



U.S. Department of Housing and Urban Development

451 Seventh Street, SW

Washington, DC 20410

www.hud.gov

espanol.hud.gov



Environmental Assessment

Determinations and Compliance Findings for HUD-assisted Projects

24 CFR Part 58

Project Identification: 7th & Campbell Mixed Use Project
166 7th Street
Oakland, California 94607

Responsible Entity: City of Oakland

Preparer: Lamphier-Gregory

Month/Year: January 2021

Table of Contents

Description of the Proposed Project

Prior Planning and Environmental Review	1
Local (City of Oakland) Project Approvals	10
Statement of Purpose and Need for the Proposal	12
Existing Conditions and Trends	16
Funding Information	19

Compliance with Laws and Authorities (24 CFR 50.4, 58.5 and 58.6)

Airport Hazards	20
Coastal Barrier Resources	20
Flood Insurance	21

Compliance with Laws and Authorities (Statutes, Executive Orders and Regulations Listed at 24 CFR 50.4 and 58.5)

Clean Air	22
Coastal Zone Management	35
Contamination and Toxic Substances	36
Endangered Species	42
Explosive and Flammable Hazards	43
Farmlands Protection	45
Floodplain Management	46
Historic Preservation	46
Noise Abatement and Control	54
Sole Source Aquifers	57
Wetlands Protection	58
Wild and Scenic Rivers	58
Environmental Justice	58

Environmental Assessment Factors

Conformance with Plans, Zoning, Scale and Urban Design	60
Soil Suitability, Slope, Erosion, Drainage and Storm Water Runoff	66
Hazards and Nuisances	71
Energy Consumption	83
Socio-Economic Impacts	85
Community Facilities and Services	86
Infrastructure and Public Facilities	88
Transportation	93
Unique Natural Features, Water Resources	97

List of Tables

Table 1:	7th & Campbell Mixed Use Project Development Summary	6
Table 2:	BAAQMD Significance Thresholds for Criteria Pollutant Emissions	23
Table 3:	Summary of TAC Impact Sources	29
Table 4:	Maximum Cancer Risk with MERV 13 Filtration	31

Table 5:	Estimated Operational Greenhouse Gas Emissions	35
Table 6	Evaluation of Consistency with General Plan	61
Table 7:	Evaluation of Consistency with West Oakland Specific Plan	63
Table 8:	Exterior Noise Calculations with Building Shielding	78
Table 9:	Minimum STC Ratings to Achieve Interior Noise Requirements	79
Table 10:	Project Trip Generation	93

List of Figures

Figure 1	Project Location	2
Figure 2	Project Site Plan.....	3
Figure 3	Project Floor Plans	4
Figure 4	Project Elevation Drawings	5
Figure 5	West Oakland Specific Plan’s 7th Street Opportunity Area	9
Figure 6	Toxic Air Contaminant Sources	28
Figure 7	Areas Containing Fill Material Exceeding California Hazardous Waste Criteria	39
Figure 8	Existing Above Ground Storage Tank Facility near Oakland Rail Yard	44
Figure 9	Cultural Resources Area of Potential Effect	48
Figure 10	Major Faults in the Region	73
Figure 11	Recommendations for Noise Insulation	81

List of Attachments

Attachment 1:	Figures from Alameda County Airport Land Use Commission, Oakland International Airport Land Use Compatibility Plan
Attachment 2	U.S. Fish and Wildlife Service, Coastal Barrier Resources System, Official CBRS Maps
Attachment 3	Federal Emergency Management Agency, National Flood Hazard Layer
Attachment 4	San Francisco Bay Conservation & Development Commission, Coastal Zone
Attachment 5	ACDEH, Conditional Letter of Approval of Corrective Action, December 23, 2020
Attachment 6	U.S. Fish and Wildlife Service, ECOS Environmental Conservation Online System
Attachment 7	California Department of Conservation, Farmland Mapping and Monitoring Program
Attachment 8	U.S. Fish and Wildlife Service, National Wetlands Inventory
Attachment 9	SHPO Response to 7th & Campbell Mixed-Use Project Historic and Cultural Resource Evaluation, December 15, 2020 (Refer to HUD_2020_1117_002)
Attachment 10	U.S. Environmental Protection Agency. EJSCREEN Report
Attachment 11	Noise Waiver

Appendices

Appendix A	City of Oakland, <i>Approval of Minor Modification to the Original Design for the 7th and Campbell Mixed Use Project, including Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP)</i> , July 21, 2020
Appendix B	Illingworth & Rodkin, Inc., <i>7th and Campbell Mixed-Use Project, Air Quality Community Risk Assessment</i> , July 6, 2020
Appendix C	CalEEMod Air Emissions Modeling Results
Appendix D	SCA Environmental, Inc., <i>Phase I Environmental Site Assessment, 1650-1676 7th Street and 711-715 Campbell Street, Oakland, California 94607</i> , January 2019

- Appendix E** Langan Engineering and Environmental Services, Inc., *Phase II Environmental Site Assessment - 1666 7th Street*, August 24, 2020
- Appendix F** 7th & Campbell, LP, *Service Request Application – Preliminary Site Review*, submitted to Alameda County Department of Environmental Health Local Oversight Program, September 18, 2020
- Appendix G** Alameda County Department of Environmental Health (ACDEH), *Conditional Approval of the Work Plan for Additional Environmental Site Assessment*, December 10, 2020
- Appendix H** Langan Engineering and Environmental Services, Inc., *Draft Corrective Action Plan, 1666 7th Street*, December 23, 2020
- Appendix I** ACDEH, *Conditional Letter of Approval of Corrective Action*, December 23, 2020
- Appendix J** ACDEH, *Notice of Draft Corrective Action Plan (“Fact Sheet”) Available for Review*, December 21, 2020
- Appendix K** HUD’s Acceptable Separation Distance (ASD) Electronic Assessment Tool results and supporting documentation, Lamphier-Gregory, November 2020
- Appendix L** Lamphier-Gregory and PaleoWest Archaeologists, *Historic and Cultural Resources Evaluation for Section 106 Review*, November 2020 (as submitted to SHPO for Section 106 review)
- Appendix M** Langan Engineering and Environmental Services, Inc., *Geotechnical Investigation for 1666 7th Street*, July 28, 2020
- Appendix N** Illingworth & Rodkin, Inc., *7th and Campbell Mixed-Use Project, NEPA Noise Assessment*, June 17, 2020
- Appendix O** Kittelson and Associates Inc., *Preliminary Trip Generation Assessment*, April 19, 2016

Environmental Assessment

Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: 7th & Campbell Mixed Use Project

Responsible Entity: City of Oakland
Bureau of Planning
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

Grant Recipient: Oakland Housing Authority
(if different than Responsible Entity) 1805 Harrison Street
Oakland, CA 94612

State/Local Identifier: ES19001, California / Oakland

Preparer: Lamphier-Gregory

Certifying Officer Name and Title: William Gilchrist, Director of Planning and Building

Direct Comments to: Heather Klein, Planner IV
250 Frank Ogawa Plaza, Suite 2114
Oakland, CA 94612
510.238.3659
hklein@oaklandca.gov

Consultant (if applicable): Lamphier-Gregory
1944 Embarcadero
Oakland, CA 94606
510.535.6690

Project Location: 1666 7th Street
Oakland, California
APNs 006-0017-17, -018, -019, -020, -021, -022

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]

7th and Campbell Mixed Use Project

The Project applicant, 7th and Campbell LP., has proposed construction of a 5-story mixed-use development on a 31,114-square-foot site at the corner of 7th Street and Campbell Street in Oakland, California (**Figures 1 and 2**). The Project site consists of several separate small parcels (including Assessor Parcel Numbers 006-0017-17, -018, -019, -020, -021, -022) with addresses at 1662 through 1676 7th Street.

The 7th and Campbell Mixed Use Project (Project) has been designed to function as a convenient, functional and self-contained living, working, and shopping environment. The Project would include 16,750 square feet of commercial space on the first floor that would contain a gym, a grocery, a restaurant and incubator business space – all providing for on-site job training. A total of 79 affordable residential units to be made available to low- and very-low income households would be on the second through fifth floors (see **Figure 3**). The Project would provide for 23 studio units at 422 square feet each, 24 one-bedroom units at 517 square feet each, and 32 two-bedroom units at 822 square feet each, for a total of 48,418 square feet of residential floor area. The Project would also include approximately 9,425 square feet of open space - 425 square feet would be private decks and 9,000 square feet would be common open area. The building would be four floors of mid-rise wood-frame structure over one floor of concrete podium (see **Figure 4**), and the total building footprint would be 27,342 square feet. The Project would include space on the podium-level deck for the continuation of West Oakland Farm operations and an additional 1,000 square feet for associated storage.

The Project incorporates office space for three service businesses supporting the affordable housing units: a BART and neighborhood shuttle service, building maintenance, and security. The Project also includes other associated improvements such as hardscape, landscaping along 7th and Campbell streets and on the podium level, and storm drain and utility connections. The Project is summarized in **Table 1**.

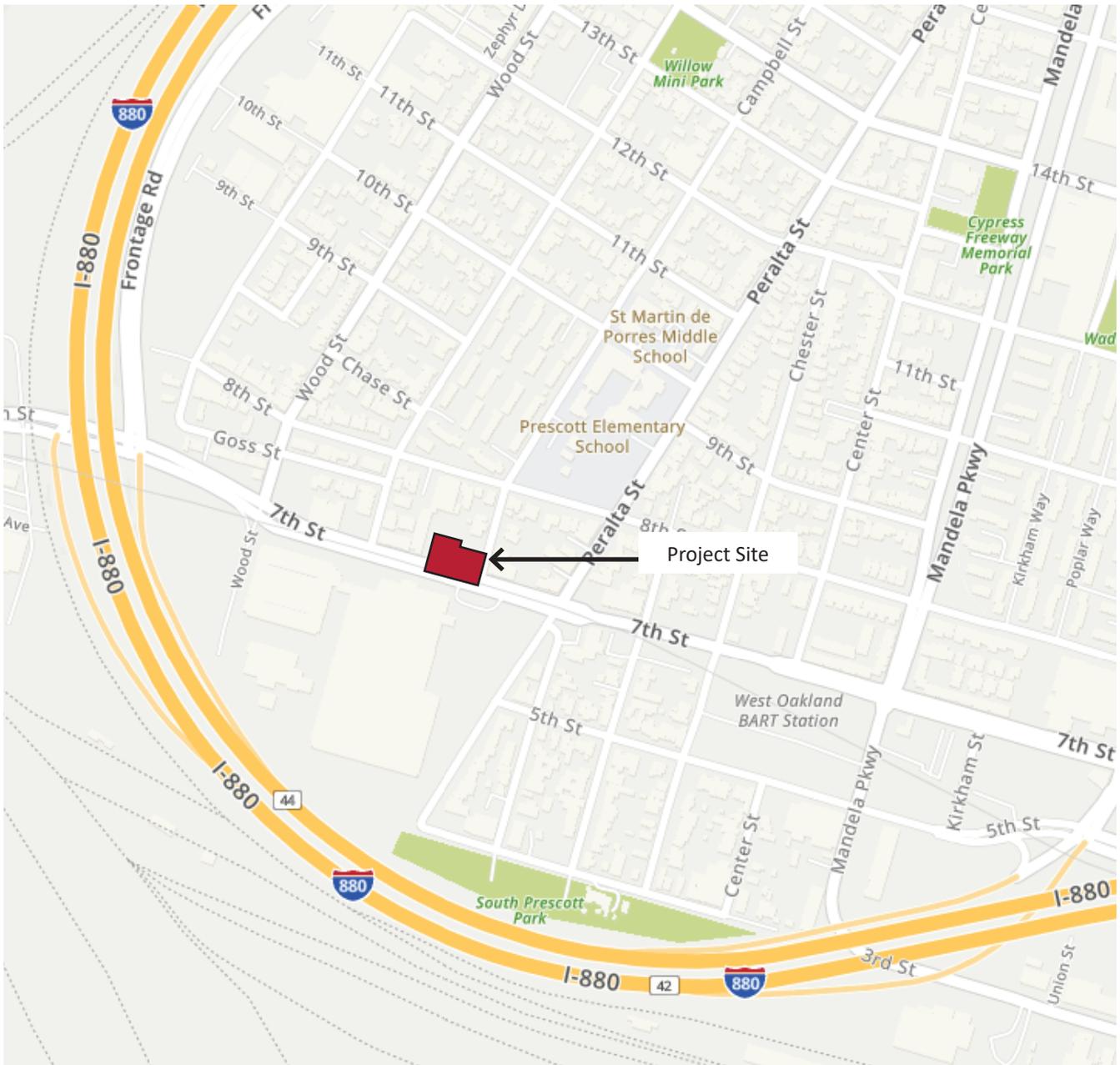


Figure 1
Project Location

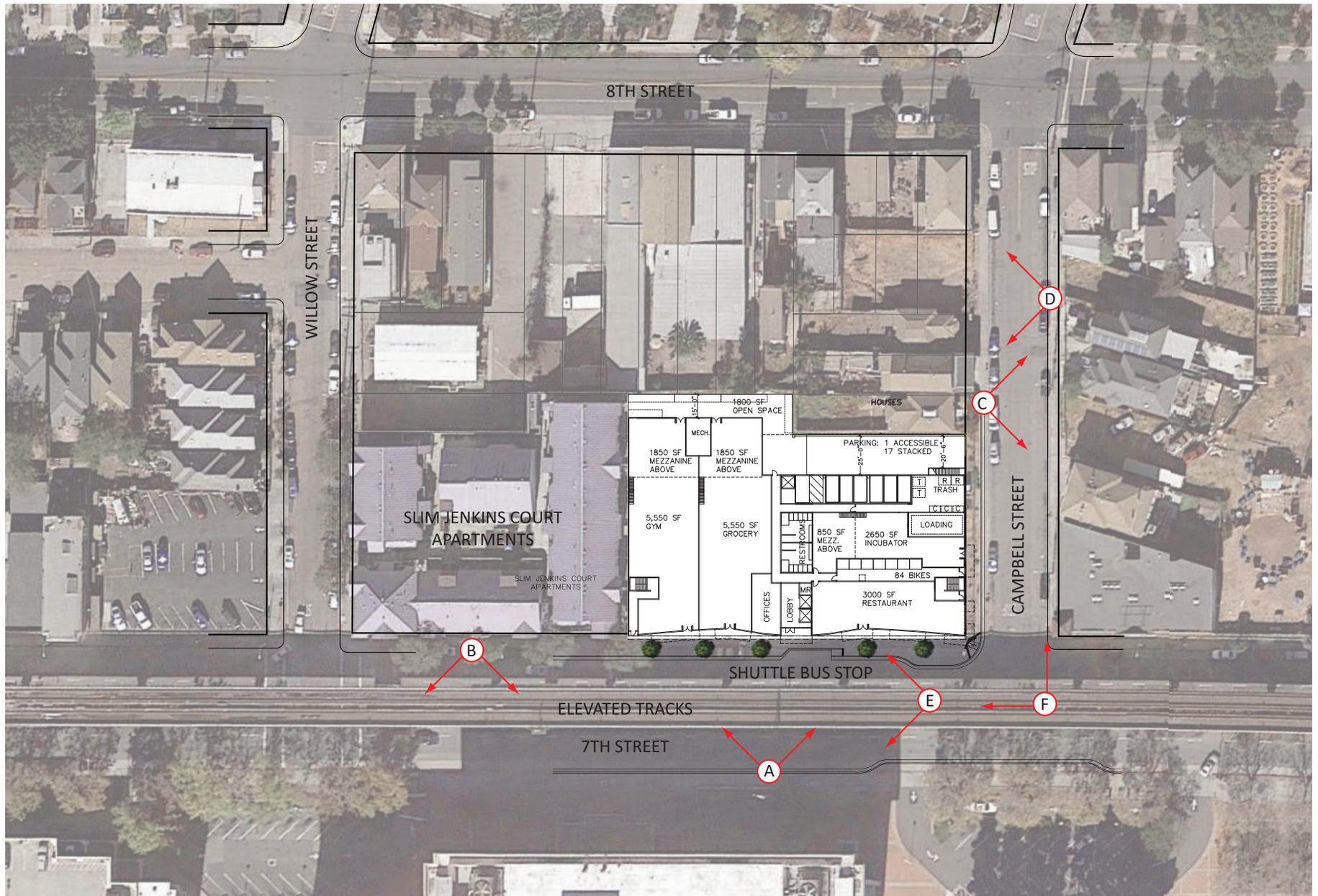
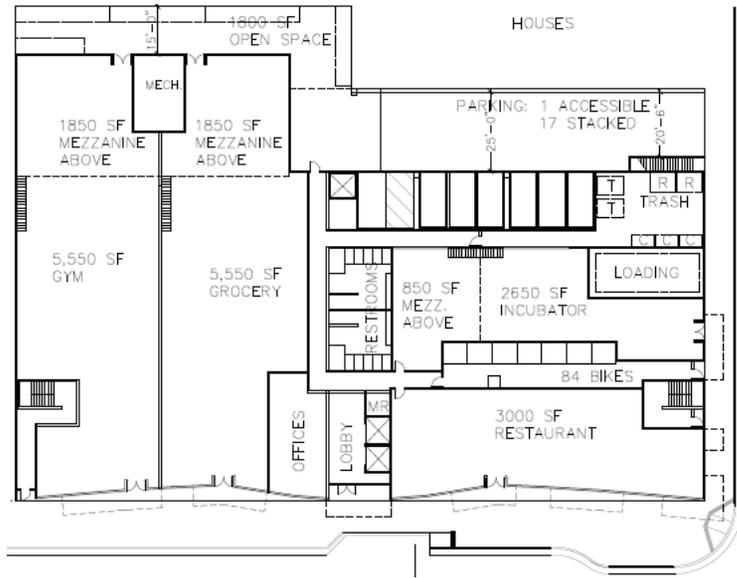
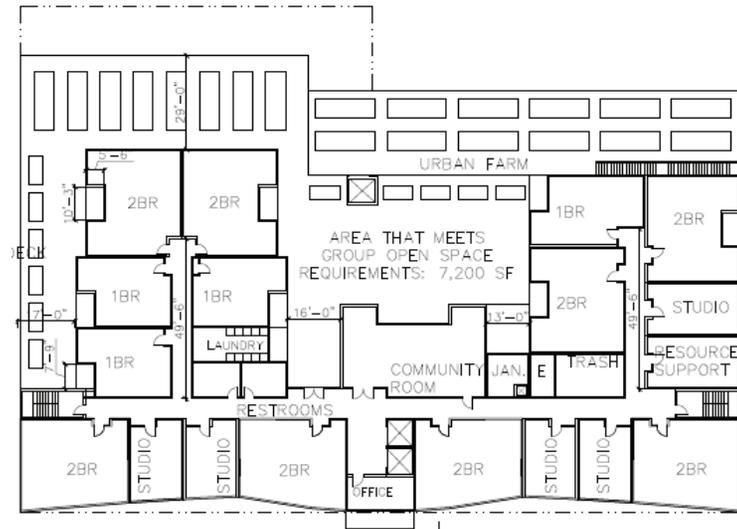


Figure 2
7th & Campbell Project Site Plan

Source: MWA Architects, June 2020



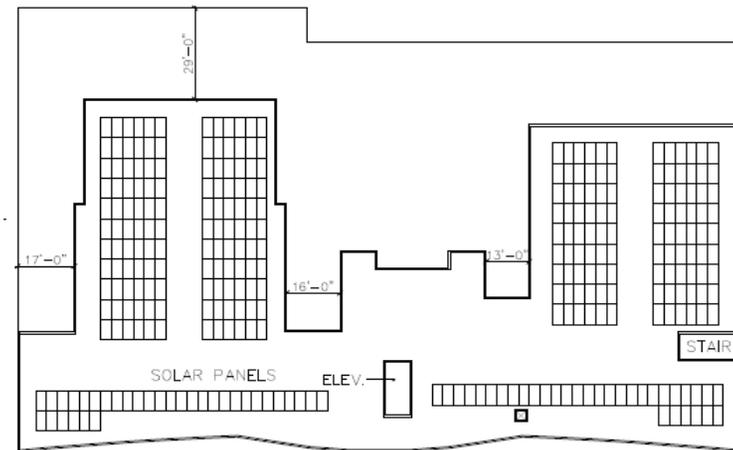
Ground Floor



Second Floor



Floors 3 through 5



Roof Plan

Figure 3
Project Floor Plans



7th Street Elevation



Campbell Street Elevation

Figure 4
Project Elevation Drawings

Source: MWA Architects, June 2020

Table 1: 7th & Campbell Mixed Use Project Development Summary

<u>Description</u>	<u>Proposed Project</u>
Lot Area	31,114 square feet (approximately 0.71 acre)
Building Footprint	27,342 square feet
Building Height	58' – 6'''
Number of Stories	5
Commercial	16,750 square feet
Residential	48,418 square feet
Number of Residential Units	79 units
Total Building Space (FAR)	65,168 square feet (2.38 FAR)
Common Open Space	9,000 square feet
Private Open Space (decks)	425 square feet
Bicycle Parking	90 spaces (86 long-term, 6 short-term)
Vehicle Parking ¹	10 – 18 (stacked parking, 2 or 3 levels)
<u>Affordable Unit Mix</u>	
Studio	9,706 square feet -23 units
1BR	12, 408 square feet – 24 units
2BR	26,304 square feet – 32 units
Total:	48,418 square feet – 79 units

¹: *The City of Oakland Planning Code would otherwise require 101 residential parking spaces for the Project. An exception for fewer parking spaces has been requested based on the site's access substantial public transit opportunities, including BART and AC Transit.*

The Project's original design received Design Review approval from the City of Oakland in September 2017. On July 21, 2020, the City of Oakland Zoning Manager approved a minor design revision to the originally approved project.¹ These design revisions included:

- constructing a five-story building instead of six by removing a full level of previously proposed podium parking
- building the podium portion of the Project to within 10 feet from the rear property line, and
- making other minor changes to the window patterns of the building facades.

All of these design revisions are now fully incorporated as the Project, as included in the Project summary shown in Table 1, and represent the Project as reviewed in this Environmental Assessment.

Density Bonuses and Incentives

The residential component of the Project would consist of 100 percent affordable housing. The Project relies on the State Affordable Housing Density Bonus Law (Government Code Section 65915 et seq.), which is locally enacted through City of Oakland Municipal Code Chapter 17.107, to allow for certain bonuses and concessions to otherwise applicable zoning standards. Consistent with the Social Equity implementation programs of the

¹ Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

West Oakland Specific Plan and the density bonus and incentive procedures of the Oakland Planning Code, the Project has been approved by the City for regulatory bonuses, incentives and concessions, including:

- a density bonus to allow 79 residential units, which is 15 units over the 64 units otherwise permitted under zoning);
- an increase in the allowable height limit to 58 ½ feet, which is 13 ½ feet taller than the 45-foot building height feet permitted under existing zoning (the original Project design was approved with a 65-foot height increase),
- a reduced rear yard setback of 10 feet along the easterly portion of the rear yard adjacent to the parking podium (per the City of Oakland Planning Code, buildings above 30 feet in height must be set back from adjacent residential areas. The rear setback requirement for this site is 15 feet. The proposed ground-level open space area at the westerly portion of the rear yard would provide the required 15-foot setback from the neighboring residences, but the parking podium along the easterly portion of the rear yard would be built at 10 feet from the property line, as a concession under the California State Density Bonus Law)
- a reduction in required parking ratios, such that between 10 and 18 parking spaces (either two or three-level stacked parking) will be provided, rather than the 101 spaces otherwise required pursuant to zoning regulations. The parking space reductions are also specifically applicable to this site due to the substantial public transit opportunities nearby.

Site Access and Parking

Primary pedestrian access to the Project site would be provided via the 7th Street frontage, and additional pedestrian access would be provided along Campbell Street. Vehicular site access would be provided via Campbell Street, which would lead to the on-site parking area at the rear of the building.

This parking area would accommodate up to 18 parking spaces, 1 ADA accessible and 17 stacked parking spaces. The City of Oakland Planning Code would otherwise require 101 residential parking spaces for the Project. An exception for fewer parking spaces has been granted by the City as a concession under the California State Density Bonus Law, and based on the site's substantial public transit access. There is an existing Alameda–Contra Costa Transit District (AC Transit) bus stop along 7th Street, across the street at the US Post Office, which serves AC Transit Routes #26, #314 and #800. The West Oakland BART station lies approximately three blocks to the east. An additional shuttle stop would be added at the Project site as part of a planned BART and neighborhood shuttle service.

Consistent with the original design, the Project includes 84 long-term and 6 short-term parking spaces for bicycles.

Green Building Measures

The Project is an infill site within one-half-mile of a major transit stop (West Oakland BART station) and is within reasonable walking and biking distance to community services. The Project would incorporate green building features such as energy-efficient lighting, new street trees to be planted along the 7th Street frontage and along Campbell Street, and bicycle storage for residents and visitors. The Project proposes urban farm space on the podium level deck, and a rooftop photovoltaic solar system. Consistent with regulatory requirements, the Project would provide for diversion of construction waste from landfill disposal, and would include stormwater filtration and/or bioretention features. With the incorporation of these features, the Project would be GreenPoint rated in compliance with the City's Green Building Ordinance.

Utilities

On-site utilities would include gas, electricity, domestic water, wastewater, and storm drainage. All on-site utilities would be designed in accordance with applicable codes and current engineering practices.

Project Construction

The details for the Project's construction schedule and site grading are not available at the current design stage. For the purpose of this analysis, construction of the Project is estimated to take approximately 1 year:

- Site preparation is assumed to take approximately 1.5 months. Grading is expected to be limited to surface preparation, utility connections, and limited excavations for the foundation, footings and utility services
- Building construction would likely take approximately 9 months to complete
- Landscaping, streetscape improvements, paving and architectural coatings may take approximately 1.5 month to finish.

Prior Planning and Environmental Review

West Oakland Specific Plan

The Project site is within the West Oakland Specific Plan (Specific Plan) planning area. The Specific Plan identifies policies to guide future development in West Oakland by providing a comprehensive and multi-faceted strategy for development and redevelopment of vacant and underutilized commercial and industrial properties in strategic areas of West Oakland (Opportunity Areas and Opportunity sites). The Specific Plan establishes a land use and development framework, identifies needed transportation and infrastructure improvements, and recommends implementation strategies needed to develop these areas.

The Project site is on a property considered an Opportunity Site (the 7th Street Corridor) within the Plan's 7th Street Opportunity Area. Within this area, the Specific Plan's intent is to revitalize 7th Street as a neighborhood focus and cultural activity center, with medium-density mixed-use residential in-fill development (see **Figure 5**). Additionally, the Social Equity Element of the Specific Plan calls for expanding affordable housing opportunities for extremely low- to moderate-income renters and home buyers, and increasing employment opportunities for local residents throughout West Oakland, including the following affordable housing implementation efforts:

Affordable Housing:

- Explore options to fund new affordable housing - rental and ownership - in select areas, especially in the Transit-oriented Development (TOD) area near BART, and along major corridors with excellent transit and retail and social service, such as along the San Pablo Avenue corridor.
- Specifically target development and marketing resources along West Oakland's major corridors (i.e., West Grand Avenue, the West Oakland BART station at 7th Street, and San Pablo Avenue), which are easily accessible to transit, jobs, shopping and services.
- Promote a mix of housing types, including homeownership, multifamily rental housing and housing for seniors and persons with special needs, and develop and promote programs and mechanisms to expand opportunities for lower-income households to become homeowners.
- Continue to refine and implement programs to permit projects to exceed the maximum allowable density set by zoning if they include units set aside for occupancy by very low, low-, and moderate-income households and/or seniors.

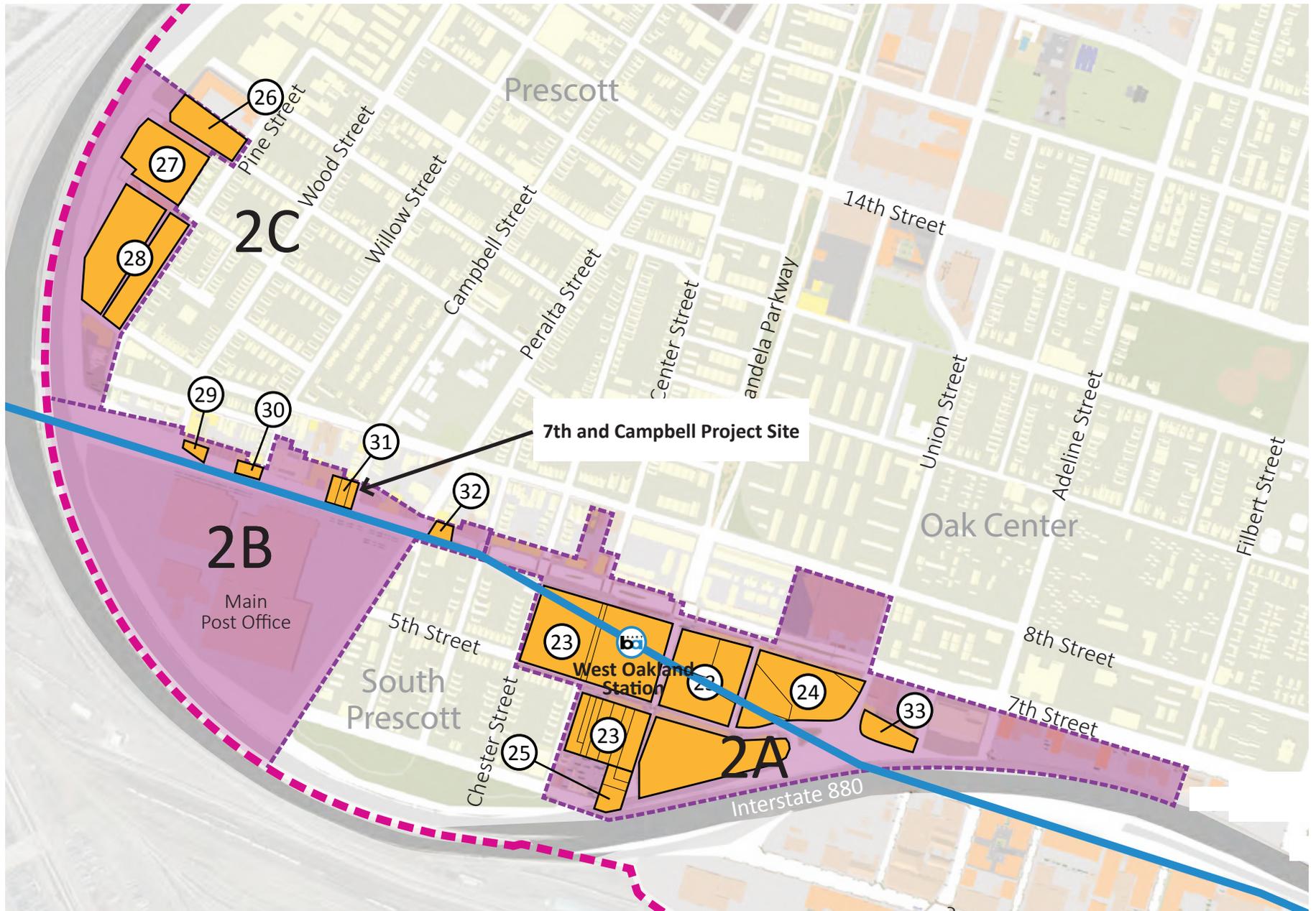


Figure 5
West Oakland Specific Plan - 7th Street Opportunity Area and Sites

Source: City of Oakland, West Oakland Specific Plan - Figure 4.4.1

- Expand opportunities for homeownership by low- to moderate-income homebuyers by seeking expanded funding for the First-time Homebuyers Mortgage Assistance program, “sweat-equity” housing programs (e.g., Habitat for Humanity) and Limited Housing Equity Cooperatives.
- Explore regulatory incentives for promoting affordable housing opportunities, such as revising existing zoning regulations to make use of density bonus laws more attractive to provide for infill affordable housing in new developments (mostly mixed affordable/market rate). This could also involve exploring processes to foster developer agreements with potential developers.
- Review and revise residential development regulations with the intent of encouraging and sustaining a diverse mix of housing types and densities throughout the City for all income levels.

Small Business Support and Entrepreneurship Training:

- Develop training and career pathways to help West Oakland residents move from educational and training programs into paid positions.
- Work with West Oakland employers, community-based organizations and educational institutions to establish career pathways for residents in a range of local industries.
- Identify vacant or underutilized publicly owned land in West Oakland with the potential for community benefit. Opportunities to develop land for community benefit through public/private partnership and other mechanisms should be explored. Potential uses might include affordable housing or industrial space, a small business incubator, or some combination of beneficial uses.
- Encourage a mix of land uses and development that will generate a range of job and career opportunities, including permanent, well-paying and green jobs (including short-term, prevailing wage construction jobs, and living wage permanent jobs) that can provide work for local residents.

The Project is consistent with the Specific Plan’s intent for accommodating medium-density mixed-use residential in-fill development. The project also supports the Affordable Housing and the Small Business Support and Entrepreneurship Training implementation efforts identified in the West Oakland Specific Plan.

General Plan and Zoning

Pursuant to adoption of the West Oakland Specific Plan, the Oakland General Plan was amended, designating the Project site as Community Commercial, and as part of Opportunity Area #2: 7th Street. The General Plan designation is consistent with the Specific Plan’s land use vision for the 7th Street Opportunity Area to capitalize on the presence of a major BART transit station in the Planning Area, and the desire for increased neighborhood-serving commercial activities and supporting development that integrates the history of West Oakland’s storied 7th Street corridor.

Pursuant to adoption of the West Oakland Specific Plan, the Project site is also zoned as CC-2 (Community Commercial Zone–2), which is intended to create, maintain and enhance areas with a wide range of commercial businesses with direct frontage and access along the City’s corridors and commercial areas.

Local (City of Oakland) Project Approvals

Original Project

In January of 2015, the City of Oakland adopted a resolution authorizing an Exclusive Negotiating Agreement (ENA) with Oakland and the World Enterprises, Inc. (the Project applicant), for development of the property at 7th and Campbell Street in West Oakland. In March of 2016, the Project applicant applied to the City for Design Review approval for a 6-story, 112,200 square-foot mixed residential-commercial building on the site. That project included a total of 79 residential units (all dedicated as affordable housing, primary for formerly

incarcerated persons), 19,400 square feet of commercial and amenity space, and a total of 48 parking spaces in a two-story podium parking garage. That application also included a minor Conditional Use Permit to allow specified workshop activities; and a minor zoning variance (as affordable housing waivers or concessions) for building height, reliance on rooftop open space as a proportion of required open space, and reduction in parking.

Original Project Approvals

Design Review of that Project was approved, along with a minor CUP and affordable housing waivers or concessions for building height, reliance on rooftop open space as a proportion of required open space, and reduction in parking. In May of 2017, the City of Oakland entered into a Lease Disposition and Development Agreement (LDDA) with the Project applicant for the long-term ground lease of the property at 7th Street and Campbell Street for development as a mixed-use affordable housing development.

Revised Project

In June of 2020, the Project applicant proposed revisions to the previously approved Project design. This revised Project (the subject of this NEPA review) now intends to construct a five-story building instead of a six story building by substantially reducing parking, to construct the parking podium at 10 feet from the rear property line (instead of the required 15 feet), and to change the window patterns on the facades of the building. This revised Project was approved by the Zoning Manager in July 2020 as a minor modification to the original design, with the rear setback reduction as an additional waiver under the California State Density Bonus Law. The revised Project was approved subject to the original Conditions of Approval, including all applicable Standard Conditions of Approval (see **Appendix A**).

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]

The purpose of the current proposal for federal funding assistance through the Housing and Urban Development Agency (HUD) is to receive approval for the use of 39 Project-Based Section 8 Vouchers for the proposed Project, which includes 79 housing units (100% affordable), commercial, and urban farm uses, with ground floor garage space. The need for the proposal is to increase the number of affordable housing units within the City of Oakland and within Alameda County as a whole. Implementing the proposed Project would result in an increase of 79 affordable housing units, helping the City of Oakland to meet a portion of its Regional Housing Needs Allocation (RHNA).

Regional Outlook

The Association of Bay Area Governments (ABAG) tracks and projects the region's demographic and economic trends. Their regional forecast is an important component of *Plan Bay Area 2040*, the Bay Area Sustainable Communities Strategy (SCS), and provides a set of common regional assumptions informing the discussion among regional and local jurisdictions and organizations of how the region might grow. According to *Plan Bay Area 2040: Final Regional Forecast of Jobs, Population and Housing*, the San Francisco Bay Area (Bay Area) region had a population of approximately 7.6 million people in 2015, and is projected to grow to approximately 9.5 million people by 2040, an increase of nearly 2 million people, generating a demand for approximately 820,000 new households/housing units.²

The Metropolitan Transportation Commission (MTC) and ABAG drafted *Plan Bay Area 2040* as a long-range integrated transportation and land use/housing strategy for the San Francisco Bay Area. *Plan Bay Area 2040* is the Bay Area's latest regional response to California Senate Bill 375 (SB 375), the California Sustainable Communities and Climate Protection Act of 2008. One of the intents of *Plan Bay Area 2040* is to direct new growth within existing urban footprints, within locally adopted urban growth boundaries and along major transit corridors (areas anticipated to provide more pedestrian and bike-friendly areas that are close to public transit, jobs, schools, shopping, recreation, and other amenities), consistent with SB 375 objectives.³

Under California law (California Government Code Section 65584), the need for new housing construction is determined through a regional housing allocation process. Each jurisdiction in the State must plan to accommodate its share of the housing need of persons at all income levels. Each jurisdiction's share of the regional housing need is based on a Regional Housing Needs Allocation (RHNA) process as established by ABAG. Cities are required to accommodate this housing need by providing sufficient sites, with adequate zoning and infrastructure, to make possible the development of these needed housing units, including providing sites with sufficient density to make possible the development of housing for all income levels. SB 375 and *Plan Bay Area 2040* synchronize the RHNA process with regional transportation planning. Local governments are required to identify Priority Development Areas (PDAs) where new development can support the day-to-day needs of residents and workers in a pedestrian-friendly environment served by transit. PDAs were established to address housing needs in infill communities and to advance focused employment growth.

Also, according to *Plan Bay Area 2040*, there has been a "substantial mismatch between employment growth relative to the housing supply. Overall, the Bay Area has added nearly two jobs for every housing unit built since 1990. The deficit in housing production has been particularly severe in terms of housing affordable to lower- and middle-wage workers, especially in many of the jobs-rich, high-income communities along the Peninsula and in Silicon Valley. The booming regional economy, combined with increased household formation among the millennial generation, has further contributed to an acute housing crunch." A widening income gap between

² Metropolitan Transportation Commission and Association of Bay Area Governments, *Plan Bay Area 2040*, adopted July 26, 2017

³ Local jurisdictions maintain control of all decisions to adopt plans and permit or deny development projects

high- and low-income households has further exacerbated a housing crisis. The total number of households in the nine-county Bay Area increased by 20 percent from 1990 to 2015. The vast majority of this growth (approximately 80%) was concentrated among households earning \$150,000 or more annually, with the remaining growth (or only about 20%) divided among households earning less than \$150,000 a year. Over a period spanning 25 years, there was a net decrease in the number of households earning between \$35,000 and \$150,000 in the Bay Area, as these households declined from 64 percent to 52 percent of total households in the region. From the perspective of Plan Bay Area 2040, “as the economy in the Bay Area recovered from the Great Recession of 2007 through 2009, an uneven growth in jobs occurred throughout the region, resulting in increased income disparity, high housing costs, and high foreclosure rates. Communities throughout the Bay Area are facing these challenges at a time when there are fewer public resources available than in past decades for investments in infrastructure, public transit and affordable housing.”⁴

Local Perspective

Although housing costs in Oakland have traditionally been among the lowest in the Bay Area, this relative affordability has sharply increased demand, and that increased demand has caused median home sales prices to grow at the highest rate among a sample of Bay Area cities. The regional demand for housing has resulted in a particular disadvantage to low-income households and to those low-and moderate-income households seeking to become homeowners. Home sales for the period of 2000 through 2013 showed an increase in median home sales prices of up to 84 percent during that time. Similarly, the costs of rent in Oakland is also increasing as a result of increased demand, resulting in a particular disadvantage to low- and moderate-income households. In 2014, approximately 50 percent of renter households paid more than 30 percent of their income for housing, and among the extremely low-income households, approximately 79 percent of those households paid more than 30 percent of their income for rent.

