

PUBLIC REVIEW DRAFT

**10800 EDES AVENUE
RESIDENTIAL PROJECT
INITIAL STUDY/
NEGATIVE DECLARATION**

LSA

January 2008

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RESIDENTIAL PROJECT
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NEGATIVE DECLARATION**

Submitted to the:

City of Oakland
Community and Economic Development Agency,
Planning Division
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

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January 2008

TABLE OF CONTENTS

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)	1
PROJECT DESCRIPTION	3
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED	10
DETERMINATION	11
EVALUATION OF ENVIRONMENTAL IMPACTS	12
I. AESTHETICS	13
II. AGRICULTURAL RESOURCES	15
III. AIR QUALITY	16
IV. BIOLOGICAL RESOURCES	28
V. CULTURAL AND HISTORIC RESOURCES	30
VI. GEOLOGY AND SOILS	32
VII. HAZARDS AND HAZARDOUS MATERIALS	36
VIII. HYDROLOGY AND WATER QUALITY	43
IX. LAND USE AND PLANNING	50
X. MINERAL RESOURCES	55
XI. NOISE	56
XII. POPULATION AND HOUSING	64
XIII. PUBLIC SERVICES	65
XIV. RECREATION	66
XV. TRANSPORTATION/TRAFFIC	67
XVI. UTILITIES AND SERVICE SYSTEMS	74
XVII. MANDATORY FINDINGS OF SIGNIFICANCE	77
REFERENCES	79

APPENDICES

Appendix A: Mitigation Measures From Coliseum Area Redevelopment Plan EIR

FIGURES

Figure 1:	Project Location and Regional Vicinity Map	2
Figure 2:	Proposed Site Plan.....	4
Figure 3:	Perspective View.....	5
Figure 4:	Building Elevations (Typical).....	6
Figure 5:	Flood Zone Map	49
Figure 6:	Oakland Land Use and Zoning Map	53
Figure 7:	Building Type “B” Layout	59
Figure 8:	Project Trip Distribution Percentage.....	70
Figure 9:	Daily Project Trips	71
Figure 10:	AM Peak Hour Project Trips.....	72
Figure 11:	PM Peak Hour Project Trips	73

TABLES

Table 1:	Hazard Assessments for 10800 Edes Avenue	39
Table 2:	Groundborne Vibration Impact Criteria.....	63
Table 3:	Project Trip Generation.....	69

INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

1. Project Title:

Habitat for Humanity East Bay, 10800 Edes Avenue

2. Lead Agency Name and Address:

City of Oakland
Community and Economic Development Agency, Planning Division
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

3. Contact Person and Phone Number:

Darin Ranelletti, Planner III, (510) 238-3663

4. Project Location:

See Figure 1. The address of the project site is 10800 Edes Avenue, Oakland, CA 94603. The project site, which is located in the Sobrante Park neighborhood of East Oakland, is generally bounded by the Southern Pacific Railroad (SPRR) rail line on the northeast; the 10900 Edes Avenue parcel undergoing residential development by Habitat for Humanity East Bay on the southeast; Edes Avenue and existing residential development on the southwest; and the 732 105th Avenue industrial park on the northwest. The approximately 1.7-acre site consists of one parcel, Assessor's Parcel Number 045-5263-002-00. The site is located in the Coliseum Area Redevelopment Project area.

5. Project Sponsor's Name and Address:

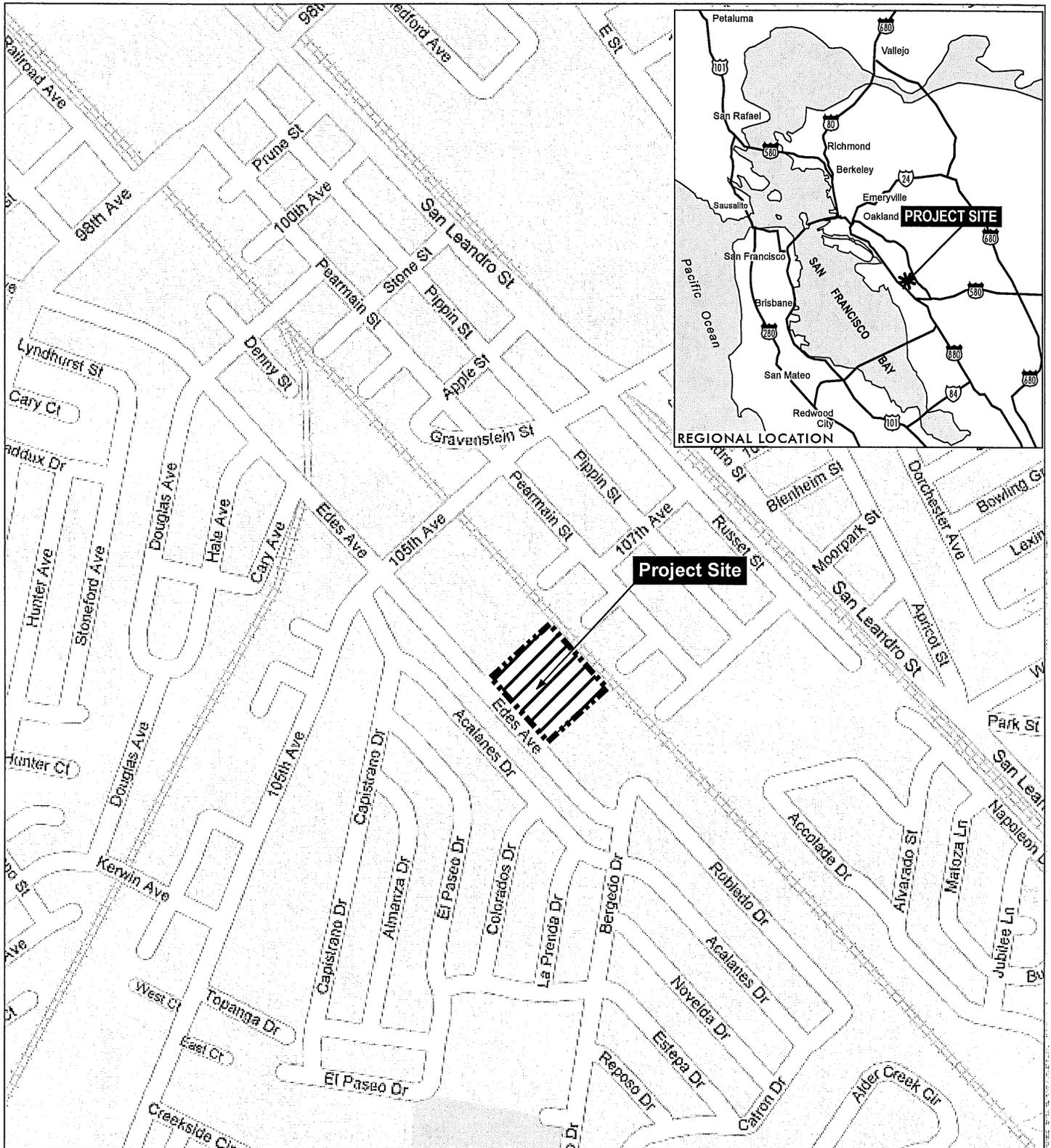
Hector P. Burgos, Jr.
Senior Project Manager
Habitat for Humanity East Bay
2619 Broadway, 2nd Floor
Oakland, CA 94612

6. General Plan Designation:

Business Mix

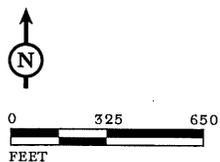
7. Zoning:

M-20 (Light Industrial)/S-4 (Design Review)



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FIGURE 1



LEGEND



PROJECT SITE

10800 Edes Avenue Residential Project IS/ND
Project Location and
Regional Vicinity Map

8. Description of Project:

The project proposed by Habitat for Humanity is the construction of 28 affordable, for-sale single-family housing units on a former greenhouse and brick disposal/recycling site, including 6 two-bedroom units, 11 three-bedroom units, and 11 four-bedroom units. Units would be priced at income levels ranging from 60 percent to 100 percent of the Area Median Income (AMI). The proposed project would also amend the current zoning from M-20 (Light Industrial) and S-4 (Design Review) to R-40 (Garden Apartment Residential), amend the property's General Plan land use designation from Business Mix to Mixed Housing Type Residential, and amend the Coliseum Area Redevelopment Plan. Refer to the Project Description, below, for additional detail.

9. Surrounding Land Uses and Setting:

The project site comprises a vacant lot located in a neighborhood containing a mixture of commercial, industrial, institutional, and residential land uses, bordered by residential uses to the north; the City of San Leandro to the east; commercial and residential uses and Oakland International Airport to the south; and industrial and residential uses to the west.

10. Actions/permits which may be required, and for which this document provides CEQA clearance, include without limitation:

- General Plan Amendment: Parcel would be re-designated from Business Mix to Mixed Housing Type Residential
- Coliseum Area Redevelopment Plan Amendment
- Rezoning: Parcel would be re-zoned from M-20/S-4 to R-40
- Conditional Use Permit
- Tentative Tract Map
- Variances
- Planned Unit Development Permit (PUD)
- Design Review

11. Other Public Agencies Interested in the Project:

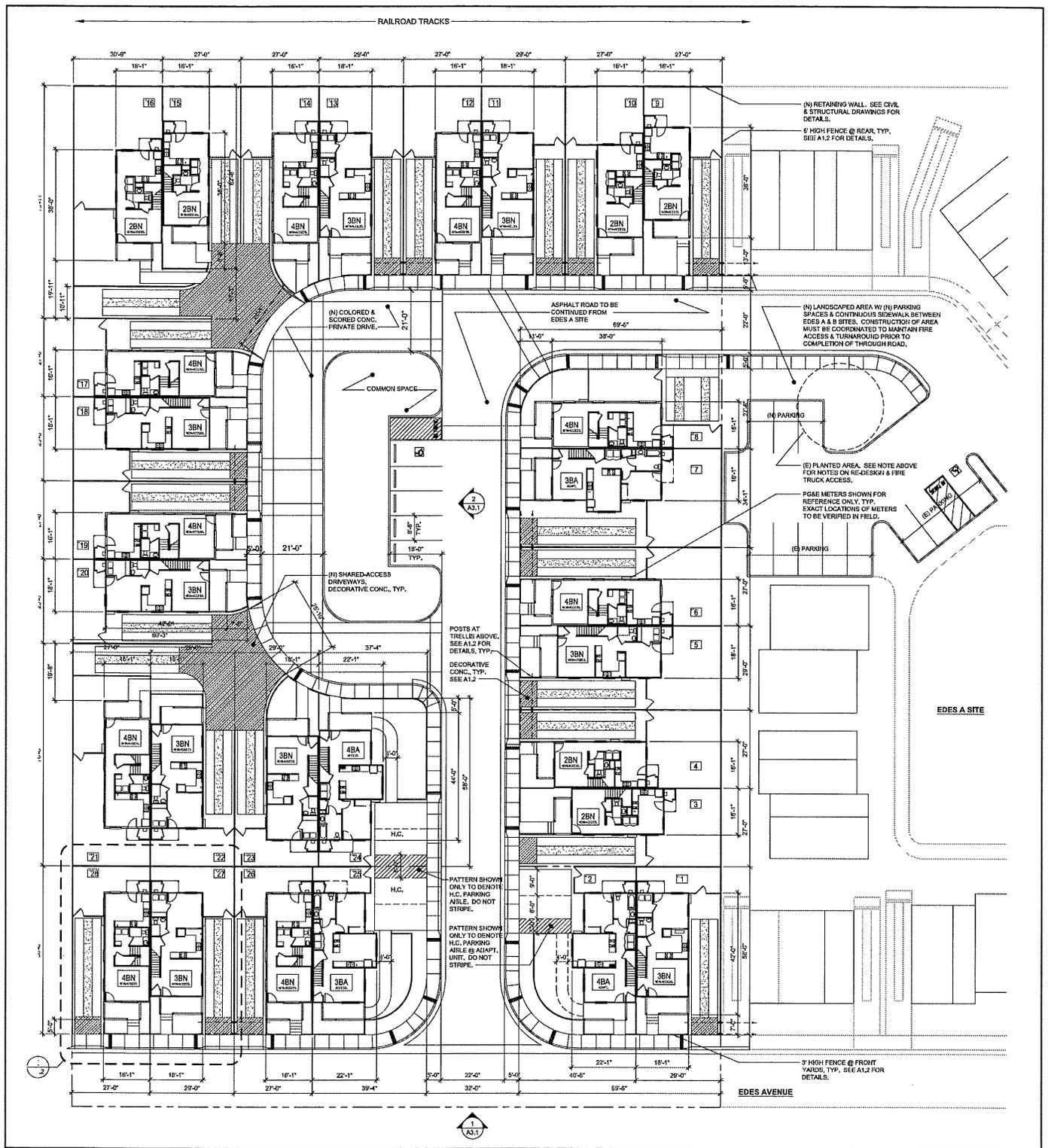
- Regional Water Quality Control Board (RWQCB)
 - Department of Toxic Substances Control (DTSC)

12. Previous Environmental Review:

The project site is located in the Coliseum Redevelopment Project Area and is subject to the applicable mitigation measures contained in the Coliseum Area Redevelopment Plan Environmental Impact Report. These mitigation measures are listed in Appendix A.

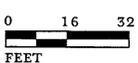
PROJECT DESCRIPTION

The following discussion includes a brief history of the site and a description of the proposed project. Figure 1 shows the regional location of the proposed project and its local context. Figure 2 shows the proposed site plan for the project. Figures 3 and 4 show perspectives and elevations for the proposed project.

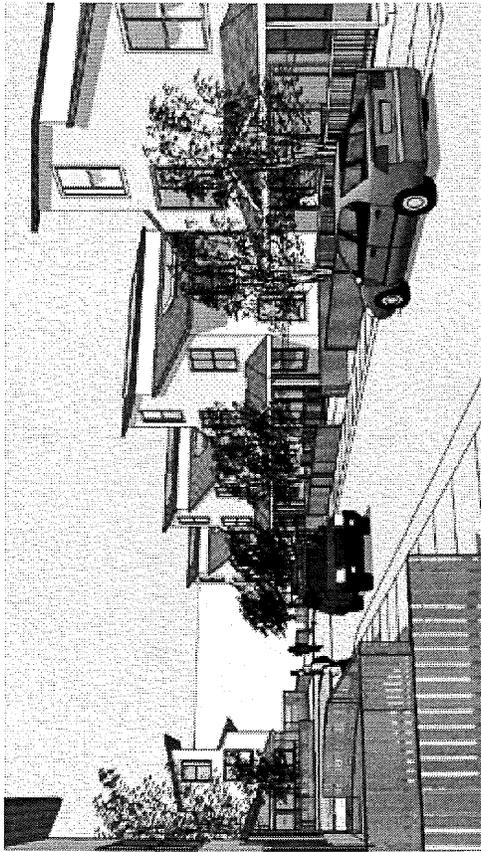


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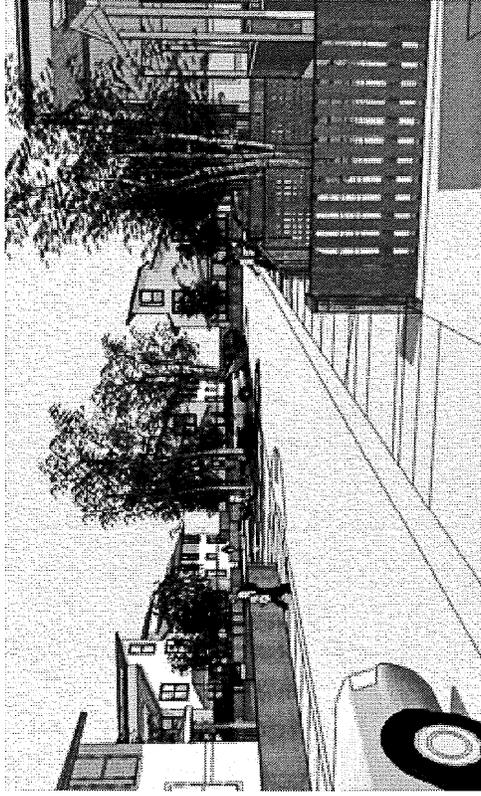
FIGURE 2



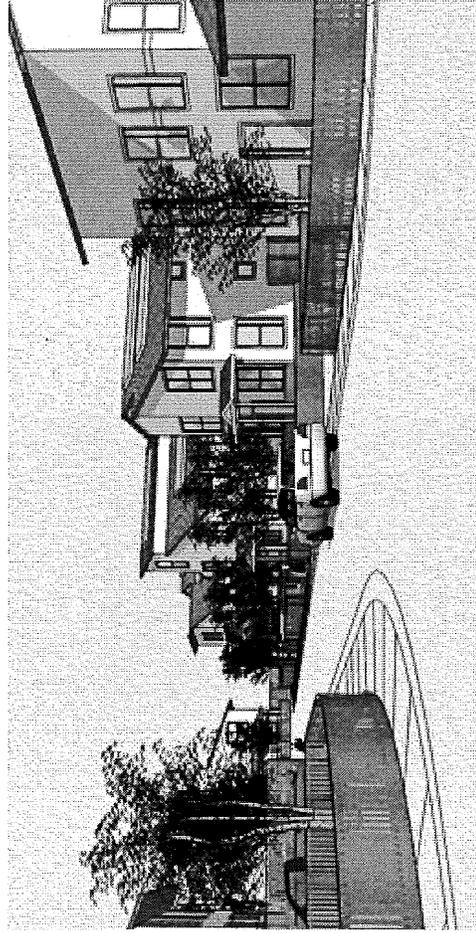
10800 Edes Avenue Residential Project IS/ND
Proposed Site Plan



View A: Looking north from eastern entrance



View B: Common space in central project area



View C: Looking east from Edes Avenue

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FIGURE 3

10800 Edes Avenue Residential Project IS/ND
Perspective View

1. History and Background

The site of the proposed project consists of one parcel lying immediately adjacent to the Southern Pacific Railroad line right-of-way (and approximately 70 feet from the railroad tracks) in the Sobrante Park neighborhood of East Oakland. From the early 1920s to 1965, the site was used as a plant nursery where roses and other flowers were grown. Between 1965 and 1982, the property laid dormant, with only incidental use and no organized productivity. Between 1982 and 1996, the property was used by a construction and demolition business predominantly for the destruction and recycling of bricks; since that time the site has been vacant, with no buildings or construction on the parcel. The property, which has been subjected to contamination associated with local railroad and industrial uses, as well as illegal dumping activities in recent years, is located in a neighborhood with low per capita incomes and high unemployment rates. In 2005, the US EPA performed a Targeted Brownfields Site Assessment at the site to initiate investigation and cleanup activities for the hazardous wastes identified there.

2. Existing Conditions

The approximately 1.7-acre site is located in the Sobrante Park neighborhood of East Oakland, which is characterized by a mixture of residential, commercial, and industrial uses. Industrial uses are located to the east and north of the project site. Residential uses are located to west and south of the project site, as well as to the east and north of the industrial uses adjacent to the project site in these directions. Commercial uses are located on select street corners and along major arterials. The site is located in the Coliseum Area Redevelopment Project area. The following discussion includes a description of land uses within the site, contamination in the site, and surrounding land uses.

Land Uses Within the Site of the Proposed Project. The site of the proposed project is generally bounded by the Southern Pacific Railroad (SPRR) rail line on the northwest; the 10900 Edes Avenue parcel on the southeast; Edes Avenue and existing residential development on the southwest; and the 732 105th Avenue industrial park on the northwest. As noted above, the parcel is currently vacant, but was formerly used as a plant nursery and a brick recycling area.

Contamination. The site of the proposed project contains toxic contamination typical of areas subject to historic industrial and railroad uses that are located in the vicinity of major thoroughfares (e.g., Interstate 880) and rail lines. Site investigations revealed lead, arsenic, petroleum hydrocarbons, and polycyclic aromatic hydrocarbons (PAHs) in the soil. These contaminants were limited to the upper 4 feet of soil. Materials containing asbestos were not observed on the site or detected in any sampling. No underground storage tanks were detected at the site, nor were any discovered to have been located at the site in the past. A Notice of Exemption was filed by the California Department of Toxic Substances Control and signed on July 25, 2007. This Notice of Exemption proposed remedial action for contaminated soil at the site, consisting of the excavation and offsite disposal of soil containing lead, arsenic, PAHs, and total petroleum hydrocarbons (TPHs) to achieve the site's residential cleanup goals. The site is not on the Hazardous Waste and Substances Sites List (the "Cortese List"). A detailed discussion of proposed remediation actions is located in Section VIIa.

Land Uses Outside the Project Site. The site of the proposed project is located in a transition zone between residential uses that extend west to Interstate 880 and east to the San Leandro border, and industrial uses that extend north to the Oakland Coliseum; the surroundings of the site are indicative of this transition. The parcel adjacent to the southeast of the project site is another Habitat for Humanity residential redevelopment project currently under construction, while the parcel to the northwest consists of industrial and warehouse uses, including a salvage yard for abandoned and wrecked automobiles. Opposite the railroad line, industrial uses trend toward the northwest, while the residential uses extend to the southeast. Schools and churches are intermingled in the residential areas to the south and west. The Coliseum/Oakland Airport Bay Area Rapid Transit (BART) station, located approximately 1.5 miles northwest of the project site at 7200 San Leandro Street, and the San

Leandro BART station, located approximately 1 mile southeast of the project site at 1401 San Leandro Street, are the closest transit stations to the project site. The Alameda-Contra Costa Transit District's bus line 45 has scheduled stops at the corner of 105th Avenue and Edes Avenue approximately 700 feet to the northwest of the project site, as well as numerous stops along Acalanes Avenue, located one block south of the project site.

3. Primary Goals and Objectives

The primary goal of the proposed project is to redevelop a currently vacant parcel. Specific objectives of the proposed project are listed below and are consistent with the Coliseum Area Redevelopment Plan.

- Enhance the physical quality of a neighborhood that suffers from high unemployment and poverty rates.
- Expand affordable for-sale housing opportunities for Oakland residents.
- Increase the City's supply of high-quality affordable housing.
- Improve environmental quality at the site by reducing contamination.

4. Detailed Project Description

The following section includes a description of the proposed project. The proposed project would be funded through a variety of sources, including the U.S. Department of Housing and Urban Development's Office of Affordable Housing and Habitat for Humanity. The proposed project would amend the current zoning from M-20 (Light Industrial) and S-4 (Design Review) to R-40 (Garden Apartment Residential), as well as amend the property's General Plan land use designation from Business Mix to Mixed Housing Type Residential. In addition, an Amendment to the Coliseum Area Redevelopment Project would also be required.

