Project Name:	**St John's Episcopal Church – Parking, Bridge, and New Sanctuary Improvements**
Location:	**1707 Gouldin Road, 1715 Gouldin Road, 5928 Thornhill Drive, 5914 Thorhnill Drive, and 1676 Alhambra Lane** (APNs: 048F-7390-004-09, 048F-7390-001-01, 048F-7390-003-03, 048F-7390-013-00, 048F-7390-001-018)
Proposal:	Public Hearing on the Draft Environmental Impact Report (DEIR) to obtain comments on the adequacy of the information, issues and analysis contained in the Draft EIR related to the proposal by St. John's Episcopal Church to reconfigure site circulation and parking, construct a new access bridge over Temescal Creek, and provide creek improvements under Phase 1. Phase 2 would involve construction of a new sanctuary building between 5,000 and 5,500 square feet at the location of the current Gouldin Road entrance to the Church. The existing sanctuary building would be converted into a community hall, fellowship space. Phase 1 includes demolishing the house at 5928 Thornhill Drive, and abandoning a portion of the shared access road with the home at 5940 Thorhnill Drive. In total, the project proposes the removal of 65 trees, 56 of which fall under the City of Oakland tree preservation ordinance. Most trees proposed for removal would be replaced with native species.
Applicant/Owner:	St John's Episcopal Church
Contact Person/Phone Number:	St John's Episcopal Church, Jerry Moran, Project Liaison (510) 531-0980/(510)557-1015
Case File Number:	**ER 08-0001, CMD06-546, TPM 9327, CP06-151, T06-141**
Planning Permits Required:	Major Conditional Use Permit involving projects over 1 acre, Design Review Permit, Tentative Parcel Map for lot merger, Creek Protection Permit, Tree Preservation Permit
General Plan:	Hillside Residential Zone
Zoning:	R-30 One-Family Residential Zone
Environmental Determination:	The Draft EIR was published for a 45-day review period from November 17, 2010 to January 3, 2011. The DEIR assesses the potential environmental effects of the project related to aesthetics, biology, hydrology and water quality, and traffic and circulation. All other impacts were screened out from further study as part of the Initial Study scoping process
Historic Status:	There are no CEQA historic resources on the project site.
Service Delivery District:	2
City Council District:	4
Action to be Taken:	Receive public and Planning Commission comments on the adequacy of the information, issues and analysis contained in the Draft EIR.
For Further Information:	Contact case planner **Caesar Quitevis** at (510) 238-6343 or by e-mail at clquitevis@oaklandnet.com

SUMMARY

The St John's Episcopal Church Project would be built on an existing 3.13 acre site. Phase 1 of the project, includes demolishing the house at 5928 Thornhill Road, abandoning a portion of the shared access road with the home at 5940 Thornhill Road, and constructing a new access bridge over Temescal Creek. Phase 2 would involve construction of a new sanctuary building between 5,000 and 5,500 square feet and one-story in height at the location of the current Gouldin Road entrance to the Church. Upon completion of the new sanctuary building,

the current sanctuary building would be converted into a community hall and fellowship space.

The City of Oakland is the Lead Agency pursuant to the California Environmental Quality Act (CEQA) and has the responsibility to prepare the Environmental Impact Report (EIR) for the Project. The Notice of Availability for the Draft EIR was prepared and released on November 17, 2010, beginning a 45-day public comment period. The public comment period ends on January 3, 2011 at 4:00pm.

Comments on the Draft EIR may be made at the December 15, 2010 public hearing or in writing to the Community and Economic Development Agency, to the attention of Caesar Quitevis. Written comments must be received prior to the comment period deadline (4:00 p.m. on January 3, 2011). After all comments are received, a Final EIR/Response to Comments document will be prepared and the Planning Commission will consider certification of the Final EIR.

The purpose of this hearing is to solicit comments on the adequacy of specific environmentally-related information, issues and analysis contained in the document. This meeting is not intended to take comments on the merits of the Project and no decisions will be made on the EIR or proposed Project at this hearing. Specifically, comments on the Draft EIR should focus on the adequacy of the EIR in discussing possible impacts on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the Project in light of the EIR's purpose to provide useful and accurate information about such factors. Staff will return to the the Planning Commission for review of conditional use permit, design review, creek protection permit, and tree preservation permits of the Project, likely at the same meeting that considers Certification of the Final EIR.

SITE DESCRIPTION

Existing Conditions

The existing site, which is 136,300 square feet or 3.13 acres, is bounded by Thornhill Drive, Gouldin Road, and Alhambra Lane and contains the current sanctuary and offices in a two-story structure of approximately 10,000 square feet and a 7,475 building footprint, a one-story 2,300 square foot single family dwelling proposed for demolition, approximately 56 off-street parking spaces including one ADA parking stall, and a total of 155 trees representing 32 species as surveyed on the site. The site is located in a predominantly residential area of Oakland with substantial tree cover. Some of these trees fall under the City of Oakland Tree Preservation Ordinance, including Coast Live Oak, Coast Redwood, Douglas Fir, and Giant Redwood. Another natural feature of the site is an open stretch of Temescal Creek, approximately 200 feet in length and subject to the City of Oakland Creek Protection Ordinance.

Access to the site is currently from Gouldin Road, via a narrow driveway with a steep downslope incline. Given the width and angle of the driveway, it is limited to ingress only. Egress is provided by a narrow and steep connection to Alhambra Lane, which terminates at Thornhill Drive.

Surrounding Land Uses

The site is bounded by single-family residential homes to the north, west and south. The Church rectory is located at 1715 Gouldin Road immediately southeast of the Church parcel. Thornhill Elementary School is located adjacent to a portion of the church property to the west at 5880 Thornhill Drive. Additional parcels that are owned by the Church include single-family homes at 5914 Thornhill Drive, 5928 Thornhill Drive, and 1676 Alhambra Lane. The project site includes the existing sanctuary, offices, and two paved parking areas (which are currently non-compliant with current code regulations with regard to fire apparatus vehicle access).

PROJECT DESCRIPTION

Phase 1 of the project includes demolishing the house at 5928 Thornhill Drive, abandoning a portion of the shared driveway with the home at 5940 Thornhill Drive, and constructing a new access bridge over Temescal Creek between the site and Thornhill Drive. Primary ingress and egress would be via a new lane leading from the new bridge to an auto circle, which would allow pick-up and drop-off activities as well as provide improved fire truck access to the sanctuary. Perpendicular parking spaces would be provided along the new lane, as well as a separate pedestrian path, which would run parallel to the new lane. Existing parking areas near the sanctuary would be retained, and the existing parking along the upper parking lot would be retained and resurfaced. The Alhambra Lane driveway would be retained to allow egress for people parking in this area. The project proposes 41 parking spaces. Phase 1 also includes removal of 2,300 square feet of asphalt parking lot abutting the eastern side of the existing sanctuary building and abandonment and removal of paving at the current steep Gouldin Road entry. This area would be landscaped under Phase 2. In total, the project proposes the removal of 65 trees, 56 of which fall under the City of Oakland tree preservation ordinance. Most trees proposed for removal would be replaced with native species.

Phase 2 would involve construction of a new sanctuary building between 5,000 and 5,500 square feet and one story tall at the location of the current Gouldin Road entrance to the Church. Conceptual plans for the new sanctuary call for a 33-foot high structure and a cupola with a bell. The new sanctuary would be constructed of wood, stucco and a composition roof material to match the style and materials of the existing sanctuary building. As part of this phase, the patio between the existing building and the new sanctuary would be renovated and expanded. Upon completion of the new sanctuary building, the existing building would be converted into a community hall and fellowship space.

ENVIRONMENTAL REVIEW

Scope

The City of Oakland is the Lead Agency pursuant to CEQA and has the responsibility to prepare the EIR for the Project. An Initial Study of potential impacts and a Notice of Preparation (NOP) of the EIR was issued on March 10, 2008. A scoping session was held before the Planning Commission on April 2, 2008. The St John's Episcopal Church Project Draft EIR was prepared to evaluate environmental impacts of the proposed Project described above. The following

environmental topics are addressed in detail in the Draft EIR, as other topics were found to not be significant and not evaluated in detail in the Draft EIR:

A. Aesthetics
B. Biological Resources
C. Hydrology and Water Quality
D. Traffic and Circulation

Potentially Significant Impacts Identified in the Draft EIR

All impacts, City Standard Conditions of Approval and mitigation measures identified in the Draft EIR are summarized in Table II-1 (see Attachment B) at the end of the Summary chapter, Chapter 2 of the Draft EIR. Table II-1 also identifies the level of significance of the impact after City Standard Conditions of Approval and recommended mitigation measures are implemented. All of the environmental effects of the Project can be reduced to less than significant levels through implementation of Standard Conditions of Approval and/or recommended mitigation measures.

Project Alternatives

Chapter V of the Draft EIR includes the analysis of three alternatives to the Proposed Project that meet the requirements of CEQA, which include a reasonable range of alternatives to the Project that would feasibly attain most of the Project's basic objectives, and avoid or substantially lessen many of the Project's significant environmental effects. The three CEQA alternatives analyzed in detail in Chapter V include:

- *Alternative 1: No Project/No Build Alternative* - CEQA requires a "no Project" alternative to be considered in the EIR. This Alternative is consistent with the existing environmental setting presented throughout Chapter IV of the EIR.

- *Alternative 2: Existing Gouldin Road/Alhambra Lane Access (One-Way/No Bridge)* – This Alternative would redesign the Gouldin Road access driveway and would connect to Alhambra Lane retaining the existing circulation pattern and ingress/egress points. Construction of the bridge access over Temescal Creek would not occur and the Alhambra Lane exit would be rehabilitated within the project site to meet City of Oakland requirements. The sanctuary would be located within the project site, but not at the proposed location, due to the continued use of the Gouldin Road access point.

- *Alternative 3: Gouldin Road Access (Two-way/No Bridge)* – This alternative would redesign the Gouldin Road access driveway and expand to include both vehicle ingress and egress lanes. Construction of the bridge access over Temescal Creek would not occur and the Alhambra Lane exit would be rehabilitated within the project site to meet City of Oakland requirements. The sanctuary would be located within the project site, but not at the proposed location due to the location of the ingress road.

The Environmentally Superior Alternative is the No Project/No Build Alternative. Under CEQA, if a No Project Alternative is identified as the environmentally superior alternative, the

EIR shall also identify an environmentally superior alternative development among the other alternatives. In this case, the environmentally superior development alternative is Alternative 2, Existing Gouldin Road/Alhambra Lane Access (One-Way/No Bridge), as it would avoid all of the Proposed Project's significant impacts on the creek and no worsening of existing substandard traffic conditions. There is a trade-off of potentially significant creek impacts (which can be reduced to less-than-significant levels) against improved ingress/egress and ADA access. Therefore, Alternative 2, Existing Gouldin Road/Alhambra Lane Access (One-Way/No Bridge) is the next environmentally superior alternative.

In addition, the DEIR also reviewed alternatives that were not studied in detail because they were determined infeasible. These alternatives include:

- *Alternative A: Alhambra Court/Alhambra Lane Access (No Bridge)* - This alternative would rehabilitate the Gouldin Road access. Construction of the bridge access over Temescal Creek would not occur. Egress access would exit the site through Alhambra Court, requiring an access easement be established to utilize this private street, before utilizing Alhambra Lane. In addition to the infeasibility of acquiring an access easement through Alhambra Court, this alternative would not offer advantages to circulation, potentially reducing the amount of parking available within the project site, and would result in a new sanctuary location that does not provide the functional connectivity for the church facility.

- *Alternative B: Gouldin Road Access (No Bridge)* – This alternative would construct a new but narrow ingress access driveway 12'-0" wide from Gouldin Road between the existing sanctuary and 1675 Gouldin Road and over an existing utility easement. Construction of the bridge access over Temescal Creek would not occur and the new sanctuary would be constructed in the project proposal's location. This alternative is determined infeasible due to the physical limitations of the existing St John's hall and the 1675 Gouldin Road property on the design of the driveway, as well as the existing City of Oakland public utility easement restrictions.

- *Alternative C: Bridge Location* – This alternative would shift the access bridge location along Thornhill Drive impacting a greater number of existing trees. This alternative is considered infeasible because an alternate location for the bridge has the potential to impact a greater number of existing trees and further impact the riparian corridor.

- *Alternative D: Alteration of Existing Church Hall* – This alternative would renovate the existing church hall and provide both ingress and egress from Gouldin Road. This alternative is considered infeasible because it does not satisfy some of the basic project objectives for a new sanctuary and does not improve traffic conditions along Gouldin Road.

- *Alternative E: Off-Site Location* – This alternative would construct the new sanctuary on an off-site location separating and disconnecting existing church facilities. This alternative is considered infeasible because the Church does not control other property outside of the project site, and this alternative does not satisfy basic project objectives to

provide connectivity with existing church facilities and to continue to serve the local Montclair neighborhood.

PUBLICATION AND DISTRIBUTION OF THE DRAFT EIR

The Draft EIR was made available for public review on November 17, 2010. The Notice of Availability for the Draft EIR was mailed to property owners within 300 feet of the Project area, distributed to State and local agencies, posted on the Project site, and mailed to Interested Parties. The Notice of Availability is attached to this report (see Attachment C). Copies of the Draft EIR were also previously distributed to City officials, including the Planning Commission, and is available at the office of the Community and Economic Development Agency (250 Frank H. Ogawa Plaza, Suite 3315), and the City's website at

http://www2.oaklandnet.com/Government/o/CEDA/o/PlanningZoning/s/Application/DOWD009157. This Project is document number 9.

