CITY OF ALAMEDA RESOLUTION NO. ____

CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MEASURES, AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ENCINAL TERMINALS PROJECT.

WHEREAS, North Waterfront Cove LLC (Developer) owns approximately 23 acres of land and water and leases an additional 6.4 acres of land from the City at a property located at 1521 Buena Vista Avenue and commonly known as Encinal Terminals; and

WHEREAS, the Developer proposes to redevelop the Encinal Terminals site and construct several new structures on the site;

WHEREAS, the project entails modifications to the proposed conceptual redevelopment of the Encinal Terminals site analyzed in the previous Northern Waterfront General Plan Amendment EIR (GPA EIR) (State Clearinghouse No. 202102118); certified by the City of Alameda in 2008; and

WHEREAS, the proposed project would include a combination of residential and commercial uses that would be housed in new structures to be built on the site, including up to 589 housing units, up to 50,000 square feet of commercial space, and up to 160 marina berths; and

WHEREAS, the City prepared a Draft Focused Supplemental Environmental Impact Report (Draft FSEIR) evaluating the potential effects of the proposed development of the Encinal Terminals Project; and

WHEREAS, the Draft FSEIR was circulated for comment on February 8, 2017; and

WHEREAS, the Planning Board held a duly noticed public hearing to receive public testimony on the Draft FSEIR on March 27, 2017, examined pertinent maps and documents, and considered the testimony and written comments received; and

WHEREAS, following the close of the public review period, the final FSEIR (Final FSEIR) was prepared, which responds to the written and oral comments received during the public review period and makes revisions to the Draft FSEIR; and

WHEREAS, the Final FSEIR, which consists of the Draft FSEIR and the Draft FSEIR Appendices, and a Responses to Comments on the Draft FSEIR volume that contains comments on the Draft FSEIR, responses to those comments, and revisions to the Draft FSEIR, which were published on July 7, 2017; and

WHEREAS, the Planning Board held a duly noticed public hearing to receive public testimony on the Final FSEIR on July 17, 2017, examined pertinent maps and

documents, and considered the testimony and written comments received and recommended that the City Council certify the Final FSEIR; and

WHEREAS, the Final FSEIR has been presented to and independently reviewed and considered by the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council takes the following actions:

1. Certifying that the Final FSEIR for the Encinal Terminals Project has been completed in compliance with CEQA, Public Resources Code section 21000 *et seq.*, the State CEQA Guidelines, California Code of Regulations, title 14, section 15000 *et seq.*, and all applicable state and local guidelines, and reflects the independent judgment of the City.

2. Adopt Findings for the Project, including a Statement of Overriding Considerations, attached hereto as Exhibit A, and adopt and incorporate into the Project all of the mitigation measures within the responsibility and jurisdiction of the City of Alameda which are identified in the Findings.

3. Adopt the Mitigation Monitoring and Reporting Program for the Project, attached hereto as Exhibit B.

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE ENCINAL TERMINALS PROJECT

I. INTRODUCTION

The City of Alameda ("City"), as lead agency under the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21000 *et seq.*, has prepared the Final Focused Supplemental Environmental Impact report for the Encinal Terminals Project (State Clearinghouse No. 2016042076) ("Final FSEIR"). The Final FSEIR is a project-level EIR pursuant to Section 15161 of the Guidelines for implementation of CEQA ("State CEQA Guidelines").[1] The Final FSEIR consists of the February 2017 Public Review Draft Encinal Terminals Master Plan Focused Supplemental Environmental Impact Report ("Draft FSEIR"), the July 7, 2017, Response to Comments on the Draft FSEIR ("Response to Comments document"), and revisions to the Draft FSEIR contained in the Response to Comments document.

In determining to approve the Encinal Terminals Project ("Project"), which is described in more detail in Section II, below, the City makes and adopts the following findings of fact and statement of overriding considerations, and adopts and incorporates into the Project all of the mitigation measures identified in the Final FSEIR, all based on substantial evidence in the whole record of this proceeding ("administrative record"). Pursuant to Section 15090(a) of the State CEQA Guidelines, the Final FSEIR was presented to the City, and the City reviewed and considered the information contained in the Final FSEIR prior to making the findings in Sections IV through XIV, below. The conclusions presented in these findings are based on the Final FSEIR and other evidence in the administrative record

II. PROJECT DESCRIPTION

The Project, as fully described in Chapter 3 of the Draft FSEIR, involves the redevelopment of approximately 32 acres of land and water located at 1521 Buena Vista Avenue in the north-central portion of the City of Alameda. The project site encompasses approximately 16.35 acres of private land, approximately 9 acres of privately-owned submerged land, and 6.37 acres of State tidelands that are held in trust by the City of Alameda and leased to North Waterfront Cove LLC. The proposed project would demolish existing structures on the project site and allow for development of up to 589 new housing units, a marina with up to 160 boat slips and a harbormaster's office, between 30,000 and 50,000 square feet of commercial/office and restaurant uses, and over three acres of waterfront-related public open space and parks.

[1] The State CEQA Guidelines are found at California Code of Regulations, Title 14, Section 15000 *et seq.*

The residential unit types proposed include: condominiums, townhomes, lofts, live-work units, and seven to eight story multifamily stacked flat buildings. A range of commercial uses are permitted and could include restaurants, artist studios and galleries, maritime and craftsman work spaces, work/live studios, retail establishments and kayak and bicycle rental shops. Other proposed improvements include establishing locations for launching kayaks and other small watercraft, provisions for future public water taxi/water shuttle or ferry terminal facilities, a new internal roadway system and utility infrastructure, and parking throughout the site. A shoreline public promenade, offering views of the Oakland skyline and hills, the Oakland Estuary and Coast Guard Island would encircle the proposed residential mixed-use community.

The proposed project could include a proposed land exchange involving the 6.37-acre tidelands parcel that is currently leased from the California State Lands Commission (CSLC) on the one hand, and the waterfront areas of the property, including the proposed publicly accessible promenade on the Alaska Basin and northern sides of the site on the other hand. In the event that the land exchange is not approved, an alternate land use plan would be adopted for the site that would include an equivalent amount of development in an alternative configuration that would limit the proposed residential uses to lands currently owned by the applicant.

As set forth in Chapter 3 of the Draft EIR, the project objectives are as follows:

- Repurpose the site with a mix of residential, open space, commercial, and water-related uses that will create and support a lively waterfront and a pedestrian-friendly environment in proximity to regional transportation systems.
- Provide water and maritime-related job and business opportunities consistent with the site's waterfront location and maritime history.
- Create a continuous public waterfront promenade and sequence of public waterfront open spaces that provide opportunities for walking, biking, kayaking, and other waterfront activities.
- Provide a mix of uses and activities that will support a variety of lifestyles and employment opportunities.
- Assure a significant portion of new residential development is affordable to households at all income levels.
- Establish linkages to the surrounding city and neighborhoods for all modes of travel.
- Provide clear, safe access and linkages for pedestrians and bicyclists, where none have existed in the past.
- Strengthen references to the historic background of the site and environs through design.

III. ENVIRONMENTAL REVIEW PROCESS

On April 26, 2016, the City issued a Notice of Preparation ("NOP") of the Draft FSEIR. The NOP requested that agencies with regulatory authority over any aspect of the project describe that authority and identify the relevant environmental issues that should be addressed in the FSEIR. Interested members of the public were also invited to comment. The NOP was circulated for comment by responsible and trustee agencies and the public for a total of 30 days from April 23, 2016 through March 24, 2016, during which time the City held a public scoping meeting on May 23, 2016. Comments on the NOP were received by the City and considered during preparation of the Draft FSEIR.

The Draft FSEIR was made available for public review on February 8, 2017, and distributed to responsible and trustee agencies and the public. It was circulated for public review through March 29, 2017, for a total of 49 days, during which time the City held a public hearing on the Draft FSEIR on March 27, 2017.

The Response to Comments document was issued on July 7, 2017. On July 17, 2017, at a duly noticed public hearing, the Planning Board recommended that the City Council certify the Final FSEIR.

The Planning Board recommended that the findings, recommendations, and statement of overriding considerations set forth below (the "Findings") be made and adopted by the City Council regarding the Project's significant environmental effects ("significant impacts"), mitigation measures, alternatives to the Project, and the overriding considerations that support approval of the Project despite any remaining significant impacts it may have.

IV. FINDINGS

These findings summarize the environmental determinations of the Final FSEIR about project impacts before and after mitigation, and do not attempt to repeat the full analysis of each significant impact contained in the Final FSEIR. Instead, these findings provide a summary description of and basis for each impact conclusion identified in the Final FSEIR, describe the applicable mitigation measures identified in the Final FSEIR, and state the City's findings and rationale about the significance of each significant impact following the adoption and incorporation of mitigation measures into the Project. A full explanation of these environmental findings and conclusions can be found in the Final FSEIR, and these findings hereby incorporate by reference the discussion and analysis in the Final FSEIR supporting the Final FSEIR's determinations regarding mitigation measures and the Project's impacts.

In adopting mitigation measures below, the City intends to adopt each of the mitigation measures identified in the Final FSEIR. Accordingly, in the event a mitigation measure identified in the Final FSEIR has been inadvertently omitted from these findings, such mitigation measure is hereby adopted and incorporated into the Project in the findings below by reference. In addition, in the event the language of a mitigation

measure set forth below fails to accurately reflect the mitigation measure in the Final FSEIR due to a clerical error, the language of the mitigation measure as set forth in the Final FSEIR shall control unless the language of the mitigation measure has been specifically and expressly modified by these findings.

Sections V through VIII, below, provide brief descriptions of the impacts that the Final FSEIR identifies as either significant and unavoidable, less than significant with adopted mitigation, or less than significant without mitigation. These descriptions also reproduce the full text of the mitigation measures identified in the Final FSEIR for each significant impact.

V. SIGNIFICANT OR POTENTIALLY SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED OR MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

The Final FSEIR identifies the following significant and unavoidable adverse impacts associated with the approval of the Project, some of which can be reduced, although not to a less-than-significant level, through implementation of mitigation measures identified in the Final FSEIR. In addition, the City cannot require adoption or implementation of mitigation measures for some impacts because they are within the responsibility and jurisdiction of other public agencies. Pub. Resources Code § 21081(a)(2). Therefore, as explained below, some impacts will remain significant and unavoidable notwithstanding adoption of feasible mitigation measures. To the extent that these mitigation measures will not mitigate or avoid all significant effects on the environment, and because the City cannot require mitigation measures that are within the responsibility and jurisdiction of other public agencies to be adopted or implemented by those agencies, it is hereby determined that any remaining significant and unavoidable adverse impacts are acceptable for the reasons specified in Section XIII, below. Pub. Resources Code § 21081(a)(3). As explained in Section X, below, the findings in this Section V are based on the Final FSEIR, the discussion and analysis in which is hereby incorporated in full by this reference.

A. Impact 4.G-2: The proposed project would increase traffic volumes at study intersections. (Significant and Unavoidable)

The Encinal Terminals project as currently proposed would generate slightly fewer overall automobile trips than the Encinal Terminals project considered in the 2008 GPA EIR. However, the number of trips during both the AM (outbound) and the PM (inbound) peak periods would increase by 30 trips and 25 trips, respectively, which would cause AM and PM commute impacts to be more severe than those associated with the 2008 proposal. Therefore, the proposed project would result in significant impacts to automobile intersection levels of service.

Implementation of GPA EIR Mitigation Measure TRN-4b (revised) and New Mitigation Measures 4.G-2, 4.G-3 and 4.G-4, set forth below, which are hereby adopted and incorporated into the Project, would reduce these impacts, but not to a less-than-significant level.

GPA EIR Mitigation Measure TRN-4b (revised): To reduce the number of automobile trips generated by the project and reduce automobile level of service impacts at the Webster Street and Park Street gateways to the City, require that the project include a Transportation Demand Management Plan and funding program for Planning Board review and approval. The TDM plan should include a suite of measures intended to reduce vehicle trips by project residents, employees, and visitors to the site that may include but are not limited to the following:

- Annual funding for operations of transit services between the site, the Northern waterfront area, and Oakland BART stations.
- AC Transit Easy Passes for all project residents and employees.
- On-Site Car Share Parking
- On-Site Bicycle Parking
- Dedicated on-site carpool parking
- Residential Website/Source for Transportation Info
- Collaborative Work Space
- Unbundled Parking
- On-Site Transportation Coordinator
- Transportation "Welcome Packet"
- Real-Time Transit Information (e.g., TransitScreen)
- Designated Pick-Up/Drop-Off Resourcing Services
- Pre-Tax Commuter Benefits
- Transit Pass Subsidy Program (e.g., AC Transit EasyPass)
- The Planning Board may also consider a congestion pricing system to increase the cost for automobile entering or leaving the project site during peak commute hours.
- Implementation and monitoring protocols to ensure progress on the implementation of each measure is tracked. The effectiveness of each measure shall also be studied so that the plan may be adjusted over time to continue to reduce the project's contribution to citywide and regional vehicle trips through the life of the project.

NEW Mitigation Measure 4.G-2: To minimize automobile level of service impacts in the vicinity of the project require that the project signalize the intersections at Entrance and Clement and at Entrance and Buena Vista. If the project or other parties construct the final extension of Clement Avenue through the Shell Oil facility, the signalization of Entrance and Buena Vista may not be necessary. The completion of the extension will reduce automobile and truck trips on Buena Vista and eliminate the need for southbound vehicles from the project to use the Buena Vista.

NEW Mitigation Measure 4.G-3: To minimize automobile level of service impacts in the vicinity of the project require the Encinal Terminals project to pay for a fair share of the

Clement Extension project including fair share contribution to the completion of the Clement Avenue Extension (pedestrian, bicycle, transit, and automobile extensions) and intersection signalization from Atlantic Avenue to Grand Avenue. If the Del Monte project fails to begin construction of the Clement Avenue extension from Atlantic to Entrance Road prior to approval of the Encinal Terminals project, require the Encinal Terminals project to construct the extension with a later fair share contribution to be provided by the Del Monte project and other developments within the area.

NEW Mitigation Measure 4.G-4: To minimize automobile level of service impacts at the Webster Street and Park Street gateways to the City, require the Encinal Terminals project to pay a fair share contribution to citywide transportation improvements identified in the Citywide Development Impact Fee Ordinance.

B. Impact 4.G-11: The proposed project would result in cumulative transportation impact to intersection levels of service. (Significant and Unavoidable)

Cumulative (2035) traffic operating conditions, and the project's contribution to those cumulative conditions, will result in unacceptable levels of service at the intersection of Atlantic Avenue and Challenger Drive. Implementation of GPA EIR Mitigation Measure TRN-4b (revised) and New Mitigation Measures 4.G-2, 4.G-3 and 4.G-4, set forth above, would reduce these impacts, but not to a less-than-significant level.