Demolition of Existing Uses. There are no buildings currently on the project site that would require demolition.

Housing. The site of the proposed project would be redeveloped with two- and three-story attached single-family homes constructed by Habitat for Humanity. Housing density on the site would be approximately 17 units per acre. All 28 units would be for-sale and priced at affordable levels; a description of these units is provided below.

The proposed project includes a total of 28 two- and three-story attached pairs of single-family homes, constructed on 28 lots by Habitat for Humanity. The buildings would be distributed evenly throughout the site, with the primary access road separating 2/3 of the units to the western side of the property and 1/3 to the eastern side. The units would range in size from 970 square feet to 1,410 square feet, similar in size to the existing homes in the surrounding neighborhood. Approximately 20 percent of the units would be two-bedroom units; 40 percent would be three-bedroom units; and 40 percent would be four-bedroom units. Elevation drawings of the proposed project show that the units would be two to three stories in height and would feature flat facades with board-and-batten and clapboard-style siding; covered entryways would be located at the center, sharing common roof space that extends over individual front porches. The units would contain several windows per floor and steeply-sloped roof lines. The units would be arranged in rows, oriented toward the driveway being constructed within the site. The design of the proposed project would encourage residents of the units to perform informal surveillance of the common space and street area. In addition, buildings would contain roof-top solar collectors and be designed to be cooled by passive solar orientation, eaves and awnings, thermal mass floors, insulation, radiant barriers, and whole-house fans.

Access and Circulation. As noted above, the project area currently consists of only one vacant parcel. The design of the proposed project seeks to incorporate a private access street into the property from Edes Avenue that would connect at the northeast corner of the site to the similar access street constructed at the adjacent 10900 Edes Avenue residential area. The vehicle turnaround in the 10900 Edes Avenue project would be reconfigured

to allow the connection between the two roadways. A U-shaped pull-through drive would extend west from approximately the midpoint of the new access street, reconnecting at the northernmost point of the access street where it turns east toward the adjacent 10900 Edes Avenue street. This drive would provide vehicular access to the buildings located to the northwest of the site, and would create a common space area within its center. Sidewalks and pathways would be developed through the interior of the site as well as connecting the parcel to the adjacent 10900 Edes Avenue project site.

Parking. The proposed project includes two off-street parking spaces per unit, five parking spaces located in a common parking area, and limited on-street parking.

Landscape and Outdoor Design. The proposed project would feature private courtyards interspersed between buildings. The project site would also include an approximately 2,700 square-foot common area in the central portion of the site. Native trees and shrubs would be planted throughout the site. With implementation of the proposed project, impervious surface coverage would increase to approximately 35,000 square feet (approximately 0.80 acres). The project would also feature a sound wall constructed between the residences and the adjacent railroad tracks to further reduce noise impacts to the residences.

Construction Period. The construction period would occur in a single phase, extending over approximately 20 months. Construction activities would involve the use of construction machinery, including bulldozers, compactors, and graders. Construction activities that occur as part of the proposed project will not include pile-driving.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

On the basis of this initial evaluation:

I find that the proposed Project COULD NOT have a significant effect on the environment with Uniformly Applied Development Standards imposed as conditions of approval and previously adopted mitigation measures imposed from the Coliseum Area Redevelopment Plan EIR, 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 and Uniformly Applied Development Standards have been imposed on 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 that will further study. No other environmental factors will be further studied.

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. 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

Darin Rannelletti
Planner III

For Dan Lindheim
Interim Director, Community and Economic
Development Agency
Environmental Review Officer

EVALUATION OF ENVIRONMENTAL IMPACTS

CEQA requires that an explanation of all answers be provided along with this checklist, including a discussion of ways to mitigate any significant effects identified.

Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, less than significant with development standards, or less than significant. As defined here, a "Potentially Significant Impact" is appropriate if the significant effect is considered to have a substantial or potentially substantial adverse effect on the environment. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

A "Less than Significant with Mitigation" answer applies where incorporation of a mitigation measure has reduced an effect from a "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

A "Less than Significant with Development Standard" answer applies where incorporation of a development standard has reduced an effect from a "Potentially Significant Impact" to a "Less than Significant Impact." The City's Uniformly Applied Development Standards are incorporated into projects as conditions of approval regardless of a project's environmental determination. As applicable, the Uniformly Applied Development Standards are adopted as requirements of an individual project when it is approved by the City and are designed to, and will, substantially mitigate environmental effects. In reviewing project applications, the City determines which of the standard conditions are applied, based upon the zoning district, community plan, and the type(s) of permit(s)/approvals(s) required for the project. Depending on the specific characteristics of the project type and/or project site, the city will determine which Development Standards apply to each project; for example, Development Standards related to creek protection permits will only be applied projects on creekside properties.

The Development Standards incorporate development policies and standards from various adopted plans, policies, and ordinances (such as the Oakland Planning and Municipal Codes, Oakland Creek Protection, Stormwater Water Management and Discharge Control Ordinance, Oakland Tree Protection Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System (NPDES) permit requirements, Housing Element-related mitigation measures, California Building Code, and Uniform Fire Code, among others), which have been found to substantially mitigate environmental effects. Where there are peculiar circumstances associated with a project or project site that will result in significant environmental impacts despite implementation of the Development Standards, the City will determine whether there are feasible mitigation measures to reduce the impact to less than significant levels in the course of appropriate CEQA review (mitigated negative declarations or EIRs).

A "Less than Significant Impact" answer applies where the project creates no substantial or potentially substantial adverse effect on the environment.

A "No Impact" answer applies where a project does not create any impact in that category. A "No Impact" answer needs to be adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply doesn't apply to projects like the one under involved. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.

I. AESTHETICS -- Would the project:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state or locally designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would substantially and adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Introduce landscape that would now or in the future cast substantial shadows on existing solar collectors (in conflict with California Public Resource Code Section 25980-25986)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Cast shadow that substantially impairs the function of a building using passive solar heat collection, solar collectors for hot water heating, or photovoltaic solar collectors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Cast shadow that substantially impairs the beneficial use of any public or quasi-public park, lawn, garden, or open space?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Cast shadow on an historic resource, as defined by CEQA Section 15064.5(a), such that the shadow would materially impair the resource's historic significance by materially altering those physical characteristics of the resource that convey its historical significance and that justify its inclusion on or eligibility for listing in the National Register of Historic Places, California Register of Historical Resources, Local register of historical resources or a historical resource survey form (DPR Form 523) with a rating of 1-5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Require an exception (variance) to the policies and regulations in the General Plan, Planning Code, or Uniform Building Code, and the exception causes a fundamental conflict with policies and regulations in the General Plan, Planning Code, and Uniform Building Code addressing the provision of adequate light related to appropriate uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Create winds exceeding 36 mph for more than 1 hour during daylight hours during the year?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments: The following discussion describes potential impacts and standard conditions of approval relating to aesthetics.

a. Scenic Vistas

The project area contains partial views of the Oakland Hills along predominantly east-west aligned streets located east of the SPRR right-of-way; none of these views, however, are designated as scenic in the City of Oakland's General Plan – Open Space, Conservation, and Recreation (OSCAR) Element.¹ Implementation of the proposed project involves redevelopment of the area with two- and three-story housing units. This housing would not obstruct views of the Oakland Hills or other scenic vistas.

b. Scenic Resources

The project site is not located within the viewshed of a local or State-designated scenic highway, is not part of any City of Oakland scenic route, and does not lie within the scenic corridors identified in the 1974 Scenic Highways Element of the City of Oakland's General Plan.² Therefore, the proposed project would not affect scenic resources within a designated highway.

c. Visual Character

The site is currently a vacant lot with moderate amounts of brick and other debris resulting from past property uses and more recent illegal dumping. Visually, the site is adversely affected by industrial uses in the vicinity, many of which comprise warehousing and storage lots, including an abandoned and salvaged automobile storage at the adjacent property to the northwest of the project site. A site visit in July 2007 indicated that the site experiences minimal pedestrian activity. Implementation of the proposed project would result in the rehabilitation of the vacant lot and the construction of new housing that is expected to enhance the residential and pedestrian environment. Sidewalks and common open space would be constructed throughout the site, and the proposed housing development would be well-connected to adjacent development occurring at the 10900 Edes Avenue parcel located to the southeast of the project area. Therefore, the proposed project would enhance the visual character of the area.

d. Light and Glare

The proposed project would result in the installation of lights where required for safety and comfort. The type and volume of lighting that would be provided on the project site would not substantially differ from lighting currently used in residential areas in the vicinity of the project site. In addition, the proposed buildings would not include large areas of highly-reflective glazing. However, any new lighting installed on the site could create a new source of light or glare. This potential impact would be less-than-significant with implementation of the following Standard Condition of Approval.

Standard Condition of Approval AES-1: Prior to issuance of a building permit, the proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.

¹ City of Oakland, 1996. *City of Oakland General Plan – Open Space, Conservation, and Recreation Element*. June.

² City of Oakland, 1974. *City of Oakland General Plan – Scenic Highways Element*. September.

e., f., g., and h. Shadow

The project involves the construction of two- and three-story buildings. There is no public open space located near the project site; the only quasi-public open space located near the project site is the common area located at the 10900 Edes Avenue project adjacent to the project site. No substantial shadow would be cast on this area, however, due to the low height of the proposed buildings and the 85-foot distance from the proposed buildings to this common area. Proposed structures would not be taller than 32 feet and would not cast substantial additional shadow on nearby buildings or public outdoor spaces. No solar collectors were observed in or adjacent to the project site, nor are any historic resources located nearby.

i. Conflicts with Policies and Regulations

The project would require rezoning from M-20 (Light Industrial)/S-4 (Design Review) to R-40 (Garden Apartment Residential). The changes to the site's General Plan land use designation resulting from implementation of the proposed project would not, however, conflict with policies and regulations addressing the provision of adequate light related to appropriate uses. The project would not require variances regarding provision of adequate light; all buildings would comply with window and setback code requirements concerning light. The proposed buildings would be generally oriented along an east/west axis, allowing for substantial northern and southern sun exposure.

j. Wind Creation

The City of Oakland requires detailed wind analysis if the project's height is 100 feet or greater AND it is located adjacent to a substantial water body or in Downtown Oakland. The project's maximum height would be 32 feet at the highest sloped roof, and is not located adjacent to a substantial water body, nor is it located in Downtown Oakland. As a result, no further wind analysis is required.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
--------------------------------------	--	--	------------------------------------	--------------

II. AGRICULTURAL RESOURCES -- Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments: The following discussion describes potential impacts and standard conditions of approval relating to agricultural resources.

No agricultural resources are located on or near the project site, and the site has not been subject to agricultural use in recent history although the site was occupied by greenhouses from the early 1920s until 1965. The project site is classified as "Urban and Built-Up Land" by the State Department of Conservation and is not zoned for agricultural uses, nor is it operated under a Williamson Act contract. Therefore, the proposed project would not directly convert agricultural land to non-agricultural uses or conflict with agricultural zoning or the operation of a Williamson Act contract. In addition, implementation of the proposed project would not result in the extension of infrastructure into an undeveloped area, the development of urban uses on a greenfield site, or other physical changes that would indirectly result in the conversion of farmland to non-agricultural uses.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
--------------------------------------	--	--	------------------------------------	--------------

III. AIR QUALITY -- Would the project:

A. PROJECT IMPACTS

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Frequently create substantial objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Contribute to CO concentrations exceeding the State AAQS of 9 ppm averaged over 8 hours and 20 ppm for 1 hour?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Result in total emissions of ROG, NO _x , or PM ₁₀ of 15 tons per year or greater, or 80 pounds (36 kilograms) per day or greater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Result in potential to expose persons to substantial levels of Toxic Air Contaminants (TAC), such that the probability of contracting cancer for the Maximally Exposed Individual (MEI) exceeds 10 in one million?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Result in ground level concentrations of non-carcinogenic TACs such that the Hazard Index would be greater than 1 for the MEI?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Result in a substantial increase in diesel emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
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B. CUMULATIVE IMPACTS

k) A project's contribution to cumulative impacts is considered "considerable" (i.e., significant) when the project results in any individually significant impact?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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l) Result in a fundamental conflict with the local general plan, when the general plan is consistent with the regional air quality plan? When the general plan fundamentally conflicts with the regional air quality plan, then if the contribution of the proposed project is cumulatively considerable when analyzed the impact to air quality should be considered significant?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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C. PLAN IMPACTS (*ONLY for General Plan Amendments, Redevelopment Plans, and Specific Plans*)

m) Fundamentally conflict with the currently adopted Bay Area Clean Air Plan (CAP) because population growth for the jurisdiction exceeds values in the CAP, based on population projections in ABAG's currently adopted Projections?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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n) Fundamentally conflict with the CAP because the rate of increase in vehicle miles traveled (VMT) in the jurisdiction is greater than the rate of increase in population?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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o) Fundamentally conflict with the CAP because the project does not demonstrate reasonable efforts to implement transportation control measures (TCMs) in the CAP?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comments: The following discussion describes potential impacts and standard conditions of approval relating to air quality.

Development and operation of the proposed project could result in the following air quality-related impacts: 1) release dust and exhaust during the project construction period; 2) generate exhaust emissions associated with a net increase in vehicle trips generated by housing constructed on the site; and 3) expose residents to toxic air contaminants, including diesel exhaust. As discussed below, the project would not result in a significant adverse effect to air quality (with the implementation of standard conditions of approval) or conflict with the latest Clean Air Plan. This introductory section provides background air quality information that is referenced in the responses to checklist questions below.

Existing Air Quality. The project site is located within the San Francisco Bay air basin and is within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The closest BAAQMD monitoring

site to the project site is located in San Leandro; ozone and toxic air contaminants are monitored at this site. The Alice Street (Oakland) monitoring site, approximately 8 miles to the north of the project site, monitors ozone and carbon monoxide. In Oakland and the rest of the air basin, exceedances of air quality standards occur primarily during meteorological conditions conducive to high pollution levels, such as cold, windless nights or hot, sunny summer afternoons.

Ozone levels, as measured by peak concentrations and the number of days over the State one-hour standard, have declined substantially as a result of aggressive programs by the BAAQMD and other regional, State, and federal agencies. The reduction of peak concentrations represents progress in improving public health; however, the Bay Area still exceeds the State standard for one-hour ozone levels. Levels of particulate matter-large (PM₁₀) in the Bay Area have exceeded State standards at least two times per year over the last three years. The area is considered a nonattainment area for this pollutant relative to the State standards. The Bay Area is an unclassified area for the federal PM₁₀ standard. No exceedances of the State or federal carbon monoxide (CO) standards have been recorded at any of the region's monitoring stations since 1991. The Bay Area is currently considered a maintenance area for State and federal CO standards.

Clean Air Plan. The most recent BAAQMD plan for attaining California Ambient Air Quality Standards, the Bay Area 2005 Ozone Strategy, was adopted by BAAQMD on January 4, 2006. The 2005 Ozone Strategy is the fourth triennial update of the BAAQMD's original 1991 Clean Air Plan (CAP). The 2005 Ozone Strategy demonstrates how the San Francisco Bay Area will achieve compliance with the State one-hour air quality standard for ozone and how the region will reduce transport of ozone and ozone precursors to neighboring air basins. The Ozone Strategy also includes stationary source control measures, mobile source control measures and transportation control measures. Although it is only required to address ozone pollution and associated control measures, the Ozone Strategy also discusses particulate matter pollution and reduction measures.

a. Air Quality Plan

As noted above, the Bay Area 2005 Ozone Strategy, which also addresses particulate matter, is the air quality plan that applies to the project site (Clean Air Plan). The primary source of ozone is internal combustion engines and power plants. Therefore, the proposed project would contribute to regional ozone emissions in the form of emissions from construction vehicles and vehicles driven by residents of the project (in addition to emissions produced by power plants that supply energy to the project site, which is expected to be minimal). Exhaust generated by construction vehicles and the disturbance of soil within the project site during the construction period would contribute to particulate matter emissions.

Construction activities within the site would include minor grading (because the site is currently predominantly flat), bulldozing, and paving. These activities, which would result in ground disturbance and the operation of motorized construction vehicles, would incrementally increase ozone and particulate matter emissions in the air basin during the short-term construction period.

Temporary, construction period air quality impacts (for all pollutants) are considered less-than-significant if standard BAAQMD particulate matter control measures are implemented. These potential impacts would be less-than-significant with implementation of the following Standard Conditions of Approval—which include the required BAAQMD control measures—and would reduce the project's construction period air quality impacts (including construction period conflicts with the Clean Air Plan):

Standard Condition of Approval AIR-1: During construction, the project applicant shall require the construction contractor to implement the following measures required as part of BAAQMD's basic and enhanced dust control procedures required for construction sites. These include:

- Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
- Limit the amount of the disturbed area at any one time, where feasible.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- Pave all roadways, driveways, sidewalks, etc., as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Replant vegetation in disturbed areas as quickly as feasible.
- Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.)
- Limit traffic speeds on unpaved roads to 15 mph.
- Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas.

Standard Condition of Approval AIR-2: To minimize construction equipment emissions during construction, the project applicant shall require the construction contractor to:

- Demonstrate compliance with Bay Area Air Quality Management District (BAAQMD) Regulation 2, Rule 1 (General Requirements) for all portable construction equipment subject to that rule. BAAQMD Regulation 2, Rule 1 provides the issuance of authorities to construct and permits to operate certain types of portable equipment used for construction purposes (e.g., gasoline or diesel-powered engines used in conjunction with power generation, pumps, compressors, and cranes) unless such equipment complies with all applicable requirements of the "CAPCOA" Portable Equipment Registration Rule" or with all applicable requirements of the Statewide Portable Equipment Registration Program. This exemption is provided in BAAQMD Rule 2-1-105.
- Perform low- NOx tune-ups on all diesel-powered construction equipment greater than 50 horsepower (no more than 30 days prior to the start of use of that equipment). Periodic tune-ups (every 90 days) shall be performed for such equipment used continuously during the construction period.

Refer to Section XV, Transportation/Traffic, for a discussion of the project's expected trip generation. The proposed project would generate 217 net new trips per day and would generate only 21 net new trips during the PM peak hour. Based on the BAAQMD's project screening criteria (2,000 trips per day), a detailed air quality analysis is not warranted, as the operational period trips generated by the proposed project would not be expected to result in significant emissions, including ozone emissions.³

³ Bay Area Air Quality Management District. *BAAQMD CEQA Guidelines*. December 1999.

According to BAAQMD guidelines, consistency of the Clean Air Plan with local land use plans should be determined by evaluating the consistency of the land use plan with the population and vehicle use projections in the Clean Air Plan. The population and vehicle projections in the Clean Air Plan are based on the general plans of municipalities in the San Francisco Bay air basin and the population and employment projections developed by the Association of Bay Area Governments (ABAG). Section XII, Population and Housing, of this document contains a discussion addressing the project's consistency with the population and housing projections of ABAG. As discussed in that section, the proposed project would not cause a population increase that would exceed anticipated population growth in Oakland between 2005 and 2010, nor would the anticipated population growth resulting from the proposed project exceed that projected by ABAG for the City of Oakland through 2035. The proposed project would generate a population increase of approximately 74 persons, which represents less than one-tenth of one percent of the projected population growth in Oakland between 2005 and 2010. Therefore, the population increase that would be generated by the proposed project is generally consistent with the assumptions about population growth used in the Clean Air Plan.

The project would amend the General Plan designation for the site from Business Mix to Mixed Housing Type Residential. According to the General Plan, industrial and commercial uses generate a greater volume of emissions than residential uses on an acre-by-acre basis. The site is currently vacant and generates no vehicle trips. However, under the existing designation, active industrial uses are permitted on the site and could generate vehicle trips in the future. Therefore, the change in General Plan designation that would occur as part of the proposed project could reduce emissions in the long-term.

In addition, the proposed project would not interfere with the implementation of transportation control measures included in the Clean Air Plan and the General Plan, and would encourage increased pedestrian and bicycle use. The project would also be located less than two miles from the Coliseum/Oakland Airport Bay Area Rapid Transit (BART) station and in close proximity to numerous Alameda-Contra Costa (AC) Transit routes.

Because the proposed project would result in population gains that are consistent with those anticipated by ABAG, would result in a General Plan designation that could reduce long-term emissions, and would encourage the use of alternate modes of transportation, it would not conflict with the Clean Air Plan.

b. Air Quality Standards

As discussed in the introduction to this section, the San Francisco Bay air basin is considered a nonattainment area for particulate matter and for one-hour ozone levels, under State standards. As discussed in Section IIIa, construction activities associated with the proposed project would result in a short-term release of particulate matter into the atmosphere, and could contribute to existing and future particulate matter violations in the air basin. This potential impact would be less-than-significant with implementation of the Standard Condition of Approval AIR-1, discussed above.

As discussed in Section IIIa, the net new trips generated by the proposed project would not exceed the BAAQMD's project screening criteria and would not be expected to make a significant contribution to the air basin's violation (or future violations) of the one-hour ozone standard.

c. Cumulatively Considerable Net Increase of Criteria Pollutants

The proposed project would not result in the release of significant levels of vehicle-related emissions. The emissions produced by project-related trips would not be significant in the context of regional emission levels. The project would require a General Plan amendment to allow for residential uses on the project site. However,

this amendment would not cause the General Plan to be inconsistent with the 2005 Ozone Strategy (the Clean Air Plan).

d. Exposure of Sensitive Receptors to Pollutant Concentrations

Implementation of the proposed project would introduce sensitive receptors (residents) to the project site. The intersections in the immediate vicinity of the project site operate at acceptable levels of service and therefore do not produce elevated concentrations of pollutants. Trips generated by the proposed project would not cause congestion levels to substantially increase at these intersections. The only toxic air contaminant site located in the vicinity of the project site, the Hard Chrome Engineering Company at 750 107th Avenue, is located approximately 100 feet to the northeast of the project site. This site has two sources releasing hexavalent chromium above the trigger level of 0.0014 pounds per year.⁴ Prolonged exposure to hexavalent chromium compounds can result in increased lung cancer risks; in air, chromium compounds are present mostly as fine dust particles which eventually settle over land and water.⁵ Prevailing winds at the site generally flow from west to east, away from the project site and toward the location of the Hard Chrome Engineering Company property. The project site is currently vacant, with no buildings to disrupt the airflow pattern over the area or block contaminant fallout at the site, however the results of the Phase II Investigation performed at the site found no chromium levels that exceeded action levels. Chromium was not detected in groundwater samples at the site. Furthermore, the proposed homes are designed to be cooled without opening windows by using passive solar orientation, fans, and other cooling methods; the inclusion of these design elements further reduces any potentially significant air quality impact that could occur during warm weather.

