

V. DRAFT EIR TEXT REVISIONS

This chapter presents all instances where text, tables or figures from the Draft EIR have been revised in response to comments raised during the public review. Revised text is indicated by underline text. Text deleted from the Draft EIR is shown in ~~strikeout~~. Page numbers correspond to the page numbers of the Draft EIR. This Responses to Comments document, in conjunction with the Draft EIR, constitutes the Final EIR.

Page 1 is revised as follows:

The Project site, which consists of a nine-block area, is located within the Uptown District of Oakland, as shown in Figure I-1. The proposed Project includes the following components: (1) approximately 1,300 residential units; (2) 1,050 student beds and faculty units; ~~and (3)~~ 43,000 feet of commercial space; ~~Associated Project components include a~~ (4) a 25,000 square-foot public park; (5) 1,959 parking spaces; and (6) the development of one public street within the Project site. The additional public street is intended to shorten block lengths and provide enhanced access within the Project site. Implementation of the proposed Project would result in the development of a mixed-use neighborhood in the Uptown District. Please refer to Chapter III, Project Description, for more details.

Page 3 is revised as follows:

The EIR, which was prepared and certified for the Land Use and Transportation Element (LUTE) of the Oakland General Plan, is used as one of the bases for this environmental review. Cumulative impacts and growth-inducing impacts in downtown Oakland have been analyzed in the General Plan LUTE EIR, and repeatedly in numerous EIRs completed for projects in the downtown area. The analysis included in Chapter IV.B, Population, Employment and Housing, of this EIR provides a confirmation that the proposed Uptown Project falls within the City's employment and population projections to the year 2025. Similarly, the LUTE EIR contained an analysis of alternatives and, pursuant to Public Resources Code section 21159.25, no further consideration of alternatives is required. Both the LUTE EIR and this EIR identify mitigation measures to reduce or eliminate potentially significant environmental impacts. The LUTE EIR, which was certified by the Oakland City Council in 1998, is hereby incorporated by reference into this EIR.¹ In addition, to ensure a comprehensive analysis, this focused EIR includes a cumulative analysis for potential impacts to transportation, air quality, noise, and historical resources.

Page 8 is revised as follows:

- Historic Architectural Resources (Great Western Power Company Building and 19th and San Pablo Commercial District)

Page 10, Table II-1, Summary of Impacts and Mitigation Measures, is revised as shown on the following page:

Page 45 is revised as follows:

At least 205 percent of the rental units constructed as part of the proposed Project (excluding any development on Block 5, 7, 8, and 8a student and faculty units, but including rental and condominium uses) will be affordable to very low income households earning 50 percent or less of the area's median income ~~would be priced at affordable levels.~~ ~~At least 20 percent of the units would be affordable to households earning up to 50 percent of the Alameda County Median Income;~~ ~~5~~ Five percent of the overall units would be affordable to households earning up to 120 percent of the area's median income. ~~Alameda County Median Income.~~