VI. SIGNIFICANT OR POTENTIALLY SIGNIFICANT IMPACTS THAT CAN BE AVOIDED OR MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL BY MITIGATION MEASURES INCORPORATED INTO THE PROJECT.

The Final FSEIR identifies the following significant or potentially significant impacts associated with the Project. These impacts are eliminated or reduced to a less-than-significant level by mitigation measures identified in the Final FSEIR. It is hereby determined that the impacts addressed by these mitigation measures will be mitigated to a less-than-significant level or avoided by incorporation of these mitigation measures into the Project. Pub. Resources Code § 21081(a)(1). As explained in Section X, below, the findings in this Section are based on the Final FSEIR, the discussion and analysis in which is hereby incorporated in full by this reference.

A. Impact 4.A-1: The proposed project would not result in localized construction dust-related air quality impacts; generate construction emissions that would result in a substantial increase of criteria pollutants and precursors for which the air basin is in nonattainment under an applicable federal or state ambient air quality standard; or expose sensitive receptors to substantial concentrations of toxic air contaminants or respirable particulate matter (PM2.5).

The Final FSEIR finds that project related demolition, soil transport, remediation, grading and other construction activities at the project site may cause wind-blown dust that could

release particulate matter into the atmosphere. Project-related construction would generate air emissions through the use of heavy-duty construction equipment, from vehicle trips hauling materials, and from construction workers traveling to and from the project site. These emissions would be temporary and limited to the immediate area surrounding the construction site. Based on default assumptions from CalEEMod, construction emissions associated with the project would be less than significant. The BAAQMD requires implementation of Best Management Practices to reduce construction dust impacts to a less than-significant level. **Mitigation Measure AIR-1a**, set forth below, which is hereby adopted and incorporated into the Project, would reduce impacts to less than significant levels.

GPA EIR Mitigation Measure AIR-1a (revised): Implementation of Dust Abatement Programs. Proponents of development projects within the Northern Waterfront GPA area shall be required to demonstrate compliance with all applicable City regulations and operating procedures prior to issuance of building or grading permits, including standard dust control measures. The effective implementation of dust abatement programs, incorporating all of the following dust control measures, would reduce the temporary air quality impact associated with construction dust.

- All active construction areas shall be watered two times daily using equipment and staff provided by the project applicant or prime contractor, as needed, to avoid visible dust plumes. Appropriate non-toxic dust palliative or suppressant, added to water before application, may be used.
- All trucks hauling soil, sand and other loose materials shall be covered.
- All unpaved access roads, parking areas and construction staging areas shall be either paved, watered as necessary to avoid visible dust plumes, or subject to the application of (non-toxic) soil stabilizers.
- All paved access roads, parking areas and staging areas at the construction site shall be swept daily with water sweepers. The use of dry power sweeping is prohibited.
- If visible soil material is carried onto adjacent public streets, these streets shall be swept daily with water sweepers. The use of dry power sweeping is prohibited.
- All stockpiles of debris, soil, sand or other materials that can be blown by the wind shall either be covered or watered as necessary to avoid visible dust plumes.
- An off-pavement speed limit of 15 miles per hour for all construction vehicles shall be incorporated into the construction contract and enforced by the prime contractor.
- All inactive portions of the project site (those areas which have been previously graded, but inactive for a period of ten days or more) shall be watered with an appropriate dust suppressant, covered or seeded.
- All earth-moving or other dust-producing activities shall be suspended when the above dust control measures prove ineffective in avoiding visible dust plumes during periods of high winds. The wind speed at which this suspension of

activity will be required may vary, depending on the moisture conditions at the project site, but suspension of such activities shall be required in any case when the wind speed exceeds 25 miles per hour.

- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- 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 California Code of Regulations [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.
- Post a publicly visible sign with the telephone number and person to contact at the City of Alameda regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

B. Impact 4.A-2: The proposed project would not generate operational emissions that would result in a considerable net increase of criteria pollutants or precursors for which the air basin is in nonattainment under an applicable federal or state ambient air quality standard or expose sensitive receptors to substantial concentrations of toxic air contaminants or respirable particulate matter (PM2.5).

The Final FSEIR finds that project site development would result in an increase in criteria air pollutant and precursor emissions, including ROG, NOx, PM_{10}, and $PM_{2.5}$ from a variety of emissions sources, including onsite area and energy sources (e.g., natural gas combustion for space and water heating, landscape equipment, and use of consumer products) and mobile source emissions from vehicle trips. Therefore, this impact would be significant. Mitigation Measure 4.A-2, set forth below, which is hereby adopted and incorporated into the Project, would reduce this impact to a less-than-significant level.

Mitigation Measure 4.A-2: All wood-burning devices, such as woodstoves and open-hearth fire places shall be prohibited in residential units associated with the proposed project. Only natural gas fireplaces shall be permitted.

C. Impact 4.A-3: The proposed project would not expose sensitive receptors to substantial pollutant concentrations.

Construction of the project would result in short-term diesel exhaust emissions (DPM), which are toxic air contaminants (TACs), from onsite heavy-duty equipment and diesel trucks. Exposure of sensitive receptors is the primary factor used to determine health risk. Exposure is a function of the concentration of a substance or substances in the

environment and the extent of exposure that person has with the substance. According to the Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments, which determine the exposure of sensitive receptors to toxic emissions, should be based on a 70-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the project. Thus, the duration of the proposed construction activities (about 46 months) would only constitute a small percentage of the total 70-year exposure period. Based on the relatively close off-site residential uses, there are potential for health risks resulting from construction operations. Mitigation Measure 4.A-3, set forth below, which is hereby adopted and incorporated into the Project, would reduce this impact to a less-than-significant level.

> **Mitigation Measure AIR-3:** The project sponsors shall ensure that construction contract specifications include a requirement that all off-road diesel-powered construction equipment used for project improvements be equipped with a Level 3 Verified Diesel Emissions Control (VDEC), which would reduce diesel particulate emissions by at least 85 percent.

D. Impact 4.A-5: The proposed project would not conflict with or obstruct the implementation of the applicable air quality plan.

The Final FSEIR finds that the Project could result in an increase in emissions of criteria pollutants during operations. Therefore, the Project could potentially conflict with or obstruct implementation of the most recently adopted air quality plan, which is BAAQMD's *2010 Clean Air Plan*. Consistency with the Clean Air Plan can be determined if the project meets the following criteria: 1) supports the goals of the Clean Air Plan; 2) includes applicable control measures from the Clean Air Plan; and 3) would not disrupt or hinder implementation of any control measures from the Clean Air Plan.

With the implementation of Mitigation Measure 4.A-1, above, the Project would not exceed the BAAQMD's significance criteria for air pollutant emissions and would, therefore, be consistent with the first of the criteria for consistency with the Clean Air Plan. The Final FSEIR finds that the Project is meets the second and third criteria for consistency with the Clean Air Plan by incorporating applicable control measures, including a TDM program, creation of new bicycle and pedestrian facilities that connect to the City's existing network and implementation of Mitigation Measure 4.A-4, set forth below, which is hereby adopted and incorporated into the Project.

With Mitigation Measures 4.A-1, set forth above, and 4.A-4, set forth below, which are hereby adopted and incorporated into the Project, the Project would not substantially conflict with or obstruct implementation of the 2010 Clean Air Plan, and the impact would be less than significant.

Mitigation Measure 4.A-4: The City shall require that the following measures be implemented, either by the City or subsequent development sponsors or in combination, to encourage the use of low- and zero-emission vehicles in travel to and from the project site:

- Promote use of clean fuel-efficient vehicles through preferential parking and/or installation of charging stations.
- Promote zero-emission vehicles by providing a neighborhood electric vehicle program to reduce the need to have a car or second car vehicles as one potential element of a TDM program that would be required of all new developments.

E. Impact 4.A-6: The proposed Project, when combined with past, present and other reasonably foreseeable development in the vicinity, would not result in cumulative air quality impacts.

According to the BAAQMD, no single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards for regional criteria pollutants. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. There are many projects throughout San Francisco Bay area that have been identified as having significant and unavoidable operational and construction-related regional pollutant impacts. Consequently, for assessment of cumulative regional pollutant impacts, BAAQMD has developed a methodology of assessing whether a project would have a cumulatively considerable contribution. According to the BAAQMD *Justification Report*, if a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions (BAAQMD, 2009).

Mitigation Measure 4.A-10 (Mitigation Measures 4.A-1 and 4.A-4), set forth below, is hereby adopted and incorporated into the Project. As described in Impact 4.A-2, project operational emissions would not exceed the significance thresholds with mitigation. Impacts would therefore be less than significant. As such, combining project emissions with emissions from other projects would not result in cumulatively significant air quality operational impacts.

Mitigation Measure 4.A-10: Implement Mitigation Measures 4.A-1 and 4.A-4.

F. Impact 4.B-1: The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Service.

The Final FSEIR finds that sensitive aquatic communities, special-status fish, and marine mammals that occur in Alaska Basin and the Oakland-Alameda Estuary could be adversely impacted by project activities requiring in-water work associated with rehabilitation of pilings and construction of the new marina. The Oakland-Alameda Estuary and Alaska Basin waters could be used by harbor seals and sea lions for foraging and thus, there is a potential for noise from proposed pile driving activities to significantly affect these marine

mammals. In addition, special-status and migratory bird and bat species have the potential to occur at or in the vicinity of the project site and could be adversely impacted by construction activities associated with the demolition of existing buildings which could disrupt occupied avian nests and/or bat roosts

Implementation of **Mitigation Measures 4.B-1a through 4-1e** (avoid and minimize impacts on special-status wildlife) and **GPA EIR Mitigation Measure BIO-1** (revised) (conduct pre-construction surveys for bat roosts in all buildings scheduled for demolition or renovation), set forth below, which are hereby adopted and incorporated into the Project, would reduce impacts on biological resources from Project activities to less than significant.

> **Mitigation Measure 4.B-1a:** Prior to the start of wharf rehabilitation and marina and water shuttle facilities construction or new building construction that would require pile driving, the City shall require a NMFS-approved sound attenuation monitoring plan to protect fish and marine mammals, if pile driving is required for project implementation. 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 183 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):
>
> - 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

Mitigation Measure 4.B-1b: During the project permitting phase, any projects requiring in-water work will either proceed under one of the programmatic consultations for federally listed species described above or a project-level BO would be required. Alternatively, the project will obtain Incidental Harassment Authorization for marine mammals for dredging or pile driving activities. The project applicant shall also consult with CDFW regarding project impacts on State listed special-status fish species 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.

Mitigation Measure 4.B-1c: As part of the NMFS-approved sound attenuation monitoring plan required for pile driving in Mitigation Measure 4-2a, the City shall ensure that the project applicant implements these additional actions to reduce the effect of underwater noise transmission on marine mammals. These actions shall include at a minimum:

- 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-feet (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 give marine mammals an opportunity to vacate the area
- Maintain sound levels below 90 dBA 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.

Mitigation Measure 4.B-1d: Through the Design Review application process, 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.

Mitigation Measure 4.B-1e: To the extent practicable, construction activities including building renovation, demolition, vegetation and tree removal, and new site construction shall be performed between September 1 and January 31 in order to avoid breeding and nesting season for birds. If these activities cannot be performed during this period, preconstruction survey for nesting birds shall be conducted by a qualified biologist.

In coordination with the City, surveys shall be performed during breeding bird season (February 1 – August 31) no more than 14 days prior to construction activities listed above in order to locate any active passerine nests within 250 feet of the project site and any active raptor nests within 500 feet of the project site. Building renovation, tree and vegetation removal, and new construction activities performed between September 1 and January 31 avoid the general nesting period for birds and therefore would not require pre-construction surveys.

If active nests are found on either the project site or within the 500-foot survey buffer surrounding the project site, no-work buffer zones shall be established around the nests in coordination with CDFW. No demolition, vegetation removal, or ground-disturbing activities shall occur within a buffer zone until young have fledged or the nest is otherwise abandoned as determined by the qualified biologist. If work during the nesting season stops for 14 days or more and then resumes, then nesting bird surveys shall be repeated, to ensure that no new birds have begun nesting in the area.

GPA EIR Mitigation Measure BIO-1 (revised): Proponents of each project in the Northern Waterfront GPA area shall engage a qualified biologist to ~~prepare~~ conduct a preconstruction survey of the project area in order to locate potential roosting bat habitat and active colonies ~~of all buildings scheduled for demolition or renovation shall be conducted~~ no more than two weeks in advance of initiation of building demolition or renovation activities onsite or initiation of construction within 100 feet of structures providing potential bat roosting sites. Potential direct and indirect disturbances to bats shall be identified by locating potential habitat and active colonies and instituting protective measures prior to construction. No activities that could disturb active roosts shall proceed prior to the completed surveys. ~~30~~ days ~~prior to the initiation of demolition or renovation activities. Special attention shall be given to buildings where pallid bats were observed during the earlier survey or where measures to discourage roosting were implemented. If no bats or signs of an active roost are found, no additional measures are required. If a bat roost site is found, then measures shall be implemented to discourage roosting at the site. If a maternity colony of bats is found, the building and the bats shall not be disturbed until the young have dispersed, as determined by a qualified biologist.~~

Should potential roosting habitat or active bat roosts be found in structures to be disturbed (i.e. demolished or renovated) under the project, the following measures shall be implemented:

- Removal of structures shall occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15; outside of bat maternity roosting season (approximately April 15 – August 31); and outside of months of winter torpor (approximately October 15 – February 28), to the extent feasible.

- If removal of structures during the periods when bats are active is not feasible and active bat roosts being used for maternity or hibernation purposes are found on or in the immediate vicinity of the project site where structure demolition or renovation is planned, a no-disturbance buffer of 100 feet shall be established around the roost sites until they are determined to be no longer active by a qualified biologist.

- The qualified biologist shall be present during structure disturbance if active bat roosts are present. Structures with active roosts shall be removed only when no rain is occurring or is forecast to occur for three days and when daytime temperatures are at least 50˚F.

- Removal of structures containing or suspected to contain active bat roosts shall be dismantled under the supervision of the qualified biologist in the evening and after bats have emerged from the roost to forage. Structures shall be partially dismantled to significantly change the roost conditions, causing bats to abandon and not return to the roost.

- Bat roosts that begin during construction are presumed to be unaffected, and no buffer would be necessary.

If significant bat roosting habitat (e.g., maternity roosts or large non-maternity roost sites) is destroyed during structure 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.