CONCLUSION

All comments received on the Draft EIR will be considered by the City prior to finalizing the EIR and making a decision on the Project. Comments on the Draft EIR should focus on the adequacy of the EIR in discussing possible impacts on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the Project in light of the EIR's purpose to provide useful and accurate information about such factors. Comments on the Draft EIR may be made at the December 15, 2010 public hearing or in writing to the Community and Economic Development Agency, to the attention of Caesar Quitevis. Written comments must be received prior to the comment period deadline (4:00 p.m. on January 3, 2011). After all comments are received, a Final EIR/Response to Comments document will be prepared and the Planning Commission will consider certification of the Final EIR at a future meeting date. This meeting is not intended for public comments on the Project merits or the Project's detailed design. Staff will return to the Planning Commission for review of conditional use permit, design review, creek protection permit, and tree preservation permits of the Project, likely at the same meeting that considers Certification of the Final EIR.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take public testimony on the Draft EIR and provide comments to staff on the Draft EIR.

Approved for forwarding to the
City Planning Commission:

ERIC ANGSTADT
Deputy Director
Community and Economic Development Agency

Reviewed by

Scott Miller, Zoning Manager

Prepared by:

Caesar Quitevis
Planner II

ATTACHMENTS
A: Project Plans
B: Summary Table II-1 from the St John's Church Project DEIR
C: Notice of Availability
D. Comment Letters *i.* California Regional Water Quality Control Board dated 11/29/10

MATERIAL LEGEND

- AC PAVING, S.C.D.
- PERVIOUS PAVING AT PARKING STALLS: GRAVEL PAVING WITH GRAVEL PAVE CELLS FOR STABILIZATION.
- OTHER PAVING, PHASE 2. DO PAVING
- PEDESTRIAN PATHWAY, STABALIZED DECOMPOSED GRANITE FINES
- PEDESTRIAN PATHWAY, INTEGRAL COLORED CONCRETE
- BOLLARD LIGHT
- LIGHT INTEGRATED INTO BRIDGE RAILING, S.A.D.
- PLANTING AREA: SEE L2-1: PLANTING PLAN
- EXISTING SHARED GRAVEL ACCESS DRIVE TO REMAIN

KEY NOTE LEGEND

A. EXISTING REDWOOD GROVE

B. FIRE TRUCK TURNAROUND AND DROP-OFF

C. UPPER PARKING AREA: EXISTING PARKING AREA TO BE RESURFACED AND RESTRIPED OAK COVERED HILLSIDE ABOVE TO REMAIN

D. PARKING GROVE: SEE SHEET L1-2.

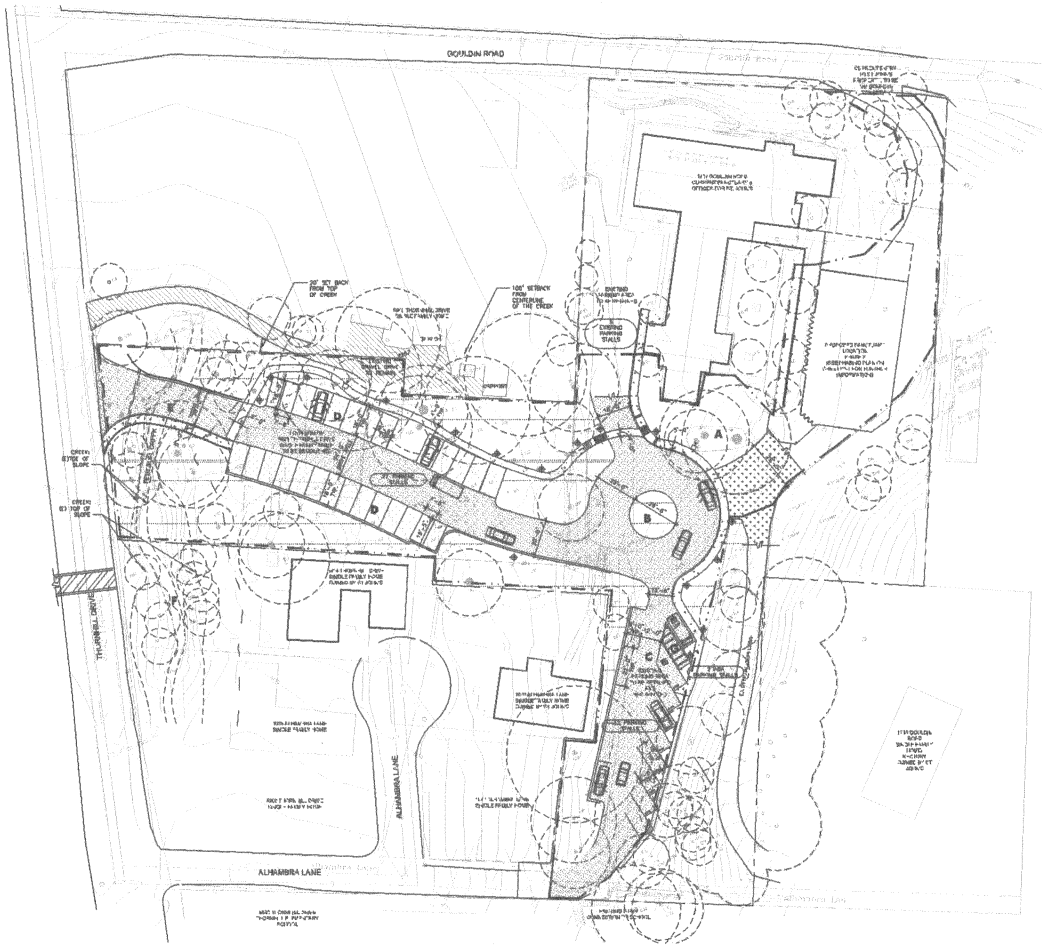
E. VEHICULAR AND PEDESTRIAN BRIDGE. 20 FOOT DRIVE AISLE WITH 5' PEDESTRIAN WALK. SEE SHEET A1.1

F. REHABILITATED CREEK RETAINING MANY OF THE EXISTING REDWOODS. SEE CREEK PLANTINGS.

G. ADA PARKING STALLS: 1 VAN , 1 CAR

NOTES

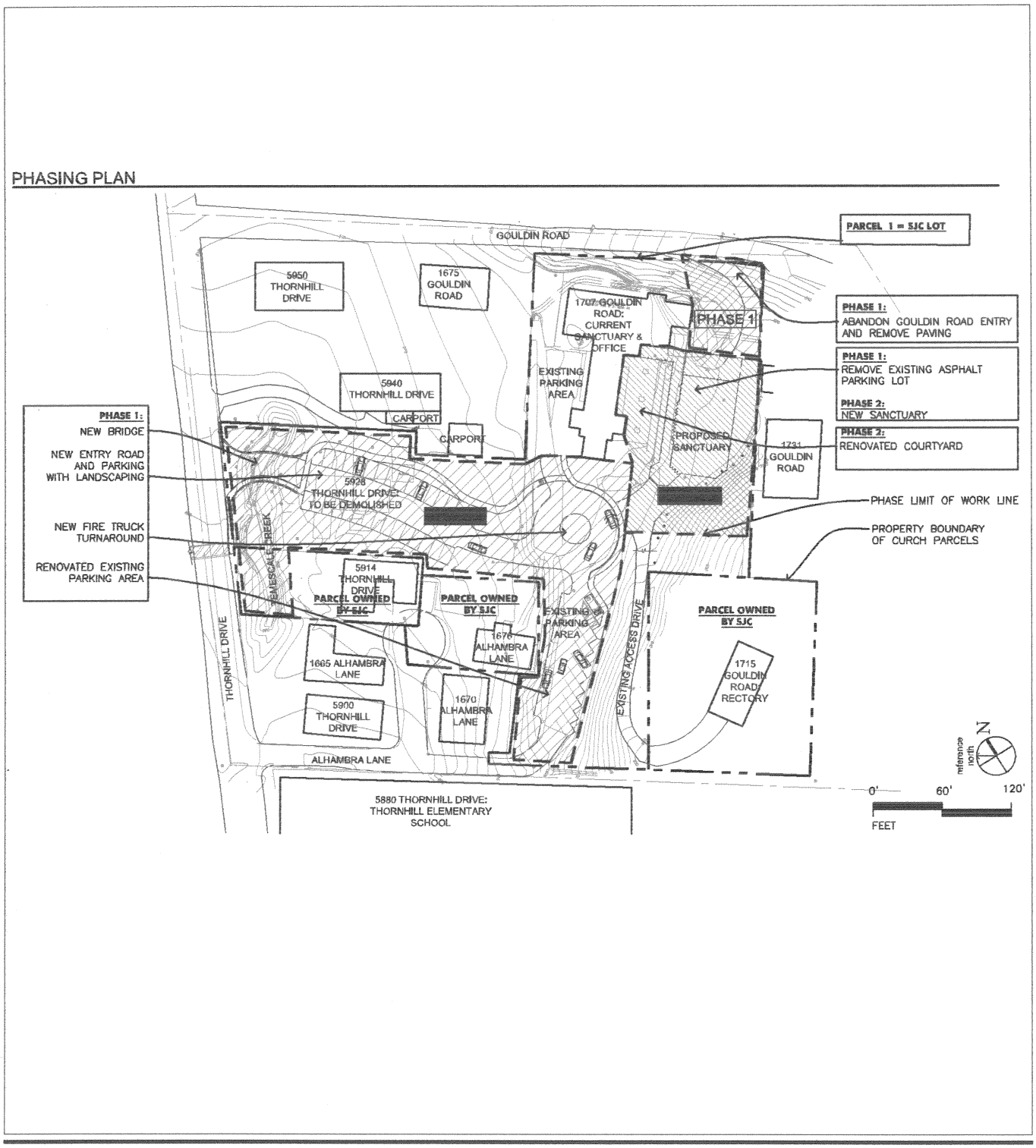
1. ALL DIMENSIONS SHOWN ARE TYPICAL AND NOMINAL.



Source: PGAdesign, Inc.

FIGURE 3-5
SITE PLAN

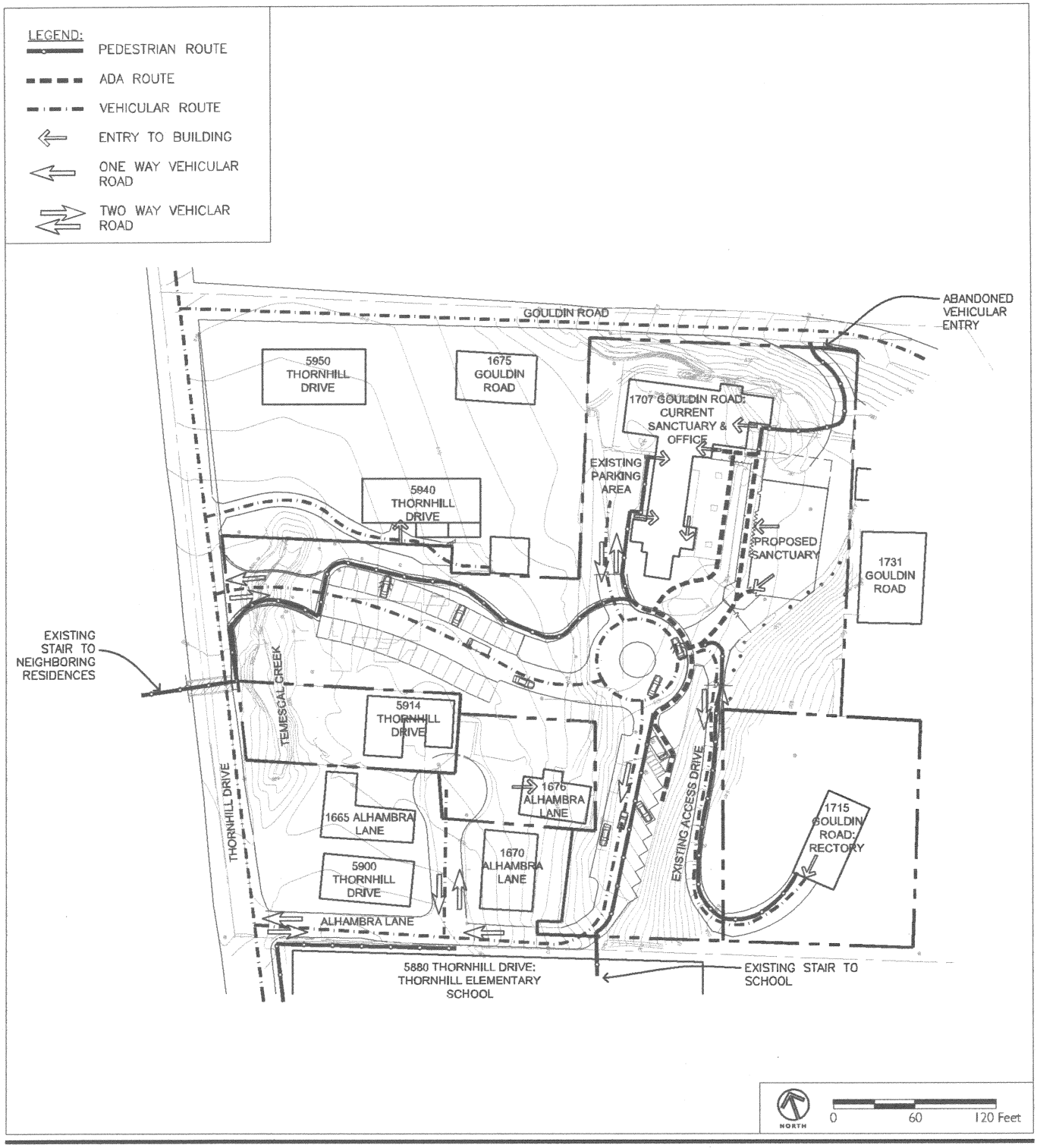
ATTACHMENT A



Source: PGAdesign, Inc.