The increased regional disparity in income and housing costs has had a substantial effect in the City of Oakland. According to the City’s General Plan Housing Element, “the most significant change in Oakland’s population since 2000 has been a decrease in the number and the proportion of residents who identified themselves as non-Hispanic Black/African-American. The City’s non-Hispanic Black/African American population declined by nearly 24 percent between 2000 and 2010.” The Housing Element identifies three primary causes for this decline in the non-Hispanic Black/African American population, “some Black/African American families may have moved to suburban locations by choice to purchase less costly homes; others may have moved from Oakland due to rapidly rising housing costs; and a foreclosure crisis occurred within Oakland historically Black/African American neighborhoods, such as West Oakland.”⁵

Under the RHNA, Oakland must accommodate 14,765 new housing units between 2015 and 2023. Of this total, Oakland’s “fair share” housing goals for year 2022 included 2,059 units affordable to very low income households at 50% of average monthly income (AMI), 2,075 units affordable to low income households (80% of AMI), 2,815 units affordable to moderate-income households (120% of AMI) and 7,816 units affordable to households of above moderate income. The City’s Housing Element identifies Opportunity Sites that are appropriately zoned to address affordable housing demand, and that can be anticipated to yield approximately 10,032 new housing units, in addition to the 7,938 housing units that have already been planned or approved. Together, these Opportunity Sites and the already planned and/or approved projects are anticipated to meet and exceed the City’s assigned 2014-2022 RHNA. The City of Oakland’s 2015–2023 Housing Element has been found by the California Housing and Community Development Department to comply with State Housing Element law by adequately planning to meet the existing and projected housing needs of all economic segments

⁴ MTC/ABAG, Plan Bay Area 2040, <http://2040.planbayarea.org/the-bay-area-today> ,

⁵ City of Oakland, General Plan *Housing Element 2014-2023*, December 2014

of the community. The 7th and Campbell Project is included among the planned projects in the City's adopted 2015–2023 Housing Element. To encourage this housing production and to reduce regulatory barriers to affordable housing production, the City's General Plan also generally encourages the construction of higher density residential and mixed-use development, and the City has undertaken actions to reduce the impact of local government regulations and fees on the cost and availability of housing.

The City of Oakland Housing Element outlines goals, policies, and planned actions to address housing needs. The following goals and policies apply to the proposed Project, and to affordable housing in general.

Goal 2: Promote the development of adequate housing for low- and moderate-income households

Policy 2.1: Affordable housing development programs

Provide financing for the development of affordable housing for low- and moderate-income households. The City's financing programs will promote a mix of housing types, including homeownership, multifamily rental housing, and housing for seniors and persons with special needs.

Policy 2.3: Density bonus program

Continue to refine and implement programs to permit projects to exceed the maximum allowable density set by zoning, if they include units set aside for occupancy by very low-, low-, and moderate-income households and/or seniors.

Policy 2.10: Promote an equitable distribution of affordable housing throughout the community

The City will undertake a number of efforts to distribute assisted housing widely throughout the community and avoid the over-concentration of assisted housing in any particular neighborhood, in order to provide a more equitable distribution of households by income and by race and ethnicity.

Policy 2.11: Affordable housing preference for Oakland residents and workers

Implement the policy enacted by the City Council in 2008 granting a preference to Oakland residents and Oakland workers to buy or rent affordable housing units assisted by City of Oakland funds provided through its annual Notice of Funding Availability (NOFA) process.

Goal 3: Remove Constraints to the Availability and Affordability of Housing for All Income Groups

Policy 3.2: Flexible zoning standards

Allow flexibility in the application of zoning, building and other regulations.

Policy 3.4: Intergovernmental coordination

Promote intergovernmental coordination in review and approval of residential development proposals when more than one governmental agency has jurisdiction.

Goal 7: Promote sustainable development and sustainable communities

Policy 7.1: Sustainable residential development programs

In conjunction with the City's adopted Energy and Climate Action Plan (ECAP), develop and promote programs to foster the incorporation of sustainable design principals, energy efficiency and smart growth principles into residential developments. Offer education and technical assistance regarding sustainable development of project applicants.

Policy 7.2: Minimize energy consumption

Encourage the incorporation of energy conservation design features in existing and future residential development beyond minimum standards required by State building code.

Policy 7.3; Encourage development that reduces carbon emissions

Continue to direct development toward existing communities and encourage infill development at densities that are higher than—but compatible with—the surrounding communities. Encourage development in close proximity to transit, and with a mix of land uses in the same zoning district or on the same site, to reduce the number and frequency of trips made by automobile.

Policy 7.4: Minimize environmental impacts from new housing

Work with developers to encourage construction of new housing that, where feasible, reduces the footprint of the building and landscaping, preserves green spaces, and supports ecological systems.

However, the demand for housing in Oakland is increasing and is likely to continue to rise given the appeal of locations near urban centers and transit. A sampling of land acquisition costs for City of Oakland-funded affordable housing ranged from \$20,763 to almost \$72,535 per unit, largely a function of project density. The cost of land and land preparation is further increased in Oakland because most sites with housing development potential are relatively small parcels, have existing structures and infrastructure that must be removed, replaced and/or reconfigured, and costs are increased by contaminated soils or hazardous materials that must be mitigated.

Existing Conditions and Trends [24 CFR 58.40(a)]:

As indicated for the region in *Plan Bay Area 2040*, the regional will require an increase of between 17,000 and 37,000 housing units on an annual average. The great majority of this housing unit demand will be needed to fill the needs of projected household growth within the region. This projection of regional housing growth through year 2040 would require a major jump in housing production beginning in 2020, returning to levels of sustained production not seen since the 1980s. In addition, because of changing demographics and requirements to reduce greenhouse gas production, it can be expected that the demand for multifamily housing will be at least as large a share of overall housing demand as was the case in most of the 1980s, and possibly more.

However, according to a recent (2019) comprehensive housing market analysis, the market for home sales remains tight, with a 0.4 percent vacancy rate, down from 1.9 percent in 2010. Demand has exceeded construction of units for sale, leading to rapid price increases since 2013. The average price for a new home within this housing market area (HMA) during the 12 months ending April 2019 was up 9 percent from a year earlier, to about \$1.03 million, and existing home prices were up nearly 6 percent to \$819,000. During the next 3 years, demand is expected for 14,450 new sales units; the 2,150 homes currently under construction will only meet a small part of the demand.⁶ This analysis also indicates that the overall rental market is also tight, with a current rental vacancy rate estimated at 3.4 percent, down from 6.6 percent in 2010. Despite a significant increase in rental construction activity as measured by building permits issued since 2011, rental market conditions have tightened due in part to large net in-flows of rental households from the notably more expensive markets of San Francisco and San Jose. During the next 3 years, demand is expected for 16,100 new rental units in the HMA, and the 10,100 units currently under construction within this HMA will meet a portion of the demand during the forecast period.

Homelessness

While the City of Oakland does have an inventory of affordable housing, there are very long waiting lists for these units, and most of the affordable housing projects do not have supportive services or are still not affordable to the homeless population. There is tremendous unmet need for housing for unsheltered homeless households and those at risk of being homeless.

According to a 2019 comprehensive report on homelessness, 8,022 people are experiencing homelessness in Alameda County, and 4,071 individuals experiencing homelessness were counted in the city of Oakland.⁷ The total number of people experiencing homelessness in Alameda County increased from 5,629 in 2017, for a 43 percent increase between 2017 and 2019. The population of persons experiencing homelessness in Oakland represented over half of the total number of persons enumerated in Alameda County during the 2019 Point-in-Time Count. The total number of people experiencing homelessness in Alameda County increased from 1,310 persons in 2017, for a 47 percent increase between 2017 and 2019. This data confirms the analysis of EveryOne Home's *Plan to End Homelessness: 2018 Strategic Update* that says, "for every two people becoming homeless, only one person returns to permanent housing." Other important data from these surveys indicate the following:

- While the number of individuals in Alameda County served by shelters remained stable (up by about 0.2%) between 2017 and 2019, there was an increase of 2,449 unsheltered individuals (or an increase of

⁶ U.S. Department of Housing and Urban Development, Office of Policy Development and Research, *Comprehensive Housing Market Analysis for the Oakland-Hayward-Berkeley Housing Market Area*, May 2019

⁷ Applied Survey Research (ASR), EveryOne Home, Aspire Consulting LLC and the Alameda County Housing and Community Development Department, *Alameda County and City of Oakland Homeless Count & Survey and Comprehensive Report*, 2019

63%). In 2019, 79% of the people experiencing homelessness in the City of Oakland were unsheltered, compared to 69% in 2017.

- Persons in families with at least one adult and one child under age 18 represented approximately 5% of the overall population experiencing homelessness in Oakland, slightly lower than Alameda County overall (7%). Most persons in families (99%) were enumerated in shelters and transitional housing programs.
- Ninety-five percent (95%) of the population experiencing homelessness were single individuals. Unaccompanied children and transition-age youth represented 12% of the population experiencing homelessness in Oakland, higher than the county overall (9%).
- Individuals identifying as Black/African American were over-represented in the population experiencing homelessness. An estimated 70% of persons experiencing homelessness in Oakland identified as Black/African American compared to 47% of the overall county's population experiencing homelessness and 24% of the city's general population.
- Homelessness and incarceration are often correlative. Individuals without stable housing are at greater risk of criminal justice system involvement, particularly those with mental health issues, veterans, and youth.
- Individuals with past incarceration face significant barriers to exiting homelessness due to stigmatization and policies affecting their ability to gain employment and access housing opportunities. Formerly incarcerated people are almost ten times more likely to experience homelessness than the general public.⁸ Ten percent of respondents in the City of Oakland homeless survey reported being on probation at the time of the survey, and 5% reported being on parole.

As also reported in EveryOne Home's *2018 Strategic Update* report, Alameda County spent \$106 million on the Housing Crisis Response System in fiscal year 2017/18 on homelessness prevention, shelter, outreach, navigation, rapid rehousing, subsidized permanent housing and permanent supportive housing. Service providers assisted approximately 1,500 people to return to permanent housing every year, yet there are 3,000 people becoming homeless for the first time, and the rate at which people are becoming homeless outpaces the ability to house them with existing resources.

The largest service and housing gaps are in homelessness prevention, subsidized housing for people with extremely low-incomes, and permanent supportive housing. The *2018 Strategic Update* estimates that a total of \$330 million per year would end unsheltered homelessness, calling for an increase of \$228 million, the bulk of which should be spent in prevention, subsidized housing for people with extremely low-incomes, and permanent supportive housing.

Project's Response to these Trends

The Project site is located on the corner of 7th Street and Campbell Street in the Prescott area of West Oakland. The entirety of West Oakland is designated as a Priority Development Area for needed housing production pursuant to the City of Oakland Housing Element. The City of Oakland's West Oakland Specific Plan identifies the Project site as part of Opportunity Area #2: 7th Street. The Specific Plan's land use vision for the 7th Street Opportunity Area generally seeks to capitalize on the presence of a major BART transit station and the desire for increased neighborhood-serving commercial activities, and to support development that integrates the history of West Oakland's storied 7th Street corridor. The Project site is planned, zoned and anticipated for new development.

⁸ Couloute, L., *Nowhere to Go: Homelessness Among Formerly Incarcerated People*, Prison Policy Initiative, August 2018.

This area of West Oakland is generally referred to as the Lower Bottoms, reflective of the area's high poverty and crime rate. Despite the overall depressed status of much of the surrounding area, housing costs are rising and making home ownership and rental of decent housing effectively prohibitive for the majority of people in the area, especially the poorest, black populations. Surrounding the Project site is the Campbell Village Court public housing project, running from 8th to 10th Streets, between Campbell and Willow Streets. To the immediate west of the Project site is Slim Jenkins Court, a 32-unit, mostly-subsidized affordable apartment complex. Much of the other more recently-constructed housing developments in the area, particularly along Wood Street, are predominantly market-rate rental apartments, beyond the reach of the majority of long-term area residents. Redevelopment of this site with new affordable housing removes a formerly blighted property with needed complimentary, quality affordable housing.

The Project site is a flat, vacant lot that was previously developed but had been blighted for more than 30 years prior to entering into an agreement between the City of Oakland and Oakland & the World Enterprises (OAW) to develop an affordable housing and mixed-use commercial project. The Project site is located within an urbanized area with immediate access to infrastructure and City services, and surrounding land uses include commercial uses, mixed-use residential/commercial development, and single-family and multi-family residential uses. The single greatest asset for this Project is its proximity to the West Oakland BART station, the hub of the entire BART network, which is located only two blocks from the Project Site. The Project's site characteristics and location provide few, if any impediments to new development.

At present, the Project site is in temporary use as a productive urban farm, called West Oakland Farms, which is contracted to sell its organic produce to area restaurants. The site includes three portable buildings associated with the urban farm use that would be removed, and the urban farm relocated as part of the Project's construction. Implementing the proposed Project would result in redevelopment of this site for 79 affordable housing units, helping the City of Oakland to meet a portion of its RHNA.

The Project is specifically targeted to provide permanent supportive housing for people returning to society from being incarcerated, a chronically homeless population that would specifically benefit from needed housing. The most recent data from the State of California Department of Corrections and Rehabilitation are that 28.5 percent of California's male prisoners are Black/African American (compared to being only 5.6 percent of the State's adult male population), at a rate of over 4,000 incarcerated persons per 100,000. The next largest incarcerated population, Latino men, are just over 1,000 per 100,000. According to a recent report from the Alameda County Public Health Department, this same formerly incarcerated population has also been "inherently and disproportionately impacted" by the COVID-19 pandemic, at rates more than 4.5 times the COVID-19 infection rates among high income neighborhoods.

The Project represents an opportunity to creating new, decent, sustainable and affordable housing, along with employment and business-ownership opportunities, and represents a model for future development in the area that will not cause displacement of current, long-term residents. The primary question asked by people in the community at recent community meetings was, "when will this housing be available."

Funding Information

<u>Grant Number</u>	<u>HUD Program</u>	<u>Funding Amount</u>
TBD	OHA Section 8 voucher program	\$843,972

Estimated Total HUD Funded Amount: \$16,879,440

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$70,000,000

Compliance with Laws and Authorities (24 CFR 50.4, 58.5 and 58.6)

A determination of compliance and/or conformance with each statute, Executive Order or regulation pursuant to NEPA is provided below, along with credible, traceable and supportive source documentation for each authority. Where applicable, the necessary reviews, consultations and applicable permits or approvals are indicated. Citations, dates, names, titles of contacts and page references are clearly noted. Additional documentation as included, as appropriate.

Airport Hazards

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
24 CFR Part 51 Subpart D	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The Project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport, nor within a Runway Clear Zone of a civil airport, or within a Clear Zone or Accident Potential Zone of a military airfield

The Project site lies approximately 6 miles northwest of Oakland International Airport, which is the nearest major civilian airport to the site. At this distance, the Project site is not within the Airport Influence Area for Oakland International Airport and not within an identified Airport Safety Zone. There are no military airports in the vicinity, and therefore the Project site is not within a Clear Zone or Accident Potential Zone.

*Source Documentation: Alameda County Airport Land Use Commission, Oakland International Airport Land Use Compatibility Plan, adopted December 15, 2010 - Figure 1-1: Alameda County Airports, Figure 3-1: Airport Influence Area and Figure 3-4: Safety Compatibility Zones (see **Attachment 1**)*

Coastal Barrier Resources

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The Project site is not within a Coastal Barrier Resources System Unit as mapped by the U.S. Fish and Wildlife Service

The Coastal Barrier Resources Act (Public Law 97-348, enacted October 18, 1982) designated various undeveloped coastal barriers for inclusion in the John H. Chafee Coastal Barrier Resources System. Designated areas are ineligible for direct or indirect federal national security, navigability and energy exploration, and most new federal expenditures and financial assistance are prohibited within the Coastal Barrier Resources System. Coastal Barrier Resources areas extend along the coasts of the Atlantic Ocean, the Gulf of Mexico, Puerto Rico, the U.S. Virgin Islands and the Great Lakes. There are no Coastal Barrier Resources in California.

*Source Documentation: U.S. Fish and Wildlife Service, Coastal Barrier Resources System, Official CBRS Maps, website accessed May 7, 2020 at: <https://www.fws.gov/cbra/maps/index.html> (see **Attachment 2**)*

Flood Insurance

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The Project site is not within a FEMA-designated Special Flood Hazard Area and is not required to purchase insurance against flood losses under the National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), Panel 06001C0066H (December 21, 2018) shows that the Project site is within Zone X: Area of Minimal Hazard. No portion of the Project site is within a 100-year floodplain or any other Special Flood Hazard Area as mapped by FEMA.

Source Documentation: Federal Emergency Management Agency, National Flood Hazard Layer Viewer, website accessed May 7, 2020 at: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd> (see **Attachment 3**)

U.S. Environmental Protection Agency, NEPAassist, website accessed May 7, 2020 at: <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>

Compliance with Laws and Authorities (Statutes, Executive Orders and Regulations Listed at 24 CFR 50.4 and 58.5)

Clean Air

For additional air quality topics related to toxic air contaminants, please see the EA Checklist under the topic of Hazard and Hazardous Conditions

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes ■	No □	The Project’s estimated emissions could exceed de minimis emission levels for non-attainment and/or maintenance level pollutants (ozone precursors and fine particulate matter). Implementation of required conditions of Project approval would bring Project emissions into compliance with the State Implementation Plan and the State’s 2017 Clean Air Plan.

Criteria Pollutants

The federal Clean Air Act governs air quality in the United States. The U.S. Environmental Protection Agency (US EPA) administers the Clean Air Act, which requires each state to identify those areas that have ambient air quality in violation of federal standards. States are required to develop, adopt and implement a State Implementation Plan (SIP) to achieve, maintain and enforce federal ambient air quality standards in non-attainment areas. SIP’s are developed on a pollutant-by-pollutant basis whenever one or more federal air quality standards are violated.

State law makes the California Air Resources Board (CARB) the lead agency for all purposes related to the SIP, and CARB is tasked with developing and adopting the specific rules and regulations needed to achieve healthful air quality that meets these national standards, as well as the more stringent State standards. CARB partners with the State’s 35 regional and local Air Districts to conduct air quality planning, monitoring and stationary source and facility permitting. These regional and local Air Districts have primary responsibility for developing SIPs, generally in coordination with local and regional land use and transportation planning agencies. The Bay Area Air Quality Management District (BAAQMD) is the responsible regional air pollution control agency in the nine-county San Francisco Bay Area region.

An area’s compliance with national ambient air quality standards under the Clean Air Act is generally categorized as either attainment (i.e., better than national standards) or non-attainment (i.e., not meeting national standards). Other potential categories include “maintenance area”, “unclassifiable” or “attainment/cannot be classified”. The San Francisco Bay Area Air Basin (Bay Area Air Basin) is designated as non-attainment for the federal 8-hour ozone standard and the federal 24-hour fine particulate matter (PM_{2.5}) standard, and is designated as a maintenance area with respect to the federal carbon monoxide (CO) standards. The Bay Area Air Basin is designated as attainment or unclassified for all other national ambient air quality standards.

With respect to the State’s more stringent ambient air quality standards, California classifies areas as attainment, non-attainment, non-attainment transitional or unclassified. The Bay Area Air Basin is designated as non-attainment for the State ozone standard, as non-attainment for the State inhalable particulate matter (PM₁₀ and PM_{2.5}) standards, and as attainment or unclassified for all other state ambient air quality standards.

Criteria Air Pollutant Thresholds and General Conformity

The predominant regulation that guides assessment of air quality impacts of federal actions is the General Conformity Rule, established under the Clean Air Act (Section 176(c)(4)). The General Conformity Rule ensures that the actions taken by federal agencies in non-attainment and maintenance areas do not interfere with a state's plans to meet national standards for air quality. In keeping with the General Conformity Rule process, the following assessment of the Project relies on the "*de minimis*" thresholds of the General Conformity Rule as they apply to the Bay Area Air Basin for ozone precursors, PM_{2.5} and CO. The federal *de minimis* thresholds for these three pollutants in the Bay Area Air Basin are 100 tons per year for each pollutant.

The applicable BAAQMD air quality standards addressing the Bay Area Air Basin's non-attainment status for ozone (including ozone precursors, or criteria pollutants of NO_x, ROG, PM₁₀, and PM_{2.5}) and 24-hour fine particulate matter (PM_{2.5}), are established pursuant to the BAAQMD's 2017 Clean Air Plan, and are more stringent than the federal standards. Any federal action that is consistent with the primary goals of the BAAQMD 2017 Clean Air Plan pertaining to criteria pollutants and fine particulate matter would not interfere with the SIP plans for meeting the national standards, and any project that would support the goals of the 2017 CAP to attain statewide air quality standards would be considered consistent with the 2017 CAP.

BAAQMD's recommended approach for determining a project's consistency with the 2017 CAP is its consistency with District-approved CEQA thresholds of significance. If a project would not exceed the applicable CEQA thresholds after the application of all feasible mitigation, the project would be considered consistent with the 2017 CAP, and would not interfere with the SIP for meeting the national air quality standards. The BAAQMD air quality thresholds used in this analysis to evaluate air quality impacts of criteria pollutants for consistency with the 2017 CAP and for general conformity with the SIP are listed in **Table 2** below:

Table 2: BAAQMD Significance Thresholds for Criteria Pollutant Emissions

<u>Pollutant</u>	<u>Construction Threshold</u>	<u>Operational Threshold</u>
Ozone Precursor (ROG)	54 pounds/average day, equivalent to 10 tons/year	54 pounds/average day, or 10 tons/year
Ozone Precursor (NO _x)	54 pounds/average day, equivalent to 10 tons/year	54 pounds/average day, or 10 tons/year
PM _{2.5} as exhaust	54 pounds/average day, equivalent to 10 tons/year	54 pounds/average day, or 10 tons/year
PM ₁₀ as exhaust	82 pounds/average day, equivalent to 15 tons/year	82 pounds/average day, or 15 tons/year
PM _{2.5} and PM ₁₀ as fugitive dust	Best Management Practices (BMPs)	NA

Criteria Air Pollutant Analysis

Construction Emissions

Construction activities associated with the Project would generate short-term fugitive dust. Dust generation is dependent on soil type and soil moisture, as well as the amount of total acreage involved in clearing, grubbing and grading activities. Clearing and earthmoving activities comprise the major source of construction dust, but traffic and general disturbance of the soil also contribute to the problem. Sand, lime or other fine particulate materials may be used during construction and stored on-site. If not stored properly, such materials could become airborne during periods of high winds. The effects of construction activities include increased dust fall

and locally elevated levels of suspended particulates (PM₁₀). PM₁₀ is considered unhealthy because the particles are small enough to inhale and damage lung tissue, which can lead to respiratory problems. PM₁₀ emissions during Project construction can be reduced through compliance with institutional requirements for dust abatement and erosion control. Construction activities associated with the Project may result in significant quantities of criteria pollutant emissions (precursors to smog, including NO_x, PM₁₀, and PM_{2.5}) on a temporary and intermittent basis during the construction period. The majority of criteria pollutants emitted during construction include exhaust emissions (assumed to be diesel particulate matter, or PM_{2.5}) from off-road construction equipment and from on-road vehicles (haul trucks, vendor trucks, and worker vehicles), as well as emissions of ROG from architectural coatings.

According to BAAQMD guidelines, if a project is below applicable construction-related screening level size (which is 240 units for a mid-rise apartment and 277,000 square feet for commercial/office space), and if all Basic construction mitigation measures are included in the project design and implemented during construction, and if construction-related activities would not include multiple simultaneous activities, then construction of the project would result in less than significant emissions of criteria air pollutants. At 79 mid-rise apartment units and 16,750 square feet of commercial space, the Project represents only 33 percent of the residential screening size and only 6 percent of the commercial screening size, thereby meeting the screening size criteria for projects that are considered to have significant construction-period emissions of criteria pollutants.

Operational Emissions

Operational criteria air pollutants generated by residential uses are primary the result of mobile source emissions from vehicles. The Project is a mixed-use development within a half-mile of a major transit stop and near community services within reasonable walking and biking distance. There is an existing AC Transit bus stop along 7th Street at the US Post Office, and the West Oakland BART station lies approximately three blocks to the east. An additional shuttle stop would be added at the Project site as part of a proposed BART and neighborhood shuttle service, and ample bicycle parking would be provided on-site. These features would substantially reduce the number of net new vehicle trips generated by the Project.

BAAQMD guidelines also include screening thresholds for emissions of criteria air pollutants resulting from project operations. Those projects that do not exceed the screening thresholds are presumed to result in less than significant air quality effects. For mid-rise apartment projects, the screening threshold is 494 dwelling units. For ground-level commercial/retail uses, the most stringent applicable screening threshold is 33,000 square feet (for restaurant use). The Project, at 79 dwelling units and 16,750 square feet of commercial use, represents approximately 16 percent of the residential screening threshold and approximately 50 percent of the commercial screening threshold (or 66 percent of the total combined screening threshold) for operational criteria pollutant emissions, thereby meeting the screening size criteria for projects that are considered to have significant construction-period emissions of criteria pollutants.

The Project would result in less than significant impacts from operational-period criteria air pollutant and precursor emissions, and will not interfere with 2017 CAP or the SIP for meeting the national air quality standards.

Standard Conditions of Approval Required

The City of Oakland has adopted Uniformly Applied Development Standards that are imposed as Standard Conditions of Approval. These Standard Conditions of Approval apply to all projects that meet applicable criteria. The following Standard Conditions of Approval apply to all construction projects, and serve to reduce construction-period emissions, and ensure that construction-period emissions of criteria pollutants remain less than significant:

Air Quality-1, Construction-Related Air Pollution Controls (Dust and Equipment Emissions): The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:

- a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.
- b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. Pave all roadways, driveways, sidewalks, etc. within one month of site grading or as soon as feasible. In addition, building pads should be laid within one month of grading or as soon as feasible unless seeding or soil binders are used.
- e. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- f. Limit vehicle speeds on unpaved roads to 15 miles per hour.
- g. 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 five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.
- h. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”).
- i. 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.
- j. Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.
- k. 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.
- l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.
- m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).

- o. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.
- p. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize windblown dust. Wind breaks must have a maximum 50 percent air porosity.
- q. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- r. Activities such as excavation, grading, and other ground-disturbing construction activities shall be phased to minimize the amount of disturbed surface area at any one time.
- s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.
- t. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.
- u. All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”) must meet emissions and performance requirements one year in advance of any fleet deadlines. Upon request by the City, the project applicant shall provide written documentation that fleet requirements have been met.
- v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).
- w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.
- x. Off-road heavy diesel engines shall meet the California Air Resources Board’s most recent certification standard.
- y. 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.

Conclusion/Conformity Determination

With implementation of AQ-1 above, the Project would result in less than significant construction-period criteria air pollutant and ozone precursor emissions, and will not interfere with 2017 CAP or the SIP for meeting national air quality standards.

Source Documentation: *City of Oakland, 7th and Campbell Street Affordable Housing Project - CEQA Analysis, August 2016*

City of Oakland, Letter to Elaine Brown from Neil Gray, Planner IV, Approval of Revised Application subject to Conditions, July 21, 2020

Exposure of New Sensitive Receptors to Substantial Levels of Toxic Air Contaminants

For purposes of this EA, a Health Risk Assessment has been prepared:

- Illingworth & Rodkin, Inc., 7th and Campbell Mixed-Use Project, Air Quality Community Risk Assessment, July 6, 2020 (see **Appendix B**)

The following information is derived from this Project-specific Health Risk Assessment (HRA).

Health Risk Assessment Summary

Oakland uses the BAAQMD's CEQA Air Quality Guidelines to consider exposure of sensitive receptors to air pollutant levels that result in an unacceptable cancer risk or hazards. For cancer risk, which is a concern for diesel particulate matter (DPM) and other mobile source of TACs, the BAAQMD considers an increased risk of contracting cancer that is 10.0 in one million chances or greater, to be a threshold for a single source. The BAAQMD CEQA Guidelines also consider single-source TAC exposure to be excessive if annual fine particulate matter (PM_{2.5}) concentrations exceed 0.3 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), or if the computed hazard index (HI) is greater than 1.0 for non-cancer risk hazards. Cumulative exposure is assessed by combining the risks and annual PM_{2.5} concentrations for all sources within 1,000 feet of a project. The thresholds for cumulative exposure are an excess cancer risk of 100 in one million, annual PM_{2.5} concentrations of 0.8 $\mu\text{g}/\text{m}^3$, and a hazard index greater than 10.0. These thresholds were used to address impacts from TAC sources that could affect future project residents (the methodology for computing cancer risk, annual PM_{2.5} concentrations, and non-cancer hazards is contained in Appendix B). This methodology includes guidance to computing cancer risk as provided by the State Office of Environmental Health Hazards Assessment (OEHHA), providing greater protections for infants and children.

A review of the Project site identifies three air pollutant or TAC sources within 1,000 feet of the site (traffic on 7th Street, mobile sources associated with the United States Post Office (USPS) distribution center, and a diesel fueled emergency generator located at the USPS facility), and one TAC source that is beyond the recommended 1,000-foot study area, but that generates mobile sources of TAC that could adversely affect the site (Interstate 880, or I-880 traffic). The Port of Oakland and associated rail facilities are located well outside the 1,000-foot radius, beyond I-880. The BART line near the Project is electric and assumed to have no TAC emissions. A summary of the predicted impacts of these toxic air emission sources on the Project is shown on **Table 3**. Locations of these sources and the Project are shown in in **Figure 6**.



Figure 6
Toxic Air Contaminant Sources

Source: Illingworth & Rodkin, Inc., 2020

Table 3: Summary of TAC Impact Sources

<u>Source</u>	<u>Maximum Cancer Risk (per million)*</u>	<u>Maximum Annual PM_{2.5} (µg/m³)*</u>	<u>Maximum Hazard Index*</u>
I-880	17.8	0.12	<0.01
7th Street	4.9	0.06	<0.01
USPS Distribution Facility	12.1	0.13	<0.01
Plant #21130 (Generator)	1.0	0.001	<0.01
BAAQMD Single-Source Threshold	>10.0	>0.3	>1.0
Exceed Threshold?	Yes	No	No
Cumulative Total	35.8	0.31	<0.02
BAAQMD Cumulative Source Threshold	>100	>0.80	>10.0
Exceed Threshold?	No	No	No

**On-site MEI located on 3rd Floor residence. Bold text indicates any exceedance of BAAQMD Threshold(s)*

Source: Illingworth & Rodkin, Inc., **Appendix B**

As indicated above, single source emissions from traffic on 7th Street and from the diesel fueled emergency generator located at the USPS facility do not exceed any identified single-source thresholds.

I-880 TAC Emissions

I-880 is a TAC source that is not within 1,000 feet of the Project site, but emissions from I-880 are nevertheless included in this assessment. The calculation of maximum cancer risk impacts resulting from TAC emissions from I-880 was developed for an individual that resides at the Project site starting as a third trimester fetus, to an infant and child, and eventually to an adult, over a 30-year period. Age-appropriate sensitivity factors were applied.

The highest concentrations of TAC emissions from I-880 occur at the southwest corner of the site, on the third floor (i.e., maximum exposed individual, or MEI). Concentrations on the fourth through sixth floors are also estimated for comparison purposes and filtration recommendations. The maximum total PM_{2.5} concentration at the third floor MEI is 0.12 µg/m³, well below the BAAQMD single source threshold of 0.3 µg/m³. The maximum predicted annual DPM concentration from I-880 traffic at the third floor MEI is 0.023 µg/m³. This concentration is lower than the recommended exposure limit (REL) and the Hazard Index (HI) is less than 0.01. However, the maximum increased cancer risk at the MEI is computed at 17.8 in one million. Cancer risks from I-880 emissions to future residents living on the third floor of the Project range from 17.8 to 13.9 per million, exceeding the single-source threshold of less than 10 per million.

USPS Distribution Facility TAC Emissions

The Main U.S. Post Office and large regional USPS processing, distribution and vehicle maintenance facility is located across 7th Street from the Project site. The USPS facility is sited adjacent to I-880 on approximately 27 acres. The facility's primary access is located off 7th Street, approximately 685 feet from the Project site. Personal light duty vehicles, trucks and trucks with tractor trailers bring packages and other pieces of mail to and from the facility 24 hours a day for processing and distribution. A 4-level parking garage is located on the site, providing parking to the facility's employees. Emissions and health risks associated with operation of the USPS facility are estimated due to its proximity to the Project. Both EMFAC2017 and CT-EMFAC2017 were used to estimate emissions, and AERMOD was used to estimate pollutant concentrations at the Project site. The

calculation of health risks from the USPS facility was developed for an individual that resides at the Project site starting as a third trimester fetus, to an infant and child and eventually to an adult, over a 30-year period. Age-appropriate sensitivity factors were applied.

The highest concentrations of TAC emissions from the USPS facility occur at the same location as those from I-880 - the southwest corner of the Project on the third floor (i.e., the MEI). Concentrations on the fourth through fifth floors were also estimated for comparison purposes and filtration recommendations. The maximum total PM_{2.5} concentration at the third floor MEI is 0.13 µg/m³, well below the BAAQMD single source threshold of 0.3 µg/m³. The maximum predicted annual DPM concentration from the USPS facility at the MEI was 0.014 µg/m³, lower than the REL, and the HI would be less than 0.01. However, the maximum increased cancer risk at the MEI was computed as 12.1 in one million. Cancer risks from the USPS facility range from 12.1 to 8.8 on the third floor, and exceed the single-source threshold of less than 10 per million on a portion of the third floor.

Combined Cancer Risk, Hazard Index and Annual PM_{2.5} Concentrations

The combination of TAC emissions from all sources at the most affected Project receptor (or MEI) is reported in **Table 4**. The maximum emissions from each source were added to compute the combined impacts from all sources. The combined cancer risk is 13.6 per million, below the cancer threshold of 100 chances per million, and the combined annual PM_{2.5} concentration does not exceed 0.8 µg/m³, and the combined HI is well below 10.0.

Summary of Health Risk Impacts

The health risk impact to future Project residents do not exceed single-source thresholds for annual PM_{2.5} concentration or for Health Index thresholds, and do not exceed cumulative thresholds for PM_{2.5} concentrations, Health Index or cancer risk. However, emissions from I-880 and the USPS facility sources do exceed the 10.0 chances per million single source threshold for cancer risk. Dwelling units on the third through fifth floor levels of the Project have predicted cancer risk concentrations that exceed single source thresholds.

Mitigation Measures

To reduce the health risks to future Project residents from exposure to potential cancer risks attributed to TAC emissions from I-880 and from the USPS facility, the following mitigation measure is recommended:

Mitigation Measure Air Quality 1, Health Risk Reduction Measures. HVAC systems with high efficiency diesel particulate filters, or MERV 13 filters, shall be included in the Project's ventilation design, along with weatherproofing windows and doors, installation of passive electrostatic filtering systems, and adoption of an annual maintenance plan for the HVAC and air filtration systems.

The U.S. EPA reports that air filters rated at MERV 13 have a 90 percent efficiency in removing particle in the size range of 1 to 3 microns, and less than 75 percent efficiency for removing particles sizes of 0.3 to 1 microns.^{9 10} The BAAQMD's guidance document *Planning Healthy Places* indicates that MERV 13 air filtration devices installed on an HVAC air intake system can remove 80 to 90 percent of indoor particulate matter that is greater than 0.3 microns in diameter.¹¹ A properly installed and operated ventilation system with MERV 13 air filters would reduce DPM and PM_{2.5} concentrations from traffic and from the USPS facility by 80 percent or greater indoors, as compared to outdoors.

9

10

11

The calculations for overall effectiveness of the air filtration system must take into consideration time spent outside, and the outdoor exposure of each affected dwelling unit. The U.S. EPA reports that people, on average, spend 90 percent of their time indoors. The overall effectiveness calculations consider time spent outdoors, plus assuming two hours of outdoor exposure on site, plus one hour of open windows (calculated as outdoor exposure) per day. Based on these assumptions, the overall effectiveness of a MERV 13 filtration systems would be 70 percent, assuming the air filter intake is at the receptor position. Therefore, these calculations assume the treated air is at the ventilation system intake, while untreated air is at the receptor position. The design of this control system must consider that increased cancer risk is primarily the result of exposure to DPM. However, TACs in total organic gases (TOGs) also contribute to increased cancer risk. While high-efficiency filtration systems can filter DPM, there are no assumptions for reducing TACs from TOG in this assessment.

As indicated in **Table 4**, an air filtration system using MERV 13 air filters would reduce the maximum cancer risks from traffic on I-880 to below the BAAQMD single-source threshold of less than 10 in a million. Likewise, impacts from the USPS facility will be reduced below single-source thresholds. Filtration is not needed to meet cumulative-source thresholds or the single source thresholds for traffic emissions from 7th Street.

Table 4: Maximum Cancer Risk with MERV 13 Filtration

<u>Source</u>	<u>Maximum Cancer Risk (per million)*</u>
I-880	5.8
7th Street	4.9
USPS Distribution Facility	4.9
Plant #21130 (Generator)	1.0
BAAQMD Single-Source Threshold	>10.0
Exceed Threshold?	No
Cumulative Total	13.6
BAAQMD Cumulative Source Threshold	>100
Exceed Threshold?	No

**On-site MEI located on 3rd Floor residence. Bold text indicates any exceedance of BAAQMD Threshold(s)*

*Source: Illingworth & Rodkin, Inc., **Appendix B***

As indicated above, installation of MERV-13 air filters would reduce the health risks of future residents of the Project to levels below identified thresholds.

Standard Conditions of Approval Required

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to potential impacts related to air quality-related health risks. Implementation of City of Oakland’s Standard Conditions of Approval related to TAC’s will bring health risk impacts to future residents to less than significant levels.

Air Quality-2, Exposure to Air Pollution (Toxic Air Contaminants). The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods:

- a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. The approved risk reduction measures shall be implemented during construction and/or operations as applicable.

- or -

- b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:
 - i) Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 (or higher). As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.
 - ii) Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).
 - iii) Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.
 - iv) The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods.
 - v) Sensitive receptors shall be located on the upper floors of buildings, if feasible.
 - vi) Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including Pine, Cypress, Hybrid poplar and Redwood.
 - vii) Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.
 - viii) Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible.
 - ix) Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible: i) installing electrical hook-ups for diesel trucks at loading docks; ii) requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards; iii) requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels; iv) prohibiting trucks from idling for more

than two minutes; and v) establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.

The HRA concludes that health risks exceed acceptable levels, and health risk reduction measures have been identified to reduce health risks to acceptable levels per Mitigation Measure Air Quality 1 - Health Risk Reduction Measures. This mitigation includes installation of high efficiency diesel particulate air filters rated as MERV-13 or higher. The air filters shall be installed during construction and operated throughout the lifetime of the Project.

Source Documentation: U.S. Environmental Protection Agency, NEPAassist, website accessed May 7, 2020 at: <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>

Bay Area Air Quality Management District, CEQA Guidelines, Table 3-1, May 2017

Illingworth & Rodkin, Inc., 7th and Campbell Mixed-Use Project, Air Quality Community Risk Assessment, July 6, 2020

Project-Generated Construction Period Toxic Air Contaminants

In addition to the criteria pollutants emitted during construction (assessed above), Project-related construction activities would generate construction-related emissions of toxic air contaminants (TACs), specifically diesel particulate matter emissions (DPM, expressed as PM_{2.5}) from on-road haul trucks and off-road diesel equipment exhaust. Due to the nature of construction activity, the generation of TAC emissions would be temporary and would vary over the construction period. Considering the short amount of time such equipment will be used within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations, it is unlikely that construction-period TAC emissions from the Project would result in increased cancer risk or non-cancer health concerns for nearby sensitive receptors. However, the Project site is located in an area characterized by large and complex industrial facilities and the Port, and extra cautions should be considered for sensitive land uses in these areas, including identifying additional measures that can be implemented to reduce health risks.

Mitigation Measures

Because the Project involves construction of more than 50 dwelling and is located in an area defined as needing "Best Practices" or needing "Further Study" on the BAAQMD Healthy Places Map, the following mitigation measure is required:¹²

Mitigation Measure Air Quality 2, Diesel Particulate Matter Controls - Construction Related.

