

EXHIBIT 2-A
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE KAISER PERMANENTE OMC MASTER PLAN PROJECT

Environmental Impact	Mitigation Measures or Standard Conditions	Monitoring Responsibility	Implementation and Monitoring Timeline
B. Transportation, Circulation and Parking			
<p>B.1a: (Near-Term 2010) The LOS F conditions at the signalized intersection of Broadway / 51st Street / Pleasant Valley Avenue (#3), which would prevail during the PM peak hour under 2010 baseline conditions, would worsen with the addition of traffic generated by the project. The project-generated increases in vehicle delay on a critical movement would exceed the two-second threshold of significance.</p>	<p>Mitigation B.1a:</p> <ul style="list-style-type: none"> • Change signal cycle length to 120 seconds and optimize traffic signal timing at the Broadway / 51st Street / Pleasant Valley Avenue intersection during the PM peak hour. Optimization of traffic signal timing shall include determination of green time allocation for each intersection approach relative to the approach traffic volumes, and coordination with signal phasing and timing of adjacent intersections. <p>To ensure that signal timing optimization occurs, the project applicant shall pay for this measure.</p> <ul style="list-style-type: none"> • The City adopts as the Transportation Demand Management (TDM) program the recommendations made in the May 2006 Nelson/Nygaard Consulting Associates report entitled Kaiser Oakland TDM Recommendations (Appendix A to the Final EIR).. As detailed in the TDM Recommendations report, the TDM program: <ul style="list-style-type: none"> a) contains certain TDM goals and specific travel mode-split goals, b) describes the current Kaiser TDM program and their current (Non-Single Occupancy Vehicle (SOV)) mode-split of 23.7% c) provides for mandatory TDM components to maintain, at a minimum, the current Non-SOV mode split of 23.7% into the future, 	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development</p> <p>January 2007</p>

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	<ul style="list-style-type: none"> d) contains goals for future, increased mode split to further achieve the TDM goals and to reduce to the maximum reasonable and feasible extent the significant and unavoidable impacts to air quality and traffic, e) describes mandatory components to be implemented in January 2007 to increase the current mode split, f) contains a menu of additional potential TDM components that may be implemented to further achieve TDM goals, and g) shall be funded, reported, evaluated, monitored, enforced and revised as necessary. Specifically, the effectiveness of the program shall be regularly monitored by Kaiser's TDM coordinator/consultant and the results reported in writing to the City. If determined necessary by the City, the written monitoring reports may be peer reviewed at Kaiser's sole cost and expense. The City may require adjustments/revisions to the TDM program to better achieve the stated TDM goals and Kaiser shall implement said adjustments/revisions. 		
<p>\B.1b: (Near-Term 2010) Traffic generated by the project would cause the eastbound approach at the unsignalized intersection of Broadway / 38th Street (North) (#8) to degrade from LOS D to LOS F during the AM peak hour and LOS C to LOS F during the PM peak hour, would add more than ten vehicles to the intersection, and the peak-hour volumes would meet the Caltrans peak-hour traffic signal</p>	<p>Mitigation B.1b: Project sponsor shall install traffic signals at the unsignalized intersection of Broadway / 38th Street (North). The signals shall have actuated controls with protected left-turn phasing, which would require a separate left-turn arrow. Installation of traffic signals shall include the traffic signal equipment and optimization of signal phasing and timing (i.e., allocation of green time for each intersection approach) in</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development</p>

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warrant.	<p>tune with the relative traffic volumes on those approaches, and coordination with signal phasing and timing of adjacent intersections. Traffic signal equipment shall include pedestrian signal heads (with adequate time for pedestrians to cross the streets). Signal installation shall meet City of Oakland design standards and be subject to review and approval of the City.</p> <p>Prior to the installation of this traffic signal, a complete traffic signal warrant analysis shall be conducted at this location, by the project sponsor, to verify that this location meets MUTCD signal warrants, which include both daily and peak-hour volume, accidents, and pedestrian volumes and be subject to review and approval of the City. The mitigation shall be implemented in conjunction with the West Broadway Garage.</p>		
B.1c: (Near-Term 2010) The signalized intersection of Broadway / West MacArthur Boulevard (#16) would degrade from LOS E to LOS F during the AM peak hour, and LOS D to LOS E during the PM peak hour with the addition of traffic generated by the project.	<p>Mitigation B.1c: Change signal cycle length to 120 seconds and optimize traffic signal timing at the Broadway / West MacArthur Boulevard intersection during both the AM and PM peak hours. Optimization of traffic signal timing shall include determination of green time allocation for each intersection approach relative to the approach traffic volumes, and coordination with signal phasing and timing of adjacent intersections. In addition to the Broadway / West MacArthur Boulevard intersection, signal cycle lengths and phasing would also need to be modified and coordinated at Howe Street / MacArthur Boulevard, Broadway / Piedmont Avenue, and Broadway / Hawthorne Avenue and Brook Street intersections. To ensure that signal timing optimization occurs, the project applicant shall pay for this measure.</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development</p>
B.1d: (Near-Term 2010) The LOS F conditions at the signalized intersection of Piedmont Avenue/West MacArthur Boulevard (#18), which would prevail during the AM peak hour under 2010 baseline conditions, would worsen with the addition of traffic generated by the project. The	<p>Mitigation B.1d: Modify the signal at the Piedmont Avenue / West MacArthur Boulevard intersection to provide simultaneous protected left-turn phasing for the northbound and southbound approaches, and change signal cycle length to 120 seconds and optimize traffic</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 2 development</p>

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<p>project-generated increases in vehicle delay on a critical movement would exceed the two-second threshold of significance.</p>	<p>signal timing during the AM peak hour. Optimization of traffic signal timing shall include determination of green time allocation for each intersection approach relative to the approach traffic volumes, and coordination with signal phasing and timing of adjacent intersections. To ensure that signal timing optimization occurs, the project applicant shall pay for this measure.</p>		
<p>B.1e: (Near-Term 2010) The westbound approach at the proposed-created unsignalized intersection of Broadway / Main Hospital Entrance (#29) would operate at LOS E during the AM peak hour and LOS F during the PM peak hour, the project would add more than ten vehicles to the intersection, and the peak-hour volumes would meet the Caltrans peak-hour traffic signal warrant.</p>	<p>Mitigation B.1e: Project sponsor shall install traffic signals at the unsignalized intersection of Broadway / Main Hospital Entrance. The signals shall have actuated controls with protected left-turn phasing, which would require a separate left-turn arrow. Installation of traffic signals shall include the traffic signal equipment and optimization of signal phasing and timing (i.e., allocation of green time for each intersection approach) in tune with the relative traffic volumes on those approaches, and coordination with signal phasing and timing of adjacent intersections. Traffic signal equipment shall include pedestrian signal heads (with adequate time for pedestrians to cross the streets). Signal installation shall be subject to City review and approval and meet City of Oakland design standards.</p> <p>Prior to the installation of this traffic signal, a complete traffic signal warrant analysis shall be conducted at this location, by the project sponsor, to verify that this location meets MUTCD signal warrants, which include both daily and peak-hour volume, accidents, and pedestrian volumes and be subject to review and approval of the City.. The mitigation shall be implemented in conjunction with the occupancy of the Replacement Hospital or M/B Garage.</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 2 development</p>
<p>B.2a: (2025 Conditions – Project) The LOS F conditions at the signalized intersection of Broadway / 51st Street / Pleasant Valley Avenue (#3), which would prevail during the PM peak hour under 2010 baseline conditions, would worsen with the addition of traffic</p>	<p>Mitigation B.2a:</p> <ul style="list-style-type: none"> • Same as B.1.a 	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development (Same as B.1a)</p>