FIGURE 3-6

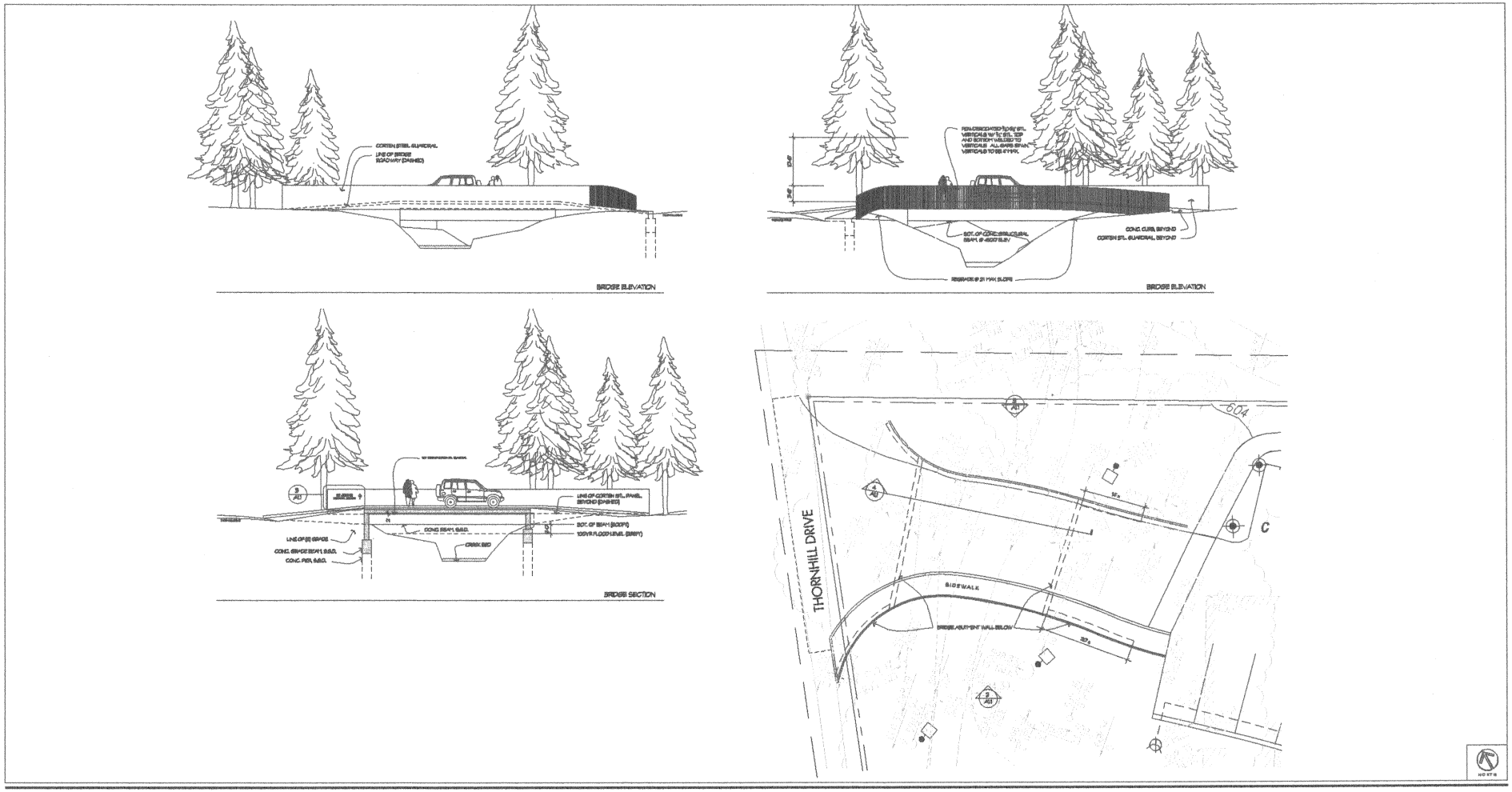
PHASING PLAN



Source: PGAdesign, Inc.

FIGURE 3-7

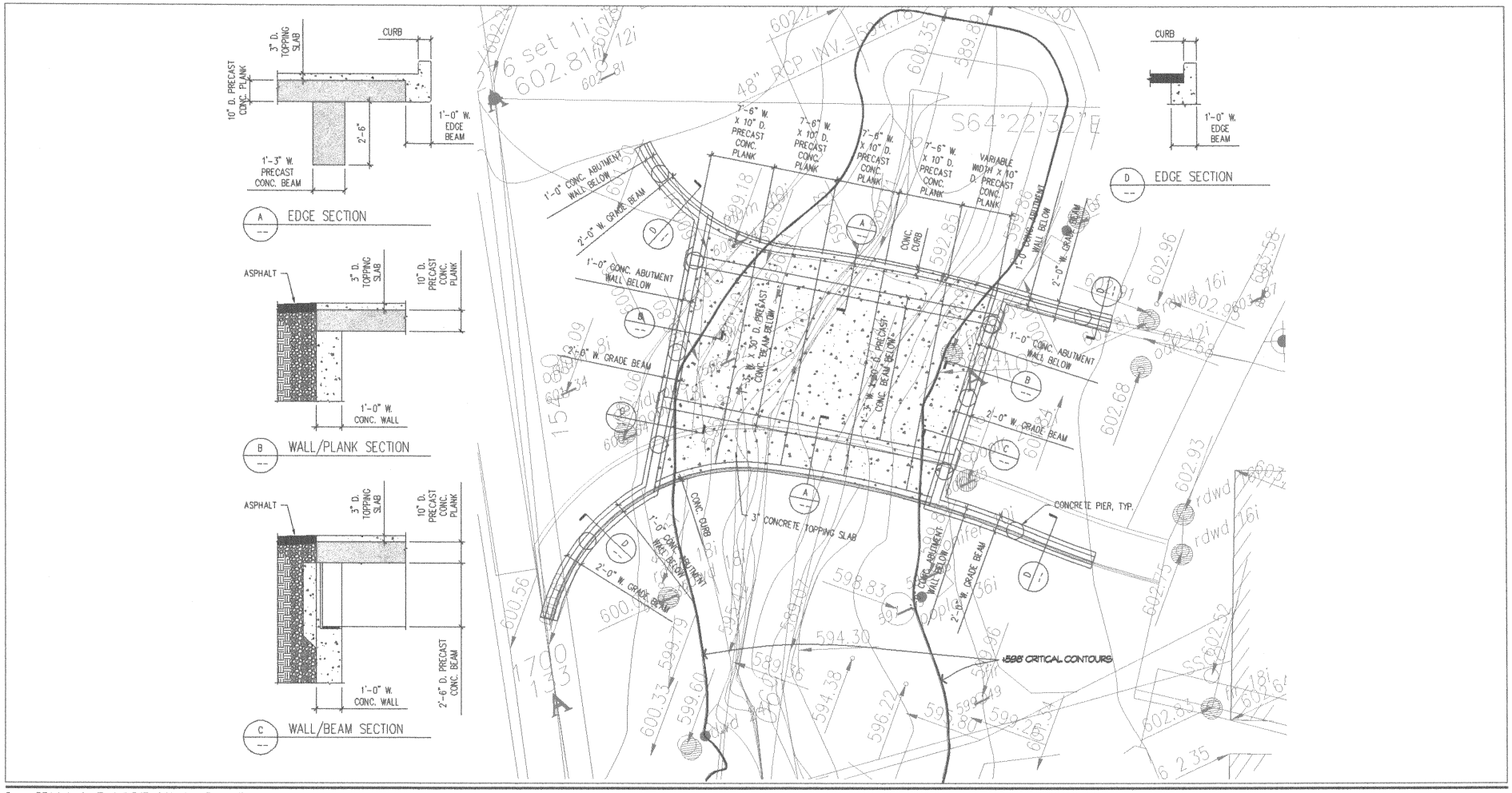
PROPOSED CIRCULATION PLAN



Source: PGAdesign, Inc., Turnbull Griffin & Haesloop, Fratessa Forbes Wong.

FIGURE 3-8

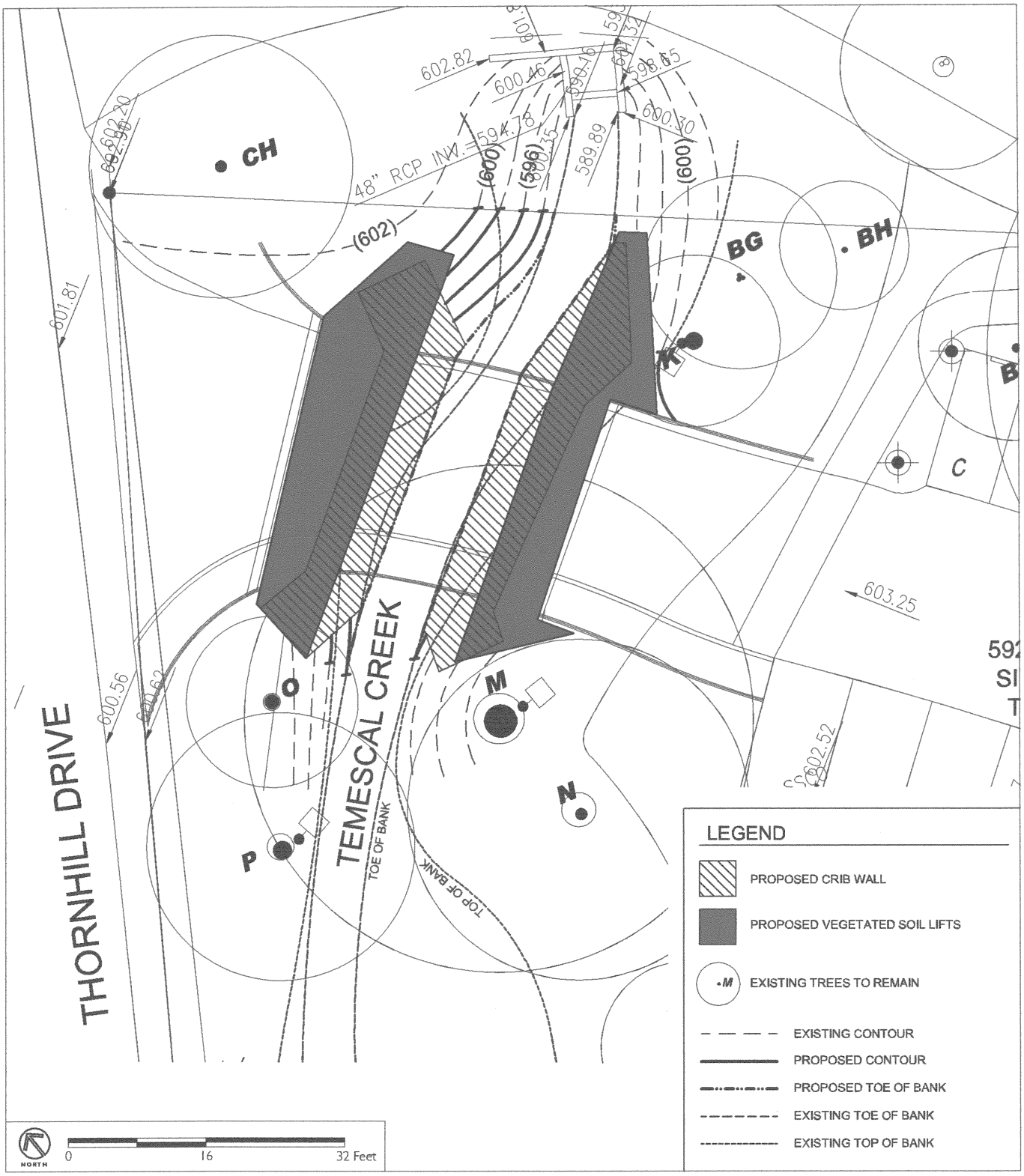
BRIDGE CONCEPTUAL ELEVATIONS



Source: PGAdesign, Inc., Turnbull Griffin & Haesloop, Fratessa Forbes Wong.

FIGURE 3-9

BRIDGE CONCEPTUAL STRUCTURAL PLAN



Source: DC&E, 2010.