G. Impact 4.B-2: Development facilitated by the proposed project would not have a substantial adverse effect on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

There is no riparian habitat located within the Encinal Terminals project area; however, sensitive natural communities are present in the vicinity of the proposed project that could be adversely impacted by project development. Dredging and pile removal associated with rehabilitation or replacement of deteriorated wharf pilings could potentially affect submerged aquatic vegetation on the Bay floor or attached to wharf pilings, as well as affect native oysters or mussels. The greatest potential threat to the sensitive aquatic communities off Alameda could be from boaters unfamiliar with San Francisco Bay's sensitive habitats, their locations, and the importance of protecting these habitats. In

addition, in-water work and increases in recreational boaters could result in the introduction and/or spread of invasive marine species. Potentially significant adverse impacts on these sensitive aquatic communities is a new finding for the proposed project that was not previously identified in the GPA EIR. These potentially significant impacts sensitive aquatic communities resulting from in-water work and recreational boaters would be reduced to less-than-significant levels through implementation of **Mitigation Measures 4.B-2a, 4.B-2b, and 4.B-2c**, set forth below, which are hereby adopted and incorporated into the Project.

Mitigation Measure 4.B-2a: Prior to in-water work related to pier retrofitting, the City shall ensure that the project applicant conducts a pre-construction survey to determine if native oysters, mussels, and eelgrass are present in Alaska Basin and the Oakland/Alameda Estuary to be affected by the project.

- The eelgrass survey shall be conducted according to the methods contained in the California Draft Eelgrass Mitigation Policy (CDEMP) (NMFS 2011), with the exception that the survey shall be conducted within 120 days (rather than 60 days, as recommended in the CDEMP) prior to the desired construction start date, to allow sufficient time for modification of project plans (if feasible) and agency consultation.
- If found within or immediately adjacent to the construction footprint, the project applicant shall first determine whether avoidance of the beds is feasible. If feasible, impacts to the oyster or eelgrass bed shall be avoided. If complete avoidance is not feasible, the applicant shall request guidance from the National Marine Fisheries Service (or other applicable agency) as to the need and/or feasibility to move affected beds. Any translocation of eelgrass beds shall be conducted consistent with the methods described in the CDEMP and/or those described in Eelgrass Conservation in San Francisco Bay: Opportunities and Constraints (Boyer and Wyllie-Echeverria, 2010). Translocation of oyster beds shall be consistent with methods and recommendations presented in Shellfish Conservation and Restoration in San Francisco Bay: Opportunities and Constraints (Zabin et al., 2010)
- If it is not possible to translocate oyster or eelgrass beds then the City shall ensure that the project applicant provides compensatory mitigation consistent with the CDEMP for eelgrass (a ratio of 3.01:1 [transplant area to impact area]) and a minimum 1:1 ratio for oyster beds.
- The relocation or compensatory mitigation site for eelgrass or oyster beds shall be within San Francisco Bay.

Mitigation Measure 4.B-2b: Prior to occupancy the City shall ensure that the marina project applicant prepares educational information regarding sensitive biological resources in the project vicinity and within Bay waters. This information shall be disseminated to all boaters using the marina and shall include, but not be limited to, information educating boat owner/operators about sensitive habitats and species in

the Bay and actions they are required to implement to avoid impacts to marine resources.

The educational information will be disseminated to visiting boaters through multiple methods including, but not limited to, brochures or pamphlets; marina and/or City websites; boating, cruising, and newspaper periodicals; and social media. The information shall be prepared soliciting input from, and in cooperation with, the National Marine Fisheries Service (NMFS), U.S. Coast Guard (USCG), California State Lands Commission, National Park Service (NPS), California Department of Parks and Recreation (CDPR), Bay Conservation and Development Commission (BCDC), and local organizations active in protecting Bay marine resources, as appropriate.

Mitigation Measure 4.B-2c: 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:

- 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 Undaria and Sargasso.
- 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.

H. Impact 4.B-3: Development facilitated by the proposed project would have a substantial adverse effect on federally protected wetlands, 'other waters', and navigable waters as defined by Sections 404 and 10 of the Clean Water Act and waters of the State through direct removal, filling, hydrological interruption, or other means.

The Final FSEIR finds that a number of activities associated with development of the Project, including construction of a new marina in Alaska Basin, facilities for a future water shuttle on the Oakland Alameda Estuary, and extensive improvements to

existing wharf pilings, could result in substantial adverse effects on waters of the United States, waters of the State, and waters and land under BCDC jurisdiction. Temporary disturbance of jurisdictional waters, degradation of water quality and aquatic habitat, degradation of tidal marsh habitat, and accidental discharge of sediment or toxic materials into jurisdictional waters would be potentially significant impacts. Mitigation Measure GPA EIR Mitigation Measure BIO-2, set forth below, which is hereby adopted and incorporated into the Project, would reduce impacts to a less-than-significant level.

GPA EIR Mitigation Measure BIO-2: All dredging and in-water construction activities shall be consistent with the standards and procedures set forth in the Long Term Management Strategy for dredging in the San Francisco Bay waters, a program developed by the Bay Conservation and Development Commission (BCDC), the Regional Water Quality Control Board (RWQCB), the U.S. Environmental Protection Agency, (EPA), and other agencies, to guide the disposal of dredge materials in an environmentally sound manner.

I. Impact 4.B-4: Development facilitated by the proposed project would not 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.

The Final FSEIR finds that development facilitated by the Project has the potential to interfere with the movement or migratory corridors of waterbirds, bats and marine wildlife species due to increased noise from in –water pile driving, increased vessel traffic; increased resuspension of sediments; and potential for collisions and harassment of mobile marine mammals by vessels. Potential increases in noise and marine mammal collisions from vessel traffic would be minimized by implementation of **Mitigation Measures 4.B-1a, 4.B-1b, and 4.B-1c**.

Development facilitated by the Project has the potential to impact migratory and resident birds through new building construction and increases in night lighting, which could lead to increases in bird strikes and potential disorientation of night migrating birds. Implementation of **Mitigation Measure 4.B-3**, set forth below, which is hereby adopted and incorporated into the Project, would reduce these impacts to less-than-significant levels.

Implement Mitigation Measures 4.B-1a, 4.B-1b, and 4.B-1c.

Mitigation Measure 4.B-3: 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:

- 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:
  - 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 of landscapes near a glazed building façade is desirable, situate trees and shrubs immediately adjacent to the exterior glass walls, at a distance of less than three feet from the glass. Such close proximity will obscure habitat reflections and will minimize fatal collisions by reducing birds’ flight momentum.
- Lighting. The project applicant shall 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 the proposed project to reduce night lighting impacts on avian species:
- 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:
  - 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.

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-antennas 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.

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, occupants, 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.

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.

J. Impact 4.B-5: Development facilitated by the proposed project would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

The Final FSEIR finds that development facilitated by the Project could result in potentially significant impacts on biological resources, which could conflict with applicable local policies or ordinances protecting biological resources. However, with

implementation of **GPA EIR Mitigation Measure BIO-1 (revised)**, **NEW Mitigation Measures 4.B-1a through 4.B-1e** (avoid and minimize impacts on special-status wildlife), **NEW Mitigation Measures 4.B-2a through 4.B-2c** (avoid and minimize impacts to sensitive natural communities), **GPA EIR Mitigation Measure BIO-2** (avoid and minimize impacts on jurisdictional waters), and **Mitigation Measure 4.B-3** (avoid and minimize impacts to migratory and breeding wildlife), set forth above in Finding VI.K, development facilitated by the Project would be implemented in a manner intended to:

- Maintain and improve the quality of the bay, ocean, and shoreline areas;
- Promote the use and development of shoreline areas consistent with the City of Alameda General Plan and the San Francisco Bay Plan;
- Cooperate with and otherwise support regulatory programs of existing regional, state, and federal agencies concerned with San Francisco Bay Area biological resources; and
- Protect rare and endangered species as well as the habitats of known plant and animal species that require a relatively natural environment.

Therefore, with implementation of the measures described above, the potential for the project to conflict with applicable local policies or ordinances protecting biological resources in the project area is low and would represent a less-than-significant impact.

Implement GPA EIR Mitigation Measure BIO-1(revised), NEW Mitigation Measures 4.B-1a through 4.B-1e, NEW Mitigation Measures 4.B-2a through 4.B-2c, GPA EIR Mitigation Measure BIO-2, and NEW Mitigation Measure 4.B-3.

K. Impact 4.B-6: Development facilitated by the proposed project would conflict with an adopted local, regional, or State Habitat Conservation Plan.

The Final FSEIR finds that development facilitated by the Project could result in potentially significant impacts on biological resources, which could conflict with applicable policies of the CCMP and the Goals Project. However, implementation of Mitigation Measures **GPA EIR Mitigation Measures BIO-1 (revised)** and **BIO-2**, and **NEW Mitigation Measures 4.B-1a through 4.B-1e, 4.B-2a through 4.B-2c,** and **4.B-3**, above in Finding VI.I would reduce potentially significant impacts on biological resources to ensure that the project does not conflict with habitat conservation plans or natural community conservation plans and would represent a less-than-significant impact.

Implement GPA EIR Mitigation Measures BIO-1 (revised) and BIO-2,NEW Mitigation Measures 4.B-1a through 4.B-1e, 4.B-2a through 4.B-2c, and 4.B-3.

L. Impact 4.B-7: The proposed project, in conjunction with other past, current, or foreseeable development in Alameda, could result in cumulative impacts on biological resources.

The Final FSEIR finds the geographic scope of potential cumulative impacts on biological resources encompasses the project site as well as biologically linked areas sharing the Oakland Estuary and greater San Francisco Bay. Past projects within this context, including the development of civic facilities, residences, commercial and industrial areas, and infrastructure, have already caused substantial adverse cumulative changes to biological resources in the project area. Therefore, due to past projects, there has already been an adverse significant cumulative effect on biological resources. With the addition of current and other proposed projects, there is an existing significant cumulative impact *without* the project.

While there is no sensitive habitat located on land within the project site, the project could disturb aquatic habitat in the Alaska Basin. Other potential projects are located along Alameda's waterfront, and some will involve in-water work, such as Alameda Marina and Shipways, although all of these areas have limited habitat value for wildlife as they are already primarily or fully developed. However, the proximity of some projects to the waters of San Francisco Bay and the Oakland-Alameda Estuary could lead to potential cumulatively significant impacts on waterbirds and marine life and demolition of existing buildings or removal of existing vegetation could lead to significant cumulative impacts on nesting or roosting bats and birds.

However, with the implementation of **GPA EIR Mitigation Measure BIO-1 (revised)** (requiring a pre-construction survey for bat roosting sites), **GPA EIR Mitigation Measure BIO-2 (**requiring dredging activities to be consistent with the Long-Term Management Strategy program), **NEW Mitigation Measures 4.B-1a through 4.B-1e** (avoid and minimize impacts on special-status wildlife), **NEW Mitigation Measures 4.B-2a through 4.B-2c** (avoid and minimize impacts to sensitive natural communities), and **NEW Mitigation Measure 4.B-3** (avoid and minimize impacts to migratory and breeding wildlife) the Project would result in less-than-significant impacts on biological resources within and in the vicinity of the project site. When considered within the existing condition of biological resources in the project area and the greater Bay Area in the context of past, present and reasonably foreseeable similar projects, the Project would add only a minor, incremental contribution to habitat loss, degradation, and direct and indirect impacts to special-status species. The Project's contribution would not be considered cumulatively considerable; therefore, in combination with past, present, and reasonably foreseeable future projects, the proposed Project's cumulative effects on biological resources would be less than significant.

Implement GPA EIR Mitigation Measure BIO-1, GPA EIR Mitigation Measure BIO-2, NEW Mitigation Measures 4.B-1a through 4.B-1e, NEW Mitigation Measures 4.B-2a through 4.B-2c, and NEW Mitigation Measure 4.B-3.

M. Impact 4.D-1: Construction of proposed project elements could expose persons to or generate noise levels in excess of the City noise standards or result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

The Final FSEIR finds that construction noise would be substantially greater than existing noise levels at nearby sensitive receptor locations. However, construction at any particular area of the project site would be short-term. The loudest source of noise during project construction would be generated through use of an impact pile driver, which would be required particularly along the western and northern portions of the project site. In addition, the project would result in a violation of the City's noise standards if construction activity would occur outside of the allowable daytime hours specified by the City noise ordinance. Although construction activities associated with the project would be temporary in nature and the maximum noise levels discussed above would be short-term, noise generated during project construction would temporarily elevate ambient noise levels in and around the project area. Implementation of **GPA EIR Mitigation Measures NOISE-1a** and **NOISE-1b**, set forth below, which are hereby adopted and incorporated into the Project, would reduce these impacts to less-than-significant levels.

GPA EIR Mitigation Measure NOISE-1a (revised): ~~Developers and/or contractors~~ The applicant shall create and implement development-specific noise and vibration reduction plans, which shall be enforced via contract specifications. Contractors may elect any combination of legal, non-polluting methods to maintain or reduce noise and vibration to threshold levels or lower, as long as those methods do not result in other significant environmental impacts or create a substantial public nuisance. In addition, the applicant shall require contractors to limit construction activities to daytime hours between 7:00 am and 7:00 pm Monday through Friday and 8:00 am to 5:00 pm on Saturdays. The plan for attenuating construction-related noises shall be implemented prior to the initiation of any work that triggers the need for such a plan.

GPA EIR Mitigation Measure NOISE-1b (revised): To reduce pile driving noise, "vibratory" pile driving or drilled and cast-in-place piles should be used wherever feasible. The vibratory pile driving technique, despite its name, does not generate vibration levels higher than the standard pile driving technique. It does, however, generate lower, less-intrusive noise levels.

N. Impact 4.D-3: Transportation-related operations facilitated by the proposed project could result in a substantial permanent increase in ambient noise levels in the vicinity or above levels existing without the project.

The Final FSEIR finds that non-transportation noise associated with the Project operations would include stationary sources (such as HVAC units), loading docks, and park/sports recreational uses. Implementation of **GPA EIR Mitigation Measures NOISE-2a (revised)** and **NOISE-2b (revised)**, set forth below, which are hereby adopted and incorporated into the Project, would reduce the impact to a less-than-significant level and would ensure that project-related non-transportation sources of noise would comply with the City of Alameda Noise Ordinance and General Plan standards.

Most of the noise generated by the development facilitated by the proposed project would be traffic-generated noise. Most of the roadways analyzed in the SFEIR are expected to experience ambient traffic noise increases no greater than 1 dBA. However, along the project's western entrance road, north of Buena Vista Avenue, traffic noise would increase by 9 dBA. This increase in traffic noise would exceed the City's maximum allowed noise standard for transportation sources. However, there are no existing sensitive receptors along the western entrance road, and construction of proposed residences at the nearby Del Monte and Marina Cove II project areas would address this potential cumulative noise impact through acoustical studies and facility designs. Implementation of **GPA EIR Mitigation Measures NOISE-2a (revised), NOISE-2b (revised)**, and **NOISE-3 (revised)**, set forth below, which are hereby adopted and incorporated into the Project, would ensure compliance with the applicable standards and would reduce this impact to less than significant.

