

ATTACHMENT 1 — EXHIBIT B

MITIGATION MONITORING & REPORTING PROGRAM

OCTOBER 25, 2018

This Draft Mitigation Monitoring and Reporting Program (MMRP) was formulated based upon the findings of the Environmental Impact Report (EIR) and Infill Environmental Checklist (IEC) prepared for the 2190 Shattuck Avenue Mixed-Use Project. 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 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 will 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 lead agency will 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.

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Table 1: Mitigation Monitoring and Reporting Program

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AIR QUALITY			
<p><u>AIR-1:</u> Project construction would generate increases in localized air pollutant emissions. While these emissions may result in temporary adverse impacts to local air quality, they would not exceed BAAQMD thresholds. Nevertheless, the project would be required to comply with BAAQMD regulations and Mitigation Measure AIR-3 from the DAP EIR to minimize emissions that could pose a health and nuisance impact to nearby sensitive receptors. Therefore, air quality impacts associated with construction activities would be less than significant with mitigation.</p>	<p>Implement DAP EIR Mitigation Measure AIR-3 (see below).</p> <p><u>AIR-3: Implement BAAQMD-Recommended Measures to Control PM₁₀ Emissions during Construction.</u> Measures to reduce diesel particulate matter and PM₁₀ from construction are recommended to ensure that short-term health impacts to nearby sensitive receptors are avoided.</p> <p>Dust (PM₁₀) Control Measures:</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 residences should be kept damp at all times. ▪ Cover all hauling trucks or maintain at least two feet of freeboard. ▪ Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas. ▪ Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads. ▪ Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously-graded areas that are inactive for 10 days or more). ▪ Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles. ▪ Limit traffic speeds on any unpaved roads to 15 mph. ▪ Replant vegetation in disturbed areas as quickly as possible. ▪ Suspend construction activities that cause visible dust plumes to extend beyond the construction site. <p>Measures to Reduce Diesel Particulate Matter and PM_{2.5}:</p> <ul style="list-style-type: none"> ▪ Clear signage at all construction sites will be posted indicating that diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were onsite or adjacent to the construction site. ▪ Opacity is an indicator of exhaust particulate emissions from off-road 	<p>City of Berkeley Planning and Development and Public Works Departments</p> <p>The City of Berkeley Building Official or their designee shall verify compliance that these measures have been implemented during normal construction site inspections.</p>	<p>During demolition, site preparation, and project construction</p>

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	<p>diesel-powered equipment. The project shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately.</p> <ul style="list-style-type: none"> ▪ The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors). ▪ Properly tune and maintain equipment for low emissions. 		
CULTURAL RESOURCES			
<p>CR-1: Although the proposed demolition of the existing commercial building on-site would not directly affect an eligible historical resource, the proposed building design would adversely affect the setting of nearby historical resources, including the adjacent Shattuck Hotel and the greater proposed Shattuck Avenue Downtown Historic District. Impacts on the integrity of historical resources would be less than significant with incorporation of mitigation to enhance the compatibility of the proposed building's design with surrounding historical resources.</p>	<p>CR-1a: Slanted Wall Modifications. The project applicant shall modify the proposed design of the slanted walls composed of slotted aluminum panels at stories two through six along Shattuck Avenue and Allston Way to make them more compatible with the Shattuck Hotel and other contributors to the proposed Shattuck Avenue Downtown Historic District. Specifically, these slanted walls shall be replaced with a rectilinear wall system, i.e., one with predominant wall surfaces below the seventh-floor loggia being either parallel or perpendicular to the abutting property line.</p> <p>CR-1b: Wall Rhythm Modifications. The proportion and pattern of void to wall in the proposed wall treatments of the project shall be modified to more closely match that exhibited in the Shattuck Hotel. Potential ways to achieve this include, but are not necessarily limited to, replacing the window wall systems with punched curtain wall systems or breaking up the window wall systems with windowless bays.</p> <p>CR-1c: Wall Cladding Material Modifications. The project applicant shall modify the proposed design so as to incorporate wall cladding materials that are compatible with the Shattuck Hotel and other contributors to the proposed Shattuck Avenue Downtown Historic District. Such materials include brick, concrete, stucco, marble, granite, tile and terra cotta, and could be used in conjunction with the proposed glass fiber reinforced concrete (GFRC), glass panels, and metal screens.</p> <p>CR-1d: Roofline Modifications. The project applicant shall modify the proposed design so as to incorporate elements that more prominently accentuate the building's roofline by differentiating it from the walls below.</p>	<p>City of Berkeley Planning and Development Department, Land Use Division</p>	<p>Prior to issuance of demolition, grading, or construction permits</p>