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<p>generated by the project. The project-generated increases in vehicle delay on a critical movement would exceed the two-second threshold of significance.</p>			
<p>B.2b: (2025 Conditions – Project) The LOS E conditions at the signalized intersection of Broadway / West MacArthur Boulevard (#16) would continue during the PM peak hour. The project-generated increases in vehicle delay on a critical movement would exceed the six-second threshold of significance.</p>	<p>Mitigation B.2b:</p> <ul style="list-style-type: none"> • Same as B.1.c • Same as B.1.a 	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development (Same as B.1c and a)</p>
<p>B.2c: The signalized intersection of Broadway and Hawthorne Avenue / Brook Street (#25) would degrade from LOS D to LOS E during the PM peak hour with the addition of traffic generated by the project.</p>	<p>Mitigation B.2c: Optimize the traffic signal timing for the PM peak period at the signalized intersection of Broadway and Hawthorne Avenue / Brook Street. Optimization of traffic signal timing shall include determination of allocation of green time for each intersection approach in tune with the relative traffic volumes on those approaches, and coordination with signal phasing and timing of adjacent intersections. To ensure that signal timing optimization occurs, the project applicant shall pay for this measure.</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development</p>
<p>B.3a: (2025 Cumulative) Traffic generated by the project would contribute more than five percent of the cumulative traffic increases at the signalized intersection of Broadway / 51st Street / Pleasant Valley Avenue (#3) during the AM and PM peak hours, as measured by the difference between existing and cumulative (with project) conditions.</p>	<p>Mitigation B.3a:</p> <ul style="list-style-type: none"> • Same as B.1.a. 	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development (Same as B.1a)</p>
<p>B.3b: (2025 Cumulative) Traffic generated by the project would contribute at least five percent of the cumulative traffic increases at the unsignalized intersection of Shafter Avenue / West MacArthur Boulevard (#14) during the AM peak hour, as measured by the difference between existing and cumulative (with project) conditions.</p>	<p>Mitigation B.3b: Project sponsor shall extend the existing median on MacArthur Boulevard at the intersection of Shafter Avenue / West MacArthur Boulevard to eliminate left turns out and left turns into Shafter Avenue, subject to review and approval by the City.</p>	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to occupancy of Phase 1 development</p>
<p>3c: (2025 Cumulative) Traffic generated by the project would contribute at least five percent of</p>	<p>Mitigation B.3c: Project sponsor shall extend the existing median on MacArthur Boulevard at</p>	<p>City of Oakland, CEDA, Planning and</p>	<p>Prior to occupancy of Phase 1</p>

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the cumulative traffic increases at the unsignalized intersection of Manila Avenue / West MacArthur Boulevard (#15) during the AM peak hour, as measured by the difference between existing and cumulative (with project) conditions.	the intersection of Manila Avenue / West MacArthur Boulevard to eliminate left turns out and left turns into Manila Avenue, subject to review and approval by the City..	Zoning Division; Public Works Agency, Traffic Engineering Section	development
B.3d: (2025 Cumulative) Traffic generated by the project would contribute more than five percent of the cumulative traffic increases at the signalized intersection of Broadway / West MacArthur Boulevard (#16) during the AM and PM peak hours, as measured by the difference between existing and cumulative (with project) conditions.	Mitigation B.3d: <ul style="list-style-type: none"> • Same as B.1.c 	City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section	Prior to occupancy of Phase 1 development (Same as B.1c)
B.3e: : (2025 Cumulative) Traffic generated by the project would contribute more than five percent of the cumulative traffic increases at the signalized intersection of Broadway / Hawthorne Avenue / Brook Street (#29) during the PM peak hour, as measured by the difference between existing and cumulative (with project) conditions.	Mitigation B.3e: Implement Measure B.2c (optimize traffic signal timing).	City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section	Prior to occupancy of Phase 1 development (Same as B.2c)
B.7: The project would increase the potential for conflicts among different traffic streams.	Mitigation B.7a: If the City selects Broadway Design Alternative A (West Broadway Garage driveway on Broadway would be unsignalized and left-turns out of the driveway would be prohibited), provide an unsignalized striped cross-walk just north of the West Broadway Garage driveway, with bulb-outs on both sides Broadway and a median with minimum landscaping. Mitigation B.7b: If the City selects Broadway Design Alternative B (West Broadway garage driveway on Broadway would be signalized and all vehicle movements would be allowed at the intersection), provide a signalized crosswalk across Broadway at the signalized Broadway / West Broadway Garage driveway intersection. Mitigation B.7c: If the City selects Broadway Design Alternative C (Broadway would have a continuous median adjacent to the West	City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section	Prior to occupancy of Phase 1 development

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	<p>Broadway Garage and movement at the West Broadway Garage driveway would be limited to right-in/right-out only), construct a barrier on the median of Broadway between 38th Street and MacArthur Boulevard.</p> <p>The project sponsor shall fund or implement the City selected alternative.</p>		
	<p>Mitigation B.7d: To the extent possible, driveways shall be designed to maximize the visibility of both pedestrians and vehicles.</p>	City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section	Prior to issuance of permits for each parking facility
	<p>Mitigation B.7e: To the extent possible, driveways shall be designed to minimize vehicle speeds.</p>		
	<p>Mitigation B.7f: If driveway intersections are signalized, then pedestrian signal heads and appropriate crossing times shall be provided for pedestrians crossing the driveway, subject to City review and approval.</p>		
	<p>Mitigation B.7g: If driveway intersections are not signalized and exiting vehicles do not have adequate sight distance, then an audio and/or visual warning system shall be installed to warn pedestrians when vehicles are exiting the garage, subject to City review and approval.</p>		
	<p>Mitigation B.7h: To the extent possible, large truck deliveries (60-foot trucks) should not be scheduled between 7:00 to 9:00 AM and 4:00 to 6:00 PM.</p>	City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section	Prior to occupancy of Phase 2 development
	<p>Mitigation B.7i: Turning right from southbound Piedmont Avenue into the loading dock driveway, and turning left from the loading dock driveway into northbound Piedmont Avenue shall be prohibited for large trucks.</p>		
	<p>Mitigation B.7j: Truck routes shall be established so that larger trucks accessing the site would turn into the loading driveway from northbound</p>		

