center Building, First Floor Classroom Plan

Source: Shah Kawasaki Architects, Plan Set Sheet A-014, 6/8/2020

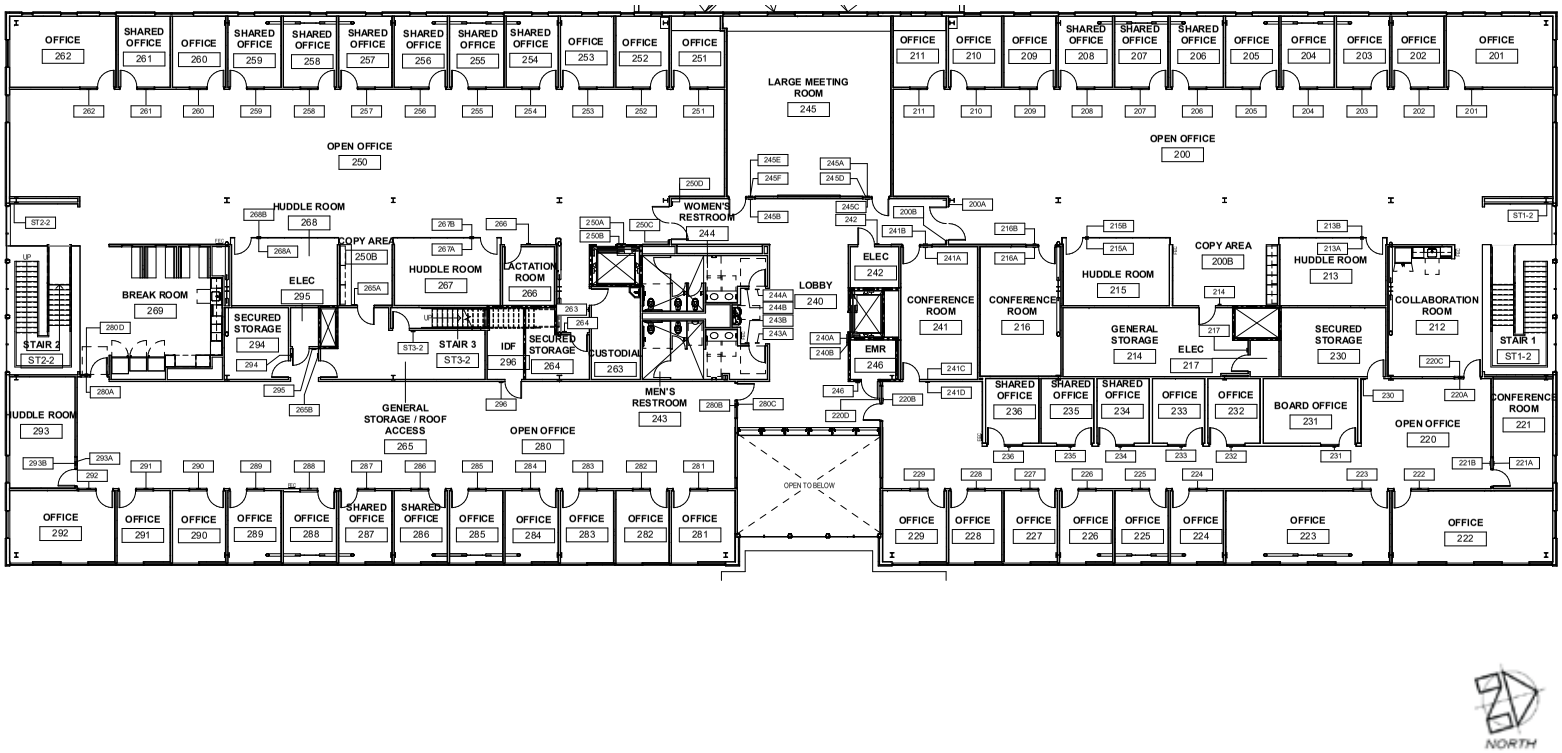


Figure 7
Proposed Cole Administrative Office/Education Center Building, Second Floor Office Plan

Source: Shah Kawasaki Architects, Plan Set Sheet A-015, 2/19/21

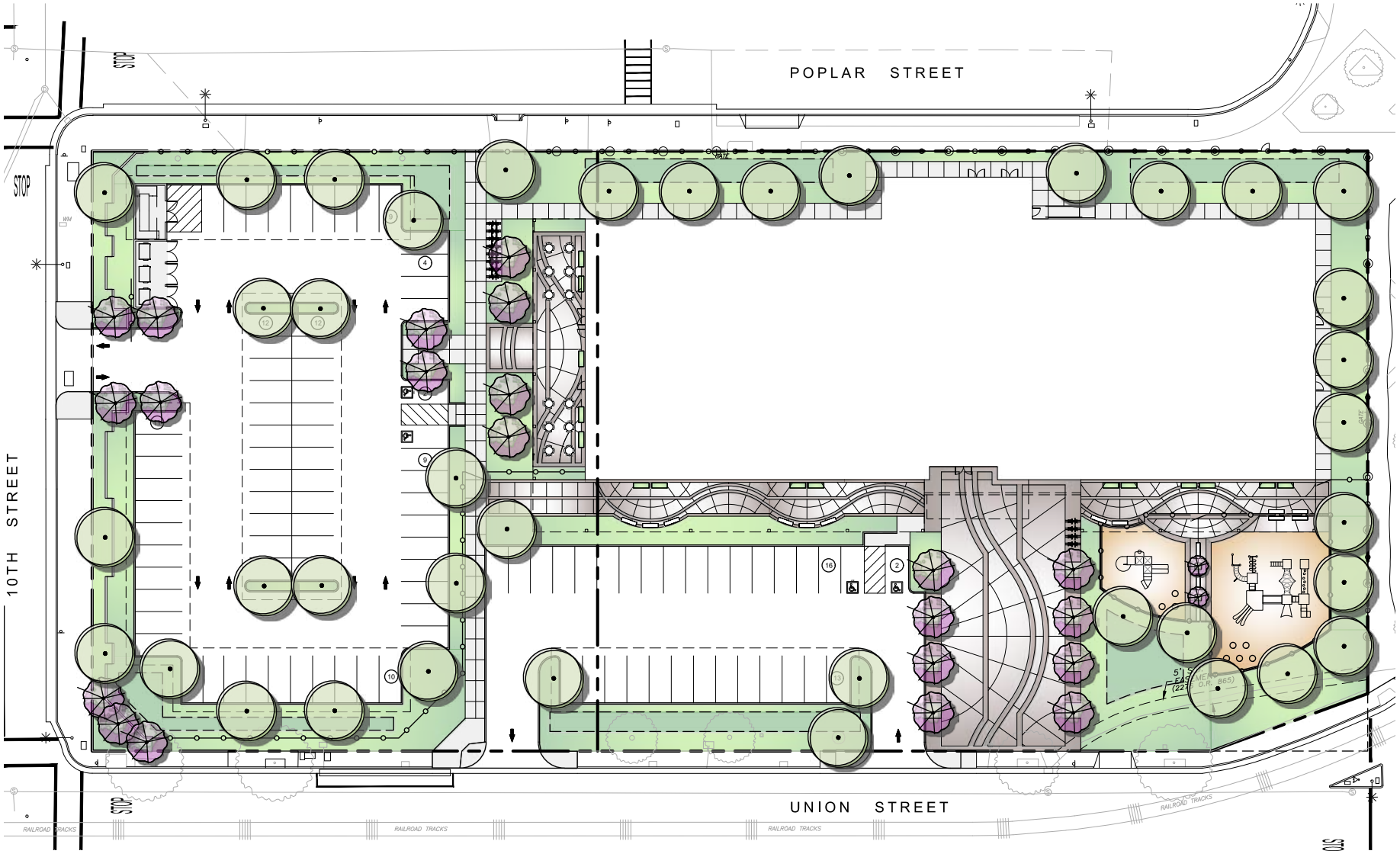


Figure 8
Project Site Plan

Source: Shah Kawasaki Architects, 1/27/2022

Landscape

Landscape plans for the Project include three primary landscape elements: a hardscaped/landscaped main entry to the Administrative/Education Center building, perimeter landscaping around the building, and parking lot and streetscape landscaping (see prior Figure 8).

- The primary entry to the Administrative /Education Center building is on the east from Union Street, adjacent to the visitor's parking lot. This entry includes a large, decorated concrete entry court with seat benches, bollard lighting and framed by two rows of flowering trees, intended to provide a spacious and welcoming entry to the building (see **Figure 9**).
- The entry is connected to a decorative concrete walkway across the entire front of the building, with a planter boxes and seating benches. The decorated concrete entry and walkway has a circular or serpentine design to add interest to the paving materials.
- A courtyard provides a secondary staff entrance to the southerly façade of building, separated by landscaped beds of trees, shrubs and groundcover.
- A perimeter sidewalk surrounds the building on the west and north facades, separated from Poplar Street and the adjacent Wade Johnson Park by generous planter beds of trees, shrubs and groundcover.
- The staff parking lot and the visitor parking lot are also separated from the adjacent streets by planter beds of street trees, shrubs and groundcover.

Perimeter landscape beds provide dual purposes of attractive landscape features, as well as stormwater treatment as bio-swales and stormwater filtration. Additionally, the Project proposes that at least 80% of all landscape will be comprised of native California species, and capable of achieving a 20% reduction in otherwise required water demands.

Sustainability

The Collaborative for High Performance Schools (CHPS) was founded in 1999 as a collaboration of California's major utilities to address energy efficiency in schools. The program was developed specifically to reduce energy consumption in California's K-12 educational facilities as a means of reducing operating costs. CHPS quickly expanded to address all aspects of school design, construction, and operation, and is now a nationally recognized evaluative tool for measuring high-performance school buildings. The CA-CHPS provides California-specific criteria for defining high performance schools, and addresses topics of integration, indoor environmental quality, energy, water, site, materials and waste management, and operations metrics. School districts are encouraged to adopt the CA-CHPS criteria for their new and existing schools.

Of the total 250 points used in the CA-CHPS Criteria, 200 points are dedicated towards achievement of "core criteria" of maximize the health, well-being and performance of students, educators and staff; conserving energy, water and other resources to minimize greenhouse gas emissions and reduce operating costs; and practicing good environmental stewardship within schools to achieve community environmental goals. Per the latest CA-CHPS Criteria, non-classroom buildings are now eligible for CHPS "Designed" and CHPS "Verified"/"Verified Leader" recognition.[8] Taking into consideration the wide range of building uses and project scopes for classroom and non-classroom spaces, the 2021 CA-CHPS Criteria establishes point thresholds for "CHPS Designed/Verified" at 83 points out of a possible 250 points, and 120 points as the threshold for "CHPS Verified Leader".

[8] Collaborative for High Performance Schools, *CA-CHPS Criteria*, Version 2.0, June 6, 2021

Figure 9
Proposed OUSD Cole Administrative/Education Center - Entry Rendering

Source: Shaw Kawasaki Architects, Plan Set Sheet A-001, 3/29/21

Based on the CA-CHPS Worksheet prepared by the District for the Cole Administrative /Education Center building, the Project's design and operational plans achieve a total of 112 points, exceeding the CA-CHPS criteria for a CHPS Designed/Verified building, and achieving all CA-CHPS pre-requisite criteria as well as all CalGreen/Title 24 measures.[9]

Utilities

On-site utilities would include electricity, domestic water, wastewater, and storm drainage. No natural gas service is planned for the Project. East Bay Municipal Utility District (EBMUD) provides municipal water and sewer treatment and disposal, the City of Oakland generally owns and maintains local sewer lines within the public right-of-way. Pacific Gas and Electric (PG&E) provides electric service. All on-site utilities would constructed and operated in accordance with applicable codes and current engineering practices. Trash receptacles would be located adjacent to the staff parking lot near the corner of 10th Street and Poplar Street for easy access for pick up by solid waste service providers, placed together with a back-up generator to ensure power for the Project elevators in the event of a power outage, as well as back-up power for the Data Center.

Staffing Occupancy and Adult/Continuing Ed Programming

OUSD Administrative Staff

The District had originally anticipated the need for new administrative building space to accommodate as many as 337 OUSD administrative staff in order to reunify their staff into one centralized location. However, of these 337 current OUSD administrative staff, 180 administrative staff member work at school sites and they will remain at those locations. The remaining 157 administrative staff members will be 'assigned' to work at the Cole building. These 157 'assigned' employees' work schedule is assumed as follows

- For new OUSD administrative facilities such as Cole, the District presumes that 50% of the 'assigned' staff will permanently work from home, and only come in for required face-to-face meetings. At the new Cole Building, 50% of 'assigned' employees (or 78 employees) will work from home, and only come to the Cole building once a week for meetings. For planning purposes, it is assumed that these employees will be on a rotating meeting schedule, with 15 of these employees 'reporting' to Cole each day on a once-weekly meeting basis.
- Of the remaining 50% of employees 'assigned' to Cole, approximately 60% (or 47 employees) will be on a rotating work schedule, and will reserve a workstation via the School's app. For planning purposes, it is assumed that half of these 47 employees come in every other day, meaning that 23 of these rotating schedule employees will report every day.
- Of the remaining 50% of employees 'assigned' to Cole, approximately 40% (or 31 employees) will report every day.

Based on these assumptions, the daily employee population at the Cole building will be 31 every day employees, and 23 daily rotating employees, and 15 weekly meeting employees, for approximately 70 OUSD administrative staff employees on the second floor of the Cole building on a daily basis.

Adult/Continuing Ed Programming

The first floor of the Cole Administrative /Education Center building would hold new OUSD school functions, accommodating the OUSD Adult and Career Education programs. The current Oakland Adult

[9] Shah Kawasaki Architects, CHPS Scorecard, Sheet A-005 of Central Administration Center at Cole Campus submittal to State Architects, February 19, 2021

and Career Education program offers classes in High School Diploma/Credit Recovery and High School Equivalency (GED/HiSET), English as a Second Language (ESL), College & Career Readiness Pathways, ESL Citizenship, Pre-Apprenticeship Math, FabLab (classes in how to use digital manufacturing machines and design software) and Project SEARCH (internships for adults with developmental disabilities). Currently, the majority of these Programs are held at McClymonds High School in West Oakland. The Project would enable consolidation of the Oakland Adult and Career Education program at the Cole site, and enable the District to re-program McClymonds to better accommodate the high school needs of the District.

It is assumed that the OUSD Adult and Career Education program would continue to offer classes on its current schedule, with certain classes offered between 9:00 to 12:00 AM, certain classes offered between 1:00 and 4:00 PM, and other classes offered between 6:00 and 8:30 PM. For planning purposes, it is further assumed that a total of approximately 100 students and faculty will attend the morning class schedule, approximately 100 students and faculty will attend the afternoon class schedule, and as many as 175 students and faculty will attend the evening class schedule. At these attendance rates and schedules, and assuming a ratio of about 20 persons (students and faculty) per class, not all classrooms on the first floor will be occupied during the day. This will allow for overlap in scheduling, and reserving certain classrooms for specific programming purposes.

Approvals Required for the Project

The following approvals have already been obtained for the Project:

OUSD Board of Education

- Approval for expenditures to design the Project, approved by the Board per Resolution No. 1920-2024, September 11, 2019
- Approval for expenditures to construct the Project, approved by the Board per Resolution No. 2021-0305, June 30, 2021

California Division of the State Architect and State of California Natural Resources Agency/Department of Conservation/California Geological Survey

- Review and approval of building design (building permits) and construction for compliance with State/DSA building code requirements related to structural safety, fire and life safety, accessibility and sustainability, approved by the Division of the State Architect per Application No. 01-119003, April 1, 2021
- Review and approval of engineering geology and seismology, based on Geotechnical engineering and Geologic study dated May 22, 2022, approval granted by California Geological Survey on October 2, 2022 for CGS Application No. 01-CGS4511
- Oakland Fire Department/Fire Prevention Bureau: AMR Request #2020-39514 (Minimum Fire Apparatus Road Width), approved on October 26, 2021

The following additional approvals, permits and/or authorizations are required pursuant to Project implementation:

OUSD Board of Education

- Approval for final occupancy of the anticipated mixes of uses of the building

City of Oakland

- Conditional Use Permit (CUP) for administrative office use in a residential zone
- Tree permit for the removal of four trees from the Project's frontage along Union Street

- Post-Construction Stormwater Management Plan (SWMP) – City as the NPDES discharge permittee
- Encroachment permit for any work within the public right-of-way
- Oakland Fire Department/Fire Prevention Bureau: Hydrant/Fire Service Application #2022-00496 submitted January 28, 2022
- Oakland Fire Department/Fire Prevention Bureau: ERRC #2021-95521 (pending)

California Department of Toxic Substances Control

- Approval of a Final Preliminary Environmental Assessment
- Voluntary Cleanup Agreement or School Cleanup Agreement
- Removal Action Work Plan or Remedial Action Plan, including Soil Management Plan
- Oversight of cleanup activities
- "No Further Action" letter

California State Water Resources Control Board / San Francisco Bay Regional Water Quality Control Board

- Coverage under the Construction General Permit (CGP), pursuant to the Project's submitted Notice of Intent (NOI)
- Stormwater Pollution Prevention Plan, pursuant to CGP

Bay Area Air Quality Management District (BAAQMD)

- Report to the Air Pollution Control Officer, with a description of emission controls used for demolition and removal of any asbestos-containing materials, pursuant to BAAQMD Regulation 11, Rule 2
- Permits pursuant to CARB's Stationary Diesel Airborne Toxics Control Measure (ATCM) for the Project's proposed diesel-powered emergency generator

East Bay Municipal Utility District (EMUD)

- Service connections for new water and firewater service

Initial Study Checklist

Environmental factors that may be affected by the Project are listed by topic below. Factors marked with a solid box ("■") were determined to be potentially affected by the Project, involving at least one impact that is a potentially significant impact as indicated by the Checklist on the following pages. Unmarked factors ("☐") were determined to not be significantly affected by the Project, or reduced to a level of less than significant through mitigation, based on analysis and discussion provided in the Checklist.

☐ Aesthetics	☐ Agricultural Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards/Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

The Checklist portion of the Initial Study begins on the following page, with explanations of each CEQA issue topic. Four outcomes are possible, as explained below.

1. A "no impact" response indicates that no action that would have an adverse effect on the environment would occur due to the Project.
2. A "less than significant" response indicates that, while there may be potential for an environmental impact, there are standard procedures or regulations in place, or other features of the Project as proposed, which would limit the extent of this impact to a level of "less than significant".
3. Responses that indicate that the impact of the Project would be "less than significant with mitigation" indicate that mitigation measures identified in the Checklist analysis will be required as a condition of Project approval, and that implementation of those mitigation measures would effectively reduce potential Project-related environmental impacts to a level of "less than significant".
4. A "potentially significant impact" response indicates that further analysis is required to determine the extent of the potential impact and to identify appropriate mitigation. If any topics were to be indicated with a "potentially significant impact", these topics would need to be analyzed in an Environmental Impact Report.

Aesthetics

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Have a substantial adverse effect on a scenic vista?	❒	❒	❒	■
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	❒	❒	❒	■
c) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	❒	❒	■	❒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	❒	❒	■	❒

Scenic Vistas and Scenic Resources

The Project site is located in an urbanized area with no significant scenic vistas. Development of the Project would demolish the existing 1- and 2-story buildings on the site to develop a new 2-story mixed office/classroom building and surface parking (see prior Figure 8). The new building would be of similar scale and bulk as the adjacent Oakland Housing Authority office building on the south side of 10th Street. The Project's new building would not adversely affect a scenic resource.

According to the City of Oakland General Plan's Scenic Highways Element, scenic routes are "distinctively attractive roadways that traverse the City and the visual corridors which surround them". Current and future scenic routes may include officially designated State scenic highways, municipally designated City roadways or informally recognized local scenic byways. Within the City of Oakland, the entire length of I-580 from the San Leandro city limits to the San Francisco-Oakland Bay Bridge is identified as a designated scenic route. The segment of I-580 from the San Leandro city limit to State Route 24 is also an officially designated State scenic highway. I-980 is identified as a route that could be considered for possible future designation. The nearest segment of I-580 is the elevated Oakland Maze, approximately 1.2 miles from the Project site. This segment of the freeway is elevated, allowing views across West Oakland, but at this distance the Project will not be distinctly visible and will not substantially damage any scenic resources within or adjacent to a state scenic highway.

Scenic Quality

The Project is located in an urbanized area, and the applicable CEQA threshold related to potential impacts to scenic quality is whether the Project would conflict with applicable zoning and other regulations governing scenic quality. The Project site is located within an area zoned as Urban Residential Zone-2 (RU-2). Therefore, the following provides a brief comparison of the Project to the development standards of the RU-2 zoning district:

Building Setbacks

Pursuant to OMC Section 17.19.050, the property development standards in the RU-2 zone require 10-foot front setbacks, 4-foot side yard setbacks, and 15-foot rear yard setbacks. Since the Project includes an entire block, the larger 10-foot front setback is assumed to apply to the Poplar Street, 10th Street and Union Street frontage. [10]

Consistent with these development standards, the Project maintains at 10-foot setback to the nearest wall along Union Street, a 30-foot setback to the trash enclosure and generator structure nearest to 10th Street, and more than 19-foot setback to the nearest wall of the Multi-Purpose Building from Union Street (see **Figure 10**). The Project also maintains a 20-foot setback from Wade Johnson Park, greater than both the 4-foot side yard or 15-foot rear yard setback. The Project complies with all setback requirements.

Building Height

The maximum building height limit in the RU-2 zone is 50 feet for the primary building, and 15 feet for accessory structures. Buildings in the RU-2 zone are also limited to a 30-foot maximum height at the setback line along any rear or interior side lot line that abuts a lot within a residential zone (i.e., in an RH, RD, RM, or RU-1 Zone). This maximum height may increase by 1 foot for every foot of distance away from the setback line.

The proposed Cole Building has a roof height of 33 feet, with a sloped roof that extends to a maximum of 37'-10" (see **Figure 11**). This building is below the maximum building height of 50 feet. To the north, the Wade Johnson Park is zoned as Open Space (OS), and the building height limits for buildings adjacent to residential zones does not apply.

Lot Coverage and FAR

The RU-2 zone does not include any development standards relative to building coverage of the lot or FAR. The Project is consistent with all applicable zoning and other regulations governing scenic quality.

Conclusions

Based on the above, the Project would not conflict with any applicable zoning and other regulations governing scenic quality. The new building would provide an inviting architectural focal point and an overall positive improvement to the existing visual character of the area. The Project would be contemporary in design and include amenities such as street-level landscaping and lighting. As such, the Project's effect related to scenic quality would be less than significant.

[10] Oakland Planning Code, Section 17.19.050, accessed at: https://library.municode.com/ca/oakland/codes/planning_code

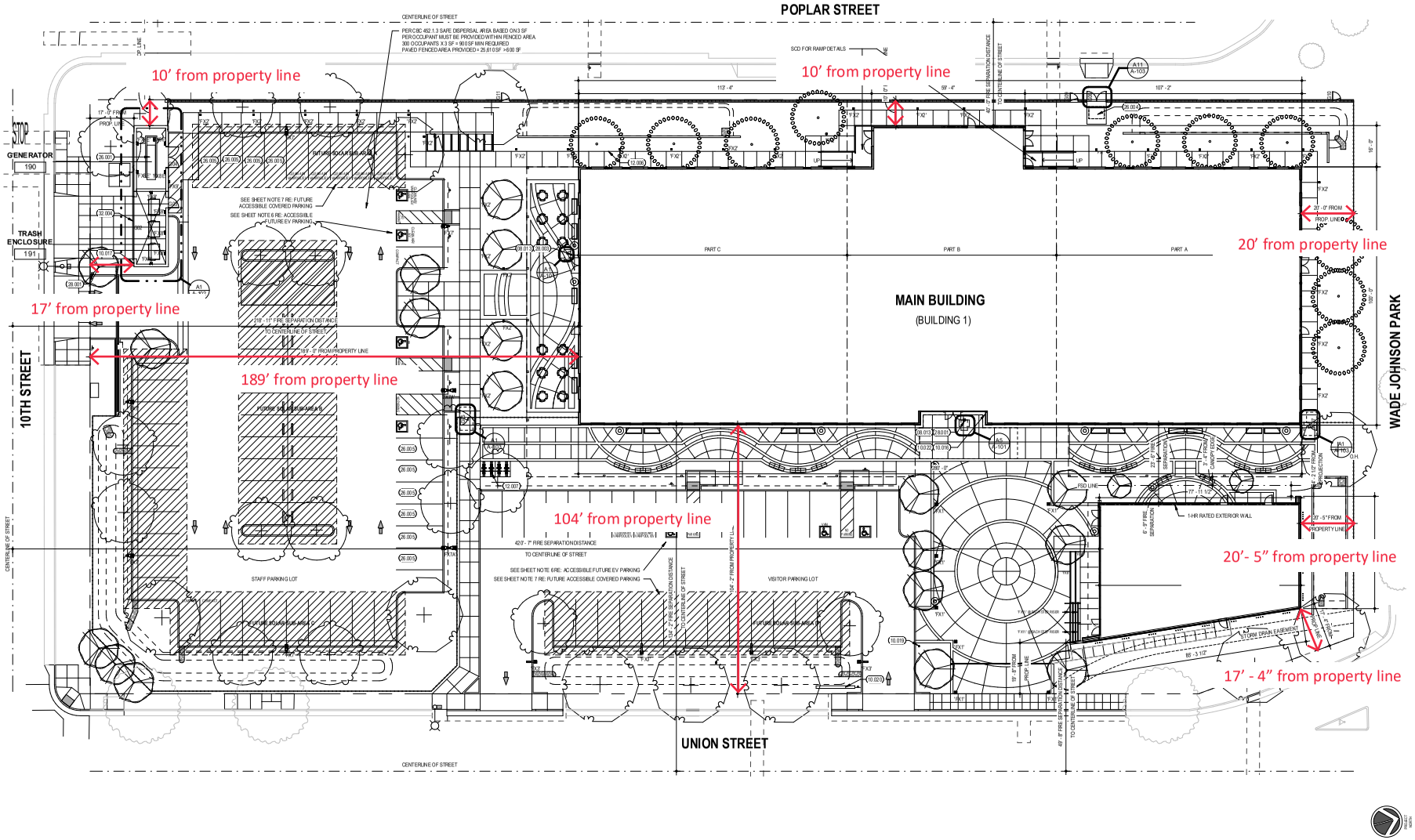


Figure 10
Project's Consistency with Building Setbacks

Source: Shah Kawasaki Architects, Sheet A-201, March 2021

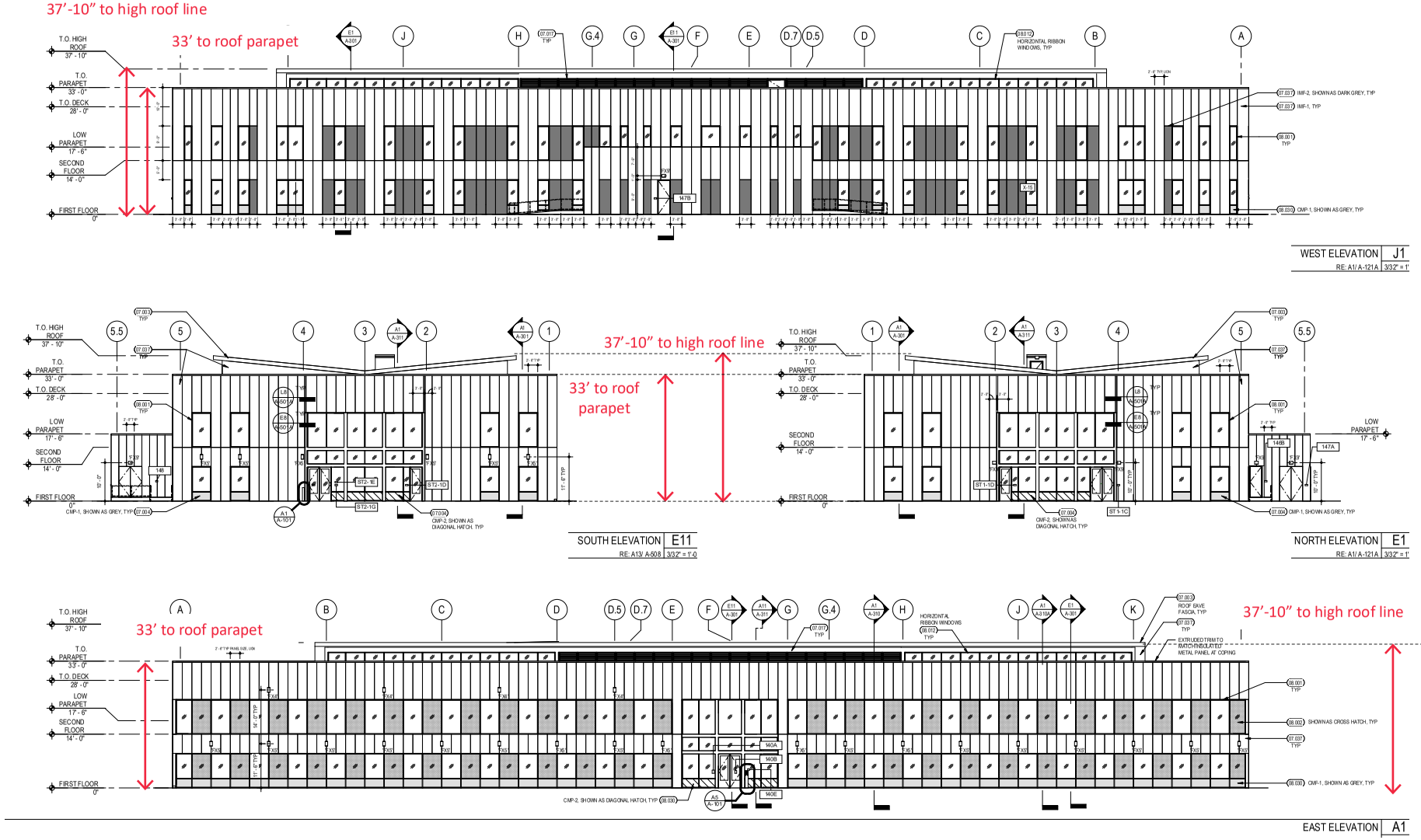


Figure 11
Project’s Consistency with Building Height Limits (50-feet)

Source: Shah Kawasaki Architects, Sheet A-201, March 2021

Light and Glare

Evening activities at the Project would include late afternoon and evening classes for the OUSD Oakland Adult and Career Education program and after-hours office use of staff workstations. The Project site and other land uses in the vicinity currently generate outdoor lighting typical for an urban area. The Project would add to the existing light sources with building, parking lot and landscape lighting. The Project proposes a wide array of outdoor lighting fixtures, including the following:

- recessed wall-mounted lighting fixtures at the building entry plaza
- exterior recessed downlights at the main entry doorway
- recessed step lights at the Poplar Street entry ramps
- exterior bollard-style lights along the walkways at the Poplar Street, Wade Johnson Park and parking lots sides of the new building
- exterior pole-mounted area lights at the entry and exits to the guest parking lot
- exterior wall-mounted floodlights along the front (easterly) façade of the new building, between the parking lot and the entry
- exterior wall-mounted downlights across the front (easterly) and side (southerly) façades of the new building
- exterior pole-mounted single-head lights and exterior pole-mounted double-head lights along the perimeter of the employee parking lot
- exterior wall-mounted area lights at the generator and trash enclosure [11]

All of these light fixtures are energy efficient LED directional lights that would minimize "light spill", and are either downcast, box-enclosed, or have hooded shields to a point below the light bulb and reflector to prevent unnecessary up lighting and glare onto adjacent properties. Increases in light at the closest residential and commercial uses would be consistent with the existing urban setting and the overall effect of the exterior lighting of the building and parking areas would not be substantially different from the current levels of night lighting from the existing Cole building and its parking areas. Potential impacts related to light and glare would be less than significant.