GPA EIR Mitigation Measure NOISE-2a (revised): Acoustical studies, describing how the exterior and interior noise standards will be met, ~~should~~ shall be required for all new residential or noise sensitive developments exposed to environmental noise greater than CNEL 60 dBA, or one-family dwellings not constructed as part of a subdivision requiring a final map exposed to environmental noise greater than CNEL 65 dBA. The studies should also satisfy the requirements set forth in Title 24, part 2, of the California Administrative Code, Noise Insulation Standards, for multiple-family attached, hotels, motels, etc., regulated by Title 24.

GPA EIR Mitigation Measure NOISE-2b: ~~All new projects~~ The applicant shall show that ~~they~~ the proposed project will comply with maximum noise levels outlined in the City's Noise Ordinance and the average sound level goals outlined in the City's General Plan.

GPA EIR Mitigation Measure NOISE-3: ~~New projects in the Northern Waterfront GPA should~~ The applicant shall submit ~~require~~ acoustical studies, describing how the exterior and interior noise level standards will be met for the proposed project as well as any impacts on adjacent projects. Studies shall also satisfy the acoustical requirements of ~~the City's General Plan. Title 24, of the Uniform Building Code.~~

O. Impact 4.D-4: The proposed project would result in exposure of people to cumulative increases in construction noise levels.

The Final FSEIR finds that construction of the proposed project would result in the noise exposure of residences located within 550 feet of the project site's southern-easternmost boundary (existing Marina Cove II residences) that would result in a temporary substantial increase in ambient noise levels. Therefore, there is a possibility that the proposed project, in conjunction with the Marina Cove II and Del Monte development projects, could result in a significant cumulative impact associated with construction noise. However, with implementation of revised **GPA EIR Mitigation Measures NOISE-1a** and **NOISE-1b**, noise levels generated during the construction would be reduced by requiring the applicant to adhere to the City's allowed construction hours and create and implement a development-specific noise reduction plan.

Implement revised GPA EIR Mitigation Measures NOISE-1a and -1b.

P. Impact 4.G-3. Implementation of the proposed project would cause the Pedestrian LOS to degrade to worse than LOS B, but would not create a safety hazard for pedestrians.

The Final FSEIR finds that the pedestrian LOS for existing with existing plus project conditions for the intersections of Buena Vista Avenue at Sherman Street and Challenger Drive at Marina Village Drive would degrade to worse than LOS B. The pedestrian impacts are caused by existing automated "actuated" traffic signals, which would automatically adjust the signal timing to accommodate the additional traffic volume generated by the project. The automatic adjustments result in longer delay for pedestrians crossing the street. Although the proposed project would increase vehicle and pedestrian traffic in the project vicinity, it does not include any changes to the configuration of any existing intersections, nor does it include the removal of any pedestrian crossings or introduce any new safety hazards for pedestrians. Furthermore, the impact at Buena Vista Avenue and Sherman Street would be eliminated once Clement Avenue is extended to connect with Atlantic Avenue at Sherman Street. Implementation of **Revised Mitigation Measure 4.G-1** along with **NEW Mitigation Measures 4.G-3a and 4.G-3b**, set forth below, which are hereby adopted and incorporated into the Project, would ensure compliance with the applicable standards and would reduce this impact to less than significant.

NEW Mitigation Measure 4.G-3a: Prior to project occupancy, the project applicant shall fund the signal optimization at the Buena Vista Avenue and Sherman Street intersection during the p.m. peak hour to reduce pedestrian delays.

NEW Mitigation Measure 4.G-3b: Prior to project occupancy, the project applicant shall fund the signal optimization at the Challenger Drive and Marina Village Drive intersection during the p.m. peak hour to reduce pedestrian delays.

Q. Impact 4.H-2: The proposed project would not have wastewater service demands that would result in a determination by the service provider that it does not have adequate capacity to serve projected demand, necessitating the construction of new or expanded wastewater treatment facilities.

The Final FSEIR finds that EBMUD has adequate dry weather capacity at the MWWTP for the projected wastewater flows. However, EBMUD indicated that capacity for the project's wet weather flows was of concern. As part of EBMUD's Stipulated Order, the City is working with EBMUD to reduce the amount of I&I entering the wastewater collection system (City of Alameda, 2013). Given the deteriorated condition of the existing 10-inch pipeline, the proposed project includes construction of a new 10-inch sewer pipeline that would connect to the EBMUD interceptor in Buena Vista Avenue. In addition, a new onsite sewer collection system would be installed throughout the proposed street network within the project site. In addition, a pump/lift station would also be installed at the southern end of the project site to minimize the depth of the proposed system. All new sanitary sewer lines would be designed and constructed to prevent I&I to the maximum extent feasible. Implementation of Mitigation **Measure 4.H-2**, set forth below, which is hereby adopted and incorporated into the Project, would ensure the project implements the necessary improvements to reduce the level of impact to less than significant.

Mitigation Measure 4.H-2: The project sponsors shall: 1) replace or rehabilitate any existing sanitary sewer collection systems, including sewer lateral lines, to ensure that such systems and lines are free from defects or, alternatively, disconnected from the sanitary sewer system; and 2) ensure any new wastewater collection systems, including new lateral lines, for the project are constructed to prevent infiltration and inflow (I&I) to the maximum extent feasible while meeting all requirements contained in the Regional Private Sewer Lateral Ordinance and applicable municipal codes or City ordinances.

VII. LESS THAN SIGNIFICANT IMPACTS FOR WHICH MITIGATION MEASURES, THOUGH NOT REQUIRED, WILL BE INCORPORATED AS PART OF THE PROJECT

NONE.

VIII. GROWTH INDUCING IMPACTS

The CEQA Guidelines require that an EIR evaluate the growth-inducing impacts of a proposed action (Section 15126.2[d]). A growth-inducing impact is defined by CEQA Guidelines Section 15126.2(d) as:

> *[T]he ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth.... It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.*

A project can have direct and/or indirect growth-inducement potential. Direct growth inducement would result if a project involved construction of new housing that would result in new residents moving to the area. A project can have indirect growth-inducement potential if it would establish substantial new permanent employment opportunities (e.g., commercial, industrial or governmental enterprises) or if it would involve a substantial construction effort with substantial short-term employment opportunities and indirectly stimulate the need for additional housing and services to support the new employment demand. Similarly, under CEQA, a project would indirectly induce growth if it would remove an obstacle to additional growth and development, such as removing a constraint on a required public service. Increases in population could tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. The CEQA Guidelines also require analysis of the characteristics of projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

The timing, magnitude, and location of land development and population growth are based on various interrelated land use and economic variables. Key variables include regional economic trends, market demand for residential and non-residential uses, land availability and cost, the availability and quality of transportation facilities and public services, proximity to employment centers, the supply and cost of housing, and regulatory policies or conditions. Because city and county general plans define the location, type and intensity of growth, they are the primary means of regulating development and growth in California.

Both the Alameda General Plan (as amended as part of the Project) and the Bay Area's Sustainable Communities Strategies, Plan Bay Area, anticipate growth at Encinal Terminals of essentially the same nature and density as the Project. Hence, the development of the Project has been anticipated by the City in its long-range planning as well as in the regionally forecast growth of the Bay Area. Thus, while the Project would not result in unplanned growth, it would accommodate an increase in both population and employment growth in Alameda as compared to the existing condition. Specifically, new infrastructure described in the Draft MIP would allow for growth to occur on the project site that has been constrained due to lack of appropriate infrastructure, as described below.

Under CEQA, a project is generally considered to be growth-inducing if it results in any one of the following:

1. **Extension of urban services or infrastructure into a previously unserved area.**

Although onsite infrastructure improvements would occur as part of the proposed project, the site is within an urban setting, and the project infrastructure would connect to existing city infrastructure and not require any major expansions of infrastructure other than on the site itself. The project would not extend infrastructure to any other undeveloped areas. The project site, although occupied by existing industrial buildings, is currently vacant and

located in an urban area. Hence, the proposed project would be infill development within an existing urban area.

2. **Extension of a transportation corridor into an area that may be subsequently developed**.
   The proposed project would include improvements to streets that serve the project site and connect the project site to the existing street network as part of the vision of integrating the project site with the City. The project site is adjacent to City development on the east, south, and west. As a redevelopment property, the proposed project would not extend transportation corridors into undeveloped areas resulting in growth inducing impacts. In fact, the project site's location near Interstate 880 and regional alternative transportation systems could result in a reduced impact on regional transportation systems and air quality than would comparable development outside of the City, or an area with a lower concentration of population within the County.

3. Removal of obstacles to population growth (such as provision of major new public services to an area where those services are not currently available).

The project involves the approval of a Master Plan, and other development approvals, for the project site to accommodate the proposed development. These amendments would remove "obstacles to population growth" only for the project site. The amendments would not facilitate population growth on any other property in the City or surrounding area.

While the proposed project would improve infrastructure that serves the site, these improvements would allow for growth to occur only on the project site and would not facilitate population growth on any other property.

The proposed project would result in the development of up to 589 residential dwelling units and up to 50,000 square feet of commercial space. The Association of Bay Area Governments (ABAG) estimates that by 2040, Alameda will increase its housing stock by 18 percent over 2010 levels (from 32,350 housing units to 38,240 housing units). Therefore, the growth in housing units proposed by the project, and thus population growth generated by the proposed project, would be within the ABAG projections for the City of Alameda.

Further, because the project site is included in *Plan Bay Area* within the potential Northern Waterfront PDA, from a regional standpoint the project is part of a coordinated strategy for managing land use patterns and transportation investments to accommodate projected population growth while also reducing emissions of greenhouse gases, consistent with the direction in SB 375. As Plan Bay Area's transportation projects are tied to the proposed land use development pattern and the region's population projections, they are inherently designed to focus growth primarily in PDAs, as opposed to other locations in the region. That is, the transportation projects in Plan Bay Area were selected to complement a certain type of land development (balanced and compact) and discourage imbalanced, sprawling, and greenfield development. As such, by specifically being included in the Plan Bay Area, the proposed project is promoting focused infill growth rather than growth beyond targeted

areas. By accommodating growth in a targeted urban area, the proposed project would regionally contribute to reduced vehicle miles travels and greenhouse gas emissions, as required by SB 375 (see the *Land Use* discussion in Section 4.C of this EIR for further discussion of SB 375 and Plan Bay Area).

IX. ALTERNATIVES

The Final FSEIR analyzed three alternatives to the Project, examining the environmental impacts and feasibility of each alternative, as well as the ability of the alternatives to meet project objectives. The Project and the project objectives are described in detail in the Final FSEIR Chapter 3, Project Description, and the potential environmental effects of implementing the Project are analyzed in Chapter 4, Environmental Setting, Impacts, and Mitigation Measures, including discussion of significant impacts resulting from the Project and mitigation measures recommended to avoid these impacts.

Brief summaries of the alternatives, including the Environmentally Superior Alternative, are provided below. As explained in Section X, below, the findings in this Section are based on the Final FSEIR, the discussion and analysis in which is hereby incorporated in full by this reference. The City further finds that each of the reasons given for rejecting an alternative discussed below is a separate and independent basis for rejecting that alternative.

A. The No Project Alternative

CEQA requires consideration of a no project alternative. Consistent with State CEQA Guideline Section 15126.6(e), the No Project/No New Development Alternative assumes that the site would generally remain in its existing condition. While the site is currently vacant, allowable uses would include leasing all or a portion of the existing site for industrial and manufacturing use. Under the No Project Alternative, former uses, such as the shipping container maintenance and storage operations or other distribution and/or industrial type uses are allowed to lease the property.

Under the No Project Alternative, there would no impacts to biological resources, population and housing, public services or utilities and services. This Alternative would have no impact to land use, but it would be inconsistent with the City of Alameda General Plan Land Use Element, Housing Element, and Northern Waterfront Element

As a vacant property, the site would generate fewer transportation related and construction related emissions as compared to the proposed project. Depending on the types of maritime businesses and the amount of truck traffic associated with those uses, the amount of vehicle related and construction related emissions generated by the property would increase and could exceed those anticipated with the proposed project.

With respect to noise impacts, the No Project Alternative would not involve any substantial new construction activities, but it could create new sources of ambient noise or vibration due to operational activities or increases in vehicular traffic. Thus, the No Project Alternative could have impacts related to noise.

As a vacant property, the site would generate fewer transportation related LOS impacts as compared to the proposed project. Depending on the types of maritime businesses and the amount of truck traffic associated with those uses, the amount of vehicle and truck trips generated by the property would increase and could exceed those anticipated with the proposed project. The no project alternative could also result in an increase in local and regional average household VMT if the proposed units are constructed in a suburban location, instead of on the proposed site.

The Final FSEIR found that the environmentally superior alternative would be the No Project Alternative. The No Project Alternative would avoid most of the environmental impacts associated with the proposed project, but would not meet any of the project objectives. As required by CEQA Guidelines Section 15126.6(e)(2), because the environmentally superior alternative is the No Project Alternative, this EIR identifies an environmentally superior alternative from among the other alternatives.

B. No Public Trust Land Exchange Alternative

Under this alternative (the "No Exchange Alternative"), the project site would be developed with same mix of uses as the proposed project; however, location of those uses would change. The residential and general commercial uses would all be located on the land within the site that is currently not encumbered by the Tidelands restrictions. The six-acre parcel in the center of the site that is subject to the State of California's Public Trust for commerce, navigation and fisheries would remain and be leased for Tidelands compatible uses. As required by law, development of the existing tidelands area would be restricted to those uses that further the purposes of the Trust, including maritime-related uses, water-oriented recreation, visitor-serving facilities, habitat preservation, and scientific study.

Although the arrangement of land uses on the project site would be different under the No Exchange Alternative than the proposed project, the No Exchange Alternative would develop the same total square footage of retail space and number of units as the proposed project. As a result, the impacts from the No Exchange Alternative would be substantially the same as the proposed project and the same mitigation would be required for the No Exchange Alternative as for the proposed project.

C. The Northern Waterfront General Plan Amendment Development Alternative

Under this alternative (the "NWGPA Alternative"), the project site would be developed with the mix of uses envisioned in the 2008 Northern Waterfront General Plan Amendment (GPA) EIR. In this alternative, the property would be developed with 165 new single family and duplex homes and approximately 200,000 square feet of commercial space. Like the proposed project, this alternative would include the marina with up to 160 boat slips the waterfront improvements. This alternative does include the Tidelands exchange anticipated in the project proposal. This alternative also represents a lower density residential alternative to the project proposal

Although this alternative has fewer residential units, it has significantly more commercial development than the proposed project. As described in Chapter 4 of the Final FSEIR, the total number of vehicle trips associated with this alternative actually exceeds the number of trips associated with the proposed project. Therefore, it should be anticipated that the air quality impacts associated with vehicle use in this alternative would exceed those anticipated with the proposed project.

The NWGPA Alternative would involve construction activities across the entire site, including within the Oakland Estuary, which would result in substantially similar impacts to biological resources as under the proposed project. This alternative would be required to implement the same mitigation measures as the proposed project, which would reduce impacts to biological resources to less than significant.