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<p>B.10: Project construction would temporarily affect traffic flow and circulation, parking, and pedestrian safety.</p>	<p>Piedmont Avenue and trucks leaving the loading driveway would turn onto southbound Piedmont Avenue.</p> <p>Condition B.10: Prior to the issuance of each demolition, grading or building permit, the project applicant and construction contractor shall meet with the Traffic Engineering and Parking Division of the Oakland Public Works Agency and other appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the City Traffic Engineering Division. The plan shall include at least the following items and requirements:</p> <ul style="list-style-type: none"> • A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. • Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur. • Location of construction staging areas for materials, equipment, and vehicles (must be located on the project site). • Identification of haul routes for movement of construction vehicles that would minimize impacts on vehicular and pedestrian traffic, circulation and safety; and provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks 	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Traffic Engineering Section</p>	<p>Prior to issuance of each demolition, grading or building permit for each phase</p>

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	<p>can be identified and corrected by the project applicant.</p> <ul style="list-style-type: none"> • Temporary construction fences to contain debris and material and to secure the site. • Provisions for removal of trash generated by project construction activity. • A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. • Provisions for monitoring surface streets used for truck routes so that any damage and debris attributable to the trucks can be identified and corrected. Subject to City review and approval, Kaiser shall fund a study that assess the pre and post-project condition of public streets to be used for construction trucks/vehicles/equipment routes, and shall correct any damage or loss of expected life to the public streets. • Subject to City review and approval, prior to start of construction, a construction worker transportation demand management (TDM) program shall be implemented to require that construction workers carpool or use alternative transportation modes in order to reduce the overall number of vehicle trips associated with construction workers. The Sears parking garage, located at Telegraph Avenue and 27th Street, with access from 27th Street, was recently acquired by Kaiser to provide construction worker parking. This garage has a capacity of about 560 striped parking spaces, with the potential to provide a minimum of 120 additional spaces with stacked, or valet parking, for a total of 680 parking spaces. Shuttles would transport workers between the parking garage and construction site. As part of their construction worker TDM 		

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	<p>program, Kaiser shall create a monitoring program to ensure that construction workers are indeed parking in the Sears Garage and not in the surrounding neighborhood. The monitoring program shall be subject to review and approval by the City and shall identify appropriate documentation methods and corrective actions as may be necessary.</p> <ul style="list-style-type: none"> • A detailed analysis of the parking layout of the Sears Garage shall be performed to maximize parking use at this location. 		
<p>C. Air Quality and Meteorological Conditions C.1: 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>Condition C.1a: If asbestos were found to be present in building materials to be removed, demolition and disposal would be required to be conducted in accordance with procedures specified by Regulation 11, Rule 2 (Asbestos Demolition, Renovation and Manufacturing) of BAAQMD's regulations.</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Throughout all demolition, grading and construction activities.</p>
	<p>Condition C.1b: During construction, the project sponsor shall require the construction contractor to implement the following measures required as part of BAAQMD's basic and enhanced dust control procedures required for sites larger than four acres. These include:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). 	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Throughout all demolition, grading and construction activities.</p>

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	<ul style="list-style-type: none"> • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. • Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites. • Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads. • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more). • Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). • Limit traffic speeds on unpaved roads to 15 miles per hour. • Limit the amount of the disturbed area at any one time, where feasible. • Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. • Replant vegetation in disturbed areas as quickly as feasible. • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph. • Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their 		

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	<p>duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the BAAQMD prior to the start of construction as well as posted on-site over the duration of construction.</p> <ul style="list-style-type: none"> • Wash off the tires or tracks of all trucks and equipment leaving any unpaved construction areas. • Install appropriate wind breaks at the construction site to minimize wind blown dust. • Demonstrate compliance with BAAQMD Regulation 2, Rule 1 (General Requirements) for all portable construction equipment subject to that rule. BAAQMD Regulation 2, Rule 1, requires an authority to construct and permit to operate certain types of portable equipment used for construction purposes (e.g., gasoline or diesel-powered engines used in conjunction with power generation, pumps, compressors, and cranes) unless such equipment complies with all applicable requirements of the "CAPCOA" Portable Equipment Registration Rule" or with all applicable requirements of the Statewide Portable Equipment Registration Program. This exemption is provided in BAAQMD Rule 2-1-105. • Perform low- NOx tune-ups on all diesel-powered construction equipment greater than 50 horsepower (no more than 30 days prior to the start of use of that equipment). Periodic tune-ups (every 90 days) should be performed for such equipment used continuously during the construction period. 		

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C.2: The project would result in increased long-term emissions of criteria pollutants from vehicular traffic to and from the project site and from the operation of the Central Utility Plant. The increase in emissions would exceed Bay Area Air Quality Management District significance criteria for daily emissions of PM-10.	Mitigation C.2: As required by Mitigation Measures B.1a, B.2a and B.2b to address intersection impacts (Impacts B.1 and B.2), Kaiser shall prepare and demonstrate full funding of a Transportation Demand Management (TDM) program (See Mitigation B.1.a)	City of Oakland, CEDA, Planning and Zoning Division	<i>See below.</i>
C.5: The proposed project together with anticipated future development in the area, could result in long-term traffic increases and could cumulatively increase regional air pollutant emissions and conflict with or obstruct implementation of the Bay Area Clean Air Plan.	Same as Mitigation C.2.	City of Oakland, CEDA, Planning and Zoning Division	Same as Mitigation C.2.
D. Noise D.1: Construction activities would intermittently and temporarily generate noise levels above existing ambient levels in the project vicinity.	Standard Condition D.1a: The project sponsor shall require construction contractors to limit standard construction activities as required by the City Building Department. a) Such activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, with extreme noise generating activities greater than 90 dBA limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday. Pile driving shall not be permitted but pile/pier drilling shall be permitted. • Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a survey of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened	City of Oakland, CEDA, Building Services Division	Ongoing throughout all demolition, grading and construction activities.

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	<p>and such construction activities shall only be allowed with the prior authorization of the Building Services Division.</p> <p>b) Construction activity shall not occur on Saturdays, with the following possible exceptions:</p> <ul style="list-style-type: none"> • Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a survey of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior authorization of the Building Services Division. • After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed. <p>c) No extreme noise generating activities shall be allowed on Saturdays, with no exceptions.</p> <p>d) No construction activity shall take place on Sundays or Federal holidays.</p> <p>For clarification, construction activities include but are not limited to: tuck idling, moving equipment (including trucks, elevators, etc) or materials, deliveries, and construction meetings held on-site in a non-enclosed area</p> <p>Standard Condition D.1b: To reduce daytime noise impacts due to construction, the project</p>	<p>City of Oakland, CEDA, Building</p>	<p>Ongoing throughout all demolition,</p>

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	<p>completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the City to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> • Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; • Implement “quiet” pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; • Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; • Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and • Monitor the effectiveness of noise attenuation measures by taking noise measurements. <p>Condition D.1d: Prior to the issuance of each building permit, along with the submission of construction documents, the project sponsor shall submit to the City Building Department a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:</p> <ul style="list-style-type: none"> • A procedure for notifying the City Building Division staff and Oakland Police 	<p>City of Oakland, CEDA, Building Services Division</p>	<p>activity. Implementation of Condition D.1c: throughout all demolition, grading and construction activities.</p> <p>Prior to the issuance of each building permit, any pile driving or other extreme noise generating activities on the site, and throughout all demolition, grading and construction</p>