Table II-1: Summary of Impacts and Mitigation Measures

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|--|--|---------------------------------------|
| A. LAND USE | | | |
| <i>The Project would not result in any significant impacts related to land use.</i> | | | |
| B. POPULATION, EMPLOYMENT AND HOUSING | | | |
| <i>The Project would not result in any significant impacts related to population, employment, and housing.</i> | | | |
| C. HYDROLOGY AND WATER QUALITY | | | |
| <p><u>HYD-1</u>: Construction activities for the Project could result in degradation of water quality in Lake Merritt and the Bay by reducing the quality of storm water runoff.</p> | S | <p><u>HYD-1</u>: The applicant shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential impacts to surface water quality through the construction and life of the Project. The SWPPP would act as the overall program document to provide measures to mitigate significant water quality impacts associated with implementation of the Project. The SWPPP shall include specific and detailed Best Management Practices (BMPs) required to mitigate significant construction-related pollutants. These controls shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with storm water. The SWPPP shall specify properly designed centralized storage areas that keep these materials out of the rain.</p> <p>An important component of the storm water quality protection effort will be the education of the site supervisors and workers. To educate on-site personnel and maintain awareness of the importance of storm water quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPP.</p> <p>The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor, and must include both dry and wet weather inspections. City of Oakland personnel shall conduct regular inspections to ensure compliance with the SWPPP.</p> | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|--|--|---------------------------------------|
| <u>HYD-1</u> <i>continued</i> | | <p>BMPs to reduce erosion of exposed soil may include, but are not limited to: soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales, and sediment basins. The potential for erosion is generally increased when grading occurs during the rainy season, as disturbed soil can be exposed to rainfall and storm runoff. If grading must be conducted during the rainy season, the primary BMPs selected shall focus on erosion control, that is, keeping sediment on the site. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. Access to and egress from the construction site shall be carefully controlled to minimize off-site tracking of sediment (this BMP is particularly important since much of the earthwork will involve loading trucks for off-site transport of soil excavated for the below-ground parking structures). Vehicle and equipment wash down facilities shall be designed to be accessible and functional both during dry and wet conditions.</p> <p>The SWPPP shall be reviewed for completeness by the City of Oakland, Public Works Agency, Environmental Services Division prior to approval of grading plans.</p> | |
| <u>HYD-2</u> : Post-construction operation of the Project could result in degradation of water quality in Lake Merritt due to a net decrease in the quality of storm water runoff. | S | <p><u>HYD-2</u>: The applicant shall comply with the requirements of the 2003 Alameda County <i>Stormwater Management Plan</i> and/or the RWQCB Revised Order 01-024 (NPDES Permit No. CAS029718), as appropriate, based on the timing of construction. As applicable, the applicant shall incorporate measures to mitigate potential degradation of runoff water quality from all portions of the completed development, including roof and sidewalk runoff. The final design team for the Project should include all applicable measures from <i>Start at the Source</i>, Design Guidance Manual for Stormwater Quality Protection, which may include, but not be limited to pervious pavements, hybrid parking lots, vegetated swales, biofilters, roof drainage to landscaped areas, minimization of directly connected impervious surfaces, and infiltration islands.</p> <p>The Project compliance with requirements for post-construction stormwater controls shall be reviewed by the City of Oakland, Public Works Agency, Environmental Services Division prior to approval of grading plans.</p> | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|---|--|--|
| <p><u>HYD-3</u>: Dewatering effluent may contain contaminants and if not properly managed could cause impacts to the environment.</p> | <p>S</p> | <p><u>HYD-3</u>: The SWPPP shall include requirements for the proper management of dewatering effluent as necessary to mitigate significant impacts to the environment. The Hazards section of this DEIR (Mitigation Measure HAZ-1b) addresses and mitigates potential impacts associated with health and safety impacts to site workers and the public associated with the dewatering effluent.</p> <p>At minimum, all dewatering effluent will be contained prior to discharge to allow the sediment to settle out, and filtered, if necessary, to ensure that only clear water is discharged to the storm or sanitary sewer system. Alternatively, effluent can be hauled off-site by tanker truck for disposal. Based on the historical land uses at the Project site and groundwater sampling of the existing network of monitoring wells, it is possible that groundwater underlying each of the parcels has been impacted by chemical releases. All dewatering effluent will be analyzed by a State-certified laboratory for the suspected pollutants (at minimum, petroleum hydrocarbons, solvents, and metals) prior to discharge. Based on the results of the analytical testing and the concentrations of pollutants identified, if any, the applicant will dispose of the water in one (or more) of the following ways:</p> <ul style="list-style-type: none"> a) Discharge the water to the storm drain under permit from the RWQCB. It is unlikely that the RWQCB would allow discharge of any untreated dewatering effluent that contained detectable concentrations of chemical pollutants and that for these types of discharges, alternative disposal options may be required; b) Discharge the water to the sanitary sewer system under permit from the East Bay Municipal Utilities District; c) Haul the water to a licensed off-site disposal facility for treatment and disposal under appropriate manifest. <p>The Project proponent shall demonstrate to the City of Oakland, Planning and Development Department that appropriate permits have been acquired prior to discharge of any dewatering effluent.</p> | <p>LTS</p> |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|--|--|---------------------------------------|
| D. TRANSPORTATION, CIRCULATION AND PARKING | | | |
| <p><u>TRANS-1:</u> The addition of Project traffic to the Year 2010 Baseline condition would result in a significant adverse impact at the intersection of San Pablo Avenue/Thomas L. Berkley Way (20th Street). The intersection was identified as operating at LOS C in the Year 2010 No Project Condition in the PM peak hour. The addition of Project traffic would result in the intersection operating at LOS F in the PM peak hour.</p> | S | <p><u>TRANS-1:</u> Optimization of the signal timing at the intersection of San Pablo and Thomas L. Berkley Way (20th Street) would improve function to LOS D in the PM peak hour. This intersection functions as an integrated signal system with other intersections in the downtown area. To mitigate the Project’s impact at this location and others, the City shall prepare a signal optimization and coordination plan for the area bounded by San Pablo Avenue, Grand Avenue, Telegraph Avenue, and 17th Street prior to Project occupancy. The plan shall address the timing and equipment requirements, as necessary for all of the signalized intersections located within this area. The Project sponsor shall fund its fair share cost of the preparation of this plan and the implementation of the signal timing program. Implementation of the signal optimization program may also involve the purchase and installation of interconnection hardware (i.e. modems, microwave antennas, etc). <u>The City of Oakland will consult with AC Transit during preparation of the plan.</u></p> <p>Given that the Project sponsor is responsible for only a portion of this mitigation measure, implementation of this set of improvements will be funded fully by one or a combination of the following means:</p> <ol style="list-style-type: none"> 1. The Project sponsor shall fully fund the costs of the signalization improvements and <u>shall</u> be reimbursed through other fair-share contributions as future projects occur that <u>exceed</u> fall within the City’s thresholds of significance <u>occur</u>. 2. The City, at its <u>their</u> sole discretion, shall establish a Traffic Improvement Program and concurrent Traffic Impact Fee Ordinance to fund the mitigation measure. 3. The Redevelopment Agency, at its <u>their</u> sole discretion, shall contribute funds to the costs of implementation. | LTS |
| <p><u>TRANS-2:</u> The addition of Project traffic to the Year 2010 Baseline condition would result in a significant adverse impact at the intersection of Telegraph Avenue/19th Street. The intersection was identified as operating at LOS D in the Year 2010 No Project Condition in the AM and PM peak hours. The addition of Project traffic would result in the intersection operating at LOS F in both the AM and PM peak hours.</p> | S | <p><u>TRANS-2:</u> Optimization of the signal timing at the intersection of Telegraph and 19th Street would improve the function to LOS C in both the AM or PM peak hours. Preparation and implementation of the signal optimization and coordination plan detailed in Mitigation Measure TRANS-1 will ensure that this impact is reduced to a less-than-significant level.</p> | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|--|---|---------------------------------------|
| <p><u>TRANS-3:</u> In the 2010 No Project and Plus Project scenarios, the Frontage Road/West Grand Avenue intersection would operate at LOS F in the PM peak hour. The Project would cause the total intersection delay for the critical movements to increase by two or more seconds and result in a significant impact.</p> | <p>S</p> | <p><u>TRANS-3:</u> Widen the intersection to add a second exclusive left turn lane in the eastbound direction and an exclusive right turn lane in the westbound direction. The intersection would operate at LOS D in the PM peak hour with these improvements.</p> <p>The intersection of Frontage Road and West Grand Avenue is located on an elevated structure which is within the jurisdiction of Caltrans. The proposed mitigation measures would require the widening of the existing elevated structure and modification of the traffic signal. The second exclusive left turn lane in the eastbound direction and the exclusive right turn lane in the westbound direction should each be 300 feet in length with a 90-foot taper. Widening of the existing structure would require additional support columns and the acquisition of right of way underneath the structure. In addition, the connector from Interstate 880 to Interstate 80 structure exists above this intersection. Columns supporting this elevated connector may have to be relocated to widen the Frontage Road/West Grand Avenue intersection. At this time, the implementation of this mitigation measure would not be economically feasible. Because this intersection is located outside of the City of Oakland’s jurisdiction and because it is not economically feasible, it is significant and unavoidable.</p> | <p>SU</p> |
| <p><u>TRANS-4:</u> In the PM peak hour, the San Pablo/27th Street intersection would operate at LOS E in the Year 2025 No Project and Year 2025 Plus Project scenarios. The Project would cause the total intersection average vehicle delay to increase by six or more seconds.</p> | <p>S</p> | <p><u>TRANS-4:</u> Optimization of the signal timing at the intersection of San Pablo and 27th Street would improve function to a LOS D in the PM peak hour. Preparation and implementation of the signal optimization and coordination plan detailed in Mitigation Measure TRANS-1 will ensure that this impact is reduced to a less-than-significant level.</p> | <p>LTS</p> |
| <p><u>TRANS-5:</u> The addition of Project traffic to the Year 2025 Baseline condition would result in a significant adverse impact at the intersection of San Pablo Avenue/West Grand Avenue. The intersection was identified as operating at LOS F in the Year 2025 No Project Condition in the PM peak hour. The addition of Project traffic would cause the total intersection average vehicle delay to increase by two or more seconds.</p> | <p>S</p> | <p><u>TRANS-5:</u> Optimization of the signal timing at the intersection of San Pablo and West Grand Avenue would improve the function to a LOS E in the PM peak hour. Preparation and implementation of the signal optimization and coordination plan detailed in Mitigation Measure TRANS-1 will ensure that this impact is reduced to a less-than-significant level.</p> | <p>LTS</p> |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|---|---|--|
| <p><u>TRANS-6:</u> The addition of Project traffic to the Year 2025 Baseline condition would result in a significant adverse impact at the intersection of San Pablo Avenue/Thomas L. Berkley Way (20th Street). The intersection was identified as operating at LOS C in the Year 2025 No Project Condition in the PM peak hour. The addition of Project traffic would result in the intersection operating at LOS F.</p> | S | <p><u>TRANS-6:</u> Optimization the signal timing at the intersection of San Pablo and Thomas L. Berkley Way (20th Street). By optimizing the signal timing splits, the intersection would improve the function to a LOS D in the PM peak hour. Preparation and implementation of the signal optimization and coordination plan detailed in Mitigation Measure TRANS-1 will ensure that this impact is reduced to a less-than-significant level.</p> | LTS |
| <p><u>TRANS-7:</u> The addition of Project traffic to the Year 2025 Baseline condition would result in a significant adverse impact at the intersection of Telegraph Avenue/West Grand Avenue. The intersection was identified as operating at LOS E in the Year 2025 No Project Condition in the AM peak hour. The addition of Project traffic would cause an increase in the average delay for critical movements to increase by more than six seconds in the AM peak hour.</p> | S | <p><u>TRANS-7:</u> Optimization of the signal timing and changing the cycle length to 65 seconds at this intersection would mitigate the delay that would result from the proposed Project. Preparation and implementation of the signal optimization and coordination plan detailed in Mitigation Measure TRANS-1 will ensure that this impact is reduced to a less-than-significant level.</p> | LTS |
| <p><u>TRANS-8:</u> With the Project, the Telegraph Avenue/Thomas L. Berkley Way (20th Street) intersection LOS would degrade from LOS E to LOS F in the AM peak hour. In the PM peak hour, the Telegraph Avenue/Thomas L. Berkley Way (20th Street) intersection would operate at LOS F in the Year 2025 No Project and Year 2025 Plus Project scenarios.</p> | S | <p><u>TRANS-8:</u> Optimization of the signal timing in the AM peak hour and changing the cycle length to 70 seconds at this intersection would mitigate the Projects increase in delay. Preparation and implementation of the signal optimization and coordination plan detailed in Mitigation Measure TRANS-1 will ensure that this impact is reduced to a less-than-significant level.</p> | LTS |
| <p><u>TRANS-9:</u> The Telegraph Avenue/William Street intersection would operate at LOS F in the PM peak hour in the Year 2025 No Project and Year 2025 Plus Project scenarios. The Project would cause the total intersection average delay to increase by two or more seconds. In addition, the Project would increase average delay for the critical movements by four or more seconds.</p> | S | <p><u>TRANS-9:</u> Changing the cycle length to 80 seconds and optimizing signal timing would improve the function of this intersection to LOS C in the PM peak hour. By optimizing the signal timing splits and changing the signal cycle, the Projects increase in delay would be mitigated. Preparation and implementation of the signal optimization and coordination plan detailed in Mitigation Measure TRANS-1 will ensure that this impact is reduced to a less-than-significant level.</p> | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|--|---|---------------------------------------|
