

MITIGATION MONITORING AND REPORTING PROGRAM

This Draft Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Environmental Impact Report (EIR) prepared for the City of Berkeley Draft Southside Plan. The MMRP, which is provided in Table 1 of this section, lists mitigation measures recommended in the EIR for the proposed project and identifies mitigation monitoring requirements. The Final MMRP must be adopted when the City Council makes a final decision on the project.

This MMRP has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts. The MMRP is intended to ensure compliance during implementation of the project.

The MMRP is organized in a matrix format. The first column identifies the impact and the second column identifies the mitigation measure that would be implemented for each project impact. The third column, entitled "Monitoring Responsibility," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The fourth column, entitled "Monitoring Timing," refers to when the monitoring will occur to ensure that the mitigation action is completed. The fifth column, entitled "Verification," is for the lead agency to provide verification that the measures have been implemented. These mitigation measures include any minor revisions made as a result of the Response to Comments Document.

Table 1: Mitigation Monitoring and Reporting Program

Impact Statement	Mitigation Measures	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
A. Land Use				
<i>There are no significant land use impacts.</i>				
B. Population, Employment and Housing				
<i>There are no significant population, employment and housing impacts</i>				
C. Transportation and Circulation				
<u>TRANS-1:</u> The proposed project would significantly affect operations of the Parker Street/Warring Street intersection under Existing Plus Project Conditions.	<u>TRANS-1:</u> Remove the stop signs on Warring Street while maintaining stop signs on Parker Street at the Clark Kerr Campus exit. This action will reduce long southbound queues along Warring Street. The side street approach would operate at LOS F; however, the minor street volumes are low and would not meet the peak hour signal warrant. Install a high visibility crosswalk system on the north side of the Clark Kerr exit driveway to permit pedestrians to alert drivers to pedestrian crossings.	City of Berkeley Planning and Development and Public Works Department	To be implemented when City confirms that conditions warrant its implementation	
<u>TRANS-2:</u> Implementation of the proposed project would cause a significant cumulative impact at the intersection of Bancroft Way/Shattuck Avenue.	<u>TRANS-2:</u> Install a left turn pocket on the southbound Shattuck Avenue approach for traffic destined to eastbound Bancroft Way. Installation of the left turn lane and signal timing changes would improve operations from service level E to C.	City of Berkeley Planning and Development and Public Works Department	To be implemented when City confirms that conditions warrant its implementation	
<u>TRANS-3:</u> Implementation of the proposed project would cause a significant cumulative impact at the intersection of Bancroft Way/Piedmont Avenue.	<u>TRANS-3:</u> Re-stripe the existing cross section for north and south bound traffic on Piedmont Avenue to accommodate two lanes of traffic in each direction. The additional lanes will prevent through traffic from being blocked by turning movements. Provide crosswalks only on the north and west sides of the intersection to eliminate pedestrian conflicts with vehicles on the south approach. Relocate the existing northbound bus zone to the north of the intersection to accommodate the second moving traffic lane, and eliminate parking north of Bancroft Way. With implementation of this mitigation measure the intersection would operate at LOS C.	City of Berkeley Planning and Development and Public Works Department	To be implemented when City confirms the 2025 conditions warrant its implementation	

