

From: [Shelby S](#)
To: [City Clerk](#)
Subject: [EXTERNAL] Fwd: HELLOOO!!!! Fwd: RE CEQA compliance of Alameda Point Projects--Site A and Midway and RE PB item 23-2357 Block 9
Date: Tuesday, March 19, 2024 9:46:03 AM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[Exhibit 3 Context Documents Block 9.pdf](#)
[AEP white paper - Subsequent Environmen...eview and Streamlining \(00575964\) for CC and PB.pdf](#)

Clerk-

Please confirm this comment is added to the RESHAP item for tonight's city council meeting. I cc'd the clerk on this on March 14, and would like it to be a part of the comments for 5F

----- Forwarded message -----

From: **Shelby S** <shechan.shelby@gmail.com>
Date: Thu, Mar 14, 2024 at 9:16 PM
Subject: HELLOOO!!!! Fwd: RE CEQA compliance of Alameda Point Projects--Site A and Midway and RE PB item 23-2357 Block 9
To: Trish Spencer <tspencer@alamedaca.gov>, Tony Daysog <tdaysog@alamedaca.gov>, <tjensen@alamedaca.gov>, Malia Vella <mvella@alamedaca.gov>, Planning <planning@alamedaca.gov>, Historical Board <historicalboard@alamedaca.gov>, Abby Thorne-Lyman <athornelyman@alamedaca.gov>, Henry Dong <hdong@alamedaca.gov>, Allen Tai <atai@alamedaca.gov>, Steven Buckley <sbuckley@alamedaca.gov>, Celena Chen <cchen@alamedacityattorney.org>
Cc: City Clerk <clerk@alamedaca.gov>

From the realm of "if you dont like being called a liar, then dont lie" .

I sent this back in February, about a month ago, but somehow yalls act as if these land use regulations dont exist. Tonight, its for the RESHAP make-the-illegal-look-like-it's-legal item. But please reference it for as many projects as applicable at the Point (psssstt.... that means all of them)
Mind you, the majority is about Site A, but since the planned new units for Site A is already over the TOTAL allowed, then South of West Midway should only consist of 200 replacement affordable units and Site A should be reduced by 500 units. Fact check me please! Just dont expect an honest answer from the Dias, you will have to use your own eyes. Please read and use liberally, you're supposed to know, follow, and impose the law :)

Yes, its another one of my "looong reads" but maybe today is the day you read all the way through and do your duty to the public. Challenge accepted???? Yeah baby!!!

Heres a hint: Why are you ignoring the requirement that the Historical Advisory Board reviews all projects at the Point?

-Shelby

----- Forwarded message -----

From: **Shelby S** <shechan.shelby@gmail.com>
Date: Tue, Feb 6, 2024 at 12:59 PM
Subject: RE CEQA compliance of Alameda Point Projects--Site A and Midway and RE PB item 23-2357 Block 9
To: Trish Spencer <tspencer@alamedaca.gov>, Tony Daysog <tdaysog@alamedaca.gov>, City Clerk <clerk@alamedaca.gov>, Planning <planning@alamedaca.gov>

This is a nonagenda (or maybe "All" agenda) public comment for tonight's City Council meeting and one for the 2/12/24 Planning meeting agenda Item 24-3795 Block 9. challenging the CEQA determination as faulty. I expect you to give my comments the credence they usually get, by ignoring them altogether. Yet I still persevere!

OVERVIEW

First, let me start out with my ongoing desperate plea that the City start complying with CEQA and the Alameda Point EIR, which, as you **should** know, is the guiding regulatory document for projects at Alameda Point. You should also know that the 2040 General Plan EIR specifically capitulates to the superseding authority of the AP EIR because they did no further review of Alameda Point for the new General Plan. Also, a glance at the Zoning code shows NO CHANGES WERE MADE with reference to development limitations that allow (for example) residential development in excess, different, or contradictory to those in existence and applicable since 2014.

Here, I have included a google drive link to the AP EIR for your edification. You should look at the Waterfront Precise Plan and Main St Specific Plan as well, especially if you want to see how much

the RESHAP Project got screwed up.

[2014 Alameda Point Draft EIR.pdf](#)

Notably, you should already know the difference between a regulatory document and a policy document. For example, by contrast, the Housing Element is an unenforceable *policy* document, not a regulatory document, so any statements that a project "is consistent with" the Housing Element **and** the "Applicable" land use regulations are FALSE if the Project contributes to residential overdevelopment West of Main St that exceeding 1348 TOTAL total units combined at Site A and South of West Midway projects. Since you obviously can't rely on the City Attorney or Planning staff to give you truthful answers, you better look at it yourself.

All you have to do is LOOK at the AP EIR yourself to see. Here, I'll show you:
This is from the AP EIR (p.3-33)

TABLE 2-7
ALAMEDA POINT BUILDOUT, 2014-2039

Land Use Categories	Units	Civic Core	Inner Harbor	Marina	West Neighbor-hoods	NW Territories	Alameda Point Total
Office/Business Park/Institutional	sq. ft.	537,500	800,000	290,000	0	0	1,627,500
Manufacturing/Warehouse	sq. ft.	1,907,000	560,000	593,500	0	0	3,060,500
Retail/Commercial Service	sq. ft.	626,500	100,000	83,500	0	0	812,000
Parks and Open Space	acres	--	--	--	--	--	291
Marina Slips	slips	0	0	530	0	0	530
Residential	units	680	0	27	718	0	1,425

See the last line?--for the WHOLE Point (that is: West of Main Street), the total residential units "contemplated" by the AP EIR Approved Project = 1425 total units The math is thus: NEW units (minus 268 existing at the time) at "full-build out" **was then and still is now limited to: 1158 NEW units.** 1158 new + replacement of 200 "subsidized housing" units + 67 City owned Market rate (dilapidated) units = 1425 total units.

1158 new
200 replacement
67 retained/existing
1425 TOTAL

In case you're wondering, the "Navy Cap" of the same amount (=1425 units total) originates from a prior Agreement (i.e., not a regulatory document) between the Navy and the City to protect Alameda Point from residential overdevelopment absent the regulatory authority of an EIR, so that future development would comply with the terms under which the property was granted to the City. Tony Daysog was heavily involved in the process, and this should refresh his memory (especially since he is running for US Representative).

He should recall that the Navy was mostly concerned with replacing the jobs that were lost during the closure as well preserving the historic character of the area as retaining open space and views for the maximum benefit of the public. The limits set forth in the EIR provided maximum benefit balanced with minimized impacts to optimally achieve those goals. Therefore, the Navy "lifting the cap" does not relieve the City from complying with CEQA.

On the other hand, it DOES explain why the City is using so much "sleight of hand" to put forth a false narrative that the guiding limits are due to the Navy Cap, and guess what? It's worked so far. People are so easy to fool. But the longer the narrative is under public scrutiny, the higher the likelihood that someone might say "the emperor has no clothes"---and it's been awhile.

But I digress--moving on:

For the record, the AP EIR, AMC Zoning Codes, and the local Land Use Plans all require every project at Alameda Point to undergo the Certificate of Approval Process by the Historical Advisory Board (HAB) because they are in the vicinity of Historic Resources (MM 4.D-5--Mitigation Measure 4.D-5 requires implement of Mitigation Measure 4.D-1).

Given that there have been numerous Alameda Point permits/projects undergoing review every month for the last two years, one would think that the HAB would be very busy. Strange thing is, HAB has cancelled nearly every meeting or lack of projects to review for the last year plus.

WELLLL... it would be strange if you didnt know that Planning Staff.....

Ok, I'll tell you a little secret: Planning Staff avoids any indication that HAB review is needed in two **very** clever ways:

(1) they have absolute and total control over the HAB agenda so they simply dont check the box that HAB review is needed for approval, and dont show it to the Board. (FYI--City control over a citizen oversight Board violates the Charter, but you know, *whatever*..)

and then

(2) They just omit the EIR requirement from their CEQA Compliance Checklist Matrix (See--or rather-- notice that you don't see) a "4e" on page 49 of Exhibit 3 for Block 9 (attached).

Voila!--problem solved.

CEQA Determinations

For the record, no projects at the point can legally be deemed "categorically exempt" from CEQA per Section 15300.2 because of: (1) the proximity of Historical Resources (as I have told you ad nauseum and you can google for verification), the (2) potential for cumulative impacts, and (3) AP EIR mandatory findings of significance for impacts to noise, pollution, and traffic, and others.

Further, since the AP EIR is a "Programmatic EIR," each individual project must undergo further review for at least the impacts that prohibit Categorical Exemptions, which means no projects are eligible to be "Fully-streamlined" per CEQA Section 15162 et sec. AND each Project's potential impacts must be considered in light of all the other projects inclusive. (psst: that means the Block 9 CEQA Determination for next week is yet another Steven Buckley lie--all you have to do is read it to see it is self-contradictory.)

Ok, so even though I know you're just going to ignore it, I have nonetheless attached authoritative CEQA guidance regarding streamlining under Programmatic EIRs---You can refer to it when Steven Buckley and Yibin Shen lie about the regulations. (you know, like during the Block 9 project for the Planning Board meeting next week)

Generally speaking, a project is deemed "Significantly changed" compared to that contemplated by the EIR once the changes exceed the threshold level of greater than 10% variation from the approved "Project".

Otherwise, CEQA and other environmental regulations require a "change in environmental conditions" to approve Projects that cause a "Significant change" that could potentially cause an increase in significant unavoidable impacts" of those contemplated under the Approved Project (see the table above). If environmental conditions have not changed (e.g., no new bridge), unless there is substantial evidence that the impacts can be mitigated to less than significant, then the project **cant be approved**.

For example, the Block 9 CEQA "context document" (Exhibit 3) admits that nearly all of the increases in impacts due to the increased residential density cannot be mitigated to less than significant--but still claims that the analysis shows the Project can be approved. That's just not logical. Don't they call that "gaslighting" nowadays?

Take a peek at it, and tell me if Im wrong.--go ahead!.

Keep in mind, the ultimate tragedy of each change from a public use to residential use is that it results in a concomitant decrease in public amenities and jobs, which only enriches private developers at the expense of the public. CEQA (and City Officials!) are supposed to protect the public and the environment from that very tragedy, but I guess that's not the actual goal here.

So let's take a look at the evolution of Site A and the other major development projects at Alameda Point, shall we?

Site A-2015

According to the upcoming Planning Board meeting item 24-3795 Exhibit 3: The Alameda Point Town Center and Waterfront Town Center Specific Plan (Town Center Plan) envisions Site A (for a 68-acre redevelopment) as a **transit-oriented mixed-use project** ...adopted pursuant to Government Code Section 65450 et seq. for the implementation of the City of Alameda's vision for the heart of the former Naval Air Station (NAS) Alameda ...under AMC Section 30-4.24 in June 2015.

Mayor Spencer stated the charge when the U.S. Navy gave the City the property was to replace 14,000 jobs; without the guarantee that Phase 3 will happen, Phase 1 and 2 are housing projects, not a job project; she will not support the project;

As amended in 2017

As amended in 2017, the Project consisted of 800 housing units (including 200 "affordable" units) with 600,000 square feet of commercial development and up to 15 acres of public parks to be constructed over 15 years in three phases. Phasing priority was given to residential development while the Partners were in default on the agreement to have the necessary financing, and requested an Amendment to proceed without financing for Phase 3. At that time, Joe Ernst staked his reputation on completing the required commercial space for Phase 3.

Mayor Spencer inquired whether Mr. Ernst can assure the City that the complete project-including the commercial space in Phase 3-will be built despite the Partners being in default at that time. Mr. Ernst responded that his word and reputation are the assurance.

The amendment was opposed by then-Mayor Spencer, who was concerned that the City would not receive the commercial amenities provided in Phase 3 on Blocks 4 and Blocks 10-17, stating "Alameda needs jobs; the property is the people's property and Alameda needs the commercial project."

Sadly, Mayor Spencer's apprehensions came to fruition.

2023 Site A: 40 acres bounded by Pan Am-W Tower-Main St-W Atlantic=99% housing Towers

By 2022, all the 2015 Commercial space is gone from Blocks 10-17, replaced with 100% residential. Cut to now, nearly all of the commercial is being removed from the Project, and the City is footing the bill for the promised \$10 mil Phase 2 infrastructure. And there is no accounting for the changes to Block 10-17, honestly.

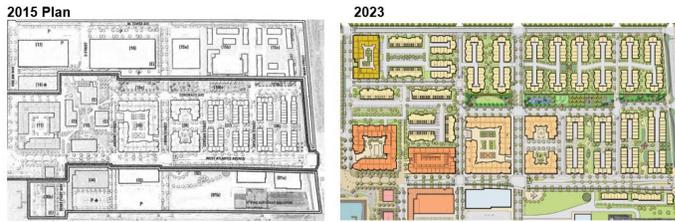
Worse, last August, it appears APP submitted a claim for Economic Force Majeure on Block 11--**one of the Phase 3 commercial blocks**, in case you're keeping track. But worse than **THAT**, every amendment up to current increased the number of residential units, including on Blocks and

As of today, not one portion of the development includes commercial uses, even though they are much needed, and would rake in a fortune if they existed.

There goes the neighborhood! But not the reputation?? Figures.

The slickest increase in residential units from 1300 to 1482 (!!!) happened without any vote on it at all on the June 6, 2023 Council Consent item 2023-3087 for "Subdividing Block 10", when, in a Staff Report written by "newbie-WhoTF-is-David-Saban" was tricked into writing the following: "In July 2022, to accommodate the large RHNA increase, the Planning Board amended the Alameda Point Site A Development Plan to increase the maximum number of allowed dwelling units within Site A from 800 to 1,482. Which is patently false but NO ONE CAUGHT IT. Now that's just CRAZY!

Sadly, that change also resulted in the removal of the largest 3.5 acre contiguous open space at Site A, right next to the Seaplane Lagoon park; and it demolished previously "adaptively re-used" buildings (see below), changing it from 2.5 acres open space and 1 acre retail (see below), to 100% residential with densities at the M-R portion of 24-30 units/acre and the affordable parcel of 79units/acre--no discrimination there!



According to the legend, the only commercial space that remains is in dark orange.

40 Acres

In reality, the "area of interest" is 40 acres bounded by Pan Am, West Tower, Main St and W Atlantic, and Block 9 is the only Block that retained any commercial—until now.

The proposed changes to Block 9 would further reduce the overall commercial and open space of the Site A Development by reducing the commercial space at Block 9 by 80% (8700SF→1850SF); and remove the last half-acre of open space in addition to the 3.5 acres of urban park and retail space already lost to residential units in Block 10.

Block 10: 2015 v 2023 Block 9: 2015 v 2023



Then v Now

Speaking of CEQA, lets compare the 2015 v current Development:

2017-2020 Site A developments

- 800 residential units (200 Affordable; at 20/acre??)
- 600K SF commercial (13.77 ac)
- 653K SF parks/open space (15 ac)

2022 (April) Site A Development-

- 1300 units (25% =325 "affordable" with the associated increase in parking)
- 300K SF commercial
- 450K SF parks/open space (10 acres)

2023 with Proposed Block 9

- 1482 residential units (as if by magic)***
- <300K SF commercial-only on ground floor under residential
- <450K SF parks/open space (<10 ac)

*****Shockingly, with the newest proposed Project at Block 9, the Site A brings the total new units to OVER 1425 BY ITSELF—WHAT IS HAPPENING HERE?? *****

But wait there's more! Councilmember Spencer-Hererra! Look at **this!**

Summary of changes:

Type	2015	2023	Change
Residential-units on 68 ac	800	1482	increase almost double (180%)
Commercial-SF on 68 ac	600K	250K	decrease 240%
Open Space-SF on 68 ac	653K	435K	decrease 33%

Commercial-SF on 40 ac 250K 2K decrease 99%
Open Space-SF on 40 ac 350K 130K decrease 60%

Redevelopments

Site A is one of the two major redevelopment Projects, the other is the South of West Midway Project. The short version is that between 2017→2022, it went from under 500 units to over 800 units, and, like Site A-- no longer complies with any of the land use regulations and never had a proper CEQA review (as above).

The question is also properly raised regarding the improper application of the density bonus law, which is something Councilmember Daysog took notice of about six months ago.

The density bonus is only supposed to be allowed ONCE at the beginning of the process, and not "stacked-upon-stacks" so the developer can continue to piggy-back another bonus on the bonus ad infinitum to continue to increase density on the density on the affordable (separate) parcel while using same to retain the lower density in separate Market rates parcels... it looks like that is EXACTLY what happened here.

It bears reminder that Site A has been granted so many (likely just as undeserved) design variations that the buildings look like every other generic redevelopment all across the state--which not only is offensive, but (of course) violates the Alameda Point design requirements for giving at least an "homage" to the Navy history. Compare the 2015 approved Project to the current one, it might make you wretch.

Conclusion

As you can see, the CURRENT land use proposals at Site A and South of Midway are a far cry from what is allowed per the AP EIR, yet NO further CEQA review has occurred. IF it had, none of the changes would have happened so....

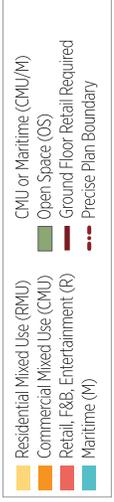
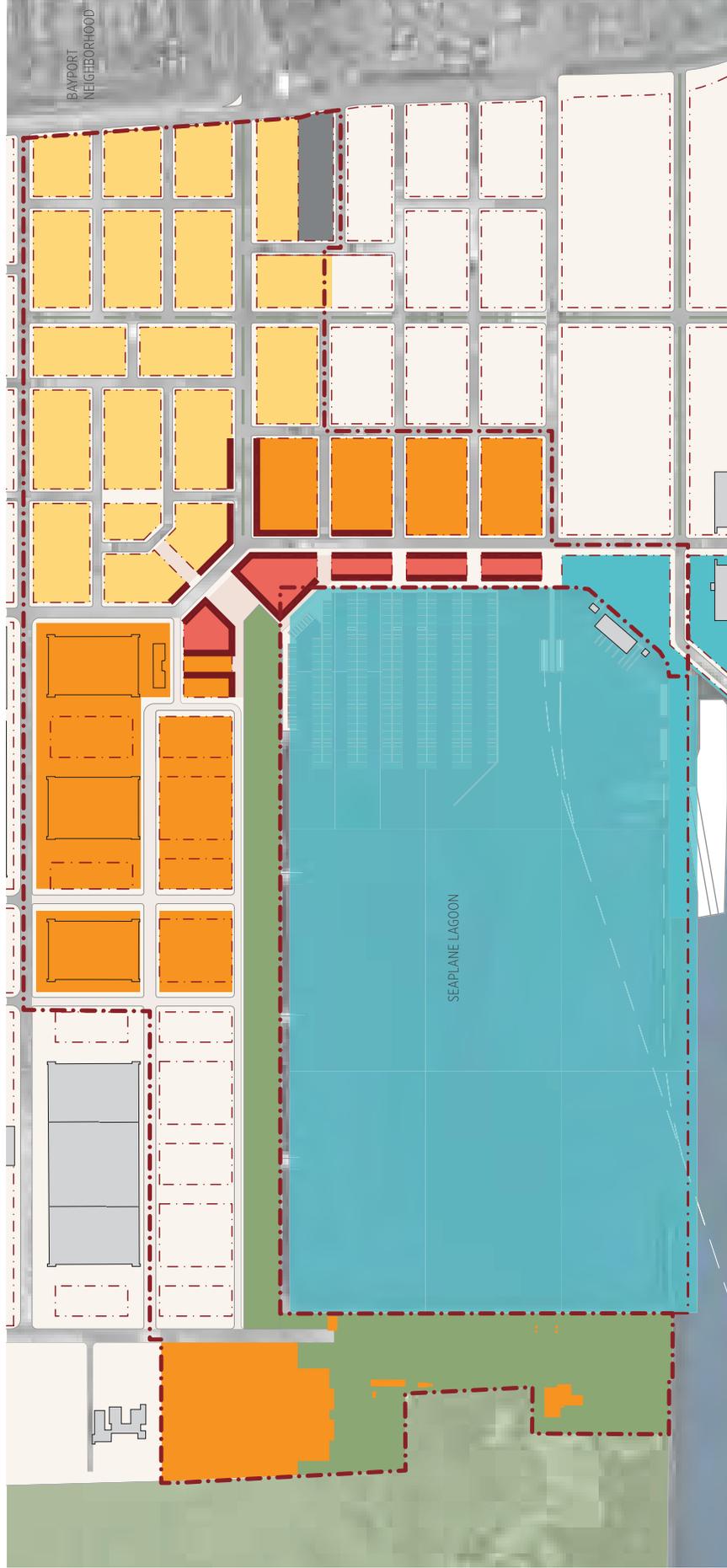
Ya think that's an accident?? Yeah, me neither.

-
(By the way, my comments wouldn't be so long if you weren't denying the existence of publicly available documents and regulations...)

--
Shelby
510-435-9263

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PROPOSED TOWN CENTER LAND USE PLAN



LAND USE PLAN

The permitted uses and conditionally permitted uses within the Town Center and associated off-street parking regulations are described in the following Table, and on the Land Use Plan above.

Exhibit 3
Item 5-C, February 12, 2024
Planning Board Meeting

BUILDING DESIGN

Facade and Entry Design

Street facing facades should include architectural elements such as canopies, awnings, overhangs, projections, shading devices, recesses, signage, lighting, varying facade element depths, material and surface variety and texture intended to provide interest to the pedestrian environment. Flush and or reflective unrelieved curtain wall type treatments of facades are not appropriate for Alameda Point Town Center.

Building facades exceeding 50' in length should include modulation or articulation to the streetwall. This may be achieved with one or more of: material, texture or fenestration pattern change, recessed building entries, recessed balconies, enclosed building area encroachments and projections, minor setbacks not greater than 2' deep, or other similar devices.

In order to create successful streetscapes of individual buildings that respect the larger public environment – adjacent buildings may share features and architectural character, and need not pursue variety for its own sake.

The scale and rhythm of the facade should express the height and configuration of a residential unit through techniques such as architectural detail, color, massing and fenestration.

Multi unit buildings should be designed with prominent entries that are inviting and clearly visible from adjacent streets from adjacent streets.

Fenestration and Transparency

Fenestration should be simple, human scale, elegantly proportioned and generous. Circular, trapezoidal and triangular windows are discouraged. Operable windows for all building types are encouraged. Glazing should be non reflective. Exterior elements to control solar heat gain such as fins, overhangs and horizontal sun shades are encouraged.

The recommended minimum percentage of transparent facade area is 50% for residential buildings, and 65% for other non-residential uses.

75% of the ground floor facades (between 2' and 8' above grade) of retail frontages should include clear, untinted glass. For office, hotel and convertible ground floor uses this percentage should be a minimum of 50%.

In areas requiring ground floor retail uses the maximum extent of a blank wall (areas without windows or entries) should not exceed 10 linear feet.

Parking and Service Facilities

Trash, recycling and other utility provisions should be designed to be protected and screened from adjacent pedestrian activity. Dedicated off-street loading docks are discouraged. Exposed parking, garage entries, and service, mechanical or loading areas should be placed on the back or side of buildings that do not front along a public right-of-way. If there is no such frontage, these entries and areas should be limited to an aggregate of 50 linear feet or 20% of a facade's length, whichever is less. Individual townhouse garages facing public streets are prohibited.

Ground Floor Residential Units

All ground floor units facing a public right of way or public open space should provide an individual front entry to those spaces. Primary living space or a private open space that are designed to orient to the adjacent street or open space may serve as substitutes. The frequency of entries will relate to the size of the unit facing the street, and the doors for two entries may be ganged at a single location.

Ground floor residential units should be raised 24 – 36” above the adjacent street grade to provide privacy for building occupants. Residential units included on the ground floor of buildings in zones that require the potential adaptation to retail use must be built at an elevation that would allow direct (step free) access to the adjacent sidewalk.

Each ground floor residential unit facing a public street or open space should address the interface between the public and private space through landscaping or other architectural element. Solid hedges fences or other barriers may not exceed 4’ in height.

Materials

Buildings should use “cool” exterior siding, roofing, and paving material with relatively high solar reflective index to minimize solar heat gain.

The use of elements that contribute to environmental sustainability as a façade material, such as building-integrated photovoltaics or green walls, is encouraged.

Glazing should be non-reflective and less than 10% tinted, with a light transmittance of at least 90%.

Due to the marine environment of Alameda Point, materials selected should demonstrate superior performance related to moisture protection, low maintenance requirements, durability, and ultra violet resistance. Ground level facades should be designed with high-quality materials that offer color, variety, wear resistance, and visual interest to the pedestrian (such as stone, tile masonry, brick or terracotta).

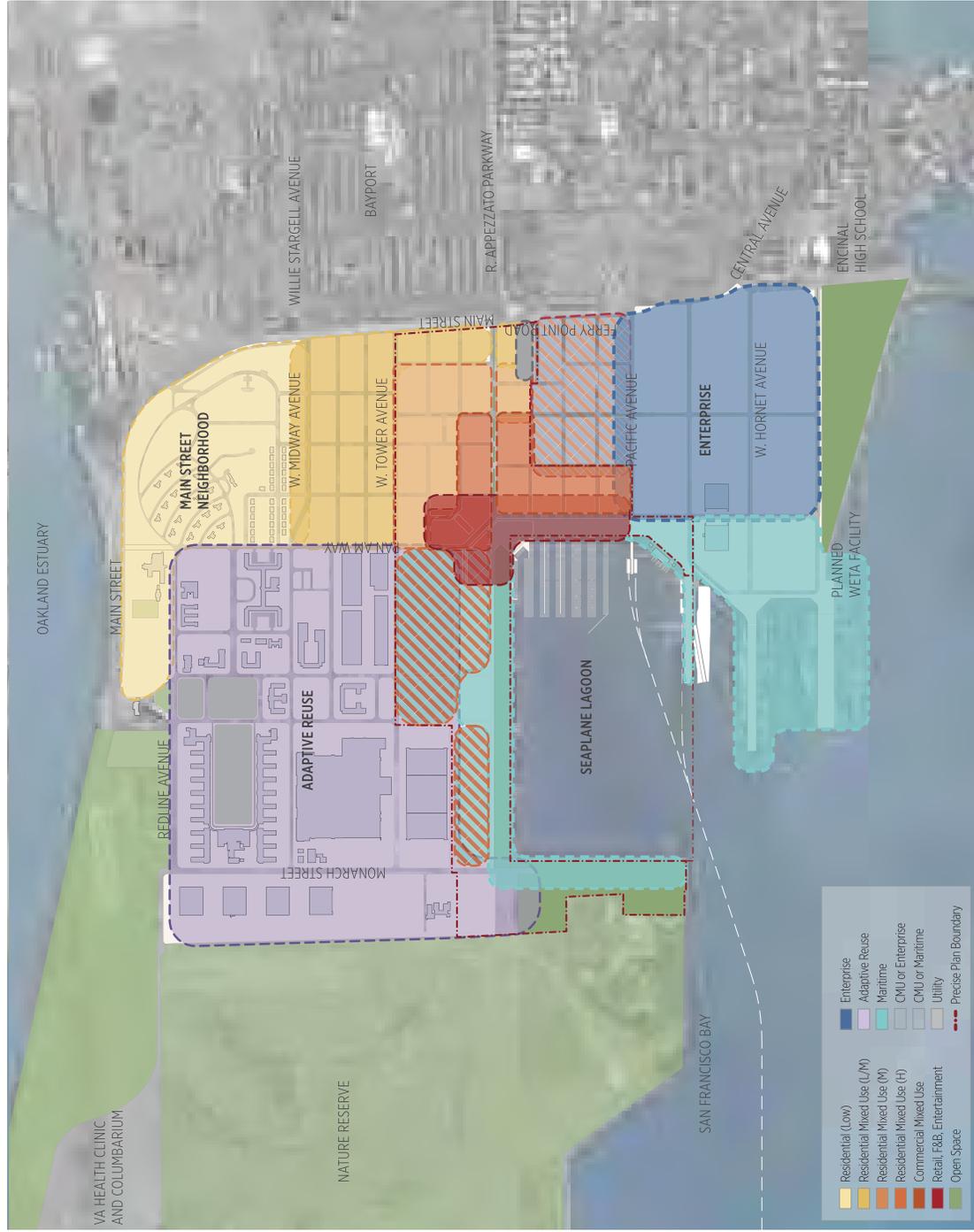
Hotels

Hotels should have active frontages with public functions such as restaurants or retail to ensure the continuity of abutting active streets and public open spaces. Unavoidable windowless wall area should be mitigated with landscaping, display space, public art, public seating or similar treatments. Hotels are encouraged to include balconies.

LAND USE TRANSITION CONCEPT
 The type and intensity of uses within the Town Center varies to provide transitions to and between the adjacent districts within and adjacent to Alameda Point. Along the edge of Bayport and bordering the Main Street Neighborhoods in the Atlantic Entry District, lower-density multi-family residential use – in the form of 2-3 story townhomes and walk-up flats is proposed. Toward the Seaplane Lagoon, residential density increases, with 3-5 story apartments over parking and/or retail podia. The greatest mix and intensity of uses (including office, residential, hotel and retail) and the site's tallest buildings (5-6 story) are concentrated at the west end of Ralph Appezato Memorial Parkway and along Ferry Point Road. A zone of retail, entertainment, dining and other visitor-serving uses overlays the Town Center and East Waterfront along Ferry Point Road, connecting residential and commercial centers and providing amenities to both. Along the north edge of the Seaplane Lagoon, maritime and commercial uses provide a transition from the Town Center westward to the more industrial, production-oriented functions currently located along the west side of the Adaptive Reuse Sub-District. Public open space and maritime uses surround the Seaplane Lagoon, providing for enjoyment of the Waterfront.



CONCEPT FOR TRANSITION BETWEEN LAND USES



ALAMEDA POINT BLOCK 9

Supplemental Design Package

03.28.2018



CEI
CYPRESS EQUITY INVESTMENTS
Shu-Chi Hsu
shuchi@cypressequity.com

PYATOK
PYATOK ARCHITECTURE + URBAN DESIGN
Kevin Markarian
kmarkarian@pyatok.com

JETT
JETT LANDSCAPE ARCHITECTURE + DESIGN
Jesse Markman
jessem@jett.land







ENTITLEMENT 11/28/2017

- ④ Clerestory Window w/ Metal Sun Shade at Resident Lounge
- ⑤ Painted Metal Window Boxes at Southwest Corner

③ Coping / Shadow Line Emphasizes Shape

① Fiber Cement Panel Spandrels Create Larger Window Elements



PROPOSED



② Storefront Order Relates to Expression Above



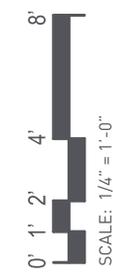
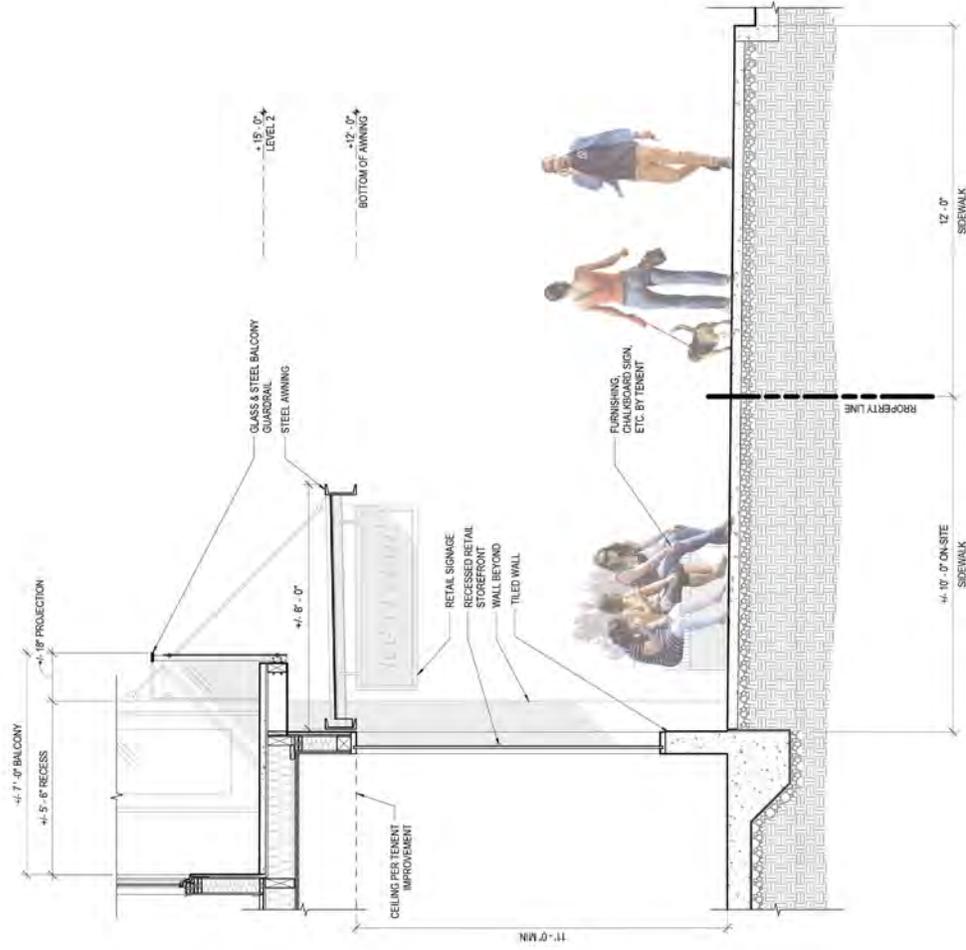
ENTITLEMENT
11/28/2017



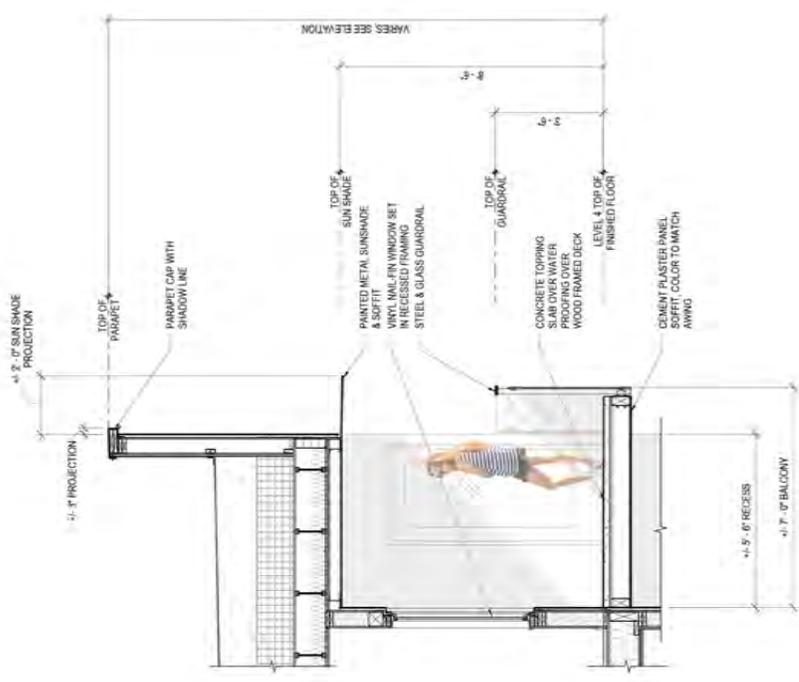
PROPOSED

- ① Fiber Cement Panel Spandrels Create Larger Window Elements
- ② Storefront Order Relates to Expression Above
- ③ Coping / Shadow Line Emphasizes Shape
- ④ Clerestory Window w/ Metal Sun Shade at Resident Lounge
- ⑤ Painted Metal Window Boxes at Southwest Corner