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	<p>Potential ways to achieve this include, but are not necessarily limited to, adding a cornice element or employing a change in material, color or finish at the uppermost portions of the wall façades.</p> <p>CR-1e: Ground Floor Modifications. The project applicant shall modify the proposed design of the storefront along Shattuck Avenue and the ground-floor wall along Allston Way in a manner that visually divides the uninterrupted expanse of glazing at the ground floor into distinct bays that are between 15 and 30 feet in width.</p>		
<p>CR-2: The proposed demolition of the existing building on-site and construction of an 18-story mixed-use building with two levels of underground parking would produce ground vibration in the vicinity of existing historical resources. The levels of vibration that would be generated by project construction activities could potentially exceed thresholds for physical damage to historic structures. However, implementation of Mitigation Measure NOI-6 in the DAP EIR would be required to monitor and reduce vibration levels at the Shattuck Hotel from construction activity. Therefore, impacts would be less than significant with mitigation.</p>	<p>Implement DAP EIR Mitigation Measure NOI-6 (see below).</p> <p>NOI-6: Avoidance of Pile-Driving/Site-Specific Vibration Studies/Monitoring/Contingency Planning. The following measures are recommended to reduce vibration from construction activities:</p> <ul style="list-style-type: none"> ▪ Avoid impact pile-driving where possible. Drilled piles causes lower vibration levels where geological conditions permit their use. ▪ Avoid using vibratory rollers and tampers near sensitive areas. ▪ In areas where project construction is anticipated to include vibration-generating activities, such as pile-driving in close proximity to existing structures, site-specific vibration studies should be conducted to determine the area of impact and to present appropriate mitigation measures that may include the following: <ul style="list-style-type: none"> o Identification of sites that would include vibration compaction activities such as pile-driving and that have the potential to generate groundborne vibration, and the sensitivity of nearby structures to groundborne vibration. Vibration limits should be applied to all vibration-sensitive structures located within 200 feet of the project. A qualified structural engineer should conduct this task. o Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. o Construction contingencies would be identified for when vibration 	<p>City of Berkeley Planning and Development Department, Land Use Division</p>	<p>Prior to the issuance of a grading permit (for review of vibration monitoring and construction contingency plan)</p> <p>During construction period (for on-site monitoring)</p>

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	<p>levels approached the limits.</p> <ul style="list-style-type: none"> o At a minimum, vibration monitoring should be conducted during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements. o When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures. o Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities. 		
GEOLOGY AND SOILS			
<p>GEO-1: Construction of the project would occur within 25 feet of the centerline of the Strawberry Creek culvert. The presence of the culvert in proximity to the proposed building's foundations could potentially result in instability of the proposed building's foundations. Required compliance with Berkeley Municipal Code and California Building Code standards would reduce the potential for excavation, shoring and foundations to cause instability. However, improper installation of temporary shoring and tiebacks could result in damage to the culvert during project construction.</p>	<p>GEO-1: Temporary Shoring and Tieback Design Review. Prior to the issuance of a grading permit, the project applicant shall submit to the City of Berkeley Department of Planning & Development – Building and Safety Division for review and approval the results of a site-specific geotechnical investigation as well as final engineering and design plans for excavation, temporary shoring, tiebacks, and tieback anchors. The final engineering and design plans for the project shall demonstrate the precise location of the Strawberry Creek culvert, the location of all tiebacks and tieback anchors, the shoring design pressures, the bearing strength of the soil between the project and the culvert, and the construction sequencing. Excavation and temporary shoring shall be designed to limit horizontal and vertical ground deformations such that the stability of the adjacent culvert would not be affected. The installation of tiebacks and tieback anchors shall be designed to prevent damage to the adjacent culvert. The final design shall locate work as far from the edge of culvert as practicable at a distance equal to depth of culvert bottom.</p>	<p>City of Berkeley Planning and Development Department, Building and Safety Division</p>	<p>Prior to issuance of a grading permit</p>