[11] Shah Kawasaki Architects and Interface Engineering, Luminaire Schedule, Sheet E-002 of Central Administration Center at Cole Campus submittal to State Architects, March 2021

Agriculture and Forestry Resources

Would the Project:	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	❒	❒	❒	■
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	❒	❒	❒	■
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production(as defined by Government Code section 51104(g))?	❒	❒	❒	■
d) Result in the loss of forestland or conversion of forestland to non-forest use?	❒	❒	❒	■
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	❒	❒	❒	■

Agricultural and Forestry Resources

The Project site is located in a developed, urban area and is not identified as being prime farmland, unique farmland, or farmland of statewide or local importance pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, and is not under a Williamson Act contract.[12] The Project site does not contain forestland or timber resources, nor is it zoned for forestland or for timber production. The Project site has a General Plan designation of Urban Residential, and adjacent properties are similarly designated. There are no agricultural or forestry uses existing in the immediate area. The proposed Project would not conflict with agricultural or forestland zoning or with Williamson Act contracts. No impact would occur.

[12] California Department of Conservation. Website accessed January 3, 2020 at: ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2014/ala14.pdf

Air Quality

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. a) Conflict with or obstruct implementation of the applicable air quality plan?	❒	❒	❒	■
b) Result in a cumulatively considerable net increase of any construction-period criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	❒	■	❒	❒
c) Result in a cumulatively considerable net increase of any operational-period criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	❒	❒	■	❒
c) Expose sensitive receptors to substantial pollutant concentrations?	❒	■	❒	❒
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	❒	❒	❒	■

Conflict with Air Quality Plan

The Project site is subject to the Bay Area Clean Air Plan, last adopted by the Bay Area Air Quality Management District (BAAQMD) in 2017 to meet state requirements and those of the federal Clean Air Act. The plan is meant to demonstrate progress toward meeting the ozone standards, and includes other elements related to particulate matter, toxic air contaminants, and greenhouse gases.

A project is judged to conflict with or obstruct implementation of the Clean Air Plan if it is inconsistent with regional growth assumptions or hinders implementation of air pollution emissions control strategies. The land use proposed for the Project (administrative and educational uses) is consistent with regional growth assumptions, and does not include any activities that would hinder implementation of air pollution emissions control strategies of the Clean Air Plan. The Project would not conflict with or obstruct implementation of the Bay Area Clean Air Plan, and there would be no impact.

Air Quality Standards for Criteria Pollutants

Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation and include ozone precursors (nitrogen oxides and reactive organic gases), carbon monoxide, and suspended particulate matter (PM_{10} and $PM_{2.5}$). The Bay Area is considered "non-attainment" for ozone and particulate matter. Past, present and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. Very few types of single projects are sufficient in size, by themselves, to result in non-attainment of ambient air quality standards. Instead, a project's individual emissions may contribute to existing cumulatively significant adverse air quality impacts. If a

project's contribution to a cumulative impact were considerable, then the project's impact on air quality would be considered significant.[13]

BAAQMD's most recent CEQA Guidelines (May 2017) include recommended thresholds of significance. These thresholds are average daily emissions of 54 pounds per day or 10 tons per year of nitrogen oxides (NO_x), reactive organic gases (ROG), and $PM_{2.5}$, and 82 pounds per day or 15 tons per year of PM_{10}. Both the daily and annual thresholds apply to operation, and only the daily thresholds apply to construction. The project's potential air quality impacts fall into two categories: short-term impacts that would occur during construction, and long-term impacts due to Project operation.

Construction-Period Criteria Pollutant Emissions

Construction activities associated with the Project would generate fugitive dust in the short-term. Construction activities may result in significant quantities of fugitive dust emissions, including PM_{10} and $PM_{2.5}$, on a temporary and intermittent basis during the construction period. Emissions from off-road vehicles and construction equipment may also contribute to criteria pollutant emissions.

The BAAQMD's 2017 CEQA Guidelines provide preliminary screening levels that provide the Lead Agency with a conservative indication of whether a proposed project would result in the generation of construction-related criteria air pollutants and/or precursors that exceed the thresholds of significance. If all of the screening criteria can be met, construction of the Project is presumed to result in a less than significant impact related to criteria air pollutant and precursor emissions. The size of the Project does meet applicable screening level size. However, the Project does include demolition, simultaneous occurrence of more than two construction phases, and substantial soil import/export. Accordingly, the screening criteria was not used, and instead the Project's construction activity was modeled using the California Emissions Estimator Model (CalEEMod) Version 2016.3.2, to estimate Project construction emissions of ROG, NO_X, PM_{10} exhaust, and $PM_{2.5}$ exhaust (see **Appendix A**). Parameters used in modeling of the construction process include the following:

- Construction includes 27.3 thousand square feet (ksf) of government office building space, 28.6 ksf of educational space (using the closest CalEEmod-available land use type of 'Junior College'), and 93 parking spaces
- The construction schedule relies on default values of CalEEMod for the duration of construction phases, for all phases of the Project other than soil import and export. The duration of those construction phases with soil import and export rely on the following Project assumptions:
    - Phase I remediation assumes 9,160 CY of soil export, at 8 CY per haul trip. This results in a total of 1,145 haul trips, at 60 haul trips per day, or 19 days
    - Phase I grading assumes 9,160 CY of soil import, at 8 CY per haul trip. This results in a total of 1,145 haul trips, at 60 haul trips per day, or 19 days
    - Phase II remediation assumes 2,560 CY of soil export, at 8 CY per haul trip. This results in a total of 300 haul trips, at 60 haul trips per day, or 5 days
    - Phase II grading assumes 4,860 CY of soil import, at 8 CY per haul trip. This results in a total of 608 haul trips, at 60 haul trips per day, or 10 days
- The amount to soil import and export by construction phase is as described in the Project Description
- The amount of demolition by construction phase is as described in the Project Description

[13] BAAQMD, *California Environmental Quality Act Air Quality Guidelines*, May 2017

- Haul trip lengths rely on CalEEMod default values of 20 miles per haul trip, except those haul trips exporting contaminated soil. The length of those haul trips was assumed at 200 miles to the nearest licensed landfill
- The types of off-road construction equipment used during each phase of construction is based on CalEEMod default values
- All other input to the construction modeling for criteria pollutant emissions relies on CalEEMod default values

Based on these input parameters, the results of the CalEEMod modeling of construction-period emissions of criteria pollutants is as summarized in **Table 1**. Based on the default values of CalEEMod and the Project-specific assumptions related to soil export and import, the construction period for the Project is assumed to take 12 months to complete.[14] Therefore, the construction-period emissions of criteria pollutants is as summarized in Table 1 represent an annual emissions rate.

According to BAQMD CEQA Guidelines (May 2017), the threshold values for construction-period emissions are an annual average daily emission of 54 lbs. /day for ROG, NOx and PM 2.5, and 82 lbs./day for PM10. To obtain the Project's annual average daily emission, the total annual emission (in tons) as multiplied by 2,000 lbs. per ton, and then divided by 260 construction days per year.

[14] Per the District's general contractor, the actual construction period is estimated to be approximately 15 months. The shortened construction period as calculated by the CalEEMod default assumptions produces as shorter construction period estimate on 12 months. This shorter construction period as estimated by CalEEMod results in the same quantity of criteria pollutants emitted during the construction period, but within a more condensed period. This CalEEmod approach is more conservative (i.e., a worst-case scenario), as it results in greater concentrations of emissions than likely will occur.

Table 1: Construction-Period Criteria Pollutant Emissions				
Emission Sources:	**ROG**	**NOx**	**PM10 (Total)**	**PM2.5 (Total)**
Demolition Phase I (on-site)	0.0169	0.1662	0.0115	0.0078
(off-site)	0.0004	0.0027	0.0013	0.0003
Remediation Phase I (on-site)	0.0131	0.1488	0.0062	0.0052
(off-site)	0.0213	0.8627	0.1063	0.0084
Grading Phase I	0.0146	0.1613	0.0656	0.0065
(off-site)	0.0029	0.0959	0.0113	0.0009
Bldg. Construction (on-site)	0.1966	1.5545	0.0725	0.0696
(off-site)	0.0133	0.0892	0.0430	0.0123
Demolition Phase II (on-site)	0.0147	0.1432	0.0284	0.0096
(off-site)	0.0006	0.0134	0.0028	0.0009
Remediation Phase II (on-site)	0.0033	0.0362	0.0167	0.0097
(off-site)	0.0019	0.1847	0.0291	0.0092
Grading Phase II	0.0067	0.0723	0.0339	0.0194
(off-site)	0.0008	0.0400	0.0059	0.0019
Paving (on-site)	0.0055	0.0431	0.0022	0.0194
Off-site	0.0002	0.0001	0.0006	0.0002
Architectural Coating (on-site)	0.3002	0.0065	0.0004	0.0004
Off-site	0.0001	0.0001	0.0003	0.0001
Total construction emissions (tons)	**0.6131**	**3.6209**	**0.4379**	**0.2434**
Total construction emissions (lbs.)	1,226	7,242	876	487
Average daily emissions (pounds/day)[1]	4.72 lbs./day	27.85 lbs./day	3.73 lbs./day	1.87 lbs./day
Thresholds (pounds per day)	54 lbs./day	54 lbs./day	82 lbs./day	54 lbs./day
Exceed Threshold?	**No**	**No**	**No**	**No**

[1] Assumes 260 workdays within a 1 calendar-year period

Source: Lamphier-Gregory 2022, CalEEMod results included in Attachment X

As shown in the table above, the modeled construction-period emissions for the Project indicate that the Project's construction-period emissions would not exceed the significance thresholds, and construction-period emissions of criteria pollutants would be less than significant.

Mitigation Measures and Regulatory Requirements

For all projects, BAAQMD recommends the implementation of all Basic Construction Mitigation Measures, whether or not construction-related emissions exceed applicable thresholds of significance. Whereas these recommendations are not regulatory, they are listed below as mitigation measures.

Mitigation Measure Air-1, Basic Construction Mitigation:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

3. 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.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. 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.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Because the Project includes demolition, simultaneous occurrence of more than two construction phases, and substantial soil import/export, the following additional construction mitigation measures are recommended to address the Project's contribution to local cumulative air quality:

Mitigation Measure Air-2, Additional Construction Mitigation Measures:

1. 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.
2. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
3. Windbreaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Windbreaks should have at maximum 50 percent air porosity.
4. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
5. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
6. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
7. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.
8. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
9. Minimizing the idling time of diesel powered construction equipment to two minutes.
10. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOX reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels,

engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.

11. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).

12. Require that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM.

13. Requiring all contractors use equipment that meets CARB's most recent certification standard for off-road heavy-duty diesel engines.

Regulatory Requirement Air-3, Asbestos in Structures: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM). These include but are 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.

Resulting Level of Significance

Implementation of these regulatory requirements, Air District recommendation, and mitigation measures would reduce construction-period criteria pollutant impacts to levels of less than significant.

Operational Emissions

Operational air emissions from the Project would be generated primarily from automobiles driven by future administrative staff, faculty and students, as well as indirect emissions (i.e., energy used for heating and cooling), as well as other on-site area source emissions.

The BAAQMD's 2017 CEQA Guidelines provide preliminary screening levels that provide the Lead Agency with a conservative indication of whether a proposed project would result in the generation of operations-related criteria air pollutants and/or precursors that exceed the thresholds of significance. If a project meets applicable screening size criteria, operation of that project is presumed to result in a less than-significant impact pertaining to criteria air pollutant and ozone precursor emissions. The applicable screening sizes are 277,000 square feet for government office use, and 152,000 square feet for a junior college (the land use type closest to that proposed for the Project). As shown in **Table 2**, the Project does not exceed either of these screening sizes, and does not exceed 100% of the combined portions of these screening sizes. The Project is presumed to have a less than significant effect related to operational emissions of criterial pollutants.

Table 2: Comparison to Operational Screening Size Criteria

	Government Office	Education (Junior College)	Total
Screening Size	277,000	152,000	
Project	28,826	27,350	
% Screening Size	11%	18%	29%

To verify the less than significant conclusion based on screening size, the CalEEMod emissions model was used to calculate the Project's likely operational emissions of ROG, NOX, PM10 and PM2.5 emissions (see **Table 3**).

Table 3: Operational Criteria Pollutant Emissions				
Non-Mitigated Scenario	**ROG**	**NO_x**	**PM_{10}**	**$PM_{2.5}$**
Area Source Emission	0.2508	0.0001	-	-
Energy Emissions	0.0080	0.0731	0.0056	0.0056
Mobile Source Emissions	0.3569	0.4343	0.7191	0.1955
Waste (Indirect Emissions)	-	-	-	-
Water (Indirect Emissions)	-	-	-	-
Project Operational Emissions (*tons/year*)	**0.6157**	**0.5074**	**0.7246**	**0.2011**
Thresholds (tons /year)	10 tons	10 tons	15 tons	10 tons
Exceed Threshold?	**No**	**No**	**No**	**No**
Project Annual Average Daily Operational Emissions (*lbs/day*)[1]	4.74 lbs.	3.90 lbs.	5.57 lbs.	1.57 lbs.
Thresholds (pounds/day)	*54* lbs.	*54* lbs.	*82* lbs.	*54* lbs.
Exceed Threshold?	**No**	**No**	**No**	**No**

Notes: 1. Assumes 260 days per year of operations

Source: Lamphier-Gregory 2020, CalEEMod results included in Attachment X

As shown in Table 3, CalEEMod results (which do not rely on any assumed mitigation measures incorporated into the Project) indicate that the Project's operational emissions would not exceed the significance thresholds for any of the identified criteria pollutants. Therefore, the Project's impact related to operational criteria pollutant emissions would be less than significant.

Exposure of Sensitive Receptors to Substantial Pollutant Concentrations, Construction-Period

As reported in the West Oakland Specific Plan EIR, the California Air Resources Board's West Oakland Health Risk Assessment includes findings that ambient diesel PM concentrations in West Oakland are estimated to be nearly three times the background concentrations averaged over the entire Bay Area. Other reports indicate that the air inside of homes in West Oakland has black soot at nearly 5 times the concentration levels of other Oakland homes. West Oakland residents are 5 times more likely to be hospitalized for asthma, and children in West Oakland are 7 times more likely to be hospitalized for asthma as compared to the average California resident. Heavy-duty trucks on the roadways within West Oakland and on the freeways surrounding West Oakland are the largest contributors of diesel PM. Under the BAAQMD's Community Air Risk Evaluation (CARE) program, West Oakland has been identified as an area with high TAC emissions and sensitive populations affected by these emissions.[15]

Construction activities associated with the Project would generate construction-related TAC emissions, specifically diesel particulate matter (DPM, as both PM10 and PM2.5) from on-road haul trucks and off-road equipment exhaust emissions. These emissions would contribute to ambient air quality emissions from nearby freeways, industrial sites, and the Port, potentially contributing to cumulative cancer risks and non-cancer health concerns at nearby sensitive receptors. The nearest sensitive receptors are those residences adjacent to the Project site along Union Street and Poplar Street.

[15] City of Oakland, *West Oakland Specific Plan Final EIR*, May 2014, page 4-16

The generation of TAC emissions during Project construction would be temporary.[16] There will be an even shorter amount of time when diesel-powered construction equipment will be within an influential distance, and that would result in the exposure of sensitive receptors to substantial concentrations of construction-period TAC. For the most part, the Project would use standard construction equipment such as loaders, backhoes and haul trucks, similar to operations at other construction sites in Oakland. However, the export of contaminated soil and import of new clean fill will result in concentrated periods of one to three weeks at a time when these types of diesel-powered construction equipment will be in all-day operations, potentially generating periodic concentrations of diesel emissions.

Mitigation Measures

Given that the West Oakland community is at high risk for adverse health risks attributable to cumulative air quality conditions, and to address the Project's contributions to these ambient diesel PM concentrations, the following mitigation measure is recommended to substantially reduce the Project's contribution of toxic air contaminants during the construction period.

Mitigation Measure Air-4, Diesel Particulate Matter Controls: The District shall ensure that all off-road diesel equipment used during the construction period, and all haul trucks used for soil export and import for the Project, are equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type, as certified by CARB. Methods to comply with this standard include, but are not limited to, new clean diesel trucks (Tier 4 engines automatically meet this requirement), 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. This equipment must be properly maintained and tuned in accordance with manufacturer specifications, and verified through an equipment inventory submittal and Certification Statement.

Resulting Level of Significance

The Tier 4 engine standards have been found to reduce emissions of PM and NOx (including small PM emissions of DPM) by approximately 90%, as compared to Tier 2 and Tier 3 engines without such controls. These emission reductions can be achieved through use of advanced control technologies, including advanced exhaust gas after-treatment methods. With a 90% reduction in construction-period emissions of DMP, the Project's emissions of toxic air contaminants would be reduced to levels of less than significant, and its contribution of toxic air contaminants would be a less than cumulatively considerable contribution to overall cumulative air quality.

Exposure of Sensitive Receptors to Substantial Pollutant Concentrations, Operations Emissions

The Project would not include any regular operational activities that have the potential to generate substantial amounts of toxic air emissions. The Project's office and classroom spaces are not sources of toxic chemicals or emissions. The Project does include an emergency generator, which would provide the building (especially the elevator) with power supply in the event of a power outage. This emergency generator would only be used in the event of an emergency. It would not operate on a continuous basis.

Regulatory Requirements

Regulatory Requirement Air-5, Emergency Generator – TBACT: The Project's proposed diesel-powered emergency generator will be subject to CARB's Stationary Diesel Airborne Toxics Control Measure

[16] All construction is expected to be completed within 15 months - see prior footnote #14 explaining the difference between CalEEmod-estimated construction schedule and estimated construction schedule per the District's general contractor.

(ATCM), and will require permits from the BAAQMD. As part of the BAAQMD permit requirements, the engine emissions will have to meet Best Available Control Technology for Toxics (TBACT).

Sources of air pollutant emissions complying with all applicable BAAQMD regulations are generally not considered to have a significant air quality or community health risk impact.

Odor Emissions

Operation of the Project would not result in odor emissions that would adversely affect a substantial number of people. During construction, diesel-powered vehicles and equipment would create odors that some may find objectionable. However, these odors would be temporary and not likely to be noticeable much beyond the Project site's boundaries. The Project's impact related to odor emissions would be less than significant.

Biological Resources

Would the Project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	❒	❒	■	❒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	❒	❒	❒	■
c) 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?	❒	❒	❒	■
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	❒	■	❒	❒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	❒	■	❒	❒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	❒	❒	❒	■

Special Status Species

According to the West Oakland Specific Plan EIR, wildlife use within West Oakland is expected to be relatively low due to the absence of natural habitat, the proximity of streets and development, and the lack of protective cover. Special-status species are not expected to occur within the West Oakland Planning Area because of a lack of suitable habitat, the smaller size and fragmented nature of remaining habitat, prior disturbance, and the current level of human activity. According to the Open Space, Conservation and Recreation Element of the City of Oakland General Plan, there are no special-status species known to occur within West Oakland. [17]

The Project site is located in an urban area that is fully developed. The site contains existing buildings and paved surface parking lots. On-site vegetation consists of shrubs and mature trees along the eastern perimeter of the site, and small grass-covered areas adjacent to boundary sidewalks. The potential for the Project to have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species is less than significant.

[17] City of Oakland, *West Oakland Specific Plan Draft EIR*, May 2014, page 4.12-2

Riparian Habitat and Wetlands

There are no riparian habitats, wetlands or other sensitive natural communities on the Project site or in the vicinity. The Project site is entirely covered with buildings and with paved surface parking lots. The adjacent Wade Johnson Park is an urban park with no riparian habitats, wetlands or other sensitive natural communities present.

Wildlife Corridors and Nesting Sites

The Project would not 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. However, future demolition and construction activities associated with the Project could temporarily reduce nesting opportunities for resident and migratory bird species protected by the federal Migratory Bird Treaty Act or California Fish and Game Code Sections 3503, 3503.5, and 3800. Demolition and construction could also eliminate bat roosts and, if construction were to occur during the maternal roosting season, young bats incapable of flight could be destroyed. The California Fish and Game Code prohibit the "take, possession, or destruction of birds, their nests or eggs". Disturbance that causes nest abandonment and/or loss of reproductive effort (killing or abandonment of eggs or young) is considered a "take", and such a take would violate the Migratory Bird Treaty Act. Passerines (songbirds) and non-passerine land birds are protected under the federal Migratory Bird Treaty Act.

Mitigation Measures

The following mitigation measure is recommended for the Project to avoid adverse effects on nesting birds

Mitigation Measure Biology-1: Protect Nesting Birds. During construction of the Project, the removal of any trees and demolition of the existing buildings shall occur between September 1 and January 31. Tree removal and building demolition should be avoided from February 1 to August 31, which is the typical migratory bird's nesting period in this part of California. If no vegetation removal or building demolition is proposed during the nesting period, then no surveys are required.

1. 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.
2. 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 largely 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.

Resulting Level of Significance

With implementation of mitigation measure Biology-1, which requires a nesting survey close to initiation of construction activities, the Project's impacts on nesting birds would be reduced to a level of less than significant.

Conflict with Local Policies Protecting Biological Resources (Tree Ordinance)

There are seven street trees that are located on the Project site's frontage along Union Street, all of which appear to be big-leaf maples. The Project proposes to retain the two trees nearest to 10th Street and the one tree nearest to Wade Johnson Park, but to remove the four trees in the center of the block to accommodate new construction (see **Figure 12**).

Regulatory Requirements

The City's Tree Protection Ordinance (OMC Chapter 12.36) provides that, "it is in the interest of the public health, safety and welfare of the Oakland community to: 1) protect and preserve trees by regulating their removal; 2) prevent unnecessary tree loss and minimize environmental damage from improper tree removal; 3) encourage appropriate tree replacement plantings; 4) effectively enforce tree preservation regulations; and 5) promote the appreciation and understanding of trees". Accordingly, the Project will be subject to the following provisions of the OMC:

Regulatory Requirement Biology-1, Compliance with Tree Protection Ordinance: The Project will be required to obtain a tree permit from the City of Oakland for the removal of four trees from the Project's frontage along Union Street, and to abide by the conditions of that permit. Standard conditions that apply to the City's tree permit include the following:

1. Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist
2. Replacement tree 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
3. 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.

The Big Leaf maple (acer macrophyllum) is native to western North America, mostly near the Pacific coast, from southernmost Alaska south to southern California. Therefore, pursuant to the City's Tree Ordinance, replacement plantings for removal of these native trees would be required. The Project proposes to plant as many as 57 new trees as part of its landscape plans, including 9 Trident maples (acer buergerianum) and 2 Japanese maples (acer palmatum), more than fulfilling the City Tree Ordinance requirements for tree replacement plantings. Accordingly, the Project would not conflict with the local City of Oakland Tree Preservation Ordinance or policy, and this impact would be less than significant.

Conflict with Habitat Conservation Plans

There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans that are applicable to the site or the surrounding area. Therefore, the Project would not conflict with any such habitat conservation plans and no impact would occur.

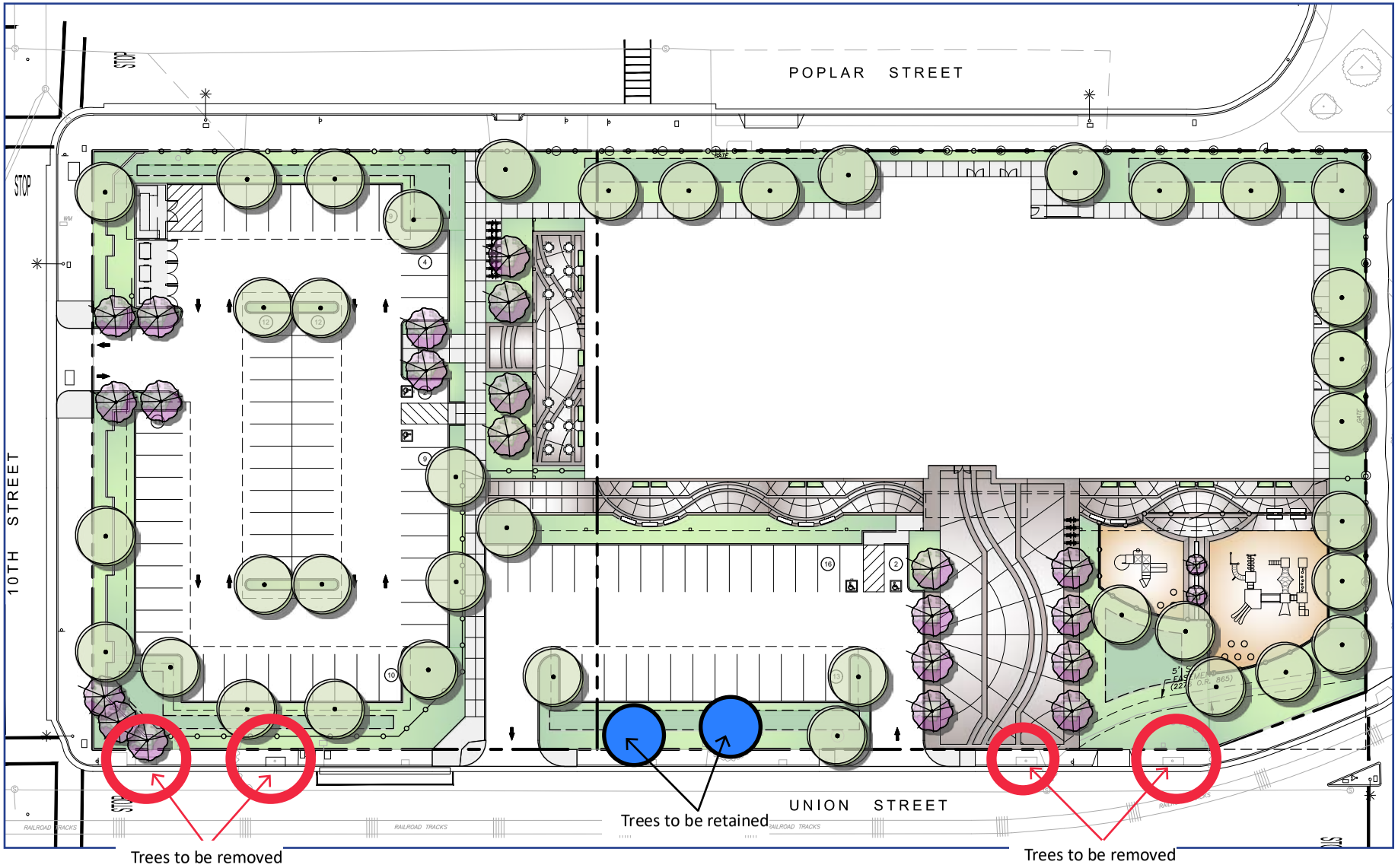


Figure 12
Proposed Tree Removal

Source: Shah Kawasaki Architects, 1/27/2022

Cultural Resources

Would the Project:	Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Public Resources Code Section 15064.5?	❒	❒	■	❒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?	❒	❒	■	❒
c) Disturb any human remains, including those interred outside of formal cemeteries?	❒	❒	■	❒

Historical Resources

Information for this section of the Initial Study has been derived from the following primary source:

- Page & Turnbull, *Cole Middle School 1011 Union Street, Historic Resource Evaluation (HRE)*, December 23, 2019 (**Appendix B**)

The 2019 HRE evaluated the two educational buildings that were situated within the property: the existing classroom building (Cole School) originally constructed in 1925 and renovated 1936; and the now-removed cafeteria building constructed in 1949. The HRE did not address the former ancillary building at the northeast corner of the site, which was a modular structure built in 2011 and also now removed. The HRA was prepared based on research collected at various local repositories including the Alameda County Office of the Clerk-Recorder, the City of Oakland Building Department and Oakland Public Library History Room, as well as various online sources including California Digital Newspaper Collection, Newspapers.com, and the David Rumsey Map Collection. Key primary sources consulted and cited in this report include Sanborn Map Company fire insurance maps, historic newspapers, building permit applications, city directories, and historic building plans provided by OUSD. In October 2019, a site visit was conducted, complete with architectural photography and field notes.

