ATTACHMENT C

STANDARD CONDITIONS OF APPROVAL MITIGATION MONITORING PLAN (SCAMMRP)

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General		
SCA GEN-1 (Standard Condition Approval 17) *Regulatory Permits and Authorizations from Other Agencies* Requirement: The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.	Prior to activity requiring permit/authorization from regulatory agency.	City of Oakland Bureau o applicable regulatory ag
A. Land Use, Plans, and Policies		
No 2009 EIR Mitigation Measures or new SCAs apply to the proposed Project.		
B. Transportation		
2009 EIR Mitigation Measure B.10 *(Traffic Management Strategies):* Prior to initiation of each phase of development, the project applicant and construction contractor shall meet with the Traffic Engineering and Parking Division of the Oakland Public Works Agency and other appropriate City of Oakland and non-City agencies (e.g., Caltrans) to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the City Traffic Engineering Division. The plan shall include at least the following items and requirements: • A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. In addition, the information shall include a construction	Prior to issuance of the first demolition, grading or building permit in the respective development parcel; to be included as a standard part of all building and grading permit plans and specifications.	City of Oakland Bureau o

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staging plan for any right-of-way used on the Embarcadero, including sidewalk and lane intrusions and/or closures. • Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur. • Location of construction staging areas for materials, equipment, and vehicles (must be located on the project site). • Identification of haul routes for movement of construction vehicles that would minimize impacts on vehicular and pedestrian traffic, circulation and safety; and provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project applicant. • Temporary construction fences to contain debris and material and to secure the site. • Provisions for removal of trash generated by project construction activity. • A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. • Provisions for monitoring surface streets used for truck routes so that any damage and debris attributable to the trucks can be identified and corrected. • Provisions for coordination with BART to reduce, as needed, adverse effect on access to the Lake Merritt BART Station.		
SCA TRA-1 (Standard Condition of Approval 82) *Construction Activity in the Public Right-of-Way* ***a. Obstruction Permit Required*** Requirement: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops. ***b. Traffic Control Plan Required***	a. Prior to approval of construction-related permit. b. Prior to approval of construction-related permit. c. Prior to building permit final.	City of Oakland Departm

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Requirement: In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian accommodations (or detours, if accommodations are not feasible), including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The Traffic Control Plan shall be in conformance with the City's Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists, and Bus Facilities in Construction Zones. The project applicant shall implement the approved Plan during construction. *c. **Repair of City Streets*** Requirement: The project applicant shall repair any damage to the public right-of way, including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.		
Also **SCA REC-1, Access to Parks and Open Space**. See *Public Services and Recreation*, below.		
C. Air Quality		
SCA AIR-1 (Standard Condition of Approval 22) *Dust Controls – Construction-Related.* Requirement: The project applicant shall implement all of the following applicable dust control measures during construction of the project: a) Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.	During construction.	City of Oakland Bureau

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b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. d) Limit vehicle speeds on unpaved roads to 15 miles per hour. e) All excavation, grading, and/or demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph. f) All trucks and equipment, including tires, shall be washed off prior to leaving the site. g) Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel. h) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.		
[ENHANCED CONTROLS: All "Basic" controls listed above plus the following controls if the project involves: • **Extensive site preparation (i.e., the construction site is four acres or more in size); or** • **Extensive soil transport (i.e., 10,000 or more cubic yards of soil import/export).]** i) Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities. j) Apply and maintain vegetative ground cover (e.g., hydroseed) or non-toxic soil stabilizers to disturbed areas of soil that will be inactive for more than 10 days. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). k) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include	During construction.	City of Oakland Bureau

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holidays and weekend periods when work may not be in progress. l) When working at a site, install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of the site, to minimize wind-blown dust. Windbreaks must have a maximum 50 percent air porosity. m) Post a publicly visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours. n) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe. o) Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. Plant vegetation in areas designated for landscaping as soon as possible and water appropriately until vegetation is established.		
SCA AIR-2 (Standard Condition of Approval 23) ***Criteria Air Pollutant Controls - Construction and Operation Related.*** Requirement: The project applicant shall implement all of the following applicable basic and enhanced control measures for criteria air pollutants during construction of the project as applicable: a) Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points. b) Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use r reducing the maximum idling time to two minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of	During construction.	City of Oakland Bureau

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Regulations ("California Air Resources Board Off- Road Diesel Regulations"). c) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. Equipment check documentation should be kept at the construction site and be available for review by the City and the Bay Area Air Quality District as needed. d) Portable equipment shall be powered by grid electricity if available. If electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand. e) Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings. f) All equipment to be used on the construction site shall comply with the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") and upon request by the City (and the Air District if specifically requested), the project applicant shall provide written documentation that fleet requirements have been met. i.		
SCA AIR-3 (Standard Condition of Approval 24), ***Toxic Air Contaminant Controls-Construction.*** ***a. Particulate Matter Reduction Measures*** Requirement: The project applicant shall implement appropriate measures during construction to reduce potential health risks to sensitive receptors due to exposure to diesel particulate matter (DPM) and particulate matter less than 2.5 microns in diameter (PM2.5) in exhaust and fugitive emissions from construction activities. The project applicant shall choose to implement I or both ii and iii: i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with current guidance from the California Air Resources Board (CARB), the Office of Environmental	Prior to issuance of a construction related permit (i), during construction (ii)	City of Oakland Bureau o Approval) City of Oakland Bureau o (Monitoring/Inspection).

