

ALAMEDA SHIPWAYS RESIDENTIAL PROJECT

Final Environmental Impact Report

SCH No. 2017042021



City of Alameda
Planning and Building Department
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501

October 2018

Exhibit 5
Item 7-A, January 14, 2019
Planning Board Meeting



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CHAPTER 1

Introduction and List of Commenters

1.1 Purpose of this Document

This Final Environmental Impact Report (Final EIR) document includes all agency and public comments received on the Draft Environmental Impact Report (Draft EIR, SCH #2017042021) for the Alameda Shipways Residential Project (proposed project). Written comments were received by the City of Alameda during the public comment period from April 4, 2018 through May 18, 2018 and verbal comments were received at a hearing before the Historic Advisory Board on May 3, 2018 and the Planning board on May 14, 2018. This document includes written responses to each comment received on the Draft EIR. The responses correct, clarify, and amplify text in the Draft EIR, as appropriate, and these text changes are included in Chapter 2 of this document. These changes do not alter the conclusions of the Draft EIR.

This Final EIR document has been prepared in accordance with the California Environmental Quality Act (CEQA) and together with the Draft EIR (and Appendices) constitutes the EIR for the proposed project that will be used by the decision-makers during project hearings.

1.2 Summary of Revised Project

The project sponsor, Steelwave Acquisitions, LLC, is proposing a residential redevelopment project at 1100-1250 Marina Village Parkway in the City of Alameda. The applicant's proposal has been revised since the Draft EIR to closely match the Multi-Structure Affordable Housing Alternative. See section 2.2 of this document for additional detail. Overall, the revised project would demolish existing historic shipways structures on the project site and develop a 329-unit residential apartment complex and a 2.5-acre public waterfront park on an 8.1-acre site.

Project Actions

The proposed project would require a number of actions and approvals, as summarized below in **Table 1-1**.

**TABLE 1-1
MAJOR PROJECT APPROVALS REQUIRED**

Permitting Agency	Discretionary Approval
City of Alameda	Design Review and Development Plan
City of Alameda	Density Bonus, concession and/or waiver and Affordable Housing Agreement
City of Alameda	Historical Advisory Board Certificate of Approval
City of Alameda	Parcel Map/Vesting Tentative Map
City of Alameda	Lease of City owned Land for Park and Restroom Improvements
San Francisco Bay Conservation and Development Commission (BCDC)	Amendment of existing shoreline band and Bay fill permit. Coastal Zone Management Act certification.
San Francisco Bay Regional Water Quality Control Board (RWQCB)	Section 401 Water Quality Certification
U.S. Army Corps of Engineers	Section 404 of the Clean Water Act/Section 10 of the Rivers and Harbors Act approvals

1.3 Organization of the Final EIR

The Final EIR is organized as follows:

Chapter 1 – Introduction and List of Commenters: This chapter summarizes the project under consideration and describes the contents of the Final EIR. This chapter also contains a list of all of the agencies or persons who submitted comments on the Draft EIR during the public review period, presented in order by agency, organization, individual and date received.

Chapter 2 – Revisions to the Draft EIR: This chapter describes changes and refinements made to the proposed project since publication of the Draft EIR. These refinements are described as a narrative in the beginning of the chapter. Implementation of the refinements described in this chapter would not result in a change to the environmental analysis and conclusions presented in the Draft EIR. This chapter also summarizes text changes made to the Draft EIR in response to comments made on the Draft EIR and/or staff-initiated text changes. Changes to the text of the Draft EIR are shown by either a line through the text that has been deleted or double underlined where new text has been inserted. The revisions contain clarification, amplification, and corrections that have been identified since publication of the Draft EIR. The text revisions do not result in a change in the analysis and conclusions presented in the Draft EIR.

Chapter 3 – Comments and Responses: This chapter contains the comment letters received on the Draft EIR followed by responses to individual comments. Letters are grouped by agencies, , and individuals/organizations. Each comment letter is presented with brackets indicating how the

letter has been divided into individual comments. Each comment is given a binomial with the letter number appearing first, followed by the comment number. For example, comments in Letter A1 are numbered A1-1, A1-2, A1-3, and so on. Immediately following the letter are responses, each with binomials that correspond to the bracketed comments. Hearings are listed afterward with the commenter noted at the beginning of the response.

Some comments that were submitted to the City do not pertain to CEQA issues or address the adequacy of the analysis contained in the Draft EIR. Responses to such comments, though not required under CEQA, are included to provide additional information. When a comment does not directly pertain to environmental issues analyzed in the Draft EIR, does not ask a question about the adequacy of the analysis contained in the Draft EIR, expresses an opinion related to the merits of the project, or does not question an element of or conclusion of the Draft EIR, the response notes the comment and may provide additional information where appropriate. The intent is to recognize the comment. Many comments express opinions about the merits or specific aspects of the proposed project and these are included in the Final EIR for consideration by the decision-makers.

Chapter 4 – Mitigation Monitoring and Reporting Program: This chapter contains the Mitigation Monitoring and Reporting Program (MMRP) to aid the City in its implementation and monitoring of measures adopted in the EIR, and to comply with the requirements of Public Resources Code Section 21081.6(a).

1.4 Public Participation and Review

The City of Alameda has complied with all noticing and public review requirements of CEQA. This compliance included notification of all responsible and trustee agencies and interested groups, organizations, and individuals that the Draft EIR was available for review. The following list of actions took place during the preparation, distribution, and review of the Draft EIR:

- On April 4, 2017, the City sent a Notice of Preparation (NOP) to responsible, trustee, and federal agencies, as well as to organizations, and individuals potentially interested in the project. The NOP was filed with the State Clearinghouse (SCH) and was assigned a SCH Number of 2017042021. 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 EIR. Interested members of the public were also invited to comment.
- A public hearing on the proposed project was held on April 24, 2018 to determine the scope and content of the environmental information that the responsible or trustee agencies may require, and also to accept public comment. Comments received during the scoping meeting, as well as those received during the public comment period for the NOP, were considered during the preparation of the Draft EIR.

- A Notice of Completion (NOC) and copies of the Draft EIR were filed with the State Clearinghouse and a Notice of Availability (NOA) sent to all agencies and interested public on April 4, 2018. An official 45-day public review period for the Draft EIR was established by the State Clearinghouse, ending on May 18, 2018. The Draft EIR was also published on the City's website and filed at the County Clerk's office.
- A public hearing was held before the Alameda Historic Advisory Board on May 3, 2018 to take comment on the Draft EIR.
- A public hearing was held before the Alameda Planning Board on May 14, 2018 to take comment on the Draft EIR.

1.5 List of Commenters

The City received seven comment letters during the comment period on the Draft EIR for the proposed project. **Table 1-2** below indicates the numerical designation for each comment letter, the author of the comment letter, and the date of the comment letter.

**TABLE 1-2
COMMENT LETTERS AND HEARINGS REGARDING THE DRAFT EIR**

Letter #	Entity	Author(s) of Comment Letter/e-mail	Date
Agencies – Federal, State, and Local			
A1	East Bay Municipal Utility District	David Rehnstrom, Manager of Water Distribution Planning	May 2, 2018
A2	Pacific Gas and Electric Company	Katy Ormand, Land Management	May 7, 2018
Individuals and Groups			
I1	SRM Marina Investors, Inc.	Steven R. Meckfessel, Co-Manager	April 26, 2018
I2		Mark Isaacson	May 2, 2018
I3		Robert D. Nelson	May 10, 2018
I4		Danny, Doane	May 12, 2018
I5	Bike Walk Alameda	Brian McGuire, President	May 14, 2018
Hearings			
H1	Public hearing before the Historic Advisory Board - various commenters as identified in the responses.		May 3, 2018
H2	Public hearing before the Planning Board - various commenters as identified in the responses.		May 14, 2018

CHAPTER 2

Revisions to the Draft EIR

2.1 Introduction

This chapter describes the text changes made to the Draft EIR either in response to a comment letter or initiated by City staff or in response to a modification to the proposed project.

2.2 Revised Project

Since issuance of the Draft EIR, the project applicant has continued to coordinate with City staff, appointed and elected City official, and regulatory agencies, as well as review public comments. Some changes to the proposed project have been made to respond to requests from these sources.

The current preferred project is generally consistent with Alternative 3: Multi-Structure Affordable Housing Alternative, described in the Draft EIR as follows:

Under the Multi-Structure Affordable Housing Alternative, the project site would be developed as allowed under the state's allowable affordable housing density bonus and would include an increase in both affordable housing units and market-rate units for a total of 329 apartment units. The units would be located in four structures comprising a "podium" design that would conceal the parking structures at ground level below the apartments. The two structures fronting on Marina Village Parkway would be 4 stories, approximately 56 feet in height. The two structures fronting the new park would reach 6 stories, approximately 71 feet in height. This alternative would also include similar amenities as the proposed project, and would also include the approximately 2.5-acre public "Waterfront Park" proposed under the project.

This alternative responds to City Planning Department comments requesting an alternative with the massing separated into multiple structures and allowing for views across the site from the street to the Estuary. This alternative also acknowledges the potential for increased development intensity under the affordable housing density bonus law, which is not discretionary. While a 13% increase in the number of residential units compared to the originally proposed project, impacts were found to be generally the same or similar to those under the originally proposed project, with a marginal increase in the contribution of traffic to the significant and unavoidable impact at the Park Street/Blanding Avenue and Marina Square Drive/Constitution Way intersections (see Chapter 5 of the Draft EIR).

Since the Multi-Structure Affordable Housing Alternative was analyzed in the Draft EIR, the following changes have been made primarily to the park area, as described below. The park area

has undergone a design evolution incorporating feedback from BCDC staff and Design Review Board, Planning, and Rec and Parks while meeting Fire Department access and C3 Stormwater treatment requirements. Note that these changes are shown on revised Figure 3-5b and compared to the original figure under the revisions to page 3-10 later in this chapter.

1. Kayak kiosk building and storage racks have been eliminated and replaced with kayak storage lockers pursuant to Rec & Parks Department direction. The kayak storage area has been moved closer to the waterfront and redesigned with some enhancing planting to shield lockers.
2. The most western pier has been lengthened and the water shuttle dock/kayak launch has been moved to the end of this pier.
3. The second pier from the west, formerly the location for the water shuttle dock/kayak launch, has been reduced and a fixed pier / view platform added, pursuant to BCDC staff direction.
4. The most eastern pier has been lengthened to the “US Pierhead Line” pursuant to BCDC staff direction.
5. All fixed piers / view platform have been reduced to 20’ width pursuant to BCDC staff direction.
6. The picnic area has been enlarged and enhanced with additional amenities including tables, trash containers, bike racks, drinking fountain, and benches.
7. Additional amenities including tables, benches, trash receptacles, dog waste stations, and bike racks have been added throughout the site.
8. The park area at the former welding platform has been revised and incorporates a promenade feature at the perimeter instead of former “amphitheater” stepped down to the water in order to meet storm water treatment requirements.
9. The shoreline edge has been modified to incorporate a vertical wall sheet pile and concrete edge instead of a rip rap or ACB mat edge.
10. Additional aquatic grass plantings have been included adjacent to new shoreline.
11. The lawn area immediately in front of building has been replaced with landscape planter to provide screening for the building base. The EVA and pedestrian and bike trail has shifted closer to the water and enlarged to 26-28’ in width. The park has more of a more of a “boardwalk” feel but incorporates planter areas for trees for shade screening, shrubs and grasses.

12. The EVA road has been realigned and located up against the East and West Property line (away from building) pursuant to BCDC staff direction and to allow for more planting and green screen with flowering vines structures immediately adjacent to the Building.
13. Path connections at both the west and east sides of project and have been enhanced to provide a more attractive entry pursuant to BCDC staff direction.
14. EVA & bike/walk path entries at Marina Village Parkway and at east and west adjacent property line connections have been enhanced to provide a more attractive entry to BCDC staff direction.
15. EVA is now designed with a single surface concrete material and widened to 26' pursuant to Fire Department and Storm Water Treatment requirements.
16. Off-site improvements have been revised at the project frontage along Marina Village Parkway including a 5'-wide landscape parkway between curb and sidewalk, and a 7'-wide City sidewalk.
17. Entry stairs accessible from the City sidewalk and accompanying ADA ramp up to Motor Court at center of the project have been incorporated into the design pursuant to Planning's request.
18. The center landscape median on Marina Village Parkway along the project frontage will be removed and replaced with a two-way left turning lane pursuant to Public Works and Traffic Engineer request.
19. Garage parking spaces have been reduced from 511 to 502.
20. Flow through planters, in ground swales, and trench drains have been incorporated into the project design pursuant to Public Works request and C3 requirements.
21. Historical reference has been enhanced to not only include historical / interpretive signage and utilization of similar construction materials previously utilized at the Shipways site, but to also include nautical / industrial site and building lighting throughout and graphics from the former site blueprints and re-using the existing site building signage facade (e.g., Ship 1 Way, Ship 2 Way) integrated into monument like displays.
22. Pad mount electrical transformer has been located on the exterior of the building at Marina Village Parkway elevation.
23. Potable waterline has been incorporated into the civil drawings to service drinking fountains, kayak wash, dog wash, & exterior shower.
24. Retaining wall along north and south side at property line to mitigate grade differential have been incorporated into design documents.

25. Waterfront Park, “Plan B” has been incorporated into design package if City Council does not grant a ground lease for applicant to perform improvements on City property.
26. Dual purpose dock – water shuttle landing and kayak launch design has evolved beyond original concept drawings but final engineering design is still outstanding. Design meetings requirements for approx. 60’ long water taxi and ADA accessible kayak launch.

Additionally, the project applicant has provided additional detail regarding the proposed restroom for the marina and discussion of potential condo mapping to create separate ownership structures for the affordable and market rate units to allow for affordable housing tax credits. (The units would remain rental units.) These details are included under revisions to Chapter 3, later in this chapter.

The above-outlined changes to the preferred project from those analyzed as the Multi-Structure Affordable Housing Alternative would not change conclusions from the Draft EIR and would not be considered significant new information requiring recirculation under section 15088.5 of the CEQA Guidelines.

2.3 Text Changes to the Draft EIR

This section summarizes text changes made to the Draft EIR either in response to a comment letter or initiated by City staff or in response to a modification to the proposed project. New text is indicated in underline and text to be deleted is reflected by a ~~strike-through~~. Text changes are presented in the page order in which they appear in the Draft EIR.

The text revisions provide clarification, amplification, and corrections that have been identified since publication of the Draft EIR. The text changes do not result in a change in the analysis or conclusions of the Draft EIR.