FIGURE 3-10

BANK TREATMENTS

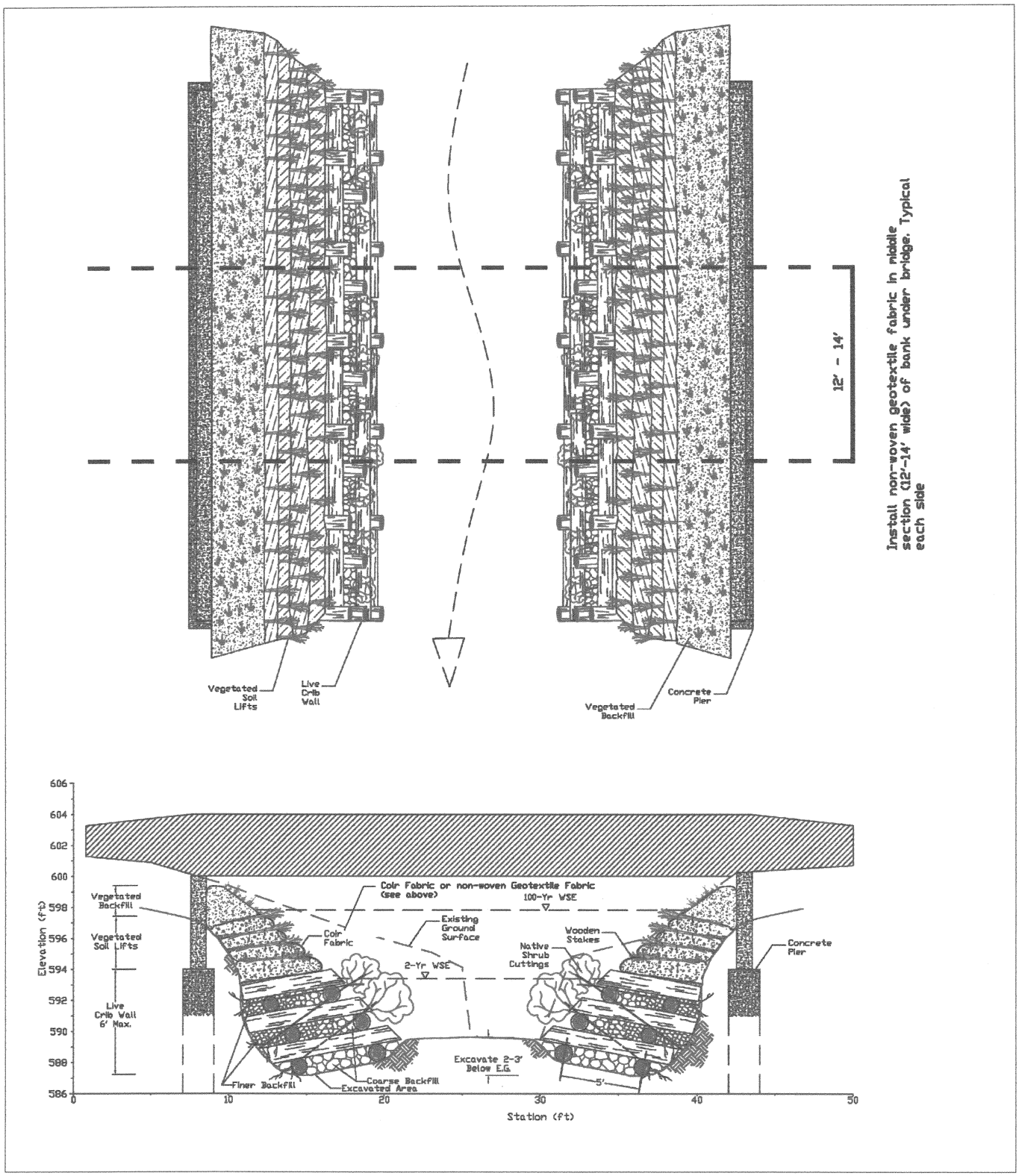
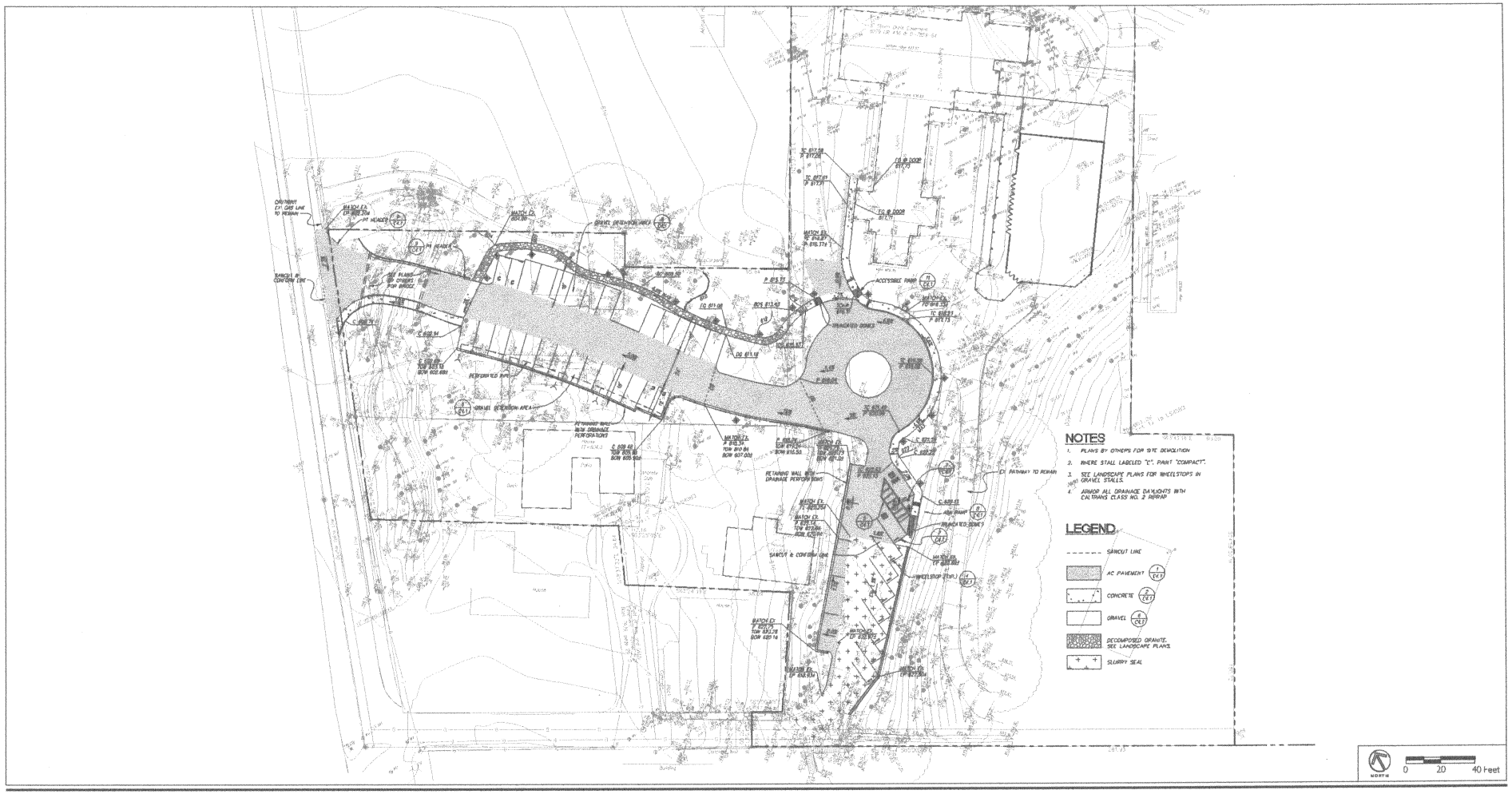


FIGURE 3-11

CONCEPTUAL DESIGN OF BIOENGINEERING TREATMENT AT BRIDGE LOCATION



Source: PGAdesign, Inc., Turnbull Griffin & Haesloop, Fratessa Forbes Wong.

FIGURE 3-12

GRADING, DRAINAGE AND PAVING PLAN

THE FOLLOWING ARE PROTECTED TREES ACCORDING TO TREE PRESERVATION ORDINANCE (12.36 O.M.C.)

A. ANY COAST LIVE OAK THAT IS LARGER THAN 4 INCHES DBH.
B. ANY TREE (EXCEPT EUCALYPTUS) THAT IS LARGER THAN 9 INCHES DBH. EUCALYPTUS TREE AND UP TO 6 MONTERREY PINER PER ACRE ARE NOT CONSIDERED PROTECTED TREES UNDER THIS SECTION.
C. ANY TREE OF ANY SIZE LOCATED IN THE PUBLIC RIGHT-OF-WAY (NOT USING STREET TREES).

LEGEND

EXISTING TREE SHOWN WITH APPROXIMATE CANOPY; TO REMAIN AND BE PROTECTED DURING CONSTRUCTION

TREE TO BE REMOVED, REMOVE TRUNK TO 2' BELOW FINISH GRADE

LIMIT OF WORK/PHASE 1

10' OR 30' OFF-SET FROM LIMIT OF WORK

SEE SHEET 00-3B FOR TREE LISTS.

DASHED RED LINES SHOW PROPOSED PLAN LAYOUT

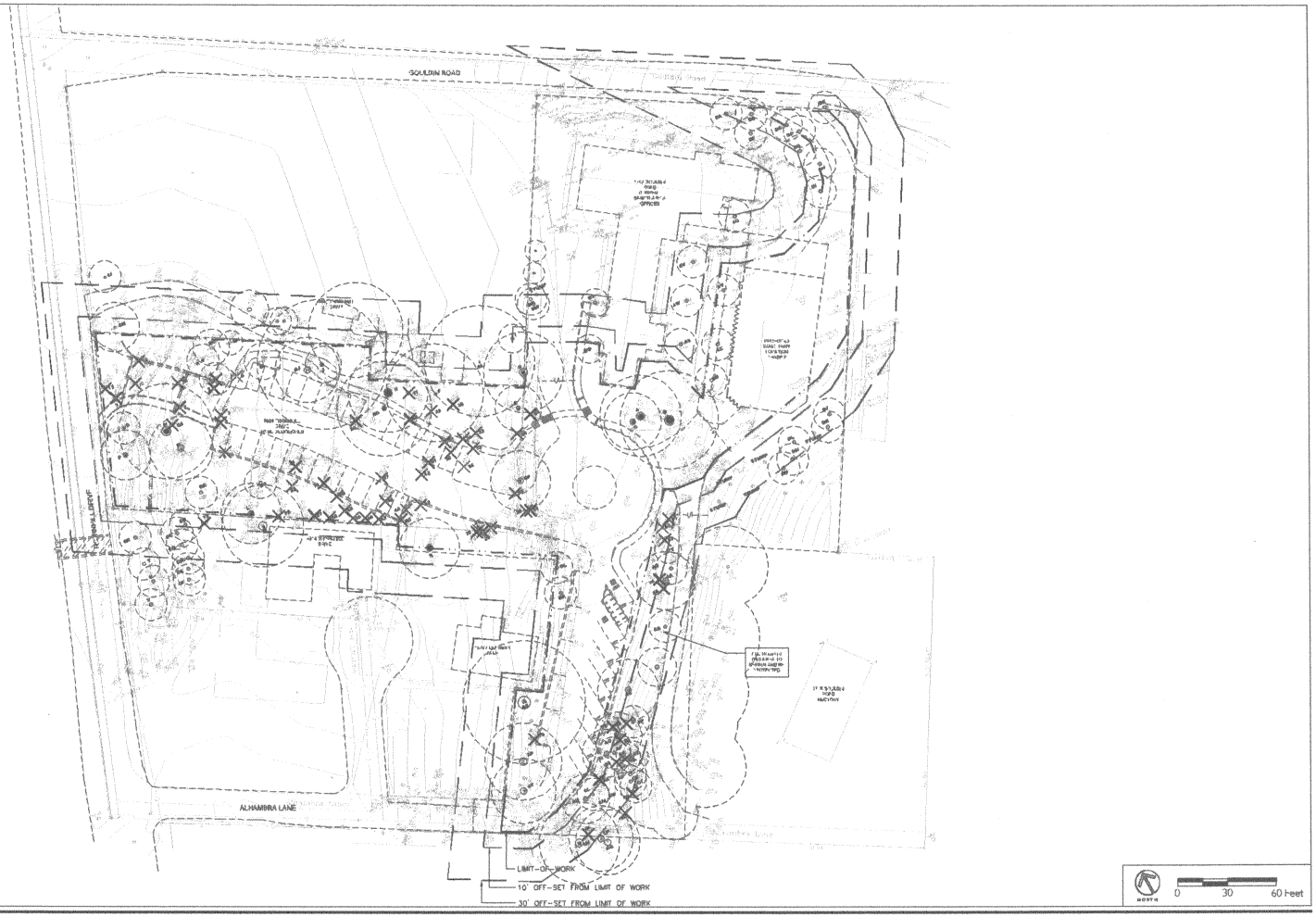
CONTOURS ARE DIAGRAMATIC. REFER TO SPOT GRADES FOR EXACT SURVEYED ELEVATIONS.