| <p>TRANS-10 The addition of Project traffic to the Year 2025 Baseline condition would result in a significant adverse impact at the Telegraph Avenue/19th Street intersection. With the Project, the intersection LOS would degrade from LOS E to LOS F in the AM peak hour. In the PM peak hour, the Telegraph Avenue/19th Street intersection would operate at LOS F in the Year 2025 No Project and Year 2025 Plus Project scenarios. In addition, the Project would increase average delay for the critical movements by four or more seconds in the PM peak hour. Both of these changes are considered to be significant adverse impacts based on City standards.</p> | S | <p>TRANS-10: The Project shall provide for the following two improvements.</p> <ul style="list-style-type: none"> Optimize the signal timing at the intersection of Telegraph and 19th Street. Since this intersection also functions as part of an integrated signal system in downtown Oakland, Mitigation Measure TRANS-1B shall also be implemented. Restripe the westbound 19th Street approach to provide two exclusive through lanes and an exclusive right turn lane. <p>With these improvements, the intersection would operate at LOS C in the AM peak hour and LOS E in the PM peak hour.</p> <p>The restriping of the westbound 19th Street approach to the intersection to provide two exclusive through lanes and an exclusive right turn lane would require the elimination of six metered parking spaces on the northern side of 19th Street between Telegraph and Broadway. With the existing roadway width available the two through lanes would each be 11 feet wide and the right turn lane would be 10 feet wide, which would satisfy City standards of 10-foot lanes. Metered parking would remain on the southern side of 19th Street.</p> | LTS |
| <p>TRANS-11 The Frontage Road/West Grand Avenue intersection would operate at LOS F in the AM and PM peak hours in Year 2025 No Project and Year 2025 plus Project conditions. The Project would cause the total intersection average vehicle delay to increase by two or more seconds in the AM and PM peak hours. In addition, the Project would increase in average delay for critical movements by four or more seconds.</p> | S | <p>TRANS-11: Widen the eastbound approach to accommodate two left turn lanes, two through lanes, and a right turn lane. Widen the southbound approach would need to accommodate a right turn lane, a left turn lane, and a shared through/right turn lane. In addition, the northbound approach should be converted from a left turn lane, a through lane, and a shared through/right turn lane to a left turn lane, a shared through/right turn lane, and a right turn lane. With the proposed improvements, the intersection would operate at LOS C in the AM peak hour and LOS D in the PM peak hour.</p> | SU |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|--|--|---------------------------------------|
| TRANS-11 <i>continued</i> | | The intersection of Frontage Road and West Grand Avenue is located on an elevated structure which is within the jurisdiction of Caltrans. The proposed mitigation measures would require the expansion of the existing elevated structure and modification of the traffic signal. Widening of the existing structure would require additional support columns and the acquisition of right of way underneath the structure. In addition, the connector from Interstate 880 to Interstate 80 structure exists above this intersection. Columns supporting this elevated connector may have to be relocated to pursue the widening of the Frontage Road/West Grand Avenue intersection. The implementation of this mitigation measure would not be economically feasible. Because this intersection is located outside of the City of Oakland's jurisdiction and because it is not economically feasible, it is significant and unavoidable. | |
| <u>TRANS-12</u> : The addition of Project traffic at the Mandela Parkway/West Grand Avenue intersection would cause the service level to degrade from LOS D in the Year 2025 No Project Condition to LOS E in the Year 2025 with Project Condition during the PM peak hour. | S | <u>TRANS-12</u> : Changing the cycle length to 110 seconds, providing protected left turn phases on the eastbound and westbound approaches, and optimizing the signal timing would improve the function of this intersection to a LOS D in the PM peak hour. Preparation and implementation of the signal optimization and coordination plan detailed in Mitigation Measure TRANS-1 will ensure that this impact is reduced to a less-than-significant level. | LTS |
| <u>TRANS-13</u> : The Harrison/Grand Avenue intersection was found to operate at LOS E in the Year 2025 No Project and Year 2025 with Project Conditions during the PM peak hour. The Project would cause an increase in the average delay for critical movements by more than six seconds in the PM peak hour. | S | <u>TRANS-13</u> : Changing the cycle length to 110 seconds and optimizing the signal timing splits would mitigate the Project's impact. Preparation and implementation of the signal optimization and coordination plan detailed in Mitigation Measure TRANS-1 will ensure that this impact is reduced to a less-than-significant level. | LTS |
| <u>TRANS-14</u> : In the PM peak hour, the Castro Street/17th Street /I-980 Off-Ramp intersection would operate at LOS E in the Year 2025 No Project and Year 2025 Plus Project scenarios. The Project would cause an increase in the average delay for the critical movements of six or more seconds. | S | <u>TRANS-14</u> : Optimization of the intersection's signal timing at this intersection would improve the function of this intersection to operate at LOS D in the PM peak hour. Preparation and implementation of the signal optimization and coordination plan detailed in Mitigation Measure TRANS-1 will ensure that this impact is reduced to a less-than-significant level. | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|--|--|---------------------------------------|
| E. AIR QUALITY | | | |
| <p><u>AIR-1</u>: Activities associated with demolition, site preparation and construction would generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions.</p> | <p>S</p> | <p><u>AIR-1</u>: Implementation of the following mitigation measures would reduce this impact to a less-than-significant level.</p> <ul style="list-style-type: none"> • The basic and enhanced control measures listed in Table IV.E-9 shall be implemented during construction of the proposed Project. • Any temporary haul roads to the soil stockpile area shall be routed away from existing neighboring land uses. Any temporary haul roads shall be surfaced with gravel and regularly watered to control dust or treated with an appropriate dust suppressant. • Water sprays shall be utilized to control dust when material is being added or removed from the stockpile. When the stockpile is undisturbed for more than 1 week, the storage pile shall be treated with a dust suppressant or crusting agent to eliminate wind-blown dust generation. • All neighboring properties located within 500 feet of property lines shall be provided with the name and phone number of a designated construction dust control coordinator who will respond to complaints within 24 hours by suspending dust-producing activities or providing additional personnel or equipment for dust control as deemed necessary. The phone number of the BAAQMD pollution complaints contact shall also be provided. The dust control coordinator shall be on-call during construction hours. The coordinator shall keep a log of complaints received and remedial actions taken in response. This log shall be made available to City staff upon its request. <p>The above mitigation measures include all feasible measures for construction emissions identified by the BAAQMD. According to the District's threshold of significance for construction impacts, implementation of the measures would reduce construction impacts of the proposed Project to a less-than-significant level.</p> | <p>LTS</p> |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|--|---|---------------------------------------|
| <p><u>AIR-2</u>: Development of the Uptown Project would result in increased regional emissions of criteria air pollutants exceeding BAAQMD Thresholds.</p> | <p>S</p> | <p><u>AIR-2</u>: To the extent permitted by law, the Uptown Project shall be required to implement Transportation Control Measures (TCMs) as recommended by the BAAQMD. However, the City of Oakland will implement as feasible on the basis that this Project is an infill mixed-used development project that in and of itself supports many Smart Growth Principles. Measures that the City may <u>shall</u> require the Project to implement, or that are already proposed as part of the Project, include the following:</p> <ul style="list-style-type: none"> • <i>Transit Measures</i>: (i) Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc. <u>and other needed facilities subject to the review and comment of AC Transit.</u> (Effectiveness 0.5 percent - 2 percent of all trips, BAAQMD <i>CEQA Guidelines</i>); (ii) Design and locate buildings to facilitate transit access (e.g., locate building entrances near transit stops, eliminate building setbacks, etc.) (Effectiveness 0.1 percent - 0.5 percent of all trips, BAAQMD <i>CEQA Guidelines</i>). • <i>Services Measures</i>: (i) Provide on-site shops and services for employees, such as cafeteria, bank/ATM, dry cleaners, convenience market, etc. (Effectiveness 0.5 percent - 5 percent of work trips, BAAQMD <i>CEQA Guidelines</i>); (ii) Provide on-site child care, or contribute to off-site childcare within walking distance. (Effectiveness 0.1 percent - 1 percent of work trips, BAAQMD <i>CEQA Guidelines</i>). | <p>SU</p> |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|--|--|---------------------------------------|
| <u>AIR-2</u> <i>continued</i> | | <ul style="list-style-type: none"> <i>Bicycle and Pedestrian Measures:</i> (i) Provide secure, weather-protected bicycle parking for employees (Effectiveness 0.5 percent - 2 percent of work trips, BAAQMD <i>CEQA Guidelines</i>); (ii) Provide safe, direct access for bicyclists to adjacent bicycle routes (Effectiveness 0.5 percent - 2 percent of work trips, BAAQMD <i>CEQA Guidelines</i>); (iii) Provide showers and lockers for employees bicycling or walking to work (Effectiveness 0.5 percent – 2 percent of work trips, BAAQMD <i>CEQA Guidelines</i>); (iv) Provide secure short-term bicycle parking for retail customers or non-commute trips (Effectiveness 1 percent – 2 percent of non-work trips, BAAQMD <i>CEQA Guidelines</i>); (v) Provide direct, safe, attractive pedestrian access from Planning Area to transit stops and adjacent development (Effectiveness 0.5 percent - 1.5 percent of all trips, BAAQMD <i>CEQA Guidelines</i>). <p>Implementation of the measures detailed above would help minimize this impact, but not reduce it to a less-than-significant level. Therefore, Impact AIR-2 will remain significant and unavoidable.</p> | |
| F. NOISE | | | |
| <u>NOISE-1:</u> Noise levels from construction activities may range up to 91 dBA L _{max} at the nearest land uses to the Project site for limited time periods during the duration of construction for certain activities such as pile driving or the use of other heavy equipment.. | S | <u>NOISE-1a:</u> Standard construction activities shall be limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday. No construction activities shall be allowed on weekends until after the buildings are enclosed without prior authorization of the Building Services and Planning Divisions of the Community and Economic Development Agency. | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|--|---|---------------------------------------|
| <p><u>NOISE-1</u> <i>continued</i></p> | | <p><u>NOISE-1b</u>: To reduce daytime noise impacts due to construction, to the maximum feasible extent, the City shall require the applicant to develop a site-specific noise reduction program, subject to city review and approval, which includes the following measures:</p> <ul style="list-style-type: none"> • Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the City in the event of problems; • An on-site complaint and enforcement manager shall be posted to respond to and track complaints; • A pre-construction meeting shall be held with the job inspectors and the general contractor/on-site Project manager to confirm that noise mitigation and practices are completed prior to the issuance of a building permit (including construction hours, neighborhood notification, posted signs, etc.); • 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); • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for Project construction shall be hydraulically or electrically powered wherever possible 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 where feasible, which could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible; and • Stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers or other measures shall be incorporated to the extent feasible. | |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|--|--|---------------------------------------|
| <p><u>NOISE-1</u> <i>continued</i></p> | | <p><u>NOISE-1c</u>: If pile-driving occurs as part of the Project, it shall be limited to between 8:00 a.m. and 4:00 p.m., Monday through Friday, with no pile driving permitted between 12:30 and 1:30 p.m. No pile driving shall be allowed on Saturdays, Sundays, or holidays.</p> <p><u>NOISE-1d</u>: To further mitigate potential pile-driving and/or other extreme noise-generating construction impacts, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. This plan shall be submitted for review and approval by the City to ensure that maximum feasible noise attenuation is achieved. These attenuation measures shall include as many of the following control strategies as feasible and shall be implemented prior to any required pile-driving activities:</p> <ul style="list-style-type: none"> • Implement “quiet” pile-driving technology, where feasible, in consideration of geotechnical and structural requirements and conditions; • Erect temporary plywood noise barriers around the entire construction site; • Utilize noise control blankets on the building structure as it is erected to reduce noise emission from the site; • Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and • Monitor the effectiveness of noise attenuation measures by taking noise measurements. • A third-party peer review, paid for by the applicant, shall be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the applicant. • A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of deposit shall be determined by the Building Official and the deposit shall be submitted by the project sponsor concurrent with submittal of the noise reduction plan. | |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|--|---|---------------------------------------|
| <u>NOISE-1</u> <i>continued</i> | | <p><u>NOISE-1e</u>: A process with the following components shall be established for responding to and tracking complaints pertaining to pile-driving construction noise:</p> <ul style="list-style-type: none"> • A procedure for notifying City Building Division staff and Oakland Police Department; • A list of telephone numbers (during regular construction hours and off-hours); • A plan for posting signs on-site pertaining to complaint procedures and who to notify in the event of a problem; • Designation of a construction complaint manager for the Project; and • Notification of neighbors within 300 feet of the Project construction area at least 30 days in advance of pile-driving activities. <p>Construction period impacts would still occur with implementation of the measures detailed above. However, because they would be short-term in duration, the City considers this a less-than-significant impact.</p> | |
| <u>NOISE-2</u> : Local traffic will generate long-term noise levels exceeding <i>Normally Acceptable</i> and <i>Conditionally Acceptable</i> noise levels on the Project site. | S | <p><u>NOISE-2</u>: Once the project design is finalized and the location of specific uses are determined, the project applicant shall have an acoustical analysis prepared that details noise reduction requirements and noise insulation features necessary to achieve acceptable interior and exterior noise levels. The requirements shall be sufficient to achieve a minimum of 45 dBA for all interior building spaces and shall achieve either <i>Normally Acceptable</i> or <i>Conditionally Acceptable</i> ranges for exterior uses according to the applicable land use category as set forth in Table IV.F-4.</p> <p>Measures to reduce the interior noise levels may include:</p> <ul style="list-style-type: none"> • To meet the City’s 45 dBA CNEL interior noise standard, building facade upgrades will be required for building located along Telegraph Avenue. All windows facing Telegraph Avenue must have a sound transmission class (STC) of 31 or greater. | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|--|--|---------------------------------------|