Chapter 2, Summary

Revisions are hereby made to Table 2.1: Summary of Project Impacts and Mitigation Measures for the Alameda Shipways Residential Project to be consistent with revisions made to Mitigation Measure 4.C-1 (see revisions to page 4.C-32), Impact 4.C-3 (see revisions to page 4.C-35), and Mitigation Measure 4.M-1 (see revisions to page 4.M-8).

Chapter 3, Project Description

Page 3-1; the first paragraph is revised to reflect the project sponsor’s name:

The project sponsor, ~~The Cavallari Group, Inc.~~ Steelwave Acquisitions, LLC, is proposing a residential redevelopment project at 1100 - 1250 Marina Village Parkway in the City of Alameda. Overall, the proposed project would demolish existing structures on the project site and develop a 292-unit residential apartment complex and an approximately 2.5-acre public waterfront park. Characteristics of the proposed project are detailed further in this section.

Page 3-6; the following paragraph is added at the end of the discussion under Unit Types and Affordability to note the possibility of a condo map being required to differentiate affordable units for purposes of affordable housing tax credits:

If the City approves the land use entitlements for the project, the project applicant will consider whether to seek Low-Income Housing Tax Credits (LIHTC) available under Section 42 of the Internal Revenue Code of 1986, as amended for the financing of the project. LIHTC are tax incentives to encourage developers to create affordable housing. To qualify for LIHTC, the project sponsor would increase the percentage of affordable units from 15% to 20% and would request the City to approve a condominium or air space map to allow the affordable units to be separately owned by an affiliate of the project sponsor in their own legal parcel for financing purposes. Physically, the affordable units would continue to be dispersed throughout the project as currently proposed. If the City were to approve such a map for financing purposes, it does not anticipate map approval would result in any significant environmental impacts and, if that is the case, no additional CEQA review would be required.

Page 3-10, Figure 3-5b; details of the waterfront plan have been revised per comments and coordination with various entities (see section 2.2 of this chapter). The revised plan is shown on the next page along with the plan as included in the Draft EIR for comparison.

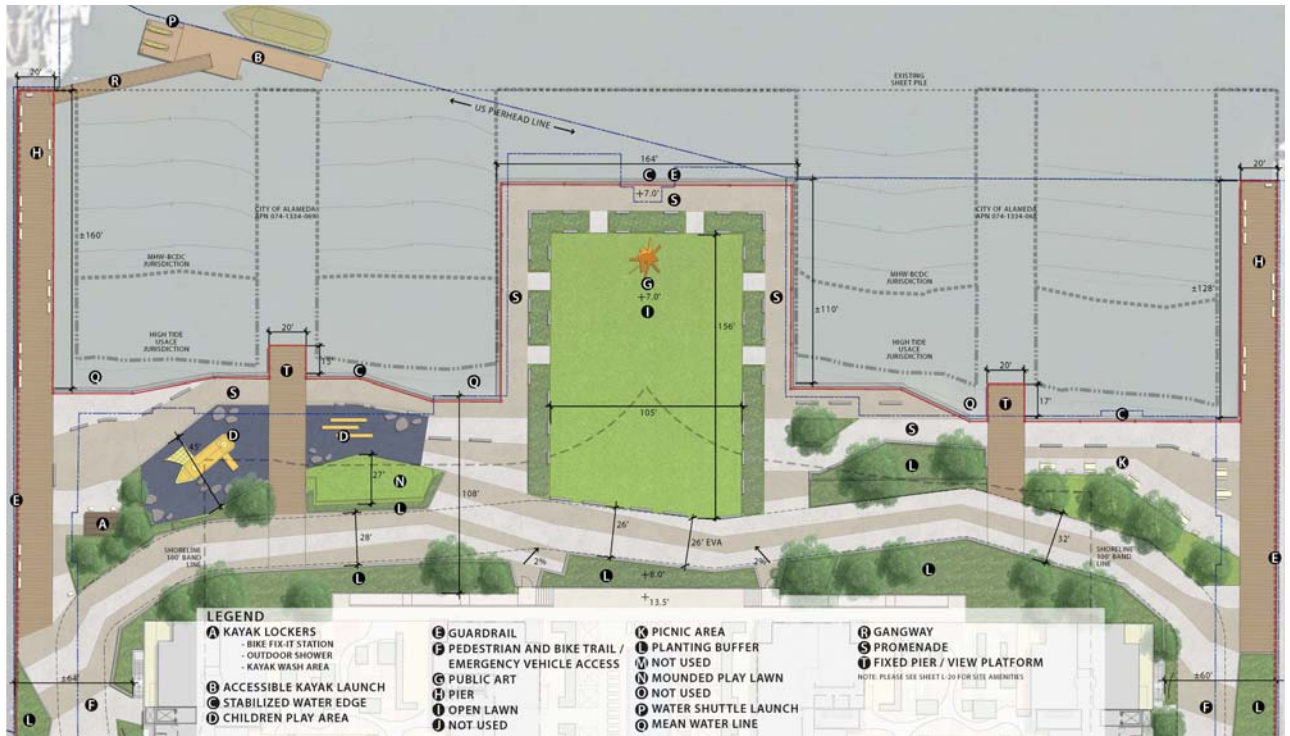


Figure 3-5b revised. Project Waterfront Plan (detail) (April-October 2018)



Figure 3-5b. Waterfront Plan (April 2018) [plan as included in the Draft EIR is included here for comparison.]

Page 3-10, Figure 3-6 is hereby added after page 3-10; showing details of the existing and proposed shoreline edges.

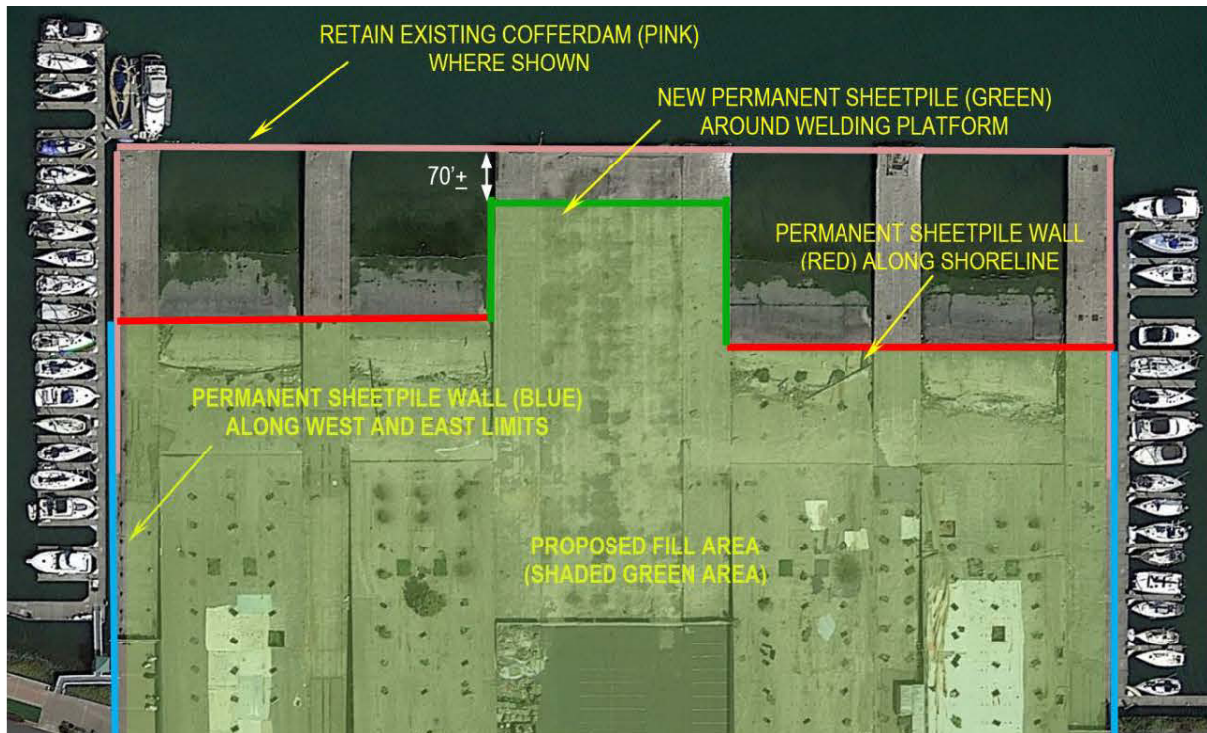


Figure 3-6. Shoreline Plan (source: Wave Analysis Memo, July 2018)

Page 3-12; the following heading and paragraph are added before the Infrastructure and Utilities discussion to describe the restroom facilities that are proposed (the location was shown as item K on Figure 3-5a of the Draft EIR):

Public and Marina Restrooms

The applicant proposes to construct a new restroom facility to be located adjacent to Marina Village Yacht Harbor Gate 11 on City-owned property. The single-story structure would be approximately 35 feet long and 17 feet wide. The facility would include two publicly accessible ADA restrooms with independent entrances as well as secure private facilities for use by Marina Village Yacht Harbor users. The private facilities would include two restrooms with showers, laundry facilities, and an ice machine. To ensure that marina users have uninterrupted access to private restroom facilities in accordance with the CC&Rs applicable to the project site, the applicant will either phase construction to allow access to the existing on-site facilities during construction or provide temporary restroom facilities until the permanent facilities are available.

Page 3-15, Table 3-1, is revised to add the following row:

<u>City of Alameda</u>	<u>Certificate of Approval from the City/Historical Advisory Board to demolish the existing historic structures</u>
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Section 4.C, Air Quality, Greenhouse Gas Emissions, and Energy

Page 4.D-6, Figure 4.D-2; the project boundary along its southern portion was modified to show the land along the future Clement Street extension as part of the project site boundaries, consistent with the depiction of the project site as depicted in Figure 5 of the Initial Study. A revised figure showing this change is included at the end of this chapter.

Page 4.C-8, fourth paragraph, is revised to clarify the location of liveaboard boats:

There are no sensitive receptors on land within 1,000 feet of the project site, though there are liveaboard boats in the adjacent marinas. Otherwise, ~~t~~The closest sensitive receptors in the project vicinity include Peter Pan preschool on Mariner Square Drive approximately 1,050 feet to the southwest, Neptune Park between 1,250 and 1,900 feet to the southwest, residences along Bartlett Drive/Rosefield Loop (nearest approximately 1,300 feet south of the project), and residences along 5th Street (nearest approximately 2,000 feet west of the project).

Page 4.C-27, second to last paragraph, is revised to clarify the location of liveaboard boats and discussion of sensitive receptors:

The project site is located over 1,000 feet (the area of effect) ~~from both other sensitive receptors and~~ from stationary sources and highways. Therefore, impacts related to exposure of new on-site sensitive receptors and health risks can be determined to be less than significant with no further analysis. A discussion of the potential for impacts to existing sensitive receptors is included under Impacts 4.C-1 and 4.C-3.

Page 4.C-32 and -33, the first paragraph of Mitigation Measure 4.C-1 and last paragraph under that discussion on the next page, are revised to clarify that conditions of approval will be required, including the project-specific construction impact plan:

Mitigation Measure 4.C-1: The project applicant 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, and all conditions of project approval, including the construction impact plan. 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.

~~...There are no sensitive receptors within 1,000 feet (the area of effect for analysis of health risks per BAAQMD Guidelines) of the project site. As noted above, the project~~ would implement standard control measures and all conditions of project approval, including the construction impact plan to minimize any potential for dust, emission, or health risk to nearby sensitive receptors. Therefore, the project's impact related to exposure of sensitive receptors to construction-period TAC and health risk would be less than significant.

Page 4.C-35, first paragraph, is revised to clarify that the project would not be a source of operational emissions:

Impact 4.C-3: The proposed project would not expose sensitive receptors to substantial pollutant concentrations during the operations (*Less than Significant, No Mitigation Required*)

BAAQMD defines sensitive receptors as children, adults, and seniors occupying or residing in residential dwellings, schools, colleges and universities, daycares, hospitals, and senior-care facilities. ~~BAAQMD recommends assessment of health risk to sensitive receptors within a 1,000 foot area of effect. There are no sensitive receptors within 1,000 feet from the proposed project site boundary.~~ As a residential and open space development, the project would not be a substantial source of operational TAC emissions on nearby sensitive uses. There are also no stationary sources or high volume highways within 1,000 feet of the project site that could have the potential to affect the proposed new residents at the project site (BAAQMD 2012c). Therefore, the project would have a less than significant impact related to operational TAC exposure of sensitive receptors.

Section 4.G, Hazards and Hazardous Materials

Page 4.G-3, the indicated row in Table 4.G-1, is revised to correct a typo:

1250 Marina Village Parkway

ERNS,
CHIMIRS

A report was filed for a sheen in the harbor believed to be diesel ~~form~~ from the adjacent recreational harbor. No other documentation was available concerning this report.

Section 4.J, Noise and Vibration

Page 4.J-6, first full paragraph, is revised to clarify the location of liveaboard boats:

There are no sensitive receptors on land within 1,000 feet of the project site, though there are liveaboard boats in the adjacent marinas. ~~Otherwise,~~ The closest sensitive receptors in the project vicinity include Peter Pan pre-school on Mariner Square Drive approximately 1,050 feet to the southwest, Neptune Park between 1,250 and 1,900 feet to the southwest, residences along Bartlett Drive/Rosefield Loop (nearest approximately 1,300 feet south of the project), and residences along 5th Street (nearest approximately 2,000 feet west of the project).

Page 4.J-13 and -14, the last paragraph on 4.J-13 and next paragraph on the following page, are revised to clarify the location of liveaboard boats and requirement to implement all conditions of approval:

The loudest source of noise during project construction would be generated through use of an impact pile driver, which is assumed to be required for installation of the piles at the site. If liveaboard boats are in the slips adjacent to the project site, they could experience noise levels as shown in the above table. The next nearest existing noise sensitive use is a

preschool located approximately 1,050 feet southwest of the site. Assuming an attenuation rate of 6 dB per doubling of distance, the nearest existing sensitive receptors would experience exterior noise levels of up to approximately 75 dBA during impact pile driving. These noise levels would be greater than the existing ambient noise environment at the receptors.

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. Specifically, construction noise is exempted from the noise standards provided it is limited to between the hours of 7:00 am and 7:00 pm Monday through Friday and 8:00 am to 5:00 pm on Saturdays. As a standard conditional of approval of the project, the applicant shall create and implement development- specific noise and vibration reduction plans either separately or as part of a construction impact plan to minimize construction noise impacts, which shall be enforced via contract specifications.