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<p>GEO-2: Construction of the project would occur within the zone of influence of the adjacent BART station and tunnels. Improper construction within this zone could result in damage to, or destabilization of, the proposed project and the BART subway tunnel and station. Mitigation would be required to ensure that the construction design meets all applicable BART standards. With implementation of mitigation, the project would have a less than significant impact related to the structural integrity of BART substructures.</p>	<p>GEO-2: BART Zone of Influence Design Review. Prior to the issuance of a grading permit, the project applicant shall submit to the City of Berkeley Department of Planning & Development – Building and Safety Division for review and approval the results of a site-specific geotechnical investigation as well as final engineering and design plans for the building, including all subsurface and above-ground elements of the project. The final engineering and design plans for the project shall demonstrate adherence to BART's <i>General Guidelines for Design and Construction Over or Adjacent to BART's Subway Structures</i>. Applicable elements of the <i>General Guidelines</i> may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Minimum clearance of 7'6" between new construction and BART substructures ▪ Shoring for excavations in the Zone of Influence ▪ Monitoring of shoring to ensure that it maintains at-rest soil condition ▪ Monitoring of dewatering and recharging if the existing groundwater level is expected to drop by more than two feet ▪ Predrilling of piles to a minimum of 10 feet below the Line of Influence, which is a line from the critical point of a BART substructure at a slope of 1.5 horizontal to 1.0 vertical towards ground level 	<p>City of Berkeley Planning and Development Department, Building and Safety Division</p>	<p>Prior to issuance of a grading permit</p>
NOISE AND VIBRATION			
<p>N-1: Project construction would temporarily generate high noise levels on and near the project site. Construction noise levels would intermittently exceed City standards for construction noise in commercial zones, particularly in the first months of construction during excavation and construction of the foundation system. Therefore, construction noise impacts would be significant and unavoidable.</p>	<p>Implement DAP EIR Mitigation Measure NOI-5 (see below).</p> <p>NOI-5: Develop Site-Specific Noise Reduction Programs and Implement Noise Abatement Measures during Construction. Prior to the issuance of building permits, the applicant shall develop a site-specific noise reduction program prepared by a qualified acoustical consultant to reduce construction noise impacts to the maximum extent feasible, subject to review and approval of the Zoning Officer. The noise reduction program shall include appropriate time limits for construction (7:00 AM to 7:00 PM on weekdays and between the hours of 9:00 AM and 8:00 PM on weekends or holidays) as well as technically and economically feasible controls to meet the requirements of the Berkeley Municipal Code. The noise reduction program should include, but shall not be limited to, the following available controls to reduce construction</p>	<p>City of Berkeley Planning and Development and Public Works Departments</p> <p>Construction Contractor</p>	<p>Prior to issuance of demolition, grading or building permits</p> <p>Throughout the construction period</p>

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	<p>noise levels as low as practical:</p> <ul style="list-style-type: none"> ▪ Construction equipment should be well maintained and used judiciously to be as quiet as practical. ▪ Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment. ▪ Utilize “quiet” models of air compressors and other stationary noise sources where technology exists. Select hydraulically or electrically powered equipment and avoid pneumatically powered equipment where feasible. ▪ Locate stationary noise-generating equipment as far as possible from sensitive receptors when adjoining construction sites. Construct temporary noise barriers or partial enclosures to acoustically shield such equipment where feasible. ▪ Prohibit unnecessary idling of internal combustion engines. ▪ If impact pile driving is required, pre-drill foundation pile holes to minimize the number of impacts required to seat the pile. ▪ Construct solid plywood fences around construction sites adjacent to operational business, residences or other noise sensitive land uses where the noise control plan analysis determines that a barrier would be effective at reducing noise. ▪ Erect temporary noise control blanket barriers, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected. ▪ Route construction related traffic along major roadways and away from sensitive receptors where feasible. ▪ Businesses, residences or other noise-sensitive land uses within 500 feet of construction sites should be notified of the construction schedule in writing prior to the beginning of construction. Designate a “construction liaison” that would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. 		