The California Air Resources Board (ARB) has determined that idling trains can create substantial amounts of particulate matter (PM), specifically resulting from diesel emissions. While pollution levels in an around rail yards can reach dangerous levels, the levels resulting from intermittent train traffic along rail lines is negligible. The project site is adjacent to an active rail line, with approximately 16 trains passing the site each day. Because these trains do not idle alongside the site, and because the total number of trains passing the site is low, there is not an elevated level of PM from diesel emissions at the site. Also, given the unavailability of data regarding future railroad operations, predicted future PM levels along the rail corridor are not known and are, therefore, speculative. Because of these conditions and those noted in the previous paragraph, the project would not expose sensitive receptors to high pollutant concentrations over the long-term.

ARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (March 2005) recommends, where possible, a minimum separation distance between new sensitive land uses and existing sources of air pollution, but ARB notes that this is not always possible. Specifically, ARB recommends not siting sensitive land uses (such as residential uses described as the proposed project) within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day.⁶ The project site is located more than 2,000 feet from Interstate 880 (the Nimitz Freeway); likewise, the project site is located more than 500 feet from San Leandro Avenue, the largest main thoroughfare closest to the project site. As a result, the project site is not subject to elevated air pollutant concentrations associated with freeway or urban road traffic.

Sensitive receptors in the vicinity of the project site include employees at the 732 105th Avenue parcel and residents surrounding the project site. Construction of the proposed project could expose these receptors to high

⁴ Bay Area Air Quality Management District, 2004. *Toxic Air Contaminant Control Program Annual Report 2002, Volume II*. June.

⁵ Agency for Toxic Substances and Disease Registry, 2001. *Chromium (CAS #7440-47-3) Fact Sheet*. February.

⁶ California Air Resources Board, 2005. *Air Quality and Land Use Handbook: A Community Health Perspective*. March.

dust levels and construction equipment emissions. This potential impact would be less than significant with implementation of Standard Conditions of Approval AIR-1 and AIR-2.

e. Create Objectionable Odors

The proposed project would result in the redevelopment of the site with housing. During the short-term construction period, sensitive receptors in the vicinity of the project site could be exposed to odors associated with diesel exhaust, cement mixing, painting, and the application of roofing material. These odors are typical of residential construction projects and would last only for the duration of the construction period and are not considered significant. The project would not result in the long-term release of substantial odors.

The project site may intermittently be subjected to objectionable odors from surrounding industrial uses to the east of the project site, but these effects would be temporary and rare given the prevailing wind pattern of west-to-east flow throughout the area during the summer months, and northwest-to-southeast in winter months. The dominant land use to the west of the project site, as previously noted, is low-density residential; major industrial uses to the west of the project site are more than one-half mile to the west, which would allow for all but the most severe odors to sufficiently dissipate prior to reaching the project site.

f. Carbon Monoxide Concentrations

The proposed project would generate approximately 21 net trips during the PM peak period, when traffic volumes are the heaviest. Because the project would not generate a substantial number of net new trips, it would not result in a significant release of carbon monoxide (CO) (e.g., 550 pounds per day or greater). The intersections in the immediate vicinity of the project site operate at acceptable levels of service. Implementation of the proposed project would not cause level of service to decline or increase traffic volume on nearby roadways by 10 percent or more. Therefore, the proposed project would not create elevated levels of CO, also known as CO "hotspots."

g. Emissions of Reactive Organic Gases, Nitrogen Oxides, and Particulate Matter

As discussed in Section IIIa, the net new trips generated by the proposed project would not exceed the BAAQMD's project screening criteria, and would not result in total emissions of reactive organic gases, nitrogen oxides, or particulate matter of 15 tons per year or greater, or 80 pounds per day or greater.

h and i. Toxic Air Contaminants

One toxic air contaminant site, the Hard Chrome Engineering Company at 750 107th Avenue, is located in the vicinity of the project site. This site has two sources releasing hexavalent chromium above the trigger level of 0.0014 pounds per year. Prolonged exposure to hexavalent chromium compounds can result in increased lung cancer risks; in air, chromium compounds are present mostly as fine dust particles which eventually settle over land and water.⁷ Prevailing winds at the site generally flow from west to east, away from the project site and toward the location of the Hard Chrome Engineering Company property. The project site is currently vacant, with no buildings to disrupt the airflow pattern over the area or block contaminant fallout at the site, however the results of the Phase II Investigation performed at the site found no chromium levels that exceeded action levels. According to these testing results, residents within the project site would not be exposed to substantial levels of toxic air contaminants.

⁷ Agency for Toxic Substances and Disease Registry, 2001. *Chromium (CAS #7440-47-3) Fact Sheet*. February.

The proposed project is the redevelopment of a vacant industrial site with residential uses. These residential uses would not generate substantial levels of toxic air contaminants, including diesel exhaust. Therefore, the proposed project would not expose individuals outside the project site to substantial levels of toxic air contaminants.

j. Diesel Emissions

The project would not involve the development of a major trucking, transit, or rail facility (typical sources of diesel emissions) and would not generate substantial diesel emissions.

k. Individually-Significant Impacts

As noted in Section III.a. above, implementation of Standard Conditions of Approval AIR-1 and AIR-2 would reduce any individual potentially-significant impact from the proposed project to a less-than-significant level.

l. Conflict with the General Plan

The project is in agreement with the regional air quality plan, as previously noted in Section III.a. The project would require a General Plan Amendment to change the land use designation of the project site from Business Mix to Mixed Housing Type Residential, but this change would not result in creating a fundamental conflict between the General Plan and the regional air quality plan.

m., n., and o. Fundamentally Conflict with the Clean Air Plan

As previously discussed, consistency of the Clean Air Plan with local land use plans should be determined by evaluating the consistency of the land use plan with the population and vehicle use projections in the Clean Air Plan. The population and vehicle use projections in the Clean Air Plan are based on the general plans of municipalities in the San Francisco Bay air basin and the population and employment projections developed by ABAG. Section XII, Population and Housing, of this document contains a discussion addressing the project's consistency with the population and housing projections of ABAG. As discussed in that section, the proposed project would not cause a population increase that would exceed anticipated population growth in Oakland between 2005 and 2010. The proposed project would generate a population increase of approximately 74 persons, which represents less than one-tenth of one percent of the projected population growth in Oakland between 2005 and 2010.

As discussed in Section XV, Transportation/Traffic, the project's expected vehicle trip generation is 217 trip per day, with 21 net new trips per day during the PM peak hour, consistent with the anticipated increase in population. The project is also located on an infill site, which is consistent with the 2005 Ozone Strategy's goals of reducing vehicle miles traveled (VMT) by locating residential areas in closer proximity to commercial and employment centers.

Appendix D of the 2005 Ozone Strategy provides detailed descriptions of the plan's Transportation Control Measures (TCMs), which are designed to reduce emissions from motor vehicles by reducing vehicle trips and vehicle miles traveled.⁸ The proposed project includes reasonable efforts to implement these TCMs, specifically addressing emission reductions by implementing the following:

- TCM-9 "Improve Bicycle Access and Facilities" – the project includes an integrated network of non-motorized access routes to the adjacent parcel undergoing redevelopment at 10900 Edes

⁸ Bay Area Air Quality Management District, 2006. *2005 Ozone Strategy*. January.

Avenue, and provides for increased bicycle use along these access routes as well as via Edes Avenue to public transportation nodes;

- TCM-15 “Local Land Use Planning and Development Strategies” – the project is an infill development that creates compact development and locates housing near jobs, shops and services, schools, and other community facilities; and
- TCM-19 “Improve Pedestrian Access and Facilities” – the proposed project would increase pedestrian amenities in the jurisdiction and provides pedestrian access routes throughout the site.

Based on these factors, the proposed project would not fundamentally conflict with the 2005 Ozone Strategy according to population growth, increase in VMT, or a lack of reasonable efforts to implement TCMs as part of the project.

Greenhouse Gas Emissions and Global Climate Change

There is a general scientific consensus that global climate change is occurring, caused in whole or in part by increased emissions of greenhouse gases (GHGs) that keep the Earth’s surface warm by trapping heat in the Earth’s atmosphere, in much the same way as glass in a greenhouse. While many studies show evidence of warming over the last century, and predict future global warming, the causes of such warming and its potential effects are far less certain. In its “natural” condition, the greenhouse effect is responsible for maintaining a habitable climate on Earth, but human activity has caused increased concentrations of these gases in the atmosphere, thereby contributing to an increase in global temperatures. Carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone (O₃), and water vapor (H₂O) are the principal GHGs, and when concentrations of these gases exceed the natural concentrations in the atmosphere, the greenhouse effect may be enhanced. Without these GHGs, Earth’s temperature would be too cold for life to exist. CO₂, CH₄ and N₂O occur naturally as well as through human activity. Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely by-products of fossil fuel combustion, whereas CH₄ results from off-gassing associated with agricultural practices and landfills. Man-made GHGs – with much greater heat-absorption potential than CO₂ – include fluorinated gases such as hydrofluorocarbons (HFCs), perfluorocarbons (PFC), and sulfur hexafluoride (SF₆) which are byproducts of certain industrial processes.

In 2005, it was estimated that the emission of CO₂ equivalents (CO₂e) from all major sources totaled 2,200,000 tons, nearly half of which from transportation. From year 2005, emissions are forecast to increase by 12 percent by 2010 (to 2,500,000 tons of CO₂e), and 19.5 percent (to 2,700,000 tons of CO₂e) by 2020, assuming “business as usual” into the future.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order (EO) S-3-05, establishing statewide GHG emission reduction targets. This EO provides that by 2010, emissions shall be reduced to 2000 levels; by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80 percent of 1990 levels. On August 31, 2006, the California Assembly passed Bill 32 (AB 32 – signed into law on September 27, 2006), which commits California to reduce GHG emissions to 1990 levels and establishes a multi-year regulatory process under the jurisdiction of the California Air Resources Board (CARB) to establish regulations to achieve these goals. By January 1, 2008, CARB is also required to adopt a statewide GHG emissions limit equivalent to the statewide GHG emissions levels in 1990, which must be achieved by 2020. By January 1, 2011, CARB is required to adopt rules and regulations, which shall become operative on January 1, 2012, to achieve the maximum technologically feasible and cost-effective GHG emission reductions.

The construction and occupation of residential developments, such as the proposed project, cause GHG emissions. GHG emissions occur in connection with many activities associated with development, including the use of construction equipment and building materials, vegetation clearing, natural gas usage, electrical usage (since electricity generation by conventional means is a major contributor to GHG emissions), water use (which relies on the use of electricity for pumping), and transportation. However, it is important to acknowledge that new development does not necessarily create entirely new GHG emissions, since most of the persons who will

visit or occupy the new development will come from other locations where they were already causing such GHG emissions. Further, it has not been demonstrated that even new GHG emissions caused by a local development project can affect global climate change, or that a project's net increase in GHG emissions, if any, when coupled with other activities in the region, would be cumulatively considerable.

As of preparation of this Initial Study, there are no statutes, regulations, guidelines, or case law decisions requiring analysis of climate change within a CEQA document. Under AB 32, the CARB (the sole agency in charge of regulating sources of emissions of GHG in California) has been tasked with adopting regulations for reduction of GHG emissions. As of the date of this analysis, no air district in California (including BAAQMD) is known to have identified a significance threshold for GHG emissions or a methodology for analyzing air quality impacts related to GHG emissions. In particular, there is no emission rate criterion for the purpose of identifying a significant contribution to global climate change in CEQA documents.

CEQA Guidelines and the CEQA Initial Study Checklist do not contain any provisions that specifically set forth requirements for analysis of global climate change impacts in an Initial Study. As stated in Section 15064(b) of the State CEQA Guidelines, "The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data." Additionally, CEQA Guidelines Section 15145 states, "If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact."

Moreover, Governor Schwarzenegger signed SB 97 (Chapter 185, Statutes 2007) into law on August 24, 2007. The legislation provides partial guidance on how greenhouse gases should be addressed in certain CEQA documents.

SB 97 requires the Governor's Office of Planning and Research ("OPR") to prepare CEQA guidelines for the mitigation of GHG emissions, including, but not limited to, effects associated with transportation or energy consumption. OPR must prepare these guidelines and transmit them to the Resources Agency by July 1, 2009. The Resources Agency must then certify and adopt the guidelines by January 1, 2010. OPR and the Resources Agency are required to periodically review the guidelines to incorporate new information or criteria adopted by ARB pursuant to the Global Warming Solutions Act, scheduled for 2012.

The second part of SB 97 codifies safe harbor for highways and flood control projects. It provides that the failure of a CEQA document for a project funded by Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 or the Disaster Preparedness and Flood Prevention Bond Act of 2006 to adequately analyze the effects of GHG emission otherwise required to be reduced pursuant to the regulations adopted under the Global Warming Solutions Act (which are not slated for adoption until January 1, 2012), does not create a cause of action for a violation of CEQA. This portion of SB 97 has a sunset date of January 1, 2010.

The bill does not address the obligation to analyze GHGs in projects not protected by the safe harbor provision. One possible interpretation is that there is no duty until the guidelines are adopted, because CEQA Guidelines section 15007 subdivision (b), provides that guideline amendments apply prospectively only.

The City of Oakland has determined, based upon the discussion above and the factors discussed previously and summarized below, that the project's impact on global climate change is speculative, and cannot be evaluated at this time because of:

- Uncertainties regarding human activities and climate change and the potential human activities that may reverse global warming trends.
- Lack of guidance for analysis of climate change issues in CEQA documents.
- Lack of methodology for evaluating GHGs, specifically determining the incremental increase in GHG emissions for an individual project, the impacts of a particular development project on global climate change, and the significance of any such impacts under CEQA.

- Lack of methodology for determining whether GHG emissions from an individual project are significant.
- Lack of scientific basis to accurately project future climate trends, much less the likely adverse environmental impacts resulting from those trends in any specific location.

For all of the reasons summarized above, and pursuant to Section 15145 of the CEQA Guidelines, until such time as a sufficient scientific basis exists to 1) ascertain the incremental impact of an individual project on climate change, and to 2) accurately project future climate trends associated with that increment of change, and 3) guidance is provided by regulatory agencies on the control of GHG emissions and thresholds of significance, the significance of an individual project's contribution to global GHG emissions is too speculative to be determined. Therefore, further analysis and application of current emissions scenarios, climate models, and climate change projections to the proposed project is also speculative.

While the preceding discussion outlines the speculative nature of determining the significance of an individual project's contribution to global GHG emissions at this time, the City of Oakland has provided a discussion of the proposed project below, for consideration by decision makers. Discussed below are the project-related activities that could contribute to the generation of increased GHG emissions, and project design features that would avoid or minimize those emissions.

The approach employed is that, in lieu of an adopted significance threshold for GHG emissions, or a methodology for analyzing air quality impacts related to GHG emissions, the effects of a proposed project may be evaluated based not upon the quantity of emission, but rather on whether practicable available control measures are implemented, similar to construction-related dust emissions within the San Francisco Bay air basin. Theoretically, if a project implements reduction strategies identified in AB-32, the Governor's Executive Order S-3-05, or other strategies to help toward reducing GHGs to the level proposed by the Governor and targeted by the City of Oakland, it could reasonably follow that the project would not result in a significant contribution to the cumulative impact of global climate change. Alternatively, a project could reduce a potential cumulative contribution to GHG emissions through energy efficiency features, density and locale (e.g., compact development near transit and activity nodes of work or shopping).

Since the project site is located in an area that would not be likely to be subject to coastal or other flooding resulting from climate change during the economic life of the project, the potential effects of climate change on the proposed Project are not discussed in this Initial Study. Although it is possible to generally estimate a project's contribution to CO₂ into the atmosphere, it is a matter of speculation whether that project increases existing levels of GHGs globally or in the State of California. Moreover, even if it is assumed that a project does create an incremental increase in those emissions, it is typically not possible to determine whether or how an individual project's relatively small incremental contribution might translate into physical effects on the environment, given the considerations discussed above.

The amount of increased GHG emissions that may be generated by the proposed project would not, by itself, influence global climate change. It cannot currently be determined if the proposed project would provide an incremental contribution to the cumulative increase in GHG emissions.

As previously noted, there are no published thresholds of significance, and no regulatory guidance available that evaluate climate change and GHG emissions in conjunction with individual development projects. In addition, the scientific and technical literature indicates that there is not yet a methodology for reflecting the impact of individual land use decisions in climate change models. Until such time that sufficient scientific basis exists to accurately project future climate trends and guidance is provided by regulatory agencies on the control of GHG emissions and thresholds of significance, the significance of the proposed project's contribution to global GHG emissions, pursuant to CEQA, cannot be judged, but is likely less than significant.

As discussed above, the construction and operation of the proposed project would generate GHG emissions, with the majority of energy consumption (and associated generation of GHG) occurring during operation. Typically,

more than 80 percent of total energy consumption takes place during the use of the buildings, and less than 20 percent is consumed during construction. As yet, there is no study that quantitatively assesses all of the GHG emissions associated with each phase of the construction and use of an individual residential development.

Overall, the following activities associated with a typical residential development could contribute to the generation of GHG emissions:

- Removal of Vegetation – The net removal of vegetation for construction results in a loss of carbon sequestration in plants. Alternately, planting of additional vegetation would result in additional carbon sequestration and lower carbon footprint of the project.
- Construction Activities – Construction equipment typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as carbon dioxide, methane, and nitrous oxide. Furthermore, methane is emitted during the fueling of heavy equipment.
- Gas, Electricity and Water Use – Gas use results in the emissions of two GHGs: methane (the major component of natural gas) and carbon dioxide from the combustion of natural gas (as before a flame on a stove is sparked), and from small amounts of methane that is uncombusted in a natural gas flame. Electricity use can result in GHG production if the electricity is generated by combusting fossil fuel. California's water conveyance system is energy-intensive, with electricity used to pump and treat water.
- Motor Vehicle Use – Transportation associated with the proposed project would result in GHG emissions from the combustion of fossil fuels in daily automobile and truck trips.

While the proposed project and all development of similar land use would generate GHG emissions as described above, the City of Oakland's ongoing implementation of its Sustainability Community Development Initiative and other programs/policies will collectively reduce the levels of GHG emissions and contributions to global climate change attributable to activities throughout Oakland.⁹

While no significant GHG emissions-related impacts have been identified, and no mitigation is required, project characteristics and design features that have been included in the project to reduce the amount of GHG emissions generated during construction and operation are provided below:

- City of Oakland – According to the Pedestrian Master Plan, the City of Oakland has the highest walking rates for all cities in the nine-county San Francisco Bay Region. It is noted that these high pedestrian trips are likely because the neighborhoods are densely populated and well served by transit, including Bay Area Rapid Transit (BART), AC Transit, Amtrak, and the Alameda Ferry. As such, the Project would reduce transportation-related GHG emissions compared to emissions from the same level of development elsewhere in the outer Bay Area.
- Energy Efficiency – The proposed project would be required to comply with all applicable local, state, and federal regulations associated with the generation of GHG emissions and energy conservation. In particular, construction of the proposed project would also be required to meet California Energy Efficiency Standards for Residential and Nonresidential Buildings, and the requirements of pertinent City policies as identified in the City of Oakland General Plan, helping to reduce future energy demand as well as reduce the project's contribution to regional GHG emissions.

⁹ The City of Oakland has adopted legislation related to sustainability and reduction of GHG Emissions which include: the Climate Protection Ordinance, Construction and Demolition Recycling Ordinance, Green Building Ordinance, Green Fleet Resolution, Waste Reduction Resolution, Chicago Climate Exchange Resolution, Zero Waste Resolution, and the Oil Independence Resolution. Current City of Oakland programs that reduce GHG Emissions include: California Youth Energy Services, Residential and Business Recycling, encouraging Transit Village Development Plans, implementation of the Pedestrian and Bicycle Master Plans.

- Construction Waste – The proposed project will be required to comply with the Construction and Waste Reduction Ordinance and submit a Construction and Demolition Waste Reduction Plan for review and approval. As a result, construction-related truck traffic, which primarily have diesel fueled engines, would be reduced since demolition debris hauled off site would be reused on site. In addition, reuse of concrete, asphalt, and other debris will reduce the amount of material introduced to area landfills.
- Inner Bay Location Near Transit – The project’s location in Oakland would reduce transportation-related GHG emissions compared to emissions from development with the same amount of population and employment growth in the outer Bay Area. Because transit service is generally less available in most areas of the outlying areas than in Oakland, development in those locations would likely result in increased peak-hour vehicle trips of relatively long distances, and often in single-occupant vehicles, compared to development at the project site. Development on the project site would include a greater number of potential residents and visitors that could potentially utilize alternative modes of travel.

Although no significant impacts related to GHG emissions have been identified, and no mitigation is required, the project’s GHG emissions generated during construction and operation would be minimized by virtue of the existing characteristics and design features that have been included in the project. In addition, emissions would also be reduced since the project is subject to all the regulatory requirements, mitigation measures, and standard conditions in this Initial Study that would reduce GHG emissions of the project. These include, for example, adherence to best management construction practices and equipment use.

Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Incorporated</u>	Less than Significant with Standard Conditions of <u>Approval</u>	Less than Significant <u>Impact</u>	No <u>Impact</u>
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IV. BIOLOGICAL RESOURCES -- Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands (as defined by Section 404 of the Clean Water Act) or state protected wetlands, through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
e) Fundamentally conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

f) Fundamentally conflict with the City of Oakland Tree Preservation and Removal Ordinance (Oakland Municipal Code (OMC) Chapter 12.36) by removal of protected trees under certain circumstances? Factors to be considered in determining significance include: The number, type, size, location and condition of (a) the protected trees to be removed and/or impacted by construction and (b) the protected trees to remain, with special consideration given to native trees.

Protected trees include the following: *Quercus agrifolia* (California or coast live oak) measuring four inches diameter at breast height (dbh) or larger, and any other tree measuring nine inches dbh or larger except eucalyptus and *pinus radiata* (Monterey pine); provided, however, that Monterey pine trees on City property and in development-related situations where more than five Monterey pine trees per acre are proposed to be removed are considered to be Protected trees.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect biological resources? Although there are no specific, numeric/quantitative criteria to assess impacts, factors to be considered in determining significance include whether there is substantial degradation of riparian and aquatic habitat through:

(a) discharging a substantial amount of pollutants into a creek; (b) significantly modifying the natural flow of the water; (c) depositing substantial amounts of new material into a creek or causing substantial bank erosion or instability; or (d) adversely impacting the riparian corridor by significantly altering vegetation or wildlife habitat?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comments: The following discussion describes potential impacts and standard conditions of approval relating to biological resources.