Page 4.J-14 and -15, the last paragraph on 4.J-14 and its continuation on the following page, is revised to clarify the location of liveaboard boats and requirement to implement all conditions of approval:

The highest source of vibration during project construction would be generated during impact pile driving. According to the FTA's *Transit Noise and Vibration Impact Assessment*, use of an impact pile driver could generate vibration levels up to 0.644 in/sec PPV and 104 VdB RMS at a distance of 25 feet (FTA, 2006). While liveaboard boats could be in the slips adjacent to the project site, vibration levels would be reduced by the proposed cofferdam to surround the site during construction. As noted under Impact 4.J-1 above, the applicant is required to create and implement development- specific noise and vibration reduction plans either separately or as part of a construction impact plan to minimize construction vibration, which shall be enforced via contract specifications. The nearest sensitive land use to the project site is a preschool located approximately 1,050 feet southwest of the project site. At that distance, the closest sensitive land receptors would be exposed to vibration levels less than 0.01 in/sec PPV and 65 VdB RMS, which would not exceed the FTA impact criteria for both building damage and human annoyance (see Table 4.J-2 and Table 4.J-3). This impact would result in a less than significant impact.

Page 4.J-17, the discussion under Impact 4.J-5, is revised to clarify the requirement to implement all conditions of approval:

As previously discussed under Impact 4.J-2, the construction activities within the proposed project may require the use of impact pile drivers. Vibration levels generated during the construction of the proposed project by itself would not exceed the applied vibration threshold for human annoyance and building damage at nearby existing sensitive receptors. However, if project-related activities were to coincide with another development in close physical proximity, the combined effect could result in the exposure of sensitive land uses or buildings to higher vibration levels than what was

predicted for the proposed projects. However, as noted under Impact 4.J-1 above, the applicant is required to create and implement development- specific noise and vibration reduction plans either separately or as part of a construction impact plan to minimize construction noise and vibration, which shall be enforced via contract specifications and under **Mitigation Measure 4.J-1** (above), noise levels generated during construction of the proposed project would be reduced by requiring the applicant to adhere to the City's noise ordinance. Additionally, implementation of **Mitigation Measure 4.D-1b**, which addresses construction impacts to fish species, will also serve to lower noise impacts in surrounding areas. After mitigation, the proposed project's contribution to this cumulative impact would not be cumulatively considerable.

Section 4.K, Population, Housing, and Public Services

Page 4.K-4, Table 4.K-2, is revised to add in Encinal Junior and Senior High School capacity:

School	Students 2011-2012	Students 2012-2013	Students 2013-2014	Students 2014-2015	Students 2015-2016	Capacity
Haight Elementary	nd ¹	nd ¹	nd ¹	452	438	532
Wood Middle School	595	537	429	439	468	928
Encinal High School ²	1,089	1,055	1,038	1,052	1,336	nd ⁴ 1,728 ³

NOTES:

¹ No data available.

² Encinal High School became Encinal Junior and Senior High School beginning in year 2015-2016. Student enrollment for that year and capacity are reported for Encinal Junior and Senior High School.

³ Provided through correspondence with Alameda Unified School District on May 31, 2018.

SOURCE: Ed-Data, 2016; CDE, 2016; City of Alameda, 2006.

Section 4.L, Transportation and Circulation

Page 4.L-13, Figure 4.L-3; is revised to add the outbound bus lines 96, 314, 851 to the Posey Tube, which had been accidentally omitted. The revised plan is shown on the next page.

Page 4.L-15, second full paragraph, is revised to clarify the distance between AC Transit and the ferry terminal.

WETA provides ferry service between Alameda and San Francisco. Ferries can be accessed at Alameda Main Street Terminal on the northern shore of Alameda Island or at Jack London Square Terminal in Oakland. Both stations are about two miles from the project site and can be accessed by automobile, AC Transit buses (about 0.5 miles away), or active modes. Due to heavy demand, WETA has recently increased frequencies from Alameda and is working with the City of Alameda to construct a terminal at the Seaplane Lagoon at Alameda Point. The City of Alameda has also sought a regional transportation grant to re-establish water shuttle services connecting waterfront locations like the Encinal Terminals and the Main Street and Jack London Square Ferry Terminals.



Figure 4.L-3. Existing Transit Network [revised]

Section 4.M, Utilities and Service Systems

Page 4.M-3, paragraph 3, is revised to clarify the future potential for recycled water:

There is no existing source of recycled water in the project vicinity. Accordingly, there are no existing recycled water distribution facilities within the project site. EBMUD has noted that the project falls within the vicinity of a future planned recycled water service area and recommends that the project sponsor coordinate with EBMUD during project development should it become feasible to provide recycled water to the non-domestic (park) area in the future. The project includes public access easements from the roadway to the park, which will also act as utility easements that can be used to connect the park to recycled water supplies for irrigation if available in the future.

Page 4.M-8, Mitigation Measure 4.M-1 is revised to clarify that the measure applies to the onsite sewer lines:

Mitigation Measure 4.M-1: The project sponsors shall: 1) replace or rehabilitate any existing onsite 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.

Section 5, Alternatives

Page 5-5, after the second paragraph, is revised to add in the following clarification:

No other alternatives were considered but rejected.

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CHAPTER 3

Comments and Responses

3.1 Introduction

This section contains the comment letters that were received on the Draft EIR. Following each comment letter is a response by the City intended to supplement, clarify, or amend information provided in the Draft EIR or refer the reader to the appropriate place in the document where the requested information can be found.

Where text changes in the Draft EIR are warranted based upon the comments, those changes are discussed in the response to comments and also included in Chapter 2, *Text Changes to the Draft EIR*.

Comments referenced in this chapter were those received during the Draft EIR comment period but were not always intended to be focused on environmental matters only. Comments sometimes reference matters related to the Project but that are outside the realm of environmental review. Conversely, the responses to comments included here are intentionally focused on matters specific to the environmental review that is required under CEQA. A response noting that a comment is not related to the environmental analysis is intended to signify the specific comment was not addressing a matter subject to review under CEQA and therefore that the EIR is not the appropriate forum for providing a response. Such a response is not intended to dismiss or diminish the validity of the comment outside the CEQA realm. Where available and considered appropriate, information has been provided in response to such comments. Whether focused on environmental review or not, all of the comments are a part of the record and will be considered if and when project approvals are considered.

3.2 Individual Responses

This section contains the responses to comments submitted during the public review period. Commenters on the Draft EIR, their associated agencies or group, and assigned letter identifications are listed in Chapter 1, Table 1-2. This section presents the comment letters received on the Draft EIR. Each comment letter received during the public comment period was bracketed to identify individual topics, and individual responses to those comments are provided. If a subject matter of one letter overlaps that of another letter, the reader may be referred to more than one group of comments and responses to review all information on a given subject. Where this occurs, cross-references are provided.



Letter A1

May 2, 2018

Andrew Thomas, Assistant Community Development Director
City of Alameda Community Development Department
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501

Re: Notice of Availability of a Draft Environmental Impact Report – Alameda Shipways
Residential Project, Alameda

Dear Mr. Thomas:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Alameda Shipways Residential Project located in the City of Alameda. EBMUD commented on the Notice of Preparation of a Draft EIR for the project on April 25, 2017. EBMUD's original comments (see enclosure) still apply regarding water service and water recycling. EBMUD has no additional comments on the Draft EIR.

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,



David J. Rehnstrom
Manager of Water Distribution Planning

DJR:SIR:dks
sb18_060

Enclosure: Letter to City of Alameda from EBMUD dated April 25, 2017

cc: The Cavallari Group, Inc.
c/o Dennis Cavallari
321 La Rambla
San Clemente, CA 92672

A1-1



April 25, 2017

Andrew Thomas, Assistant Community Development Director
City of Alameda Community Development Department
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501

Re: Notice of Preparation of an Environmental Impact Report –
Alameda Shipways Residential Project, Alameda

Dear Mr. Thomas:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Environmental Impact Report (EIR) for the Alameda Shipways Residential Project located in the City of Alameda (City). EBMUD has the following comments.

A1-1
Cont'd

WATER SERVICE

EBMUD's Central Pressure Zone, with a service elevation between 0 and 100 feet, will serve the proposed development. The property currently has water service. A water main extension, at the project sponsor's expense, may be required to serve the property depending on EBMUD's metering requirements and fire flow requirements set by the local fire department. The project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine the costs and conditions of providing additional water service to the proposed development. Engineering and installation of water mains and services require substantial lead time, which should be provided for in the project sponsor's development schedule.

A1-2

WATER RECYCLING

EBMUD's Policy 9.05 requires that customers use non-potable water, including recycled water, for non-domestic purposes when it is of adequate quality and quantity, available at reasonable cost, not detrimental to public health and not injurious to plant, fish and wildlife to offset demand on EBMUD's limited potable water supply. Appropriate recycled water uses could include landscape irrigation, commercial and industrial process uses, toilet and urinal flushing in non-residential buildings and other applications.

A1-3

The project falls within the vicinity of EBMUD's future planned recycled water service area in Alameda, thus providing an opportunity to serve the project's irrigation demand. As such, EBMUD recommends that the project sponsor maintain continued coordination and consultation with EBMUD to make it feasible for the new development to use recycled water in the future once the recycled water system is expanded.

WASTEWATER SERVICE

EBMUD's Main Wastewater Treatment Plant (MWWTP) and interceptor system are anticipated to have adequate dry weather capacity to accommodate the proposed wastewater flows from this project and to treat such flows provided that the wastewater generated by the project meets the requirements of the EBMUD Wastewater Control Ordinance. However, wet weather flows are a concern. The East Bay regional wastewater collection system experiences exceptionally high peak flows during storms due to excessive infiltration and inflow (I/I) that enters the system through cracks and misconnections in both public and private sewer lines. EBMUD has historically operated three Wet Weather Facilities (WWFs) to provide primary treatment and disinfection for peak wet weather flows that exceed the treatment capacity of the MWWTP. Due to reinterpretation of applicable law, EBMUD's National Pollutant Discharge Elimination System (NPDES) permit now prohibits discharges from EBMUD's WWFs. Additionally, the seven wastewater collection system agencies that discharge to the EBMUD wastewater interceptor system ("Satellite Agencies") hold NPDES permits that prohibit them from causing or contributing to WWF discharges. These NPDES permits have removed the regulatory coverage the East Bay wastewater agencies once relied upon to manage peak wet weather flows.

A federal consent decree, negotiated among EBMUD, the Satellite Agencies, the Environmental Protection Agency, the State Water Resources Control Board, and the Regional Water Quality Control Board, requires EBMUD and the Satellite Agencies to eliminate WWF discharges by 2036. To meet this requirement, actions will need to be taken over time to reduce I/I in the system. The consent decree requires EBMUD to continue implementation of its Regional Private Sewer Lateral Ordinance (www.eastbaypsl.com), construct various improvements to its interceptor system, and identify key areas of inflow and rapid infiltration over a 22-year period. Over the same time period, the consent decree requires the Satellite Agencies to perform I/I reduction work including sewer main rehabilitation and elimination of inflow sources. EBMUD and the Satellite Agencies must jointly demonstrate at specified intervals that this work has resulted in a sufficient, pre-determined level of reduction in WWF discharges. If sufficient I/I reductions are not achieved, additional investment into the region's wastewater infrastructure would be required, which may result in significant financial implications for East Bay residents.

To ensure that the proposed project contributes to these legally required I/I reductions, the lead agency should require the project applicant to comply with EBMUD's Regional Private Sewer Lateral Ordinance. Additionally, it would be prudent for the lead agency to require the following mitigation measures for the proposed project: (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 sewer lateral lines, for the project are constructed to prevent I/I to the maximum extent feasible while meeting all requirements contained in the Regional Private Sewer Lateral Ordinance and applicable municipal codes or Satellite Agency ordinances.

A1-4

Andrew Thomas, Assistant Community Development Director
April 25, 2017
Page 3

WATER CONSERVATION

The proposed project presents an opportunity to incorporate water conservation measures. EBMUD requests that the City include in its conditions of approval a requirement that the project sponsor comply with Assembly Bill 325, "Model Water Efficient Landscape Ordinance," (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense.

A1-5

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,



David J. Rehnstrom
Manager of Water Distribution Planning

DJR:TRM:dks
sb17_077

cc: The Cavallari Group, Inc.
c/o Dennis Cavallari
321 La Rambla
San Clemente, CA 92672

Letter A1 Response	David Rehnstrom, East Bay Municipal Utility District (EBMUD) May 2, 2018
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- A1-1 This is an introductory comment and not a specific comment on the environmental analysis.
- The City appreciates the District’s interest in the project and its provision of additional information.
- A1-2 This comment concerns the provision of potable water service to the project.
- Information regarding potable water service was included on pages 4.M-1, 4.M-10 and 4.M-11 3-17 of the Draft EIR. The comment also includes information concerning the process by which the developer would receive potable water service to the project site. This portion of the comment does not concern the adequacy of the Draft EIR, and no additional response is required.
- A1-3 This comment concerns the provision of non-potable water, including recycled water for non-domestic purposes.
- The information referred to has been included in Chapter 2 of this Final EIR. Specifically, page 4.M-3, paragraph 3 the Draft EIR has been modified as follows:
- There is no existing source of recycled water in the project vicinity. Accordingly, there are no existing recycled water distribution facilities within the project site. EBMUD has noted that the project falls within the vicinity of a future planned recycled water service area and recommends that the project sponsor coordinate with EBMUD during project development should it become feasible to provide recycled water to the non-domestic (park) area in the future. The project includes public access easements from the roadway to the park, which will also act as utility easements that can be used to connect the park to recycled water supplies for irrigation if available in the future.
- A1-4 This comment concerns wastewater (sewer) service.
- Information regarding the sewer system is included on pages 4.M-1 and 4.M-2 of the Draft EIR and regarding EBMUD’s Regional Private Sewer Lateral Ordinance was included on page 4.M-5 of the Draft EIR. As noted on pages 4.M-7 through 4.M-9, the project sponsor would be required to comply with the ordinance per the conditions of receiving service from EBMUD and Mitigation Measure 4.M-1 formalizes the requirement to replace or rehabilitate existing collection systems for the site, including sewer laterals and ensure new systems are constructed to prevent infiltration and inflow.

A1-5 This comment concerns water conservation measures.

The City has adopted California's Model Water Efficient Landscape Ordinance, which is codified in the Alameda Municipal Code in Chapter 30, Article IV, as discussed on pages 4.M-4 and 4.M-6 of the Draft EIR. The project sponsor is required to comply with the code requirements for water efficiency measures.