Section Through Balcony, Awning, & Storefront Along West Atlantic



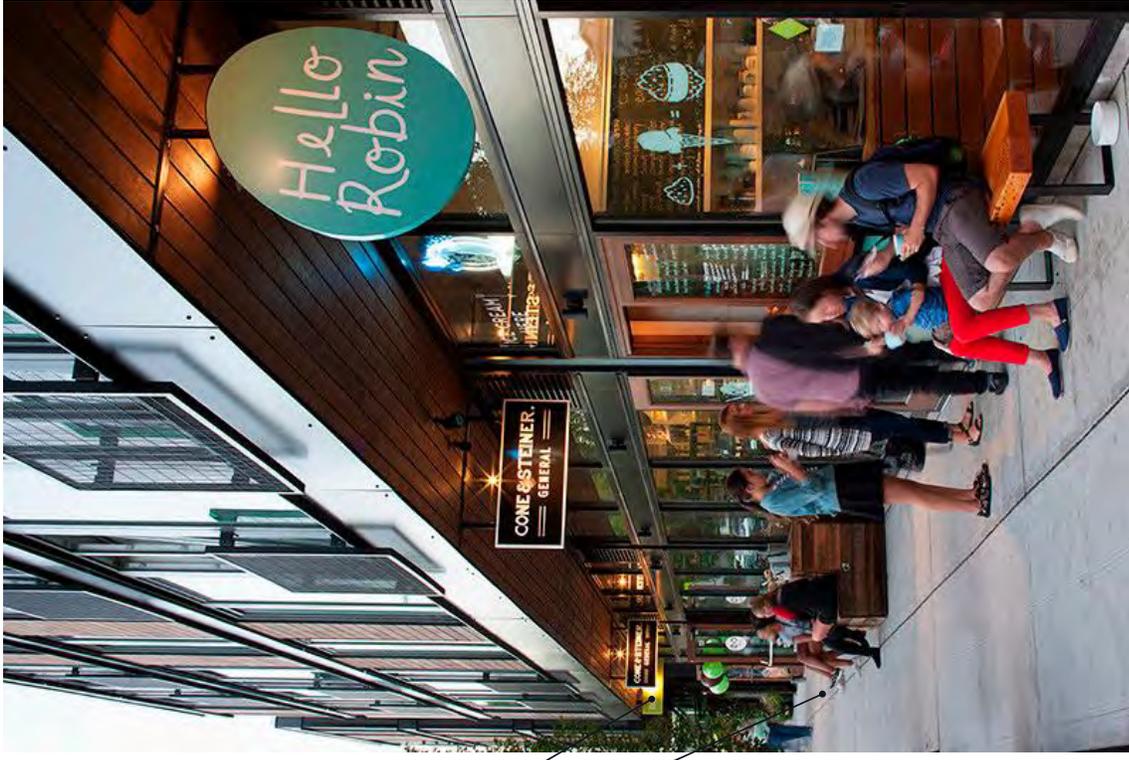
Section Through Parapet, Sun Shade & Balcony Along West Atlantic



Multiple Tenants /
Pedestrian Scaled Signage

Sheltered Setback
Accommodates Furnishing,
Planters

Awning Transition Between
Interior & Exterior

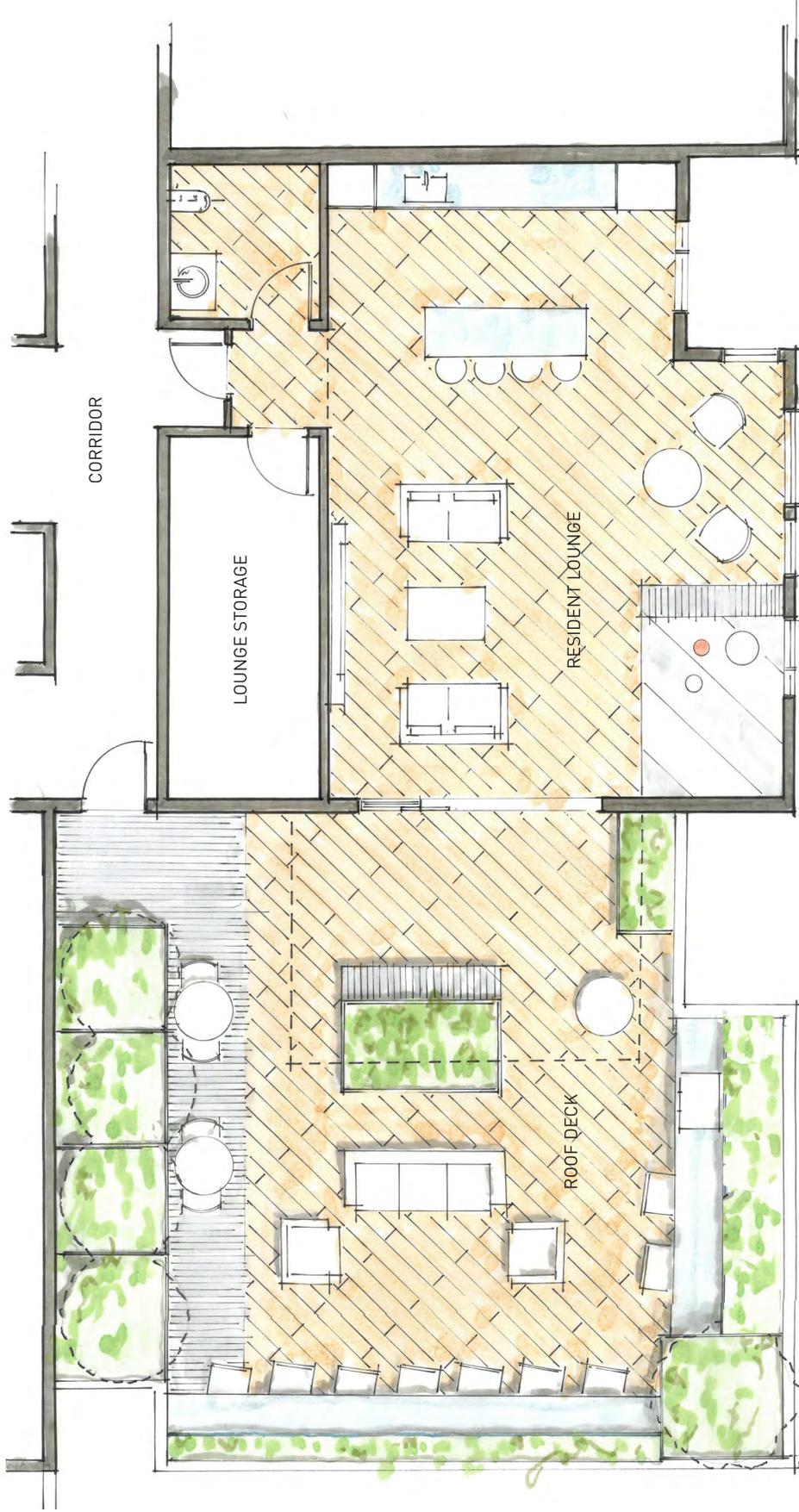




Building (By Project) 12' Planter (By Project) 6'-10' Walk (Master Plan) 7' Tree Planter (Master Plan) Street & Parking (Master Plan)

Typical Section Showing Trees & Planter Areas

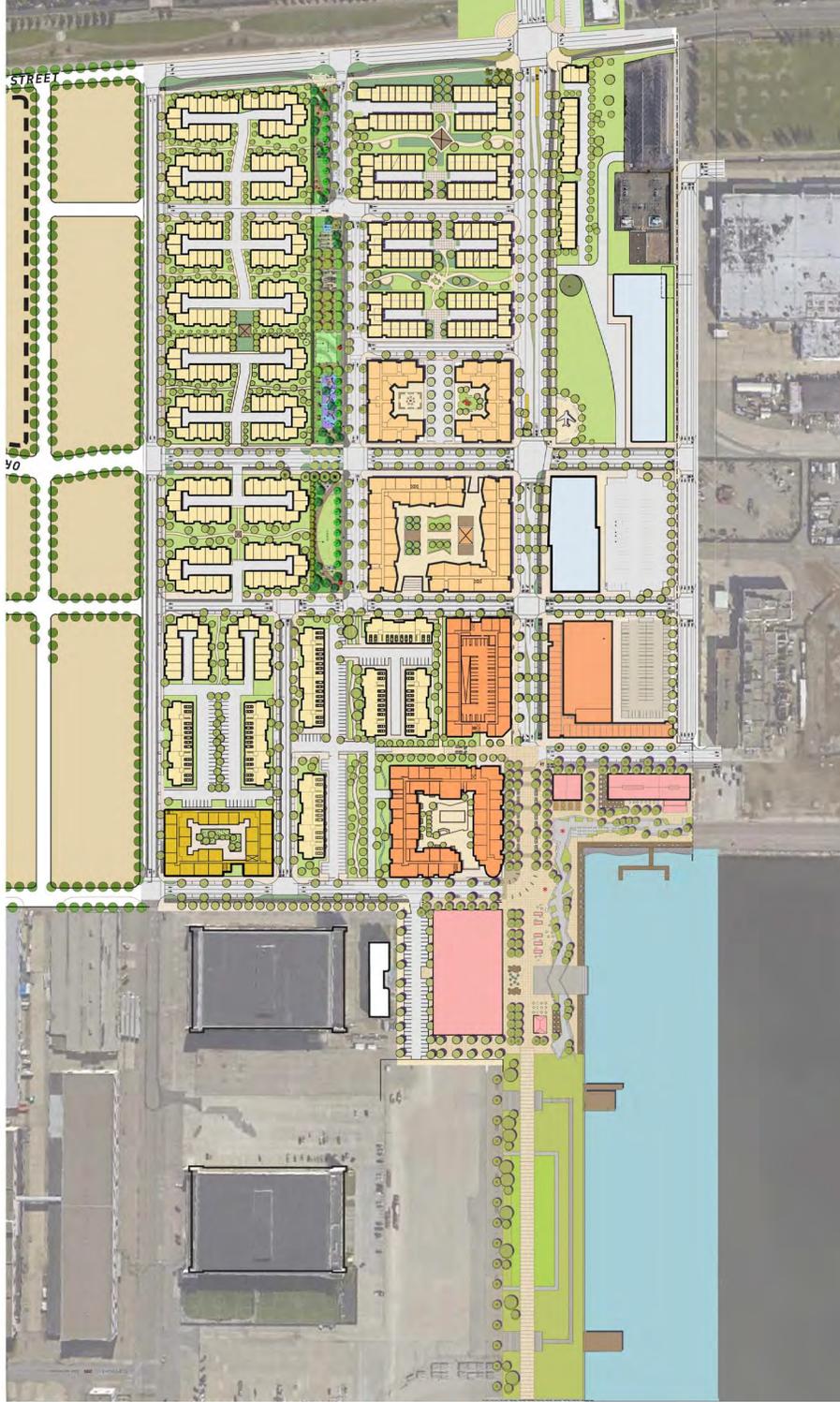




TOTAL LOUNGE AND ROOF DECK:
 +/- 1,400 SF NET AREA
 +/- 95 MAX OCCUPANTS



SCALE: 3/16" = 1'-0"



ALAMEDA POINT - SITE A - DEVELOPMENT PLAN

Project Sponsor: Alameda Point Partners

Prepared by: BAR Architects, April Philips Design Workshop, BKF Engineers

Second Amendment, July 25, 2022

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ALAMEDA POINT | ALAMEDA, CA

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BKF **ignition architecture** **MBH arch** **TRICON** **Tableau** **EDEN** **edible** **edible**

edible **edible** **edible**

SRMERNST **Madison+Margette** **LANEAV**

KH **FIELD PAOLI** **A.P. D.W.**

07.25.22
14072

CONTEXT

Existing Conditions at Site A 04
 Site Photos 05
 Planned Land Use and Open Space 06



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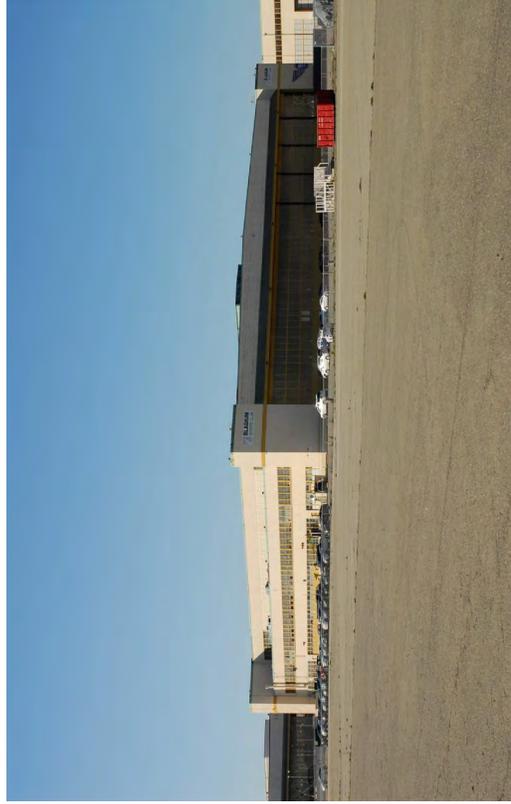
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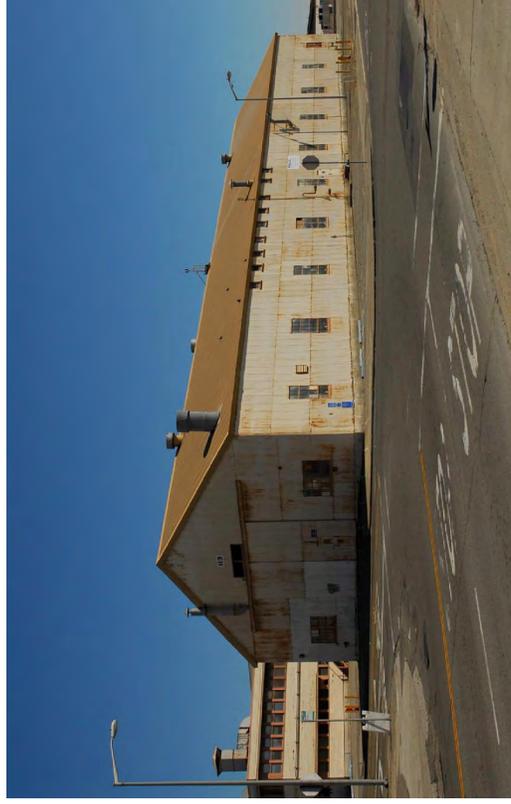
EXISTING BUILDING 77 (LEFT) AND 41 (RIGHT)



EXISTING BUILDING 77



EXISTING BUILDING 40 (BLADIUM)



EXISTING BUILDING 113

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SITE PHOTOS

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FIGURE 2: ALAMEDA POINT - OPEN SPACE FRAMEWORK

12 REFERENCE COURTESY: FUTURE GUIDE

ALAMEDA POINT PLANNING GUIDE - OPEN SPACE FRAMEWORK

* DRAWING FROM 9/12/2013 ALAMEDA POINT PLANNING GUIDE



ALAMEDA POINT - ZONING MAP

* DRAWING FROM www.alamedaca.gov



PRECISE PLAN - TOWN CENTER AREA



ILLUSTRATIVE SITE PLAN - ALL PHASES

LAND USE & DEVELOPMENT

- Illustrative Site Plan - All Phases 08
- Illustrative Site Plan - Phasing 09
- Street / Surface Improvements Phasing 10
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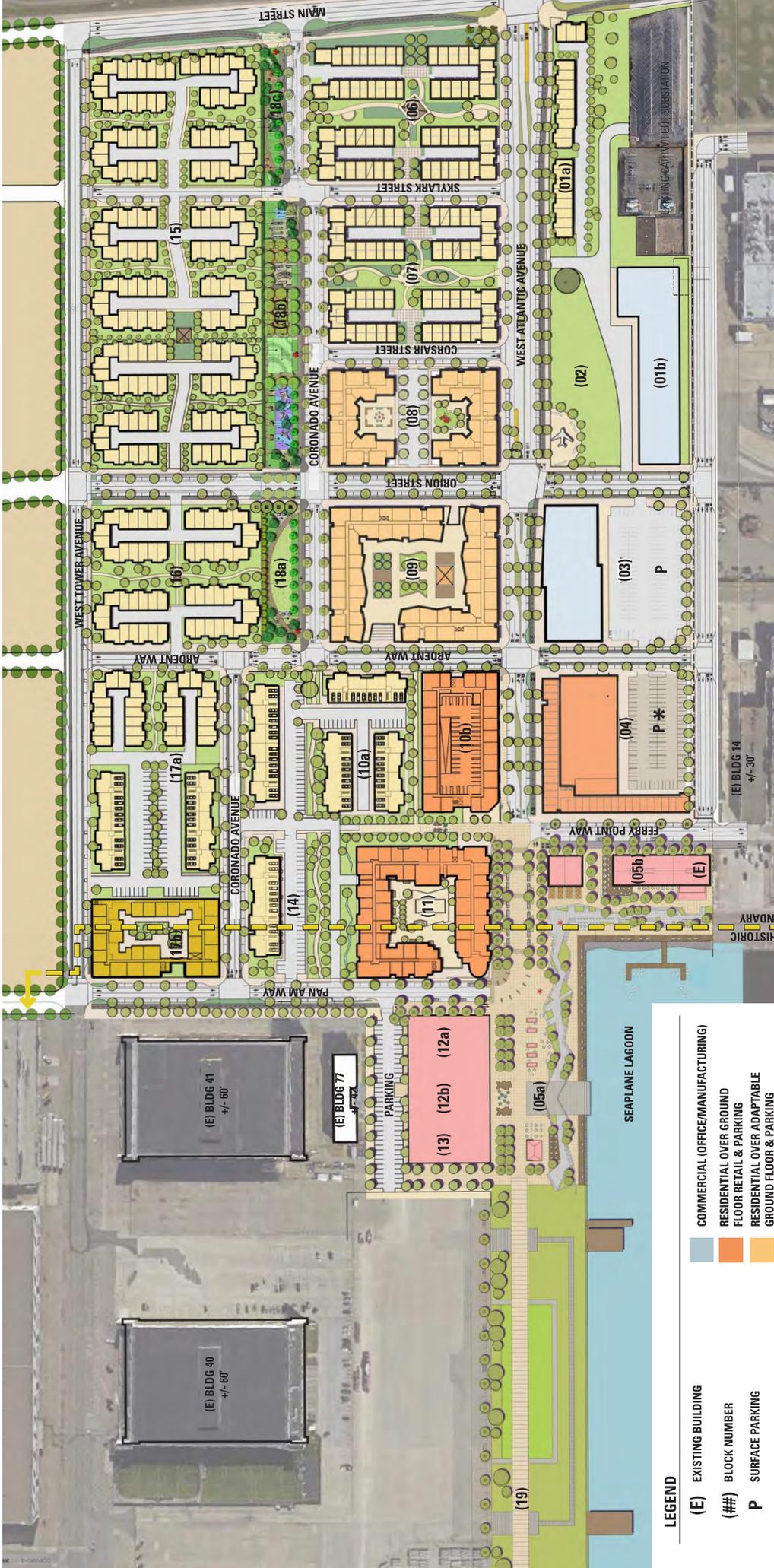
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*THIS SITE PLAN & BUILDING CONFIGURATIONS ARE ILLUSTRATIVE ONLY. ALL IMPROVEMENTS SUBJECT TO DESIGN REVIEW APPROVAL.

*EXISTING BUILDINGS AND/OR SITES MAY BE OCCUPIED WITH USES CONSISTENT WITH THIS PLAN DURING ANY PHASE

ILLUSTRATIVE SITE PLAN - ALL PHASES

- LEGEND**
- (E) EXISTING BUILDING
 - (##) BLOCK NUMBER
 - P SURFACE PARKING
 - * POTENTIAL PARKING GARAGE
 - PUBLIC PARKING
 - OPEN SPACE - COLORS VARY
 - COMMERCIAL (OFFICE/MANUFACTURING)
 - RESIDENTIAL OVER GROUND FLOOR RETAIL & PARKING
 - RESIDENTIAL OVER ADAPTABLE GROUND FLOOR & PARKING
 - RESIDENTIAL TOWNHOME & WALK UP
 - RETAIL (SHOPS & RESTAURANTS)

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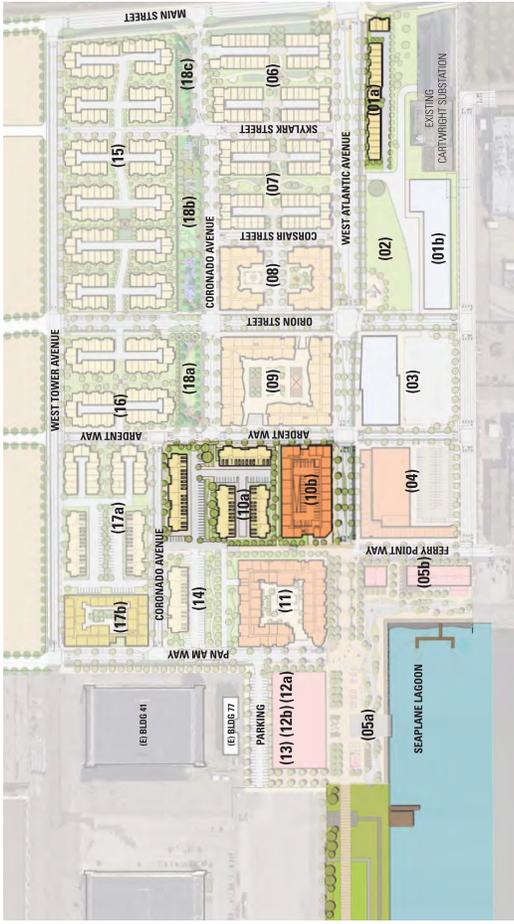
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ILLUSTRATIVE SITE PLAN - PHASE 1

LEGEND

- (E) EXISTING BUILDING
- (##) BLOCK NUMBER
- EXISTING BUILDINGS AND/OR SITES MAY BE OCCUPIED WITH USES CONSISTENT WITH THIS PLAN DURING ANY PHASE
- PUBLIC PARKING
- OPEN SPACE - NEIGHBORHOOD PARK
- COMMERCIAL OFFICE/MANUFACTURING
- RESIDENTIAL OVER GROUND FLOOR RETAIL & PARKING
- RESIDENTIAL OVER ADAPTABLE GROUND FLOOR & PARKING
- RESIDENTIAL TOWNHOME & WALK UP
- RETAIL (SHOPS & RESTAURANTS)

BLOCK	ACRE	DENSITY (DU/AC)	UNITS
PHASE 1B			
1A	0.86	20 to 24	17 to 21
10A	2.93	24 to 30	70 to 88
10B	1.15	79	91
PHASE 2			
1A	0.84	24 to 30	20 to 25
15	6.39	20 to 24	128 to 153
16	3.66	20 to 24	73 to 88
17A	1.74	24 to 30	42 to 52
17B	1	103	103

TOTAL PROPOSED	MR UNITS	AFF UNITS	TOTAL UNITS
PHASE 1 (BUILT/APPROVED)	417	193	610
PHASE 2	546	128	674
TOTAL SITE A	963	321	1284

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 MBH group

TRICON
 tablecu
 greenprint

EDEN
 HUBBARD

ofu
 OF URBAN FORM

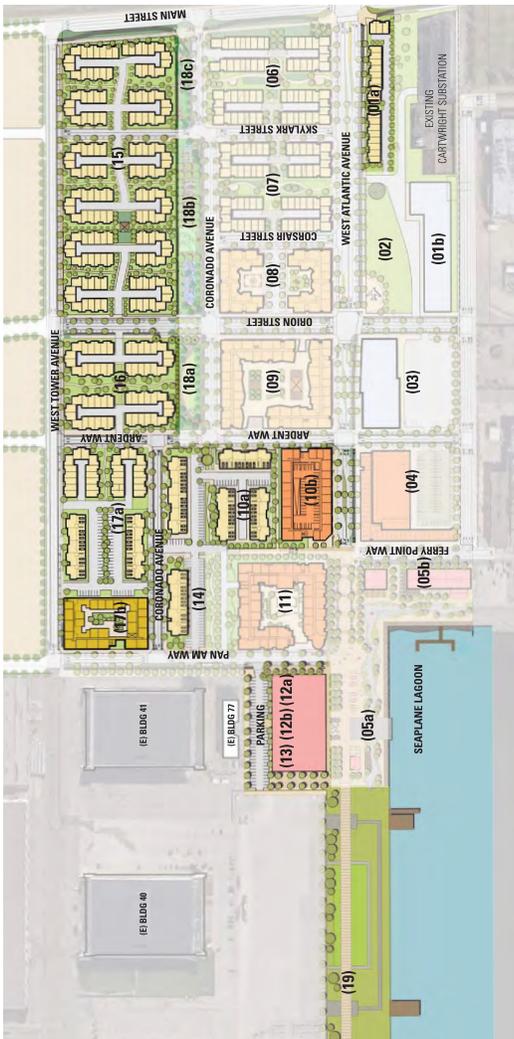
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 Madison Menquette

FIELD PAOLI
 K&H

A.P. D.W.

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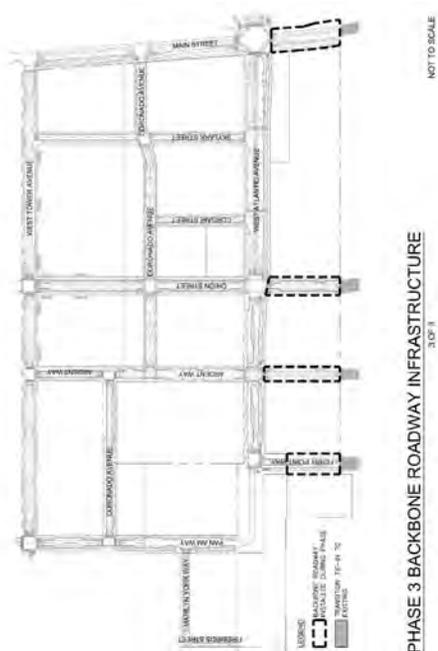
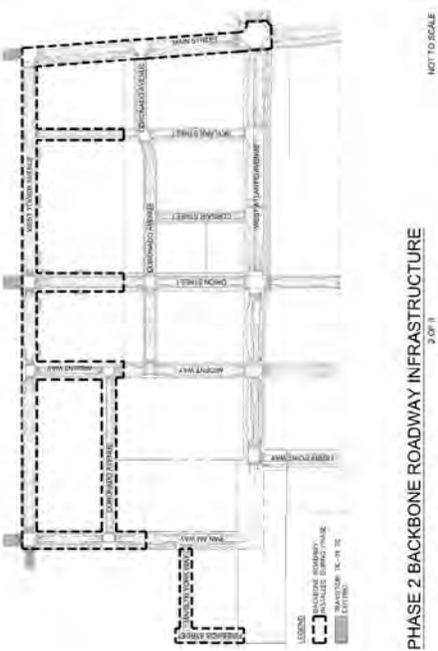
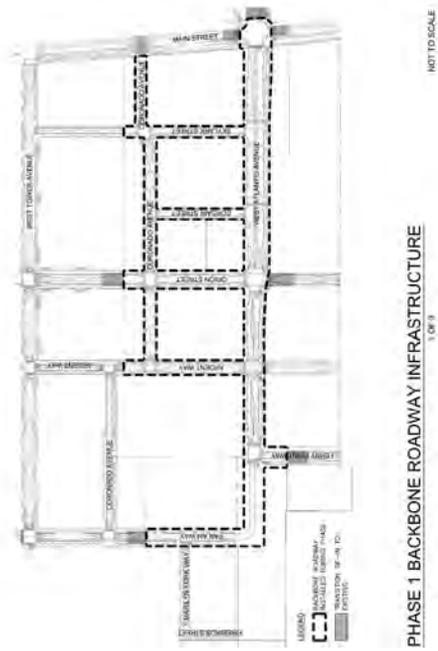
ILLUSTRATIVE SITE PLAN - PHASING



ILLUSTRATIVE SITE PLAN - PHASE 2



ILLUSTRATIVE SITE PLAN - PHASE 3



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STREET / SURFACE IMPROVEMENTS PHASING

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BKF ignition architecture
MBH mbh
TRICON **tablecu**
EDEN **Eden**
SRMERNST **Metlison/Memette**
LANEAN
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 07.25.22
 14072

CITY OF ALAMEDA**ENVIRONMENTAL CHECKLIST FOR STREAMLINED REVIEW****Pursuant to California Public Resources Code Sections 21083.3 and CEQA Guidelines and 15183**

Project Title: Site A Development Plan Amendment

Lead Agency: City of Alameda
2263 Santa Clara Avenue
Alameda, CA 94501

Contact Person: Andrew Thomas, Planning Director
2263 Santa Clara Avenue
Alameda, CA 94501
Phone: (510) 747-6881

Project Sponsor: Alameda Point Partners, LLC
Stephanie Hill
1528 S. El Camino Real, Suite 100
San Mateo, CA 94402
Phone: (415) 569-3722

General Plan Designation: Mixed-Use

Zoning: Waterfront Town Center (AP-WTC) Sub-district

1.0 PROJECT SUMMARY

The Alameda Point Town Center and Waterfront Town Center Specific Plan (Town Center Plan) envisions Site A as a transit-oriented mixed-use project that helps realize the City of Alameda's vision for the development of Alameda Point. The Town Center Plan is a specific plan adopted pursuant to Government Code Section 65450 et seq. for the implementation of the City of Alameda's vision for the heart of the former Naval Air Station (NAS) Alameda and fulfills the request for a Town Center Waterfront Master Plan required under AMC Section 30-4.24 Alameda Point District. Development of the proposed mixed-use project at Site A on Alameda Point (proposed project) would entail the redevelopment of a 68-acre portion of the former Alameda Point Naval Air Station (NAS Alameda) entirely within the Town Center Plan area.

In June 2015, the City of Alameda approved the Site A Development Plan, Development Agreement, and a Disposition and Development Agreement (DDA) with Alameda Point Partners (APP, the City's development partner for Site A). The Development Plan was subsequently amended by the City Council in June 2017. The current Site A agreements allow for 800 housing units (200 of which are deed restricted affordable units), 600,000 square feet of commercial development, and up to 15 acres of public parks to be constructed over 15 years in three phases.

Over the seven years since adoption of the Site A Development Plan, APP and its partners have constructed 454 housing units (124 for sale townhomes, 202 rental units, and 128 deed restricted affordable units), two

large public parks, and a Ferry Terminal. This summer construction will begin on 220 additional rental units on Block 11.

As of 2022, APP has not begun construction of infrastructure to support Phase 2 or Phase 3. Phase 2 lands have been conveyed from the Navy to the City but have not been conveyed from the City to APP. Phase 2 is currently entitled for a total of 126 units. Phase 3 lands (with the exception of a small block called “Block 1a”) are still being remediated by the Navy and have not yet been conveyed to the City. Given the uncertainty about the Navy schedule for site remediation and conveyance on Phase 3 lands, and recent changes to the Surplus Lands Act, the City does not expect that these lands will be available for development during the 2023-2031 Housing Element period. Therefore, the Development Plan amendments do not propose any changes to Phase 3 land uses at this time. It is worth noting that although the Site A Development Plan does not propose any housing on Phase 3 lands, the Waterfront Town Center Specific Plan does entitle these areas for residential use. Once acquired, these lands, which are within one block of the new Seaplane Lagoon Ferry Terminal and adjacent to an AC Transit route, would be ideal for high density residential development with over 550 housing units.

The Development Plan amendments focus on the two remaining vacant blocks in Phase 1, which are owned by APP and all of the City owned blocks in Phase 2. The amendments will:

- Allow for construction of at least 179 residential units (90 affordable and 89 market rate) with ground floor commercial space facing West Atlantic Avenue on Block 10, which is owned by APP. The Waterfront Town Center Specific Plan designates this area for higher density residential use with ground floor commercial space. Block 10 is currently designated in the Site A Development Plan for approximately 65,000 square feet of retail or office use in four small buildings, approximately 3 acres of public plazas between the four buildings, and no residential units.
- Allow for the construction of at least 20 market rate residential units on Block 1A at the intersection of Main Street and West Atlantic Avenue. This small block is currently owned by APP and is currently designated for non-residential uses.
- Allow for construction of at least 411 residential units (103 affordable and 308 market rate) on the City owned lands in the Phase 2 area north of Phase 1 and south of West Tower Avenue and the “West Midway Area”. The Phase 2 area is currently designated for only 126 residential units and approximately 175,000 square feet of non-residential, manufacturing, or commercial use.
- Designate Block 12/13 (adjacent to the Waterfront Park) for commercial, entertainment, community serving public parking, the NAS Museum, and the Waterfront Park.

In summary, with the proposed amendments, completion of Site A Phases 1 and 2 will include: 128 townhomes on Block 6 (completed) and Block 7 (currently under construction); 128 affordable units and 2 manager’s units on Block 8 (completed); 200 rental units on Block 9 (completed); 179 units on Block 10; 220 units on Block 11, 20 units on Block 1a, and 411 units on the Phase 2 blocks for a total of 1,288 housing units. Upon completion, 25% of all units will be deed restricted affordable housing and the total number of units in Site A will increase from 800 units to 1,300 units. New and replacement utilities, infrastructure, streets, and streetscape improvements would be constructed on the project site.

2.0 BASIS FOR STREAMLINING

Implementation of the Alameda Point project, as described in the Town Center Plan, including development of Site A, was analyzed in the Alameda Point Environmental Impact Report (Alameda Point EIR, State Clearinghouse No. is 2013012043), which was certified by the City Council on February 4, 2014 by Resolution No. 14891. In addition, on November 30, 2021, the City Council certified the Alameda General Plan 2040 EIR (General Plan EIR), which analyzed the environmental impacts of adding 12,000 new housing units in Alameda over 20 years to accommodate the next two State of California Housing cycles. The General Plan EIR anticipated that much of the new housing would occur at Alameda Point.

The California Environmental Quality Act (CEQA) streamlining and/or tiering provisions including California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allow for environmental review streamlining for projects developed under the Town Center Plan.

None of the conditions for preparation of a subsequent EIR per Section 15162(a) would apply to the proposed project, as described below, allowing for streamlining of the project:

1. The proposed Site A development does not involve substantial changes that would require major revisions to the Alameda Point EIR. As described below under Section 3.1, the Alameda Point EIR evaluated buildout of approximately 5.5 million square feet of developed space consisting of 3,060,500 square feet of manufacturing/warehouse uses; 1,627,500 square feet of office/business park/institutional uses; 812,000 square feet of retail/commercial uses; 1,425 residential units; 291 acres of parks and open space; a new ferry terminal, and 530 marina slips. The GP EIR analyzed the environmental impacts of adding up to 12,000 new housing units in Alameda, with most of the increase occurring in western Alameda and at Alameda Point. As described under the Project Description in the Environmental Checklist below, the proposed Site A development would represent substantially less development than evaluated in the Alameda Point EIR and the GP EIR, consisting of up to 1,300 residential units (up from 800); 360,000 square feet of retail, commercial, and hotel uses (down from 600,000 square feet); and approximately 10 acres of open space and parks (down from 13.35 acres). No new significant environmental effects or substantial increase in the severity of previously identified significant effects would result from the proposed development of Site A, as outlined in the Environmental Checklist below.
2. There are no substantial changes in the circumstances of the project. The existing conditions described in the Alameda Point EIR adequately describe the environment, and the circumstances of the proposed Site A development are consistent with the analysis in the Alameda Point EIR. No new significant environmental effects or substantial increase in the severity of previously identified significant effects would result from the proposed development of Site A, as outlined in the Environmental Checklist below.
3. There is no new information of substantial importance that was not known and could not have been known at the time of the Alameda Point EIR, which was certified on February 4, 2014. As outlined in the Environmental Checklist below, the project would not have more significant effects, or significant effects that are substantially more severe than shown in the Alameda Point EIR. No mitigation measure or alternatives identified in the Alameda Point EIR that are found to be infeasible would be feasible, nor are considerably different mitigations or alternatives available that would substantially reduce significant effects.