The project site has been developed with commercial and industrial uses since at least the early 1920s, was most recently a brick disposal and recycling site, and is currently vacant. The site is covered with impervious surfaces, patches of turf grasses, and non-native species. The plant and wildlife species that occur on the project site are those typical of urbanized areas and are adapted to human disturbance. No species protected by State or federal regulations are located within the project site; soils at the site have been disturbed since at least the early 1920s, and based on field observations the existing vegetation consists almost entirely of weedy, invasive species. Therefore, species protected by State or federal regulations would not be adversely affected by the proposed project. The project site is not used as a native wildlife site or established native resident or wildlife corridor.

No creek exists on or adjacent to the project site, nor does the project site contain riparian habitat or federally-protected wetlands. The project would not discharge pollutants into a creek, modify the natural flow of water in a

creek, modify a creek channel, deposit material into a creek, cause erosion, indirectly affect a riparian zone, or otherwise conflict with the City of Oakland Creek Protection Ordinance.

Because the site currently contains only one tree, which is not a coastal oak and whose diameter at breast height is less than nine inches, implementation of the proposed project would not conflict with the City of Oakland Tree Preservation and Removal Ordinance.

Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Incorporated</u>	Less than Significant with Standard Conditions of <u>Approval</u>	Less than Significant <u>Impact</u>	No <u>Impact</u>
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V. CULTURAL AND HISTORIC RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5. Specifically, a substantial adverse change includes physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be “materially impaired.” The significance of an historical resource is “materially impaired” when a project demolishes or materially alters, in an adverse manner, those physical characteristics of the resource that convey its historical significance and that justify its inclusion on, or eligibility for, inclusion on an historical resource list (including the California Register of Historical Resources, the National Register of Historical Resources, Local Register, or historical resources survey form (DPR Form 523) with a rating of 1-5)?

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to *CEQA Guidelines* §15064.5?

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

d) Disturb any human remains, including those interred outside of formal cemeteries?

Comments: The following discussion describes potential impacts and standard conditions of approval relating to cultural and historic resources, and is based on information provided in Pacific Legacy, Inc.’s letter to the project applicant.¹⁰ This document is available for public review at the City of Oakland Community and Economic Development Agency.

¹⁰ Erika Cooper, 2007. *Letter to Hector Burgos, Jr., Habitat for Humanity East Bay, Re: Archaeological Survey of Parcel B at 10800 Edes Avenue, Oakland, Alameda County, California.* May.

a. and b. Historic and Archeological Resources

The project area is currently vacant; further, a cultural resources record search conducted for the site revealed no historic properties listed or eligible for listing on the National Register of Historic Places (NRHP) within one-half mile of the project site. As such, no historical resources are located within the project area that could be substantially adversely changed. No identified archaeological sites are located within the project area, nor have any paleontological resources or unique geologic features been identified at the site. Native American consultations and pedestrian surveys of the site revealed no evidence of burial areas or historic resources.

Construction activities, including ground disturbing activities, could result in the discovery of materials that could be considered historic resources (as defined by CEQA Guidelines section 15064.5) and/or unique archaeological resources (as defined by CEQA section 21083.2(g)). If such resources are discovered, implementation of the following Standard Conditions of Approval would ensure that potential impacts remain at a less-than-significant level:

Standard Condition of Approval CULT-1: Pursuant to CEQA Guidelines section 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.

In considering any suggested measure proposed by the consulting archaeologist in order to mitigate potential impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while measure for historical resources or unique archaeological resources is carried out.

Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate measure measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment, and shall prepare a report on the findings for submittal to the Northwest Information Center.

c. Paleontological and Geological Resources

No unique geologic resources are located within the project site. Because the project site was used previously as a greenhouse and a brick disposal and recycling site, it is unlikely that fossils would be identified during the project construction period. However, there is a chance that fossils could be located under soils that have not been disturbed. If such resources are discovered, implementation of the following Standard Condition of Approval would ensure that potential impacts remain at a less-than-significant level:

Standard Condition of Approval CULT-2: In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in Section 15064.5 of the CEQA Guidelines. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.

d. Human Remains

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined whether or not the remains are subject to the coroner’s authority. No human remains, including Native American remains, are anticipated to exist within the proposed project site. However, should human remains be discovered during ground disturbing activities, implementation of the following Standard Condition of Approval would reduce any potential impacts to a less-than-significant level:

Standard Condition of Approval CULT-3: In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS -- Would the project:

- a) Expose people or structures to substantial 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 or Seismic Hazards Map issued by the State Geologist for the area or based on other substantial

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
evidence of a known fault (refer to Division of Mines and Geology Special Publications 42 and 117 and PRC §2690 et. seq.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction, lateral spreading, subsidence, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or loss of topsoil, creating substantial risks to life, property, or creeks/waterways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as it may be revised), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located above a well, pit, swamp, mound, tank vault, or unmarked sewer line, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Be located above landfills for which there is no approved closure and post-closure plan, or unknown fill soils, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments: The following discussion describes potential impacts and standard conditions of approval relating to geology and soils, and is based on a Phase II Investigation Final Report prepared by Weston Solutions, Inc., for the project area.¹¹ This document is available for public review at the City of Oakland Community and Economic Development Agency.

a. Injury or Death Involving Fault Rupture, Ground Shaking, Ground Failure, or Landslides

The potential for fault surface rupture at the project site is remote because the area is not within an Alquist-Priolo Earthquake Fault Zone as designated by the State, and because there are no active or potentially active faults that cross the project site. In addition, the project site is located in a flat area, approximately two miles west of the steep slopes of the Oakland Hills, and would not be subject to landslides.

The project site is located, however, in the vicinity of several active and potentially active faults. The southern Hayward Fault, which is the closest fault to the site, is located approximately two miles to the northeast. Other

¹¹ Weston Solutions, Inc., 2006. *East Bay Habitat for Humanity, Inc., 10800 Edes Avenue Site, Oakland, CA, Targeted Brownfields Assessment Phase II Investigation Final Report*. January.

faults in the vicinity of the project site include the Calaveras fault (12 miles to the northeast of the site), the Clayton-Marsh Creek-Greenville Fault (14 miles to the northeast of the site), and the San Andreas Fault (20 miles to the southwest of the site). An earthquake at any one of these faults could cause severe ground shaking at the site and damage to proposed structures.

The project site is also subject to a high risk of ground failure, including liquefaction. According to the liquefaction maps produced by the Association of Bay Area Governments, the project site is in an area considered to have a high potential for liquefaction and is considered a liquefaction hazard zone.

Implementation of the following Standard Condition of Approval would reduce risks associated with seismic ground shaking and liquefaction to a less-than-significant level:

Standard Condition of Approval GEO-1: A preliminary soils report for each construction site within the project area shall be required as part of this project and submitted for review and approval by the Building Services Division. The soils reports shall be based, at least in part, on information obtained from on-site testing. Specifically the minimum contents of the report should include::

- Logs of borings and/or profiles of test pits and trenches:
 - 4.4. The minimum number of borings acceptable, when not used in combination with test pits or trenches, shall be two (2), when in the opinion of the Soils Engineer such borings shall be sufficient to establish a soils profile suitable for the design of all the footings, foundations, and retaining structures.
 - 4.5. The depth of each boring shall be sufficient to provide adequate design criteria for all proposed structures.
 - 4.6. All boring logs shall be included in the soils report.
- Test pits and trenches:
 - 4.7. Test pits and trenches shall be of sufficient length and depth to establish a suitable soils profile for the design of all proposed structures.
 - 4.8. Soils profiles of all test pits and trenches shall be included in the soils report.
- A plat shall be included which shows the relationship of all the borings, test pits, and trenches to the exterior boundary of the site. The plat shall also show the location of all proposed site improvements. All proposed improvements shall be labeled.
- Copies of all data generated by the field and/or laboratory testing to determine allowable soil bearing pressures, shear strength, active and passive pressures, maximum allowable slopes where applicable and any other information which may be required for the proper design of foundations, retaining walls, and other structures to be erected subsequent to or concurrent with work done under the grading permit.
- A written report shall be submitted which shall include but is not limited to the following:
 - 4.9. Site description;
 - 4.10. Local and site geology;
 - 4.11. Review of previous field and laboratory investigations for the site;
 - 4.12. Review of information on or in the vicinity of the site on file at the Information County, City of Oakland, Office of Planning and Building;

- 4.13. Site stability shall be addressed with particular attention to existing conditions and proposed corrective attention to existing conditions and proposed corrective actions at locations where land stability problems exist;
- 4.14. Conclusions and recommendations for foundations and retaining structures, resistance to lateral loading, slopes, and specifications, for fills, and pavement design as required;
- 4.15. Conclusions and recommendations for temporary and permanent erosion control and drainage. If not provided in a separate report they shall be appended to the required soils report;
- 4.16. All other items which a Soils Engineer deems necessary;
- 4.17. The signature and registration number of the Civil Engineer preparing the report;
- 4.18. The Director of Planning and Building may reject a report that she/he believes is not sufficient. The Director of Planning and Building may refuse to accept a soils report if the certification date of the responsible soils engineer on said document is more than three years old. In this instance, the Director may require that the old soils report be recertified, that an addendum to the soils report be submitted, or that a new soils report be provided.

b. Soil Erosion and Loss of Topsoil

The potential for soil erosion and loss of topsoil is greatest during the period of earthwork activities and between the time when earthwork is completed and new vegetation is established and structures are completed. Construction activities, which would include earthwork, could result in the loss of soil from the site due to stormwater runoff and wind. Implementation of the following Standard Condition of Approval, in combination with Standard Condition of Approval HYD-1 (discussed in section VII.a) would reduce this potential impact to a less-than-significant level:

Standard Condition of Approval GEO-2: The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.780 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.

The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.

c. Expansive Soils

Portions of the site are underlain by clayey fill material that is highly susceptible to volume changes (e.g., expansion) during seasonal fluctuations in moisture content. These changes in volume could damage foundations constructed under project buildings. Implementation of Standard Condition of Approval GEO-1 would reduce this potential impact to a less-than-significant level.

d. Wells, Pits, Swamps, etc.

The Phase I Environmental Site Assessment prepared for the project site identified no subsurface features, such as wells, pits, and tank vaults, that would pose a risk to development on the site.¹² No swamps or unmarked sewer lines have been identified on the site, and research into the site's previous uses does not indicate the presence of these features.

e. Landfills/Fill

The majority of the project site has recently been covered with up to three feet of crushed brick fill; areas along the northwest, southwest, and southeast property boundary appear to be original grade. The crushed brick fill is undocumented, and its composition and suitability for foundation support is unknown. Risks of the crushed brick fill predominantly result from settlement potential. Potential impacts associated with this undocumented fill would be less-than-significant with implementation of the Standard Condition of Approval GEO-1, as described in Section VI.a., above.

f. Septic Tanks

Proposed buildings would connect to the existing wastewater system in and around the project site, and would not require the use of alternative wastewater systems. No septic tanks are proposed or required as part of the project. As a result, wastewater disposal on the project site would not adversely affect site soils.

<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less than Significant with Standard Conditions of Approval</u>	<u>Less than Significant Impact</u>	<u>No Impact</u>
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VII. HAZARDS AND HAZARDOUS MATERIALS - -Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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¹² Brighton Environmental Consulting, 2005. *Phase I Environmental Site Assessment, 10800 Edes Avenue, Oakland, California.* September.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) 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 create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and would result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be located within the vicinity of a private airstrip, and would result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments: The following discussion describes potential impacts and standard conditions of approval relating to hazards and hazardous materials, and is based on the following reports: 1) Phase I Environmental Site Assessment¹³ prepared for the project site; 2) Targeted Brownfields Assessment Phase II Investigation Final Report¹⁴ prepared for the project site; 3) Site Assessment and Response Plan¹⁵ prepared for the project; and 4) Notice of Exemption for Approval of the Response Plan for the Habitat for Humanity East Bay Project¹⁶. These documents are available for public review at the City of Oakland Community and Economic Development Agency.

a. and b. Routine Transport, Use, Disposal , or Release of Hazardous Materials

Routine Transport. Construction and operation of the proposed project, which involves the clearance of on-site debris and construction of new housing, would not involve the *routine* transport, use, or disposal of hazardous

¹³ Brighton Environmental Consulting, 2005. *Phase I Environmental Site Assessment, 10800 Edes Avenue, Oakland, California.* September.

¹⁴ Weston Solutions, Inc., 2006. *East Bay Habitat for Humanity, Inc., 10800 Edes Avenue Site, Oakland, CA, Targeted Brownfields Assessment Phase II Investigation Final Report.* January.

¹⁵ TechLaw, Inc. and Brighton Environmental Consulting, 2007. *Site Assessment and Revised Response Plan, Habitat for Humanity East Bay Project, 10800 Edes Avenue, Oakland, California.* June.

¹⁶ California Department of Toxic Substances Control, 2007. *Notice of Exemption, Approval of the Response Plan for the Habitat for Humanity East Bay Project, 10800 Edes Avenue, Oakland, California.* July.

materials, although small volumes of hazardous materials would be used on a temporary basis during both the construction and use of the housing development. During the construction period, hazardous materials (e.g., fuels, oil, solvents, paint) would be used for equipment operations and maintenance, and the construction of buildings.

Use of Hazardous Materials. During the operational period of the housing development, hazardous materials, including small quantities of oil, paint, pesticides, and herbicides, would be used for general building and landscaping maintenance. Hazardous materials used on the site during the construction and operation periods would be handled and disposed of in conformance with all applicable local, State, and federal hazardous materials regulations, and would not pose a significant health risk.

During the construction period, hazardous materials required to run and maintain construction equipment and construct buildings could result in accidental releases to the ground surface, even if handled in compliance with applicable local, State, and federal hazardous materials regulations. Accidental releases of these materials could significantly affect soil and water quality. This potential impact would be less-than-significant with implementation of Standard Condition of Approval HAZ-1, as described below, and Standard Condition of Approval HYD-1, as described in Section VIII.a, requiring the preparation of a Storm Water Pollution Prevention Plan (SWPPP) and utilization of Best Management Practices to prevent releases of pollutants to soils and water bodies.

Hazardous Materials Concerns at the Project Site. The project site contains several hazardous materials concerns associated with historic contamination from industrial sources, but the site is not listed on the Cortese List. This contamination could pose a health risk to construction workers on the site, residents in the vicinity of the site, and future residents. The following discussion summarizes key hazardous materials concerns at the site; two environmental site assessments have been conducted by environmental consultants, as shown in Table 1, a response plan has been prepared, and a Notice of Exemption has been filed by the California Department of Toxic Substances Control. Standard Conditions of Approval that would reduce potential hazardous materials impacts to a less-than-significant level are discussed after this summary.

From the early 1920s to 1965, the site was used as a plant nursery. Seven greenhouses and two boilers were located on the site. Other former site structures included a caretaker's house and garage. The nursery was known to grow roses for part of the site's history. The property was also used by a construction and demolition business between 1982 and 1996 and was mostly used for brick recycling. Crushed bricks and asphalt grindings were used to stabilize the central and northern portions of the site. The site is currently vacant and has recently been subjected to unauthorized dumping of garbage and debris. The U.S. Environmental Protection Agency (EPA) performed a Targeted Brownfields Site Assessment Phase II Investigation at the site in November 2005. Samples of soil and ground-water were collected and analyzed for metals, asbestos, organochlorine pesticides, petroleum hydrocarbons in the gasoline (TPHg), diesel (TPHd) and motor oil (TPHmo) ranges, benzene, toluene ethylbenzene, and xylene (BTEX) and/or polycyclic aromatic hydrocarbons (PAHs).

Based upon the data collected, lead, arsenic, petroleum hydrocarbons, and PAHs are the chemicals of concern in the soil. These contaminants were limited to the upper 4 feet of soil. Groundwater was encountered at depths ranging from 24 to 34 feet below the ground surface. All chemicals detected in groundwater were found below the San Francisco Bay Regional Water Quality Control Board's (Water Board's) Environmental Screening Levels. Five groundwater samples were collected and analyzed. Petroleum hydrocarbons and pesticides were not detected in any of the groundwater samples. Of the PAHs, only phenanthrene was detected. It was detected in one groundwater sample at below its Water Board Environmental Screening Level. Three halogenated volatile organic compounds (VOCs) were detected in a groundwater sample collected from the upgradient side of the site, but not further downgradient. These VOCs were detected in groundwater below their associated Water Board's Environmental Screening Levels.

Table 1: Hazard Assessments for 10800 Edes Avenue

Document	Hazards/Hazardous Materials Identified	Regulatory Standard	Recommended Actions
Phase I Environmental Site Assessment	pesticides; polynuclear aromatic hydrocarbons (PAHs); petroleum; oil; and lubricants; asbestos; metals	ASTM Standard E1527-00	Conduct Phase II environmental site assessment; soil and groundwater sampling; analysis for petroleum hydrocarbons as diesel and motor oil; PAHs; benzene, toluene; ethyl benzene; and total xylenes (BTEX)
Phase II Targeted Brownfields Site Assessment	Total Petroleum Hydrocarbons (TPHs); PAHs; volatile organic compounds; pesticides, Title 22 metals; asbestos	EPA Region IX Preliminary Remediation Goals; Oakland Urban Land Redevelopment Program Tier-1 risk-based screening levels; Regional Water Quality Control Board Environmental Screening Levels; Resource Conservation and Recovery Act background concentrations (for metals); National Emission Standards for Hazardous Air Pollutants (for asbestos)	Develop clean-up goals; develop remedial action plan; hotspot removal for lead; removal of PAHs across surface soils

Sources: Brighton Environmental Consulting, 2005. *Phase I Environmental Site Assessment, 10800 Edes Avenue, Oakland, California*. September. Weston Solutions, Inc., 2006. *East Bay Habitat for Humanity, Inc., 10800 Edes Avenue Site, Oakland, CA, Targeted Brownfields Assessment Phase II Investigation Final Report*. January.

Lead was detected in soil at levels up to 700 mg/kg. Six of the 107 soil samples analyzed for metals exceeded the screening level of 269 parts per million (ppm) calculated using DTSC's LeadSpread Version 7 spreadsheet. Arsenic was detected at levels up to 16.5 ppm. This was determined to be within the background range for this area. None of the 42 surface soil samples analyzed for asbestos contained asbestos above the reporting limit of one percent. All other metals were not detected or found below their associated residential cleanup goals. Pesticides were detected in 21 of 34 soil samples analyzed for organochlorine pesticides. However, none of the 34 soil samples analyzed for organochlorine pesticides detected pesticides above California Human Health Screening Levels established for residential use. Maximum concentrations of the detected pesticides were: 220 $\mu\text{g}/\text{kg}$ chlordane (technical), 110 $\mu\text{g}/\text{kg}$ alpha-chlordane, 85 $\mu\text{g}/\text{kg}$ gamma-chlordane, 200 $\mu\text{g}/\text{kg}$ DDT, 360 $\mu\text{g}/\text{kg}$ DDE, and 55 $\mu\text{g}/\text{kg}$ DDD. PAHs expressed as benzo(a)pyrene equivalents were detected at concentrations up to 2511.4 $\mu\text{g}/\text{kg}$.

Based upon the PAH distribution at the site and a risk-based evaluation using EPA recommended exposure parameters, a cleanup goal of 168 $\mu\text{g}/\text{kg}$ was selected. This cleanup goal was exceeded in 14 of the 48 soil samples analyzed for PAHs. Three of the 52 soil samples analyzed for petroleum hydrocarbons exceeded the Water Board's Environmental Screening Level for TPHd and TPHmo of 100 mg/kg and 500 mg/kg, respectively. Maximum concentrations of TPHd and TPHmo detected were 190 mg/kg and 520 mg/kg. TPHg and BTEX were not detected in any of the soil samples. The Phase I and Phase II environmental site assessments completed for the project site did not discover the presence of any lead-based paint or asbestos in soil samples.

The Site Assessment and Response Plan prepared for the project proposed remedial actions for contaminated soil at the site, consisting of the excavation and offsite disposal of soil containing lead, arsenic, polycyclic aromatic hydrocarbons (PAHs), and TPH to achieve the site's residential cleanup goals. The project activities would consist of:

- Approximately 570 cubic yards of soil containing lead, arsenic, PAHs, and petroleum hydrocarbons above residential cleanup goals would be excavated using a front-end loader. It is anticipated that the top 0.5 feet of soil would need to be removed from the areas of the site with the highest concentration of contaminants to reduce lead, arsenic PAH and TPH concentrations in soil to achieve the residential cleanup goals. Excavated soil would either be: (1) directly loaded into trucks for offsite disposal or (2) placed on and covered with plastic sheeting and tested to determine whether chemical levels are appropriate for reuse or to determine an appropriate offsite disposal facility. A grading permit from the City of Oakland would be obtained.
- Soil samples would be collected and analyzed following excavation to ensure that soil cleanup goals have been achieved.
- Personal protective equipment would be donned, as required, in a site-specific health and safety plan which complies with Title 8, California Code of Regulations and 29 Code of Federal Regulations, section 1910.120.
- Trucks would be loaded, covered, and travel offsite to an appropriately permitted disposal facility. Approximately 50 truck trips would be required to dispose of the excavated soil, with a maximum of 25 truck trips per day. This should not significantly impact traffic in the area. If required by the City of Oakland, a flagman would be used to ensure safety while accessing and exiting the site. Trucks exiting the site would travel northwest on Edes Avenue for approximately 0.6 miles and then south on 98th Avenue for approximately 0.4 miles before reaching 1-880. Trucks would be decontaminated and soil covered prior to leaving the site. Trucks would be controlled to avoid transport during peak commute hours.
- Due to the shallowness of the excavations (~0.5 feet), Habitat for Humanity is not proposing to backfill the excavation areas as this entire site would be regraded and backfilled, as necessary, in the future.

Control measures have been included to minimize potential for impacts to the environment during the soil excavation activities. The following controls would be required to assure that there would not be a significant environmental effect associated with the release of contaminated dust:

- Dust control measures would comply with the Bay Area Air Quality Management District (BAAQMD) feasible control measures to protect onsite and offsite receptors from chemicals in soil and nuisance dust. These measures include spraying water on the site, as needed, for dust control and covering stockpiles and trucks. This would also ensure compliance with the Occupational Health and Safety Administration (OSHA) Permissible Exposure Level (PEL) for Nuisance Dust.
- Site workers would comply with the health and safety requirements of Title 8, California Code of Regulations and 29 Code of Federal Regulations, section 1910.120.
- Based upon the site characterization data and the disposal facility requirements, waste characterization samples would be collected and analyzed for petroleum hydrocarbons and metals. Any hazardous waste would be transported by licensed hazardous waste transporters to a hazardous waste disposal facility. Non-hazardous soil is expected to be transported to Altamont Landfill in Livermore using appropriately licensed contractors.
- The work would be conducted Monday through Friday between 8 a.m. and 6 p.m., which is within the hours allowed under the Oakland City Noise Ordinance.