May 7, 2018

Letter A2

Andrew Thomas
City of Alameda Community Development
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501

Re: Alameda Shipways Residential Project Development Plan
1100-1250 Marina Village Parkway, Alameda

Dear Andrew Thomas:

Thank you for giving us the opportunity to review your plans. The proposed Alameda Shipways Residential Project Development Plan dated April 4, 2018 is within the same vicinity of PG&E existing operating facilities that serve this property. PG&E currently has a gas distribution lines that serve the buildings that are to be demolished. This would require contacting Underground Service Alerts (USA) for identification prior to construction. Please note that although there are currently PG&E facilities on the property, new or modifications might be necessary to serve the new buildings. Please contact PG&E's Service Planning department for any modification or additional services you may require.

<https://www.pge.com/cco/>

If you have any questions regarding our response, please contact me at katy.ormand@pge.com or by the phone number listed below.

Sincerely,

Katy Ormand
Land Management
925-328-6220

A2-1

Letter A2 Response	Katy Ormand, Pacific Gas and Electric Company (PG&E) May 7, 2018
-------------------------------	--

A2-1 This letter provides information regarding existing PG&E facilities and the process for redevelopment and connection of the proposed project and is not a specific comment on the environmental analysis.

The City appreciates the District's interest in the project and its provision of additional information.

SRM MARINA INVESTORS, LLC

Letter I1

April 26, 2018

Ms. Linda Barrera
Alameda Community Development
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501-4477

Re: Proposed Shipways Residential Project

Dear Linda,

It is our understanding that the draft EIR is being reviewed for the above mentioned Project by the City of Alameda. SRM Marina Investors, LLC is an adjacent owner of the Marina parcels surrounding this proposed Project. Although we may support the Project conceptually, we have a number of issues with the implications of this development on our marina property and licensees.

I1-1

In our very quick review of the draft EIR, we find the following issues:

1) Adjacent Marinas have full time residents and expensive boats. In Marina Gate 11 immediately to the north of the proposed Project we have 99 marina berths, including 22 liveaboards, and to the south in Marina Gate 10 and 10 ext, 158 marina berths, including 22 additional liveaboards and high-end yacht sales. Liveaboard status means that these boats are the permanent homes for residents. Many of the boats in these slips are expensive with finishes that will not bear well under what is proposed, such as 500 newly driven piles. The draft EIR does not seem to address this in any way.

I1-2

2) Restroom, shower & laundry facility. The developer has an obligation to provide a restroom, shower & laundry facility for Marina Gate 11 as well as parking. The proposed Project depicts a facility that is not well defined, appears far too small to meet the requirement and if, meant to also include public restrooms, is simply incorrectly placed outside the City park area.

I1-3

3) Maintenance of the Shoreline Park. The proposed waterfront park improvements will become part of the long-established Shoreline Park within Marina Village. This shoreline park is maintained through Zone 6 of the Alameda Landscape Lighting and Maintenance District 84-2 ("Zone 6 LLD 84-2"). The proposed Project will benefit from the existing improvements (streets, parks, and common areas) currently maintained in Zone 6 LLD 84-2. Consideration must be given to how the maintenance costs for Zone 6 LLC 84-2 will be allocated going forward based on the significant benefits to the Project. Under the law, there needs to be an allocation of costs that reflects relative benefits, as opposed to the current per acre allocation since the Project is a high-density, high-impact-per-acre property in comparison to much lower density/impact-per-acre properties within the Zone 6 LLD 84-2. At the same time, the City must

I1-4

SRM MARINA INVESTORS, LLC

recognize that a good percentage of the benefits of the improvements within Zone 6 LLD 84-2 are, and will, go to the public at large and costs must be allocated to the City for this proportional benefit. The City and the Project must not get a “free ride” at the expense of the current participating commercial property owners. This is neither fair, nor in accordance with the law.

I1-4
Cont'd

4) Overall Marina Village Infrastructure Benefits The current commercial property owners within Marina Village paid for approximately \$35 million of public improvements, including the construction of Constitution Way and the overpass, all of the public streets with Marina Village, the parks, open spaces, public art, all utilities, etc. This was done through Assessment Bonds levied on the properties starting in 1984. The Shipway development site was excluded from such allocation because development of that property was not contemplated at that time. The proposed project would not be possible without these improvements. Therefore, the Project should be required to reimburse current owners for its fair and proportionate share of these improvements. Again, it is not reasonable for the proposed Project to get a “free ride” at the cost and expense of the commercial property owners who were saddled with tens of millions of dollars in Assessment Bond debt.

I1-5

5) Placement of Shuttle Dock. We are concerned that the shuttle dock is too close to our docks and will cause wake and noise damage to our licensees and their boats.

I1-6

6) Inaccurate drawings. The project drawings appear to show areas outside the development inaccurately: specifically, the location of city shoreline boundaries and the proposed restroom facility site.

I1-7

7) Construction dates and hours. It appears there may be mitigation measures for months and hours of construction, or more specifically demolition. Again, the high season for our Marina use, the summer months, were not taken into consideration in any way. We believe the construction of the project could have a significant detrimental impact on the occupancy of our marina since the berth licenses are on a month-to-month basis.

I1-8

The above is intended to summarize just some of our issues or concerns. We reserve the right for further comments after a more extensive review of the draft EIR and attendance at the upcoming City meetings.

I1-9

Sincerely,
SRM Marina Investors, LLC



Steven R. Meckfessel, Co -Manager

Letter I1 **Steven R. Meckfessel, SRM Marina Investors, Inc.**
Response **April 26, 2018**

- I1-1 This is an introductory comment and not a specific comment on the environmental analysis.
- I1-2 The Commenter states that the adjacent marinas have full time residents and expensive boats and does not see how these were addressed in the Draft EIR.
- Revisions have been included in Chapter 2 of this Final EIR to clarify the location of liveaboard boats on pages 4.C-8, 4.C-27, 4.J-6, 4.J-13, and 4.J-14 of the Draft EIR and the relevance of discussions related to sensitive receptors for pages 4.C-33, 4.C-35, 4.J-15, 4.J-17 of the Draft EIR.
- I1-3 The Commenter states that the developer has an obligation to provide restroom facilities and parking. The Commenter also states that the depictions of the facility is not well defined, appears too small, and is incorrectly placed outside the City park area.
- Draft EIR Figure 3-5a shows an illustrative location of a restroom facility (legend letter "K" "Private/Public Restroom") adjacent to Gate 11. The location shown on Figure 3-5a is the proposed location and not the City park adjacent to Gate 10. Revisions have been included in Chapter 2 of this Final EIR to provide additional detail to page 3-12 of the Draft EIR on the proposed location and size of the restroom facility. The final location and design of the facility will be determined prior to issuance of a building permit after consultations between the City, BCDC, the applicant, and the Marina. The obligation of the developer to provide restroom facilities to the Marina is a private obligation and is not a requirement imposed by the City although the City has an interest in making sure that restroom facilities for the Marina continue to be provided during project construction. The applicant has informed the City it will comply with its obligations under the CC&Rs for Marina Village to provide restroom facilities and will continue to work with the Marina and its users in the final design of the restroom facilities.
- I1-4 The Commenter states that the proposed waterfront park will become part of the long-established Shoreline Park. The Commenter states that Shoreline Park is maintained through Zone 6 LLD 84-2 and that consideration should be given to how Zone 6 LLD 84-2 maintenance costs will be allocated to the Project. The Commenter also states that the City should contribute to such maintenance because the public would use improvements maintained by Zone 6.
- This comment does not concern the adequacy of the EIR or environmental impacts of the Project therefore no response is required under CEQA. The

comment will be forwarded to the decision-makers for their consideration. The City notes that the Project is located within the boundaries of Zone 6 LLD 84-2 and would be assessed in accordance with the governing documents of that district and the Landscaping and Lighting Act of 1972 (Streets & Highways Code §§ 22500, et seq.). The City also notes that Shoreline Park is a public facility as a result of the conditions of approval of the original Marina Village development and the use by the public of those facilities would not be a cause for a change in the manner of assessment for the maintenance of those facilities. The City also notes, however, that the project's waterfront park will not become part of Shoreline because, although open to the public, it will be privately owned and maintained. The public, including adjacent property owners and users, will receive the benefits of those improvements without increased taxes or assessments to support such facilities.

- I1-5 The Commenter states that the commercial property owners of Marina Village paid approximately \$35 million for public improvements and that the Project site did not contribute to such funding. The Commenter states the Project should be required to reimburse other owners for its fair share of these improvements.

This comment does not concern the adequacy of the EIR or environmental impacts of the Project therefore no response is required under CEQA. The City notes that absent a private obligation, assessment district, or a reimbursement agreement or other existing legal obligation that requires the Project to make reimbursements to the commercial property owners, the Project, if approved, would not be obligated to make payments for the use of existing public infrastructure other than the payment of standard development impact fees. The comment will nonetheless be forwarded to the decision-makers for their consideration.

- I1-6 The Commenter states it is concerned that the shuttle dock is too close to its docks and will cause wake and noise damage to our licensees and their boats.

Please also see Response to Comment I3-10. The proposed location of the water taxi will be in an area bayward of the existing steel sheetpile cofferdam and landward of the pierhead line. This area has adequate water depth for potential water taxi vessels. Vessel speed approaching and departing from the dock will be relatively slow in comparison to vessel speed in the adjacent estuary and will not result in a more extreme wave climate. Water taxis engine noise would be consistent with existing conditions in the Estuary. Water taxis would be of a similar size to vessels currently berthed at Gates 10 and 11 and would be expected to have engine sizes that would have the potential to generate noise levels similar to vessels frequenting the area under existing conditions.

- I1-7 This comment asserts that the shoreline boundaries and proposed restroom facility site are not shown accurately on the plans. The City has double-checked

and confirmed plans are consistent with their records of shoreline boundaries and the location of the proposed restroom facility.

I1-8 Under CEQA, “‘Environment’ means the physical conditions that exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, or objects of historic or aesthetic significance.” (CEQA Guidelines, section 21060.5). Considerations other than environmental, such as economic benefits or liabilities, are not environmental considerations and therefore this is not a comment on the environmental analysis.

I1-9 This is a closing statement and not a specific comment on the environmental analysis.

Letter l2

Linda Barrera

From: Sandra Coong <scoong@marinavillageharbor.com>
Sent: Thursday, May 3, 2018 7:54 AM
To: Mark Isaacson; athomas@alameda.gov
Cc: Linda Barrera
Subject: RE: Demolition of Shipways / 1200 Marina Village Parkway, Alameda

Hi Mark,

I forwarded your comment to Linda Barrera.

Thanks,

*Best Regards,
Sandra Coong
Marina Village Yacht Harbor
1030 Marina Village Parkway
Alameda, Ca. 94501
510-521-0905*

From: Mark Isaacson [mailto:isaacson_mark@yahoo.com]
Sent: Wednesday, May 02, 2018 6:44 PM
To: athomas@alameda.gov; Sandra Coong; Sherwin Samson
Subject: Demolition of Shipways / 1200 Marina Village Parkway, Alameda

Mr. Thomas,

Please count me as one of many boat owners who will be negatively impacted by the demolition for the Shipways at 1200 Marina Village Parkway, Alameda, CA. My 40' boat in a slip less then twelve feet from the cement and steel shipways that are in question. I can see no way that the demolition of these shipways will not create a huge amount of poisonous dust and debree, not to mention the material that will find it's way to damage boats like mine which are so close to the old structure. Some of these boats, like mine are quite expensive and any damage will shurly invite heartache and lawsuits. I can not imagine that any type of structure will insure that damage won't happen to these boats birthed at Gate 11 of Marina Villager Yacht Harbor.

I strongy protest the demolition for the reason stated.

Thank you for registering my objections.

Mark Isaacson / Vessel Topaz / Gate 11, Slip W-136 / Marina Village Yacht Harbor

Cell: 510 295 9638

E-Mail: isaacson_mark@yahoo.com

Letter I2 **Mark Isaacson**
May 2, 2018

I2-1 The Commenter is a boat owner berthed at the adjacent marina and notes concern that they will be negatively impacted by demolition activities.

The project applicant is 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, construction noise regulations, and all conditions of project approval, including a construction impact plan to address construction nuisances such as noise and dust.

Therefore, the impact of construction on surrounding areas, which would include the adjacent marinas, was found to be less than significant or reduced to that level through identified mitigation in the Draft EIR. Revisions have been included in Chapter 2 of this Final EIR to clarify the location of liveaboard boats on pages 4.C-8, 4.C-27, 4.J-6, 4.J-13, and 4.J-14 of the Draft EIR and the relevance of discussions related to sensitive receptors for pages 4.C-33, 4.C-35, 4.J-15, 4.J-17 of the Draft EIR.

I2-2 The Commenter notes that his and other boats are expensive and expresses concern related to damage during construction.

See response to comment I2-1 above. See also Figure 3 of the hydrographic survey showing the construction-period cofferdam to surround the site (attached as Appendix A).

Letter I3

Robert D. Nelson

M.V. "Sunrise"

909 Marina Village Parkway, Ste. 186

Alameda, California 94501

Phone: (510) 227-5706 Fax: (510) 217-2446

E-mail: rdnelson@rdnlaw.com

Comments On Draft EIR for Alameda Shipways **By Adjacent Resident**

May 10, 2018

The following comments are submitted by Robert D. Nelson, whose permanent residence, as defined in the California Government Code and the rules/policies of the BCDC, is a liveaboard vessel berthed at Gate 11, Slip W147, Marina Village Yacht Harbor, located at 1250 Marina Village Parkway, Alameda, California. My residence is less than 10 feet to the North of Shipway Number 1, and probably a matter of mere inches from the coffer dam, sheet piling, proposed pile driving activities and demolition described in connection with this development.

I3-1

1. Starting from the beginning, it must be said that here is a glaring omission of the Draft Environmental Impact Statement [hereinafter DEIR] commencing at the Executive Summary of the Project at 2.2, and continuing throughout; *that is*, a complete omission of either construction or post construction significant impacts of the project upon the vessels, occupants, and permanent liveaboard residents of Marina Village Yacht Harbor, [MVYH] at what are normally referred to as Gate 10 to the East of the project and Gate 11 to the West. It is a complete mischaracterization of existing conditions to claim at 2.2, 3.2 and throughout the DEIR that the nearest significant structures to the East and West are an office building and the Extended Stay Hotel. The docks, structures and facilities of MVYH, the vessels moored there, their occupants, and especially permanent residents, cannot possibly be referred to as insignificant in the DEIR, for the DEIR to be even remotely adequate. There are hundreds of vessels berthed within a few feet both to the East and West of this project, whose occupants will regularly be exposed to significant unaddressed impacts. Most severely impacted will be those individuals whose sole residence is a liveaboard vessel berthed at MVYH. This commenter's residence is 10 feet or less from the North end of Shipway 1, and it is believed that at Gate 11 there may be twenty or more additional permanent residents residing within a few feet to the West of Shipway 1. It is probable that as many or more vessels to the East at Gate 10 are liveaboard permanent residents as well.