| <u>NOISE-2</u> <i>continued</i> | | <ul style="list-style-type: none"> • All of the proposed buildings on the project site shall be designed and constructed with ventilation systems, to achieve the indoor fresh-air ventilation requirements specified in Chapter 35 of the Uniform Building Code, to achieve the 45 dBA CNEL interior noise standard. <p>Measures to reduce the exterior noise levels may include:</p> <ul style="list-style-type: none"> • The inclusion of plexiglass enclosures for outdoor patio and balcony areas at a height of 5 feet (i.e., to shield balconies and or outdoor patio areas) would provide 5dBA or more in noise reduction for outdoor use areas. <p>Implementation of the above mitigation measure would reduce this impact to a less-than-significant level by achieving, at a minimum, <i>Conditionally Acceptable</i> noise levels.</p> | |
| <u>NOISE-3</u> : Long-term stationary noise sources on the Project site could potentially generate noise levels in excess of the thresholds set in Section 17.120.050 of the City’s Planning Code. | S | <p><u>NOISE-3</u>: The following measures are required for the operations of the proposed Project:</p> <ul style="list-style-type: none"> • All on-site stationary noise sources shall comply with the standards listed in Section 17.120.050 of the City’s Planning Code; and • Loading docks or loading areas and noise-generating equipment associated with the retail uses will be located as far as practical from all existing and planned residential properties. <p>Implementation of the above mitigation measure would reduce the impact to below a level of significance.</p> | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|--|---|---------------------------------------|
| G. HAZARDS AND HAZARDOUS MATERIALS | | | |
| <p><u>HAZ-1</u>: Development of the Project could expose construction workers and/or the general public to hazardous materials from contaminated soil and groundwater during construction activities.</p> | S | <p><u>HAZ-1a</u>: Prior to issuing any grading, demolition or building permits for the proposed Project affecting Project site Blocks 3 through 9, an environmental investigation shall be conducted at the site by a qualified environmental professional. The environmental investigation shall implement appropriate sampling recommendations presented in previously conducted Phase I site assessment(s) prepared for the Project site, as summarized in Table IV.G-3, in order to adequately characterize subsurface conditions of the site. Environmental investigation workplans shall be submitted to the City of Oakland and RWQCB for review and approval. Information from the environmental investigation shall be used to develop and implement site-specific health and safety plans for construction workers and best management practices (e.g., dust control, storm water runoff control, etc.) appropriate to protect the general public.</p> <p><u>HAZ-1b</u>: Prior to issuing any grading, demolition, or building permit for the proposed Project, a site-specific Health and Safety Plan (HSP) shall be prepared by a qualified industrial hygienist. At a minimum, the HSP shall summarize information collected in environmental investigations for the Project site, including soil and groundwater quality data; establish soil and groundwater mitigation and control specifications for grading and construction activities, including health and safety provisions for monitoring exposure to construction workers; provide procedures to be undertaken in the event that previously unreported contamination is discovered; incorporate construction safety measures for excavation activities; establish procedures for the safe storage and use of hazardous materials at the Project site, if necessary; provide emergency response procedures; and designate personnel responsible for implementation of the Plan. The HSP shall be designed to prevent potential exposures to construction workers above established OSHA Permissible Exposure Limits. The Plan shall be submitted to the City of Oakland for review and approval.</p> | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|--|--|---------------------------------------|
| <u>HAZ-1</u> <i>continued</i> | | <u>HAZ-1c</u> : Prior to issuing any grading, demolition, or building permit for the proposed Project, a Soil and Groundwater Management Plan (Plan) shall be prepared. The Plan shall include procedures for managing soils and groundwater removed from the site to ensure that any excavated soils and/or dewatered groundwater with contaminants are stored, managed, and disposed of safely, in accordance with applicable regulations. The Plan will incorporate notification and dust mitigation requirements of the BAAQMD (including Title 17, CCR Section 93105). Dewatering procedures will incorporate regulatory requirements for groundwater discharge to storm or sanitary sewers, as outlined in Mitigation Measure HYD-3. The Plan shall be submitted to the City of Oakland and RWQCB for review and approval and shall be implemented throughout all phases of Project development. | |
| <u>HAZ-2</u> : Development of blocks with soil and/or groundwater contamination could expose future residents and workers to potentially hazardous concentrations of contaminants. | S | <p><u>HAZ-2a</u>: Covenants, codes, and restrictions for the proposed Project shall strictly prohibit the use of groundwater at the Project site for drinking, irrigation, or industrial purposes. Any dewatering activities required at the Project site following construction activities shall be required to be carried out under the Soil and Groundwater Management Plan prepared for the Project (Mitigation Measure HAZ-1c).</p> <p><u>HAZ-2b</u>: Prior to issuing any permits for construction within the Project site, a Human Health Risk Assessment (HHRA) shall be conducted and/or updated by a qualified environmental professional. This HHRA shall employ methodology from the <i>City of Oakland Urban Land Redevelopment: Guidance Document</i> for the Oakland Risk Based Corrective Action (RBCA) program to evaluate potential health risks from petroleum hydrocarbons, metals, solvents, and other volatile organic compounds in soils and groundwater. Depending on the findings of the HHRA, recommendations may be made for administrative or engineering controls to minimize public exposure to hazardous materials, if warranted. These controls could potentially include vapor barriers for building foundations, encapsulation of the site with building foundations and paved parking surfaces to prevent exposure to soils, and implementation of an Operations and Maintenance Plan to insure prescribed controls are implemented and maintained. The controls shall ensure that any potential added health</p> | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|--|--|---------------------------------------|
| <u>HAZ-2</u> <i>continued</i> | | risks to future site users are reduced to a cumulative risk of less than 1×10^{-5} (a calculated risk of 1 in 100,000 persons exposed) for carcinogens and a cumulative hazard index of 1.0. The HHRA shall be submitted to the City of Oakland and RWQCB for review and approval. | |
| <u>HAZ-3</u> : Improper use or transport of hazardous materials during construction activities could result in releases affecting construction workers and the general public. | S | <u>HAZ-3</u> : The implementation of Mitigation Measure HAZ-1b would require a Site Safety Plan/Soil and Groundwater Management Plan (Plan). The Plan will establish procedures for the safe storage and use of hazardous materials at the Project site, if necessary; provide emergency response procedures; and designate personnel responsible for implementation of the Plan. No other mitigation is required. | LTS |
| <u>HAZ-4</u> : Demolition of buildings that contain lead-based paint and asbestos-containing building materials would release airborne lead and asbestos particles, which may adversely affect construction workers and the public. | S | <u>HAZ-4</u> : All asbestos-containing materials shall be abated by a certified asbestos abatement contractor in accordance with construction worker health and safety regulations and the regulations and notification requirements of the Bay Area Air Quality Management District (BAAQMD) (29 CFR 1926.1101; 40 CFR 61 and 152; Title 8 CCR Section 1529; BAAQMD Regulation 11, Rule 2). The removal and disposal of lead-based paint within the Project site shall be completed in accordance with federal and State construction worker health and safety regulations (29 CFR, Part 1926.62; Title 8, CCR Section 532.1; CDHS Training, Certification and Workpractices Rule). | LTS |
| <u>HAZ-5</u> : Development of the Project could result in hazardous emissions or the handling of hazardous materials, substances, or waste within ¼-mile of a proposed school. | S | <u>HAZ-5</u> : Implementation of existing regulatory requirements for school siting, and preparation and implementation of a Site Safety Plan/Soil and Groundwater Management Plan (Mitigation Measure HAZ-1b) and lead and asbestos regulations (Mitigation Measure HAZ-4) would reduce this impact to a less-than-significant level. No additional mitigation is required. | LTS |
| H. UTILITIES AND INFRASTRUCTURE | | | |
| <i>The Project would not result in any significant impacts related to infrastructure and utilities.</i> | | | |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|--|---|---------------------------------------|
| I. HISTORIC ARCHITECTURAL, ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES | | | |
| <p><u>HIST-1:</u> Ground-disturbing activities for the construction of subterranean parking structures, building foundations, and underground sewer and utility facilities could adversely impact paleontological resources.</p> | S | <p><u>HIST-1a:</u> A paleontological resources monitoring plan shall be developed in consultation with a qualified paleontologist prior to Project-related ground-disturbing activities. This monitoring plan shall incorporate the findings of Project-specific geotechnical investigations to identify the location and depth of deposits that have a high likelihood of containing paleontological resources and that may be encountered by Project activities. This information will indicate the depth of overlying non-sensitive soils (i.e., artificial fill and prior disturbance) within the Project area to allow a more effective determination of where paleontological monitoring is appropriate.</p> <p><u>HIST-1b:</u> A qualified paleontologist shall monitor all ground-disturbing activity that occurs at depths within the Project area determined to be sensitive in the paleontological monitoring plan. Monitoring shall continue until, in the paleontologist's opinion, significant, nonrenewable paleontological resources are unlikely to occur.</p> <p>In the event that paleontological resources are encountered during excavation, all work within 50 feet of the find shall be redirected until the monitor has evaluated the situation and provided recommendations for the protection of, or mitigation of adverse effects to, significant paleontological resources. Mitigation for impacts to significant paleontological resources shall include thorough documentation of the find and its immediate context to recover scientifically-valuable information. Upon completion of paleontological monitoring, a monitoring report shall be prepared. This scope of this report shall be approved by the City, but at a minimum the report will document the methods, results, and recommendations of the monitoring paleontologist.</p> | LTS |
| <p><u>HIST-2:</u> Ground-disturbing activities for the construction of subterranean parking structures, building foundations, and underground sewer and utility facilities could adversely impact cultural resources .</p> | S | <p><u>HIST 2:</u> A qualified archaeologist shall monitor all ground disturbing activities in the Project area until, in the archaeologist's opinion, a depth has been reached at which potentially significant archaeological deposits are unlikely to occur.</p> | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---------------------------------------|--|--|---------------------------------------|
| <p><u>HIST-2</u> <i>continued</i></p> | | <p>Should an archaeological deposit be encountered by Project activities, the monitor shall be empowered to halt construction in the vicinity of the find. Construction activities shall be redirected and a qualified archaeologist shall: 1) evaluate the archaeological deposit to determine if it meets the CEQA definition of a historical or archaeological resource; and 2) make recommendations about the treatment of the deposit, as warranted. If the deposit does not meet the CEQA definition of a historical or archaeological resource, then no further study or protection of the deposit is necessary. If the deposit does meet the CEQA definition of a historical or archaeological resource, then it shall be avoided by Project activities. If avoidance is not feasible, then effects to the deposit shall be mitigated through a data recovery strategy developed by the evaluating archaeologist. Mitigation of impacts to significant archaeological deposits through data recovery will recover scientifically valuable information. This mitigation may include, but is not limited to, a thorough recording of the resource on DPR Form 523 records, or archaeological excavation. If archaeological excavation is the only feasible method of data recovery, then such excavation shall conform to the provisions of CEQA Guidelines §15126.4(b)(3)(C).</p> | |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---------------------------------------|--|--|---------------------------------------|
| <p><u>HIST-2</u> <i>continued</i></p> | | <p><u>HIST-2a: A pre-construction archaeological testing program shall be implemented to help identify whether historic or unique archaeological resources exist within the Project site. Examples of potential historic or unique archaeological resources that could be identified within the Project site include: back-filled wells; basements of buildings that pre-date Euro-American buildings that were constructed on the Project site; and backfilled privies. For these resources to be considered significant pursuant to CEQA, they would have to have physical integrity and meet at least one of the criteria listed in CEQA Guidelines section 15064.5(a)(3) (for historic resources) and/or CEQA section 21083.2(g) (for unique archaeological resources). These criteria include: association with events that have made a significant contribution to the broad patterns of California history and cultural heritage; association with the lives or persons important in our past; embodiment of the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; yield, or may likely yield, information important in prehistory or history; contains information needed to answer important scientific research questions and be subject to a demonstrable public interest in that information; have a special and particular quality such as being the oldest of its type or the best available example of its type; or be directly associated with a scientifically recognized important prehistoric or historic event or person.</u></p> <p><u>The testing program, in conjunction with a sensitivity study, shall use a combination of subsurface investigation methods (including backhoe trenching, augering, and archaeological excavation units, as appropriate). The purpose of the testing program is to: (1) identify the presence and location of potentially-significant archaeological deposits; (2) determine if such deposits meet the definition of a historical resource or unique archaeological resource under section 21083.2(g) of the CEQA statutes; (3) guide additional archaeological work, if warranted, to recover the information potential of such deposits; and (4) refine the archaeological monitoring plan.</u></p> | |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---------------------------------------|--|---|---------------------------------------|