A Notice of Exemption for the approval of the proposed remediation actions was filed by DTSC and signed on July 25, 2007. In September 2007 the project sponsor, in accordance with the Response Plan, removed the impacted soils from the site, took confirmatory samples, and sent the resulting data to DTSC. During the course of the soil removal, three underground storage tanks (UST) were discovered on the site. All three UST's were removed and a UST closure report was filed with the City of Oakland Fire Department in December 2007.

Hazardous materials risks within the project site would be less-than-significant with implementation of the following Standard Condition of Approval:

Standard Condition of Approval HAZ-1: The following Standard Conditions of Approval shall be implemented:

Standard Condition HAZ-1a: Prior to the issuance of a demolition, grading, or building permit, if the environmental site assessment reports recommend remedial action, the project applicant shall:

- Consult with the appropriate local, State, and federal environmental regulatory agencies to ensure sufficient minimization of risk to human health and environmental resources, both during and after construction, posed by soil contamination, groundwater contamination, or other surface hazards including, but not limited to, underground storage tanks, fuel distribution lines, waste pits and sumps.
- Obtain and submit written evidence of approval for any remedial action if required by a local, State, or federal environmental regulatory agency.
- Submit a copy of all applicable documentation required by local, State, and federal environmental regulatory agencies, including but not limited to: permit applications, Phase I and II environmental site assessments, human health and ecological risk assessments, remedial action plans, risk management plans, soil management plans, and groundwater management plans.

Standard Condition HAZ-1b: If other materials classified as hazardous waste by State or federal law are present, the project applicant shall submit written confirmation to Fire Prevention Bureau, Hazardous Materials Unit that all State and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials.

Standard Condition HAZ-1c: Prior to commencement of demolition, grading, or construction, the project applicant and construction contractor shall ensure that construction best management practices are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following:

- Follow manufacturer's recommendations on use, storage, and disposal of chemical products used in construction.
- Avoid overtopping construction equipment fuel gas tanks.
- During routine maintenance of construction equipment, properly contain and remove grease and oils.

Properly dispose of discarded containers of fuels and other chemicals.

- Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all UST's, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building.
- If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in Standard Condition of Approval GEO-2, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

c. Emit Hazardous Materials Near Schools

The project site is not located within one-quarter mile of a school. The proposed project would be located approximately 0.5 miles from Sobrante Park Elementary School and James Madison Middle School. The accidental release of hazardous construction materials, and the release of contaminated soil and groundwater during construction would not likely pose a significant health risk to sensitive receptors at the school sites due to the distance and level of development in place between the project site and schools, but any potential impacts would be less-than-significant with implementation of Standard Conditions of Approval HAZ-1 (described in Section VII.a) and HYD-1 (described in Section VIII.a).

d. Listed Hazardous Materials Sites

The project site was identified as a DTSC Voluntary Cleanup site in a regulatory database search. DTSC's Voluntary Cleanup Program enables motivated parties who are able to fund their site's cleanup activities and DTSC's oversight to progress with investigation and remediation activities at the site at their own speed. This process enables investigation and remediation to occur at low-risk, low-priority sites in a significantly shorter timeframe than if these sites were to follow DTSC's statutory mandate of addressing high-risk, high-priority sites first. As described in Section VII.a, PAH and other soil contamination associated with the site could expose con-

struction workers and the public to significant adverse health risks. This potential impact would be less-than-significant with implementation of Standard Condition of Approval HAZ-1 (described in VII.a).

e. and f. Airport-Related Hazards

The project site is located over 2½ miles to the east of Oakland International Airport and is not located within the Airport Clear Zone or any land use plan prepared by the airport. In addition, the site is not located in the vicinity of private airstrip. Therefore, the proposed project would not result in an airport-related safety hazard.

g. Emergency Response/Evacuation Plan

Hegenberger Road, San Leandro Boulevard, International Boulevard, and 98th Avenue are identified as emergency evacuation routes in the Safety Element of the General Plan.¹⁷ Implementation of the proposed project would not adversely affect the emergency function of these roads.

h. Wildland Fires

The project site is not located in close proximity to open space areas that are prone to wildfire. Therefore, implementation of the proposed project would not expose persons or structures to an increased wildfire risk.

Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Incorporated</u>	Less than Significant with Standard Conditions of <u>Approval</u>	Less than Significant <u>Impact</u>	No <u>Impact</u>
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VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in substantial erosion or siltation on- or off-site that would affect the quality of receiving waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in substantial flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute substantial runoff which would exceed the capacity of existing or planned stormwater drainage systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Create or contribute substantial runoff which would be an additional source of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

¹⁷ City of Oakland, 2004. *General Plan, Safety Element*. November.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
g) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a substantial risk of loss, injury or death involving flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Result in inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course, or increasing the rate or amount of flow, of a Creek, river or stream in a manner that would result in substantial erosion, siltation, or flooding, both on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m) Fundamentally conflict with elements of the City of Oakland Creek Protection (OMC Chapter 13.16) ordinance intended to protect hydrologic resources. Although there are no specific, numeric/quantitative criteria to assess impacts, factors to be considered in determining significance include whether there is substantial degradation of water quality through (a) discharging a substantial amount of pollutants into a creek; (b) significantly modifying the natural flow of the water or capacity; (c) depositing substantial amounts of new material into a creek or causing substantial bank erosion or instability; or (d) substantially endangering public or private property or threatening public health or safety?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments: The following discussion describes potential impacts and standard conditions of approval relating to hydrology and water quality.

a. Violate Water Quality Standards/Waste Discharge Requirements

The proposed project could adversely affect water quality during the construction period, and over the life of the project (the operational period). Potential impacts to water quality during these two periods are discussed below.

Construction-Period Impacts. Excavation, grading, and construction on the project site would require temporary disturbance of surface soils, including disturbance associated with debris and vegetation removal. During the construction period, excavation and grading activities could result in the release of sediment into storm water runoff. Some of this sediment could be contaminated with petroleum hydrocarbons and other toxic materials, and could degrade water quality. Water quality could also be affected by the release of hazardous materials used to maintain or fuel construction equipment.

Operation-Period Impacts. Runoff water quality is regulated by the National Pollutant Discharge Elimination System (NPDES) Nonpoint Source Program (established through the Clean Water Act). The NPDES program objective is to control and reduce pollutants to water bodies from nonpoint discharges. Locally, the NPDES program is administered by the Regional Water Quality Control Board (RWQCB). The RWQCB has conveyed responsibility for implementation of storm water regulations in the vicinity of the project site to the Alameda Countywide Clean Water Program (ACCWP). The ACCWP maintains compliance with the NPDES Permit and promotes storm water pollution prevention within that context. Compliance with the NPDES Permit is mandated by State and federal statutes and regulations.

Participating agencies (including the City of Oakland) must comply with the provisions of the County permit by ensuring that new development and redevelopment mitigate potential water quality impacts to storm water runoff both during construction and operation periods of projects. Recent changes to the permit held by the ACCWP are detailed in RWQCB Order R2-2003-0021 (NPDES Permit No. CAS0029831).

New development and significant redevelopment projects that are subject to Provision C.3 of the RWQCB order are grouped into two categories based on project size. While all projects regardless of size should consider incorporating appropriate source control and site design measures that minimize storm water pollutant discharges to the maximum extent practicable, new and redevelopment projects that do not fall into Group 1 or Group 2 are not subject to the requirements of Provision C.3. The general criteria for establishing whether a project is a Group 1 or Group 2 project is as follows (for a detailed definition, refer to the County NPDES permit (No. CAS0029831))¹⁸:

- Group 1: New development and redevelopment projects that would create or replace more than one acre of impervious surface (e.g., roof area, streets, sidewalks, parking lots).
- Group 2: New development and redevelopment projects that would create or replace more than 10,000 square feet of impervious surface. Projects consisting of one single-family home are excluded from Group 2.

The site currently has almost no impervious surfaces due to previous demolition activities removing buildings and other constructed areas at the site. The proposed project would create approximately 0.80 acres of impervious surfaces and as a result would be considered a Group 2 project (because it would create more than 10,000 square feet of impervious surfaces). The proposed project would therefore be required to meet all the terms of the permit, including (but not limited to):

- *Numeric Sizing Criteria for Pollutant Removal Treatment Systems.* The project must include source controls, design measures, and treatment controls to minimize storm water pollutant discharges. Treatment controls must be sized to treat a specific amount – about 85 percent – of average annual runoff (in the San Francisco Bay Area this is approximately equivalent to a 1-inch storm).
- *Operation and Maintenance of Treatment Measures.* Treatment controls often do not work unless adequately maintained. The permit requires an operations and maintenance (O&M) program, which includes: 1) identifying the properties with treatment controls; 2) developing agreements with private entities to maintain the controls (e.g., incorporation into CC&Rs or homeowners association duties); and 3) periodic inspection, maintenance (as needed), and reporting.

In addition, projects disturbing more than 1 acre of land during construction, such as the proposed project, are required to file a Notice of Intent (NOI) with the RWQCB to be covered under the State NPDES General Construction Permit for discharges of storm water associated with construction activity. A developer is required

¹⁸ California Regional Water Quality Control Board San Francisco Bay Region; 2007. *Order No. R2-2007-0025, NPDES Permit No. CAS0029831, Amendment Revising Order No. R2-2003-0021.* March.

to propose control measures that are consistent with the State General Permit. A Storm Water Pollution Prevention Plan (SWPPP) must be developed and implemented for each site covered by the general permit. A SWPPP should include Best Management Practices (BMPs) designed to reduce potential impacts to surface water quality during the construction of the project.

New construction and increased residential densities at the project site would result in increased vehicle use and potential discharge of associated pollutants. Leaks of fuel or lubricants, tire wear, and fallout from exhaust could contribute petroleum hydrocarbons, heavy metals, and sediment to the pollutant load in runoff being transported to receiving waters. Runoff from the proposed landscaped areas may contain residual pesticides and nutrients. Contaminated water from the site would degrade the water quality of San Francisco Bay, which is located approximately 2 miles to the west of the project site. Potential water quality impacts associated with project construction and operation periods would be less-than-significant with implementation of the following Standard Conditions of Approval, Standard Condition of Approval GEO-2 (described in Section VI.b), and Standard Condition of Approval HAZ-1 (described in Section VII.a) and would ensure compliance with the requirements of Provision C.3:

Standard Condition of Approval HYD-1: The following Standard Conditions of Approval shall be implemented:

Standard Condition HYD-1a: Prior to and ongoing throughout demolition, grading, and/or construction activities, the project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Planning and Zoning Division and the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit a copy of the SWPPP and evidence of approval of the SWPPP by the SWRCB to the Building Services Division. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.

Standard Condition HYD-1b: Prior to issuance of a building permit or other construction-related permit, the applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Stormwater Supplemental Form for the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater pollution management plan, for review and approval by the City, to limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable.

- The post-construction stormwater pollution management plan shall include and identify the following:
 - 4.19. All proposed impervious surface on the site.
 - 4.20. Anticipated directional flows of on-site stormwater runoff.

- 4.21. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces.
- 4.22. Source control measures to limit the potential for stormwater pollution.
- 4.23. Stormwater treatment measures to remove pollutants from stormwater runoff.
 - The following additional information shall be submitted with the post-construction stormwater pollution management plan:
- 4.24. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed.
- 4.25. Pollutant removal information demonstrating that any proposed manufactured/ mechanical (i.e., non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable of removing the range of pollutants typically removed by landscape-based treatment measures.

All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment measures in the post-construction stormwater pollution management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program.

Prior to final permit inspection, the applicant shall implement the approved stormwater pollution management plan.

Standard Condition HYD-1c: Prior to final zoning inspection for projects incorporating stormwater treatment measures, the applicant shall enter into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement," in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following:

- The applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity.
- Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The agreement shall be recorded at the County Recorder's Office at the applicant's expense.

b. Deplete Groundwater Supplies

Implementation of the proposed project would increase impervious surfaces on the project site from almost zero acres (the site is currently vacant and contains no buildings or paved surfaces) to approximately 0.80 acres. This increase in impervious surfaces could be associated with an incremental decrease in groundwater recharge under the project site. However, the proposed project would be designed with significant amounts of open space, including a common space and private courtyards, totaling slightly less than one acre of pervious surfaces. Much of the storm water runoff that would be generated by pavement on the project site would be redirected to pervious surfaces, where the water would percolate into the ground. In addition, inclusion of Standard Condition

HYD-1b, as noted above, would assure that a stormwater pollution management plan for the project is submitted as part of the project drawings submitted for the building permit. The incorporation of green building techniques, as required, will also be included in the project. As a result, the proposed project would not substantially interfere with groundwater recharge. In any event, the project would not utilize groundwater from the aquifer underlying the project site and would not substantially deplete local groundwater supplies.

c. Erosion and Siltation

Ground disturbance associated with the project construction period could result in erosion and siltation, as soil from the project site is carried off-site by wind and storm water runoff. As noted in previous sections, some soil from the project site could be contaminated with petroleum hydrocarbons and other toxic materials. Potential impacts associated with erosion and siltation would be less-than-significant with implementation of Standard Conditions of Approval GEO-2 (described in Section VI.a), HAZ-1 (described in Section VII.a), and HYD-1 (described in Section VIII.a).

d. Result in Substantial Flooding

As noted in Section VIII.b, the project would increase impervious surfaces within the project site by approximately 0.80 acres. This increase in impervious surfaces would generate increased storm water runoff compared to current conditions on the site. However, much of this runoff would be directed to open space areas within the project site and would not substantially contribute to flooding within the area. Portions of the project site are within the 100-year to 500-year floodplain. Potential impacts associated with the floodplain are discussed in Sections VIII.h and VIII.i.

e., f., and g. Create or Contribute Substantial Runoff or Otherwise Degrade Water Quality

Implementation of the proposed project would increase impervious surfaces on the project site by approximately 0.80 acres. This increase in impervious surfaces would incrementally increase storm water runoff volumes from the project site. Runoff could contain pollutants associated with fuel leaks and the deposition of particulate matter on pavement. This potential impact would be less-than-significant with implementation of Standard Condition of Approval HYD-1 (described in Section VIII.a).

h., i., and j. 100-Year Floodplain Issues

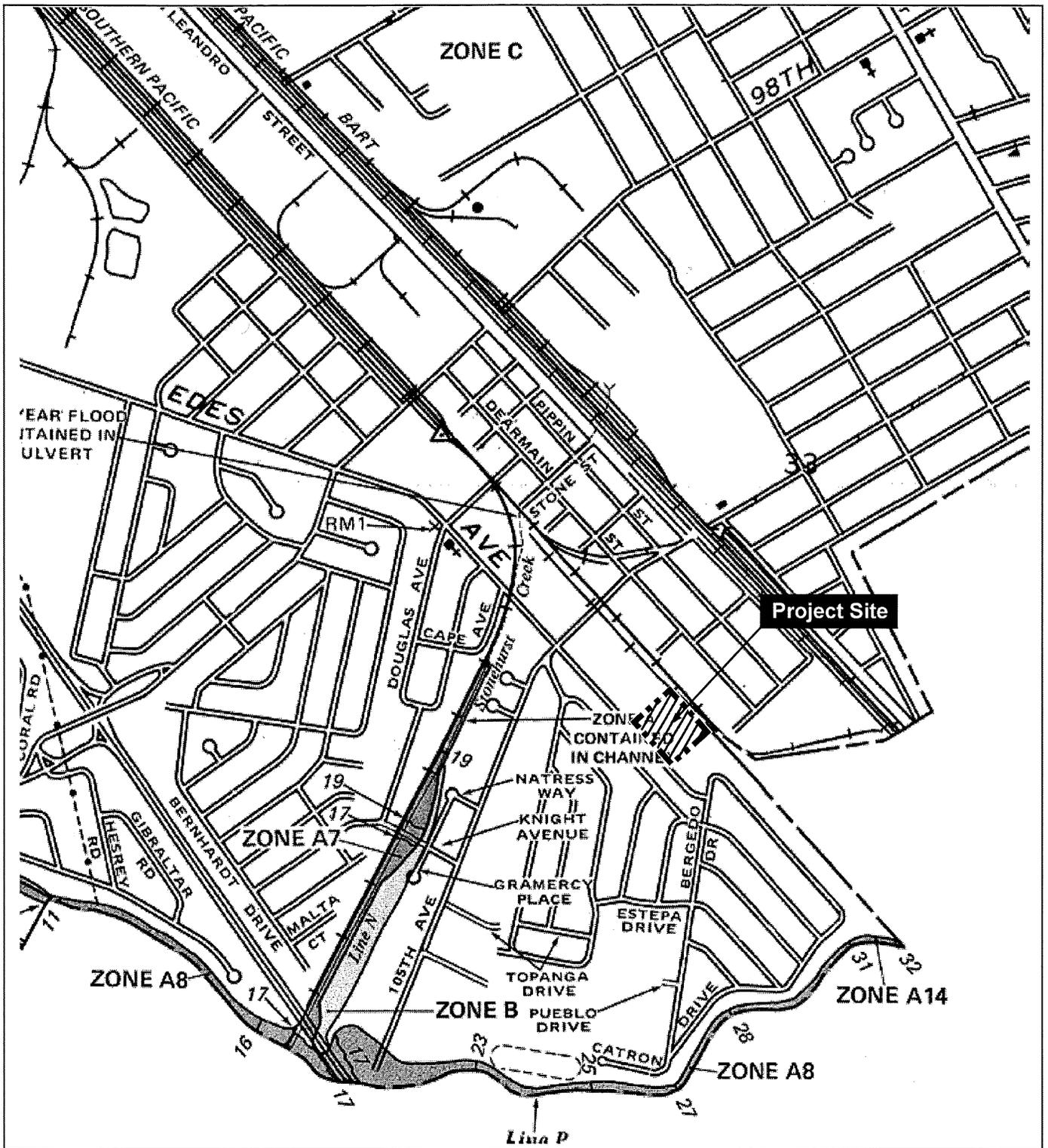
As shown in Figure 5, the project site is within an area designated as Zone C by the Federal Emergency Management Agency (FEMA). Zone C is a moderate- to low-risk area, defined as an “area outside the one percent annual chance floodplain, areas of one percent annual chance sheet flow flooding where average depths are less than one foot, areas of one percent annual chance stream flooding where the contributing drainage area is less than one square mile, or areas protected from the one percent annual chance flood by levees.”¹⁹ No Base Flood Elevations or depths are shown within this zone. Because of the project’s location within this zone, flooding on the site would not be expected to result in substantial loss of property, injury, or death.

k. Inundation by Seiche, Tsunami, or Mudflow

The project site is not located within a potential seiche, tsunami, or mudflow zone.²⁰

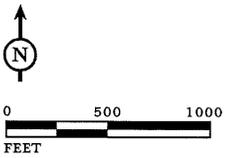
¹⁹ Federal Emergency Management Agency, 1982. *Flood Insurance Rate Map (FIRM)*. September.

²⁰ City of Oakland, 2004. *General Plan, Safety Element*. November.



LSA

FIGURE 5



LEGEND
 PROJECT SITE

10800 Edes Avenue Residential Project IS/ND
 Flood Zone Map

I. Alter the Existing Drainage Pattern

The project site is currently flat, with no development at the site. Water generally drains on the site to the southwest toward the San Francisco Bay. No streams, rivers, or creeks pass through the site, and no development planned as part of the proposed project would alter the project site's drainage pattern.

m. Conflict with City of Oakland Creek Protection Ordinance

There is no creek on or adjacent to the project site. The project would not discharge a substantial volume of pollutants into a creek, modify the natural flow of water in a creek, modify a creek channel, deposit a substantial amount of material into a creek, cause erosion, indirectly affect a riparian zone, or otherwise conflict with the City of Oakland Creek Protection Ordinance.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
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IX. LAND USE AND PLANNING -- Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in a fundamental conflict between adjacent or nearby land uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Fundamentally conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect and actually result in a physical change in the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Fundamentally conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comments: The following discussion describes potential impacts and standard conditions of approval relating to land use and planning.

a. Divide an Established Community

The physical division of an established community would typically involve the construction of large features (such as freeways) that then function as physical or psychological barriers between communities, or the removal of roadways (e.g., through the assembly of numerous parcels and the creation of "superblocks") such that access from one neighborhood to another is diminished.

The project site is currently vacant, and lies between an industrial parcel and a parcel being developed for housing. Implementation of the proposed project would result in the construction of a housing development that relates to surrounding neighborhoods in terms of scale, design, and access. The project includes paths and a roadway that would connect it to the adjacent residential development currently being constructed. Proposed buildings would feature design elements, including balconies, ground-floor windows, and fenced front yards, that would reduce the visual differentiation between the housing development and the residential neighborhood to the

southwest. The proposed project would create new connections between the site and surrounding neighborhood, and would not divide an established community.

b. Conflict with Nearby Land Uses

Figure 6 shows the Oakland General Plan land use map and zoning within and around the project site. In general, the site is bordered by an industrial park to the northwest, the SPRR rail line to the northeast, and a property owned by Habitat for Humanity East Bay, currently under construction, to the southeast at 10900 Edes Avenue. The southwest property boundary runs along Edes Avenue; residential housing is located across the road. Because residential, school, and other community uses in the neighborhood are located in an area of diverse uses, they are sometimes subjected to environmental conditions associated with industrial and commercial uses, including noise, emissions, light/glare, and odors. However, conflicts between industrial uses and commercial/residential land uses in the vicinity of the project site generally occur on an intermittent basis, do not comprise a substantial nuisance, and would not be considered a significant environmental impact. The manufacturing facilities immediately surrounding the project site do not pose any intrinsic land use incompatibilities with proposed residential uses; the relationship of proposed residential uses to surrounding industrial and commercial uses is typical of other mixed-use neighborhoods in the Bay Area, including South of Market in San Francisco and the Fruitvale District in Oakland, where industrial and residential uses coexist. The following discussion addresses land use compatibility issues on all sides of the project site.