I3-2

<p>2. Perhaps worse than the omission, is the affirmative false representation at many places throughout the DEIR, that there are no “sensitive receptors” within 1000 feet of the proposed project. [<i>e.g.</i>, 4 C-8, 4C-27, 4C-33, 4C-35, 4J-6, 4J-15]</p> <p>It is understood that “sensitive receptors” is environmental and or planning jargon for children, adults, seniors, residents, and occupiers of nearby facilities as to whom common sense dictates a higher likelihood of significant adverse effects from the project and especially construction activities. As recited above, there are dozens of residents and hundreds of vessel occupants within mere feet of this project, as to whom the DEIR fails to discuss significant impacts, such as construction noise, dust, vibration, exposure to toxins, lighting glare, to name a few. An EIR should document the significant adverse effects and proposed mitigation measures in each and every area discussed in the DEIR as to the residents and berthers at MVYH.</p>	<p>I3-2 Cont'd</p>
<p>3. In the absence of any rational or scientific discussion in the DEIR of construction related impacts on liveaboard residents of MVYH, it is respectfully submitted by this neighboring resident that the only viable mitigation measure to alleviate the adverse effects and hardship upon the residents is total relocation during the period of construction.</p>	<p>I3-3</p>
<p>4. As to vessel occupants, it is hard to imagine coming to Gates 10 or 11 to enjoy one’s boat during construction at all, which suggests relocation is probably a necessary mitigation measure as to the non -resident occupants as well. A mitigation measure involving a prohibition of construction activities on weekends, which is the time most vessel owners are occupying their vessels, might help somewhat, but many boat owners are not necessarily Monday through Friday 9 to 5’ers, and as to them, construction activities will likely preclude using the boat during construction activities. It is acknowledged that Alameda has a noise ordinance exempting construction activities from 7 to 7. Limiting construction to those hours may be an adequate mitigation measure for those in an “urban area” generally, but is totally inadequate mitigation of pile driving and jack hammering noise and irritation to recreational boaters just a few feet away. How it is even possible to drive de-watering sheet piling between the shipways and the residents and berthers of MVYH just inches away is not discussed in the DEIR, but whatever is contemplated should be stated, and be analyzed from the standpoint of the impact upon those nearest.</p>	<p>I3-4</p>
<p>5. Mitigation Measure 4 C-1, regarding avoidance of dust and particulate matter, is inadequate. In addition to the demonstratively false assertion that there are no “sensitive receptors”; i.e., persons, occupants and residents within 1000 feet, there</p>	<p>I3-5</p>

is no provision for the prevention of property damage to the yachts and their sails, canvass, running rigging and lines, non-skid, and/or paint. Watering is not the answer. James Barse, a City water quality specialist, can attest to the fact that restrictions he imposed on watering are so limiting, to prevent the watering from running dirt and cloudiness into the Estuary, that dust from similar dirt surcharging, earth moving, and concrete grinding, by Cattelus and others to the West of Webster Street, caused numerous complaints, public meetings, threatened litigation, and settlements of complaints by boat owners, of hundreds of thousands in damages from rust spots, and dust deposits that would run off our vessels like mud on a weekly basis. He may recall that boat-owners were unable to request mitigating measures there because boat owners do not own real property and do not get notice of hearings like this one in the absence of special request or word of mouth.

I3-5
Cont'd

If the mitigation measures proposed in 4 C-1 are inadequate to prevent deposits onto the vessels near this project, provisions must be made to wash the boats, and the cars in the parking lots to prevent as much damage as possible. The dust from the Catelus construction activities was so bad, cars in the parking lot would be covered in mud when the dust mixed with dew, and power windows often failed due to the dust, and/or scratched and ruined the glass.

6. The proponent claims that the wharves/craneways of Shipways 1-4 are structurally unsound. A few years ago, in connection with the review of an abandoned prior project, which involved essentially landscaping the wharves with paths much like a golf course fairway, engineers from BCDC informally surveyed the docks and told this commenter that the shipways were sound enough to support such concept. What has deteriorated under current ownership is unclear. However, it is suggested that as a condition of building along this shoreline, the developer should be required to do any rehabilitation of the wharves necessary to preserve them to provide greater access to the shoreline for water-oriented uses, enhancement not destruction of the shoreline, and to promote public access and views, consistent with BCDC and other governmental guidelines. If not, then the DEIR should assess why the shipways cannot be rehabilitated in a cost-effective way for this project.
7. A. The DEIR contains no analysis of the hydrographics of the navigable waters in which the shipways are located. This commenter has personal knowledge of the height and frequency of waves at the end of Shipway 1, generated by Easterly winds, and of the potential damage such wind waves can cause. From a lay but experienced perspective, it is submitted that if all four shipways were demolished as planned, severe Easterly winds, which occur 6-10 times per year, would cause

I3-6

I3-7

extensive damage to the docks and vessels at Gate 11, and the same thing would occur at Gate 10 in severe Westerlies.

13-7
Cont'd

B. The DEIR contains no analysis of the hydrographic effect removal of the protection of the shipways would have upon the ability to launch kayaks, or to dock a water taxi. In the absence of the Shipway's protection from wind and waves, the kayaking or docking of small vessels in the open waterway off this property, which is proposed as minimalist slip service to the water-oriented nature this property should have, could occur only on very calm days.

C. If a hydrographic survey of the Estuary adjacent to the Shipways had been done in connection with this DEIR, it would show the existence of some serious hazards to navigation extending north from all but the westernmost sloping concrete launching platforms. In each case this commenter, when conditions permit, has observed concrete and/or metal remnants extending northerly approximately 20-30 yards from each ramp, in pairs, a similar distance apart, at a depth of approximately 3-4 feet, at MLLW; shallow enough that I have struck one concrete remnant with the tip of an outboard motor, and struck another with the keel of one of my sailboats. Boaters with many years of Estuary experience know not to get too close to the shipways. If the shipways are demolished as proposed, creating more open water, the level of danger posed by this concrete/metal debris, presumably from ship launching historically, would increase severely. As a mitigation measure, the developer should be required to remove these hazards, abutting and/or connected to the shipway property, in any event.

13-8

D. Similarly, a hydrographic survey would show that the depth at the end of Shipway 1 is approximately 10 feet at MLLW. The depth off the sheetpile at the end of the ramps and off the other shipways, is very shallow. The tide ebbs and floods at a good clip in this area. If it is contemplated that all the concrete shipways and ramps, including sheetpile are removed, and the sea bottom reconstructed in some fashion, the DEIR should contain an analysis of any adverse effect such bottom "re-grading" would have on siltation, especially in the area of the end ties and slips at MVYH, such as the slip of this commenter, at which he is a resident.

8. Some kind of dock or float for a water taxi or shuttle is shown in Illustration 3.5a and 3.5b. The DEIR contains no analysis of the environmental effects of any such float or dock, or of the water shuttle service. However, anyone with an ounce of experience operating a vessel in the Estuary would immediately see that because of the proposed location of the float or dock, on any occasion involving wind from either the North or

13-9

East, and in frequent tide conditions, a water taxi or shuttle would be unable to approach and depart the dock, without causing extreme danger to the vessels and occupants at the end of Gate 11, Dock 1, including this commenter, whose vessel is berthed within a mere few feet of the proposed dock.

13-9
Cont'd

9. To the extent the project contemplates kayak, paddle board or small boat launching, as well as a dock or float for a water shuttle, the DEIR should contain an analysis of the significant effect of vessel speeds and wake size in this area, because of the danger involved in introducing such activities and facilities into an area without any vessel speed limits and where enormous and damaging wakes are frequent, especially after Alameda neglected to maintain two “No Wake” or “5mph” buoys, which often drifted off- station into the center of the Estuary, and were therefore removed by the Coast Guard in 2016 as a navigational hazard to its large cutters. [See, Week 50/2016 Notice to Mariners: Oakland Inner Harbor Buoy Removal: “The Alameda Police Department "No Wake" Buoys (A) and (B) have been permanently removed and discontinued, position of buoys are 37-47- 32.3N 122-16-41.7W and 37-47-24.1N, 122-16-24.8W.”]
- These buoys were placed in 2007, pursuant to a PATON [Private Aid to Navigation], issued to the Alameda Police Department. A municipal ordinance does exist, providing for the posting of Estuary speed limits, as follows:

13-10

23-6.2(a)(4) The City of Alameda may establish prima facie speed limits for any area of an estuary or channel by posting such limits in or at the entrances to such areas. When areas are so posted, the speed limits shall be as fully effective as if specified herein.

As a mitigating measure against adverse effects due to excessive speed or large wakes, the DEIR should contain a provision requiring the application for and maintenance of a PATON designating this area as a No Wake or 5MPH zone

Respectfully submitted by:

Robert D. Nelson

Robert D. Nelson

Letter I3 **Robert D. Nelson**
Response **May 10, 2018**

- I3-1 This is an introductory comment and not a specific comment on the environmental analysis.
- I3-2 The Commenter states that the adjacent marinas have full time residents and expensive boats that were not addressed in the Draft EIR and would be impacted by construction activities.
- Revisions have been included in Chapter 2 of this Final EIR to clarify the location of liveaboard boats on pages 4.C-8, 4.C-27, 4.J-6, 4.J-13, and 4.J-14 of the Draft EIR and the relevance of discussions related to sensitive receptors for pages 4.C-33, 4.C-35, 4.J-15, 4.J-17 of the Draft EIR.
- To summarize, the project applicant is 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, construction noise regulations, and all conditions of project approval, including a construction impact plan to address construction nuisances such as noise and dust. Therefore, the impact of construction on surrounding areas, which would include the adjacent marinas, was found to be less than significant or reduced to that level through identified mitigation in the Draft EIR.
- I3-3 The Commenter restates contentions from I3-2 above and requests relocation for nearby liveaboards during construction. See responses to comments I3-2 above and I3-4 below.
- I3-4 The Commenter states that the Project should mitigate construction impacts on liveaboard and non-resident vessel impacts through relocation and a prohibition on construction during weekends. The Commenter states that the noise ordinance construction hour limitation may be an appropriate mitigation for an urban area but not for the unique situation of marina located adjacent to a construction site. The Commenter also asks for details related to the construction techniques used to install sheet piling.
- The Draft EIR concluded that construction noise impacts would be less than significant because of the temporary nature of construction noise impacts and that the project would comply with the City's noise ordinance, which limits noise impacts to between the hours of 7:00 am and 7:00 pm Monday through Friday and 8:00 am to 5:00 pm on Saturdays and with no construction permitted on Sundays. The Draft EIR also notes that the project would be required as a standard condition of approval to create and implement development- specific noise and vibration reduction plans to minimize construction noise impacts,

which shall be enforced via contract specifications (Draft EIR p. 4.J-14). Although a marina is a unique use, its users would be treated as all other residents and workers in the City of Alameda. The limitation on hours is used City wide, including when construction impacts would impact residences or recreational uses such as city parks. The City agrees that marina users may not wish to occupy vessels during demolition, pile driving and heavy equipment activities, however, such activities would not occur during nighttime hours, which is considered the most sensitive period of time for noise impacts. Nonetheless, the applicant has agreed to a condition of approval that provides further detail on the requirements for its construction impact plan.

See also Figure 3 of the hydrographic survey showing the construction-period cofferdam to surround the site (attached as Appendix A).

- I3-5 The Commenter states that construction dust has been a problem at other sites and that the proposed mitigation is not adequate to avoid dust impacts on boats in the marina.

Revisions have been included in Chapter 2 of this Final EIR to clarify the location of liveaboard boats and that conditions of approval will be required, including the project-specific construction impact plan on pages 4.C-27, 4.C-33, 4.C-34 of the Draft EIR, related to the discussion of construction-period dust. To summarize, the project applicant is 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 as identified in mitigation measure 4.C-1, and all conditions of project approval, including a construction impact plan to address construction nuisances such as noise and dust. Therefore, the impact of construction dust on surrounding areas, including the adjacent marinas, was found to be less than significant or reduced to that level through identified mitigation in the Draft EIR.

- I3-6 The Commenter state that rehabilitation of the wharves/craneways could be possible and should be considered.

As required under CEQA, the Draft EIR analyzed the proposed project. The Draft EIR also considered alternatives to the proposed project, which included a partial preservation alternative that would retain a portion of the existing structures (see Chapter 5 of the Draft EIR). The City's decision maker, here the Planning Board, will determine if an alternative is feasible and provide the support for that conclusion in the project's CEQA findings.

- I3-7 The Commenter states that the DEIR contains no analysis of the hydrographics of the navigable waters in which the shipways are located and has concerns that if all four shipways were demolished as planned extensive damage would occur to boats and vessels at Gate 10 and Gate 11. The Commenter also states that the Draft EIR

should analyze the project's impact on the launching and docking of kayaks and small vessels including a water taxi.

Much of the existing adjacent marinas as well as other marinas in the area do not have the potential to be shielded by the project site or other structures, so such a condition was not studied in the Draft EIR. However, in response to comments, the "Alameda Shipways Residential Project – Wave Analysis" was prepared to demonstrate these conclusions, which is attached as Appendix A. This analysis concludes that post project conditions would result in wave heights similar to, or even less than, current conditions (under 1-ft in the project vicinity for both Gate 11 and Gate 10) and therefore the project will not result in significant impacts related to wave conditions. The analysis also concludes that even if the existing cofferdam were to be removed, conditions at Gates 10 and 11 would be similar to conditions at other locations within the marina, which meet the "good" standard for berthing without any shielding. Therefore, the City has determined that the project will not change wave action in the Estuary to an extent that will cause damage to boats in the adjacent marinas. The current proposed design includes construction of new sheetpile along the west (Pier 1 or craneway 1) and east (Pier 6 or craneway 6) edges of the project site, including the new piers and the existing cofferdam will be left in place. These barriers are similar to existing conditions. Figure 3-6 has been added to the EIR to clarify the Project's water edge treatment and revised Figure 3-5b shows the revised location of the water taxi/kayak dock.

The project will not adversely impact small vessels launching from the dock. Vessels launching from the dock would be subject to the same less than one-foot wave conditions. Kayaks would likely launch on the landward side of the dock, which would provide additional protection from the estuary's ambient waves (the majority of the northeast-facing shoreline of Alameda near the project consists of unprotected marinas, owed in part to the relatively calm wave conditions). The dock will be designed to meet applicable boarding float design criteria.