All off-road diesel equipment shall be equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by CARB. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications. This shall be verified through an equipment inventory submittal and Certification Statement that the Contractor agrees to compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of contract.

Operational TAC Emissions

Residential and retail uses are not generally considered substantial sources of operational toxic air emissions. The Project would include two internal elevators that may require a backup diesel generator in the event of

¹² BAAQMD, Planning Healthy Places, 2016, accessed at: <http://www.baaqmd.gov/plans-andclimate/planning-healthy-places>

power outages. The California Building Code requires back-up diesel generators for all buildings over 70 feet tall, and although the Project is not that tall, a back-up generator may still be required for the elevator. Limited use of a diesel generator for an emergency power source would not have the potential to act as a substantial source of health risk to others, and its individual impacts would be less than significant. However, the Project site is located in an area characterized by large and complex industrial facilities and the Port, and extra cautions should be considered for sensitive land uses in these areas, including identifying additional measures that can be implemented to reduce health risks.

Mitigation Measures

Because of the Project's location in an area defined as needing "Best Practices" or needing "Further Study" on the BAAQMD Healthy Places Map, the following mitigation measure is required:

Mitigation Measure Air Quality 3, Stationary Sources of Air Pollution (Toxic Air Contaminants).

The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:

- a. Installation of non-diesel fueled generators, if feasible, or;
- b. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.

Greenhouse Gas Emissions

Climate change is a global problem. Greenhouse Gasses are global pollutants, unlike criteria air pollutants and toxic air contaminants (TACs), which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about 1 day), GHGs have long atmospheric lifetimes (1 year to several thousand years). Prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), chlorofluorocarbons (CFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆).

There are no established federal or state significance criteria for global climate change impacts or GHG emissions. However, the BAAQMD has developed guidelines for determining GHG impacts under the California Environmental Quality Act (CEQA). Projects that would not exceed 1,100 metric tonnes of carbon dioxide-equivalent per year (MTCO₂e/yr) are considered to have a less than significant GHG impact. While the Project does not meet any requirements to provide quantification of GHG emissions, the following analysis is provided as an informational assessment to demonstrate that the Project would not exceed 1,100 MTCO₂e, and would support applicable plans intended to reduce GHG emissions.

Construction GHG Emissions

During construction, GHGs would be emitted from construction equipment, and from worker and vendor vehicle trips. The CalEEMod emissions calculator (see **Appendix C**) shows that construction activities would generate a total of approximately 102 MTCO₂e during a 1-year construction period, which is far less than the threshold of 1,100 MTCO₂e.

Operational GHG Emissions

The CalEEMod emissions calculator (see also Appendix C) has also been used to calculate the operational GHG emissions attributed to the Project, at 79 apartment units, 16,750 square feet of commercial and office space in a five-story building on a 0.71-acre site (see **Table 5**).

Table 5: Estimated Operational Greenhouse Gas Emissions

<u>Emission Source</u>	<u>Project Emissions (MTCO2e)</u>
Area Sources	4
Mobile Sources	591
Energy Consumption	246
Waste	34
Water Use	<u>27</u>
Total:	903

Lamphier-Gregory, CalEEMod Emissions Calculator Output results, see Appendix C

As indicated in the table above, total operational emissions generated by the Project are calculated to be approximately 903 MTCO2e per year, which is below the BAAQMD’s recommended threshold of 1,100 MTCO2e per year.

Conclusion

The Project’s GHG emissions are below threshold levels, and therefore considered less than significant. The Project is consistent with the state and local GHG emission reduction goals for transportation, energy and other emission sources associated with land use and development projects. The Project would not conflict with or obstruct implementation of a statewide, regional or local plan intended to reduce GHG emissions.

Source Documentation: BAAQMD, *Planning Healthy Places, 2016*, accessed at: <http://www.baaqmd.gov/plans-andclimate/planning-healthy-places>

Illingworth & Rodkin, Inc., 7th and Campbell Mixed-Use Project, Air Quality Community Risk Assessment, July 6, 2020

Lamphier-Gregory, CalEEMod Emissions Calculator Results (Appendix C)

Coastal Zone Management

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
Coastal Zone Management Act, sections 307(c) & (d)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The Project is not located in a Coastal Zone and would not affect a Coastal Zone as defined by the California Coastal Management Plan for the San Francisco Bay. A Coastal Development Permit is not required.

The edge of the San Francisco Bay is defined by the California Coastal Management Plan as a Coastal Zone. The San Francisco Bay Conservation and Development Commission (BCDC) is the designated governing body with jurisdiction over the Local Coastal Program in the greater Bay Area. BCDC developed the *San Francisco Bay Plan* to protect and conserve the Bay as a regional resource. Pursuant to the Bay Plan, a permit is required prior to undertaking work such as filling, excavating, dredging, grading, new construction, remodeling, change of use, subdivisions, etc.in the Bay or within 100 feet of the shoreline. The Project site lies approximately 1.5 miles inland from the San Francisco Bay, will not affect a Coastal Zone, and is not subject to BCDC jurisdiction.

Source Documentation: *San Francisco Bay Conservation & Development Commission, San Francisco Bay Plan*, website accessed May 7, 2020 at: http://www.bcdc.ca.gov/plans/sfbay_plan.html (see **Attachment 4**)

Contamination and Toxic Substances

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
24 CFR Part 50.3(i) & 58.5(i)(2)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	On-site hazardous substances have been found that could affect the health and safety of Project construction workers and future residents. Compliance with federal, state and local regulations for treatment, remediation and disposal of contaminated soil and potential vapor intrusion is required to reduce the potential adverse impact of existing contaminants at the Project site.

It is HUD policy, as described in 24 CFR Part 50.3(i) and 24 CFR 58.5(i)(2), that: a) all property proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property; b) environmental review of multifamily and non-residential properties shall include evaluation of previous uses of the site and other evidence of contamination on or near the site, to assure that occupants of proposed sites are not adversely affected by the hazards; and c) that particular attention should be given to any proposed site on or in the general proximity of such areas as dumps, landfills, industrial sites, or other locations that contain, or may have contained, hazardous wastes. The Responsible Entity shall use current techniques by qualified professionals to undertake investigations determined necessary. The environmental review record should contain one of the following:

- Evidence the site is not contaminated (for multi-family housing projects this includes on site and off site contamination and previous uses of the site); a Phase I Environmental Site Assessment is strongly encouraged for multi-family and non-residential projects
- Documentation that the site has been cleaned up according to EPA or state standards for residential properties, which requires a letter of “No Further Action” (NFA) required from the appropriate state department/agency, or a RAO letter from the LSRP, or
- Evidence supporting a determination that the hazard will not affect health and safety of the occupants or conflict with the intended use of the site, including any mitigation measures used.

Soil and Groundwater Contamination and Vapor Intrusion

A prior Phase I ESA (see **Appendix D**) identified several recognized environmental conditions (RECs) in connection with the site, including the presence of various nearby properties adjacent that are under regulatory oversight and that have documented subsurface contamination that may affect the environmental conditions beneath the site, a former structure at the site that was labeled “coal,” which may indicate coal was burned and could contribute to subsurface contamination, and various neighboring properties within close proximity to the site that included historical automobile service stations or dry cleaning facilities. Although no contamination was confirmed at these historical sites, the possibility of contamination was not ruled out.¹³

For purposes of this EA Checklist, a project-specific Phase II Environmental Site Assessment has been prepared:

¹³ SCA Environmental, Inc., Phase I Environmental Site Assessment, 1650-1676 7th Street and 711-715 Campbell Street, Oakland, California 94607, January 2019

- Langan Engineering and Environmental Services, Inc., *Phase II Environmental Site Assessment - 1666 7th Street*, August 18, 2020 (see **Appendix E**)

The following information is derived from the Project-specific Phase II Environmental Site Assessment (Phase II ESA). The purpose of the Phase II ESA was to evaluate the subsurface conditions and chemical quality of environmental media (soil, soil vapor, and groundwater) beneath the site, prior to redevelopment. Based on a review of historic data and reports, the site had been occupied by mixed-used buildings from 1889 until the 1970's, when most of these older buildings were removed. All but one building was removed by the year 2000, with the last building reportedly removed between 2012 and 2014. In furtherance of the previously recognized environmental concerns, the Langan Phase II ESA evaluated the environmental quality of the soil, soil vapor and groundwater that may be encountered during development of the Project. Soil samples were also analyzed for constituents to satisfy waste profiling scenarios generally accepted by landfills, and groundwater and soil vapor samples were analyzed to assess potential vapor intrusion concerns. Laboratory analytical results from the Phase II ESA are summarized below, and compared to the RWQCB Environmental Screening Levels (ESLs), and State and federal hazardous waste criteria for landfill disposal considerations. Where applicable, the analytical results were compared to both the Cancer Risk and Non-Cancer Hazard Residential ESLs to evaluate concentrations in soil, groundwater and soil vapor.

- Volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), petroleum hydrocarbons (TPH) and organochlorine pesticides (OCPs) were all found in various soil samples collected from the site, at or above the laboratory reporting limits. Only one SVOC, benzo(a)pyrene, was detected above the Residential ESL of 0.11 mg/kg, at 2 of the 26 soil sample locations (at concentrations of 0.15 mg/kg and 0.2 mg/kg). No other VOCs, SVOCs, TPH or OCPs were found to exceed ESLs in the samples analyzed.
- Fourteen heavy metals (antimony, arsenic, barium, cadmium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, silver, vanadium, and zinc) were detected above the laboratory reporting limits, and total lead was detected at or above the laboratory reporting limit in each of the 26 samples. Heavy metal compounds were generally found to be below direct exposure residential ESLs or within normal background ranges typically found in the San Francisco Bay Area, with the exception of total lead. Concentrations of total lead in 5 of the 26 samples analyzed exceeds the direct exposure non-cancer hazard residential ESL (of 80 mg/kg). In addition, these 5 samples with elevated total lead also detected soluble concentration of lead exceeding the applicable California hazardous waste criteria (5 mg/L). None of the Federal Toxicity Characteristic Leaching Procedure (TCLP) lead concentrations were found to exceed the federal Class I RCRA hazardous waste criteria (of 5 mg/L) in any of the samples analyzed.
- None of the organic compounds detected in the groundwater samples analyzed exceed applicable Residential ESLs for vapor intrusion or direct exposure ESLs .
- Concentrations of total and dissolved metals in groundwater were below direct exposure ESLs, and groundwater beneath the City of Oakland is not a current or potential future drinking water source.
- Benzene was detected in all five soil vapor samples at concentrations that exceed the Residential ESL cancer risk vapor intrusion human health risk level. Concentrations of benzene in three of these soil vapor samples also exceed the Commercial/Industrial ESL cancer risk vapor intrusion human health risk level.
- Methylene chloride was detected in one soil vapor sample at a concentration that exceeds the Residential ESL cancer risk vapor intrusion human health risk level.
- PCE was detected in four of five soil vapor samples at concentrations that exceed the Residential ESL for human health risk cancer-based vapor intrusion.
- Vinyl chloride was detected in one soil vapor sample at a concentration that exceeds the Residential ESL cancer risk vapor intrusion human health risk level.
- The remaining VOCs in soil vapor were below their respective ESLs.

The results of this subsurface investigation indicate that a layer of undocumented fill material with elevated concentrations of heavy metals is present to depths ranging from 0 to 6 feet across the site. Based on the analytical results, five soil samples exceed the State of California hazardous waste criteria, and material from these areas will require disposal as Class I non-RCRA hazardous waste. **Figure 7** illustrates the boring locations in reference to the current conceptual design, and presents the areas of fill material exceeding State of California hazardous waste criteria. The Phase II ESA recommends supplemental soil sampling and testing to further delineate soluble lead concentrations exceeding hazardous waste criteria prior to construction activities.

The analytical results for soil vapors indicate that VOCs including benzene, methylene chloride, PCE, and vinyl chloride are present at concentrations exceeding their respective RWQCB residential ESLs for vapor intrusion. However, these VOCs were not detected in the soil (with the exception of a minor PCE concentration), and were also not present in groundwater above RWQCB Residential ESLs. As a result, the elevated soil vapor concentrations beneath the site are likely associated with an off-site source.

Phase II ESA Recommendations

The Project's Phase II ESA includes the following recommendations for remedial actions at the site:

- Supplemental soil sampling and testing to further delineate soluble lead concentrations exceeding California hazardous waste criteria in the shallow site soil, to be addressed and documented in a subsequent Environmental Site Characterization (ESC).
- For those portions of the site with fill material that does not exceed hazardous waste thresholds, that soil can most likely be disposed of as non-hazardous material. Where explored, the native material beneath the fill layer does not contain hazardous levels of contaminants and may potentially be reused or disposed of as unrestricted material. Additional soil sampling may be necessary to profile material for off-site unrestricted export during construction.
- Because soil containing soluble metal concentrations exceeding California hazardous waste criteria is present beneath the site, preparation of a Soil Management Plan (SMP) and Health and Safety Plan (HASP) is recommended. The SMP shall recommend specific measures to mitigate any long-term environmental or health and safety risks caused by the presence of soil concentrations exceeding California hazardous waste thresholds at the site, and contain contingency procedures to be implemented during construction activities, should unanticipated subsurface conditions or hazardous waste be encountered. The SMP and HASP will outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous substances during construction.
- In the event that construction dewatering and groundwater discharge is required, a permit shall be obtained from EBMUD prior to any groundwater discharge. Based on the available data, it is unlikely that the groundwater would require pre-treatment prior to disposal (excluding a settling tank for suspended solids). However, the Project will need to obtain and implement any requirements pursuant to EBMUD's Special Discharge Permit standard terms and conditions.
- The VOCs (benzene, methylene chloride, vinyl chloride, and PCE) in soil vapor detected beneath the site exceed RWQCB Residential ESLs for vapor intrusion. The Phase II ESA recommends a passive vapor mitigation system (VMS) to be included in the building design. The recommended passive VMS consists of a continuous, spray-applied vapor barrier membrane located immediately beneath the structural building slab, combined with a horizontal collection and venting system installed below the vapor barrier membrane, to allow any soil vapors that would otherwise collect beneath the slab to migrate and vent to the atmosphere outside the building. Below-grade utility conduits entering the building should be sealed to prevent VOC migration along the conduits from outside the building into the sub-slab space beneath the building.

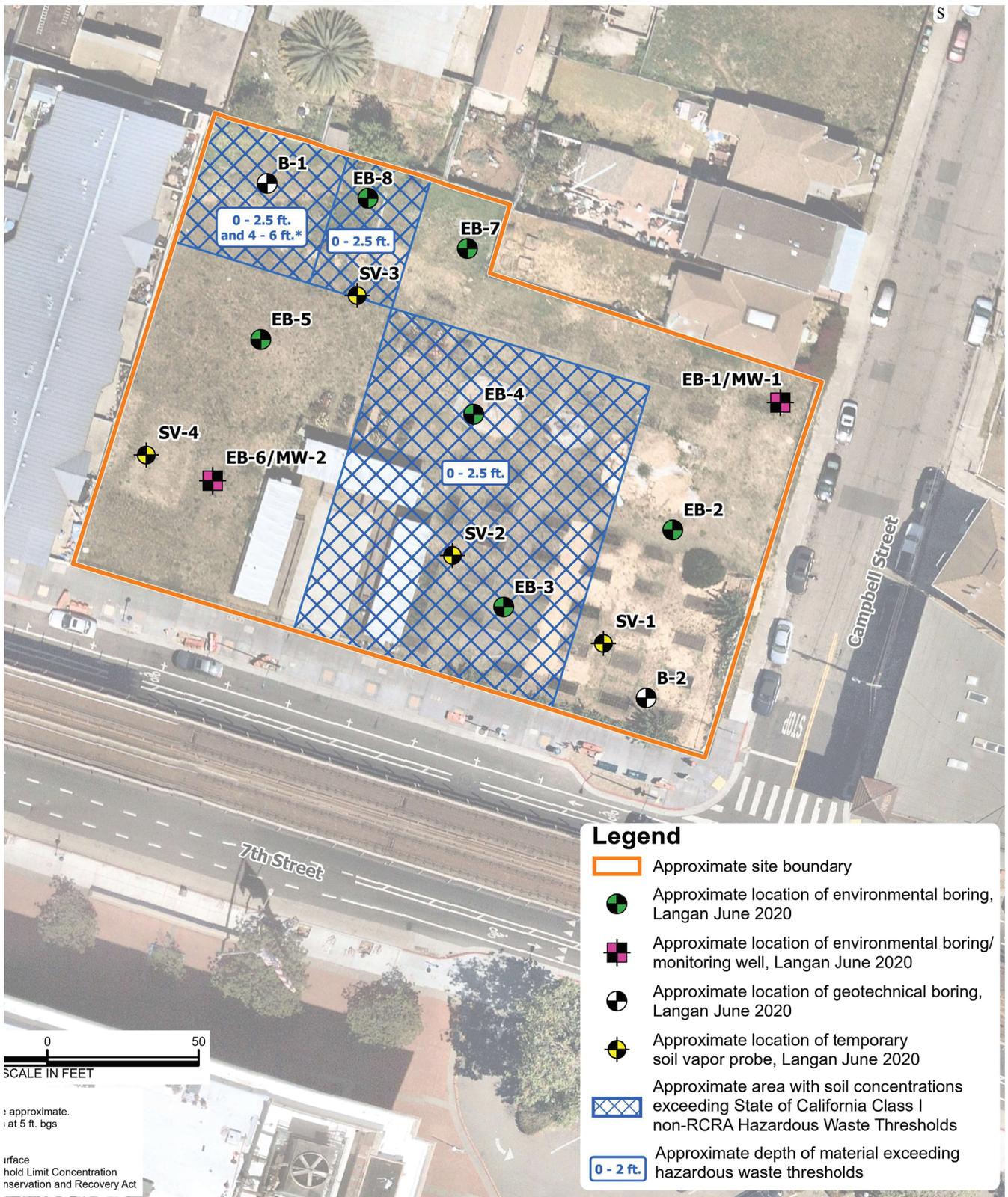


Figure 7
Areas Containing Fill Material Exceeding California Hazardous Waste
Criteria

Source: Langan Engineers, August 2020

Alameda County Environmental Health Review

Due to the results of the Phase II ESA indicating subsurface soil and groundwater contamination, in October of 2020, the Project applicant submitted applied to the Alameda County Department of Environmental Health (ACDEH) to enter into the Voluntary Remediation Program (see **Appendix F** to investigate the extent of soil, soil vapor, and groundwater contamination as a result of a release(s) from historic land uses at the site. ACDEH accepted lead regulatory agency jurisdiction for oversight and cleanup of the site to facilitate redevelopment with residential housing. With ACDEH's oversight, the Project applicant submitted an Additional Environmental Work Plan on December 9, 2020, that included additional field investigation, soil, groundwater and soil vapor sampling to inform the development of a Corrective Action Plan (CAP) to outline corrective actions and mitigation measures that may be implemented during Site development activities. The Work Plan received conditional approval from ACDEH on December 10, 2020 (see **Appendix G**). A draft CAP was prepared for ACDEH review, identifying the corrective actions to be taken at the site to enable site redevelopment (see **Appendix H**). On December 23, 2020, ACDEH issued a conditional approval of that CAP (see **Appendix I** and **Attachment 5**), initiating a public comment period for public review of that Plan, and requiring preparation of a "Fact Sheet" as notice for public review and comment on the draft Corrective Action Plan (see **Appendix J**). At the close of the public comment period, ACDEH may require modifications or refinements to corrective measures prior to final approval of the Corrective Action/Remedial Action Plan, at which time that final Plan will be posted to the SWRCB Geotracker website, and the Project applicant shall implement that Plan.

Mitigation Measures

Mitigation Measure Hazards 1, Final Corrective Action Plan The applicants shall implement the final CAP approved by ACDEH including the following measures:

- Excavating soil beneath portions of the ground surface to facilitate construction of foundations, utility corridors and landscaping and remove most of the historically contaminated soil
- Consolidating contaminated soil on-Site beneath the future building or a clean imported fill layer, and/or transporting soil to a licensed, off-Site disposal facility
- Backfilling excavations in utility corridors with clean, imported fill
- Installing a sub-slab vapor barrier and venting system beneath the planned building to prevent VOCs from entering indoor air

Standard Conditions of Approval Required

The City of Oakland has adopted Uniformly Applied Development Standards that are imposed as Standard Conditions of Approval. These Standard Conditions of Approval apply to all projects that meet applicable criteria. Based on the known site conditions, the following Standard Conditions of Approval applies to the Project:

Hazards-1, Regulatory Permits and Authorizations from Other Agencies

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.

Hazards--2, Hazardous Building Materials and Site Contamination

- a. Hazardous Building Materials Assessment: The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.
- b. Environmental Site Assessment Required: The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.
- c. Health and Safety Plan Required: The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.
- d. Best Management Practices (BMPs) Required for Contaminated Sites: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:
 - i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements.
 - ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.

Source Documentation: SCA Environmental, Inc., Phase I Environmental Site Assessment, 1650-1676 7th Street and 711-715 Campbell Street, Oakland, California, January 2019

Langan Engineering and Environmental Services, Inc., Phase II Environmental Site Assessment - 1666 7th Street, Oakland, California, August 24, 2020

7th & Campbell, LP, Service Request Application – Preliminary Site Review, submitted to Alameda County Department of Environmental Health Local Oversight Program, September 18, 2020

Alameda County Department of Environmental Health (ACDEH), Conditional Approval of the Work Plan for Additional Environmental Site Assessment, December 10, 2020

Langan Engineering and Environmental Services, Inc., Draft Corrective Action Plan, 1666 7th Street, December 23, 2020

ACDEH, Conditional Letter of Approval of Corrective Action, December 23, 2020

ACDEH, Notice of Draft Corrective Action Plan (“Fact Sheet”) Available for Review, December 21, 2020

State Water Resources Control Board, GeoTracker website at:

<https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=1666+7th+street+oakland>

U.S. Environmental Protection Agency, NEPAAssist, website accessed May 7, 2020 at:

<https://nepassisttool.epa.gov/nepassist/nepamap.aspx>

Endangered Species

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The Project site and its immediate surroundings do not include any endangered or threatened species of fish, wildlife or plants, or habitat of such species that has been designated as critical habitat pursuant to the federal Endangered Species Act

According to the US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) tool, there are 33 resources that are managed or regulated by the USFWS within the Project site’s area of interest that could potentially be affected by the Project, including 12 endangered species and 21 migratory birds. There are no critical habitats at this location. The list of endangered animal species within the broader area of interest include the Salt Marsh Harvest Mouse, California Clapper Rail, California Least Tern, Western Snowy Plover, Alameda Whipsnake, Green Sea Turtle, California Red-legged Frog, Delta Smelt, Tidewater Gobi, and the San Bruno Elfin Butterfly. The list of endangered plant species within the broader area of interest include the California Seablite and the Santa Cruz Tarplant.

The Project site is in a densely developed urban area surrounded by residential buildings and with the elevated BART tracks across the street. The site has no habitat value to flora or fauna. The Project site is a vacant lot that has been previously developed and is in temporary use as a productive urban farm. There are no existing trees, natural habitat, or habitat suitable for special status species on-site. There are no migratory corridors, existing trees, or natural habitat that would provide nesting sites. There are no natural features, wetlands, riparian habitat, or sensitive natural communities on the site, and the site is not in a designated Critical Habitat or within a Habitat Conservation Plan area.

Source Documentation: U.S. Fish and Wildlife Service, ECOS Environmental Conservation Online System, Information for Planning and Consultation (IPaC) tool website, accessed May 7, 2020 at:

<https://ecos.fws.gov/ipac/location/B2F3TYRZK5ANNABNMZRUZQYTVE/resources> (see **Attachment 6**)

Explosive and Flammable Hazards

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
24 CFR Part 51 Subpart C	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The Project site is not near any stationary hazardous operation that routinely store, handle or process hazardous substances

According to the HUD Exchange for Explosive and Flammable Facilities, project sites located too close to facilities handling, storing or processing conventional fuels, hazardous gases or chemicals of an explosive or flammable nature may expose occupants or end-users of a project to the risk of injury in the event of an explosion. To address this risk, regulations at 24 CFR Part 51 Subpart C require HUD-assisted projects to be separated from these facilities by a distance that is based on the contents and volume of the aboveground storage tank, or to implement mitigation measures.

The Project site is located within an urbanized portion of West Oakland, adjacent to residential neighborhoods as well as the Main US Post Office and the West Oakland BART station. There are no identified above ground storage tanks or other facilities, or operations known to contain explosive or flammable materials in the immediate vicinity of the site, and the Project would not be located in close proximity to any explosive or thermal source hazards.

However, westbound 7th Street passes under the I-880 freeway at approximately 1,400 feet from the Project site, passes through a pair of viaducts below the Union Pacific Railroad tracks, and enters into industrial Rail Yard operations and the Port of Oakland’s Maritime shipping terminal area. Within the Rail Yard and adjacent properties, there are several above-ground storage tanks that serve adjacent industrial and railroad uses. The largest of these above ground storage tanks and the tank nearest to the Project site is a tank located on UPRR property and immediately adjacent to the Rail Yard (see **Figure 8**).¹⁴ This storage tank is part of the Kinder Morgan Pacific Operations Unit, which includes pipelines, terminals, product storage and loading facilities that provide for transportation of more than one million barrels per day of gasoline, jet fuel and diesel fuel to its customers. This specific storage tank is a terminal serving diesel fuels for the adjacent railroad operations. Diesel fuel is piped from the Richmond terminal to this Oakland terminal, and from there on to the Oakland Airport and across the Bay to the Brisbane terminal, which then serves the San Francisco Airport. A separate pipeline along a parallel route (but that does not have a terminal at the Port Rail Yard) delivers jet fuel to the Oakland and San Francisco Airports (see **Appendix K**).

The Kinder Morgan Oakland terminal storage tank is located about 125 feet north of the 7th Street viaduct and adjacent to the UP rail tracts. It is an approximately 40-foot tall cylindrical tank with a diameter of approximately 60 feet, surrounded by an approximately 6-foot tall dike that circumscribes a diked area of over 24,000 square feet surrounding the tank. This Oakland terminal storage tank is located approximately 2,470 feet west/northwest of the Project site. Existing UP Rail Yard industrial operations, the elevated I-880 freeway and buildings along the 7th Street commercial corridor in West Oakland intervene between this storage tank and the Project site (see also Figure 8).

¹⁴ According to HUD Fact Sheet H2: Determining Which Tanks to Evaluate for Acceptable Separation Distance, “when there are multiple stationary above-ground storage tanks within the 1 mile search distance from a proposed site, when there is a facility with stationary above-ground containers and diked volumes of different sizes, the ASD needs to be calculated for the container or diked volume of largest capacity closest to the proposed HUD-assisted project site.”

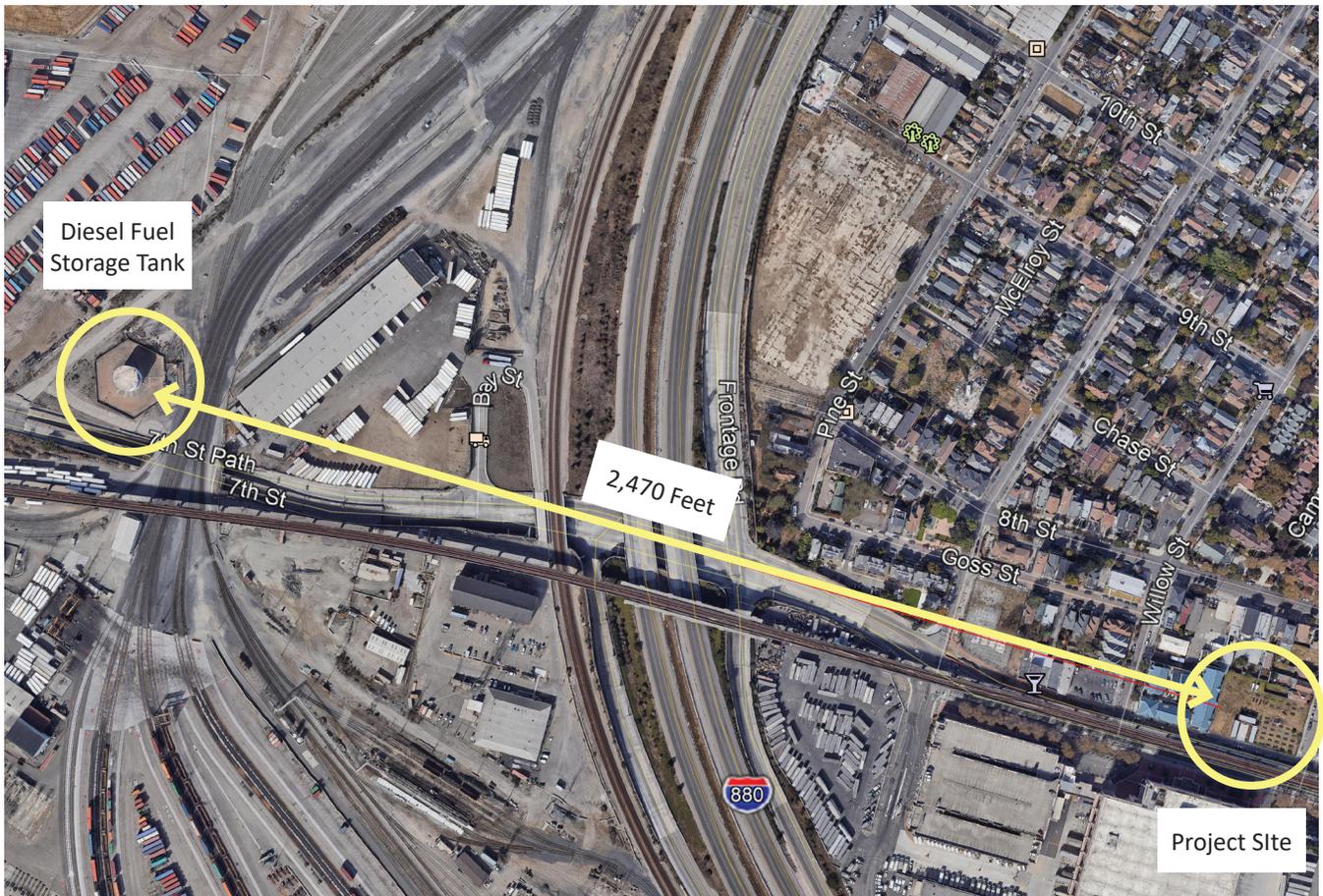


Figure 8
Existing Above Ground Storage Tank Facility near Oakland Rail Yard

Using HUD’s Acceptable Separation Distance (ASD) electronic assessment tool, the acceptable separation distance from the Oakland terminal storage tank has been calculated, which defines the distance from this potential explosive or fire-prone hazard to where a HUD-assisted project can be located. Based on the results of the ASD tool, the acceptable separation distance from this facility for thermal radiation for people is 585 feet, and the acceptable separation distance for thermal radiation for buildings is 115 feet.¹⁵ At approximately 2,470 feet from this above ground storage tank, the Project site is well outside the minimum acceptable separation distance. The environmental review record presented above indicates that there are above ground storage tanks within a 1-mile radius of the Project site, but that the separation distance of these storage tanks from the Project is acceptable. The Project would not introduce new explosive flammable operations to the site or vicinity.

Source Documentation: U.S. Department of Housing and Urban Development, HUD Exchange, Acceptable Separation Distance Electronic Assessment Tool, website accessed May 7, 2020 at: <https://www.hudexchange.info/environmental-review/asd-calculator/> (see **Appendix K** for ASD Tool results and supporting documentation)

Farmlands Protection

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The Project site is in a developed urban area and does not meet the definition of prime or unique farmlands or farmlands of statewide or local significance. The Project site is not subject to the Farmland Protection Policy Act.

Federally designated prime farmland is land best suited for producing food, forage, fiber, and oilseed crops, and that is available for these uses. Designated farmland may be existing cropland, pastureland, rangeland, forestland, or other land, but cannot be urban built-up land or water. The Project site is in temporary use as a productive urban farm, but the site is located in a densely developed urban area and is identified as urban built-up land. The Project will not affect farmlands. No federally-designated Farmlands have been identified within the Project area.

Source Documentation: California Department of Conservation, Farmland Mapping and Monitoring Program (see **Attachment 7**) November 2020 at: https://www.arcgis.com/home/webmap/viewer.html?url=https%3A%2F%2Fgis.conservacion.ca.gov%2Fserver%2Frest%2Fservices%2FDLRP%2FCaliforniaImportantFarmland_2018%2FMapServer&source=sd

U.S. Environmental Protection Agency, NEPAassist, website accessed May 7, 2020 at: <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>

¹⁵ See Appendix H, HUD’s Acceptable Separation Distance tool results and supporting documentation.

Floodplain Management

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The Project would not occupy or modify a floodplain, nor would it destroy or modify a wetland.

The purpose of Executive Order 11988 et. seq. is to avoid adverse impacts associated with occupancy and modification of floodplains, to avoid development of floodplains, and to avoid adverse impacts associated with the destruction or modification of wetlands. As mapped on FEMA FIRM Panel 06001C0066H (December 21, 2018), the Project site is within Zone X–Area of Minimal Flood Hazard. The Project site is not within nor would it modify the floodplain. There are no federally designated wetlands on the Project site or in the area.

Source Documentation: Federal Emergency Management Agency, National Flood Hazard Layer Viewer, website accessed November 25, 2019 at: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. (see **Attachment 3**)

U.S. Fish and Wildlife Service, National Wetlands Inventory, website accessed November 25, 2019 at: <https://www.fws.gov/wetlands/Data/Mapper.html> (see **Attachment 8**)

Historic Preservation

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>The Project site contains no historic structures that are listed on the National Register of Historic Places, nor any structures that are eligible for such listing. Subsurface deposits discovered at the site are likely to yield additional information regarding the history of the region and it is likely that further study of the deposit may result in meaningful changes to our understanding of the past. The subsurface deposit is recommended as potentially eligible for the NRHP. In order to resolve adverse effects of the Project on known or potentially significant archaeological resources, management recommendations are provided pertaining to Data Recovery, Archaeological Monitoring, Post Review Discovery Protocol and Discovery of Human Remains.</p> <p>The Project site contains no known artifacts, records, or remains (surface or subsurface) that are related to or located within historic properties or any properties of traditional religious or cultural importance to Native American Tribes.</p>

For purposes of this EA Checklist, two project-specific historic/cultural resource reports have been prepared:

- Lamphier-Gregory and PaleoWest Archaeology, *Historic and Cultural Resources Evaluation for Section 106 Review*, November 2020 (**Appendix L**)

The following information is derived from this Project-specific evaluation report.

Area of Potential Effects

The Area of Potential Effects (APE) for historic resources includes the Project site's six parcels, and 11 additional properties that are either adjacent to the Project site or immediately across Campbell Street. The property across 7th Street from the Project site is not included in the historic resources APE because it is physically separated by the intervening BART tracks, and because it is the Main Oakland US Post Office building and its surrounding parking lot, and is not considered a historic resource.

The APE for archeology is the site footprint (i.e., the limit of the Project site's six parcels).

Historic Resources

Oakland Cultural Heritage Survey (OCHS)/Historical and Architectural Rating System

The OCHS rating system, as adopted in the Oakland General Plan's Historic Preservation Element, is shorthand for the relative historic importance of individual properties. The system uses letters A to E to rate individual properties. Individual properties can have dual ratings, with the first rating (in Capital letters) for "existing", and a second "contingency" rating (in lowercase) as a potential rating under certain condition, such as "if restored", or "when older", or "with more information". In general, A and B ratings indicate Oakland Landmarks and California/National Register-eligible buildings. Properties rated C and certain D ratings are considered of local interest and are classified as "Potential Designated Historic Properties" (or PDHPs).

The OCHS rating system also provides a rating for the relative historic importance of districts. The system uses numbers 1 to 3 to rate individual districts, with "1" indicating an Area of Primary Importance (API) or National Register-quality (or eligible) district; "2" indicating an Area of Secondary Importance (ASI) or district of local interest; and "3" indicating not in a historic district. Areas of Primary Importance (APIs) appear eligible for the National Register of Historic Places either as a district or as a historically-related complex. Areas of Secondary Importance (ASIs) may be of local importance, but do not appear eligible for the National Register.

Existing On and Off-Site Resources within the APE

The properties included within the Project's APE represent historic resources or potential historic resources of several different types (see **Figure 9**). The APE includes two properties (not within the Project site) that are considered historic resources by the City of Oakland:

- 1 property that is a contributor to a City-designated historic district (S-7 Preservation Zone) at 1632 7th Street
- 1 individually important City of Oakland Heritage Property at 724 Campbell Street

The APE also includes several properties that are considered of local interest but are not designated historic properties, and not considered National register-eligible historic resources. These properties include:

- the 6 parcels that comprise the Project site, located within the 7th Street Commercial ASI
- 2 additional properties not within the Project, but also located within the 7th Street Commercial ASI (at 720 Willow Street and 1632 7th Street), and
- 5 properties that are individually identified as PDHPs (at 712, 728, 723, and 729 Campbell Street, and 1671 8th Street)

The 1989 Loma Prieta earthquake destroyed a number of buildings that were formerly located within the APE on the 1600 blocks of 7th and 8th Street, including the buildings that were previously located on the Project site (now vacant), buildings on the immediately adjacent property at 7320 Willow Street (now redeveloped as Slim Jenkins Court), and a former City of Oakland Landmark (the Oakland Point Fire House – now vacant) that used to occupy 1681 8th Street. All of these former buildings had previously contributed to the 7th Street Commercial ASI.

Direct and Indirect Effects

There are no listed historic properties, historic resources or historic landmarks recorded within the Project site. Development of the Project would not directly destroy any historic materials or features of adjacent historic properties or historic districts. No direct modifications to any National Register-eligible historic buildings would occur, and no destruction of existing spatial relationships associated with buildings within any National Register-eligible historic districts represented within the APE would occur.

The Project would alter the setting and spatial relationships between the Project site and the adjacent 7th Street Commercial S-7 Preservation Combining Zone by inserting a new building on a currently vacant parcel, but the Project is not located within the S-7 Combining Zone and would not materially alter the integrity or significance of this small historic district. The 7th Street Commercial S-7 Preservation Combining Zone would continue to convey its historic significance after the Project is constructed, and the remaining historic setting and integrity of this small district would not be jeopardized by the Project. The Project would not materially impair the integrity of setting or spatial relationship within the 7th Street Commercial ASI. This locally important historic district is already substantially fragmented. Since 1987, seven of the 18 then-remaining buildings that had comprised this historic district have now been removed. The two remaining clusters of early buildings at the east and west ends of the ASI would remain intact, and their remaining historic setting and integrity would not be jeopardized by the Project.

The Project would include a continuation of the historic ground-floor commercial pattern of land use along 7th Street, and Campbell Street would continue to provide a spatial buffer between the Project and the 7th Street Commercial S-7 historic district and the Heritage building at 724 Campbell. The majority of views and sightlines to and from the APE are already substantially altered by the overhead BART tracks, the Oakland Main US Postal Service building directly across 7th Street, and the West Oakland BART station. The Project's modern architectural style and materials would be differentiated from the architectural style and building materials of the remaining early buildings within the APE, and the Project would not pose an inherent incompatibility with the historic materials, features, size, scale and proportional massing that would jeopardize the remaining integrity of buildings and districts represented in the APE.

Cultural Resources

Cultural Resources of the APE

A historic records search of the Project site at the Northwest Information Center indicted a total of 102 cultural resources have been recorded within ½-mile of the APE. Two of the resources are prehistoric and the remainder

are historic in age. The records search also indicates that two cultural resources have been recorded within the cultural resources APE (i.e., within the Project site). These resources include a building reported as Michael Fakoury Dry Goods Store, and a building group classified as a district and likely also known as the Lekos Market. (see the PaleoWest CRTR appendices). Based on the results of the records search and the history of the APE, there is a high probability of finding subsurface deposits related to the two historic resources listed above.