Table 1 *Continued*

Impact Statement	Mitigation Measures	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
<p><u>TRANS-4:</u> Implementation of the proposed project would cause a significant cumulative impact at the intersection of Durant Avenue/Piedmont Avenue.</p>	<p><u>TRANS-4:</u> Re-stripe the existing cross section for north and south bound traffic on Piedmont Avenue to accommodate two lanes of traffic in each direction. The additional lanes will prevent through traffic from being blocked by turning movements. To accommodate two lanes of traffic during the PM peak period, parking would have to be prohibited along Piedmont Avenue between Bancroft Way and 100 feet south of Durant Avenue. With implementation of this mitigation measure the intersection would operate at LOS C.</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>To be implemented when City confirms the 2025 conditions warrant its implementation</p>	
<p><u>TRANS-5:</u> Implementation of the proposed project would cause a significant cumulative impact at the intersection of Channing Way/Fulton Street.</p>	<p><u>TRANS-5:</u> Signalize the Channing Way/Fulton Street intersection. With implementation of this mitigation measure the intersection would operate at LOS C. The traffic signal shall provide pedestrian countdown signal indications, bicycle and emergency vehicle detection and necessary equipment capable of transit priority operations.</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>To be implemented when City confirms the 2025 conditions warrant its implementation</p>	
<p><u>TRANS-6:</u> Implementation of the proposed project would cause a significant cumulative impact at the intersection of Parker Street/Warring Street.</p>	<p><u>TRANS-6:</u> Implementation of Mitigation Measure TRANS-1 (Remove the stop signs on Warring Street while maintaining stop signs on Parker Street at the Clark Kerr Campus exit) would reduce the cumulative impact on the Parker Street/Warring Street intersection to the less-than-significant level.</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>To be implemented when City confirms that conditions warrant its implementation</p>	
<p><u>TRANS-7:</u> Construction on development sites in the Southside area can disrupt pedestrian sidewalks at the vehicle access interface when either driveways or curb-cuts are introduced.</p>	<p><u>TRANS-7:</u> The City shall require all new development to design the vehicle access points to new development sites as driveways. A 6-foot sidewalk width, or 6 feet of clearance on sidewalks, shall be maintained across each new driveway that is in line with the primary walking corridor along the street.</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>Prior to design approval</p>	
<p><u>TRANS-8:</u> Vehicles and bicycles currently encroach into crosswalks, which may increase as new development allowed under the project generates additional trips.</p>	<p><u>TRANS-8:</u> At all signalized intersections and mid-block locations within the Southside area the City shall install limit lines five feet in advance of the crosswalks and install “Turning Traffic Must Yield to Pedestrians” signage consistent with the <i>California Manual on Uniform Traffic Control Devices for Streets and Highways (FHWA’s MUTCD 2003 Edition, as amended for use in California)</i>.</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>To be implemented when City confirms that conditions warrant its implementation</p>	
<p><u>TRANS-9:</u> Certain elements of the Southside area’s pedestrian facilities are in disrepair or require upgrade to be ADA compliant, which may worsen as development resulting from the proposed project generates additional pedestrian trips.</p>	<p><u>TRANS-9:</u> The City shall implement Policy T-C5 of the Draft Southside Plan and develop a program for sidewalk and intersection repairs and upgrades. Such a plan should inventory the existing system, identify deficiencies, and prioritize necessary improvements, including ongoing maintenance.</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>To be implemented when City confirms that conditions warrant its implementation</p>	