North. The adjacent property located northwest of the project site is reported to be a former foundry, and is currently used for light industrial warehousing. The undeveloped southwest quadrant of this property, which abuts the northwestern corner of the project site, is currently used to store salvaged and abandoned automobiles; this property would separate the project site and other industrial operations in the area. The adjacent buildings would not cast substantial shadow into the project site, and do not contain lighting that would interfere with nighttime views. Recycling and distribution facilities and other industrial uses generally trend to the northwest from the project area along Edes Avenue and the SPRR rail line. The property located north of the project site, across the SPRR rail line at 750 107th Avenue, is occupied by the Hard Chrome Engineering Company, a chrome plating shop. The plating shop facility is located approximately 475 feet northeast of the site. These industrial uses currently face existing residential development to the southwest across Edes Avenue and northeast across Pearmain Street.

East. Land uses to the east of the project site include the 10900 Edes Avenue site, which is also owned by Habitat for Humanity East Bay and is being developed for residential use. Like the project site, this property also operated as a nursery and gardening outlet, and contained eight greenhouses from at least 1926 to 1952. Between 1952 and 2000, the property was used as a truck dismantling and salvage yard. Upon completion of construction activities, this site's residential use would be consistent with the proposed project's residential use, and would be connected via a private road at the northeast corner of the project site. Across the SPRR rail line to the east are located mostly residential uses, with one industrial area in the vicinity. These uses, which would generate minimal noise, traffic, light, and emissions on the site due to their location across the rail line, would be compatible with the proposed residential uses.

South. Land uses to the south of the project site (e.g., south of Edes Avenue) include predominantly residential areas, as well as two schools and Sobrante Park. These uses generate a moderate amount of traffic, and produce minimal noise and no significant odors. Buildings south of the site are generally single- and two-story homes and would not cast substantial shadow on proposed buildings. As a result, land uses to the south of the site are compatible with proposed uses at the project site.

West. Land uses to the west of the project site are predominantly residential, with some light industrial/commercial use along 105th Avenue and a rail spur one block west of 105th Avenue. These uses generate

moderate traffic volumes, emissions associated with these vehicle trips, and no significant odors. These buildings are single- and two-story structures and would not cast extensive shadow on the project site. In addition, the buildings do not contain extensive outdoor lighting. Therefore, these uses would be compatible with proposed residential uses at the project site.

In summary, the proposed project would not result in a fundamental conflict with land uses in the vicinity of the project site.

c. Conflict with Plans and Regulations

The project is subject to the goals, policies, and objectives of the Oakland General Plan and the Coliseum Area Redevelopment Plan. In order for a project to be considered consistent with the policies of the General Plan it is not necessary for the project to comply with each and every policy of the General Plan. The General Plan states the following:

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

The proposed project is consistent with the goals, policies, and objectives of the General Plan and Coliseum Area Redevelopment Plan, which seek to redevelop underutilized and blighted properties, increase the City's housing supply, reuse abandoned buildings, and minimize nuisances. The proposed project consists of approximately 1.7 acres and has been vacant for more than 20 years; therefore, the proposed project would not substantially diminish the City's supply of industrial land. The project would result in the redevelopment of an existing underutilized parcel in an urbanized infill area, provide additional affordable housing, and enhance the physical character of the neighborhood.

Due to the recent interest in converting industrial land in Oakland to non-industrial uses, the City is currently in the process of preparing a citywide industrial land use policy. The industrial land use policy study is examining areas planned for industrial uses in the General Plan, specifically areas designated as Business Mix and General Industrial/Transportation in the Land Use and Transportation Element of the General Plan. The project site is designated Business Mix in the General Plan. The project site is located in one of the industrial sub-areas (Sub-Area 10) being evaluated as part of the industrial land use policy study. Sub-Area 10 is an approximately 55-acre area located primarily along the northwest side of San Leandro Street between 98th Avenue to the north and the City of San Leandro to the south. In October 2006, the Oakland City Council identified industrial sub-areas that should remain industrial and directed the City to further study the remaining sub-areas not identified for industrial retention. Sub-Area 10 was not one of the sub-areas identified for industrial retention. The City is still studying Sub-Area 10 and, to date, no formal decision has been made concerning Sub-Area 10 nor has the City completed the industrial land use policy study or adopted an industrial land use policy.

The project would amend the General Plan designation of the parcel from Business Mix to Mixed Housing Type Residential. The Coliseum Area Redevelopment Plan would also be amended to reflect this change. The zoning designation of the site would change from M-20/S-4 to R-40. According to the General Plan, the Mixed Housing

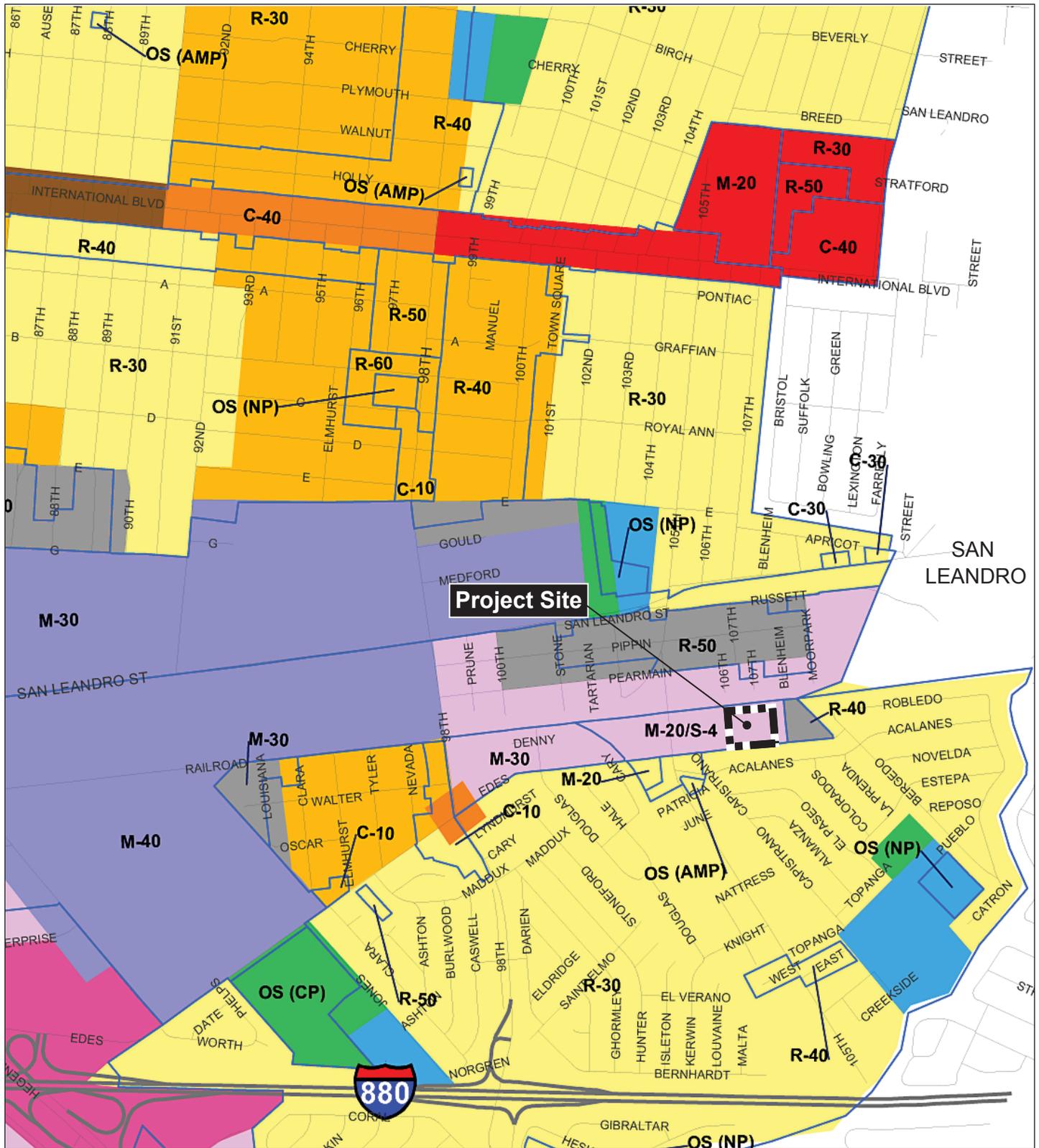


FIGURE 6

LSA



LEGEND		SPECIAL ZONING	
LAND USE		S-4 DESIGN REVIEW	
	DETACHED UNIT RESIDENTIAL	OPEN SPACE ZONING	
	MIXED HOUSING TYPE RESIDENTIAL	OS (CP) COMMUNITY PARK	
	NEIGHBORHOOD CENTER MIXED USE	OS (AMP) ACTIVE MINI-PARK	
	COMMUNITY COMMERCIAL	OS (NP) NEIGHBORHOOD PARK	
	HOUSING AND BUSINESS MIX	COMMERCIAL ZONING	
	REGIONAL COMMERCIAL	C-10 LOCAL RETAIL	
	BUSINESS MIX	C-30 DISTRICT SHOPPING	
	GEN INDUSTRIAL/TRANSPORTATION	C-40 COMMUNITY THOROUGHFARE	
	INSTITUTIONAL	INDUSTRIAL ZONING	
	URBAN OPEN SPACE	M-20 LIGHT	
	ZONING	M-30 GENERAL	
RESIDENTIAL ZONING		M-40 HEAVY	
R-30 ONE-FAMILY			
R-40 GARDEN APT.			
R-50 MED DENSITY			
R-60 MED HIGH DENSITY			

10800 Edes Avenue
Residential Project IS/ND
Oakland Land Use
and Zoning Map

Type designation is “intended to create, maintain, and enhance residential areas typically located near the City’s major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate.” The proposed Zoning Ordinance amendment would ensure consistency with the General Plan; the proposed residential density within the project site (16.69 units/acre) would not exceed that permitted by the General Plan for areas designated for Mixed Housing Type (30 units/acre).

The General Plan’s Noise Element provides further guidance with respect to land use compatibility to surrounding uses; specifically, this element seeks to ensure that new or additional uses of land in Oakland are compatible with their surrounding environment so as not to create or induce noise levels in exceedance of the City’s recommended maximum levels. According to Figure 6, Noise-Land Use Compatibility Matrix, of the General Plan’s Noise element, residential development should generally be discouraged in areas with a day-night average sound level of 70 decibels or higher *unless* a detailed analysis of noise-reduction requirements is conducted *and* highly-effective noise reduction measures are included in the design. As discussed at greater length below in Section XI, Noise, the proposed project includes recommended measures sufficient to achieve acceptable reductions in noise levels at the project site. In addition, a residential project has already been approved and constructed on the adjacent parcel, as previously discussed, demonstrating the acceptability of siting residential uses in a location similar to the project area.

The proposed project is also consistent with the goals of the Coliseum Area Redevelopment Plan, which seek to redevelop underutilized properties; eliminate land use conflicts between the residential and industrial edge; improve the quality of the residential environment through new construction and rehabilitation; and increase the potential for home ownership.²¹ Therefore, the proposed project would not conflict with a land use policy such that a physical environmental impact would result.

d. Habitat Conservation Plan

The project site is located in an urbanized area of Oakland and is not subject to a Habitat Conservation Plan or other natural community conservation plan.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
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X. MINERAL RESOURCES -- Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Comments: The following discussion describes potential impacts and standard conditions of approval mitigation measures relating to mineral resources.

²¹ City of Oakland, 2004. *Coliseum Area Redevelopment Project, Five Year Implementation Plan*. FY 2004-2009.

The project site is located in an urbanized portion of Oakland that has not been subject to mining activities and does not contain mineral resources. Therefore, implementation of the proposed project would not result in the loss of availability of a State-wide or locally-important mineral resource.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
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XI. NOISE -- Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Expose persons to or generate noise levels in excess of standards established in the Oakland general plan or applicable standards of other agencies (e.g., OSHA)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Violate the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding operational noise? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Violate the City of Oakland Noise Ordinance (Oakland Planning Section 17.120.050) regarding construction noise, except if an acoustical analysis is performed and all noise-related Standard Conditions of Approval imposed: During the hours of 7 p.m. to 7 a.m. on weekdays and 8 p.m. to 9 a.m. on weekends and federal holidays, noise levels received by any land use from construction or demolition shall not exceed the applicable nighttime operational noise level standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Violate the City of Oakland Noise Ordinance (Oakland Municipal Code Section 8.18.020) regarding nuisance of persistent construction-related noise? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create a vibration which is perceptible without instruments by the average person at or beyond any lot line containing vibration-causing activities not associated with motor vehicles, trains, and temporary construction or demolition work, except activities located within the (a) M-40 zone or (b) M-30 zone more than 400 feet from any legally occupied residential property (Oakland Planning Code Section 17.120.060)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Generate interior Ldn or CNEL greater than 45 dBA for multi-family dwellings, hotels, motels, dormitories and long-term care facilities (and may be extended by local legislative action to include single family dwellings) per California Noise Insulation Standards (CCR Part 2, Title 24): | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Result in a 5 dBA permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Conflict with state land use compatibility guidelines for all specified land uses for determination of acceptability of noise (Source: State of California, Governor's Office of Planning and Research, General Plan Guidelines, 2003)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
i) Be located within an airport land use plan and would expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Be located within the vicinity of a private airstrip, and would expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments: The following discussion describes potential impacts and standard conditions of approval relating to noise, and is based on the U.S. Department of Housing and Urban Development (HUD) noise assessment performed by Illingworth & Rodkin, Inc.²² for the project and the train noise and vibration analysis prepared by Illingworth & Rodkin, Inc.²³ for the project. These documents are available for public review at the City of Oakland Community and Economic Development Agency.

a., b., f., g., and h. Exposure To/Generation of Noise Levels in Excess of Standards; Ambient Noise

The project site is affected by noise from construction activities and industrial uses in the vicinity of the project site. In addition, noise from automotive, truck, and bus traffic on San Leandro Boulevard (approximately 1,250 feet to the northeast) and I-880 (approximately 3,000 feet to the southwest) also contributes to the noise environment at the project site. Results of the noise survey indicate, however, that the only significant sources of high noise levels around the site are freight and passenger trains traveling along the SPRR line at the northeast border of the project site.

There are several noise generators and sensitive noise receptors in the area adjacent to the project site. Land use to the northwest and southeast of the site is primarily industrial, with residential uses on the southwest and northeast sides. Noise levels at the project site are typically highest during the morning and mid-afternoon hours when the majority of trains pass the project site, and are lowest during the very early morning hours. Measurements were conducted from noon on March 29 to noon on March 30, 2006, and were performed approximately 55 feet from the railroad's centerline at the approximate location of the right-of-way. A review of the data indicates that approximately 16 discrete events were railroad train passbys; analysis of these data demonstrates that railroad trains were the only significant source of noise affecting the measurement. Noise levels at the site range from a day-night average sound level (L_{dn}) of 71 decibels (dBA) to a maximum level (L_{max}) of 91 dBA. Three events generated noise levels of 101 dBA, 93 dBA, and 104 dBA, occurring at approximately 1:00 PM, 5:00PM, and 12:00 AM, respectively, and were likely train horns blown for safety purposes.

As noted in Section IX, the General Plan's Noise Element provides guidance with respect to land use compatibility to surrounding uses; specifically, this element seeks to ensure that new or additional uses of land in Oakland are compatible with their surrounding environment so as not to create or induce noise levels in exceedance of the City's recommended maximum levels. According to Figure 6, Noise-Land Use Compatibility Matrix, of the General Plan's Noise element, residential development should generally be discouraged in areas with a day-night average sound level of 70 decibels or higher *unless* a detailed analysis of noise-reduction

²² Illingworth & Rodkin, Inc., 2007. *HUD Noise Assessment, Edes B Project, 10800 Edes Avenue, Oakland, California*. May 18.

²³ Illingworth & Rodkin, Inc., 2007. *Edes B Project, 10800 Edes Avenue, Oakland, California, Train Noise and Vibration Analysis*, May 18.

requirements is conducted *and* highly-effective noise-reduction measures are included in the design. In accordance with the requirements of the Noise Element the previously-cited noise study by Illingworth & Rodkin, which is used as a basis for this section, includes a detailed analysis of noise-reduction requirements to create approximately 30 dBA of noise attenuation for the interior of the proposed project's buildings.

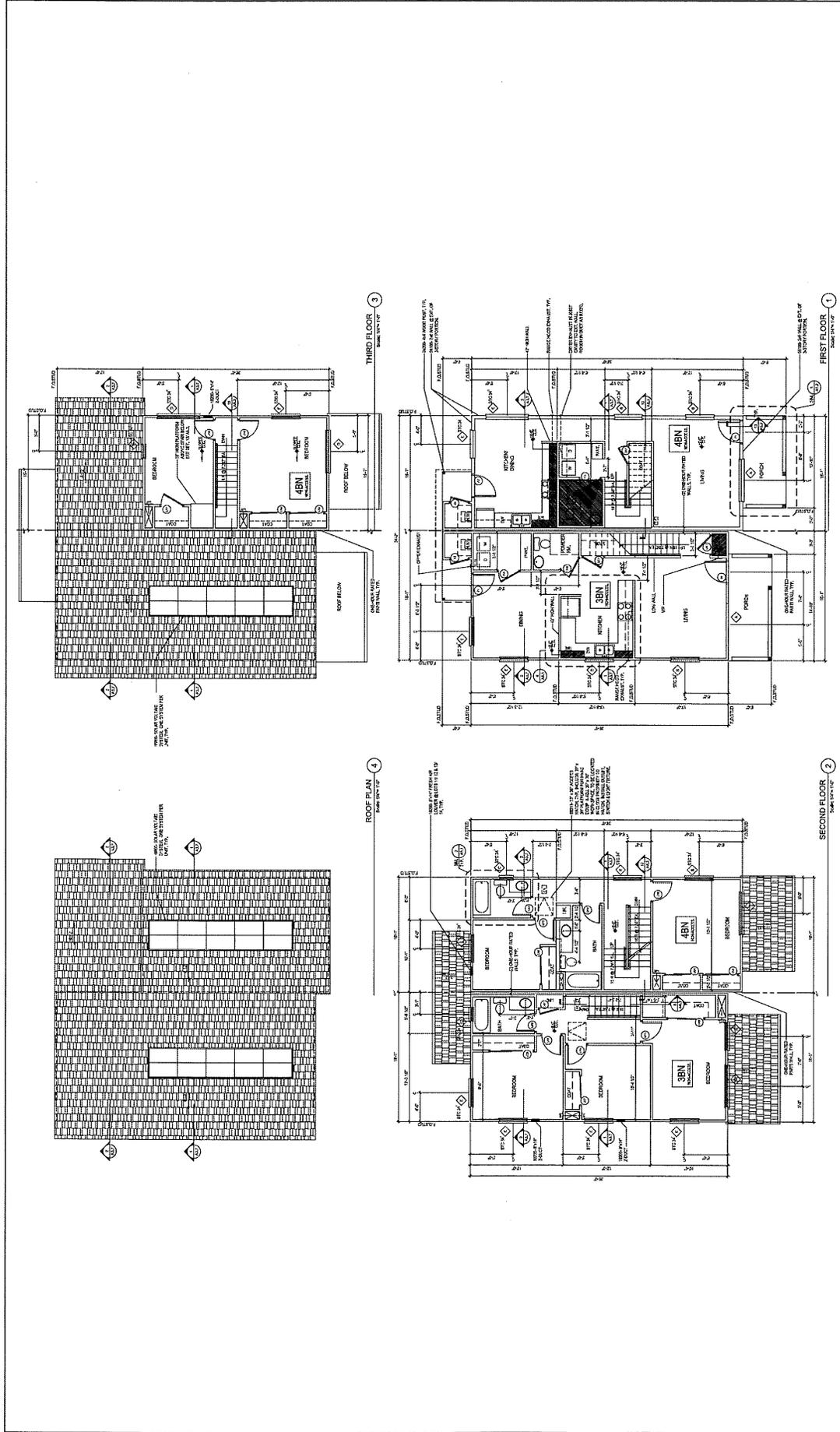
The future noise environment at the site would continue to be substantially influenced by train traffic. Common outdoor areas provided for residents would be located on the interior of the site, shielded from passing train noise by the proposed buildings. Assuming similar railroad activities in the future, exterior noise levels in the common exterior use area would be less than 65 dBA L_{dn} when accounting for increased distance from the railroad and the partial shielding provided by the residential units themselves. Exterior noise levels would meet the acceptable noise compatibility levels.

Based on the State land use compatibility noise guidelines, noise levels from 55 to 70 dBA are considered conditionally acceptable for low-density, single-family residential uses, which would be constructed as part of the project. The guidelines require that low-density, single-family projects that would be subject to noise levels between 55 dBA and 70 dBA only be undertaken "after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design." The guidelines note that conventional construction with closed windows and artificial ventilation systems typically suffice to reduce noise to acceptable levels.

The State of California Noise Insulation Standards provide sound insulation requirements which apply to construction of new attached dwellings, including buildings that would be constructed as part of the proposed project. These standards require that buildings be oriented, shielded, and designed so that, with all exterior windows and doors closed, the interior noise exposure level associated with exterior sources does not exceed 45 dBA L_{dn} . Habitable rooms include bedrooms and living spaces.

Residential units adjacent to the railroad would be exposed to day-night average exterior noise levels of 71 dBA and would require an additional 10 decibels of attenuation (70 L_{dn} to 75 L_{dn} zone) in interior spaces. Approximately 30 decibels of attenuation would be required within the interiors of those units; as previously noted, the Illingworth & Rodkin noise study conducted for this project and cited previously provides detailed analysis of attenuation requirements needed to achieve the proper level of noise reduction.

To determine the expected interior noise levels resulting from exterior noise sources, the expected outdoor-to-indoor noise reduction provided by the buildings themselves is calculated. The proposed buildings are attached single-family units with the rear of the nearest buildings oriented toward the railroad tracks. There are three floor plans; the buildings nearest the railroad tracks are building type "B", as shown in Figure 7. Rooms facing the railroad tracks would include a kitchen/dining room on the ground floor and a bedroom on the second floor. The exterior wall construction of the units is assumed to be a standard 2x4 or 2x6 wood stud wall with insulation, with a single layer of gypsum board attached to the inside of the studs and a cement board of stucco siding attached to the outside of the studs. The acoustical performance of building elements is characterized by a single number rating called the sound transmission class (STC) rating. The exterior wall assemblies planned for buildings along the property line for this project would have an STC rating of 50. Combined with these exterior wall assemblies, windows with an STC rating of 34 would achieve an outdoor-to-indoor noise reduction from 33 dBA to 39 dBA. These higher-performance windows would achieve the 30 dBA noise reduction (+10 dBA) with an adequate margin of safety. Further, the proposed homes are designed to be cooled without opening windows by using passive solar orientation, fans, and other cooling methods; the inclusion of these design elements further reduces any potentially significant noise impact that could occur during warm weather, when the potential for excess noise that may result from open windows is most likely to occur.