| <p><u>HIST-2</u> <i>continued</i></p> | | <p><u>If historic or unique archaeological resources associated with the Chinese community are identified within the project site and are further determined to be unique, the City shall consult with representatives of an established local Chinese-American organization regarding the potential use of the archaeological findings for interpretive purposes.</u></p> <p><u>HIST-2b: Archaeological monitoring of ground-disturbing construction in the Project area shall be conducted, as appropriate and if necessary, based on the results of the pre-construction testing program and the potential for encountering unidentified archaeological deposits. Upon completion of the pre-construction testing program specified in Mitigation Measure HIST-2a, the extent of archaeological monitoring during Project construction will be assessed, and the scope and frequency of the monitoring required by this mitigation measure shall be based on the findings of this assessment. Monitoring shall be conducted by a cultural resource professional approved by the City who meets the Secretary of the Interior's Professional Qualifications Standards for Prehistoric and Historical Archaeology.</u></p> <p>Upon completion of such archaeological monitoring, evaluation, or data recovery mitigation, the archaeologist shall prepare a report documenting the methods, results, and recommendations of the investigation, and submit this report to the NWIC. <u>Public displays of the findings of archaeological recovery excavation(s) of historical or unique resources shall be prepared. As appropriate, brochures, pamphlets, or other media, shall be prepared for distribution to schools, museums, libraries, and – in the case of Chinese-American archaeological deposits – Chinese-American organizations.</u></p> | |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|--|--|---------------------------------------|
| <p><u>HIST-3</u>: Ground-disturbing activities for the construction of subterranean parking structures, building foundations, and underground sewer and utility facilities could disturb human remains, including those interred outside of formal cemeteries.</p> | <p>S</p> | <p><u>HIST-3</u>: Should human remains be encountered by Project activities, construction activities shall be halted and the County Coroner notified immediately. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification, and a qualified archaeologist should be contacted to evaluate the situation. The NAHC will identify a Native American Most Likely Descendent (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. The archaeologist shall recover scientifically-valuable information, as appropriate and in accordance with the recommendations of the MLD.</p> <p>Upon completion of such analysis, as appropriate, the archaeologist shall prepare a report documenting the methods and results of the investigation. This report shall be submitted to the NWIC.</p> | <p>LTS</p> |
| <p><u>HIST-4a (Variant 1: Demolition; Variant 2: Partial Demolition)</u>: The proposed Project may result in full or partial demolition of the Great Western Power Company Building, which is a local historical resource.</p> | <p>S</p> | <p><u>HIST-4a (Variant 1 and 2)</u>: The following measures shall be implemented to preserve information about the resource for further study:</p> <ul style="list-style-type: none"> • Record the Great Western Power Company Building in accordance with the procedures of the Historical American Buildings Survey (HABS) through measured drawings, written histories, and large-format photographs; • Prepare a history of the Great Western Power Company Building that incorporates oral history, documentary research, and architectural information; • Prepare a brochure, regarding the building's historical association with one of three major early 20th century northern California power companies, to be made available at local libraries and museums; • <u>Incorporate interpretive elements, such as signs and placards, into public areas and street frontages proposed as part of the Project.</u> | <p>SU</p> |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|--|--|---------------------------------------|
| <u>HIST-4</u> <i>continued</i> | | <ul style="list-style-type: none"> • If full demolition of the building occurs, salvage architectural elements from the building, including hardware, doors, paneling, fixtures, and equipment, and incorporate these elements into new construction; and • Curate all materials, notes, and reports at the OHR, and submit copies to the NWIC. <p>Even with extensive documentation, however, the demolition of the building or portions of the building would result in the loss of a historic resource that is associated with significant historical events and is an example of outstanding design and function. Therefore, the demolition or partial demolition of the building would remain a significant and unavoidable impact.</p> | |
| <u>HIST-4b (Variant 3: Preservation)</u> : Modification and reuse of the Great Western Power Company Building could adversely affect a historical resource. | S | <u>HIST-4b (Variant 3)</u> : Any modifications to the exterior of the building that may be proposed as part of its preservation and reuse shall be developed in consultation with staff at the Planning Department and a qualified historic preservation architect to determine an appropriate treatment strategy. In the event that this measure is determined feasible and is implemented, Mitigation Measure HIST-5 shall also be implemented to ensure that development on the adjacent properties does not adversely impact the building's integrity. | SU |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|--|---|---------------------------------------|
| <p><u>HIST-5 (Variant 3)</u>: Site clearance within the Project area adjacent to the Great Western Power Company Building could adversely impact a historical resource.</p> | <p>S</p> | <p><u>HIST-5 (Variant 3)</u>: The following two-part mitigation measure shall be implemented:</p> <ul style="list-style-type: none"> • The building’s urban setting on the portion of Block 7 fronting Thomas L. Berkley Way (20th Street) shall be documented prior to Project implementation. At a minimum, this documentation shall include panoramic streetscape photographs and an interpretive display that shall provide an overview of the former urban context and describe how this context contributed to the building’s significance. This information shall be presented in an on-site display at the preserved Great Western Power Company Building to enable a viewer to easily associate the former setting with the existing building (i.e., panoramic streetscape photographs to show the building within the former street frontage). Upon completion of this documentation, a copy of all notes, photographs, and analysis shall be archived at the OHR and submitted to the NWIC. • The City shall ensure that the designs for new adjacent buildings are evaluated with respect to minimizing setting impacts on the historic resource. Project buildings adjacent to the Great Western Power Company Building shall be designed in a manner that minimizes inappropriate differences in mass and scale, if feasible. For example, designs could call for adjacent buildings to step-up to the height of the tallest Project element north of 20th Street, thereby reducing a potentially abrupt contrast between new buildings and the two-story Great Western Power Company Building. If the designs for the adjacent buildings follow the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for the Preservation of Historic Buildings, then the Project will have a less-than-significant impact, pursuant to CEQA §15064.5(b)(3). | <p>LTS</p> |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|--|--|---------------------------------------|
| <p><u>HIST-6</u>: Site clearance within the Project area could adversely impact four Potential Designated Historic Properties (PDHPs) in the Project area.</p> | LTS | <p><u>HIST-6</u>: If the relocation of the PDHPs proposed for demolition on the Project site is not feasible, the buildings shall be documented at a level of detail commensurate with their local importance. At a minimum, this effort shall include photo-documentation, as well as local oral history about the past uses and occupants of the buildings. This documentation shall be planned in consultation with OCHS in order to: 1) identify those qualities that support and justify the property's local significance; and 2) efficiently record and disseminate such information in a way that most effectively offsets the loss of such buildings. At the completion of this documentation, all notes, photographs, and analysis shall be archived at the OHR, and a complete copy shall be submitted to the NWIC.</p> | LTS |
| <p><u>HIST-7</u>: Project demolition and construction could adversely impact the setting of the 19th and San Pablo Commercial District.</p> | S -LTS | <p><u>HIST-7</u>: No mitigation measure is necessary to address this the less-than-significant impact.</p> | LTS |
| <p><u>HIST-8</u>: Project demolition and construction could result in a significant cumulative impact on the 19th and San Pablo Commercial District.</p> | S | <p><u>HIST-8a</u>: <u>If feasible, the three PDHPs that contribute to the 19th and San Pablo Commercial District (located at 1958-60 San Pablo Avenue, 1966-68 San Pablo Avenue, and 1972 San Pablo Avenue) shall be preserved in their existing condition or rehabilitated and incorporated into the proposed Project. Any modifications to the exterior of the buildings that may be proposed as part of their rehabilitation shall be developed in consultation with the Planning Department and a qualified historic preservation architect to determine an appropriate treatment strategy that preserves the important historic qualities of the structures.</u></p> <p><u>HIST-8b</u>: <u>If the City determines that preservation of the three PDHPs that contribute to the 19th and San Pablo Commercial District (located at 1958-60 San Pablo Avenue, 1966-68 San Pablo Avenue, and 1972 San Pablo Avenue) is not feasible, the City shall inform the applicant for the Thomas L. Berkley Square Project of the potential cumulative impact prior to the implementation of the Uptown Mixed-Use Project. The City shall consult with both project applicants to establish a fair division of responsibility to fund mitigation measures to preserve information about the 19th and San Pablo Commercial District for future study. These mitigation measures shall include the following:</u></p> | LTS SU |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|--|---|---------------------------------------|
| HIST-8 <i>continued</i> | | <ul style="list-style-type: none"> • Record the 19th and San Pablo Commercial District in accordance with the procedures of HABS through measured drawings, written histories, and large-format photographs; • Prepare a history of the 19th and San Pablo Commercial District that incorporates oral history, documentary research, and architectural information; <u>this history could utilize non-written media and production techniques, including video photography;</u> • Prepare a brochure, regarding the district’s historical association with turn-of-the-century Oakland commerce, to be made available at local libraries and museums; • Salvage architectural elements from the buildings proposed for demolition, including hardware, doors, paneling, fixtures, and equipment, and incorporate these elements into new construction; and • Curate all materials, notes, and reports at the OHR, and submit copies to the NWIC. <p>Even with extensive documentation, however, a cumulative impact will result from the demolition of 66 <u>63</u> percent of the 19th and San Pablo Commercial District’s contributing buildings. This loss of contributing buildings will materially affect the district’s ability to convey its historical significance, which will result in a significant, unavoidable cumulative impact.</p> | |
| <u>HIST-9</u> : Site clearance within the Project area could adversely impact historical buildings resources inventoried by the OCHS. | LTS | <u>HIST-9</u> : No mitigation measure is necessary to address this <u>the</u> less-than-significant impact. | LTS |
| <u>HIST-10</u> : The construction of Project buildings could adversely impact historic architectural resources adjacent to the Project area. | LTS | <u>HIST-10</u> : No mitigation measure is necessary to address this <u>the</u> less-than-significant impact. | LTS |
| <u>HIST-11</u> : The proposed Project could impact the setting of the Fox Oakland Theater. | LTS | <u>HIST-11</u> : No mitigation measure is necessary to address this less-than-significant impact. | LTS |
| <u>HIST-12</u> : The proposed Project could impact the operations of the Fox Oakland Theater and, therefore, indirectly impact its architectural qualities. | LTS | <u>HIST-12</u> : No mitigation measures is necessary for this less-than-significant impact. | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|---|--|---|---------------------------------------|
| <p><u>HIST-13</u>: The enhancement of streetscape features and lighting on streets fronting the Project area may impact historical resources, including elements of the Uptown Shopping/ Entertainment Historic District and the Fox Oakland Theater.</p> | S | <p><u>HIST-13</u>: Prior to Project initiation, the plan for the enhancement of street features and lighting on Telegraph Avenue shall be reviewed by planning staff to ensure that it conforms to the <i>Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Preservation of Historic Buildings</i>. Conformance with these guidelines will ensure that these improvements are compatible with nearby historical resources, and will mitigate potential Project effects to less-than-significant levels.</p> | LTS |
| J. AESTHETIC RESOURCES | | | |
| <p><u>AES-1</u>: The proposed Project would alter the intrinsic architectural character of the Project site and its surroundings.</p> | S | <p><u>AES-1</u>: The following measures shall be incorporated into the final Project design:</p> <ul style="list-style-type: none"> • Create streetscape vitality and enhance the pedestrian experience through detailed treatment of building facades, including entryways, fenestration, and signage, and through the use of carefully chosen building materials, texture, and color. • Design of building facades shall include sufficient articulation and detail to avoid the appearance of blank walls or box-like forms. • Exterior materials utilized in construction of new buildings, as well as site and landscape improvements, shall be high quality and shall be selected for both their enduring aesthetic quality and for their long term durability. • Ensure that the architectural and landscape treatment of the proposed parking structure promotes human scale and pedestrian activity. • Detailed designs for the public park shall be developed. The design shall emphasize the public nature of the space and pedestrian comfort. The plaza design shall consider sun/shade patterns during mid-day hours throughout the year. The plaza design shall be sensitively integrated with the streetscape. | LTS |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|--|--|---------------------------------------|
| <p><u>AES-2</u>: The proposed development would provide additional sources of nighttime lighting in the downtown.</p> | <p>S</p> | <p><u>AES-2a</u>: The specific reflective properties of Project building materials shall be assessed by the City during Design Review as part of the Project's Development Standards, Procedures and Guidelines. Design review shall ensure that the use of reflective exterior materials is minimized and that proposed reflective material would not create additional daytime or nighttime glare.</p> <p><u>AES-2b</u>: Specific lighting proposals shall be reviewed and approved by the City prior to installation. This review shall ensure that any outdoor night lighting for the Project is down shielded and would not create additional nighttime glare.</p> | <p>LTS</p> |
| <p>K. WIND</p> | | | |
| <p><u>WIND-1</u>: Construction of 19-story buildings on Blocks 5 and 7 could result in wind speeds of over 36 mph.</p> | <p>S</p> | <p><u>WIND-1a</u>: The final design of the high-rise buildings on Blocks 5 and 7 shall be in accordance with one or more of the following design guidelines. In addition, as part of the design review process for these high-rise buildings, a qualified wind consultant shall ensure the Project is designed in accordance with these guidelines:</p> <ul style="list-style-type: none"> • Align long axis of each building along a northwest-southeast alignment to reduce exposure of the wide faces of the building to westerly or southeasterly winds. • West or southeasterly building faces shall be articulated and modulated through the use of architectural devices such as surface articulation; variation; variation of planes, wall surfaces, and heights; and the placement of setbacks and other similar features. • Utilize properly-located landscaping that mitigates high winds. Porous materials (e.g., vegetation, hedges, screens, latticework, perforated metal), which offer superior wind shelter compared to solid surfaces, shall be used. • Avoid narrow gaps between buildings where westerly or southeasterly winds could be accelerated; or • Avoid breezeways or notches at the upwind corners of the building. | <p>LTS</p> |