Table 1 *Continued*

Impact Statement	Mitigation Measures	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
<u>TRANS-10</u> : The Bancroft Way and Durant Avenue corridors carry a great number of cyclists; however, there are no bicycle facilities and this can create unsafe conditions.	<u>TRANS-10</u> : The City shall install Class II bike lanes on Bancroft Way between Dana Street and Fulton Street and on Durant Avenue west of College Avenue. The City shall install shared roadway markings on Bancroft Way west of Fulton Street and east of Dana Street as well as on Durant Avenue east of College Avenue. The shared roadway markings shall be located 11 feet from the face of curb to highlight the preferred bicycle travel path to avoid open vehicle doors.	City of Berkeley Planning and Development and Public Works Department	To be implemented when City confirms that conditions warrant its implementation	
<u>TRANS-11</u> : The conversion of Bancroft Way and Durant Avenue to two-way streets will result in an increased propensity for delivery vehicles to block the eastbound travel lane on Bancroft Way if delivery vehicles double park.	<u>TRANS-11</u> : The City shall implement Policy T-F5 of the Draft Southside Plan to improve loading and unloading for commercial businesses. Key elements to be implemented include the creation of enforceable loading rules, improved signage, enforcement of loading zone time limits, enforcement of double parking, and reevaluation of loading zone locations and sizes.	City of Berkeley Planning and Development and Public Works Department	To be implemented when City confirms that conditions warrant its implementation	
<u>TRANS-12</u> : The conversion of Bancroft Way and Durant Avenue to two-way streets will result in bus encroachment into opposing lanes of traffic at intersecting streets, thereby slowing bus travel.	<u>TRANS-12</u> : The City shall conduct focused engineering studies at Bancroft Way intersections with Piedmont Avenue, College Avenue, and Dana Street, and at Durant Avenue and Dana Street, to determine the appropriate vehicle limit line locations for each intersection and shall implement Mitigation Measure TRANS-8.	City of Berkeley Planning and Development and Public Works Department	To be implemented when City confirms that conditions warrant its implementation	
<u>TRANS-13</u> : The conversion of Bancroft Way and Durant Avenue to two-way streets could result in additional street congestion associated with delivery vehicle traffic that double parks within the commercial areas, blocking the free movement of vehicles and bicycles on the roadway.	<u>TRANS-13</u> : Implementation of Mitigation Measure TRANS-11 (The City shall implement Policy T-F5 of the Draft Southside Plan to improve loading and unloading for commercial businesses) would reduce this impact associated with vehicle delivery traffic to a less-than-significant level.	City of Berkeley Planning and Development and Public Works Department	To be implemented when City confirms that conditions warrant its implementation	
<u>TRANS-14</u> : There is a limited amount of short-term parking in the Southside area, which is needed to minimize drivers having to recirculate through the Southside area in search of available parking.	<u>TRANS-14</u> : The City shall implement Policy T-F1 of the Draft Southside Plan to improve short term parking opportunities. The City shall explore increasing parking fees to promote use of off-street lots and short-term on-street parking, upgrading its parking enforcement technology to capture long term parkers who move their cars every two hours to avoid ticketing, and pricing parking based on demand.	City of Berkeley Planning and Development and Public Works Department	To be implemented when City confirms that conditions warrant its implementation	

Table 1 *Continued*

Impact Statement	Mitigation Measures	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
<p>D. Air Quality</p> <p><u>AIR-1</u>: Demolition and construction period activities could generate significant dust, exhaust, and organic emissions.</p>	<p><u>AIR-1</u>: Consistent with guidance from the BAAQMD, the following actions shall be required of construction contracts and specifications for the project.</p> <p><i>Demolition.</i> The following controls shall be implemented during demolition:</p> <ul style="list-style-type: none"> • Water during demolition of structures and break-up of pavement to control dust generation; • Cover all trucks hauling demolition debris from the site; and • Use dust-proof chutes to load debris into trucks whenever feasible. <p><i>Construction.</i> The following controls shall be implemented at all construction sites:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers to control dust; • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard; • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites; • Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality; • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets; • Apply non-toxic soil stabilizers to inactive construction areas; • Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.); • Limit traffic speeds on unpaved roads to 15 mph; 	<p>City of Berkeley Building and Safety Division</p>	<p>Throughout demolition and construction period</p>	

Table 1 *Continued*

Impact Statement	Mitigation Measures	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
AIR-1 <i>Continued</i>	<ul style="list-style-type: none"> • Install sandbags or other erosion control measures to prevent silt runoff to public roadways; • Replant vegetation in disturbed areas as quickly as possible; • Install baserock at entryways for all exiting trucks, and wash off the tires or tracks of all trucks and equipment in designated areas before leaving the site; and • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph. <p>Implementation of this mitigation measure would reduce construction period air quality impacts to a less-than-significant level.</p>			
AIR-2: Long-term project-related regional emissions would exceed the BAAQMD thresholds of significance for ozone precursors.	<p>AIR-2: Changes in land use and zoning and policies in the Draft Southside Plan encourage mixed uses, transit use, pedestrian, and bicycle accessibility, and the provision of limited parking (e.g., LU-D1, LU-E1, LU-F7, LU-F9, LU-F13, T-A1, T-A2, T-A3, T-A4, T-A5, T-B3, T-C1, T-C2, T-C5, T-C6, T-C7, T-E1, T-E3, T-E4, T-G3, T-H1). These Plan features would help to reduce project-related trips and lower regional emissions. However, even with these reductions, the regional emissions associated with development anticipated to occur with implementation of the Draft Plan would exceed BAAQMD significance thresholds. Additional measures to reduce this impact are not available; therefore, the project's regional air quality impacts would remain significant and unavoidable.</p>	City of Berkeley Planning and Development and Public Works Department	To be implemented when City confirms that conditions warrant its implementation	
E. Noise				
<i>There are no significant noise impacts</i>				
F. Public Facilities and Services				
<i>There are no significant public facilities and services impacts</i>				
G. Utilities and Infrastructure				
<i>There are no significant utilities and infrastructures impacts</i>				