Although the NWGPA Alternative would develop fewer housing units and more commercial development, the development footprint of this alternative would be the same as the proposed project, and thus would have substantially similar impacts to land use as under the proposed project. The NWGPA Alternative would not conflict with an applicable land use plan, policy or regulation adopted for the purpose of avoiding an environmental effect. Like the proposed project, land use impacts would be less than significant with mitigation under this alternative.

While the mix of uses under the NWGPA Alternative differs from the proposed project, the NWGPA Alternative would be required to implement the same mitigation measures as the proposed project in order to reduce impacts from noise generating activities to less-than-significant levels on a project and cumulative basis. Like the proposed project, the NWGPA Alternative would not involve activities that could expose persons to excessive ground borne vibration or noise levels. Noise-related impacts from the NWGPA Alternative would be less than significant with mitigation.

Like the proposed project, the NWGPA Alternative would not induce substantial population or housing growth that is not already included in local and regional plans, and the impact would be less than significant. There are no existing housing units on the site; as such, the NWGPA Alternative would have no impact related to the displacement of people or housing.

The NWGPA Alternative would result in a similar level of development as the proposed project, and thus would have similar impacts to public services as the proposed project.

With respect to transportation, as described in Chapter 4 of the Final FSEIR, the total number of vehicle trips associated with this alternative actually exceeds the number of trips associated with the proposed project. Therefore, it should be anticipated that the local morning (AM) Level of Service (LOS) impacts associated with the proposed project would be reduced under this alternative due to the reduced number of housing units, but the daily and PM LOS impacts would increase due to the larger number of automobile trips.

The NWGPA Alternative would involve the same improvements to existing water, wastewater, and stormwater facilities serving the project site as the proposed project. The NWGPA Alternative would also result in similar, though slightly lower, demand for new water, wastewater, landfill, and stormwater facilities as the proposed project. As discussed in the Final FSEIR, such demand could be accommodated by existing facilities, and the project would not necessitate the expansion of any utility service facilities such that significant environmental effects would occur. The NWGPA Alternative would be subject to the same mitigation and subject to the same applicable solid waste regulations as the proposed project, which would result in less than significant impacts to utilities and service systems.

The NWGPA Alternative would reduce the significant and unavoidable LOS traffic impacts, compared to the proposed project. For this reason, the NWGPA Alternative is the Environmentally Superior Alternative.

X. INCORPORATION BY REFERENCE

These findings incorporate the text of the Final FSEIR for the Project, the Mitigation Monitoring and Reporting Program, City Staff Reports relating to the Project, and other documents relating to public hearing on the Project, by reference, in their entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, project and cumulative impacts, the basis for determining the significance of impacts, the comparison of the alternatives to the Project, the determination of the environmentally superior alternative, and the reasons for approving the Project.

XI. RECORD OF PROCEEDINGS

Various documents and other materials constitute the record of proceedings upon which the City bases its findings contained herein. The record of proceedings is located in the offices of the custodian for these documents and materials, which is the Office of the City Clerk of the City of Alameda, 2263 Santa Clara Avenue, Room 380, Alameda, CA, 94501

XII. RECIRCULATION NOT REQUIRED

State CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when “significant new information” is added to the EIR after public notice is given of the availability of the Draft EIR but before certification. Recirculation of the EIR is not required because no significant new information has been received which disclosed that a new significant environmental impact would result from the Project or from a new mitigation measure proposed to be implemented, that a substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance, that a feasible mitigation measure or alternative considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the Project but the City declines to adopt it, or that the Draft EIR was so fundamentally and basically

inadequate and conclusory in nature that meaningful public review and comment were precluded.

XIII. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA Guideline Section 15093, the City has balanced the economic, legal, social, technological or other benefits of the Project, including region-wide or statewide environmental benefits, against its significant and unavoidable environmental impacts. The City finds that the Project's benefits outweigh its unavoidable adverse environmental effects, and that the adverse environmental effects are therefore acceptable. The reasons set forth below are based on the Final FSEIR and other information in the record.

The following statement identifies the reasons why, in the City's judgment, specific benefits of the Project outweigh the significant and unavoidable effects. The substantial evidence supporting the benefits of the Project can be found in the preceding sections of these Findings, in the Project itself, and in the record of proceedings as defined in Section XI, above. The City further finds that each of the Project benefits discussed below is a separate and independent basis for these findings. The reasons set forth below are based on the Final FSEIR and other information in the administrative record.

A. **Strengthen Community Economic Base:** The project will strengthen and diversify the economic base of the community by providing new commercial space on a currently vacant, blighted property. The Project will construct new mixed use and stand-alone commercial buildings to create up to 50,000 square feet of business, commercial, maritime and retail uses that will provide jobs, services, tax revenue, and new amenities for Alameda residents.

B. **Reinvest in Infrastructure:** The Project will eliminate the blighted conditions on the property, and correct infrastructure deficiencies in the area, by developing the Project site into an integrated, mixed-use community with an integrated network of public open spaces and streets.

C. **Increase Supply of a Range of Housing Types:** The Project will increase the City's supply of land available for residential development and the supply of affordable housing sites for Alameda and the region. It will construct up to 589 residential units, including a mix of townhomes, stacked flats and low and midrise multifamily housing for a mix of household types and incomes. The Project will provide a diversity of housing types and pricing that attract the market segments most likely to use alternatives to the automobile, such as self-selective transit commuters and households with zero to low-automobile ownership.

D. **Promote Sustainable Development:** The Project will protect the local, regional, and global environment and facilitate sustainable reuse and

redevelopment of Encinal Terminals by creating opportunities for transit-oriented development consistent with SB 375 and the regional Sustainable Communities Strategy: Plan Bay Area. The Project will invest in improvements to adapt to sea-level rise and climate change over time, and the replacement and rehabilitation of substandard infrastructure systems that may contribute to regional water quality impacts. It will apply sustainability principles in the design and development of open spaces, recreation facilities, buildings, and infrastructure, including wastewater, storm water, electrical and transportation systems.

E. Provide Transit-Oriented, Mixed-Use Development Opportunities: The Project will provide transit-oriented, mixed-use development opportunities by ensuring that the site design reflects the established transit-oriented and mixed-use goals, policies, and objectives of the Northern Waterfront General Plan Amendment and the City of Alameda General Plan, as a whole. It will provide for mixed-use development within close proximity to existing and planned transit and encourage the types of non-residential uses that serve the everyday needs of future Encinal Terminals and existing nearby residents and employees and reduce the need to use an automobile to obtain goods and services. The Project will promote use of alternative modes of transportation through preparation and implementation of a Transportation Demand Management (TDM) Program.

F. Provide Open Space and Other Community Benefits: The project will produce tangible community benefits for the Alameda community as a whole by creating new waterfront amenities, including a promenade, plaza and park, that will offer both passive and active recreational uses. The Project will enhance views of water and public access to the waterfront and creatively encourage the usage of the waterfront by providing a waterfront promenade, open space, and other public amenities, including an extension of the Bay Trail. It will create human-scale, tree-lined walkable streets and bicycle routes around the Project site and extend the street grid street pattern that is characteristic of the existing city neighborhoods and districts throughout the Northern Waterfront.

G. Ensure Predictable and Fiscally Sound Development Process: The Project will provide for clear and orderly phasing, sizing, and financing of site infrastructure for both the circulation and utility network and provide for a predictable development process. It will address the impact of the site development on the City's operating budget to comply with City Council Policies adopted by Resolution 13643 related to fiscal neutrality.

Based on the entire record, including the Final FSEIR, the specific economic, social, and environmental benefits of the Project, as stated above, outweigh and override any significant unavoidable environmental effects that would result from future Project implementation. The Council has determined that any significant environmental effects

caused by the Encinal Terminals Project have been mitigated to the extent feasible through the mitigation measures identified herein and adopted and incorporated into the Project, and, where mitigation is not feasible, has been outweighed and counterbalanced by the economic, legal, social, technological and other benefits of the Project, including region-wide or statewide environmental benefits.

XIV. SUMMARY

A. Based on the foregoing Findings and the information contained in the record, the City has made one or more of the following Findings with respect to each of the significant environmental effects of the Project:

1. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects identified in the Final FSEIR.

2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the environmental impact report.

B. Based on the foregoing Findings and the information contained in the record, it is determined that:

1. All significant effects on the environment due to the approval of the Project have been eliminated or substantially lessened where feasible.

2. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations in Section XIII, above.

TABLE 4-1

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
Air Quality and Climate Change					
SFEIR Impact 4.A-1: The proposed project would not result in localized construction dust-related air quality impacts; generate construction emissions that would result in a substantial increase of criteria pollutants and precursors for which the air basin is in nonattainment under an applicable federal or state ambient air quality standard; or expose sensitive receptors to substantial concentrations of toxic air contaminants or respirable particulate matter (PM2.5). (Less than Significant with Mitigation)	**GPA EIR Mitigation Measure AIR-1a (revised):** *Implementation of Dust Abatement Programs.* Proponents of development projects within the Northern Waterfront GPA area shall be required to demonstrate compliance with all applicable City regulations and operating procedures prior to issuance of building or grading permits, including standard dust control measures. The effective implementation of dust abatement programs, incorporating all of the following dust control measures, would reduce the temporary air quality impact associated with construction dust. • All active construction areas shall be watered <u>two times daily</u> using equipment and staff provided by the project applicant or prime contractor, as needed, to avoid visible dust plumes. Appropriate non-toxic dust palliative or suppressant, added to water before application, may be used. • All trucks hauling soil, sand and other loose materials shall be covered ~~or shall maintain at least two feet of freeboard~~. • All unpaved access roads, parking areas and construction staging areas shall be either paved, watered as necessary to avoid visible dust plumes, or subject to the application of (non-toxic) soil stabilizers. • All paved access roads, parking areas and staging areas at the construction site shall	Provide Dust Abatement Plan that meets the requirements of the mitigation measure to the City Building Division for review and approval.	Project applicant or designee	Prior to issuance of demolition and/or building permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	be swept daily with water sweepers. The use of dry power sweeping is prohibited. • If visible soil material is carried onto adjacent public streets, these streets shall be swept daily with water sweepers. The use of dry power sweeping is prohibited. • All stockpiles of debris, soil, sand or other materials that can be blown by the wind shall either be covered or watered as necessary to avoid visible dust plumes. • An off-pavement speed limit of 15 miles per hour for all construction vehicles shall be incorporated into the construction contract and enforced by the prime contractor. • All inactive portions of the project site (those areas which have been previously graded, but inactive for a period of ten days or more) shall be watered with an appropriate dust suppressant, covered or seeded. • All earth-moving or other dust-producing activities shall be suspended when the above dust control measures prove ineffective in avoiding visible dust plumes during periods of high winds. The wind speed at which this suspension of activity will be required may vary, depending on the moisture conditions at the project site, but suspension of such activities shall be required in any case when the wind speed exceeds 25 miles per hour. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or				

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [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. • Post a publicly visible sign with the telephone number and person to contact at the City of Alameda regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.				
SFEIR Impact 4.A-2: The proposed project would not generate operational emissions that would result in a considerable net increase of criteria pollutants or precursors for which the air basin is in nonattainment under an applicable federal or state ambient air quality standard or expose sensitive receptors to substantial	**SFEIR Mitigation Measure 4.A-2:** All wood-burning devices, such as woodstoves and open hearth fire places shall be prohibited in residential units associated with the proposed project. Only natural gas fireplaces shall be permitted.	Provide building plans to City Building Division for review and approval showing compliance with the measure.	Project applicant or designee	Prior to issuance of building permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
concentrations of toxic air contaminants or respirable particulate matter (PM2.5). (Less than Significant with Mitigation)					
SFEIR Impact 4.A-3: The proposed project would not expose sensitive receptors to substantial pollutant concentrations (Less than Significant with Mitigation)	**GPA EIR Mitigation Measure AIR-3:** The project sponsors shall ensure that construction contract specifications include a requirement that all off-road diesel-powered construction equipment used for project improvements be equipped with a Level 3 Verified Diesel Emissions Control (VDEC), which would reduce diesel particulate emissions by at least 85 percent.	Provide construction specifications to City Building Division for review and approval.	Project applicant or designee	Prior to issuance of construction contracts and/or construction bid materials.	City of Alameda
SFEIR Impact 4.A-5: The proposed project would not conflict with or obstruct the implementation of the applicable air quality plan. (Less than Significant with Mitigation)	**SFEIR Mitigation Measure 4.A-4:** The City shall require that the following measures be implemented, either by the City or subsequent development sponsors or in combination, to encourage the use of low- and zero-emission vehicles in travel to and from the project site: • Promote use of clean fuel-efficient vehicles through preferential parking and/or installation of charging stations. • Promote zero-emission vehicles by providing a neighborhood electric vehicle program to reduce the need to have a car or second car vehicles as one potential element of a TDM program that would be required of all new developments.	**Pre-construction:** Provide parking/construction plans to City Building Division for review and approval showing compliance with measure. **Post-construction:** Demonstrate compliance with measure to satisfaction of City Building Division and/or City Planning Division.	Project applicant or designee	**Pre-construction:** Prior to issuance of building permits. **Post-construction:** Prior to issuance of occupancy permits.	City of Alameda
Biological Resources					
SFEIR Impact 4.B-1: The proposed project would not have a substantial adverse	**SFEIR Mitigation Measure 4.B-1a:** • Prior to the start of pier rehabilitation and marina and ferry terminal facilities construction, the City shall require a NMFS-	**Pre-construction:** Provide NMFS-approved sound attenuation and	Project applicant or designee	**Pre-construction:** Prior to issuance of	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Service. (Less than Significant with Mitigation)	approved sound attenuation monitoring plan to protect fish and marine mammals, if pile driving is required for project implementation. 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 183 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): • 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	monitoring plan to the City Planning Division. **During construction:** Provide monitoring reports as specified in agreement with NMFS.		demolition/building permits. **During - construction:** Ongoing per terms of agreement with NMFS.	