Table II-1 *continued*

| Environmental Impacts | Level of Significance Without Mitigation | Mitigation Measures | Level of Significance With Mitigation |
|--|---|---|--|
| WIND-1 <i>continued</i> | | <p>WIND-1b: A qualified wind consultant shall review and evaluate the final design of the high-rise buildings on Blocks 5 and 7, and shall determine whether incorporated design features would reduce wind impacts to a less-than-significant level. If the wind consultant determines that these design features would reduce wind impacts to a less-than-significant level (i.e., less than 36 mph), no further mitigation would be required. If the wind consultant determines that significant adverse wind impacts could occur, models of the proposed Blocks 5 and 7 buildings shall be subject to wind tunnel testing to determine if the buildings would result in uncomfortable or hazardous winds. The wind consultant shall work with the Project architect to develop further building design modifications that would reduce wind impacts to a less-than-significant level (i.e., standard of less than 36 mph).</p> | |
| <p>L. SHADE AND SHADOW <i>The Project would not result in any significant impacts related to shade and shadows.</i></p> | | | |

Page 47, Figure III-3, has been added to the Draft EIR, as shown on the following page.

Page 47 is revised as follows:

7. Demolition and Construction

Demolition activities would include the removal of all existing structures on Blocks 1 through 7, including approximately 20 buildings, with the possible exception of the Greater Western Power Company Building (also known as Navlet’s Florist and Nursery). Proposed building demolition is shown in Figure III-3. The Project applicant is proposing the following three variants in regard to the Great Western Power Company Building:

Page 49 is revised as follows:

Table III-4: Required Permits and Approvals

| Lead Agency | Permit/Approval |
|--|--|
| City of Oakland Planning Commission City Council Redevelopment Agency | <ul style="list-style-type: none"> Major Conditional Use Permit for creation of a new park a project over 100,000 square feet in size and for Demolition of <u>rooming Single-Residency Occupancy (SRO) units</u> Design Review Planned Unit Development (preliminary and final) Minor Conditional Use Permits or Variances, if determined necessary once detailed plans are submitted Redevelopment Agency actions, including a Disposition and Development Agreement and acquisition of land Subdivision Maps to combine parcels, create new parcels or create condominiums, if proposed DDA General Plan Amendment <u>and Rezoning</u> to designate proposed park as open space |
| Responsible Agencies | |
| East Bay Municipal Utility District (EBMUD) | <ul style="list-style-type: none"> Approval of water line, water hookups and review of water needs |
| California Department of Transportation (Caltrans) | <ul style="list-style-type: none"> Approval of plans and encroachment permit for improvements located within the State right-of-way; improvements within the public right-of-way; excavation for utilities; clean-up of contamination; condemnation of property (if required); and traffic improvements (including re-paving, re-striping, signal improvements, street lights, and signal optimization) |
| California Regional Water Quality Control Board (RWQCB) | <ul style="list-style-type: none"> National Pollutant Discharge Elimination System (NPDES) permit for stormwater discharge Approval and oversight of required remediation plans |
| Other Agencies | |
| SBC (prev. Pacific Bell) | <ul style="list-style-type: none"> Approval of communication line improvements and connection permits |
| Pacific Gas & Electric (PG&E) | <ul style="list-style-type: none"> Approval of natural gas improvements and connection permits |
| California Department of Toxic Substances Control (DTSC) | <ul style="list-style-type: none"> Approval and oversight of the plan |
| Bay Area Air Quality Management District (BAAQMD) | <ul style="list-style-type: none"> Permitting of asbestos abatement activities |

Source: LSA Associates, Inc., 2003.

Figure III-3: Proposed Demolition

8x11

Page 69 is revised as follows:

(2) Significant Land Use Impacts. Implementation of the proposed Project would not result in any significant land use ~~related public policy~~ impacts.

Page 92, Figure IV.D-3, has been revised as shown on the following page.

Page 108 is revised as follows:

(2) Mode Split. The modal split for trips generated by the proposed Project was developed based on information from the ACCMA model, updated to reflect the cumulative land use forecasts of the City of Oakland. Approximately 83 percent of all trips would be vehicular trips. BART and AC Transit are expected to serve 62 and 38 percent of the transit trips, respectively. The modal split predicted by the ACCMA model (all references to the Alameda County Congestion Management Agency (ACCMA) model in this document refer to the model, as updated to reflect the cumulative land use forecasts of the City of Oakland) is likely conservative relative to the number of vehicle trips to be generated by the Project. Due to the location and type of Project proposed, it is likely that a higher split to transit will occur; however, the conservative prediction of the model, ~~updated to reflect the cumulative land use forecasts of the City of Oakland~~ is used in the analysis.

Page 109 is revised as follows:

(4) Trip Distribution. Vehicle trips forecast to be generated by the proposed Uptown Project were assigned to the surrounding transportation network based on a distribution pattern developed specifically for this study. The pattern is based on information from the ACCMA Model updated to reflect the cumulative land use forecasts of the City of Oakland. Figure IV.D-8 illustrates the Project's anticipated trip distribution pattern.

Page 112, Table 18 footnotes, are revised as follows:

^aThe ITE "Apartment" land use category 220 was used to complete the trip generation forecast for the "student and faculty housing" use.

^bTransit trips are estimated to be 16 percent of all non-student residential trips generated by the proposed Project and 25 percent of the student trips. BART and AC transit are estimated to serve 62 and 38 percent of Project transit trips, respectively, based on the ACCMA's model, updated to reflect the cumulative land use forecasts of the City of Oakland.

^c 15 percent of the retail trips are assumed to be internal linked trips.

Page 116, Table 20, Note 1, is revised as follows:

Note: 1. Traffic volumes in the Year 2010 No Project scenario are based on the ACCMA's model, updated to reflect the cumulative land use forecasts of the City of Oakland.

Figure IV.D-3: Existing Transit Network

8 x 11 B&W

Page 118 is revised as follows:

(2) Year 2010 Traffic Operations. Based on the Alameda County Congestion Management Agency's (ACCMA) Countywide Transportation Demand Model's forecasts, updated to reflect the cumulative land use forecasts of the City of Oakland, increases in traffic levels at each study intersection were estimated. Figures 5a and 5b in Appendix E illustrate the Year 2010 Baseline traffic volumes without the proposed Project. The Year 2010 Baseline traffic volumes were developed based on growth factors developed from the ACCMA model data, updated to reflect the cumulative land use forecasts of the City of Oakland, and reflect the increase in traffic from all planned development that would impact the study area. Figures 6a and 6b in Appendix E present the AM and PM peak hour Project traffic volumes at the 40 study intersections. The Project traffic volumes were developed by assigning the peak hour Project traffic presented in Table IV.D-18 to the study intersections based on the Project traffic distribution pattern illustrated in Figure IV.D-8. Figures 6a and 6b in Appendix E illustrate the Year 2010 Baseline plus Project traffic volumes.

Page 121, Table 23, Note 1, is revised as follows:

Note: 1. Traffic volumes in the Year 2010 No Project scenario are based on the ACCMA's model, updated to reflect the cumulative land use forecasts of the City of Oakland.

Page 123 is revised as follows:

Mitigation Measure TRANS-1: Optimization of the signal timing at the intersection of San Pablo and Thomas L. Berkley Way (20th Street) would improve function to LOS D in the PM peak hour. This intersection functions as an integrated signal system with other intersections in the downtown area. To mitigate the Project's impact at this location and others, the City shall prepare a signal optimization and coordination plan for the area bounded by San Pablo Avenue, Grand Avenue, Telegraph Avenue, and 17th Street prior to Project occupancy. The plan shall address the timing and equipment requirements, as necessary for all of the signalized intersections located within this area. The Project sponsor shall fund its fair share cost of the preparation of this plan and the implementation of the signal timing program. Implementation of the signal optimization program may also involve the purchase and installation of interconnection hardware (i.e. modems, microwave antennas, etc). The City of Oakland will consult with AC Transit during preparation of the plan.

Given that the Project sponsor is responsible for only a portion of this mitigation measure, implementation of this set of improvements will be funded fully by one or a combination of the following means:

1. The Project sponsor shall fully fund the costs of the signalization improvements and shall be reimbursed through other fair-share contributions as future projects ~~occur~~ that exceed ~~fall within~~ the City's thresholds of significance occur.

2. The City, at ~~its~~ ~~their~~ sole discretion, shall establish a Traffic Improvement Program and concurrent Traffic Impact Fee Ordinance to fund the mitigation measure.
3. The Redevelopment Agency, at ~~its~~ ~~their~~ sole discretion, shall contribute funds to the costs of implementation. (LTS)

Page 125 is revised as follows:

(3) Year 2025 Traffic Operations. Traffic increases for each study intersection were estimated based on the Alameda County Congestion Management Agency's (ACCMA) Countywide Transportation Demand Model, updated to reflect the cumulative land use forecasts of the City of Oakland. The "Year 2025 No Project" traffic volumes are shown in Figures 7a and 7b in Appendix E. The "Year 2025 With Project Traffic" volumes are illustrated in Figures 8a and 8b in Appendix E. This cumulative scenario includes all development contemplated in the study area.

Page 128, Table 27, Note 1, is revised as follows:

Note: 1. Traffic volumes in the Year 2010 No Project scenario are based on the ACCMA's model, updated to reflect the cumulative land use forecasts of the City of Oakland.

Page 133 is revised as follows:

Mitigation Measure TRANS-10: The Project shall provide for the following two improvements.

- Optimize the signal timing at the intersection of Telegraph and 19th Street. Since this intersection also functions as part of an integrated signal system in downtown Oakland, Mitigation Measure TRANS-1~~B~~ shall also be implemented.
- Restripe the westbound 19th Street approach to provide two exclusive through lanes and an exclusive right turn lane.

Page 159 of the Draft EIR is revised as follows:

Mitigation Measure AIR-2: To the extent permitted by law, the Uptown Project shall be required to implement Transportation Control Measures (TCMs) as recommended by the BAAQMD. ~~However, the City of Oakland will implement as feasible on the basis that this Project is an infill mixed used development project that in and of itself supports many Smart Growth Principals.~~ Measures that the City ~~may~~ shall require the Project to implement, or that are already proposed as part of the Project, include the following:

- *Transit Measures:* (i) Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, ~~ete.~~ and other needed facilities with the review and comment of AC Transit. (Effectiveness 0.5 percent - 2 percent of all trips, BAAQMD *CEQA Guidelines*); (ii) Design and locate buildings to facilitate transit access (e.g., locate building entrances near

transit stops, eliminate building setbacks, etc.) (Effectiveness 0.1 percent - 0.5 percent of all trips, BAAQMD *CEQA Guidelines*).

Page 193 is revised as follows:

The East Bayshore Recycled Water Project, which would provide up to 2.3 mgd of recycled water to residents in Alameda, Albany, Berkeley, Emeryville, and Oakland, is currently in the planning stage. The Project would involve the construction of new treatment and disinfection facilities at the EBMUD Main Wastewater Treatment Plant. The service area of the East Bayshore Recycled Water Project, which is anticipated to be completed prior to 2010, would include the Project site and its surroundings. In January 2002, the City adopted a water reuse ~~dual plumbing~~ ordinance, which requires new development to use recycled water provided by EBMUD, and to install dual plumbing systems if the use of recycled water is financially and technically feasible.

Page of 194 is revised as follows:

... mgd by 2020.¹ ~~As of 2001, EBMUD's water supply was insufficient to meet customer needs in multiple year droughts, even taking into account the implementation of water conservation and recycling programs.²~~ In 1993 EBMUD adopted a long-term Water Supply Management Program (WSMP) that serves as a planning guide to the provision of a reliable high-quality water supply to the EBMUD service area through the year 2020. The WSMP identified that, during severe multi-year droughts, EBMUD would be unable to meet its customers' needs for water with its existing source supply, the Mokelumne River, without imposing extreme rationing measures. The 1993 WSMP resulted in two principal options for meeting EBMUD's projection for a supplemental water supply: additional surface or underground storage and additional surface water. Development of additional surface water for EBMUD use may be possible by either enlarging the existing storage at Pardee Reservoir and/or by utilizing EBMUD's Sacramento River contract entitlement. Water from the Sacramento River contract entitlement is anticipated to be available to EBMUD by 2007.

Page 194 is revised as follows:

~~The Project site is served by 8-inch water lines along San Pablo Avenue and Telegraph Avenue.~~ The Project site is served by pipelines in the existing streets that range in size from 4 to 12 inches. These lines, and associated minor water line connections, are anticipated to have an available capacity of over 5,000 gallons per minute (gpm). The City Fire Department maintains minimum flow standards for pipelines serving residential and commercial uses. Prior to the construction of development projects in the City, project applicants are required to verify the capacity of water pipelines that would serve the Project to ensure they meet the Fire Department's minimum fire flow requirements. The minimum flow standard for lines serving residential uses is 2,500 gpm; the minimum flow standard for lines serving commercial uses is 4,500 gpm.³

¹ East Bay Municipal Utility District, 2001. op. cit.