Table 1 *Continued*

Impact Statement	Mitigation Measures	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
H. Paleontological and Cultural Resources				
<p><u>CULT-1</u>: Ground-disturbing activities associated with new construction and associated underground utility installation could result in the destruction of paleontological resources.</p>	<p><u>CULT-1</u>: Should fossils be encountered during construction or site preparation activities, such works shall be halted in the vicinity of the find. A qualified paleontologist shall be contacted to evaluate the nature of the find and determine if mitigation is necessary. All feasible recommendations of the paleontologist shall be implemented. Mitigation may include, but is not limited to, in-field documentation and recovery of the specimen(s), laboratory analysis, the preparation of a report detailing the methods and findings of the investigation, and curation at an appropriate paleontological collections facility.</p>	<p>City of Berkeley Planning and Development Department</p>	<p>During demolition, grading, and construction activity</p>	
<p><u>CULT-2</u>: The Draft Plan does not contain procedures to avoid or minimize potentially significant construction impacts to unidentified subsurface archaeological deposits.</p>	<p><u>CULT-2</u>: During project-specific environmental review for individual development projects within the Southside area, the City shall apply the conditions of approval and the criteria for determining archaeological impacts required by the City of Berkeley General Plan. If such a system of review is not yet in place, the City shall, prior to the approval of any Draft Plan-related project involving ground disturbance, establish a development process with comparable conditions of approval and safeguards against potential impacts to archaeological deposits. Such conditions and safeguards may include, but are not limited to, archaeological sensitivity assessments, site-specific investigations, intensive surface surveys, and/or sub-surface archaeological testing prior to project clearance.</p>	<p>City of Berkeley Planning and Development Department</p>	<p>Prior to approval</p>	
<p><u>CULT-3</u>: The Draft Plan does not contain procedures to avoid or minimize potentially significant construction impacts to unanticipated archaeological discoveries.</p>	<p><u>CULT-3</u>: If unanticipated deposits of prehistoric or historical archaeological materials are encountered during construction activities, all work within 50 feet of the discovery shall be redirected until a qualified archaeologist can be contacted to evaluate the situation, determine if the deposit qualifies as a historical or archaeological resource, and provide recommendations. If the deposit does not qualify as a historical or archaeological resource, then no further protection or study is necessary. If the deposit does qualify as a historical or archaeological resource, then the impacts to the deposit shall be avoided by project activities. If the deposits cannot be avoided, adverse impacts to the deposit must be mitigated. Mitigation may include, but is not limited to, archaeological data recovery.</p>	<p>City of Berkeley Planning and Development Department</p>	<p>During construction activity</p>	

Table 1 *Continued*

Impact Statement	Mitigation Measures	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
CULT-3 <i>Continued</i>	Upon completion of the archaeological assessment, a report should be prepared documenting methods, findings, and recommendations. The report should be submitted to the City, the project proponent, and the NWIC.			
CULT-4: The Draft Plan does not contain procedures to avoid or minimize disturbance of human remains, including those interred outside of formal cemeteries.	<p>CULT-4: If human remains are encountered during construction activities, all work within 50 feet of the remains should be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. The archaeologist shall recover scientifically-valuable information, as appropriate and in accordance with the recommendations of the MLD.</p> <p>Upon completion of the archaeological assessment, a report should be prepared documenting methods and results, as well as recommendations regarding the treatment of the human remains and any associated archaeological materials. The report should be submitted to the City, the project proponent, and the NWIC.</p>	City of Berkeley Planning and Development Department	During construction activity	

Source: LSA Associates, Inc., 2009.