LSA

FIGURE 7

10800 Edes Avenue Residential Project IS/ND
 Building Type "B" Layout

UNIT TYPE 3BN
 1,240 G.S.F.

UNIT TYPE 4BN
 1,525 G.S.F.



Coupled with the detailed analysis of noise-reduction requirements previously noted, the proposed project would be subject to the following Standard Condition of Approval to achieve the necessary reduction in noise level for the proposed project. The following Standard Condition of Approval regarding interior noise will reduce potential interior noise impacts to a less-than-significant level:

Standard Condition of Approval NOISE-1: If necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls) shall be incorporated into project building design, based upon recommendations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval. Final recommendations for sound-rated assemblies will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phase.

The proposed project would result in the development of new residential uses. Ambient noise would incrementally increase on the site as a result of the anticipated population increase and associated vehicle trip increases. Noise levels would be similar to levels that currently exist in the vicinity of the project site. The traffic study for the project indicates that the project would generate a small net change in traffic, generating 217 daily vehicle trips; 19 of these trips would occur during the peak morning commute hour and 21 would occur during the peak afternoon commute hour. The noise levels associated with these vehicle trips would not expose residential uses to unacceptable noise levels, and thus no noise impact would be generated from traffic.

Additional noise generated by project traffic and residential land use would not be significant in the context of existing noise levels on the site; increases in ambient noise would be substantially less than 5 dBA. Therefore, the proposed project would not generate noise levels in excess of established standards, including those for operational noise in the City Noise Ordinance.

c. and d. Construction Noise

Construction of the proposed project would involve the use of standard construction equipment and machinery, including bulldozers, graders, and trucks. Construction activities in the project site could generate maximum noise levels of up to 96 dBA at 50 feet from the project site. Construction of the proposed project is anticipated to occur over 20 months. The actual equipment and methods may vary, depending on the contractor and on-site conditions, but most construction equipment generates comparable noise levels of 80 to 85 dBA at 50 ft. Construction activities that occur as part of the proposed project will not include pile-driving.

Construction-related noise would be a less-than-significant impact with the following Standard Condition of Approval.

Standard Condition of Approval NOISE-2: The following Standard Conditions of Approval shall be implemented:

Standard Condition NOISE-2a: The project applicant shall require construction contractors to limit standard construction activities as follows:

- Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday.
- Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with

criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division.

- Construction activity shall not occur on Saturdays, with the following possible exceptions:
 - 4.26. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division.
 - 4.27. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed.
- No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions.
- No construction activity shall take place on Sundays or Federal holidays.
- Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.
- Applicant shall use temporary power poles instead of generators where feasible.

Standard Condition NOISE-2b: To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures:

- Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).
- Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.
- Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.

- The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

Standard Condition NOISE-2c: To further reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division to ensure that maximum feasible noise attenuation will be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. The criterion for approving the plan shall be a determination that maximum feasible noise attenuation will be achieved. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official, and the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of implementing the following measures. These attenuation measures shall include as many of the following control strategies as applicable to the site and construction activity:

- Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;
- Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
- Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and
- Monitor the effectiveness of noise attenuation measures by taking noise measurements.

Standard Condition NOISE-2d: Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:

- A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours);
- A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor’s telephone numbers (during regular construction hours and off-hours);

- The designation of an on-site construction complaint and enforcement manager for the project;
- Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and
- A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.

e. Vibration

The proposed project does not include any uses that would generate long-term vibration that would be perceptible to humans at sensitive receptor locations in the vicinity of the project site. The City of Oakland has not identified quantifiable vibration limits that can be used to evaluate the compatibility of land uses with vibration levels experienced at a project site. Although there are no local standards that control the allowable vibration in a new residential development, the US Department of Transportation has developed vibration impact assessment criteria for evaluating vibration impacts associated with transit projects.²⁴ The Federal Transit Administration (FTA) has proposed vibration impact criteria based on maximum overall levels for a single event. The impact criteria for ground-borne vibration are shown in Table 2. Note that there are criteria for frequent events (more than 70 vibration events of the same source per day), occasional events (30 to 70 vibration events of the same source per day), and infrequent events (less than 30 vibrations of the same source per day).

Table 2: Groundborne Vibration Impact Criteria

Land Use Category	Groundborne Vibration Impact Levels (VdB) ^a		
	Frequent Events ^b	Occasional Events ^c	Infrequent Events ^d
Category 1: Buildings where vibration would interfere with interior operations	65 ^e	45	65
Category 2: Residences and buildings where people normally sleep	72	75	80
Category 3: Institutional land uses with primarily daytime use	75	78	83

^a VdB is used in this document to symbolize vibration decibels.

^b More than 70 vibration events of the same source per day

^c Between 30 to 70 vibration events of the same source per day

^d Less than 30 vibrations of the same source per day

^e This criterion limit is based on levels that are acceptable for most moderately-sensitive equipment such as optical microscopes. Vibration-sensitive manufacturing or research should always require detailed evaluation to define acceptable vibration levels. Ensuring low vibration levels in a building requires special design of HVAC systems and stiffened doors.

Source: US Department of Transportation, Federal Transit Administration, 2006. Transit Noise and Vibration Impact Assessment (FTA-VA-90-1003-06). May.

Groundborne vibration at the project site results from railroad train activity. Vibration measurements of railroad trains were recorded on May 2, 2007; these measurements are representative of vibration levels at ground level that would enter the proposed project's building foundations. Measurements were taken approximately 70 feet from the railroad tracks, corresponding approximately to where the building setbacks are located for residential buildings on the adjacent property. Three freight trains were measured, creating recorded vibration levels of 70, 75, and 78 VdB. Based on the results of the noise survey, as previously noted, there are less than 30 discrete train

²⁴ US Department of Transportation, Federal Transit Administration, 2006. Transit Noise and Vibration Impact Assessment (FTA-VA-90-1003-06). May.

events per day at the project site. The site is therefore classified in the Infrequent Events category; coupled with its residential use, the proposed project has a vibration threshold of 80 VdB according to the FTA. Measured vibrations did not exceed this threshold, therefore the potential impacts on the proposed project that may result from vibration are considered less than significant.

i. and j. Airport-Related Noise

The project site is located approximately 2 miles to the east of Oakland International Airport, and is not located in the vicinity of a private airstrip. Therefore, the project would not be exposed to excessive levels of airport-related noise.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
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XII. POPULATION AND HOUSING -- Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in a manner not contemplated in the General Plan either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure), such that additional infrastructure is required but the impacts of such were not previously considered or analyzed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere in excess of that contained in the City's Housing Element? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere in excess of that contained in the City's Housing Element? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comments: The following discussion describes potential impacts and standard conditions of approval relating to population and housing.

a. Induce Substantial Population Growth

Implementation of the project would result in direct population growth on the project site in association with the proposed creation of 28 new residential units. Based on the *ABAG Projections 2007* estimated average household size of 2.63 persons in Oakland, the proposed project would be expected to increase population on the site by approximately 74 persons.

According to the Association of Bay Area Governments, Oakland's population is expected to increase from 410,600 to 425,300 between 2005 and 2010 (a net increase of 14,700).²⁵ The population increase that would result from implementation of the proposed project represents less than one-tenth of one percent of this projected population growth in Oakland and would not be considered substantial. The proposed General Plan amendment would reclassify the project site from Business Mix to Mixed Housing Type Residential. Population growth on the site itself is not specifically contemplated due to the site's current designation as Business Mix, but the amendment to Mixed Housing Type Residential is not anticipated to result in substantial changes to anticipated

²⁵ Association of Bay Area Governments, 2007. *Projections 2007: Forecasts for the San Francisco Bay Area to the Year 2035.*

or real population growth in the area. However, the project could induce population growth indirectly by encouraging the conversion of nearby industrial properties to residential uses by attracting residential investment to the area, but this potential effect would likely be limited to the property located adjacent to the project site on the northwest due to its proximity to the project site. Distance and physical barriers between the project site and other industrial sites to its northeast are significant enough that the project would not likely encourage residential conversion of these sites.

The project site is currently vacant, and sits in close proximity to other residential development, multiple transit options, and job centers in Oakland. Regional planning agencies believe that the provision of housing on infill sites near job nodes reduces pressure to develop open space and increases the possibility of reduced commutes. Therefore, the development of new housing on the site would be considered a beneficial environmental impact. The proposed project would not involve the extension of infrastructure into an undeveloped area and therefore would not indirectly induce substantial population growth. Population growth associated with the proposed project would be confined to the project site.

b. and c. Displacement of People and Housing

Implementation of the proposed project would not involve the temporary displacement of persons occupying the project site, since the site is currently vacant. The proposed project includes the construction of 28 units of affordable housing on the project site where none currently exists. Therefore, the proposed project would not result in a long-term displacement of housing and would expand Oakland’s housing supply.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
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XIII. PUBLIC SERVICES -- Would the project:

a) 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:

i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments: The following discussion describes potential impacts and standard conditions of approval relating to public services.

The proposed project is located in an urban area already served by public services. The Community Services Analysis prepared for the City of Oakland’s General Plan Land Use and Transportation Element states that infill development proposed through the General Plan “horizon year” of 2015 would not impose a burden on existing

public services.²⁶ In accordance with standard City practices, the Fire Services Division would review the project plans at the time of building permit issuance, to ensure that adequate fire and life safety measures are designed into the project. In addition, prior to issuance of building permits, the applicant would contribute the required amount of school impact fees to offset any potential impacts to school facilities from the proposed project, consistent with State law and standard City practice. Private open space in courtyards as well as a central common space would be provided as part of the project. Therefore, the proposed project is not anticipated to result in significant impacts to public services.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
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XIV. RECREATION -- Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comments: The following discussion describes potential impacts and standard conditions of approval relating to recreation.

Implementation of the proposed project would incrementally increase the use of existing neighborhood parks and recreational facilities in the vicinity of the project site, but this increase is not expected to result in the substantial deterioration of the facilities. The anticipated population increase that would result from the project as noted in Section XII, above, is 74 residents. This population increase would not significantly burden local and regional recreational facilities because it is sufficiently small that existing facilities could accommodate such an increase. The project site is located approximately 2.7 miles from the MacArthur YMCA, and is within 0.5 miles of two neighborhood parks (Sobrante Park and Sempre Verde Park). Additionally, onsite common open space areas would meet some of the open space and recreation needs of the proposed project's residents.

The proposed project includes outdoor recreation space in the form of private courtyards and common space, but the development of these courtyards and common space would not result in environmental impacts beyond those already identified in this document.

²⁶ City of Oakland, 1998. *General Plan, Land Use and Transportation Element*. March 1998.

Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Incorporated</u>	Less than Significant with Standard Conditions of <u>Approval</u>	Less than Significant <u>Impact</u>	No <u>Impact</u>
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XV. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections), or change the condition of an existing street (i.e., street closures, changing direction of travel) in a manner that would substantially impact access or traffic load capacity of the street system? Specifically:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i) At a study, signalized intersection which is located outside the Downtown area , would the project cause the level of service (LOS) to degrade to worse than LOS D (i.e., E)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) At a study, signalized intersection which is located within the Downtown area , would the project cause the LOS to degrade to worse than LOS E (i.e., F)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) At a study, signalized intersection outside the Downtown area where the level of service is LOS E, would the project cause the total intersection average vehicle delay to increase by four (4) or more seconds, or degrade to worse than LOS E (i.e., F)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) At a study, signalized intersection for all areas where the level of service is LOS E, would the project cause an increase in the average delay for any of the critical movements of six (6) seconds or more, or degrade to worse than LOS E (i.e.F)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| v) At a study, signalized intersection for all areas where the level of service is LOS F, would the project cause (a) the total intersection average vehicle delay to increase by two (2) or more seconds, or (b) an increase in average delay for any of the critical movements of four (4) seconds or more; or (c) the volume-to-capacity ("V/C") ratio exceeds three (3) percent (but only if the delay values cannot be measured accurately)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| vi) At a study, unsignalized intersection, would the project add ten (10) or more vehicles and after project completion satisfy the Caltrans peak hour volume warrant? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
vii) Cause a roadway segment on the Metropolitan Transportation System to operate at LOS F or increase the V/C ratio by more than three (3) percent for a roadway segment that would operate at LOS F without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
viii) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ix) Substantially increase traffic hazards due to motor vehicles, bicycles, or pedestrians due to a design feature (e.g., sharp curves or dangerous intersections) that does not comply with Caltrans design standards or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
x) Result in less than two emergency access routes for streets exceeding 600 feet in length?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
xi) Fundamentally conflict with adopted policies, plans, or programs supporting alternative transportation (e.g. bus turnouts, bicycle routes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
xii) Generate added transit ridership that would: 1) Increase the average ridership on AC Transit lines by three (3) percent at bus stops where the average load factor with the project in place would exceed 125% over a peak thirty minute period?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
xiii) Increase the peak hour average ridership on BART by three (3) percent where the passenger volume would exceed the standing capacity of BART trains?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
xiv) Increase the peak hour average ridership at a BART station by three (3) percent where average waiting time at fare gates would exceed one minute?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a "considerable" (i.e., significant) contribution to cumulative impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments: The following discussion describes potential impacts and standard conditions of approval relating to transportation and traffic.

a. Increase Traffic in Relation to Capacity

The proposed project would not cause an increase in traffic that would be considered substantial in relation to the existing traffic load and capacity of the street system or have a significant effect on level of service (LOS).

Because the project would result in the construction of only 28 residential units, the net increase in vehicle trips would be minimal. Trip generation for the proposed project was calculated using rates reported in the Institute of Transportation Engineers (ITE) *Trip Generation, 7th Edition*. Trip generation rates for Land Use 230 (“Residential Condominium/Townhouse”) were used for the project.

“Residential/Condominium” land uses best approximate the residential land use proposed as part of the project. Trip generation for the proposed project is shown in Table 3. As shown in Table 3, the proposed project would generate 217 trips per day, including 19 AM peak hour trips and 21 PM peak hour trips.

Table 3: Project Trip Generation

Land Use	Units	AM Peak Hour			PM Peak Hour			Daily
		In	Out	Total	In	Out	Total	
Residential Condominium/Townhouse	28							
Trips/Unit ¹		0.11	0.57	0.68	0.50	0.25	0.75	7.75
Trip Generation			16	19	14		21	217
Total Project Trips			16	19	14		21	217

¹ Rates based on Land Use 230 – “Residential Condominium/Townhouse” from Institute of Transportation Engineers (ITE), *Trip Generation, 7th Edition*.

Source: LSA Associates, 2007.

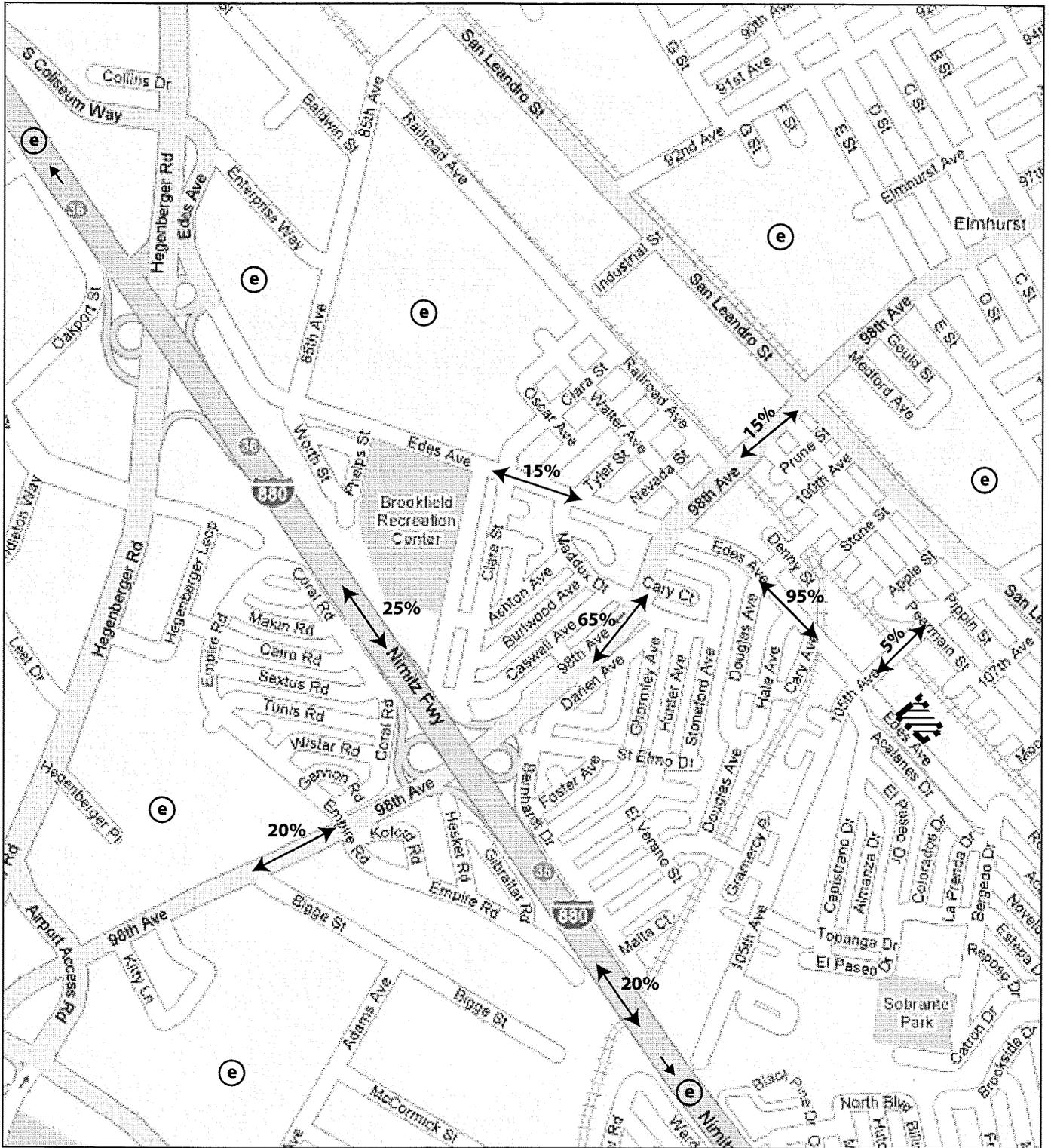
Trip distribution patterns for the proposed project were based on the location of the project in relation to surrounding land uses and the regional roadway network. Much of the project traffic would travel to and from Interstate 880 (I-880), along 98th Avenue. The expected trip distribution pattern for the proposed project is illustrated in Figure 8.

Trip assignment for project trips is the product of project trip generation multiplied by the trip distribution percentages. Figure 9 illustrates the expected daily project trip distribution. Figure 10 illustrates expected AM peak hour trip volumes and Figure 11 illustrates expected PM peak hour trip volumes. As shown in Figures 10 and 11, the project would contribute a relatively small number of trips to the local and regional roadway network during the morning and evening peak hours.

Due to the minimal number of expected vehicle trips (19 AM peak hour trips and 21 PM peak hour trips), potential impacts of the project on nearby intersection LOS is expected to be negligible. Consistent with standard City practice, potential impacts to nearby intersections are not required to be calculated for projects generating 25 or fewer peak hour trips.

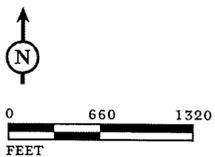
The proposed project would include the removal of debris from the project site, preparation of the site for construction, and construction activities. It is estimated that approximately 200 truck trips would be required to off-haul debris material from the project site for construction preparation and operation activities. (This number of truck trips does not include the 50 truck trips estimated to be required for remedial actions prior to project construction, as discussed in Section VII., Hazards and Hazardous Materials.) The precise duration of the off-hauling is unknown at this time, but based on similar projects, this process would be approximately 4 weeks in duration. Assuming a minimum duration of 4 weeks, the off-hauling would require approximately 10 truck trips per day. The exact number of construction-period trips that would be generated by the project has not yet been determined. However, due to the relatively small size of the project, the number of construction period trips is not expected to be significant and would not result in significant short-term changes to the operation of area roadways.

The proposed project would not cause a roadway segment on the Metropolitan Transportation System to operate at LOS F or increase the volume/capacity ratio by more than 3 percent for a roadway segment that would operate at LOS F without the project due to the relatively small number of trips generated by the project.