² ~~Ibid.~~

³ ~~Khalili, Amin, 2003. Korve Engineering. Personal communication with LSA Associates, Inc. July 24.~~

Page 198 is revised as follows:

(1) Water. The proposed Project would require water for a variety of uses, including household uses, commercial uses, and irrigation of the proposed 25,000 square-foot park. Based upon anticipated uses within the Project site, implementation of the proposed Project would result in an average daily demand for water of 329,000 gpd (120,085,000 gallons per year) and a peak demand of 366,000 gpd.⁴ ~~The anticipated daily water demand that would result from implementation of the proposed Project represents approximately 0.2 percent of average daily water demand within the EBMUD service area.~~ The proposed Project would be outfitted with water-conserving fixtures, as required by the Uniform Building Code, and would incorporate dual plumbing systems, to take advantage of available recycled water supplies. The City's water reuse ordinance requires that the Project sponsor install dual plumbing systems within the Project site for the appropriate use of recycled water from EBMUD's East Bayshore Recycled Water Project, as EBMUD plans to supply recycled water to the Project site within the next 10 years for landscape irrigation. Private, water-consuming lawns would not be developed as part of the proposed Project. Therefore, the proposed Project, which represents an efficient use of water, ~~would not~~ is not anticipated to require the construction of new water supply facilities. EBMUD representatives have given a preliminary indication that they can serve this Project's water demand, and the EBMUD Board will confirm that determination by the end of September 2003. Overall water requirements are subject to negotiations with the Fire Department. EBMUD will make a determination as to the availability of water supplies and the need for system improvements until after the final water demands have been established.

Page 198 is revised as follows:

~~The average daily water demand associated with the proposed Project would be approximately 228 gallons per minute, or approximately 4 percent of available water line capacity.⁵ Sufficient capacity exists to accommodate this increased demand, although select lines may need to be improved depending upon their age and condition. On-site line improvements would be made during as part of the Project construction period.~~ Construction of public improvements for the Project and are not anticipated to result in significant environmental impacts that are different or more severe than impacts that would result from construction of other components of the proposed Project. As noted in the EBMUD letter dated March 28, 2003 (in response to the NOP for the proposed Project), main extensions (including pipeline replacements) and/or pipeline improvements may be required depending on metering and flow requirements.

Page 198 is revised as follows:

Requirements for minimum water flow (for the purpose of fighting fires) at Project sites in the City are based on a review of hydrant locations, type of construction and access from public streets, along with other factors such as other life safety components in the building.

⁴ Khalili, Amin, 2003. Korve Engineering. Personal communication with LSA Associates, Inc. July 24.

⁵ ~~Ibid.~~

These requirements are subject to negotiations with the Oakland Fire Department and will be established when Project details have been finalized. Typically, fire flow requirements are 2,500 gpm for residential uses, and 3,500 gpm for commercial uses. As noted in subsection a(3), Distribution Pipelines, water lines that serve the Project site are anticipated to have an available capacity of over 5,000 gpm. Based on the anticipated capacity of water lines serving the Project site, and ~~correspondence~~ communication with EBMUD, it is ~~expected~~ anticipated that ~~required minimum~~ water flow would be available ~~within~~ at the Project site without a major upgrade of water lines.⁶ As previously stated, the flow requirements are subject to negotiations with the Fire Department. EBMUD will make a determination of the availability of these flows following the determination of the required flows.

Page 198 is revised as follows:

(2) Wastewater. Implementation of the proposed Project would result in the generation of approximately 280,000 gpd of wastewater.⁷ ~~Wastewater generated by the proposed Project represents less than 0.2 percent of the MWWTP's secondary treatment capacity. This wastewater would be accommodated by the MWWTP, which is currently operating at 46 percent of its secondary treatment capacity. Therefore, wastewater generated by the proposed Project would be subject to both primary and secondary treatment and would not violate the wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board. The wastewater lines that serve the Project site have a capacity of 1.35 mgd based on average existing wastewater flow (6,970 gpd), and could accommodate the increase in flow that would result from the proposed Project.⁸ The City of Oakland Public Works Department has confirmed that adequate hydraulic capacity exists in the new facilities that would be constructed as part of the Project and EBMUD's sanitary sewer system downstream from the Project site (sub-basin) to accommodate wet-weather flows resulting from implementation of the proposed Project. The Department of Public Works has also indicated that the wet weather flows associated with the improvements are within the sub-basin allocation for delivery to EBMUD. In addition, sanitary sewers that would be developed as part of the proposed Project would be adequately sized to accommodate wet weather flows. Therefore, adequate capacity exists to convey and treat wastewater that would be generated as part of the proposed Project. ~~Public Works Agency staff have indicated that as part of the final public improvement plans for the Project, the conveyance system will be evaluated to confirm what repairs, if any, will be incorporated into the final public improvement plans and specifications. Therefore, and~~ implementation of the proposed Project would not require the construction of new wastewater treatment or transport facilities.~~

⁶ Toothman, Robert, 2003. Korve Engineering. Personal communication with LSA Associates, Inc. September 2.; EBMUD, 2003. Personal communication with Brandon Whitehurst, Korve Engineering.

⁷ Ibid.

⁸ Ibid.

Page 213 is revised as shown below:

- *19th and San Pablo Commercial District (ASI)*

The 19th and San Pablo Commercial District is a Victorian/late 19th, early 20th century commercial district consisting of 12 buildings on all or part of twelve blocks in the Central Oakland neighborhood. Eight of the 12 buildings are contributors to the district, including the buildings located at 630-42 20th Street; 1901-15 San Pablo Avenue; 1917-23 San Pablo Avenue; 1939-63 San Pablo Avenue; 1958-60 San Pablo Avenue; 1966-68 San Pablo Avenue; 1972 San Pablo Avenue; and 2000-8 San Pablo Avenue. Most of the district lies northwest and outside of the Project area. It includes early 20th century commercial, Italianate commercial, and Beaux Arts-derivative buildings. The dates of contributing buildings range from the 1870s to the 1940s. Currently, the surrounding areas consist of commercial, residential, and transportation uses. Three of the four buildings identified as PDHPs within the Project area (1958-60 San Pablo Avenue, 1966-68 San Pablo Avenue, and 1972 San Pablo Avenue) are contributors to this district. The 19th and San Pablo Commercial District is listed as an ASI by the OCHS.

Page 220 is revised as shown below:

Impact HIST-2: Ground disturbing activities for the construction of subterranean parking structures, building foundations, and underground sewer and utility facilities could adversely impact cultural resources. (S)

~~Native Americans are known to have occupied and used the Project area vicinity, and in the historical American period residential and commercial use of all portions of the Project area was intensive and varied. These activities may have resulted in unidentified archaeological deposits that may qualify as historical or unique archaeological resources under CEQA. Project related ground disturbing activities may potentially disturb these deposits, which may result in a significant adverse effect to historical or archaeological resources under CEQA. Mitigation measures can reduce these effects to less than significant levels. Native~~
Native Americans are known to have occupied areas in the vicinity of the Project site. In the historical American period, residential and commercial use of all portions of the Project site was intensive and varied. A historical Chinese community has been documented on the east side of San Pablo Avenue, northeast of the intersection of 20th and San Pablo Avenues, and east of San Pablo Avenue between 19th and 20th Avenues. These areas of the documented Chinese community are within or near the Project site. There is a high potential for Project ground-disturbing activities to encounter archaeological deposits associated with the remains of the Chinese community. These deposits could be significant for their association with early Chinese-American history in Oakland and other urban West Coast settings. These deposits, if intact, may contain information about the economic, social, and religious lifeways of a Chinese-American community in an era in which the Chinese in California were subjected to de facto and institutional displacement, discrimination, and oppression. These conditions often resulted in only minimal documentation of lifeways, which increases the information value of archaeological deposits.

If encountered during ground disturbing activities, these deposits may qualify as historic or unique archaeological resources pursuant to CEQA Guidelines section 15064.5 and CEQA

section 21083.2, respectively. Disturbance of historic or unique archaeological resources could be considered a significant impact. The following two-part mitigation measure would reduce these potential impacts to less-than-significant levels. The purpose of this expanded mitigation measure is to: (1) identify historic or unique archaeological resources prior to the start of ground-disturbing Project activities; and (2) assess the likelihood that Project activities could adversely affect potentially significant deposits, and take the steps necessary to protect and treat the resources so the impact is decreased to a less-than-significant level. Implementation of this mitigation strategy will also help avoid unnecessary delays in site preparation and construction.

~~Mitigation Measure HIST 2: A qualified archaeologist⁹ shall monitor all ground-disturbing activities in the Project area until, in the archaeologist's opinion, a depth has been reached at which potentially significant archaeological deposits are unlikely to occur.~~

~~Should an archaeological deposit be encountered by Project activities, the monitor shall be empowered to halt construction in the vicinity of the find. Construction activities shall be redirected and a qualified archaeologist shall: 1) evaluate the archaeological deposit to determine if it meets the CEQA definition of a historical or archaeological resource; and 2) make recommendations about the treatment of the deposit, as warranted. If the deposit does not meet the CEQA definition of a historical or archaeological resource, then no further study or protection of the deposit is necessary. If the deposit does meet the CEQA definition of a historical or archaeological resource, then it shall be avoided by Project activities. If avoidance is not feasible, then effects to the deposit shall be mitigated through a data recovery strategy developed by the evaluating archaeologist. Mitigation of impacts to significant archaeological deposits through data recovery will recover scientifically valuable information. This mitigation may include, but is not limited to, a thorough recording of the resource on DPR Form 523 records, or archaeological excavation. If archaeological excavation is the only feasible method of data recovery, then such excavation shall conform to the provisions of CEQA Guidelines §15126.4(b)(3)(C).~~

Mitigation Measure HIST-2a: A pre-construction archaeological testing program shall be implemented to help identify whether historic or unique archaeological resources exist within the Project site. Examples of potential historic or unique archaeological resources that could be identified within the Project site include: back-filled wells; basements of buildings that pre-date Euro-American buildings that were constructed on the Project site; and backfilled privies. For these resources to be considered significant pursuant to CEQA, they would have to have physical integrity *and* meet at least one of the criteria listed in *CEQA Guidelines* section 15064.5(a)(3) (for historic resources) and/or CEQA section 21083.2(g) (for unique archaeological resources). These criteria include: association with events that have made a significant contribution to the broad patterns of California history and cultural heritage; association with the lives or persons important in our past; embodiment of the distinctive characteristics of a type, period,

⁹ "Qualified" is defined as meeting the professional standards established by the Secretary of the Interior. These standards can be found at: <http://www2.cr.nps.gov/laws/ProfQual83.htm>.

region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; yield, or may likely yield, information important in prehistory or history; contains information needed to answer important scientific research questions and be subject to a demonstrable public interest in that information; have a special and particular quality such as being the oldest of its type or the best available example of its type; or be directly associated with a scientifically recognized important prehistoric or historic event or person.

The testing program, in conjunction with a sensitivity study,¹⁰ shall use a combination of subsurface investigation methods (including backhoe trenching, augering, and archaeological excavation units, as appropriate). The purpose of the testing program is to: (1) identify the presence and location of potentially-significant archaeological deposits; (2) determine if such deposits meet the definition of a historical resource or unique archaeological resource under section 21083.2(g) of the CEQA statutes; (3) guide additional archaeological work, if warranted, to recover the information potential of such deposits; and (4) refine the archaeological monitoring plan.

If historic or unique archaeological resources associated with the Chinese community are identified within the project site and are further determined to be unique, the City shall consult with representatives of an established local Chinese-American organization(s) regarding the potential use of the archaeological findings for interpretive purposes.

Mitigation Measure HIST-2b: Archaeological monitoring of ground-disturbing construction in the Project area shall be conducted, as appropriate and if necessary, based on the results of the pre-construction testing program and the potential for encountering unidentified archaeological deposits. Upon completion of the pre-construction testing program specified in Mitigation Measure HIST-2a, the extent of archaeological monitoring during Project construction will be assessed, and the scope and frequency of the monitoring required by this mitigation measure shall be based on the findings of this assessment. Monitoring shall be conducted by a cultural resource professional approved by the City who meets the Secretary of the Interior's Professional Qualifications Standards for Prehistoric and Historical Archaeology.