TREE PRESERVATION ZONES

TREE PROTECTION ZONE SHALL BE ESTABLISHED AROUND EACH TREE. NO GRADING, EXCAVATION, CONSTRUCTION, OR STORAGE OF MATERIALS SHALL OCCUR WITHIN THE TREE PROTECTION ZONE, EXCEPT AS NOTED ABOVE FOR CERTAIN IMPROVEMENTS (EG. WALKWAYS, HAND-HELD GRADING, LANDSCAPING, AND IRRIGATION). NO UNDERGROUND TRENCHES INCLUDING UTILITIES, SUB-DRAINS, WATER OR SEWER SHALL BE PLACED IN THE TREE PROTECTION ZONE, EXCEPT AS APPROVED FOR UPDATED UTILITIES. DRILL PREAT TRENCH, FOOTING, UTILITY OR OTHER EXCAVATION SHALL NOT BE PLACED WITHIN THE TREE PROTECTION ZONE, EITHER TEMPORARILY OR PERMANENTLY.
THE LIMITS OF THE TREE PROTECTION ZONE WILL BE ADJUSTED FOLLOWING DESIGN CHANGES. THE TREE PROTECTION ZONES SHALL BE DEFINED AS FOLLOWS.

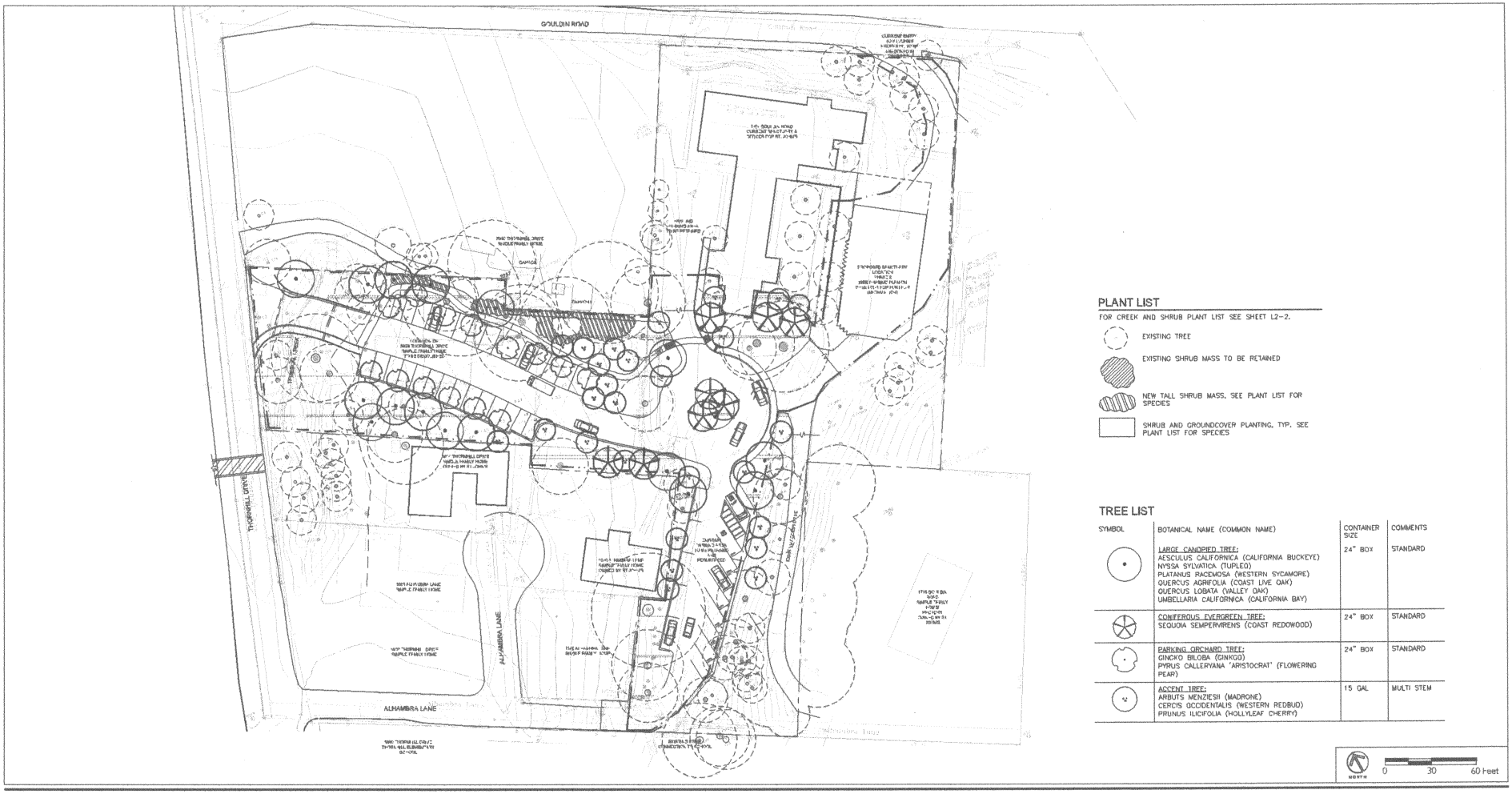
a. 4M, N, P, BE, BG, BH, BL, DB, DC, DF, DG, DH, DO– DRIPLINE ON ALL SIDES.
b. 4A, B, C–EDGE OF EXISTING PLANTER. AFTER DEMOLITION EXPAND FENCE TO EDGE OF NEW PLANTER.
c. 4D–15' EAST, 30' NORTH AND SOUTH.
d. 4E–30' WEST, 17' EAST, 15' SOUTH, 12' NORTH TO FENCE.
e. 4F–30' WEST AND EAST, 15' SOUTH, FENCE ON NORTH.
f. 4H–27' WEST, EAST AND SOUTH, 8' NORTH TO RIPRAP.
g. 4I, BW, BX–EDGE OF EXISTING PAVING ON EAST.
h. 4J–30' WEST AND EAST, 8' SOUTH, FENCE ON NORTH.
i. 4K–20' WEST AND EAST, 18' SOUTH, 13' TO PROPERTY LINE ON NORTH.
j. 4L–20' ON WEST, EAST AND NORTH; FENCE ON SOUTH.
k. 4O–15' NORTH AND DRIPLINE ON ALL OTHER SIDES.
l. 4Q–15' NORTH OF EXISTING FENCE.
m. 4T, U, V, BR, CB, CE, CF, CG–PROPERTY LINE ON NORTH.
n. 4X, BD–20' ON ALL SIDES.
o. 4AA, AC, AF, AG, AI, AJ, AK, AM, AR, CA, CL, CM, CN, CP, CQ, CT, CU, CV, CW, CX–EDGE OF EXISTING PAVING ON WEST AND NORTH.
p. 4AJ – PAVING RIPRAP ON SOUTH.
q. 4AQ, AP, AT, BK–EDGE OF EXISTING PAVING ON EAST, SOUTH AND NORTH.
r. 4AU, AV, AW, BA– NO TREE PROTECTION REQUIRED.
s. 4AY, AZ, BB, BD, DE, DI– DRIPLINE OR EDGE OF PROPOSED PAVING.
t. 4BA–DRIPLINE ON SOUTH.
u. 4BI, BJ–NEW PATHWAY ON SOUTH, DRIPLINE ON ALL OTHER SIDES.
v. 4BV–19' SOUTH AND EDGE OF NEW WALKWAY ON WEST.
w. 4BY–9' SOUTH, DRIPLINE ON ALL OTHER SIDES.
x. 4CH–15' WEST AND EAST, 18' NORTH AND SOUTH.
y. 4D–NORTH EDGE OF THE EXISTING GRAVEL DRIVEWAY.
z. 4DJ, DK, DL, DM, DN–EXISTING RETAINING WALL ON WEST.
aa. 4GP–23' WEST, 8' EAST, 20' NORTH AND 10' SOUTH.

NOTE: DURING DEMOLITION AND CONSTRUCTION TREE PROTECTION ZONES MAY NEED TO BE TEMPORARILY MODIFIED TO ACCOMMODATE CONSTRUCTION ACTIVITIES. WHERE TREES ARE CLUSTERED TOGETHER CREATE ONE CONTINUOUS TREE PROTECTION ZONE. THIS WILL IMPROVE TREE PROTECTION BY ELIMINATING CUT THROUGH TRAFFIC BETWEEN TREES, AND WILL BE LESS EXPENSIVE THEN INDIVIDUALLY FENCING EACH TREE.



Source: PGAdesign, Inc.

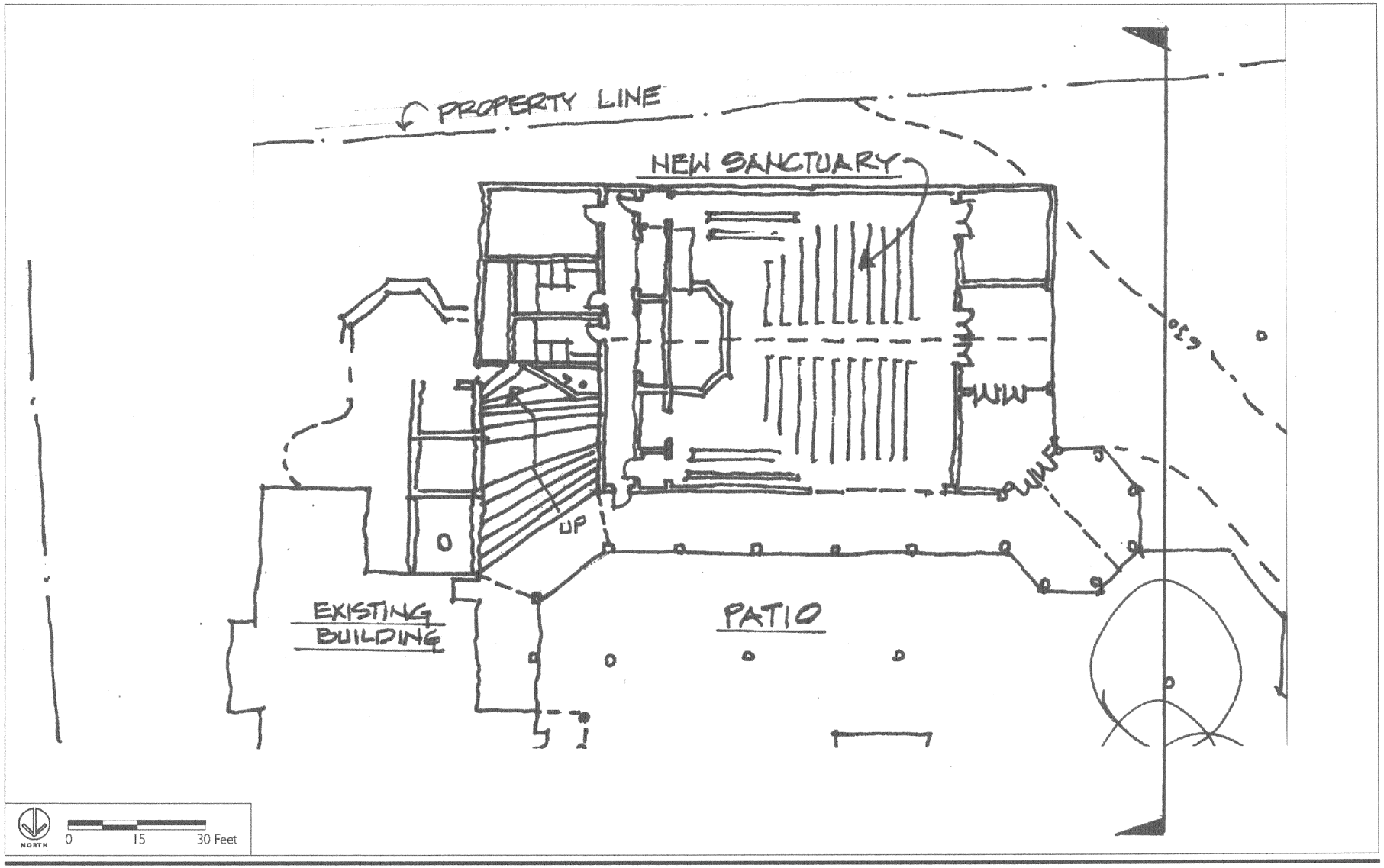
FIGURE 3-13
TREE PRESERVATION PLAN



Source: PGAdesign, Inc.