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Health and Hazard Assessment, and the Bay Area Air Quality Management District (BAAQMD) to determine the health risk to sensitive receptors exposed to DPM and PM2.5 from exhaust and fugitive emissions from project construction. The HRA shall be based on project-specific construction schedule, equipment, and activity data. Estimated project-level health risks shall be compared to the City's health risk significance thresholds for projects. The HRA shall be submitted to the City (and the Air District if specifically requested) for review and approval. If the HRA concludes that the health risk is at or below the City's health risk significance thresholds for projects, then DPM and PM2.5 reduction measures are not required. If the HRA concludes that the health risk exceeds the City's health risk significance thresholds for projects, DPM and PM2.5 reduction measures shall be identified to reduce the health risk to below the City's health risk significance thresholds as set forth under subsection b below. Identified DPM and PM2.5 reduction measures shall be submitted to the City for review and approval prior to the issuance of building permits and the approved DPM and PM2.5 reduction measures shall be implemented during construction. -or- ii. The project applicant shall incorporate the following health risk reduction measures into the project to reduce TAC emissions from construction equipment. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City: • All off-road diesel equipment shall be equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by CARB. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications. This shall be verified through an equipment inventory submittal and Certification Statement that the Contractor agrees to		

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compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of contract. • Where access to grid-powered electricity is available, portable diesel engines shall be prohibited and electric engines shall be used for concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, cement and mortar mixers, pressure washers, and pumps. Any other best available technology that reduces emissions offered at the time that future projects are reviewed may be included in the construction emissions minimization plan (e.g., alternative fuel sources, etc.).-and- iii. The project applicant shall implement all enhanced control measures included in SCA 20 (Dust Controls – Construction Related).		
D. Hydrology and Water Quality		
2009 EIR Mitigation Measure D.1 *(Permitting):* The project sponsor shall comply with all NPDES requirements, RWQCB General Construction Permit requirements, and all City regulations and Creek Protection Permits requirements.	Prior to issuance of a grading permit.	City of Oakland Bureau o of Building
2009 EIR Mitigation Measure D.2 *(Dredge Permitting):* The project sponsor shall obtain and comply with all water quality certification and requirements required for dredging activities, which shall include a Section 404 permit process pursuant to the Army Corps of Engineers (Corps) and pursuant to the oversight, permitting, and approval of the Dredged Material Management Office (DMMO).	As part of the permit review and approval process, prior to commencing in-water work, if applicable.	City of Oakland Bureau o of Building
2009 EIR Mitigation Measure D.5 *(Landscape Management Plan):* The project sponsor shall prepare a landscape management plan (LMP) for all public open spaces that includes, but is not necessarily limited to, a description of application, storage, and safety measures involving the use of pesticides and fertilizers. The LMP shall include but not be limited to the following:	Prior to issuance of a grading permit.	City of Oakland Bureau o of Building

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• Transportation and storage: Pesticides and fertilizers shall be transported and stored as per state and federal guidelines. They shall be stored in designated bermed areas onsite. • Pesticide Application: Pesticides and fertilizers shall be handled and applied according to the procedures set by the manufacturer. The LMP shall address methods to optimize and reduce the use of pesticides and fertilizers and present strategies to incorporate environmentally-safe (organic) pest and growth enhancement materials. These strategies shall address eventually eliminating the use of chemicals such as diazinon that harm water quality. The RWQCB has found that the pesticides have a reasonable potential to cause or contribute to exceedances of water quality standards. • Therefore, the NPDES permit requires the City of Oakland (as a permittee) to address pesticides. The project sponsor shall adhere to the Diazinon Pollutant Reduction Plan or the Pesticide Plan submitted by the ACCWP to the RWQCB. The goals of the Pesticide Plan and of its resulting implementing actions are to reduce or substitute pesticide use (especially diazinon use) with less toxic alternatives (ACCWP, 2003). • The Plan shall identify pesticide and fertilizer application schedules. • Container Disposal: The contractor shall dispose of empty containers carefully. The containers shall never be disposed at locations that would contaminate natural waterways. • The LMP and its recommendations for use, control, and eventual reduction of nonorganic pesticide and fertilizer use shall be approved by the City prior to installing the landscape and shall be implemented throughout the life of the project.		
2009 EIR Mitigation Measure D.6 *(Dewatering Permitting):* The project sponsor shall comply with NPDES permit requirements by the RWQCB for dewatering activities.	Throughout construction.	City of Oakland Bureau o of Building
SCA HYD-1 (Standard Condition of Approval 67): Bay Conservation and Development Commission (BCDC) Approval. The project applicant shall obtain the necessary permit/approval, if required, from the Bay Conservation and Development Commission (BCDC) for work within BCDC's jurisdiction to address issues such as but not limited to shoreline	Prior to activity requiring permit/approval from BCDC.	Initial Approval: Approv approval submitted to Bu Monitoring/Inspection: B

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public access and sea level rise. The project applicant shall submit evidence of the permit/approval to the City and comply with all requirements and conditions of the permit/approval.		
SCA HYD-2 (Standard Condition of Approval 66): Structures in a Flood Zone. The project shall be designed to ensure that new structures within a 100-year flood zone do not interfere with the flow of water or increase flooding. The project applicant shall submit plans and hydrological calculations for City review and approval with the construction-related drawings that show finished site grades and floor elevations elevated above the Base Flood Elevation (BFE).	Prior to approval of construction-related permit.	City of Oakland Bureau o
SCA HYD-3 (Standard Condition of Approval 54): Erosion and Sedimentation Control Plan for Construction. Requirement: The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.	Prior to approval of construction-related permit.	City of Oakland Bureau o
SCA HYD-4 (Standard Condition of Approval 56) State Construction General Permit. Requirement: The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.	Prior to approval of construction-related permit.	Initial Approval: State W Board; evidence of comp Bureau of Building Monitoring/Inspection: S Control Board
SCA HYD-5 (Standard Condition of Approval 60) NPDES C.3 Stormwater Requirements for Regulated Projects. *a. Post-Construction Stormwater Management Plan Required* Requirement: The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the	Prior to approval of construction-related permit.	City of Oakland Bureau o of Building (Initial Appr City of Oakland Bureau o (Monitoring/Inspection.

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approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following: i. Location and size of new and replaced impervious surface; ii. Directional surface flow of stormwater runoff; iii. Location of proposed on-site storm drain lines; iv. Site design measures to reduce the amount of impervious surface area; v. Source control measures to limit stormwater pollution; vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and vii. Hydromodification management measures, if required by Provision C.3, so that post- project stormwater runoff flow and duration match pre-project runoff.		
b. Maintenance Agreement Required Requirement: The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following: i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.	Prior to building permit final.	City of Oakland Bureau
E. Cultural Resources		
2009 EIR Mitigation Measure E.1a *(Cultural Resource Evaluation):* An archival cultural resource evaluation shall be implemented prior to the start of construction or other ground-disturbing activities to identify whether historic or unique archaeological resources exist within the	Prior to the issuance of a building or grading permit.	City of Oakland Bureau of Building