The attached Checklist evaluates the potential project-specific environmental effects of the proposed project and evaluates whether such impacts were adequately covered by the Alameda Point EIR, consistent with CEQA Guidelines Section 15183, described below. This Checklist hereby incorporates by reference the Alameda Point EIR and General Plan EIR analysis of all potential environmental impact topics, including all background information it contains regarding the environmental setting of the Alameda Point project. The Alameda Point EIR and General Plan EIR are available for review at the offices of the Planning,

Exhibit 3

Item 7-A, July 25, 2022

Planning Board Meeting

Building and Transportation Department located at 2263 Santa Clara Avenue. In addition, an electronic copy of the Alameda Point EIR and General Plan EIR is available on the City's website at: <https://www.alamedaca.gov/Departments/Base-Reuse-Alameda-Point> and [alameda2040.org/document-library](https://www.alameda2040.org/document-library).

2.1 CEQA Guidelines Section 15183

Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allow streamlined environmental review for projects that are “consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified... except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” (CEQA Guidelines, Section 15183(a).)

Section 15183(c) specifies that “[i]f an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, ... then an additional EIR need not be prepared for the project solely on the basis of that impact.”

Section 15183(b) states that “[i]n approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis: (1) [a]re peculiar to the project or the parcel on which the project would be located; (2) [w]ere not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan with which the project is consistent; (3) [a]re potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or (4) [a]re previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.”

Section 15183(d) further states that the streamlining provisions of this section “shall apply only to projects which meet the following conditions: (1) [t]he project is consistent with: (A) [a] community plan adopted as part of a general plan, (B) [a] zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or (C) [a] general plan of a local agency; and (2) [a]n EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.”

2.2 Applicability of Section 15183 to Site A

The proposed project for Site A would be consistent with the General Plan designations and zoning for the site described in the Town Center Plan, as outlined below, and would meet the requirements for streamlining under CEQA Guidelines Section 15183(d)(1), described above.

The General Plan land use designation for Site A is Mixed-Use. The General Plan Mixed-Use designation is described as follows: “*These areas at Alameda Point and along the Northern Waterfront are designated Priority Development Areas in the regional sustainable communities plan, Plan Bay Area. These diverse areas include a variety of buildings, with residential densities of 10 to 100 units per acre and FAR of 0.25 to 4.0. The Mixed-Use areas permit a wide variety of housing types, including multifamily housing, a wide variety of commercial and business uses and a maximum FAR of 0.25 to 5.0 depending on the sub district and historic district designations.*”

General Plan Policy LU-18 describes the vision for the Alameda Point Waterfront and Town Center Mixed-Use District, as follows. “*Consistent with the Waterfront and Town Center Specific Plan, create a compact,*

transit-oriented mixed-use urban core with an iconic main street and vibrant waterfront experience that leverages the unique character and existing assets of the area to catalyze a transformation of the larger Alameda Point area.

“Actions:

“a. Mixed-Use. Create a pedestrian, bicycle, and transit supportive mixed-use urban waterfront environment designed to provide for a mix of uses that include waterfront and visitor-serving uses, retail, service, entertainment, lodging, recreational, and medium to high-density residential.

“b. A ‘Main Street’ for Alameda Point. Identify and designate a commercial main street for Alameda Point and preserve commercial opportunities on that street for the retail and commercial businesses that will be attracted to Alameda Point once new housing and new industries and employers have settled at Alameda Point.

“b. [sic] Seaplane Lagoon. Permit uses that promote pedestrian vitality and are oriented to the Seaplane Lagoon, such as a ferry terminal, marinas, viewing platforms, fishing piers, and areas reserved for kayaks and other non-motorized boats. Include “short-duration stop” facilities that support stopping, gathering and viewing with places to sit, interpretive kiosks, integrated water features, public art, and access to the water.

“c. DePave Park. On the western shore of the Lagoon, support development of “DePave Park” to be consistent with the Public Trust and sensitive to the neighboring Alameda Nature Reserve.

“d. Conservation. Educate users and enforce restrictions to Breakwater Island and install signs about the sensitivity of the protected bird and mammal species.”

Similar to the originally approved Site A Development Plan, the proposed amended mixed-use project would be consistent with the above designations and policy objectives.

Site A is zoned Waterfront Town Center (AP-WTC) Sub-district, which provides for a mix of waterfront and visitor-serving uses, including retail, service, entertainment, lodging, recreational, and medium- to high-intensity residential uses. As laid out in the Town Center Plan, the project site’s land use designations are: Residential Mixed Use (RMU); Commercial Mixed Use (CMU); Retail, F&B, and Entertainment (R); and Open Space (OS). The majority of the project site is designated RMU, with the portions generally north and east of Seaplane Lagoon designated R or CMU. The portion of the project site along the northern edge of the Seaplane Lagoon is designated OS. Under the Town Center Plan, which is a specific plan and fulfills the request for a Town Center Waterfront Master Plan required under AMC 30-4.24 Alameda Point District, the form-based zoning would grant planning staff extensive discretion over the form and design of the proposed project.

The proposed project would be consistent with the land use transition concept specified in the Town Center Plan, which is as follows:

“Along the edge of Bayport and bordering the Main Street Neighborhoods in the Atlantic Entry District, lower-density multi-family residential use – in the form of 2-3 story townhomes and walk-up flats – is proposed. Toward the Seaplane Lagoon, residential density increases, with 3-5 story apartments over parking and/or retail podia. The greatest mix and intensity of uses (including office, residential, hotel and retail) and the site’s tallest buildings (5-6 story) are concentrated at the west end of Ralph Appezzato Memorial Parkway and along Ferry Point Road. A zone of retail, entertainment, dining and other visitor serving uses overlays the Town Center and East Waterfront

along Ferry Point Road, connecting residential and commercial centers and providing amenities to both. Along the north edge of the Seaplane Lagoon, maritime and commercial uses provide a transition from the Town Center westward to the more industrial, production-oriented functions currently located along the west side of the Adaptive Reuse Sub-District. Public open space and maritime uses surround the Seaplane Lagoon, providing for enjoyment of the Waterfront.”

The project site has maximum height limits ranging from 40 to 65 feet; in addition, certain areas have required minimum heights ranging from 20 to 50 feet. Height limits gradually increase from 40 feet at the eastern project boundary along Main Street to their greatest height along the eastern edge of Seaplane Lagoon. In addition, heights above 65 feet can be approved along blocks immediately east of Seaplane Lagoon. The proposed project would have buildings generally ranging from 35 feet to 65 feet in height. The tallest buildings would be constructed in the southwestern corner of the site, at the western end of West Atlantic, and consistent with the Town Center Plan, may be taller than 65 feet, subject to the Planning Board approval and Design Review, if the building exhibits exceptional architectural design and is transit supportive.

The project would preserve and maintain views through the project area, consistent with the guidelines of the Town Center Plan’s Transit Village Center Guidelines. The guidelines designate view corridors along, and of, the Seaplane Lagoon, including a public plaza a minimum of 1 acre in size that extends from Pan Am Way to the waterfront, with a minimum width of 150 feet; building setbacks along the Seaplane Lagoon ranging from 32 to 200 feet; a view corridor of no less than 40 feet between Building 77 and the Seaplane Lagoon; and a view corridor extending along the RAMP of approximately 105 feet.

The Alameda Point EIR was prepared for the Town Center Plan and was certified by the City Council on February 4, 2014, and the General Plan EIR was certified by the City Council on November 30, 2021 as described further in Section 3, consistent with the requirements for applicability of streamlining under CEQA Guidelines Section 15183(d), described above. Therefore, the proposed project is eligible for streamlined environmental review under California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

3.0 ALAMEDA POINT PROJECT EIR

3.1 Background

The Alameda Point EIR evaluated the potential environmental impacts associated with the redevelopment and reuse of the 878 acres of land and approximately 1,229 acres of water at the former NAS Alameda, at the western end of the City of Alameda. The project evaluated in the Alameda Point EIR includes:

- Adoption of a Master Infrastructure Plan for the replacement, reconstruction, and rehabilitation of deteriorated and substandard infrastructure, buildings, and shoreline protections;
- Rehabilitation and new construction of open space, parks, and trails for public enjoyment;
- Rehabilitation, reuse, and new construction of approximately 5.5 million square feet of commercial and workplace facilities for approximately 8,900 jobs;
- Maritime and water-related recreational uses in and adjacent to the Seaplane Lagoon, including a new ferry terminal;
- Rehabilitation and new construction of 1,425 residential units for a wide variety of household types for approximately 3,240 residents;⁴ and

- Adoption of a General Plan Amendment, a Zoning Ordinance Amendment, and a precise plan that would create planning sub-districts in Alameda Point to facilitate a seamless and integrated mixed-use, transit-oriented community consistent with the existing General Plan and Reuse Plan.

In February 2014, the Alameda City Council approved a Master Infrastructure Plan, General Plan Amendment, and Zoning Ordinance Amendment, and certified the EIR; in May 2014, the Council approved the Alameda Point Transportation Demand Management Plan; and in July 2014, the Council approved the Town Center Plan as part of the required entitlement process for potential development at Alameda Point.

3.2 Potential Environmental Effects Identified

The Alameda Point EIR analyzed the following environmental resource topics: land use consistency and compatibility; population and housing; transportation and circulation; cultural and paleontological resources; biological resources; air quality and greenhouse gases; noise; geology, soils, and seismicity; hydrology and water quality; hazards and hazardous materials; aesthetics; public services and recreation; and utilities and service systems.

Significant and unavoidable impacts, even with implementation of mitigation measures, were identified in the Alameda Point EIR for the following environmental resource topics: transportation and circulation; cultural resources; air quality and greenhouse gases; and noise. In addition, the Alameda Point EIR identified mitigation measures that would reduce significant impacts to less-than-significant levels for the following resources: biological resources; geology, soils, and seismicity; hydrology and water quality; hazards and hazardous materials; aesthetics; and utilities and service systems.

Mitigation measures applicable to the development of Site A from the approved Mitigation Monitoring and Reporting Program for the Alameda Point EIR are listed in Attachment A. As described for each environmental resource topic in the Checklist, with implementation of these mitigation measures, the proposed project would not result in significant impacts beyond those analyzed in the Alameda Point EIR. All of the mitigation measures identified in the EIR were adopted and incorporated into the Alameda Point project by Resolution No. 14891.

4.0 PROJECT DESCRIPTION

4.1 Overview

The Alameda Point Town Center and Waterfront Precise Plan (Town Center Plan) envision Site A as a transit-oriented mixed-use project that helps realize the City of Alameda's vision for the development of Alameda Point.⁴ The mixed-use project at Site A on Alameda Point would entail the redevelopment of a 68-acre portion of the former NAS Alameda.

The proposed project as originally approved in 2015 would have included up to 800 residential units and 600,000 square feet of retail, commercial, and hotel uses.

The amended project would include 1,300 housing units and 360,000 square feet of retail, commercial, and hotel uses.

This Checklist addresses all phases of the Site A development as amended, based on the information available at this time. City design review and approval of the subdivision map for proposed project phases may include modifications to the plans as considered and evaluated; subsequent CEQA review for consistency with the certified EIR may occur at that time, depending on the extent of those modifications. The project approvals required for Site A are listed below under Section 6.

4.2 Project Location

The project site, referred to as Site A, is an approximately 68-acre area on Alameda Point, the former NAS Alameda west of Main Street at the western end of Alameda Island, in the City of Alameda, California, as shown on Figure 1. Site A is designated to be the town center area of Alameda Point, and has approximately 1,500 lineal feet of frontage on the Seaplane Lagoon.

Site A is located along West Atlantic Avenue, which serves as a gateway to Alameda Point from Main Street, and is bounded by Main Street to the east and West Tower Avenue to the north. It includes the parcels immediately south of West Atlantic Avenue (a westward extension of RAMP) and the parcels just west of Ferry Point. The Seaplane Lagoon forms the southwestern boundary along the site.

The site is accessible from Interstate 880, which is approximately 2.5 miles to the north of the site; regional access to Site A is via State Route 260 through the Webster-Posey Tube, connecting the island of Alameda and the City of Oakland, approximately 2 miles to the northeast of the site. The Alameda Main Street public ferry terminal is 1 mile to the north of Site A.

4.3 Existing Conditions

Site A is relatively flat, with sparse vegetation, and is occupied by structures and other vestiges of the military activities that took place at NAS Alameda during its operation from 1940 to 1997. The site is predominantly paved with asphalt; it is developed with large warehouse buildings along the northern edge of the site, with other industrial and commercial buildings and structures scattered across the site.

Over the seven years since adoption of the Site A Development Plan, APP and its partners have constructed 454 housing units (124 for sale townhomes, 202 rental units, and 128 deed restricted affordable units), two large public parks, and a Ferry Terminal. This summer, construction will begin on 220 additional rental units on Block 11.

As of 2022, APP has not begun construction of infrastructure to support Phase 2 or Phase 3. Phase 2 lands have been conveyed from the Navy to the City but have not been conveyed from the City to APP. The existing vacant Navy warehouses remain in this area. Phase 3 lands (with the exception of a small block called “Block 1a”) are still being remediated by the Navy and have not yet been conveyed to the City.

Cartwright Substation is a 115/12.47-kilovolt (kV) substation at the southeastern corner of the site that provides local electric distribution to Alameda Point and portions of the surrounding areas to the east. This substation would remain in service throughout the redevelopment of Alameda Point, including Site A.

As described in the Master Infrastructure Plan (MIP), the elevation of Alameda Point ranges from 1 foot to 8 feet, with areas immediately along the Seaplane Lagoon and extending along Ferry Point that are in the 100-year tide zone, and therefore vulnerable to flooding. Areas generally between West Trident Avenue and West Atlantic Avenue are also in the 100-year tide, and are therefore also vulnerable.

As described in the Alameda Point EIR, Site A is a former Navy site and includes contaminants that were remediated or are in the process of being remediated. Site A is designated as a National Priorities List site. It contains, or contained, contaminated soils and groundwater associated with past industrial, manufacturing, and military activities and uses, including one landfill, an airfield, and an oil refinery. In addition, as described in the EIR, the site is underlain by a layer of sediment (referred to as the Marsh Crust) that was deposited from the late 1800s to the 1920s, and was contaminated with semi-volatile organic compounds. The City’s Marsh Crust Ordinance applies to excavation on Site A.

4.4 Project Characteristics

Consistent with the Town Center Plan and Chapter 3, Project Description, of the Alameda Point EIR, Site A is proposed for a mixed-use, transit-oriented, residential/commercial development, and would serve as the retail core of Alameda Point. At full build out, the 2022 Site A Development Plan will include 1,300 housing units and 360,000 square feet of non-residential commercial uses. The Alameda Point EIR evaluated the environmental impacts of 1,425 housing units and 5.5 million square feet of non-residential uses.

4.4.1 New Buildings

Five building types would be constructed under the proposed project, as listed in Table 1 and described below.

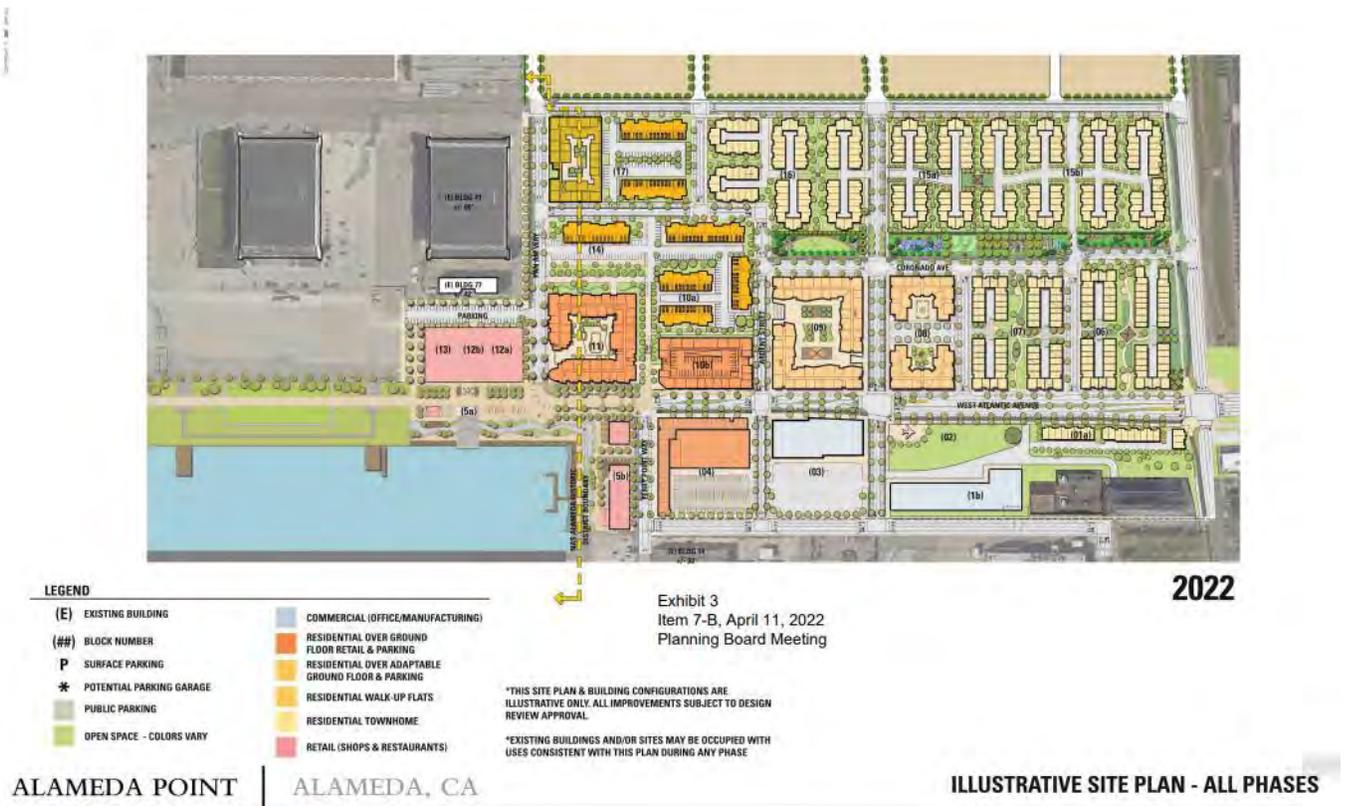
- **Townhome.** Residential three-story townhomes would be clustered around auto-courts, with their entries facing either public rights-of-way or pedestrian walkways. Buildings may be up to three stories and 35 feet tall, and include both two- and three-bedroom units. Consistent with the Town Center Plan, certain townhomes would be provided with raised stoops and some would be flush with grade and designed with a ground-floor frontage capable of being adapted for non-residential uses.
- **Multifamily Flats.** Residential buildings would have a ground-level parking garage with residential units above or with residential uses wrapped along the building street frontage. Residential units would include studios, and one-, two-, and three-bedroom flats. Buildings may be up to five stories and up to 65 feet in height.
- **Mixed Use.** Mixed-use buildings would have a design similar to the multifamily building type, and would contain a mix of uses at the ground level, such as retail; food and beverage service; parking; residential; and hotel. In this building type, either residential units or hotel rooms would be constructed above the ground floor. Parking would be visually screened from the street.

Buildings may be up to seven stories and 65 feet in height.

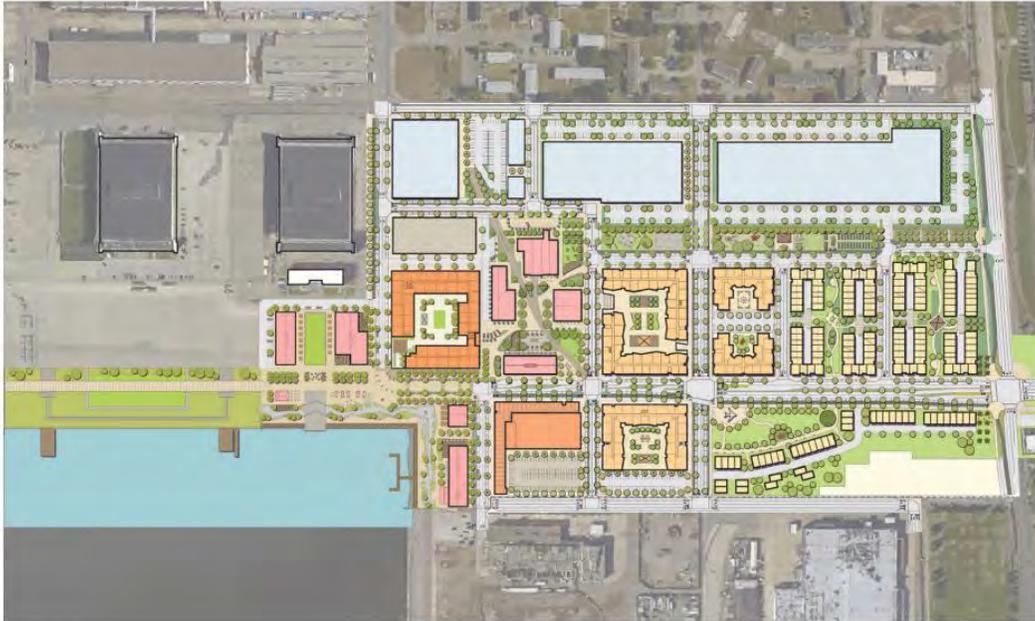
- **Commercial.** The commercial building type would have large spaces and volumes, which would be suitable for a variety of commercial and light-industrial uses, and would generally be of wood and/or metal construction. Buildings would be one story, and up to 35 feet in height.
- **Retail.** The retail building type would be primarily one-story structures, characterized by visually transparent façades (such as glass), multiple points of entry along the building, and minimum ceiling heights of 14 feet. Retail uses would vary from general merchandise; food and beverage; entertainment; and service. Streetscapes along the storefronts would be designed with pedestrian amenities.

Figure 1 below shows the 2022 Development Plan as compared to the 2015 Development Plan.

2022 Development Plan



2015 Development Plan



4.4.2 Parks and Open Spaces

Site A would be developed with two distinct park-themed areas or districts; each district would have a unique character and programming intended to create accessible and walkable community open space, as described below. A portion of the Bay Trail would be constructed along the northeastern edge of the Seaplane Lagoon, along the southern edge of RAMP to Main Street, and along the Site A frontage on Main Street, generally from RAMP north to West Tower Avenue.

In addition to the public open spaces/parks described below, private open space would be developed for the residential uses.

The Waterfront Park would include an approximately 7.23-acre park along the shoreline of the Seaplane Lagoon. Amenities would be designed for water-oriented activities and views, and would include pedestrian walks, bicycle paths, vista points, seat/rest areas, flexible plaza space for events, and access to the water. The first 2.6 acres of the 7.23 acre park were completed in 2021.

Completed in 2021, an approximately 1.35-acre linear neighborhood park was constructed along Coronado Avenue. In addition, an approximately 1.15-acre park would be constructed along RAMP, the main entry road, which would retain the existing Corsair II aircraft display and existing Cypress tree along the southern edge of RAMP.

4.4.3 Infrastructure Improvements

Proposed infrastructure improvements would be consistent with the MIP⁹ for the Alameda Point project. General Improvements are described below.

Streetscape, Circulation, and Parking

Site A would be developed with a “complete streets” transportation network that would support a variety

of modes of transportation, and would provide pedestrian, bicycle, and transit facilities. New roadways would be constructed, and existing roadways would be re-aligned, resulting in a grid street network on the site. West Atlantic Avenue was realigned east of Main Street and serves as a gateway to Site A. The project frontage along Main Street would be landscaped, and the portion of the Bay Trail along Main Street from RAMP to West Tower Avenue would be constructed.

The street system would include a network of local streets with connecting alleys and a dedicated bus lane on West Atlantic. Sidewalks would be constructed along streets, with widths varying between 6 and 15 feet, based on street right-of-way sections. In addition, bicycle facilities—including separated bicycle paths, shared pedestrian and bicycle paths, and bicycle lanes with painted buffer strips—would be constructed throughout the site.

Utilities and Site Improvements

The MIP describes the planned backbone infrastructure, anticipated to consist primarily of new infrastructure installed to support the uses in Site A. The backbone infrastructure is the major framework of streets and utilities, generally based on the existing street grid within Site A.

The MIP outlines potential corrective geotechnical and flood protection improvement measures. In addition, the proposed utility systems described in the MIP include storm water, wastewater, potable water, recycled water, electrical, natural gas, and telecommunication systems. Each of these systems is anticipated to connect to existing public facilities at the perimeter of Site A. The proposed electrical system would connect to the existing Cartwright Substation, which is in Site A near the intersection of West Atlantic Avenue (future RAMP) and Main Street.

Flood Protection, Sea-Level Rise Strategy, Soil Improvements, and Site Grading.

Consistent with the Alameda Point EIR and MIP evaluated therein, the proposed project would construct flooding and sea-level rise protection. Perimeter flood protection measures would be constructed for integration with the sea-level rise adaptive management strategy for Alameda Point. Along the eastern perimeter of the Seaplane Lagoon, shoreline flood protection improvements would be installed to a minimum elevation of 7.6 feet (City Datum) along Site A, based on the MIP design criteria 100-year tide, plus 24-inch sea-level rise, plus 1-foot wind/wave run-up, plus 1-foot freeboard. Geotechnical corrective measures to address liquefaction potential and stabilize the building sites may include soil improvement techniques such as soil-cement mixed columns, drilled displacement columns, stiffened foundations, and/or piles. In addition, the site would be graded to achieve the minimum required elevations per the MIP. Portions of the site would be raised up to 3 feet above the existing ground level, requiring approximately 360,000 cubic yards of on-site grading (cut to fill), and approximately 100,000 cubic yards of soil to be imported to the site.

Storm water. A new storm water collection system would be constructed, consisting of pipelines, manholes, inlets, pump stations, multi-purpose basins, and outfalls. The new storm water system would be designed to convey the 25-year design storm with 6 inches of minimum freeboard. Additionally, the system would accommodate the 100-year storm, with a maximum ponding in the streets of up to the top of curb at low points in the street profiles. A new storm water outfall would replace an existing outfall toward the northeastern edge of the Seaplane Lagoon. This new outfall would convey storm water runoff from Site A into the Bay, and would include tide valves to prevent tidal influences in the system. Due to high groundwater table, and the limited potential for collecting and reusing storm water, the proposed project would implement low-impact development principles for the management and treatment of storm water runoff. Although much of the system would be gravity-based, pumping may be necessary to convey treated flows to bio retention areas.

Potable Water Improvements. The existing water system would be replaced with a new potable water distribution system in phases consistent with the development build-out. The proposed distribution pipelines would connect to the existing East Bay Municipal Utility District (EBMUD) water facilities in Main Street. The proposed distribution system would range in size from 8 inches to potentially 16 inches in diameter. The proposed water distribution facilities would be installed in the backbone streets, providing potable and fire water to the proposed project.

Wastewater. The proposed project would replace the existing wastewater system with a new wastewater collection system that would be owned and operated by the City of Alameda. The proposed collection system would include gravity pipelines ranging in size from 8 inches to 24 inches in diameter, and lift/pump station(s) and force main pipelines. The proposed wastewater collection facilities would be installed in the backbone streets in Site A. The proposed system would connect to EBMUD's existing Pump Station R at the Main Gate. Pump Station R conveys wastewater flows to the EBMUD treatment plant in Oakland.

Recycled Water. A network of recycled water pipelines is anticipated to be constructed in the proposed rights-of-way of major backbone streets, and would range in size from 6 to 12 inches to serve the open space and public landscaping. The recycled water facilities would be designed and constructed in accordance with EBMUD's regulations, standards, and specifications, should provisions for a permanent source be available.

Electricity. The existing overhead transmission lines in Site A would be replaced with a new underground electric distribution system from the Cartwright Substation, in phases consistent with the development build-out. The proposed electric distribution system would consist of new underground conduits, vaults, boxes, and pads that can accommodate 15-kV-rated cables, transformers, switches, and other utility distribution equipment, including its supervisory control and data acquisition communication monitoring and controls. The electrical conduits and cables would be placed in a joint utility trench along the backbone streets. This trench would also accommodate the natural gas, telephone, cable television, possible ancillary fiber optic cable systems, and streetlight facilities.

Natural Gas. A new natural-gas-distribution system would be installed throughout Site A, replacing the existing natural gas system in phases consistent with the development build-out. This system would connect to the existing 8-inch main near the intersection of West Atlantic Avenue and Main Street. The proposed gas facilities would be constructed in the backbone streets in a phased implementation.

New Telecommunications Systems. New telecommunications systems, including telephone and cable television, would be installed. Additional empty conduits would be installed to accommodate the implementation of fiber optics by other service providers. These systems would connect to the existing systems east of Site A, near Main Street. The proposed telecommunication facilities would be constructed in the backbone streets.

4.5 Phasing and Construction

Site A would be constructed in three phases, with demolition and grading preceding each phase, and utility and street infrastructure constructed prior to completion of vertical construction for each phase. Temporary improvements would be installed as needed to connect to adjacent facilities and roadways to provide access and utilities until future development occurs.

The proposed project infrastructure improvements would be phased to accommodate the scheduled build-out of the residential, retail, commercial, parks, and open space planned for each phase of development. All below-grade utility and street surface improvements that are necessary to comply with the local, state, and federal requirements and applicable law would be completed to deliver a fully functional phase. The phasing of the infrastructure improvements may vary depending on final build-out mix and need. All local

in-tract streets (streets within the parcels) necessary to provide access and utility connections would be constructed in the appropriate phase. Each phase would also require interim transitions from the permanent improvements to the existing utilities and roadway sections.

4.6 Project Approvals

4.6.1 City of Alameda

- Disposition and Development Agreement specifying the price and terms of payment for project site and development obligations.
- Development Agreement vesting the rights to develop the project site, as set forth under the terms of that agreement.
- Development Plan including a detailed site plan, with backbone and in-tract street alignments and sections, building footprints and massing, landscape concepts, and a phasing plan, pursuant to Section 30-4.13 (j) of the Alameda Municipal Code.
- Tentative and Final Maps, Design Review, and Conditional Use Permits or variances, if determined necessary, for each phase of development.
- Density Bonus Waiver for construction of multi-family housing, and Affordable Housing Unit Plan.
- Site Management Plan providing guidelines for development activities to be conducted in a manner to protect the health and safety of workers, residents, visitors, and the environment.
- Infrastructure Improvement Plans for the improvement of the on-site and adjacent off-site streets, open space, wastewater, storm water, potable water, recycled water, power, natural gas, and communications facilities for each phase of development.
- Excavation permit per City of Alameda Marsh Crust Ordinance.
- A design-level geotechnical analysis to confirm that the necessary corrective measures would be prepared as part of the design process of proposed improvements.
- Transportation Demand Management Plan Compliance Strategy.
- Demolition, grading, and building permits.
- The City of Alameda Public Works Department and Alameda Municipal Power would be responsible for reviewing and approving each of their respective components of the proposed infrastructure improvements with each development.
- All proposed improvements and structures would be compliant with the avoidance and minimization measures outlined in the Biological Opinion issued by the U.S. Fish and Wildlife Service; the Declaration of Restrictions recorded on the Alameda Point property; and a Memorandum of Agreement with the Veterans' Administration for lighting mitigation measures related to protecting the least tern colony in the Veterans' Administration property. The City of Alameda would review all proposed improvements to ensure compliance.

4.6.2 Other Agencies

- Regional Water Quality Control Board – Section 401 water quality certification required for activities in wetlands or below the ordinarily high water line, such as for the construction of the storm water outfall.
- U.S. Army Corps of Engineers – Improvements in the waters of the United States require a Section 404 permit, such as for construction of the storm water outfalls or any shoreline flood protection measures below the ordinary high water line.
- Bay Conservation and Development Commission – Permit for improvements or proposed structures in the Bay or within 100 feet of the Bay shoreline.
- Bay Area Quality Management District – Permit for asbestos abatement activities.
- EBMUD – Review and approval of proposed water, wastewater, and recycled water infrastructure improvements.
- Pacific Gas and Electric Company – Review and approval of proposed electrical and natural gas infrastructure improvements.

5.0 EVALUATION OF ENVIRONMENTAL EFFECTS

This Checklist compares the potential environmental impacts that may result from implementation of the proposed project to the effects previously identified for the Alameda Point project's Development Program (including Site A), to determine whether the proposed project's environmental impacts were adequately addressed in the Alameda Point EIR per CEQA Guidelines Sections 15162 and 15183, as described under Section 2.0, above.

The checkboxes in the Checklist indicate whether the proposed project would result in environmental impacts, as described below:

- **Equal or Less Severity of Impact than Previously Identified in the Alameda Point EIR** – The severity of the specific impact of the proposed project would be the same as or less than the severity of the specific impact described in the Alameda Point EIR.
- **Substantial Increase in Severity of Previously Identified Significant Impact in the Alameda Point EIR** – The proposed project's specific impact would be substantially greater than the specific impact described in the Alameda Point EIR.
- **New Significant Impact** – The proposed project would result in a new significant impact that was not previously identified in the Alameda Point EIR.

Where the severity of the impacts of the proposed project would be the same as or less than the severity of the impacts described in the Alameda Point EIR, the checkbox for Equal or Less Severity of Impact Previously Identified in Alameda Point EIR is checked. Where the checkbox for Substantial Increase in Severity of Previously Identified Significant Impact in Alameda Point EIR or New Significant Impact is checked, there are significant impacts that are:

- Peculiar to project or project site (CEQA Guidelines Section 15183(b)(3));
- Not analyzed as significant impacts in the previous EIR, including off-site and cumulative impacts (CEQA Guidelines Section 15183(b)(2));
- Due to substantial changes in the project (CEQA Guidelines Section 15162(a)(1));
- Due to substantial changes in circumstances under which the project will be undertaken (CEQA Guidelines Section 15162(a)(2)); or
- Due to substantial new information not known at the time the EIR was certified (CEQA Guidelines Sections 15162(a)(3) and 15183(b)(4)).

As described under Section 3.2, above, the Alameda Point EIR analyzed the following environmental resource topics, which are present in the Checklist below in the order that they are presented in the EIR, as follows: land use consistency and compatibility; population and housing; transportation and circulation; cultural and paleontological resources; biological resources; air quality and greenhouse gases; noise; geology, soils, and seismicity; hydrology and water quality; hazards and hazardous materials; aesthetics; public services and recreation; and utilities and service systems. The first section under each resource topic in the Checklist provides a summary of the potential environmental impacts that may result from the Alameda Point project, as evaluated in the Alameda Point EIR. The second section describes the proposed project and its consistency with the EIR, identifies applicable mitigation measures, and discusses the adequacy of the EIR analysis. For the purposes of this Checklist, it is assumed that the proposed project

will be required to comply with all applicable mitigation measures identified in the Alameda Point EIR and adopted and incorporated into the Alameda Point project, as described in the Checklist.