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	<p>Department;</p> <ul style="list-style-type: none"> • A plan for posting signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem; • A listing of telephone numbers (during regular construction hours and off-hours); • The designation of an on-site construction complaint manager for the project; • Notification of neighbors within 300 feet of the project construction area at least 30 days in advance of pile-driving activities about the estimated duration of the activity; and • A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed. 		activities.
	<p>Condition D.1.e: Consistent with Standard Condition D.1b and D.1c and prior to the issuance of each building permit, the project sponsor shall install a sound-rated fence/barrier along the project site property line located closest to any noise-sensitive receiver(s), in accordance with the February 2006 Construction Noise Assessment Report prepared by Charles M. Salter Associates</p>	City of Oakland, CEDA, Building Services Division	Prior to the issuance of each building permit and throughout all demolition, grading and construction activities.
	<p>Standard Condition D.1f: Consistent with Standard Condition D.1b and D.1c and throughout all noise-generating construction activities, the project application shall locate removal areas for demolition debris as far as possible from noise-sensitive receptors, in accordance with the February 2006 Construction Noise Assessment Report prepared by Charles</p>	City of Oakland, CEDA, Building Services Division	Prior to the issuance of each building permit and throughout all demolition, grading and construction activities.

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	M. Salter Associates.		
D.4: Given the measured exterior noise levels in the vicinity of the project site, the interior noise levels within hospital buildings, especially in rooms used for overnight use such as patient wards, could exceed DNL 45 dBA, the interior noise standard for hospitals according to the City of Oakland General Plan Noise Element.	Condition D.4: To comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an interior noise level of less than 45 dBA, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls) shall be incorporated into project building design. Final recommendations for sound-rated assemblies will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phase.	City of Oakland, CEDA, Building Services Division	Prior to the issuance of each building permit and upon final inspection of each building.
E. Cultural Resources			
E.1: Construction of the project could cause substantial adverse changes to the significance of currently unknown cultural resources at the site, potentially including an archaeological resource pursuant to CEQA Guidelines Section 15064.5 or CEQA Section 21083.2(g), or the disturbance of any human remains, including those interred outside of formal cemeteries.	Condition E.1a: Pursuant to CEQA Guidelines 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project sponsor and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate mitigation, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards. In considering any suggested mitigation proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project sponsor shall determine whether avoidance is necessary and feasible in light of factors such as	City of Oakland, CEDA, Building Services Division and Planning and Zoning Division	Throughout all demolition, grading and construction activities.

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	<p>the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is carried out.</p> <p>Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project sponsor and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation, subject to approval by the City of Oakland, which shall assure implementation of appropriate mitigation measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist would recommend appropriate analysis and treatment, and would prepare a report on the findings for submittal to the Northwest Information Center.</p> <p>Condition E.1b: In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Throughout all demolition, grading and construction activities.</p>

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E.2: The project may adversely affect unidentified paleontological resources at the site.	<p>a 50-foot radius of the find until appropriate arrangements are made.</p> <p>If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.</p> <p>Condition E.2: In the event of an unanticipated discovery of a brea true, and/or trace fossil during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in Section 15064.5 of the CEQA Guidelines. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.</p>	City of Oakland, CEDA, Building Services Division and Planning and Zoning Division	Throughout all demolition, grading and construction activities.
E.3: The proposed project would result in the demolition of the building at 3741-47 Broadway	<p>The project sponsor will implement the following measures:</p> <p>Archival Documentation. Kaiser Permanente shall document the building at 3741-47 Broadway prior to its demolition through the use of large-format black and white photography and a brief historical report, meeting the specifications of the Historic American Building Survey (HABS). The historic report should briefly describe the building and its historic</p>	City of Oakland, CEDA, Planning and Zoning Division	Prior to issuance of demolition permit for 3741-47 Broadway.

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<p>E.4b: Increased shadow resulting from construction of the Replacement Hospital and Garage would result in increased shadow that, combined with poor existing soils conditions, may adversely impact six (6) Giant Sequoia Redwoods that contribute to the historic setting of the J. Mora Moss House, a historic resource.</p>	<p>significance to the City of Oakland. The documentary photographs and report would be archived locally at the Oakland History Room (OHR) of the Oakland Public Library along with a copy on archival paper. Digital copies of the photographs would be forwarded to the Oakland Cultural Heritage Survey.</p> <p>- Interpretive Materials: Kaiser Permanente shall prepare interpretive materials as directed by the City, including, but not limited to on-site interpretive signage, brochures, or any combination thereof.</p> <p>Mitigation E.4b.1: Prior to start of Phase 2 construction, the project sponsor shall coordinate with the City Arborist and perform an initial assessment of the six Redwood trees to determine, after the City's consideration of the following possible treatments outlined in the <i>May 22, 2006 Mosswood Park Shading – Tree Shading Impact Report</i> by Stephen Batchelder, specific treatments that would result in the most positive impact on the existing and future health of the Giant Sequoia Redwood trees in poor existing condition and located within the area of new shadow cast by the Replacement Hospital and Garage. Possible Treatments include, but are not limited to, the following, subject to review and determination by the City Arborist:</p> <ol style="list-style-type: none"> 1. Water Audit – A water audit that would provide information on the amount of water being applied to and around the affected trees and the uniformity with which the watering occurs. The water audit would also evaluate soil type and infiltration rate, or consider adjustments to eliminate water spray within 10 to 20 feet from the base of affected trees. 2. Mulch – Create mulch areas around affected trees to reduce soil compaction and restrict mowing equipment in areas where mower damage on the affected trees 	<p>City of Oakland, CEDA, Planning and Zoning Division; Public Works Agency, Tree Division</p>	<p>Prior to start of Phase 2 construction; periodic monitoring per City-approved treatment plan</p>

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	<p>is evident. The mulch will further reduce the need for supplemental irrigation water.</p> <p>3. Soil Amendment – Implement a good-quality compost in the area of affected trees. Limit fertilization to areas where poor conditions are identified through soil and leaf tissue analyses.</p> <p>4. Treatment of Soil Compaction – Possible treatments include, without exclusion:</p> <p>a) Radial Trenching – A method used to mitigate and replace soil inside the tree root protection zone. Soil is removed from trenches that are 8-12 inches wide and 18-36 inches deep. Trenches are excavated in direct lines toward the base of the tree using air spade, hydraulic excavation or hand careful hand excavation. Backfill can be amended soil, structural soil, a mix of sand and compost, or any combination deemed to be appropriate for the situation.</p> <p>b) Vertical Core Venting – A that procedure that creates vertical holes, usually about 2-inches in diameter, that extend down through compacted soil. The holes can be from 18-inches to over 3-feet deep. Holes are spaced from 6-inches to 2-feet depending upon the site soil conditions. Holes are crated with an augur, water jet or using an air spade.</p> <p>c) Water Jet - A procedure that uses high-pressure water and a probe to create air passages in the soil. Primary reason for use is mitigation for compacted soil. Water Jet can be used in conjunction with liquid fertilization only when soil and leaf tissue analysis indicate nutrient</p>		