FIGURE 3-14

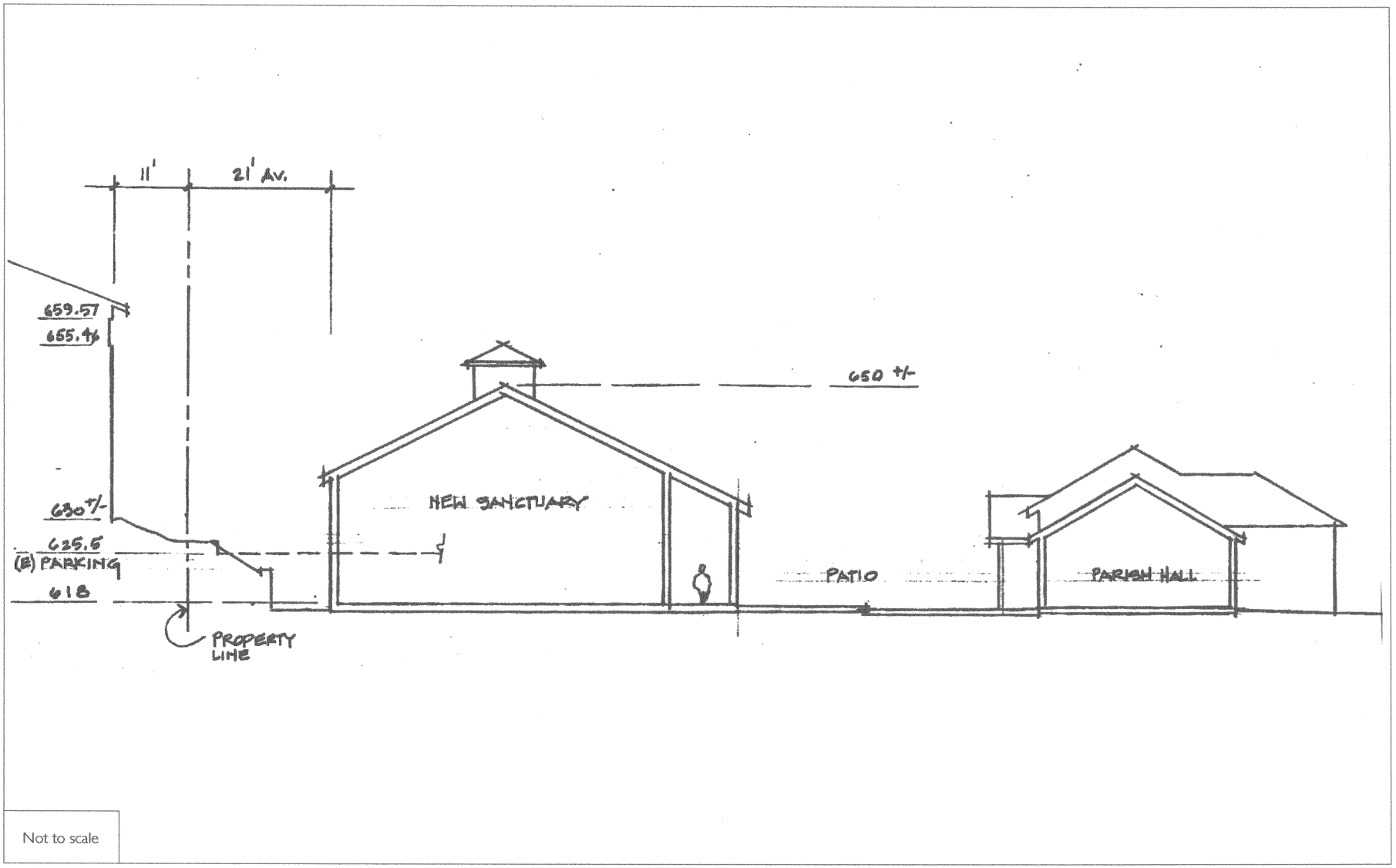
PLANTING PLAN



Source: Turnbull, Griffin & Haesloop Architects

FIGURE 3-15

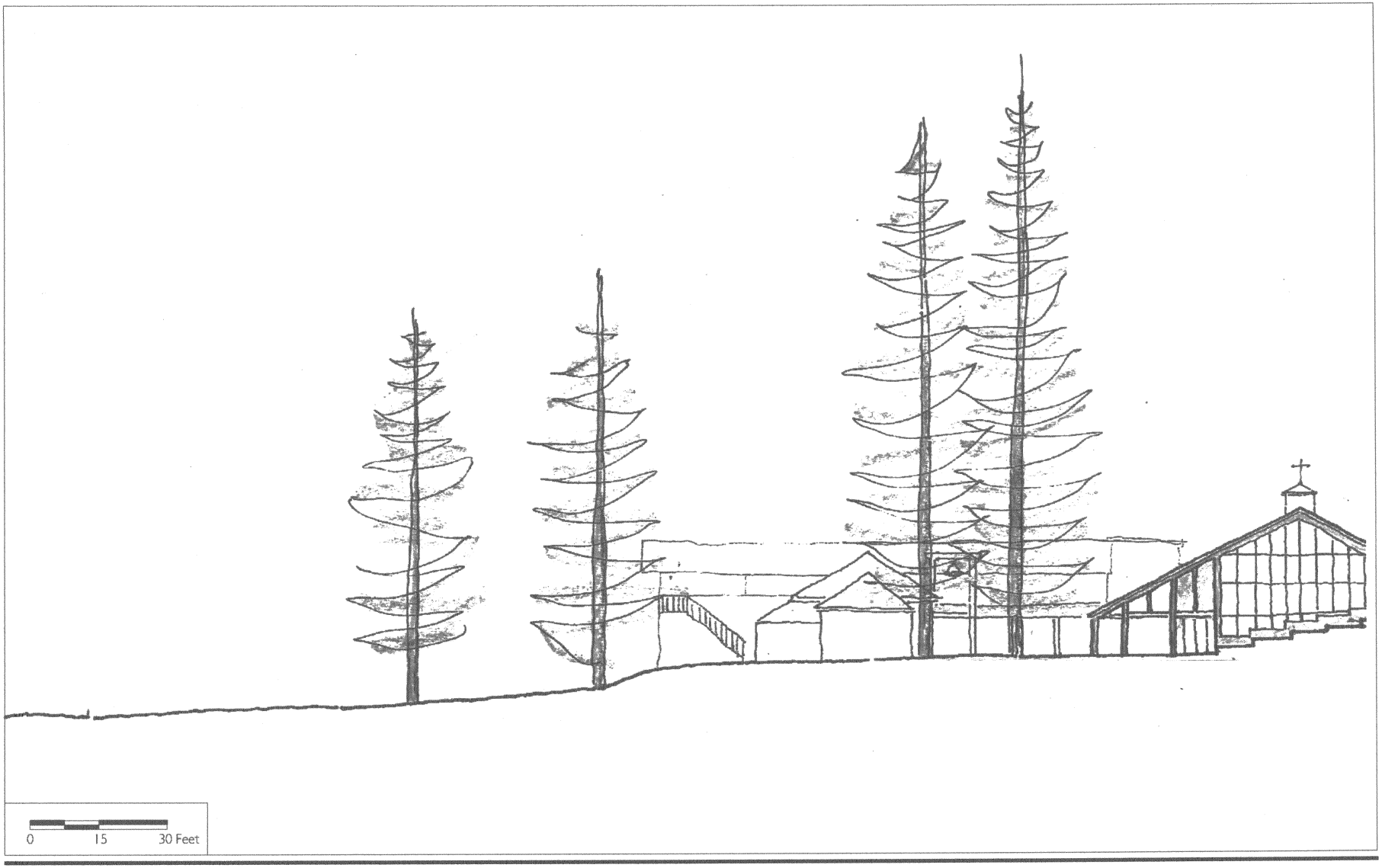
PHASE 2 SANCTUARY CONCEPTUAL PLAN - FLOOR PLAN



Source: Turnbull, Griffin & Haesloop Architects

FIGURE 3-16

PHASE 2 SANCTUARY CONCEPTUAL PLAN - WEST SECTION



Source: Turnbull, Griffin & Haesloop Architects

FIGURE 3-17

PHASE 2 SANCTUARY CONCEPTUAL PLAN - EAST SECTION

TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES**

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
AESTHETICS			
The project would create a new source of substantial light or glare.	PS	**Standard Condition of Approval AES-1: Lighting Plan.** *Prior to the issuance of an electrical or building permit.* The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.	LTS
BIOLOGICAL RESOURCES			
Impact BIO-1: The project site currently does not support occurrences of any special-status species, but there remains a remote possibility that California red-legged frog could disperse along Temescal Creek in the future. If any frogs are present in this reach of the creek when bridge and restoration work is to be implemented, individuals could be injured or destroyed unless appropriate measures are taken. This is a *potentially significant* impact.	PS	BIO-1: The applicant shall implement appropriate avoidance measures and shall conduct a pre-construction survey for California red-legged frog and western pond turtle prior to initiation of the bridge construction or stabilization efforts work along Temescal Creek. The USFWS has outlined mitigation measures for activities authorized by the Corps under their Nationwide Permit program in their *Programmatic Formal Endangered Species Act Consultation on Issuance of Permits under Section 404 of the Clean Water Act or Authorizations under the Nationwide Permit Program for projects that May Affect the California Red-legged Frog*. The following procedures are adapted from the Programmatic opinion by the USFWS and shall be implemented to avoid potential impacts: ♦ A qualified biologist shall conduct a pre-construction survey of the creek to confirm absence of any California red-legged frog and western pond turtle from the site. The survey shall be conducted no more than two weeks before any construction activities are initiated in or within 100 feet of the creek. If western pond turtles, California red-legged frogs, tad-poles, or eggs are found, the qualified approved biologist shall contact the	LTS

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ATTACHMENT B

TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		USFWS, to determine if moving any of these lifestates is appropriate. Only a USFWS-approved biologist shall participate in activities associated with the capture, handling, and monitoring of California red-legged frogs. ♦ Before any construction activities begin, the approved biologist(s) shall conduct a training session for all construction personnel. At a minimum, the training shall include: (a) a description of the California red-legged frog and habitat for this species; (b) the general measures that are being implemented to conserve this species as they relate to the project, and (c) the boundaries within which the project may be accomplished. ♦ During project construction activities, all trash that may attract predators shall be properly contained, removed from the work site and disposed of properly. ♦ All fueling and maintenance of vehicles and other equipment, and staging areas, shall be located at least 20 meet from the creek. Prior to the onset of work, the applicant shall prepare a plan to allow a prompt and effective response to any accidental spills into the creek. All workers shall be informed of the importance of preventing spills and the appropriate measures to take should a spill occur. ♦ Instream work (dewatering, bridge-related construction, channel stabilization, and bank stabilization plantings) will only occur between June 15 and October 15) during low flow periods. ♦ To control erosion during and after project construction, the applicant shall implement Best Management Practices, as identified by the RWQCB and described in a Stormwater Pollution Prevention Plan for the project.	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		♦ If the construction reach of the creek is temporarily de-watered by pumping, intakes shall be completely screened with wire mesh not larger than five millimeters to prevent California red-legged frogs, from entering the pump. ♦ The USFWS-approved biologist shall permanently remove, from within the project site, any individuals of exotic wildlife species, such as bullfrogs and crayfish to the extent possible.	
The proposed bridge and stabilization efforts in the Temescal Creek channel would affect areas of jurisdictional other waters. This is considered to be a *significant* impact.	S	**Standard Condition of Approval BIO-1: Regulatory Permits and Authorizations.** *Prior to issuance of a demolition, grading, or building permit within vicinity of the creek.* Prior to construction within the vicinity of the creek, the project applicant shall obtain all necessary regulatory permits and authorizations from the U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (RWQCB), California Department of Fish and Game, and the City of Oakland, and shall comply with all conditions issued by applicable agencies. Required permit approvals and certifications may include, but not be limited to the following: a. U.S. Army Corps of Engineers (Corps): Section 404. Permit approval from the Corps shall be obtained for the placement of dredge or fill material in Waters of the U.S., if any, within the interior of the project site, pursuant to Section 404 of the federal Clean Water Act. b. Regional Walter Quality Control Board (RWQCB): Section 401 Water Quality Certification. Certification that the project will not violate state water quality standards is required before the Corps can issue a 404 permit, above. c. California Department of Fish and Game (CDFG): Section 1602 Lake and Streambed Alteration Agreement. Work that will alter the bed or bank of a stream requires authorization from CDFG.	LTS

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		Standard Condition of Approval BIO-2: Tree Removal Permit on Creekside Properties. *Prior to issuance of a final inspection of the building permit.* Prior to removal of any tree located on the project site which is identified as a creekside property, the project applicant must secure the applicable creek protection permit, and abide by the conditions of that permit.	
		Standard Condition of Approval BIO-3: Tree Removal During Breeding Season. *Prior to issuance of a tree removal permit.* To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of raptors shall not occur during the breeding season of March 15 and August 15. If tree removal must occur during the breeding season, all sites shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to start of work from March 15 through May 31, and within 30 days prior to the start of work from June 1 through August 15. The pre-removal surveys shall be submitted to the Planning and Zoning Division and the Tree Services Division of the Public Works Agency. If the survey indicates the potential presences of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the CDFG, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		Standard Condition of Approval BIO-4: Tree Removal Permit. *Prior to issuance of a demolition, grading, or building permit.* Prior to removal of any protected trees, per the Protected Tree Ordinance, located on the project site or in the public right-of-way adjacent to the project, the project applicant must secure a tree removal permit from the Tree Division of the Public Works Agency, and abide by the conditions of that permit.	
		Standard Condition of Approval BIO-5: Tree Replacement Plantings. *Prior to issuance of a final inspection of the building permit.* Replacement plantings shall be required for erosion control, groundwater replenishment, visual screening and wildlife habitat, and in order to prevent excessive loss of shade, in accordance with the following criteria: a. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered. b. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye) or Umbellularia californica (California Bay Laurel) or other tree species acceptable to the Tree Services Division. c. Replacement trees shall be at least of twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate. d. Minimum planting areas must be available on site as follows: i. For Sequoia sempervirens, three hundred fifteen square feet per tree; ii. For all other species listed in #2 above, seven hundred (700) square feet per tree.	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		e. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee as determined by the master fee schedule of the city may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians. f. Plantings shall be installed prior to the issuance of a final inspection of the building permit, subject to seasonal constraints, and shall be maintained by the project applicant until established. The Tree Reviewer of the Tree Division of the Public Works Agency may require a landscape plan showing the replacement planting and the method of irrigation. Any replacement planting which fails to become established within one year of planting shall be replanted at the project applicant's expense.	
		Standard Condition of Approval BIO-6: Tree Protection During Construction. *Prior to issuance of a demolition, grading, or building permit.* Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist: a. Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		b. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filling, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.	
		c. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.	
		d. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.	
		e. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Agency and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed. f. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.	
Impact BIO-2: Shadows resulting from the placement of a vehicle bridge over Temescal Creek would result in the loss of approximately 476 square feet of riparian habitat.	S	BIO-2: Removal of invasive exotics and replanting of the creek corridor would generally serve to improve existing habitat values of the riparian corridor on the site, but compensatory mitigation would be required for the permanent loss of approximately 476 square feet of low quality riparian habitat. Options for achieving this off-site mitigation requirement would consist of one of the following: 1. Preparing and implementing an off-site creek restoration program funded by the applicant that would serve to restore a minimum of 476 square feet of currently culverted creek corridor in Oakland. The program would be developed by a qualified creek restoration specialist that meets with the approval of the City, CDFG, RWQCB, and Corps, and secures any required permits as part of program implementation. The off-site restoration program shall specify performance criteria, maintenance and long-term management responsibilities, monitoring requirements, and contingency measures. Monitoring shall be conducted by the qualified creek restoration specialist for a minimum of five years and continue until the identified success criteria are met.	LTS