This Checklist hereby incorporates by reference the Alameda Point EIR discussion and analysis of all potential environmental impact topics; only those environmental topics that could have a potential project-specific environmental impact are included. The EIR significance criteria have been consolidated and abbreviated in this Checklist for administrative purposes; a complete list of the significance criteria can be found in the Alameda Point EIR.

1. Land Use Consistency and Compatibility Would the project:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Physically divide an established community;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, specific plans, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Findings of the APP EIR

The Alameda Point EIR determined that the Alameda Point project would have less-than-significant project-level and cumulative land use impacts caused by the physical division of an established community; conflicts with applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to, the General Plan and zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or conflicts with applicable Habitat Conservation Plans or Natural Community Conservation Plans. Therefore, no mitigation measures related to potential land use impacts were required.

Site A Development Plan Amendments

Land uses designated for the Town Center and Waterfront Town Center Sub-district include waterfront restaurants, retail, hotels, entertainment, other visitor-serving uses, and multi-family housing. As described in the Alameda Point EIR, new building types include commercial block, workplace commercial, adaptive reuse, parking structures, and attached residential building types (such as work-live, stacked flats, multiplex, and row houses).

The proposed amendments to the project allow for an increase in multifamily units on blocks that had previously been planned for commercial development. The proposed revisions are consistent with the Alameda General Plan 2040 growth projections, consistent with the Alameda Point Town Center Specific Plan and Zoning Ordinance, consistent with the Bay Area Sustainable Communities Strategy, and consistent with the State of California’s determination of the City of Alameda’s Regional Housing Needs Allocation for the upcoming 8 year cycle.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the

discussion above, the proposed amendment to the development plan for Site A would not substantially increase the severity of the less-than-significant land use consistency and compatibility impacts identified in the Alameda Point EIR, nor would it result in new significant land use consistency and compatibility impacts that were not identified in the Alameda Point EIR.

2. Population and Housing Would the project:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure);	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Displace substantial numbers of existing people, necessitating the construction of replacement housing elsewhere.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Findings of the Alameda Point EIR

The Alameda Point EIR determined that the Alameda Point project would have less-than-significant project-level and cumulative population and housing impacts related to direct or indirect inducement of substantial population or housing growth; displacement of substantial population or housing; and additional population, housing, or employment growth, or displacement of existing residents or housing units, on a regional level. Therefore, no mitigation measures related to potential land use impacts were required.

Site A Development Plan Amendments

The proposed amendments to the Site A Development Plan allow for an increase in multifamily units on blocks that had previously been planned for commercial development. The proposed revisions are consistent with the Alameda General Plan 2040 growth projections, consistent with the Alameda Point Town Center Specific Plan and Zoning Ordinance, consistent with the Bay Area Sustainable Communities Strategy, and consistent with the State of California’s determination of the City of Alameda’s Regional Housing Needs Allocation for the upcoming 8 year cycle. Furthermore, the plan does not displace any existing residents or include the demolition of any existing housing units.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the discussion above, development of Site A would not substantially increase the severity of the less-than-significant population and housing impacts identified in the Alameda Point EIR, nor would it result in new significant population and housing impacts that were not identified in the Alameda Point EIR.

3. Transportation and Circulation Would the project result in: ¹	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the congestion management agency for designated roads or highways;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Transportation and Circulation Would the project result in: ¹	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
e. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
¹ The Alameda Point EIR also included an analysis of potential transportation and circulation impacts based on criteria recommended by the City of Alameda Transportation Commission, the City of Oakland CEQA thresholds (for intersections in Oakland), Caltrans (for freeway segments and ramps), and the Alameda County Transportation Commission (for Congestion Management Program roadway segments). Although these specific criteria are not listed here, the discussion below reflects the results of this analysis. Please refer to the APP EIR for these specific criteria.			

Findings of the Alameda Point EIR

The Alameda Point EIR also determined that the Alameda Point project could result in significant project-level and cumulative transportation and circulation impacts at local study locations in the cities of Alameda and Oakland. During construction, the Alameda Point EIR determined that development facilitated by the APP would generate temporary increases in traffic volumes on area roadways, resulting in a significant impact. Implementation of **Mitigation Measure 4.C-1** (Construction Management Plan) would reduce this impact to a less-than-significant level. The Alameda Point project, at full buildout, would generate approximately 33,429 daily vehicle trips, about 2,928 weekday morning (a.m.) peak-hour trips, and 3,294 weekday evening (p.m.) peak-hour trips. Even with the implementation of **Mitigation Measures 4.C-2a** through **4.C-2o** (TDM Program, Monitoring, and measures to implement physical improvements), and **Mitigation Measures 4.C-5a** through **4.C-5ziv** (TDM Program, Monitoring, Fund Fair Share Contribution to Transportation Improvements, and measures to implement physical improvements),⁸ the EIR determined that the redevelopment and reuse of NAS Alameda would result in significant and unavoidable project-level and cumulative impacts at local study locations due to an increase in traffic. In addition, project-level and cumulative transportation-related increases in peak-hour traffic volumes could potentially result in additional collisions involving pedestrians at the Oakland Chinatown intersections closest to the portals of the Webster and Posey tubes. This impact would be significant and unavoidable, even with implementation of **Mitigation Measure 4.C-9** (Chinatown Pedestrians).

The Alameda Point EIR determined that the Alameda Point project would have negligible changes in density (vehicles per lane) and a minimal change in level of service on the freeway mainline or freeway ramps under project and/or cumulative conditions. The Alameda Point project could result in an increase in traffic congestion on local streets that could affect emergency response times, but—in accordance with the existing City requirements, standards, and regulations—all development projects and transportation improvements would be reviewed by local emergency services providers (including the police and fire departments) for consistency with their standards and provision of adequate emergency access. Overall, the Alameda Point EIR determined that impacts to freeway facilities and emergency vehicle access would be less than significant, and no mitigation would be required.

Site A Development Plan Amendments

The proposed amendments to the Site A Development Plan allow for an increase in multifamily units on blocks that had previously been planned for commercial development. The proposed revisions are consistent with the Alameda General Plan 2040 growth projections, consistent with the Alameda Point Town Center Specific Plan and Zoning Ordinance, consistent with the Bay Area Sustainable Communities Strategy, and consistent with the State of California's determination of the City of Alameda's Regional Housing Needs Allocation for the upcoming 8 year cycle. Furthermore, the plan does not displace any existing residents or include the demolition of any existing housing units.

Similar to the 2015 approved Site A Development Plan as amended in 2017, the amended development would be developed with a "complete streets" transportation network that would support a variety of modes of transportation, and would provide pedestrian, bicycle, and transit facilities, consistent with the MIP. New roadways would be constructed, and existing roadways would be re-aligned, resulting in a grid street network on the site, as described under Project Description, above. The street system would include regional arterials, such as Main Street and West Atlantic; collector streets, such as Pan Am Way; and a network of local streets with connecting alleys. Sidewalks would be constructed along streets, with widths varying between 6 and 15 feet, based on street right-of-way sections. A dedicated bus rapid transit lane has already been constructed along the West Atlantic Avenue extension.

Because the proposed project contributes only a portion of the residents and jobs analyzed in the Alameda Point EIR, the proposed project would not generate more weekday peak hour vehicle trips than studied in the Alameda Point EIR, and would not result in a substantial increase in the severity of the significant impacts previously identified in the Alameda Point EIR; therefore, project-generated trips were adequately covered in the previous analysis. Because the proposed project contributes to future traffic levels along affected roadways, the project sponsor would be required to adhere to specific mitigation measures from the Alameda Point EIR Mitigation and Monitoring Report Program, which are noted in Attachment A. Implementation of specific mitigation measures (and other requirements to minimize transportation impacts) would be coordinated between the project sponsor and the City of Alameda, as appropriate. Such measures shall include funding a fair share to the total costs of identifiable transportation improvements, and the implementation of a Transportation Demand Management (TDM) program pursuant to Alameda Point EIR findings and relevant project approvals. Additionally, the TDM Plan was approved by the City Council on May 20, 2014.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the discussion above, the amended development of Site A would not substantially increase the severity of significant transportation and circulation impacts identified in the Alameda Point EIR, nor would it result in new significant transportation and circulation impacts that were not identified in the Alameda Point EIR.

4. Cultural and Paleontological Resources Would the project:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Cause a substantial adverse change in the significance of a historical resource, as defined in Section 15064.5;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of a unique archaeological resource, pursuant to Section 15064.5;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Findings of the Alameda Point EIR

Alameda Point contains the NAS Alameda Historic District, which covers approximately 406.5 acres. The NAS Alameda Historic District contains 100 contributors, including 99 contributing buildings and structures, and contributing historic cultural landscape features. Portions of the NAS Alameda Historic District overlap with the Town Center and Waterfront Town Center Sub-district. The Alameda Point EIR determined that the Alameda Point project could result in significant impacts to the NAS Alameda Historic District, and identified **Mitigation Measure 4.D-1a** (Historic Preservation Ordinance), **Mitigation Measure 4.D-1b** (Guidelines), **Mitigation Measure 4.D-1c** (Removal Mitigation Plans), and **Mitigation Measure 4.D-5** (Implement Mitigation Measure 4.D-1), all of which would reduce significant impacts; however, even with the implementation of these mitigation measures, impacts could remain significant and unavoidable.

No archaeological resources have been recorded on Alameda Point, and the area has a low potential to contain buried prehistoric or historic-era sites. In addition, there are no known fossil sites in the project area, and the underlying geologic units have a low potential to yield significant paleontological resources. There is no indication that the area has been used for burial purposes in the recent or distant past, and it is unlikely that human remains would be encountered in the project area. The EIR determined that impacts resulting from inadvertent discovery of archaeological resources, paleontological resources, or human remains would be less than significant with implementation of **Mitigation Measure 4.D-2** (Archaeological Resources), **Mitigation Measure 4.D-3** (Paleontological Resources), **Mitigation Measure 4.D-4** (Human Remains), **Mitigation Measures 4.D-5** (Implement Mitigation Measure 4.D-1), and **Mitigation Measure 4.D-6** (Implement Mitigation Measures 4.D-2, 4.D-3, and 4.D-4).

Site A Development Plan Amendments

The Alameda Point EIR included an analysis of the potential effects to historic resources resulting from the development of new buildings in close proximity to the NAS Alameda Historic District or within the District, including the development of Site A. The portion of Site A that is west of Ferry Point Way is in the NAS Alameda Historic District. Within the Historic District, any new buildings would be consistent with the height limits designated in the NAS Alameda Historic District Hanger sub-area and the Historic District Infill Guidelines described in the Town Center

Plan. The project would maintain the character-defining views and street alignment through the project area, further described in Aesthetics, below.

Development in the Historic District, including modification of existing historic resources or the construction of new buildings, will require compliance with **Mitigation Measures 4.D-1a** and **4.D-1b**, as applicable. None of the buildings to be demolished as the result of the amendments to the Development Plan are identified as contributors to the District.

Based on the records search performed as part of the Alameda Point EIR cultural resources analysis (which included a 0.5-mile radius around the project area), there are no known archaeological or paleontological resources in the project area (including Site A), and no indication that the project area has been used for burial purposes. However, the development of Site A would be required to implement **Mitigation Measures 4.D-2, 4.D-3, 4.D-4, 4.D-5, and 4.D-6** to mitigate potential effects related to inadvertent discovery of cultural resources.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the discussion above, development of Site A would not substantially increase the severity of the significant cultural and paleontological resources impacts identified in the Alameda Point EIR, nor would it result in new significant cultural and paleontological resources impacts that were not identified in the Alameda Point EIR.

5. Biological Resources Would the project:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands (as defined by Section 404 of the Clean Water Act) or on Waters of the State protected wetlands, through direct removal, filling, hydrological interruption, or other means;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Biological Resources Would the project:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
d. Interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Conflict with any adopted local, regional, or State Habitat Conservation Plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Findings of the Alameda Point EIR

The Alameda Point EIR determined that the Alameda Point project could result in significant project-level and cumulative biological resource impacts on special-status wildlife, sensitive natural communities, riparian habitat, jurisdictional waters, and migratory and breeding wildlife; and conflict with policies and ordinances protecting biological resources. The EIR included mitigation measures that would reduce these impacts to a less- than-significant level.

The EIR identified numerous impacts to special-status fish and marine mammals from construction of the proposed marina and ferry terminal, as well as other in-water construction, and identified **Mitigation Measure 4.E-1a** (Sound Attenuation Monitoring Plan), **Mitigation Measure 4.E-1b** (NMFS and CDFW Consultation), **Mitigation Measure 4.E-1c** (Additional Noise Attenuation Measures), and **Mitigation Measure 4.E-1d** (Dock Lighting) to reduce these impacts to less-than-significant levels. **Mitigation Measure 4.E-1e** (Northwest Territories Sensitive Resources Measures) applies to the development of the Bay Trail and a proposed regional park. Development of the Alameda Point project, including Site A, could impact potential bat roosting sites in vacant or underused buildings, other manmade structures, and trees in or near the project site. Compliance with **Mitigation Measure 4.E-1f** (Bat Pre-Construction Survey) and **Mitigation Measure 4.E-1g** (Bat Maternity Colony Measures) would ensure that the proposed project has a less-than- significant impact on special-status wildlife. **Mitigation Measure 4.E-1h** (Monarch Butterflies) provides for monarch butterfly roost protection, typically groves of mature conifer and eucalyptus trees.

The EIR identified potential impacts to sensitive natural communities and jurisdictional waters— including federally protected wetlands, “other waters,” and navigable waters—due to marina and ferry terminal and other in-water construction. **Mitigation Measure 4.E-2a** (Native Oysters and Eelgrass), **Mitigation Measure 4.E-2b** (Boater Education), and **Mitigation Measure 4.E-2c** (Invasive Species Control Plan) apply to the marina and ferry terminal construction; **Mitigation Measure 4.E-3a** (Wetlands), **Mitigation Measure 4.E-3b** (BMPs for Wetlands), and **Mitigation Measure 4.E-3c** (Wetland Mitigation and Monitoring Plan) apply to work in the vicinity of jurisdictional waters.

The Alameda Point project could interfere with the movement of native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; **Mitigation Measure 4.E-4a** (Marine Craft Access Corridors) would apply to marine

activities. The Alameda Point EIR determined that the project has the potential to induce bird collisions with lighted buildings and other structures, and would be required to implement **Mitigation Measure 4.E-4b** (Bird Strike Mitigation); this measure requires design features that reduce the risk of avian collisions, and also requires the avoidance and minimization of increases in ambient night lighting. In addition, the APP would have to implement **Mitigation Measure 4.E-4c** (Breeding Birds) and **Mitigation Measure 4.E-4d** (Burrowing Owl) to avoid impacts on nesting birds and burrowing owls. General increases in ambient noise levels due to buildout would be less than significant; however, construction activities could generate noise that would substantially exceed ambient levels, and impact nesting birds. Implementation of **Mitigation Measure 4.E-4e** (Noise Mitigation Measures for Breeding Birds) would reduce this impact to a less-than-significant level. Open refuse containers would be prohibited throughout the project area through implementation of **Mitigation Measure 4.E-4f** (Open Refuse Containers); this would minimize the potential for increased predation on migratory and breeding birds. **Mitigation Measures 4.E-5, 4.E-6, and 4.E-7** require the implementation of the above measures to reduce conflicts with policies and ordinances, and to reduce cumulative impacts.

Site A Development Plan Amendments

Site A is generally developed and landscaped; it is not within the Northwest Territories or on the Federal Property, and is not within close proximity of the California least tern nesting colony. As described in Section 2.2, above, the land uses, building types, heights, and massing for the Site A development would be consistent with the Town Center Plan evaluated in the Alameda Point EIR, as well as the open spaces and view corridors. Elements of the proposed project may include in-water construction along the Seaplane Lagoon for the construction of park and levee facilities, which was evaluated in the Alameda Point EIR.

Therefore, development of Site A would require the implementation of **Mitigation Measure 4.E-1a**, for activities that involve pile driving in the Seaplane Lagoon; **Mitigation Measures 4.E-1b, 4.E-1c, 4.E-1d, and 4.E-2c**, for in-water construction activities Seaplane Lagoon or San Francisco Bay; and **Mitigation Measures 4.E-1f and 4.E-1g**, for demolition of buildings or removal of trees. **Mitigation Measures 4.E-3a, 4.E-3b, and 4.E-3c** are required for work near jurisdictional waters. In addition, **Mitigation Measures 4.E-4b, 4.E-4c, and 4.E-4f** related to bird strikes, breeding birds, and refuse containers would apply to the project. **Mitigation Measures 4.E-5, 4.E-6, and 4.E-7** would also apply to the project.

The amendments to the Site A Development Plan do not affect any portions of the plan adjacent to the water or in the water.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the discussion above, development of Site A would not substantially increase the severity of the less-than-significant biological resources impacts identified in the Alameda Point EIR, nor would it result in new significant biological impacts that were not identified in the Alameda Point EIR.

	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
6. Air Quality and Greenhouse Gases Would the project:			
a. Conflict with or obstruct implementation of the applicable air quality plan;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Air Quality and Greenhouse Gases Would the project:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Findings of the Alameda Point EIR

The Alameda Point EIR determined that the redevelopment and reuse of NAS Alameda could result in significant air quality impacts due to construction activities (including demolition, excavation, and other construction activities), and to the generation of fugitive dust, toxic air contaminants (TACs), and air emissions from construction vehicles. Therefore, all construction activities, including the development of Site A, would require implementation of **Mitigation Measure 4.F-1a** (Fugitive Dust), **Mitigation Measure 4.F-1b** (Construction Exhaust), **Mitigation Measure 4.F-1c** (Demolition Controls), **Mitigation Measure 4.F-1d** (Toxic Air Contaminants and PM_{2.5}), and **Mitigation Measure 4.F-1e** (Delayed Occupancy). The EIR further determined that although localized emissions of fugitive dust and TACs would be reduced to less- than-significant levels with mitigation, project-level and cumulative construction air quality impacts from regional ozone precursors (reactive organic gas [ROG] and oxides of nitrogen) would remain significant and unavoidable even with the implementation of these measures, due to uncertainty of the scheduling and phasing of development at Alameda Point and the potential for the overlap of project construction activities.

The EIR also determined that the development of NAS Alameda could result in significant operational air quality impacts due to an increase in emissions sources—including on-site area and energy sources (e.g., natural gas combustion for space and water heating, landscape maintenance, and use of consumer products such as hairsprays, deodorants, and cleaning products), and exhaust emissions from on-road vehicle traffic associated with the proposed land uses on the project site. Therefore, all development at Alameda Point

will be required to comply with **Mitigation Measure 4.F-2** (Greenhouse Gas Reduction Measures), which includes design requirements (including Green Building Code standards) to minimize the generation of ROG, particulate matter less than or equal to 10 microns in diameter, and particulate matter less than or equal to 2.5 microns in diameter; and also requires the preparation of a TDM program, and participation by all sponsors of development at Alameda Point. However, to be conservative the APP EIR determined that the potential increase in traffic-generated air emissions would be a significant and unavoidable project-level and cumulative impact.

The EIR identified **Mitigation Measure 4.F-4** (Implement Mitigation Measures 4.F-1a, 4.F-1b, and 4.F-1e), **Mitigation Measure 4.F-7a** (Implement Mitigation Measure 4.F-2), **Mitigation Measure 4.F-7b** (Fuel-Efficient Vehicles), and **Mitigation Measure 4.F-8** (Implement Mitigation Measures 4.F-2 and 4.F-7b) to address other significant air quality impacts. The EIR determined that all remaining air quality impacts (including the exposure of sensitive receptors to carbon monoxide concentrations, the creation of objectionable odors, or the obstruction of the applicable air quality plan) would be less than significant.

Site A Development Plan Amendments

The proposed amendments to the Site A Development Plan allow for an increase in multifamily units on blocks that had previously been planned for commercial development. The proposed revisions are consistent with the Alameda General Plan 2040 growth projections, consistent with the Alameda Point Town Center Specific Plan and Zoning Ordinance, consistent with the Bay Area Sustainable Communities Strategy, and consistent with the State of California's determination of the City of Alameda's Regional Housing Needs Allocation for the upcoming 8 year cycle. Furthermore, the plan does not displace an existing residents or include the demolition of any existing housing units.

Based on the Alameda Point EIR Figure 4.F-1, sensitive receptors are located to the east of Site A/east of Main Street, and north of Site A/north of West Tower Street. There are currently no sensitive receptors in Site A; however, with phased development, sensitive receptors would occupy portions of Site A.

Buildout of the proposed Site A project would result in residential units and retail, commercial, and hotel uses. The land uses, densities, and general location of these uses would be consistent with the project evaluated in the Alameda Point EIR. In addition, the amount of development proposed for Site A would be less than the total project analyzed in the Alameda Point EIR. As described in the qualitative air quality and GHG assessment prepared for the proposed project, total buildout of Site A overall, as well as for each of the three proposed phases of development individually, the proposed project would not result in a greater amount of development (in terms of building square footage) or a greater rate of construction when compared to the project analyzed in the Alameda Point EIR (see Attachment B). In addition, the proposed project would not locate new sensitive receptors substantially closer to TAC emission sources or odor sources compared to the Alameda Point full project buildout scenario analyzed in the Alameda Point EIR; and would not result in greater TAC sources and odor sources, or locate these sources closer to existing sensitive receptors when compared to the project evaluated in the Alameda Point EIR.

Therefore, the emissions associated with the construction and operation of Site A were adequately described in the Alameda Point EIR. Development of Site A would require implementation of **Mitigation Measures 4.F-1a through 1-e, 4.F-2, 4.F-4, 4.F-7a, and 4.F-8**. The City of Alameda is responsible for implementing **Mitigation Measure 4.F-7b**.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the discussion above, development of Site A would not substantially increase the severity of significant air quality or greenhouse gas (GHG) impacts identified in the Alameda Point EIR, nor would it result in new significant air quality or GHG impacts that were not identified in the Alameda Point EIR.

7. Noise Would the project result in:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies; <ul style="list-style-type: none"> • An increase in noise exposure of 4 or more dB if the resulting noise level would exceed that described as normally acceptable for the affected land use, as indicated in Table 8-1 (Table 4.G-3 above). • Any increase of 6 dB or more, due to the potential for adverse community response. • When evaluating noise impacts associated with new residential development, exposure to traffic noise in outdoor yard spaces shall not be considered a significant impact. (<i>Policy 8.7.h</i>); 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Exposure of people residing or working in the area around the project site to excessive noise levels (for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport); or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Exposure of people residing or working in the area around the project site to excessive noise levels (for a project within the vicinity of a private airstrip).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Findings of the Alameda Point EIR

The Alameda Point EIR determined that the Alameda Point project could result in significant project-level and cumulative noise impacts. Even with implementation of Mitigation Measure 4.G-1a (Construction Hours), Mitigation Measure 4.G-1b (Construction Noise Measures), Mitigation Measure 4.G-1c (Pile-

Driving Noise Attenuation Measures), and Mitigation Measure 4.G-1d (Complaint Tracking), the EIR determined that the redevelopment and reuse of NAS Alameda would result in significant and unavoidable project-level impacts due to construction noise.

Impacts related to ground borne construction vibration, ground borne construction noise, non-transportation- related operations, and the placement of noise-sensitive residential uses in noisy environments would be reduced to less-than-significant levels with implementation of Mitigation Measure 4.G-2 (Implement Mitigation Measures 4.G-1a through 4.G-1d), Mitigation Measure 4.G-4 (Noise Ordinance), and Mitigation Measure 4.G-5 (Noise Study and Design Measures).

In addition, project-level and cumulative transportation-related operations noise impacts would be significant and unavoidable, even with implementation of **Mitigation Measure 4.G-3** (Implement Mitigation Measure 4.C-2a) and **Mitigation Measure 4.G-6** (Implement Mitigation Measures 4.G-3 and 4.G-5).

Site A Development Plan Amendments

Existing noise-sensitive uses (such as residences and schools) are present north of Site A, near Pearl Harbor Road and West Essex Drive, as well as east of Main Street outside the Alameda Point project area. Other existing noise-sensitive uses near Site A include the Alameda Point Multi-Purpose Field and City View Skate Park, both north of Site A. As described in the Alameda Point EIR, these noise-sensitive uses could be negatively impacted by construction activities at Site A. Therefore, the construction activities at Site A would be required to implement the above-described construction mitigation measures, including **Mitigation Measures 4.G-1a through 4.G-1d** and **4.G-2** (if pile driving is required).

The development of Site A would result in an increase in transportation- and non-transportation-generated noise sources over existing conditions. The potential increase in noise associated with an increase in traffic volumes caused by the development of Site A was accounted for in the noise analysis included in the Alameda Point EIR. In addition, the analysis for the increase in non-transportation-generated noise included assumptions for the types of development proposed for Site A. Therefore, the development of Site A would be required to implement **Mitigation Measures 4.G-3** and **4.G-6** to reduce transportation-related noise levels, and **Mitigation Measure 4.G-4** to minimize noise from stationary sources.

Existing and proposed noise sources, including loading docks, traffic, and the sports complex were accounted for in the Alameda Point EIR and would be as analyzed therein. Long-term noise measurements in the vicinity of the area proposed for development in Site A indicate that the existing ambient noise environment at Site A is greater than 60 A-weighted decibels (dBA), community noise equivalent level. An exterior noise level of 60 dBA or greater would result in potentially incompatible interior noise levels for new sensitive receptors. Therefore, per **Mitigation Measure 4.G-5**, a detailed noise study to determine applicable design measures to achieve acceptable interior noise levels at new residences would be required.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the discussion above, development of Site A would not substantially increase the severity of significant noise impacts identified in the Alameda Point EIR, nor would it result in new significant noise impacts that were not identified in the Alameda Point EIR.

8. Geology, Soils, and Seismicity Would the project:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; ii) Strong seismic ground-shaking; iii) Seismic-related ground failure, including liquefaction; and/or iv) Landslides.	☒	☐	☐
b. Result in substantial soil erosion or the loss of topsoil;	☒	☐	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;	☒	☐	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code creating substantial risks to life or property; or	☒	☐	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.	☒	☐	☐

Findings of the Alameda Point EIR

The Alameda Point EIR determined that the Alameda Point project could have significant project-level and cumulative impacts on geology, soils, and seismicity, due to seismic conditions (including structural damage, seismically induced ground failure, liquefaction, lateral spreading, and earthquake-induced settlement and landslides) and the presence of unstable, compressible, and/or expansive soils. The Alameda Point EIR included **Mitigation Measure 4.H-1** (Geotechnical Investigation), **Mitigation Measure 4.H-2** (Geotechnical Mitigation), **Mitigation Measure 4.H-3** (Slope Stability Plan), **Mitigation Measure 4.H-4** (Settlement Mitigation), and **Mitigation Measure 4.H-5** (Expansive Soils Assessment), requiring the completion of a site-specific, design-level geotechnical investigation for all development on the project site. The mitigation measures also described the scope of the geotechnical investigation, and a requirement for the development of appropriate engineering techniques to reduce potentially adverse geologic effects. Implementation of these required mitigation measures would reduce the significant impacts to less-than-significant levels.

Site A Development Plan Amendments

Site A is relatively flat, with very little topographical relief, and is generally not susceptible to landslides. It is not within 50 feet of the northern shoreline, and is not considered to have static slope stability issues. However, Site A is underlain by artificial fill and Bay Mud, which is generally susceptible to subsidence or

settlement. Subsidence related to consolidation of Bay Mud beneath fill and foundation settlement, and directly related to site-specific structural building loads, could affect structures proposed as part of the development of Site A. In addition, the site is in an area of high seismic activity. The proposed project would develop Site A with land uses, building types, building heights, and densities consistent with the project evaluated in the Alameda Point EIR. **Mitigation Measures 4.H-1, 4.H-2, 4.H-4, and 4.H-5** would apply to Site A, and a design-level geotechnical investigation and related mitigations and recommendations would be required.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the discussion above, development of Site A would not substantially increase the severity of significant geology, soils, or seismicity impacts identified in the Alameda Point EIR, nor would it result in new significant geology, soils, or seismicity impacts that were not identified in the Alameda Point EIR.

9. Hydrology and Water Quality Would the project:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off- site;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Create or substantially contribute to runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Place housing or other improvements within a 100-year flood hazard zone as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard map or impede or redirect flood flows;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

g. Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Findings of the Alameda Point EIR

The Alameda Point EIR determined that the Alameda Point project would have less-than-significant project-level and cumulative hydrology and water quality impacts associated with dewatering during construction, fertilizer use on landscaped areas, placing housing and other structures in areas subject to flooding, and flooding as a result of sea-level rise, with incorporation of **Mitigation Measure 4.I-1** (Water Quality Measures), **Mitigation Measure 4.I-2** (Integrated Pest Management), **Mitigation Measure 4.I-6** (Flood Protection Measures), and **Mitigation Measure 4.I-8** (Sea-Level Protection), described below.

Other potential hydrology and water quality impacts would be less than significant, and would not require mitigation. The Alameda Point project could result in on-land and in-water construction activities that would be subject to San Francisco Bay Regional Water Quality Control Board (RWQCB) requirements; which, as part of the General Construction Permit, would include preparation and execution of a Storm Water Pollution Prevention Plan that would outline construction storm water quality management practices, likely based on the Alameda County Clean Water Program Storm Water Quality Management Plan. For in-water construction, a project sponsor would be required to obtain permits from the U.S. Army Corps of Engineers, RWQCB, San Francisco Bay Conservation and Development Commission, and the City of Alameda, which would include measures to protect water quality during construction. Development projects would be required to implement storm water management measures on site, as well as install a new storm water system throughout the project site to collect and convey storm water flows through new outfall structures, thereby minimizing the impact related to increased runoff.

Site A Development Plan Amendments

As described in the MIP, the elevation on Alameda Point ranges from 1 foot to 8 feet, with areas immediately along the Seaplane Lagoon and extending along Ferry Point within Site A that are in the 100-year tide zone, and therefore vulnerable to flooding. Areas generally between West Trident Avenue and West Atlantic Avenue are also in the 100-year tide, plus 24-inch sea-rise zone, and are therefore also vulnerable. The Site A project includes flood and sea-level rise protection improvements that are consistent with the requirements established in the MIP, described under Project Description, above, which would provide protection for up to 24 inches of future sea-level rise. This level of protection would exceed the level of protection required per the Alameda Point EIR, for 18 inches of future sea-level rise. These improvements, along with other components of the project, such as docks and storm water outfalls, would involve in-water construction.

The proposed project would involve construction of new buildings. These activities, including the in-water construction described above, are within the scope of the project evaluated in the Alameda Point EIR. The Development Plan amendments do not affect any of the portions of the Site A Plan adjacent to or in the water.

The new utilities, including storm drains, flood, and sea-level-rise protection, implementation of Low-Impact Development in compliance with Provision C.3 of the NPDES, and the net increase in impervious surfaces, would reduce impacts to water quality. In addition, **Mitigation Measure 4.I-1** and **Mitigation Measure 4.I-2** would apply to the project; the City of Alameda is responsible for implementing **Mitigation Measure 4.I-8**.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the discussion above, development of Site A would not substantially increase the severity of significant hydrology and water quality impacts identified in the Alameda Point EIR, nor would it result in new significant hydrology and water quality impacts that were not identified in the Alameda Point EIR.

10. Hazards and Hazardous Materials Would the project:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Result in a safety hazard for people residing or working in the project site vicinity for a project within the vicinity of a private airstrip;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Findings of the Alameda Point EIR

The Navy has been undertaking “necessary measures to meet the requirements and notifications for hazardous substances, petroleum products, and other regulated materials necessary for an environmentally suitable transfer of the site to the City of Alameda.” These measures have included a process to “identify, analyze, and clean up any releases of hazardous materials and wastes associated with past Navy operations.” These measures and activities will continue after transfer of the former NAS Alameda to the City of Alameda, until regulatory closure is received.

However, because of the long history of industrial and naval uses of the site, the EIR determined that potentially significant impacts would result from the demolition of existing structures (due to the potential for the structures to contain hazardous building materials) and new construction (due to the disturbance of contaminated soils and groundwater). Therefore, construction activities would require compliance with **Mitigation Measure 4.J-1a** (Hazardous Building Material Assessment), **Mitigation Measure 4.J-1b** (Health and Safety Plan), **Mitigation Measure 4.J-1c** (LBP Removal Plan), **Mitigation Measure 4.J-1d** (Asbestos Abatement Plan), **Mitigation Measure 4.J-1e** (PCB Abatement), **Mitigation Measure 4.J-2** (Site Management Plan), and **Mitigation Measure 4.J-7** (Land-Use Restriction Tracking Program). Included in these measures are requirements for the completion of a hazardous building material assessment, and implementation of recommendations included therein prior to the start of demolition activities; preparation of a Site Management Plan by the City of Alameda for incorporation into construction specifications; and a requirement that the City of Alameda include closed and open Installation Restoration (IR) Comprehensive Environmental Response, Compensation, and Liability Act sites that have land-use controls within its Land-Use Restriction Tracking Program. The EIR determined that implementation of these mitigation measures would reduce all significant hazards and hazardous materials impacts to a less-than-significant level.

Site A Development Plan Amendments

As described in the project description, a Finding of Suitability to Transfer (FOST) for the project site was completed on February 13, 2013; it covers a large portion of Alameda Point, and addresses areas of the former base outside of the FOST area, including some of the parcels in Site A. As designated under the Department of Defense’s IR Program (an initiative to identify, investigate, and clean up hazardous waste sites on former military bases), Site A includes all or portions of IR 3 (Abandoned Fuel Storage Area), IR 4 (Building 360 [Aircraft Engine Facility]), IR 11 (Building 14 [Engine Test Cell]), IR 17 (Seaplane Lagoon), IR 21 (Building 162 [Ship Fitting and Engine Repair]), and IR 35 (Areas of Concern in Transfer parcel EDC-5). In addition, a few areas along the Seaplane Lagoon in Site A are suspected to be radiologically contaminated, with open status and unrestricted release status.

Most of Site A is subject to the City of Alameda’s Marsh Crust Ordinance (City of Alameda General Ordinance No. 2824), which requires notification and permit requirements for excavations that may encounter a layer of deposits that commonly contain petroleum-related substances. The Marsh Crust Ordinance applies to excavations deeper than 5 feet in some areas of Site A, and deeper than mean high tide in other areas of Site A.

Site disturbance could disturb or release contaminated soil and/or groundwater, exposing construction workers, the public or the environment to hazardous materials. Numerous requirements described in the Alameda Point EIR for protecting people and the environment, including a Site Management Plan, that must be approved by the U.S. Environmental Protection Agency, California Department of Toxic Substances Control, and the RWQCB, and included in construction specifications, would address impacts.

As described in the Alameda Point EIR, with the continued remediation efforts currently being conducted

by the Navy and any that would be assumed by the City as overseen by the California Department of Toxic Substances Control or the RWQCB—combined with the City’s tracking system, continued compliance with deed restrictions, Site Management Plans, mitigation measures, and other permit requirements (including adherence to the Marsh Crust Ordinance)—the potential for residual contamination to significantly impact residents, employees, or the general public would be minimized, and is considered less than significant with mitigation. In addition, the proposed land uses and densities for Site A are consistent with the project evaluated in the Alameda Point EIR. **Mitigation Measures 4.J-1a through 4.J-1e, 4.J-2, and 4.J-7** would apply to Site A.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the discussion above, development of Site A would not substantially increase the severity of significant Hazards or Hazardous Materials impacts identified in the Alameda Point EIR, nor would it result in new significant Hazards or Hazardous Materials impacts that were not identified in the Alameda Point EIR.