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project site. The archival cultural resource evaluation, or "sensitivity study," shall be conducted by a cultural resource professional approved by the City and who meets the Secretary of the Interior's Professional Qualifications Standards for Prehistoric and Historical Archaeology. The purpose of the archival cultural resource evaluation is to: (1) identify documentation and studies to determine the presence and location of potentially significant archaeological deposits; (2) determine if such deposits meet the definition of a historical resource under CEQA Guidelines Section 15064.5 or a unique archaeological resource under CEQA Section 21083.2(9); (3) guide additional archaeological work, potentially including pre-construction subsurface archaeological investigation if warranted, to recover the information potential of such deposits; and (4) define an archaeological monitoring plan, if warranted. A pre-construction meeting shall occur with the cultural resource professional and the City regarding the findings of the evaluation, and shall include consultation with and considerations of the Department of Toxic Substances (DTSC), the Lead Agency for the environmental cleanup activities on the project site. If excavation is the only feasible means of data recovery, such excavation shall be in accord with the provisions of CEQA Guidelines Section 15126.4(b)(3)(C). Any additional archaeological work and or monitoring shall be pursuant to a plan approved by the City. If a pre- constructing testing program is deemed necessary by the qualified professional as a result of the archival study, it shall be guided by archival study and shall use a combination of subsurface investigation methods (including backhoe trenching, auguring, and archaeological excavation units, as appropriate.) If monitoring of any areas during ground disturbing activities is determined to be required based on the results of the archival evaluation and the pre-construction testing, the monitoring will be conducted by a qualified cultural resources professional and the monitoring plan will include appropriate provisions for evaluating any archaeological deposits, consultation with the City, and any necessary data recovery program.		
2009 EIR Mitigation Measure E.1b *(Environmental Training):* Prior to the commencement of ground distributing activities, all construction personnel shall receive environmental training from a cultural resource professional approved by the City and who meets the Secretary of the Interior's Professional Qualifications Standards for Prehistoric and Historical Archaeology. The purpose of the environmental training is to	Prior to the issuance of a building or grading permit	City of Oakland Bureau o of Building

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inform all construction personnel of the possibility of encountering historical resources. All construction personnel specifically involved in onsite activities that may uncover prehistoric resources shall be trained in the identification of prehistoric resources and immediate actions required if potential resources are found.		
SCA CUL-1 (Standard Condition of Approval 38): Archaeological and Paleontological Resources – Discovery During Construction Requirement: Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable.	During construction.	City of Oakland Bureau

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Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional at the expense of the project applicant.		
SCA CUL-2 (Standard Condition of Approval 40): Human Remains – Discovery During Construction Requirement: Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.	During construction.	City of Oakland Bureau o
F. Geology, Soils and Seismicity; Mineral Resources		
2009 EIR Mitigation Measure F.1: *(Site Geotechnical Investigation)* A site-specific, design level geotechnical investigation for each site area (which is typical for any large development project) shall be required as part of this project. Each investigation shall include an analysis of expected ground motions at the site from known active faults. The analyses shall be in accordance with applicable City ordinances and policies and consistent with the most recent version of the California Building Code ,which requires structural design that can accommodate ground accelerations expected from known active faults. In addition, the investigations shall		

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determine final design parameters for the walls, foundations, foundation slabs, and surrounding related improvements (utilities, roadways, parking lots and sidewalks). The investigations shall be reviewed and approved by a registered geotechnical engineer. All recommendations by the project engineer and geotechnical engineer shall be included in the final design. Recommendations that are applicable to foundation design, earthwork, and site preparation that were prepared prior to or during the project design phase, shall be incorporated in the project. The final seismic considerations for the site shall be submitted to and approved of by the City of Oakland Building Services Division prior to the commencement of the project.		
2009 EIR Mitigation Measure F.2: *(Building Site Geotechnical Investigation)* Prepare an updated site specific, design level geotechnical investigation for each building site to consider the particular project designs and provide site specific engineering recommendations for mitigation of liquefiable soils. Liquefiable soils under the conditions described in the geotechnical report shall be mitigated using various proven methods to reduce the risk of liquefaction. Liquefaction mitigation measures include subsurface soil improvement, deep foundations, structural slabs, and soil cover. Site improvement methods to address potential liquefaction include dynamic compaction, compaction grouting, jet grouting, and vibroflotation can significantly reduce the risk of liquefaction. Deep foundations extending below the liquefiable layers can be designed to support structures despite the occurrence of liquefaction. Structural slabs are designed to span across areas of non-support, such as in the case of liquefaction or settlement. The presence of a sufficiently thick, engineered fill layer over liquefiable soil can reduce the potential for damage at the ground surface due to liquefaction by helping to bridge across isolated liquefaction zones. Other methods of mitigating potential liquefaction hazards suggested in the *California Geological Survey's (CGS) Geology Guidelines for Evaluating and Mitigating Seismic Hazards* (CGS Special Publication 117, 1997) include edge containment structures (berms, dikes sea walls, retaining structures, compacted soil zones), removal or treatment of liquefiable soils, modification of site geometry, lowering the groundwater table, in-situ ground densification, deep foundations, reinforced shallow foundations, and structural design that can accommodate predicted displacements (CDMG, 1997). These measures shall be evaluated during the site specific geotechnical investigation and the most effective, practical and economical methods		

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should become part of the project. Prior to incorporation into the project, geotechnical engineering recommendations regarding the mitigation and reduction of liquefaction for each site shall be reviewed for compliance with the CGS Geology Guidelines. The purpose of these guidelines is to protect the public safety from seismic effects such as liquefaction.		
2009 EIR Mitigation Measure F.3: *(Standard Geotechnical Practices)* As with standard geotechnical practices, site specific geotechnical investigations and reports would be required in order to obtain permits from the City of Oakland. Such geotechnical investigations and reports prepared for the project site shall include generally accepted and appropriate engineering techniques for determining the susceptibility of the project site to settlement and reducing its effects. Where settlement and/or differential settlement is predicted, mitigation measures such as lightweight fill, geofoam, surcharging, wick drains, deep foundations, structural slabs, hinged slabs, flexible utility connections, and utility hangers could be used. These measures shall be evaluated and the most effective, feasible, and economical measures shall be recommended. Engineering recommendations shall be included in the project engineering and design plans. All construction activities and design criteria shall comply with applicable codes and requirements of the 1997 UBC with California additions (Title 22), and applicable City construction and grading ordinances.		
2009 EIR Mitigation Measure F.4: *(Dredge Permitting)* Any dredged material used for fill will have to undergo an appropriate process of consolidation and stabilization to render it suitable for the support of engineered fill. A geotechnical investigation and report will be required in order to obtain permits from the City of Oakland in addition to the Dredged Material Management Office permitting requirements. The geotechnical investigations and reports prepared for the project site shall include generally accepted and appropriate engineering techniques for determining the susceptibility of the project specific site to settlement and reducing its effects. Engineering recommendations shall be included in the project engineering and design plans. The use of dredged materials as fill shall be limited to open space areas.		
2009 EIR Mitigation Measure F.5: *(Permitting)* Consistent with Mitigation Measure D.1 (which addresses construction-related water quality impacts), the project sponsor shall comply with all applicable NPDES requirements, RWQCB General Construction Permit requirements, and		