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	limitation.		
E.5: The proposed project, in combination with cumulative development that would involve demolition of other automobile-related historic resources in Oakland, would not result in cumulative impacts to automobile-related historic resources.	<p>The Project sponsor shall fund the evaluation and implementation of the approved treatment plan and shall pay for periodic monitoring of the effectiveness of the plan and implementation of any necessary revisions to the plan.</p> <p>The project sponsor shall implement the following measures:</p> <p>Kaiser Permanente shall prepare or cause to be prepared a historic context report of Oakland's 1920s-era automobile dealerships in order to document this relatively rare and threatened building type. The context should be prepared by a qualified architectural historian. The context report would be archived locally at the Oakland History Room (OHR) of the Oakland Public Library along with a copy on archival paper. Copies would be forwarded to the Oakland Cultural Heritage Survey.</p>	City of Oakland, CEDA, Planning and Zoning Division	Prior to issuance of demolition permit for 3741-47 Broadway.
<p>F. Geology, Soils, and Seismicity</p> <p>F.1: In the event of an earthquake in the region, seismic groundshaking could potentially injure people and cause collapse or structural damage to existing and proposed hospital structures.</p>	<p>Condition F.1: A site-specific, design level geotechnical investigation for each construction site within the project area (which is typical for any large, phased development project) shall be required as part of this project. Specifically:</p> <ul style="list-style-type: none"> • Each investigation shall include an analysis of expected ground motions at the site from known active faults. The analyses shall be in accordance with applicable City ordinances and policies, OSHPD requirements, and consistent with the most recent version of the California Building Code, which requires structural design that can accommodate ground accelerations expected from known active faults. • The investigations shall determine final design parameters for the walls, foundations, foundation slabs, and 	City of Oakland, CEDA, Building Services Division	Prior to the issuance of each building permit and upon final inspection of each building.

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	<p>surrounding related improvements (utilities, roadways, parking lots and sidewalks).</p> <ul style="list-style-type: none"> • The investigations shall be reviewed and approved by a registered geotechnical engineer. All recommendations by the project engineer, geotechnical engineer, and OSHPD will be included in the final design. • Recommendations that are applicable to foundation design, earthwork, and site preparation that were prepared prior to or during the project design phase, shall be incorporated in the project. • For structures not subject to OSHPD permitting, the final seismic considerations for the site shall be submitted to and approved by the City of Oakland Building Services Division prior to the commencement of the project. 		
<p>F.3: The development proposed as part of the project, when combined with other reasonably foreseeable development in the vicinity, could potentially injure people and cause collapse or structural damage to existing and proposed structures and result in significant cumulative impacts with respect to geology, soils, or seismic conditions.</p>	<p><i>Same as Condition F.1.</i></p>	<p><i>Same as Condition F.1.</i></p>	<p><i>Same as Condition F.1.</i></p>
<p>G. Hydrology and Water Quality</p> <p>G.1: Project construction would involve activities (excavation, soil stockpiling, pier drilling, grading, and dredging, etc.) that would generate loose, erodable soils that, if not properly managed, could violate any water quality standards or waste discharge requirements; result in substantial erosion or siltation; create or constitute substantial polluted runoff; or otherwise substantially degrade water quality.</p>	<p>Standard Condition G.1a: Prior to and during project demolition, grading and construction activities, the project shall comply with all City of Oakland Grading Permit requirements and all NPDES Permit requirements as follows:</p> <p><i>Grading Plan, Erosion and Sedimentation Control Plan, and Drainage Plan</i></p> <p>City of Oakland Municipal Code Chapter 13.16 and Section 15.04.780 require that the project</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division</p>	<p>Prior to the issuance of each demolition and/or grading permit and throughout all construction activities and ongoing. Notice of termination to RWQCB at</p>

¹ Total estimated excavation includes 69,000 cu.yds. for Phase 1 and 38,600 cu.yds. for Phase 2. No excavation is proposed for Phase 3.

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	<p>applicant prepare a grading plan for the proposed project. Because during project construction the volume of the excavated fill material would exceed 50 cubic yards (estimated maximum 107,600¹ cu.yds. proposed) and involve depths of excavation that exceed five feet (estimated approximately 30 feet proposed) and involve pier drilling to a maximum dept of 70 feet, the project sponsor must prepare a grading plan, erosion and sedimentation control plan, and drainage plan.</p> <ul style="list-style-type: none"> • The required grading plan shall include drainage, erosion, and sediment control measures and incorporate construction BMPs to prevent pollutants from entering the storm sewer to the maximum extent practicable. • The grading plan shall discuss existing, temporary, and final drainage facilities. Erosion and sediment control must combine interim and permanent measures to minimize erosion, stormwater runoff, and sedimentation. Such measures, at a minimum, shall include provision of filter materials at the catch basin to prevent debris or dirt from flowing into the storm drain system. According to the City Public Works Agency, such filter materials shall be applied to batch basins within private areas. As proposed by the project, filter protection at catch basins and inlets will include filter fabric covering the grates, straw bales or wattles circling the inlet, or some combination of these and/or other measures. • The plan shall specify that, after construction is complete, the sponsor shall ensure that the storm drain system shall be inspected and that the sponsor shall clear the system of any debris or 		completion of construction activities.

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	<p style="text-align: center;">sediment.</p> <ul style="list-style-type: none"> • Preparation and implementation of the grading plan would include preparation of the construction stormwater pollution prevention plan (SWPPP) (discussed below). <p><i>NPDES Permit and Construction Stormwater Pollution Prevention Plan (SWPPP)</i></p> <p>The project sponsor shall apply for and comply with all requirements of the ACCWP NPDES General Construction Permit. As required by the permit:</p> <ul style="list-style-type: none"> • The sponsor shall prepare a SWPPP in coordination with a project's grading plan. The SWPPP shall describe erosion and sedimentation control measures as recommended in the California Stormwater Best Management Practice Handbook (Stormwater Quality Task Force, 2003). • The project sponsor shall prepare the SWPPP and submit a notice of intent to the RWQCB prior to construction activities, as required by the RWQCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. • At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; best management practices (BMPs), and inspection and monitoring program. • After construction is completed, the 		