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	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.				
	SFEIR Mitigation Measure 4.B-1b: 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 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	Provide evidence of regulatory compliance to the City Building Division and/or the City Planning Division as specified in the measure.	Project applicant or designee	Prior to issuance of demolition/building permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	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.				
	SFEIR Mitigation Measure 4.B-1c: As part of the NMFS-approved sound attenuation monitoring plan required for pile driving in Mitigation Measure 4-2a, the City shall ensure that the project applicant implements these additional actions to reduce the effect of underwater noise transmission on marine mammals. These actions shall include at a minimum: • 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-feet (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 give marine mammals an opportunity to vacate the area. • Maintain sound levels below 90 dBA 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.	**Pre-construction:** Provide NMFS-approved sound attenuation and monitoring plan to the City Planning Division. **During construction:** Provide monitoring reports as specified in agreement with NMFS.	Project applicant or designee	Prior to issuance of demolition/building permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	SFEIR Mitigation Measure 4.B-1d: 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.	**Pre-construction:** Provide lighting plans to City Building Division for review and approval showing compliance with measure. **Post-construction:** Demonstrate compliance with measure to satisfaction of the City Building Division.	Project applicant or designee	**Pre-construction:** Prior to issuance of building permits. **Post-construction:** Prior to issuance of occupancy permits.	City of Alameda
	SFEIR Mitigation Measure 4.B-1e: To the extent practicable, construction activities including building renovation, demolition, vegetation and tree removal, and new site construction shall be performed between September 1 and January 31 in order to avoid breeding and nesting season for birds. If these activities cannot be performed during this period, preconstruction survey for nesting birds shall be conducted by a qualified biologist. In coordination with the City, surveys shall be performed during breeding bird season (February 1 – August 31) no more than 14 days prior to construction activities listed above in order to locate any active passerine nests within 250 feet of the project site and any active raptor nests within 500 feet of the project site. Building renovation, tree and vegetation removal, and new construction activities performed between September 1 and January 31 avoid the general nesting period for birds and therefore would not require pre-construction surveys. If active nests are found on either the project	Conduct pre-construction surveys for nesting birds if construction is proposed during specified times; provide results of surveys to City Building Division and/or City Planning Division; conduct construction activities according to the protocol described in the mitigation measure.	Project applicant or designee	Prior to issuance of demolition/building permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	site or within the 500-foot survey buffer surrounding the project site, no-work buffer zones shall be established around the nests in coordination with CDFW. No demolition, vegetation removal, or ground-disturbing activities shall occur within a buffer zone until young have fledged or the nest is otherwise abandoned as determined by the qualified biologist. If work during the nesting season stops for 14 days or more and then resumes, then nesting bird surveys shall be repeated, to ensure that no new birds have begun nesting in the area.				
	GPA EIR Mitigation Measure BIO-1 (revised): Proponents of each project in the Northern waterfront GPA area shall engage a qualified biologist to prepare conduct a preconstruction survey of the project area in order to locate potential roosting bat habitat and active colonies of all buildings scheduled for demolition or renovation shall be conducted no more than two weeks in advance of initiation of building demolition or renovation activities onsite or initiation of construction within 100 feet of structures providing potential bat roosting sites. Potential direct and indirect disturbances to bats shall be identified by locating potential habitat and active colonies and instituting protective measures prior to construction. No activities that could disturb active roosts shall proceed prior to the completed surveys. 30 days prior to the initiation of demolition or renovation activities. Special attention shall be given to buildings where pallid bats were observed during the earlier survey or where measures	Conduct predemolition/preconstruction surveys for bats as specified in the mitigation measure; provide results of surveys to City Building Division and/or City Planning Division; follow monitoring protocols as specified in the mitigation measure.	Project applicant or designee	Prior to issuance of demolition/building permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	to discourage roosting were implemented. If no bats or signs of an active roost are found, no additional measures are required. If a bat roost site is found, then measures shall be implemented to discourage roosting at the site. If a maternity colony of bats is found, the building and the bats shall not be disturbed until the young have dispersed, as determined by a qualified biologist.				
	Should potential roosting habitat or active bat roosts be found in structures to be disturbed (i.e. demolished or renovated) under the project, the following measures shall be implemented: • Removal of structures shall occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15; outside of bat maternity roosting season (approximately April 15 – August 31); and outside of months of winter torpor (approximately October 15 – February 28), to the extent feasible. • If removal of structures during the periods when bats are active is not feasible and active bat roosts being used for maternity or hibernation purposes are found on or in the immediate vicinity of the project site where structure demolition or renovation is planned, a no-disturbance buffer of 100 feet shall be established around the roost sites until they are determined to be no longer active by a qualified biologist. • The qualified biologist shall be present during structure disturbance if active bat roosts are present. Structures with active roosts shall be removed only when no rain is occurring or is forecast to occur for three				

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	days and when daytime temperatures are at least 50˚F. • Removal of structures containing or suspected to contain active bat roosts shall be dismantled under the supervision of the qualified biologist in the evening and after bats have emerged from the roost to forage. Structures shall be partially dismantled to significantly change the roost conditions, causing bats to abandon and not return to the roost. • Bat roosts that begin during construction are presumed to be unaffected, and no buffer would be necessary. • If significant bat roosting habitat (e.g., maternity roosts or large non-maternity roost sites) is destroyed during structure 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.				
SFEIR Impact 4.B-2: Development facilitated by the proposed project would not have a substantial adverse effect on riparian habitat or other sensitive natural communities identified in local or regional plans, policies,	**SFEIR Mitigation Measure 4.B-2a:** Prior to in-water work related to pier retrofitting, the City shall ensure that the project applicant conducts a pre-construction survey to determine if native oysters, mussels, and eelgrass are present in Alaska Basin and the Oakland/Alameda Estuary to be affected by the project. • The eelgrass survey shall be conducted according to the methods contained in the California Draft Eelgrass Mitigation Policy (CDEMP) (NMFS 2011), with the exception	Conduct preconstruction surveys for native oysters, mussels, and eelgrass as specified in the mitigation measure; provide results of surveys to City Building Division and/or City Planning Division; follow avoidance and monitoring protocols as	Project applicant or designee	Prior to issuance of building permits for the affected in-water areas.	City of Alameda

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. (Less than Significant with Mitigation)	that the survey shall be conducted within 120 days (rather than 60 days, as recommended in the CDEMP) prior to the desired construction start date, to allow sufficient time for modification of project plans (if feasible) and agency consultation. • If found within or immediately adjacent to the construction footprint, the project applicant shall first determine whether avoidance of the beds is feasible. If feasible, impacts to the oyster or eelgrass bed shall be avoided. If complete avoidance is not feasible, the applicant shall request guidance from the National Marine Fisheries Service (or other applicable agency) as to the need and/or feasibility to move affected beds. Any translocation of eelgrass beds shall be conducted consistent with the methods described in the CDEMP and/or those described in Eelgrass Conservation in San Francisco Bay: Opportunities and Constraints (Boyer and Wyllie-Echeverria, 2010). Translocation of oyster beds shall be consistent with methods and recommendations presented in Shellfish Conservation and Restoration in San Francisco Bay: Opportunities and Constraints (Zabin et al., 2010). • If it is not possible to translocate oyster or eelgrass beds then the City shall ensure that the project applicant provides compensatory mitigation consistent with the CDEMP for eelgrass (a ratio of 3.01:1 [transplant area to impact area]) and a minimum 1:1 ratio for oyster beds.	directed by NMFS and as specified in the mitigation measure; provide compensatory mitigation if required.			

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	• The relocation or compensatory mitigation site for eelgrass or oyster beds shall be within San Francisco Bay.				
	SFEIR Mitigation Measure 4.B-2b: Prior to occupancy the City shall ensure that the marina project applicant prepares educational information regarding sensitive biological resources in the project vicinity and within Bay waters. This information shall be disseminated to all boaters using the marina and shall include, but not be limited to, information educating boat owner/operators about sensitive habitats and species in the Bay and actions they are required to implement to avoid impacts to marine resources.	Prepare educational materials as specified in the mitigation measure; present materials to the City and cooperating agencies for review and approval.	Project applicant or designee	Prior to issuance of occupancy permits and commencement of marina operations.	City of Alameda
	The educational information will be disseminated to visiting boaters through multiple methods including, but not limited to, brochures or pamphlets; marina and/or City websites; boating, cruising, and newspaper periodicals; and social media. The information shall be prepared soliciting input from, and in cooperation with, the National Marine Fisheries Service (NMFS), U.S. Coast Guard (USCG), California State Lands Commission, National Park Service (NPS), California Department of Parks and Recreation (CDPR), Bay Conservation and Development Commission (BCDC), and local organizations active in protecting Bay marine resources, as appropriate.				
	SFEIR Mitigation Measure 4.B-2c: 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 wharves and seawalls,	Prepare Marine Invasive Species Control Plan with cooperation and oversight from relevant agencies as specified	Project applicant or designee	**Pre-construction:** Prior to issuance of demolition/building permits	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	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 federal and state agencies as may be appropriate. Provisions of the plan shall include but not be limited to the following: • 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 *Undaria* and *Sargasso*. • 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.	in the mitigation measure; implement the plan as specified in the mitigation measure; conduct technical assistance activities as specified in the mitigation measure; prepare and submit a post-construction report to the City of Alameda and applicable agencies.		within the affected in-water areas. **Post-construction:** Prior to final inspection of completed in-water structures within the affected area(s).	
SFEIR Impact 4.B-3: Development facilitated by the proposed project would have a	**GPA EIR Mitigation Measure BIO-2:** All dredging and in-water construction activities shall be consistent with the standards and procedures set forth in the Long Term Management Strategy for dredging in the San	Submit to the City an approved plan and/or required regulatory permits showing compliance with	Project applicant or designee	Prior to issuance of dredging and construction permits within	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
substantial adverse effect on federally protected wetlands, 'other waters', and navigable waters as defined by Sections 404 and 10 of the Clean Water Act and waters of the State through direct removal, filling, hydrological interruption, or other means. (Less than Significant with Mitigation)	Francisco Bay waters, a program developed by the Bay Conservation and Development Commission (BCDC), the Regional Water Quality Control Board (RWQCB), the U.S. Environmental Protection Agency, (EPA), and other agencies, to guide the disposal of dredge materials in an environmentally sound manner.	applicable requirements as specified in the mitigation measure.		the affected in-water areas.	
SFEIR Impact 4.B-4: Development facilitated by the proposed project would not 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. (Less than Significant with Mitigation)	**Implement SFEIR Mitigation Measures 4.B-1a, 4.B-1b, and 4.B-1c.** **SFEIR Mitigation Measure 4.B-3:** 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	Submittal of building, lighting, and structural plans to the City Building Division that meet the requirements of the bird-strike avoidance specifications as specified in the mitigation measure; preparation of education materials for future building occupants; peer review and approval of all of the above by a qualified biologist with appropriate expertise, with oversight by City staff; documentation of all of the above as specified in the	Project applicant or designee	**Pre-construction:** Prior to issuance of building permits for each project phase. **Post-construction documentation:** Prior to issuance of building permits for each project phase.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	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: • 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: – 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,	mitigation measure.			
	– 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				

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	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 of landscapes near a glazed building façade is desirable, situate trees and shrubs immediately adjacent to the exterior glass walls, at a distance of less than three feet from the glass. Such close proximity will obscure habitat reflections and will minimize fatal collisions by reducing birds' flight momentum. ***Lighting.*** The project applicant shall 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 the proposed project to reduce night lighting impacts on avian species: • 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: – Installing motion-sensitive lighting – Installing task lighting – Installing programmable timers				

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	– 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. ***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-antennas 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. ***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, occupants, 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. ***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				

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	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.				
SFEIR Impact 4.B-5: Development facilitated by the proposed project would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (Less than Significant with Mitigation)	**Implement GPA EIR Mitigation Measure BIO-1 and SFEIR Mitigation Measures 4.B-1a through 4.B-1e, SFEIR Mitigation Measures 4.B-2a through 4.B-2c, GPA EIR Mitigation Measure BIO-2, and SFEIR Mitigation Measure 4.B-3.**	See measures listed above.	See measures listed above.	See measures listed above.	See measures listed above.
SFEIR Impact 4.B-6: Development facilitated by the proposed project would conflict with an adopted local, regional, or State Habitat Conservation Plan. (Less than Significant with Mitigation)	**Implement GPA EIR Mitigation Measures BIO-1 and BIO-2, SFEIR Mitigation Measures 4.B-1a through 4.B-1e, 4.B-2a through 4.B-2c, and 4.B-3.**	See measures listed above.	See measures listed above.	See measures listed above.	See measures listed above.
SFEIR Impact 4.B-7: The proposed project, in conjunction with other past, current, or	**Implement GPA EIR Mitigation Measures BIO-1 and BIO-2, SFEIR Mitigation Measures 4.B-1a through 4.B-1e, SFEIR**	See measures listed above.	See measures listed above.	See measures listed above.	See measures listed