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	Conspicuously post a telephone number for the liaison at the construction site.		
<p><u>N-2:</u> Project construction would temporarily generate high vibration levels on and adjacent to the project site. Because construction would occur inside the hours allowed in the Berkeley Municipal Code, it would not generate vibration when people normally sleep. While vibration in excess of FTA thresholds may temporarily disturb daytime educational activities at Berkeley City College, the use of administrative controls including notification of neighbors and appropriate scheduling of vibrating-generating activities would minimize exposure to perceptible vibration. Vibration levels at the Shattuck Hotel could potentially exceed Caltrans thresholds for structure damage, but vibration monitoring pursuant to Mitigation Measure NOI-6 from the DAP EIR would reduce the likelihood of structure damage. Therefore, the project would have a less than significant vibration impact with mitigation.</p>	<p>Implement DAP EIR Mitigation Measure NOI-6 (see MM for Impact CR-2).</p>	<p>City of Berkeley Planning and Development Department, Land Use Division</p>	<p>Prior to the issuance of a grading permit</p>
<p><u>N-5:</u> New residential units on the project site would be subject to noise levels in excess of the City</p>	<p>Implement DAP EIR Mitigation Measure NOI-1 (see below). <u>NOI-1: Site-Specific Noise Studies/Site Planning/Noise Control</u></p>	<p>City of Berkeley Planning and Development and</p>	<p>Prior to issuance of demolition,</p>

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<p>of Berkeley noise compatibility guidelines. However, sound attenuation techniques would reduce ambient noise in the residential units to below the City's standard of 45 dBA Ldn, ensuring that this impact would be less than significant with mitigation.</p>	<p>Treatments. Future residential units proposed under the DAP would be exposed to outdoor noise levels in excess of 60 dBA Ldn and indoor noise levels in excess of 45 dBA Ldn, which would exceed the City's and state's established land use compatibility thresholds. In areas where residential development would be exposed to an Ldn of greater than 60 dBA, site-specific noise studies should be conducted to determine the area of impact and to present appropriate mitigation measures, which may include the following:</p> <ul style="list-style-type: none"> ▪ Utilize site planning to minimize noise in shared residential outdoor activity areas by locating these areas behind the buildings, in courtyards, or orienting the terraces to alleyways rather than streets, whenever possible. ▪ The California Building Code and the City of Berkeley require project-specific acoustical analyses to achieve interior noise levels of 45 dBA Ldn or lower in residential units exposed to exterior noise levels greater than 60 dBA Ldn. Building sound insulation requirements would need to include the provision of forced-air mechanical ventilation in noise environments exceeding 70 dBA Ldn so that windows could be kept closed at the occupant's discretion to control noise. Special building construction techniques (e.g., sound-rated windows and building façade treatments) may be required where exterior noise levels exceed 65 dBA Ldn. These treatments include, but are not limited to, sound rated windows and doors, sound rated exterior wall assemblies, acoustical caulking, etc. The specific determination of what treatments are necessary will be conducted on a unit-by-unit basis during project design. Result of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans and approved prior to issuance of a building permit. Feasible construction techniques such as these would adequately reduce interior noise levels to 45 dBA Ldn or lower. <p>N-5: Sound Insulation. The applicant shall install exterior building materials with sufficient Sound Transmission Class (STC) ratings to reduce interior noise levels in habitable rooms to below 45 dBA Ldn, as required by California Code of Regulations, Title 24, Section 1207.4. All residential windows, exterior doors, and exterior wall assemblies shall meet the STC 30</p>	<p>Public Works Departments Construction Contractor</p>	<p>grading or building permits Throughout the construction period</p>