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	<p>project sponsor shall submit a notice of termination to the RWQCB.</p> <p>Condition G.1b: Prior to and during project demolition, grading and construction activities, the project shall comply with all Creek Protection Permit requirements and practices as follows:</p> <p><i>Creek Protection Permit</i></p> <ul style="list-style-type: none"> • Project construction would occur within approximately 17 feet of the Glen Echo Creek centerline (at the closest point) and would involve construction activities in proximity to Glen Echo Creek, including creek bank repair and stabilization, and creek bank shoring to prevent bank failure (discussed also under Biological Resources Impact I.1, impacts on jurisdictional waters of the U.S.). Therefore, the project sponsor is required to obtain and comply with all requirements of a City of Oakland Category 4 Creek Protection Permit. • Consistent with the Category 4 Creek Protection Permit requirements outlined in the City's Guide to Oakland's Creek Ordinance, the project sponsor has prepared and submitted the following for review and approval by the City: <ul style="list-style-type: none"> a) Creek Protection Plan prepared by the project owner, an architect, engineer, or contractor, that describes proposed protection measure for the creek, creek banks, riparian vegetation, wildlife, surrounding habitat, and the creek's natural appearance during and after construction; b) Hydrology Report prepared by a licensed engineer with creek hydrology expertise, that shall at a minimum specify the quantity and quality of pre-and post-work creek 	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division</p>	<p>Prior to the issuance of each demolition and/or grading permit and throughout all construction activities and ongoing.</p>

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	flows; and c) Creek Restoration Plan (see Standard Condition I.1b)		
	Condition G.1c: For demolition and construction activities adjacent to Glen Echo Creek during the wet season (generally October 15th to April 15th), the project sponsor shall design for City review and approval, and implement a temporary bypass culvert for Glen Echo Creek. The bypass culvert shall involve rerouting rain water leaders to prevent direct drainage to the creek, which would ensure water quality and control erosion and sedimentation, consistent with the General NPDES Permit for Construction Activities (Standard Condition G.1a). The bypass culvert shall be removed immediately after completion of construction activities.	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division	Prior to the issuance of each demolition and/or grading permit and throughout all construction activities and ongoing.
G.4: The project would not result in a net increase in impervious surfaces and would not cause an increase in the volume of project-related stormwater runoff. The project would not violate any waste discharge requirements that would create substantial runoff and result in substantial flooding onsite or offsite. Nor would the project exceed the capacity of the stormwater drainage system.	Condition G.4a: The project sponsor shall implement site design/landscape characteristics as feasible, which maximize infiltration (where appropriate), provide retention or detention, slow runoff, and minimize impervious land coverage, so that post-development pollutant loads from the site have been reduced to maximum extent possible. Where feasible, the project shall introduce measures to help reduce the rate and volume of stormwater runoff.	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division	Prior to approval of final site plan and landscape plan.
	Condition G.4b: For the proposed project, which will discharge directly to water bodies listed as impaired (under section 303(d) of CWA), ensure that post-project runoff does not exceed pre-project levels for such pollutants through implementation of the control measures addressed in the C.3 provision, to the maximum extent practicable.	City of Oakland, CEDA, Building Services Division; Planning and Zoning Division	Upon final inspection of each development Phase.
H. Public Health and Safety			
H.1: Demolition or renovation of existing structures that contain hazardous building materials, such as lead-based paint, asbestos, and PCBs could expose workers, the public, or	Condition H.1a: Future demolition or renovation activities shall require the project sponsor to prepare an assessment for the potential presence of lead-based paint or coatings,	City of Oakland, CEDA, Building Services Division	Prior to the issuance of each demolition permit and throughout all

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	<p>a high efficiency particulate air (HEPA) filter.</p> <ul style="list-style-type: none"> • Collect, segregate, and profile waste for disposal determination. • Properly dispose of all waste. <p>Condition H.1d: If the assessment required by Standard Condition H.1a finds presence of asbestos, the project sponsor shall ensure that asbestos abatement shall be conducted prior to building demolition or renovation.</p> <p>Condition H.1e: If the assessment required by Standard Condition H.1a finds presence of PCBs, the project sponsor shall ensure that PCB abatement shall be conducted prior to building demolition or renovation.</p>		
H.2: Implementation of the project would disturb soil and groundwater impacted by historic hazardous material use, which could expose construction workers, the public, or the environment to adverse conditions related to hazardous materials handling.	<p>Standard Condition H.2a: The project applicant shall ensure that environmental assessment and remediation would either be performed under the oversight of the ACDEH or other agencies, (e.g. RWQCB and DTSC) or be conducted by qualified professionals with experience in soil and groundwater contamination remediation. In cases where regulatory involvement is not necessary, soil and groundwater removal and disposal would still occur to mitigate the potential hazards that could result from removal of soil and/or groundwater during construction.</p> <p>Standard Condition H.2b: To reduce environmental risks associated with encountering contaminated soil that is discovered during grading and construction, the project applicant shall ensure that impacted soil is handled in accordance with Kaiser's Soil Management Plan, which shall be prepared to outline required procedures for handling and disposing impacted soil. All disposal and transportation of contaminated soil shall be done in accordance with state and federal agencies and under federal (RCRA) and state laws. All contaminated soil determined to be hazardous</p>	<p>City of Oakland, CEDA, Building Services Division</p> <p>City of Oakland, CEDA, Building Services Division</p>	<p>Prior to the issuance of each demolition, grading and/or building permit and throughout all construction</p> <p>Prior to the issuance of each demolition, grading and/or building permit and throughout all construction</p>

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	<p>or non-hazardous waste must be adequately profiled for acceptable disposal before it can be removed from the site.</p> <p>Standard Condition H.2c: Groundwater pumped from the subsurface would be contained onsite prior to treatment and disposal to ensure environmental and health issues are resolved pursuant to oversight agencies (Refer to Impact G.2). Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building..</p>	<p>City of Oakland, CEDA, Building Services Division</p>	<p>Prior to the issuance of each demolition, grading and/or building permit and throughout all construction</p>
<p>I. Biological Resources / Wetlands</p> <p>I.1: Within the vicinity of Glen Echo Creek, demolition of existing structures and construction on Site 7 in Phase 1 (West Broadway MSB and parking structure) could result in impacts to potentially jurisdictional wetlands or waters of the U.S. under the jurisdiction of the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act and waters of the state under the jurisdiction of the State Regional Water Quality Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) under Section 401 of the Clean Water Act and Porter-Cologne Act. This disturbance would affect both areas classified as wetland and channels that are considered "other waters of the U.S." No formal wetland delineation was conducted, however, Glen Echo Creek would be considered a Water of U.S. and fall under regulatory jurisdiction of the agencies identified above.</p>	<p>Condition I.1a: Prior to construction within the vicinity of Glen Echo Creek, the project sponsor shall obtain the necessary regulatory permits and authorizations from the Corps, RWQCB, CDFG and the City of Oakland, and. shall comply with all conditions issued by applicable agencies. Required permit approvals and certifications shall include, but not be limited to the following:</p> <ul style="list-style-type: none"> • U.S. Army Corps of Engineers (Corps): Section 404. Permit approval from the Corps shall be obtained for the placement of dredge or fill material in waters of the U.S., if any, within the interior of the project site, pursuant to Section 404 of the federal Clean Water Act. • Regional Water Quality Control Board (RWQCB): Section 401 Water Quality Certification. Certification that the project will not violate state water quality standards is required before the Corps can issue a 404 permit, above. • California Department of Fish and Game (CDFG): Section 1602 Lake and Streambed Alteration Agreement. Work that will alter the bed or bank of a stream 	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division</p>	<p>Prior to issuance of a any demolition, grading and/or building permit for Phase 1.</p>

