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EcoBlock Water Improvement Final Report

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Background

The EcoBlock Water Improvement project leverages the existing California Energy Commission-funded Oakland EcoBlock project (<https://ecoblock.berkeley.edu/>). This project, led by UC Berkeley, is assessing the issues (social, legal, financial, technical) associated with, and the potential of neighborhood-scale retrofitting to increase resilience and rapidly, equitably, and affordably reduce greenhouse gas emissions. The pilot scale effort involves renovation of an urban block with energy efficiency, electrification, and shared ownership of rooftop solar; it may also include a curbside electric vehicle (EV) charger with neighborhood EV car share. Since the block abuts Sausal Creek, this EPA-funded project adds stormwater mitigation.

Project Goals and Objectives

The EPA program's goal is to protect and restore waterbodies, such as Sausal Creek, which flows into the San Francisco Bay. In cooperation with the City of Oakland, this water resilience element to the Oakland EcoBlock project will suggest how such efforts can be employed to reduce contaminants entering Sausal Creek, and thus the Bay.

The objective of the EcoBlock Water Improvement project is to retard flows and runoff, increase permeable surface, reduce the mass of contaminants entering the Sausal Creek, improve water quality, and provide shading. This work included two main tasks: Stormwater mitigation, and Outreach and Scaling. For the Stormwater mitigation task, the team developed a stormwater mitigation plan, installed a bioretention swale, increased permeability in the sidewalk planting strips, monitored the mitigation work, and analyzed stormwater flow. For the Outreach and scaling task, the team met with the community to discuss the sidewalk plantings, developed outreach material on the website, conducted a survey to assess residents on their satisfaction with the stormwater mitigation work, and worked with local community groups and the city of Oakland to document best practices and disseminate findings.

The community is located in the Fruitvale district of Oakland, [REDACTED] in the watershed of Sausal Creek, which is listed as a 303(d) Impaired Water Body by the State of California.

Section I. Site Conditions

Previously, all the stormwater generated by the EcoBlock site was collected and conveyed to Sausal Creek via an end of block stormwater drain without any stormwater treatment, resulting in extensive erosion on the creek banks at the outfall and pollutants reaching the creek, which has been listed as a [303\(d\) Impaired Water Body](#) by the State of California since 2010 due to pollutants. Degraded water quality impacts communities and wildlife downstream from Sausal Creek, including the San Francisco Bay (Figure 1).



Figure 1: This map shows the extent of the Sausal Creek watershed from the Oakland Hills to the San Francisco Bay. The red dot indicates the approximate location of the project site. Credit: City of Oakland; UC Berkeley

The block (Figure 2) is a cul-de-sac, with single family and 2-3 unit houses facing a street that is approximately 550 feet long with 60 foot right of way between properties (~36 foot wide street), which provides a 4.7 - 5 foot wide sidewalk and a 5-6' wide sidewalk planting strip between the sidewalk and the curb.



Figure 2: A site plan view of the cul-de-sac block comprising the EcoBlock along Sausal Creek. Credit: Christine Thomson, MIG.

The site plan below shows the surface runoff (from roofs, driveways, sidewalks, and all impervious surfaces) as well as the stormwater pipe carrying water into the creek from beyond the block.



Figure 3: A site plan view showing the impact of the block runoff on the creek. Credit: Christine Thomson, MIG.

The photos below show the condition of the end of the block at the beginning of the project (2021).



Figure 4: The end of the block overlooking Sausal Creek, (top) showing the pre-construction condition (single curbside drain) and (bottom) showing the steep slope down to the creek, emphasizing the erosion concerns exasperated by stormwater runoff. Credit: Therese Peffer

Section II. Stormwater Mitigation

A core feature of the EcoBlock Water Improvement project is an **end-of-block stormwater bioretention facility** that treats stormwater runoff through engineered bioretention soils; below-grade gravel storage; and the infiltration and evapotranspiration qualities of **native plantings** before the effluent discharges into Sausal Creek. The facility will also **slow and reduce stormwater peak flows** to Sausal Creek. This will **reduce erosion, sedimentation, and pollutants at the outfall**, where the storm drain discharges into the creek. Along with reducing impervious surfaces along the street, the facility may reduce **flooding and reduce pollutants** associated with rain events on the block

The project removed approximately 250 square feet of asphalt roadway and replaced 35 linear feet of curb with landscaping and a 50 square foot bioretention facility. The facility includes a reused catch basin, ~10 feet of perforated pipes, and the restoration of ~200 square feet of sidewalk and 50 square feet of driveway. Temporary erosion control measures and ~40 linear feet of new curb and gutter were also installed.