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rating to ensure the adequate attenuation of noise at a range of frequencies.			
TRANSPORTATION AND TRAFFIC			
<p>T-3: Construction of the project, based on its expected duration and intensity, would result in a temporary reduction in roadway capacity, closure of portions of Allston Way, and relocation of AC Transit bus stops. These physical changes would have temporary adverse effects on vehicle, pedestrian, bicycle, and transit circulation. The project would have a less than significant impact with mitigation during construction.</p>	<p>T-3: Development and Implementation of a Construction Traffic Management Plan. Prior to the issuance of demolition permits, a construction traffic management plan shall be prepared and implemented during construction and shall include, but not be limited to, the following strategies to the satisfaction of the City's Zoning Officer and Public Works staff:</p> <p>1) Temporary Traffic Control Strategies</p> <ul style="list-style-type: none"> ▪ Coordinate with the City of Berkeley Public Works Department and construction manager(s)/contractor(s) for nearby developments, and with AC Transit, Bear Transit, and Alta Bates Shuttle, as applicable, to develop construction phasing and operations and detour plans that would result in the least amount of disruption that is feasible to transit operations, pedestrian and bicycle activity, and vehicular traffic. ▪ Establish construction phasing/staging schedule and sequence that minimize impacts of a work zone on traffic by using operationally sensitive phasing and staging throughout the life of the project. ▪ Coordinate and schedule utilities work to minimize potential work disruptions or interruptions and reduce overall construction duration. ▪ Identify optimal delivery and haul routes to and from the site to minimize impacts to traffic, transit, pedestrians, and bicyclists. ▪ Conduct monitoring for pavement damage and timing/coordination for completing repairs along construction truck routes. ▪ Identify arrival/departure times for trucks and construction workers to avoid peak periods of adjacent street traffic and minimize traffic affects ▪ Specify timing, signage, location, and duration of necessary partial/complete sidewalk closures and identification of detour routes for pedestrians, bicyclists, and vehicles, as needed. ▪ Preserve safe and convenient passage for pedestrians and bicyclists around construction areas. Provide alternate facilities for bicyclists and pedestrians (including those with disabilities) in places where the work zone impacts accessibility. ▪ Provide for relocation of bus stops and ensure adequate wayfinding and signage to notify transit users. 	<p>Project Applicant City of Berkeley Planning and Development and Public Works Departments, Transportation Division</p>	<p>Prior to issuance of a demolition permit</p>

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	<ul style="list-style-type: none"> ▪ Establish criteria for use of flaggers and other temporary traffic controls. ▪ Preserve emergency vehicle access. ▪ As necessary, obtain a transportation permit from Caltrans for transportation of heavy construction equipment and/or materials which requires the use of oversized transport vehicles on State highways. <p>2) Transportation Operations and Transportation Demand Management Measures</p> <ul style="list-style-type: none"> ▪ Encourage construction workers to use transit, carpool and other sustainable transportation modes when commuting to and from the site. ▪ Specify locations of construction worker employee parking. <p>3) Public Information Strategies</p> <ul style="list-style-type: none"> ▪ Provide advance notification to affected property owners, businesses, residents, etc. of possible driveway blockages or other access obstructions and implement alternate access and parking provisions where necessary. ▪ Implement public awareness strategies to educate and reach out to the public, businesses, and the community concerning the project and work zone (e.g., brochures and mailers, press releases/media alerts). ▪ Provide a point of contact for residents, employees, property owners, and visitors to obtain construction information, and provide comments and questions. ▪ Provide current and/or real-time information to road users regarding the project work zone (e.g., changeable message sign to notify road users of lane and road closures and work activities, temporary conventional signs to guide motorists through the work zone). 		
<p>T-4: The proposed project driveway would introduce potential conflicts between vehicles accessing the site and pedestrians using the north-side sidewalk of Allston Way. Use of the proposed driveway within approximately 25 feet of a bus layover zone on Allston Way also</p>	<p>T-4: Driveway Safety Measures. Prior to obtaining a certificate of occupancy, the applicant shall implement the following traffic safety measures to the satisfaction of the City’s Zoning Officer and Public Works staff:</p> <ul style="list-style-type: none"> ▪ Per City of Berkeley guidelines, maintain a minimum five foot by five foot sight distance triangle at the driveway entrance/exit; ▪ Install “STOP” pavement markings and signage for exiting drivers to look both ways at the exit, prior to crossing the sidewalk; ▪ Install convex mirrors at the project driveway to improve the visibility of exiting vehicles from the sidewalk; 	<p>City of Berkeley Zoning Officer and Public Works Department</p>	<p>Prior to issuance of a certificate of occupancy</p>