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		2. Having the applicant make an in-lieu contribution to cover the costs of restoring a minimum of 476 square feet of riparian habitat at an off-site location as specified by the City of Oakland.	
Impact BIO-3: The construction of the proposed bridge and bioengineering treatments of the creek banks may require the use of heavy motorized equipment that could have an adverse impact on the riparian habitat of Temescal Creek.	S	BIO-3a: Prior to the issuance of a grading permit, the project applicant shall submit a study to the City, for its review and approval, which assesses the feasibility of using hand tools for work in/near the creek corridor. If the City determines the use of hand tools is infeasible, the project applicant shall submit a construction plan, for City review and approval, whose goal is to minimize the use of and impacts from mechanized equipment in/near the creek corridor to the maximum feasible extent. The project applicant shall implement the approved plan. The plan shall provide, at a minimum, the following: ♦ Types and numbers of motorized equipment to be used in or near creek channel ♦ Duration of equipment use in or near the creek channel ♦ Delineated areas where mechanical equipment would be used in or near the creek channel ♦ Specific measures designed to minimize the impacts to the creek corridor	LTS
		BIO-3b: Prior to issuance of a grading permit, the project applicant shall develop a creek restoration plan for City review and approval. The applicant shall implement the approved plan. The goal of the plan is to restore the disturbed areas to the pre-construction conditions or better. Immediately following construction in or near the creek channel, disturbed areas will be restored. Specific techniques used for such restoration may include, but are not limited to, the use of roto-tilling quality compost 8 inches into the soil to promote a living soil structure, installation of native plant materials, and	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		covering the soil surface with biodegradable erosion control fabric and a 3-inch layer of coarse mulch. If needed to temporary control erosion and sedimentation into the creek, straw wattles, silt fences, compost socks or similar measures which would prevent erosion as defined in the Stormwater Pollution Prevention Plan for the project.	
HYDROLOGY AND WATER QUALITY			
Hazardous materials associated with construction activities are likely to involve minor quantities of paint, solvents, oil and grease and petroleum hydrocarbons.		**Standard Condition of Approval HYD-1: Stormwater Pollution Prevention Plan (SWPPP).** *Prior to and ongoing throughout demolition, grading, and/or construction activities.* The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Planning and Zoning Division and the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit a copy of the SWPPP and evidence of approval of the SWPPP by the SWRCB to the Building Services Division. Implementation of the SWPPP shall start with the commencement of construction and continue though the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.	LTS

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		Standard Condition of Approval HYD-2: Drainage Plan for Projects on Slopes Greater than 20%. *Prior to issuance of building permit (or other construction-related permit).* The project drawings submitted for a building permit (or other construction-related permit) shall contain a drainage plan to be reviewed and approved by the Building Services Division. The drainage plan shall include measures to reduce the post-construction volume and velocity of stormwater runoff to the maximum extent practicable. Stormwater runoff shall not be augmented To adjacent properties or creeks. The drainage plan shall include and identify the following: i. All tproposed impervious surface on the site; ii. Anticipated directional flows of on-site stormwater runoff; iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; iv. Source control measures to limit the potential for stormwater pollution; and v. Stormwater treatment measures to remove pollutants from stormwater runoff.	
		Standard Condition of Approval HYD-3: Post-Construction Stormwater Pollution Management Plan. *Prior to issuance of building permit (or other construction-related permit).* The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Stormwater Supplemental Form for the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater pollution management plan, for review and approval by the City,	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		to limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable. a. The post-construction stormwater pollution management plan shall include and identify the following: i. All proposed impervious surface on the site; ii. Anticipated directional flows of on-site stormwater runoff; and iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and iv. Source control measures to limit the potential for stormwater pollution; and v. Stormwater treatment measures to remove pollutants from stormwater runoff. b. The following additional information shall be submitted with the post-construction stormwater pollution management plan: i. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and ii. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e. non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable or removing the range of pollutants typically removed by landscape-based treatment measures. All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		stormwater treatment measures in the post-construction stormwater pollution management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program. *Prior to final permit inspection.* The applicant shall implement the approved stormwater pollution management plan.	
		Standard Condition of Approval HYD-4: Maintenance Agreement for Stormwater Treatment Measures. *Prior to final zoning inspection.* For projects incorporating stormwater treatment measures, the applicant shall enter into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement," in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following: i. The applicant accepting responsibility for the adequate installation/ construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The agreement shall be recorded at the County Recorder's Office at the applicant's expense.	
		Standard Condition of Approval HYD-5: Erosion, Sedimentation, and Debris Control Measures. *Prior to issuance of demolition, grading, or construction-related permit.* The project applicant shall submit an erosion and sedimentation control plan for review and approval by the Building Services Division. All work shall incorporate all applicable "Best Management	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		Practices (BMPs) for the construction industry, and as outlined in the Alameda Countywide Clean Water Program pamphlets, including BMP's for dust, erosion and sedimentation abatement per Chapter Section 15.04 of the Oakland Municipal Code. The measures shall include, but are not limited to, the following: a. On sloped properties, the downhill end of the construction area must be protected with silt fencing (such as sandbags, filter fabric, silt curtains, etc.) and hay bales oriented parallel to the contours of the slope (at a constant elevation) to prevent erosion into the creek. b. In accordance with an approved erosion control plan, the project applicant shall implement mechanical and vegetative measures to reduce erosion and sedimentation, including appropriate seasonal maintenance. One hundred (100) percent degradable erosion control fabric shall be installed on all graded slopes to protect and stabilize the slopes during construction and before permanent vegetation gets established. All graded areas shall be temporarily protected from erosion by seeding with fast growing annual species. All bare slopes must be covered with staked tarps when rain is occurring or is expected. c. Minimize the removal of natural vegetation or ground cover from the site in order to minimize the potential for erosion and sedimentation problems. Maximize the replanting of the area with native vegetation as soon as possible. d. All work in or near creek channels must be performed with hand tools and by a minimum number of people. Immediately upon completion of this work, soil must be repacked and native vegetation planted. (Note, due to the nature of the work, mechanized equipment may be necessary. See Mitigation Measures BIO-3a and BIO-3b in previous section.)	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		e. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlets nearest to the creek side of the project site prior to the start of the wet weather season (October 15); site dewatering activities; street washing activities; saw cutting asphalt or concrete; and in order to retain any debris flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding.	
		f. Ensure that concrete/granite supply trucks or concrete/plaster finishing operations do not discharge wash water into the creek, street gutters, or storm drains.	
		g. Direct and locate tool and equipment cleaning so that wash water does not discharge into the creek.	
		h. Create a contained and covered area on the site for storage of bags of cement, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that have the potential for being discharged to the storm drain system by the wind or in the event of a material spill. No hazardous waste material shall be stored on site.	
		i. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.	
		j. Remove all dirt, gravel, refuse, and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work.	
		k. Broom sweep the street pavement adjoining the project site on a daily basis. Caked-on mud or dirt shall be scraped from these areas before sweeping. At the end of each workday, the entire site must be cleaned and secured against potential erosion, dumping, or discharge to the creek.	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		l. All erosion and sedimentation control measures implemented during construction activities, as well as construction site and materials management shall be in strict accordance with the control standards listed in the latest edition of the Erosion and Sediment Control Field Manual published by the Regional Water Quality Board (RWQB). m. Temporary fencing is required for sites without existing fencing between the creek and the construction site and shall be placed along the side adjacent to construction (or both sides of the creek if applicable) at the maximum practical distance from the creek centerline. This area shall not be disturbed during construction without prior approval of Planning and Zoning. n. All erosion and sedimentation control measures shall be monitored regularly by the project applicant. The City may require erosion and sedimentation control measures to be inspected by a qualified environmental consultant (paid for by the project applicant) during or after rain events. If measures are insufficient to control sedimentation and erosion then the project applicant shall develop and implement additional and more effective measures immediately.	
		Standard Condition of Approval HYD-6: Creek Protection Plan. http://www.oaklandpw.com/creeks. *Prior to and ongoing throughout demolition, grading, and/or construction activities.* a. The approved creek protection plan shall be included in the project drawings submitted for a building permit (or other construction-related permit). The project applicant shall implement the creek protection plan to minimize potential impacts to the creek during and after construction of the project. The plan shall fully describe in plan and written form all erosion, sediment, stormwater, and construction management measures to be implemented on-site.	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		b. If the plan includes a stormwater system, all stormwater outfalls shall include energy dissipation that slows the velocity of the water at the point of outflow to maximize infiltration and minimize erosion. The project shall not result in a substantial increase in stormwater runoff volume or velocity to the creek or storm drains.	
		Standard Condition of Approval HYD-7: Creek Monitoring. *Prior to issuance of a demolition, grading, or building permit within vicinity of the creek.* A qualified geotechnical engineer and/or environmental consultant shall be retained and paid for by the project applicant to make site visits during all grading activities; and as a follow-up, submit to the Building Services Division a letter certifying that the erosion and sedimentation control measures set forth in the Creek Protection Permit submittal material have been instituted during the grading activities.	
		Standard Condition of Approval HYD-8: Creek Landscaping Plan. *Prior to issuance of a demolition, grading, or building permit within vicinity of the creek.* The project applicant shall develop a final detailed landscaping and irrigation plan for review and approval by the Planning and Zoning Division prepared by a licensed landscape architect or other qualified person. Such a plan shall include a planting schedule, detailing plant types and locations, and a system for temporary irrigation of plantings. a. Plant and maintain only drought-tolerant plants on the site where appropriate as well as native and riparian plants in and adjacent to riparian corridors. Along the riparian corridor, native plants shall not be disturbed to the maximum extent feasible. Any areas disturbed along the riparian corridor shall be replanted with mature native riparian vegetation and be maintained to ensure survival.	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		b. All landscaping indicated on the approved landscape plan shall be installed prior to the issuance of a Final inspection of the building permit, unless bonded pursuant to the provisions of Section 17.124.50 of the Oakland Planning Code. c. All landscaping areas shown on the approved plans shall be maintained in neat and safe conditions, and all plants shall be maintained in good growing condition and, whenever necessary replaced with new plant materials to ensure continued compliance with all applicable landscaping requirements. All paving or impervious surfaces shall occur only on approved areas.	
		Standard Condition of Approval HYD-9: Creek Dewatering and Aquatic Life. *Prior to the start of and ongoing throughout any in-water construction activity.* a. If any dam or other artificial obstruction is constructed, maintained, or placed in operation within the stream channel, ensure that sufficient water is allowed to pass down channel at all times to maintain aquatic life (native fish, native amphibians, and western pond turtles) below the dam or other artificial obstruction. b. The project applicant shall hire a biologist, and obtain all necessary State and federal permits (e.g. CDFG Scientific Collecting Permit), to relocate all native fish/native amphibians/pond turtles within the work site, prior to dewatering. The applicant shall first obtain a project-specific authorization from the CDFG and/or the USFWS, as applicable to relocate these animals. Captured native fish/native amphibians/pond turtles shall be moved to the nearest appropriate site on the stream channel downstream. The biologist/contractor shall check daily for stranded aquatic life as the water level in the dewatering area drops. All reasonable efforts shall be made to capture and move all stranded aquatic	

LTS = Less Than Significant PS = Potentially Significant S = Significant SU = Significant Unavoidable Impact

TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		life observed in the dewatered areas. Capture methods may include fish landing nets, dip nets, buckets, and by hand. Captured aquatic life shall be released immediately in the nearest appropriate downstream site. This condition does not allow the take or disturbance of any state or federally listed species, nor state-listed species of special concern, unless the applicant obtains a project specific authorization from the CDFG and/or the USFWS, as applicable.	
		Standard Condition of Approval HYD-10: Creek Dewatering and Diversion. *Prior to the start of any in-water construction activities.* If installing any dewatering or diversion device(s), the project applicant shall develop and implement a detailed dewatering and diversion plan for review and approval by the Building Services Division. All proposed dewatering and diversion practices shall be consistent with the requirements of the Streambed Alteration Agreement issued by the California Department of Fish and Game. a. Ensure that construction and operation of the devices meet the standards in the latest edition of the Erosion and Sediment Control Field Manual published by the Regional Water Quality Control Board (RWQCB). b. Construct coffer dams and/or water diversion system of a non-erodable material which will cause little or no siltation. Maintain coffer dams and the water diversion system in place and functional throughout the construction period. If the coffer dams or water diversion system fail, repair immediately based on the recommendations of a qualified environmental consultant. Remove devices only after construction is complete and the site stabilized. c. Pass pumped water through a sediment settling device before returning the water to the stream channel. Provide velocity dissipation measures at the outfall to prevent erosion.	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
TRAFFIC AND CIRCULATION			
Impact TRAF-1: Pedestrians crossing Thornhill Drive at the mid-block pedestrian crossing will be in close proximity to vehicles exiting the project site and turning left onto Thornhill Drive.	S	TRAF-1: The project applicant shall increase the visibility of the mid-block crosswalk and driveway by developing and submitting a plan to improve sight line distances and alert drivers exiting the site to the presence of pedestrians, subject to review and approval by City. Such a plan element may include without limitation the following: Signage, flashing beacons, mid-block crosswalk treatments, foliage trimming, and restriction of on-street parking near the driveway entrance. The applicant shall implement the approved plan.	LTS
Parking during the construction period could result in a reduction of available parking within the project site and surrounding streets. Additionally, although the project meets City of Oakland parking requirements, demand for parking during peak-hour Sunday Church Service would exceed parking supply and could result in on-street parking by Church attendees.		**Standard Condition of Approval TRAF-1: Parking and Transportation Demand Management.** *Prior to issuance of a final inspection of the building permit.* The applicant shall submit for review and approval by the Planning and Zoning Division a Transportation Demand Management (TDM) plan containing strategies to reduce on-site parking demand and single occupancy vehicle travel. The applicant shall implement the approved TDM plan. The TDM shall include strategies to increase bicycle, pedestrian, transit, and carpools/vanpool use. All four modes of travel shall be considered. Strategies to consider include the following: a. Inclusion of additional bicycle parking, shower, and locker facilities that exceed the requirement b. Construction of bike lanes per the Bicycle Master Plan; Priority Bikeway Projects c. Signage and striping onsite to encourage bike safety	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		d. Installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient crossing at arterials e. Installation of amenities such as lighting, street trees, trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. f. Direct transit sales or subsidized transit passes g. Guaranteed ride home program h. Pre-tax commuter benefits (checks) i. On-site car-sharing program (such as City Car Share, Zip Car, etc.) j. On-site carpooling program k. Distribution of information concerning alternative transportation options l. Parking spaces sold/leased separately m. Parking management strategies; including attendant/valet parking and shared parking spaces To further implement Standard Condition of Approval TRAF-2, the Church shall develop a memorandum of understanding with Thornhill Elementary School to utilize the school's blacktop, as needed, for non-construction parking during the summer when school is not in session.	
		Standard Condition of Approval TRAF-2: Construction Traffic and Parking. *Prior to the issuance of a demolition, grading or building permit.* The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project	

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TABLE 2-2 **SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES** (CONTINUED)

Significant Impact	Significance Prior to SCA/Mitigation	Standard Conditions of Approval / Mitigation Measures	Significance With SCA/Mitigation
		applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements: a. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. b. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur. c. Location of construction staging areas for materials, equipment, and vehicles at an approved location.). d. A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services. Provision for accommodation of pedestrian flow. e. Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.	

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CITY OF OAKLAND

DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 2114 • OAKLAND, CALIFORNIA 94612-2031

Community and Economic Development Agency
Planning & Zoning Services Division

(510) 238-3911
FAX (510) 238-4730
TDD (510) 238-3254

NOTICE OF RELEASE AND AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR ST JOHN'S EPISCOPAL CHURCH IMPROVEMENTS

PROJECT TITLE: St John's Episcopal Church – Parking, Bridge and New Sanctuary Improvements

CASE NUMBER: **ER08-0001; SCH# 2008032031**

PROJECT SPONSOR: Jerry Moran, Project Liaison
St John's Episcopal Church
1707 Gouldin Road
Oakland, CA 94611

PROJECT LOCATION: 5914 Thornhill Drive, 5928 Thornhill Drive, 1707 Gouldin Road, 1715 Gouldin Road, and 1676 Alhambra Lane

PROJECT DESCRIPTION:

Phase 1: Reconfiguration of site circulation, parking, bridge and creek improvements

Phase 1 of the project, includes demolishing the house at 5928 Thornhill Road, abandoning a portion of the shared access road with the home at 5940 Thornhill Road, and constructing a new access bridge over Temescal Creek. Primary ingress and egress would be via a new lane leading from the new bridge to an auto circle, which would allow pick-up and drop-off activities as well as provide improved fire truck access to the sanctuary. Perpendicular parking spaces would be provided along the new lane, as well as a separate pedestrian path, which would run parallel to the new lane. Existing parking areas near the sanctuary would be retained, and the existing parking along the upper parking lot would be retained and resurfaced. The Alhambra Lane driveway would be retained to allow egress for people parking in this area. The project proposes 41 parking spaces. Phase 1 also includes the removal of 2,300 square feet of asphalt parking lot abutting the eastern side of the existing sanctuary building and abandonment and removal of paving at the current, steep Gouldin Road entry. This area would be landscaped under Phase 2.

In total, the project proposes the removal of 65 trees, 56 of which fall under the City of Oakland tree preservation ordinance. All trees proposed for removal would be replaced with native species.

Phase 2: Construction of new 5,500 square-foot sanctuary

Phase 2 would involve construction of a new sanctuary building between 5,000 and 5,500 square feet and one story tall at the location of the current Gouldin Road entrance to the Church. Conceptual plans for the new sanctuary call for a 33-foot-high structure and a cupola with a bell. The new sanctuary would be constructed of wood, stucco and a composition roof material to match the style and materials of the existing sanctuary building. As part of this phase, the patio between the existing building and the new sanctuary would be renovated and

ATTACHMENT C

expanded. Upon completion of the new sanctuary building, the existing building would be converted into a community hall, fellowship space.

ENVIRONMENTAL REVIEW: A Notice of Preparation/Initial Study was issued by the City on March 8, 2008. A Scoping Session was held before the City Planning Commission on April 2, 2008. A Focused Draft Environmental Impact Report (DEIR) has been prepared for the project, under the requirements of the California Environmental Quality Act (CEQA), pursuant to Public Resources Code Section 21000 et. seq. The DEIR analyzes potentially significant environmental impacts in the following environmental categories: Aesthetic Resources; Biological Resources; Hydrology and Water Quality; and Traffic and Circulation. All other impact are less than significant or have been reduced to less-than-significant levels through the City's Standard Conditions of Approval or proposed mitigation measures, and will not be further studied. Copies of the DEIR are available for review or distribution to interested parties at no charge at the Community and Economic Development Agency, Planning Division, 250 Frank H. Ogawa, Suite 2215, Oakland, CA 94612, Monday through Friday, 8:30 a.m. to 5:00 p.m. Additional copies are available for review at the Oakland Public Library, Social Science and Documents, 125 14th Street, Oakland, CA 94612. The DEIR may also be reviewed at the following website:

http://oaklandnet/home/Government/o/CEDA/o/PlanningZoning/s/Application/DOWD009157 (This is Project # 9 on the list).

PUBLIC HEARING:

Wednesday, December 15, 2010 at 6:00 p.m. Meeting of the City Planning Commission, Hearing Room 1, City Hall, One Frank H. Ogawa Plaza

The City of Oakland is hereby releasing this Draft EIR, finding it to be accurate and complete and ready for public review. Members of the public are welcome to attend these hearings and provide comments. Comments on the DEIR should focus on whether the DEIR is sufficient in discussing possible impacts to the physical environment, ways in which potential adverse effects may be avoided or minimized through mitigation measures, and alternatives to the the project in light of the EIR's purpose to provide useful and accurate information about such factors. Comments may be made at the public hearing described above or in writing. Please address all comments to Caesar Quitevis, Planner II; City of Oakland, Community and Economic Development Agency, Planning Division; 250 Frank H. Ogawa Plaza, Suite 3315; Oakland, California 94612 or by email clquitevis@oaklandnet.com. Comments must be received no later than 4:00 p.m. on January 3, 2011.

After the comments have been received, a Final EIR will be prepared and the Planning Commission will consider certification of the EIR and rendering a decision on the project at a public hearing, date yet to be determined. All comments received will be considered by the City prior to finalizing the EIR and taking any further action pertaining to the Project. If you challenge the environmental document or other actions pertaining to the Project in court, you may be limited to raising only those issues raised at the public hearing described above or in written correspondence received by the Community and Economic Development Agency on or prior to January 3, 2011. For further information please contact Caesar Quitevis at (510)238-6343 or at clquitevis@oaklandnet.com.

Eric Angstadt, Environmental Review Officer

File Number Enter **ER08-0001**
Date of Notice: 11/17/10

California Regional Water Quality Control Board
San Francisco Bay Region

Linda S. Adams
Secretary for
Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
http://www.waterboards.ca.gov/sanfranciscobay

Arnold Schwarzenegger
Governor

November 29, 2010
CIWQS Place ID: 758915 (BKW)

Sent via electronic mail: No hardcopy to follow

City of Oakland
Community and Economic Development Agency
250 Frank H. Ogawa Plaza, Suite 2216
Oakland, CA 94612

Attn: Caesar Quitevas, Planner II (clquitevis@oaklandnet.com)

Re: Comments on the Draft Environmental Impact Report for the St John's Episcopal Church Project
SCH No. 2008032031

Dear Mr. Quitevas:

San Francisco Bay Regional Water Quality Control Board (Water Board) staff have reviewed the *Draft Environmental Impact Report (DEIR) for the St. John's Episcopal Church Project*. The DEIR is intended to evaluate the potential environmental impacts that might reasonably be expected to result from the reconfiguration of site circulation, the reconfiguration of parking areas, and the construction of a new sanctuary at St. John's Episcopal Church at 1701 Gouldin Road in the City of Oakland (Project). Water Board staff have the following comments on the DEIR.

Comment 1. Project Alternatives.
In the Water Board's April 3, 2008, letter of comment on the Notice of Preparation of a DEIR for the Project, the Water Board requested that the DEIR include an analysis of a site layout that avoided the construction of a new crossing of Temescal Creek. The DEIR includes Alternative 2, *Existing Gouldin Road/Alhambra Lane Access*, and Alternative 3, *Gouldin Road Access*. Both of these alternatives avoid new impacts to waters of the State. Therefore, the Water Board prefers these two alternatives to the Preferred Alternative, which includes the construction of a new bridge over Temescal Creek that would remove existing riparian vegetation, including trees, and create permanent shade over about 476 square feet of riparian habitat. Within the short reach of Temescal Creek that borders the Project site, the creek is already crossed by a culverted crossing at Gouldin Road, a culverted crossing for a residential driveway, and a culverted crossing at Alhambra Lane.

Comment 2. Mitigation Measure BIO-2.
Mitigation Measure BIO-2 in the DEIR proposes to provide mitigation for the permanent loss of 476 square feet of riparian habitat through one of two options: an off-site mitigation project that would restore a minimum of 476 square feet of riparian habitat or an in-lieu contribution to cover the costs of restoring a minimum of 476 square feet of riparian habitat at an off-site location within the City of Oakland. However, the DEIR does not identify feasible locations for either of these options. Therefore, the DEIR has not yet demonstrated that either of the proposed mitigation options is feasible.

Also, if mitigation is provided at an off-site location, the amount of necessary mitigation is likely to be greater than the area of impact by at least a factor of 2. We encourage the Project proponent to identify potential mitigation sites before completing the Final Environmental Impact Report. Identifying mitigation sites at this time would also help the Project proponent to develop cost estimates for the proposed mitigation projects. The off-site restoration project option is also compromised by the proposed use of a five-year monitoring program. Riparian restoration programs usually require a 10-year monitoring program, in order to ensure both the success of vegetation and the long-term geomorphic stability of the restored channel.

Water Board staff would also like to encourage the Project proponent to develop on-site mitigation proposals. As is noted on Page 4.3-4 of the DEIR, a tributary to Temescal Creek traverses the site. After passing under Gouldin Road to the east of the Project site, this tributary is culverted under much of the Project site. Day-lighting a minimum of 476 square feet of riparian habitat along this tributary channel would provide mitigation for the proposed new bridge over Temescal Creek. Since the mitigation would be both in-kind and on-site, the amount of mitigation required would be lower than if the mitigation were off-site or provided by an in-lieu fee contribution. Also, since much of the culverted tributary creek appears to be on church property, there may be no property acquisition costs associated with this mitigation option. Creek daylighting opportunities are relatively rare, and it is especially unusual to encounter feasible daylighting projects on the same site as a proposed Project. The Project proponent is encouraged to explore this unique opportunity.

If you have questions, please contact me at (510) 622-5680 or by email at bwines@waterboards.ca.gov.

Sincerely,

Brian K. Wines

Brian Wines
Water Resources Control Engineer
South/East Bay Section

cc: State Clearinghouse (state.clearinghouse@opr.ca.gov)
CDFG, Bay Delta Region, Attn: Marcia Grefsrud (mgrefsrud@dfg.ca.gov)
City of Oakland, Watershed Improvement Program, Attn: Lesley Estes (lcestes@oaklandnet.com)