- I3-8 The Commenter states that "if a hydrographic survey of the Estuary adjacent to the Shipways had been done in connection with this DEIR, it would show the existence of some serious hazards to navigation extending north from all but the westernmost sloping concrete launching platforms." The Commenter states that the demolition of the shipways would increase the level of danger related to existing debris and that the project should be required to remove such hazards. The Commenter also states that the depth of the sheetpiles at the end of the ramps and off the other shipways, is very shallow and if it is contemplated that all the concrete shipways and ramps, including sheetpile are removed, the DEIR should contain an analysis of any adverse effect such bottom "re-grading" would have on siltation.

A multi-beam hydrographic survey was performed in October 2017, which shows submerged remnant piles and sediment buildup (possibly obscuring remnant rail structures) in shipways 2, 3, and 4. There are no remnant structures related to Shipway 1 (the westernmost shipway). The remnant structures are an existing condition that will not be exacerbated by the project. The created open water will have similar depths as existing conditions and any vessels operating in such shallow waters would be responsible to use reasonable care and speed. As to impacts due to siltation, the existing steel sheetpile cofferdam will not be removed. Instead, it would be cut off at a lower elevation corresponding to an elevation slightly above the existing interior mudline. This will result in the cofferdam continuing to serve as a retaining device for the existing bay mud landward of the cofferdam. Furthermore, bay mud is generally resistant to erosion from transverse currents driven by tidal action.

- I3-9 The Commenter states that the Draft EIR contains no analysis of the environmental effects of the proposed water taxi/kayak dock or of the water taxi shuttle service. The Commenter states that because of the proposed location of the float or dock, winds from either the and infrequent tide conditions, would prevent a water taxi or shuttle from approaching and departing the dock without causing extreme danger to the vessels and occupants at the end of Gate 11, Dock 1.

See revised Figure 3-5b in Chapter 2 of this Final EIR for the revised location of the water taxi/kayak dock. The water taxi will be located within the area bounded by the existing steel sheetpile cofferdam and the existing pierhead line. The end of the water taxi dock will be sited such that there will be a substantial buffer between the vessels berthed at Gate 11 and the proposed dock location to allow proposed water taxi vessels to approach and depart the water taxi dock safely. The project would not result in any increase in risk of collision compared to existing conditions, which already involves substantial ship traffic in the Estuary and the launching and docking of vessels of similar size to a potential water taxi at the berths within Gate 11.

- I3-10 The Commenter states that to the extent the project contemplates kayak, paddle board or small boat launching, as well as a dock or float for a water shuttle, the Draft EIR should contain an analysis of the significant effect of vessel speeds and wake size in this area, because of the danger involved in introducing such activities and facilities into an area without any vessel speed limits and where damaging wakes are frequent. The Commenter states that Alameda neglected to maintain two “No Wake” or “5mph” buoys which were removed by the Coast Guard in 2016. The Commenter states the buoys were placed pursuant to a PATON [Private Aid to Navigation], issued to the Alameda Police Department. The commenter states the City has authority to establish speed limits in the estuary and the EIR should include a mitigation measure the requirement of the

application for and maintenance of a PATON designating this area as a No Wake or 5MPH zone.

The water taxi/kayak dock will be governed by an existing 5 mph zone. As stated on City of Alameda Marine Patrol website:

“Section 655.2(a)(2) of the Harbor and Navigations Code states NO vessel shall travel more than 5 mph when within 200 feet of any floating dock or marina. Additionally, within NO WAKE zones, your boat must operate off plane and completely settled in the water, operating at the minimum speed necessary to maintain steering and headway.”

Because the water taxi would be of a similar size as vessels currently berthed at Gates 10 and 11 and much smaller than vessels currently using the Estuary for transit, the wakes created by any water taxi or other small vessel using the project's dock will be not be significantly greater or significantly more frequent than under existing conditions. No mitigation is required because the project will not result in significant impacts related to wakes.

Letter I4

From: captcook63 [mailto:captcook63@comcast.net]
Sent: Saturday, May 12, 2018 7:53 PM
To: ANDREW THOMAS <ATHOMAS@alamedaca.gov>
Subject: Alameda shipways project.

Good day sir,

I'm a live aboard in very close proximity to the proposed project along with many others .I haven't seen any literature addressing our concerns . In fact we don't seem to be considered as prominent structures, even though all these vessels add up to a large sum.

I4-1

A few of my major concerns would be :

1. I spend alot of time, money and effort keeping my vessel looking prestine. I'm concerned about dust . The EIR states they will control it . If not what are my options? Apperently there have been issues with other construction projects in the area.

I4-2

2. It appears that the deconstruction will eliminate our on shore bath rooms , showers , laundry and ice machine . Will they be replaced ? My neighbors tell me they have contacted the marina management. But they have no statement .

I4-3

3. Will if be nessacery to move vessels and docks to allow room for construction equipment ? If so what are the plans ?

I4-4

Thank you for your time, continued success.

Danny Doane.

Letter I4 **Danny, Doane**
Response **May 12, 2018**

I4-1 The Commenter resides on a liveaboard in the adjacent marina and states these were not addressed in the Draft EIR.

Revisions have been included in Chapter 2 of this Final EIR to clarify the location of liveaboard boats on pages 4.C-8, 4.C-27, 4.J-6, 4.J-13, and 4.J-14 of the Draft EIR and the relevance of discussions related to sensitive receptors for pages 4.C-33, 4.C-35, 4.J-15, 4.J-17 of the Draft EIR.

I4-2 The Commenter states that construction dust has been a problem at other sites and expresses concern of dust impacts on his vessel at the adjacent marina.

Revisions have been included in Chapter 2 of this Final EIR to clarify the location of liveaboard boats and that conditions of approval will be required, including the project-specific construction impact plan on pages 4.C-27, 4.C-33, 4.C-35 of the Draft EIR, related to the discussion of construction-period dust. To summarize, the project applicant is 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 as identified in mitigation measure 4.C-1, and all conditions of project approval, including a construction impact plan to address construction nuisances such as noise and dust. Therefore, the impact of construction dust on surrounding areas, including the adjacent marinas, was found to be less than significant or reduced to that level through identified mitigation in the Draft EIR.

I4-3 The Commenter expresses a concern over the loss of the shore bathrooms, showers, laundry and ice machine and questions the plan for replacement.

The noted facilities are proposed to be replaced in a facility on City land adjacent to Gate 11. The location is shown on Draft EIR Figure 3-5a (legend letter "K" "Private/Public Restroom"). Revisions have been included in Chapter 2 of this Final EIR to provide additional detail to page 3-12 of the Draft EIR on the proposed location and size of the restroom facility. The final location and design of the facility will be determined prior to issuance of a building permit after consultations between the City, BCDC, the applicant, and the Marina. The obligation of the developer to provide restroom facilities to the Marina is a private obligation and is not a requirement imposed by the City although the City has an interest in making sure that restroom facilities for the Marina continue to be provided during project construction. The applicant has informed the City it will comply with its obligations under the CC&Rs for Marina Village to provide restroom facilities and will continue to work with the Marina and its users in the final design of the restroom facilities.

- I4-4 The Commenter asks whether it will be necessary to move vessels and docks for construction activities. No movement of vessels or docks in adjacent marinas is required or proposed for construction activities.



(510) 595-4690
P.O. Box 2732
Alameda, CA 94501

Letter I5

May 14, 2018

Board of Directors Andrew Thomas, AICP
Assistant Community Development Director
Planning and Building Department
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501
athomas@alamedaca.gov,

Brian McGuire
President

Donna Eyestone
Secretary

Dear Mr. Thomas:

Denyse Trepanier
Treasurer

On behalf of the Board of Directors of Bike Walk Alameda, and its members, please consider our comments on the draft EIR for the Shipways Project at 1200 Marina Village Parkway.

I5-1

Lucy Gigli

Cyndy Johnson

Pat Potter

Kristen Leckie

We request that the project reserve at least a 50 foot right of way on the eastern side of the site for a possible future bicycle/pedestrian bridge. This location is one of the preferred alignments that the City of Alameda is considering in conjunction with the City of Oakland and the Port of Oakland. This bridge will help mitigate the traffic impacts and greenhouse gas emissions associated with the project, while offering new and existing residents a healthy way to travel between Alameda and key destinations in Oakland, like Amtrak, BART, Laney College, and Jack London Square.

I5-2

Additionally, the project describes the construction of 497 parking spaces at a ratio of 1.7 spaces per unit. This high ratio of parking spaces will induce significantly higher levels of car ownership and dependence amongst the future residents than a project with a reduced number of spaces. This will lead to adverse environmental impacts in the form of increased greenhouse gas emissions, increased congestion, and heightened conflicts with cyclists and pedestrians. We ask that a lower ratio of parking per unit be considered in order to minimize the environmental impacts of the project.

I5-3

Respectfully,

Brian McGuire
President, Bike Walk Alameda

Letter I5 **Danny, Doane**
Response **May 12, 2018**

- I5-1 This is an introductory comment and not a specific comment on the environmental analysis.
- I5-2 The Commenter requests that the project reserve right of way for a possible future bicycle/pedestrian bridge because the site is one being considered for such a future facility.
- Due to the current speculative nature of such a project at this time, it would not be considered effective mitigation for the proposed project, and therefore is not included in the Draft EIR. However, according to preliminary plans as of August 2018, the City would not require additional right-of-way from the project applicants for the landing of such a bridge, even if this location is chosen, as the landing would occur on City-owned shoreline property and the adjacent property to the east.
- I5-3 The Commenter urges consideration of a lower parking ratio to reduce car ownership and dependence and minimize related environmental impacts.
- Chapter 2 of this Final EIR includes revisions to the proposed project generally consistent with the Multi-Structure Affordable Housing Alternative, with a reduced parking ratio of about 1.5, rather than 1.7. A Transportation Demand Management Plan is also required to be implemented by mitigation measure 4.L-2 to reduce automobile trips.

Hearing H1 **Public hearing before the Historic Advisory Board**
Response **May 3, 2018**

- H1-1 Some members of the public spoke to convey comments from their written letters, including the adjacent marina owner and liveaboard residents. Their comments are already addressed for the written comments so are not repeated here.
- H1-2 Board Members Lynn Jones, Norman Sanchez and/or Tom Saxby recommended the following that could be related to the environmental analysis/mitigation: having more signage, that the location of the signage be closer to the entrance of the trail to the park, preserving a portion of the head houses and using them in the project design, and that more site history be incorporated into the design.

The applicants have made some revisions to the project, as outlined in Chapter 2 of this Final EIR, including the following:

“Historical reference has been enhanced to not only include historical / interpretive signage and utilization of similar construction materials previously utilized at the Shipways site, but to also include nautical / industrial site and building lighting throughout and graphics from the former site blueprints and re-using the existing site building signage (eg., Ship 1 Way, Ship 2 Way) integrated into monument like displays.”

Mitigation measure 4.E-1b specifies that the plan for public interpretation of historic resources shall be reviewed by the Historic Advisory Board and Chapter 2 of this Final EIR includes revision to Table 3-1 to clarify that a Certificate of Approval to demolish the existing historic structures would be required from the Historic Advisory Board for project approval.

Hearing H2 Response	Public hearing before the Planning Board May 14, 2018
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- | | |
|------|--|
| H2-1 | Some members of the public spoke to convey comments from their written letters, including the adjacent marina owner and liveaboard residents. Their comments are already addressed for the written comments so are not repeated here. |
| H2-2 | <p>Board Member Alan Teague identified the following revisions to be made to the text of the Draft EIR.</p> <ul style="list-style-type: none">• Pg. 311, TMA should also consider providing transit to ferry terminal• 4-G-3 typo under Marina Village—should say “from” not “form”• 4-K-4 missing capacity of Encinal High School• 4-L-5 traffic study should note whether it was conducted before or after Oakland changed traffic signals on other side of Park St• 4.L.13 diagram missing outbound buses for 96, 314, 851• 4-L-15 AC transit doesn’t go to Main Street ferry• 5-3 state there were no other alternatives that were rejected• 4-L-24 diagram doesn’t include High Street Bridge• Lacks traffic impact of Bay Farm Island Bridge and High St. bridge |

Revisions were made as requested as described in Chapter 2 of this Final EIR. As for the last two bullet points, the scope of the analysis was determined through coordination between City staff and transportation consultants based on the locations where project traffic would travel and have the potential to cause an impact. Due to the project location and expected travel characteristics, High Street Bridge and Bay Farm Island Bridge were not studied because no impacts are anticipated in those locations.

H2-3 Board Member David Burton urged consideration of impacts to marina liveaboards.

Revisions have been included in Chapter 2 of this Final EIR to clarify the location of liveaboard boats on pages 4.C-8, 4.C-27, 4.J-6, 4.J-13, and 4.J-14 of the Draft EIR and the relevance of discussions related to sensitive receptors for pages 4.C-33, 4.C-35, 4.J-15, 4.J-17 of the Draft EIR.

H2-4 Board Member Ronald Curtis expressed concern that school capacity would be an issue in the future requiring additional land for schools and that emergency response times during rush hour should be a consideration.

As noted on pages 4.K-3, -4, -14, -15, and -18 of the Draft EIR, all schools expected to serve the proposed project have available capacity and enrollment has been generally decreasing. These pages also include a discussion of school impact fees to be paid and the School District's potential plans for additional facilities.

As for emergency response times during rush hour, emergency vehicles use lights, sirens, and traffic signal pre-emption so that they are not subject to the same traffic conditions as normal traffic. That being said, planning for services and response times takes into account existing and projected traffic conditions given area-wide cumulative growth.

H2-5 Board Member Sandy Sullivan expressed concern about traffic and construction impacts on boats.

The project's impact in relation to traffic is analyzed in Section 4.L of the Draft EIR. As noted in that section, the project would have significant and unavoidable impacts on a project-level to the Park Street/Blanding Avenue intersection and a cumulatively considerable contribution to a significant and unavoidable impact at the Marina Square Drive/Constitution Way intersection (Impact 4.L-2). Adoption of a statement of overriding considerations for these traffic impacts would be required for project approvals.

As for construction impacts, the project applicant is 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, construction noise regulations, and all mitigation measures and conditions of project approval, including a construction impact plan to address construction nuisances such as noise and dust.

Therefore, the impact of construction on surrounding areas, which would include the adjacent marinas and the vessels contained therein, was found to be less than significant or reduced to that level through identified mitigation in the Draft EIR. Revisions have been included in Chapter 2 of this Final EIR to clarify the location of liveaboard boats on pages 4.C-8, 4.C-27, 4.J-6, 4.J-13, and 4.J-14 of the Draft EIR and the relevance of discussions related to sensitive receptors for pages 4.C-33, 4.C-35, 4.J-15, 4.J-17 of the Draft EIR.