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<p>could introduce conflicts between vehicles accessing the site and buses. These conflicts would cause a potentially significant impact without adequate sight distance provided at the project driveway and appropriate technology to minimize conflicts associated with the driveway. The project would result in a less than significant impact with mitigation incorporated.</p>	<ul style="list-style-type: none"> ▪ Provide visual and/or audio warning devices that alert pedestrians when vehicles are exiting the driveway; <p>The typical and standard treatments identified above should be sufficient to address potential conflicts. In addition, the following non-standard treatments may be considered and implemented at the determination of the City:</p> <ul style="list-style-type: none"> ▪ Provide visual warning devices that alert drivers when pedestrians are present on the sidewalk; and ▪ Utilize a different surface treatment or special paving to define and highlight the driveway entrance within the public right-of-way. 		
<p><u>T-5:</u> Commercial and passenger loading activity associated with the project would introduce potential conflicts with other automobiles, buses, bicyclists, and pedestrians. If demand exceeds available space at the proposed commercial loading zone on the north side of Allston Way or at the existing passenger loading zone on the south side of the street, spillover loading activity could lead to illegal parking in red curb zones or double-parking. Large trucks parked in the proposed loading zone also could temporarily block access to and from the proposed garage. The project would have a less than significant impact with mitigation incorporated to minimize traffic conflicts associated with loading activity.</p>	<p><u>T-5a: Commercial Loading Management Strategies.</u> It shall be the responsibility of building management to monitor and report on on-street commercial loading activity. Building management shall assign an inspector who will be responsible for field monitoring and documenting observations on a monitoring report worksheet. The inspector will be responsible for the following activities:</p> <ul style="list-style-type: none"> ▪ On-site, day-to-day monitoring of commercial loading activities; ▪ Recording instances of illegal stopping, double-parking, blockage of adjacent travel lanes, and conflicts with transit vehicles; ▪ Acting in the role of contact for property owners or other affected persons who wish to register observations of commercial loading conflicts. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with City staff; ▪ Maintaining a log of all significant interactions and enforceable violations and submitting a monthly monitoring report worksheet to the City's Traffic Engineer for a period of one-year; and, ▪ Obtaining assistance as necessary from technical experts in order to identify appropriate strategies to minimize conflicts. <p>The City's Traffic Engineer shall review the monitoring reports and identify recurring issues. If recurring issues are identified, for example, if commercial loading demand exceeds available supply and loading activity results in illegal stopping in red zones, blockage of adjacent travel lanes, or conflicts with transit vehicles on a regular basis (e.g., more than once per day), it shall be</p>	<p>Project Applicant and designated inspector</p> <p>City of Berkeley Planning and Development Department and Public Works Department, Transportation Division</p>	<p>For a period of one year after construction</p>

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	<p>the responsibility of the building management to implement strategies to minimize conflicts. Strategies may also be required to be implemented at discretion of City staff, depending on the number and nature of conflicts observed. Appropriate strategies will vary depending on the characteristics and causes of the conflicts. Suggested strategies include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Coordinate with AC Transit and the City for additional loading space; ▪ Coordinate with AC Transit and the City to determine if the transit stop can be used for loading during certain hours; ▪ Restrict size of freight and delivery/service vehicles to no more than 25 feet in length; ▪ Limit deliveries to certain times of day, such as the early morning or late evening; ▪ Install meters and increase parking enforcement; ▪ Encourage deliveries during off-peak times; ▪ Establish nearby delivery areas or delivery stations to consolidate deliveries for a variety of users and utilize smaller vehicles and/or non-motorized modes for last-mile delivery; ▪ Install a reception desk, delivery lockers, and/or other delivery-supportive amenities on-site; ▪ Install delivery lockers and delivery-supportive amenities on-site; ▪ Schedule and coordinate loading activities through building management to ensure that any freight loading/service vehicles can be accommodated either in existing on-street loading spaces in the vicinity of the Project; and, ▪ Actively manage the loading zone through use of attendants to direct freight and delivery/service vehicles to available spaces when the loading zone is in use. <p>T-5b: Passenger Loading Management Strategies. It shall be the responsibility of building management to monitor and report on on-street passenger loading activity. Building management shall assign an inspector who will be responsible for field monitoring and documenting observations on a monitoring report worksheet. The inspector will be responsible for the following activities:</p> <ul style="list-style-type: none"> ▪ On-site, day-to-day monitoring of passenger loading activities during the 		