Historic Setting

The existing Cole School stands on a site that was acquired by the City of Oakland's Board of Education in 1875. Between 1877 and 1880, the original Cole Grammar School Building was built at the site. The original school was a two-story, Gothic Revival style building with a hipped roof and tall narrow windows. The school was named in honor of Rector E. Cole, a prominent dentist and City Council member who was, at the time of the school's founding, president of the Oakland Board of Education. The Cole Grammar School educated numerous children, perhaps most notably the famed author, Jack London. In late December 1923, the original Cole Grammar School building was destroyed by arson.

Between 1924 and 1925, the first iteration of the existing Cole School building was designed and constructed. The cornerstone for the Cole School building that currently stands at the property was laid in May 1925. This first iteration of the existing Cole Building was a Late Gothic Revival design, with a brick exterior and cast cement exterior ornamentation, across a U-shaped plan. However, in March of 1926 the nearly complete building was rejected by the Superintendent of Buildings and Grounds for failure to comply with material specifications.

In 1936, the school was renovated with its current Moderne style exterior.[18] Plans for this renovation were prepared under the supervision of architect and engineering consultant William G. Corlett. Exterior brick and cast concrete ornamentation and window mullions were removed and replaced with cement plaster exterior surfaces and wood, respectively.

In 1949, the Cafeteria building was designed by Oakland-based architect, Edward O. Blodgett. The one-story, hybrid reinforced concrete and wood-frame building was described as a new "wing" to the Cole School when it was dedicated in March of 1950. The Cafeteria building was also designed to house the school's music program, and had one additional classroom and an overall capacity for 214 students.

In 1973, the Cole School was closed for renovation, and it appears to have remained closed until 1975. During this time, the exterior staircases and elevator at the rear wings of the building were constructed. By 1980, 12th Street was closed between Union and Poplar Streets, and replaced with green space. The Cole School converted from its original use as an elementary school to that of a middle school in 1980, and continued to operate as such until 2009, when it was closed as a school. The building began its last use housing administrative offices for OUSD and the OUSD Police Unit.

Historic Status

The following section examines the national, state and local historical ratings currently assigned to the property at 1011 Union Street.

- 1011 Union Street is not currently listed in the National Register of Historic Places.
- 1011 Union Street is not currently listed in the California Register of Historical Resources.
- Cole School is listed in the California Historic Resources Information System (CHRIS) database with a Status Code of 6Z (found ineligible for National Register, California Register or Local designation through survey evaluation). The 6Z status relates to a survey and evaluation undertaken in 1990. The most recent update to the CHRIS database for Alameda County that lists this status codes was in 2011.
- 1011 Union Street was documented by the Oakland Cultural Heritage Survey (OCHS) in 1990, and was assigned an OCHS rating of "C3". This rating indicates the property is of secondary importance (representative architecture example) and is not located within a historic district. 1011 Union Street is not a City of Oakland Landmark and is not currently listed in the Local Register.

Historic Re-Evaluation

The HRE assessed the Cole School classroom building and the cafeteria at the Cole Middle School campus (1011 Union Street) to determine if these building may qualify as eligible historic resources for purposes of review under CEQA. Using the City of Oakland criteria, an historical resource under CEQA is defined as a resource that meets any of the following criteria:

- A resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR)

[18] The Moderne style, also referred to as Art Moderne and Streamline Moderne, is a late Art Deco architecture style that appeared in commercial buildings, public buildings, theaters, gas stations, and residential buildings between 1930 and 1950. It emerged in Germany in the work of the New Objectivity artists and in the buildings by architects involved in the German Werkbund, led by Hermann Muthesius. Taking cues from the Werkbund, American designers were similarly interested to strip Art Deco of its excessive ornamentation and focus on its streamlined aesthetic, especially during the Great Depression in the 1930s.

- A resource that meets the criteria for listing on the CRHR
- 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
- 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, or
- 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

In order for a property to be eligible for listing in the California Register, it must be found significant under one or more of the following criteria.

- *Criterion 1 (Events)*: Resources that are associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
- *Criterion 2 (Persons)*: Resources that are associated with the lives of persons important to local, California, or national history.
- *Criterion 3 (Architecture)*: Resources that embody the distinctive characteristics of a type, period, region or method of construction, or which represents the work of a master, or possess high artistic value.
- *Criterion 4 (Information Potential)*: Resources or sites that have yielded or have the potential to yield information important to the prehistory or history of the local area, California, or the nation

Criterion 1 (Events)

The Cole School property at 1011 Union Street in West Oakland does not appear to be individually eligible under Criterion 1 (Events), as the property is not associated with significant events nor does it appear to have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States. The buildings do not date to the earliest school development of the property in 1875. Rather, these buildings reflect the widespread changes in the design of educational buildings that took place in the 1930s in association with the Field Act of 1933, which resulted in reconstruction or heavy alteration of many schools throughout the State to meet updated seismic safety standards. The existing Cole School building is not known to have been the location of any singular events with significance to the history of Oakland, the State or the nation. The Cafeteria was designed and built as a secondary or supplementary building within the campus. Research did not find information to support a finding of significance under this criterion.

Criterion 2 (Persons)

1011 Union Street does not appear to be individually eligible under Criterion 2 (Persons). The original Cole Grammar School (non-extant) was named for a prominent Oakland dentist and president of the Board of Education, Rector E. Cole. Although the school's name carried on after the destruction of the original school building in 1923, the existing building and property do not bear significant association to Cole. They do not represent Cole's achievements in dentistry or as a member of the Board of Education, and were built after Cole's professional, productive life occurred. The school's notoriety as having been Jack London's elementary school is not reflected by the existing buildings and property, which were developed after London attended the Cole Grammar School.

Criterion 3 (Architecture)

1011 Union Street does not appear to be individually eligible under Criterion 3 (Architecture). The subject property was originally developed in 1879-1880 with a two-story, Gothic Revival style school building, which stood at the site and operated as the Cole Grammar School until it was destroyed by fire in 1923. In 1925, the existing building known as the Cole School was built with a Late Gothic Revival style aesthetic (**see Figure 13**), but suffered from material deficiencies.

After the passing of the Field Act of 1933, the school building was heavily renovated and restyled in the then emergent Moderne aesthetic by noted Oakland-based architect and engineer William G. Corlett, who served contemporaneously as a consulting design professional to the City's Board of Education. Corlett's association to the Cole School's alterations is notable. However, the building does not appear to be among the most important works of his career, which included other City of Oakland public school buildings and several prominent institutional buildings across the Bay Area region. The Cole School does not bear the same strength of association with Corlett's career as buildings that were designed in their entirety by Corlett. Rather, the Cole School building represents Corlett's role in redesigning a pre-existing work of architecture (see **Figure 14**).

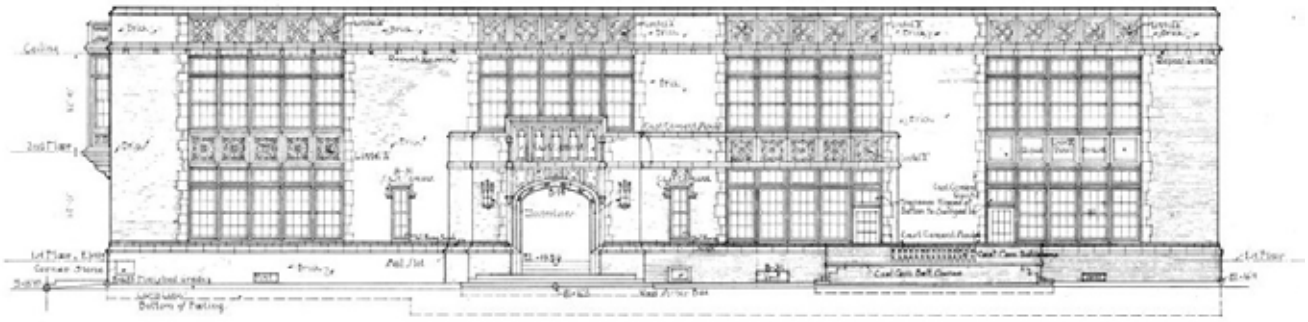
The Cole School building embodies the horizontal emphasis and massing commonly seen in Moderne style buildings ca. 1936 and features a modest exterior material palette and limited ornamentation. The building lacks the fusion of curvilinear forms across its massing, such as curved bays and corners that would enable it to stand out as a very strong local representation of the style's application to an education building. Rather, the Cole School is an application of the Moderne style to a pre-existing, formerly Late Gothic Revival school. The building's fenestration pattern largely reflects its original design, despite alterations, but does not stand out as a particularly important example of an education building designed in 1925, and renovated and restyled in 1936.

The Cafeteria building was designed in 1949 by Oakland-based architect Edward O. Blodgett, who served as draftsman and architect for the City of Oakland's Board of Education between 1934 and 1949, after having worked with William G. Corlett and Walter Reed of Reed & Corlett as a draftsman. The Cafeteria building was designed in a modest, modern form that communicated the building's use as an educational building more so than a particular architectural style. The building did not have characteristics that enabled it to stand out as an individually distinct example of an education building constructed in 1949 in Oakland.

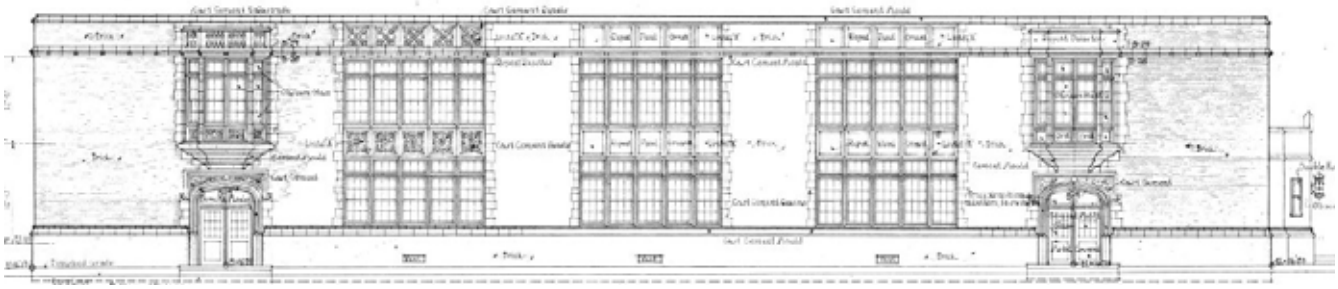
Overall, the one remaining age-eligible building within the former Cole School property, and the site as a whole, does not stand out as individually significant entities under this criterion.

Criterion 4 (Information Potential)

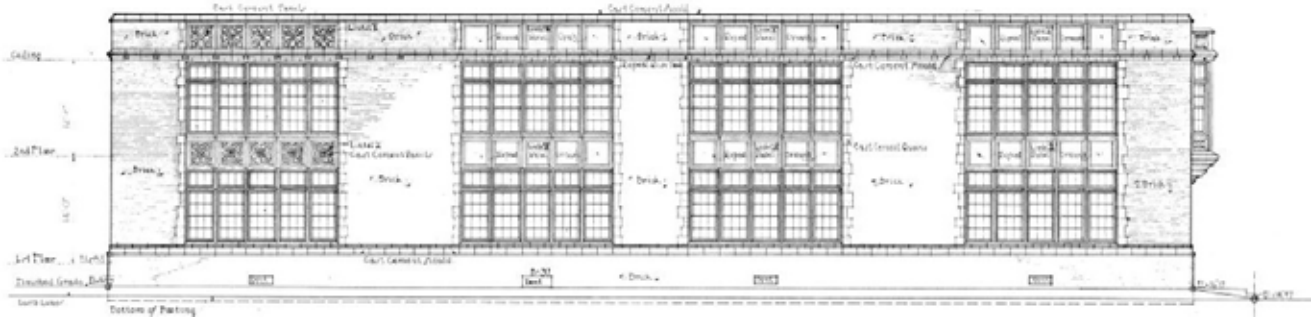
The "potential to yield information important to the prehistory or history of California" typically relates to archeological resources, rather than built resources. When California Register Criterion 4 (Information Potential) does relate to built resources, it is for cases when the building itself is the principal source of important construction-related information. The subject property does not appear to feature construction or material types, or embody engineering practices that, with additional study, would provide important information.



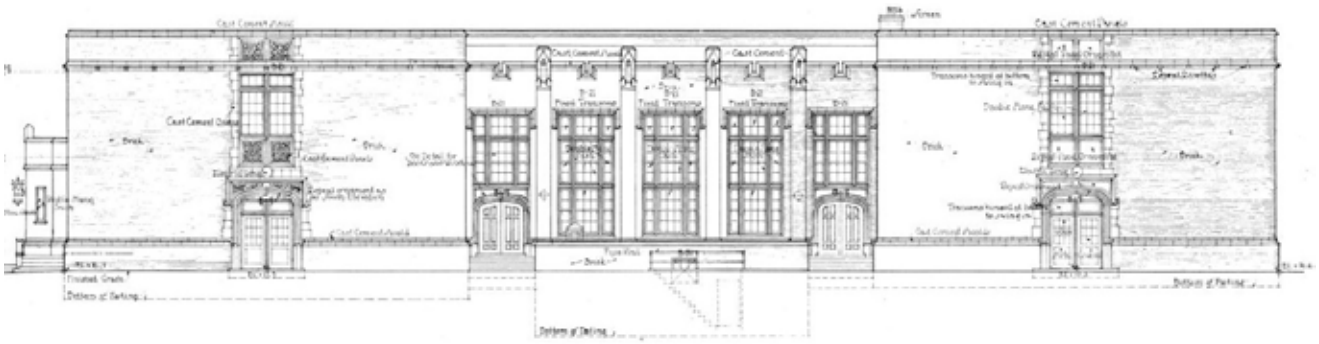
Primary (east) façade, as designed in 1925. Source: OUSD.



South façade, as designed in 1925. Source: OUSD.



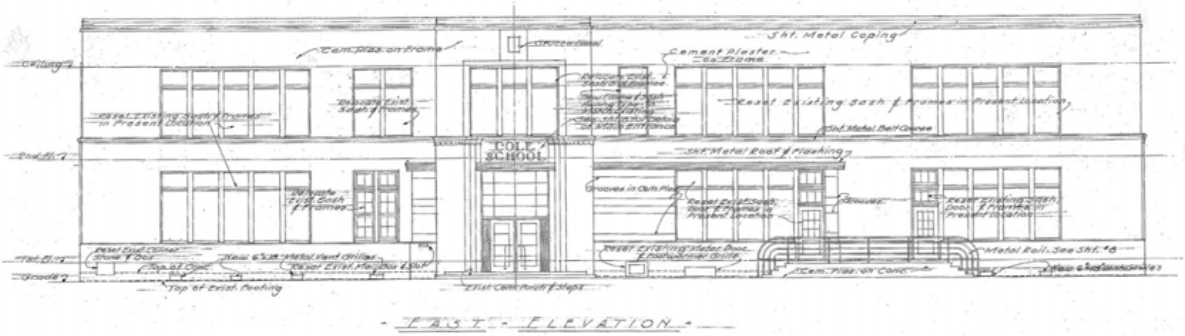
: West façade, as designed in 1925. Source: OUSD.



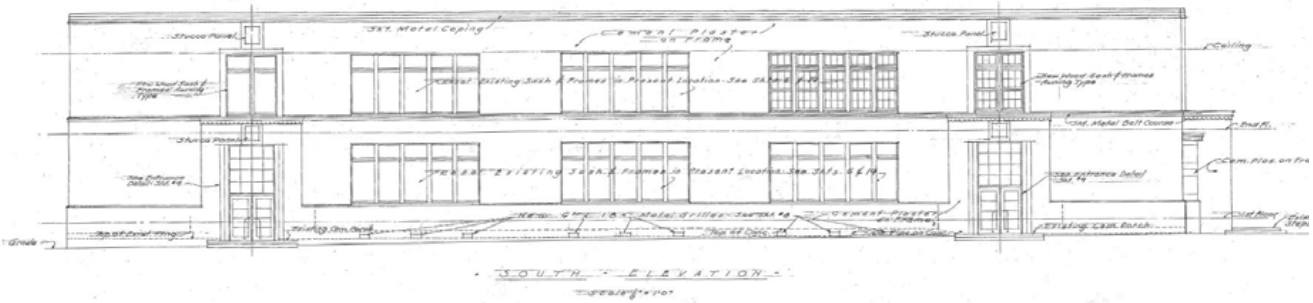
North façade, as designed in 1925. Source: OUSD.

Figure 13
Elevations of Cole School as Designed in 1925

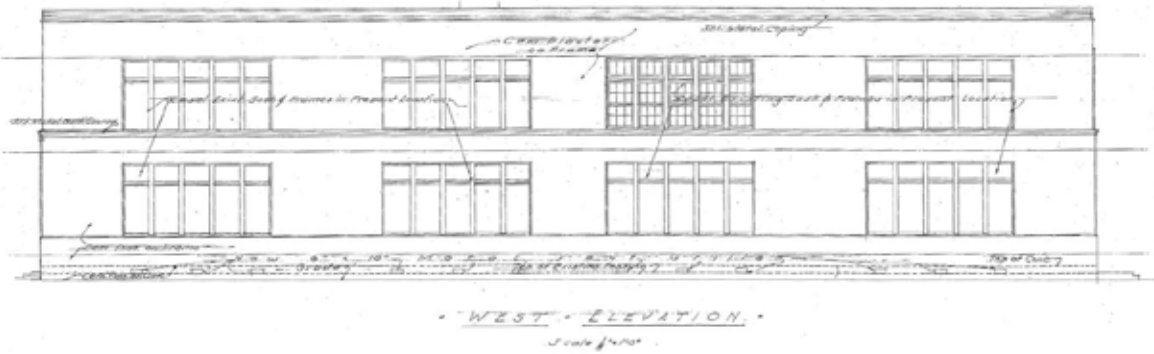
Source: Page & Turnbull, 2020



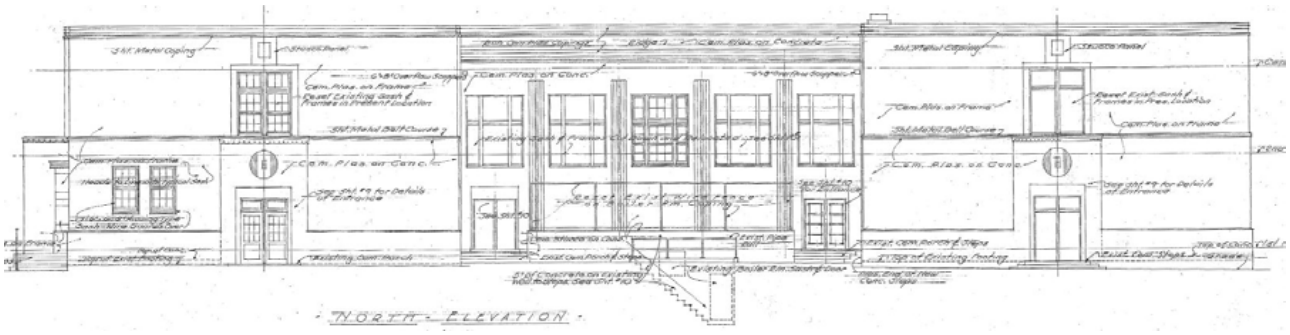
: Primary (east) façade, as designed in 1936. Source: OUSD.



: South façade, as designed in 1936. Source: OUSD.



West façade, as designed in 1936. Source: OUSD.



: North façade, as designed in 1936. Source: OUSD.

Figure 14
Elevations of Cole Facade Renovations, 1936

Source: Page & Turnbull, 2020

Potential Impacts

Neither the Cole School building or the former Cafeteria are listed in, nor do they appear to be eligible for the California Register. The subject property does not meet either of these criteria of the City of Oakland's definition of historical resources under CEQA. The Oakland General Plan Historic Preservation Element (HPE) defines the criteria for significance that must be met by a resource for it to be considered for listing in the Oakland Local Register of Historical Resources (Local Register), and would therefore be considered a historical resource under CEQA. According to the HPE and for purposes of environmental review under CEQA, those properties meeting the following criteria constitute the City of Oakland's Local Register:

- All Designated Historic Properties, including Oakland Landmarks, S-7 and S-20 Preservation Districts, and Preservation Study List properties, and
- Those Potential Designated Historic Properties (PDHPs) that have an existing rating of "A" or "B", or are located within an Area of Primary Importance

The property is not currently listed on Oakland's Local Register, and was previously assigned an individual property rating of "C3" by the OCHS in 1990. The Individual Property Rating indicated the building appeared to be of secondary importance and is not located within a historic district or Area of Primary or Secondary Importance.

The HRE evaluation finds that the OCHS rating of "C3" remains applicable to the subject property. This rating would not qualify the property for listing in Oakland's Local Register. Unless found uniquely significant to Oakland's history by City Council, preliminary review of the subject property indicates that it is unlikely to meet the requisite criteria to attain the status of historical resource under CEQA. Based on the conclusions of the Page & Turnbull HRE (see full report as Appendix B), development of the Project would not cause a substantial adverse change to an eligible historic resource, and the potential for direct or indirect impacts on historic resources would be less than significant.

Mitigation Measures

None needed

Archaeological Resources and Human Remains

Information for this section of the Initial Study has been derived from the following primary source:

- PaleoWest Archaeology, *Archaeological Desktop Review in Support of the Central Administration Center at Cole Campus Project, Alameda County, California*, March 2020 (**Appendix C**)

The Project site in urbanized Oakland has been developed and in active use as a public school since the 1870s. The site is surrounded by other urban development. The cultural resources investigation conducted for the Project included a cultural resource literature and records search conducted at the Northwest Information Center (NWIC), and a Sacred Lands File search through the Native American Heritage Commission (NAHC). The records search results indicate that no cultural resources have been previously recorded within the Project area.

The NWIC records search did identify 62 previously conducted cultural resource studies conducted within a 0.25-mile radius of the Project site, including one previous study covering the Project site. The NWIC records search identified 22 cultural resources that were discovered during these previous studies. All of the cultural resources reported within the ¼-mile buffer of the Project area (except 1), are sites of residential and commercial buildings that date from the late 19th century to the mid-20th century. The one exception is a prehistoric deposit site that was found during the construction of the Mandela Gateway project. The prehistoric deposit contained midden comprised of a dense quantity of shell, few faunal fragments and few charcoal chunks, interpreted as a likely a food-processing site

associated with an unknown nearby habitation deposit. The one previous study that did cross the Project area did not reveal any known cultural resources.

The entirety of the Project site is covered with either buildings or asphalt, and no test borings or shovel pits were conducted pursuant to the archaeological review.

Potential Impacts

Construction-related subsurface disturbance of the Project site could potentially damage or destroy previously unidentified prehistoric archaeological resources. Ground disturbing activities associated with construction activities in the Project area could also disturb previously unknown human remains, including those interred outside of formal cemeteries. The potential to uncover Native American human remains exists in locations throughout California. Although not anticipated, human remains may be discovered during site-preparation and grading activities. In the event of an inadvertent discovery of archaeological resources and/or human remains during ground-disturbing activities, such a discovery would be considered a potentially significant impact.

Mitigation Measures

To address the potential for discovery of archaeological resources or human remains during construction, and to minimize potential risks to such resources if discovered during Project construction, the following mitigation measures are recommended:

Mitigation Measure Cultural-1: Survey of the Project Area. An archaeologist should conduct a pedestrian archaeological survey of the Project area after building demolition and asphalt removal, and after soil excavation. Any newly discovered historic (over 45 years of age) or prehistoric archaeological sites identified during the survey must be recorded, as required, on appropriate Department of Parks and Recreation Primary Record (DPR 523) and associated (e.g., Building-Structure-Object) forms.

Mitigation Measure Cultural-2: Inadvertent Discoveries. If any previously unknown prehistoric resources are discovered during grading, trenching, or other on-site excavation(s), then earthwork within 25 feet of these materials shall be stopped until a qualified professional archaeologist has evaluated the potential significance of the find, and suggests appropriate steps to protect the resource.

1. According to CEQA Section 15126.4, avoidance is the preferred mitigation. Since CEQA provisions regarding the preservation of historic resources direct that adverse effects to historic resources shall be avoided, if feasible, the resource shall be protected from damaging effects through avoidance.

2. If avoidance of any previously undiscovered archaeological site is not feasible, data recovery shall be conducted in accordance with an approved Archaeological Data Recovery Plan (ADRP) to mitigate adverse effects to the significance of the site – the area of data recovery being limited to the area of adverse effect. This would fulfill CEQA requirements that the mitigation measure must be "roughly proportional" to the impacts of the project. A professional, qualified archaeologist shall conduct data recovery in compliance with CEQA Guideline Section §15064.5. Once the site has been properly tested, subject to data recovery, or preserved to the satisfaction of the professional archaeologist in compliance with CEQA Guideline §15064.5, the site can be further developed.

Mitigation Measure Cultural-3: Inadvertent Discovery of Human Remains. Section 7050.5(b) of the California Health and Safety code will be implemented in the event that human remains, or possible human remains, are located during Project-related construction excavation. Section 7050.5(b) states, "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 human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code."

1. The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the NAHC within 24 hours. The NAHC has various powers and duties, including the appointment of a Most Likely Descendant (MLD) to the Project. The MLD, or in lieu of the MLD, the NAHC, has the responsibility to provide guidance as to the ultimate disposition of any Native American remains.

Resulting Level of Significance

With required implementation of Mitigation Measures Cultural-1 through Cultural-3, potential adverse effects on as-yet undiscovered archaeological resources or human remains would be less than significant.

Energy

Would the Project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	❒	❒	■	❒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	❒	❒	■	❒

Energy Use and Efficiency

Construction and operation of the Project would result in the consumption of fuel and energy resources for construction vehicles and equipment during construction, for vehicles accessing the site during operations, and for heating, lighting and other electrical needs during operations. The Project has been designed to meet and exceed applicable performance measures for energy efficiency as described by the Collaborative for High Performance Schools (CA-CHPS). CA-CHPS is a collaboration of California's major utilities to address energy efficiency in schools. CHPS addresses all aspects of school design, construction and operation, and is a nationally recognized evaluative tool for measuring high-performance school buildings. The CA-CHPS provides California-specific criteria for defining high performance schools, and addresses topics of integration, indoor environmental quality, energy, water, site, materials and waste management, and operations metrics.

Based on the CA-CHPS Worksheet prepared by the District for the Administrative/Education Center building at Cole (see **Appendix D**), the Project's design and operational plans achieve a total of 112 points out of a possible 250 points.[19] This point rating exceeds the CA-CHPS criteria for a CHPS Designed/Verified non-classroom building (at 83 points), and achieving all CA-CHPS pre-requisite criteria as well as all CalGreen/Title 24 measures for energy efficiency and incorporation of energy-conserving design and construction. The Project would comply with all applicable regulations and energy standards, and its use of energy would not be wasteful, inefficient, or unnecessary. The Project's impact related to energy resources would be less than significant.

[19] Shah Kawasaki Architects, CHPS Scorecard, Sheet A-005 of Central Administration Center at Cole Campus submittal to State Architects, February 19, 2021

Geology and Soils

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42)	❒	❒	■	❒
ii) Strong seismic ground shaking?	❒	■	❒	❒
iii) Seismic-related ground failure, including liquefaction?	❒	❒	■	❒
iv) Landslides?	❒	❒	❒	■
b) Result in substantial soil erosion or the loss of topsoil, creating substantial risks to life, property, or creek/waterways?	❒	■	❒	❒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	❒	❒	■	❒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	❒	❒	■	❒
e) 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?	❒	❒	❒	■
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	❒	❒	■	❒

Information supporting the following section of this Initial Study has been derived from the following primary source:

- Consolidated Engineering Laboratories, "*Geotechnical Engineering and Geologic Hazards Study for the Cole Campus Central Administrative Center*", as revised September 25, 2020 (**Appendix E**)

This geotechnical and geologic report has been reviewed by the California Natural Resources Agency's Department of Conservation, California Geological Survey, and the California Geological Survey has already concluded that, "the engineering geology and seismology issues at this site are adequately assessed in the referenced report, and no further information is requested." This conclusion is documented in the California Geological Survey letter, *Second Engineering Geology and Seismology Review for Central Administrative Center at Cole Campus – New Buildings*, October 2, 2020 (**Appendix F**).

The Consolidated Engineering Laboratories' Geotechnical Engineering and Geologic Hazards Study (CEL Geology Study) for the Project includes a review of all pertinent geologic and geotechnical literature pertaining to the site. This includes publications and maps issued by the United States Geological Survey (USGS), California Geological Survey (CGS), United States Department of Agriculture (USDA), Federal Emergency Management Agency (FEMA), water agencies and other government agencies. In order to characterize the subsurface conditions beneath the proposed improvement areas, a field exploration program was conducted at the site in November 2019 and May 2020. That field exploration program consisted of a combination of five drilled test borings and four Cone Penetration Tests (CPT) to supplement two borings previously drilled at the site. Laboratory tests were performed on select samples to determine some of the physical and engineering properties of the subsurface soils. The results of the laboratory testing are also included in Appendix F.