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all City regulations, including Creek Protection Permits, as detailed in Mitigation D.1.		
SCA GEO-1 (Standard Condition of Approval 42): Construction-Related Permit(s) Requirement: The Project applicant shall obtain all required construction-related permits/approvals from the City. The Project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.	Prior to approval of construction-related permit.	City of Oakland Bureau o
SCA GEO-2 (Standard Condition of Approval 45): Seismic Hazards Zone (Landslide/Liquefaction) Requirement: The project applicant shall submit a site-specific geotechnical report, consistent with California Geological Survey Special Publication 117 (as amended), prepared by a registered geotechnical engineer for City review and approval containing at a minimum a description of the geological and geotechnical conditions at the site, an evaluation of site-specific seismic hazards based on geological and geotechnical conditions, and recommended measures to reduce potential impacts related to liquefaction and/or slope stability hazards. The project applicant shall implement the recommendations contained in the approved report during project design and construction.	Prior to approval of construction-related permit.	City of Oakland Bureau o
Also **SCA HYD-3, Erosion and Sedimentation Control Plan for Construction,** see *Hydrology and Water Quality,* above.		
Also **SCA HYD-4, State Construction General Permit,** see *Hydrology and Water Quality*, above.		
G. Noise		
SCA NOI-1 (Standard Condition of Approval 69) *Construction Days/Hours* Requirement: The project applicant shall comply with the following restrictions concerning construction days and hours: a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.	During construction.	City of Oakland Bureau o

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b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday. c. No construction is allowed on Sunday or federal holidays. Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area. Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.		
SCA NOI-2: (Standard Condition of Approval 70) *Construction Noise* Requirement: The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following**:** a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible. b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are	During construction.	City of Oakland Bureau

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commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. c. Applicant shall use temporary power poles instead of generators where feasible. d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.		
SCA NOI-3 (Standard Condition of Approval 71) *Extreme Construction Noise* ***a. Construction Noise Management Plan Required*** Requirement: Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following: i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; ii. Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example	a. Prior to approval of construction-related permit. b. During construction.	City of Oakland Bureau

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and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and v. Monitor the effectiveness of noise attenuation measures by taking noise measurements. ***b. Public Notification Required*** Requirement: The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.		
SCA NOI-4 (Standard Condition of Approval 77) *Vibration Impacts on Adjacent Structures or Vibration-Sensitive Activities* Requirement: The project applicant shall submit a Vibration Analysis prepared by an acoustical and/or structural engineer or other appropriate qualified professional for City review and approval that establishes pre-construction baseline conditions and threshold levels of vibration that could damage the structure and/or substantially interfere with activities located at 5 Embarcadero. The Vibration Analysis shall identify design means and methods of construction that shall be utilized in order to not exceed the thresholds. The applicant shall implement the recommendations during construction.	Prior to construction.	City of Oakland Bureau o
H. Hazards and Hazardous Materials		
2009 EIR Mitigation Measure H.1a *(Cleanup/Health and Safety Plan)*: The applicant shall retain a qualified environmental consulting firm to prepare a cleanup plan for the contaminated soil and groundwater which would be based on a comprehensive remedial investigation report for the project area. This plan shall be approved by the appropriate regulatory agencies which may include but not be limited to the DTSC and the RWQCB. The plan shall also include the preparation of a health and safety plan to protect the workers and the public during all remediation and construction activities proposed. Following agency approval of the plan, remediation and removal work shall be conducted according to all applicable OSHA worker safety regulations. Remediation activities at the site may include, without limitation, closure	Prior to issuance of the first building permit and on-going during construction activities.	City of Oakland Bureau o of Building

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or removal of subsurface structures, excavation and disposal of contaminated materials, natural and enhanced bioremediation of soil and groundwater, restoration and improvement of shoreline structures, limited dredging of sediments, and institutional and engineering controls to prevent exposure to and migration of contaminated materials. Throughout the course of remediation and construction activities, the handling, transport, and storage of any hazardous waste or potentially hazardous waste shall be conducted appropriate to all local and state agency protocols.		
2009 EIR Mitigation Measure H.1b *(Soil Classification):* Prior to offsite disposal, the project applicant shall adequately profile excavated soils to establish the proper classification of the soils for hazardous or non-hazardous waste disposal. The soils shall be handled, stored and transported according to all applicable regulations for the appropriate classification.	Prior to issuance of the first building permit and on-going during construction activities.	City of Oakland Bureau Department of Public W
2009 EIR Mitigation Measure H.1c *(Soil Reuse/Disposal):* Soil generated by construction activities shall be stockpiled onsite and sampled prior to reuse or disposal at an appropriate facility. Any reuse of soils shall be conducted by prior approval from the appropriate state oversight agency.	Prior to issuance of the first building permit and on-going during construction activities.	City of Oakland Bureau Department of Public W
2009 EIR Mitigation Measure H.1d *(Groundwater):* Groundwater generated during construction dewatering shall be contained and transported offsite for disposal at an appropriate facility, or treated, if necessary, prior to discharge into the sanitary sewer to levels acceptable to the East Bay Municipal Utilities District.	Prior to issuance of the first building permit and on-going during construction activities.	City of Oakland Bureau Department of Public W
2009 EIR Mitigation Measure H.1e *(Dredge Sampling):* Prior to dredging any materials from the Clinton Basin, the project applicant shall retain a qualified environmental consulting firm to prepare a Sampling and Analysis Plan (SAP) as described by the Corps of Engineers (PN 99-4). The SAP shall be approved by the Dredged Material Management Office (DMMO) and shall include a proposal for a disposal location and a disposal alternatives analysis. Following agency approval of the plan, sediment removal work shall be conducted in accordance with all applicable OSHA worker safety regulations. In addition, the handling, transport, and storage of any hazardous waste or potentially hazardous waste shall be conducted consistent with ail local and state agency protocols.	Prior to issuance of the first building permit and on-going during construction activities.	City of Oakland Bureau Department of Public W