11. Aesthetics Would the project:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Have a substantial adverse effect on a scenic vista;	☒	☐	☐
b. Substantially damage scenic resources within a state scenic highway;	☒	☐	☐
c. Substantially degrade the existing visual character or quality of the site and its surroundings; or	☒	☐	☐
d. Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area.	☒	☐	☐

Findings of the APP EIR

The Alameda Point EIR determined that the Alameda Point project would have less-than-significant project-level and cumulative impacts on visual quality related to effects on scenic vistas, scenic resources, or the existing visual character of the project site. In addition, the EIR determined that development of the Alameda Point project, which could result in potentially significant new sources of light and glare, would be reduced to less-than-significant levels by implementation of **Mitigation Measure 4.K-4** (Lighting Mitigation), requiring that all lighting installations be designed and installed to be fully shielded (full cutoff), and to minimize glare and obtrusive light by limiting outdoor lighting.

Views of the project area are not sensitive, nor are there any officially designated scenic highways in or near the project site. The EIR determined that buildout of Alameda Point would create a generally beneficial aesthetic impact compared to existing conditions, by renovating or removing many vacant deteriorating buildings, eliminating open expanses of pavement, creating a greater continuity of land use, and introducing new public views and park and recreation areas to new residents and employees.

Site A Development Plan Amendments

As described under Section 2.2, above, the proposed project would be consistent with the uses and densities of development envisioned in the Town Center Plan, including the established building height limit of up to 65 feet for the Town Center and Waterfront Town Center Sub-district. Furthermore, all development under the proposed project would be subject to Design Review pursuant to the City of Alameda’s General Plan polices and Design Review Ordinance, Sections 30-36 and 30-37. According to the Alameda Point EIR, implementation of the planning and design controls included in the Alameda Point project, and as required by Sections 30-36 and 30-37, would provide for the improvement of on-site aesthetics, and would also ensure that the project would not substantially obscure on-site views of the Bay, or alter views of the Historic District from existing scenic corridors. The proposed project would preserve and maintain views, including of Seaplane Lagoon, consistent with the guidelines of the Town Center Plan’s Transit Village Center Guidelines, by providing: a public plaza a minimum of 1 acre in size that extends from Pan Am Way to the waterfront, with a minimum width of 150 feet; building setbacks along the Seaplane Lagoon ranging from 32 to 200 feet; a view corridor along the centerline of Building 77 that extends to Seaplane Lagoon and is approximately 120 feet in width, with a minimum uninterrupted width of 40 feet; and a view corridor extending along the RAMP right-of-way ranging from 83 to 105 feet. **Mitigation Measure 4.K-4** would apply to the proposed project.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the discussion above, development of Site A would not substantially increase the severity of significant aesthetics impacts identified in the Alameda Point EIR, nor would it result in new significant aesthetics impacts that were not identified in the Alameda Point EIR.

<p>12. Public Services and Recreation Would the project:</p>	<p>Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR</p>	<p>Substantial Increase in Severity of Previously Identified Significant Impact in EIR</p>	<p>New Significant Impact</p>
<p>a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:</p> <ul style="list-style-type: none"> • Fire protection; • Police protection; • Schools; • Parks; and • Other public facilities. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. Public Services and Recreation Would the project:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
b. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Findings of the Alameda Point EIR

The Alameda Point EIR determined that the Alameda Point project would have less-than-significant project-level and cumulative public services and recreation impacts related to physical deterioration of recreation facilities caused or accelerated by their increased use; potential adverse physical effects on the environment from construction or expansion of recreation facilities; and potential substantial adverse physical impacts from construction of governmental facilities, such as those related to fire protection, police protection, schools, and parks. Therefore, no mitigation measures related to potential public services and recreation impacts were required.

Site A Development Plan Amendments

The development of Site A could result in increased demand for police services, fire services, and schools, due to an increase in population within the City of Alameda boundaries. As described in the Alameda Point EIR, the project sponsor would be required by the City of Alameda’s Fiscal Neutrality Policy to fund the proportional share of the cost of additional fire and emergency medical services, police services, and related infrastructure, as well as pay development fees to the Alameda Unified School District to mitigate potential impacts from an increase in students. The project would also have to comply with applicable code requirements, including the California Building Code, California Fire Code, Alameda Fire Code, and Alameda Municipal Code.

Development of Site A would include construction of approximately 10 acres park and open-space areas.

The amount of residential, retail, commercial, and hotel uses planned for Site A is less than the total 1,425 residential units and approximately 5.5 million square feet of commercial facilities that were anticipated in the Alameda Point EIR and under the amount of daytime, permanent, and school populations anticipated for the Alameda Point project in the Alameda Point EIR.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the discussion above, development of Site A would not substantially increase the severity of the less-than-significant public services and recreation impacts identified in the Alameda Point EIR, nor would it result in new significant public services and recreation impacts that were not identified in the Alameda Point EIR.

13. Utilities and Service Systems Would the project:	Equal or Less Severity of Impact than Previously Identified in Alameda Point EIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Have insufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Not comply with federal, state, and local statutes and regulations related to solid waste.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Findings of the Alameda Point EIR

The Alameda Point EIR determined that, with implementation of **Mitigation Measure 4.M-5** (Solid Waste Management Plan), the APP would have less-than-significant project-level and cumulative utilities and service systems impacts related to wastewater treatment requirements of the San Francisco Bay RWQCB; construction or expansion of wastewater or storm water drainage facilities; water supplies, wastewater treatment capacity, or landfill capacity; and regulations related to solid waste.

EBMUD prepared a water supply assessment for the Alameda Point project, and determined that the increased demand of

1.9 million gallons of water per day associated with the project is accounted for in EBMUD's 2040 water demand projection. In addition, EBMUD's Municipal Wastewater Treatment Plant has enough excess dry weather flow capacity to accommodate the development analyzed in the EIR; however, it has inadequate wet weather capacity. The Alameda Point project would replace the existing on-site wastewater collection system, including sewer lines, which would substantially reduce inflow and infiltration entering the system during wet weather conditions, and would help provide adequate wet weather capacity. As

described in the Alameda Point EIR Project Description, development projects would be required to contribute to the funding of infrastructure improvements through the Alameda Point Infrastructure Fee Program, which has been codified in a Development Impact Fee Ordinance for Alameda Point (Ord. No. 3098 N.S., 7-15-2014).

The Alameda Point EIR estimated that the redevelopment of NAS Alameda would generate 416,666 cubic yards of debris from the deconstruction and demolition of existing buildings. Adequate landfill capacity exists to accept this waste. However, development projects would be required to implement **Mitigation Measure 4.M-5**.

Site A Development Plan Amendments

The proposed Site A development plan is less than development program anticipated in the Alameda Point EIR. In addition, the project is constructing new and replacement infrastructure, including storm water, water, wastewater, recycled water, electrical, natural gas, and telecommunications systems improvements. The increased demand for water supplies, increased demand for wastewater and landfill capacity, and increased demand for electrical and other utilities for the development of Site A is under the amount of demand for services analyzed in the Alameda Point EIR. In addition, the amount of existing buildings that would be demolished on Site A, which is well within the 4.5 million square feet of demolition anticipated in the Alameda Point EIR. Development of Site A would require implementation of **Mitigation Measure 4.M-5**.

Based on an examination of the analysis, findings, and conclusions of the Alameda Point EIR, and on the discussion above, development of Site A would not substantially increase the severity of significant utilities and service systems impacts identified in the Alameda Point EIR, nor would it result in new significant utilities and service systems impacts that were not identified in the Alameda Point EIR.

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MITIGATION MEASURES APPLICABLE TO PROPOSED SITE A DEVELOPMENT IN ALAMEDA POINT

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>C. Transportation and Circulation</p> <p>Mitigation Measure 4.C-1 (Construction Management Plan): The City shall require that project applicant(s) and construction contractor(s) develop a Construction Management Plan for review and approval by the Public Works Department prior to issuance of any permits. The Plan shall include at least the following items and requirements to reduce traffic congestion during construction:</p> <ol style="list-style-type: none"> 1. A set of comprehensive traffic control measures shall be developed, 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. 2. The Construction Management Plan shall identify haul routes for movement of construction vehicles that would minimize impacts on motor vehicle, bicycle, and pedestrian traffic, circulation, and safety, and specifically to minimize impacts, to the greatest extent possible, to streets in and around the Alameda Point project site. The haul routes shall be approved by the City. 3. The Construction Management Plan shall provide for notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures would occur. 4. The Construction Management Plan shall provide for monitoring surface streets used for haul routes so that any damage and debris attributable to truck hauling can be identified and corrected by the project applicant. <p>Mitigation Measure 4.C-2a (TDM Program): Prior to issuance of building permits for each development project at Alameda Point, the City of Alameda shall prepare, and shall require that the sponsor of the development project participate in implementation of, a Transportation Demand Management (TDM) program/plan for Alameda Point aimed at meeting the General Plan peak-hour trip reduction goals of 10 percent for residential development and 30 percent for commercial development.</p>	<p>Project applicant and its contractor(s) obtain approval of Construction Management Plan and implement the plan during construction.</p>	<p>City of Alameda Public Works Department</p>	<p>Public Works Department must review and approve Construction Management Plan</p>	<p>Prior to issuance of building or grading permit(s); inspect during construction</p>	
<p>Mitigation Measure 4.C-2b (Monitoring): Prior to issuance of the first building permits for any development project at Alameda Point, the City of Alameda shall adopt a Transportation Network Monitoring and Improvement Program to: 1) determine the cost of the transportation network improvements identified in this EIR; 2) identify appropriate means and formulas to collect fair-share financial contributions from Alameda Point development; 3) monitor conditions at locations that will be impacted by the redevelopment at Alameda Point; 4) monitor traffic generated by Alameda Point; and 5) establish the appropriate time to implement any necessary secondary physical improvements required in this EIR to minimize or eliminate significant transportation impacts prior to the impacts occurring at affected locations where a secondary impact mitigation is recommended.</p> <p>Mitigation Measure 4.C-2c (Otis/Femside): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when and if required to avoid the impact or reduce its severity, shall implement the following improvements:</p> <p>Remove the right turn island for the westbound approach on Otis Drive, add a dedicated right turn lane with approximately 50 feet of storage length, and move the westbound stop-bar upstream approximately 20 feet to accommodate the right turn lane storage length. Restripe Femside Boulevard with two receiving lanes.</p> <p>Optimize signal timing.</p>	<p>City of Alameda shall require Project applicant to fund a fair-share of the total cost of the improvements, as stated in Mitigation Measure 4.C-2c, and, if determined necessary after implementation of Mitigation Measures 4.C-2a and 4.C-2b, the City shall be responsible for ensuring implementation of the improvements at the appropriate time.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and improvements at appropriate time.</p>	<p>Prior to issuance of building permit(s) for collection of funds for fair-share of total cost and prior to impact occurring for implementation of the improvements, if necessary</p>	<p>Although it is the City of Alameda's responsibility to implement this measure, all Alameda Point project applicants will be required to participate in the Transportation Demand Management (TDM) program developed by the City.</p> <p>It is the City of Alameda's responsibility to implement this measure prior to issuance of a building permit for the first development project at Alameda Point. All Alameda Point project applicants will subsequently be required to pay the fair-share financial contribution identified during the implementation of Mitigation Measure 4.C-2b.</p> <p>Applies to intersection of Femside Boulevard/ Otis Drive</p> <p>Although it is the City of Alameda's responsibility to implement this measure, all Alameda Point project applicants may be required to pay a fair-share financial contribution for this improvement, which will be determined during the City's implementation of Mitigation Measure 4.C-2b.</p>
<p>Mitigation Measure 4.C-2d (Jackson/Sixth): The City of Alameda shall implement Mitigation Measures 4.C-2a (TDM Program).</p>	<p>Project applicant shall implement TDM program</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall require implementation of TDM program</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Jackson/Sixth Streets</p> <p>See Mitigation Measure 4.C-2a.</p>
<p>Mitigation Measure 4.C-2e (Brush/11th): The City of Alameda shall implement Mitigation Measures 4.C-2a (TDM Program).</p>	<p>Project applicant shall implement TDM program</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall require implementation of TDM program.</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Brush/11th Streets</p> <p>See Mitigation Measure 4.C-2a.</p>
<p>Mitigation Measure 4.C-2f (23rd/Seventh): The City of Alameda shall implement Mitigation Measures 4.C-2a (TDM Program) and 4.C-2b (Monitoring).</p>	<p>Project applicant shall implement TDM program</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall require implementation of TDM program.</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of 23rd Street and Seventh Street</p> <p>See Mitigation Measures 4.C-2a and 4.C-2b.</p>

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.C-2g (Main/Pacific Pedestrian): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, shall implement the following physical improvements: change the signal timing to a two-phase timing plan (i.e., northbound and southbound move concurrently; then eastbound and westbound move concurrently); and optimize cycle length.</p>	<p>City of Alameda shall require Project applicant to fund a fair-share of the total cost of the improvements, as stated in Mitigation Measure 4.C-2g, and, if determined necessary after implementation of Mitigation Measures 4.C-2a and 4.C-2b, the City shall be responsible for ensuring implementation of the improvements at the appropriate time.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and improvements at appropriate time.</p>	<p>Prior to issuance of building permit(s) for collection of funds for fair-share of total cost and prior to impact occurring for implementation of the improvements, if necessary</p>	<p>Applies to intersection of Main Street and Pacific Avenue See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-2h (Webster/Approzato Parkway Pedestrian): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, shall optimize the signal timing during the p.m. peak hour.</p>	<p>City of Alameda shall require Project applicant to fund a fair-share of the total cost of signal optimization, as stated in Mitigation Measure 4.C-2h, and, if determined necessary after implementation of Mitigation Measures 4.C-2a and 4.C-2b, the City shall be responsible for ensuring implementation of the improvement at the appropriate time.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and improvement at appropriate time.</p>	<p>Prior to issuance of building permit(s) for collection of funds for fair-share of total cost and prior to impact occurring for implementation of the improvement, if necessary</p>	<p>Applies to intersection of Webster Street and Approzato Parkway See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-2i (Park/Otis Pedestrian): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, shall optimize the signal timing during the a.m. and p.m. and peak hours.</p>	<p>City of Alameda shall require Project applicant to fund a fair-share of the total cost of signal optimization, as stated in Mitigation Measure 4.C-2i, and, if determined necessary after implementation of Mitigation Measures 4.C-2a and 4.C-2b, the City shall be responsible for ensuring implementation of the improvement at the appropriate time.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and improvement at appropriate time.</p>	<p>Prior to issuance of building permit(s) for collection of funds for fair-share of total cost and prior to impact occurring for implementation of the improvement, if necessary</p>	<p>Applies to intersection of Park Street and Otis Drive See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-2j (Broadway/Tilden Pedestrian): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, shall optimize the signal timing during the a.m. and p.m. peak hours.</p>	<p>City of Alameda shall require Project applicant to fund a fair-share of the total cost of signal optimization, as stated in Mitigation Measure 4.C-2j, and, if determined necessary after implementation of Mitigation Measures 4.C-2a and 4.C-2b, the City shall be responsible for ensuring implementation of the improvement at the appropriate time.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and improvement at appropriate time.</p>	<p>Prior to issuance of building permit(s) for collection of funds for fair-share of total cost and prior to impact occurring for implementation of the improvement, if necessary</p>	<p>Applies to intersection of Broadway and Tilden Way See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-2k (High/Fernside Pedestrian): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, shall optimize the signal timing during the p.m. peak hour.</p>	<p>City of Alameda shall require Project applicant to fund a fair-share of the total cost of signal optimization, as stated in Mitigation Measure 4.C-2k, and, if determined necessary after implementation of Mitigation Measures 4.C-2a and 4.C-2b, the City shall be responsible for ensuring implementation of the improvement at the appropriate time.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and improvement at appropriate time.</p>	<p>Prior to issuance of building permit(s) for collection of funds for fair-share of total cost and prior to impact occurring for implementation of the improvement, if necessary</p>	<p>Applies to intersection of High Street and Fernside Boulevard See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-2l (Atlantic/Constitution Pedestrian): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, shall implement the following physical improvements: modify the phasing sequence and optimize the signal timing.</p>	<p>City of Alameda shall require Project applicant to fund a fair-share of the total cost of the improvements, as stated in Mitigation Measure 4.C-2l, and, if determined necessary after implementation of Mitigation Measures 4.C-2a and 4.C-2b, the City shall be responsible for ensuring implementation of the improvements at the appropriate time.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and improvements at appropriate time</p>	<p>Prior to issuance of building permit(s) for collection of funds for fair-share of total cost and prior to impact occurring for implementation of the improvements, if necessary</p>	<p>Applies to intersection of Atlantic Avenue and Constitution Way See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-2m (Stargell Avenue Bike): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, shall construct a Class I or Class II bicycle facility between Main Street and Webster Street.</p>	<p>City of Alameda shall require Project applicant to fund a fair-share of the total cost of the improvements, as stated in Mitigation Measure 4.C-2m, and, if determined necessary after implementation of Mitigation Measures 4.C-2a and 4.C-2b, the City shall be responsible for ensuring implementation of the improvement at the appropriate time.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and improvement at appropriate time</p>	<p>Prior to issuance of building permit(s) for collection of funds for fair-share of total cost and prior to impact occurring for implementation of the improvements, if necessary</p>	<p>Applies to Stargell Avenue See Mitigation Measures 4.C-2a and 4.C-2b.</p>

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, shall implement the following physical improvements:</p> <p>construct a Class II bicycle lane or improve the existing Class I bicycle path on the west side of the street between Appezato Parkway and Pacific Avenue to current City standards;</p> <p>provide connectivity to existing Class I bicycle path on the east and west sides of the street north of Appezato Parkway. Appropriate intersection treatments for connectivity may include striping, signage, and/or bicycle boxes at the intersection of Main Street and Appezato Parkway; and</p> <p>if Mitigation Measure 4.C-4c (described below) is implemented, provide connectivity to that bicycle facilities on west side of the street north of the Main Street-Pacific Street intersection.</p>	<p>City of Alameda shall require Project applicant to fund a fair-share of the total cost of the improvements, as stated in Mitigation Measures 4.C-2a and 4.C-2b, the City shall be responsible for ensuring implementation of the improvements at the appropriate time.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and improvements at appropriate time</p>	<p>Prior to issuance of building permit(s) for collection of funds for fair-share of total cost and prior to impact occurring for implementation of the improvements, if necessary</p>	<p>Applies to Main Street See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, shall use its best efforts to implement the following physical improvements:</p> <p>construct a Class II bicycle lane or improve the existing Class I bicycle path on the west (south) side of the street between the Main Street-Pacific Street intersection and Lincoln Avenue to current City standards;</p> <p>extend a Class I bicycle path to Third Street; and</p> <p>restripe and sign the street segment between Third Street and Fourth Street to provide Class II bicycle lanes between Lincoln Avenue and Fourth Street.</p>	<p>City of Alameda shall require Project applicant to fund a fair-share of the total cost of the improvements, as stated in Mitigation Measures 4.C-2a and 4.C-2b, the City shall be responsible for ensuring implementation of the improvements at the appropriate time.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and improvements at appropriate time</p>	<p>Prior to issuance of building permit(s) for collection of funds for fair-share of total cost and prior to impact occurring for implementation of the improvements, if necessary</p>	<p>Applies to Central Avenue See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5a (Park/Clement): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to implement the following physical improvements:</p> <p>Add northbound left turn pocket along Park Street;</p> <p>Optimize the signal offsets and splits; and</p> <p>Complete the Clement Avenue extension, which would reduce the demand for left turn movements onto Park Street from eastbound traffic on Clement Avenue.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvements (as stated in Mitigation Measure 4.C-5a) attributable to the project.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and collection of fair-share of funds. The northbound left-turn pocket along Park Street will be completed by ACTC as part of the I-880/23rd/29th Street project.</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Park/Clement See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5b (Park/Enchella): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to implement the following improvement:</p> <p>Optimize offsets and splits.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvement (as stated in Mitigation Measure 4.C-5b) attributable to the project.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and collection of fair-share of funds.</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Park/Clement See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5c (Broadway/Otis): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to implement, the following improvement:</p> <p>Optimize the signal timing during both peak hours.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvement (as stated in Mitigation Measure 4.C-5c) attributable to the project.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and collection of fair-share of funds.</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Broadway/Otis See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5d (Tilden/Blanding/Fernside): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to implement the following improvement:</p> <p>Optimize the offsets and splits.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvement (as stated in Mitigation Measure 4.C-5d) attributable to the project.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and collection of fair-share of funds.</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Tilden/Blanding/Fernside See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5e (High/Fernside): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to implement the following improvements:</p> <p>Adjust the signal cycle phasing during the a.m. and p.m. peak hours such that the southbound left turn from High Street is a permitted rather than protected movement; and</p> <p>Optimize signal timing.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvements (as stated in Mitigation Measure 4.C-5e) attributable to the project.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and collection of fair-share of funds.</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of High/Fernside See Mitigation Measures 4.C-2a and 4.C-2b.</p>

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.C-5f (High/Otis): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to implement the following improvements:</p> <p>Optimize the signal timing at High and Otis for both peak hours, and</p> <p>Install traffic calming strategies on Bayview Drive to include improvements, such as: restriping Bayview Drive to create narrower driving lanes to reduce speeding, installing a cross walk and caution sign at the location of the public coastal access easement, and/or construction of sidewalk bulb-outs to improve pedestrian safety at the intersections of Bayview/Court Street and Bayview/Broadway.</p> <p>Mitigation Measure 4.C-5g (Island Drive/Otis Drive and Doolittle Drive): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to implement the following improvement:</p> <p>Optimize signal timing during both peak hours.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvements attributable to the project.</p> <p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvement (as stated in Mitigation Measure 4.C-5g) attributable to the project.</p>	<p>City of Alameda Community Development Department</p> <p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and collection of fair-share of funds.</p> <p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and collection of fair-share of funds.</p>	<p>Prior to issuance of building permit(s)</p> <p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of High/Otis See Mitigation Measures 4.C-2a and 4.C-2b.</p> <p>Applies to intersection of Island Drive/Otis Drive and Doolittle Drive See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5h (Fernside Boulevard and Otis Drive): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and implement Mitigation Measure 4.C-2c (Otis/Fernside), and fund a fair share contribution to add a westbound right-turn overlap phase from Fernside Boulevard.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a, 4.C-2b, and 4.C-2c, and fund a fair-share of the portion of the cost of the improvement (as stated in Mitigation Measure 4.C-5h) attributable to the project.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and Mitigation Measure 4.C-2c (if necessary), and collection of fair-share of funds.</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Fernside Boulevard/Otis Drive See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5i (Park/Blanding): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to implement the following improvements:</p> <p>Change east-west signal phasing to protected phasing; and</p> <p>Optimize signal timing during both peak hours.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvement (as stated in Mitigation Measure 4.C-5i) attributable to the project.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and collection of fair-share of funds</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Park/Blanding See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5j (Challenger/Atlantic): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when required to avoid the impact or reduce its severity, fund a fairshare to contribution optimize signal timing during the p.m. peak hour.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvement (as stated in Mitigation Measure 4.C-5j) attributable to the project.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and collection of fair-share of funds</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Challenger/Atlantic See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5k (Park/Lincoln): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when required to avoid the impact or reduce its severity, the City shall fund a fairshare to optimize signal timing during the p.m. peak hour.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvement (as stated in Mitigation Measure 4.C-5k) attributable to the project.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and collection of fair-share of funds</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Park/Lincoln See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5l (Jackson/Sixth): The City of Alameda shall implement TDM (Mitigation Measure 4.C-2a).</p>	<p>Project applicant shall implement TDM program.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall require implementation of TDM program</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Jackson/Sixth See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5m (Webster/Eighth): The City of Alameda shall implement TDM (Mitigation Measure 4.C-2a).</p>	<p>Project applicant shall implement TDM program.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall require implementation of TDM program</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Webster/Eighth See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5n (Broadway/Fifth): The City of Alameda shall implement TDM (Mitigation Measure 4.C-2a).</p>	<p>Project applicant shall implement TDM program.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall require implementation of TDM program.</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Broadway/Fifth See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5o (Brush/12th): The City of Alameda shall implement TDM (Mitigation Measure 4.C-2a).</p>	<p>Project applicant shall implement TDM program.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall require implementation of TDM program.</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to intersection of Brush/12th See Mitigation Measures 4.C-2a and 4.C-2b.</p>

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
Mitigation Measure 4.C-5p (High/Oakport): The City of Alameda shall implement TDM and Monitoring (Mitigation Measure 4.C-2a and 4.C-2b) and work with the City of Oakland to optimize the signal timing to allow for more green time for northbound traffic.	City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvement (as stated in Mitigation Measure 4.C-5p) attributable to the project.	City of Alameda Community Development Department	City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program. Monitoring, and collection of fair-share of funds.	Prior to issuance of building permit(s)	Applies to intersection of High/Oakport See Mitigation Measures 4.C-2a and 4.C-2b.
Mitigation Measure 4.C-5q (High/Coliseum): The City of Alameda shall implement TDM and Monitoring (Mitigation Measure 4.C-2a and 4.C-2b) and work with the City of Oakland to optimize the signal timing.	City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvement (as stated in Mitigation Measure 4.C-5q) attributable to the project.	City of Alameda Community Development Department	City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program. Monitoring, and collection of fair-share of funds.	Prior to issuance of building permit(s)	Applies to intersection of High/Coliseum See Mitigation Measures 4.C-2a and 4.C-2b.
Mitigation Measure 4.C-5r (29th/Ford): The City of Alameda shall implement TDM (Mitigation Measure 4.C-2a).	Project applicant shall implement TDM program.	City of Alameda Community Development Department	City of Alameda Community Development Department shall require implementation of TDM program.	Prior to issuance of building permit(s)	Applies to intersection of 29th/Ford See Mitigation Measures 4.C-2a and 4.C-2b.
Mitigation Measure 4.C-5s (23rd Ave./Seventh St.): The City of Alameda shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and work with the City of Oakland to modify the northbound to provide a separate left-turn lane and a shared through-right-turn lane, and optimize the signal.	City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvement (as stated in Mitigation Measure 4.C-5s) attributable to the project.	City of Alameda Community Development Department	City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program. Monitoring, and collection of fair-share of funds.	Prior to issuance of building permit(s)	Applies to intersection of 23rd Ave./Seventh St. See Mitigation Measures 4.C-2a and 4.C-2b.
Mitigation Measure 4.C-5t (Main/Pacific Pedestrian): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to change signal timing to two-phase timing plan (i.e., northbound and southbound move concurrently, then eastbound and westbound move concurrently) and optimize cycle length.	City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvements (as stated in Mitigation Measure 4.C-5t) attributable to the project.	City of Alameda Community Development Department	City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program. Monitoring, and collection of fair-share of funds.	Prior to issuance of building permit(s)	Applies to intersection of Main/Pacific See Mitigation Measures 4.C-2a and 4.C-2b.
Mitigation Measure 4.C-5u (Webster/Alpezzato Pedestrian): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to optimize signal timing.	City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvement (as stated in Mitigation Measure 4.C-5u) attributable to the project.	City of Alameda Community Development Department	City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program. Monitoring, and collection of fair-share of funds.	Prior to issuance of building permit(s)	Applies to intersection of Webster/Alpezzato See Mitigation Measures 4.C-2a and 4.C-2b.
Mitigation Measure 4.C-5v (High/Fernside Pedestrian): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and Mitigation Measure 4.C-5e (optimize signal timing during the p.m. peak hour).	City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a, 4.C-2b, and 4.C-5e.	City of Alameda Community Development Department	City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program. Monitoring, and collection of fair-share of funds.	Prior to issuance of building permit(s)	Applies to intersection of High/Fernside See Mitigation Measures 4.C-2a and 4.C-2b.
Mitigation Measure 4.C-5w (Alpezzato/Constitution Pedestrian): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to implement the following improvements: Modify phasing sequence; and Optimize the signal timing.	City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvements (as stated in Mitigation Measure 4.C-5w) attributable to the project.	City of Alameda Community Development Department	City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program. Monitoring, and collection of fair-share of funds.	Prior to issuance of building permit(s)	Applies to intersection of Alpezzato/Constitution See Mitigation Measures 4.C-2a and 4.C-2b.
Mitigation Measure 4.C-5x (Park Street Transit): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to implement the following improvements: Provide transit signal priority at intersections along this corridor; and Optimize splits at the Park Street and Blanding Avenue intersection during a.m. and p.m. peak hours.	City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvements (as stated in Mitigation Measure 4.C-5x) attributable to the project.	City of Alameda Community Development Department	City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program. Monitoring, and collection of fair-share of funds.	Prior to issuance of building permit(s)	Applies to Park Street See Mitigation Measures 4.C-2a and 4.C-2b.
Mitigation Measure 4.C-5y (Alpezzato Parkway Transit): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to implement the following improvements: Install transit signal priority at intersections along this corridor; Optimize cycle length at the Alpezzato Parkway and Webster Street intersection during a.m. and p.m. peak hours and provide signal priority; and Establish exclusive transit lanes or queue jump lanes from Alameda Point to Webster Street.	City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvements (as stated in Mitigation Measure 4.C-5y) attributable to the project.	City of Alameda Community Development Department	City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program. Monitoring, and collection of fair-share of funds.	Prior to issuance of building permit(s)	Applies to Alpezzato Parkway See Mitigation Measures 4.C-2a and 4.C-2b.

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.C-5z (Stargell Avenue Transit): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when required to avoid the impact or reduce its severity, implement the following improvements: Provide westbound queue jump lanes on Willie Stargell Avenue at Main Street or construct exclusive transit lanes on Willie Stargell Avenue; Install transit signal priority at intersections along this corridor; and Optimize cycle length at the Main Street and Willie Stargell Avenue intersection during a.m. and p.m. peak hours.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvements (as stated in Mitigation Measure 4.C-5z) attributable to the project.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and collection of fair-share of funds</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to Stargell Avenue See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-5zi (Stargell Avenue Bike): The City shall implement Mitigation Measure 4.C-2m (Stargell Avenue bike path).</p>	<p>See Mitigation Measure 4.C-2m, above.</p>				
<p>Mitigation Measure 4.C-5zii: The City shall implement Mitigation Measure 4.C-2n (Main Street bicycle improvements).</p>	<p>See Mitigation Measure 4.C-2n, above.</p>				
<p>Mitigation Measure 4.C-5ziii (Central Avenue Bike): The City shall implement Mitigation Measure 4.C-2b (Central Avenue bicycle improvements).</p>	<p>See Mitigation Measure 4.C-2b, above.</p>				
<p>Mitigation Measure 4.C-5ziv (Oak Street Bike): The City shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and, when required to avoid the impact or reduce its severity, fund a fair share contribution to implement the completion of a bicycle boulevard with appropriate signage and striping along Oak Street from Blanding Avenue to Encinal Avenue to advise motorists and bicyclists to share the street.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and fund a fair-share of the portion of the cost of the improvements (as stated in Mitigation Measure 4.C-5ziv) attributable to the project.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and collection of fair-share of funds</p>	<p>Prior to issuance of building permit(s)</p>	<p>Applies to Oak Street See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>Mitigation Measure 4.C-9 (Chinatown Pedestrians): The City of Alameda shall implement TDM and Monitoring (Mitigation Measures 4.C-2a and 4.C-2b) and shall continue to work with the City of Oakland, the ACTC, and Caltrans, to evaluate and implement measures to reduce or divert the volume of traffic that travels through Oakland Chinatown to and from Alameda Point and other City of Alameda destinations.</p>	<p>City of Alameda shall require Project applicant to implement Mitigation Measures 4.C-2a and 4.C-2b, and coordinate with the City of Oakland, the ACTC, and Caltrans to evaluate and then implement measures that reduce/divert volume of traffic that travels through Oakland Chinatown to and from Alameda Point and other City of Alameda destinations.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall monitor to ensure implementation of TDM Program, Monitoring, and continue coordination with the City of Oakland, the ACTC, and Caltrans.</p>	<p>Prior to issuance of building permit(s)</p>	<p>See Mitigation Measures 4.C-2a and 4.C-2b.</p>
<p>D. Cultural and Paleontological Resources</p>					
<p>Mitigation Measure 4.D-1a (Historic Preservation Ordinance): The City shall implement the requirements of the Historic Preservation Ordinance, which requires a certificate of approval by the HAB for modifications to contributors and resources within the Historic District. As part of the certificate of approval process, project sponsors shall provide:</p> <ol style="list-style-type: none"> 1) An analysis of the proposal's conformity with the <i>Guide to Preserving the Character of the Naval Air Station Alameda Historic District</i> as adopted and amended by the City Council; 2) An analysis of the proposal's conformity with general management and design guidelines contained within the NAS Alameda Cultural Landscape Report (LRP 2012), including application of the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes. These include special treatments organized by functional areas for such topics as spatial organization, topography, vegetation, views and vistas, circulation, as well as structures, furnishings and objects; and 3) An analysis of impacts to the integrity of the Historic District, as a whole, and an analysis of alternatives to avoid potential impacts on the Historic District as a whole, and on an individual resource 	<p>Project applicant shall conduct analyses listed to comply with the Historic Preservation Ordinance.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda's Historical Advisory Board (HAB) shall verify completion of analyses.</p>	<p>During the certificate of approval process</p>	<p>Water-Connected Projects: In addition to all projects located in the Historic District, this mitigation measure also applies to projects located adjacent to Seaplane Lagoon.</p>
<p>Mitigation Measure 4.D-1b (Guidelines): Prior to approval of new buildings within the NAS Alameda Historic District, the City shall complete and adopt Guidelines for New Infill Development within the Historic District. All new building will be reviewed for conformance with the guidelines.</p>	<p>City shall complete and adopt Guidelines for New Infill Development Project applicant shall conform to the City's adopted Guidelines</p>	<p>City of Alameda Community Development Department</p>	<p>Review new buildings for conformance with Guidelines</p>	<p>Prior to approval of new buildings within the NAS Alameda Historic District</p>	<p>Water-Connected Projects: In addition to all projects located in the Historic District, this mitigation measure also applies to projects located adjacent to Seaplane Lagoon. The first proposed development in the Historic District will trigger the City's preparation and adoption of Guidelines for New Infill Development within the Historic District, which will apply to that development and all subsequent development within the Historic District.</p>