In accordance with Section 106 of the NHPA, and as a means of identifying previously unrecorded archaeological sites, a pedestrian survey was conducted on the Project site in July 2020. During the survey, numerous historic cultural materials were observed within and in the immediate vicinity of rodent holes. Various whiteware with and without transfer prints, glass bottle bases and finishes, sawn bone fragments, porcelain, and ceramics were identified within these areas. There was no evidence of prehistoric cultural soils (midden) observed. In September, archaeological shovel testing was conducted at the Project site to identify cultural resource deposits, establish the depth and extent of the deposits, and assess whether Project plans would adversely affect any potentially significant buried deposits. The results of the on-site testing revealed two resources on the site: the foundation of the Lekos Brothers Market, and subsurface refuse associated with the historic block.

- The foundation of the Lekos Brothers Market is recommended as not eligible for the National Register. It does not appear to be associated with events that have made a significant contribution to the broad patterns of our history, it does not appear to have any direct association with lives of significant persons in our past, and it does not appear to embody the distinctive characteristics of a type, period, or method of construction. This building foundation is unlikely to yield information important to prehistory or history, and no further management is recommended.
- Similarly, the subsurface deposits do not appear to be associated with events that have made a significant contribution to the broad patterns of our history, do not appear to have any direct association with lives of significant persons in our past, and do not embody distinctive characteristics of a type, period, or method of construction. However, the subsurface deposits may still yield additional information important to the history of the historic APE. Therefore, the subsurface deposit is recommended as potentially eligible for the National Register under Criterion D, and additional management recommendations are necessary (see Mitigation, below).

Native American Tribes

The Project involves ground disturbance for building foundation construction and other improvements. There is one federally-recognized Native American tribe in Alameda County, California Valley Miwok. On June 15, 2020, a letter was sent to the tribe by the Agency Official, City of Oakland about the Project, and requesting notification of any tribal interests or comment on the Project. As of the date of this report (December 2020) no response to this notification has been received.

In May 2020, the Native American Heritage Commission (NAHC) was contacted for a review of the Sacred Lands File for purposes of identifying any knowledge of Native American cultural resources (e.g., traditional use or gathering area, place of religious or sacred activity, etc.) within the vicinity of the Project site. The NAHC response (dated 2020) stated that the record search yielded positive results, and provided a list of Native American contacts. These Native American representatives were contacted in June 2020 and follow-up phone calls were made in August 2020. Responses to these contacts included a request of the results from the literature search and field results. A full record of coordination efforts can be found in **Appendix L**.

Consultation

The Agency Official (City of Oakland) initiated consultation with the State Historic Preservation Office (SHPO) on November 17, 2020 (see Appendix L). On December 15, 2020 SHPO issued a reply to this consultation (**Attachment 9**), indicating that SHPO agreed with the definition of the Projects Area of Potential Effect (APE),

agreeing with the City's finding that no historic properties would be affected, but noting that the City may have additional Section 106 responsibilities under certain circumstances set forth at 36 CFR Part 800, in the event that historic resources are discovered during implementation of the undertaking (i.e., during Project construction).

Mitigation Measures

The City of Oakland proposes to specifically mitigate potentially adverse effects on subsurface deposits at the Project site by requiring the following mitigation measures of the Project:

Mitigation Measure Cultural 1: Data Recovery. Based on the presence of a known eligible site within the Project APE, a data recovery program is recommended for those portions of the site that will be impacted by ground-disturbing construction activities. An Archaeological Data Recovery Plan (ADRP) shall be prepared, providing contextual information and outlining methods for data recovery and excavation prior to construction. This ADRP shall include the environmental context, the prehistoric and historic context of the area, expected resource and feature types, expanded research themes and questions, the methods and locations for data recovery, and archaeological monitoring intended to mitigate adverse impacts to the resource. The data recovery resolves adverse effects to the resource.

Mitigation Measure Cultural 2: Archaeological Monitoring. Due to the historic sensitivity of the site, it is recommended that an archaeological monitoring program be implemented during ground disturbing activities associated with the Project. The archaeological monitoring program (AMP) shall minimally include the following provisions:

- a. The archaeological consultant shall advise all Project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archaeological resource.
- b. All construction crew workers shall attend a training session led by a qualified archaeologist that discusses the reasons for archaeological resource monitoring; regulatory policies protecting resources and human remains; basic identification of archaeological resources; and the protocol to follow in case of a discovery of such resources.
- c. Due to the high sensitivity of historic deposits, monitoring of the entire vertical site will be required.
- d. An archaeological monitor(s) shall be present on the Project site during all ground disturbing activity.
- e. The Project archaeologist, in consultation with the on-site archaeological monitor, will make recommendations about reducing monitoring to part-time or spot-checks if it is determined that the probability of encountering archaeological deposits has dropped below an acceptable level. Therefore, the frequency of the on-site monitoring will be determined by construction activities and as deemed necessary by the Project Archaeologist in consultation with the SHPO. In specific cases, it may also be determined, by the Project Archaeologist in consultation with the SHPO, that monitoring is no longer necessary. Written concurrence with SHPO will be required in order to change existing monitoring recommendations.
- f. The archaeological monitor shall record and be authorized to collect soil samples and artifactual/eco-factual material as warranted for analysis.
- g. If an archaeological deposit is encountered, all soils-disturbing activities within 30-feet of the discovery shall cease. The archaeological monitor shall be empowered to temporarily

redirect demolition, excavation, or other construction activities and equipment until the deposit is evaluated. The archaeological consultant shall immediately notify the client of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit.

- h. If the archaeological monitor determines that the cultural resources are potentially significant archaeological resources and avoidance of the resource is not possible, data recovery may be necessary. Data recovery would require consultation and concurrence from the SHPO.

Mitigation Measure Cultural 3: Post Discovery Review Protocol. In the event that potentially significant archaeological materials are encountered during Project-related ground-disturbing activities, all work should be halted in the vicinity of the archaeological discovery until a qualified archaeologist can visit the site of discovery and assess the significance of the archaeological resource. In addition, Health and Safety Code 7050.5, and Public Resources Code 5097.98 mandate the process to be followed in the unlikely event of an accidental discovery of any human remains in a location other than a dedicated cemetery. Finally, should additional actions be proposed outside the currently defined site that have the potential for additional subsurface disturbance, further cultural resource management may be required.

Mitigation Measure Cultural 4: Human Remains. In the event that Native American human remains, or funerary objects are discovered, the provisions of Section 7050.5(b) of the California Health and Safety Code should be followed.

- a. In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.94 of the Public Resources Code.
- b. The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the Native American Heritage Commission within 24 hours. The Commission has various powers and duties to provide for the ultimate disposition of any Native American remains, as does the assigned Most Likely Descendant. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to State law, then the remains would be reinterred with the items associated with the Native American burial on the property in a location not subject to further disturbance.

Standard Conditions of Approval Required:

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to potential construction and operational noise. Application of these standards, along with the Mitigation Measures, would ensure that the Project would have a less than significant impact with respect to cultural resource impacts.

Cultural-1, Archaeologically Sensitive Areas – Pre-Construction Measures. The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision B (Construction ALERT Sheet) concerning archaeological resources.

Provision A: Intensive Pre-Construction Study. The project applicant shall retain a qualified archaeologist to conduct a site-specific, intensive archaeological resources study for review and approval by the City prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. At a minimum, the study shall include:

- a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources.
- b. A report disseminating the results of this research.
- c. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources. If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction and prepare an ALERT sheet pursuant to Provision B below that details what could potentially be found at the project site. Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT sheet, required per Provision B below) and the procedures to follow if any artifacts are encountered, field recording and sampling in accordance with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, and preparing a report to document negative findings after construction is completed if no archaeological resources are discovered during construction.

Provision B: Construction ALERT Sheet. The project applicant shall prepare a construction "ALERT" sheet developed by a qualified archaeologist for review and approval by the City prior to soil-disturbing activities occurring on the project site. The ALERT sheet shall contain, at a minimum, visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor, any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving), and utility firms involved in soil-disturbing activities within the project site.

- a. The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, all work must stop and the City's Environmental Review Officer contacted in the event of discovery of the following cultural materials: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones.

- b. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The ALERT sheet shall also be posted in a visible location at the project site.

Cultural-2, Human Remains – Discovery During Construction: 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.

Source Documentation: City of Oakland, West Oakland Specific Plan EIR, 2014

U.S. Environmental Protection Agency, NEPAassist, website accessed May 7, 2020 at: <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>

City of Oakland, Oakland Cultural Heritage Survey, 1988 primary record for P-01-004856 on file at the Northwest Information Center, Rohnert Park CA.

PaleoWest Archaeologists, Cultural Resource Technical Report in Support of the 7th and Campbell Project (Technical Report 20-492), September 30, 2020

Noise Abatement and Control

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes ■	No □	The duration and frequency of heavy construction noise near sensitive receptors would be temporary, and would be limited as to time on any given day. The Project is required to implement all applicable noise attenuation strategies to reduce the effects of construction noise on adjacent receptors. Operational noise attributed to be project is not anticipated to be significant.

As a residential housing project, community noise levels will not be significantly affected by the development. The only noise anticipated is from the normal automobile traffic generated from the project and construction noise as discussed below.

Construction-Related Noise

Noise-sensitive receptors are located immediately adjacent to the Project site along 7th Street and Campbell Street, including both multi-family and single-family homes. The Project site’s proximity to sensitive receptors, and the type of construction equipment that would be used as part of the Project, are similar to other

construction projects in urban areas. Because the Project site and its vicinity are part of an established urbanized area, periodic exposure to construction-related noise and vibrations are frequent and not unusual conditions. The duration and frequency of heavy construction equipment operation near sensitive receptors would be temporary, and would be limited as to time on any given day. With implementation of standard best management practices, as noted below, construction noise would not be considered significant.

Standard Conditions of Approval Required

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to potential construction noise. Application of these standards would ensure that the Project would have a less than significant impact with respect to construction noise impacts.

Noise-1, Construction Days/Hours: The project applicant shall comply with the following restrictions concerning construction days and hours:

- a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.
- b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.
- c. No construction is allowed on Sunday or federal holidays.

Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.

Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-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.

Noise-2, Construction Noise: The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to the following:

- a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.
- b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air

exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.

- c. Applicant shall use temporary power poles instead of generators where feasible.
- d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.
- e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

Noise-3, Extreme Construction Noise: 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:

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

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.

Noise-4, Construction Noise Complaints: The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:

- a. Designation of an on-site construction complaint and enforcement manager for the project;

- b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit;
- c. Protocols for receiving, responding to, and tracking received complaints; and
- d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.

Operational Noise

A Transportation Impact Study (TIS) was prepared for the Project: Kittelson and Associates Inc. (KAI), Traffic Impact Study for the 7th & Campbell Project, April 19, 2016 (see **Appendix O**). As a rule of thumb, it takes a doubling of traffic volumes to generate a 3 dBA increase in traffic noise. Per the TIS, the Project would generate an estimated 726 trips per day and 127 trips during the peak hours. Relative to projected cumulative traffic volumes (for year 2035), the trips generated by the Project represent less than 1 percent of the total cumulative traffic volumes during peak AM and PM peak hours at any of the six intersections studied in the Kittelson TIS . The Project's minor (1 percent or less) contribution of traffic will not generate significant traffic-related noise along study area roadways.

Residential and retail uses such as proposed are not generally considered source of substantial operational noise or vibration. Noise from rooftop mechanical equipment and emergency generators can potentially exceed threshold levels if not appropriately shielded, but these noise sources would be appropriately shielded by the Project design, and resulting operational noise impacts would be minor.

Standard Conditions of Approval Required

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to potential operational noise. Application of these standards would ensure that the Project would have a less than significant impact with respect to operational noise impacts.

Noise-5, Operational Noise: Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of Chapter 17.120 of the Oakland Planning Code and Chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.

Source Documentation: Kittelson and Associates Inc., Preliminary Trip Generation Assessment, April 19, 2016

City of Oakland, Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

Sole Source Aquifers

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The Project would not affect a sole source aquifer. There are no aquifers subject to a Memorandum of Understanding between the US EPA and HUD in Alameda County.

There are no sole source aquifers in the Project area or within the City of Oakland.

Source Documentation: U.S. Environmental Protection Agency, NEPAassist, website accessed May 7, 2020 at: <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>

Wetlands Protection

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
Executive Order 11990, particularly sections 2 and 5	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The Project would have no effect on wetlands.

The Project site is in a densely developed urban area. The site does not appear on the National Wetlands Inventory database. There are no wetlands on or near the Project site. No further consultations are required.

Source Documentation: U.S. Fish and Wildlife Service, National Wetlands Inventory, website accessed May 7, 2020 at: <https://www.fws.gov/wetlands/Data/Mapper.html> (see **Attachment 8**)

U.S. Environmental Protection Agency, NEPAassist, website accessed May 7, 2020 at: <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>

Wild and Scenic Rivers

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The project would not adversely affect a designated Wild and Scenic River.

There are no designated wild and scenic rivers in the Project area or City of Oakland.

Source Documentation: Interagency Wild & Scenic Rivers Coordinating Council, National Wild and Scenic Rivers System, National Wild and Scenic Rivers Story Map, California, website accessed May 7, 2020 at: <https://www.rivers.gov/california.php>

U.S. Environmental Protection Agency, NEPAassist, website accessed May 7, 2020 at: <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>

Environmental Justice

<u>Compliance Factors:</u>	<u>Are formal compliance steps or mitigation required?</u>		<u>Compliance Determination:</u>
Executive Order 12898	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The Project will not raise environmental justice issues and has no potential for new or continued disproportionately high and adverse human health and environmental effects on minority or low-income populations. The Project is suitable for its proposed use.

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," is intended to focus federal attention on the environmental and human health conditions of minority and low-income populations, with the goal of achieving environmental protection for all

communities. Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income. Fair treatment means that no group of people, including a racial, ethnic or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal and commercial operations, or the execution of federal, state and local programs and policies.

The West Oakland neighborhood surrounding the Project site (within a 1-mile radius) suffers from adverse environmental conditions related to air pollution and its resulting adverse health effects, ranking greater than the 90th percentile nationally for DPM exposure and proximity to traffic emissions. The surrounding neighborhood is also subject to significant soil and groundwater contamination, ranking greater than the 90th percentile nationally for hazardous waste proximity, Superfund proximity and lead-based paint indicators.

The Project would not create an adverse or disproportionate environmental impact, nor would it aggravate these air quality and hazardous conditions. Rather, the Project would provide an air filtration system for the building that is protective of the health of future residents, and would result in remediation of identified soil contaminants. The Project would not have a disproportionate adverse effect on low-income or minority populations, but would instead provide a beneficial contribution to needed affordable housing for cost burdened households.

Source Documentation: U.S. Environmental Protection Agency. *EJSCREEN Report*. Website accessed November 2020 at: <https://ejscreen.epa.gov/mapper/> (see **Attachment 10**, *EJSCREEN Report*)

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

Recorded below is the qualitative and quantitative significance of the effects of the proposed Project on the character, features and resources of the Project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable, and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Additional documentation is attached, as appropriate. All conditions, attenuation or mitigation measures have been clearly identified.

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1): Minor beneficial impact
- (2): No impact anticipated
- (3): Minor Adverse Impact – may require mitigation
- (4): Significant or potentially significant impact requiring avoidance or modification, which may require an Environmental Impact Statement

Conformance with Plans, Zoning, Scale and Urban Design

<u>Environmental Assessment Factor</u>	<u>Impact Code</u>	<u>Impact Evaluation</u>
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	3	The Project would be consistent with the land use type and development density established by the City of Oakland General Plan, and with polices and provisions of the City’s West Oakland Specific Plan. The Project is also consistent with the City of Oakland zoning ordinance, inclusive of its Affordable Housing Density Bonus provisions.

City of Oakland General Plan

The City of Oakland General Plan designates the project site as Community Commercial. The intent of the Community Commercial designation is to “identify, create, maintain and enhance areas suitable for a wide variety of commercial and institutional operations along the City’s major corridors and in shopping districts or centers.” This designation seeks to encourage neighborhood center uses, and larger-scaled retail and commercial uses, which can be complemented by the addition of urban residential development and compatible mixed-use development. The Project’s multi-family residential and retail land uses are allowable under this General Plan land use designation. As **Table 6** demonstrates, the Project would be consistent with relevant policies of the General Plan.

Table 6: Evaluation of Consistency with General Plan

<u>Relevant Policies of the General Plan</u>	<u>Project Consistency</u>
<p>Policy N3.1 Facilitating Housing Construction Facilitating the construction of housing units should be considered a high priority for the City of Oakland.</p>	<p>Consistent: The Project includes redevelopment of the site to add 79 new affordable housing units.</p>
<p>Policy N3.2 Encouraging Infill Development In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City of Oakland.</p>	<p>Consistent: The Project site is surrounded by other urban development and represents an infill development opportunity for needed housing.</p>
<p>Policy N3.5 Encouraging Housing Development The City should actively encourage development of housing in designated mixed housing type and urban housing areas through regulatory and fiscal incentives, assistance in identifying parcels that are appropriate for new development, and other measures.</p>	<p>Consistent: The Project would add housing to an urban area and would use the State’s affordable housing density bonus regulatory incentives. The Project may potentially use other affordable housing incentives or funding.</p>
<p>Policy N3.8 Required High-Quality Design High-quality design standards should be required of all new residential construction. Design requirements and permitting procedures should be developed and implemented in a manner that is sensitive to the added costs of those requirements and procedures.</p>	<p>Consistent: The Project has been designed pursuant to California Building Code and other applicable codes, and has received Design Review approval by the City.</p>
<p>Policy N3.9 Orienting Residential Development Residential developments should be encouraged to face the street and to orient their units to desirable sunlight and views, while avoiding unreasonably blocking sunlight and views for neighboring buildings, respecting the privacy needs of residents of the development and surrounding properties, providing for sufficient conveniently located on-site open space, and avoiding undue noise exposure.</p>	<p>Consistent: The Project would be generally consistent in height and density to other recent development in the area, and consistent with transit-oriented development near transit stations. Any change in sunlight, views and privacy in the vicinity would be minimal. Public open space would be provided at the interior courtyard at the podium level, at the ground level, and via private decks. These open space areas will be adequately separated from existing noise sources by the building to achieve acceptable noise exposure.</p>
<p>Policy N3.10 Guiding the Development of Parking Off-street parking for residential buildings should be adequate in amount and conveniently located and laid out, but its visual prominence should be minimized.</p>	<p>Consistent: Parking spaces would be provided in an above ground garage within the perimeter of the building, relying on the allowed parking reductions under Municipal Code 17.116.110 (transit accessible area).</p>
<p>Policy N4.2 Advocating for Affordable Housing The City encourages local non-profit organizations, affordable housing proponents, the business community, the real estate industry and other local policy makers to join in efforts to advocate for the provision of affordable housing in communities throughout the Bay Area region.</p>	<p>Consistent: The Project would involve redevelopment of the site to add 79 new affordable housing units, specifically intended to be made available to formerly incarcerated persons.</p>
<p>Policy N7.1 Ensuring Compatible Development. New residential development in Detached Unit and Mixed Housing Type areas should be compatible with the density, scale, design and existing or desired character of surrounding development.</p>	<p>Consistent: The Project’s materials, design features and scale of development would be compatible with existing character of surrounding development. Although the Project would be taller than most neighboring properties</p>

<p>Policy N7.2 Defining Compatibility</p> <p>Infrastructure availability, environmental constraints and natural features, emergency response and evacuation times, street width and function, prevailing lot size, predominant development type and height, scenic values, distance from public transit, and desired neighborhood character are among the factors that could be taken into account when developing and mapping zoning designations or determining compatibility. These factors should be balanced with the citywide need for additional housing.</p>	<p>which range from 2-to-3 stories, it would be similar in height to the US Post Office building across the street.</p> <p>Consistent: The Project design would be consistent with values that define compatibility. The Project is located near infrastructure for utilities, transit, and community services. In height, scale and development type, the Project would be consistent with existing community character. Although the Project would be taller than most neighboring properties which range from 2-to-3 stories, it would be similar in height to the US Post Office across the street. The residential use is compatible with the Community Commercial land use designation.</p>
<p>Policy N9.7 Creating Compatible but Diverse Development</p> <p>Diversity in Oakland's built environment should be as valued as the diversity in population. Regulations and permit processes should be geared toward creating compatible and attractive development, rather than "cookie cutter" development.</p>	<p>Consistent: The Project's materials, design features, and scale of development would be compatible with existing character of surrounding development, and was subject to Design Review approval by the City.</p>
<p>Policy N11.4 Alleviating Public Nuisances</p> <p>The City should strive to alleviate public nuisances and unsafe and illegal activities. Code Enforcement efforts should be given as high a priority as facilitating the development process. Public nuisance regulations should be designed to allow community members to use City codes to facilitate nuisance abatement in their neighborhood.</p>	<p>Consistent: The Project site would be redeveloped to accommodate new residential uses per applicable codes. During the interim period between site acquisition and planning, and project construction, the Project site has been developed as an active urban farm, minimizing potential public nuisances and unsafe and illegal activities on what would otherwise have been a vacant, blighted lot.</p>

Conformance with West Oakland Specific Plan

The West Oakland Specific Plan envisions transformation of West Oakland neighborhoods and surrounding properties, and provides comprehensive and multi-faceted strategies for development and redevelopment of vacant and underutilized commercial and industrial properties in West Oakland. It establishes a land use and development framework, identifies needed transportation and infrastructure improvements, and recommends implementation strategies needed to develop those parcels. The West Oakland Specific Plan sets forth a transformative new vision for redevelopment of key Opportunity Areas and Opportunity Sites in West Oakland with new employment uses, housing, and retail. With limited exceptions, the West Oakland Specific Plan did not change the existing Oakland General Plan land use designations, and the Plan generally adheres to the City's Overall Industrial Land Use Policy to retain current industrial zoning districts. The West Oakland Specific Plan promotes high-density development near the West Oakland BART station, consistent with prior planning strategies. It encourages residential and neighborhood-serving commercial establishments along major corridors such as 7th Street, and it directs industrial and more intensive commercial activities to locations closer to the Port of Oakland and away from residential areas as a means of protecting and enhancing West Oakland's residential neighborhoods.

The West Oakland Specific Plan identifies the Project site as being within the 7th Street Opportunity Area, where the Plan's intent is to revitalize 7th Street as a neighborhood focus and cultural activity center, with medium-density mixed-use residential in-fill development. Implementation of the Project would result in the development of a vacant and previously blighted property with a mixed-use building containing residential,

commercial, and retail uses. Consistent with the West Oakland Specific Plan, development of the Project would help improve existing conditions and contribute to the existing community, and would not physically divide an established community. The Project’s proposed land uses are generally consistent with the existing Community Commercial land use designation for this site pursuant to the West Oakland Specific Plan.

The Project’s eligibility for and use of a density bonus as a 100% affordable housing Project is consistent with the West Oakland Specific Plan Social Equity implementation programs. The West Oakland Specific Plan’s Social Equity Element calls for expanding affordable housing opportunities for extremely low- to moderate-income renters and homebuyers, and increasing employment opportunities for local residents throughout West Oakland. The Project site is a vacant and underutilized publicly owned site that has great potential for community benefit. The Project includes a combination of affordable housing, retail and other commercial uses that can generate a range of job and career opportunities and provide work for Project and local residents, specifically targeted as an opportunity for housing and employment of formerly incarcerated persons. As **Table 7** demonstrates, the Project would be consistent with the relevant policies of the West Oakland Specific Plan.

Table 7: Evaluation of Consistency with West Oakland Specific Plan

<u>Relevant Policies, Principles, and Guidelines of the West Oakland Specific Plan</u>	<u>Project Consistency</u>
Enhancements could include mitigating the sound and visual effects of the elevated BART tracks	Consistent: The Project would be constructed with required sound insulating window and wall construction to meet planning and building code requirements.
Create an enhanced local transit system that involves streetcar, light rail, buses and/or shuttles to serve employment, business, and community centers.	Consistent: The Project, situated within 0.25 mile of the West Oakland BART station, would include a BART and neighborhood shuttle service for residents and patrons.
Ensure adequate parking to attract and support development while encouraging alternative travel modes	Consistent: Project parking would include between 10 and 17 above-ground garage parking spaces. The Project relies on concessions as allowed under the State’s density bonus law to reduce the parking for the site, particularly appropriate given the site’s proximity to BART and AC Transit bus routes. The Project would also provide 90 bicycle parking spaces (84 long-term and 6 short-term spaces) and a BART and neighborhood shuttle service for residents and patrons.
Improve lighting and street appearance to deter dumping and blight.	Consistent: The Project would create a well-lighted building and an attractive street-front architecture. The visual security of all pedestrian spaces within the site is facilitated by locating retail and other publicly accessible activities along the edges of the development.
Ensure that new development employs sustainable “green” building practices, facilitates access to pedestrian and transit networks, and enhances streetscapes and open spaces.	Consistent: The Project would meet or exceed requirements for energy efficiency and sustainable development and would be GreenPoint rated. The Project would maximize transit access, and pedestrian and bike use and access to the site, and to the BART station. The Project would also include rooftop solar.
Promote energy efficiency throughout all aspects of new development and redevelopment.	Consistent: The Project would be designed to incorporate energy efficient systems and design standards and to meet or exceed local Green Building standards. Measures

	employed during the design and construction of the Project would contribute additional environmental benefits. These measures would promote occupant comfort while conserving water, energy, water, and natural resources. The Project would also include rooftop solar.
Encourage sustainable development that incorporates innovative approaches to storm water management and air pollution mitigation and continues to enhance the well-being of residents of West Oakland.	Consistent: The Project's design would meet or exceed City standards for stormwater management and air pollution mitigation. Stormwater management would include site design and source control measures, as well as low-impact development treatment. The Project will include an appropriately-design air filtration system to ensure clean air internal to the building.
Establish new grocery stores in West Oakland that can serve the un-met food needs of current and future West Oakland consumers. A grocery anchor can also create a customer flow that can be leveraged successfully to attract other retail shops that can then draw patrons from the anchor tenant's shoppers. A safe and pleasant pedestrian environment will be necessary, especially near the transit station.	Consistent: Although no tenants have been identified at this stage of development, it is anticipated food, grocery, or other neighborhood-serving retail would be incorporated into the tenant leasing of ground floor retail. The Project would also include urban farm space for the continuation of West Oakland Farm operations.
Noise from the BART tracks needs to be mitigated with sound barriers.	Consistent: The building would be constructed with sound-insulating window and wall construction to meet federal noise requirements as well as local Planning Code and Building Code requirement.
Target 15% of the new units to be built in the Plan Area between now and 2035 for low and moderate-income households.	Consistent: The Project would provide 79 new housing units for low and moderate-income households, particularly targeted for formerly incarcerated persons. At 100% affordability, the Project would exceed the 15% requirement for affordable units on-site.
<p>Activate 7th Street with enhanced streetscape and retail activity.</p> <ul style="list-style-type: none"> • Encourage neighborhood-serving commercial establishments, potentially including a new or expanded grocery store along 7th Street. • Prioritize commercial uses that enliven the street and help recreate 7th Street as a community focal point. 	Consistent: The Project has been designed to function as a convenient, functional and self-contained living, working and shopping environment. The Project would include 16,750 square feet of commercial space on the first floor, and a podium-level urban farm for the continuation of West Oakland Farm operations.

Consistency with Zoning

The Project site is zoned as CC-2 (Community Commercial Zone–2), which is intended to create, maintain and enhance areas with a wide range of commercial businesses with direct frontage and access along the City's corridors and commercial areas. The Project's multi-family residential and commercial land uses are allowable under this zoning designation. The Project would result in a residential density that exceeds the base density provided under the CC-2 zone, would exceed applicable zoning heights limits, would not meet all applicable setback requirements, and would not meet applicable parking requirements. However, prior City approvals have determined that the Project's density is consistent with the zoning in consideration of State Affordable Housing Density Bonus provisions, and that further concessions as allowed under the State Affordable Housing Density

Bonus Law enable the taller building height, reduced setbacks and reduced parking provisions as proposed pursuant to the Project.

Scale and Urban Design

The Project would be generally consistent in height and density as other recent development in the area, and would be consistent with transit-oriented development types near transit stations. The Project would create a well-lighted building with an attractive street-front architecture. The safety and comfort of the pedestrian space at the front of the building at the ground floor would be enhanced by locating retail and other publicly accessible activities along the ground floor edge. The Project would also be consistent with City-adopted Design Guidelines of the West Oakland Specific Plan, including:

- The building would immediately front onto 7th Street, emphasizing and helping to re-establish the continuity of this neighborhood commercial street.
- The ground floor would have active, publicly accessible uses including a restaurant, a grocery a gym and a lobby.
- Driveways and vehicle entrances would be located on the side street (Campbell Street) and would not be accessed directly from 7th Street.
- Awning and an articulated façade above the ground floor would provide shade, break up the overall scale of the building, and convey its residential use.
- The ground floor of the building would have multiple openings (doors and windows), and virtually no blank wall sections.
- The building would have a variety of high quality materials in a mix of metal panels, concrete on the podium, ceramic wall tiles and architectural glass) that define an interesting character when viewed up close and from a distance.
- The site plan would accommodate the City of Oakland’s public improvements associated with the 7th Street West Oakland Transit Village Streetscape, Phase II project, which includes street and sidewalk improvements to enhance the roadway with wider sidewalks and high-visibility and ADA-accessible crosswalks, bike lanes, new trees and landscaping, improved stormwater management, pedestrian lighting, benches and trash cans, and a series of Walk-of-Fame plaques that commemorate the musical history of 7th Street.

Standard Conditions of Approval Required:

The City of Oakland has determined the following Project-Specific Conditions of Approval are required:

Land Use-1, Materials Board: The applicant shall submit, for review and approval of the Planning Director, a material board showing all exterior materials on the building. These materials should also be depicted in the set of plans submitted with the Building Permit application.

Land Use-2, Storefront Design: The applicant shall submit, for review and approval of the Planning Director, plans that show the following:

- a. The ground floor facing 7th Street having 55 percent transparency between two (2) feet and nine (9) feet in height. This area shall be comprised of clear, non-reflective windows that allow views in and out of indoor space.
- b. A bulkhead and the base of the ground floor, including the storefront windows.

Source Documentation: City of Oakland, General Plan

City of Oakland, West Oakland Specific Plan and EIR, 2014

MWA Architects, 7th and Campbell Planning Submittal (plans and drawings) to the City of Oakland, May 5, 2016 and as amended July 7, 2020

City of Oakland, Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

Soil Suitability, Slope, Erosion, Drainage and Storm Water Runoff

<u>Environmental Assessment Factor</u>	<u>Impact Code</u>	<u>Impact Evaluation</u>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	3	<p>Soils at the Project site are suitable for development, but future construction will need to address soils conditions related to improvements include loose undocumented fill in the upper 5 to 7 feet, adequate foundation support for the building, seismically-induced settlements and liquefaction, and soil corrosivity.</p> <p>Grading activities associated with construction of the Project have the potential to increase exposure of soils to water and wind erosion. The Project would be required to implement of erosion and sedimentation control measures to reduce erosion and sedimentation impacts during construction.</p> <p>Development of the Project site would create new impervious surface, increasing runoff and potential pollutants to the City stormdrain system. The Project would be requires to comply with applicable provision of the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit.</p>

Soil Suitability

A Project-specific geotechnical report has been prepared:

- Langan Engineering and Environmental Services, Inc., *Geotechnical Investigation for 1666 7th Street*, July 28, 2020 (see **Appendix M**)

The following soils-related information is derived from this Project-specific geotechnical report.

The Project site is relatively level, with ground surface elevations ranging from about +8.5 feet in the southwestern portion of the site, to about 10.5 feet along the northern portion of the site. Three modular buildings are present in the southern portion of the site, with a concrete pavement slab between the buildings. The remainder of the site is relatively level and is being used as a community garden/urban farm.

To evaluate the subsurface at the site, Langan conducted two soil borings drilled to depths of over 50 feet below ground surface, eight separate soil borings that also served as groundwater monitoring wells, and four cone penetration tests advanced to depths of approximately 50 feet. All soil samples were laboratory tested and evaluated for their engineering properties (measure moisture content, fines content, and plasticity) and corrosivity. The results of these test revealed the following characteristics about subsurface conditions at the site:

- The site is blanketed by approximately 5 to 7 feet of undocumented fill. The undocumented fill is predominately composed of sand with varying amounts of clay, silt, gravel, brick fragments and organics. The fill is loose and does not appear to have been compacted during its placement. Corrosivity analyses indicate the fill is classified as mildly corrosive to corrosive.
- Native silty/clayey sand (locally referred to as Merritt sand) underlines the undocumented fill. In general, the Merritt sand is medium dense at the surface, and generally increases in relative density with depth - becoming dense at a depth of 10 to 15 feet beneath the existing ground surface, and dense

to very dense to the depth explored (approximately 50 feet). Based on available geologic maps Langan determines the Merritt sand is underlain by interbedded stiff to hard clays and dense sand of the Alameda formation, which extend to bedrock. Bedrock is likely on the order of 250 feet below ground surface.

- Groundwater was encountered during the field investigation and the groundwater level was measured in each of the boreholes. The groundwater level was encountered at approximately 10 and 8 feet below ground surface, corresponding to elevations of zero and +1 foot above sea level. Stabilized water levels observed in monitoring wells, approximately five days after installation, range from 8.2 to 9.1 feet below ground surface, corresponding to elevations between +1.1 and +1.2 feet above sea level.

Based on the results of the subsurface investigation, laboratory testing and engineering analyses, Langan concludes the Project's proposed improvements are feasible from a geotechnical engineering standpoint, provided the recommendations outlined in their report are incorporated into its design and construction. The primary geotechnical issues associated with the proposed improvements include loose undocumented fill in the upper 5 to 7 feet, adequate foundation support for the building, seismically-induced settlements and soil corrosivity.

The Langan Geotechnical Report provides recommendation to address each of these issues, as summarized below.

Foundations and Settlement

- The Geotechnical report recommends the building be supported on spread footings that gain support either directly in the native Merritt sand, or on engineered fill that extends to the top of the Merritt sand. Any loose fill encountered below the proposed foundation bottom elevation should be over-excavated to a depth at which competent Merritt sand is encountered.
- The removed material should be replaced with compacted engineered fill or lean concrete. Structural concrete used to cast the footings may also be used to replace over-excavated material. Based on the borings and CPTs, footing over-excavations will need to extend as much as 7 feet below the existing ground surface.
- Settlement may be evident at the entrances and will affect utilities entering the structure. Settlements of up to 2 inches could occur outside the building footprint where undocumented fill has not been improved. Where utilities enter and exit the building, this settlement should be accommodated over a relatively short span.

Floor Slabs

The material found at the subgrade elevation of floor slabs consists of loose, undocumented fill, which is not appropriate for slab support. Floor slabs may be supported on grade, provided that the subgrade is prepared to provide at least 18 inches of engineered fill beneath the floor slabs and extending at least five feet beyond the building footprint and footings.

Moisture is likely to condense on the underside of the slabs, even though they will likely be above the design high groundwater table. Consequently, a moisture barrier should be installed beneath the slabs. A typical moisture barrier consists of a capillary moisture break and a water vapor retarder. If a vapor mitigation system (VMS) is required for the building, the vapor retarder can be replaced with a waterproofing membrane that can also serve the needs of the VMS design.

Groundwater

Groundwater elevations could be influenced by seasonal rainfall, wet and dry seasons, or climate change, and a design high groundwater level equal to about 5 feet beneath existing site grades is appropriate. This depth corresponds to elevations of about +5.5 along the northern site boundary and +3.5 along the southern site boundary along 7th Street. The design groundwater level can be assumed to slope linearly across the site from north to south. Dewatering during footing excavations and utility trenches will likely be necessary and should be anticipated by the contractor.

Soil Corrosivity

The results of the soils analysis indicate that the fill at the site is classified as “mildly corrosive” to buried iron, steel, cast iron, ductile iron, galvanized steel and dielectric coated steel or iron. A corrosion expert should be consulted during the design phase for the most economical and effective corrosion protection for below-grade utilities, structures and other buried elements.

Excavations

Excavations for new footings will extend about seven feet below the existing ground surface. The fill at the site consists of loose sandy soils which can cave or slough into excavations. In portions of the site with sufficient space, these excavations can be sloped or benched according to detailed recommendations. The design of the proposed building indicates the building footprint extends to the property line on the north and west sides of the site, adjacent to neighboring buildings. If the proposed excavations extend below an imaginary 30-degree line (from the horizontal) projected down from the bottom of the neighboring footings then these excavations should be shored and the shoring should be designed for a surcharge pressure to account for the load on the neighboring foundations.

Construction Considerations

The fill at the site consists mainly of sand that can be excavated with conventional earth-moving equipment such as loaders and backhoes. The granular nature of the fill will likely make it difficult to maintain neat vertical cuts for utilities and foundation elements, and prepared subgrade for foundations will likely become disturbed with construction traffic. In general, site preparation and grading may be difficult if performed during the rainy season. Although only trace amounts of concrete and brick debris were encountered in our borings, greater amounts and larger pieces of brick, concrete, and other rubble may be encountered in the fill from former on-site improvements or debris in the fill. In addition, there may be buried materials in the fill or old foundations that may be encountered, use of a hoe ram or similar equipment may be required for removal of these obstructions.

Mitigation Measures

More detailed recommendations pertaining to site preparation, temporary excavations, over-excavations and sub-grade preparation, engineered fill placement and compaction, utilities and trenching, shoring, as well as foundation design, floor slabs and seismic design are all presented in the Langan Geotechnical Investigation.

Mitigation Measure Soils 1, Comply with Geotechnical Recommendations. Follow all recommendations as set forth in the Geotechnical Investigation prepared for the Project by Langan Engineering and Environmental Services, Inc. (Geotechnical Investigation for 1666 7th Street, July 28, 2020, Appendix M).

Standard Condition of Approval Required

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to geology and soils. Application of these standards and implementation of these measures, reports and recommendations would ensure that impacts related to geology and soils conditions are less than significant.

Soils-1, Soils Report: The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.

Soils-2, Construction-Related Permit(s): 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.

Soils-3, Seismic Hazards Zone (Landslide/Liquefaction): 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.

Source Documentation: Langan Engineering and Environmental Services, Inc., *Geotechnical Investigation for 1666 7th Street*, July 28, 2020

City of Oakland, Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

Slope

The site and vicinity are relatively flat. The site does not contain any slopes.

Erosion, Drainage and Storm Water Runoff

Erosion and Sedimentation during Construction

The Project site is currently subject to erosion as it is largely an undeveloped and pervious surface (other than the temporary structures, small concrete pad and elevated urban farm garden boxes). Temporary erosion control fences are present at portions of the site.

If not properly managed, erosion could occur during construction of the Project. Future grading activities associated with construction of the Project have the potential to increase exposure of existing soils to water and wind erosion. The Project would grade an area of less than 1 acre, and the potential for erosion would be limited to the construction phase. Construction could also result in the degradation of water quality with the clearing and grading of sites, releasing sediment, oil and greases, and other chemicals to nearby water bodies. Plans demonstrating the Best Management Practices for erosion control, sedimentation and water quality impacts to

the maximum extent practicable must be submitted for review and approval by the City of Oakland's Planning and Zoning Division and Building Services Division. At a minimum, appropriate filter materials shall be provided at nearby catch basins to prevent debris and dirt from flowing into the City's storm drain system and creeks.

Drainage and Stormwater Runoff, Post Construction

There is no indication of cross-lot runoff, swales, drainage flows, active rills or gullies on the site. There are no creeks at or near the Project site. The majority of the Project site is currently pervious surface.

Development of the Project would add almost a 100% increase (more than 27,300 square feet) of new impervious surface and could affect drainage patterns by increasing runoff creating changes to stormwater flows and water quality. Operational activities such as increased vehicular use and landscaping maintenance could potentially introduce new pollutants into stormwater runoff, resulting in degradation of downstream water quality. Increasing the total area of impervious surfaces can result in a greater potential to introduce pollutants to receiving waters. Urban runoff can carry a variety of pollutants, such as oil and grease, metals, sediments, and pesticide residues from roadways, parking lots, rooftops, landscaped areas and deposit them into an adjacent waterway via the storm drain system.