Fault Rupture

The State of California adopted the Alquist-Priolo Earthquake Fault Zone Act of 1972 (Chapter 7.5, Division 2, Sections 2621 – 2630, California Public Resources Code), which regulates development near active faults for the purpose of preventing surface fault rupture hazards to structures for human occupancy. In accordance with the Alquist-Priolo Act, the California Geological Survey established boundary zones or "Earthquake Fault Zones", surrounding faults or fault segments judged as sufficiently active, well defined and mapped for some distance. These zones generally extend at least 500 feet on each side of a mapped or inferred trace of an active fault. Structures for human occupancy within designated Earthquake Fault Zone boundaries are not permitted unless surface fault rupture and fault creep hazards are adequately addressed in a site-specific evaluation of the development site.

The Project site is not currently within a designated Earthquake Fault Zone as defined by the State. The closest Earthquake Fault Zone is that of the Hayward Fault, which is located about four miles east of the site. The CEL Geology Study concludes that, "since the site is not within an Earthquake Fault Zone and no faults are known to be present that are within or toward the Project site, the potential for fault ground rupture and surface manifestations from fault creep is judged to be very low to nil", (i.e., less than significant).

Seismic Shaking

The Project site is located in a seismically active region dominated by major faults of the San Andreas Fault System. Major active faults include the San Andreas Fault and the Hayward Fault (located approximately 4 miles northeast of the site). Other major active faults include the Calaveras Fault (located on the order of 14 miles northeast of the site), the Concord- Green Valley Fault (located on the order of 18 miles northeast of the site), and the San Gregorio Fault (estimated to be on the order of 23 miles southwest of the site). The CEL Geology Study concludes that, "the site may experience strong to severe ground shaking from a major earthquake originating from these major Bay Area faults". This is considered a potentially significant impact.

Regulatory Requirements and Mitigation Measures

Regulatory Requirement Geology-1, California Building Code: Because the Project site is located within a seismically active region, the building design and construction must consider the effects of seismic activity in accordance with the latest (2019) edition of the California Building Code (CBC). The building design has already been reviewed by the California State Architect and the California Geologic Survey, and those agencies have determined that the engineering geology and seismology issues at this site are adequately assessed, and no further information is requested.

The CEL Geology Study concludes that the Project site is considered geologically and geo-technically suitable for the Project, provided the Study's recommendations are incorporated into the design and

implemented during construction. The CEL Geology Study provides the following recommendations, included as mitigation measures for this Initial Study, to address seismic shaking:

Mitigation Measure Geology-2, Seismic Design Parameters: According to the CEL Geology Study, the Project should be designed in accordance with local design practice to resist the lateral forces generated by ground shaking associated with a major earthquake occurring within the greater San Francisco Bay region. Based on the measured shear wave velocity at the site, CEL has estimated average shear wave velocity of 300 meter/second, and classified the site as Site Class "D". For design of the site structures in accordance with the seismic provisions of the CBC 2019 and American Society of Civil Engineers (ASCE) 7-16, the following design seismic ground motion values are recommended.

1. Mapped Spectral Response Accelerations: Short Period - 1.592 g, and 1-second Period - 0.6 g
2. Adjusted Maximum Spectral Response Accelerations: Short Period - 1.778 g, and 1-second Period - 1.650 g
3. Design Spectral Response Accelerations: Short Period - 1.185 g, and 1-second Period - 1.100 g
4. Site-Specific Peak Ground Acceleration (PGA): 0.700 g

Mitigation Measure Geology-3, Utility Penetrations at Building Perimeter: Flexible connections at building perimeters should be considered for utility lines going through perimeter foundations. This would provide flexibility during a seismic event. This could be provided by special flexible connections, pipe sleeving with appropriate waterproofing, or other methods.

Resulting Level of Significance

These seismic design parameters and recommendations have been reviewed and accepted by the California Geological Survey as appropriate for the Project, and the Project's seismic design pursuant to these parameters has been reviewed and approved by the California Division of the State Architect. With construction of the Project as recommended, designed and approved, the hazards associated with seismic shaking will be reduced to levels considered acceptable by professional geotechnical engineers and State regulations, and thus would mitigate this impact to less than significant.

Liquefaction

The Project site has been mapped as within a Seismic Hazard Zone for liquefaction based on the State of California, Official Map of the Oakland West Quadrangle, 2003. The soils encountered below the water table at the Project site include layers of dense to very dense sand that may be susceptible to liquefaction in response to strong ground shaking.

The CEL Geology Study included a detailed analysis for liquefaction settlement using software, calculations and procedures and as recommended by CGS. Based on that analysis, the CEL Geology Study finds that seismically induced settlements at the Project site due to the design earthquake may potentially range between approximately ⅓ to ¾ inch, with differential settlements across the site generally considered ½ to ⅔ the maximum estimated total seismic settlement value. These settlements were calculated to occur in discontinuous layers primarily between depth intervals of 15 to 18 feet. The CEL Geology Study assumes a 1-meter-thick liquefiable zone overlain by 5 meters of non-liquefiable materials, and finds that, "the calculated values of potential liquefaction settlement would not result in significant surface manifestation, and that significant post-seismic reduction in the bearing capacities of the existing overlying soils would not occur", (i.e., would be less than significant).

Dynamic Compaction

Dynamic compaction is a phenomenon where loose, sandy soil located above the water table densified from vibratory loading, typically from seismic shaking or vibratory equipment. The Project site is generally underlain by layers of medium dense to very dense silty to clayey sand. Based on the CEL Geology Study evaluation of the composition, measured density and strength of the soils encountered above the historic high ground-water table depth in the borings, "potential dynamic settlements for the design seismic event are anticipated to be less than 0.1 inch", (i.e., would be less than significant).

Lateral Spreading

Lateral spreading involves both vertical and lateral ground movement, resulting from liquefaction. In addition to liquefaction, a free face or slope is necessary in most cases for lateral spreading to occur. Lateral spreading can occur on relatively flat sites with slopes less than two percent under certain circumstances, and manifest itself at the ground surface in the form of cracking and settlement. Lateral spreading can occur in areas located within close proximity to an open face which are supported by underlying liquefiable soil under or close to the open face. Under a lateral spreading condition, soils which liquefy lose strength and the slope moves towards the open face. Any structures or improvements located within close proximity to the slope can also move and possibly be destabilized.

No significant free slope faces are present within the general vicinity of the Project site. In addition, no significant continuous liquefiable subsurface layers underlying the site were identified in the explorations. Therefore, the CEL Geology Study concludes that, "the potential for the occurrence of lateral spreading effects (i.e., surface cracking, settlement) significant enough to structurally impact the new buildings is very low to nil", (i.e., less than significant)

Landsliding

Landslides can occur under a variety of loading conditions, including both static and seismic, but involve sloping ground. The Project site is not within a zone of seismically induced landslide investigation. The site and immediate vicinity are relatively flat, covered by urban development, and do not exhibit landslide features as determined by the CEL Geology Study's site reconnaissance and literature review. Therefore, "the site is not considered susceptible to landsliding", (i.e., no impact).

Soil Erosion

Development of the Project would involve construction activities (e.g., grading) on an approximately 2.6-acre site, resulting in the potential for erosion and sedimentation of downstream receiving waters.

Long-term erosion at the site will be reduced by landscaping and hardscape areas, such as parking lots and walkways, designed with appropriate surface drainage facilities.

Regulatory Requirements

The CEL Geology Study states that present construction techniques and agency requirements have provisions to limit soil erosion and resultant siltation during construction. These measures will reduce the potential for soil erosion at the site during the various construction phases. Erosion control standards are set by the Regional Water Quality Control Board (RWQCB) and administered through the National Pollutant Discharge Elimination System (NPDES) permit process. The following measures and will be required of the Project pursuant to these permit regulations:

Regulatory Requirement Geology-4, Notice of Intent: The project applicant shall submit a Notice of Intent (NOI) to comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB)

Regulatory Requirement Geology-5, Stormwater Pollution Prevention Plan: Pursuant to the Construction General Permit, the project applicant shall prepare and implement during construction a Stormwater Pollution Prevention Plan (SWPPP), including Best Management Practices (BMPs) to reduce erosion, sedimentation and water quality impacts during construction to the maximum extent practicable.

The Project will be required to comply with these regulatory and permit requirements related to erosion control, which will reduce impacts related to soil erosion to levels of less than significant.

Settlement Due to Consolidation

Consolidation is the densification of soil into a more dense arrangement from additional loading, such as new fills or foundations. Consolidation of clayey soils is usually a long-term process, whereby the water is squeezed out of the soil matrix with time. Sandy soils consolidate relatively rapidly with an introduction of a load. Consolidation of soft and loose soil layers and lenses can cause settlement of the ground surface or buildings. The CEL Geology Study concludes that, "the subsurface soils are primarily granular, so are not considered to be susceptible to long-term consolidation settlement. However, the uppermost four feet underlying the site consists of loose sands which may be susceptible to immediate compression settlement due to imposed footing loads, as well as minor settlement due to earthquake shaking."

Mitigation Measures

The CEL Geology Study finds that immediate compression settlements of near surface loose sandy soils can be controlled by limiting the magnitude of building loads, or minimized by either deepening the building foundations to bear on denser underlying soils or by reworking loose soils under footings as compacted, engineered fill. The CEL Geology Study provides the following recommendations, included as mitigation measures for this Initial Study, to address consolidation/densification of soils.

Mitigation Measure Geology-6, Project Compaction Recommendations: The Project's grading plans should follow all recommended compaction requirements as presented in Table 6 of the CEL Geology Study.

Mitigation Measure Geology-7, Building Pad Grading. To reduce potential abrupt differential settlement of the near surface soils as well as to provide uniform bearing support, the buildings should be supported by a layer of reworked, engineered fill. The fill layer should extend to at least four feet below existing ground surface. It should be constructed by a combination of over-excavating the pad below the existing grade, scarifying the over-excavation subgrade to a depth of at least eight inches, and compacting the exposed surface to the project compaction requirements, and backfilling with compacted, engineered fill to the new building pad subgrades. Therefore, the scarified fill thickness can be considered part of the required minimum four-foot engineered fill thickness. The engineered fill layer should extend at least five feet horizontally beyond the perimeter of the building footprints or as feasible if limited by nearby structures.

1. Engineered fill should be placed and compacted to final pad subgrade in accordance with the detailed recommendations presented in the CEL Geology Study.
2. Due to the granular nature of the near-surface materials, excavating the edges of the over-excavations may require that slopes be cut back, as near-vertical slopes may not stand beyond the short-term.

Mitigation Measure Geology-7, Shallow Foundations: The proposed buildings can be supported on conventional continuous perimeter and interior spread footings bearing on the recommended engineered fill layer. Footings should have a minimum width of 18 inches and founded on a minimum of 24 inches below lowest adjacent finished grade (i.e., pad subgrade for interior continuous footings, exterior compacted surface grade for exterior footings, not including loose landscape or topsoil material).

Mitigation Measure Geology-8, Grading Flatwork/Pavement Areas: Areas to receive concrete hardscape or pavements should be scarified to a minimum depth of eight inches below existing grade or final subgrade, whichever is lower. Scarified areas should be moisture conditioned and compacted. Where required, engineered fill should be placed and compacted to reach design subgrade elevation. Rubber-tired heavy equipment, such as a full water truck, should be used to proof load exposed subgrade areas where pumping is suspected. Proof loading will determine if the subgrade soil is capable of supporting construction equipment without excessive pumping or rutting.

Resulting Level of Significance

These soil compaction parameters and recommendations have been reviewed and accepted by the California Geological Survey as appropriate for the Project, and the Project's design pursuant to these parameters has been reviewed and approved by the California Division of the State Architect. With construction of the Project as recommended, designed and approved, the hazards associated with compression and settlements of near surface soils will be reduced to levels considered acceptable by professional geotechnical engineers, and thus would mitigate this impact to less than significant.

Expansive and Collapsible Soils

Collapsible soils are fine sandy and silty soils that have been laid down by the action of flowing water, usually in alluvial fan deposits. Terrace deposits and fluvial deposits can also contain collapsible soil deposits. The soil particles are usually bound together with a mineral precipitate. The loose structure is maintained in the soil until a load is imposed on the soil and water is introduced. The water breaks down the inter-particle bonds and the newly imposed loading densifies the soil.

Subsurface deposits encountered during the drilling program conducted by CEL generally consisted of moist to wet, medium dense to very dense clayey to silty sand. Visual observation of selective samples of the near-surface soils indicated the soils to be of low plasticity, and the near-surface soils are considered to be generally of very low expansion potential. In addition, the soil did not show visual evidence of collapse potential.

Mitigation Measures

The CEL Geology Study finds the potential for collapsible soils underlying the site to be low. The CEL Geology Study provides the following recommendations, included as mitigation measures for this Initial Study, to address the potential for collapsible soils:

Mitigation Measure Geology-9, Interior Floor Slabs: Surficial onsite materials appears low to non-plastic; therefore, a non-expansive fill layer is not required for the proposed building. Slab reinforcing as well as slab construction joints should be designed by the structural engineer or slab

designer to satisfy the anticipated use and loading of the slab. Slab-on-grade subgrade surfaces should be proof-rolled to provide a smooth, unyielding surface for slab support.

Mitigation Measure Geology-10, Positive Drainage: Final grading should be designed to provide drainage away from structures and the top of slopes.

1. Soil areas within 10 feet of proposed structures should slope at a minimum of 5% away from the buildings.
2. Adjacent concrete hardscape should slope a minimum 2% away from the buildings.
3. Roof leaders and downspouts should not discharge into landscape areas adjacent to buildings, and should discharge onto paved surfaces sloping away from the structures or into a closed pipe system channeled away from the structure to an approved collector or outfall.

Mitigation Measure Geology-11, Vapor Barrier: A vapor retarder or barrier should be placed directly under the slab. A sand layer is not required over the vapor retarder from a geotechnical standpoint. During construction, all penetrations (e.g., pipes and conduits,) overlap seams, and punctures should be completely sealed using a waterproof tape or mastic applied in accordance with the vapor retarder manufacturer's specifications. The vapor retarder or barrier should extend to the perimeter cutoff beam or footing.

Resulting Level of Significance

These soil compaction parameters and recommendations have been reviewed and accepted by the California Geological Survey as appropriate for the Project, and the Project's design pursuant to these parameters has been reviewed and approved by the California Division of the State Architect. With construction of the Project as recommended, designed and approved, the hazards associated with expansive and/or collapsible soils will be reduced to levels considered acceptable by professional geotechnical engineers, and thus would mitigate this impact to less than significant.

Other Geologic Hazards - Naturally Occurring Asbestos

No sources of naturally occurring asbestos have been mapped near the site and therefore the potential for naturally occurring asbestos to impact the site is very low. The Project would have no impact related to naturally occurring asbestos.

Alternative Waste Water Disposal

The soils in relation to septic systems are not of concern for this Project because the Project would include connection to City sewer systems for wastewater disposal and would not include use of a septic system. ***No impact*** would occur.

Paleontological Resources

The Project site is in urbanized Oakland and is surrounded by urban development. Paleontological resources are not anticipated at or near the surface within the Project site due to historic development. However, construction-related subsurface disturbance of the Project site could expose and potentially damage previously unidentified paleontological resources.

Mitigation Measures

The following mitigation measures as listed in the Cultural Resources section of this Initial Study would serve to address the unlikely discovery of paleontological resources during construction:

Mitigation Measure Cultural-1: Survey of the Project Area (see details above)

Mitigation Measure Cultural-2: Inadvertent Discoveries (see details above)

Resulting Level of Significance

Pursuant to these mitigation measures, any excavations within 50 feet of a paleontological discovery would be temporarily halted or diverted until the discovery is examined by a qualified paleontologist, documented and evaluated for significance, and procedures established to consider avoidance of the resource or preparation of an excavation plan if avoidance is unfeasible. In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist. 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. With required implementation of these mitigation measures, potential adverse effects on paleontological resources would be less than significant.

Greenhouse Gas Emissions

Would the Project:		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	❒	❒	■	❒
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	❒	❒	■	❒

Greenhouse Gas Emissions

Construction and operation of the Project would contribute additional sources of greenhouse gas (GHG) emissions, primarily through fuel consumption for transportation and energy uses on an ongoing basis. The Project is not anticipated to include stationary sources of GHGs that would generate emissions approaching the stationary source threshold of 10,000 $MTCO_2e$ per year. Any new stationary sources (e.g., emergency generator for the on-site elevator) will be subject to BAAQMD's requirement for New Source Review, and BAAQMD may impose conditions that would lead to GHG emission reductions from any new stationary sources that may be proposed.

The threshold of significance used in this Initial Study is based on BAAQMD CEQA Guidelines as recommended by the Air District for use by lead agencies. These thresholds consider a project to exceed the GHG threshold of significance if the project's emissions exceed 1,100 metric tons of carbon dioxide equivalent ($MTCO_2e$) per year, and/or exceed the efficiency threshold of 4.6 $MTCO_2e$ per service population per year.[20]

The CalEEMod emissions calculator was used to estimate the GHG emissions of the Project (see **Table 4**). Model inputs shown in this Table rely on conservative default assumptions built into the emission calculator, and do not rely on the additional mitigation measures that are included in the Project's design. The results of these default inputs for the Project are shown in the CalEEMod calculations for the Project (see Appendix A), and summarized below.

[20] BAAQMD, May 2017. The Air District is currently updating its existing thresholds of significance. The Draft Thresholds of Significance Justification Report: CEQA Thresholds for Evaluating Climate Impacts from Land-Use Projects and Plans was available for review during a 30-day public comment period from February 16 to March 18, 2022. The updated CEQA Guidelines will be publicly available once the Thresholds of Significance for Climate Impacts are adopted by the Air District Board of Directors, per: https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines

Table 4: Greenhouse Gas Emissions	
Emission Sources	**$MTCO_2e/yr$**
Construction (annualized over 40 years)	15.1
Area Sources	0.01
Energy	138.1
Mobile	649.5
Waste	31.5
Water	14.5
Total Annual GHG Emissions:	**848.1**
CEQA Threshold (Annual GHG Emissions)	1,100
Exceed Threshold?	**No**

Source: Lamphier-Gregory 2022, summary of CalEEMod results, included in Attachment X

Based on these calculated emissions, the Project would not exceed the Air District's recommended GHG emission threshold of 1,100 MTCO2e/year, and the Project impact would be less than significant.

Conflict with Adopted GHG Reduction Strategies

In July of 2020, the Oakland City Council adopted the City of Oakland's *2030 Equitable Climate Action Plan* (ECAP), with the intention that additional policies and ordinances would be adopted to implement some of the 2030 ECAP strategies. The 2030 ECAP sets forth a detailed, equitable path toward cost-effectively reducing Oakland's local GHG emissions by a minimum of 56% below baseline 2005 GHG emission levels by 2030. It provides for a transition away from fossil fuel dependence, removing carbon from the atmosphere through local projects, and ensuring that all of Oakland's communities are resilient to the foreseeable impacts of climate change by 2030. The current statewide goal pursuant to SB 32 is to reduce California's GHG emissions to 40 percent below 1990 levels by 2030. Oakland's adopted 2030 reductions target of 56% below Oakland's 2005 GHG emissions, reaching beyond that of the State's 40% target. The 2030 ECAP contains not only deeper targets, but also qualitatively different and more focused actions than those contained in its previous 2020 Energy and Climate Action Plan, including a major focus on building de-carbonization and energy resilience, fully removing natural gas from the built environment, and installing energy storage systems where appropriate and feasible. [21]

The City's 2030 ECAP does not have a specific numeric threshold for GHG emissions from individual projects. Instead, in December 2020, the City Planning Commission adopted an ECAP Checklist to show consistency with the 2030 ECAP. The ECAP Consistency Checklist includes topics such as consistency with the General Plan, parking limitations to reduce vehicle trip generation, electric vehicle charging infrastructure requirements, and all electric buildings (i.e., no natural gas connections). If a project can qualitatively demonstrate compliance with the ECAP Consistency Checklist items, or alternatively demonstrate to the City's satisfaction that a Checklist item is not applicable, then the project will be considered in compliance with the City's 2020 CEQA GHG threshold of significance

[21] City of Oakland, *2030 Equitable Climate Action Plan*, July 2020

Consistency with the 2030 Equitable Climate Action Plan Checklist

Although the Project is not subject to the City of Oakland's construction-related permits (the Project's design and building permit process is conducted through the California Division of the State Architect), the Project is generally consistent with the City's ECAP Checklist criteria, as summarized below:

- The Project is substantially consistent with the City's overall goals for land use and urban form. The Project involves removal of a prior underutilized school facility to accommodate District-related administrative uses and educational space, which are land uses conditionally permitted within the applicable zoning district of the Project site. The Project's height, setbacks and building mass are consistent with underlying zoning criteria.
- The Project site is located within a "Transit Accessible Areas" as defined in the City of Oakland Planning Code. The Project is located less than one-half mile walk from the Bay Area Rapid Transit District's (BART) West Oakland station, and AC Transit bus lines that run along Adeline Street, 10th Street and 14th Street are within 1 to 2 blocks of the site (CA-CHPS criteria SS 7.1). The Project does not provide any more parking spaces than necessary to accommodate anticipated parking demands.
- The Project does not include any structured parking, and so it is not designed to adapt such structured parking for future adaptation to other uses.
- The Project is subject to a Transportation Demand Management Program, which does include provision of transit passes for employees and students.
- The Project's parking area does include EV-ready conditions for future Plug-In Electric Vehicle (PEV) charging Infrastructure (CA-CHPS criteria EE 8.1).
- The Project would not result in displacement of any residents or essential businesses.
- The Project does include improvements to surrounding sidewalks and curb spaces, and does not introduce any conflicts with the City's adopted Bike and Pedestrian Plans. The Project will provide new walkways and bikeways from the building entry to the end of the property (CA-CHPS criteria SS 9.1).
- The Project does not create any new natural gas connections or hook-ups. The Project will not use natural gas consumption for space heating or water heating (CA-CHPS criteria EE 7.1)
- Whereas the Project is not required to comply with the City of Oakland Green Building Ordinance, the Project does comply with all CalGreen requirements (CA-CHPS criteria EE 8.1)
- The Project would reduce demolition waste from construction by 75% (CA-CHPS criteria MW 2.1), would provide for storage and collection of recyclables (CA-CHPS criteria MW 1.0), and construction materials would include at least 20% recycled materials by costs (CA-CHPS criteria MW 3.1)
- The Project is not located in a Very High Fire hazard Severity Zone.
- The Project would add a greater number of trees than will be removed.
- The Project will comply with all applicable NPDES C.3 requirements for protection of water quality (CA-CHPS criteria SS 5.1)

Based on the Project's general consistency with the City's ECAP Checklist criteria, as well as its CA-CHPS Scorecard that demonstrates the Project meets the criteria for CHPS-verified certification, the Project complies with applicable plans, policies and regulations adopted for reducing the emissions of greenhouse gases, and this impact would be less than significant.

Hazards and Hazardous Materials

Would the Project:		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	❒	■	❒	❒
b)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?, or	❒	❒	■	❒
c)	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?				
d)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	❒	❒	■	❒
e)	For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	❒	❒	❒	■
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	❒	❒	❒	■
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	❒	❒	❒	■

Hazardous Material Site - per Cortese List

In California, regulatory databases listing hazardous materials sites provided by numerous federal, state and local agencies are consolidated in the "Cortese List" pursuant to Government Code Section 65962.5. The Cortese List is located on the California Environmental Protection Agency's (Cal EPA) website and is a compilation of the following lists:

- Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database
- Leaking Underground Storage Tank Sites from the State Water Board's GeoTracker database
- Solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit
- "Active" Cease and Desist Order and Cleanup and Abatement Order (CAO) sites from the SWRCB, and
- Hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, as identified by DTSC and listed on the EnviroStor database

The databases cited above identify sites with suspected and confirmed releases of hazardous materials to the sub-surface soil and/or groundwater. The reporting and status of these sites change as identification, monitoring and cleanup of hazardous sites progress. Typically, sites are "closed" once it has been demonstrated that existing site uses, combined with the levels of identified contamination, present no significant risk to human health or the environment.

The Project site is currently listed on the California Department of Toxic Substances Control (DTSC) EnviroStor database, as a School Site Remediation (see discussion, below).

2019 Phase I Environmental Site Assessment

A Phase I Environmental Site Assessment (Phase 1 ESA) of the Project site at 1011 Union Street was performed by Ninyo & Moore in December 2019 (see **Appendix F**). The Phase I ESA was performed in general accordance with ASTM International guidelines for Phase I ESAs (ASTM E 1527-05). The objective of this Phase I ESA was to identify records of environmental concern (RECs), defined as "the presence or likely presence of any hazardous substances or petroleum products in, on or at a property that posed a material threat of a future release to the environment". As part of that Phase I ESA, Ninyo & Moore obtained an Environmental Data Resources, Inc. (EDR) report, dated November 15, 2019, which contained a listing of all regulatory database sites located within a 1-mile radius of the Project site. Based on this information, the Project site was not identified at the time as being listed on the "Cortese List" pursuant to Government Code Section 65962.5.

The Phase I ESA did identify three on-site RECs with the potential to have adversely impacted the site. The identified RECs, included:

- potential use of lead-based paint on current or former residential structures constructed before January 1, 1979, and on school structures constructed before January 1, 1993
- potential application of termiticides containing organochlorine pesticides (OCPs) in soils in the area of current or former structures constructed prior to January 1, 1989
- potential for residual soil contamination to be present at the site related to an August 1998 removal of a 2,000-gallon heating oil tank, and on-site storage of hazardous substances, including diesel fuel storage for the on-site backup generator
- potential sources for metals and semi-volatile organic compounds (SVOCs) associated with a waste incinerator located in the basement of the Cole building

Based on these findings, the Phase I ESA recommended further investigations, including:

- Soil samples should be collected around the perimeter of the buildings and analyzed for lead, arsenic, and OCP
- Soil samples should be collected immediately adjacent to the incinerator and analyzed for metals and SVOCs

DTSC Oversight Agreement

In September of 2020, the District submitted the Phase I ESA to DTSC. In April of 2021, the District entered into an agreement with DTSC for oversight. DTSC has now entered the Project site into its EnviroStor website database, and is providing oversight of the process toward site clearance.[22]

[22] Identified as Central Administrative Center at Cole Campus (Case #60003015), Cleanup Status: Active as of 7/2/2020, Site Type: School – accessed at: https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60003015

Pursuant to this Agreement, the District submitted all background information, sample analysis results, environmental assessment reports, and other information pertinent to the hazardous materials management and/or release, characterization and cleanup of the site. DTSC held a scoping meeting with the District and its representatives, and provided recommendations for a subsequent Work Plan for a Preliminary Endangerment Assessment (PEA). In October 2021, the District submitted a Preliminary Environmental Assessment Workplan for approval by DTSC.

Preliminary Endangerment Assessment

Pursuant to approval of that Workplan, Ninyo & Moore prepared a Preliminary Endangerment Assessment (PEA) Report for the School District and the Department of Toxic Substances Control (DTSC) for the Project site (see **Appendix H**) in December of 2021. The PEA evaluated soil and soil gas for potential environmental concerns. As identified in the PEA Work Plan, constituents of potential concern (COPC) in soil and soil gas at the site include metals, TPHs, OCPs, PCBs, SVOCs, VOCs, PAHs and dioxins/furans. These COPCs may be from the current structures, former structures, fill materials, naturally occurring constituents, or former burned structures.

Pursuant to the PEA, soil samples were collected from 124 borings across the site, and soil-gas samples were collected from four dual-nested soil vapor probes installed at a depth of 5 and 10 feet bgs (see **Figure 15**). All samples were transported to a laboratory under proper chain-of-custody protocols for analysis.

The PEA screening evaluation for human health effects involved identifying chemicals of potential concern (COPCs), evaluating exposure pathways and media of concern, assessing chemical toxicity, and then characterizing risk. Estimated health risks are based on a calculated dose, which integrates exposure parameters for the receptors of concern with chemical- specific toxicity criteria. The calculated risks are then compared to health-based guidelines developed by the EPA and DTSC. For the purpose of the PEA screening evaluation, the potential dose is calculated for a resident (adult and child) occupying the site.

Exposure to COPCs can only occur if there is a complete pathway by which the COPCs in soil, water or air can be contacted by humans. Therefore, the evaluation of exposure pathways was the first step in the human health screening evaluation. Potential health hazards and risk are then calculated based on an evaluation of potential exposure concentrations and the toxicity of the COPCs. For purpose of the PEA, it was assumed that “hypothetical residents” at the site could be exposed to chemicals through incidental ingestion, dermal contact, inhalation of soil particulates containing COPCs, and inhalation of soil vapor containing COPCs. In accordance with PEA guidelines, exposures to COPCs were evaluated assuming hypothetical residential exposure.