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
foreseeable development in Alameda, could result in cumulative impacts on biological resources. (Less than Significant with Mitigation)	**Mitigation Measures 4.B-2a through 4.B-2c, and SFEIR Mitigation Measure 4.B-3.**				above.
Cultural Resources					
Initial Study Impact 5b: The proposed project could cause an adverse change in the significance of an archaeological resource pursuant to California Public Resources Code §15064.5. (Less than Significant with Mitigation)	**GPA EIR Mitigation Measure CULT-1:** In the event that previously unidentified cultural resources are discovered during site preparation or construction, work shall cease in the immediate area until such time as a qualified archaeologist and City of Alameda personnel can assess the significance of the find. The following measures shall be implemented at the time of the find: • Activity in the vicinity of the suspected resources shall be immediately suspended and City of Alameda personnel and a qualified archaeologist shall evaluate the find. Project personnel shall not alter any of the uncovered materials or their context. • If archeological resources are discovered, the City and the cultural resource consultant shall determine whether the resource is unique based on the criteria provided in the CEQA Guidelines and the criteria listed above. The City and developer, in consultation with a cultural resource expert, shall seek to avoid damaging effects on the resource wherever feasible. • If the City determines that avoidance is not feasible, a qualified cultural resource	Placement of specified mitigation requirements within the project plans for each phase of project development; provide construction specifications to City Building Division for review prior to construction bid solicitation and/or contract finalization.	Project applicant or designee	Prior to issuance of construction contracts and/or construction bid solicitation.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	consultant shall prepare an excavation plan for mitigating the impact on the qualities that make the resource unique. The mitigation plan shall be prepared in accordance with CEQA Guidelines and shall be submitted to the City for review and approval.				
Initial Study Impact 5c: The proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (Less than Significant with Mitigation)	**GPA EIR Mitigation Measure CULT-3:** If paleontological resources are encountered during site preparation or construction activities, the following mitigation measures shall be implemented: • Activity in the vicinity of the suspected resource(s) shall be immediately suspended, and City of Alameda personnel and a qualified paleontological resource consultant shall be contacted to evaluate the find. Project personnel shall not alter any of the uncovered materials or their context. • If paleontological resources are discovered and the City and the paleontological resource consultant found that the resource is significant based on the criteria provided in the CEQA Guidelines and criteria listed above, the City and project developer, in consultation with a paleontological resource expert, shall seek to avoid damaging effects on the resource wherever feasible. • If the City determines that avoidance is not feasible, a qualified paleontological resource consultant shall prepare a salvage plan for mitigating the effect of the project on the qualities which make the resource unique. The project developer, in consultation with a qualified paleontologist, shall complete a paleontological resource	Placement of specified mitigation requirements within the project plans for each phase of project development; provide construction specifications to City Building Division for review prior to construction bid solicitation and/or contract finalization.	Project applicant or designee	Prior to issuance of construction contracts and/or construction bid solicitation.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	inventory, declaration, and mitigation plan in accordance with the CEQA Guidelines and submit it to the City for review and approval.				
Initial Study Impact 5d: The proposed project could disturb human remains, including those interred outside of formal cemeteries (Less than Significant with Mitigation)	**GPA EIR Mitigation Measure CULT-2:** If human remains are encountered, work shall halt within 50 feet of the find and the County Coroner shall be notified immediately. A qualified archaeologist shall also be contacted to evaluate the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. Pursuant to Section 5097.98 of the Public Resources Code, the Native American Heritage Commission will identify a Native American Most Likely Descendent to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined whether or not the remains are subject to the coroner's authority.	Placement of specified mitigation requirements within the project plans for each phase of project development; provide construction specifications to City Building Division for review prior to construction bid solicitation and/or contract finalization.	Project applicant or designee	Prior to issuance of construction contracts and/or construction bid solicitation.	City of Alameda
Geology, Soils, and Seismicity					
Initial Study Impact 6a: The proposed project could expose people or structures to	**GPA EIR Mitigation Measure GEO-1:** While the potential impacts of strong seismic ground shaking cannot be eliminated in the Northern Waterfront GPA area, the following	Submit project plans to the City Building Division for review and approval that meet the	Project applicant or designee	**CBC compliance:** Prior to issuance of	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, seismic-related ground failure, and liquefaction (Less than Significant with Mitigation)	steps shall be implemented to reduce the impacts related to expected strong ground shaking: • Grading, foundation, and structural design should be based on the anticipated strong seismic shaking associated with a future major earthquake on the Hayward fault. The Hayward fault is considered to be a Type A seismic source (with active slip and capable of a magnitude 7.0 or greater earthquake). All structures shall be designed in accordance with the most recent edition of the California Building Code. • The applicant shall prepare an earthquake preparedness and emergency response plan for all public use facilities. The plan should be submitted for review and approval by the Community Development and/or Public Works Department, prior to occupancy of the structures. • Prior to marketing residential or commercial units for sale, the developer shall prepare an earthquake hazards information document. This document should be made available to any potential occupant prior to purchase or rental of the housing units or commercial spaces. The document should describe the potential for strong ground shaking at the site, potential effects of such shaking, and earthquake preparedness procedures.	requirements of the mitigation measure; prepare an earthquake preparedness and emergency response plan and an earthquake hazards information document, with cooperation and approval by applicable City agencies.		building permits for each project phase, and as part of final inspection for all project phases. **Earthquake Preparedness and Response Plan:** Prior to issuance of occupancy permits for each project phase. **Earthquake hazards information documentation:** Prior to sale/lease of first occupied unit within each project phase.	
	GPA EIR Mitigation Measure GEO-2: The following mitigation measures shall be implemented to reduce the potential impact of seismic-induced ground failure.	Submit listed studies/investigations that meet the requirements of the mitigation measure to	Project applicant or designee	Prior to issuance of relevant grading/building permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	• Earthworks and foundation design shall be conducted in accordance with all recommendations contained in the Weyerhaeuser/Chipman Parcels geotechnical report by Lowney Associates (December 1998) for that parcel. Additional liquefaction potential analyses shall be conducted and a liquefaction mitigation program developed for each development within the Northern Waterfront GPA area. All structures proposed for the project area shall be designed and constructed in accordance with the most recently adopted version of the City of Alameda Building Code, and the seismic design considerations of the most recent California Building Code as adopted by the City of Alameda, and in accordance with CGS Special Publication 117A. • Prior to the issuance of any grading or building permits, geotechnical investigations shall be conducted for the Del Monte Warehouse (URS Corporation report, 2002), Encinal Terminals, or Fortman Marina sub-areas of the Northern Waterfront GPA area. Reports for these studies shall evaluate the liquefaction potential for each site in accordance with the Standard of Practice for Geotechnical Engineering and shall provide recommendations for stabilization or resistance of structures from the potential effect of liquefaction of sediments. The potential for lurch cracking and lateral spreading shall also be evaluated. Stability of the bulkhead for projects adjacent to bulkheads shall also be evaluated. Reports	the City Building Division for review and approval; provide evidence of satisfactory implementation of the requirements contained therein, to the satisfaction of the City Building Division.			

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	shall be submitted to the City of Alameda Public Works Department for review and approval. • Prior to commencement of construction of the project the existing wharfs/piers and the bank protection along the shoreline shall be evaluated for suitability by a California licensed structural/geotechnical engineering firm. Any recommendations made shall be incorporated into the project design.				
	• Prior to commencement of construction on the Clement Avenue extension, a slope stability evaluation of the offshore areas of the project site and the Alaska Basin bulkhead shall be performed by a California licensed structural/geotechnical engineering firm. Any recommendations made in accordance with the most recent California Building Code requirements shall be incorporated into the project design plans for the Clement Avenue Extension. The project applicant shall pay a fair share contribution with the Del Monte project toward this study and the subsequent recommendations.				
Initial Study Impact 6c: The proposed project could 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	**GPA EIR Mitigation Measure GEO-3:** Proponents for all projects within the Northern Waterfront GPA area shall be required to prepare a geotechnical report for review and approval by the City of Alameda that specifies all measures necessary to limit consolidation including minimization of structural fills and use (when necessary) of lightweight and low plasticity fill materials to reduce the potential for excessive loading caused by fill placement. The placement of artificial fill	Submit listed studies/investigations that meet the requirements of the mitigation measure to the City Building Division for review and approval; provide evidence of satisfactory implementation of the requirements contained	Project applicant or designee	Prior to issuance of relevant grading/building permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
spreading, subsidence, liquefaction, or collapse (Less than Significant with Mitigation)	should be limited to reduce the potential for increased loading and associated settlement in areas underlain by thick younger Bay Mud. Increased area settlement could have implications for flooding potential as well as foundation design. Reconditioning (compaction) of existing subgrade materials would be preferable to placement of fill. The report shall present recommendations for specific foundation designs, which minimize the potential for damage related to settlement. The design of utilities shall consider differential settlements along utility alignments constructed in filled areas of the Northern Waterfront GPA area.	therein, to the satisfaction of the City Building Division.			
Initial Study Impact 6d: The proposed project could be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property (Less than Significant with Mitigation)	**GPA EIR Mitigation Measure GEO-4:** The required geotechnical report shall require that subgrade soils for pavements consist of moisture-conditioned, lime-treated, or non-expansive soil, and that surface (including roof drainage) and subsurface water be directed away from foundation elements and into storm drains to minimize variations in soil moisture.	Submit listed studies/investigations that meet the requirements of the mitigation measure to the City Building Division for review and approval; provide evidence of satisfactory implementation of the requirements contained therein, to the satisfaction of the City Building Division.	Project applicant or designee	Prior to issuance of relevant grading/building permits.	City of Alameda
Hazards and Hazardous Materials					
Initial Study Impact 8a: The proposed project could create a significant hazard to the public or the	**Initial Study Mitigation Measure 8-1a:** The project sponsor shall ensure that all proposed areas for demolition shall be assessed by qualified licensed contractors for the potential presence of lead-based paint or	Submit appropriate disposal plans and/or permits to the City Building Division.	Project applicant or designee	Prior to issuance of demolition permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
environment through the routine transport, use, or disposal of hazardous materials (Less than Significant with Mitigation)	coatings, asbestos containing materials, and PCB-containing equipment prior to issuance of a demolition permit.				
	Initial Study Mitigation Measure 8-1b: If the assessment required by Mitigation Measure 8-1a finds presence of lead-based paint, asbestos, and/or PCBs, the project applicant shall create and implement a health and safety plan to protect workers from risks associated with hazardous materials during demolition or renovation of affected structures. The health and safety plan shall include emergency notification protocols, appropriate personal protective equipment for workers and visitors, material safety data sheets, and training requirements.	Submit health and safety plan meeting the requirements of the mitigation measure for review and approval by the City Building Division.	Project applicant or designee	Prior to issuance of building permits.	City of Alameda
	Initial Study Mitigation Measure 8-1c: If the assessment required by Mitigation Measure 8-1a finds presence of lead-based paint, the project applicant shall develop and implement a lead-based paint removal plan. The plan shall specify, but not be limited to, the following elements for implementation: • 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 off-site migration of paint chip debris. • Remove all peeling and stratified lead-based paint on building and non-building surfaces to the degree necessary to safely and properly complete demolition activities according to recommendations of the	Submit appropriate disposal plans and/or permits to the satisfaction of the City Building Division.	Project applicant or designee	Prior to issuance of demolition permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	survey. The demolition contractor shall be responsible for the proper containment and disposal of intact lead-based paint on all equipment to be cut and/or removed during the demolition. • Provide on-site 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.				
	Initial Study Mitigation Measure 8-1d: If the assessment required by Mitigation Measure 8-1a finds asbestos, the project applicant shall ensure that asbestos abatement shall be 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.	Submit remediation verification to the satisfaction of the City Building Division, in compliance with applicable laws and regulations.	Project applicant or designee	Prior to issuance of demolition permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	Initial Study Mitigation Measure 8-1e: If the assessment required by Mitigation Measure 8-1a finds PCBs, the project applicant shall ensure that PCB abatement shall be conducted prior to building demolition or renovation. PCBs shall be removed by a qualified contractor and transported in accordance with Caltrans requirements.	Submit remediation verification to the satisfaction of the City Building Division, in compliance with applicable laws and regulations.	Project applicant or designee	Prior to issuance of demolition permits.	City of Alameda
	GPA EIR Mitigation Measure HAZ-1: Prior to the approval of any specific development projects within the Northern Waterfront GPA area, documentation from a qualified professional shall be provided to the City of Alameda stating that adequate soils and ground water investigations and, where warranted, remediation, have been conducted to ensure that there would be no significant hazard related risks to future site users. If the soil and groundwater investigations indicate that hazardous materials are present and pose a risk to construction workers and future site users, the following additional mitigation measures shall be implemented, and the City of Alameda would refer the site to the appropriate State and County agencies (such as Alameda County Environmental Health, the State Department of Toxic Substances Control and/or the San Francisco Bay Regional Water Quality Control Board) for oversight of the specific development project.	Submit of appropriate Environmental Site Assessment(s) and remediation verification (if required) to the satisfaction of the City Building Division, in compliance with applicable laws and regulations.	Project applicant or designee	Prior to issuance of demolition permits.	City of Alameda
	GPA EIR Mitigation Measure HAZ-1a: If required as a result of the information obtained from Mitigation Measure HAZ-1, the City shall condition the subject development project to record a restrictive covenant prohibiting the installation or use of water wells into the shallow groundwater at the site	Submit proof of recordation of restrictive covenant to the City Building Division, if indicated by site soil investigations.	Project applicant or designee	Prior to transfer of properties.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	for drinking water prior to transfer of the property.				
	GPA EIR Mitigation Measure HAZ-1b: The City shall condition the subject Project to require preparation by a qualified registered professional of a Site Management Plan (SMP) for the subject Project site as a condition of its approval as a specific development project. The SMP would provide site specific information for contractors (and others) developing the Project site that would improve their management of environmental and health and safety contingencies. Topics covered by the SMP shall include, but not be limited to: • Land use history, including known hazardous material use, storage, disposal, and spillage, for specific areas within the Project site. • The nature and extent of previous environmental investigation and remediation at the Project site. • The nature and extent of ongoing remedial activities and the nature and extent of unremediated areas of the Project site, including the nature and occurrence of marsh crust and hazardous materials associated with the dredge material used as fill at the Project site. • A listing and description of institutional controls, such as the City's excavation ordinance and other local, State, and federal laws and regulations that will apply to development of the Project site. • Requirements for site specific Health and Safety Plans (HASPs) to be prepared by all contractors at the Project site. The HASPs	Submit appropriate reports and plans and/or permits to the satisfaction of the City Building Division, in compliance with applicable laws and regulations.	Project applicant or designee	Prior to issuance of demolition/building permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	should be prepared by a Certified Industrial Hygienist and would protect construction workers and interim site users adjacent to				
	construction activities by including engineering controls, monitoring, and security measures to prevent unauthorized entry to the construction site and to reduce hazards outside the construction site. The HASPs would address the possibility of encountering subsurface hazards and include procedures to protect workers and the public. If prescribed exposure levels were exceeded, personal protective equipment would be required for workers in accordance with DOSH regulations. • A description of protocols for the investigation and evaluation of previously unidentified hazardous materials that may potentially be encountered during Project development, including engineering controls that may be required to reduce exposure to construction workers and future users of the Project site. • Requirements for site specific construction techniques at the site, based on proposed development, such as minimizing the transport of contaminated materials to the surface during construction activities by employing pile driving techniques that consist of driving the piles directly without boring, where practical. • The SMP shall be distributed to all contractors at the Project site; implementation of the SMP shall be a condition of approval for excavation, building, and grading permits at the Project site. The contractors will be required to hold				

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	a daily safety meeting with all construction workers and subcontractors on lands identified with Hazardous Material risks.				
Initial Study Impact 8d: The proposed project could be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment (Less than Significant with Mitigation)	**Implement GPA EIR Mitigation Measures HAZ-1, -1a, -1b, and -1c.**	See measures listed above.	See measures listed above.	See measures listed above.	See measures listed above.
Hydrology and Water Quality					
Initial Study Impact 9a: The proposed project could violate water quality standards and/or waste discharge requirements (Less than Significant with Mitigation)	**GPA EIR Mitigation Measure HYD 1:** All specific development projects approved pursuant to the Northern Waterfront GPA, that involve site clearing, grading or excavation as part of the proposed construction activity and that result in soil disturbances of one or more acres, (and for projects of less than one acre if the construction activity is part of a larger common plan of development), shall be required to prepare a Stormwater Pollution Prevention Plan (SWPPP). To avoid unnecessary duplication of effort, the SWPPP prepared for the first site or development project within the Northern Waterfront GPA area may be used as the basis for a SWPPP required for subsequent projects, provided	Submit Stormwater Pollution Prevention Plan (SWPPP) that meets the requirements of the mitigation measure and is compliant with applicable laws and regulations. The SWPPP shall be subject to review and approval by the City Building Division and/or regulatory agencies, as applicable.	Project applicant or designee	Prior to issuance of demolition/building permits.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	that each version of the SWPPP is modified as necessary to maintain compliance with the qualitative standards set forth in this EIR and with applicable regulations and standards of the RWQCB. Each SWPPP shall be designed to reduce potential impacts to surface water quality through the construction and life of the Project for which it is prepared. The SWPPP shall conform to the requirements of the Alameda County Clean Water Program which set new standards effective February 2003, and to the standards set forth herein. The SWPPP would act as the overall program document designed to provide measures to mitigate potential water quality impacts associated with implementation of the proposed Project. Preparers of the SWPPP should review the Conditions of Approval (including General Conditions for Construction, Residential Development/Construction Conditions, and Commercial/Industrial Conditions) established by the City. The SWPPP shall include the following three elements to address construction, post-construction and pest management issues: • *Specific and Detailed Best Management Practices (BMPs) Designed to Mitigate Construction-related Pollutants.* These controls shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with storm water. The SWPPP shall specify properly designed centralized storage areas that keep these materials out of the rain. The contractor(s) shall submit				