The City of Oakland imposes Best Management Practices to minimize the generation, discharge and runoff of stormwater pollution during construction of projects in the City. Post-construction stormwater management on the site will be required to comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. A stormwater management plan will be developed to manage stormwater run-off and limit discharge of pollutants in stormwater after construction of the project. The plan will include hydromodification measures, if required, and stormwater treatment measures to remove pollutants and hydraulic sizing for treatment measures proposed. The project will be required to fund any repairs or infrastructure improvements to the surrounding stormwater system.

Standard Condition of Approval Required

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to erosion, drainage and stormwater runoff. Application of these standards and implementation of these measures, reports and recommendations would ensure that impacts related to erosion, drainage and stormwater runoff are less than significant.

Erosion and Runoff-1, Erosion and Sedimentation Control Measures for Construction: 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.

Erosion and Runoff-2, NPDES C.3 Stormwater Requirements for Regulated Projects

- a. ***Post-Construction Stormwater Management Plan Required:*** 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 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:* 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.

Source Documentation: MWA Architects, 7th and Campbell Planning Submittal (plans and drawings) to the City of Oakland, May 5, 2016 and as amended July 7, 2020

City of Oakland, Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

Hazards and Nuisances including Site Safety

<u>Environmental Assessment Factor</u>	<u>Impact Code</u>	<u>Impact Evaluation</u>
Hazards and Nuisances including Site Safety and Noise	3	<p>The Project would not be affected by natural hazards such as faults or fractures, cliffs, bluffs or crevices, volcanoes, wildfire hazards, wind/sandstorm concerns or hazardous terrain features. The site is located in a developed urban area and surrounded by other existing urban development.</p> <p>Construction activities could involve standard use of gasoline, solvents, diesel fuel, oil and grease, hydraulic fluid, ethylene glycol, welding gases and paint, all considered hazardous materials that could create a hazard to the public or the environment.</p> <p>The Project would encourage land use patterns for housing in an area subject to a major noise source (i.e., the BART tracks and traffic noise). The Project would provide suitable separation distance and noise attenuation between housing and these major noise sources to achieve HUD noise standards.</p>

Seismic Hazards

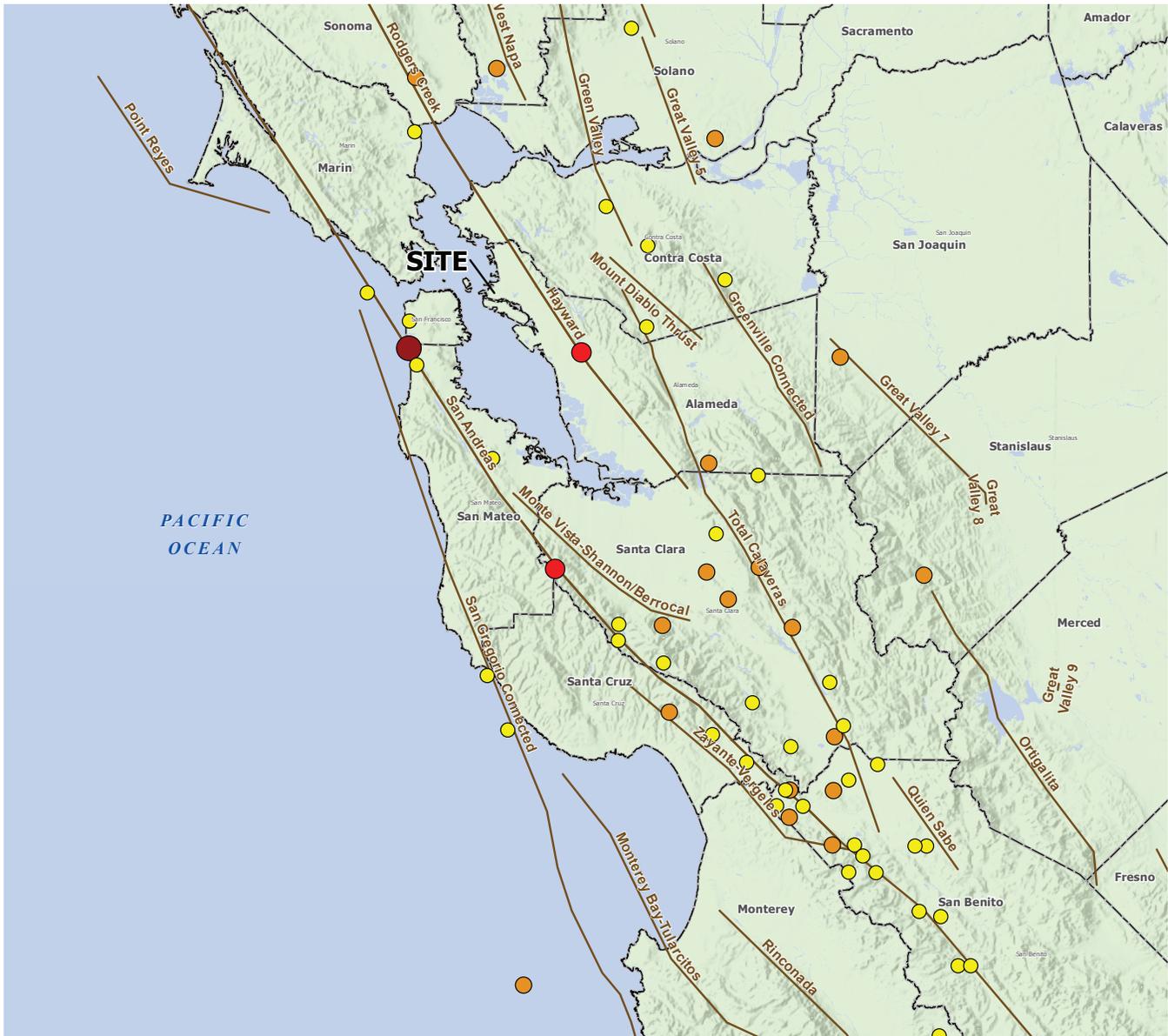
For purposes of this EA, a project-specific geotechnical report has been prepared:

- Langan Engineering and Environmental Services, Inc., *Geotechnical Investigation for 1666 7th Street*, July 28, 2020 (see **Appendix M**)

The following seismic and geologic hazards information is derived from this Project-specific geotechnical report.

The Project site is located within the seismically active San Francisco Bay Area, a region with risks of strong seismic ground shaking and seismic-related ground failure. The major active faults in the area are the Hayward, Calaveras, and San Andreas faults. These and other faults in the region are shown in **Figure 10**. In the past 200 years, four major earthquakes (i.e., of a magnitude > 6) have been recorded on the San Andreas fault. During a major earthquake, strong to violent ground shaking is expected to occur at the Project site. Strong ground shaking during an earthquake can result in ground failure such as that associated with soil liquefaction, lateral spreading and seismic densification.

- The Project site is not within an Earthquake Fault Zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site. The geotechnical report concludes that the risk of surface faulting and consequent secondary ground failure is low.
- The seismicity of the site is governed by the activity of the San Andreas fault, although ground shaking from future earthquakes on other faults will also be felt at the site. The intensity of earthquake ground motion at the site will depend upon the characteristics of the generating fault, distance to the earthquake epicenter, and magnitude and duration of the earthquake. Strong to very strong ground shaking could occur at the site during a large earthquake on one of the nearby faults.
- The entire site is in an area designated by the California Geological Survey (CGS), as a zone of potential liquefaction. When a saturated, cohesionless soil liquefies during a major earthquake, it experiences a temporary loss of shear strength due to a transient rise in excess pore water pressure generated by strong ground motions. Flow failure, lateral spreading, differential settlement, loss of bearing strength, ground fissures, and sand boils are evidence of excess pore pressure generation and liquefaction. Based on the results of the geotechnical report, the majority of the soils at the site have sufficient relative density to resist liquefaction and significant strength loss during an earthquake. However, a 3- to 5-foot thick, loose to medium dense sand layer at a depth of about 20 to 23 feet below ground surface is susceptible to liquefaction during a major earthquake on a nearby fault. Liquefaction-induced settlement of up to one inch is projected to potentially occur at the site as a result of liquefaction during a major earthquake.
- Lateral spreading is a phenomenon in which the surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. The surficial blocks are transported downslope or in the direction of a free face or down a slope by earthquake and gravitational forces. Lateral spreading is generally the most pervasive and damaging type of liquefaction-induced ground failure generated by earthquakes. The geotechnical report concludes that the potential for lateral spreading at the site is low.
- Cyclic densification can occur in loose, clean granular deposits above the water table during strong ground shaking, resulting in ground surface settlement. The geotechnical report estimates that the earthquake-induced ground settlement from cyclic densification at the site could be up to 1 inch.



Legend

- | | | |
|---|-----------------|-----------------------------|
| □ | Site Location | Earthquake Epicenter |
| ⬭ | County Boundary | Magnitude |
| — | Fault | ● Magnitude 5 to 5.9 |
| | | ● Magnitude 6 to 6.9 |
| | | ● Magnitude 7 to 7.4 |
| | | ● Magnitude 7.5 to 8 |



Notes:

1. Quaternary fault data displayed are based on a generalized version of USGS Quaternary Fault and fold database, 2010. For cartographic purposes only.
2. The Earthquake Epicenter (Magnitude) data is provided by the U.S Geological Survey (USGS) and is current through 08/26/2014.
3. Basemap hillshade and County boundaries provided by USGS and California Department of Transportation.
4. Map displayed in California State Coordinate System, California (Teale) Albers, North American Datum of 1983 (NAD83), Meters.

Figure 10
Major Faults in the Region

Source: Langan Engineers, July 2020

The Geotechnical Report prepared for the Project identifies the seismic design parameters appropriate for the site. On the basis of the results of subsurface investigation, the Geotechnical Report concludes the site is classified as a stiff soil site, but there is potential for a thin layer of soil at a depth of about 20 feet to liquefy beneath the planned foundations during a major earthquake. The presence of potentially liquefiable soils would require a "Site Class F" designation. However, detailed evaluations show the average shear wave velocities within the upper soils at the site, taking into account the approximate shear wave velocities of the liquefied soil layers, and found that the average shear wave velocities across the site fell within the range of a "Site Class D" site. For seismic design in accordance with the provisions of the 2019 California Building Code/ASCE 7-16, and assuming the building period is greater than or equal to 0.2, the geotechnical report recommends that proposed improvements be designed with the following "Site Class D" parameters:

- Risk Targeted Maximum Considered Earthquake (MCER) S_s and S₁ of 1.511 g and 0.6 g, respectively.
- Site Coefficient F_A of 1.0
- MCER spectral response acceleration parameters at short periods, S_{MS}, of 1.5 g. Design Earthquake (DE) spectral response acceleration parameters at short period, S_{DS}, of 1.0 g.

Implementation of these geotechnical recommendations and compliance with all standards, requirements and conditions contained in the City's construction-related building codes will ensure structural integrity and safe seismic design and construction.

Mitigation Measures

Mitigation Measure Soils 1 Comply with Geotechnical Recommendations. Follow all recommendations as set forth in the Geotechnical Investigation prepared for the Project by Langan Engineering and Environmental Services, Inc. (Geotechnical Investigation for 1666 7th Street, July 28, 2020, Appendix M).

Standard Condition of Approval Required

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to geologic hazards. Application of these standards and implementation of these measures, reports and recommendations (as previously identified above for Soils) would ensure that impacts related to geologic hazards are less than significant.

Soils-1, Soils Report: The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.

Soils-2, Construction-Related Permit(s): 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.

Soils-3, Seismic Hazards Zone (Landslide/Liquefaction): 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.

Source Documentation: Langan Engineering and Environmental Services, Inc., *Geotechnical Investigation for 1666 7th Street*, July 28, 2020

City of Oakland, Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

Hazardous Materials Use During Construction

Construction activities could involve standard use of gasoline, solvents, diesel fuel, oil and grease, hydraulic fluid, ethylene glycol, welding gases and paint, all considered hazardous materials. If not properly managed, such routine transport, use or disposal of hazardous materials, or reasonably foreseeable upset and accident conditions involving hazardous materials, could create a hazard to the public or the environment. The Project itself would not involve the use, storage or disposal of toxic, hazardous or radioactive materials.

Standard Condition of Approval Required

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to use of hazardous materials during constructions. Application of these standards and implementation of these measures, reports and recommendations (as previously identified above for Soils) would ensure that such hazards are less than significant.

Hazards-3, Hazardous Materials Related to Construction: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:

- a. Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction;
- b. Avoid overtopping construction equipment fuel gas tanks;
- c. During routine maintenance of construction equipment, properly contain and remove grease and oils;
- d. Properly dispose of discarded containers of fuels and other chemicals;
- e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and
- f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the

area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

Source Documentation: City of Oakland, Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

Noise Hazards

For purposes of this EA, a project-specific noise assessment has been prepared, which includes use of the HUD DNL Calculator and its Noise Barrier Performance Modules:

- Illingworth & Rodkin, Inc., *7th and Campbell Mixed-Use Project, NEPA Noise Assessment*, June 17, 2020 (see **Appendix N**)¹⁶

The following information is derived from this Project-specific noise assessment.

Regulatory Setting

The U.S. Department of Housing and Urban Development's (HUD's) environmental noise regulations are set forth in 24CFR (Code of Federal Regulations), Part 51B. The following exterior noise standards for new housing construction would be applicable to this project:

- 65 dBA DNL or less – acceptable
- Exceeding 65 dBA DNL but not exceeding 75 dBA DNL – normally unacceptable (appropriate sound attenuation measures must provide an additional 5 decibels of attenuation over that typically provided by standard construction in the 65 dBA DNL to 70 dBA DNL zone; 10 decibels additional attenuation in the 70 dBA DNL to 75 dBA DNL zone)
- Exceeding 75 dBA DNL – unacceptable

These noise standards apply at locations that are measured at 2 meters from a building that houses noise sensitive activities (e.g., residences) and in the direction of the predominant noise source, and at other locations where it is determined that quiet outdoor space is required in an area ancillary to the principal use on the site.

A goal of 45 dBA DNL is set for interior noise levels, and attenuation requirements are geared toward achieving that goal. It is assumed that with standard construction, any building will provide sufficient attenuation to achieve an interior level of 45 dBA DNL or less if the exterior level is 65 dBA DNL or less. Where exterior noise levels range from 65 dBA DNL to 70 dBA DNL, the project must provide a minimum of 25 decibels of attenuation, and a minimum of 30 decibels of attenuation is required in the 70 dBA DNL to 75 dBA DNL zone. Where exterior noise levels range from 75 dBA DNL to 80 dBA DNL, the project must provide a minimum of 35 decibels of attenuation to achieve an interior level of 45 dBA DNL or less.

Exterior Noise Environment

The Project site is located north of 7th Street and the elevated BART tracks, and west of Campbell Street. According to HUD's *Day/Night Noise Level Assessment Tool Users Guide* (August 2010) an assessment of noise sources should include roadway traffic noise from major roadways within 1,000 feet of the site. The primary noise generators within this proscribed vicinity include the elevated BART tracks and vehicular traffic on 7th Street. The I-880 freeway is more than 1,000 feet from the Project site and therefore not included in the

¹⁶ The NEPA Noise Assessment (June 17, 2020) was prepared as an analysis of the original 6-story design, which included a rooftop deck to be used as common open space. With re-design of the original project, the rooftop deck was removed as a common open space feature, and the Noise Assessment's analysis and conclusions regarding this rooftop deck are no longer applicable.

analysis. Other roadways within the 1,000-foot perimeter include 8th Street, Willow Street and Peralta Street. However, during the site survey, traffic along 8th Street or Peralta Street was not audible over noise from BART and 7th Street, and therefore are not included in the analysis. Noise levels from BART and 7th Street were modeled using the HUD DNL Calculator and also modeled in SoundPLAN, a three-dimensional noise model that takes the characteristics of the noise sources and surrounding structures into account.

- BART trains typically run at a combined rate of about 40 trains per hour on all lines during the daytime on weekdays, and about 20 trains per hour during the early morning and evening on weekdays and on weekends and holidays. A typical BART train produces a noise level of 85 dBA at 100 feet, and noise levels are lower near the stations due to the slower speeds of approaching and departing trains. The HUD DNL Noise Calculator yields a BART noise level of 80 dBA DNL at the setback of the Project site. This BART-generated noise level is consistent with prior noise calculations presented in the West Oakland Specific Plan EIR and the Oakland General Plan.
- The HUD DNL Calculator yields an existing noise level of 66 dBA DNL from traffic on 7th Street at the setback of the site. This traffic noise level is similar to traffic noise levels along 7th Street as previously calculated based on data presented in the West Oakland Specific Plan EIR.
- Traffic noise levels for Campbell Street, Peralta Avenue and 8th Street are not provided in either the General Plan or the West Oakland Specific Plan, and traffic volumes on these streets are not available from the City of Oakland or in this Project's traffic report, indicating that noise levels are below 60 dBA DNL at distances of 50 feet or greater from the center of the Campbell Street and 8th Street roadway.

Based on the results of the HUD DNL Calculator and validated using the SoundPLAN model, the existing noise environmental noise level at the front setback of the Project site along 7th Street is calculated to be approximately 80 dBA DNL (80 dBA BART plus 66 dBA 7th Street traffic = 80 dBA). Pursuant to HUD Guidelines, the noise exposure expected at least 10 years into the future must also be considered. BART operations are not anticipated to substantially change in the future, resulting in a noise level of 80 dBA DNL at the setback of the Project site. Assuming a 2% per year increase in traffic volumes along 7th Street, the HUD DNL calculator yields a future noise level of 69 dBA DNL at the setback of the site by year 2040. The combined noise level resulting from both BART and vehicular traffic at the ground level southern property line of the Project site would be approximately 81 dBA DNL under these future conditions.

Project Exposure to Exterior Noise

Based on a review of the site plans and floor plans of the Project, commercial and shared community spaces would be located on the ground level, with residential units located on floors 2 through 5. Based on the results of the HUD DNL calculator and verified in SoundPLAN, specific portions of the Project would be subject to the following noise conditions (see also **Table 8**):

- The exterior exposure of the south facing façade fronting onto 7th Street and the BART tracks would be about 80 dBA DNL, with maximum noise levels during train movements calculated to be 90 dBA L_{max}. This noise level exceeds HUD's 75 dBA DNL threshold and is considered unacceptable. New construction in unacceptable noise environments requires approval of the Responsible Entity's Certifying Officer (for projects reviewed under Part 58 – see **Attachment 11**), and that acceptance normally requires an Environmental Impact Statement (EIS). However, per 24CFR Part 51.104 (B)(2), "the Certifying Officer may waive the EIS requirement in cases where noise is the only environmental issue, and no outdoor noise sensitive activity will take place on the site (as is the case for this Project).
- The exterior exposure of the west facing façade would range from 70 to 76 dBA DNL, and the exterior exposure of the east facing façade along Campbell Street would range from 72 to 76 dBA DNL. This noise level would exceed HUD's "normally acceptable" threshold of 65 dBA DNL, and appropriate sound

attenuation measures must provide additional attenuation over that typically provided by standard construction.

- Noise levels at the rear, north facing façade and within the rear courtyard would be below 60 dBA DNL, meeting HUD’s “normally acceptable” threshold. The Project’s outdoor use areas include an outdoor open space area on the ground level, and a community deck and courtyard with space for an urban farm on the podium level. Both the ground-level and podium-level outdoor use areas are located on the northern side of the site, shielded from BART and 7th Street noise by the proposed building. Based on the results of the HUD Barrier Performance Module and verified in SoundPLAN, the proposed outdoor use areas on the ground level and at the rear podium level would be exposed to exterior noise levels ranging from 53 to 64 dBA DNL, with the highest exposure (64 dBA DNL) occurring in the eastern portion of the podium deck. These noise levels would be considered acceptable (i.e., less than 65 dBA DNL) according to HUD’s exterior noise criteria.

Table 8 – Exterior Noise Calculations with Building Shielding

	<u>Unshielded</u> <u>DNL</u>	<u>With Building Shielding</u>	<u>Resulting Exterior</u> <u>DNL</u>
Urban Farm, Dog Run and Exercise Area	72	-17	55
Courtyard	74	-17	57
Commercial Deck (with 5’ parapet wall)	74	-10	64

Illingworth & Rodkin, June 2020

Future Interior Noise Environment

The HUD goal for interior noise levels is set at 45 dBA DNL. Additionally, to minimize the potential for activity interference and sleep disturbance, typical maximum instantaneous noise levels from BART operations should be reduced to 55 dBA Lmax or less inside bedrooms and other living spaces within proposed residences. The CalGreen Building Code limits noise level inside occupied non-residential interior spaces to 50 dBA Leq (1-hr) during any hour of operation.

A thirty-five (35) decibel attenuation would be required to achieve acceptable interior noise levels with respect to the HUD’s DNL thresholds and for acceptable maximum noise levels inside those residences with south facing facades toward 7th Street and BART. The eastern and western facing façades of the Project would require twenty-five (25) to thirty-five (35) decibels of noise attenuation. For north facing and courtyard facing facades, the exterior noise levels would be 65 dBA DNL or less, and would be meet HUD’s 65 dBA DNL criteria with standard construction only.

The façade elements that contribute to the composite sound isolation of the assembly are the exterior wall assemblies themselves, along with significant openings or penetrations to the wall assembly such as windows or exterior doors. Based on review of the Project’s plans, it is estimated that most of the apartment units facing to the south (toward 7th Street) have a window-to-wall ratio of about 24% windows, and the “worst-case” units along the south facing façade have a window to wall ratio of about 50% windows. The Project applicant indicates that metal siding or stucco exterior wall construction would be used. The sound isolation provided by the typical wall sections proposed for the Project is anticipated to be STC 46 for a stucco assembly (assuming a full three-coat [7/8” thick] stucco, and not thin coat plaster on EPS foam), and about STC 39 for metal clad

exterior walls. Use of standard exterior wall construction with metal (STC 39) would not be sufficient to reduce noise levels inside south facing units to 45 dBA DNL or less.

To meet HUD’s interior noise standards, the following design requirements and construction materials are required of the Project (see also **Table 9**):

- To maintain a habitable interior environment, all residential units should be mechanically ventilated so that windows and doors can be kept closed at the occupant’s discretion to control noise intrusion indoors.
- For residential façades with exterior noise exposures of 76 and 80 dBA DNL (south facing façades and southerly east facing façades), exterior wall construction at STC 46 and windows with STC ratings of 38 to 40 dBA would be needed to achieve the required 35 dBA outdoor-to-indoor noise attenuation.
- For residential façades with exterior noise exposures of 70 to 75 dBA DNL (south facing façade, northerly east facing façades and southerly west facing façades), exterior wall construction at STC 46 and windows with STC ratings of 30 to 32 dBA would be needed to achieve the required 30 dBA outdoor-to-indoor noise attenuation
- For residential façades with exterior noise exposures of 65 to 70 dBA DNL (west facing façades), standard exterior wall construction at STC 39 or better and windows with STC ratings of 28 would be required to achieve the 25 dBA outdoor-to-indoor noise attenuation.
- North and interior courtyard facing façades, which have exterior noise exposures below 60 dBA DNL, would achieve the HUD standards with standard construction.

Table 9: Minimum STC Ratings to Achieve Interior Noise Requirements

<u>Receptor</u>	<u>Exterior Noise Level (DNL dBA)</u>	<u>STC Ratings Required</u>	<u>Attenuation (Exterior to Interior)</u>	<u>Resulting Interior DNL</u>
South Façade facing 7th Street/BART	80	(Type 1) Studio: Wall = STC 46, Window = STC 38 2-BR: STC 46 Window: STC 40 Commercial = STC 46, Window = STC 32	-35	45
East and West Façades near 7 th Street	76	(Type 2) Studio: Wall = STC 46, Window= STC 38 2-BR: Wall = STC 46, Window = STC 40 Commercial: Wall = STC 46, Window = STC 28	-35	41
East and West Facades, toward rear of site	70 to 75	(Type 3) Studio: Wall = STC 46, Window = STC 30 2-BR: Wall = STC 46, Window = STC 32 Commercial: Wall = STC 46, Window = STC 28	-30	40 - 45
North Façade and Courtyard	55-60	Standard	Standard	35 - 40

Illingworth & Rodkin, June 2020

Figure 11 summarizes the above noise control recommendations. Although only the upper floor plan is shown in Figure 11, these recommendations would apply to all levels of the building. Appendix N provides a summary of the inputs used to complete the calculations of interior noise levels at residential units with the future worst-case noise exposure.

Conclusion

Development of the Project would expose new residential uses to existing and anticipated future noise sources, including BART operations and traffic noise from local roadways. Because the southern facing façade is located in an unacceptable noise location, a noise waiver is required (see **Attachment 11**). The above noise insulation features described above would adequately reduce interior noise levels in all units to 45 dBA L_{dn} or less, satisfying the interior noise level requirements of HUD. Outdoor open space meets both HUD and City of Oakland requirements.

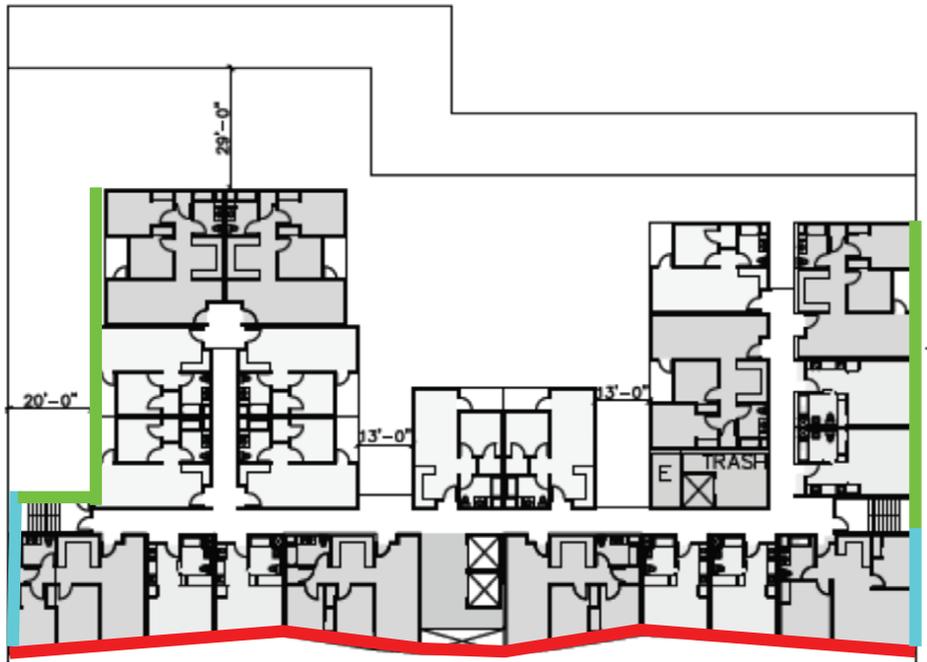
Balconies

The Project proposes private balconies attached to residential units on the east and west-facing facades, which would be exposed to noise levels between 70 to 76 dBA DNL, which is ‘normally unacceptable’ by HUD standards. However, HUD’s Notice (CPD-16-19) issued December 22, 2016, Balcony Policy under 24 CFR 51, Subpart B as it Applies to Parts 50 and 58 Regarding Building Facades Exposed to Noise, makes the following determinations:

“Balconies are not “locations where it is determined that quiet outdoor space is required in an area ancillary to the principal use on the site” (24 CFR 51.103(c)). Furthermore, balconies are not indicative of an “outdoor noise sensitive activity” for the purpose of eligibility for the discretionary waiver of the Environmental Impact Statement offered in 24 CFR 51.104(b)(2) since spaces inside the dwelling unit can accommodate activities that may occur on balconies. For new construction projects in Unacceptable and Normally Unacceptable noise areas (in accordance with 24 CFR 51.101(a)(3)) and major or substantial rehabilitation that results in a change of land use, bedrooms and studio apartments may have direct access to balconies if:

1. The interior noise levels have been mitigated to not exceed a day/night average noise level of 45 decibels as documented by the Sound Transmission Classification of the dwelling unit’s exterior walls factoring in fenestration.
2. Appropriate ventilation is provided by a mechanical ventilation system and not by opening doors or windows, and
3. An Operations and Maintenance plan is in place that requires periodically inspecting seals and repairing or replacing building components when their performance diminishes.”

As all of the above applies to the Project, the balconies are an allowed use under HUD policy for Part 58 reviews.



- Type 1: Stucco Walls (STC 46), Residential Windows STC 38 to 40, Non-residential Windows STC 32, and Forced-Air Ventilation
- Type 2: Stucco Walls (STC 46), Residential Windows STC 38 to 40, Non-residential Windows STC 28, and Forced-Air Ventilation
- Type 3: Stucco Walls (STC 46), Windows STC 28 to 32, and Forced-Air Ventilation



Figure 11
Recommendations for Noise Insulation

Source: Illingworth & Rodkin, 2020

Mitigations Required:

Mitigation Measure Noise 1, Comply with Noise Reduction Recommendations. Follow all recommendations as set forth in the 7th and Campbell Mixed-Use Project NEPA Noise Assessment as prepared by Illingworth & Rodkin, Inc., dated June 17, 2020 (see Appendix N), and as outlined in the Noise Waiver (Attachment 11), including required STC ratings for the walls and windows and mechanically ventilated residential units.

Mitigation Measure Noise 2, Operations and Maintenance Plan. The Project shall develop and implement an Operations and maintenance Plan that provides for periodic inspection of seals, and repair or replacement of building components at private decks or balconies when their noise attenuation performance diminishes.

Standard Condition of Approval Required:

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to potential noise exposure impacts. Application of City of Oakland's Standard Conditions of Approval to address noise impacts, consistent with the Mitigation Measures listed above, would ensure less than significant noise levels for the Project.

Noise-6: Exposure to Community Noise. The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:

- a. 45 dBA: Residential activities, civic activities, hotels
- b. 50 dBA: Administrative offices; group assembly activities
- c. 55 dBA: Commercial activities
- d. 65 dBA: Industrial activities

Source Documentation: HUD Noise Calculator, accessed at: <https://www.hudexchange.info/programs/environmental-review/bpm-calculator/#desc>

Illingworth and Rodkin, Inc., 7th and Campbell Street Affordable Housing Project, NEPA Noise Assessment, June 17, 2020

Other Potential Hazards

The Project site is flat and not subject to risk of unstable slopes or landslides, and construction of the Project would not destabilize slopes on- or off-site. The Project would not result in increased landslide hazards. The site is not located in an area of volcanic activity.

The Project site is located within an urbanized area of the City of Oakland and is not identified as being within or located near a Very High Fire Hazard Severity Zone. The Project site falls within a Local Responsibility Area and is under the jurisdiction of the Oakland Fire Department. Traffic from ongoing occupancy and operation of the Project would not create unacceptable traffic congestion on any identified evacuation routes.

Source Documentation: California Department of Forestry and Fire Protection. Fire Hazard Severity Zones Maps. Website accessed May 13, 2020 at <https://osfm.fire.ca.gov/media/5606/oakland.pdf>

Langan Engineering and Environmental Services, Inc., Geotechnical Investigation for 1666 7th Street, July 28, 2020

Energy Consumption

<u>Environmental Assessment Factor</u>	<u>Impact Code</u>	<u>Impact Evaluation</u>
Energy Consumption	3	The Project's design has taken full advantage of potential energy saving measures and is in conformance with HUD Minimum Property Standards and other applicable energy saving codes, and is in close proximity to transit.

Building Energy Efficiency

Pursuant to Oakland Municipal Code Chapter 18.02 (the Green Building Ordinance), the City of Oakland requires that all projects comply with California Green Building Standards (CALGreen) and achieve a minimum score of 23 points on the GreenPoint Rated checklist to be certified by Build It Green. The Project has been designed to be energy efficient and GreenPoint rated. The Project will incorporate energy saving features including but not limited to a total building performance that will meet or exceed Title 24, Part 6 requirements, and planting of new trees to moderate building temperature. Potential green features include rooftop solar panels, heat pumps, automated lighting and HVAC controls, efficient appliances and elevator, and tall windows for daylighting. Implementation of the Project will not violate federal, state or local statutes and regulations relating to energy standards, and will not result in a determination by the energy provider that it does not have adequate capacity to serve projected demand, or require construction of new energy facilities or expansion of existing facilities.

The Project would adhere to the City's Green Building Ordinance, which would have the effect of reducing energy use and water use beyond standard (Title 24 compliance) energy consumption levels. The Project also proposes a rooftop photovoltaic solar system providing alternative energy use for the building.

Standard Condition of Approval Required:

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to green building, energy efficiency and water conservation. Application of these standards and implementation of these measures would further ensure that impacts to sustainability are less than significant.

Energy-1, Green Building Requirements. The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code). The following information shall be submitted to the City for review and approval with the application for a building permit:

- a. Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.
- b. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.
- c. Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.
- d. Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed below.

- e. Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.
- f. Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.
- g. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.
- h. The set of plans shall demonstrate compliance with the following:
 - i. CALGreen mandatory measures.
 - ii. Green building point level/certification requirement per the appropriate checklist approved during the Planning entitlement process.
 - iii. All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted.
 - iv. The required green building point minimums in the appropriate credit categories.
- i. The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project. The following information shall be submitted to the City for review and approval:
 - i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.
 - ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance.
 - iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.
- j. Prior to the finalizing the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.

Source Documentation: MWA Architects, 7th and Campbell Planning Submittal (plans and drawings) to the City of Oakland, May 5, 2016 and as amended July 7, 2020

City of Oakland, Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

Transportation Energy Use

The Project includes numerous energy efficiencies related to transportation that serve to reduce the Project's transportation energy demands and associated emission of greenhouse gas (GHG) emissions. These transportation efficiencies include:

- There is an existing AC Transit bus stop along 7th Street directly across the street from the Project site, and the West Oakland BART station lies approximately three blocks to the east.

- The Project proposes to provide BART and neighborhood shuttle service for residents and patrons, with a shuttle stop at the Project site.
- The Project’s internal commercial spaces are specifically intended to provide on-site job opportunities and job training for Project residents, as well as commercial services (e.g., a fitness center) to serve Project residents and immediately surrounding neighbors.
- The Project has obtained as part of its affordable housing incentives, a substantially reduced parking ratio resulting in 18 parking spaces serving the entire Project. Most trips to and from the Project are expected to be walk or bike trips to immediately accessible transit opportunities.

The Project would not use excessive amounts of energy for purposes of transportation, and energy-related impacts would be less than significant.

Source Documentation: MWA Architects, 7th and Campbell Planning Submittal (plans and drawings) to the City of Oakland, May 5, 2016 and as amended July 7, 2020

Kittelson and Associates Inc., Preliminary Trip Generation Assessment, April 19, 2016

City of Oakland, Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

Socio-Economic Impacts

<u>Environmental Assessment Factor</u>	<u>Impact Code</u>	<u>Impact Evaluation</u>
Employment and Income Patterns	1	The Project would not substantially change employment and income patterns or increase or decrease employment opportunities, nor would it create conditions unfavorable to commercial operation or development.
Demographic Character Changes, Displacement	1	There are no residences on the Project site and the Project would not have a direct adverse effect with respect to displacement of persons or businesses. All 79 of the new housing units provided by the Project would be affordable units, exceeding the 15% target established in the West Oakland Specific Plan for new housing units.

Employment and Income Patterns

According to ABAG projections, job growth in the City is anticipated to increase by 7.3 percent between 2020 and 2030. Development of the Project would contribute incrementally to this job growth. The Project would provide affordable housing and neighborhood-serving retail and commercial uses to the West Oakland area. With a commercial area of approximately 16,750 square feet, the number of jobs created is estimated to be approximately 33 (calculated at a conservative rate of one job per 500 square feet). These jobs are expected to be filled by Project residents or other residents of the West Oakland community. The Project would not substantially change employment and income patterns, or substantially increase or decrease employment opportunities, nor would it create conditions unfavorable to commercial operation or development. Development of the Project would result in a slight increase in local employment opportunities and thus would have a minor beneficial effect

Source Documentation: City of Oakland, Housing Element, 2015–2023, December 2014

MWA Architects, 7th and Campbell Planning Submittal (plans and drawings) to the City of Oakland, May 5, 2016 and as amended July 7, 2020

Changes in Demographic Character and Displacement

The Uniform Relocation Act was passed by Congress in 1970 to establish minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) and that displace persons from their homes, businesses or farms.

The Project site consists of a vacant lot in temporary use as an urban farm. Development of the Project would add new affordable housing where none currently exists. Development of the Project would not directly displace any persons or businesses (the urban farm would be retained as part of the Project), and would provide an opportunity to counter trends in displacement of people with the provision of new affordable housing opportunities. At 79 units, the Project would not induce substantial growth in population in the area. The Project will help to address the need for housing as projected in the City’s Housing Element and as pursuant to the City’s *Regional Housing Needs Allocation*. Based on guidelines provided by HUD, the maximum number of residents appropriate to multi-family unit dwellings is two persons per bedroom, plus one per unit. Thus, a 2-bedroom unit could accommodate 5 persons, a 1-bedroom unit could accommodate 3 persons, and a studio unit could accommodate 2 persons. The Project includes thirty-two, 2-bedroom units (potentially accommodating as many as 160 persons), twenty-four 1-bedroom units (potentially accommodating as many as 72 persons), and 23 studio units (potentially accommodating as many as 46 persons). In total, the Project could potentially provide housing for as many as 278 people. However, it is not expected that three persons will occupy a one-bedroom unit. Nevertheless, for the purposes of this analysis, a population of 278 people is assumed.

According to the US Census Bureau “Quick Facts”, the City of Oakland’s population is estimated to be 433,031 persons as of July 2019. The additional 278 persons accommodated by the Project represents only approximately 0.06 percent of the City population. Thus, the Project would not create a significant change to the demographics of the area, and its impacts related to changes in demographic character and displacement would be less than significant.

Source Documentation: City of Oakland, West Oakland Specific Plan, 2014

US Census Bureau “Quick Facts”, accessed November 2020 at: <https://www.census.gov/quickfacts/oaklandcitycalifornia>

US Code of Regulations, Title 42: The Public Health & Welfare, Chapter 61: Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs, 1970 and as amended

MWA Architects, 7th and Campbell Planning Submittal (plans and drawings) to the City of Oakland, May 5, 2016 and as amended July 7, 2020

Community Facilities and Services

<u>Environmental Assessment Factor</u>	<u>Impact Code</u>	<u>Impact Evaluation</u>
Educational and Cultural Facilities	2	Development of the Project would not have an adverse impact on the demand for schools or cultural facilities.
Commercial Facilities	1	The Project would not have an adverse impact on the demand for commercial facilities. The Project includes space for new, desired commercial uses.
Health Care and Social Services	1	Development of the Project would not have an adverse impact on healthcare or social service facilities or delivery systems. The Project does not represent a significant adverse change to demand on area health care or social services.

Educational Facilities

The Project would provide affordable housing that could accommodate as many as 278 persons, potentially including families with school-aged children. These potential new students would be served by several Oakland

schools, including neighborhood schools in the Oakland Unified School District as well as charter and private schools operating within the City. There are eight schools within one mile of the Project site. The Oakland Unified School District collects school impact fees from residential and non-residential development. Under California Government Code Sections 65995, 65996(a) and 65996(b), payment of these fees is deemed to represent full and complete mitigation. Impacts to educational facilities are considered *less than significant*.

Cultural Facilities

The City of Oakland and the San Francisco Bay Area is rich in culture and opportunities for cultural experiences. The Project is within five miles of cinemas, convention centers, galleries, landmarks, libraries, museums, stadiums, and theatres. The Project's location near the West Oakland BART station offers many opportunities for cultural enrichment outside the immediate area. The Project represents an incremental demand for cultural facilities, but these impacts are considered less than significant.

Commercial Facilities

There are numerous shopping centers, ATMs and banks, auto service facilities, and many other commercial and retail facilities within a five-mile radius of the Project site. There are also several grocery stores within one mile of the Project site, including the Mandela Grocery Cooperative at 1430 7th Street. The Project's location near the West Oakland BART station offers many opportunities for access to commercial and retail facilities outside the immediate area. In addition, the Project includes 16,750 square feet of commercial space. The Project also includes space on the podium-level deck for the continuation of urban farm operations. The Project's additional potential for as many as 278 new residents would not constitute a significant impact on the demand for commercial facilities in the area.