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2009 EIR Mitigation Measure H.2a *(ACM Survey):* A pre-demolition asbestos-containing materials (ACM) survey shall be performed by a state-certified asbestos consultant prior to demolition of any of the structures located on the project site. The survey shall include sampling and analysis of suspected ACMs. Abatement of known or suspected ACMs shall occur prior to demolition or construction activities that would disturb those materials. Pursuant to an asbestos abatement plan developed by a state-certified asbestos consultant and approved by the City, all ACMs shall be removed and appropriately disposed of by a state certified asbestos contractor.	Prior to issuance of the first building permit and on-going during construction activities.	City of Oakland Bureau o Department of Public Wo
2009 EIR Mitigation Measure H.2b *(LBP Survey):* The project applicant shall implement a lead-based paint (LBP) abatement plan, prepared by a qualified consultant, shall include the following components: • A pre-demolition LBP survey for all structures proposed for demolition at the project site. The survey shall include sampling and identification of suspected materials containing LBP. • Development of an abatement specification plan which shall be based on survey work and detail proposed abatement work areas and procedures. • A site Health and Safety Plan. • Containment of all abatement work areas to prohibit offsite migration of paint chip debris. • Removal of all peeling and stratified lead-based paint on building surfaces and on non-building surfaces to the degree necessary to safely and properly complete demolition activities per the recommendations of the survey. The demolition contractor shall be identified as responsible for properly containing and disposing of intact lead- based paint on all equipment to be cut and/or removed during the demolition.	Prior to issuance of the first building permit and on-going during construction activities.	City of Oakland Bureau o
2009 EIR Mitigation Measure H.2c *(PCB Survey):* A pre-demolition polychlorinated biphenyls (PCB) survey shall be performed prior to demolition of any of the structures located on the project site. The survey shall include sampling and identification of suspected PCBs. Abatement of known or suspected PCBs shall occur prior to demolition or construction activities that would disturb those materials. In the event that electrical equipment or other PCB-containing materials are	Prior to issuance of the first building permit and on-going during construction activities.	City of Oakland Bureau o Department of Public Wo

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identified prior to demolition activities they shall be removed, and shall be disposed of by a licensed transportation and disposal contractor at an appropriate hazardous waste facility.		
2009 EIR Mitigation Measure H.2d *(USTs):* When known or previously unidentified storage tanks (USTs) are encountered during construction, construction in the immediate area shall cease until the UST is removed with oversight from the City of Oakland Fire Department Hazardous Materials Unit or other applicable oversight agency. If there is any indication that the tank has leaked, then the lead agency shall direct any appropriate remediation measures. Removal of the UST shall include, to the extent deemed necessary by the lead agency, over-excavation and disposal of any impacted soil that may be associated with such tanks to a degree satisfactory to the oversight agency.	Prior to issuance of the first building permit and on-going during construction activities.	City of Oakland Bureau o Department of Public Wo
2009 EIR Mitigation Measure H.3 *(Construction BMPs-Hazards):* The use of construction best management practices shall be 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 • During routine maintenance of construction equipment, properly contain and remove grease and oils. • Properly dispose of discarded containers of fuels and other chemicals.	Prior to issuance of the first building permit and on-going during construction activities.	City of Oakland Bureau o Department of Public Wo
SCA HAZ-1 (Standard Condition of Approval 49): Hazards Materials Related to Construction Requirement: The Project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following: a. Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction; b. Avoid overtopping construction equipment fuel gas tanks; c. During routine maintenance of construction equipment, properly contain and remove grease and oils;	During construction.	City of Oakland Bureau o

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d. Properly dispose of discarded containers of fuels and other chemicals; e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.		
I. Biological Resources		
2009 EIR Mitigation Measure I.2a: *Corps-Verified Wetland Delineation.* A preliminary identification of potentially jurisdictional areas was conducted in 2004 (LSA, 2004), and the project sponsor submitted the draft potentially jurisdictional wetland delineation to the Corps in July 2005. The project sponsor shall obtain Corps verification of the preliminary identification of jurisdictional areas prior to submitting permit applications. A verified wetland delineation would be required prior to the submittal of regulatory permit applications.	During construction.	City of Oakland Bureau o
2009 EIR Mitigation Measure I.2b: *Wetland Avoidance.* Section 404 first requires that projects avoid or minimize adverse effects on jurisdictional waters to the extent practicable. To the extent feasible, the final project design shall minimize effects on wetlands and other waters in accordance with Section 404 of the Clean Water Act. Areas that are avoided shall be subject to Best Management Practices (BMPs), as described in Mitigation Measure 1.2.d below. Such measures shall include installation of silt fencing, straw wattles or other appropriate erosion and sediment control methods or devices. Equipment used for the removal of debris and concrete rip-rap along the estuary edge will be operated from land using backhoes and cranes. Construction operations	During construction.	City of Oakland Bureau o