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.D-2 (Archaeological Resources): If cultural resources are encountered, all activity within 100 feet of the find shall halt until it can be evaluated by a qualified archaeologist and a Native American representative. Prehistoric archaeological materials might include ossidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris, culturally darkened soil ("middens") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and piled stones. Historic-era materials might include stone, concrete, or adobe footings and walls, filled wells or privies, and deposits of metal, glass, and/or ceramic refuse. If the archaeologist and Native American representative determine that the resources may be significant, they shall notify the City of Alameda and shall develop an appropriate treatment plan for the resources. The archaeologist shall consult with Native American monitors or other appropriate Native American representatives in determining appropriate treatment for unearched cultural resources if the resources are prehistoric or Native American in nature. In considering any suggested measures proposed by the archaeologist and Native American representative in order to mitigate impacts to cultural resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project area while mitigation for cultural resources is being carried out.</p> <p>Pursuant to CEQA Guidelines Section 15126(b), <i>Mitigation Measures Related to Impacts on Historical Resources</i>, the City of Alameda will, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors shall be considered for a project involving an archaeological site:</p> <ol style="list-style-type: none"> A. Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site. B. Preservation in place may be accomplished by, but is not limited to, the following: <ol style="list-style-type: none"> 1. Planning construction to avoid archaeological sites; 2. Incorporation of sites within parks, greenspace, or other open space; 3. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site; 4. Deeding the site into a permanent conservation easement. C. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Archaeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code. If an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation. D. Data recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historical resource, provided that the determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center. 	<p>Project applicant and its contractor(s) shall halt work and notify archaeologist if materials are discovered. Archaeologist and Native American representative shall conduct independent review and prepare treatment plan, if necessary. Project applicant or its contractor(s) shall implement treatment plan and mitigate impacts pursuant to CEQA Guidelines.</p>	<p>City of Alameda Community Development Department</p>	<p>If resources are encountered, verify work is suspended and review and approve the treatment and monitoring plan if archaeological materials are discovered</p>	<p>If resources encountered, review of treatment and monitoring plan prior to continuation of construction</p>	
<p>Mitigation Measure 4.D-3 (Paleontological Resources): If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing construction activities, all such activities within 100 feet of the find shall be halted until a qualified paleontologist can assess the significance of the find and, if necessary, develop appropriate salvage measures in consultation with the City of Alameda and in conformance with Society of Vertebrate Paleontology Guidelines (SVP, 1995; SVP, 1996).</p>	<p>Project applicant and its contractor(s) shall halt construction within 100 feet of paleontological resources. Project applicant shall retain a paleontologist to assess significance of resources and develop salvage measures, if necessary. Project applicant shall incorporate measures upon continuation of construction.</p>	<p>City of Alameda Community Development Department</p>	<p>Consult paleontologist in development of appropriate salvage measures for any paleontological resources found</p>	<p>If resources encountered, review of treatment and monitoring plan prior to continuation of construction</p>	
<p>Mitigation Measure 4.D-4 (Human Remains): In the event of discovery or recognition of any human remains during construction activities, such activities within 100 feet of the find shall cease. The Alameda County Coroner shall be contacted immediately. If the remains are determined to be Native American, and no investigation of the cause of death is required, the Native American Heritage Commission (NAHC) will be contacted within 24 hours. The NAHC will identify and contact the person or persons it believes to be the "most likely descendant (MLD)" of the deceased Native American, who in turn would make recommendations for the appropriate means of treating the human remains and any grave goods.</p>	<p>Project applicant and its contractor(s) shall halt work and notify coroner and City of Alameda Community Development Department if remains are discovered. NAHC shall assign most likely descendant. Project applicant and its contractor(s) shall hire archaeologist and cease work if site is a Native American Cemetery.</p>	<p>City of Alameda Community Development Department, NAHC; County Coroner</p>	<p>Contact City, NAHC, or County Coroner if human remains are encountered</p>	<p>Ongoing</p>	

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.D-5: Implement Mitigation Measure 4.D-1.</p> <p>Mitigation Measure 4.D-6: Implement Mitigation Measures 4.D-2, -3, and -4.</p> <p>E. Biological Resources</p> <p>Mitigation Measure 4.E-1a (Sound Attenuation Monitoring Plan): Prior to the start of marina or ferry terminal construction, the City shall require a NMFS-approved sound attenuation monitoring plan to protect fish and marine mammals; if pile driving is planned for the Seaplane Lagoon. This plan shall provide detail on the sound attenuation system, detail methods used to monitor and verify sound levels during pile driving activities, and describe management practices to be taken to reduce impact hammer pile-driving sound in the marine environment to an intensity level of less than 163 dB. The sound monitoring results shall be made available to the NMFS. The plan shall incorporate, but not be limited, to the following best management practices (BMPs):</p> <ul style="list-style-type: none"> To the extent feasible, all pilings shall be installed and removed with vibratory pile drivers only. Vibratory pile driving will be conducted following the Corps' "Proposed Procedures for Permitting Projects that will Not Adversely Affect Selected Listed Species in California". USFWS and NOAA completed Section 7 consultation on this document, which establishes general procedures for minimizing impacts to natural resources associated with projects in or adjacent to jurisdictional waters. An impact pile driver may only be used where necessary to complete installation of larger steel pilings in accordance with seismic safety or other engineering criteria The hammer shall be cushioned using a 12-inch thick wood cushion block during all impact hammer pile driving operations All piling installation using impact hammers shall be conducted between June 1 and November 30, when the likelihood of sensitive fish species being present in the work area is minimal If pile installation using impact hammers must occur at times other than the approved work window, the project applicant shall obtain incidental take authorization from NMFS and CDFW, as necessary, to address potential impacts on steelhead trout, chinook salmon, and Pacific herring and implement all requested actions to avoid impacts The project applicant shall monitor and verify sound levels during pile driving activities. The sound monitoring results will be made available to NMFS and the City In the event that exceedance of noise thresholds established and approved by NMFS occurs, a contingency plan involving the use of bubble curtains or air barrier shall be implemented to attenuate sound levels to below thresholds <p>Mitigation Measure 4.E-1b (NMFS and CDFW Consultation): During the project permitting phase, the City will ensure that any projects requiring in-water work include consultation with NMFS to determine if the work can be covered under one of the programmatic consultations for federally listed species described above or if a project-level BO would be required and whether an Incidental Harassment Authorization (IHA) for marine mammals would be needed for dredging or pile driving activities. The project applicant shall also consult with CDFW regarding State special-status fish and the potential need for an incidental take permit (ITP). The project applicant shall submit to the City copies of any IHA and/or ITP received or, alternatively, copies of correspondence confirming that an IHA and/or ITP is not required for the project in question.</p> <p>Mitigation Measure 4.E-1c (Additional Noise Attenuation Measures): As part of the NMFS-approved sound attenuation monitoring plan required for pile driving in the Seaplane Lagoon in Mitigation Measure 4.E-1a, the City shall ensure that the project applicant implements the following actions in addition to those listed in Mitigation Measure 4.E-1a to reduce the effect of underwater noise transmission on marine mammals. These actions shall include at a minimum:</p> <ul style="list-style-type: none"> Establishment of a 1,600-foot (500-meter) safety zone that shall be maintained around the sound source, for the protection of marine mammals in the event that sound levels are unknown or cannot be adequately predicted Work activities shall be halted when a marine mammal enters the 1,600-foot (500-meter) safety zone and resume only after the animal has been gone from the area for a minimum of 15 minutes A "soft start" technique shall be employed in all pile driving to marine mammals an opportunity to vacate the area Maintain sound levels below 90 dBA in air when pinnipeds (seals and sea lions) are present A NMFS-approved biological monitor will conduct daily surveys before and during impact hammer pile driving to inspect the work zone and adjacent Bay waters for marine mammals. The monitor will be present as specified by NMFS during the impact pile-driving phases of construction 	<p>See Mitigation Measure 4.D-1.</p> <p>See Mitigation Measures 4.D-2, 4.D-3, and 4.D-4.</p> <p>Project applicant shall create a NMFS-approved sound attenuation monitoring plan.</p> <p>Project applicant shall implement plan and record monitoring results.</p>	<p>City of Alameda Community Development Department</p> <p>NMFS; CDFW</p> <p>City of Alameda Community Development Department; NMFS; CDFW</p> <p>City of Alameda Community Development Department, NMFS</p>	<p>Verify completion of plan and monitor throughout construction. Ensure that monitoring results get submitted to NMFS.</p>	<p>Prior to start of marina or ferry terminal construction</p> <p>During the project permitting phase, prior to construction.</p> <p>Prior to construction</p>	<p>*Although this mitigation measure applies primarily to marina or ferry terminal projects, it would also apply to any project that entails pile driving within Seaplane Lagoon.</p> <p>Although it is anticipated that this mitigation measure would apply only to marina or ferry terminal projects, it would also apply to any other proposal that would require pile driving and/or construction of docks within Seaplane Lagoon or San Francisco Bay.</p> <p>Although it is anticipated that this mitigation measure would apply only to marina or ferry terminal projects, it would also apply to any other proposal that would require pile driving and/or construction of docks within Seaplane Lagoon or San Francisco Bay.</p>

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.E-1d (Dock Lighting): Prior to occupancy, the City shall ensure that the project applicant installs dock lighting on all floating docks that minimizes artificial lighting of Bay waters by using shielded, low-mounted, and low light-intensity fixtures and bulbs.</p>	<p>Project applicant shall include dock lighting measures in construction plans and specifications.</p>	<p>City of Alameda Community Development Department</p>	<p>Review construction plans and specifications to ensure it includes dock lighting requirements. Inspect light fixtures to ensure lighting meets requirements stated in Measure 4.E-1d.</p>	<p>Prior to construction and after construction.</p>	<p>Although it is anticipated that this mitigation measure would apply only to marina or ferry terminal projects, it would also apply to any other proposal that would require construction or docks within Sausalito Lagoon or San Francisco Bay.</p>
<p>Mitigation Measure 4.E-1f: (Bat Pre-Construction Survey) Potential direct and indirect disturbances to bats shall be identified by locating colonies, and instituting protective measures prior to construction. No more than two weeks in advance of free removal, demolition of buildings onsite, or initiation of construction within 100 feet of trees or structures providing potential bat roosting sites, a qualified bat biologist (e.g., a biologist holding a CDFW collection permit and a Memorandum of Understanding with CDFW allowing the biologist to handle and collect bats) shall conduct pre-construction surveys for bat roosts. No activities that could disturb active roosts shall proceed prior to the completed surveys.</p>	<p>Project applicant will obtain a qualified biologist to conduct pre-construction surveys for bat roosts. Qualified biologist will conduct pre-construction bat surveys two weeks prior to tree removal and building demolition work and shall develop protective measures.</p>	<p>City of Alameda Community Development Department</p>	<p>Review construction specifications to ensure inclusion of protective measures for active bat roosts. Monitor to ensure completion of pre-construction survey.</p>	<p>Prior to issuance of demolition or tree removal permit</p>	<p>This mitigation measure applies to any project requiring removal of trees and/or demolition of buildings.</p>
<p>Mitigation Measure 4.E-1g: (Bat Maternity Colony Measures) If a maternity colony is located within the project site during pre-construction surveys, the project shall be redesigned to avoid impacts if feasible, and a no-disturbance buffer acceptable in size to the CDFW shall be created around the roost. Bat roosts (maternity or otherwise) initiated during construction are generally presumed to be unaffected by increased noise, vibration, or human activity, and no buffer is necessary as long as roost sites are not directly altered or destroyed. However, the "take" of individuals is still prohibited at any time.</p> <ul style="list-style-type: none"> If there is a maternity colony present and the project cannot be redesigned to avoid removal of the tree or structure inhabited by the bats, demolition of that tree or structure shall not commence until after young are flying (i.e., after July 31, confirmed by a qualified bat biologist) or before maternity colonies form the following year (i.e., prior to March 1). If a non-maternity roost must be removed as part of the project, the non-maternity roost shall be excised prior to building/tree removal by a qualified biologist, using methods such as making holes in the roost to alter the air-flow or creating one-way funnel exits for the bats. If significant (e.g., maternity roosts or large non-maternity roost sites) bat roosting habitat is destroyed during building/tree removal, artificial bat roosts shall be constructed in an undisturbed area in the project site vicinity away from human activity and at least 200 feet from project demolition/construction activities. The design and location of the artificial bat roost(s) shall be determined by a qualified bat biologist. 	<p>Project applicant and its contractor(s) shall incorporate measures in the construction specifications to reduce impacts to maternity colonies. During pre-construction surveys, Project applicant and its contractor(s) will redesign the project if maternity colony is located within the project site.</p>	<p>City of Alameda Community Development Department; CDFW</p>	<p>Monitor to ensure adequate measures are taken to avoid impacts to maternity colonies.</p>	<p>Prior to issuance of demolition or tree removal permit</p>	<p>This mitigation measure applies to any project requiring removal of trees and/or demolition of buildings.</p>
<p>Mitigation Measure 4.E-2c: (Invasive Species Control Plan) The City shall require that the project applicant develop and implement a Marine Invasive Species Control Plan prior to commencement of any in-water work including, but not limited to, construction of piers and seawalls, dredging, pile driving, and construction of new stormwater outfalls. The plan shall be prepared in consultation with the United States Coast Guard (USCG), RWQCB, and other relevant state agencies. Provisions of the plan shall include but not be limited to the following:</p> <ul style="list-style-type: none"> Environmental training of construction personnel involved in in-water work Actions to be taken to prevent the release and spread of marine invasive species, especially algal species such as <i>Undaria</i> and <i>Sargasso</i> Procedures for the safe removal and disposal of any invasive taxa observed on the removed structures prior to disposal or reuse of pilings, docks, wave attenuators, and other features The onsite presence of qualified marine biologists to assist the contractor in the identification and proper handling of any invasive species on removed Port equipment or materials A post-construction report identifying which, if any, invasive species were discovered attached to equipment and materials following removal from the water, and describing the treatment/handling of identified invasive species. Reports shall be submitted to the City, as well as the USCG and the RWQCB if requested by the agencies. 	<p>Project applicant shall develop and implement a Marine Invasive Species Control Plan during construction of in-water work. Project applicant will prepare a post-construction report to submit to the City, USCG, and RWQCB.</p>	<p>City of Alameda Community Development; USCG; RWQCB and other relevant state agencies</p>	<p>Review and approve Marine Invasive Species Control Plan. Ensure the provisions of the approved plan are implemented, including preparation of a post-construction report.</p>	<p>Prior to issuance of building permit(s) and during construction</p>	

Mitigation Measures	Implementation Procedures	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.E-3a: (Wetlands) Prior to issuance of final grading or building permits that include work within or in the vicinity of jurisdictional waters, the City shall confirm that the project applicant has obtained all necessary wetland permits and shall further ensure that the project applicant implements measures to avoid or minimize adverse effects on jurisdictional waters and sensitive natural communities. Specifically:</p> <ul style="list-style-type: none"> The existing wetlands in the Northwest Territories shall be preserved and incorporated into compatible open space uses to the maximum extent feasible. Wetlands to be avoided shall be protected by setbacks throughout project construction. Based on recommendations in the <i>Baylands Ecosystem Habitat Goals</i> (Goals Project, 1999) a minimum 300-foot wetland buffer shall be incorporated into project design wherever possible to protect water quality and the wildlife that use the wetlands. Where existing uses preclude the establishment of a 300-foot or larger buffer, the largest buffer possible shall be established. Buffer width should be determined by considering the quality of the wetlands, actual or potential wildlife use, existing and proposed future uses, amount and type of vegetation within the buffer, and angle and direction of slope in proximity to the wetland (McElfish et al., 2008). Open space uses shall incorporate these buffers in the siting of recreational trails and development of facilities to ensure the wetlands and the wildlife that use them are adequately buffered from recreational uses. During project construction, areas to be avoided and provided with setbacks pursuant to the provisions described above shall be further protected by best management practices (BMPs), as described in Mitigation Measure 4.E-3b, below. Such measures shall include the installation of silt fencing, straw wattles, or other appropriate erosion and sediment control methods or devices along roads and at the 100-foot setback limits. To minimize impacts on wetlands and other waters, equipment such as backhoes and cranes used for installation of rip-rap or other shore stabilization measures along the Bay shoreline shall operate from dry land where possible. Any construction operations within Bay waters shall be barge-mounted or use other water-based equipment such as scows, derrick barges, and tugs. 	<p>Project applicant shall obtain all necessary wetland permits. Project applicant shall implement measures to avoid or minimize adverse effects on jurisdictional waters and sensitive natural communities. Project applicant will implement measures to avoid or minimize adverse effects on jurisdictional waters and sensitive natural communities as identified in Mitigation Measure 4.E-3a.</p>	<p>City of Alameda Community Development Department</p>	<p>Prior to issuance of final grading or building permit(s) and during construction.</p>	
<p>Mitigation Measure 4.E-3b: (BMPs for Wetlands) Standard BMPs shall be employed to avoid degradation of aquatic habitat and wetlands by maintaining water quality and controlling erosion and sedimentation during construction as required by compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities (see also Section 4.H, <i>Hydrology and Water Quality</i>, of this EIR, which addresses impacts on water quality).</p> <p>BMPs shall include, but not be limited to, the following: (1) installing silt fencing between wetlands and aquatic habitat and construction-related activities, (2) locating fueling stations away from potentially jurisdictional features, and (3) otherwise isolating construction work areas from any identified jurisdictional features. In addition, BMPs to avoid impacts on water quality resulting from dredging or other activities within open waters that are identified in the <i>Long-term Management Strategy for the Placement of Dredged Material in the San Francisco Bay Region</i> (L-TMS) (Corps, 2001) shall be implemented. These BMPs include silt fencing and gunderebooms or other appropriate methods for keeping dredged materials or other sediments from leaving a project site.</p>	<p>Project applicant shall comply with the NPDES General Permit for Construction through implementation of BMPs described in Mitigation Measure 4.E-3b.</p>	<p>Ensure that Project applicant implements applicable BMPs and complies with NPDES General Permit.</p>	<p>During construction</p>	<p>Although implementation of this mitigation measure is particularly critical for projects located adjacent to or in proximity to wetlands or surface waters, all construction projects will be required to comply with the Regional Water Quality Control Board's NPDES General Construction Permit, and will be required to implement appropriate BMPs.</p>
<p>Mitigation Measure 4.E-3c: (Wetland Mitigation and Monitoring Plan) Where disturbance to jurisdictional waters cannot be avoided, compensation shall be provided at a minimum 1:1 ratio for temporary impacts as permitted by the NPDES General Permit. Where applicable, mitigation ratios will be specified in project permits issued by the Corps, RWQCB, and BCDC. Where applicable, wetland restoration shall be detailed on which offsets and shall include the development of a wetland mitigation plan. The plan shall be developed prior to the start of the first phase of development or construction with permit applications and/or conditions. Alternatively, offsets mitigation may be pursued through an approved mitigation bank, although this option may result in a higher mitigation ratio. At a minimum, such plans shall include:</p> <ul style="list-style-type: none"> Baseline information, including a summary of findings for the most recent wetland delineation applicable to the project site; Anticipated habitat enhancements to be achieved through compensatory actions, including mitigation site location (onsite enhancement or offsite habitat creation) and hydrology; 	<p>Project applicant shall develop a mitigation plan to compensate disturbance to jurisdictional waters at a minimum 1:1 ratio by either: (1) developing an onsite wetland mitigation monitoring plan or (2) pursue offsite mitigation options. Ensure that mitigation plan incorporates items described in Measure 4.E-3c.</p>	<p>Review of construction specifications to ensure it includes wetland restored or restored at a minimum 1:1 ratio for temporary and permanent loss. Review compensation plan to ensure incorporation of items described in Mitigation Measure 4.E-3c.</p>	<p>Prior to issuance of grading permit</p>	

Mitigation Measures	Implementation Procedures	Monitoring and Reporting Action	Monitoring Responsibility	Mitigation Schedule	Notes
<ul style="list-style-type: none"> • Performance and success criteria for wetland creation or enhancement, including, but not limited to, the following:⁹ <ul style="list-style-type: none"> - At least 70 percent survival of installed plants for each of the first three years following planting. - Performance criteria for vegetation percent cover in Years 1-4 as follows: at least 10 percent cover of installed plants in Year 1; at least 20 percent cover in Year 2; at least 30 percent cover in Year 3; at least 40 percent cover in Year 4. - Performance criteria for hydrology in Years 1-5 as follows: Fourteen or more consecutive days of flooding, ponding, or a water table 12 inches or less below the soil surface during the growing season at a minimum frequency of three of the five monitoring years; OR establishment of a prevalence of wetland obligate plant species. - Invasive plant species that threaten the success of created or enhanced wetlands should not contribute relative cover greater than 35 percent in Year 1, 20 percent in Years 2 and 3, 15 percent in Year 4, and 10 percent in Year 5. - If necessary, supplemental water shall be provided by a water truck for the first two years following installation. Any supplemental water must be removed or turned off for a minimum of two consecutive years prior to the end of the monitoring period, and the wetland must meet all other criteria during this period. At the end of the five-year monitoring period, the wetland must be self-sufficient and capable of persistence without supplemental water. - At least 75 percent cover by hydrophytic vegetation at the end of the five-year monitoring period. In addition, wetland hydrology and hydric soils must be present and defined as follows: <ul style="list-style-type: none"> ▪ <i>Hydrophytic vegetation</i> – A plant community occurring in areas where the frequency and duration of inundation or soil saturation produce permanently or periodically saturated soils of sufficient duration to exert a controlling influence on the plant species present. ▪ <i>Wetland hydrology</i> – Identified by indicators such as sediment deposits, water stains on vegetation, and oxidized rhizospheres along living roots in the upper 12 inches of the soil, or satisfaction of the hydrology performance criteria listed above. ▪ <i>Hydric soils</i> – Soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions, which are often characterized by features such as redox concentrations, which form by the reduction, translocation, and/or oxidation of iron and manganese oxides. Hydric soils may lack hydric indicators for a number of reasons. In such cases, the same standard used to determine wetland hydrology when indicators are lacking can be used. • Five years after any wetland creation, a wetland delineation shall be performed to determine whether created wetlands are developing according to the success criteria outlined in the project permits. If they are not, remedial measures such as re-planting and or re-design and construction of the created wetland shall be taken to ensure that the Project's mitigation obligations are met. • If permanent and temporary impacts on jurisdictional waters cannot be compensated onsite through the restoration or enhancement of wetland features incorporated within proposed open space areas, the specific project applicant shall provide additional compensatory mitigation for these habitat losses. Potential options include the creation of additional wetland acreage onsite or the purchase of offsite mitigation. Offsite compensatory mitigation would be required to fulfill the performance standards described above. 					

⁹ Vegetation-related criteria listed here apply only mitigation required for impacts to vegetated wetlands and would not be required for mitigation required for impacts to unvegetated wetlands.

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.E-4b: (Bird Strike Mitigation) Prior to the issuance of the first building permit for each new building, or for any exterior renovation that would increase the surface area of glazing by 50 percent or more or that would replace 50 percent or more of existing glazing, the City shall require that the project applicant retain a qualified biologist experienced with bird strike issues to review and approve the design of the building to ensure that it sufficiently minimizes the potential for bird strikes. The City may also consult with resource agencies such as the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or others, as it determines to be appropriate during this review. The project applicant shall provide to the City a written description of the measures and features of the building design that are intended to address potential impacts on birds. The design shall include some of the following measures or measures that are equivalent to, but not necessarily identical to, those listed below, as new, more effective technology for addressing bird strikes may become available in the future:</p> <ul style="list-style-type: none"> • Employ design techniques that create "visual noise" via cladding or other design features that make it easy for birds to identify buildings as such and not mistake buildings for open sky or trees; • Decrease continuity of reflective surfaces using "visual marker" design techniques, which techniques may include: <ul style="list-style-type: none"> - Patterned or fritted glass, with patterns at most 28 centimeters apart, - One-way films installed on glass, with any picture or pattern or arrangement that can be seen from the outside by birds but appear transparent from the inside, - Geometric fenestration patterns that effectively divide a window into smaller panes of at most 28 centimeters, and/or - Decals with patterned or abstract designs, with the maximum clear spaces at most 28 centimeters square. • Up to 60 feet high on building facades facing the shoreline, decrease reflectivity of glass, using design techniques such as plastic or metal screens, light-colored blinds or curtains, frosting of glass, angling glass towards the ground, UV-A glass, or awnings and overhangs; • Eliminate the use of clear glass on opposing or immediately adjacent faces of the building without intervening interior obstacles such that a bird could perceive its flight path through the glass to be unobstructed; • Mute reflections in glass using strategies such as angled glass, shades, internal screens, and overhangs; and • Place new vegetation sufficiently away from glazed building facades so that no reflection occurs. Alternatively, if planting or landscapes near a glazed building facade is desirable, situate trees and shrubs immediately adjacent to the exterior glass walls, at a distance of less than 3 feet from the glass. Such close proximity will obscure habitat reflections and will minimize fatal collisions by reducing birds' flight momentum. <p>Lighting. In addition to implementation of the City/VA Lighting MOA, the project applicant shall similarly ensure that the design and specifications for buildings implement design elements to reduce lighting usage, change light direction, and contain light. These include, but are not limited to, the following general considerations that should be applied wherever feasible throughout Alameda Point to reduce night lighting impacts on species other than least terns:</p> <ul style="list-style-type: none"> • Avoid installation of lighting in areas where not required for public safety • Examine and adopt alternatives to bright, all-night, floor-wide lighting when interior lights would be visible from the exterior or exterior lights must be left on at night, including: <ul style="list-style-type: none"> - Installing motion-sensitive lighting - Installing task lighting - Installing programmable timers - Installing fixtures that use lower-wattage, sodium, and yellow-red spectrum lighting. • Install strobe or flashing lights in place of continuously burning lights for any obstruction lighting. • Where exterior lights are to be left on at night, install fully shielded lights to contain and direct light away from the sky. 	<p>Project applicant shall retain a qualified biologist to review and approve design of buildings for potential impacts on birds related to bird strikes, lighting, and placement of rooftop antennae and other rooftop elements. Project applicant shall provide educational materials to building tenants and occupants, hotel guests, and residents encouraging them to minimize light transmission from windows. Project applicant or City shall document activities undertaken per this mitigation measure. Project applicant or City shall maintain records that include the written descriptions provided by the building developer of the measures and features of the design for each building that are intended to address potential impacts on birds, and the recommendations and memoranda prepared by the qualified biologist experienced with bird strikes.</p>	<p>City of Alameda Community Development Department, CDPW, USFWS</p>	<p>Review submittal and documentation of measures and features incorporated to address potential impacts on birds. Ensure that education materials get distributed to building tenants, occupants, hotel guests, and residents appropriately. Ensure proper documentation of activities prescribed by Measure 4.E-4b.</p>	<p>Prior to issuance of building permit(s)</p>	

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Antennae, Monopole Structures, and Rooftop Elements. The City shall ensure, as a condition of approval for every building permit, that buildings minimize the number of and co-locate rooftop-antennae and other rooftop equipment, and that monopole structures or antennas on buildings, in open areas, and at sports and playing fields and facilities do not include guy wires.</p> <p>Educating Residents and Occupants. The City shall ensure, as a condition of approval for every building permit, that the project applicant agrees to provide educational materials to building tenants and occupants, hotel guests, and residents encouraging them to minimize light transmission from windows, especially during peak spring and fall migratory periods, by turning off unnecessary lighting and/or closing window coverings at night. The City shall review and approve the educational materials prior to building occupancy.</p> <p>Documentation. The project applicant and/or City shall document undertaking the activities described in this mitigation measure and maintain records that include, among others, the written descriptions provided by the building developer of the measures and features of the design for each building that are intended to address potential impacts on birds, and the recommendations and memoranda prepared by the qualified biologist experienced with bird strikes who reviews and approves the design of any proposed projects to ensure that they sufficiently minimize the potential for bird strikes.</p>	<p>Project applicant shall conduct pre-construction breeding bird surveys. Project applicant shall implement identified avoidance and minimization measures for nesting bird impacts.</p>	<p>City of Alameda Community Development Department</p>	<p>Review construction specifications to ensure incorporation of nesting bird avoidance and minimization measures. Monitor to ensure implementation of avoidance and minimization measures during construction.</p>	<p>Prior to issuance of building permit(s) and during construction</p>	<p>Although this mitigation measure is particularly critical for projects located in the Northwest Territories and the Federal Property, it is applicable to any project on a site that has trees, shrubs, buildings, or other structures, all of which can provide nesting habitat for birds.</p>
<p>Mitigation Measure 4.E-4c: (Breeding Birds) The City shall require project applicants to conduct pre-construction breeding bird surveys for projects proposed in areas containing, or likely to contain, habitat for nesting birds as a condition of approval for any development-related permit. Specific measures to avoid and minimize impacts on nesting birds include, but are not limited to, those described below.</p> <ul style="list-style-type: none"> To avoid and minimize potential impacts on nesting raptors and other birds, preconstruction surveys shall be performed not more than one week prior to initiating vegetation removal and/or construction activities during the breeding season (i.e., February 1 through August 31) To avoid and minimize potential impacts on nesting raptors and other birds, a no-disturbance buffer zone shall be established around active nests during the breeding season until the young have fledged and are self-sufficient, when no further mitigation would be required Typically, the size of individual buffers ranges from a minimum of 250 feet for raptors to a minimum of 50 feet for other birds but can be adjusted based on an evaluation of the site by a qualified biologist in cooperation with the USFWS and/or CDFW Birds that establish nests after construction starts are assumed to be habituated to and tolerant of the indirect impacts resulting from construction noise and human activity. However, direct take of nests, eggs, and nestlings is still prohibited and a buffer must be established to avoid nest destruction. If construction ceases for a period of more than two weeks, or vegetation removal is required after a period of more than two weeks has elapsed from the preconstruction surveys, then new nesting bird surveys must be conducted. 	<p>The City will prohibit placement of open refuse containers that contain food waste.</p>	<p>City of Alameda Community Development Department</p>	<p>City to ensure that measure is implemented.</p>	<p>After construction is complete.</p>	
<p>Mitigation Measure 4.E-5: The City of Alameda shall implement Mitigation Measures 4.E-1a through 4.E-1h (avoid and minimize impacts on special-status wildlife), Mitigation Measures 4.E-2a through 4.E-2c (avoid and minimize impacts to sensitive natural communities), Mitigation Measures 4.E-3a through 4.E-3c (avoid and minimize impacts to jurisdictional waters), and Mitigation Measures 4.E-4a through 4.E-4f (avoid and minimize impacts to migratory and breeding wildlife).</p>	<p>See Mitigation Measures 4.E-1a through 4.E-1h, 4.E-2a through 4.E-2c, 4.E-3a through 4.E-3c, and 4.E-4a through 4.E-4f.</p>				
<p>Mitigation Measure 4.E-6: The City of Alameda shall implement Mitigation Measures 4.E-1a through 4.E-1h (avoid and minimize impacts on special-status wildlife), Mitigation Measures 4.E-2a through 4.E-2c (avoid and minimize impacts to sensitive natural communities), Mitigation Measures 4.E-3a through 4.E-3c (avoid and minimize impacts to jurisdictional waters), and Mitigation Measures 4.E-4a through 4.E-4f (avoid and minimize impacts to migratory and breeding wildlife).</p>	<p>See Mitigation Measures 4.E-1a through 4.E-1h, 4.E-2a through 4.E-2c, 4.E-3a through 4.E-3c, and 4.E-4a through 4.E-4f.</p>				
<p>Mitigation Measure 4.E-7: The City of Alameda shall implement Mitigation Measures 4.E-1a through 4.E-1h (avoid and minimize impacts on special-status wildlife), Mitigation Measures 4.E-2a through 4.E-2c (avoid and minimize impacts to sensitive natural communities), Mitigation Measures 4.E-3a through 4.E-3c (avoid and minimize impacts to jurisdictional waters), and Mitigation Measures 4.E-4a through 4.E-4f (avoid and minimize impacts to migratory and breeding wildlife).</p>	<p>See Mitigation Measures 4.E-1a through 4.E-1h, 4.E-2a through 4.E-2c, 4.E-3a through 4.E-3c, and 4.E-4a through 4.E-4f.</p>				

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>F. Air Quality and Greenhouse Gases</p> <p>Mitigation Measure 4.F-1a: (Fugitive Dust) The following BAAQMD Best Management Practices for fugitive dust control will be required for all construction activities within the project area. These measures will reduce fugitive dust emissions primarily during soil movement, grading and demolition activities, but also during vehicle and equipment movement on unpaved project sites:</p> <p>Basic Controls that Apply to All Construction Sites</p> <ol style="list-style-type: none"> All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. All haul trucks transporting soil, sand, or other loose material off site shall be covered. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. All vehicle speeds on unpaved roads shall be limited to 15 mph. All streets, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of CCR). Clear signage shall be provided for construction workers at all access points. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. A publicly visible sign shall be posted with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. 	<p>Project applicant shall incorporate the BAAQMD BMPs for fugitive dust control in construction specifications. Project applicant shall implement BMPs during construction.</p>	<p>City of Alameda Community Development Department</p>	<p>Review construction specifications for inclusion of BAAQMD BMPs. Monitor to ensure that BMPs are implemented during construction.</p>	<p>Prior to issuance of building permit(s) and on-going during construction.</p>	
<p>Mitigation Measure 4.F-1.b: (Construction Exhaust) The following control measures for construction emissions will be required for all construction activities within the project area:</p> <ul style="list-style-type: none"> All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes. Clear signage shall be provided for construction workers at all access points. The Project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NO_x and 45 percent PM reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. (The Level 3 Verified Diesel Emissions Control (VDEC) required under Mitigation Measure 4.F-1d would also comply with this measure.) Require that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NO_x and PM. Require all contractors to use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines 	<p>Project applicant shall incorporate control measures for construction emissions in construction specifications. Project applicant shall implement control measures during construction.</p>	<p>City of Alameda Community Development Department</p>	<p>Review construction specifications to ensure incorporation of control measures for construction emissions. Monitor to ensure that construction exhaust measures are implemented during construction.</p>	<p>Prior to issuance of building permit(s) and during construction.</p>	
<p>Mitigation Measure 4.F-1c: (Demolition Controls) Demolition and disposal of any asbestos containing building material shall be conducted in accordance with the procedures specified by Regulation 11, Rule 2 (Asbestos Demolition, Renovation and Manufacturing) of BAAQMD's regulations.</p>	<p>Project applicant shall incorporate BAAQMD's Regulation 11, Rule 2 procedures in construction specifications. Project applicant shall implement measures as outlined in Regulation 11, Rule 2 of BAAQMD's regulations.</p>	<p>City of Alameda Community Development Department</p>	<p>Review construction specifications to ensure incorporation of BAAQMD's measures for the demolition and disposal of asbestos. Ensure Project applicant complies with Regulation 11, Rule 2 procedures of BAAQMD's regulations.</p>	<p>Prior to and during construction.</p>	