Health Care

The Project site is conveniently located near various medical services and facilities. The closest hospital to the Project site is Alta Bates Summit Medical Center, which lies approximately two miles to the northeast. The Summit campus includes medical office buildings and a hospital and provides emergency services 24 hours a day, 7 days a week. Other nearby hospitals include Kaiser Permanente Medical Center approximately 2.4 miles to the northeast, Children's Hospital and Research Center approximately 2.75 miles to the northeast, and Highland General Hospital approximately 3.5 miles to the east of the Project site. There are numerous other smaller health care facilities including clinics, urgent care, and specialty services in the area. The Project would not result in any significant impacts to healthcare facilities or delivery systems.

Social Services

There are numerous social service providers in the Oakland area, including Family Education and Resource Center, Mental Health Association of Alameda County, St. Vincent de Paul Society, and the American Red Cross. The Alameda County Social Services Agency is located approximately 1.75 miles to the east of the Project site at 1221 Oak Street in Oakland, and provides services for children and families, the elderly, disabled adults and veterans. Services include food assistance, medical and health, employment training, housing services and financial assistance, as well as supportive services such as childcare transportation, mental health, alcohol and drug addiction treatment, and Social Security Insurance advocacy. The Project itself will provide on-site job training. The Project does not represent a significant change to the demographics of the area or on area-wide social services that serve the existing population. Implementation of the Project represents a less than significant impact to social services.

Source Documentation: Google Earth Pro V 7.3.3 (April 2020), 1666 7th Street, Oakland, California (37° 48' 26.04" N, 122° 17' 38.16" W, Eye alt 11,437 feet), Google 2020, accessed May 13, 2020

Oakland Unified School District. [Online] [Cited: May 19, 2019.] <https://www.ousd.org/ousd>.

Infrastructure and Public Facilities

<u>Environmental Assessment Factor</u>	<u>Impact Code</u>	<u>Impact Evaluation</u>
Solid Waste Disposal / Recycling	3 -	The Project would result in a minor increase in solid waste disposal requirements, but would not exceed collection or landfill capacity.
Wastewater / Sanitary Sewers	3	The Project would result in a minor increase in wastewater, but would not exceed the City’s existing sewer capacity or projected increases in wastewater flow.
Water Supply	3	The Project would result in a minor increase in water use, but the increase would not be substantial or exceed EBMUD’s existing capacity or projected increases in water supply.
Public Safety – Police, Fire and Emergency Medical	2	The Project would result in an incremental increase in the demand for police, fire, and emergency medical services, but the increase would not require construction or expansion of facilities.
Parks, Open Space and Recreation	2	The Project would result in an incremental increase in the demand for parks and recreation, but the increase would not require construction or expansion of park or recreation facilities.

Solid Waste Disposal / Recycling

Solid waste generated by the Project would be typical for residential and commercial uses. Solid waste services are provided to the City of Oakland by Waste Management and recycling is provided by California Waste Solutions (CWS). Waste Management primarily transports solid waste collected from the City of Oakland to the Davis Street Transfer Station in San Leandro, and from there to the Altamont Landfill and Resource Recovery Facility in Livermore. The State of California’s 75 Percent Initiative consists of a goal to achieve 75 percent recycling, composting or source reduction of solid waste by 2020. The City of Oakland has been a partner in these efforts. Chapter 17.118 of the Oakland Municipal Code defines the Recycling Space Allocation Ordinance in an effort to divert solid waste generated by operation of the Project from landfills. The adjacent properties are already served with solid waste disposal service, and the Project would represent a net increase in demand for these services. However, the increase in demand attributed to the Project would not exceed the capacity of, or reduce the capability of services in the City of Oakland, and would not require the construction of additional solid waste management facilities. Impacts related to solid waste disposal and recycling are considered less than significant.

Construction waste will be generated during construction of the Project. Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing construction waste, and optimizing construction and demolition waste recycling as a means of diverting debris waste from landfill disposal. Waste generated by demolition and construction of the Project would be diverted from landfills to reduce impacts on landfills and encourage the reuse of such materials. The Project proponent is required to submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) for review and approval by the Oakland Public Works Agency, and waste generated by demolition and construction will be required to be diverted from landfills to reduce impacts to landfills and encourage the reuse of such materials. The Project’s impacts related to construction waste, after adherence to Oakland Municipal Code requirements, would be less than significant.

Standard Conditions of Approval Required

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to recycling. Application of these standards and implementation of these measures would further reduce impacts on solid waste and recycling facilities.

Public Services-1, Recycling Collection and Storage Space. The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least 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.

Public Services-2, Construction and Demolition Waste Reduction and Recycling. 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. 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.

Source Documentation: California Department of Resources Recycling and Recovery, 75 Percent Initiative, website accessed May 13, 2020 at: <https://www.calrecycle.ca.gov/75Percent/>

Waste Management, Inc. WM. [Online], cited November 2020 at: <http://www.wm.com/index.jsp>.

Waste Management, Inc. Sustainability Report. 2014.

Alameda LAFCO, Municipal Service Review Update, Adopted January 11, 2018

Wastewater / Sanitary Sewers

The City of Oakland owns and maintains the sanitary sewer system throughout the City. This system consists of smaller collection lines connected to individual properties, which are then connected to larger sewer mains within the street right-of-way. The City's system is ultimately connected to the major sewer trunk main lines (interceptors) that are owned by the East Bay Municipal Utility District (EBMUD). EBMUD collects and treats wastewater at their Wastewater Treatment Plant. EBMUD treats the wastewater, removing solids and cleaning it before discharging the treated wastewater into the San Francisco Bay.

Wastewater collection is currently provided to the Project site, and the Project would connect with the existing sewer laterals in the vicinity. Development of the Project would result in an increase in wastewater, but this minor increase would not exceed the capacity of the City's sewer collection system, nor would it exceed the capacity of the EBMUD Wastewater Treatment Plant's treatment and disposal capacity. The Project would not result in an adverse impact on wastewater and sanitary sewers. Approval of the Project's planning application to the City of Oakland is conditioned on the Project proponent funding any infrastructure upgrades required to accommodate the Project. In the event that the Project's subsequent infrastructures analysis indicates that the Project's net increase in wastewater flow exceeds the City's projected increase in wastewater flow to the sanitary sewer system, the Project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule.

Standard Conditions of Approval Required

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to potential impacts to wastewater and sewers. Application of City of Oakland's Standard Conditions of Approval would further reduce wastewater and sewer impacts.

Public Services-3, Sanitary Sewer System. 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.

Source Documentation: East Bay Municipal Utility District. Wastewater Collection and Treatment. [Online, cited November 2020 at: <https://www.ebmud.com/wastewater/collection-treatment/>

City of Oakland, Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

Water Supply

West Oakland is serviced by a network of water transmission and distribution lines. The Project would connect to existing water service lines in the vicinity. Potable water for the Project would be supplied by EBMUD. Ninety percent of EBMUD's water comes from the 577-square mile watershed of the Mokelumne River on the western slope of the Sierra Nevada. This area is mostly national forest, EBMUD-owned lands and other undeveloped lands little affected by human activity. The Mokelumne watershed collects snowmelt from Alpine, Amador and Calaveras counties. The snowmelt flows into Pardee Reservoir near the town of Valley Springs. Three large aqueducts carry water more than 90 miles from Pardee Reservoir to the East Bay and protect it from pesticides, agricultural and urban runoff, municipal sewage and industrial discharges. When water demand is high or during times of operational need, EBMUD also draws water from protected local watersheds. Because of very low rainfall levels and melted snowpack, EBMUD has declared a Stage 4 critical drought and set a community-wide goal to reduce water use 20% compared to 2013. To achieve these savings, EBMUD has adopted new water use rules that affect all customers and must supplement normal water supplies with water from additional sources.

The Water Supply Assessment prepared by EBMUD for the WOSP concluded that EBMUD has sufficient water supplies to meet current and future water demands through 2035, including the increased water demand associated with development of the entire Specific Plan Area, during normal, single dry and multiple dry years. The Project is a relatively small component of overall growth as anticipated pursuant to the WOSP, and its water demands are within the overall water demands found to be capably served by EBMUD pursuant to the Water Supply Assessment prepared for the WOSP. The Project has been designed to minimize water use to the extent possible, including the use of water-efficient fixtures and drought-tolerant landscaping. Development of the Project would result in an increase in water use, but the increase would not be substantial and would not exceed EBMUD's existing and projected water supply. Sufficient water supplies are available to meet current and future water demands of the Project, and this impact would not be significant.

Standard Conditions of Approval Required

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to potential impacts to wastewater and sewers. Application of City of Oakland's Standard Conditions of Approval would further reduce water supply impacts.

Public Services-4, Water Efficient Landscape Ordinance (WELO).

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 homeowner installed),
- vi. Water supply type and water purveyor,
- vii. Checklist of documents in the package, and
- viii. Project contacts
- ix. Applicant signature and date with the statement: "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package."

b. Water Efficient Landscape Worksheet

- i. Hydrozone Information Table
- ii. Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use

c. Soil Management Report

d. Landscape Design Plan

e. Irrigation Design Plan, and

f. Grading Plan

Upon installation of the landscaping and irrigation systems, and prior to the final of a construction related permit, the Project applicant shall submit a Certificate of Completion (see

page 38.6 in the link above) and landscape and irrigation maintenance schedule for review and approval by the City. The Certificate of Completion shall also be submitted to the local water purveyor and property owner or his or her designee.

Source Documentation: City of Oakland, West Oakland Specific Plan, 2014

East Bay Municipal Utilities District (EBMUD), Water Supply Assessment for the City of Oakland West Oakland Specific Plan EIR, 2014

City of Oakland, Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

Public Safety – Police, Fire and Emergency Medical

The Oakland Police Department is located approximately 1.5 miles to the east of the Project site and provides City police services to the surrounding area. The Oakland Police Department is organized into 5 Police Areas as well as into 35 Police Beats. A Community Resource Officer and Neighborhood Council serve each police beat to promote public safety. The Project site is located in Beat 02Y within Area 1.

The Oakland Fire Department provides fire protection and emergency response services. The Oakland Fire Department implements comprehensive strategies and training in fire prevention, fire suppression, emergency medical services, and all risk mitigation, including human-caused and natural disasters, emergency preparedness, 9-1-1 services and community-based fire services. Fire Station 3 is the nearest fire station to the Project site, located only approximately 0.5 mile to the north at 1445 14th Street, providing rapid response to the West Oakland BART station and to the Project. The Project would result in an incremental increase in the demand for police, fire, and emergency medical services, but the increase would not require construction or expansion of facilities and would not result in an adverse impact on public safety services and facilities.

Source Documentation: Google Earth Pro V 7.3.3 (April 2020), 1666 7th Street, Oakland, California (37° 48' 26.04" N, 122° 17' 38.16" W, Eye alt 11,437 feet), Google 2020, accessed May 13, 2020

Alameda LAFCO Municipal Service Review Update, Adopted January 11, 2018

Parks, Open Space and Recreation

The City of Oakland's Parks and Recreation Department maintains approximately 140 parks and recreation facilities, including ball fields, tennis courts, recreation centers, rental venues, swimming pools, community gardens, golf courses, a digital arts and culinary center, boating centers, inclusionary center. The Parks and Recreation Department provides a host of programs designed for tiny tots to seniors, collectively serving over 95,000 enrolled participants and over one million drop-in users annually. There are numerous parks and recreational opportunities within one mile of the Project site. The closest neighborhood park is South Prescott Park, located approximately 0.25 mile to the south. Willow Park lies approximately 0.4 mile to the north, and the southern end of the Cypress Freeway Memorial Park is approximately 0.4 mile to the east of the Project site. The Project's incremental increase in demand for recreational space and facilities would not require construction or expansion of facilities, and would not result in an adverse impact on parks and recreation services and facilities.

Source Documentation: Google Earth Pro V 7.3.3 (April 2020), 1666 7th Street, Oakland, California (37° 48' 26.04" N, 122° 17' 38.16" W, Eye alt 11,437 feet), Google 2020, accessed May 13, 2020

Alameda LAFCO Municipal Service Review Update, Adopted January 11, 2018

Transportation

<u>Environmental Assessment Factor</u>	<u>Impact Code</u>	<u>Impact Evaluation</u>
Transportation and Accessibility	3	The Project would not result in high levels of vehicle delay and would not have an adverse effect on intersection operations. Pedestrian, bicycle, and transit facilities would adequately serve the proposed Project. The Project would not generate substantial vehicle miles traveled.

A Transportation Impact Study (TIS) was prepared for the Project:

- Kittelson and Associates Inc. (KAI), Traffic Impact Study for the 7th & Campbell Project, April 19, 2016 (see **Appendix O**)

The primary source of information for this section of the EA is derived from that Traffic Impact Study (TIS).

Trip Generation

The trips generated by the Project, as determined in the prior 2016 TIS, are as shown in **Table 10**, below.

<u>Land Use</u>	<u>ITE Code</u>	<u>Size</u>	<u>Weekday AM Peak</u>			<u>Weekday PM Peak</u>			
			<u>Daily Trips</u>	<u>Hour</u>		<u>Tota</u>	<u>Hour</u>		<u>Tota</u>
				<u>In</u>	<u>Out</u>		<u>In</u>	<u>Out</u>	
General Office	710	8.85 ksf	98	12	2	14	2	12	14
Gym/Fitness	492	4.25 ksf	140	3	3	6	9	7	16
Restaurant	932	2.8 ksf	357	17	14	31	17	11	28
General Retail	820	3.5 ksf	150	2	2	4	6	7	13
Apartment	220	79 DU	526	8	33	41	32	17	49
Non-Auto Reduction (-43%) ¹			-545	-16	-23	-39	-26	-24	-50
New Vehicle Trips			726	26	31	57	40	30	70

Source: KAI 2016 (**Appendix O**); Institute of Transportation Engineers Trip Generation Manual, 9th Edition, 2012; City of Oakland's Traffic Impact Analysis Guidelines, 2013; Metropolitan Transportation Commission, 2000 Bay Area Travel Survey, 2000.

1. The TIS Guidelines shows a 43 percent reduction for motor vehicle trips for locations less than 0.5 mile from rail/ferry stations.

Traffic Impacts – Level of Service

The prior 2016 TIS concluded that the Project would primarily contribute traffic to intersections along 7th Street, but that these intersections would operate at acceptable LOS B or C conditions with all traffic generated by the West Oakland Specific Plan, including vehicle trips generated by the Project. All studied intersections along 7th Street (Frontage Road/7th Street, Mandela Parkway/7th Street, Adeline Street/7th Street, and Market Street/7th Street) were found to operate at acceptable LOS B, C or D conditions under the cumulative scenario, inclusive of the Project.

The Project would not generate vehicle trips that would adversely affect intersection operations. The Project would not contribute 50 or more trips during any peak hour to any individual intersection, as concluded by the 2016 TIS.

Pedestrian, Bicycle and Transit Accessibility

Pedestrian Access

Approximately 23 percent of the Project's trips would be walking trips, resulting in an estimated 292 daily walk-only trips. Including walk-to-transit trips, the Project would add 678 pedestrians to the surrounding street network. Primary pedestrian accesses to the site would be provided via the 7th Street frontage (two entrances for the commercial uses and the lobby entrance for the residential units). The Project would provide street trees between the sidewalk and the roadway along the site frontage on Campbell Street and 7th Street, which would improve general pedestrian conditions in the public realm. Sidewalks along the Project's frontage are 6 feet on Campbell Street, and up to 9 feet on 7th Street.

The City of Oakland has developed a public streetscape improvement plan for 7th Street (the 7th Street West Oakland Transit Village Streetscape, Phase II project), and implementation of that project is on-going. Generally, this City plan includes street and sidewalk improvements on 7th Street between Wood Street and Peralta Street to enhance the roadway with wider sidewalks and high-visibility and ADA-accessible crosswalks, bike lanes, new trees and landscaping, improved stormwater management, pedestrian lighting, benches and trash cans, and a series of Walk-of-Fame plaques that commemorate the musical history of 7th Street. The Project design has fully accommodated the 7th Street West Oakland Transit Village Streetscape Phase II project, and its pedestrian-related benefits.

Bicycle Access and Circulation

Approximately 4 percent of the Projects trips rates would be bicycle trips, and the Project would generate an estimated 50 daily bicycle trips. Pursuant to the City's 7th Street West Oakland Transit Village Streetscape Phase II project, the north side of 7th Street adjacent to the Project site will be striped with a new 5-foot bicycle lane. Primary bicycle access to the site would be provided via 7th Street at the entrance to the bike parking area adjacent to the lobby. Based on the City of Oakland Municipal Code requirements for bicycle parking (Section 17.117), a minimum of 23 long-term and six short-term bicycle parking spaces are required. Based on a review of the Project's site plan, the Project would provide 84 long-term and 6 short-term bicycle parking spaces, and would meet and exceed City of Oakland requirements for bicycle parking.

Transit Access

Approximately 30 percent of the Project's trips would be transit trips, resulting in an estimated 386 daily transit trips. BART and Alameda Contra-Costa Transit (AC Transit) operate local and regional transit service with transit stops located near the Project to serve these trips. BART provides regional rail service in the San Francisco Bay Area with the nearest BART station located 0.3 miles away at the West Oakland BART station. The nearest AC Transit stop (served by lines 26, 314 and 800) is across the street from the Project site on eastbound 7th Street. The following three AC Transit lines have stops within one mile of the site:

- AC Transit Line 26 passes through West Oakland as it connects Emeryville to the Lakeshore and Trestle Glen neighborhoods in Oakland. The nearest stops are located across the street from the Project site along 7th Street, and 300 feet west of the Project site at the northwest corner of Willow Street/7th Street. Line 26 operates from approximately 6:00 AM to 10:30 PM on the weekdays, with approximately 20-minute headways during the AM and PM peak hours.

- AC Transit Line 31 passes through West Oakland as it connects the MacArthur, West Oakland, and 12th Street BART stations, and continues through the Webster/Posey Tube to Alameda City Hall West in the City of Alameda. The nearest stop is located 400 feet east of the Project site at the northeast corner of Peralta Street/7th Street. Line 31 operates from approximately 5:45 AM to 11:00 PM on the weekdays, with approximately 30-minute headways all day.
- Line 314 passes through West Oakland as it connects the West Oakland and 12th Street BART stations, continues through the Webster/Posey Tube to the City of Alameda, and continues on Doolittle Drive to near the Oakland International Airport. Line 314 operates one bus in each direction per day.

The Project would not change transit service to the area, but would supplement transit service with a proposed BART and neighborhood shuttle service using a shuttle stop at the Project site's frontage on 7th Street accommodated in the City's 7th Street West Oakland Transit Village Streetscape Phase II project. The Project is not expected to result in overcrowding at the West Oakland BART station, or on individual AC Transit lines or at nearby transit stops.

Parking and Vehicle Access

Motor vehicle access to the site would be via Campbell Street. The access would be located approximately 75 feet to the north of the Campbell Street/7th Street intersection, and would lead to the on-site parking area at the rear of the building. There is a loading space located within the Project site, which can be accessed from Campbell Street approximately 50 feet to the north of the Campbell Street/7th Street intersection. This loading space can accommodate garbage trucks and delivery vehicles.

City of Oakland Municipal Code requirements for parking indicate a requirement for 128 parking spaces. The Project would not meet this minimum parking requirement, and has obtained City approval for a reduced parking ratio due to its mixed-use nature and its proximity to public transit opportunities. The Project would provide a total of 18 parking spaces, including 1 ADA-accessible parking space and 17 parking spaces designed in stacked parking lifts. On-street parking opportunities are also provided on Campbell Street, 7th Street, Willow Street, and 8th Street.

Conclusions

The Project would result in a marginal increase in traffic, and congestion caused by that minor additional traffic would not increase transit travel times. The Project's design includes secure bicycle parking meeting City requirements, planting of street trees along 7th Street and Campbell Street, and will accommodate a shuttle stop at the Project site as part of the Project's proposed BART and neighborhood shuttle service. These features of the Project would support public transit, bicycle and pedestrian use.

Standard Conditions of Approval Required

The City has adopted Uniformly Applied Development Standards imposed as Standard Conditions of Approval that apply to potential impacts to transportation. Application of City of Oakland's Standard Conditions of Approval will limit impacts to transportation and further reduce the Project's less than significant traffic impacts.

Transportation-1, Bicycle Parking. The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.

Transportation-2, Transportation and Parking Demand Management. The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City. The goals of the TDM Plan shall be the following:

- a. Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the project.
- b. Achieve the following project vehicle trip reductions (VTR) as a project generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR
- c. Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate.
- d. Enhance the City's transportation system, consistent with City policies and programs.

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

- a. Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.
- b. Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.
- c. Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project.
- d. Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.
- e. Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.
- f. Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency).
- g. Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes.
- h. Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3).
- i. Guaranteed ride home program for employees, either through 511.org or through separate program.
- j. Pre-tax commuter benefits (commuter checks) for employees.
- k. Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.
- l. On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.
- m. Distribution of information concerning alternative transportation options.

- n. Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.
- o. Parking management strategies including attendant/valet parking and shared parking spaces.
- p. Requiring tenants to provide opportunities and the ability to work off-site.
- q. Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week).
- r. Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours.

The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.

For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.

Source Documentation: Kittelson and Associates Inc., Preliminary Trip Generation Assessment, April 19, 2016

City of Oakland, Planning and Zoning Map data, available at <http://oakgis.maps.arcgis.com/apps/webappviewer/index.html?id=3676148ea4924fc7b75e7350903c7224>.

MWA Architects, 7th and Campbell Planning Submittal (plans and drawings) to the City of Oakland, May 5, 2016 and as amended July 7, 2020

City of Oakland, Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

Unique Natural Features, Water Resources

<u>Environmental Assessment Factor</u>	<u>Impact Code</u>	<u>Impact Evaluation</u>
Unique Natural Features, Water Resources	2	The Project would not have an impact on unique natural features or water resources. None of these features are present at or adjacent to the Project site
Vegetation, Wildlife	2	Vegetation and wildlife present at the Project site are limited to adapted and disturbed urban conditions, and the Project would not adversely affect vegetation or wildlife.
Other Factors	2	There are no other factors present on the site related to unique natural features or water resources

Unique Natural Features, Water Resources

The Project site is flat and consists of a vacant lot in temporary use as an urban farm. The site contains no unique natural features. There are no watercourses, creeks, streams, seasonal wetlands, or other water resources on the Project site.

Source Documentation: U.S. Fish and Wildlife Service, Coastal Barrier Resources System, Official CBRS Maps, website accessed May 7, 2020 at: <https://www.fws.gov/cbra/maps/index.html>

San Francisco Bay Conservation & Development Commission, San Francisco Bay Plan, website accessed May 7, 2020 at: http://www.bcdc.ca.gov/plans/sfbay_plan.html

U.S. Fish and Wildlife Service, National Wetlands Inventory, website accessed May 7, 2020 at: <https://www.fws.gov/wetlands/Data/Mapper.html>

Interagency Wild & Scenic Rivers Coordinating Council, National Wild and Scenic Rivers System, National Wild and Scenic Rivers Story Map, California, website accessed May 7, 2020 at: <https://www.rivers.gov/california.php>

U.S. Environmental Protection Agency, NEPAassist, website accessed May 7, 2020 at: <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>

Vegetation, Wildlife and Other Features/Factors

The Project site is located within a developed area and consists of a vacant lot in temporary use as an urban farm. No special-status plant or animal species have been reported from or are suspected to occur on the site due to the nature of the site and lack of suitable habitat. Vegetation and any wildlife present at the Project site are adapted to disturbed, urban conditions.

The Project site is a vacant property currently is use as an urban farm. The site contains no rare no unique natural features or water resources.

Source Documentation: U.S. Environmental Protection Agency, NEPAassist, website accessed May 7, 2020 at: <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>

U.S. Fish and Wildlife Service, ECOS Environmental Conservation Online System, website Accessed May 7, 2020 at: <https://ecos.fws.gov/ecp0/reports/species-by-current-range-county?fips=06001>

Lamphier-Gregory site visit, October 2020

Additional Studies Performed

Pursuant to this EA and other City of Oakland required Conditions of Approval, several additional studies have been performed for the site, including:

- Langan Engineering and Environmental Services, Inc., Phase II Environmental Site Assessment - 1666 7th Street, August 24, 2020
- 7th & Campbell, LP, Service Request Application – Preliminary Site Review, submitted to Alameda County Department of Environmental Health Local Oversight Program, September 18, 2020
- PaleoWest Archaeologists, Cultural Resource Technical Report (Technical Report 20-492), September 30, 2020
- Lamphier-Gregory, 7th and Campbell Historic Resource Evaluation, September 2020
- Illingworth & Rodkin, Inc., 7th and Campbell Mixed-Use Project, NEPA Noise Assessment, June 17, 2020
- Langan Engineering and Environmental Services, Inc., Geotechnical Investigation for 1666 7th Street, July 28, 2020
- Illingworth & Rodkin, Inc., 7th and Campbell Mixed-Use Project, Air Quality Community Risk Assessment, July 6, 2020
- CalEEMod Air Emissions Modeling Results
- Kittelson and Associates Inc., Preliminary Trip Generation Assessment

Each of these additional studies are included as Appendices to this EA/FONSI document.

Field Inspection

January 8, 2019 site visit by Scott Gregory, President, Lamphier-Gregory, plus multiple additional field inspections conducted pursuant to each the additional technical studies performed for the Project.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]

See Source Documentation List

List of Permits and Approvals Obtained

- Exclusive Negotiating Agreement: In January of 2015, the City of Oakland adopted a resolution authorizing an Exclusive Negotiating Agreement (ENA) with Oakland and the World Enterprises, Inc. (the Project applicant), for development of the Project site.
- Environmental Review: In 2016, the City of Oakland prepared a CEQA Checklist to review the Project against the development assumptions of the West Oakland Specific Plan and its associated EIR, and to determine if that prior EIR provided adequate environmental review for the Project, if any additional analysis was required, and whether there was anything unique about the Project and/or its location that would warrant further environmental review. In August of 2016, the City of Oakland relied on the streamlining and tiering provisions of CEQA to determine that the 2016 Project qualified as exempt from further environmental review pursuant to CEQA.
- Design Review and CUP: In September of 2017, Design Review of the Project was approved, along with a minor CUP and affordable housing waivers or concessions for building height, reliance on rooftop open space as a proportion of required open space, and reduction in parking. That approval was for a 6-story, 112,200 square-foot mixed residential-commercial building on the site, with 79 residential units (all dedicated as affordable housing, primary for formerly incarcerated persons), 19,400 square feet of commercial and amenity space, and a total of 48 parking spaces in a two-story podium parking garage.

That application also included a minor Conditional Use Permit to allow specified workshop activities; and a minor zoning variance (as affordable housing waivers or concessions) for building height, reliance on rooftop open space as a proportion of required open space, and reduction in parking.

- Lease Disposition and Development Agreement: In May of 2017, the City of Oakland entered into a Lease Disposition and Development Agreement (LDDA) with the Project applicant for the long-term ground lease of the property at 7th Street and Campbell Street for development as a mixed-use affordable housing development.
- Revised Project Approval: In June of 2020, the Project applicant proposed revisions to the previously approved Project design. This revised Project (the subject of this NEPA review) now intends to construct a five-story building instead of a six story building by substantially reducing parking, to construct the parking podium at 10 feet from the rear property line (instead of the required 15 feet), and to change the window patterns on the facades of the building. This revised Project was approved by the Zoning Manager in July 2020 as a minor modification to the original design, with the rear setback reduction as an additional waiver under the California State Density Bonus Law. The revised Project was approved subject to the original Conditions of Approval, including all applicable SCAs.

No other permits have yet been obtained. At the moment when federal funding for the Project became contemplated, all project actions were halted to conduct this environmental review.

Public Outreach [24 CFR 50.23 & 58.43]

The Project applicant has held community meetings to discuss plans for the site throughout its local approval process, including a public hearing before the City of Oakland Planning Commission in 2016, when the original Project's Design Review application was approved. This Environmental Assessment concludes that the Project would not result in a significant impact on the quality of the human environment, and a Finding of No Significant Impact (FONSI) is appropriate. The FONSI will be published in the newspaper and circulated to public agencies, interested parties and landowners of those parcels located within the Project's Area of Potential Effects. Information about where the public may find the Environmental Review Record pertinent to the Project will be included in the FONSI Notice.

Cumulative Impact Analysis [24 CFR 58.32]

This project has been approved by the City of Oakland as to design and use as a 5-story, 65,168 square-foot mixed residential-commercial building on the site, with 79 residential units (all dedicated as affordable housing, primary for formerly incarcerated persons), 19,400 square feet of commercial and amenity space, and 48 parking spaces. The Project has been considered as an "approved project" in subsequent cumulative impacts analysis of later projects. No negative cumulative impacts are anticipated.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

A reduced-density alternative to the Project was considered but deemed infeasible. Such an alternative would be inconsistent with the planning approvals already achieved for the Project, including its 2017 Design Review approval, Conditional Use Permit and affordable housing waivers or concessions; the May 2017 Lease Disposition and Development Agreement and the July 2020 approval by the Zoning Manager for minor modification to the original design. Even with a reduced-density alternative, any residential development at this site would be subject to noise levels from the adjacent BART tracks that is considered unacceptable under HUD thresholds, and noise mitigation would be required.

No Action Alternative [24 CFR 58.40(e)]

Under the No Action Alternative, no development would occur at the Project site in the near term, and the site would remain as a working urban farm. The environmental impacts associated with the Project would not occur, nor would the beneficial effects of the Project, including the addition of affordable housing to the West Oakland area. It would remain possible that the site would be developed at a future date and in a manner consistent with the West Oakland Specific Plan and underlying zoning.

Summary of Findings and Conclusions

The Project is suitable from an environmental standpoint. Provided the Project adheres to the Mitigation Measures and City of Oakland’s SCAs as already adopted as conditions of its original approvals (September 2017), development of the Project would not result in a significant impact on the quality of the human environment. The Project would provide a safe, sanitary, and affordable place for future residents.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into contracts, development agreements, and other relevant documents for the Project. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.^{17, 18}

<u>Law, Authority, or Factor</u>	<u>Mitigation Measure</u>
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<p><u>Mitigation Measures:</u></p> <p>Mitigation Measure Air Quality 1, Health Risk Reduction Measures. HVAC systems with high efficiency diesel particulate filters, or MERV 13 filters, shall be included in the Project’s ventilation design, along with weatherproofing windows and doors, installation of passive electrostatic filtering systems, and adoption of an annual maintenance plan for the HVAC and air filtration systems.</p> <p>Mitigation Measure Air Quality 2, Diesel Particulate Matter Controls - Construction Related. All off-road diesel equipment shall be equipped with the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by CARB. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications. This shall be verified through an equipment inventory submittal and Certification Statement that the Contractor agrees to compliance and acknowledges that a significant violation of this requirement shall constitute a material breach of contract.</p>

¹⁷ The Standard Conditions of Approval were initially and formally adopted by the Oakland City Council on November 3, 2008 (Ordinance No. 12899 C.M.S.), pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183 (and now section 15183.3), and incorporate development policies and standards from various adopted plans, policies, and ordinances (such as the Oakland Planning and Municipal Codes, Oakland Creek Protection, Stormwater Management and Discharge Control Ordinance, Oakland Tree Protection Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System (NPDES) requirements, Housing Element and other General Plan Element-related mitigation measures, California Building Code, Uniform Fire Code, Energy and Climate Action Plan, Complete Streets Policy, and Green Building Ordinance, among others), which have been found to substantially mitigate environmental effects. Where there are peculiar circumstances associated with a project or project site that will result in significant environmental impacts despite implementation of the Standard Conditions of Approval, mitigation measures have been identified to reduce the impact to less than significant levels.

¹⁸ A Standard Condition of Approval /Mitigation Monitoring and Reporting Program is attached as a separate document.

Mitigation Measure Air Quality 3, Stationary Sources of Air Pollution (Toxic Air Contaminants).

The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:

- a. Installation of non-diesel fueled generators, if feasible, or;
- b. Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.

Required Standard Conditions of Approval

Air Quality-1, Construction-Related Air Pollution Controls (Dust and Equipment Emissions): The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:

- a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.
- b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. Pave all roadways, driveways, sidewalks, etc. within one month of site grading or as soon as feasible. In addition, building pads should be laid within one month of grading or as soon as feasible unless seeding or soil binders are used.
- e. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- f. Limit vehicle speeds on unpaved roads to 15 miles per hour.
- g. 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 five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.
- h. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”).
- i. 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.
- j. Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.
- k. 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.
- l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.
- m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).

- o. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.
- p. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize windblown dust. Wind breaks must have a maximum 50 percent air porosity.
- q. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- r. Activities such as excavation, grading, and other ground-disturbing construction activities shall be phased to minimize the amount of disturbed surface area at any one time.
- s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.
- t. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.
- u. All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449, of the California Code of Regulations (“California Air Resources Board Off-Road Diesel Regulations”) must meet emissions and performance requirements one year in advance of any fleet deadlines. Upon request by the City, the project applicant shall provide written documentation that fleet requirements have been met.
- v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).
- w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.
- x. Off-road heavy diesel engines shall meet the California Air Resources Board’s most recent certification standard.
- y. 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.

Air Quality-2, Exposure to Air Pollution (Toxic Air Contaminants). The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods:

- a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. The approved risk reduction measures shall be implemented during construction and/or operations as applicable.
- or -
- b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:

	<ul style="list-style-type: none"> i) Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building’s HVAC air filtration system shall be required. ii) Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph). iii) Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible. iv) The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods. v) Sensitive receptors shall be located on the upper floors of buildings, if feasible. vi) Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including Pine, Cypress, Hybrid poplar and Redwood. vii) Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible. viii) Existing and new diesel generators shall meet CARB’s Tier 4 emission standards, if feasible. ix) Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible: i) installing electrical hook-ups for diesel trucks at loading docks; ii) requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards; iii) requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels; iv) prohibiting trucks from idling for more than two minutes; and v) establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.
<p>Contamination and Toxic Substances, per 24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p><u>Mitigation Measures</u></p> <p>Mitigation Measure Hazards 1, Final Corrective Action Plan.</p> <p>The applicants shall implement the final CAP approved by ACDEH including the following measures:</p> <ul style="list-style-type: none"> • Excavating soil beneath portions of the ground surface to facilitate construction of foundations, utility corridors and landscaping and remove most of the historically contaminated soil • Consolidating contaminated soil on-Site beneath the future building or a clean imported fill layer, and/or transporting soil to a licensed, off-Site disposal facility • Backfilling excavations in utility corridors with clean, imported fill • Installing a sub-slab vapor barrier and venting system beneath the planned building to prevent VOCs from entering indoor air <p><u>Standard Conditions of Approval Required:</u></p> <p><i><u>Hazards-1, Regulatory Permits and Authorizations from Other Agencies</u></i></p> <p>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</p>

	<p>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.</p> <p><u>Hazards-2, Hazardous Building Materials and Site Contamination,</u></p> <ul style="list-style-type: none"> a. <i>Hazardous Building Materials Assessment:</i> The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency. b. <i>Environmental Site Assessment Required:</i> The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency. c. <i>Health and Safety Plan Required:</i> The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan. d. <i>Best Management Practices (BMPs) Required for Contaminated Sites:</i> The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following: <ul style="list-style-type: none"> i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements. ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.
<p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p><u>Mitigation Measures</u></p> <p>Mitigation Measure Cultural 1: Data Recovery. Based on the presence of a known eligible site within the Project APE, a data recovery program is recommended for those portions of the site that will be impacted by ground-disturbing construction activities. An Archaeological Data Recovery Plan (ADRP) shall be prepared, providing contextual information and outlining methods for data recovery and excavation prior to construction. This ARRP shall include the environmental context, the prehistoric and historic context of the area, expected resource and feature types, expanded research themes and questions, the methods and locations for data recovery, and archaeological</p>

monitoring intended to mitigate adverse impacts to the resource. The data recovery resolves adverse effects to the resource.

Mitigation Measure Cultural 2: Archaeological Monitoring. Due to the historic sensitivity of the site, it is recommended that an archaeological monitoring program be implemented during ground disturbing activities associated with the Project. The archaeological monitoring program (AMP) shall minimally include the following provisions:

- a. The archaeological consultant shall advise all Project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archaeological resource.
- b. All construction crew workers shall attend a training session led by a qualified archaeologist that discusses the reasons for archaeological resource monitoring; regulatory policies protecting resources and human remains; basic identification of archaeological resources; and the protocol to follow in case of a discovery of such resources.
- c. Due to the high sensitivity of historic deposits, monitoring of the entire vertical site will be required.
- d. An archaeological monitor(s) shall be present on the Project site during all ground disturbing activity.
- e. The Project archaeologist, in consultation with the on-site archaeological monitor, will make recommendations about reducing monitoring to part-time or spot-checks if it is determined that the probability of encountering archaeological deposits has dropped below an acceptable level. Therefore, the frequency of the on-site monitoring will be determined by construction activities and as deemed necessary by the Project Archaeologist in consultation with the SHPO. In specific cases, it may also be determined, by the Project Archaeologist in consultation with the SHPO, that monitoring is no longer necessary. Written concurrence with SHPO will be required in order to change existing monitoring recommendations.
- f. The archaeological monitor shall record and be authorized to collect soil samples and artifactual/eco-factual material as warranted for analysis.
- g. If an archaeological deposit is encountered, all soils-disturbing activities within 30-feet of the discovery shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition, excavation, or other construction activities and equipment until the deposit is evaluated. The archaeological consultant shall immediately notify the client of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit.
- h. If the archaeological monitor determines that the cultural resources are potentially significant archaeological resources and avoidance of the resource is not possible, data recovery may be necessary. Data recovery would require consultation and concurrence from the SHPO.

Mitigation Measure Cultural 3: Post Discovery Review Protocol. In the event that potentially significant archaeological materials are encountered during Project-related ground-disturbing activities, all work should be halted in the vicinity of the archaeological discovery until a qualified archaeologist can visit the site of discovery and assess the significance of the archaeological resource. In addition, Health and Safety Code 7050.5, and Public Resources Code 5097.98 mandate the process to be followed in the unlikely event of an accidental discovery of any human remains in a location other than a dedicated cemetery. Finally, should additional actions be proposed outside the currently defined site that have the potential for additional subsurface disturbance, further cultural resource management may be required.

Mitigation Measure Cultural 4: Human Remains. In the event that Native American human remains, or funerary objects are discovered, the provisions of Section 7050.5(b) of the California Health and Safety Code should be followed.

- a. In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in

which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.94 of the Public Resources Code.

- b. The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the Native American Heritage Commission within 24 hours. The Commission has various powers and duties to provide for the ultimate disposition of any Native American remains, as does the assigned Most Likely Descendant. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to State law, then the remains would be reinterred with the items associated with the Native American burial on the property in a location not subject to further disturbance.

Standard Conditions of Approval Required:

Cultural-1, Archaeologically Sensitive Areas – Pre-Construction Measures. The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision B (Construction ALERT Sheet) concerning archaeological resources.

Provision A: Intensive Pre-Construction Study. The project applicant shall retain a qualified archaeologist to conduct a site-specific, intensive archaeological resources study for review and approval by the City prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. At a minimum, the study shall include:

- a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources.
- b. A report disseminating the results of this research.
- c. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources. If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction and prepare an ALERT sheet pursuant to Provision B below that details what could potentially be found at the project site. Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT sheet, required per Provision B below) and the procedures to follow if any artifacts are encountered, field recording and sampling in accordance with the Secretary of Interior’s Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, and preparing a report to document negative findings after construction is completed if no archaeological resources are discovered during construction.

Provision B: Construction ALERT Sheet. The project applicant shall prepare a construction “ALERT” sheet developed by a qualified archaeologist for review and approval by the City prior to soil-disturbing activities occurring on the project site. The ALERT sheet shall contain, at a minimum, visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project’s prime contractor, any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving), and utility firms involved in soil-disturbing activities within the project site.

	<p>a. The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, all work must stop and the City's Environmental Review Officer contacted in the event of discovery of the following cultural materials: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones.</p> <p>b. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The ALERT sheet shall also be posted in a visible location at the project site.</p> <p><u>Cultural-2, Human Remains – Discovery During Construction:</u> 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.</p>
<p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p><u>Standard Conditions of Approval Required</u></p> <p><u>Noise-1, Construction Days/Hours:</u> The project applicant shall comply with the following restrictions concerning construction days and hours:</p> <p>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.</p> <p>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.</p> <p>c. No construction is allowed on Sunday or federal holidays.</p> <p>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.</p> <p>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.</p>

Noise-2, Construction Noise: The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to the following:

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

Noise-3, Extreme Construction Noise: 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:

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

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.