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along Clinton Basin and Shoreline Park shall be barge- mounted or shall involve water-based equipment such as scows, derrick barges and tugs. Additionally, the existing restoration project at the southwest end of Clinton Basin, implemented by the Port of Oakland, shall be protected during construction activities. The extent of this area shall be clearly marked by a qualified biologist prior to the start of any grading or construction activities and a buffer zone established. All construction personnel working in the vicinity of the restoration area shall be informed of its location and buffer zone.		
2009 EIR Mitigation Measure I.2c: *Obtain Regulatory Permits and other Agency Approvals*. Prior to the start of construction activities for the project, the project applicant shall obtain all required permit approvals from the Corps, the RWQCB, BCDC, and all other agencies with permitting responsibilities for construction activities within jurisdictional waters of other jurisdiction areas. Permit approvals and certifications shall include, but not be limited to Section 404/Section 10 permits from the Corps, Section 401 Water Quality Certification from the RWQCB, and BCDC permit. *Section 404/ Section 10 Permits.* Permit approval from the Corps shall be obtained for the placement of dredge or fill material in waters of the U.S., if any within the interior of the project site, pursuant to Section 404 of the federal Clean Water Act. Construction along the estuary edge below MHW elevation will be considered dredging by the Corps and will require a Section 10 permit. In addition, dredging of Clinton Basin will also require a Section 10 permit. *Section 401 Water Quality Certification.* Approval of Water Quality Certification (WQC) and/or Waste Discharge Requirements (WDRs) shall be obtained from the RWQCB for work within jurisdictional waters. Preparation of the Section 401 Water Quality Certification applications will require an application and supporting materials including construction techniques, areas of impact, and project schedule. *BCDC Permit*. Permit approval from BCDC placing solid material, pilings floating structures boat docks, or other fill and/or dredging or other extraction of material from the Bay and the 100- foot shoreline band inland from mean high tide line along the length of the project site. Activities would include dredging for rebuilding the marina in Clinton Basin, and replacing the 5th Avenue marina with a new marina that will contain approximately 170 boat slips. The proposed project will include	During construction.	City of Oakland Bureau

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the removal of approximately 33,780 square feet of solid Bay fill as part of the shoreline design and the placement of 74,11O square feet of solid Bay fill for the creation of a village green at Clinton Basin. The project also includes the removal of approximately 129,920 square feet of pile-supported fill with the removal of a portion of the Ninth Avenue Terminal wharf. Additionally, floating fill will be required to create the two proposed marinas. The project will be required to comply with all BCDC permit conditions that typically include requirements to construct, guarantee and maintain public access to the bay, specified construction methods to assure safety or to protect water quality, and mitigation requirements to offset the adverse environmental impacts the project.		
2009 EIR Mitigation Measure I.2d: *Best Management Practices (BMPs*). The project applicant shall implement standard BMPs to maintain water quality and control erosion and sedimentation during construction, as required by compliance with the General National Pollution Discharge Elimination System (NPDES) Permit for Construction Activities and established by Mitigation Measure D.1 to address impacts on water quality. Mitigation measures would include, but would not be limited to, installing silt fencing along the edges of the project site to protect estuarine waters, locating fueling stations located away from potential jurisdictional features, and isolating construction work areas from the identified jurisdictional features. The project applicant shall also implement, BMPs to avoid impacts on water quality resulting from dredging activities within the Bay, and that as identified in the *Long-Term Management Strategy for the Placement of Dredged Material in the San Francisco Bay Region* (LTMS) (Corps, 2001). These BMPs include: silt fencing and gunderbooms or other appropriate methods for keeping dredged materials from leaving the project site.	During construction.	City of Oakland Bureau o
2009 EIR Mitigation Measure l.2e: *Compensatory Mitigation.* The project for temporary impacts to, and permanent loss of, waters of the U.S., including wetlands, as required by regulatory permits issued by the Corps, RWQCB, and BCDC. Measures shall include, but not be limited to 1) onsite mitigation through wetland creation or enhancement, 2) development of a Mitigation and Monitoring Plan, and 3) additional wetland creation or enhancement or offsite mitigation.	During construction.	City of Oakland Bureau o
2009 EIR Mitigation Measure I.3a: *Protection of Fish and Migrating Salmonids.* The project applicant shall implement measures for protection	During construction.	City of Oakland Bureau o

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of salmonids and Pacific herring during dredging projects and for indirect impacts on the San Francisco Bay "Essential Fish Habitat (EFH) that are identified in the Long- Term Management Strategy for the Placement of Dredged Material in the San Francisco Bay Region (LTMS) (Corps, 2001).		
2009 EIR Mitigation Measure I.5: *Roosting Bat Surveys.* Before demolition of abandoned or underused buildings on the project site, such as the Ninth Avenue Terminal building, a qualified biologist who is familiar with bat biology and who is able to recognize signs of bats using abandoned buildings shall conduct pre-demolition building surveys in order to adequately make a determination on the presence of bat nurseries. If abandoned or underused buildings slated for destruction are being used by bats as nursery sites, demolition shall be postponed until young are reared and able to forage on their own. This determination shall be made by a qualified biologist specializing in bat biology. If bats are found to be roosting in abandoned or underused buildings on the project site, the bats shall be actively relocated to a temporary roosting structure (preferably onsite) during demolition activities. In addition, permanent bat roosting structures ("bat boxes") shall be created in order to properly mitigate the effects of a loss of roosting structure. The design of the bat boxes shall conform to the specifications appropriate to the species of bats found on the project site and vicinity, and shall be approved by a qualified bat biologist knowledgeable in the design of bat boxes. The bat boxes shall conform to the architectural design of the project buildings to reduce the visibility and obtrusiveness of the boxes and to avoid vandalism or disturbance to bat colonies.	During construction.	City of Oakland Bureau
SCA BIO-1 (Standard Condition of Approval 30): *Bird Collision Reduction Measures* Requirement: The project applicant shall submit a Bird Collision Reduction Plan for City review and approval to reduce potential bird collisions to the maximum feasible extent. The Plan shall include all of the following mandatory measures, as well as applicable and specific project Best Management Practice (BMP) strategies to reduce bird strike impacts to the maximum feasible extent. The project applicant shall implement the approved Plan. Mandatory measures include all of the following: i. For large buildings subject to federal aviation safety regulations, install minimum intensity white strobe lighting with three second flash instead of solid red or rotating lights.	Prior to approval of construction-related permit	City of Oakland Bureau and Bureau of Building

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ii. Minimize the number of and co-locate rooftop-antennas and other rooftop structures.		
iii. Monopole structures or antennas shall not include guy wires.		
iv. Avoid the use of mirrors in landscape design.		
v. Avoid placement of bird-friendly attractants (i.e., landscaped areas, vegetated roofs, water features) near glass unless shielded by architectural features taller than the attractant that incorporate bird friendly treatments no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule), as explained below.		
vi. Apply bird-friendly glazing treatments to no less than 90 percent of all windows and glass between the ground and 60 feet above ground or to the height of existing adjacent landscape or the height of the proposed landscape. Examples of bird-friendly glazing treatments include the following: • Use opaque glass in window panes instead of reflective glass. • Uniformly cover the interior or exterior of clear glass surface with patterns (e.g., dots, stripes, decals, images, abstract patterns). Patterns can be etched, fritted, or on films and shall have a density of no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). • Install paned glass with fenestration patterns with vertical and horizontal mullions no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). • Install external screens over non-reflective glass (as close to the glass as possible) for birds to perceive windows as solid objects. • Install UV-pattern reflective glass, laminated glass with a patterned UV-reflective coating, or UV-absorbing and UV-reflecting film on the glass since most birds can see ultraviolet light, which is invisible to humans. • Install decorative grilles, screens, netting, or louvers, with openings no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). • Install awnings, overhangs, sunshades, or light shelves directly adjacent to clear glass which is recessed on all sides. • Install opaque window film or window film with a pattern/design which also adheres to the "two-by-four" rule for coverage.		
vii. Reduce light pollution. Examples include the following: • Extinguish night-time architectural illumination treatments during bird migration season (February 15 to May 15 and August 15 to November 30).		