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	<p>requires authorization from CDFG.</p> <ul style="list-style-type: none"> • City of Oakland: Creek Protection Permit. Work within 20 feet of the center line of a creek within the City of Oakland requires a Category 4 Creek Protection Permit. As detailed in Standard Condition G.1a, information to be included in the City's permit application includes a Creek Restoration Plan and hydrologic analysis (per Mitigation Measure I.1b). 		
	<p>Standard Condition I.1b : The project sponsor shall prepare for review and approval by all applicable review and permitting agencies, a Restoration and Mitigation Plan (RMP) that shall outline specific measures to restore the daylighted portion of Glen Echo Creek. Specific measures proposed by the project and included in the RMP include, but would not necessarily be limited to, the following:</p> <ul style="list-style-type: none"> • Upon completion of construction of the West Broadway parking garage in Phase 1 (Site 7), the eastern bank of Glen Echo Creek shall be regraded and recontoured to maximum 2:1 slope. • Native riparian vegetation shall be planted to provide bank stabilization and to restore the daylighted reach of the creek and to provide riparian habitat. The RMP shall outline what species of native plants shall be planted. • Plantings shall include trees and understory that are native to the area and that provide both bank stabilization and riparian habitat. • Monitoring of the restored areas shall continue for a period of five years after implementation of the restoration 	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division</p>	<p>Upon completion of construction of the West Broadway parking garage in Phase 1 (Site 7). Monitoring of the restored areas shall continue for a period of five years after implementation of the restoration planting. The project sponsor or qualified designees shall prepare and submit annual monitoring reports to the Corps, RWQCB, CDFG, and City of Oakland.</p>

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	<p>planting. The project sponsor or qualified designees shall prepare and submit annual monitoring reports to the Corps, RWQCB, CDFG, and City of Oakland. The RMP shall outline monitoring methods and success criteria for each of the monitoring years and at the end of the five-year monitoring period.</p> <ul style="list-style-type: none"> The RMP shall provide contingency measures to be implemented in the event one or more success criteria are not met. 		
	<p>Condition I.1c: If required by permits and authorizations for the project, the project sponsor shall provide compensatory mitigation for temporary and/or permanent impacts to Glen Echo Creek. If deemed appropriate by the permitting agencies, mitigation can be provided by a donation of funds for off-site riparian restoration. If required, compensatory mitigation will be provided at a minimum of 1.1:1 ratio.</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division</p>	<p>Upon completion of construction of the West Broadway parking garage in Phase 1 (Site 7).</p>
<p>I.2: Installation of the temporary bypass culvert within Glen Echo Creek waterway (Standard Condition G.1c) during Phase 1 (West Broadway MSB and parking structure) would result in temporary disturbance to pond turtle habitat.</p>	<p>Condition I.2: Prior to the installation of the temporary bypass culvert (Standard Condition G.1c) and construction activities, a qualified biologist shall perform pond turtle surveys within Glen Echo Creek. Surveys may include nests as well as individual turtles. The project biologist shall be responsible for the survey and for the relocation of adult turtles to an appropriate area with suitable habitat outside the project area. Construction shall not proceed until the project area can be deemed free of turtles. The temporary bypass culvert shall be screened both upstream and downstream to prevent individual turtles from entering the bypass culvert and project area.</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division</p>	<p>Prior to the installation of the temporary bypass culvert (Standard Condition G.1c) and any demolition, grading and/or construction activities.</p>

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<p>I.3: Construction activities on Site 7 adjacent to Glen Echo Creek during Phase 1 (West Broadway MSB and parking structure) would result in disturbance to nesting habitat for breeding raptors and passerine birds including nesting Cooper's hawk.</p>	<p>Condition I.3: To the extent feasible, removal of the large trees and other vegetation suitable for nesting shall not occur during the breeding season of March 15 and August 15. If tree removal must occur during the breeding season, all sites shall be surveyed by a qualified biologist to verify the presence or absence of nesting birds or raptors. If the survey indicates that potential presences of nesting birds or raptors, the results would be coordinated with CDFG and suitable avoidance measures would be developed and implemented. Construction shall observe the CDFG avoidance guidelines which are a minimum 500-foot buffer zone surrounding active raptor nests and a 250-foot buffer zone surrounding nests of other birds. Buffer zones shall remain until young have fledged.</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Environmental Services Division</p>	<p>Throughout all demolition, grading and/or construction activities.</p>
<p>I.4: The project would conduct construction activities near several protected trees and would potentially remove approximately 34 protected trees located within or adjacent to the project site and would conducted these activities in compliance with the City of Oakland's Tree Preservation and Removal Ordinance.</p>	<p>Condition I.4a: Adequate protection shall be provided during the construction period for any trees which are to remain standing. Measures deemed necessary by the Tree Reviewer in consideration of the size, species, condition and location of the trees to remain may include any of the following:</p> <ol style="list-style-type: none"> 1. Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the City Tree Reviewer. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree. 2. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special 	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities.</p>

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	<p>measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the City Tree Reviewer from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</p> <p>3. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the Tree Reviewer from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the tree reviewer. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.</p> <p>4. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</p> <p>5. If any damage to a protected tree should occur during or as a result of work on the site, the applicant shall immediately notify the Public Works Agency of such damage. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall</p>		

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	<p>require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.</p> <p>6. All debris created as a result of any tree removal work shall be removed by the applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the applicant in accordance with all applicable laws, ordinances, and regulations.</p> <p>Condition 1.4b: Replacement plantings shall be required in order to prevent excessive loss of shade, erosion control, groundwater replenishment, visual screening and wildlife habitat in accordance with the following criteria:</p> <ol style="list-style-type: none"> 1. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered. 2. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Aucutis merciesii (Madrone), Aesculus californica (California Buckeye) or Umbelluiana californica (California Bay Laurel). 3. Replacement trees shall be of twenty-four (24) inch box size, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate. 4. Minimum planting areas must be available on site as follows: <ol style="list-style-type: none"> a) For Sequoia sempervirens, three hundred fifteen square feet per tree; 	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities.</p>

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	<p>b) For all other species listed in #2 above, seven hundred (700) square feet per tree.</p> <p>5. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee as determined by the master fee schedule of the city may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.</p> <p>6. Plantings shall be installed prior to the issuance of a certificate of occupancy, subject to seasonal constraints, and shall be maintained by the applicant until established. The Tree Reviewer may require a landscape plan showing the replacement planting and the method of irrigation. Any replacement planting which fails to become established within one year of planting shall be replanted at the applicant's expense.</p>		
	<p>Condition 1.4c: Workers compensation, public liability, and property damage insurance shall be provided by any person(s) performing tree removal work authorized by a tree removal permit.</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities and ongoing.</p>
	<p>Condition 1.4d: The removal of extremely hazardous, diseased, and/or dead trees shall be required where such trees have been identified by the Tree Reviewer.</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities and ongoing.</p>
	<p>Condition 1.4e: Implement the following recommended General Tree Protection Activities, to the extent feasible and subject to review and approval by the City's Public Works Agency:</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities and ongoing.</p>