Should an archaeological deposit be encountered during Project activities, the City in consultation with the monitor shall halt construction in the vicinity of the find. Construction activities shall be redirected and a qualified archaeologist in consultation with the City shall: (1) evaluate the archaeological deposit to determine if it has the potential to meet the CEQA definition of a historical or unique archaeological resource;

¹⁰ A cultural resources sensitivity study is done to assess the possibility of cultural resources at a specific location. The sensitivity study typically entails a review of: (1) the locations of known cultural resources in the general vicinity, (2) the records documenting the resources, (3) the nature of those resources, (4) the environmental setting of the location being analyzed, and (5) the historical documentation of the location being analyzed. Based on this information an assessment is made as to whether there is a low, moderate, or high probability of a cultural resource at the specific location in question. For example, if most of the prehistoric sites in an area are on level land, adjacent to the mouth of a creek where it enters a marsh, and the location being analyzed has no water nearby and is on very steep slope, there is a low probability of a prehistoric archaeological site. Or, if historical documents indicate that there have been a variety of buildings and land uses at the location being analyzed, there is a high probability of historical archaeological sites at the location.

and (2) make recommendations about the treatment of the deposit, as warranted. If the deposit does not meet the CEQA definition of a historical or unique archaeological resource, then no further study or protection of the deposit is necessary. If the deposit does meet the CEQA definition of a historical or unique archaeological resource, then it shall be avoided to the extent feasible by Project activities. If avoidance is not feasible, then adverse effects to the deposit shall be mitigated as specified in CEQA section 21083.2. This mitigation may include, but is not limited to, a thorough recording of the resource on DPR Form 523 records, or archaeological data recovery excavation. If data recovery excavation is warranted, CEQA Guidelines section 15126.4(b)(3)(C), which requires a data recovery plan prior to data recovery excavation, shall be followed. If the significant identified resources are unique archaeological resources, mitigation of these resources shall be subject to the limitations on mitigation measures for unique archaeological resources identified in CEQA sections 21083.2(c) through 21083.2(f).

Upon completion of such archaeological monitoring, evaluation, or data recovery mitigation, the archaeologist shall prepare a report documenting the methods, results, and recommendations of the investigation, and submit this report to the NWIC. Public displays of the findings of archaeological recovery excavation(s) of historical or unique resources shall be prepared. As appropriate, brochures, pamphlets, or other media, shall be prepared for distribution to schools, museums, libraries, and – in the case of Chinese-American archaeological deposits – Chinese-American organizations. (LTS)

Page 223 is revised as follows:

Mitigation Measure HIST-4a (Variant 1 and 2): The following measures shall be implemented to preserve information about the resource for further study:

- Record the Great Western Power Company Building in accordance with the procedures of the Historical American Buildings Survey (HABS) through measured drawings, written histories, and large-format photographs;
- Prepare a history of the Great Western Power Company Building that incorporates oral history, documentary research, and architectural information;
- Prepare a brochure, regarding the building's historical association with one of three major early 20th century northern California power companies, to be made available at local libraries and museums;
- Incorporate interpretive elements, such as signs and placards, into public areas and street frontages proposed as part of the Project.
- If full demolition of the building occurs, salvage architectural elements from the building, including hardware, doors, paneling, fixtures, and equipment, and incorporate these elements into new construction; and
- Curate all materials, notes, and reports at the OHR, and submit copies to the NWIC.

Even with extensive documentation, however, the demolition of the building or portions of the building would result in the loss of a historic resource that is associated with significant historical events and is an example of outstanding design and function.

Therefore, the demolition or partial demolition of the building would remain a significant and unavoidable impact. (SU)

Page 225 is revised to delete the following sentence which was included inadvertently:

~~However, if it is not feasible to minimize material impairment of the resource, then the impact would remain significant and unavoidable. (SU)~~

Pages 226 and 227 of the Draft EIR are revised as shown below:

Impacts to Historic Districts. ~~The~~ Because the 19th and San Pablo Commercial District is not currently designated as a Preservation District, it is currently not considered a historical resource under CEQA. For the purposes of CEQA ~~Thus, according to the significance criteria utilized by the City of Oakland, the proposed Project will~~ not ~~would~~ not cause a significant adverse impact to the 19th and San Pablo Commercial District.

~~However, for the purposes of CEQA, to account for the possibility of this District being elevated to Preservation District status and to provide the most an extra conservative analysis, the following impact assessment treats the 19th and San Pablo Commercial District could be impacted by the proposed Project if: 1) the district is as if it had been elevated to Preservation District status (a type of Designated Historic Property); and 2) the four PDHPs identified in Impact HIST-5 are demolished. However, this impact would be less than significant because the remaining majority of contributing properties would still retain enough of the district's character-defining elements to convey its historical significance. Buildings remaining after Project implementation will include the Hotel Arcade, the Hanifin Block, and the Dalziel Block. These remaining buildings include all of the district's primary contributors (the Hotel Royal, Hotel Arcade, and the Hanifin Block), which will continue to retain the district's major character-defining elements that reflect turn-of-the-century commercial development in Oakland. These buildings represent styles that include Italianate, Beaux Arts-derived, and Classical Revival. They maintain the grandness of scale and ornamentation that characterize what the OCHS described as the "visually distinctive/turn-of-the-century commercial district." The retention of these distinctive buildings allows the district to continue to convey the historical significance of late 19th, early 20th-century commerce in Oakland., which would qualify contributing or potentially-contributing properties within such a district as historical resources under CEQA.~~¹¹

Impact HIST-7: Project demolition and construction could adversely impact the setting of the 19th and San Pablo Commercial District. (SLTS)¹²

¹¹ Elevation of the 19th and San Pablo Commercial District to Preservation District status is a discretionary measure that could only occur after a number of actions are complete, including nomination of the District by a qualified individual or land owner, as well as approval by the Planning Commission and City Council. Even so, attainment of Preservation District status would not prohibit the demolition of contributing structures within the District.

¹² This change in the designated significance of the impact does not affect the findings or analysis contained in the Draft EIR. This revision was made to correct a text error in the Draft EIR. The discussion following this designation in the Draft EIR clearly indicated that Impact HIST-7 was less-than-significant.

If For the purposes of CEQA, the 19th and San Pablo Commercial District receives a Preservation District designation, the Project may result in a significant impact to the district's setting. However, OCHS documentation indicates that the district's integrity of setting has been diminished by surrounding uses that "differ in use and visual coherence" from the district's contributing buildings. Therefore, the Project's effects on the setting of the 19th and San Pablo Commercial District would not significantly impair the district's integrity could be adversely impacted by the proposed Project if: 1) the district is elevated to Preservation District status (a type of Designated Historic Property); and 2) the three contributing PDHPs located at 1958-60 San Pablo Avenue, 1966-68 San Pablo Avenue, and 1972 San Pablo Avenue as identified in Impact HIST-6 are demolished. However, this project-level impact would not be considered significant as it would only result in the demolition of three of the District's eight contributing buildings and the remaining contributing buildings would still retain enough of the District's character-defining elements to convey its historical significance. Buildings remaining after Project implementation would include the Hotel Arcade, the Hanifin Block, and the Dalziel Block. These remaining buildings, which are located on blocks outside of the Project area, include all of the District's primary contributors (the Hotel Royal, Hotel Arcade, and the Hanifin Block). These primary contributors will continue to retain the District's major character-defining elements that reflect turn-of-the-century commercial development in Oakland. These buildings represent styles that include Italianate, Beaux Arts-derived, and Classical Revival. They maintain the grandness of scale and ornamentation that characterize what the OCHS described as the "visually distinctive/turn-of-the-century commercial district." The three contributing PDHPs within the project site are less character-defining than the other contributing buildings within the District. The retention of the remaining distinctive buildings would allow the District to continue to convey the historical significance of late 19th, early 20th century commerce in Oakland. Thus the project's impact to this District would be considered less-than-significant and not require any mitigation.

Mitigation Measure HIST-7: No mitigation measure is necessary to address this the less-than-significant impact. (LTS)

Impact HIST-8: Project demolition and construction could result in a significant cumulative impact on the 19th and San Pablo Commercial District. (S)

The demolition of the ~~four PDHPs~~ three PDHPs located at 1958-60 San Pablo Avenue, 1966-68 San Pablo Avenue, and 1972 San Pablo Avenue identified in Impact HIST-~~5~~ 6 may result in a significant cumulative impact when considered with ~~other projects that causing related impacts~~ the Thomas L. Berkley Square project. The Thomas L. Berkley Square Project, located across Thomas L. Berkley Way (20th Street) from Project Block #1, proposes the demolition of two contributing properties of the 19th and San Pablo Commercial District (the Hotel Royal Building and the California Peanut Company Building). The impact of the Uptown Mixed-Use Project, while ~~incremental~~ less than significant when considered alone, will contribute to a cumulatively significant impact when considered with the impacts of the Thomas L. Berkley Square Project. If both projects are implemented as proposed, ~~six~~ five of ~~nine~~ eight contributing buildings (63%) of the 19th and San Pablo Commercial District will be demolished. This would result in a significant, ~~unavoidable~~ cumulative impact to the 19th and San Pablo Commercial.

Implementation of the following mitigation measure, which involves preserving the PDHPs that contribute to the 19th and San Pablo Commercial District, if it determined to be feasible would avoid the Project's cumulative adverse impact to the District.

Mitigation Measure HIST-8a: If feasible, the three PDHPs that contribute to the 19th and San Pablo Commercial District (located at 1958-60 San Pablo Avenue, 1966-68 San Pablo Avenue, and 1972 San Pablo Avenue) shall be preserved in their existing condition or rehabilitated and incorporated into the proposed Project. Any modifications to the exterior of the buildings that may be proposed as part of their rehabilitation shall be developed in consultation with the Planning Department and a qualified historic preservation architect to determine an appropriate treatment strategy that preserves the important historic qualities of the structures. (LTS)

The implementation of Mitigation Measure HIST-8a would reduce the cumulative loss of contributing district buildings from 5 out of 8 (63%), to 2 out of 8 (25%). The Project sponsor and the City are in the process of determining whether or not it is feasible to preserve these buildings. If the City makes a determination that it is not feasible to preserve these buildings, the buildings may be demolished as part of the proposed project and a significant unavoidable impact would result.

Mitigation Measure HIST-8b: If the City determines that preservation of the three PDHPs that contribute to the 19th and San Pablo Commercial District (located at 1958-60 San Pablo Avenue, 1966-68 San Pablo Avenue, and 1972 San Pablo Avenue) is not feasible, the City shall inform the applicant for the Thomas L. Berkley Square Project of the potential cumulative impact prior to the implementation of the Uptown Mixed-Use Project. The City shall consult with both project applicants to establish a fair division of responsibility to fund mitigation measures to preserve information about the 19th and San Pablo Commercial District for future study. These mitigation measures shall include the following:

- Record the 19th and San Pablo Commercial District in accordance with the procedures of HABS through measured drawings, written histories, and large-format photographs;
- Prepare a history of the 19th and San Pablo Commercial District that incorporates oral history, documentary research, and architectural information; this history could utilize non-written media and production techniques, including video photography;
- Prepare a brochure, regarding the district's historical association with turn-of-the-century Oakland commerce, to be made available at local libraries and museums;
- Salvage architectural elements from the buildings proposed for demolition, including hardware, doors, paneling, fixtures, and equipment, and incorporate these elements into new construction; and
- Curate all materials, notes, and reports at the OHR, and submit copies to the NWIC.

Even with extensive documentation, however, a cumulative impact will result from the demolition of ~~66~~ 63 percent of the 19th and San Pablo Commercial District's contributing buildings. This loss of contributing buildings will materially affect the district's ability to convey its historical significance, which will result in a significant, unavoidable cumulative impact. (SU)

Page 227 is revised as follows:

Mitigation Measure HIST-9: No mitigation measure is necessary to address this ~~the~~ less-than-significant impact. (LTS)

Page 228 is revised as follows:

Mitigation Measure HIST-10: No mitigation measure is necessary to address this ~~the~~ less-than-significant impact. (LTS)