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.F-1d: (Toxic Air Contaminants and PM2.5) The project sponsors shall ensure that construction contract specifications include a requirement that all off-road construction equipment used for project improvements be equipped with a Level 3 Verified Diesel Emissions Control (WDEC), which would reduce diesel particulate emissions by at least 65 percent.</p>	<p>Project applicant shall incorporate toxic air contaminants and PM2.5 measure in construction contract specifications. Project applicant will use off-road construction equipment with a Level 3 Verified Diesel Emissions Control.</p>	<p>City of Alameda Community Development Department</p>	<p>Review construction specifications to ensure that toxic air contaminants and PM2.5 measure is incorporated. Ensure that Project applicant uses off-road construction equipment with a Level 3 Verified Diesel Emissions Control.</p>	<p>Prior to and during construction.</p>	
<p>Mitigation Measure 4.F-1e: (Delayed Occupancy) Health risks from construction-related emissions to new residences proposed under the project shall be minimized by delaying issuance of occupancy permits for new residential units until after the completion of construction activities at adjacent buildings upwind in prevailing west and northwest winds during individual development phases of the project.</p> <p>Mitigation Measure 4.F-2: (Greenhouse Gas Reduction Measures) The following measures shall be incorporated into the project design for properties within the project area:</p> <ul style="list-style-type: none"> • Implement a Transportation Demand Management (TDM) program, as described in detail in Mitigation Measure 4.C.1a in Section 4.C, Transportation. • Require only natural gas hearths in residential units as a condition of final building permit; • Require smart meters and programmable thermostats; • Meet Green Building Code standards in all new construction; • Install solar water heaters for all uses as feasible; • Use recycled water when available; • Install low-flow fixtures (faucets, toilets, showers); • Use water efficient irrigation systems; and • Institute recycling and composting services. 	<p>Project applicant shall delay occupancy until after completion of construction activities at adjacent buildings.</p> <p>Project applicant shall incorporate measures into project design documents.</p>	<p>City of Alameda Community Development Department</p> <p>City of Alameda Community Development Department</p>	<p>Ensure that occupancy is delayed until after completion of construction activities at adjacent buildings.</p> <p>Ensure that project design documents incorporate measures identified in Mitigation Measure 4.F-2.</p>	<p>Prior to issuance of occupancy permit(s)</p> <p>During design phase.</p>	<p>* This mitigation measure applies only to residential projects.</p>
<p>Mitigation Measure 4.F-4: Implement Mitigation Measures 4.F-1a, 4.F-1b, and 4.F-1e.</p> <p>Mitigation Measure 4.F-7a: Implement Mitigation Measure 4.F-2.</p>	<p>See Mitigation Measures 4.F-1a, 4.F-1b, and 4.F-1e.</p> <p>See Mitigation Measure 4.F-2.</p>				
<p>Mitigation Measure 4.F-7b: (Fuel-Efficient Vehicles) The City shall promote use of clean fuel-efficient vehicles through preferential parking, installation of charging stations, and low emission electric vehicle carsharing programs to reduce the need to have a car or second car vehicles in the TDM Program.</p>	<p>City shall require implementation of measures identified in Measure 4.F-7b.</p>	<p>City of Alameda Community Development Department</p>			
<p>Mitigation Measure 4.F-8: Implement Mitigation Measures 4.F-2 and 4.F-7b.</p>	<p>See Mitigation Measures 4.F-2 and 4.F-7b.</p>				
<p>G. Noise</p> <p>Mitigation Measure 4.G-1a: (Construction Hours) The City will require construction contractors to limit standard construction activities hours to be in compliance with the Noise Ordinance. Pile driving activities greater than 90 dBA limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday. No pile driving shall be allowed on weekends and National holidays.</p>	<p>Project applicant and its contractor(s) to include noise limitations in construction specifications. Project applicant and its contractor(s) to comply with the Noise Ordinance and ensure that pile driving activities greater than 90 dBA are limited between 8:00 a.m. and 4:00 p.m. Monday through Friday.</p>	<p>City of Alameda Community Development Department</p>	<p>Review construction specifications to ensure measure is incorporated; inspection to ensure conformance.</p>	<p>Prior to issuance of grading or building permit(s); inspection during construction</p>	

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.G-1b: (Construction Noise Measures) To reduce daytime noise impacts due to construction, the City will require construction contractors to implement the following measures:</p> <ul style="list-style-type: none"> Equipment and trucks used for project construction will utilize the best available noise control techniques, such as improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible. Impact tools (i.e., 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 will be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves will be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures will be used, such as drills rather than impact equipment, whenever feasible. Stationary noise sources will be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible. Haul routes that affect the fewest number of people will be selected. <p>Mitigation Measure 4.G-1c: (Pile Driving Noise Attenuation Measures) Pile driving activities within 300 feet of sensitive receptors will require additional noise attenuation measures. Prior to commencing construction, a plan for such measures will be submitted for review and approval by the City to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures will include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> Erect temporary plywood noise barriers if they would block the line of sight between sensitive receptors and construction activities, particularly for existing residences in the northern area of the project site and for residences across Main Street; Implement "quiet" pile driving technology (such as pre-drilling of piles or use of sonic pile drivers), where feasible, in consideration of geotechnical and structural requirements and conditions; and Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site. <p>Mitigation Measure 4.G-1d: (Complaint Tracking) Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant will submit to the City a list of measures to respond to and track complaints pertaining to construction noise. These measures will include:</p> <ul style="list-style-type: none"> Signs will 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 contact number with the City of Alameda in the event of noise complaints. The project applicant will designate an onsite complaint and enforcement manager to track and respond to noise complaints; and 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. 	<p>Project applicant and its contractor(s) shall use best available noise-control techniques described and locate stationary noise sources as far from adjacent receptors as possible.</p> <p>Project applicant and its contractor(s) shall prepare plan and submit to City, implement during construction.</p> <p>Project applicant and its contractor(s) shall post construction information and track complaints pertaining to construction noise</p>	<p>City of Alameda Community Development Department</p> <p>City of Alameda Community Development Department</p> <p>City of Alameda Community Development Department</p>	<p>Require use of noise-control techniques in building permit; inspect construction site to confirm adherence to those requirements.</p> <p>Review noise-attenuation plan and incorporate plan into building permit; inspect site during construction to confirm adherence to plan.</p> <p>Review construction specifications to ensure conformance; inspection to ensure conformance</p>	<p>Prior to issuance of grading building permit(s); inspect during construction</p> <p>Prior to issuance of grading or building permit(s); inspect site during construction</p> <p>Prior to issuance of building permit(s)</p>	
<p>Mitigation Measure 4.G-2: Implement Mitigation Measures 4.G-1a through 4.G-1d.</p> <p>Mitigation Measure 4.G-3: To reduce automobile trips and associated automobile noise impacts, implement Mitigation Measure 4.C2a (TDM Program).</p> <p>Mitigation Measure 4.G-4: (Noise Ordinance) During individual project phase design preparation, the City will require a project applicant to comply with the Noise Ordinance and General Plan standards. These measures implement noise control measures to ensure that all non-transportation source operations comply with City standards and will include, but not be limited to, the following:</p> <ul style="list-style-type: none"> The proposed land uses will be designed so that onsite mechanical equipment (e.g., HVAC units, compressors, generators) and area-source operations (e.g., loading docks, parking lots, and recreational-use areas) are located as far as possible and/or shielded from nearby noise sensitive land uses to meet City noise standards. Onsite landscape maintenance equipment will be equipped with properly operating exhaust mufflers and engine shrouds, in accordance with manufacturers' specifications. The following activities will be limited to the hours of 7:00 a.m. to 10:00 p.m. unless site-specific analysis confirms that noise impacts to sensitive receptors would be less-than-significant: <ul style="list-style-type: none"> Truck deliveries; Operations of motor powered landscape maintenance equipment; and Outdoor use of amplified sound systems. 	<p>See Mitigation Measures 4.G-1a through 4.G-1d.</p> <p>See Mitigation Measure 4.C-2a.</p> <p>Project applicant and its contractor(s) shall incorporate operational noise control measures in project design phase documents.</p>	<p>City of Alameda Community Development Department</p>	<p>City shall ensure that design phase documents of individual projects incorporate operational noise control measures.</p>	<p>During design phase and prior to issuance of building permit(s)</p>	

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.G-5: (Noise Study and Design Measures) The City will require project sponsors for residential development to submit a detailed noise study, prepared by a qualified noise consultant, to determine design measures necessary to achieve acceptable interior noise levels at the proposed new residences. The study will be submitted to the City for review and approval. Design measures such as the following could be required, depending on the specific findings of the noise study: double-paneled glass windows facing noise sources; solid-core doors; increased sound insulation of exterior walls (such as through staggered- or double-studs; multiple layers of gypsum board, and incorporation of resilient channels); weather-tight seals for doors and windows; or mechanical ventilation such as an air conditioning system.</p>	<p>Project applicant shall obtain a qualified registered geotechnical engineer to conduct design-level geotechnical investigation. Geotechnical engineer shall conduct geotechnical investigation, prepare a report and develop recommendations in accordance to Measure 4.H-1. Engineer shall ensure that recommendations conform to city ordinances and policies.</p>	<p>City of Alameda Community Development Department</p>	<p>City shall review and approve noise study and approve design measures would meet acceptable interior noise level standards.</p>	<p>Prior to construction.</p>	<p>*This mitigation measure applies only to residential projects.</p>
<p>Mitigation Measure 4.G-6: Implement Mitigation Measures 4.G-3 and 4.G-5.</p>	<p>See Mitigation Measures 4.G-3 and 4.G-5.</p>				
<p>H. Geology, Soils, and Seismicity</p>					
<p>Mitigation Measure 4.H-1: (Geotechnical Investigation) Prior to approval of a building permit, a site specific, design-level geotechnical investigation shall be prepared for all proposed development on the project site. The investigation shall include detailed characterization of the distribution and compositions of subsurface materials and an assessment of their potential behavior during violent seismic ground-shaking. The analysis shall recommend site preparation and design parameters that would be necessary to avoid or substantially reduce structural damage under anticipated peak ground accelerations in accordance with seismic design requirements within the most current version of the California Building Code and Alameda Municipal Code. The investigation and recommendations shall be in conformance with all applicable city ordinances and policies and consistent with design requirements of the calculated Seismic Design Category for the site in accordance with the California Building Code. The geotechnical report shall be prepared by a California-registered geotechnical engineer and approved by the City, and all recommendations contained in the report shall be included in the final design of the project. Mitigation Measure 4.H-1 would ensure that the proposed project would be designed to withstand strong seismic ground-shaking, and that the occupants of the proposed development are informed of safety procedures to follow in the event of an earthquake.</p>	<p>Project applicant shall obtain a California-registered geotechnical engineer to conduct design-level geotechnical investigation. Geotechnical engineer shall conduct geotechnical investigation, prepare a report and develop recommendations in accordance to Measure 4.H-1. Engineer shall ensure that recommendations conform to city ordinances and policies.</p>	<p>Project applicant and City of Alameda Community Development Department</p>	<p>City shall review and approve geotechnical report.</p>	<p>Prior to approval of building permit(s)</p>	
<p>Mitigation Measure 4.H-2: (Geotechnical Mitigation) Prior to issuance of a building permit, earthwork, foundation and structural design for proposed development under the project shall be conducted in accordance with all recommendations contained in the required geotechnical investigation (Mitigation Measure 4.H-1). The investigation must include an assessment of all potentially foreseeable seismically-induced ground failures, including liquefaction, sand boils, lateral spreading and rapid settlement. Mitigation strategies must be designed for the site-specific conditions of the project and must be reviewed for compliance with the guidelines of CGS Special Publication 117A, prior to incorporation into the project. Examples of possible strategies include edge containment structures (berms, diked sea walls, retaining structures, compacted soil zones) removal or treatment of liquefiable soils, soil modification, modification of site geometry, lowering the groundwater table, in-situ ground densification, deep foundations, reinforced shallow foundations, and structural design that can accommodate predicted displacements.</p>	<p>Project applicant shall ensure that geotechnical investigation includes assessment of all potentially foreseeable seismically-induced ground failures, including liquefaction, sand boils, lateral spreading and rapid settlement. Project applicant shall ensure that mitigation strategies are developed consistent with the guidelines of CGS Special Publication 117A.</p>	<p>Project applicant and City of Alameda Community Development Department</p>	<p>Ensure that geotechnical report addresses seismically-induced ground failures listed in the measure. Review and ensure that mitigation strategies are developed consistent with the guidelines of CGS Special Publication 117A.</p>	<p>Review mitigation strategies prior to incorporation into the project. Prior to issuance of building permit(s).</p>	
<p>Mitigation Measure 4.H-4: (Settlement Mitigation) The required geotechnical report for each development project (Mitigation Measure 4.H-1a) shall determine the susceptibility of the project site to settlement and prescribe appropriate engineering techniques for reducing its effects. Where settlement and/or differential settlement is predicted, mitigation measures—such as lightweight fill, geotexture, surcharging, wick drains, deep foundations, structural slabs, hinged slabs, flexible utility connections, and utility hangers—shall be used. These measures shall be evaluated and the most effective, feasible, and economical measures shall be recommended. Engineering recommendations shall be included in the project engineering and design plans, and be reviewed and approved by a registered geotechnical engineer. All construction activities and design criteria shall comply with applicable codes and requirements of the most recent California Building Code, and applicable City construction and grading ordinances.</p>	<p>Project applicant shall ensure that geotechnical investigation assesses the susceptibility of the site to settlement, prescribes engineering techniques for reducing its effects, and includes recommended mitigation measures. Project applicant will include recommendations in project engineering and design plans. Applicant will comply with all applicable codes and requirements during construction.</p>	<p>City of Alameda Community Development Department and registered geotechnical engineer.</p>	<p>Ensure that geotechnical report evaluates susceptibility of the site to settlement and that recommendations and mitigation measures are included. Registered geotechnical engineer will review and approve engineering recommendations. City will ensure that construction activities and design criteria comply with applicable codes and requirements.</p>	<p>During the design and construction phases.</p>	
<p>Mitigation Measure 4.H-5: (Expansive Soils Assessment) Prior to issuance of a building permit, subsurface earthwork (e.g., placement of engineered fill), shall be conducted in accordance with all recommendations contained in the required geotechnical investigation (Mitigation Measure 4.H-1). The geotechnical report must include an assessment of all potentially expansive soils that could adversely affect proposed improvements. Geotechnical strategies must be designed for the site-specific conditions of the project and must be reviewed for compliance with the requirements of the most recent California Building Code as well as any additional City of Alameda requirements.</p>	<p>Project applicant will ensure that geotechnical report includes assessment of expansive soils and strategies consistent with most recent California Building Code as well as any additional City of Alameda requirements.</p>	<p>City of Alameda Community Development Department</p>	<p>City will review and approve strategies/recommendations outlined in geotechnical report.</p>	<p>Prior to issuance of building permit(s)</p>	

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>I. Hydrology and Water Quality</p> <p>Mitigation Measure 4.1-1: (Water Quality Measures) The City shall ensure that project applicants for projects at Alameda Point implement the following measures as part associated with the extracted water during project construction:</p> <ul style="list-style-type: none"> The RWQCB could require compliance with certain provisions in the permit such as treatment of the flows prior to discharge. The project applicant shall discharge the extracted water to the sanitary sewer or storm drain system with authorization of and required permits from the applicable regulatory agencies, in this case the City of Alameda. The project applicant shall comply with applicable permit conditions associated with the treatment of groundwater prior to discharge. If necessary a dewatering and disposal method shall be prepared and implemented for the project. <p>Mitigation Measure 4.1-2: (Integrated Pest Management) The City shall ensure that future project applicants implement Integrated Pest Management measures to reduce fertilizer and pesticide contamination of receiving waters, as follows:</p> <ul style="list-style-type: none"> Prepare and implement an Integrated Pest Management Plan (IPM) for all common landscaped areas. The IPM shall be prepared by a qualified professional and shall recommend methods of pest prevention and turf grass management that use pesticides as a last resort in pest control. Types and rates of fertilizer and pesticide application shall be specified. The IPM shall specify methods of avoiding runoff of pesticides and nitrates into receiving storm drains and surface waters or leaching into the shallow groundwater table. Pesticides shall be used only in response to a persistent pest problem that cannot be resolved by non-pesticide measures. Preventative chemical use shall not be employed. The project applicant shall fully integrate considerations for cultural and biological resources into the IPM with an emphasis toward reducing pesticide application. <p>Mitigation Measure 4.1-8: (Sea-Level Protection) The City shall implement the following steps prior to project implementation:</p> <ul style="list-style-type: none"> Apply for membership in the National Flood Insurance Program (NFIP) Community Rating System (CRS), and as appropriate through revisions to the City Code, obtain reductions in flood insurance rates offered by the NFIP to community residents. Cooperate with FEMA in its efforts to comply with recent congressional mandates to incorporate predictions of sea level rise into its Flood Insurance Studies and FIRMs. Implement climate adaptation strategies such as avoidance/planned retreat, enhance levees, setback levees to accommodate habitat transition zones, buffer zones and beaches, expanded tidal prisms for enhanced natural scouring of channel sediments, raising and flood-proofing structures, or provisions for additional floodwater pumping stations, and inland detention basins to reduce peak discharges. <p>J. Hazards and Hazardous Materials</p> <p>Mitigation Measure 4.1-1a: (Hazardous Building Material Assessment) Prior to issuance of any demolition permit, the project applicant shall submit to the City a hazardous building material assessment prepared by qualified licensed contractors for each structure intended for demolition indicating whether LBP or lead-based coatings, ACMs, and/or PCB-containing equipment are present.</p> <p>Mitigation Measure 4.1-1b: (Health and Safety Plan) If the assessment required by Mitigation Measure 4.1-1a indicates the presence of LBP, ACMs, and/or PCBs, the project applicant shall create and implement a health and safety plan to protect demolition and construction workers and the public from risks associated with such hazardous materials during demolition or renovation of affected structures.</p>	<p>Project applicant will incorporate water quality measures in the construction specifications.</p> <p>Project applicant will obtain and comply with necessary permits from RWQCB and City of Alameda for any activities requiring discharge of extracted water to the sanitary sewer or storm drain system.</p> <p>The Project applicant will incorporate Integrated Pest Management measures into construction specifications.</p> <p>The Project applicant will implement Integrated Pest Management measures including an integrated pest management plan.</p> <p>City will incorporate measures into construction plans and specifications.</p> <p>City will implement measures as stated in Measure 4.1-8.</p> <p>Project applicant will obtain a qualified licensed contractor to prepare and submit a hazardous building material assessment. Qualified contractor will prepare and submit hazardous building material assessment for the Project applicant and City's review.</p> <p>Project applicant will prepare and implement a health and safety plan if Measure 4.1-1 indicates the presence of LBP, ACMs, and/or PCBs.</p>	<p>City of Alameda Community Development Department, RWQCB</p> <p>City of Alameda Community Development Department</p> <p>City of Alameda Community Development Department</p>	<p>RWQCB and City will review permit application for activities involving discharge or extracted water necessary during construction activities. Upon approval, City will monitor to ensure compliance with permit conditions.</p> <p>City will ensure that the integrated Pest Management measures are included in the construction specifications. City will monitor and ensure that Project applicant implements pest management measures.</p> <p>City shall ensure that structural design and adaptive measures are incorporated in construction plans and specifications. City will monitor to ensure implementation of measures.</p> <p>City will review the hazardous building material assessment.</p> <p>City will review health and safety plan.</p> <p>City will monitor to ensure that the health and safety plan is implemented.</p>	<p>Prior to construction</p> <p>Prior to construction and after construction.</p> <p>Prior to construction.</p> <p>Prior to construction.</p> <p>Prior to issuance of demolition permit(s).</p> <p>Prior to and during construction.</p>	<p></p> <p>*Although implementation of this mitigation measure is the responsibility of the City of Alameda, it should be implemented prior to construction of the first new development project at Alameda Point.</p> <p>*This mitigation measure applies only to projects entailing demolition of existing buildings or other structures.</p> <p>*This mitigation measure applies only to projects entailing demolition of existing buildings or other structures.</p>

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>Mitigation Measure 4.J-1c: (LBP Removal Plan) If the assessment required by Mitigation Measure 4.J-1a finds presence of LBP, the project applicant shall develop and implement a LBP removal plan. The plan shall specify, but not be limited to, the following elements for implementation:</p> <ul style="list-style-type: none"> Develop a removal specification approved by a Certified Lead Project Designer. Ensure that all removal workers are properly trained. Contain all work areas to prohibit offsite migration of paint chip debris. Remove all peeling and stratified LBP on building and non-building surfaces to the degree necessary to safely and properly complete demolition activities according to recommendations of the survey. The demolition contractor shall be responsible for the proper containment and disposal of intact LBP on all equipment to be cut and/or removed during the demolition. Provide onsite personnel and area air monitoring during all removal activities to ensure that workers and the environment are adequately protected by the control measures used. Clean up and/or vacuum paint chips with a high efficiency particulate air (HEPA) filter. Collect, segregate, and profile waste for disposal determination. Properly dispose of all waste. 	<p>Project applicant will prepare and implement a LBP removal plan if LBP is found present.</p>	<p>City of Alameda Community Development Department</p>	<p>City will review LBP removal plan. City will monitor to ensure that LBP removal plan is implemented.</p>	<p>Prior to construction and during construction.</p>	<p>*This mitigation measure applies only to projects entailing demolition of existing buildings or other structures.</p>
<p>Mitigation Measure 4.J-1d: (Asbestos Abatement Plan) If the assessment required by Mitigation Measure 4.J-1a finds asbestos, the project applicant shall prepare an asbestos abatement plan and shall ensure that asbestos abatement is conducted by a licensed contractor prior to building demolition. Abatement of known or suspected ACMs shall occur prior to demolition or construction activities that would disturb those materials. Pursuant to an asbestos abatement plan developed by a state-certified asbestos consultant and approved by the City, all ACMs shall be removed and appropriately disposed of by a state certified asbestos contractor.</p>	<p>If asbestos is found upon implementation of Mitigation Measure 4.J-1a, Project applicant will prepare an asbestos abatement plan. Project applicant will obtain a state-certified asbestos consultant to prepare the asbestos plan. State-certified asbestos consultant will ensure that all ACMs are removed and appropriately disposed of.</p>	<p>City of Alameda Community Development Department</p>	<p>City will review and shall approve the asbestos abatement plan. Ensure that abatement of known or suspected ACMs are removed by a state certified asbestos contractor.</p>	<p>Prior to building demolition activities, and during demolition work.</p>	<p>*This mitigation measure applies only to projects entailing demolition of existing buildings or other structures.</p>
<p>Mitigation Measure 4.J-1e: (PCB Abatement) If the assessment required by Mitigation Measure 4.J-1a finds PCBs, the project applicant shall ensure that PCB abatement is conducted prior to building demolition or renovation. PCBs shall be removed by a qualified contractor and transported in accordance with Caltrans requirements.</p>	<p>If PCBs are found upon implementation of Mitigation Measure 4.J-1a, Project applicant will obtain a qualified contractor to implement PCB abatement. Qualified contractor will remove PCBs and will transport in accordance with Caltrans requirements.</p>	<p>City of Alameda Community Development Department</p>	<p>City will ensure that PCB abatement measure is incorporated in construction plans and specifications. City will monitor and ensure that PCB abatement measures are implemented.</p>	<p>Prior to and during building demolition or renovation work.</p>	<p>*This mitigation measure applies only to projects entailing demolition of existing buildings or other structures.</p>
<p>Mitigation Measure 4.J-2: (Site Management Plan) Prior to issuance of a building or grading permit for any ground breaking activities within the project site, the City shall prepare a Site Management Plan (SMP) that is approved by US EPA, DTSC, and the Water Board for incorporation into construction specifications. Any additional or remaining remediation on identified parcels from the City's tracking system shall be completed as directed by the responsible agency, U.S. EPA, DTSC, or Water Board, in accordance with the deed restrictions and requirements as well as any Covenant(s) to Restrict Use of Property (CRUP), prior to commencement of construction activities. Where necessary, additional remediation shall be accomplished by the project applicant prior to issuance of any building or grading permits in accordance with all requirements set by the overseeing agency (i.e., U.S. EPA, DTSC, or Water Board). The SMP shall be present on site at all times and readily available to site workers. The SMP shall specify protocols and requirements for excavation, stockpiling, and transport of soil and for disturbance of groundwater as well as a contingency plan to respond to the discovery of previously unknown areas of contamination (e.g., discolored soils, strong petroleum odors, an underground storage tank, unarmethed during normal construction activities, etc.). At a minimum the SMP shall include the following components:</p>	<p>City and Project applicant shall prepare a Site Management Plan (SMP) for U.S. EPA, DTSC, or State Water Resources Control Board's (Water Board) approval. City and Project applicant shall implement additional or remaining remediation efforts from the City's tracking system and as directed by the U.S. EPA, DTSC, or Water Board. City will implement measures contained in the approved SMP.</p>	<p>City of Alameda Community Development Department and U.S. EPA, DTSC, or Water Board.</p>	<p>The City, U.S. EPA, DTSC, or Water Board will review SMP and ensure SMP is incorporated into construction specifications. City and the overseeing agency will implement additional remediation requirements based on those established by overseeing agency as well as any Covenants to Restrict Use of Property (CRUP). The City and the overseeing agency will ensure that the SMP is present on site at all</p>	<p>Prior to issuance of a building or grading permit</p>	

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>1. <i>Soil management requirements.</i> Protocols for stockpiling, sampling, and transporting soil generated from onsite activities. The soil management requirements must include:</p> <ul style="list-style-type: none"> • Soil stockpiling requirements such as placement of cover, application of moisture, erection of containment structures, and implementation of security measures. Additional measures related to BAAQMD dust control requirements as they apply to contamination shall also be included, as needed (see also Air Quality section). • Protocols for assessing suitability of soil for onsite reuse through representative laboratory analysis of soils as approved by U.S. EPA, DTSC, or Water Board, taking into account the site-specific health-based remediation goals, other applicable health-based standards, and the proposed location, circumstances, and conditions for the intended soil reuse. • Requirements for offsite transportation and disposal of soil not determined to be suitable for onsite reuse. Any soil identified for offsite disposal must be packaged, handled, and transported in compliance with all applicable state, federal, and the disposal facility's requirements for waste handling, transportation and disposal. • Protocols for adherence to the City of Alameda's Marsh Crust Ordinance. • Measures to be taken for areas of IR Site 13 where refinery wastes and asphaltic residues known as larry refinery waste might be encountered. Measures shall include requirements for the storage, handling and disposal/recycling of any suspected larry refinery waste that may be encountered. • Radiological screening protocols for the radiological sites identified by the Navy as approved by the U.S. EPA, where necessary. <p>2. <i>Groundwater management requirements.</i> Protocols for conducting dewatering activities and sampling and analysis requirements for groundwater extracted during dewatering activities. The sampling and analysis requirements shall specify which groundwater contaminants must be analyzed or how they will be determined. The results of the groundwater sampling and analysis shall be used to determine which of the following reuse or disposal options is appropriate for such groundwater:</p> <ul style="list-style-type: none"> • Onsite reuse (e.g., as dust control); • Discharge under the general permit for stormwater discharge for construction sites; • Treatment (as necessary) before discharge to the sanitary sewer system under applicable East Bay MUD waste discharge criteria; • Treatment (as necessary) before discharge under a site-specific NPDES permit; • Offsite transport to an approved offsite facility. <p>For each of the options listed, the SMP shall specify the particular criteria or protocol that would be considered appropriate for reuse or disposal options. The thresholds used must, at a minimum, be consistent with the applicable requirements of the Water Board and East Bay MUD.</p> <p>3. <i>Unknown contaminant/hazard contingency plan.</i> Procedures for implementing a contingency plan, including appropriate notification, site worker protections, and site control procedures, in the event unanticipated potential subsurface hazards or hazardous material releases are discovered during construction. Control procedures shall include:</p> <ul style="list-style-type: none"> • Protocols for identifying potential contamination through visual or olfactory observation; • Protocols on what to do in the event an underground storage tank is encountered; • Emergency contact procedures; • Procedures for notifying regulatory agencies and other appropriate parties; • Site control and security procedures; • Sampling and analysis protocols; and • Interim removal work plan preparation and implementation procedures. <p>4. Mitigation Measure 4-J-7: (Land Use Restriction Tracking Program) The City shall include closed and open IR CERCLA sites that have land-use controls within its Land-use Restriction Tracking Program for identification and disclosure of any past cleanup efforts and current status of any remaining contamination, if any. Additional control measures such as vapor barriers and venting may be required as a condition of approval in areas where soil gas emissions have been identified. Prior to transfer of title for any parcel, the City shall require that the SMP, as approved by US EPA, DTSC, and the Water Board be incorporated into intrusive site operations as required through deed restriction, enforceable Land Use Covenant, or any other applicable legal requirement.</p>	<p>City will include closed and open installed Restoration (IR) CERCLA sites that have land-use controls within its Land-use Restriction Tracking Program.</p> <p>City will ensure that the SMP (as approved by U.S. EPA, DTSC, and Water Board) be incorporated into intrusive site operations as required through deed restriction, enforceable Land Use Covenant, or any other applicable legal requirement.</p>	<p>City of Alameda Community Development Department</p>	<p>City shall ensure that its Land-use Restrictions Tracking Program includes open and closed IR CERCLA sites.</p>	<p>Prior to transfer of title for any parcel.</p>	<p>*This mitigation measure will only apply to sites that have land use controls due to existing or past site contamination. The City will identify restricted sites to project applicants.</p>

Mitigation Measures	Implementation Procedures	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Notes
<p>K. Aesthetics</p> <p>Mitigation Measure 4.K-4: (Lighting Mitigation) All lighting installations shall be designed and installed to be fully shielded (full cutoff) and to minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary, unless expressly exempted below. The location and design of all exterior lighting shall be shown on any site plan submitted to the City of Alameda for approval. The following lighting is exempt from these requirements:</p> <ol style="list-style-type: none"> Lighting in swimming pools and other water features. Exit signs and other illumination required by building codes. Lighting for stairs and ramps, as required by the building code. Signs that are regulated by the City sign code. Holiday and temporary lighting (less than thirty days use in any one year). <p>Low-voltage landscape lighting, but such lighting should be shielded in such a way as to eliminate glare and light trespass.</p>	<p>Project applicant and its contractor(s) shall prepare landscape plans that adhere to all specifications in Mitigation Measure 4.K-4.</p>	<p>City of Alameda Community Development Department</p>	<p>Verify that the design features and recommendations listed in the mitigation measure are incorporated into the design review application for the project.</p>	<p>Prior to approval of building permit(s)</p>	
<p>M. Utilities and Services Systems</p> <p>Mitigation Measure 4.M-5: (Solid Waste Management Plan) The City shall develop a solid waste management plan for the Alameda Point project consistent with Alameda's demolition and debris ordinance. Plans of existing contractors from specific releases of materials from the project shall be reviewed and approved by the City staff. Plans for new releases of materials from the project shall be reviewed and approved by the City staff. The solid waste management plan shall be prepared in consultation with City staff. The project sponsor(s) and demolition contractor(s) shall be approved by City staff prior to issuance of a demolition permit. The City and sponsors of projects shall work with organizations able to provide funding and technical assistance for managing and financing deconstruction, demolition, and recycling and reuse programs, should those programs exist at the time of site clearance.</p>	<p>Project applicant(s) shall develop a solid waste management plan through coordination with City staff and demolition subcontractors.</p> <p>City and Project applicant(s) shall work with organizations that would provide funding and technical assistance for managing and financing deconstruction, demolition and recycling and reuse programs.</p>	<p>City of Alameda Community Development Department</p>	<p>City of Alameda Community Development Department shall review plan.</p>	<p>Plan shall be developed prior to issuance of demolition permit.</p>	<p>* Although implementation of this mitigation measure is the responsibility of the City of Alameda, it should be implemented prior to the start of a demolition project at Alameda Point that requires demolition of existing buildings or other structures, including pavements. All projects will be required to comply with the solid waste management plan prepared by the City.</p>



CEQA Portal Topic Paper

Subsequent and Supplemental EIRs and Streamlining

What Are Subsequent and Supplemental EIRs and Streamlining?

Subsequent environmental review and streamlining are complex topics that could each be the subject of its own paper. For purposes of this topic paper, we focus on the relationship between the subsequent review provisions in Public Resources Code Section 21166 and CEQA Guidelines¹ Section 15162, and the tiering provisions for program EIRs in Public Resources Code (PRC) Sections 21093 and 21094 and CEQA Guidelines Sections 15152 and 15168.

Streamlining Generally

Streamlining under CEQA is a process by which an agency can rely on previously adopted environmental review to approve a future discretionary action. Prior to conducting a new environmental analysis for a project, an agency should consider whether the project is covered by a previous environmental review (CEQA Guidelines Section 15153). CEQA provides several opportunities for agencies to streamline environmental review, which practitioners should review intermittently for general knowledge. For example, CEQA and the CEQA Guidelines allow for “staged” EIRs, which an agency may prepare for “complex or phased projects” where the agency does not know specific project details at the time of the first discretionary approval. The agency can then rely on the overarching analysis in the staged EIR and evaluate only project-level details in a later review (CEQA Guidelines Section 15167[a]). Similarly, CEQA allows for “master” EIRs, which can be prepared for classes of projects in order to allow for future streamlining (subject to review five years after certification) (PRC Sections 21157, 21157.1, 21157.5, 21157.6; CEQA Guidelines Sections 15175, 15176, 15177, 15178, 15179).

The California State Legislature has also created specific provisions to promote streamlining environmental review for certain types of projects, including infill development (PRC Section 21094.5; CEQA Guidelines Section 15183.3) and some housing projects (PRC Sections 21159.21, 21159.22, 21159.23, 21159.24, 21159.25, 21159.28). CEQA and the Guidelines also provide streamlined review for projects consistent with zoning, a community plan or a general plan for which an EIR was certified (PRC Section 21083.3, CEQA Guidelines Section 15183).

The statute and the CEQA Guidelines provide a framework for agencies to tier from a “program” EIR prepared for a program, plan, policy, or ordinance (PRC Sections 21093, 21094; CEQA

¹ The CEQA Guidelines are located at Title 14, Division 6, Chapter 3 of the California Code of Regulations.

Guidelines Sections 15168, 15152). The program EIR will cover “general matters and environmental effects” for the overarching program, plan, policy, or ordinance, and the agency will prepare “narrower or site-specific [EIRs] which incorporate by reference the discussion” in the program EIR (PRC Section 21068.5).

To determine whether a project can tier from a certified program EIR, a lead agency should consider whether the later project (PRC Section 21094[b]):

- (1) is consistent with the program, plan, policy, or ordinance for which the original EIR was prepared and certified.
- (2) is consistent with applicable local land use plans and zoning of the city, county, or city and county in which the later project would be located; and
- (3) would not trigger the need for a subsequent or supplemental EIR (discussed in more detail below).

If a project meets these requirements, the lead agency should prepare a tiered EIR that analyzes the later project’s significant effects, except for the environmental effects that were mitigated or avoided as part of the program EIR (PRC Section 21094[a]). The tiered EIR is not required to consider impacts that were analyzed “at a sufficient level of detail ... to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project” (PRC Section 21094[a]).

In addition, when an agency has prepared a program EIR and a later action is “within the scope” of the program EIR and does not trigger the requirements for subsequent review pursuant to PRC Section 21166 and CEQA Guidelines Section 15162, CEQA does not require preparation of any further environmental review (PRC Section 21094[a] and [b]; *Center for Sierra Nevada Conservation v. County of El Dorado* [2012] 202 Cal.App.4th 1156, 1172). It is important to include a discussion of potential future projects in the program EIR and provide the substantial evidence needed to demonstrate that the proposed project was covered by the program EIR. (*CREED v. San Diego Redevelopment Agency* [2005] 134 Cal.App.4th 598, 610.) Benefits of Streamlining Environmental Review

Reliance on a program EIR can simplify preparation of later EIRs, which saves time and resources and prevents redundancy. The program EIR can “[p]rovide the basis in an initial study for determining whether the later activity may have any significant effects” (CEQA Guidelines Section 15168[d][1]). The agency can also incorporate the program EIR by reference into the later EIR, in order “to deal with regional influences, secondary effects, broad alternatives, and other factors that apply to the program as a whole” (CEQA Guidelines Section 15168[d][2]). Subsequent review can focus on a specific later activity “to permit discussion solely of new effects which had not been considered before” (CEQA Guidelines Section 15168[d][3]).