Noise-4, Construction Noise Complaints: The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:

	<p>a. Designation of an on-site construction complaint and enforcement manager for the project;</p> <p>b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit;</p> <p>c. Protocols for receiving, responding to, and tracking received complaints; and</p> <p>d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.</p> <p><u>Noise-5, Operational Noise:</u> Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of Chapter 17.120 of the Oakland Planning Code and Chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.</p>
<p>Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design</p>	<p><u>Standard Conditions of Approval Required:</u></p> <p><u>Land Use-1, Materials Board:</u> The applicant shall submit, for review and approval of the Planning Director, a material board showing all exterior materials on the building. These materials should also be depicted in the set of plans submitted with the Building Permit application.</p> <p><u>Land Use-2, Storefront Design:</u> The applicant shall submit, for review and approval of the Planning Director, plans that show the following:</p> <p>a. The ground floor facing 7th Street having 55 percent transparency between two (2) feet and nine (9) feet in height. This area shall be comprised of clear, non-reflective windows that allow views in and out of indoor space.</p> <p>b. A bulkhead and the base of the ground floor, including the storefront windows.</p>
<p>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</p>	<p><u>Mitigation Measures</u></p> <p><i>Mitigation Measure Soils 1, Comply with Geotechnical Recommendations.</i> Follow all recommendations as set forth in the Geotechnical Investigation prepared for the Project by Langan Engineering and Environmental Services, Inc. (Geotechnical Investigation for 1666 7th Street, July 28, 2020, Appendix M).</p> <p><u>Standard Condition of Approval Required</u></p> <p><u>Soils-1, Soils Report:</u> The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.</p> <p><u>Soils-2, Construction-Related Permit(s):</u> 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.</p> <p><u>Soils-3, Seismic Hazards Zone (Landslide/Liquefaction):</u> 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.</p> <p><u>Erosion and Runoff-1, Erosion and Sedimentation Control Measures for Construction:</u> The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation,</p>

	<p>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.</p> <p><u>Erosion and Runoff-2, NPDES C.3 Stormwater Requirements for Regulated Projects</u></p> <p>a. Post-Construction Stormwater Management Plan Required: 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 approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:</p> <ul style="list-style-type: none"> 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. <p>b. Maintenance Agreement Required: 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:</p> <ul style="list-style-type: none"> 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. iii. The maintenance agreement shall be recorded at the County Recorder’s Office at the applicant’s expense.
<p>Hazards and Nuisances including Site Safety and Noise</p>	<p><u>Mitigations Required:</u></p> <p><i>Mitigation Measure Noise 1, Comply with Noise Reduction Recommendations.</i> Follow all recommendations as set forth in the 7th and Campbell Mixed-Use Project NEPA Noise Assessment as prepared by Illingworth & Rodkin, Inc., dated June 17, 2020 (see Appendix N), and as outlined in the Noise Waiver, including required STC ratings for the walls and windows and mechanically ventilated residential units.</p> <p><i>Mitigation Measure Noise 2, Operations and Maintenance Plan.</i> The Project shall develop and implement an Operations and maintenance Plan that provides for periodic inspection of seals, and repair or replacement of building components at private decks or balconies when their noise attenuation performance diminishes.</p> <p><u>Standard Condition of Approval Required</u></p> <p><u>Soils-1, Soils Report:</u> (see Soil Suitability/ Slope/ Erosion, above)</p> <p><u>Soils-2, Construction-Related Permit(s):</u> (see Soil Suitability/ Slope/ Erosion, above)</p> <p><u>Soils-3, Seismic Hazards Zone (Landslide/Liquefaction):</u> (see Soil Suitability/ Slope/ Erosion, above)</p>

Hazards-3, Hazardous Materials Related to Construction: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:

- a. Follow manufacture’s recommendations for use, storage, and disposal of chemical products used in construction;
- b. Avoid overtopping construction equipment fuel gas tanks;
- c. During routine maintenance of construction equipment, properly contain and remove grease and oils;
- d. Properly dispose of discarded containers of fuels and other chemicals;
- e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and
- f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City’s Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

Noise -6, Exposure to Community Noise: The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:

- a. 45 dBA: Residential activities, civic activities, hotels
- b. 50 dBA: Administrative offices; group assembly activities
- c. 55 dBA: Commercial activities
- d. 65 dBA: Industrial activities

Noise and Vibration-2, Exposure to Vibration: The project applicant shall submit a Vibration Reduction Plan prepared by a qualified acoustical consultant for City review and approval that contains vibration reduction measures to reduce groundborne vibration to acceptable levels per Federal Transit Administration (FTA) standards. The applicant shall implement the approved Plan during construction. Potential vibration reduction measures include, but are not limited to, the following:

- a. Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a “spring isolation” system that consists of resilient spring supports that can support the podium or residential foundations. The specific system shall be selected so that it can properly support the structural loads, and provide adequate filtering of groundborne vibration to the residences above.
- b. Trenching, which involves excavating soil between the railway and the project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project’s structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets [i.e., Styrofoam] or low-density polyethylene).

<p>Energy Consumption</p>	<p><u>Standard Condition of Approval Required:</u></p> <p><u>Energy-1, Green Building Requirements.</u> The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code). The following information shall be submitted to the City for review and approval with the application for a building permit:</p> <ol style="list-style-type: none"> a. Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. b. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. c. Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. d. Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed below. e. Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. f. Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. g. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. h. The set of plans shall demonstrate compliance with the following: <ol style="list-style-type: none"> i. CALGreen mandatory measures. ii. Green building point level/certification requirement per the appropriate checklist approved during the Planning entitlement process. iii. All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted. iv. The required green building point minimums in the appropriate credit categories. i. The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project. The following information shall be submitted to the City for review and approval: <ol style="list-style-type: none"> i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit. ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. j. Prior to the finalizing the Building Permit, the Green Building Certifier shall submit the appropriate documentation to City staff and attain the minimum required point level.
<p>Infrastructure and Public Facilities</p>	<p><u>Standard Conditions of Approval Required</u></p> <p><u>Public Services-1, Recycling Collection and Storage Space.</u> The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least 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.</p>

Public Services-2, Construction and Demolition Waste Reduction and Recycling. 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. 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.

Public Services-3, Sanitary Sewer System. 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.

Public Services-4, Water Efficient Landscape Ordinance (WELO). 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 homeowner installed),
 - vi. Water supply type and water purveyor,
 - vii. Checklist of documents in the package, and
 - viii. Project contacts
 - ix. Applicant signature and date with the statement: "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package."
- b. Water Efficient Landscape Worksheet
 - i. Hydrozone Information Table
 - ii. Water Budget Calculations with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use
- c. Soil Management Report
- d. Landscape Design Plan
- e. Irrigation Design Plan, and

	<p>f. Grading Plan</p> <p>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.</p>
<p>Transportation and Accessibility</p>	<p><u>Standard Conditions of Approval Required</u></p> <p><u>Transportation-1, Bicycle Parking.</u> The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.</p> <p><u>Transportation-2, Transportation and Parking Demand Management.</u> The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City. The goals of the TDM Plan shall be the following:</p> <ol style="list-style-type: none"> a. Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the project. b. Achieve the following project vehicle trip reductions (VTR) as a project generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR c. Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate. d. Enhance the City’s transportation system, consistent with City policies and programs. <p>TDM strategies to consider include, but are not limited to, the following:</p> <ol style="list-style-type: none"> a. Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. b. Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping. c. Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project. d. Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. e. Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements. f. Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency). g. Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes. h. Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3). i. Guaranteed ride home program for employees, either through 511.org or through separate program. j. Pre-tax commuter benefits (commuter checks) for employees. k. Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.

- l. On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.
- m. Distribution of information concerning alternative transportation options.
- n. Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.
- o. Parking management strategies including attendant/valet parking and shared parking spaces.
- p. Requiring tenants to provide opportunities and the ability to work off-site.
- q. Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week).
- r. Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours.

The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report. For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.

Determination:

Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The Project will not result in a significant impact on the quality of the human environment with approval of the noise waiver

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The Project may significantly affect the quality of the human environment.

Preparer Signature: Scott Gregory

Date: January 7, 2021

Name/Title/Organization: Scott Gregory – President, Lamphier-Gregory

Certifying Officer Signature:  Date: 1/13/2021

Name/Title: William Gilchrist, Director of Planning and Building

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Source Documentation

Alameda County Airport Land Use Commission, Oakland International Airport, Airport Land Use Compatibility Plan, adopted December 15, 2010 - Figure 1-1, Alameda County Airports. Figure 3-1, Airport Influence Area. Figure 3-4, Safety Compatibility Zones

Alameda Local Area Formation Commission, Municipal Service Review Update, adopted January 11, 2018

Applied Survey Research (ASR), EveryOne Home, Aspire Consulting LLC and the Alameda County Housing and Community Development Department, Alameda County and City of Oakland Homeless Count & Survey and Comprehensive Report, 2019

Association of Bay Area Governments, Projections 2017

_____. *Regional Housing Needs Plan, San Francisco Bay Area, 2014-2022*

_____. *Liquefaction Susceptibility Map. Available at: <http://resilience.abag.ca.gov/earthquakes/#LIQUEFACTION>*

Bay Area Air Quality Management District, CEQA Guidelines - Table 3-1, May 2017

_____. *Community Air Risk Evaluation Program, website accessed May 13, 2020 at:*

<https://www.baaqmd.gov/community-health/community-health-protection-program/community-air-risk-evaluation-care-program>

_____. *BAAQMD and West Oakland Environmental Indicators, Owing Our Air: The West Oakland Community Action Plan, October 2019*

California Department of Forestry and Fire Protection. Fire Hazard Severity Zones Maps. Website accessed May 13, 2020 at <https://osfm.fire.ca.gov/media/5606/oakland.pdf>

California Department of Resources Recycling and Recovery, 75 Percent Initiative, website accessed May 13, 2020 at: <https://www.calrecycle.ca.gov/75Percent/>

City of Oakland, Letter from Neil Gray, Planner IV, City of Oakland – to Elain Brown, West Oakland and the World Enterprises, Inc., July 21, 2020

_____. *City of Oakland Standard Conditions of Approval, January 24, 2020*

_____. *7th and Campbell Street Affordable Housing Project - CEQA Analysis, August 2016*

_____. *Planning and Zoning Map, website accessed May 7, 2020 at:*

<http://oakqis.maps.arcgis.com/apps/webappviewer/index.html?id=3676148ea4924fc7b75e7350903c7224>

_____. *Consolidated Plan for Housing and Community Development, July 1, 2015–June 30, 2020, available online at: <https://www.oaklandca.gov/resources/read-the-2015-2020-consolidated-plan>*

_____. *Housing Element, 2015–2023, December 2014*

_____. *West Oakland Specific Plan EIR, 2014*

Couloute, L., Nowhere to Go: Homelessness Among Formerly Incarcerated People, Prison Policy Initiative, August 2018

EveryOne Home, 2018 Strategic Update, 2018

East Bay Municipal Utilities District (EBMUD), Water Supply Assessment for the City of Oakland West Oakland Specific Plan EIR, 2014

Federal Emergency Management Agency, National Flood Hazard Layer Viewer, website accessed May 7, 2020 at:

<https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>

Google Earth Pro V 7.3.3 (April 2020), 1666 7th Street, Oakland, California (37° 48' 26.04" N, 122° 17' 38.16" W, Eye alt 11,437 feet), Google 2020, accessed May 13, 2020

Illingworth & Rodkin, Inc., 7th and Campbell Mixed-Use Project, NEPA Noise Assessment, June 17, 2020

_____. 7th and Campbell Mixed-Use Project, Air Quality Community Risk Assessment, July 6, 2020
Interagency Wild & Scenic Rivers Coordinating Council, National Wild and Scenic Rivers System, National Wild and Scenic Rivers Story Map, California, website accessed May 7, 2020 at: <https://www.rivers.gov/california.php>

Kittelson and Associates Inc., Preliminary Trip Generation Assessment, April 19, 2016

Langan Engineering and Environmental Services, Inc., Phase II Environmental Site Assessment - 1666 7th Street, August 18, 2020

_____. Geotechnical Investigation for 1666 7th Street, July 28, 2020

Metropolitan Transportation Commission and Association of Bay Area Governments, Plan Bay Area 2040, adopted July 26, 2017

National Resource Conservation Service. Web Soil Survey. Website accessed May 7, 2020 at: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

PaleoWest

San Francisco Bay Conservation & Development Commission. San Francisco Bay Plan. Website accessed May 7, 2020 at: http://www.bcdc.ca.gov/plans/sfbay_plan.html.

SCA Environmental, Inc., Phase I Environmental Site Assessment, 1650-1676 7th Street and 711-715 Campbell Street, Oakland, California 94607, January 2019

State Water Resources Control Board. GeoTracker. Website accessed May 7, 2020 at: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=1666+7th+street+oakland>

Title 42 The Public Health & Welfare, Chapter 61, Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs

United States Census Bureau. 2010 American Community Survey 1-Year Estimates. Website accessed December 5, 2019 at: <https://www.census.gov/programs-surveys/acs/>.

U.S. Department of Housing and Urban Development, HUD Exchange, Acceptable Separation Distance (ASD) Electronic Assessment Tool. Website accessed May 7, 2020 at: <https://www.hudexchange.info/environmental-review/asd-calculator/>

_____. Office of Policy Development and Research, Comprehensive Housing Market Analysis for the Oakland-Hayward-Berkeley Housing Market Area, May 2019

_____. HUD Noise Calculator, accessed at: <https://www.hudexchange.info/programs/environmental-review/bpm-calculator/#desc>

U.S. Environmental Protection Agency. EJSCREEN Report. Website accessed November 25, 2019 at: <https://ejscreen.epa.gov/mapper/>

_____. NEPassist. Website accessed May 7, 2020 at: <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>

U.S. Fish and Wildlife Service. Coastal Barrier Resources System, Official CBRS Maps. Website accessed May 7, 2020 at: <https://www.fws.gov/cbra/maps/index.html>

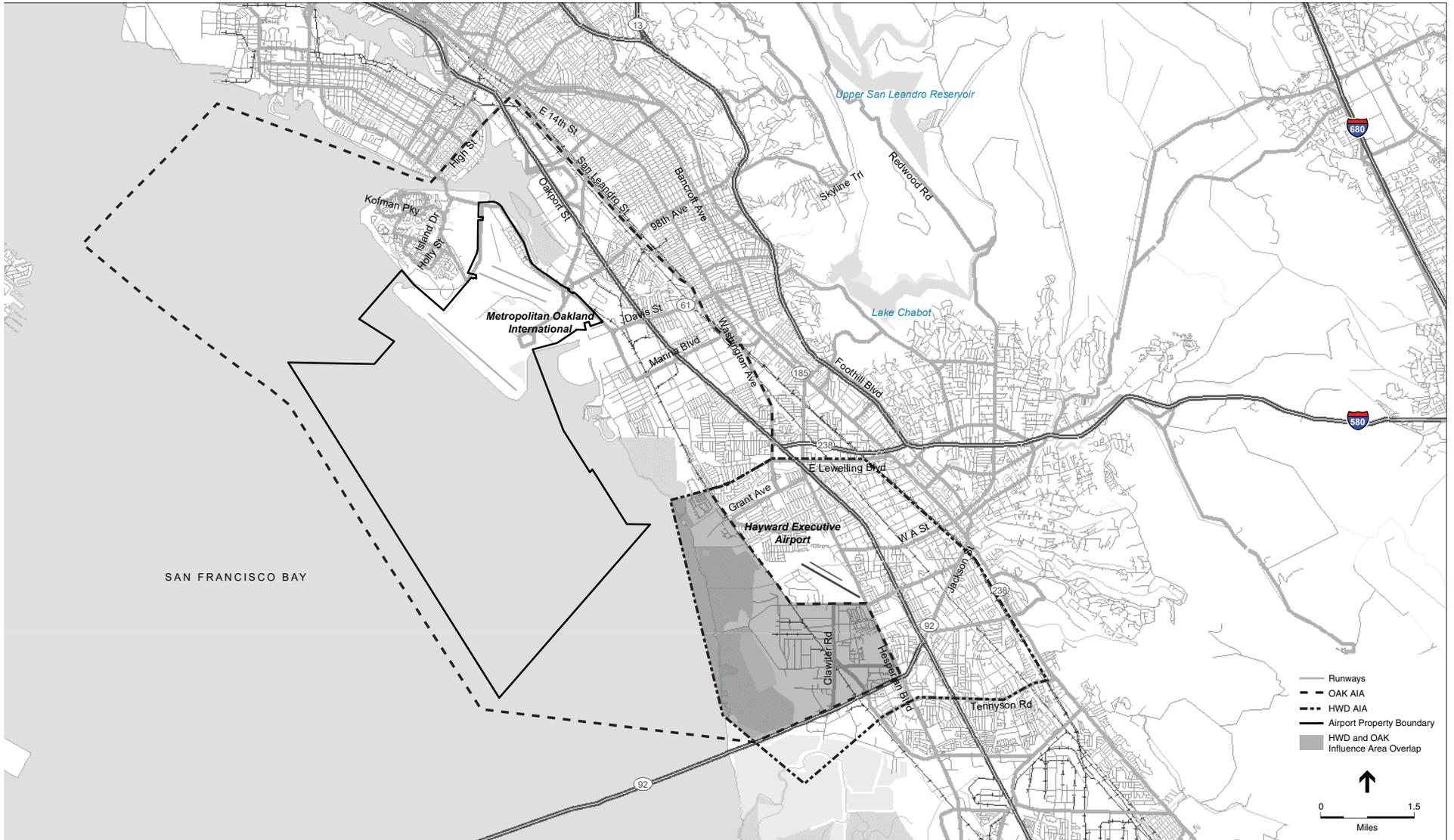
_____. National Wetlands Inventory. Website accessed May 7, 2020 at: <https://www.fws.gov/wetlands/Data/Mapper.html>

_____. ECOS Environmental Conservation Online System. Website Accessed May 7, 2020 at: <https://ecos.fws.gov/ecp0/reports/species-by-current-range-county?fips=06001>

List of Attachments

- Attachment 1:** Figures from Alameda County Airport Land Use Commission, Oakland International Airport Land Use Compatibility Plan
 - Attachment 2** U.S. Fish and Wildlife Service, Coastal Barrier Resources System, Official CBRS Maps
 - Attachment 3** Federal Emergency Management Agency, National Flood Hazard Layer
 - Attachment 4** San Francisco Bay Conservation & Development Commission, Coastal Zone
 - Attachment 5** ACDEH, Conditional Letter of Approval of Corrective Action, December 23, 2020
 - Attachment 6** U.S. Fish and Wildlife Service, ECOS Environmental Conservation Online System
 - Attachment 7** California Department of Conservation, Farmland Mapping and Monitoring Program
 - Attachment 8** U.S. Fish and Wildlife Service, National Wetlands Inventory
 - Attachment 9** SHPO Response to 7th & Campbell Mixed-Use Project Historic and Cultural Resource Evaluation, December 15, 2020 (Refer to HUD_2020_1117_002)
 - Attachment 10** U.S. Environmental Protection Agency. EJSCREEN Report
 - Attachment 11** Noise Waiver
-

Attachment 1A - Figures from Alameda County Airport Land Use Commission, Oakland International Airport Land Use Compatibility Plan

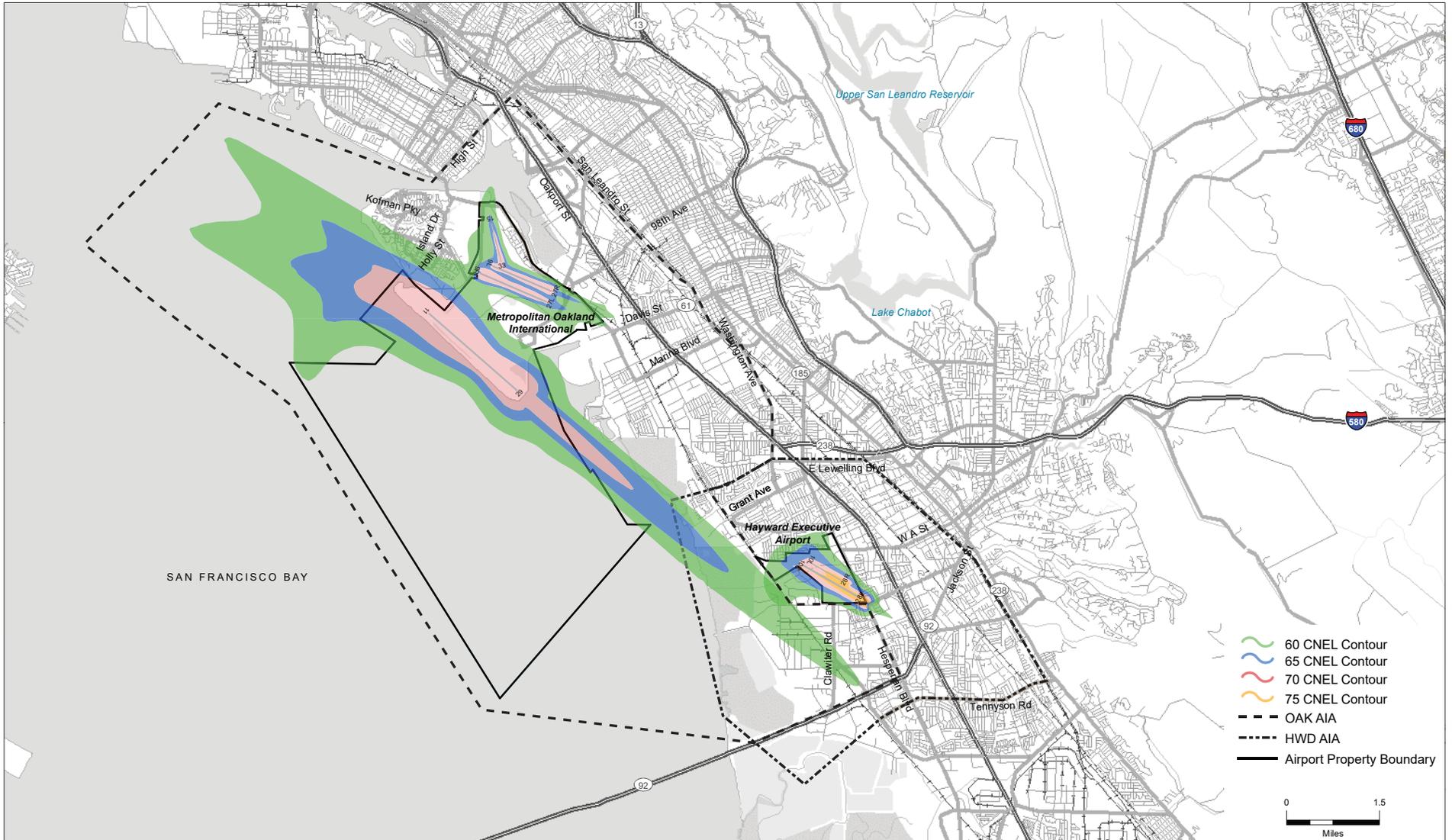


SOURCE: ESA Airports, ESRI, OAK Airport Master Plan

Oakland International Airport Land Use Compatibility Plan . 202229

Figure 3-2
HWD and OAK Influence Area Overlap

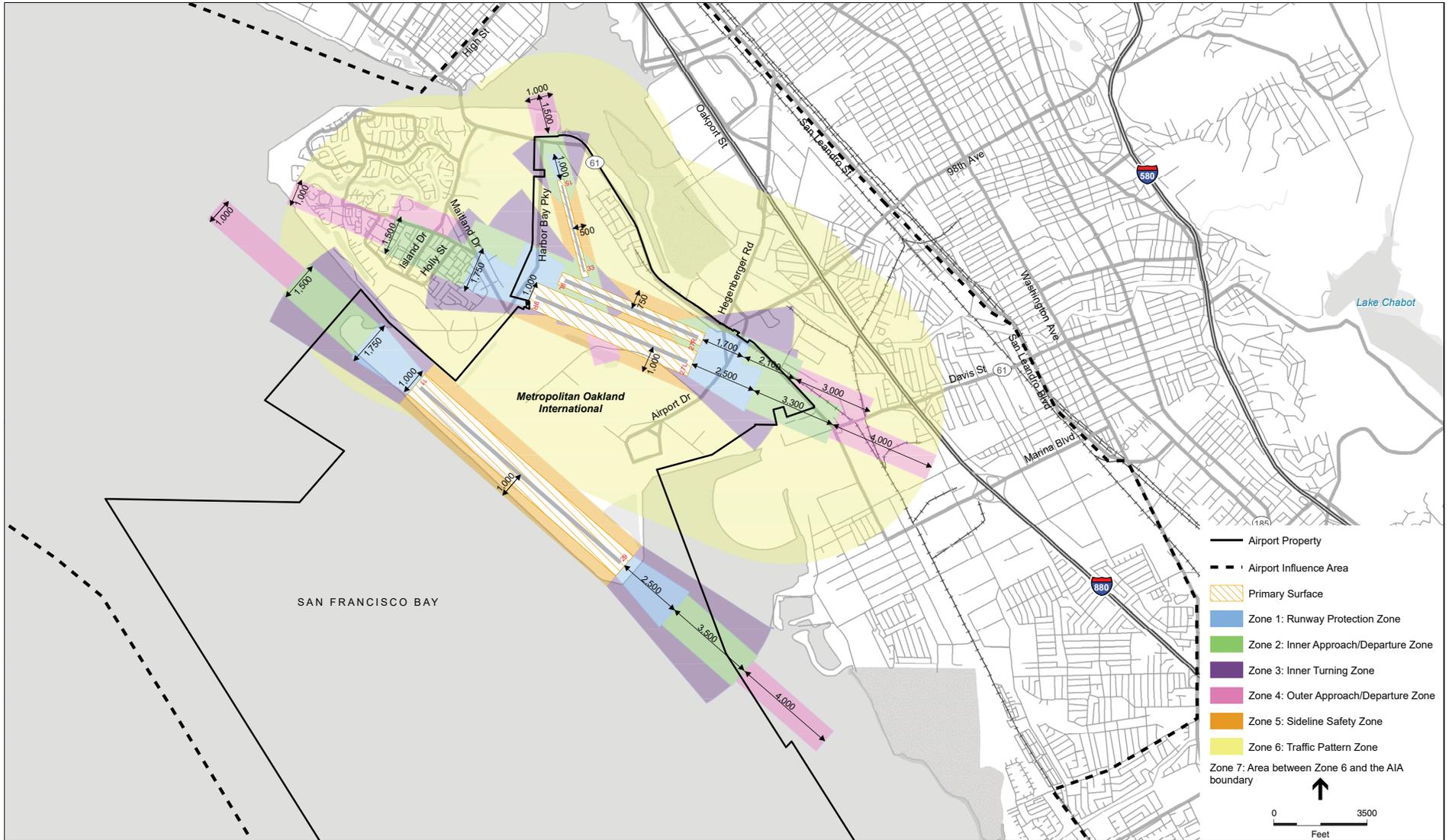
Attachment 1B - Figures from Alameda County Airport Land Use Commission, Oakland International Airport Land Use Compatibility Plan



SOURCE: ESA Airports, ESRI, OAK Airport Master Plan, Caltrans California Airport Land Use Planning Handbook, 2002

Figure 3-3
Noise Compatibility Zones

Attachment 1C - Figures from Alameda County Airport Land Use Commission, Oakland International Airport Land Use Compatibility Plan



SOURCE: ESA Airports, ESRI, OAK Airport Master Plan, 2006, Caltrans California Airport Land Use Planning Handbook, 2002

Figure 3-4
Safety Compatibility Zones

Coastal Barrier Resources System

Ecological Services

CBRS Menu

- CBRS Home
- Legislation & Testimony
- Historical Changes
- CBRA Prohibitions
- Flood Insurance
- Official Maps and Data +
- Boundary Modifications
- Mapping Projects +
- CBRS Documentation
- Project Consultations +
- Help and Contacts

Official CBRS Maps

The Coastal Barrier Resources Act (CBRA) of 1982 and subsequent amendments established the John H. Chafee Coastal Barrier Resources System (CBRS). The CBRS consists of relatively undeveloped coastal barriers and other areas located the Atlantic, Gulf of Mexico, Great Lakes, U.S. Virgin Islands, and Puerto Rico coasts. The CBRS currently includes 585 System Units, which comprise nearly 1.4 million acres of land and associated aquatic habitat. There are also 277 "Otherwise Protected Areas," a category of coastal barriers that are mostly already held for conservation and/or recreation purposes that include an additional 2.1 million acres of land and associated aquatic habitat. The CBRS units are identified and depicted on a series of maps entitled "John H. Chafee Coastal Barrier Resources System." These maps are controlling and indicate which lands are affected by the CBRA. The maps are maintained by the Department of the Interior through the U.S. Fish and Wildlife Service.

Viewing an Official CBRS Map

An official CBRS map can be obtained through the [CBRS Mapper](#) by following these steps:

- Locate the area of interest in the mapper
- Click on the location of interest. A pop-up window will open providing information for the area.
- In the pop-up window, click on the map link. A PDF of the official map will then open in a separate tab or download.

Alternatively, if the name or number of the CBRS unit is known, then the official CBRS maps can also be found in the table at: <https://www.fws.gov/cbra/maps/cbrs/>.



Frequently Asked Questions



Glossary



Documents Library



Contact Us



For CBRA news, sign up for our listserv electronic mailing list

State Locator Maps

The below state locator maps show the locations of units in each state and may be helpful in determining a unit number.

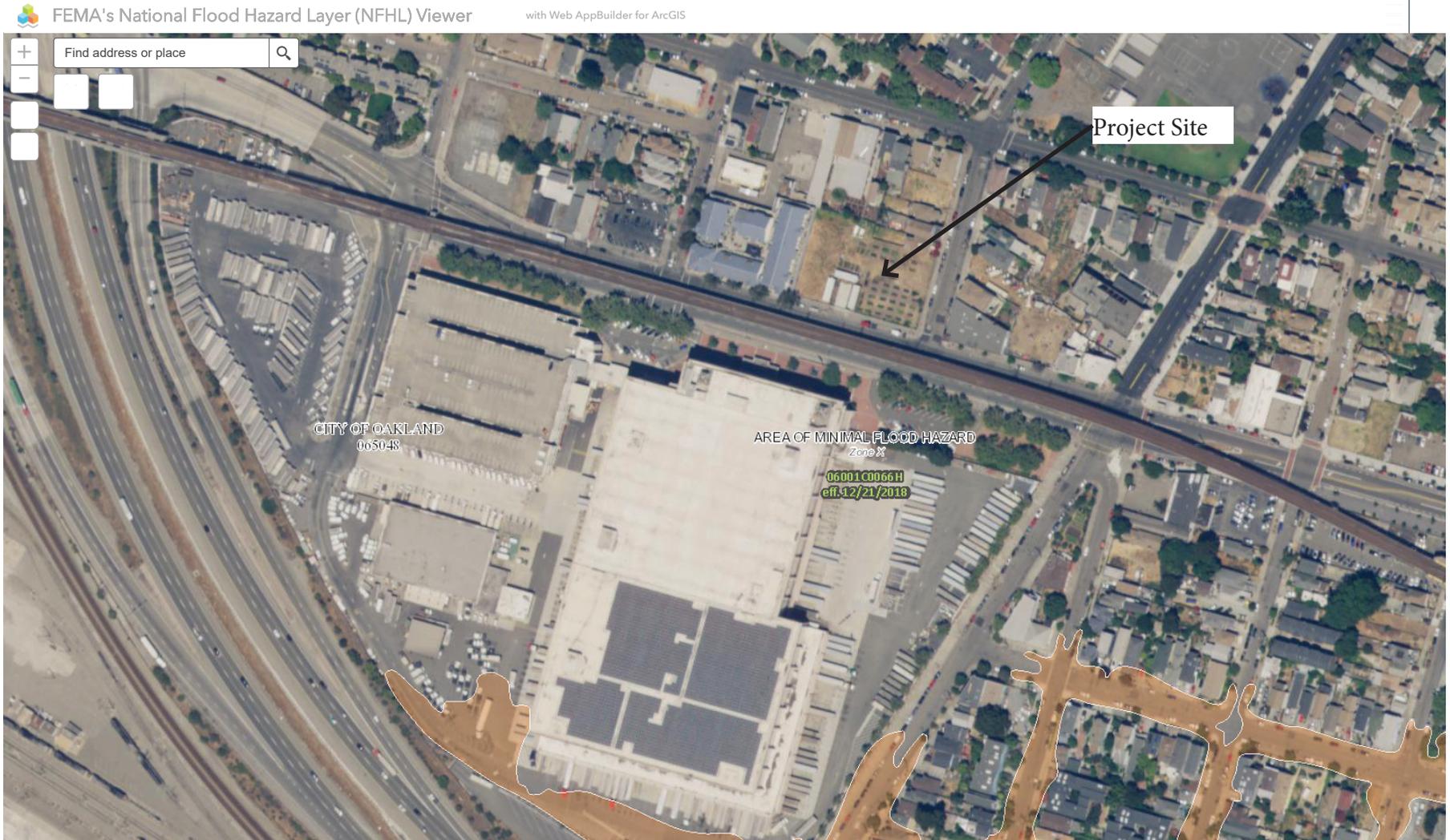
Alabama	Georgia	Massachusetts	New Jersey	Ohio	Texas
Connecticut	Louisiana	Michigan	New York Great Lakes	Puerto Rico	Virgin Islands
Delaware	Maine	Minnesota	New York Long Island	Rhode Island	Virginia
Florida	Maryland	Mississippi	North Carolina	South Carolina	Wisconsin

Last updated: November 6, 2019

Attachment 3 - Federal Emergency Management Agency, National Flood Hazard Layer

12/5/2020

FEMA's National Flood Hazard Layer (NFHL) Viewer



Plan Map 5

Central Bay

PLAN MAP NOTES (CONT.)

Golden Gate National Recreation Area - A complex of parklands, including Forts Baker, Barry, Point, Mason, and Miley, The Presidio of San Francisco, Lands End and Alcatraz Island within San Francisco Bay managed by the Golden Gate National Recreation Area and the Presidio Trust for recreational and other purposes consistent with National Park Service and Presidio Trust management policies. The Golden Gate National Recreation Area is the largest urban national park in the world. The total park area is 76,500 acres of land and water with approximately 28 miles of coastline. Within its boundaries are ocean and Bay beaches, dramatic headlands, redwood forest, lagoons, and historic military properties.

Alcatraz Island - Protect the integrity and resources of the Alcatraz Historic District. Access by boat only. Protect wildlife values. Preserve and interpret military, natural and cultural history of the island.

Fort Mason - Continue to manage as National Park, consistent with its status as a National Historic Landmark. Maintain compatible use of buildings and provide continuous shoreline access.

San Francisco Bay Area Water Trail - Pursuant to state legislation, the Commission, in partnership with the State Coastal Conservancy, Association of Bay Area Governments and interested parties, is preparing a San Francisco Bay Area Water Trail plan. The Water Trail will provide a series of linked landing and launching sites around the Bay for human-powered boats and beachable sail craft, and provide for diverse water-accessible overnight accommodations, including camping.

Amended September 2006

BAY PLAN POLICIES

- 1 **Gateway Shoreline Park** - Develop gateway park at Bay Bridge touchdown with gracious pedestrian and bicycle access to the Bay Bridge. Incorporate viewing, picnicking, non-motorized small boat launching and interpretation of current and historic transportation infrastructure and natural and cultural factors. Protect eelgrass beds and nearby endangered species habitats.
- 2 **Oakland Port Area** - See Seaport Plan. Redevelop Outer, Middle, and Inner Harbors for modern marine terminals. Some fill may be needed. No fill that would impair ship navigation should be allowed in any area needed for such navigation.
- 3 **Middle Harbor Shoreline Park** - Preserve industrial character of park. Preserve fishing access, picnic facilities, beach, historic features and community gathering and entertainment venues. Provide interpretation of port operations, historic and cultural factors. Provide non-motorized small boat access. Protect eelgrass beds. Provide signage regarding fish consumption advisories for anglers.
- 4 **Harbor Seal Haul-Out** - Protect harbor seal haul-out and pupping site where harbor seals rest, give birth and nurse their young. Projects allowed only if protective of harbor seals and other sensitive wildlife.
- 5 **Coast Guard Island** - If and when not needed by the Coast Guard and the island is transferred out of federal ownership or control, Coast Guard Island upland of shoreline band should be developed consistent with recreation policy 4-b. Provide continuous shoreline public access and public and commercial recreation uses.
- 6 **Robert W. Crown Memorial State Beach and Elsie Roemer Bird Sanctuary** - Preserve Elsie Roemer Bird Sanctuary public access and endangered species there. Preserve Crab Cove Visitors Center, swimming and non-motorized small boat access, accessible tide ramp and hiking and biking trails. Some fill may be needed for beach and marina protection.
- 7 Protect and provide public access to shellfish areas offshore.
- 8 **San Leandro Bay** - Valuable wildlife habitat; great recreation potential. Develop boating facilities and parks, but preserve wildlife habitat. Provide continuous public access to northeastern and southern shoreline. Some fill may be needed.
- 9 **Martin Luther King, Jr. Regional Shoreline Park** - Provide diverse wildlife compatible recreation opportunities, including picnicking, wildlife viewing, environmental education, boating, bicycling, and hiking. Preserve habitat areas and protect wildlife, including endangered species. Improve connections between park and inland neighborhoods.
- 10 **Oakland Airport** - Further expansion into the Bay only if clear need is shown by regional airport system study. Keep runway approach and takeoff areas clear of tall structures and incompatible uses. Complete Bay Trail along inland route.
- 11 **Oyster Bay Regional Shoreline** - Provide opportunities for shoreline trail access, completion of San Francisco Bay Trail gaps, wildlife observation and non-motorized small boat access. Preserve group picnic areas, vistas, multipurpose trails and rugged character of the shoreline.
- 12 **San Leandro Shoreline Park System** - Protect and provide public access to shellfish beds offshore.
- 13 **San Francisco Airport** - Further expansion into Bay only if clear need is shown by regional airport system study. Keep runway approach and takeoff areas free from tall structures and incompatible uses. Complete Bay Trail along inland route.
- 14 Protect and provide public access to shellfish areas offshore.
- 15 **Oyster Point Marina Park** - Preserve and improve marina and shoreline park. Preserve picnicking, swimming, boating, hiking, windsurfing, and fishing opportunities. Possible ferry terminal. Allow if compatible with park and marina use; serve with bus public transit to reduce traffic and parking needs. Some fill may be needed. Provide signage regarding fish consumption advisories for anglers.
- 16 Provide safe, accessible pedestrian access across freeway.
- 17 No roadway in Bay east of U.S. 101.
- 18 **U.S. 101 Causeway** - Develop scenic frontage road and turnouts for fishing and viewing. Protect shellfish beds offshore.
- 19 **Bay View Park** - Provide trail link to waterfront.
- 20 **Candlestick Point State Recreation Area** - Some fill may be needed. Preserve fishing, camping, picnicking, windsurfing, hiking and viewing opportunities. Potential water trail camping site. Provide signage regarding fish consumption advisories for anglers.
- 21 **South Basin** - Some fill may be needed in inlet west of proposed freeway.
- 22 **Hunters Point** - Develop shoreline park and integrate with Candlestick Point State Recreation Area, consistent with San Francisco redevelopment plan. Potential water trail camping site. Some fill may be needed.