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• Install time switch control devices or occupancy sensors on non-emergency interior lights that can be programmed to turn off during non-work hours and between 11:00 p.m. and sunrise. • Reduce perimeter lighting whenever possible. • Install full cut-off, shielded, or directional lighting to minimize light spillage, glare, or light trespass. • Do not use beams of lights during the spring (February 15 to May 15) or fall (August 15 to November 30) migration. viii. Develop and implement a building operation and management manual that promotes bird safety. Example measures in the manual include the following: • Donation of discovered dead bird specimens to an authorized bird conservation organization or museums (e.g., UC Berkeley Museum of Vertebrate Zoology) to aid in species identification and to benefit scientific study, as per all federal, state and local laws. • Distribution of educational materials on bird-safe practices for the building occupants. Contact Golden Gate Audubon Society or American Bird Conservancy for materials. • Asking employees to turn off task lighting at their work stations and draw office blinds, shades, curtains, or other window coverings at end of work day. • Install interior blinds, shades, or other window coverings in windows above the ground floor visible from the exterior as part of the construction contract, lease agreement, or CC&Rs. • Schedule nightly maintenance during the day or to conclude before 11 p.m., if possible. •		
SCA BIO-2 (Standard Condition of Approval 34): *Tree Removal During Bird Breeding Season* Requirement: To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the	Prior to removal of trees.	City of Oakland Bureau o of Building

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biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.		
SCA BIO-3 (Standard Condition of Approval 35): *Tree Permit* ***a. Tree Permit Required*** Requirement: Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit. ***b. Tree Protection During Construction*** Requirement: Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist: i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree. ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filling, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree. iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any	a. Prior to approval of construction-related permit b. During construction. c. Prior to building permit final	a. City of Oakland Bu b. Initial Approval: P Tree Division Monitoring/Inspec c. Initial Approval: P Tree Division Monitoring/Inspec

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protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree. iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration. v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed. vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations. *c. Tree Replacement Plantings* Requirement: Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria: i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered. ii. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye), Umbellularia californica (California Bay Laurel), or other tree species acceptable to the Tree Division. iii. Replacement trees shall be at least twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that		

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three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate. iv. Minimum planting areas must be available on site as follows: • For Sequoia sempervirens, three hundred fifteen (315) square feet per tree; • For other species listed, seven hundred (700) square feet per tree. v. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians. vi. vi. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant's expense.		
Also **SCA AES-4, Lighting.** See *Aesthetics*, below.		
Also **SCA HYD-3, Erosion and Sedimentation Control Plan for Construction,** see *Hydrology and Water Quality*, above.		
Also **SCA HYD-4, State Construction General Permit.** See *Hydrology and Water Quality*, above.		
Also **SCA HYD-5, NPDES C.3 Stormwater Requirements for Regulated Projects.** See *Hydrology and Water Quality*, above.		
J. Population and Housing		
No 2009 EIR Mitigation Measures apply to the proposed Project.		
K. Aesthetics		
SCA AES-1 (Standard Condition of Approval 18) *Trash and Blight Removal* The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multi-family residential projects, the project	Ongoing.	City of Oakland Bureau o

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applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.		
SCA AES-2 (Standard Condition of Approval 19) *Graffiti Control* a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation: i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces. ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces. iii. Use of paint with anti-graffiti coating. iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED). v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement. b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following: i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system. ii. Covering with new paint to match the color of the surrounding surface. iii. Replacing with new surfacing (with City permits if required).	Ongoing.	City of Oakland Bureau
SCA AES-3 (Standard Condition of Approval 20) *Landscape Plan* ***a. Landscape Plan Required*** The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.	a. Prior to approval of construction-related permit. b. Prior to building permit final. c. Ongoing	a. City of Oakland Bure b. City of Oakland Bure c. City of Oakland Bure

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Proposed plants shall be predominantly drought-tolerant. Specification of any street trees shall comply with the Master Street Tree List and Tree Planting Guidelines (which can be viewed at http://www2.oaklandnet.com/oakca1/groups/pwa/documents/report/oak042662.pdf and http://www2.oaklandnet.com/oakca1/groups/pwa/documents/form/oak025595.pdf, respectively), and with any applicable streetscape plan. ***b. Landscape Installation*** The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of $2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid. ***c. Landscape Maintenance*** All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.		
SCA AES-4 (Standard Condition of Approval 21): *Lighting* Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.	Prior to building permit final.	City of Oakland Bureau o
Also **SCA REC-1, Access to Parks and Open Space**. See *Public Services and Recreation*.		
L. Public Services and Recreation		
SCA REC-1 (Standard Condition of Approval 81) *Access to Parks and Open Space* Requirement: The project applicant shall submit a plan for City review and approval to enhance bicycle and pedestrian access from the project site and adjacent areas to Estuary Park. Examples of enhancements may include, but are not limited to, new or improved bikeways, bike parking,	Prior to approval of construction-related permit	City of Oakland Bureau o Oakland Department of T

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traffic control devices, sidewalks, pathways, bulb-outs, and signage. The project sponsor shall install the approved enhancements during construction and prior to completion of the project.		
M. Utilities and Service Systems, and Energy		
SCA UTIL-1 (Standard Condition of Approval 89) *Construction and Demolition Waste Reduction and Recycling* Requirement: The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of $50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.	Prior to approval of construction-related permit	Public Works Departmer Services Division
SCA UTIL-2 (Standard Condition of Approval 90) *Underground Utilities* Requirement: The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.	During construction.	City of Oakland Bureau
SCA UTIL-3 (Standard Condition of Approval 91) *Recycling Collection and Storage Space* Requirement: The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for	Prior to approval of construction-related permit.	City of Oakland Bureau Approval); City of Oakland Bureau (Monitoring/Inspection).