CHAPTER 4

Mitigation Monitoring and Reporting Program

4.1 Introduction

Section 15097 of the California Environmental Quality Act (CEQA) Guidelines requires public agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Alameda Shipways Residential Project. The intent of the MMRP is to prescribe and enforce a means for properly and successfully implementing the mitigation measures identified within the Draft Environmental impact Report (EIR) for this project.

4.2 Mitigation Measures

The table below lists all mitigation measures for the project as identified in the Alameda Shipways Residential Project Draft EIR. The MMRP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

4.3 MMRP Components

The components of the attached table, which contains applicable mitigation measures, are addressed briefly, below.

Impact: This column summarizes the impact stated in the Draft EIR.

Mitigation Measure: All mitigation measures that were identified in the Draft EIR are presented and numbered accordingly.

Action: For every mitigation measure, one or more actions are described. The actions delineate the means by which the mitigation measures will be implemented, and, in some instances, the criteria for determining whether a measure has been successfully implemented. Where mitigation measures are particularly detailed, the action may refer back to the measure.

Implementing Party: This item identifies the entity that will undertake the required action, typically the project applicant or its designee.

Timing: Implementation of the action must occur prior to or during some part of project approval, project design, or construction or on an ongoing basis. The timing for each measure is identified.

Monitoring Party: The City of Alameda is primarily responsible for ensuring that mitigation measures are successfully implemented. Within the City, a number of departments and divisions would have responsibility for monitoring some aspect of the overall project.

TABLE 4-1
ALAMEDA SHIPWAYS RESIDENTIAL PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
Air Quality, Greenhouse Gas Emissions, and Energy					
Impact 4.C-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 (PM _{2.5}). (Less than Significant with Mitigation)	Mitigation Measure 4.C-1: The project applicant 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, and all conditions of project approval, including the construction impact plan. 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. <ul style="list-style-type: none">• 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. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.	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
Impact 4.C-5: The proposed project would not conflict with or obstruct the implementation of the applicable air quality plan. (Less than Significant with Mitigation)	Mitigation Measure 4.C-2: The City shall require construction plans for the new structures are designed to meet LEED Silver certification or equivalent. Implementation of Mitigation Measure 4.L-2	Provide construction 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
Impact 4.C-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 (Less than Significant with Mitigation)	Implementation of Mitigation Measure 4.C-1	See measure listed above.	See measure listed above.	See measure listed above.	See measure listed above.
Impact 4.C-7: The proposed project would not generate greenhouse gas emissions, either directly or indirectly, that would have a significant impact on the environment. (Less than Significant with Mitigation)	Implementation of Mitigation Measures 4.C-1 and 4.C-2	See measures listed above.	See measures listed above.	See measures listed above.	See measures listed above.

TABLE 4-1 (Continued)
ALAMEDA SHIPWAYS RESIDENTIAL PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
Impact 4.C-8: The proposed project would not conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. (Less than Significant with Mitigation)	Implementation of Mitigation Measure 4.C-2	See measure listed above.	See measure listed above.	See measure listed above.	See measure listed above.
Biological Resources					
Impact 4.D-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 CDFW or USFWS. (Less than Significant with Mitigation)	<p>Mitigation Measure 4.D-1a: The applicant shall obtain all necessary authorizations related to potential impacts to special status fish species from USFWS and NMFS during the permit phase of the project. Such authorizations could be required for in-water demolition work or pile driving activities in areas adjacent to the shoreline and could consist of authorization under one of the programmatic consultations for federally-listed species described above or a separate Biological Opinion. The project applicant shall submit to the City copies of any Biological Opinion received.</p> <p>Mitigation Measure 4.D-1b: If it is determined that pile installation using impact hammers along the shoreline would exceed established thresholds for injury or mortality to fish as set forth in FHA 2008 Caltrans 2015, and/or NMFS 2016 (see References), the City shall require a NMFS-approved sound attenuation monitoring plan to protect fish. This plan shall provide detail on a system to accomplish sound attenuation during pile driving, provide detail on 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 the greatest extent feasible. The sound monitoring results shall be made available to the NMFS. The plan shall incorporate, but not be limited to, the following best management practices (BMPs):</p> <ul style="list-style-type: none">• To the extent feasible, all pilings shall be installed and removed with vibratory pile drivers only. Vibratory pile driving will be conducted following the Corps "Proposed Procedures for Permitting Projects that will Not Adversely Affect Selected Listed Species in California" and the related USFWS and NOAA Section 7 consultation which establishes general procedures for minimizing impacts to natural resources associated with projects in or adjacent to jurisdictional waters.• All piling installation using impact hammers and all demolition work along the shoreline required for removal of the craneways, welding platform and concrete shipways and work associated with pile driving and excavation/filling adjacent to the shoreline during site preparation shall be conducted between June 1 and November 30, if feasible, when the likelihood of sensitive fish species being present in the work area is minimal.• 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 impact hammer shall be cushioned using a 12-inch thick wood cushion block during all impact hammer pile driving operations.• 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 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 for work completed in-water shall be implemented to attenuate sound levels to below thresholds.	<p>Pre-construction: Provide evidence of regulatory compliance to the City Building Division and/or the City Planning Division as specified in the measure. Provide NMFS-approved sound attenuation and monitoring plan to the City Planning Division.</p> <p>During construction: Provide monitoring reports as specified in agreement with NMFS.</p>	Project applicant or designee	<p>Pre-construction: Prior to issuance of demolition/building permits.</p> <p>During construction: Ongoing per terms of agreement with NMFS.</p>	City of Alameda
Impact 4.D-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 CDFW or USFWS. (Less than Significant with Mitigation)	<p>Mitigation Measure 4.D-2a: The applicant shall develop and implement a Marine Invasive Species Control Plan prior to commencement of any in-water work and submit such plan to the City for review and approval. Provisions of the plan shall include (i) environmental training of construction personnel involved in in-water work; (ii) actions to be taken to prevent the release and spread of marine invasive species, especially algal species such as Undaria and Sargasso; (iii) procedures for the safe removal and disposal of any invasive species observed on the removed structures; (iv) the onsite presence of a qualified marine biologist to assist the contractor in the identification and proper handling of any invasive species removed from equipment or materials; and (v) preparation of a post-construction report identifying any invasive species attached to equipment and materials following removal from the water, and describing the treatment or handling of identified invasive species. Reports shall be submitted to the City.</p>	Prepare Marine Invasive Species Control Plan with cooperation and oversight from relevant agencies as specified 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.	Project applicant or designee	<p>Pre-construction: Prior to issuance of demolition/building permits within the affected in-water areas.</p> <p>Post-construction: Prior to final inspection of completed in-water structures within the affected area(s).</p>	City of Alameda

TABLE 4-1 (Continued)
ALAMEDA SHIPWAYS RESIDENTIAL PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
Impact 4.D-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)	<p>Implement Mitigation Measures 4.D-1a and 4.D-1b.</p> <p>Mitigation Measure 4.D-4a: If pile driving during in-water project work would result in exceedance of thresholds as set forth in FHA 2008 Caltrans 2015, and/or NMFS 2016 (see References), the project applicant shall obtain Incidental Harassment Authorization from NMFS for Pacific harbor seals or California sea lions related to potential noise impacts resulting from pile driving activities and in-water work.</p> <p>Mitigation Measure 4.D-4b: The sound attenuation monitoring plan required in Mitigation Measures 4.D-1b shall include an evaluation of the potential effects of sound on marine mammals, and shall determine appropriate measures to be employed if sound levels exceed thresholds established by MMPA regulations. If it is found that sound levels would be exceeded a NMFS-approved biological monitor shall conduct daily surveys before and during impact hammer pile driving for the presence of marine mammals. Monitoring will be completed within “safety zones” that are established in the sound attenuation and monitoring plan based on modeled sound levels resulting from pile driving. If marine mammals enter zones that could result in injury or death to individuals, pile driving shall cease and shall not resume until the individual has left the safety zone or has not been observed for 15 minutes.</p> <p>Mitigation Measure 4.D-5a: If feasible, construction work shall take place outside of the February 1 to August 31 breeding window for nesting birds. If construction is to be conducted during the breeding season, a qualified biologist shall conduct a pre-construction breeding bird survey in areas of suitable habitat within 15 days prior to the onset of construction activity. If active bird nests are found, appropriate buffer zones shall be established around all active nests to protect nesting adults and their young from construction disturbance. Size of buffer zones shall be determined by a qualified biologist based on site conditions and species involved. In general, CDFW recommends a 150-foot construction exclusion zone around the nests of active passerine songbirds during the breeding season, and a 300-foot buffer for nesting raptors. Buffer zones should be maintained until it can be documented that either the nest has failed or the young have fledged.</p> <p>Mitigation Measure 4.D-5b: If demolition of the shipways buildings is planned to occur during the bird nesting season (February 1 to August 31), the applicant shall use protective nests or tarps or other measures to reduce the potential for establishment of active nests, including, for example: cover potential nesting sites in the eaves of the Shipways buildings for cliff swallows to prevent initiation of nesting by swallows that could impede demolition of the Shipways buildings. Such features would need to be installed with the assistance of qualified wildlife biologists during the non-nesting season (prior to January 31) to ensure that no nesting birds are harmed by their placement. The protective nets or tarps would remain until the commencement of demolition work for the subject building or could remain throughout the nesting season (until after August 31).</p> <p>Mitigation Measure 4.D-6a: Prior to the issuance of construction permits, the City shall ensure the project applicant conducts a preconstruction bat survey and implements any warranted measures necessary to protection of bat populations, including special status bat species.</p> <ul style="list-style-type: none">• A daytime bat habitat assessment should be conducted by a qualified bat biologist of all structures slated for demolition (including craneways, the welding platform and shipways). No activities that could disturb active roosts shall proceed prior to completion of the survey. The habitat survey will include a detailed survey of all accessible portions of the exteriors and interiors of structures. If structures contain past or present evidence of roosting bats (fecal pellet accumulations, urine or fur staining at entrances, insect prey remains, live or dead bats, characteristic odor, etc.) and there are walls or other portions of the structure that cannot be completely surveyed, it will be assumed that roosting bats are present unless a detailed visual survey or night emergence survey can be conducted that verifies the absence of bats. Demolition of structures containing roosting bats or signs of past or present use by bats would be delayed until between March 1 (weather permitting) and April 15 to avoid mortality of torpid overwintering bats, and between September 1 and October 15 to prevent mortality of young that are not yet self-sufficiently volant.• If no bats are determined to be present at the project site, appropriate steps shall be taken based on recommendation of the qualified biologist to ensure that accessible entrances are closed off to ensure that a colony does not become established.• 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.• Removal of structures containing or presumed 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	<p>Pre-construction: Provide NMFS-approved sound attenuation and monitoring plan to the City Planning Division.</p> <p>Provide evidence of regulatory compliance to the City Building Division and/or the City Planning Division as specified in the measure.</p> <p>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.</p> <p>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.</p> <p>Provide lighting plans to City Building Division for review and approval showing compliance with measure.</p> <p>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 mitigation measure.</p> <p>During construction: Provide monitoring reports as specified in agreement with NMFS.</p> <p>Post-construction: Demonstrate compliance with measure to satisfaction of the City Building Division.</p>	Project applicant or designee	<p>Pre-construction: Prior to issuance of demolition/building permits.</p> <p>Post-construction: Prior to issuance of occupancy permits.</p>	City of Alameda