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	<p>1. Completion of Tree Protection. All designated tree protection measures shall be in place and approved by the project arborist prior to the beginning of construction activity, subject to final approval by the City's Public Works Agency and Office of Parks.</p> <p>2. Pre-Construction Meeting. Personnel working on site shall be provided an orientation to tree preservation measures and rules by the monitoring arborist.</p> <p>3. Monitoring Tree Health and Stability. The need and frequency of monitoring will be determined by the extent to which the trees are compromised during pruning and construction activities.</p> <p>4. Tree Protection to Remain During Construction. None of the recommended preservation guidelines or activities shall be removed before completion of construction activities with out approval of the project arborist.</p> <p>Heath Mitigation. Tree health mitigation treatments will depend on the level of pruning and root loss that occurs. Possible activities could include water application, the use of compost or compost tea and sugar water solution application. Procedures known as radial trenching and core venting can be used as well as structural soils, as described in the Tree Impact Report provided as Appendix E of the EIR.</p> <p>Standard Condition I.4f: Implement the following recommended London Plane Tree Preservation Guidelines, to the extent feasible and subject to review and approval by the City's Public Works Agency:</p>		
	<p>1. Pruning. Clearance pruning should be conducted for both London Plane Trees located within the City of Oakland right-of-</p>	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities and ongoing.</p>

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	<p>way along Broadway (on Site 7). All pruning should be conducted in accordance with Appendix 2 to Pruning Standards, published by Western Chapter, International Society of Arboriculture. Pruning should be directed by a qualified project arborist, subject to review and approval by the Oakland City Arborist.</p> <p>2. Trunk and Scaffold Protection. The London Plane trees should be protected from mechanical damage as follows:</p> <p>a) Wrap trunk and all exposed limbs of each tree with orange plastic fencing to a thickness of two inches.</p> <p>b) Strap 2-inch by 4-inch boards to the trunk and scaffold branches of each tree in locations where damage is most likely to occur.</p> <p>c) Extra trunk protection can be provided by strapping one to four straw bales (place on end) around the base of each tree.</p> <p>3. Root Protection.</p> <p>a) Allow the cement sidewalk to remain in place until the end of construction activity to provide the best root protection.</p> <p>b) If the cement sidewalk is removed, the treatment for all exposed areas within 15 feet of the base of each tree (surface roots and soils) must be protected with a 12-inch thick layer of wood chips, with a 1-1/8-inch piece of plywood placed on top of the wood chips.</p> <p>c) Excavation within 15 feet of the base of each tree is to be conducted under the supervision</p>		

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	<p>of a qualified arborist. Excavation within this area is to be conducted by hand digging or with the use of a tool referred to as the "air spade." This method of removing soils from around tree roots uses air pressure to minimize root damage. Generally requires a compressor with the minimum capacity of 150 cubic feet per minute and requires pre-wetting of soil for best results.</p> <p>4. Pest Management Program. Health monitoring will determine if there are any serious problems with the London Plane trees. Potential problems include Powdery Mildew, anthracnose and sycamore scale. The presence of such pathogens and pests are an indication of low energy reserves (poor health). If pathogens or insects are found to be present at a damaging level, appropriate measures can be prescribed for control by the project arborist until the tree's natural resistance returns, subject to review by the City Arborist.</p>		
	<p>Standard Condition I.4g: Implement the following recommended Coast Redwood Tree Preservation Guidelines, to the extent feasible and subject to review and approval by the City's Public Works Agency:</p> <ol style="list-style-type: none"> 1. Maintain Fence. Maintain the existing chain-link fencing in place during construction activities, to the extent feasible. 2. Protect Main Stem. Protect vulnerable areas by securing two-inch by four-inch board to the main upright stem(s) of the trees where possible damage could occur. 3. Root Protection. Cover the bank and 	<p>City of Oakland, CEDA, Building Services Division; Planning and Zoning Division; Public Works Agency, Tree Services</p>	<p>Throughout all demolition, grading and/or construction activities and ongoing.</p>

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	<p>exposed roots with four layers of burlap or other acceptable material and an outer layer of geotextile fabric. The burlap is used to a depth of three feet. [Clarify.] Alternatively, protected tree roots with a 12-inch thick layer of wood chips, with either a metal plate or 1-1/8-inch piece of plywood placed on top of the wood chips at critical root areas. The project arborist should direct placement of root protections.</p> <p>4. Construction Details. Develop and consider specific construction details that aim to limit the amount of tree roots that would be cut to accommodate construction. Specific details would address a) the location and spacing of soldier piles at the perimeter of the excavation area; and b) the design and placement of shoring relative to the soldier beams.</p> <p>5. Trenching. Consider trenching wide enough to allow for root inspection by the project arborist.</p> <p>6. Root Pruning. Consider additional cutting of the bank to allow root pruning by hand.</p> <p>7. Health Mitigation. Health mitigation treatments would be prescribed based on the site conditions and level of adverse impact suffered by the trees, but should be administered before adverse impacts occur. Possible treatments include the following mulching (to prevent soil compaction); installation of temporary water system where roots are lost; compost and compost tea; sugar-water solutions applied to cut roots; removal of existing asphalt to expand soil surface; soil and leaf tissue analysis prior to fertilizing; and regular health monitoring for insects, disease, and soil moisture conditions.</p>		

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M. Utilities and Service Systems			
<p>M.1: The project would not exceed water supplies available to serve the project from existing entitlements and resources, nor require or result in construction of water facilities or expansion of existing facilities, construction of which could cause significant environmental effects.</p>	<p>Standard condition: As feasible and applicable, the project sponsor shall implement the following water-efficient equipment and devices into building design and project plans, consistent with the Landscape Water Conservation section of the City of Oakland Municipal Code (Chapter 7, Article 10): low-, ultra-low, and dual flush flow toilets and showerheads; water efficient irrigation systems that include drip irrigation and efficient sprinkler heads; evapotranspiration (ET) irrigation controllers; drought-resistant and native plants for landscaping; and minimization of turf areas.</p>		
<p>M.4: The project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs, and would not require or result in construction of landfill facilities or expansion of existing facilities, construction of which could cause significant environmental effects. Additionally, the project would not impede the ability of the City to meet the waste diversion requirements of the California Integrated Waste Management Act or the Alameda County Waste Reduction and Recycling Initiative or cause the City to violate other applicable federal, state, and local statutes and regulations related to solid waste.</p>	<p>Standard Condition M.4: The project sponsor shall prepare, and subjected to review and approval by the City, implement a Construction and Demolition Debris Waste Reduction and Recycling Plan (WRRP) to ensure diversion of at least 50 percent of the construction and demolition debris from each stage of project implementation as well as throughout operations of the project.</p>		