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	details, design and procedures for compliance with storage area requirements. An important component of the storm water quality protection effort is knowledge on the part of on-site construction and maintenance supervisors and workers. To educate on-site personnel and maintain awareness of the importance of storm water quality protection, site supervisors shall conduct regular				
	meetings to discuss pollution prevention. The SWPPP shall establish a frequency for meetings and require all personnel to attend. The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor, and must include both dry and wet weather inspections. City of Alameda personnel shall conduct regular inspections to ensure compliance with the SWPPP. BMPs designed to reduce erosion of exposed soil may include, but are not limited to: soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales and sediment basins. If grading must be conducted during the rainy season, the primary BMPs selected shall focus on erosion control (i.e., keeping sediment on the site). End of pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. If hydroseeding is selected as the primary soil stabilization method, these areas shall be seeded by September 1 and irrigated to ensure that adequate root development has occurred prior to October 1. Entry and egress from the construction site shall be				

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	carefully controlled to minimize off-site tracking of sediment. Vehicle and equipment wash-down facilities shall be designed to be accessible and functional both during dry and wet conditions. • *Measures Designed to Mitigate Post-construction-Related Pollutants.* The SWPPP shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development. It is important that post construction storm water quality controls are required in the initial design phase of redevelopment projects and not simply added after the site layout and building footprints have been established. The specific BMPs that would be required of a project can be found in SF Bay Regional Water Quality Control Board Staff Recommendations for New and Redevelopment Controls for Storm Water Programs. In addition, the design team should include design principles contained in the Bay Area Stormwater Management Agencies Association's manual, Start at the Source, Design Guidance Manual for Stormwater Quality Protection. The selection of BMPs required for a specific project is based on the size of the development and the sensitivity of the area. The Estuary is considered a sensitive area by the RWQCB. In general, passive, low maintenance BMPs (e.g., grassy swales, porous pavements) are preferred. If the SWPPP includes higher maintenance BMPs (e.g., sedimentation basins, fossil filters), then funding for long term				

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	maintenance needs must be specified in the SWPPP as a condition of approval of the grading, excavation, or building permits, as appropriate (the City would not assume maintenance responsibilities for these features). • *Integrated Pest Management Plan.* An Integrated Pest Management Plan (IPM) shall be prepared and implemented by the Project for all common landscaped areas. Each IPM shall be prepared by a qualified professional. The IPMs shall address and 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. Special attention in the IPMs shall be directed toward avoiding runoff of pesticides and nitrates into sensitive drainages or leaching into the shallow groundwater table. Pesticides shall be used only in response to a persistent pest problem. Preventative chemical use shall not be employed. Cultural and biological approaches to pest control shall be fully integrated into the IPMs, with an emphasis toward reducing pesticide application. • The City of Alameda Department of Public Works shall review and approve the SWPPP prior to the approval of the Development Plan for each Project phase to ensure that the selected BMPs would adequately protect water quality. The City and the RWQCB are empowered to levy considerable fines for non-compliance with the SWPPP.				

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	GPA EIR Mitigation Measure HYD-2: All dredging and in-water construction activities shall be consistent with the standards and procedures set forth in the Long-Term Management Strategy, a program developed by the Bay Conservation and Development Commission (BCDC), the Regional Water Quality Control Board (RWQCB), the U.S. Environmental Protection Agency (EPA), and other agencies, to guide dredging and the disposal of dredge materials in an environmentally sound manner.	Submit to the City Building Division an approved plan and/or required regulatory permits showing compliance with applicable requirements as specified in the mitigation measure.	Project applicant or designee	Prior to issuance of dredging and construction permits within the affected in-water areas.	City of Alameda
Initial Study Impact 9G, H, I: The proposed project could place housing within a 100-year flood hazard area; place within a 100-year flood hazard area structures that would impede or redirect flood flows; and expose people or structures to a significant risk of loss, injury or death involving flooding.	**Initial Study Mitigation Measure 9-1:** The City shall require that any new construction be constructed at a minimum elevation of 4.5 feet above the 100-year flood risk elevation. In addition, the City shall implement the following steps prior to project implementation: • 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 FIRM.	Submit project plans meeting the requirements of the mitigation measure for review and approval by the City Building Division.	Project applicant or designee	Prior to issuance of building permits.	City of Alameda
	• 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-				

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	proofing structures, or provisions for additional floodwater pumping stations, and inland detention basins to reduce peak discharges.				
Noise					
SFEIR Impact 4.D-1: Construction of proposed project elements could expose persons to or generate noise levels in excess of the City noise standards or result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. (Less than Significant with Mitigation)	**GPA EIR Mitigation Measure NOISE-1a (revised):** ~~Developers and/or contractors~~ The applicant shall create and implement development-specific noise and vibration reduction plans, which shall be enforced via contract specifications. Contractors may elect any combination of legal, non-polluting methods to maintain or reduce noise and Vibration to threshold levels or lower, as long as those methods do not result in other significant environmental impacts or create a substantial public nuisance. In addition, the applicant shall require contractors to limit construction activities to daytime hours between 7:00 am and 7:00 pm Monday through Friday and 8:00 am to 5:00 pm on Saturdays. The plan for attenuating construction-related noises shall be implemented prior to the initiation of any work that triggers the need for such a plan.	Submit construction noise and vibration management plan meeting the requirements of the mitigation measure to the City Building Division for review and approval; incorporate requirements thereof into the project plans, to the satisfaction of the City Building Division.	Project applicant or designee	Prior to issuance of construction contracts and/or construction bid solicitation materials.	City of Alameda
	GPA EIR Mitigation Measure NOISE-1b (revised): To reduce pile driving noise, "vibratory" pile driving or drilled and cast-in-place piles should be used wherever feasible. The vibratory pile driving technique, despite its name, does not generate vibration levels higher than the standard pile driving technique. It does, however, generate lower, less-intrusive noise levels.	Indicate specified requirements on project plans and requests for bids of preference for vibratory pile driving techniques, subject to review and approval by the City Building Division.	Project applicant or designee	Prior to issuance of construction contracts and/or construction bid solicitation materials.	City of Alameda
SFEIR Impact 4.D-3: Transportation-related	**GPA EIR Mitigation Measure NOISE-2a (revised):**	Submit indicated acoustical studies to	Project applicant or	Prior to issuance of	City of

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
operations facilitated by the proposed project could result in a substantial permanent increase in ambient noise levels in the vicinity or above levels existing without the project. (Less than Significant with Mitigation)	Acoustical studies, describing how the exterior and interior noise standards will be met, ~~should~~ shall be required for all new residential or noise sensitive developments exposed to environmental noise greater than CNEL 60 dBA, or one-family dwellings not constructed as part of a subdivision requiring a final map exposed to environmental noise greater than CNEL 65 dBA. The studies should also satisfy the requirements set forth in Title 24, part 2, of the California Administrative Code, Noise Insulation Standards, for multiple-family attached, hotels, motels, etc., regulated by Title 24.	City Building Division for review and approval, and demonstrated compliance with recommendations therein required to meet the specifications of the mitigation measure.	designee	building permits.	Alameda
	GPA EIR Mitigation Measure NOISE-2b (revised): ~~All new projects~~ The applicant shall show that they comply with maximum noise levels outlined in the City's Noise Ordinance and the average sound level goals outlined in the City's General Plan.	Submittal of acoustical studies to City Building Division for review and approval, wherein compliance with City's General Plan can be verified.	Project applicant or designee	Prior to issuance of building permits.	City of Alameda
	GPA EIR Mitigation Measure NOISE-3 (revised): ~~New projects in the Northern Waterfront GPA should~~ The applicant shall submit ~~require~~ acoustical studies, describing how the exterior and interior noise level standards will be met for the proposed project as well as any impacts on adjacent projects. Studies shall also satisfy the acoustical requirements of the City's General Plan. ~~Title 24, of the Uniform Building Code.~~	Submit indicated acoustical studies to City Building Division for review and approval, and demonstrated compliance with recommendations therein required to meet the specifications of the mitigation measure.	Project applicant or designee	Prior to issuance of building permits.	City of Alameda
Transportation and Traffic					
SFEIR Impact 4.G-2: The proposed project	**GPA EIR Mitigation Measure TRN-4b (revised):**	Submit Transportation Demand Management	Project applicant or	**Initial submittal of**	City of

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
would increase traffic volumes at study intersections. (Significant and Unavoidable)	To reduce the number of automobile trips generated by the project and reduce automobile level of service impacts at the Webster Street and Park Street gateways to the City, require that the project include a Transportation Demand Management Plan and funding program for Planning Board review and approval. The TDM plan should include a suite of measures intended to reduce vehicle trips by project residents, employees, and visitors to the site, that may include but are not limited to the following: • Annual funding for operations of transit services between the site, the Northern waterfront area, and Oakland BART stations. • AC Transit Easy Passes for all project residents and employees. • On-Site Car Share Parking • On-Site Bicycle Parking	(TDM) Plan for review and approval by the City of Alameda; submit annual TDM monitoring plan for review and approval by the City of Alameda.	designee	**TDM(s):** Prior to issuance of building permits for each project phase. **Submittal of TDM monitoring reports:** On an annual basis.	Alameda
	• Dedicated on-site carpool parking • Residential Website/Source for Transportation Info • Collaborative Work Space • Unbundled Parking • On-Site Transportation Coordinator • Transportation "Welcome Packet" • Real-Time Transit Information (e.g., TransitScreen) • Designated Pick-Up/Drop-Off Ridesourcing Services • Pre-Tax Commuter Benefits • Transit Pass Subsidy Program (e.g., AC Transit EasyPass) • The Planning Board may also consider a congestion pricing system to increase the				

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	cost for automobile entering or leaving the project site during peak commute hours. • Implementation and monitoring protocols to ensure progress on the implementation of each measure is tracked. The effectiveness of each measure shall also be studied so that the plan may be adjusted over time to continue to reduce the project's contribution to citywide and regional vehicle trips through the life of the project.				
	SFEIR Mitigation Measure 4.G-2: To minimize automobile level of service impacts in the vicinity of the project require that the project signalize the intersections at Entrance and Clement and at Entrance and Buena Vista. If the project or other parties construct the final extension of Clement Avenue through the Shell Oil facility, the signalization of Entrance and Buena Vista may not be necessary. The completion of the extension will reduce automobile and truck trips on Buena Vista and eliminate the need for southbound vehicles from the project to use the Buena Vista.	Signalize identified intersection in time and manner specified in the mitigation measure, to satisfaction of City Department of Public Works.	Project applicant or designee	Prior to issuance of occupancy permits.	City of Alameda
	SFEIR Mitigation Measure 4.G-3: To minimize automobile level of service impacts in the vicinity of the project require the Encinal Terminals project to pay for a fair share of the Clement Extension project including fair share contribution to the completion of the Clement Avenue Extension (pedestrian, bicycle, transit, and automobile extensions) and intersection signalization from Atlantic Avenue to Grand Avenue. If the Del Monte project fails to begin construction of the Clement Avenue extension from Atlantic to Entrance Road prior to approval of	Pay fair share fees in time and manner specified in the mitigation measure.	Project applicant or designee	Prior to issuance of occupancy permits for each phase of the development.	City of Alameda

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	the Encinal Terminals project, require the Encinal Terminals project to construct the extension with a later fair share contribution to be provided by the Del Monte project and other developments within the area.				
	SFEIR Mitigation Measure 4.G-4: To minimize automobile level of service impacts at the Webster Street and Park Street gateways to the City, require the Encinal Terminals project to pay a fair share contribution to citywide transportation improvements identified in the Citywide Development Impact Fee Ordinance.	Pay fair share fees in time and manner specified in the mitigation measure.	Project applicant or designee	Prior to issuance of occupancy permits for each phase of the development.	City of Alameda
SFEIR Impact 4.G-3. Implementation of the proposed project would cause the Pedestrian LOS to degrade to worse than LOS B, but would not create a safety hazard for pedestrians. (Less than Significant)	**SFEIR Mitigation Measure 4.G-3a:** Prior to project occupancy, the project applicant shall fund the signal optimization at the Buena Vista Avenue and Sherman Street intersection during the p.m. peak hour to reduce pedestrian delays.	Pay fees in time and manner specified in the mitigation measure.	Project applicant or designee	Prior to issuance of first occupancy permit.	City of Alameda
	SFEIR Mitigation Measure 4.G-3b: Prior to project occupancy, the project applicant shall fund the signal optimization at the Challenger Drive and Marina Village Drive intersection during the p.m. peak hour to reduce pedestrian delays.	Payment of fees in time and manner specified in the mitigation measure.	Project applicant or designee	Prior to issuance of first occupancy permit.	City of Alameda
SFEIR Impact 4.G-11: The proposed project would result in cumulative transportation impact to intersection levels of	**Implement Revised GPA Mitigation Measure TRN-4b and SFEIR Mitigation Measures 4.G-2, 4.G-3, 4.G-4, 4.G-3a, and 4.G-3b.**	See measures listed above.	See measures listed above.	See measures listed above.	See measures listed above.

TABLE 4-1 (Continued)

ENCINAL TERMINALS MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
service. (Significant and Unavoidable)					
Utilities and Service Systems					
SFEIR Impact 4.H-2: The proposed project would not have wastewater service demands that would result in a determination by the service provider that it does not have adequate capacity to serve projected demand, necessitating the construction of new or expanded wastewater treatment facilities. (Less than Significant with Mitigation)	**Mitigation Measure 4.H-2:** The project sponsors shall: 1) replace or rehabilitate any existing sanitary sewer collection systems, including sewer lateral lines, to ensure that such systems and lines are free from defects or, alternatively, disconnected from the sanitary sewer system; and 2) ensure any new wastewater collection systems, including new lateral lines, for the project are constructed to prevent infiltration and inflow (I&I) to the maximum extent feasible while meeting all requirements contained in the Regional Private Sewer Lateral Ordinance and applicable municipal codes or City ordinances.	Comply with terms of the mitigation measure to the satisfaction of the City Department of Public Works and applicable utility providers.	Project applicant or designee	Prior to issuance of first occupancy permit.	City of Alameda

* * * * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 19th day of December, 2017, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 20th day of December, 2017.

_____
Lara Weisiger, City Clerk
City of Alameda

Approved as to Form:

_____
Janet C. Kern, City Attorney
City of Alameda