TABLE 4-1 (Continued)
ALAMEDA SHIPWAYS RESIDENTIAL PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	<p>change the roost conditions, causing bats to abandon and not return to the roost.</p> <ul style="list-style-type: none">If significant bat roosting habitat (e.g., maternity roosts or large non-maternity roost sites) is destroyed during structure removal, mitigation shall be required based on recommendations of the surveying biologist. Mitigation would be determined based on the biological requirements of the specific bat species identified, and may include 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, on-site bat roosts, or other on-site or off-site measures. The design and location of the artificial bat roost(s) shall be determined by a qualified bat biologist. <p>Mitigation Measure 4.D-7a: Best Management Practices and all requirements as detailed in the SWPPP (or stormwater quality control plan) shall be implemented to control erosion and migration of sediments off-site. Implementation of water quality controls shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction. In addition, vegetation shall only be cleared from the permitted construction footprint. Areas cleared of vegetation, pavement, or other substrates should be stabilized as quickly as possible to prevent erosion and runoff.</p> <p>Mitigation Measure 4.D-8a: Through the Design Review application process, the City shall ensure that the project applicant installs lighting on docks, piers, and along the shoreline that minimizes artificial lighting of Bay waters by using shielded, low-mounted, and low light-intensity fixtures and bulbs.</p> <p>Mitigation Measure 4.D-9a: The project Design Review plans shall be designed to minimize the risk of bird strikes. 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 buildings to ensure that the potential for bird strikes is sufficiently minimized. The project applicant shall provide the City a written description of the measures and features of the building design that are intended to address potential impacts on birds. Specific features shall include limits on reflective building materials so building appear less transparent and limitations on night lighting.</p>				
Cultural Resources					
Impact 4.E-1: Project implementation would cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5. (Significant and Unavoidable with Mitigation)	<p>Mitigation Measure 4.E-1a: The project proponent shall prepare a treatment plan including but not limited to photo documentation and public interpretation of the shipways at 1100 – 1250 Marina Village Parkway (Shipway 1, 2, 3, and 4). Photo documentation will be overseen by a Secretary of the Interior–qualified architectural historian, documenting the affected historical resource. In accordance with the National Park Service’s Historic American Buildings Survey (HABS) and/or Historic American Engineering Record (HAER) standards. Such standards typically include large-format photography using (4x5) negatives, written data, and copies of original plans if available. The HABS/HAER documentation packages will be archived at local libraries and historical repositories, as well as the Northwest Information Center of the California Historical Resources Information System.</p> <p>Mitigation Measure 4.E-1b: Public interpretation of historical resources shall be provided and could include a plaque, kiosk, or other method of describing the historic or architectural importance of the shipways to the general public. The design and placement of the display(s) shall be reviewed and approved by the City of Alameda Historic Advisory Board.</p>	Submit treatment 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 construction contracts and/or construction bid solicitation.	City of Alameda
Impact 4.E-2: Project construction could potentially cause a substantial adverse change in the significance of an archaeological resource, including those determined to be a historical resource defined in Section 15064.5 or a unique archaeological resource defined in PRC 21083.2. (Less than Significant with Mitigation)	<p>Mitigation Measure 4.E-2a: During construction, if prehistoric or historic-era cultural materials are encountered, all construction activities within 100 feet shall halt and the City shall be notified. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (“midden”) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; artifact filled wells or privies; and deposits of metal, glass, and/or ceramic refuse.</p> <p>The project applicant shall ensure that a Secretary of the Interior-qualified archaeologist inspect the find within 24 hours of discovery. If the find is determined to be potentially significant, the archaeologist, shall follow the guidelines provided in Mitigation Measure 4.E-2b.</p> <p>Mitigation Measure 4.E-2b: If a find is determined to be potentially significant, the project applicant shall ensure an archaeological testing and data recovery program (as well as archaeological monitoring, if warranted) consistent with a professionally developed Archaeological Resources Management Plan are undertaken as follows:</p> <ul style="list-style-type: none">Preservation in Place. A qualified archaeologist, in consultation with the City of Alameda, the project applicant, and the appropriate Native American representative(s) shall determine whether preservation in place of the site is feasible. Consistent with CEQA Guidelines Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the	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)
ALAMEDA SHIPWAYS RESIDENTIAL PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	<p>resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement.</p> <p>If it is determined that preservation in place is not feasible for the resource and another type of mitigation would better serve the interests protected by CEQA, mitigation shall include testing and data recovery through archaeological investigations and the project applicant shall undertake the following:</p> <ul style="list-style-type: none">Archaeological Resources Management Plan. The project proponent shall retain a Secretary of the Interior-qualified archaeologist, in consultation with a Native American representative(s), to prepare and implement an Archaeological Resources Management Plan (ARMP). The ARMP shall include a preliminary testing program to identify the types of expected archaeological materials, the testing methods to be used to define site boundaries and constituents, and the locations recommended for testing. The purpose of the testing program will be to determine to the extent possible the presence or absence of archaeological materials in the proposed areas of disturbance for the project and to determine whether those materials contribute to the significance of the site. If a significant contributing element to the site is in the project area, the project proponent shall conduct a data recovery program as outlined in the ARMP. The ARMP will include how the data recovery program would preserve the significant information the archaeological resource is expected to contain. Treatment would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim of targeting the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The ARMP shall include provisions for analysis of data in a regional context; reporting of results within a timely manner and subject to review and comments by the appropriate Native American representative, before being finalized; curation of artifacts and data at a local facility acceptable to the City and appropriate Native American representative; and dissemination of final confidential reports to the appropriate Native American representative, the Northwest Information Center of the California Historical Resources Information System and the City.				
Impact 4.E-3: Project construction could potentially disturb human remains, including those interred outside of formal cemeteries. (Less than Significant with Mitigation)	<p>Mitigation Measure 4.E-3: Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.98 of the Public Resources Code of the State of California, the project applicant shall ensure the following:</p> <ul style="list-style-type: none">Project construction personnel shall be informed of the potential of encountering human remains during construction, and the proper procedures to follow in the event of the discovery of human remains during construction.In the event of the discovery of human remains during construction, work shall stop in that area and within 100 feet of the find. The Alameda County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to their authority, they shall notify the Native American Heritage Commission who shall identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the project applicant shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further ground disturbance.	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
Impact 4.E-5: The project, in combination with past, present, and probable future projects, would substantially contribute to cumulative adverse historic architectural resources impacts. (Significant and Unavoidable with Mitigation)	Implementation of Mitigation Measures 4.E-1a and 4.E-1b	See measures listed above.	See measures listed above.	See measures listed above.	See measures listed above.
Impact 4.E-6: The project, in combination with past, present, and probable future projects, could potentially result in cumulative adverse impacts on archaeological resources and human remains. (Less than Significant with Mitigation)	Implementation of Mitigation Measures 4.E-2a, 4.E-2b, and 4.E-3	See measures listed above.	See measures listed above.	See measures listed above.	See measures listed above.
Hazards and Hazardous Materials					
Impact 4.G-1: Demolition of the existing structures on the project site which likely contain hazardous building materials—such as lead-based paint, asbestos, and PCBs—could potentially expose workers, the public, or the environment to hazardous materials from the	<p>Mitigation Measure 4.G-1a: Prior to issuance of any demolition permit, the project applicant shall submit to the Alameda County Department of Environmental Health a hazardous building material assessment prepared by qualified licensed contractors for any structure intended for demolition indicating whether asbestos-containing materials, lead-based paint, and/or PCB-containing equipment, are present.</p>	<p>Submit appropriate disposal plans and/or permits to the City Building Division.</p> <p>Submit health and safety plan meeting the requirements of the mitigation measure for review and approval by the City Building Division.</p>	Project applicant or designee	Prior to issuance of demolition/building permits.	City of Alameda

TABLE 4-1 (Continued)
ALAMEDA SHIPWAYS RESIDENTIAL PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
transport, use, or disposal of these hazardous materials and waste. (Less than Significant with Mitigation)	<p>Mitigation Measure 4.G-1b: If the assessment required by Mitigation Measure 4.G-1a indicates the presence of asbestos-containing materials, lead-based paint, and/or PCBs, the project applicant shall create and implement a health and safety plan in accordance with local, state, and federal requirements to protect demolition and construction workers and the public from risks associated with such hazardous materials during demolition or renovation of affected structures.</p> <p>Mitigation Measure 4.G-1c: If the assessment required by Mitigation Measure 4.G-1a finds asbestos, the project applicant shall prepare an asbestos abatement plan and shall ensure that asbestos abatement is conducted by a licensed contractor prior to building demolition. Abatement of known or suspected asbestos-containing materials 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 asbestos-containing materials shall be removed and appropriately disposed of by a state certified asbestos contractor.</p> <p>Mitigation Measure 4.G-1d: If the assessment required by Mitigation Measure 4.G-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:</p> <ol style="list-style-type: none">1. Develop a removal specification approved by a Certified Lead Project Designer.2. Ensure that all removal workers are properly trained.3. Contain all work areas to prohibit off-site migration of paint chip debris.4. 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 survey. The demolition contractor shall be responsible for the proper containment and/or disposal of intact lead-based paint on all materials to be cut and/or removed during the demolition.5. 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.6. Clean up and/or vacuum paint chips with a high efficiency particulate air (HEPA) filter.7. Collect, segregate, and profile waste for disposal determination.8. Properly dispose of all waste. <p>Mitigation Measure 4.G-1e: If the assessment required by Mitigation Measure 4.G-1a finds presence of PCBs, the project applicant shall ensure that PCB abatement in compliance with applicable regulations is conducted prior to building demolition or renovation. PCBs shall be removed by a qualified contractor and transported in accordance with Caltrans requirements.</p>				
Impact 4.G-2: Construction at the project site would potentially disturb contaminated soil, which could expose construction workers, the public, or the environment to adverse conditions related to the transport, use, or disposal of hazardous materials and waste. (Less than Significant with Mitigation)	<p>Mitigation Measure 4.G-2a: Prior to issuance of any demolition permit, the project applicant shall submit to the City a Site-Specific Environmental Health and Safety Plan (HASP). The HASP shall be consistent with State and federal OSHA standards for hazardous waste operations (California Code of Regulations, Title 8, Section 5192 and 29 Code of Federal Regulations 1910.120, respectively) and any other applicable health and safety standards. The HASP shall include descriptions of health and safety training requirements for onsite personnel and levels of personal protective equipment to be used, and any other applicable precautions to be undertaken to minimize direct contact with soil and to a lesser degree, groundwater if is encountered. The HASP shall be adhered to during construction and excavation activities. All workers onsite should read and understand the HASP and copies shall be maintained onsite during construction and excavation at all times.</p> <p>Mitigation Measure 4.G-2b: Prior to issuance of a building or grading permit for any ground breaking activities within the project site, the project applicant shall prepare a Site Management Plan (SMP) consistent with US EPA, DTSC, and Water Board standards for incorporation into construction specifications. The SMP shall be present on site at all times and readily available to site workers. The SMP shall specify protocols and requirements for excavation, stockpiling, and transport of soil and for disturbance of groundwater. At a minimum, the SMP shall include the following components:</p> <ol style="list-style-type: none">1. Dust control measures: Dust generation shall be minimized by any or all appropriate measures. These measures may include:<ol style="list-style-type: none">a. Misting or spraying water while existing soils at the site are disturbed;b. Limiting vehicle speeds onsite to 5 miles per hour;	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)
ALAMEDA SHIPWAYS RESIDENTIAL PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	<p>c. Controlling earth-moving activities to minimize the generation of dust;</p> <p>d. Minimizing drop heights if/when loading transportation vehicles; and</p> <p>e. Covering any soil stockpiles of soil potentially impacted by contaminants of concern with plastic sheeting or tarps.</p> <p>2. Decontamination measures: Decontamination methods shall include scraping, brushing, and/or vacuuming to remove dirt on vehicle exteriors and wheels. In the event that these dry decontamination methods are not adequate, methods such as steam cleaning, high-pressure washing, and cleaning solutions shall be used, as necessary, to thoroughly remove accumulated dirt and other materials. Wash water resulting from decontamination activities shall be collected and managed in accordance with all applicable laws and regulations.</p> <p>3. Stormwater pollution control measures: Should rainfall occur during construction on exposed soils at the site stormwater pollution controls shall be implemented to minimize stormwater runoff from exposed soil containing contaminants of concern at the site and to prevent sediment from leaving the site, in accordance with all laws and regulations. Stormwater pollution controls shall be based on BMPs to comply with State and local regulations. Sediment and erosion protection controls may include but are not limited to:</p> <p>a. Constructing berms or erecting silt fences at entrances to the project site;</p> <p>b. Placing straw bale barriers around catch basins and other entrances to the storm drains;</p> <p>c. During significant rainfall events, covering with plastic sheeting or tarps any soil stockpiles generated as a result of excavating soil potentially impacted by contaminants of concern.</p>				
Impact 4.G-5: Construction and operational activities would handle hazardous materials within one-quarter mile of an existing preschool. (Less than Significant with Mitigation)	Implementation of Mitigation Measures 4.G-1a through 4.G-1e and 4.G-2a and 4.G-2b	See measures listed above.	See measures listed above.	See measures listed above.	See measures listed above.
Impact 4.G-6: Development of the project would be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and could result in a safety hazard to the public or environment through exposure to previous contamination of the site. (Less than Significant with Mitigation)	Mitigation Measure 4.G-3: Prior to issuance of a building permit for residential building construction activities within the project site, the project applicant shall provide documentation to the City detailing that contamination levels at the site are within acceptable levels for residential development. While not considered likely given the conclusions of the site investigations, if it is alternatively determined that elevated contamination levels could impact future residents and/or site users, the project applicant shall prepare a Remedial Risk Management Plan (RRMP). The RRMP shall be developed and followed by current and future owners, tenants, and operators. The RRMP shall include the implementation of any needed corrective action remedies and engineering design necessary to reduce exposures to contaminants to a less than significant level.	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 building permits.	City of Alameda
Hydrology and Water Quality					
Impact 4.H-4: Development of the proposed project would not substantially contribute to runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. (Less than Significant with Mitigation)	Mitigation Measure 4.H-1: The project applicants shall implement Integrated Pest Management measures to reduce fertilizer and pesticide contamination of receiving waters, as follows: <ul style="list-style-type: none">• Prepare and Implement an Integrated Pest Management Plan (IPM) for all common landscaped areas. The IPM shall be prepared by a qualified professional and shall recommend methods of pest prevention and turf grass management that use pesticides as a last resort in pest control. Types and rates of fertilizer and pesticide application shall be specified.• The IPM shall specify methods of avoiding runoff of pesticides and nitrates into receiving storm drains and surface waters or leaching into the shallow groundwater table. Pesticides shall be used only in response to a persistent pest problem that cannot be resolved by non-pesticide measures. Preventative chemical use shall not be employed.• The IPM shall fully integrate considerations for biological resources into the IPM with an emphasis toward reducing pesticide application.	Submit an IPM that meets the requirements of the mitigation measure and is compliant with applicable laws and regulations. The IPM shall be subject to review and approval by the City Building Division.	Project applicant or designee	Prior to issuance of demolition/building permits.	City of Alameda
Noise					
Impact 4.J-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)	Mitigation Measure 4.J-1: 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.	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

TABLE 4-1 (Continued)
ALAMEDA SHIPWAYS RESIDENTIAL PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
Impact 4.J-4: The proposed project would result in exposure of people to cumulative increases in construction noise levels. (Less than Significant with Mitigation)	Implementation of Mitigation Measure 4.J-1	See measures listed above.	See measures listed above.	See measures listed above.	See measures listed above.
Impact 4.J-5: The proposed project would contribute to cumulative construction that could expose buildings, and persons within the project vicinity, to significant vibration. (Less than Significant with Mitigation)	Implementation of Mitigation Measure 4.J-1	See measures listed above.	See measures listed above.	See measures listed above.	See measures listed above.
Transportation and Traffic					
Impact 4.L-2: The proposed project would increase traffic volumes such that traffic conditions at the Park Street/Blanding Avenue intersection would degrade from LOS D to LOS E under Existing Plus Project conditions and at the Marina Square Drive/Constitution Way intersection would degrade LOS E to LOS F and the proposed project could increase traffic volumes by three percent or more under Cumulative (2040) conditions. (Significant and Unavoidable)	Mitigation Measure 4.L-2: Transportation Demand Management (TDM). To reduce the number of automobile trips generated by the project, the project shall prepare a Transportation Demand Management Plan and funding program for Planning Board review and approval. The TDM plan should include a suite of measures to reduce vehicle trips by project residents and visitors, including but are not limited to the following: <ul style="list-style-type: none">• Membership in a Transportation Management Agency, which will provide access to transportation information, rideshare programs, and a transportation coordinator. Membership shall include:<ul style="list-style-type: none">– Annual funding for operations of transit services between the site and Oakland BART stations and/or a water taxi between Alameda and Oakland across the Estuary.– Annual funding for AC Transit Easy Passes– On-site Car Share parking– On-site bicycle parking– On-site carpool parking– Unbundling parking costs from the unit rent– Transportation “Welcome Packet”– Real-time transit information (e.g., TransitScreen)– Designated Pick-Up/Drop-Off Ridesourcing Services– Annual surveys and reports to document implementation of each measure, relative success of each measure to reduce automobile trips, annual automobile trip count to and from the project at peak periods, and annual recommendations for changes to the program, to reduce the project’s contribution to citywide and regional vehicle trips through the life of the project.	Submit 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.	Project applicant or designee	Initial submittal of TDM(s): Prior to issuance of building permits for each project phase. Submittal of TDM monitoring reports: On an annual basis.	City of Alameda
Utilities and Service Systems					
Impact 4.M-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.M-1: 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
Impact 4.M-6: The proposed project, in combination with other past, present, existing, approved, pending, and reasonably foreseeable future projects, would not result in cumulatively considerable impacts to utilities and service systems. (Less than Significant with Mitigation)	Implementation of Mitigation Measure 4.M-1	See measures listed above.	See measures listed above.	See measures listed above.	See measures listed above.