The health risk evaluation was based on the application of conservative methods and assumptions in all phases of the assessment. Because potential exposure point concentrations were derived from maximum detected concentrations, conservative assumptions and methodologies were necessarily employed to minimize the possibility of underestimating risks. This practice, although commonly used in the risk assessment process, necessarily introduces a significant level of conservatism in the conclusions derived from the assessment. Based on the results of the PEA investigation, the following conclusions were derived:

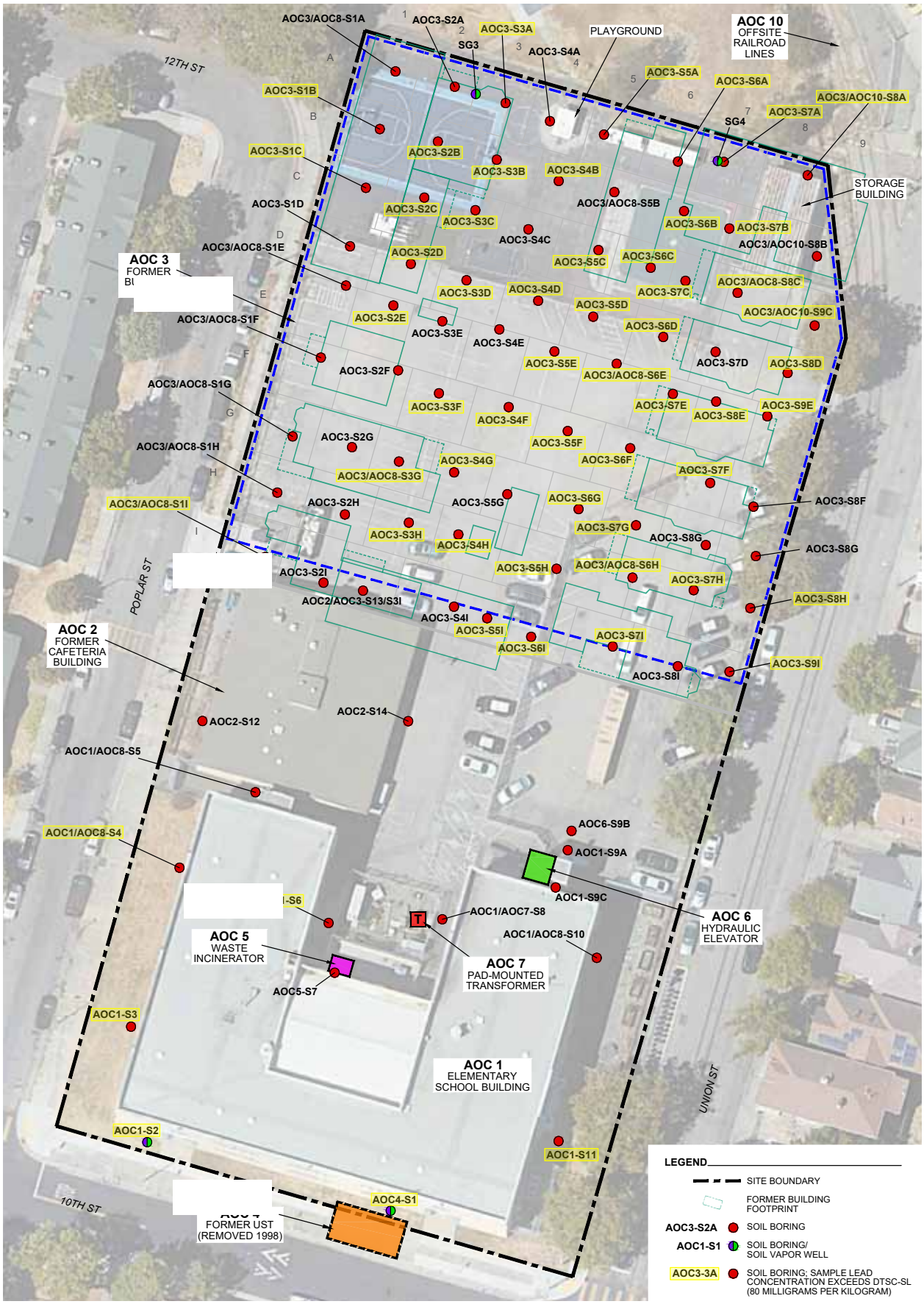


Figure 15
Soil Sample and Soil/Gas Sample Locations, Preliminary Endangerment Assessment

Source: Ninyo & Moore, December 2021

- The upper limit arsenic background concentration for at site was estimated to be 14.20 mg/kg, and 5 of the 124 soil samples collected at the site contained arsenic at concentrations higher than the estimated local background concentration. The distribution of arsenic contamination across the site appears to be limited and localized. The estimated 95% upper confidence limit (UCL) for arsenic using all available data was estimated to be 7.52 mg/kg.
- Relatively high concentrations of lead were detected in soil at the site. The estimated 95% UCL for lead was estimated to be 181.3 mg/kg. This value exceeds the DTSC soil screening value for lead of 80 mg/kg. Therefore, it is concluded lead in soil could pose a potential health hazard to future on-site receptors.
- Using maximum detected concentrations for all organic chemicals detected in soil at the site, the total incremental cancer risk for hypothetical residential exposure to site-related chemicals was estimated to be 4E-06. This value exceeds the acceptable cancer risk of 1E-06. The "risk drivers" were found to be dioxins/furans and Dieldrin.
- Using maximum VOC concentrations detected in soil gas, the total incremental cancer risk for hypothetical residential exposure to indoor air was estimated to be 5E-06. This value exceeds the acceptable cancer risk of 1E-06. The "risk driver" was found to be chloroform.[23]
- Using maximum detected soil chemical concentrations, the hazard indices estimated to result from soil exposure or indoor air exposure were estimated to be lower than 1. Both estimated hazard indices were within levels considered acceptable to California health and environmental protection agencies.

The PEA identifies that there are remaining data gaps that need further analysis. These data gaps include:

- Vertical delineation of lead concentrations that exceed screening levels, and
- Vertical and lateral delineation of dioxins/furans concentrations that exceed screening levels

Once these data gaps have been thoroughly investigated, the PEA recommends the following additional steps toward clearance of the site for future use pursuant to the Project:

- Evaluate mitigation and/or remediation options with respect to the proposed improvement plans (i.e., building locations, hardscape).
- Prepare a site-specific Health and Safety Plan and a Soil Management Plan for any work where contractors shall be working in or excavating soil.
- Delineate lead vertically in areas near the former buildings at the northern portion of the site, where grading is expected during development of the Project, and where soil will be removed and disposed of off-site. Vertical delineation will determine the distribution of elevated lead concentrations in soil that may be excavated during grading.
- Delineate dioxin/furans in soil vertically and laterally near the westerly side of the current Cole Middle School.

[23] It should be noted that chloroform is known to be formed from the reaction of chlorinated water with soil organic matter. Free chlorine can react with organic matter in soil to form chloroform and other trihalomethanes. Thus, it is highly likely that the chloroform detected in soil gas could have originated from chlorinated potable irrigation water in the subsurface. Furthermore, chloroform was only found above the SL in soil gas samples collected on along southern perimeter of the site in a landscaped area where irrigation lines were observed.

Preliminary Removal Action Work Plan (RAW)

In March of 2022, DTSC issued a Community Survey to help DTSC determine the level of community interest and potential desire for future community outreach activities related to cleanup of the Project site.[24] On April 1, 2022, DTSC and the District held a Scoping Meeting to discuss respective roles and responsibilities related to cleanup of the site, and to provide an overview of DTSC's Schools Unit process for remediation and cleanup. Based on this Scoping meeting, the following activities were identified as pending, pursuant to preparation, review and DTSC approval of a Removal Action Work Plan (RAW):

- A School Cleanup Agreement between the District and DTSC
- Submittal of a draft RAW(s) for DTSC review and approval [25]

As more fully described in the Project Description of this document, the preliminary approach for addressing areas of concern and chemicals of concern at the site is anticipated to involve remediation of soil contaminated with lead and arsenic during the construction phase of the Project. Soil excavation and removal with off-site disposal is expected to be the preferred remedial action alternative, to be fully developed as part of the RAW. Based on preliminary Scoping discussions, it is anticipated that the Project will involve two RAWs, separated into Phase 1 and Phase 2 areas to accommodate the Project's construction schedule.

- The Phase 1 RAW is expected to address an approximately 1.6-acre northerly portion of the site. The Phase I RAW is expected to involve excavation of this area to a depth of 3 feet to remove soils with lead and arsenic concentrations at levels that exceed DTSC environmental screening levels.
- The Phase 2 RAW is expected to address the remaining approximately 1-acre southerly portion of the area of the site, and is similarly expected to involve excavation of this area to a depth of 3 feet to remove soils with lead and arsenic concentrations at levels that exceed DTSC environmental screening levels. The Phase II RAW is also assumed to include further evaluation and identification of methods for addressing soil vapor near the westerly side of the current Cole Middle School building.

Each of these Removal Action Work Plans will identify the remediation goals and objectives, and the performance measures for soil excavation and off-site disposal of lead and arsenic-contaminated soil. They are also expected to include the following:

- a description of the Removal Action process, site background information, description of the nature, source and extent of contamination, risk evaluation and clean up goals, and an engineering evaluation/cost analysis
- a list of All Applicable or Relevant and Appropriate Requirements (ARARs), including chemical-specific ARARs in accordance with DTSC human health risk screening process (including Air Quality Management and a Health and Safety Plan), action-specific ARARs (for waste management, storm water discharge and quality assurance) and location-specific ARARs
- an implementation plan, which will include field documentation, site preparation and security measures, identification of work zones, the excavation plan, meteorological and air monitoring, a Sampling and Analysis Plan (waste characterization and excavation confirmation sampling), a

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[24] DTSC, March 22, 2022, accessed at: https://www.envirostor.dtsc.ca.gov/public/final_documents2?global_id=60003015&enforcement_id=60517542

[25] DTSC, April 1, 2022, accessed at: https://www.envirostor.dtsc.ca.gov/public/final_documents2?global_id=60003015&enforcement_id=60517946

Transportation Plan for off-site disposal, backfill and site restoration plans, and a Project Schedule and Report of Completion.

Regulatory Requirements / Mitigation Measures

Pursuant to Health and Safety Code requirements for all responses actions for school sites (Education Code Section 17210.1, subsections (a) (1) and (2), and Section 17213.2, subsection (a)), the Project is required to complete the environmental review and cleanup process for the Project under the oversight of DTSCs Brownfields Restoration and School Evaluation Branch. Through this process, DTSC ensures protection of children, staff and the environment from the potential effects of exposure to hazardous materials.

Regulatory Requirement Hazards-1, Completion of the DTSC Environmental Review and Cleanup Process: Pursuant to Health and Safety Code requirements for projects under the regulatory review and oversight of DTCS's Brownfields Restoration and School Evaluation Branch, the Project must complete the DTSC-established protocols for site evaluation and cleanup. Pursuant to this process, remaining steps include, but are not limited to the following:

1. Approval and acceptance of a final Preliminary Environmental Assessment
2. Entering into a subsequent Voluntary Cleanup Agreement or School Cleanup Agreement
3. Preparation of a Removal Action Work Plan or Remedial Action Plan, including providing additional opportunities for public comment
4. Conducting all necessary cleanup activities pursuant to an approved Removal Action Work Plan or Remedial Action Plan
5. Obtaining a "No Further Action" letter from DTSC, once all cleanup activities are satisfactorily completed under DTSC oversight

Resulting Level of Significance

With full compliance with all DTSC-established procedures and protocols, threatened releases or potential releases of hazardous substances at or from the Project site will be fully investigated and remediated, such that the Project would not create a significant hazard to the public or the environment.

Hazardous Materials near Schools

The nearest schools to the Project site are Martin Luther King Jr. Elementary School (960 10th Street) and Ralph J. Bunche Academy (1240 18th Street), both of which are located approximately 0.3 mile from the Project site. There are no other schools located within one-quarter mile of the Project site. As noted above, hazardous materials used during construction and operation of the Project would be used in compliance with applicable regulations. Compliance with applicable regulations would reduce the potential hazardous materials exposure, and no impact to other nearby schools would occur.

Hazardous Materials Risks during Construction

As part of the Removal Action Work Plan for the site, contaminated soil may be temporarily stockpiled on-site for confirmation testing prior to being transported to an approved off-site disposal facility. There is a risk that such stockpiled soils could be subject to dispersal from wind and/or stormwater runoff.

The potential for off-site exposure to dust from contaminated soil resulting from disturbance of impacted soils during excavation activities is not considered a significant exposure pathway. This is because the exposure duration during transport is short, dust will disperse, and dust will be monitored at the perimeter of the site during excavation. Minor off-site exposure may occur during transport of

excavated contaminated soil to the disposal location. The level of exposure is not a significant impact given the very short-term exposure and the widespread dispersal of any dust released during transport.

Other construction and operation activities associated with the Project would involve the routine transport, use and disposal of hazardous materials including, but not limited to fuels, oils, solvents and glues. Inadvertent release of large quantities of these materials into the environment could adversely affect workers, the public, soil, or water quality.

Regulatory Requirements / Mitigation Measures

As more fully addressed in the Hydrology section of this Initial Study, the Project would be required to implement construction Best Management Practices during construction as part of a Stormwater Pollution Prevention Plan as required by the National Pollution Discharge Elimination System General Construction Permit. Implementation of these required BMP would minimize the potential for adverse effects to workers, the public, soils, and water quality, and this impact would be less than significant.

The District will be required to prepare separate Site-Specific Health and Safety Plans and a Soil Management Plans for DTSC approval prior to any work in Phase I and Phase II areas where contractors will be working in, or excavating soil.

Regulatory Requirement Hazards-2, Soil Management Plan: Pursuant to DTSC's review and approval of the Phase I and Phase II Removal Action Work Plans, these approvals will also require preparation and implementation of a Soil Management Plan (SMP). The SMP is to be implemented during future remediation excavation and construction activities to protect construction workers, site occupants and off-site receptors from potential exposure to lead and arsenic in the soil. The SMP will serve as the guidance document for evaluation of clean, contaminated and hazardous soils during soil disturbance activities. Sections of the SMP will include:

1. A program of participant roles and responsibilities, description of the physical setting, soil screening criteria, soil management objectives, remedial actions and notifications
2. Health and Safety plans, including a discussion of proper personal protective equipment (PPE) to mitigate direct contact exposure of contaminated soils to site workers
3. Delineation of exclusion work zones and hazard warning signage, best management practices (BMPs) for PPE and equipment decontamination, and site worker hygiene
4. Soil excavation and monitoring (including air monitoring of dust levels, and the requirement that all excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph (see Mitigation Measure Air-2)
5. Soil segregation, stockpiling soil and stockpile management, including proper storage of excavated soils to prevent cross contamination (e.g. stockpiling on plastic sheeting and covering), to prevent wind dispersal by requiring that stockpiled soil on-site be watered or treated with soil stabilizers, and covered (see Mitigation Measure Air-2), and to prevent inadvertent contamination from stormwater runoff (see Mitigation Measure Hydrology-2 pertaining to SWPPP requirements of the NPDES regulations)
6. Transport management, including the requirement that all trucks off-hauling soil maintain at least two feet of freeboard and employ covers (see Mitigation Measure Air-2)

With implementation of DTSC's regulatory requirements (including Project-specific mitigation measures) the activities associated with excavation and removal of contaminated soil would not create a significant impacts related to risks of exposure to contaminated materials during the soil removal process.

Routine Use and Risk of Spill of Hazardous Materials during Operations

Operation of the Project may include the handling, storage and transport of small amounts of hazardous materials that may include cleaning products; pesticides and fertilizers used for grounds maintenance; and paints, solvents, fuels and lubricants used in building operation and maintenance. The Project would not be expected to handle, store or transport these materials in large quantity. Most of these chemicals are typical household chemicals that must be used according to the manufacturers' recommendations and labeling, but do not create a significant hazard to the environment.

Regulatory Requirements

Title 8 of the California Code of Regulations requires every employer to develop and implement an effective Injury and Illness Prevention Program to improve safety and health in the workplace. Injury and Illness Prevention Program elements include hazard assessment, accident/exposure investigation, hazard correction, and training and instruction. OSHA has found that these programs are effective in reducing the number and severity of injuries and illness in the workplace, and is required of the Project.

Businesses that store hazardous materials or hazardous substances at reportable quantities are required to prepare and submit a Hazardous Materials Business Plan to the Alameda County Department of Environmental Health. The general reportable quantities are equal to or greater than 55 gallons of a liquid, 200 cubic feet of a gas, and 500 pounds of a solid. The Project is not anticipated to use or store any hazardous materials at reportable quantities.

By complying with manufacturers' recommendations and labeling, as well as applicable regulations as identified above, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and this impact would be less than significant.

Airport Hazards

The Project site lies approximately 6 miles to the northwest of the Oakland International Airport and is not within its Airport Influence Area. [26] There are no other airports, either public or private, within the vicinity of the project site. No impact related to airport hazards would occur.

Emergency Response Plan

The Project has been subject to the California Division of State Architect (DSA) review of all architectural, mechanical/electrical and fire/life safety plans. DSA approvals included review by the Oakland Fire Department's Fire Prevention Bureau. This review has included verification that the proposed site ingress and egress is adequate for on-site police protection, fire access and emergency response.

The Project would not alter traffic patterns and would not impair implementation of any adopted emergency response plan or emergency evacuation plan. The Project would therefore have no impact related to an emergency response plan.

Wildland Fire

The Project site is located in an urbanized area removed from areas typically subject to wildland fire, and it has not been identified as a very-high fire-hazard severity zone. [27] Therefore, the Project would have no impact related to wildland fire.

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[26] Alameda County Airport Land Use Commission, *OAK Airport Land Use Compatibility Plan*, 2010

[27] California Department of Forestry and Fire Protection. Fire Hazard Severity Zones Maps. Website accessed 2.28.20 at https://osfm.fire.ca.gov/media/5606/oakland.pdf

Hazardous Materials near the Project's Education Program (non-CEQA)

As identified in the Phase I ESA, the California Cereal Products/Nabisco Brands Inc. property on 14th Street, downgradient of and north of the Project site, had two 10,000-gallon petroleum fuel oil USTs and one 750-gallon diesel UST removed in 1993. In 1994 and at this same site, a number of containers of unknown substances were dumped and burned on the railroad tracks. This spill occurred approximately 300 feet north of the Project site, and Oakland Terminal Railroad took responsibility for the cleanup. Due to the exact location of the dumping being unknown, the quantity and type of contaminant being unknown, the fact that a clean-up was completed, and that the dumping took place downgradient from the site, this is was not considered a records of environmental concern (REC) to the Project site. Several other off-site facilities were located within the EDR search radius from the Project site, and were evaluated as to their potential to impact soil, soil vapor, and/or groundwater at the Project site. The Phase I ESA found a low likelihood that these off-site properties represented a REC to the site, based on one or more of the following factors:

- The nature of the database(s) on which the property is listed, and/or because the property was not listed on a database that reports unauthorized releases of hazardous substances
- Reported regulatory agency status (i.e., case closed)
- Reported nature of the case (i.e., soil contamination only)
- Reported distance of the property from the site, and/or
- Location of the property in relation to the site with respect to topography or expected groundwater flow direction (northeast)

Further assessment of potential impacts from off-site properties to the north and south of the Project site included soil and soil gas samples collected along the northern and southern boundaries. Soil samples were analyzed for TPHd, TPHmo, TPHg, VOCs, and CAM 17 Metals. Soil gas samples were analyzed for VOCs, fixed gases (oxygen, carbon dioxide and methane) and helium (tracer gas compound). No exceedances of environmental screening levels were detected in any of the soil samples, and the only exceedance was a soil gas sample for chloroform. Further assessment of potential impacts from the railroad tracks adjacent to the northeast corner of the site included soil samples collected from adjacent soil borings. Soil samples were analyzed for CAM 17 metals, SVOCs, and PAHs. Only exceedances of lead were detected, and SVOCs and PAHs were not detected above the laboratory reporting limits.

Pending any further analysis that may be required (see Regulatory Requirements, above), there are no other known off-site contaminated sites or sources that would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of the Project. This impact is considered less than significant.

Hydrology and Water Quality

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	❒	❒	❒	■
b) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site;	❒	■	❒	❒
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	❒	❒	■	❒
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	❒	■	❒	❒
d) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	❒	❒	■	❒
e) In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation? Impede or redirect flood flows?	❒	❒	❒	■

Discharge in Violation or Conflict with a Water Quality Control Plan

Operation of the Project would not include any types of operations or land uses that would directly result in substantial degradation of water quality, or that would violate any water quality standards or waste discharge requirements.

Water Quality and Erosion during Construction

Site preparation and grading, and soil removal activities as may be identified in the DTSC-approved Remedial Action Workplan (as identified in the Hazards section of this Initial Study), all have the potential to expose underlying soils to wind and water erosion, and to introduce pollutants into stormwater runoff. Eroded soils can be carried by stormwater runoff into the downstream drainage channels and eventually into the Bay, causing increased sedimentation. Construction activities associated with the Project could adversely affect water quality through the potential discharge of construction materials and wastes to the stormwater collection system. The delivery, handling and storage of construction materials and wastes, as well as use of construction equipment, could also introduce the risk of stormwater contamination. Polluted stormwater or excessive sedimentation can lead to degradation of downstream waters.

Regulatory Requirements / Mitigation Measures

The Project is required to comply with regulatory requirements of the State Water Resources Control Board (SWRCB), including implementing all necessary measures to prevent excessive sedimentation in stormwater runoff or carrying of pollutants off-site in stormwater runoff during construction. Pursuant to existing regulatory requirements, the following measures are required of the Project:

Regulatory Requirement Hydrology-1, State Construction General Permit and SWPPP: The Project applicant shall file a Notice of Intent with the State Water Resources Control Board (SWRCB) for construction-period releases of stormwater to be covered under the State's Construction General Permit. Pursuant to the requirements of that at Permit, the Project sponsor shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) and other permit documents as may be required by the SWRCB. At a minimum, the SWPPP shall include:

1. Best Management Practices (BMPs) to minimize erosion and sediment (i.e. gravel bags, silt fence, straw wattle, sediment basin, soil stabilizers, etc.)
2. BMPs to minimize non-stormwater discharges (i.e. concrete waste management, material waste management, good housekeeping practices, etc.)
3. Site inspections and BMP maintenance

Resulting Level of Significance

By obtaining a Construction General Permit from the SWRCB and implementing all applicable provisions of that permit (i.e., a Project-specific SWPPP), the Project will prevent stormwater contamination, and control sediment and erosion to levels as required of that permit, and construction-period impacts on water quality will be reduced to less than significant.

Storm Drainage Conveyance

Under current conditions, only about 6,675 square feet (or about 6%) of the site is covered by pervious surface (the landscape strips surrounding three sides of the existing Cole Building), and the remaining approximately 104,345 square feet (or 94%) of the site is covered by impervious surfaces (i.e., the Cole Building, the Cafeteria building, the modular shed and asphalt). Under Project conditions, 23,373 square feet (or about 21%) of the site will be covered by pervious surfaces (landscaping and biotreatment areas), and the remaining approximately 87,647 square feet (or 79%) of the site will be covered by impervious surfaces (i.e., the new Cole Administration/Education Building, surface parking and sidewalks) (see **Appendix I**)

Since the Project will be decreasing total impervious surface area on the site, the rate and amount of surface runoff will not be substantially increased in a manner that might otherwise result in flooding on- or off-site. The impact of the Project pertaining to increased stormwater runoff will be less than significant.

Post-Construction Water Quality

The Project will introduce new sources of non-point water pollutants such as automotive fluids, pesticides, fertilizers and herbicides used in landscaped areas, trash and excess irrigation water, and air pollutants deposited on roof tops and other impervious surfaces. These non-point sources of pollutants could enter the storm drainage system and eventually contribute to surface water-quality degradation.

Regulatory Requirements

The Project's stormwater runoff would connect to, and ultimately be discharged through the City's stormdrain system. Therefore, the Project would be subject to the City's waste discharge requirements

under to the National Pollutant Discharge Elimination System (NPDES) permit. These requirements regulate the discharge of stormwater runoff from municipal separate storm sewer systems (MS4s) of Alameda County (including Oakland), and which are individually permitted under a San Francisco Bay Municipal Regional Stormwater Permit (MRP - Order R2-2009-0074; NPDES Permit No. CAS612008). The MRP ensures attainment of applicable water quality objectives and protection of the beneficial uses of receiving waters and associated habitat by requiring municipal dischargers (e.g., Oakland) to not cause exceedances of water quality objectives nor cause certain conditions to occur that create a condition of nuisance or water quality impairment in receiving waters.

Provision C.3 of the MRP requires new project and redevelopment projects that create or replace 10,000 square feet or more of impervious surface to implement certain measures to protect water quality and prevent erosion. The Project would exceed the 10,000 square-foot criteria, and would be subject to regulations that seek to minimizing sediment and other pollutants in site runoff. The goal of Provision C.3 of the MRP is to include appropriate source control, site design and stormwater treatment measures in new development projects to address both soluble and insoluble stormwater runoff pollutant discharges, and prevent increases in runoff flows. The Project will therefore be subject to the following regulatory requirement:

Regulatory Requirement Hydrology-2, Post-Construction Stormwater Management Plan: The Project shall be subject to compliance with the requirements of Provision c.3 of the Municipal Regional Stormwater Permit, including developing and implementing a Post-Construction Stormwater Management Plan (SWMP) subject to the review and approval of the City of Oakland (as the discharge permittee). The SWMP must identify the location and size of new and replaced impervious surfaces, the directional surface flow of stormwater runoff, and the location of proposed on-site storm drain lines, the site design measures to reduce the amount of impervious surface area, source control measures to limit stormwater pollution, and stormwater treatment measures to remove pollutants from stormwater runoff.

Project's Proposed Preliminary Stormwater Management Plan

The Project sponsor has prepared a preliminary post-construction Stormwater Control Plan to demonstrate how the requirements of the c.3 provisions of the MRP will be implemented at the Project site (see **Appendix I**).[28] This preliminary post-construction Stormwater Control Plan demonstrates that the Project site will be divided into five separate Drainage Management Areas (DMAs), and that each of these DMAs will be provided with water quality treatment in separate bio-retention planter areas that are sized to meet the treatment requirement from each DMA. The Project's stormwater drainage system will route all stormwater runoff from the Project's hardscape areas (i.e., rooftops, parking areas, sidewalks and walkways) into these bioretention planters which will serve both as stormwater detention and water quality treatment prior to discharge to the City of Oakland's storm drain system (see **Figure 16**). The bioretention areas have been sized to meet the volume of storm flows routed through each treatment area, as indicated in **Table 5,** below.

[28] Siegfried, Stormwater Management Memo for Cole Administration Building, February 9, 2022 (Appendix I)

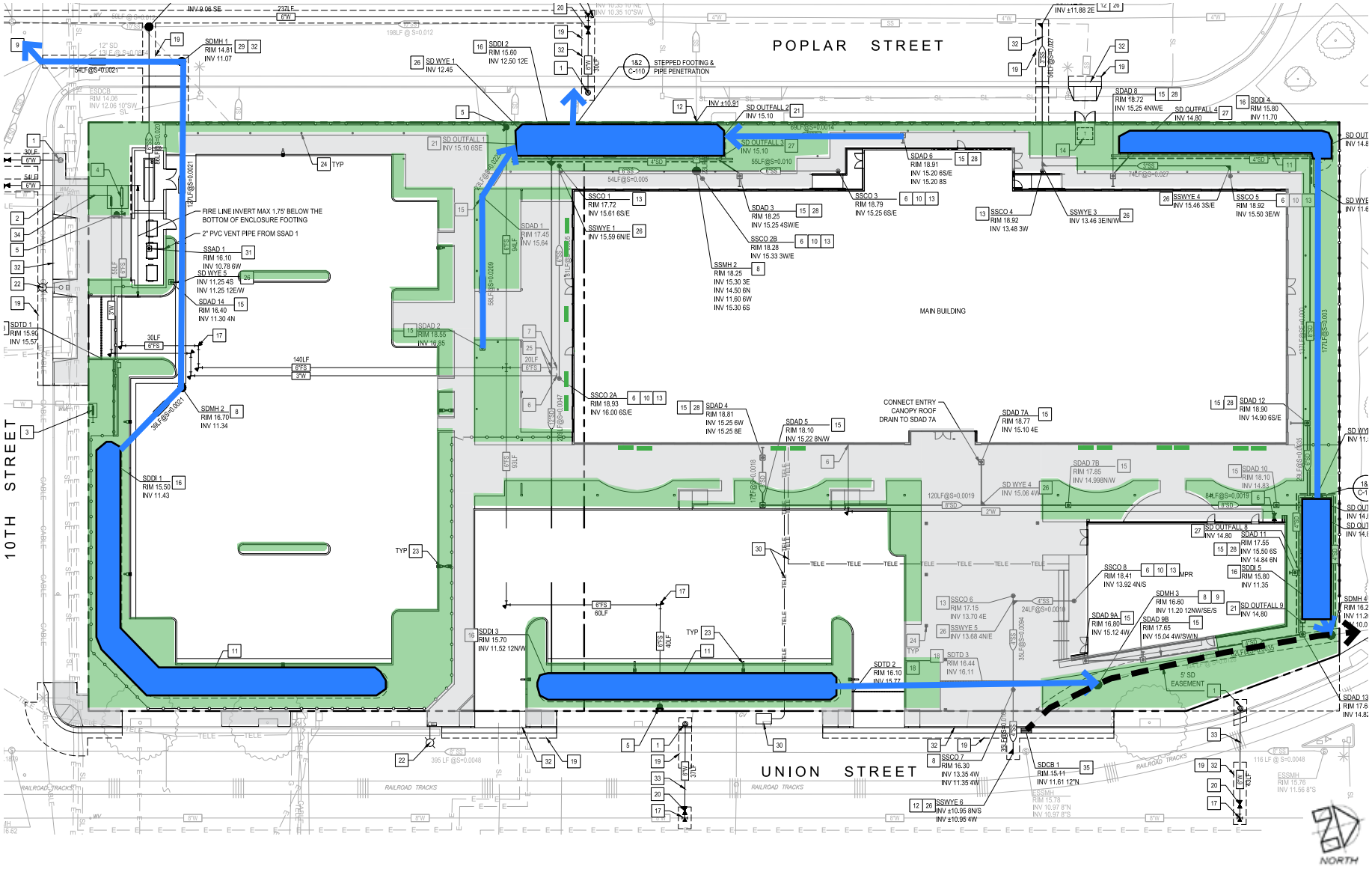

Figure 16
Preliminary Post-Construction Stormwater Management Plan

Source: Siegfried, Utilities Plan, Sheet C-105, 3/09/21

Table 5: Post-Construction Stormwater Bioretention Volume				
Drainage Mgt. Area	**Pervious Surface Area (sf)**	**Impervious Surface Area (sf)**	**Required Treatment Volume (cf) [1]**	**Provided Treatment Volume (cf)**
DMA 1	1,431	583	Pervious surfaces exceed 2:1 ratio as self-treating	
DMA 2	5,820	23,650	1,401	1,439
DMA 3	3,590	17,773	1,048	1,054
DMA 4	3,457	14,847	878	880
DMA 5	9,075	30,793	1,833	1,846
Total:	**23,373 (21%)**	**87,646 (79%)**	**5,160**	**5,218**

Source: Siegfried, February 2022 (see **Appendix I**)

Notes: 1. Required capture volume per Alameda County C.3 Technical Guidance V4.0 worksheet for Calculation the Water Quality Design Volume

With implementation of a post-construction Stormwater Management Plan, the Project will provide adequate BMPs for the treatment of water quality in stormwater runoff from the Project site, and these BMPs will be installed, implemented and maintained in a manner that will reduce post-construction water quality impacts to acceptable, less than significant levels. The Project would be consistent with policies and regulations related to stormwater pollutants, reducing the potential for impacts on water quality to less than significant.