Stormwater Bioretention Facility

Initial Designs

Sherwood Design Engineers developed five initial designs for community review and feedback (see Appendix A):

- Option 1: Adjusted Parking (2 spaces) + Stormwater Treatment + Open Space
- Option 2 - Adjusted Parking (2 spaces) + Stormwater Treatment
- Option 3 - Parking Maintained (3 spaces) + Minor Curb Adjustments + Stormwater Treatment
- Option 4 - Parking Maintained (3 spaces) + No Curb Adjustments + Plant Trees/Shrubs
- Option 5 - Parking Maintained (3 spaces) + No Curb Adjustment + Underground Stormwater Storage

To select a design for the block, the project team utilized a **vote-by-mutual-consent process**¹ and asked all property owners—participating and non-participating—to choose up to three stormwater parklet design options out of five. Each voting member's first choice earned three points, the second choice earned two points, and the third choice earned one point. Each member was required to vote for at least one option, but did not have to select three. They were also able to object to any of the options but had to include a reason for doing so. The design with the most points and no unresolved objections was selected.

After receiving votes from 14 of the 22 property owners over a month-long period, the winning design was **Option 3**, with parking maintained, minor curb adjustments, and stormwater treatment. Option 3 received the most points and was ranked #1 the most with no objections.

¹ The cooperative lawyer for the project, Tuttle Law, introduced the vote by mutual consent process during the development of the Association of homeowners on the block. The process asks all member to voice a choice and object to any choice.

Sherwood Design Engineers worked with the City of Oakland to further develop the Option 3 design. Design adjustments included new curbs that make space for stormwater treatment, clearer parking stalls at the end of the block, preventing parked cars from blocking adjacent driveways, and adding potential below grade storage (Figure 5).

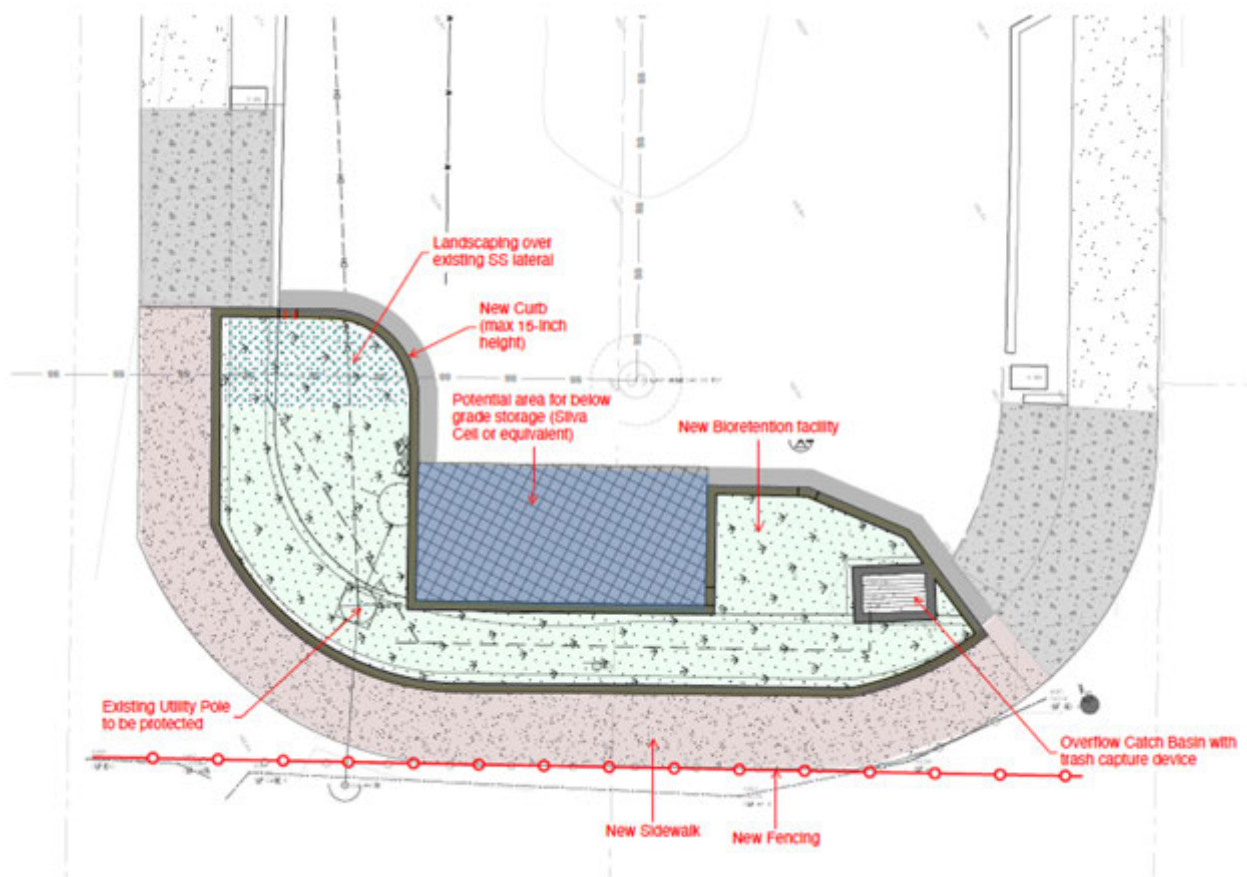


Figure 5: Schematic of the stormwater bioretention facility. Credit: Sherwood Design Engineers