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construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two (2) cubic feet of storage and collection space per residential unit is required, with a minimum of ten (10) cubic feet. For nonresidential projects, at least two (2) cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten (10) cubic feet.		
SCA UTIL-4 (Standard Condition of Approval 94) *Sanitary Sewer System* Requirement: The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system.	Prior to approval of construction-related permit.	City of Oakland Public W Department of Engineeri (Initial Approval).
SCA UTIL-5 (Standard Condition of Approval 95) *Storm Drain System* Requirement: The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.	Prior to approval of construction-related permit.	City of Oakland Public W Department of Engineeri (Initial Approval).
SCA UTIL-6 (Standard Condition of Approval 96) *Recycled Water* Requirement: Pursuant to section 16.08.030 of the Oakland Municipal Code, the project applicant shall provide for the use of recycled water in the project for feasible recycled water uses unless the City determines that there is a higher and better use for the recycled water, the use of recycled water is not economically justified for the project, or the use of recycled water is not financially or technically feasible for the project. Feasible recycled water uses may include, but are not limited to, landscape irrigation, commercial and industrial process use, and toilet and urinal flushing in non-residential buildings. The project applicant shall contact the New Business Office of the East Bay Municipal Utility District (EBMUD) for a recycled water feasibility assessment by the Office of Water Recycling. If recycled water is to be provided in the project, the project drawings submitted for construction-related permits shall include the proposed recycled water system and the project applicant shall install the recycled water system during construction.	Prior to approval of construction-related permit.	City of Oakland Bureau

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SCA UTIL-7 (Standard Condition of Approval 97) *Water Efficient Landscape Ordinance (WELO)* Requirement: The project applicant shall comply with California's Water Efficient Landscape Ordinance (WELO) in order to reduce landscape water usage. For the specific ordinance requirements, see the link below: http://www.water.ca.gov/wateruseefficiency/landscapeordinance/docs/Title%2023%20extract%20-%20Official%20CCR%20pages.pdf For any landscape project with an aggregate (total noncontiguous) landscape area equal to 2,500 sq. ft. or less, the project applicant may implement either the Prescriptive Measures or the Performance Measures, of, and in accordance with the California's Model Water Efficient Landscape Ordinance. For any landscape project with an aggregate (total noncontiguous) landscape area over 2,500 sq. ft., the project applicant shall implement the Performance Measures in accordance with the WELO. *Prescriptive Measures:* Prior to construction, the project applicant shall submit the Project Information (detailed below) and documentation showing compliance with Appendix D of California's Model Water Efficient Landscape Ordinance (see page 38.14(g) in the link above). *Performance Measures:* Prior to construction, the project applicant shall prepare and submit a Landscape Documentation Package for review and approval, which includes the following a. Project Information: i. Date, ii. Applicant and property owner name, iii. Project address, iv. Total landscape area, v. Project type (new, rehabilitated, cemetery, or home owner installed), vi. Water supply type and water purveyor, vii. Checklist of documents in the package, and viii Project contacts ix Applicant signature and date with the statement: "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package." b. Water Efficient Landscape Worksheet	Prior to approval of construction-related permit.	Initial Approval: Bureau Monitoring/Inspection: E

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i. Hydrozone Information Table ii. Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use c. Soil Management Report d. Landscape Design Plan e. Irrigation Design Plan, and f. Grading Plan Upon installation of the landscaping and irrigation systems, and prior to the final of a construction-related permit, the Project applicant shall submit a Certificate of Completion (see page 38.6 in the link above) and landscape and irrigation maintenance schedule for review and approval by the City. The Certificate of Completion shall also be submitted to the local water purveyor and property owner or his or her designee.		
Also **SCA HYD-3, Erosion and Sedimentation Control Plan for Construction**. See *Hydrology and Water Quality*, above.		
Also **SCA HYD-4, State Construction General Permit**. See *Hydrology and Water Quality*, above.		
Also **SCA HYD-5, NPDES C.3 Stormwater Requirements for Regulated Projects.** See *Hydrology and Water Quality*, above.		
Also **SCA REC-1, Access to Parks and Open Space**. See *Public Services and Recreation*, above.		
N. Greenhouse Gas Emissions and Global Climate Change		
SCA GHG-1 (Standard Condition of Approval 47) *Project Compliance with the Equitable Climate Action Plan (ECAP) Consistency Checklist* Requirement: The project applicant shall implement all the measures in the Equitable Climate Action Plan (ECAP) Consistency Checklist that was submitted during the Planning entitlement phase.		
a) For physical ECAP Consistency Checklist measures to be incorporated into the design of the project, the measures shall be included on the drawings submitted for construction-related permits.	Prior to approval of construction-related permit	City of Oakland Bureau Approval) City of Oakland Bureau (Monitoring/Inspection.
b) For physical ECAP Consistency Checklist measures to be incorporated into the design of the project, the measures shall be implemented during construction.	During construction	City of Oakland Bureau Approval)

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c) For ECAP Consistency Checklist measures that are operational but not otherwise covered by these SCAs, including but not limited to the requirement for transit passes or additional Transportation Demand Management measures, the applicant shall provide notice of these measures to employees and/or residents and post these requirements in a public place such as a lobby or work area accessible to the employees and/or residents.	Ongoing	City of Oakland Bureau (Monitoring/Inspection. City of Oakland Bureau
Also **SCA AES-3, Landscape Plan**. See *Aesthetics*, above.		
Also **SCAs AIR-2, Criteria Air Pollutant Controls - Construction Related.** See *Air Quality*, above.		
Also **SCAs AIR-3, Diesel Particulate Matter Controls - Construction Related.** See *Air Quality*, above.		
Also **SCA UTIL-1, Construction and Demolition Waste Reduction and Recycling**. See *Utilities and Service Systems*, above.		
Also **SCA UTIL-7 Water Efficient Landscape Ordinance (WELO)**. See *Utilities and Service Systems*, above.		
O. Agriculture and Forestry Resources		
No 2009 EIR Mitigation Measures or new SCAs apply to the proposed Project.		