Groundwater

The Project is not expected to involve substantial excavation that would affect groundwater. Dewatering activities are not anticipated to be necessary, but if subsequently determined to be required, any dewatering activities associated with the Project must comply with the General Construction Permit and requirements established by the RWQCB to ensure that such activities would not result in substantial changes in groundwater flow or quality.

The Project would not increase impervious surface area of the site (the site is currently nearly fully paved, other than side yard landscape), and new landscaping and stormwater capture would allow the minimal groundwater recharge that is occurring to continue. The Project would use potable water from the public water system for onsite water needs, and would not rely on groundwater for potable supply. The project would not increase groundwater use, deplete groundwater supplies, or interfere with groundwater recharge. No impacts on groundwater resources are anticipated.

Flood Risk

The Project site is not located within a 100-year flood zone (see **Figure 17**),[29] and it is not within a tsunami inundation zone.[30] Further, the site is not located near an inland body of water. The Project site is not at risk for inundation from flood hazard, tsunamic or seiche, would not pose a risk of release of pollutants due to project inundation, and would not impede or redirect flood flows. No impacts related to flooding conditions would occur.

[29] Federal Emergency Management Agency. National Flood Hazard Layer Viewer. Flood Insurance Rate Map Panel 06001C0006H6, December 21, 2018. Website accessed 3.3.20 at: https://fema.maps.arcgis.com/apps/webappviewer/index.html?id=29f87515702d4845a906419b287e2049.

[30] California Department of Conservation. Alameda County Tsunami Inundation Maps Website accessed 3.3.20 at: https://www.conservation.ca.gov/cgs/tsunami/maps/Alameda.

Figure 17
FEMA Flood Zone in Relationship to the Project Site

Source: FEMA's National Flood Hazard Layer (NFHL) Viewer accessed at: https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html

Land Use and Planning

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	❒	❒	■	❒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	❒	❒	■	❒

Division of a Community

Division of an established community typically occurs when a new physical feature physically transects an area, thereby removing mobility and access within an established community. The division of an established community can also occur through the removal of an existing road or pathway, which would reduce or remove access between a community and outlying areas. There is no aspect of the Project that would substantially reduce mobility or access.

There is a wide mix of land use types in the immediate vicinity of the Project site. These include Wade Johnson Park to the immediate north, the Oakland Housing Authority's West District offices to the immediate south, single-family residential homes to the east, and attached low-rise apartments of the Peralta Villa public housing community (owned and operated by the Oakland Housing Authority) to the west. The existing Cole Middle School Building, the Cafeteria building and existing parking currently occupies an entire city block within the middle of these existing land uses, and the Project would occupy generally this same space but with a different building and parking configuration. Nothing about the Project would physically divide the surrounding community any more than it is already divided, and the Project provides a relatively low impact use that separates the surrounding residential neighborhood from those industrial and light-industrial land uses that line 14th Street from Mandela Parkway to Union Street (a block to the north). Therefore, the Project would not divide an established community, and the Project would have a less than significant impact.

Conflict with Plans or Policies Adopted to Mitigate an Environmental Effect

There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other adopted habitat conservation plan applicable to the Project site. The Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

As is noted in the City of Oakland's West Oakland Specific Plan EIR, there are many locations within West Oakland that are near freeways and other sources of diesel exhaust particulates and other toxic air contaminants (TACs). These sources of TAC pose a significant risk to human health. There are portions of West Oakland that are near freeways, high volume roadways, BART and the railroads that are also exposed to noise levels that may exceed City and state standards for noise compatibility. There are numerous properties throughout West Oakland with known contamination from prior industrial uses or

other sources. The City, in collaboration with other public agencies (BAAQMD, DTSC, etc.) has developed policies and regulations for the purpose of avoiding or mitigating these existing conditions. [31]

However, as is documented elsewhere in this Initial Study, the Project site is not located in sources of diesel exhaust particulates or other toxic air contaminants, is not near sources of noise levels that exceed City or state standards for noise compatibility, and is not a known previously contaminated site. Those City policies and regulation adopted for the purpose of avoiding or mitigating such conditions do not apply to the Project site.

The Project would not result in a substantial increase in land use intensity at the site, and would not introduce a new use that would conflict with other land uses in the vicinity. The Project would not conflict with any land use plan, policy, or regulation adopted to avoid or mitigate an environmental effect, and the Project's effects would be less than significant.

[31] City of Oakland, West Oakland Specific Plan Draft EIR, January 2014, accessed at https://www.oaklandca.gov/resources/current-environmental-review-ceqa-eir-documents-2011-2021

Mineral Resources

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	❒	❒	❒	■
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	❒	❒	❒	■

Minerals

Areas designated as an Aggregate Resource sector are judged to be of prime importance in meeting future mineral needs in the region, and land use decisions must consider the importance of these resources to the region as a whole. According to the California Department of Conservation Division of Mines and Geology, the Project site is not currently considered an Aggregate Resource sector.[32]

The Leona Quarry (which was more than 5 miles from the Project site) was the last mine in Oakland to be identified as a regionally significant source of aggregate resources. The Leona Quarry has been closed for many years, and there is no other land in Oakland with such a designation. The Project site contains no known mineral resource that would be of value to the region, and is not a locally important mineral resource recovery site. No impact would occur.

[32] California Department of Mines and Geology, accesses at: ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/OFR_96-03/ , Plate 12

Noise

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	❒	■	❒	❒
b) Generation of a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	❒	❒	■	❒
c) Generation of excessive groundborne vibration or groundborne noise levels?	❒	❒	■	❒
d) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	❒	❒	❒	■

Information for this section of the Initial Study has been derived from the following primary source:

- Illingworth & Rodkin , OUSD Central Administrative Center at Cole Campus Project Noise Study, April 7, 2022 (**Appendix J**)

Existing/Ambient Noise Conditions

The surrounding area is predominantly residential with multi-family residences to the west and south, an Oakland Housing Authority office to the south, and single-family residences to the east and northeast. The California Cereal Products industrial site to the north serves as the primary source of noise in the vicinity.

A noise monitoring survey was performed between July 15, 2020 and July 17, 2020 to quantify and characterize ambient noise levels at the site and in the vicinity. The monitoring survey included one long-term measurement and one short-term measurement.

- Long-term measurement was made at the southwest corner of the site near the intersection of Poplar Street and 10th Street. This location was chosen in order to characterize noise resulting from local traffic and industrial sources in the general vicinity, including ambient noise at the existing residences to the west. Hourly average noise levels at this location ranged from 54 to 65 dBA Leq during the day, and from 50 to 56 dBA Leq at night. The day-night average noise level on July 16, 2020 was 62 dBA Ldn.
- Short-term noise measurement was made over a 10-minute period on Wednesday, July 15, 2020 between 8:30 a.m. and 8:40 a.m. This measurement quantified noise levels near the northwestern corner of the site, across from Wade Johnson Park and approximately 275 feet southwest of the California Cereal Products industrial site (see **Table 6**). As with the rest of the site vicinity, noise at this location was dominated by industrial activities.

Table 6: Summary of Short-Term Noise Measurement Data (dBA)							
Noise Measurement Location	**Lmax**	**L(1)**	**L(10)**	**L(50)**	**L(90)**	**Leq(10-min)**	**Ldn1**
ST-1: Across Poplar Street Near Northwest Corner of Site, ~175 feet Southwest of California Cereal Products Site	67	67	67	66	65	66	71

Source: Illingworth & Rodkin, April 2022

The noise environment at the Project site and vicinity is primarily the result of industrial operations at the California Cereal Products site located approximately 150 feet north of the nearest property line to the Project. Other secondary sources of noise, such as traffic along local roadways and distant highways, are insubstantial and dominated by noise from operations at this industrial site.

Temporary Construction Noise

Construction activities for the Project are to be carried out in stages. During each stage of construction, there would be a different mix of operating equipment, and noise levels would vary by stage, and vary within stages based on the amount of equipment in operation and the location at which the equipment is operating. Project construction is expected to last approximately 15 months, which includes two full construction phases:

- Phase I involves demolition of the Cafeteria Building foundation and surrounding asphalt and concrete; remediation, excavation and fill of the northerly two-thirds of the site, pouring of footings and the foundation for the new building; construction of the new building; and exterior/interior finishes.
- After Phase I is complete, Phase II would involve a similar phasing sequence of demolition of the existing Cole Middle School; remediation, excavation and fill of the remaining southerly one-third of the site, site grading and prep for paving; paving of the new parking lot; and exterior finishes and landscape.

Construction is expected to take place Mondays through Fridays, during the hours of 7:00 a.m. to 7:00 p.m. (consistent with the provisions of the City of Oakland Planning Code). Specific information on numbers and types of construction equipment to be used per phase is not available, but pile driving is not proposed as a method of construction. Typical construction noise levels for the different phases of construction (at a distance of 50 feet) are shown in **Table 7**. Using these typical noise levels for the construction of office buildings, noise from the Project's construction may reach between 75 to 89 dBA Leq at a distance of 50 feet. During the most intense soil export and import construction phases, loaders, backhoes and haul trucks will all be in full operation for periods of between one and three weeks at a time, and construction noise during these periods could exceed 89 dBA at 50 feet.

Table 7: Typical Ranges of Construction Noise for a Low-Rise Office Building (dBA Leq at 50 Feet)

	Maximum	Minimum
Ground Clearing	84	84
Remediation/Excavation	89	79
Foundations	78	78
Building Erection	87	75
Finishing	89	75

Maximum = All pertinent equipment present at site.

Minimum = Minimum required equipment present at site.

Source: US EPA, Legal Compilation on Noise, Vol. 1, p. 2-104, 1973

Residential property lines nearest the site are located about 170 feet east and west of the approximate center of construction. At this distance, construction noise levels may reach 64 to 78 dBA Leq during busy periods of construction, when multiple pieces of equipment are in operation. This would result in an increase of between 6 to 20 dBA over the existing daytime ambient noise level of 58 to 69 dBA Leq at these residences. During the most intense soil export and import construction phases, haul trucks will be operating along the public streets (as near as 50 feet form adjacent residences) and construction noise during these periods could exceed 89 dBA.

The nearest non-residential property lines are located at the Wade Johnson Playground about 250 feet north of the approximate center of construction, and at the Oakland Housing Authority office building about 300 feet south of the approximate center of construction. Noise levels during busy periods of construction with multiple pieces of equipment in operation may reach 61 to 75 dBA Leq at the Wade Johnson Playground, and 59 to 73 dBA Leq at the Oakland Housing Authority office building. This would result in an increase of up to 10 dBA over the existing daytime ambient noise level of 64 to 75 dBA Leq at Wade Johnson Park, and an increase of 6 to 20 dBA Leq over the existing daytime ambient noise level of 53 to 64 at the Oakland Housing Authority office building.

Mitigation Measures

The following mitigation measures are recommended to reduce construction noise, to limit construction hours, and to minimize disruption and annoyance during the construction process:

Mitigation Measure Noise-1, Construction Days/Hours: The Project's construction schedule should comply with the following restrictions concerning construction days and hours:

1. Construction activities should be limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that extreme noise generating activities greater than 90 dBA and soil import and export operations shall be limited to between 8:00 a.m. and 4:00 p.m. Use of concrete saws shall be limited to the hours between 8:00 am and 4:00 pm on weekdays.
2. Construction activities should be limited to between 9:00 a.m. and 5:00 p.m. on Saturday, but only within the interior of the building with the doors and windows closed.
3. No construction is allowed on Sunday or federal holidays.
4. Any construction activity proposed outside of the above days and hours for special activities (potentially such as the longer-duration soil export and import operations) shall be evaluated on a case-by-case basis by the District, 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 District 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.

Mitigation Measure Noise-2, Construction Noise Control Best Management Practices (BMPs): The District and the District's contractor should implement best management practices (BMPs) for noise reduction to reduce construction noise to the extent practical. Noise reduction BMPs include, but are not limited to the following

1. Equipment and trucks used for 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.
2. Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. These types of mufflers 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.
3. Use electrical power instead of generators, where feasible.
4. Locate stationary noise sources as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers or use other measures to provide equivalent noise reduction. Stage large equipment, compressors or generators at least 25 feet from the site perimeters when work is not being done near these uses.
5. The noisiest phases of construction should be limited to less than 10 days at a time. Exceptions may be allowed if the District determines an extension is necessary and all available noise reduction controls are implemented.
6. Construction activities should be conducted in a manner that minimizes the noise impact at the adjacent property boundaries wherever possible. Construction equipment shall be positioned as far from noise sensitive receptors as possible.
7. Prohibit unnecessary idling of internal combustion engines.
8. Erect temporary plywood noise barriers around the construction site during the loudest construction phases (ground clearing and excavation).

Mitigation Measure Noise-3, Noise Monitoring and Complaint Response: The District should establish and implement a set of procedures for responding to complaints received pertaining to construction noise, and implement these procedures during construction. These procedures should include:

1. Notify property owners and occupants located within 300 feet of construction activities at least 14 calendar days prior to commencement of construction.
2. Designate an on-site construction complaint and enforcement manager for the project.
3. Post a large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures and phone numbers for the complaint manager.
4. Construction noise monitoring should be undertaken if reliable noise complaints are received during demolition, excavation and/or construction activities.

Resulting Level of Significance

Implementation of the above mitigation measures would reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance. The use of noise control BMPs is anticipated to reduce construction noise levels by 5 to 10 dBA. With implementation of these controls and recognizing that noise generated by construction activities would occur over a temporary period, the temporary increase in ambient noise levels would be less than significant.

Based on applicable City of Oakland standards, construction noise impacts are considered significant if construction activities exceed the noise performance standards of the City Noise Ordinance for more than 10 days. These standards are 70 dBA at commercial land uses and 65 dBA at residential uses, during weekday daytime hours. The City of Oakland Noise Ordinance allows for an exemption from these standards if an acoustical analysis is performed that identifies measures to reduce potential impacts. Since an acoustic analysis has been performed for the Project and mitigation measures have been identified, an exception from these standards is warranted.

Permanent Noise from On-Site Operations

Operational noise sources proposed with the Project include mechanical equipment, parking, and testing of an emergency backup generator.

Mechanical Equipment

Heating, ventilation and air conditioning (HVAC) equipment for the Project would include a variable refrigerant flow (VRF) system of outdoor heat pumps and interior fan coil units. Typical VRF heat pumps for office buildings of this size would generate noise levels around 58 to 68 dBA at a distance of 3 feet. Noise from mechanical equipment would typically drop off at a rate of about 6 dBA per doubling of distance. Outdoor heat pumps would be located on the building rooftop. For rooftop equipment, shielding from the rooftop and additional screens would be anticipated to provide 10 to 15 dBA of noise reduction, assuming the screen/rooftop would be constructed without any gaps or cracks. Any sound barriers should have a minimum surface weight of 3 pounds per square foot (such as 1-inch-thick wood, ½-inch laminated glass, masonry block, concrete, or metal one-inch).

The property lines for residential and civic land uses nearest to the likely locations for HVAC equipment are located at residences approximately 65 feet to the west, residences approximately 70 feet to the east, and the Wade Johnson Playground approximately 20 feet to the north. One commercial use, the Oakland Housing Authority office building, is located approximately 250 feet to the south. The most restrictive standard for operational noise as established in the City of Oakland Noise Ordinance limits operational noise sources at receiving residential and civic land uses to 60 dBA L_{33} during daytime hours, and 45 dBA L_{33} during nighttime hours. The L_{33} metric represents a noise level that is exceeded for one-third of any given hour (i.e., 20 minutes). Noise from HVAC equipment is stable when operating, so the average noise levels for VRF heat pumps can be applied to this standard.

Without considering shielding and attenuation from rooftops and parapet walls, noise from VRF heat pumps would not be expected to exceed 45 dBA beyond a distance of 46 feet from the equipment, or to exceed 60 dBA beyond a distance of 11 feet from the equipment. VRF equipment would not exceed daytime noise limits at any surrounding land uses. Under worst-case placement conditions, nighttime operation of VRF equipment could potentially exceed the noise limit of 45 dBA L_{33} at the Wade Johnson Playground. However, the City of Oakland Parks and Recreation Advisory Commission has established park hours at the Wade Johnson Playground to be from dawn to dusk, and therefore the park would not be used during nighttime hours.

This is a less than significant impact.

Generator Testing

A data center used by OUSD would be relocated from the existing Cole Middle School building to the new building. Continuous operation of data centers is ensured through use of emergency backup generators. The Project proposes to include a 150 kW Cummins QSB7-G5 diesel backup generator at the southwestern corner of the site. The generator would be housed in a level-2 sound enclosure and surrounded by a 12-inch thick, 15-foot high CMU wall. Testing of generators is typically considered an operational noise source.

Sound data for the generator was made available and analyzed. When equipped with the level-2 sound enclosure, testing of the generator at full capacity would result in a noise level of 73 dBA at a distance of 23 feet. Based on noise modeling in SoundPLAN, the 15-foot CMU wall surrounding the generator is anticipated to provide a noise reduction of about 17 dBA, resulting in a noise level during testing at full capacity of 56 dBA at a distance of 23 feet. The nearest noise-sensitive land uses to the generator are residences to the west and south, with property lines located approximately 75 feet from the center of the generator enclosure. At this distance, noise from generator testing is anticipated to reach approximately 47 dBA. Generator testing is typically only conducted during daytime hours and for a period of 15 minutes to two hours. With the level-2 sound enclosure and 15-foot CMU wall surrounding the generator, noise from generator testing would not exceed any daytime noise limits set in the City of Oakland Noise Ordinance.

This is a less than significant impact.

Parking Lot

Two parking lots totaling approximately 100 spaces would be located at the site, including one small lot near the entry and one larger lot along 10th Street. The parking lots would be located approximately 70 feet from the property lines of the nearest noise-sensitive land uses, which include residences to the east and west and the Oakland Housing Authority office building to the south.

Noise sources associated with the use of the parking lots would include vehicular circulation, engines, car alarms, squealing tires, door slams, and human voices. The sound of engines starting, doors slam closing, and people talking in a parking lot typically reach maximum levels of 50 to 60 dBA L_{max} at a distance of 50 feet. Parking lot noise would generate maximum noise levels in the range of 47 to 57 dBA L_{max} at a distance of 70 feet, not taking any shielding from terrain into account. The hourly average noise level resulting from all these noise-generating activities in the Project's parking lots would be anticipated to reach 40 dBA Leq at a distance of 50 feet from the parking areas. This parking lot noise would likely occur multiple times throughout the day, including:

- Between 8:30 and 9:30 a.m., when as many as 70 office employees and approximately 100 students for morning Adult/Continuing Ed. classes arrive
- Between noon and 1:00 p.m., when 100 students attending morning Adult/Continuing Ed. classes depart, and 100 other students for afternoon Adult/Continuing Ed. classes arrive
- Between 3:30 and 4:30 p.m., when 100 students for afternoon Adult/Continuing Ed. classes depart
- Between 5:00 and 6:00 p., when 70 office employees depart, and 175 students for evening Adult/Continuing Ed. classes arrive
- Between 7:30 and 8:30 p.m., when 175 students for evening Adult/Continuing Ed. classes depart

However, the maximum noise levels generated in the parking lots at each of the daytime use periods would be lower than existing maximum noise levels generated by the California Cereal Products industrial site, and would be below the daytime threshold established by the City of Oakland Noise Ordinance. The parking lot noise generated during the evening hours would also be below the maximum

allowable noise levels (in dBA Leq) established by the City of Oakland Noise Ordinance, which are 60 dBA L_{33} (or for 20 minutes) during a 1-hour period during the daytime between 7:00 a.m. and 10:00 p.m.

This is a less than significant impact.

Permanent Noise Increases from Project Traffic

Trip generation numbers were provided for the Project by Fehr & Peers, transportation consultants for this CEQA document. Traffic noise increases resulting from daily operations and peak hour operations were modeled in the Federal Highway Administration's (FHWA) Traffic Noise Model 2.5 (TNM). Based on traffic noise modeling, the Project may generate a traffic noise level of approximately 53 dBA Leq at 50 feet during the most busy p.m. peak-hour period (between 5:00 and 6:00), when 70 office employees depart and as many as 175 students for evening classes arrive.

When added to measured ambient noise levels of 59 dBA Leq at 5:00, the Project's traffic noise results in a combined ambient noise level of 60 dBA Leq, or a 1 dBA increase. When added to measured ambient noise levels of 62 dBA Leq at 6:00, the Project's traffic noise results in a combined ambient noise level of 62.5 dBA Leq, or a 0.5 dBA increase. Conservatively assuming a similar traffic noise generated by the Project during the evening departure time of 8:00, when the measured ambient noise level is only 57 dBA Leq, the Project's traffic noise results in a combined ambient noise level of 58.5 dBA Leq, or a 1.5 dBA increase. Under any of these peak period conditions, Project-generated traffic would not result in noise increases above the City's threshold of a 3-dBA increase.

Traffic resulting from earlier daily operations would not measurably increase noise levels in vicinity, as the ambient noise is dominated by industrial noise, and relatively small increases in roadway traffic would not be noticeable above the dominant industrial noise from the California Cereal Products facility.

This is a less than significant impact.

Exposure to Excessive Groundborne Vibration

Construction of the Project may generate perceptible vibration when heavy equipment or impact tools (e.g. jackhammers, hoe rams, etc.) are used in areas adjacent to developed properties. Construction activities would include demolition of existing structures, excavation, parking lot renovation and new construction.

The California Department of Transportation recommends a vibration limit of 0.3 in/sec PPV for buildings that are found to be structurally sound and designed to modern engineering standards, and a vibration limit of 0.25 in/sec PPV for historic and older buildings. The nearest historic building to the site is the Herbert Hoover House (an Oakland Landmark) located approximately 1,000 feet to the east at 1079 12th Street.

Project construction activities such as excavation, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, large haul trucks, compactors, etc.) may generate vibration in the immediate vicinity of the work area. **Table 8** presents typical vibration levels that could be expected from different types of construction equipment at a distance of 25 feet, and calculated vibration levels at distances representative of nearby structures. Pile driving would not be used as a method of construction for the Project.

Table 8: Vibration Source Levels for Construction Equipment

Equipment		PPV at 25 ft. (in/sec)	PPV at 55 ft. (in/sec)	PPV at 75 ft. (in/sec)	PPV at 1,000 ft. (in/sec)
Clam shovel drop		0.202	0.085	0.060	0.003
Hydromill (slurry wall)	in soil	0.008	0.003	0.002	0.000
	in rock	0.017	0.007	0.005	0.000
Vibratory Roller		0.210	0.088	0.063	0.004
Hoe Ram		0.089	0.037	0.027	0.002
Large bulldozer		0.089	0.037	0.027	0.002
Caisson drilling		0.089	0.037	0.027	0.002
Loaded trucks		0.076	0.032	0.023	0.001
Jackhammer		0.035	0.015	0.010	0.001
Small bulldozer		0.003	0.001	0.001	0.000

Source: Transit Noise and Vibration Impact Assessment, United States Department of Transportation, Office of Planning and Environment, Federal Transit Administration, September 2018 as modified by Illingworth & Rodkin, Inc., April 2022

Vibration levels would vary depending on soil conditions, construction methods and equipment used. Residences are located as close as about 55 feet from the eastern property line of the site and 75 feet from the western and southern property lines of the site. At these distances, vibration levels resulting from the heaviest equipment use (clam shovel drop and vibratory rollers) would be expected to be about 0.085 to 0.088 in/sec PPV, which would be well below the 0.3 in/sec PPV limit recommended by the California Department of Transportation. Vibration levels at the historic Herbert Hoover House (about 1,000 feet away) are not expected to exceed 0.004 in/sec PPV and would not exceed any recommended limits.

This is a less than significant impact.

Airport Noise

The Project site is not subject to excessive noise from private airstrips, public airports or overhead aircraft. The nearest airport is the Oakland International Airport, about 6.5 miles to the southeast. Noise contours generated by aircraft arrival and departures at this airport do not extend as far as the Project site, and this would not be an impact for the Project.

Suitability of the Exterior Noise Environment (on-CEQA analysis)

CEQA does not require analysis or mitigation of effects that the existing environment may have on a project (with certain exceptions). Accordingly, this CEQA document presents the following analysis of the effects that ambient noise conditions may have on the Project for informational purposes, and to address questions of General Plan policy consistency, but does not identify these effects as significant impacts of the Project pursuant to CEQA.

The exterior noise environment at the Project site is primarily the result of operations at the California Cereal Products industrial facility. This analysis assumes that noise resulting from activity at this industrial site will continue in the future, and not substantially change from existing measured levels. Based on measurement data, noise levels throughout the site are dependent on distance from the industrial site to the north. Noise levels range from 62 dBA Ldn along the southern property line and increase to about 74 dBA Ldn along the northern property line, and the center of the proposed Cole Administration/Education building would fall in the range of about 68 dBA Ldn. This is within the 'conditionally acceptable' range of noise levels specified for school and office land uses per the State of California General Plan Guidelines (OPR, 2003) and per the City of Oakland General Plan.

Exterior Noise

Project plans indicate the potential for a small playground space at the northeastern corner of the site. This location is next to the existing Wade Johnson Playground. Given the proximity of the California Cereal Products industrial site, mitigating outdoor noise at this play space, particularly at the northern end of the Project site, is not practical. To adequately shield the playground space from ambient industrial noise such that the day-night noise level would not exceed the 'normally acceptable' criterion of 65 dBA Ldn, the playground would have to be substantially (if not fully) enclosed. Revising the site plan to relocate the playground to the southern end of the site along 10th Street would have the potential to reduce the noise level to below the 65-dBA Ldn criterion, but would diminish the function of the playground by no longer being adjacent to the Wade Johnson Playground and may also be considered impractical. No exterior noise mitigation is available, but it is worth noting that the Wade Johnson public park does not provide noise mitigation either.

Interior Noise Environment

The Cal Green Code requires that interior noise levels attributable to exterior sources not exceed 50 dBA Leq (1-hr) in occupied areas of non-residential uses during any hour of operation. Based on the results of the noise monitoring survey, peak-hour noise levels at the site are about 3 dBA higher than day-night average levels, and range between 65 dBA Leq (1-hr) at the southern end of the site to 77 dBA Leq (1-hr) at the northern end of the site. The greatest noise exposure would occur along the northern façades of the Proposed Cole Administration/Education building. Floorplans for the first and second floors indicate that rooms along the northern façades of the proposed building would include noise-sensitive uses such as offices, conferences rooms, and classrooms.

Noise levels along the northern façades of the building during the peak hour are expected to reach up to 77 dBA Leq (1-hr). A minimum exterior-to-interior noise reduction of 27 dBA would be required to ensure compatibility with the Cal Green Code standard of 50 dBA Leq (1-hr). Standard office construction with windows in the closed position typically provides for a noise reduction of about 25 dBA, with noise-rated construction materials being required to achieve a greater reduction. Preliminary calculations were made based on building elevations. Rooms near the center of the northern façade would feature large windows resulting in a window-to-wall ratio of up to 48%. Considering this and metal panel exterior wall construction, windows with a minimum Sound Transmission Class (STC) rating of 30 would be required along the northern façade of the Cole Administrative/Education Center building in order to provide the noise reduction necessary to meet the Cal Green Code standard of 50 dBA Leq (1-hr). Due to shielding provided by the proposed building and attenuation resulting from an increased distance from the California Cereal Products industrial site, noise levels along eastern, western, and southern façades of Project buildings are not expected to exceed 75 dBA Leq (1-hr), and therefore standard construction with windows in the closed position would be sufficient. Forced-air mechanical ventilation would be required to allow occupants to keep windows closed to control noise. The Project has no proposed operable windows.

Recommended Measures

Non-CEQA Recommendation Noise-4, Ventilation System for Closed Windows: Provide all occupied areas of the proposed building with a forced-air mechanical ventilation system to allow windows to be closed to control noise at the occupant's discretion.