Preparing a program EIR can also streamline an agency’s compliance with regulatory procedures, avoid repetitive and duplicative analysis of environmental effects that an agency has already examined, and allow the agency to focus later analysis on effects that may be mitigated or avoided in connection with a later project (PRC Section 21093[a]). Program EIRs can assist an agency with thoroughly evaluating cumulative impacts that might otherwise be difficult to analyze in a project-level document (CEQA Guidelines Section 15168[b]). Agencies can also avoid duplicative reconsideration of basic policy considerations, which can be addressed comprehensively in a program EIR (CEQA Guidelines Section 15168[b]).

When Is a Program EIR Appropriate?

An agency may prepare a program EIR for “a series of actions that can be characterized as one large program” that are related either: (1) geographically; (2) as part of a single chain of action; (3) in connection with governance of a continuing program; or (4) as individual entities that are allowable under the same statute or regulation with “generally similar” environmental effects and mitigation (CEQA Guidelines Section 15168[a]). Agencies most commonly prepare program EIRs when they adopt a general plan.

CEQA does not specify the level of detail that must be included in a program EIR. Rather, the level of analysis required depends on the nature of the project and is subject to the “rule of reason” (*San Franciscans for Livable Neighborhoods v. City and County of San Francisco* [2018] 26 Cal.App.5th 596, 608). The analysis must disclose what the agency reasonably knows at the time the program EIR is prepared, and it cannot defer analysis of mitigation measures to a later date (*Cleveland National Forest Foundation v. San Diego Association of Governments* [2017] 17 Cal.App.5th 413, 441, 443; CEQA Guidelines Section 15126.4[a][1][B]).

Caution is advised when processing a development project under a general plan–level program EIR. Often the mitigation measures used in a general plan EIR are at a very high level and state policies in the plan that are advisory rather than required. The measures can refer to procedures used to evaluate an environmental impact rather than project-specific measures appropriate to a project-level EIR. As always it is important to complete the analysis consistent with the level of detail of the project. Similarly, project-level mitigation should address the specific impacts that might not be addressed in a general plan–level EIR.

It is important to keep in mind that, when considering the adequacy of an EIR, courts look to the substance rather than the title. “Courts strive to avoid attaching too much significance to titles in ascertaining whether a legally adequate EIR has been prepared for a particular project” (*Citizens for a Sustainable Treasure Island v. City and County of San Francisco* [2014] 227 Cal.App.4th 1036, 1048). In some cases, an EIR may include both program-level and project-level analyses. One example is an EIR for a specific plan, which is generally a program-level analysis, that also includes a project-level analysis for the first phase of development.

Subsequent and Supplemental EIRs

Subsequent environmental review is environmental analysis prepared for a later discretionary approval after an agency has certified a prior EIR or adopted a ND² (PRC Section 21166; CEQA Guidelines Section 15162). Prior to approving a later project based on a program EIR, an agency must first determine whether the project is “within the scope” of the program EIR and whether it triggers the requirements for subsequent environmental review. Both determinations must be supported by substantial evidence. If the agency is required to conduct subsequent

² This paper focuses on subsequent and supplemental review after certification of an EIR, but agencies can also rely on the subsequent and supplemental review provisions after adoption of an ND. When an agency considers whether to conduct subsequent environmental review after an ND, courts apply the fair argument standard of review (*Friends of the College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal.5th 937, 959). An agency therefore is required to conduct subsequent review if a proposed modification *may* produce a significant environmental effect that was not studied in the previous ND.

environmental review after a program EIR, the later analysis may rely on the program EIR for some portion of the subsequent review (CEQA Guidelines Sections 15168[c][1], 15152).

When Is a Supplemental or Subsequent EIR Required?

When an agency has prepared a program EIR and a further discretionary approval is necessary, a subsequent or supplemental EIR is required only where the later activity, which is within the scope of the program EIR, would have effects that were not examined in the program EIR (CEQA Guidelines Section 15168[c][1]). The requirements for subsequent and supplemental review are limited in order to balance “CEQA’s central purpose of promoting consideration of the environmental consequences of public decisions with interests in finality and efficiency” (*Friends of the College of San Mateo Gardens v. San Mateo County Community College Dist.* [2016] 1 Cal.5th 937, 949).

The agency must first determine, based on substantial evidence, whether the previous EIR retains some informational value (*Friends of the College of San Mateo Gardens v. San Mateo County Community College Dist.* [2016] 1 Cal.5th 937, 949). If so, the agency may prepare an initial study to determine whether the project triggers the requirements for subsequent review (PRC Section 21094[c]).

When a program EIR or project-level EIR has been certified, a subsequent EIR is not required *unless* (PRC Section 21166; CEQA Guidelines Section 15162):

- (1) “Substantial changes are proposed in the project which will require major revisions” to the EIR “due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects”;
- (2) “Substantial changes occur with respect to the circumstances,” and those changes will require “major revisions” to the EIR “due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects”; or
- (3) “New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time” of preparation of the EIR, becomes available. Such information must show either: the project will have one or more significant effects not discussed in the previous EIR; significant effects previously examined will be substantially more severe; mitigation measures or alternatives previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If the conditions in either section (1), (2), or (3), above, are triggered, an agency must prepare a subsequent environmental document. It is important to note that although triggering any one of the sections alone would require further review, there are also multiple components within each section. For example, where substantial changes to a project are proposed, the agency is only required to prepare a subsequent EIR if those changes require *major* revisions to the EIR and

those changes are due to new significant effects or a substantial increase in the severity of effects identified in the prior EIR. If each of the components in a section is not met, a subsequent or supplemental EIR is not required. Under those circumstances, it may be appropriate to prepare an addendum to the prior EIR instead to consider the project changes and to document the evidence supporting the agency's conclusion that the changes do not result in new or substantially more severe significant effects (CEQA Guidelines Section 15164).³

A subsequent EIR could come about if an agency were attempting to use a certified EIR for a phase of a project that was not sufficiently defined when the EIR was prepared. Many agencies will designate an area in their general plan as "specific plan," assigning an amount of housing, office, commercial, or industrial uses as a lump sum for the area and leaving the physical design until later. A development project within the specific plan designation would then be required to prepare a specific plan that would include the project-level detail that could not be known at the time of EIR certification. If that project-level detail resulted in new significant impacts, then a subsequent EIR could be effective. The subsequent EIR would allow the agency to narrowly focus the subsequent analysis on the environmental impacts based on the newly available project detail.

If the requirements for a subsequent EIR are triggered, but "[o]nly minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation," an agency may decide to prepare a supplemental EIR rather than a subsequent EIR (CEQA Guidelines Section 15163[a]).⁴ Either type of EIR may conclude that there will be new significant unavoidable impacts, in which case the lead agency must adopt a statement of overriding considerations.

An example would be if a project for which a certified EIR was prepared allowed for 50,000 square feet of office space and 15,000 square feet of commercial space and instead wanted to convert the 50,000 square feet of office space to 100 apartments. Using CEQA Guidelines Section 15162, an analysis would be needed that compared the physical changes associated with dwelling units versus office space impacts as reported in the EIR. Instrumental to the discussion would be the findings of fact from the EIR that highlighted the significant impacts and any impacts that were considered significant and unavoidable. Impacts such as those related to parkland, recreation, and public services that may have been dismissed with an entirely nonresidential project may result in a new significant impact because of the new design. If new impacts are significant, then a supplemental or subsequent EIR should be prepared to address the new impact. If the impacts were previously identified, then the analysis would need to determine if the addition of the apartments would result in a "substantial increase" in the severity of the impact. The term "substantial increase" is not defined in CEQA; therefore, each agency must interpret the term and support its interpretation with substantial evidence.

³ Where some changes are necessary but the triggers in PRC Section 21166 and CEQA Guidelines Section 15162 are not met, "the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation" (CEQA Guidelines Section 15162[b]).

⁴ A supplemental EIR need only contain "the information necessary to make the previous EIR adequate for the project as revised" (CEQA Guidelines Section 15163[b]). Agencies may limit consideration in a supplemental EIR to effects "not considered in connection with the earlier project" (*Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523).

Determining in a particular situation whether it is appropriate to prepare a subsequent or supplemental EIR is a project-specific consideration, based on many factors. If an agency is required under PRC Section 21166 and CEQA Guidelines Section 15162 to conduct subsequent environmental review under a program EIR, the agency should proceed pursuant to PRC Section 21094 and CEQA Guidelines Section 15168 or 15152. The agency must prepare an initial study to consider whether the later project may cause significant effects that were not examined in the program EIR (PRC Section 21093[c]). The later report does not need to consider effects that were mitigated or avoided in the program EIR, or effects that were analyzed at a sufficient level of detail in the program EIR to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project (PRC Section 21093[b]; CEQA Guidelines Section 15152[d]).

As noted above, the court does not place importance on the title of the EIR, but rather focuses on whether the level of analysis is commensurate with the detail of the project. The subsequent EIR and the supplemental EIR are identical in processing in that both require public circulation of the draft document, response to comments, etc. Where they differ is in the magnitude of change between the project evaluated in the certified EIR and the one being proposed. If major changes to the original project description are required that would create more of an impact on the environment, then a subsequent EIR is appropriate. If new information is all that is needed to allow the newly proposed project to use the existing certified EIR, then a supplement to the original document would suffice. These determinations are necessarily specific to the project and the lead agency.

What If a Subsequent or Supplemental EIR Is Not Required?

When a later project is within the scope of the program EIR and does not meet the requirements in PRC Section 21166 and CEQA Guidelines Section 15162, further environmental review is not required (CEQA Guidelines Section 15168[c][2]; *Cleveland National Forest Foundation v. San Diego Assn. of Governments* [2017] 17 Cal.App.5th 413, 425–426). This situation might arise when, for example, an agency implements changes to its zoning code that were previously contemplated in its general plan and analyzed in the associated program EIR. When considering whether a later activity is within the scope of the program EIR, the agency may consider, among other factors, “consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure as described in the program EIR” (CEQA Guidelines Section 15168[c][2]; *Latinos Unidos de Napa v. City of Napa* [2013] 221 Cal.App.4th 192, 204). An agency’s determination that a later project is within the scope of its program EIR is a factual question, which means courts should defer to the agency’s decision, provided it is supported by substantial evidence (CEQA Guidelines Section 15168[c][2]). It is therefore important that agencies document in the record the reasons and evidence for the agency’s determination.

An agency may prepare an addendum under CEQA Guidelines Section 15164 when a certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in significant new or substantially more severe environmental impacts. An

addendum is not subject to the same notice and public review requirements as a subsequent or supplemental EIR, but the lead agency may elect to provide notices and a public review period.

In Closing

Both subsequent and supplemental EIRs must comply with the same requirements for notice and public review as for a draft EIR (CEQA Guidelines Sections 15162[d], 15163[c]). Response to public comments and a new final EIR, findings of fact, and if necessary a statement of overriding considerations would be required. Therefore, the amount of time saved by preparing a subsequent or supplemental EIR as compared to a project EIR may not be significant.

Important Cases

The following represent some of the published cases that relate to subsequent review and streamlining:

- *Center for Sierra Nevada Conservation v. County of El Dorado* (2012) 202 Cal.App.4th 1156: General plan program EIR did not provide sufficient detail to cover proposed management plan and mitigation fee program; agency was therefore required to prepare a tiered EIR.
- *Citizens Against Airport Pollution v. City of San Jose* (2017) 17 Cal.App.5th 413, 425–426: Substantial evidence in the record supported agency’s determination that an eighth addendum to an airport master plan would not result in any new significant environmental impacts that substantially differed from those identified in an earlier EIR.
- *Citizens for a Sustainable Treasure Island v. City and County of San Francisco* (2014) 227 Cal.App.4th 1036: The title of a CEQA document is not dispositive. EIR for redevelopment of a former naval station provided decision-makers with sufficient analysis to intelligently consider the environmental consequences of the project.
- *Cleveland National Forest Foundation v. San Diego Association of Governments* (2017) 17 Cal.App.5th 413: Agency failed to disclose known impacts and improperly deferred mitigation in program EIR.
- *Committee for Re-Evaluation of the T-Line Loop v. San Francisco Municipal Transportation Agency* (2019) 6 Cal.App.5th 1237: Substantial evidence supported agency’s determinations that initial EIR retained some relevance to the decision-making process and that supplemental review was not required.
- *Friends of the College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal.5th 937: When there is a change in plans, circumstances, or available information after an agency initially approves a project, the agency must determine, based on substantial evidence, whether the original environmental document retains some informational value. Where it does, CEQA’s subsequent review provisions apply. Where an agency relies on a prior EIR, the substantial evidence standard of review

applies to the agency's determination not to conduct further review. Where an agency relies on a prior ND, the fair argument standard of review applies.

- *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143: Program EIR for a long-term plan to address ecosystem and water supply problems in Bay-Delta region was not required to identify specific sources of water to carry out the program, which would take place over a 30-year time span.
- *Latinos Unidos de Napa v. City of Napa* (2013) 221 Cal.App.4th 192: Proposed amendments to housing and land use elements in general plan, and minor amendments to zoning ordinances, were within the scope of the prior program EIR. No additional review was required.
- *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152: Agency failed to provide substantial evidence to show that its climate action plan and significance guidelines were within the scope of its general plan program EIR.
- *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412: EIR failed to identify long-term water source for community plan; “[a]n EIR evaluating a planned land use project must assume that all phases of the project will eventually be built and will need water, and must analyze, to the extent reasonably possible, the impacts of providing water to the entire proposed project.”
- *Health First v. March Joint Powers Authority* (2009) 174 Cal.App.4th 1135: In a case involving a reuse plan for a former military base, approval by the developing authority of a design plan for a grocer's warehouse distribution facility was exempt from environmental review because the decision was ministerial. Substantial evidence supported an administrative decision that traffic mitigation measures in a specific plan for a business center were made applicable to the design plan application, as contemplated by PRC Section 21083.3. *Citizens for Responsible Equitable Environmental Development [CREED] v. City of San Diego Redevelopment Agency* (2005) 134 Cal.App. 4th 598: The fair argument standard does not apply to judicial review of an agency's determination that a project is within the scope of a previously completed EIR. Once an agency has prepared an EIR, its decision not to prepare a supplemental or subsequent EIR for a later project is reviewed under the deferential substantial evidence standard.

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Legal Disclaimer

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Date Updated: July 23, 2021

From: [Shelby S](#)
To: [Trish Spencer](#); [Tony Daysog](#); [Tracy Jensen](#); [Malia Vella](#); [Planning](#); [Historical Board](#); [Abby Thorne-Lyman](#); [Henry Dong](#); [Allen Tai](#); [Steven Buckley](#); [Celena Chen](#); [City Clerk](#)
Cc: [Doug Biggs](#)
Subject: [EXTERNAL] Speaking of the Re-SHAFT the poor people project..I count 250 cars and 200 parking spaces
Date: Saturday, March 16, 2024 10:58:36 PM
Attachments: [image.png](#)
[image.png](#)
[AFP white paper - Subsequent Environmen...eview and Streamlining \(00575964\) for CC and PB.pdf](#)

Hello Illustrious public servants (and Doug Biggs)-

PARKING for Poor People: That's a no.

Remember last meeting when Councilmember Spencer asked Doug Biggs how many spots there are for parking for the 200 Collaborative Partner units? And he said FIFTY?

A guy with a vested interest in a Project should always be fact-checked. So I did!

So...actually the number of spots associated with the units--in car ports and lots--is about TWO HUNDRED. You know, one car per unit--makes sense.

-->and if you want to fact-check ME, all you have to do is go to Google earth and look around. [Don't you love Google Earth? Me too :)]

But that's not all: My count for the number of CARS that are parked in the lots and on the street (where there is "currently ample parking" is around 240-250-ish, and certainly some cars were not at home when the google car goes by, so the number of actual people who need parking is even higher.

DENSITY BONUS: Thanks, we'll take that as well.

I'm also really interested where yalls got the idea that its "equitable" to grant two car garages to the 26+acre Market Rate housing (with a density LESS than 20 units per acre) and then squeeze the affordable units into less than 8 acres (with a density of 80+ units per acre with no parking.

But you can eat Food Bank food and sit inside and watch TV--while mommy gets a beer!

And WHERE IS THE PLAYGROUND? Site A used to have adjacent open space and commercial and now you've taking away all the open space and crammed the affordable housing into tall towers (with a *promise* of a SHUTTLE --are you kidding me right now???) and there is NO play structure when there should be a HUGE one (or even two or five) right next to the housing—instead they are now farther from them.. I would like a nice big park as well thank you.

PUBLIC AMENITIES: You don't need no stinkin amenities.

And where is the commercial we are supposed to get? The Food Bank and the Beer Places don't count. What kind of racket is this? HMMMM?

Frankly, I don't know what's to be so proud of, this is yet another example of red-lining and discrimination, keeping the West end poor, and getting poorer. As usual no one wants to admit what's really going on—but it aint good.

Cheers to you!

Here are a couple of renderings I threw together for you. (By the way, these pictures also include the bus stops in the area--youll notice there isnt one in the legend because there arent any)

1. Number of parked cars that I counted by area in Google earth.



2. Pinned places with the carports and lots.





CEQA Portal Topic Paper

Subsequent and Supplemental EIRs and Streamlining

What Are Subsequent and Supplemental EIRs and Streamlining?

Subsequent environmental review and streamlining are complex topics that could each be the subject of its own paper. For purposes of this topic paper, we focus on the relationship between the subsequent review provisions in Public Resources Code Section 21166 and CEQA Guidelines¹ Section 15162, and the tiering provisions for program EIRs in Public Resources Code (PRC) Sections 21093 and 21094 and CEQA Guidelines Sections 15152 and 15168.

Streamlining Generally

Streamlining under CEQA is a process by which an agency can rely on previously adopted environmental review to approve a future discretionary action. Prior to conducting a new environmental analysis for a project, an agency should consider whether the project is covered by a previous environmental review (CEQA Guidelines Section 15153). CEQA provides several opportunities for agencies to streamline environmental review, which practitioners should review intermittently for general knowledge. For example, CEQA and the CEQA Guidelines allow for “staged” EIRs, which an agency may prepare for “complex or phased projects” where the agency does not know specific project details at the time of the first discretionary approval. The agency can then rely on the overarching analysis in the staged EIR and evaluate only project-level details in a later review (CEQA Guidelines Section 15167[a]). Similarly, CEQA allows for “master” EIRs, which can be prepared for classes of projects in order to allow for future streamlining (subject to review five years after certification) (PRC Sections 21157, 21157.1, 21157.5, 21157.6; CEQA Guidelines Sections 15175, 15176, 15177, 15178, 15179).

The California State Legislature has also created specific provisions to promote streamlining environmental review for certain types of projects, including infill development (PRC Section 21094.5; CEQA Guidelines Section 15183.3) and some housing projects (PRC Sections 21159.21, 21159.22, 21159.23, 21159.24, 21159.25, 21159.28). CEQA and the Guidelines also provide streamlined review for projects consistent with zoning, a community plan or a general plan for which an EIR was certified (PRC Section 21083.3, CEQA Guidelines Section 15183).

The statute and the CEQA Guidelines provide a framework for agencies to tier from a “program” EIR prepared for a program, plan, policy, or ordinance (PRC Sections 21093, 21094; CEQA

¹ The CEQA Guidelines are located at Title 14, Division 6, Chapter 3 of the California Code of Regulations.

Guidelines Sections 15168, 15152). The program EIR will cover “general matters and environmental effects” for the overarching program, plan, policy, or ordinance, and the agency will prepare “narrower or site-specific [EIRs] which incorporate by reference the discussion” in the program EIR (PRC Section 21068.5).

To determine whether a project can tier from a certified program EIR, a lead agency should consider whether the later project (PRC Section 21094[b]):

- (1) is consistent with the program, plan, policy, or ordinance for which the original EIR was prepared and certified.
- (2) is consistent with applicable local land use plans and zoning of the city, county, or city and county in which the later project would be located; and
- (3) would not trigger the need for a subsequent or supplemental EIR (discussed in more detail below).

If a project meets these requirements, the lead agency should prepare a tiered EIR that analyzes the later project’s significant effects, except for the environmental effects that were mitigated or avoided as part of the program EIR (PRC Section 21094[a]). The tiered EIR is not required to consider impacts that were analyzed “at a sufficient level of detail ... to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project” (PRC Section 21094[a]).

In addition, when an agency has prepared a program EIR and a later action is “within the scope” of the program EIR and does not trigger the requirements for subsequent review pursuant to PRC Section 21166 and CEQA Guidelines Section 15162, CEQA does not require preparation of any further environmental review (PRC Section 21094[a] and [b]; *Center for Sierra Nevada Conservation v. County of El Dorado* [2012] 202 Cal.App.4th 1156, 1172). It is important to include a discussion of potential future projects in the program EIR and provide the substantial evidence needed to demonstrate that the proposed project was covered by the program EIR. (*CREED v. San Diego Redevelopment Agency* [2005] 134 Cal.App.4th 598, 610.) Benefits of Streamlining Environmental Review

Reliance on a program EIR can simplify preparation of later EIRs, which saves time and resources and prevents redundancy. The program EIR can “[p]rovide the basis in an initial study for determining whether the later activity may have any significant effects” (CEQA Guidelines Section 15168[d][1]). The agency can also incorporate the program EIR by reference into the later EIR, in order “to deal with regional influences, secondary effects, broad alternatives, and other factors that apply to the program as a whole” (CEQA Guidelines Section 15168[d][2]). Subsequent review can focus on a specific later activity “to permit discussion solely of new effects which had not been considered before” (CEQA Guidelines Section 15168[d][3]).

Preparing a program EIR can also streamline an agency’s compliance with regulatory procedures, avoid repetitive and duplicative analysis of environmental effects that an agency has already examined, and allow the agency to focus later analysis on effects that may be mitigated or avoided in connection with a later project (PRC Section 21093[a]). Program EIRs can assist an agency with thoroughly evaluating cumulative impacts that might otherwise be difficult to analyze in a project-level document (CEQA Guidelines Section 15168[b]). Agencies can also avoid duplicative reconsideration of basic policy considerations, which can be addressed comprehensively in a program EIR (CEQA Guidelines Section 15168[b]).

When Is a Program EIR Appropriate?

An agency may prepare a program EIR for “a series of actions that can be characterized as one large program” that are related either: (1) geographically; (2) as part of a single chain of action; (3) in connection with governance of a continuing program; or (4) as individual entities that are allowable under the same statute or regulation with “generally similar” environmental effects and mitigation (CEQA Guidelines Section 15168[a]). Agencies most commonly prepare program EIRs when they adopt a general plan.

CEQA does not specify the level of detail that must be included in a program EIR. Rather, the level of analysis required depends on the nature of the project and is subject to the “rule of reason” (*San Franciscans for Livable Neighborhoods v. City and County of San Francisco* [2018] 26 Cal.App.5th 596, 608). The analysis must disclose what the agency reasonably knows at the time the program EIR is prepared, and it cannot defer analysis of mitigation measures to a later date (*Cleveland National Forest Foundation v. San Diego Association of Governments* [2017] 17 Cal.App.5th 413, 441, 443; CEQA Guidelines Section 15126.4[a][1][B]).

Caution is advised when processing a development project under a general plan–level program EIR. Often the mitigation measures used in a general plan EIR are at a very high level and state policies in the plan that are advisory rather than required. The measures can refer to procedures used to evaluate an environmental impact rather than project-specific measures appropriate to a project-level EIR. As always it is important to complete the analysis consistent with the level of detail of the project. Similarly, project-level mitigation should address the specific impacts that might not be addressed in a general plan–level EIR.

It is important to keep in mind that, when considering the adequacy of an EIR, courts look to the substance rather than the title. “Courts strive to avoid attaching too much significance to titles in ascertaining whether a legally adequate EIR has been prepared for a particular project” (*Citizens for a Sustainable Treasure Island v. City and County of San Francisco* [2014] 227 Cal.App.4th 1036, 1048). In some cases, an EIR may include both program-level and project-level analyses. One example is an EIR for a specific plan, which is generally a program-level analysis, that also includes a project-level analysis for the first phase of development.

Subsequent and Supplemental EIRs

Subsequent environmental review is environmental analysis prepared for a later discretionary approval after an agency has certified a prior EIR or adopted a ND² (PRC Section 21166; CEQA Guidelines Section 15162). Prior to approving a later project based on a program EIR, an agency must first determine whether the project is “within the scope” of the program EIR and whether it triggers the requirements for subsequent environmental review. Both determinations must be supported by substantial evidence. If the agency is required to conduct subsequent

² This paper focuses on subsequent and supplemental review after certification of an EIR, but agencies can also rely on the subsequent and supplemental review provisions after adoption of an ND. When an agency considers whether to conduct subsequent environmental review after an ND, courts apply the fair argument standard of review (*Friends of the College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal.5th 937, 959). An agency therefore is required to conduct subsequent review if a proposed modification *may* produce a significant environmental effect that was not studied in the previous ND.

environmental review after a program EIR, the later analysis may rely on the program EIR for some portion of the subsequent review (CEQA Guidelines Sections 15168[c][1], 15152).

When Is a Supplemental or Subsequent EIR Required?

When an agency has prepared a program EIR and a further discretionary approval is necessary, a subsequent or supplemental EIR is required only where the later activity, which is within the scope of the program EIR, would have effects that were not examined in the program EIR (CEQA Guidelines Section 15168[c][1]). The requirements for subsequent and supplemental review are limited in order to balance “CEQA’s central purpose of promoting consideration of the environmental consequences of public decisions with interests in finality and efficiency” (*Friends of the College of San Mateo Gardens v. San Mateo County Community College Dist.* [2016] 1 Cal.5th 937, 949).

The agency must first determine, based on substantial evidence, whether the previous EIR retains some informational value (*Friends of the College of San Mateo Gardens v. San Mateo County Community College Dist.* [2016] 1 Cal.5th 937, 949). If so, the agency may prepare an initial study to determine whether the project triggers the requirements for subsequent review (PRC Section 21094[c]).

When a program EIR or project-level EIR has been certified, a subsequent EIR is not required *unless* (PRC Section 21166; CEQA Guidelines Section 15162):

- (1) “Substantial changes are proposed in the project which will require major revisions” to the EIR “due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects”;
- (2) “Substantial changes occur with respect to the circumstances,” and those changes will require “major revisions” to the EIR “due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects”; or
- (3) “New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time” of preparation of the EIR, becomes available. Such information must show either: the project will have one or more significant effects not discussed in the previous EIR; significant effects previously examined will be substantially more severe; mitigation measures or alternatives previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If the conditions in either section (1), (2), or (3), above, are triggered, an agency must prepare a subsequent environmental document. It is important to note that although triggering any one of the sections alone would require further review, there are also multiple components within each section. For example, where substantial changes to a project are proposed, the agency is only required to prepare a subsequent EIR if those changes require *major* revisions to the EIR and

those changes are due to new significant effects or a substantial increase in the severity of effects identified in the prior EIR. If each of the components in a section is not met, a subsequent or supplemental EIR is not required. Under those circumstances, it may be appropriate to prepare an addendum to the prior EIR instead to consider the project changes and to document the evidence supporting the agency's conclusion that the changes do not result in new or substantially more severe significant effects (CEQA Guidelines Section 15164).³

A subsequent EIR could come about if an agency were attempting to use a certified EIR for a phase of a project that was not sufficiently defined when the EIR was prepared. Many agencies will designate an area in their general plan as "specific plan," assigning an amount of housing, office, commercial, or industrial uses as a lump sum for the area and leaving the physical design until later. A development project within the specific plan designation would then be required to prepare a specific plan that would include the project-level detail that could not be known at the time of EIR certification. If that project-level detail resulted in new significant impacts, then a subsequent EIR could be effective. The subsequent EIR would allow the agency to narrowly focus the subsequent analysis on the environmental impacts based on the newly available project detail.

If the requirements for a subsequent EIR are triggered, but "[o]nly minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation," an agency may decide to prepare a supplemental EIR rather than a subsequent EIR (CEQA Guidelines Section 15163[a]).⁴ Either type of EIR may conclude that there will be new significant unavoidable impacts, in which case the lead agency must adopt a statement of overriding considerations.

An example would be if a project for which a certified EIR was prepared allowed for 50,000 square feet of office space and 15,000 square feet of commercial space and instead wanted to convert the 50,000 square feet of office space to 100 apartments. Using CEQA Guidelines Section 15162, an analysis would be needed that compared the physical changes associated with dwelling units versus office space impacts as reported in the EIR. Instrumental to the discussion would be the findings of fact from the EIR that highlighted the significant impacts and any impacts that were considered significant and unavoidable. Impacts such as those related to parkland, recreation, and public services that may have been dismissed with an entirely nonresidential project may result in a new significant impact because of the new design. If new impacts are significant, then a supplemental or subsequent EIR should be prepared to address the new impact. If the impacts were previously identified, then the analysis would need to determine if the addition of the apartments would result in a "substantial increase" in the severity of the impact. The term "substantial increase" is not defined in CEQA; therefore, each agency must interpret the term and support its interpretation with substantial evidence.

³ Where some changes are necessary but the triggers in PRC Section 21166 and CEQA Guidelines Section 15162 are not met, "the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation" (CEQA Guidelines Section 15162[b]).

⁴ A supplemental EIR need only contain "the information necessary to make the previous EIR adequate for the project as revised" (CEQA Guidelines Section 15163[b]). Agencies may limit consideration in a supplemental EIR to effects "not considered in connection with the earlier project" (*Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523).

Determining in a particular situation whether it is appropriate to prepare a subsequent or supplemental EIR is a project-specific consideration, based on many factors. If an agency is required under PRC Section 21166 and CEQA Guidelines Section 15162 to conduct subsequent environmental review under a program EIR, the agency should proceed pursuant to PRC Section 21094 and CEQA Guidelines Section 15168 or 15152. The agency must prepare an initial study to consider whether the later project may cause significant effects that were not examined in the program EIR (PRC Section 21093[c]). The later report does not need to consider effects that were mitigated or avoided in the program EIR, or effects that were analyzed at a sufficient level of detail in the program EIR to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project (PRC Section 21093[b]; CEQA Guidelines Section 15152[d]).

As noted above, the court does not place importance on the title of the EIR, but rather focuses on whether the level of analysis is commensurate with the detail of the project. The subsequent EIR and the supplemental EIR are identical in processing in that both require public circulation of the draft document, response to comments, etc. Where they differ is in the magnitude of change between the project evaluated in the certified EIR and the one being proposed. If major changes to the original project description are required that would create more of an impact on the environment, then a subsequent EIR is appropriate. If new information is all that is needed to allow the newly proposed project to use the existing certified EIR, then a supplement to the original document would suffice. These determinations are necessarily specific to the project and the lead agency.

What If a Subsequent or Supplemental EIR Is Not Required?

When a later project is within the scope of the program EIR and does not meet the requirements in PRC Section 21166 and CEQA Guidelines Section 15162, further environmental review is not required (CEQA Guidelines Section 15168[c][2]; *Cleveland National Forest Foundation v. San Diego Assn. of Governments* [2017] 17 Cal.App.5th 413, 425–426). This situation might arise when, for example, an agency implements changes to its zoning code that were previously contemplated in its general plan and analyzed in the associated program EIR. When considering whether a later activity is within the scope of the program EIR, the agency may consider, among other factors, “consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure as described in the program EIR” (CEQA Guidelines Section 15168[c][2]; *Latinos Unidos de Napa v. City of Napa* [2013] 221 Cal.App.4th 192, 204). An agency’s determination that a later project is within the scope of its program EIR is a factual question, which means courts should defer to the agency’s decision, provided it is supported by substantial evidence (CEQA Guidelines Section 15168[c][2]). It is therefore important that agencies document in the record the reasons and evidence for the agency’s determination.

An agency may prepare an addendum under CEQA Guidelines Section 15164 when a certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in significant new or substantially more severe environmental impacts. An

addendum is not subject to the same notice and public review requirements as a subsequent or supplemental EIR, but the lead agency may elect to provide notices and a public review period.

In Closing

Both subsequent and supplemental EIRs must comply with the same requirements for notice and public review as for a draft EIR (CEQA Guidelines Sections 15162[d], 15163[c]). Response to public comments and a new final EIR, findings of fact, and if necessary a statement of overriding considerations would be required. Therefore, the amount of time saved by preparing a subsequent or supplemental EIR as compared to a project EIR may not be significant.

Important Cases

The following represent some of the published cases that relate to subsequent review and streamlining:

- *Center for Sierra Nevada Conservation v. County of El Dorado* (2012) 202 Cal.App.4th 1156: General plan program EIR did not provide sufficient detail to cover proposed management plan and mitigation fee program; agency was therefore required to prepare a tiered EIR.
- *Citizens Against Airport Pollution v. City of San Jose* (2017) 17 Cal.App.5th 413, 425–426: Substantial evidence in the record supported agency’s determination that an eighth addendum to an airport master plan would not result in any new significant environmental impacts that substantially differed from those identified in an earlier EIR.
- *Citizens for a Sustainable Treasure Island v. City and County of San Francisco* (2014) 227 Cal.App.4th 1036: The title of a CEQA document is not dispositive. EIR for redevelopment of a former naval station provided decision-makers with sufficient analysis to intelligently consider the environmental consequences of the project.
- *Cleveland National Forest Foundation v. San Diego Association of Governments* (2017) 17 Cal.App.5th 413: Agency failed to disclose known impacts and improperly deferred mitigation in program EIR.
- *Committee for Re-Evaluation of the T-Line Loop v. San Francisco Municipal Transportation Agency* (2019) 6 Cal.App.5th 1237: Substantial evidence supported agency’s determinations that initial EIR retained some relevance to the decision-making process and that supplemental review was not required.
- *Friends of the College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal.5th 937: When there is a change in plans, circumstances, or available information after an agency initially approves a project, the agency must determine, based on substantial evidence, whether the original environmental document retains some informational value. Where it does, CEQA’s subsequent review provisions apply. Where an agency relies on a prior EIR, the substantial evidence standard of review

applies to the agency's determination not to conduct further review. Where an agency relies on a prior ND, the fair argument standard of review applies.

- *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143: Program EIR for a long-term plan to address ecosystem and water supply problems in Bay-Delta region was not required to identify specific sources of water to carry out the program, which would take place over a 30-year time span.
- *Latinos Unidos de Napa v. City of Napa* (2013) 221 Cal.App.4th 192: Proposed amendments to housing and land use elements in general plan, and minor amendments to zoning ordinances, were within the scope of the prior program EIR. No additional review was required.
- *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152: Agency failed to provide substantial evidence to show that its climate action plan and significance guidelines were within the scope of its general plan program EIR.
- *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412: EIR failed to identify long-term water source for community plan; “[a]n EIR evaluating a planned land use project must assume that all phases of the project will eventually be built and will need water, and must analyze, to the extent reasonably possible, the impacts of providing water to the entire proposed project.”
- *Health First v. March Joint Powers Authority* (2009) 174 Cal.App.4th 1135: In a case involving a reuse plan for a former military base, approval by the developing authority of a design plan for a grocer's warehouse distribution facility was exempt from environmental review because the decision was ministerial. Substantial evidence supported an administrative decision that traffic mitigation measures in a specific plan for a business center were made applicable to the design plan application, as contemplated by PRC Section 21083.3. *Citizens for Responsible Equitable Environmental Development [CREED] v. City of San Diego Redevelopment Agency* (2005) 134 Cal.App. 4th 598: The fair argument standard does not apply to judicial review of an agency's determination that a project is within the scope of a previously completed EIR. Once an agency has prepared an EIR, its decision not to prepare a supplemental or subsequent EIR for a later project is reviewed under the deferential substantial evidence standard.

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