Plan Map 5

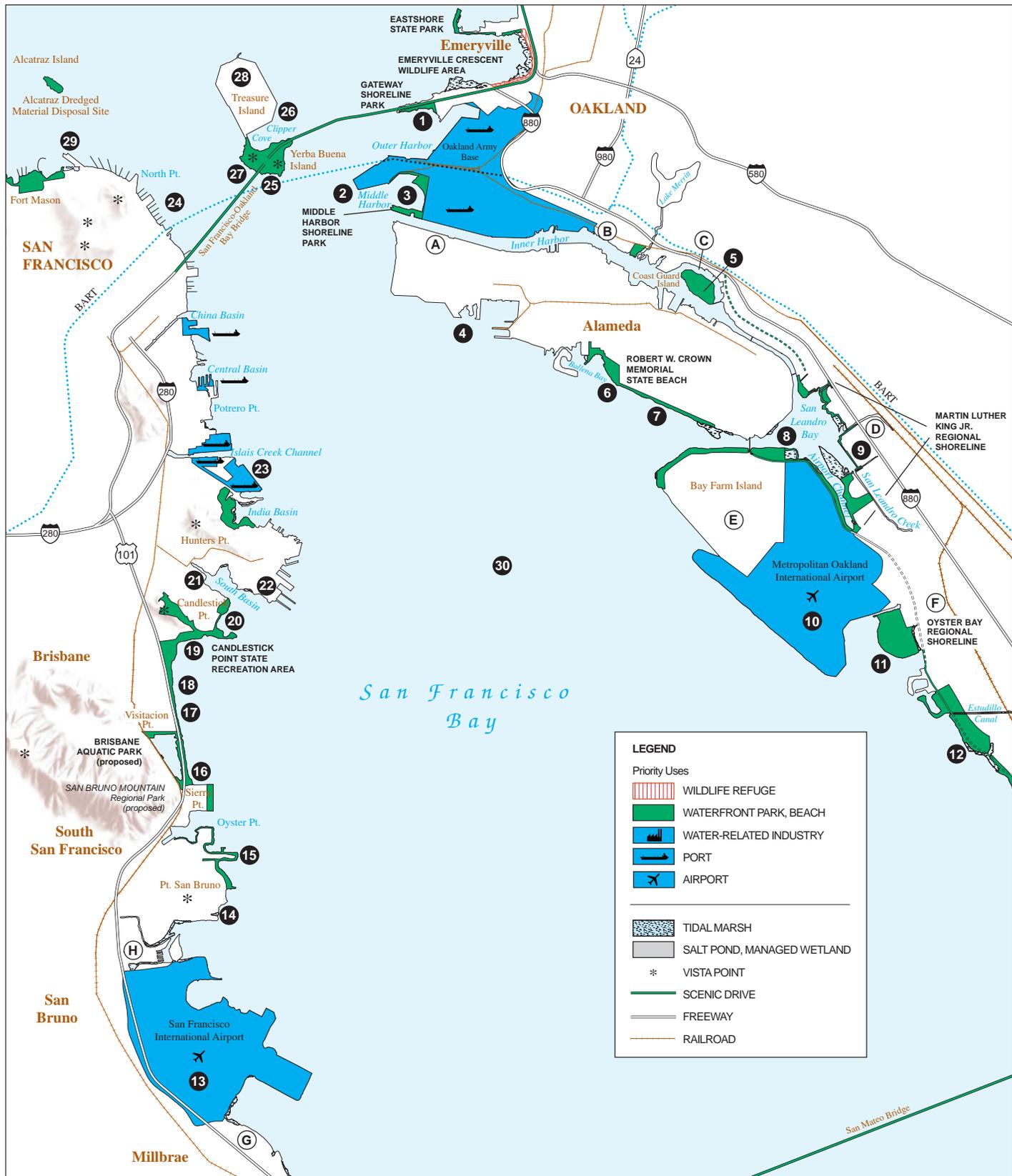
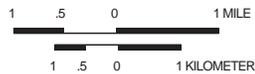
Bay Plan Policies and Commission Suggestions

BAY PLAN POLICIES (cont.)

- 23 **Port of San Francisco** - See Seaport Plan. Some fill may be needed.
- 24 **San Francisco Waterfront Special Area Plan** - See special area plan for detailed planning guidelines for the shoreline between the east side of the Hyde Street Pier and the south side of India Basin.
- 25 **Yerba Buena Island - South of Bay Bridge** - When no longer owned or controlled by the federal government, redevelop for recreational use. Protect harbor seal haul-out and pupping site where harbor seals rest, give birth and nurse their young. Projects allowed only if protective of harbor seals and other sensitive wildlife.
- 26 **Yerba Buena and Treasure Islands - Clipper Cove** - Expand marina and other water-oriented recreation uses, provide access to small water craft, e.g., kayaks, and swimming. Preserve beaches and eelgrass beds.
- 27 **Yerba Buena Island - North of Bay Bridge** - Provide: (1) a large public open space at the center of Yerba Buena Island; (2) a large public open space on the plateau on the eastern peninsula, adjacent to and beneath the eastern span of the San Francisco-Oakland Bay Bridge; and (3) a linked system of trails near the shoreline and at the upper elevations that connect vista points and open spaces. Vista points should provide views of the Bay Bridge, San Francisco Skyline and other important Central Bay features. The remainder of the island upland of the shoreline band may be developed for other uses consistent with Bay Plan recreation policy 4-b, and with the applicable public trust provisions and statutes.
- 28 **Treasure Island** - When no longer owned or controlled by the federal government, redevelop for public use. Provide continuous public access to the Bay in a manner protective of sensitive wildlife. Provide parking and water access for users of non-motorized small boats at north end of Treasure Island. Develop a system of linked open spaces, including a large open space at the northern end of the island.
- 29 **Fisherman's Wharf** - Improve and expand commercial fishing support facilities. Enhance public access to and economic value of Fisherman's Wharf area by encouraging development of a public fish market.
- 30 **Regional Restoration Goal for Central Bay** - Protect and restore tidal marsh, seasonal wetlands, beaches, dunes and islands. Natural salt ponds should be restored on the East Bay shoreline. Shallow subtidal areas (including eelgrass beds) should be conserved and enhanced. Wherever possible tidal marsh habitats should be restored, particularly at the mouths of streams where they enter the Bay and at the upper reach of dead-end sloughs. Encourage tidal marsh restoration in urban areas. See the Baylands Ecosystem Habitat Goals report for more information.

COMMISSION SUGGESTIONS

- A Possible reuse of dredged material at former NAS Alameda.
- B Jack London Square - Expand commercial recreation facilities as needed. Provide continuous public access along Estuary to Lake Merritt Channel.
- C Brooklyn Basin - Expand commercial fishing and recreational facilities.
- D Possible scenic path, Coliseum to Bay.
- E Bay Farm Island - Undeveloped areas may be suitable for airport-related industry.
- F Possible extension of scenic drive.
- G Develop scenic drive and riding and hiking trail along waterfront from airport to Foster City.
- H Possible airport industry.



ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
FOR HAZARDOUS MATERIALS RELEASES
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502
(510) 567-6777
FAX (510) 337-9135

December 23, 2020

Adhi Nagraj (Sent via E-mail to: Adhi.Nagraj@McCormackBaron.com)

7th & Campbell, LP
2625 Alcatraz Avenue #501
Berkeley, California, 94705

Shola Olatoye (Sent via E-mail to: solatoye@oaklandca.gov)

City of Oakland
250 Frank Ogawa Plaza, Suite 5313
Oakland, California, 94612

Subject: Conditional Approval of *Draft Corrective Action Plan*
Site Cleanup Program Case No. RO0003462 and GeoTracker Global ID T10000016250
7th & Campbell Redevelopment
1666 7th Street, Oakland, CA 94612
Assessor's Parcel Numbers: 6-17-19, 6-17-22, 6-17-20, 6-17-21, 6-17-17, and 6-17-18

Dear Responsible Parties:

Alameda County Department of Environmental Health (ACDEH) has reviewed the *Draft Corrective Action Plan* (the "*Draft CAP*"), dated December 23, 2020 and prepared on your behalf by Langan Engineering and Environmental Services, Inc (Langan) in conjunction with documents in the case file. The *Draft CAP* proposes the following:

- Remedial excavation of shallow soil in select areas to facilitate constriction of foundational features and utility alignments, where elevated concentrations of metals including lead and semi-volatile organic compounds (SVOCs) including benzo(a)pyrene have been detected, for off-Site disposal at a permitted disposal facility or consolidation and capping on-Site beneath proposed foundations and hardscape areas.
- Installation of a demarcation layer in the bottom of excavations and backfill with clean imported fill in accordance with ACDEH's *Soil Import/Export Characterization Requirements*, dated August 1, 2018 and revised August 9, 2019.
- Removal of a limited volume of groundwater (if encountered) and discharge to the sanitary sewer or off-Site disposal at a permitted facility.
- Installation of vapor mitigation engineering controls to control potential vapor intrusion to indoor air of the proposed residential structures and migration along new utility corridors.

Based on our review, ACDEH concurs that the proposed approach will address environmental concerns for on- and off-site receptors.

Attachment 5 - continued

Responsible Parties

RO0003462

December 23, 2020, Page 2

During a December 21, 2020 conference call on with you, the City of Oakland, and your development team, ACDEH reviewed, provided comment, and approved the *Draft CAP Fact Sheet*, dated December 21, 2020 and prepared by your *Public Outreach Specialist*. Therefore, at this time ACDEH requests you distribute the *Draft CAP Fact Sheet* to the surrounding community and any sensitive receptors within a 2,000-foot radius of the Site. Examples of sensitive receptors include but are not limited to hospitals, schools, senior living centers, and daycare centers. A list of agencies contacts will be provided to your *Public Outreach Specialist* by ACDEH. You will be required to submit a letter to ACDEH certifying that you distributed the *Draft CAP Fact Sheet* to the list of requisite recipients.

If written comments are received by ACDEH from the public during the 30-day comment period, you and your *Public Outreach Specialist* will be required to prepare a response to comments document for submittal to ACDEH for approval. The *Draft CAP* must be finalized after the end of the public comment period and incorporate all public comments received, and submitted to ACDEH for review and final approval of the *CAP*. Upon receipt of the final *CAP*, ACDEH will issue a directive letter with all deliverables required to be submitted to facilitate site redevelopment.

The *Draft CAP* must be submitted to the State Water Resources Control Board's GeoTracker website in accordance with the *Responsible Party (ies) Legal Requirement/Obligations Instructions* included as **Attachment 2** prior to the distribution of the *CAP Fact Sheet*.

LIST OF DELIVERABLES AND COMPLIANCE DATES

ACDEH's approval of the *Draft CAP* is conditioned upon submittal of the deliverables listed below. ACDEH requests that you prepare the deliverables in accordance with the requirements provided in **Attachment 1 – Deliverable Requirements** and submit them to the State Water Resources Control Board's GeoTracker website in compliance with the requirements identified in ACDEH's *Responsible Party(ies) Legal Requirement/Obligations Instructions* included as **Attachment 2**. ACDEH also requests email notification verifying upload of the requested deliverables to the Case file on GeoTracker be provided to the primary caseworker, Drew York (andrew.york@acgov.org).

PUBLIC PARTICAPTION

- a. **Deliverable:** Fact Sheet Distribution Certification
Submittal Compliance Date: Monday, December 28, 2020
File Name: RO3462_FACTSHEET_CERT_2020-12-28
- b. **Deliverable:** Community Meeting PowerPoint Presentation
Submittal Compliance Date: Wednesday, January 20, 2021
File Name: RO3462_COMMUNITY_PRES_2021-01-20
- c. **Deliverable:** Community Meeting
Submittal Compliance Date: Thursday, January 21, 2021
File Name: RO3462_COMMUNITY_MEETING_2021-12-28
- d. **Deliverable:** Response to Public Comment Document (if warranted)
Submittal Compliance Date: Thursday, February 4, 2021
File Name: RO3462_PP_RTC_2021-02-04

Responsible Parties
RO0003462
December 23, 2020, Page 3

FINAL CORRECTIVE ACTION PLAN

- e. **Deliverable:** Final CAP
Submittal Compliance Date: Thursday, February 11, 2021
File Name: RO3462_FINAL_CAP_2021-02-11

CLOSING

Thank you for your cooperation. ACDEH looks forward to working with 7th & Campbell, LP to implement appropriate corrective actions in conjunction with Site redevelopment activities and advance the case toward closure. If you have any questions, please call me at (510) 639-1276 or send me an email message at andrew.york@acgov.org.

Sincerely,



Drew J. York
Senior Hazardous Materials Specialist



Dilan Roe, PE, C73703
Chief - Land Water Division

Encl.: Attachment 1 – Deliverable Requirements
Attachment 2 – Responsible Party (ies) Legal Requirement/Obligations Instructions

cc: Ali Kashani, MPI Homes (Sent via E-mail to: akashani@mpihomes.com)
Clinton Werden, Slosky & Company, Inc. (Sent via E-mail to: CWerden@slosky.com)
Adam Brown, Langan (Sent via E-mail to: abrown@langan.com)
Brendan Hayward, Langan (Sent via E-mail to: bhayward@langan.com)
Peter Cusack, Langan (Sent via E-mail to: pcusack@Langan.com)
Bill Gilchrist, City of Oakland (Sent via E-mail to: WGilchrist@oaklandca.gov)
Vanessa Kennedy, City of Oakland (Sent via E-mail to: VKennedy@oaklandca.gov)
Christia Mulvey, City of Oakland (Sent via E-mail to: cmulvey@oaklandnet.com)
Ed Manasse, City of Oakland (Sent via E-mail to: EManasse@oaklandca.gov)
Heather Klein, City of Oakland (Sent via E-mail to: HKlein@oaklandca.gov)
Mark Arniola, City of Oakland (Sent via E-mail to: MArniola@oaklandca.gov)
Dilan Roe, ACDEH, Chief Land and Water Division (Sent via E-mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH (Sent via E-mail to: paresh.khatri@acgov.org)
Drew York, ACDEH (Sent via E-mail to: andrew.york@acgov.org)
Electronic File, GeoTracker

Alameda County Department of
Environmental Health Local
Oversight Program

Case No.: RO0003462
Global ID: T10000016250
Case Name: 7th & Campbell Redevelopment
Case Address: 1666 7th Street, Oakland, CA
94612
Directive Letter December 23, 2020
Issue Date:

Attachment 1 – Technical Comments & Deliverable Requirements

PURPOSE

The purpose of this document is to identify requisite elements for each of the deliverables requested by Alameda County Department of Environmental Health's (ACDEH) directives regarding the path forward for the Site.

ACDEH requests that you prepare the deliverables listed in *directive letter dated December 23, 2020* in accordance with the corresponding Deliverable Requirements provided below and submit the deliverables to the State Water Resources Control Board's GeoTracker website in compliance with the requirements identified in *Attachment 2*.

TECHNICAL COMMENTS AND DELIVERABLE REQUIREMENTS

PUBLIC PARTICIPATION

- a. **Draft CAP Fact Sheet Distribution Certification Letter** – A certification letter from your *Public Outreach Specialist* that the *Draft CAP Fact Sheet* has been distributed to the surrounding community and any sensitive receptors within a 2,000-foot radius of the Site. The letter must include a figure showing the 2,000-foot radius of public recipients and a list (in excel format) of all stakeholders including public and agency recipients whom have received the *Draft CAP Fact Sheet*.
- b. **Community Meeting PowerPoint Presentation** - ACDEH requires your *Public Participation Specialist* to prepare PowerPoint slides with associated figures that convey the known chemicals of concern, proposed control and mitigation measures to protect the community surrounding the Site during the proposed remedial and corrective actions activities. The slides must also present the path forward of the Site (e.g. additional site investigation activities, potential soil excavation, etc.) and contact information (e.g. website, phone number) for the Site prior all environmental related activities overseen by ACDEH.
- c. **Community Meeting** – Public participation is required to convey information to the community about subsurface contamination at and in the vicinity of the Site. All community meetings will be scheduled and moderated by your *Public Participation Specialist*. During the presentation your *Public Participation Specialist* and ACDEH will be the lead presenter with support by the Environmental Consultants as necessary
- d. **Response to Public Comment Memorandum** – A memorandum prepared by your *Public Participation Specialist* ensuring response to questions and concerns from the public are answered in a responsive and timely fashion to facilitate the communication of information in a manner comprehensible to the layperson. Submittal of the *Response to Public Comment Memorandum* must be submitted to ACDEH for review and approval prior to distribution to the public.

Attachment 1 – Technical Comments & Deliverable Requirements

FINAL CORRECTIVE ACTION PLAN

- e. **Final Corrective Action Plan (CAP)** – Subsequent to distribution of the *Response to Public Comment Memorandum*, the *Draft CAP* must be finalized after the end of the public comment period and incorporate all public comments received, and submitted to ACDEH for review and final approval of the *CAP*. Upon receipt of the final *CAP*, ACDEH will issue a directive letter with all deliverables required to be submitted to facilitate site redevelopment. The *Final CAP* will incorporate public concerns and consider the community's concerns regarding the environmental investigation and cleanup of the Site.

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: May 19, 2020
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016, December 14, 2017
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Title 23, Chapter 30, Division 3, Article 2, Section 3892 and Chapter 16, Article 11, Division 3.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values¹ as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	☐	☐	☐	☐	✓
2012 Site Assessment Work Plan	2012	✓	✓			☐	☐	☐	☐	☐
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	☐	☐	☐	✓
				SB-10-6	SO	☐	☐	☐	☐	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

¹ GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713



In Reply Refer To:

December 05, 2020

Consultation Code: 08ESMF00-2021-SLI-0496

Event Code: 08ESMF00-2021-E-01335

Project Name: 7th and Campbell Mixed-Use Project

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

Attachment 6 - continued

12/05/2020

Event Code: 08ESMF00-2021-E-01335

3

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office

Federal Building

2800 Cottage Way, Room W-2605

Sacramento, CA 95825-1846

(916) 414-6600

Project Summary

Consultation Code: 08ESMF00-2021-SLI-0496

Event Code: 08ESMF00-2021-E-01335

Project Name: 7th and Campbell Mixed-Use Project

Project Type: DEVELOPMENT

Project Description: A 31,114-square-foot site at the corner of 7th Street and Campbell Street in Oakland, California. The Project site consists of several separate small parcels (including Assessor Parcel Numbers 006-0017-17, -018, -019, -020, -021, -022) with addresses at 1662 through 1676 7th Street.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/37.80673347327389N122.29960250712477W>



Counties: Alameda, CA

Endangered Species Act Species

There is a total of 12 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Salt Marsh Harvest Mouse <i>Reithrodontomys raviventris</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/613	Endangered

Birds

NAME	STATUS
California Clapper Rail <i>Rallus longirostris obsoletus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4240	Endangered
California Least Tern <i>Sterna antillarum browni</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8104	Endangered
Western Snowy Plover <i>Charadrius nivosus nivosus</i> Population: Pacific Coast population DPS-U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast) There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8035	Threatened

Reptiles

NAME	STATUS
Alameda Whipsnake (=striped Racer) <i>Masticophis lateralis euryxanthus</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5524	Threatened
Green Sea Turtle <i>Chelonia mydas</i> Population: East Pacific DPS No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6199	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2891 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/205/office/11420.pdf	Threatened

Fishes

NAME	STATUS
Delta Smelt <i>Hypomesus transpacificus</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened
Tidewater Goby <i>Eucyclogobius newberryi</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/57	Endangered

Insects

NAME	STATUS
San Bruno Elfin Butterfly <i>Callophrys mossii bayensis</i> There is proposed critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/3394	Endangered

12/05/2020

Event Code: 08ESMF00-2021-E-01335

5

Flowering Plants

NAME	STATUS
California Seablite <i>Suaeda californica</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6310	Endangered
Santa Cruz Tarplant <i>Holocarpha macradenia</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6832	Threatened

Critical habitats

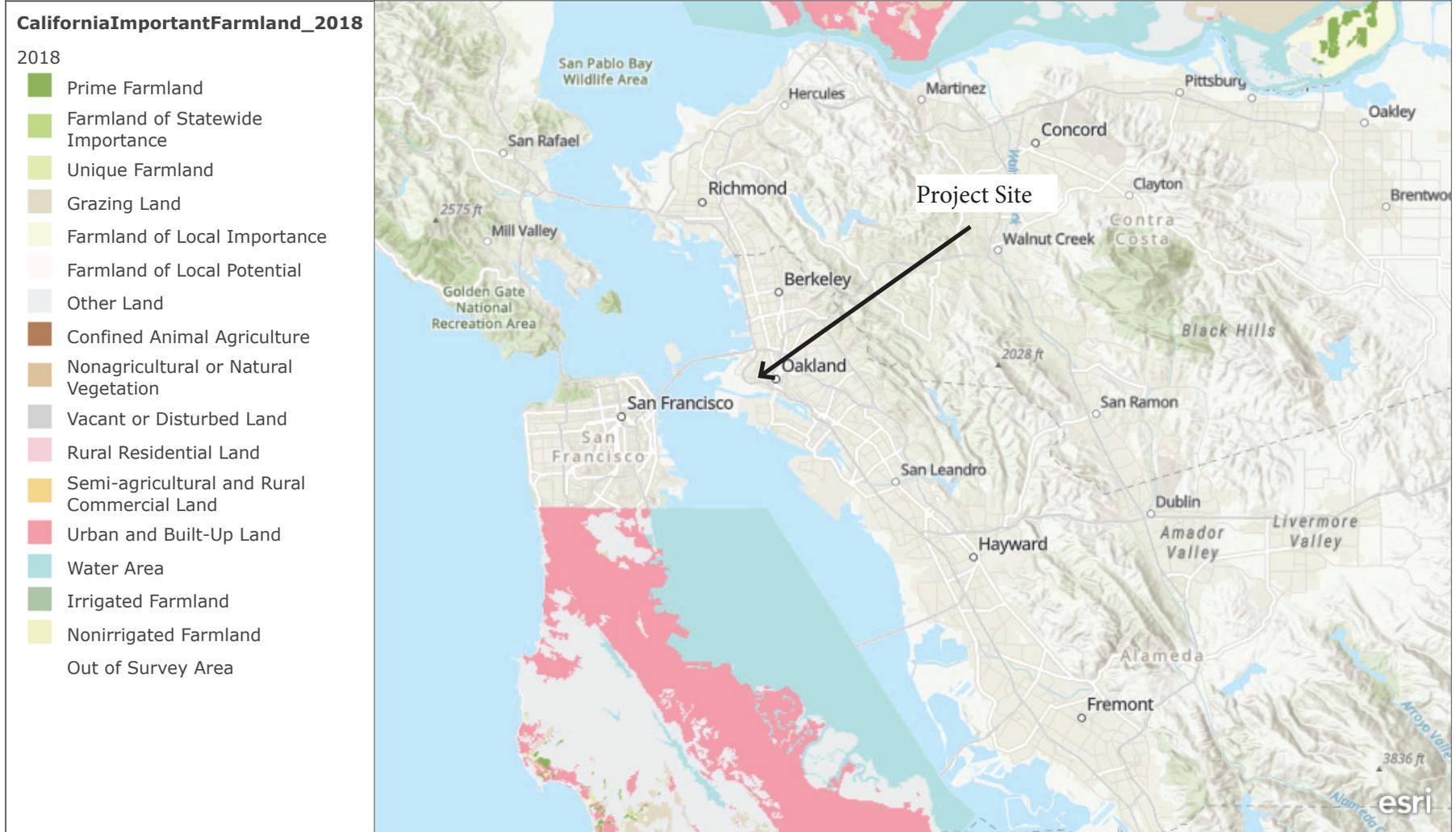
THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Attachment 7 - California Department of Conservation, Farmland Mapping and Monitoring Program

12/5/2020

ArcGIS - My Map

My Map



Attachment 8 - U.S. Fish and Wildlife Service, National Wetlands Inventory

12/5/2020

National Wetlands Inventory



Attachment 9: SHPO Response to 7th & Campbell Mixed-Use Project Historic and Cultural Resource
Evaluation, December 15, 2020



State of California • Natural Resources Agency

Gavin Newsom, Governor

**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

Armando Quintero, Director

Julianne Polanco, State Historic Preservation Officer
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100
Telephone: (916) 445-7000 FAX: (916) 445-7053
calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

December 15, 2020
[VIA EMAIL]

Refer to HUD_2020_1117_002

Ms. Betty Marvin
Historic Preservation Planner
Bureau of Planning, Historic Preservation Division
Department of Planning & Building
City of Oakland
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612-2032

Re: 7th & Campbell Mixed-Use Multifamily Affordable Housing Development Project
at 1662- 1676 7th Street, Oakland, CA

Dear Ms. Marvin:

The California State Historic Preservation Office (SHPO) received your submittal for the above referenced undertaking for review and comment pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations found at 36 CFR Part 800. The regulations and advisory materials are located at www.achp.gov.

Undertaking

Your letter informed the SHPO that the City of Oakland intends to use funding from the U.S. Department of Housing and Urban Development (HUD) for the development of the 7th & Campbell mixed-use multifamily affordable housing project located at 1662- 1676 7th Street. The undertaking involves the construction of a five-story mixed use building with 79-units of affordable housing as well as 16,750 square-feet of ground floor commercial space.

Area of Potential Effects (APE)

The City defined the APE as the subject parcel and all adjacent parcels. The SHPO agrees that this is an adequate definition of the APE for the work associated with this undertaking.

Identification of Historic Properties

In an effort to identify potential historic properties within the APE the City and their consultants, Dunphier- Gregory and Paleo West, obtained a records search for the project area from the Northwest Information Center (NWIC) of the CHRIS located at Sonoma State University. Consultants also contacted the local Native American Heritage Commission (NAHC) for a Sacred Lands File search and reached out to the recommended tribe. Finally, a field survey of

Ms. Marvin
December 15, 2020
Page 2 of 2

the APE was completed. The City's and consultants' efforts did not identify any historic properties. The SHPO believes that the City made reasonable and good faith identification efforts.

Finding of Effects

Stated in recommendations made by their consultants, the City "determined" that "no historic properties will be adversely affected by the undertaking." While the SHPO does not object to this finding, because no historic properties were identified (eligible for the National Register of Historic Places) within the APE, pursuant to 36 CFR §800.4(d)(1), the CA SHPO recommends and also would agree with a finding of *No historic properties affected*.

The City may have additional Section 106 responsibilities under certain circumstances set forth at 36 CFR Part 800 in the event that historic properties are discovered during implementation of the undertaking your agency is required to consult further pursuant to §800.13(b).

We appreciate the City of Oakland's consideration of historic properties in the project planning process. If you have questions please contact Shannon Lauchner Pries, Historian II, with the Local Government & Environmental Compliance Unit at (916)445-7013 or by email at shannon.pries@parks.ca.gov.

Note that we are only sending this letter in electronic format. Please confirm receipt of this letter. If you would like a hard copy mailed to you, respond to this email to request a hard copy be mailed.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Julianne Polanco', with a long horizontal line extending to the right.

Julianne Polanco
State Historic Preservation Officer

Attachment 10 - U.S. Environmental Protection Agency. EJSCREEN Report

12/5/2020

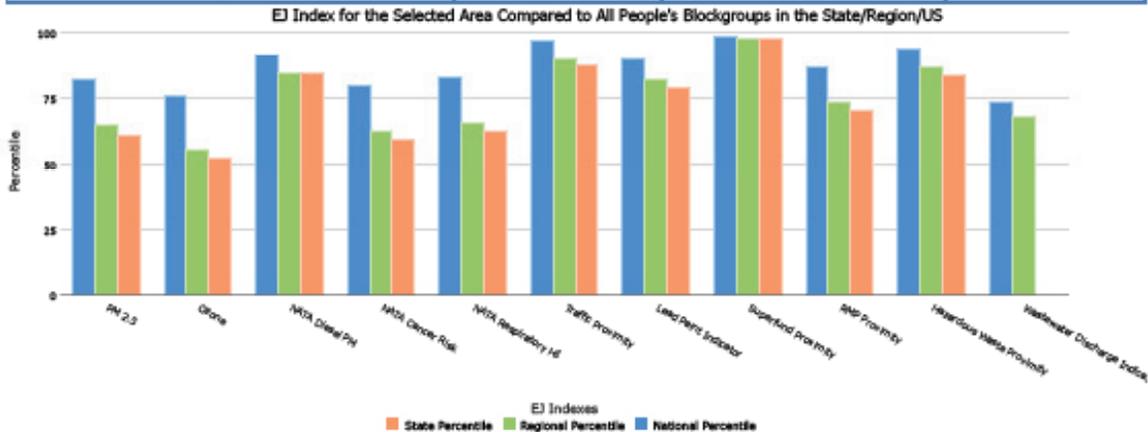
EJSCREEN Report

Save as PDF



EJSCREEN Report (Version 2019)
1 miles Ring Centered at 37.806800,-122.299547
CALIFORNIA, EPA Region 9
Approximate Population: 11,634
Input Area (sq. miles): 3.14

Selected Variables	Percentile in State	Percentile in EPA Region	Percentile in USA
EJ Indexes			
EJ Index for Particulate Matter (PM 2.5)	61	65	82
EJ Index for Ozone	53	56	76
EJ Index for NATA* Diesel PM	85	88	92
EJ Index for NATA* Air Toxics Cancer Risk	60	63	80
EJ Index for NATA* Respiratory Hazard Index	63	66	83
EJ Index for Traffic Proximity and Volume	88	90	97
EJ Index for Lead Paint Indicator	79	82	90
EJ Index for Superfund Proximity	98	98	99
EJ Index for RMP Proximity	71	74	87
EJ Index for Hazardous Waste Proximity	84	87	94
EJ Index for Wastewater Discharge Indicator	N/A	68	74

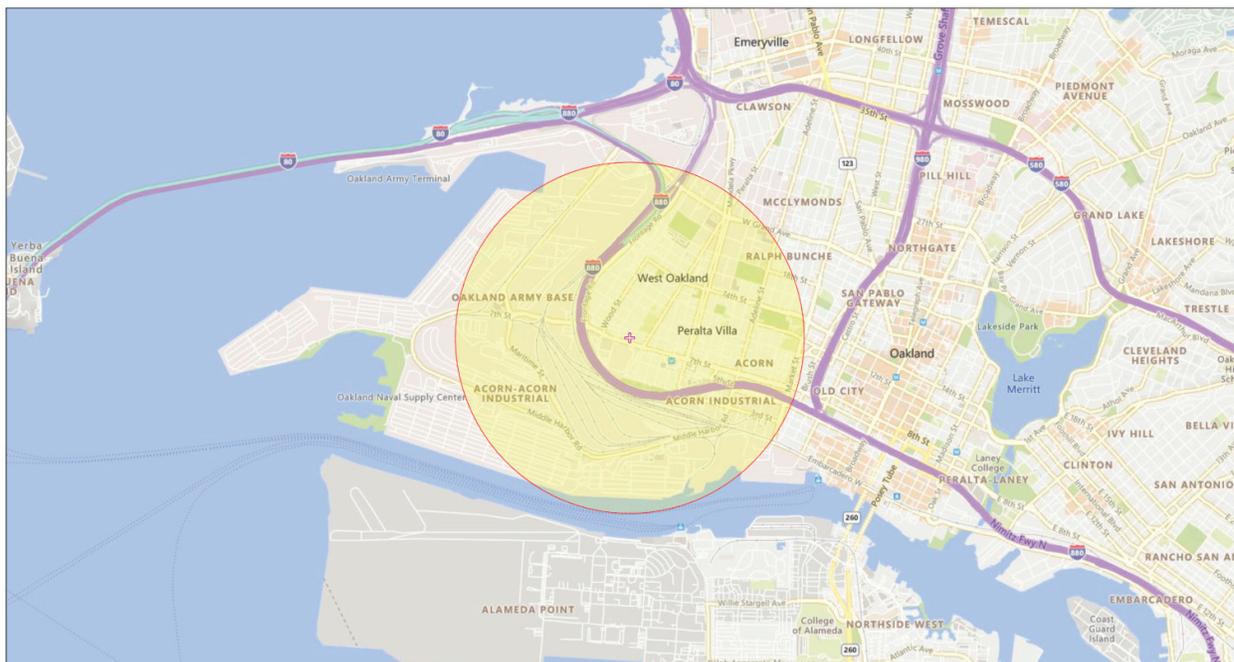


This report shows the values for environmental and demographic indicators and EJSCREEN indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 85th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.

Attachment 10 - continued

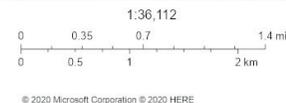
12/5/2020

EJSCREEN Report



December 5, 2020

Project 1



© 2020 Microsoft Corporation © 2020 HERE

Sites reporting to EPA

Superfund NPL	1
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	2

Selected Variables	Value	State		EPA Region		USA	
		Avg.	%tile	Avg.	%tile	Avg.	%tile
Environmental Indicators							
Particulate Matter (PM 2.5 in $\mu\text{g}/\text{m}^3$)	8.33	9.78	32	9.21	44	8.3	49
Ozone (ppb)	27.4	48.2	2	48.9	1	43	0
NATA* Diesel PM ($\mu\text{g}/\text{m}^3$)	1.09	0.468	97	0.479	95-100th	0.479	90-95th
NATA* Air Toxics Cancer Risk (risk per MM)	29	36	22	35	<50th	32	<50th
NATA* Respiratory Hazard Index	0.49	0.55	37	0.53	<50th	0.44	60-70th
Traffic Proximity and Volume (daily traffic count/distance to road)	4800	2000	89	1700	91	750	97
Lead Paint Indicator (% pre-1960s housing)	0.5	0.29	74	0.24	79	0.28	77
Superfund Proximity (site count/km distance)	1.6	0.18	98	0.15	98	0.13	99
RMP Proximity (facility count/km distance)	0.9	1.1	62	0.99	67	0.74	74
Hazardous Waste Proximity (facility count/km distance)	7.3	3.4	85	2.9	88	4	93
Wastewater Discharge Indicator (toxicity-weighted concentration/m distance)	0	17	N/A	31	54	14	37
Demographic Indicators							
Demographic Index	67%	48%	77	47%	78	36%	87
Minority Population	80%	62%	66	59%	69	39%	84
Low Income Population	54%	34%	79	34%	79	33%	82
Linguistically Isolated Population	10%	9%	64	8%	68	4%	84
Population with Less Than High School Education	15%	18%	53	17%	56	13%	67
Population under Age 5	9%	6%	76	6%	76	6%	78
Population over Age 64	9%	13%	36	14%	36	15%	27

*The National-Scale Air Toxics Assessment (NATA) is EPA's ongoing, comprehensive evaluation of air toxics in the United States. EPA developed the NATA to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that NATA provides broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the NATA analysis can be found at: <https://www.epa.gov/national-air-toxics-assessment>.

For additional information, see: www.epa.gov/environmentaljustice (<http://www.epa.gov/environmentaljustice>)

MEMORANDUM

To: Whom it May Concern
From: William Gilchrist, Director of Planning and Building
City of Oakland
Date: December __, 2020

RE: **Special Environmental Clearance and Waiver of EIS for the 7th and Campbell Project at 1662 through 1676 7th Street, Oakland, Alameda County, California 94610**

The Environmental Assessment conducted for the 7th and Campbell project contains a Noise Assessment prepared pursuant to HUD guidelines for new construction of housing at the above address. Based upon this Assessment, the proposed site is impacted by external noise levels of between 80 and 81 dBA DNL, which is considered "Unacceptable" per HUD Guidelines.

Under authority granted to me under 24 CFR Part 51, Section 51.104 (b)(1) and in order to provide a relatively noise free environment for the proposed project's residents, I am requiring the following noise mitigations be included in the final project:

1. The STC ratings for walls and windows, as shown on the attached figures, shall be included in the building design.
2. To maintain a habitable interior environment, all units shall be mechanically ventilated so that windows and doors can be kept closed at the occupant's discretion to control noise intrusion indoors.

Under my authority as Certifying Officer and Environmental Clearance Officer, and pursuant to 24 CFR Section 51.104(b)(1), I am waiving the requirement to prepare an EIS for this project, as it has been demonstrated to me that the noise exposure of the proposed living areas on the site can be adequately mitigated, and no other issues or statutes were found to be of concern in the Environmental Assessment that would merit preparation of an EIS.

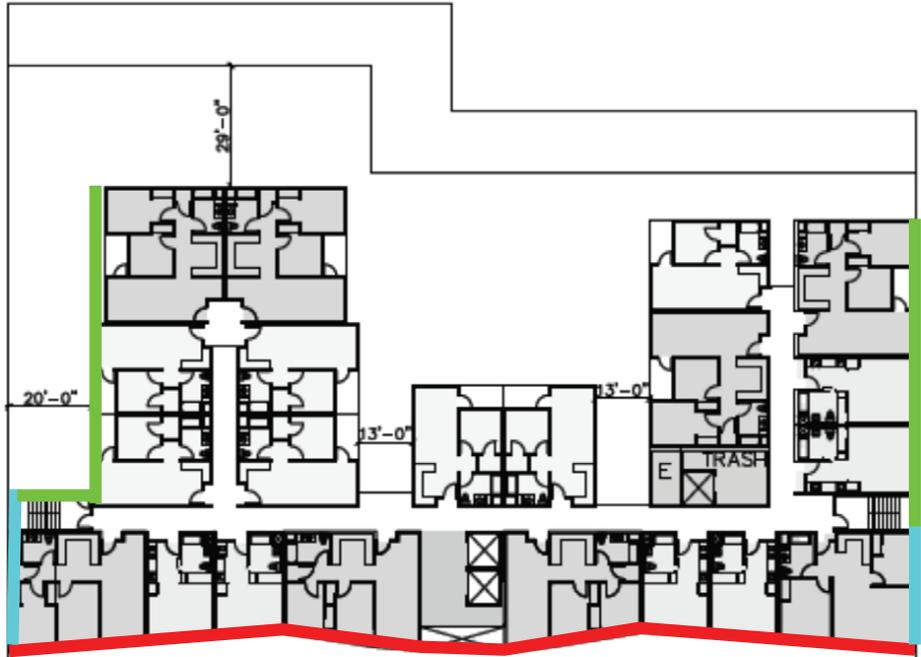
William Gilchrist

Jan 15, 2021

William Gilchrist, Director of Planning and Building

Date:

Attachment 11 - continued



-  Type 1: Stucco Walls (STC 46), Residential Windows STC 38 to 40, Non-residential Windows STC 32, and Forced-Air Ventilation
-  Type 2: Stucco Walls (STC 46), Residential Windows STC 38 to 40, Non-residential Windows STC 28, and Forced-Air Ventilation
-  Type 3: Stucco Walls (STC 46), Windows STC 28 to 32, and Forced-Air Ventilation



Appendix A

City of Oakland

Approval of Original 2017 Project, and Approval of Minor Modification to the Original Design for the 7th and Campbell Mixed Use Project, including Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP), July 21, 2020

Appendix B

Illingworth & Rodkin, Inc.

7th and Campbell Mixed-Use Project, Air Quality Community Risk Assessment, July 6, 2020

Appendix C

Lamphier-Gregory

CalEEMod Air Emissions Modeling Results

Appendix D

SCA Environmental, Inc.

**Phase I Environmental Site Assessment, 1650-1676 7th Street and 711-715 Campbell Street, Oakland,
California 94607, January 2019**

Appendix E

Langan Engineering and Environmental Services, Inc.

Phase II Environmental Site Assessment - 1666 7th Street, August 24, 2020

Appendix F

7th & Campbell, LP

Service Request Application – Preliminary Site Review, submitted to Alameda County Department of Environmental Health Local Oversight Program, September 18, 2020

Appendix G

**Alameda County Department of Environmental Health (ACDEH)
Conditional Approval of the Work Plan for Additional Environmental Site Assessment, December 10,
2020**

Appendix H

**Langan Engineering and Environmental Services, Inc.
Draft Corrective Action Plan, 1666 7th Street, December 23, 2020**

Appendix I

ACDEH

Conditional Letter of Approval of Corrective Action, December 23, 2020

Appendix J

ACDEH

Notice of Draft Corrective Action Plan (“Fact Sheet”) Available for Review, December 21, 2020

Appendix K

Lamphier-Gregory

HUD's Acceptable Separation Distance (ASD) Electronic Assessment Tool results and supporting documentation, November 2020

Appendix L

Lamphier-Gregory and PaleoWest Archaeologists

Historic and Cultural Resources Evaluation for Section 106 Review, November 2020 (as submitted to SHPO for Section 106 review)

Appendix M

**Langan Engineering and Environmental Services, Inc.
Geotechnical Investigation for 1666 7th Street, July 28, 2020**

Appendix N

Illingworth & Rodkin, Inc.

7th and Campbell Mixed-Use Project, NEPA Noise Assessment, June 17, 2020

Appendix O

Kittelson and Associates Inc.

Preliminary Trip Generation Assessment, April 19, 2016