Non-CEQA Recommendation Noise-5, Sound-Rated Building Treatments: Special building techniques (e.g., sound-rated windows and building façade treatments) are required to maintain interior noise levels along the northerly façade of the building at or below acceptable levels.

1. These treatments would include, but are not limited to, sound-rated windows and doors, sound-rated wall construction, acoustical caulking, and protected ventilation openings.

2. Preliminary calculations indicate that rooms located along the northern façade of the proposed building would require windows with a minimum STC rating of 30 to ensure that the 50 dBA Leq (1-hr) Cal Green Code standard is met.

Population and Housing

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	❒	❒	■	❒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	❒	❒	❒	■

Population Growth

The Project would provide new building space to accommodate OUSD administrative staff and educational classrooms that are currently occupying other office or school space within the city. The Project offers an opportunity to consolidate its administrative function into one coordinated location, and to free-up other classroom space currently used for the Adult and Career Education program for other OUSD functions. The Project would not induce substantial unplanned population or employment growth, and the impact on population growth would be less than significant.

Housing

The Project site contains currently unused OUSD buildings related to a former middle school, and does not contain any existing housing units or residences. The Project would not displace existing housing or people, would not require construction of replacement housing elsewhere, and no impact would occur.

Public Services

Would the Project	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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?				
a) Fire protection	❒	❒	■	❒
b) Police protection	❒	❒	■	❒
c) Schools	❒	❒	■	❒
d) Parks	❒	❒	■	❒
e) Other public facilities	❒	❒	■	❒

Public Services

Development of the Project would slightly increase the demand for local fire and police service and result in an associated increase in service calls, but not to an extent that would result in the need for new or physically altered fire or police protection facilities. The Project would be subject to the policies, regulations, and standards of the City of Oakland, including appropriate standards for emergency access roads, emergency water supply, and fire preparedness, capacity, and response. The Project would not substantially increase the permanent population and would not substantially affect other public services such as schools or libraries. Impacts related to public services would be ***less than significant***.

Recreation

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.	❒	❒	■	❒
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	❒	❒	■	❒

Recreational Facilities

Development of the Project would not result in a substantial increase in the demand for recreational facilities. The Project includes no new housing, and users of the Project's OUSD offices and Oakland Adult and Career Education classrooms would not be expected to use the adjacent Wade Johnson Park for purposes other than periodic light recreation or leisure purposes. These types of limited uses of the adjacent park would not result in substantial physical deterioration of the park, or accelerate deterioration of the park.

The Project does not include construction of large-scale recreational facilities or require the expansion of recreational facilities. Therefore, the Project would have a less than significant impact on recreation facilities, or on the physical environment resulting from construction or expansion of recreational facilities.

Transportation

Since OUSD does not have its own thresholds of significance, this document relies on the following City of Oakland's thresholds of significance to determine if the Project would have a significant impact on the environment: **Would the Project:**	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause substantial additional VMT per capita, per service population, or other appropriate efficiency measure?				
b) 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)?				
c) Substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network?				

Information for this section of the Initial Study has been derived from the following primary source:

- Fehr & Peers, Cole Administrative Center/Education Project – Transportation Assessment, April 25, 2022 (**Appendix K**)

Trip Generation

Trip generation is the process of estimating the number of motor vehicles that would likely access the Project on a typical day. **Table 9** summarizes the trip generation for the Project. Overall, the Project is estimated to generate about 710 daily trips, and 94 AM and 133 PM peak hour trips on a typical weekday. The trip generation characteristics for the Project on a typical weekday are described below.

- *Adult and Career Education Program* – Since applicable published data for this type of use is not available, the trip generation is estimated based on the expected number of students and faculty at the site, with full occupancy of the site as described in the Project Description.
- *Administrative Office Uses* - Trip generation data published by the Institute of Transportation Engineers (ITE) in the *Trip Generation Manual* (11th Edition) for School District Office is used to estimate the trip generation for the administrative office uses.

Table 9: Project Automobile Trip Generation Summary

Land Use	Size	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
			In	Out	Total	In	Out	Total
Adult and Career Education Program[1]	375 students and faculty	940	100	10	110	175	18	193
Administrative Office[2]	27,400 square feet	400	50	16	66	10	47	57
Subtotal		*1,340*	*150*	*26*	*176*	*185*	*65*	*250*
Non-Auto Reduction[3]		*-630*	*-70*	-12	-82	-87	-30	-117
Adjusted Total Automobile Trips		**710**	**80**	**14**	**94**	**98**	**35**	**133**

Notes:

1. Based on the following assumptions:

Daily: assume 2.5 trips per person per day
AM Peak Hour: all morning class attendees arrive and about 10 percent leave during the AM peak hour
PM Peak Hour: all evening class attendees arrive and about 10 percent leave during the PM peak hour

2. ITE Trip Generation (11th Edition) land use category 538 (School District Office, General Urban/Suburban):

Daily: T = 14.72 * X -6.60
AM Peak Hour: T = 2.50 * X – 2.81 (76% in, 24% out)
PM Peak Hour: T = 2.19 * X – 2.81 (17% in, 83% out)

3. Reduction of 46.9% assumed, based on City of Oakland TIRG, based on Census data for an urban environment within 0.5 miles of a BART station.

Source: Fehr & Peers, 2022

The estimated trip generation for the Adult and Career Education Program assumes that all students and faculty would drive to and from the site. In addition, the ITE data is primarily based on data collected at single-use suburban sites where the automobile is often the only travel mode. However, the Project site is located near local and regional transit service in an area where many trips are walk, bike, or transit trips. Since the Project is about 0.5 miles from the West Oakland BART Station, this analysis reduces the trip generation by 47 percent to account for the non-vehicular trips. This adjustment is consistent with the City of Oakland's *Transportation Impact Review Guidelines* (TIRG, April 2017) and is based on US Census commute data for Alameda County from the 2014 5-Year Estimates of the American Community Survey (ACS), which shows that the non-automobile mode share for urban areas within 0.5 miles of a BART Station is about 47 percent.

Parking Demand

Table 10 summarizes the estimated parking demand for the Project site on a typical weekday based on the maximum occupancy of the site as described in the Project Description and the number of people expected to drive to and from the site as described in the Trip Generation section of this memorandum. It is estimated that the 93 off-street parking spaces provided by the Project would meet the parking demand generated by the Project employees and students during both daytime and nighttime on a typical weekday. It is expected that the site visitors would use on-street parking on the adjacent streets because the Project parking lots would be at or near capacity when the site is fully occupied.

Table 10: Project Automobile Parking Demand Summary

Use	Daytime		Nighttime	
	Population[1]	Parking Demand[2]	Population[1]	Parking Demand[2]
Adult and Career Education Program	100	53	175	93
Administrative Office	70	37	0	0
Total	170	90	175	93
Parking Supply		93		93
Parking Surplus		+3		0

Notes:

1. Population estimates provided by OUSD

2. Assuming that 53 percent of the population would drive to the site, consistent with the City of Oakland TIRG, using Census data for an urban environment within 0.5 miles of a BART station

Source: Fehr & Peers, 2022

Cause Substantial Additional Vehicle Miles Traveled

According to the City of Oakland TIRG, the following are thresholds of significance related to substantial additional VMT:

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

Consistent with the State Office of Planning and Research (OPR) *Technical Advisory on Evaluating Transportation Impacts in CEQA* (December 2018), City of Oakland uses screening criteria that can be used to quickly identify projects that can be expected to cause a less-than-significant impact on VMT without conducting a detailed study. The City of Oakland TIRG includes several screening criteria. The criterion applicable to the Project is Criterion #2, Low-VMT Area, which states that VMT impacts would be less-than-significant for a project if the following screening criterion is met:

- 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.

The City of Oakland uses the Metropolitan Transportation Commission (MTC) Travel Model to apply the Low-VMT Areas criterion. The MTC Travel Model assigns all predicted trips within, across, or to/from the nine-county San Francisco Bay Area region onto the roadway network and the transit system by mode (single-driver and carpool vehicle, biking, walking, or transit) and transit carrier (bus, rail) for a particular scenario. The MTC Travel Model estimates VMT per resident and VMT per worker for transportation analysis zones (TAZs) throughout the modeled area. TAZs are geographic areas that vary in size from a few city blocks in dense downtown areas, to larger geographic areas in lower-density areas.

The City of Oakland TIRG recommends treating educational land uses (K-12 schools and post-secondary institutions) as office uses for VMT screening and analysis. The VMT per worker, as estimated by the MTC Model, is applicable to both Project components (the Adult and Career Education Program and the Administrative Office).

Table 11 shows the estimated VMT per worker for TAZ 985, the TAZ in which the Project is located. This table also shows the applicable VMT threshold as being 15 percent below the regional average. The average daily VMT per worker in the Project TAZ (TAZ 985) is 17.8 miles. The regional average daily VMT per worker is 21.8 miles, and the threshold (15 percent below the regional average) is 18.5 miles. The average daily VMT per worker in the Project TAZ (17.8 miles) is more than 15 percent below the regional average, satisfying the Low-VMT Area criterion. In addition, the Adult and Career Education Program component of the Project would continue to serve primarily West Oakland and the surrounding areas. Since OUSD operates similar Adult and Career Education Programs at other sites throughout the City of Oakland, the Project is considered local serving.

Table 11: Project VMT Summary

Geographic Area	Total VMT per Worker (2020)[1]
Project TAZ (TAZ 985)	17.8
Bay Area Region Average	21.8
Bay Area Region Average minus 15% (i.e., threshold of significance)	18.5
Significant Impact?	***No***

Notes: 1. MTC Model results at www.arcgis.com/apps/webappviewer/index.html?id=98463b4f73ca43c5944a5c30648fd689 , accessed in March 2022

Source: Fehr & Peers, 2022

Since the Project would satisfy the City of Oakland's Low-VMT Area criterion, and the Adult and Career Education Program component of the Project is considered local serving, the Project is presumed to have a less-than-significant impact on VMT.

Conflicts with Plans, Ordinances or Policies Relating to Circulation System Safety or Performance

The Project 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.

Various City of Oakland's plans and policies, such as the City's General Plan, the Equitable Climate Action Plan, and the Public Transit and Alternative Mode and Complete Streets policies, state a strong preference for encouraging the use of non-automobile transportation modes such as transit, bicycling and walking. The Project would encourage the use of non-automobile transportation modes by being located in a medium-density, walkable urban environment and within 0.5 miles of both local and regional transit. It is expected that more than half of the Administrative Office employees assigned to the Project would work remotely on typical weekdays, further reducing the automobile trips generated by the Project.

The Project would not make any modifications to the existing pedestrian or bicycle facilities in the surrounding areas, including the existing BayWheels bike-share station located on Union Street along the Project frontage just north of 10th Street. Although the 2017 City of Oakland Pedestrian Master Plan (Oakland Walks!) and the 2019 Oakland Bike Plan (Let's Bike Oakland) do not identify any future facilities along the streets adjacent to the Project, the Project would not adversely affect installation of any planned facilities. The Project would not make any major modifications to the public right-of-way or include features that would adversely affect installation of potential facilities in the future. The Project

would provide long-term bicycle parking for Project employees within the Project building, and short-term bicycle parking for students and visitors in the form of bike racks in the Project parking lot.

Project construction activities could potentially temporarily disrupt transportation, bicycle, and/or pedestrian movement, as well as reduce parking availability in the Project area.

Mitigation Measures

The following mitigation measures are recommended to address temporary disruptions in transportation during the construction and soil remediation process:

Mitigation Measure Transportation-1, Traffic Control Plan: The District shall prepare and implement a Traffic Control Plan during the construction and soil remediation process. 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). These traffic control measures should include an overall construction logistics plan with designated construction access routes, construction worker parking plan and construction phasing plan, proposed truck routes, detour signage and lane closure procedures (if required), signs or cones for driver safety, and a pedestrian safety plan. The Traffic Control Plan shall be in conformance with the City of Oakland's Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists and Bus Facilities in Construction Zones.

Resulting Level of Significance

Implementation of the above mitigation measure would ensure that the Project construction activities would not excessively disrupt motor vehicle, bicycle, and/or pedestrian circulation, and this impact would be reduced to a level of less than significant.

The Project is otherwise consistent with applicable transportation plans, ordinances and policies. The Project would have a less than significant impact pertaining to conflicts with other adopted transportation plans, ordinances or policies.

Substantially Induce Automobile Travel

The Project would not modify the roadway network surrounding the Project site. Therefore, the Project would not substantially induce additional automobile travel by increasing the physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes). The Project would not add new roadways to the network, and would have a less-than-significant impact on inducing additional automobile traffic.

Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	❒	❒	■	❒

Tribal Cultural Resources

The Project site is not listed or identified as eligible for listing in the California Register of Historical Resources or in a local register of historical resources as a known location of significant tribal cultural resources. The District (as Lead Agency) is not aware of any substantial evidence that would support a determination that the site is considered a significant resource to a California Native American tribe.

Pursuant to this CEQA documentation, the District's consultant requested a search of the Native American Heritage Commission's Sacred Lands File, and that search concluded with a positive result for the Project area (see **Appendix C**). If a Sacred Lands Inventory search has a positive result, the NAHC provides a list of California Native American Tribes that have traditional and cultural affiliation to the area, so that the CEQA lead agency may consult with the Tribes on the Project. Pursuant to AB 52, the District's consultant's conducted outreach (via letters dated February 12, 2020 – see Appendix C) to those Native American Tribes listed as traditionally and culturally affiliated to the Project area. Follow up calls were made on February 18, 2020, all with no response. To date, no requests for consultation have been received from the tribes, and no tribal concerns or tribal cultural resources have been identified. [33]

Mitigation Measures

In the unlikely event of tribal cultural resources being discovered during the Project's grading and construction period, the following mitigation measures would be required:

[33] PaleoWest Archaeology, "Archaeological Review in Support of the Central Administration Center at Cole Campus, Alameda County, California", March 9, 2020 (Appendix C)

Mitigation Measure Cultural-2: Inadvertent Discoveries (see Cultural Resource section of this Initial Study)

Mitigation Measure Cultural-3: Inadvertent Discovery of Human Remains (see Cultural Resource section of this Initial Study)

1. The County Coroner, upon recognizing any remains as being of Native American origin, is responsible to contact the NAHC within 24 hours. The Commission has various powers and duties, including the appointment of a Most Likely Descendant (MLD) to the Project. The MLD, or in lieu of the MLD, the NAHC, has the responsibility to provide guidance as to the ultimate disposition of any Native American remains.

Utilities and Service Systems

Would the Project	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	❒	❒	■	❒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	❒	■	❒	❒
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	❒	❒	■	❒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	❒	■	❒	❒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				

Construction of New Utilities and Connections

Water

The Project would install a new 3" water service to provide domestic potable water to the new building. This water service line would be connected via an existing 4" water meter for domestic water point of connection to the existing 8" water main within the 10th Street right-of-way.

Water needed for fire service would include construction of a new 6" fire service water line providing fire service water to the new building, connected to the existing 8" water main within the 10th Street right-of-way. The Project would also include installation of 4 new fire hydrants. These new hydrants include 2 fire hydrants along Union Street connected to an existing 8" water main in Union Street, 1 hydrant connected to the existing 8" water main in 10th Street, and installation of a 6' water main extension from 10th Street to Poplar Street, to serve a new fire hydrant off Poplar Street.

Water service to provide outdoor irrigation needs for the Project would be provided via a connection to an existing 2" water meter, which is currently connected to the existing 8" water main within the 10th Street right-of-way.[34]

[34] Shah Kawasaki Architects and Siegfried Engineers, Utility Plan, Sheet C-105 of Central Administration Center at Cole Campus submittal to State Architects, February 19, 2021

Sanitary Sewer

The Project would install two sanitary sewer lines under the on-site sidewalk along Poplar Street, including a 6" sewer line from the south and a 3" sewer line from the north. Both of these new sanitary sewer lines would connect to an existing 10" sanitary sewer main within the Poplar Street right-of-way.

Storm Drain

Pursuant to NPDES c.3 requirements, the Project includes a stormdrain system that captures stormwater form rooftops and hardscape surfaces, and directs this stormwater through a series of biofiltration basins for water quality treatment prior to discharge into the existing storm drain mains. The stormdrain system flows in two separate directions based on the final grade of the Project site. One system serves the southerly portion of the site and another system serves the northerly portion of the site. After stormwater receives water quality treatment, flows from the southerly portion of the site will be routed via a new 12" stormdrain system to an existing 15" stormdrain main in the 10th Street right-of-way. Flows from the northerly portion of the site will be routed via new stormdrain lines to an existing 12" stormdrain main at the northeast corner of the site at Union and 12th Street.

Electrical and Communications Service

All electrical, telephone and cable service to the Project will be provided via new connections to existing underground lines, generally located below the Union Street right-of-way.

Regulatory Requirements

All work within the public right-of-way necessary to provide connections to existing utility services will require an encroachment permit, issued by the City of Oakland. Contractors will be required to obtain such permits prior to working within the public right-of-way. All of these new utility services will also require on-site trenching to route new underground pipes and conduits. Trenching must be conducted in compliance with the DTSC-approved Remedial Action Workplan to ensure protection of workers and the environment from contaminated soil and groundwater. All new water and firewater service shall conform to all applicable East Bay MUD specifications, and the contractors are required to coordinate with EBMUD prior to making connections to the existing water mains. All other on-site utilities would be designed and connected in accordance with applicable codes and current engineering practices.

With implementation of all regulatory requirements related to installation utilities and service systems, impacts associated with the relocation or construction of new or expanded utility service facilities would be less than significant.

Water Supply

CEQA Guidelines section 15155 requires preparation of a Water Supply Assessment for any "water-demand project", which is defined as any project that would demand an amount of water equivalent to or greater than the amount of water required by a 500 dwelling unit project, which generally can be assumed at about 95,000 gallons per day (gpd).[35]

Based on indoor water demand factors of 52 gallons/employee/day over 225 days per year for the Project's office space, and 8.8 gallons/student/day over 180 days per year for the Project's "other" school use, the total unmitigated indoor water demands of the Project can be calculated at

[35] Assuming a total water demand of 190 gallons per day per unit (citywide average) x 500 dwelling units, a "water-demand project" is calculated as a project with a water demand of approximately 95,000 gallons per day.

approximately 6,010 gpd averaged over a year period.[36] Added to that would be the outdoor irrigation demand, averaged at approximately 905 gpd.[37] With a total average daily water demand of approximately 6,915 gpd, the Project falls far short of meeting the definition of a "water demand project", and no Water Supply Assessment is required or has been prepared. Rather, the water demands of the Project are assumed included in the EMBUD Water Supply Management Program 2040 (2040 WSMP).

According to the EMBUD Urban Water Management Plan 2015 (UWMP), EBMUD was projected to have a year 2020 annual average demand of 267 million gallons per day (MGD), and a projected demand of 290 mgd by year 2030, or an increase of approximately 23 MGD over the course of that 10-year period.[38] The Project's estimated demand of 6,915 gpd represents only about 0.03% (three one-hundredths of a percent), or a very small fraction of EBMUD's projection of increased demand. Furthermore, EBMUD's existing 2020 water demands account for a baseline of nearly 2,000 gpd at the site. [39] With a net increase in daily water demand of approximately 5,100 gpd, the Project's water demands are well within the expected increase in water demands as presented in EBMUD's UWMP.

The EBMUD's UWMP concluded that, "*EBMUD must balance supply and demand to ensure that it meets customer water needs into the future. Both supply and demand can vary seasonally, and supply can decrease significantly during droughts which can last for several years. In order to have a diversified, robust water supply portfolio, EBMUD considers a variety of scenarios in its long-term planning. In spite of EBMUD's aggressive conservation and recycling programs, Mokelumne River and local watershed supply is not sufficient to meet 2040 customer demands during multi-year droughts without achieving potentially significant water use reductions. Depending on conditions, during such droughts, EBMUD may also need to acquire supplemental supplies to meet customer demands. However, with a combination of reductions in water use and acquisition of supplemental supplies, EBMUD can provide adequate water service in all year types*." [40]

Based on the above information, the Project will have sufficient water supplies available from EBMUD to serve its water demands and those of other reasonably foreseeable future development, during normal and multiple dry years.

Mitigation Measures

As noted above, the EBMUD 2040 WSMP concludes that a combination of rationing, conservation, and raw and recycled water, plus supplemental supply components, will be needed to keep rationing at a lower level and will satisfy cumulative customer water demands through the year 2040 in drought years. The following mitigation measures are identifies to address the Project's cumulative water demands in light of current and future drought-year conditions:

Mitigation Measure Utilities-1, Water Efficient Landscape: The Project applicant shall comply with California's Water Efficient Landscape Ordinance (WELO) in order to reduce landscape water usage,

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[36] Based on "Modeled" water demand factors presented in: Pacific Institute, "*Waste Not, Want Not, The Potential for Urban Water Conservation in California*", Appendix E: Details of Commercial Water Use and Potential Savings, by Sector, November 2003, for indoor uses only

[37] Project Application materials, as shown on Sheet L-102, Siegfried, February 2021, based on an average of 329,543 gallons per year/365 days per year

[38] EBMUD, *Urban Water Management Plan*, July 2016, Table 4-1 on page 52

[39] East Bay Municipal Utility District (EBMUD), *2040 Demand Study, Water Supply Management Program 2040*, February 2009, uses 703 gpd/acre for school uses, times the 2.6-acre site, or approximately 1,830 gpd

[40] EBMUD, *Urban Water Management Plan*, July 2016, page 54

including compliance with a Project-specific calculation of the Project's Maximum Applied Water Allowance.

The Project sponsor has prepared a comparison of projected irrigation water demands of the Project (estimated at 329,543 gallons per year), as compared to a Maximum Applied Water Allowance for the Project of 353,336 gallons per year, demonstrating compliance with this mitigation measure. [41]

Mitigation Measure Utilities-2, Green Building Requirements: The Project sponsor shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures for water conservation.

The Project sponsor has prepared a compliance matrix of the Project against the criteria of the California Collaborative for High Performance Schools (CA-CHPS), which demonstrates that the Project will comply with CALGreen Sections 5.303.3 and 5.303.6 regarding water demand reductions for indoor use, including a water demand reduction of at least 20%.

Resulting Level of Significance

As demonstrated above, the water provider (EBMUD) will have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years. With implementation of the Project's water demand reductions as presented in their CA-CHPS Checklist and Water Efficient Landscape calculation, the Project will further reduce its contribution to cumulative water demands, in compliance with these existing regulations. This impact is less than significant.

Wastewater Treatment

The City of Oakland's 2008 *Sanitary Sewer Design Guidelines* include average daily flow rates for specific types of development. These design standards provide that an Office use can be expected to generate 200 gpd/1,000 square feet of gross building space.[42] Based on the different types of uses within the Project, this design standard was applied separately to the office component (27,350 square feet used 225 days per year), and to the Adult Ed component (28,826 square feet, used 180 days per year). The net result is an annualized average of approximately 6,250 gpd, which is comparable to the indoor water demands of the Project as calculated above.

The EBMUD MWWTP can provide primary treatment for up to 320 MGD, and secondary treatment for a maximum flow of 168 MGD. However, the latest (year 2020) NPDES permit issued to the RWQCB limits average dry weather influent flow to the MWWTP 120 MGD. As of 2015, discharge rates from the MWWTP were approximately 53.8 MGD, leaving a potential increase of up to 66.2 MDG of discharge capacity. An increase of approximately 6,250 gpd of wastewater as generated by the Project represents a very small fraction (approximately 0.01 percent) of the remaining discharge capacity of the MWWTP. Furthermore, the Cole building was used as a middle school until 2009, and has since been occupied by various OUSD programs. The wastewater demands of the Project are assumed for this analysis as the total increase over a zero-use baseline, whereas the Project site has had wastewater flows to the MWWTP in the past. The Project's minor net increase in wastewater flows can be accommodated at the MWWTP, and is not substantial in the context of total wastewater flows processed at the MWWTP and disposed of into the Bay. EBMUD has sufficient capacity to treat and dispose wastewater flows from the Project, and construction of new wastewater treatment facilities or expansion of existing facilities would

[41] Shah Kawasaki Architects and Siegfried Engineers, Sheet L-102, of Central Administration Center at Cole Campus submittal to State Architects, 2021

[42] City of Oakland Department of Engineering and Construction, Sanitary Sewer Design Standards, August 2008, Table 1

not be needed. As such, the Project would have a less than significant impact on wastewater treatment and disposal facilities.

Regulatory Requirements / Mitigation Measures

To ensure that the Project's contribution of wet weather inflow to the treatment plant is minimized, the Project comply with EBMUD's Regional Private Sewer Lateral (PSL) Ordinance and City of Oakland ordinance for sewer laterals, by replacing or rehabilitating sanitary sewer lateral lines that serve the Project, constructed to City standards to prevent inflow and infiltration (I/I).

Storm Drainage Conveyance

Under current conditions, only about 6,675 square feet (or about 6%) of the site is covered by pervious lawn (the landscape strips surrounding three sides of the existing Cole Building), and the remaining approximately 104,345 square feet (or 94%) of the site is currently covered by impervious surfaces (i.e., the Cole Building, the Cafeteria building, the modular shed and asphalt). Under Project conditions, 23,373 square feet (or about 21%) of the site will be covered by pervious surfaces (landscaping and biotreatment areas), and the remaining approximately 87,647 square feet (or 79%) of the site will be covered by impervious surfaces (i.e., the new Cole Administration/Education Building, surface parking and sidewalks). Since the Project will be decreasing total pervious surface area on the site, the volume of stormwater runoff leaving the site will not be increased.

Whereas the existing stormdrain system is adequately accommodating existing site runoff under current conditions, this same stormdrain system will have adequate capacity to accommodate the lesser volume of site runoff under Project conditions. The impact of the Project on the surrounding stormdrain collection system will be less than significant.

Solid Waste

During construction of the Project, the demolition of existing structures and the removal of existing asphalt will result in approximately 230 truckloads of waste material to be hauled off site. During operations of the Project, new employees and students will generate waste materials, recyclables and compostable waste.

CalRecycle provides estimated solid waste generation rates (the amount of waste created by different land use types), which can be used to estimate the impact of new developments on the local waste stream. These waste generation rates include all materials discarded, whether or not they are later recycled or disposed of in a landfill. This data is not official CalRecycle information, but is useful in providing a general level of information for planning purposes. According to these cited sources, schools and offices can be estimated to generate approximately 1 pound of waste per student per day.[43] Using this waste generation rate, The Project (at 150 administrative personnel and 277 students) may generate approximately 427 pounds of waste per day.

Within Oakland, California Waste Solutions (CWS) provides recycling services, and Waste Management collects solid waste and yard trimmings. All of these materials are taken to the Davis Street Transfer Station in San Leandro, which has an average output of 2,027 tons per day.[44] The Project's incremental contribution of perhaps 427 pounds per day represents a very small fraction of the transfer station's average daily outflow. Similarly, the Altamont landfill has a permitted maximum disposal capacity of

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[43] CalRecycle, https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates , sourced to: Draft Program EIR for Rye Canyon Business Park, Santa Clarita, citing SWANA Tech. Bull. 85-6; Recovery Sciences, 1987; and Santa Clarita SRRE 1990

[44] Alameda County Waste Management Authority (ACWMA), *Alameda County Integrated Waste Management Plan, Countywide Element*, as amended 2017, pg. II-26, -27

7,000 tons per day, and the Project's minimal contribution to landfill capacity is too small to calculate. The Project's impact on the capacity of local solid waste infrastructure would be less than significant.

Regulatory Requirements / Mitigation Measures

Irrespective of the Project's individual waste disposal demands, the Project will contribute to overall waste disposal and recycling demands within the City. To address these cumulative waste disposal and recycling demands, the Project will be subject to the following regulations and mitigation measures:

Mitigation Measure Utiities-3, Construction and Demolition Waste Reduction and Recycling: The Project sponsor shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by preparing and implementing a Construction and Demolition Waste Reduction and Recycling Plan. That Plan shall specify the methods by which the project will divert construction and demolition debris waste from landfill disposal.

According to the compliance matrix prepared by OUSD for the Project against the criteria of the California Collaborative for High Performance Schools (CA-CHPS), the Project intends to achieve a 75% diversion of construction site waste from landfill disposal through recycling and other landfill disposal alternatives. The Compliance Matrix also demonstrated the District's intent to use recycled materials as part of the Project's new construction. The Project intends to use at least 20% recycled materials (as measured by overall materials cost), use rapidly recyclable materials for at least 50% for either flooring, casework, acoustic ceiling tiles or wall coverings, and use at least 50% of its wood product as FSC-certified wood.

Mitigation Measure Utilities-4, Recycling Collection and Storage Space: The Project sponsor shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). For non-residential projects, at least two (2) cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten (10) cubic feet.

Project drawings reviewed and approved by the State Architect show a trash and recycle enclosure adjacent to the main parking lot, with a total enclosure of 319 square feet. Assuming a 4-foot high collection facility, the Project would provide as much as 1,276 cubic feet of collection space, at a ratio of 5.7 square feet per 1,000 square feet of building floor area, exceeding the City requirement.

Resulting Level of Significance

The Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. The Project would comply with federal, State and local management and reduction statutes and regulations related to solid waste, and this impact would be less than significant.

Wildfire

Would the Project:		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	❒	❒	❒	■
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	❒	❒	❒	■
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	❒	❒	❒	■
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	❒	❒	❒	■

Wildfire Risk

The Project site, which is located within an urbanized area of the City of Oakland, is not identified as within, nor is it near a Very High Fire Hazard Severity Zone (see **Figure 18**).[45] The Project site falls within a Local Responsibility Area and is under the jurisdiction of the Oakland Fire Department. The Project would have ***no impact*** related to wildfire risk and emergency response for lands in or near state Responsibility Areas or classified as Very High Fire Hazard severity zones.