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	<p>weekday AM peak hour (7:00 AM to 9:00 AM), midday (11:00 AM to 1:00 PM), and PM peak hour (4:00 PM to 6:00 PM) periods, or other time periods determined by the City;</p> <ul style="list-style-type: none"> ▪ Recording instances of illegal stopping, double-parking, blockage of adjacent travel lanes, and conflicts with transit vehicles over a 20-minute period within the identified time periods; ▪ Acting in the role of contact for property owners or other affected persons who wish to register observations of commercial loading conflicts. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with City staff; ▪ Maintaining a log of all significant interactions and enforceable violations and submitting a monthly monitoring report worksheet to the City's Traffic Engineer for a period of one year; and, ▪ Obtaining assistance as necessary from technical experts in order to identify appropriate strategies to minimize conflicts. <p>The City's Traffic Engineer shall review the monitoring report and identify any recurring issues. If recurring issues are identified, for example, if passenger loading demand exceeds available supply and loading activity results in illegal stopping in red zones, blockage of adjacent travel lanes, or conflicts with transit vehicles on a regular basis (e.g., more than once per day), it shall be the responsibility of the building management to implement strategies to minimize conflicts. Strategies may also be required to be implemented at discretion of City staff, depending on the number and nature of conflicts observed. Appropriate strategies will vary depending on the characteristics and causes of the conflicts. Suggested strategies include but are not limited to the following:</p> <ul style="list-style-type: none"> ▪ Create a combined commercial/passenger loading zone on the Project frontage (e.g., through signage and use of alternating white and yellow color curb) in conjunction with implementation of time of day restrictions for delivery/service vehicle use of the proposed commercial truck loading zone; and, ▪ Coordinate with owners of nearby buildings to increase the amount of passenger loading (white curb) space available. 		

ATTACHMENT 1 – EXHIBIT B: MITIGATION MONITORING AND REPORTING PROGRAM

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Impact Statement	Mitigation Measures	Monitoring Responsibility	Monitoring Timing
EIR IMPACTS AND MITIGATION MEASURES			
<p><u>T-7:</u> All streets and intersections on the route from the nearest fire stations to the project site are sufficiently wide enough to provide adequate emergency vehicle access to the site. Operation of the project would not substantially increase delays on emergency access routes. However, project construction would temporarily impede emergency access to the project site during construction. The project would have a less than significant impact related to emergency access with mitigation incorporated during construction.</p>	<p>Implement Mitigation Measure T-3 (see above).</p>	<p>Project Applicant City of Berkeley Planning and Development and Public Works Departments, Transportation Division</p>	<p>Prior to issuance of a demolition permit</p>
<p><u>T-8:</u> The project would not generate a substantial increase in transit ridership that results in result in overcrowding on local or regional transit systems. However, the temporary closure of an AC Transit bus stop and layover zone would impede transit access during construction. Traffic conflicts with vehicles entering and leaving the proposed driveway and with loading activity also could delay buses on Allston Way. The project would have a less than significant impact on the performance of local and regional transit operations with mitigation incorporated to preserve local bus</p>	<p>Implement Mitigation Measures T-3, T-4, T-5a, T-5b (see above).</p>	<p>Project Applicant And designated inspector City of Berkeley Zoning Officer City of Berkeley Planning and Development and Public Works Departments, Transportation Division</p>	<p>Prior to issuance of a demolition permit and certificate of occupancy For a period of one year after construction</p>

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Impact Statement	Mitigation Measures	Monitoring Responsibility	Monitoring Timing
EIR IMPACTS AND MITIGATION MEASURES			
access during construction and to minimize traffic and loading conflicts with buses during operation.			
<u>T-9</u> : The project would not involve features that would result in permanent or substantial operational impacts to alternative modes of transportation. However, construction of the project would temporarily impact pedestrian and bicycle circulation. The project would have a less than significant impact with mitigation incorporated on local pedestrian and bicycle circulation.	Implement Mitigation Measures T-3 & T-4 (see above).	Project Applicant City of Berkeley Zoning Officer City of Berkeley Planning and Development and Public Works Departments, Transportation Division	Prior to issuance of a demolition permit and certificate of occupancy
Impact Statement	Mitigation Measures	Monitoring Responsibility	Monitoring Timing
INFILL INITIAL STUDY CHECKLIST IMPACTS AND MITIGATION MEASURES			
TRIBAL CULTURAL RESOURCES			
<u>TCR-1</u> : Proposed excavation of the project site could potentially result in adverse effects on unanticipated tribal cultural resources. Impacts from the unanticipated discovery of tribal cultural resources during construction would be less than significant with mitigation incorporated.	<u>TCR-1: Unanticipated Discovery of Tribal Cultural Resources.</u> In the event that cultural resources of Native American origin are identified during construction, the City shall consult with a qualified archaeologist and begin or continue Native American consultation procedures. If the City determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with State guidelines and in consultation with Native American groups. If the resource cannot be avoided, additional measures to avoid or reduce impacts to the resource and to address tribal concerns may be required.	City of Berkeley Planning and Development Department	During construction period; work must stop immediately if resources are discovered, and consultation initiated as soon as practical