LSA

FIGURE 8



- LEGEND**
-  PROJECT AREA
 -  EMPLOYMENT CENTERS

10800 Edes Avenue Residential Project IS/ND
Project Trip Distribution Percentage

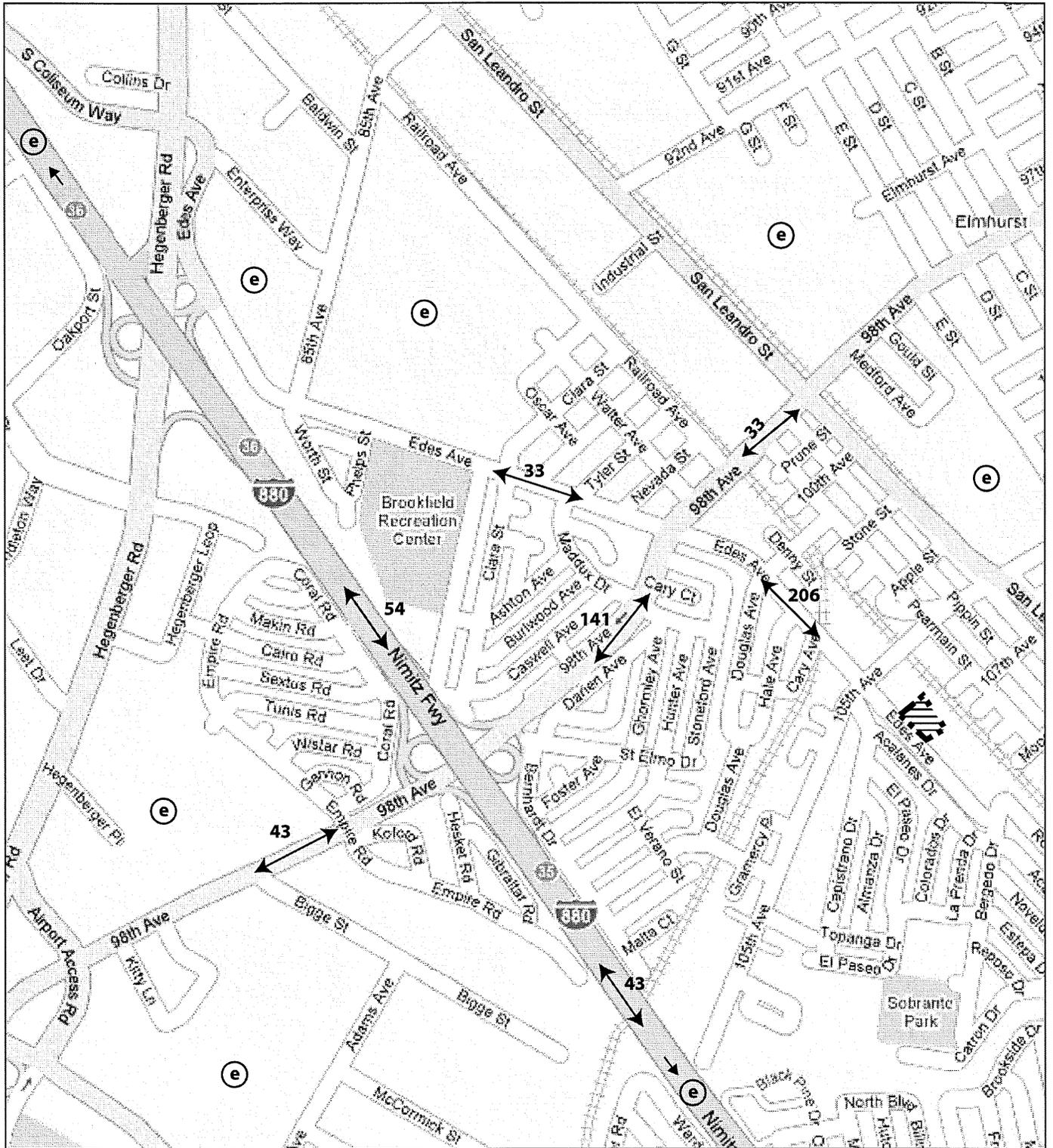
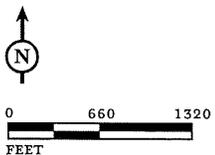


FIGURE 9

LSA



LEGEND

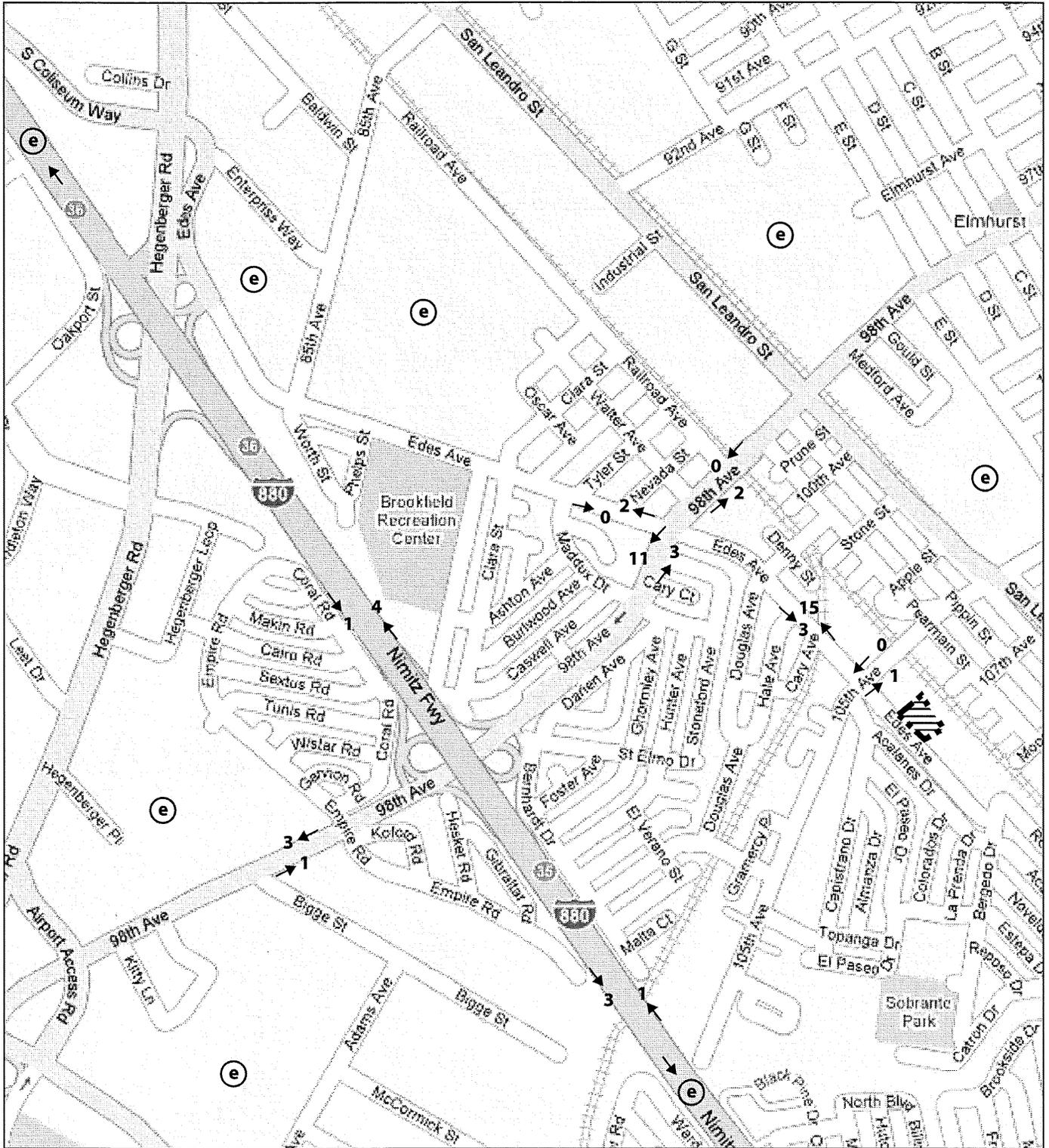


PROJECT AREA



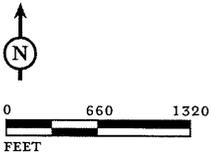
EMPLOYMENT CENTERS

10800 Edes Avenue Residential Project IS/ND
Daily Project Trips



LSA

FIGURE 10



- LEGEND**
-  PROJECT AREA
 -  EMPLOYMENT CENTERS

10800 Edes Avenue Residential Project IS/ND
AM Peak Hour Project Trips

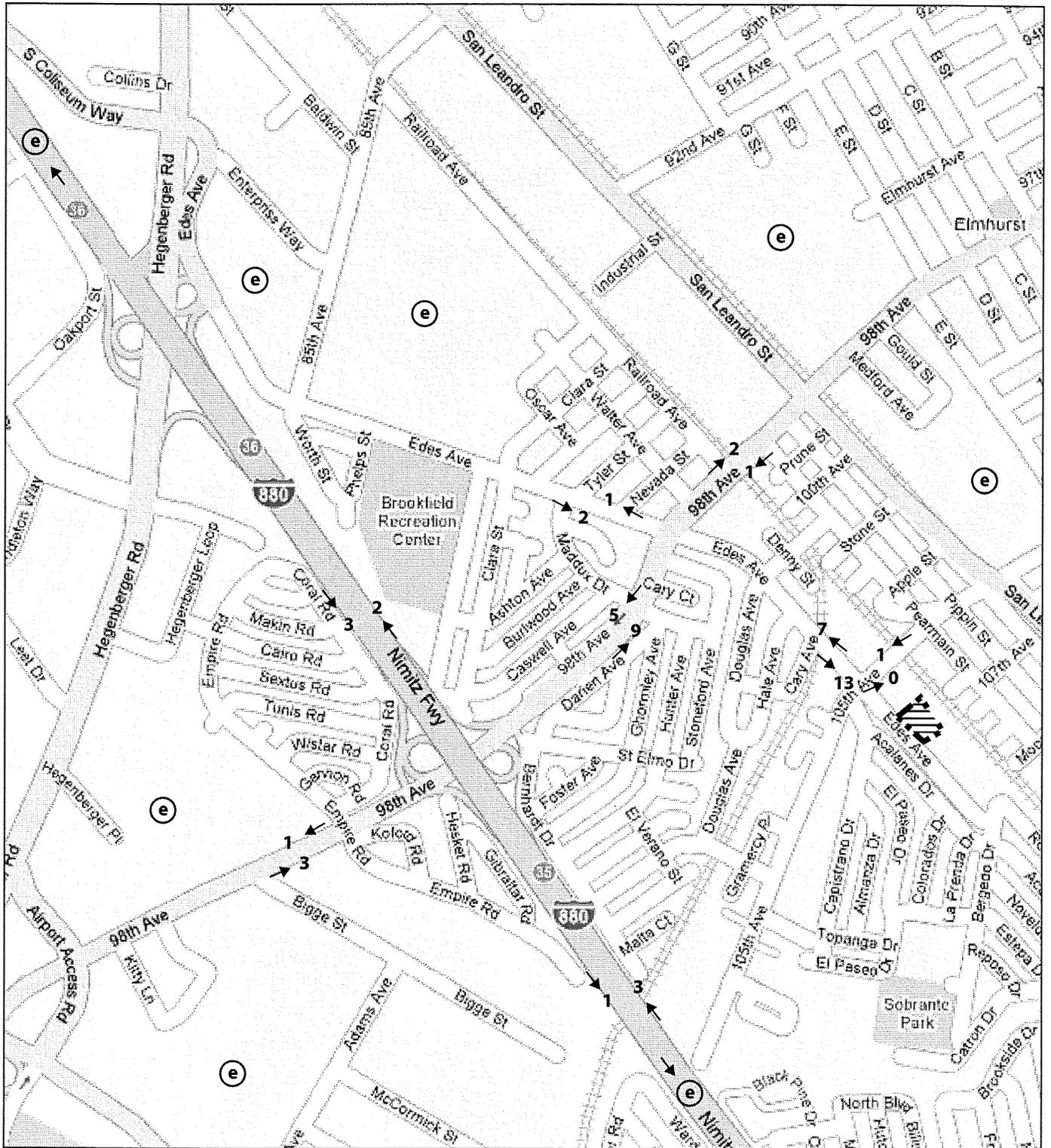
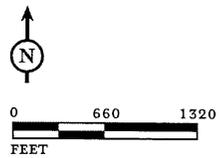


FIGURE 11

LSA



- LEGEND**
-  PROJECT AREA
 -  EMPLOYMENT CENTERS

10800 Edes Avenue Residential Project IS/ND
PM Peak Hour Project Trips

The project site is approximately 2 miles east of Oakland International Airport. Buildings on the site would be two and three stories and would not interfere with air traffic patterns. The project would also not increase traffic hazards due to any design features, would not include any roadways greater than 600 feet in length, and would not conflict with applicable policies, plans, and programs supporting alternative transportation.

The Coliseum/Oakland Airport Bay Area Rapid Transit (BART) station, located approximately 1.5 miles northwest of the project site at 7200 San Leandro Street, and the San Leandro BART station, located approximately 1 mile southeast of the project site at 1401 San Leandro Street, are the closest transit stations to the project site. The Alameda-Contra Costa Transit District's bus line 45 has scheduled stops at the corner of 105th Avenue and Edes Avenue approximately 700 feet to the northwest of the project site, as well as numerous stops along Acalanes Avenue, located one block south of the project site. The estimated increase in population of 74 persons would not constitute a significant addition to transit ridership.

b. Cumulative Impacts

The proposed project is expected to generate 19 and 21 trips in the AM and PM peak hours, respectively. The expected traffic volumes generated by the proposed project would not comprise a substantial increase in traffic related to the existing traffic load and capacity of the roadway system. The project's contribution to cumulative impacts would not be considerable (i.e., significant) due to the relatively small number of vehicle trips generated by the project. Consistent with standard City practice, a project's contribution to cumulative traffic increase is not required to be calculated for projects generating 25 or fewer peak hour trips. The minor traffic increase on local and regional roads that would result from implementation of the project would not cause a significant change in level of service.

<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less than Significant with Standard Conditions of Approval</u>	<u>Less than Significant Impact</u>	<u>No Impact</u>
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XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in construction of new storm water drainage facilities or expansion of existing facilities, construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Exceed water supplies available to serve the project from existing entitlements and resources, and require or result in construction of water facilities or expansion of existing facilities, construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments and require or result in construction of new wastewater treatment facilities or expansion of existing facilities, construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant <u>Impact</u>	Significant Unless Mitigation <u>Incorporated</u>	Significant with Standard Conditions of <u>Approval</u>	Less than Significant <u>Impact</u>	No <u>Impact</u>
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- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs and require or result in construction of landfill facilities or expansion of existing facilities, construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Violate applicable federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Violate applicable federal, state and local statutes and regulations relating to energy standards? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Result in a determination by the energy provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments and require or result in construction of new energy facilities or expansion of existing facilities, construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments: The following discussion describes potential impacts and standard conditions of approval relating to utilities and service systems.

The proposed project would be located in an urban area on an infill site that is already served by public utilities. The anticipated population increase of approximately 74 persons would result in only a marginal increase in demand for utilities from the service providers.

East Bay Municipal Utility District (EBMUD) is responsible for water deliveries to the City of Oakland, as well as most of Alameda and Contra Costa Counties. Oakland comprises approximately one-third of EBMUD's customers. Oakland's residential customers use less water per capita than residents in the drier, hotter parts of the service area, due both to weather conditions and the more dense development pattern in the City.²⁷ With conservation and reclamation programs in place, EBMUD projects a service area demand of 232 million gallons per day (MGD) by the year 2030. According to EBMUD's Urban Water Management Plan, EBMUD will be able to meet water demand during normal water years. During multiple drought years, as much as 27 MGD of additional water supply will be needed by 2030. Most of the anticipated growth is in the eastern part of the service area. The capacity does not presently exist to meet this demand. The alternatives for providing the needed capacity include additional use of reclaimed water, augmenting supplies with stored surplus groundwater, and using a portion of EBMUD's American River allocation.

Based upon the population and employment projections in the General Plan, the City's water demand is expected to increase by 6.2 MGD by the year 2015. A higher growth rate in Oakland, however, could mean lower growth rates for outlying communities in the service area, where per capita water consumption is much higher. On a regional level, the potential impacts of a more dense development pattern in Oakland, such as the moderate-density residential uses that would be developed on the project site, would be beneficial.

²⁷ City of Oakland, 1998. *City of Oakland General Plan, Land Use and Transportation Element, Volume II, Supporting Information*. March.

EBMUD has adopted a comprehensive Urban Water Management Plan that identifies a range of measures to reduce per capita consumption and manage future demand. Oakland is participating in the implementation of this Plan, through adopted policies in the Open Space, Conservation, and Recreation Element requiring water conservation and encouraging the use of reclaimed water use. Through conformance with these policies, development consistent with the Land Use and Transportation Element would result in a less-than-significant potential impact on water demand.²⁸

According to the California Integrated Waste Management Board, the average Alameda County resident produces approximately 1.21 pounds of solid waste per day. Based on this solid waste generation rate, the residents associated with the proposed project would be expected to generate approximately 90 pounds of waste per day, or approximately 32,682 pounds of waste per year. Solid waste within the City is collected by Waste Management of Alameda County. These materials are taken to the Davis Street Transfer Center in San Leandro. The Transfer Center has an average capacity of 5,600 tons of waste per day, and is operating under capacity. Waste is transferred from the Davis Street Transfer Center to the Altamount Landfill in eastern Alameda County. The landfill comprises approximately 1,528 acres and is anticipated to have sufficient capacity to operate until 2050. Therefore, the solid waste generated by the proposed project would be adequately served by existing facilities.

Any potential impacts concerning solid waste that may result from the proposed project would be further reduced to a less-than-significant level with the following Standard of Condition of Approval.

Standard Condition of Approval UTIL-1: The project applicant will submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency. Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3), and all demolition (including soft demo). The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at www.oaklandpw.com/Page39.aspx or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.

The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.

The project is located in sub-basin 86-006 of the City's sanitary sewer system. The proposed base flow submitted is 0.0092 million gallons per day; as a result, there is sufficient available sewer system capacity to accept the proposed base flow. The water system for the proposed project would have adequate pressure to meet the domestic and firewater demands of the proposed project. Any infrastructure improvements that would be required to serve the proposed project would be required by the affected public utilities prior to issuance of service

²⁸ City of Oakland, 1998. *City of Oakland General Plan, Land Use and Transportation Element*. March.

connections. In addition, the project applicant would be required to provide additional capacity or infrastructure improvements, as needed, or pay required installation and hookup fees to the affected service providers to ensure provision of adequate service prior to service connection.

Any potential impacts concerning storm drain system capacity or sanitary sewer system capacity that may result from the proposed project would be further reduced to a less-than-significant level with the following Standard Condition of Approval.

Standard Condition UTIL-2: Prior to completing the final design for the project's sewer service confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the City. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Conditions of Approval	Less than Significant Impact	No Impact
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project have the potential to 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, 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?

Comments: The following discussion describes the mandatory findings of significance for the proposed project.

As described in Section IV, Biological Resources, the project site does not contain protected plant or animal species, or associated habitat. As described in Section V, Cultural Resources, there are no identified cultural resources at the site, and any resources identified at the site during the construction period would be protected

through adherence to standard archaeological resources protection protocol expressed herein as Standard Conditions of Approval. Therefore, implementation of the proposed project would not: 1) degrade the quality of the environment; 2) substantially reduce the habitat of a fish or wildlife species; 3) cause a fish or wildlife population to drop below self-sustaining levels; 4) threaten to eliminate a plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of the major periods of California history or prehistory.

The potential impacts of the proposed project are individually limited and not cumulatively considerable. Other redevelopment projects similar to the proposed project, both in Oakland and the rest of the East Bay, would be expected to increase the residential vitality of urban neighborhoods and improve the area's housing stock. The proposed project would have beneficial impacts in conjunction with other similar planned projects.

Implementation of the proposed project could potentially cause the release of some contaminants into the environment during the construction period, which could adversely affect human health. Implementation of the Standard Conditions of Approval discussed herein would reduce this potential impact to a less-than-significant level.

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APPENDIX A

**MITIGATION MEASURES FROM
COLISEUM AREA REDEVELOPMENT PLAN EIR**

APPENDIX A

MITIGATION MEASURES FROM COLISEUM AREA REDEVELOPMENT PLAN EIR

The project site is located in the Coliseum Redevelopment Project Area and is subject to the applicable mitigation measures contained in the Coliseum Area Redevelopment Plan EIR. These mitigation measures are listed below.*

Traffic and Circulation (Transportation System Management)

- 4.4.4. Require developers or projects within the Coliseum Redevelopment Area to provide bus turnouts and bicycle/pedestrian facilities as appropriate.

Note: The project design implements Mitigation Measure 4.4.4. by providing a new sidewalk along the frontage of the project site on Edes Avenue where no sidewalk currently exists. There would be adequate area on each proposed lot to accommodate secure bicycle parking for the residents and visitors. There is no bus service on Edes Avenue that would benefit from the incorporation of bus turnouts along the frontage of the project site.

Traffic and Circulation (Parking Facilities)

- 4.4.1. Development of the land uses due to implementation of the Redevelopment Plan within each target area may include off-street parking appropriate for the type of uses involved and their proximity to and likely propensity to be served by transit facilities.
- 4.4.2. Existing on-street parking should not be relied upon heavily to support the parking demands of development due to implementation of the Redevelopment Plan. Even if existing or future on-street parking spaces were to be available, future traffic conditions could necessitate the removal of curb parking to accommodate traffic lanes. Therefore, off-street parking facilities to adequately accommodate the full future parking demands may be provided for all development due to implementation of the Redevelopment Plan.

Note: The project design implements Mitigation Measures 4.4.1. and 4.4.2. by providing adequate off-street parking for residents in compliance with the zoning regulations and adequate on-site on-street parking for residents and visitors. The project would not need to rely upon public on-street parking along Edes Avenue to meet the parking demands of the project.

Energy (Operational and Construction Energy)

- 4.12.2. Buildings may be designed to utilize solar energy to the extent possible, by ensuring solar access and by properly orienting windows. Building walls and windows may be chosen from the appropriate energy reflecting and absorbing material types for maximum energy conservation.

Note: The project design implements Mitigation Measure 4.12.2. by incorporating roof-top solar collectors.

* The Coliseum Area Redevelopment Plan EIR (certified in 1995) contains additional mitigation measures related to traffic/circulation, air quality, noise, hazardous materials, hydrology, cultural resources, energy, and public utilities that would otherwise be applicable to the project but are not listed in this appendix because the additional mitigation measures are functionally equivalent to the City's current standard conditions of approval.

- 4.12.4. Window systems may be designed and other means may be used to reduce thermal gain and loss, and thus cooling loads, during warm weather and heating loads during cold weather.

Note: The project design implements Mitigation Measure 4.12.4. The buildings are designed to be cooled by passive solar orientation, eaves and awnings, thermal mass floors, insulation, radiant barriers, and whole-house fans.

- 4.12.5. The total amount of concrete and asphalt paving may be minimized. These areas collect and re-radiate heat from the sun. Grass and trees, in place of paved areas, cool the air in summer, and shield structures from wind, thus reducing heating requirements in winter.

Note: The project design implements Mitigation Measure 4.12.5. by minimizing the amount of paved area on the project. A sizeable landscaped area is proposed in the central portion of the site and the proposed driveways would be paved only with tire strips. Abundant landscaping, including trees, is also proposed.

- 4.12.6. Light-colored architectural treatments of interior surfaces may be used to reflect more light, reducing lighting requirements and increasing apparent light. The use of skylights may also be considered which can reduce or eliminate the need for lighting. For exterior lighting, low-sodium lamps may be used which require less energy than other types of outdoor lighting.

Public Utilities (Water Supply)

4.13.1. Interior Measures:

- Low flow plumbing (toilets and shower heads) should be installed in residential and commercial development.
- Pressure-reducing valves should be installed to maintain interior water pressure at 50 pounds per square inch (psi) or less.
- Drinking fountains should be equipped with self-closing valves.

4.13.2. Exterior Measures:

- Low water-using plants should be used for landscaping.
- Lawn and turf area should be limited in the landscaping design of business and residential uses.
- Efficient irrigation systems should be installed to minimize evaporation.

Public Services (Police Protection)

- 4.14.1. During construction, 24-hour-a-day security patrol should be provided for all construction sites to deter theft of equipment and personal property.