[45] California Department of Forestry and Fire Protection. Fire Hazard Severity Zones Maps. Website accessed 2.28.20 at https://osfm.fire.ca.gov/media/5606/oakland.pdf

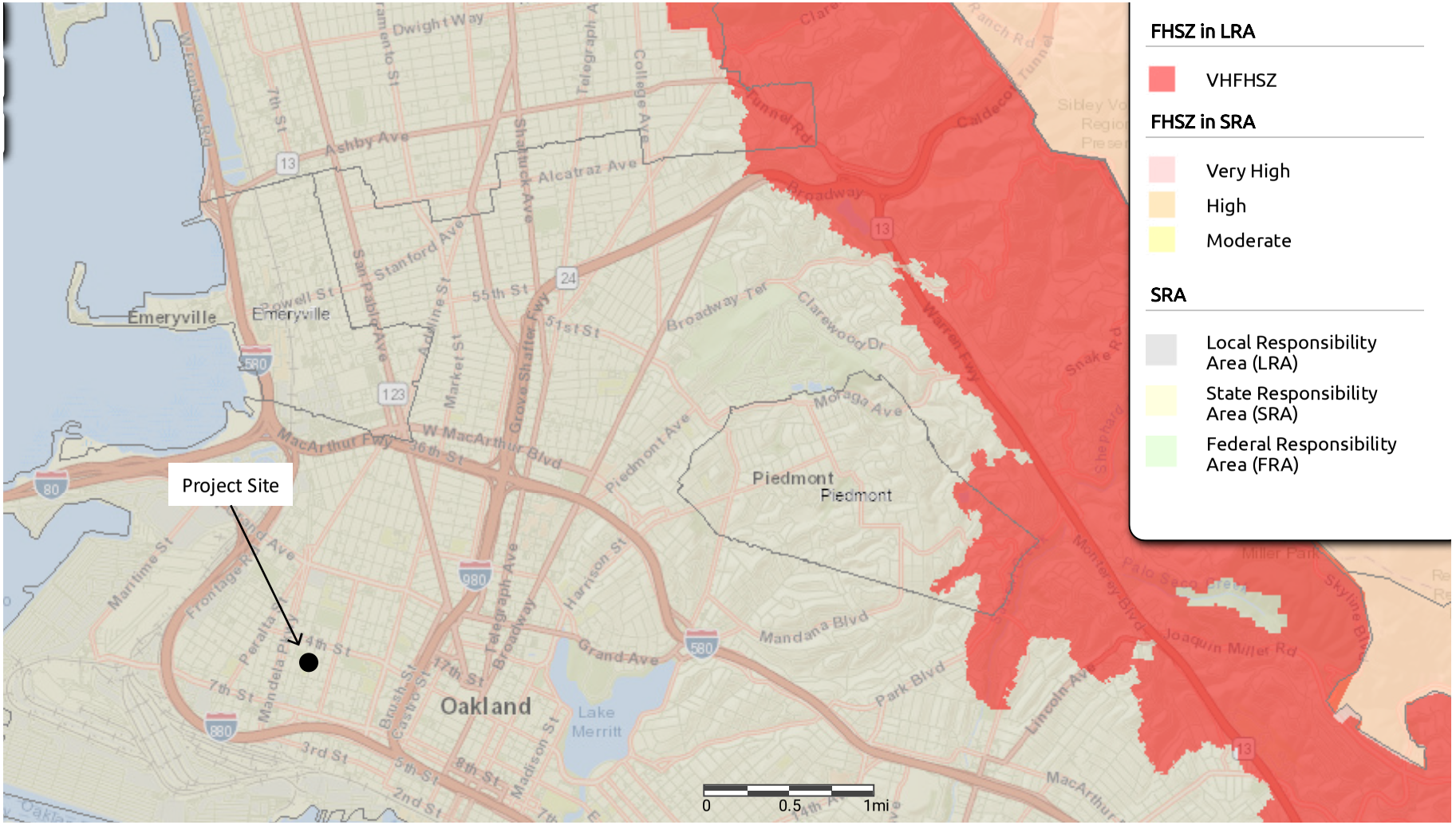

Figure 18
Fire Hazard Severity Zones in Relationship to Project Site

Source: CalFire, FHSZ Viewer, accessed at: https://egis.fire.ca.gov/FHSZ/

Mandatory Findings of Significance

		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	❒	❒	■	❒
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a 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.)	❒	■	❒	❒
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	❒	■	❒	❒

Degrade the Quality of the Environment

As addressed in the Air Quality, Biology, Hazards and Cultural Resources sections of this Initial Study Checklist:

- The Project site is located in an urban area that is fully developed. The site contains existing buildings and paved surface parking lots. On-site vegetation consists of shrubs and mature trees along the eastern perimeter of the site, and small grass-covered areas adjacent to boundary sidewalks. The potential for the Project to have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species is less than significant. There are no riparian habitats, wetlands or other sensitive natural communities on the Project site or in the vicinity.
- Neither the Cole School building or the Cafeteria are listed in, nor do they appear to be eligible for the California Register. The subject property does not meet either of these criteria of the City of Oakland's definition of historical resources under CEQA. Development of the Project would not cause a substantial adverse change to an eligible historic resource, and the potential for direct or indirect impacts on historic resources would be less than significant.
- Construction-related subsurface disturbance of the Project site could potentially damage or destroy previously unidentified prehistoric archaeological resources. The potential to uncover Native American human remains exists in locations throughout California. Although not anticipated, cultural resources may be discovered during site-preparation and grading activities. With implementation of mitigation measures, potential adverse effects on as-yet undiscovered archaeological resources would be less than significant.
- The Project's construction-period emissions would not exceed the significance thresholds, and construction-period emissions of criteria pollutants would be less than significant. The Project's operational emissions would not exceed the significance thresholds for any of the identified

criteria air pollutants. Therefore, the Project's impact related to operational criteria pollutant emissions would be less than significant.

Based on these conclusions, the Project does not have the potential to degrade the quality of the environment. The Project would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten or eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The Project would not eliminate important examples of major periods of California history or prehistory.

Cumulative Impacts

As addressed in the Air Quality, GHG, Hydrology and Noise sections of this Initial Study Checklist:

- Construction activities associated with the Project would generate construction-related TAC emissions, specifically diesel particulate matter (DPM, as both PM10 and PM2.5) from on-road haul trucks and off-road equipment exhaust emissions. These emissions would contribute to ambient air quality emissions from nearby freeways, industrial sites, and the Port, potentially contributing to cumulative cancer risks and non-cancer health concerns at nearby sensitive receptors. With implementation of mitigation measures, the Project's emissions of toxic air contaminants would be reduced to levels of less than significant, and its contribution of toxic air contaminants would be a less than cumulatively considerable contribution to overall cumulative air quality.
- The City of Oakland's *2030 Equitable Climate Action Plan* (ECAP) sets forth a detailed, equitable path toward cost-effectively reducing Oakland's local GHG emissions by a minimum of 56% below baseline 2005 GHG emission levels by 2030, with the intent of ensuring that all of Oakland is resilient to the foreseeable impacts of climate change. Oakland's adopted 2030 reductions target of 56% below Oakland's 2005 GHG emissions reach beyond that of the State's 40% target. Based on the Project's general consistency with the City's ECAP Checklist criteria, as well as its CA-CHPS Scorecard that demonstrates the Project meets the criteria for CHPS-verified certification, the Project complies with applicable plans, policies and regulations adopted for reducing emissions of greenhouse gases, and this impact would be less than cumulatively significant.
- The Project will introduce new non-point sources of water pollutants such as automotive fluids, pesticides, fertilizers and herbicides used in landscaped areas, trash and excess irrigation water, and air pollutants deposited on rooftops and other impervious surfaces. These non-point sources of pollutants could enter the storm drainage system and eventually contribute to cumulative surface water-quality degradation. With implementation of a post-construction Stormwater Management Plan, the Project will provide adequate BMPs for the treatment of water quality in stormwater runoff from the Project site, and these BMPs will be installed, implemented and maintained in a manner that will reduce post-construction water quality impacts to acceptable, less than significant levels. The Project would be consistent with policies and regulations related to stormwater pollutants, reducing the potential for cumulative impacts to water quality to less than significant.
- Traffic resulting from daily operations of the Project would not measurably increase cumulative noise levels in the vicinity. The ambient noise conditions are dominated by industrial noise, and relatively small increases in roadway traffic attributed to the Project would not result in noise increases above the City's cumulative threshold of a 3-dBA increase.

Based on these conclusions, the Project would not have impacts that are individually limited, but cumulatively considerable.

Effects on Human Beings

As addressed in the Air Quality, Geology, Hazards, Noise and Wildfire sections of this Initial Study Checklist:

- Construction and soil remediation activities associated with the Project would generate construction-related TAC emissions, specifically diesel particulate matter (DPM, as both PM10 and PM2.5) from on-road haul trucks and off-road equipment exhaust emissions. Mitigation measures would be implemented to reduce the Project's contribution of toxic air contaminants during the construction period by ensuring that all off-road diesel equipment used during the construction period, and all haul trucks used for soil export and import for the Project, are equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available. Tier 4 engine standards have been found to reduce emissions of PM and NOx (including small PM emissions of DPM) by approximately 90%, as compared to Tier 2 and Tier 3 engines without such controls. With a 90% reduction in construction-period emissions of DMP, the Project's emissions of toxic air contaminants would be reduced to levels of less than significant.
- Based on detailed studies of the Project site, relatively high concentrations of lead and arsenic were detected in soil at the site that could pose a potential health hazard to future on-site receptors. Concentrations of organic chemicals were also detected in soil at the site that exceeds acceptable cancer risks. The preliminary approach for addressing these concerns at the site is anticipated to involve remediation of soil contaminated with lead and arsenic during the construction phase of the Project. Soil excavation and removal with off-site disposal is expected to be the preferred remedial action alternative. The District is required to enter into a Voluntary Cleanup Agreement or School Cleanup Agreement with DTSC, prepare a Removal Action Work Plan or Remedial Action Plan, including providing additional opportunities for public comment, and conduct all necessary cleanup activities pursuant to an approved Removal Action Work Plan or Remedial Action Plan. With full compliance with all DTSC-established procedures and protocols, threatened releases or potential releases of hazardous substance at or from the Project site will be fully investigated and remediated, such that the Project would not create a significant hazard to the public or the environment.
- The District will be required to prepare site-specific Health and Safety Plans and a Soil Management Plans (SMP) for DTSC approval prior to any work in Phase I and Phase II areas where contractors will be working in, or excavating soil. The SMP is to be implemented during future remediation excavation and construction activities to protect construction workers, site occupants and off-site receptors from potential exposure to lead and arsenic in the soil.
- The Phase I ESA conducted for the Project found a low likelihood that off-site properties present a recognized environmental concern to future occupants of the site. Pending any further analysis that may be required, there are no off-site contaminated sites or sources within one-quarter mile of the Project that would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste.
- The maximum noise levels generated at the Project's parking lot would be below the daytime threshold established by the City of Oakland Noise Ordinance. Parking lot noise generated during the evening hours would also be below the maximum allowable noise levels (in dBA Leq) established by the City of Oakland Noise Ordinance, which are 60 dBA L33 (or for 20 minutes) during a 1-hour period during the daytime between 7:00 a.m. and 10:00 p.m. This is a less than significant impact.
- The Project would have no impact related to exposure of people to wildfire risk for lands in or near state Responsibility Areas classified as Very High Fire Hazard severity zones. The Project

site, which is located within an urbanized area of the City of Oakland, is not identified as within, nor is it near a Very High Fire Hazard Severity Zone.

Based on these conclusions, the Project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

CEQA Findings

On the basis of this evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

■ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures to reduce these impacts will be required of the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that, although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Signature Date

Mitigation Measures

The CEQA Finding for the Project concludes that the Project will not have a significant effect on the environment because mitigation measures to reduce potential impacts of the Project will be required. Pursuant to CEQA Guidelines Section 15071 (e), the following is a list of all mitigation measures required of the Project to avoid potentially significant effects. These measures have been agreed to by the District (as both applicant and lead agency) and when implemented, would avoid or mitigate the effects of the Project to a point where no significant effects (as defined by CEQA) would occur.

Air Quality

Mitigation Measure Air-1, Basic Construction Mitigation:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. 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.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. 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.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Mitigation Measure Air-2, Additional Construction Mitigation Measures:

1. 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.
2. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
3. Windbreaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Windbreaks should have at maximum 50 percent air porosity.
4. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
5. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
6. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.

7. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.
8. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
9. Minimizing the idling time of diesel powered construction equipment to two minutes.
10. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOX reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.
11. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).
12. Require that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM.
13. Requiring all contractors use equipment that meets CARB's most recent certification standard for off-road heavy-duty diesel engines.

Regulatory Requirement Air-3, Asbestos in Structures: The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM). These include but are 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.

Mitigation Measure Air-4, Diesel Particulate Matter Controls: The District shall ensure that all off-road diesel equipment used during the construction period, and all haul trucks used for soil export and import for the Project, are equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type, as certified by CARB. Methods to comply with this standard include, but are not limited to, new clean diesel trucks (Tier 4 engines automatically meet this requirement), 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. This equipment must be properly maintained and tuned in accordance with manufacturer specifications, and verified through an equipment inventory submittal and Certification Statement.

Regulatory Requirement Air-5, Emergency Generator – TBACT: The Project's proposed diesel-powered emergency generator will be subject to CARB's Stationary Diesel Airborne Toxics Control Measure (ATCM), and will require permits from the BAAQMD. As part of the BAAQMD permit requirements, the engine emissions will have to meet Best Available Control Technology for Toxics (TBACT).

Biological Resources

Mitigation Measure Biology-1: Protect Nesting Birds. During construction of the Project, the removal of any trees and demolition of the existing buildings shall occur between September 1 and January 31. Tree removal and building demolition should be avoided from February 1 to August 31, which is the typical migratory bird's nesting period in this part of California. If no vegetation removal or building demolition is proposed during the nesting period, then no surveys are required.

1. 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.
2. 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 largely 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.

Regulatory Requirement Biology-1, Compliance with Tree Protection Ordinance: The Project will be required to obtain a tree permit from the City of Oakland for the removal of four trees from the Project's frontage along Union Street, and to abide by the conditions of that permit. Standard conditions that apply to the City's tree permit include the following:

1. Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the recommendations of an arborist.
2. Replacement tree 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
3. No tree replacement shall be required for the removal of non-native 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.

Cultural Resources

Mitigation Measure Cultural-1: Survey of the Project Area. An archaeologist should conduct a pedestrian archaeological survey of the Project area after building demolition and asphalt removal, and after soil excavation. Any newly discovered historic (over 45 years of age) or prehistoric archaeological sites identified during the survey must be recorded, as required, on appropriate Department of Parks and Recreation Primary Record (DPR 523) and associated (e.g., Building-Structure-Object) forms.

Mitigation Measure Cultural-2: Inadvertent Discoveries. If any previously unknown prehistoric resources are discovered during grading, trenching, or other on-site excavation(s), then earthwork within 25 feet of these materials shall be stopped until a qualified professional archaeologist has evaluated the potential significance of the find, and suggests appropriate steps to protect the resource.

1. According to CEQA Section 15126.4, avoidance is the preferred mitigation. Since CEQA provisions regarding the preservation of historic resources direct that adverse effects to historic resources shall be avoided, if feasible, the resource shall be protected from damaging effects through avoidance.
2. If avoidance of any previously undiscovered archaeological site is not feasible, data recovery shall be conducted in accordance with an approved Archaeological Data Recovery Plan (ADRP) to mitigate adverse effects to the significance of the site – the area of data recovery being limited to the area of adverse effect. This would fulfill CEQA requirements that the mitigation measure must be "roughly proportional" to the impacts of the project. A professional, qualified archaeologist shall conduct data recovery in compliance with CEQA Guideline Section §15064.5. Once the site has been properly tested, subject to data recovery, or preserved to the

satisfaction of the professional archaeologist in compliance with CEQA Guideline §15064.5, the site can be further developed.

Mitigation Measure Cultural-3: Inadvertent Discovery of Human Remains. Section 7050.5(b) of the California Health and Safety code will be implemented in the event that human remains, or possible human remains, are located during Project-related construction excavation. Section 7050.5(b) states, "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 human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code".

1. The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the NAHC within 24 hours. The NAHC has various powers and duties, including the appointment of a Most Likely Descendant (MLD) to the Project. The MLD, or in lieu of the MLD, the NAHC, has the responsibility to provide guidance as to the ultimate disposition of any Native American remains.

<u>Geologic Hazards</u>

Regulatory Requirement Geology-1, California Building Code: Because the Project site is located within a seismically active region, the building design and construction must consider the effects of seismic activity in accordance with the latest (2019) edition of the California Building Code (CBC).

The building design has already been reviewed by the California State Architect and the California Geological Survey, and those agencies have determined that the engineering geology and seismology issues at this site are adequately assessed with the mitigation measures listed below, and no further information is requested.

Mitigation Measure Geology-2, Seismic Design Parameters: According to the CEL Geology Study, the Project should be designed in accordance with local design practice to resist the lateral forces generated by ground shaking associated with a major earthquake occurring within the greater San Francisco Bay region. Based on the measured shear wave velocity at the site, CEL has estimated average shear wave velocity of 300 meter/second, and classified the site as Site Class "D". For design of the site structures in accordance with the seismic provisions of the CBC 2019 and American Society of Civil Engineers (ASCE) 7-16, the following design seismic ground motion values are recommended.

1. Mapped Spectral Response Accelerations: Short Period - 1.592 g, and 1-second Period - 0.6 g
2. Adjusted Maximum Spectral Response Accelerations: Short Period - 1.778 g, and 1-second Period - 1.650 g
3. Design Spectral Response Accelerations: Short Period - 1.185 g, and 1-second Period - 1.100 g
4. Site-Specific Peak Ground Acceleration (PGA): 0.700 g

Mitigation Measure Geology-3, Utility Penetrations at Building Perimeter: Flexible connections at building perimeters should be considered for utility lines going through perimeter foundations. This would provide flexibility during a seismic event. This could be provided by special flexible connections, pipe sleeving with appropriate waterproofing, or other methods.

Regulatory Requirement Geology-4, Notice of Intent: The project applicant shall submit a Notice of Intent (NOI) to comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB)

Regulatory Requirement Geology-5, Stormwater Pollution Prevention Plan: Pursuant to the Construction General Permit, the project applicant shall prepare and implement during construction a Stormwater Pollution Prevention Plan (SWPPP), including Best Management Practices (BMPs) to reduce erosion, sedimentation and water quality impacts during construction to the maximum extent practicable.

Mitigation Measure Geology-6, Project Compaction Recommendations: The Project's grading plans should follow all recommended compaction requirements as presented in Table 6 of the CEL Geology Study.

Mitigation Measure Geology-7, Building Pad Grading. To reduce potential abrupt differential settlement of the near surface soils as well as to provide uniform bearing support, the buildings should be supported by a layer of reworked, engineered fill. The fill layer should extend to at least four feet below existing ground surface. It should be constructed by a combination of over-excavating the pad below the existing grade, scarifying the over-excavation subgrade to a depth of at least eight inches, and compacting the exposed surface to the project compaction requirements, and backfilling with compacted, engineered fill to the new building pad subgrades. Therefore, the scarified fill thickness can be considered part of the required minimum four-foot engineered fill thickness. The engineered fill layer should extend at least five feet horizontally beyond the perimeter of the building footprints or as feasible if limited by nearby structures.

1. Engineered fill should be placed and compacted to final pad subgrade in accordance with the detailed recommendations presented in the CEL Geology Study.
2. Due to the granular nature of the near-surface materials, excavating the edges of the over-excavations may require that slopes be cut back, as near-vertical slopes may not stand beyond the short-term.

Mitigation Measure Geology-7, Shallow Foundations: The proposed buildings can be supported on conventional continuous perimeter and interior spread footings bearing on the recommended engineered fill layer. Footings should have a minimum width of 18 inches and founded on a minimum of 24 inches below lowest adjacent finished grade (i.e., pad subgrade for interior continuous footings, exterior compacted surface grade for exterior footings, not including loose landscape or topsoil material).

Mitigation Measure Geology-8, Grading Flatwork/Pavement Areas: Areas to receive concrete hardscape or pavements should be scarified to a minimum depth of eight inches below existing grade or final subgrade, whichever is lower. Scarified areas should be moisture conditioned and compacted. Where required, engineered fill should be placed and compacted to reach design subgrade elevation. Rubber-tired heavy equipment, such as a full water truck, should be used to proof load exposed subgrade areas where pumping is suspected. Proof loading will determine if the subgrade soil is capable of supporting construction equipment without excessive pumping or rutting.

Mitigation Measure Geology-9, Interior Floor Slabs: Surficial onsite materials appears low to non-plastic; therefore, a non-expansive fill layer is not required for the proposed building. Slab reinforcing as well as slab construction joints should be designed by the structural engineer or slab designer to satisfy the anticipated use and loading of the slab. Slab-on-grade subgrade surfaces should be proof-rolled to provide a smooth, unyielding surface for slab support.

Mitigation Measure Geology-10, Positive Drainage: Final grading should be designed to provide drainage away from structures and the top of slopes.

1. Soil areas within 10 feet of proposed structures should slope at a minimum of 5% away from the buildings.
2. Adjacent concrete hardscape should slope a minimum 2% away from the buildings.
3. Roof leaders and downspouts should not discharge into landscape areas adjacent to buildings, and should discharge onto paved surfaces sloping away from the structures or into a closed pipe system channeled away from the structure to an approved collector or outfall.

Mitigation Measure Geology-11, Vapor Barrier: A vapor retarder or barrier should be placed directly under the slab. A sand layer is not required over the vapor retarder from a geotechnical standpoint. During construction, all penetrations (e.g., pipes and conduits,) overlap seams, and punctures should be completely sealed using a waterproof tape or mastic applied in accordance with the vapor retarder manufacturer's specifications. The vapor retarder or barrier should extend to the perimeter cutoff beam or footing.

Hazards and Hazardous Materials

Regulatory Requirement Hazards-1, Completion of the DTSC Environmental Review and Cleanup Process: Pursuant to Health and Safety Code requirements for projects under the regulatory review and oversight of DTCS's Brownfields Restoration and School Evaluation Branch, the Project must complete the DTSC-established protocols for site evaluation and cleanup. Pursuant to this process, remaining steps include, but are not limited to the following:

1. Approval and acceptance of a final Preliminary Environmental Assessment
2. Entering into a subsequent Voluntary Cleanup Agreement or School Cleanup Agreement
3. Preparation of a Removal Action Work Plan or Remedial Action Plan, including providing additional opportunities for public comment
4. Conducting all necessary cleanup activities pursuant to an approved Removal Action Work Plan or Remedial Action Plan
5. Obtaining a "No Further Action" letter from DTSC, once all cleanup activities are satisfactorily completed under DTSC oversight

Regulatory Requirement Hazards-2, Soil Management Plan: Pursuant to DTSC's review and approval of the Phase I and Phase II Removal Action Work Plans, these approvals will also require preparation and implementation of a Soil Management Plan (SMP). The SMP is to be implemented during future remediation excavation and construction activities to protect construction workers, site occupants and off-site receptors from potential exposure to lead and arsenic in the soil. The SMP will serve as the guidance document for evaluation of clean, contaminated and hazardous soils during soil disturbance activities. Sections of the SMP will include:

1. A program of participant roles and responsibilities, description of the physical setting, soil screening criteria, soil management objectives, remedial actions and notifications
2. Health and Safety plans, including a discussion of proper personal protective equipment (PPE) to mitigate direct contact exposure of contaminated soils to site workers
3. Delineation of exclusion work zones and hazard warning signage, best management practices (BMPs) for PPE and equipment decontamination, and site worker hygiene
4. Soil excavation and monitoring (including air monitoring of dust levels, and the requirement that all excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph (see Mitigation Measure Air-2)

5. Soil segregation, stockpiling soil and stockpile management, including proper storage of excavated soils to prevent cross contamination (e.g. stockpiling on plastic sheeting and covering), to prevent wind dispersal by requiring that stockpiled soil on-site be watered or treated with soil stabilizers, and covered (see Mitigation Measure Air-2), and to prevent inadvertent contamination from stormwater runoff (see Mitigation Measure Hydrology-2 pertaining to SWPPP requirements of the NPDES regulations)
6. Transport management, including the requirement that all trucks off-hauling soil maintain at least two feet of freeboard and employ covers (see Mitigation Measure Air-2)

Hydrology

Regulatory Requirement Hydrology-1, State Construction General Permit and SWPPP: The Project applicant shall file a Notice of Intent with the State Water Resources Control Board (SWRCB) for construction-period releases of stormwater to be covered under the State's Construction General Permit. Pursuant to the requirements of that at Permit, the Project sponsor shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) and other permit documents as may be required by the SWRCB. At a minimum, the SWPPP shall include:

1. Best Management Practices (BMPs) to minimize erosion and sediment (i.e. gravel bags, silt fence, straw wattle, sediment basin, soil stabilizers, etc.)
2. BMPs to minimize non-stormwater discharges (i.e. concrete waste management, material waste management, good housekeeping practices, etc.)
3. Site inspections and BMP maintenance

Regulatory Requirement Hydrology-3, Post-Construction Stormwater Management Plan: The Project shall be subject to compliance with the requirements of Provision c.3 of the Municipal Regional Stormwater Permit, including developing and implementing a Post-Construction Stormwater Management Plan (SWMP) subject to the review and approval of the City of Oakland (as the discharge permittee). The SWMP must identify the location and size of new and replaced impervious surfaces, the directional surface flow of stormwater runoff, and the location of proposed on-site storm drain lines, the site design measures to reduce the amount of impervious surface area, source control measures to limit stormwater pollution, and stormwater treatment measures to remove pollutants from stormwater runoff.

Noise

Mitigation Measure Noise-1, Construction Days/Hours: The Project's construction schedule should comply with the following restrictions concerning construction days and hours:

1. Construction activities should be limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that extreme noise generating activities greater than 90 dBA and soil import and export operations shall be limited to between 8:00 a.m. and 4:00 p.m. Use of concrete saws shall be limited to the hours between 8:00 am and 4:00 pm on weekdays.
2. Construction activities should be limited to between 9:00 a.m. and 5:00 p.m. on Saturday, but only within the interior of the building with the doors and windows closed.
3. No construction is allowed on Sunday or federal holidays.
4. Any construction activity proposed outside of the above days and hours for special activities (potentially such as the longer-duration soil export and import operations) shall be evaluated on a case-by-case basis by the District, 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 District 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.

Mitigation Measure Noise-2, Construction Noise Control Best Management Practices (BMPs): The District and the District's contractor should implement best management practices (BMPs) for noise reduction to reduce construction noise to the extent practical. Noise reduction BMPs include, but are not limited to the following

1. Equipment and trucks used for 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.
2. Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. These types of mufflers 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.
3. Use electrical power instead of generators, where feasible.
4. Locate stationary noise sources as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers or use other measures to provide equivalent noise reduction. Stage large equipment, compressors or generators at least 25 feet from the site perimeters when work is not being done near these uses.
5. The noisiest phases of construction should be limited to less than 10 days at a time. Exceptions may be allowed if the District determines an extension is necessary and all available noise reduction controls are implemented.
6. Construction activities should be conducted in a manner that minimizes the noise impact at the adjacent property boundaries wherever possible. Construction equipment shall be positioned as far from noise sensitive receptors as possible.
7. Prohibit unnecessary idling of internal combustion engines.
8. Erect temporary plywood noise barriers around the construction site during the loudest construction phases (ground clearing and excavation).

Mitigation Measure Noise-3: Noise Monitoring and Complaint Response: The District should establish and implement a set of procedures for responding to complaints received pertaining to construction noise, and implement these procedures during construction. These procedures should include:

1. Notify property owners and occupants located within 300 feet of construction activities at least 14 calendar days prior to commencement of construction.
2. Designate an on-site construction complaint and enforcement manager for the project.
3. Post a large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures and phone numbers for the complaint manager.
4. Construction noise monitoring should be undertaken if reliable noise complaints are received during demolition, excavation and/or construction activities.

Transportation

Mitigation Measure Transportation-1, Traffic Control Plan: The District shall prepare and implement a Traffic Control Plan during the construction and soil remediation process. 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). These traffic control measures should include an overall construction logistics plan with designated construction access routes, construction worker parking plan and construction phasing plan, proposed truck routes, detour signage and lane closure procedures (if required), signs or cones for driver safety, and a pedestrian safety plan. The Traffic Control Plan shall be in conformance with the City of Oakland's Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists and Bus Facilities in Construction Zones.

Utilities and Services

Mitigation Measure Utilities-1, Water Efficient Landscape: The District shall comply with California's Water Efficient Landscape Ordinance (WELO) in order to reduce landscape water usage, including compliance with a Project-specific calculation of the Project's Maximum Applied Water Allowance.

Mitigation Measure Utilities-2, Green Building Requirements: The District shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures for water conservation.

Mitigation Measure Utilities-3, Construction and Demolition Waste Reduction and Recycling: The District shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by preparing and implementing a Construction and Demolition Waste Reduction and Recycling Plan. That Plan shall specify the methods by which the project will divert construction and demolition debris waste from landfill disposal.

Mitigation Measure Utilities-4, Recycling Collection and Storage Space: The District shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). For non-residential projects, at least two (2) cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten (10) cubic feet.

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