Final Design

Given budget constraints due to COVID-19-driven delays and inflation, and complications with existing utilities in the street, the contractor and engineer worked to modify the design to fit the budget and avoid the utilities on the north side of the street. The final design is shown in Figure 6. The facility includes a planting area; a new curb, gutter, and driveway; sidewalk replacement; and a painted curb.

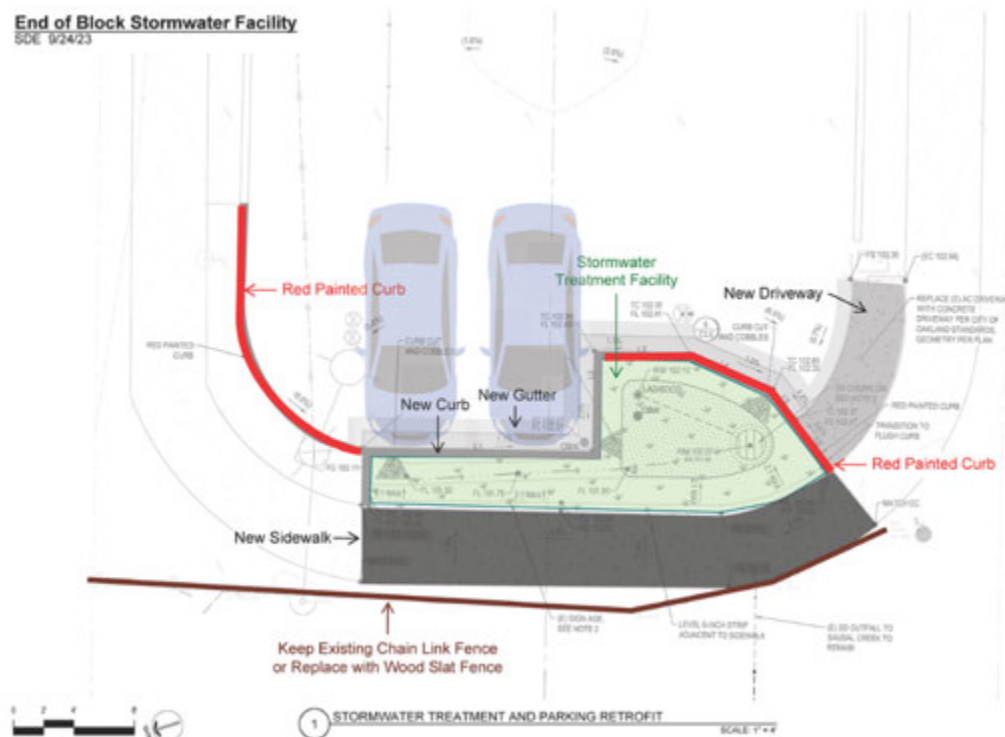


Figure 6: Final design for the stormwater bioretention facility. Credit: Sherwood Design Engineers

Permitting

The end-of-block stormwater bioretention facility triggered two permits from the City of Oakland: a **Creek Protection Permit** and an **Off-Site Infrastructure (PX) Permit**.

The City helped reduce some of the typical requirements for the Creek Protection Permit, but the process added many months to the original timeline. In the end, the Oakland Department of Transportation (OakDOT) required bonds for the permit, which became a challenge as the “owner” of the land in the Right of Way who would provide the bonds would be the City itself. These bonding issues arose because the project was a construction effort proposed by an external non-profit for the benefit of the City; typically, stormwater management installations are required by code for private developers or are part of a larger city-run project. With support from senior members at the City, the bonding and permitting was resolved, with many lessons learned along the way.

The PX Permit underwent three rounds of plan review comments and was received with positive support by the City. However, it also incurred several unforeseen issues that delayed the approval timeline. First, the City inadvertently neglected to route the plans internally to two divisions. Second, the City did not request the Creek Protection Permit until the last round of comments. As such, it took over two years for the team to receive PX Permit approval. Details of the permitting process and timeline are found in Appendix B.

Creek Protection Permit

Any work done near a creek requires a [Creek Protection Permit](#). The category of the required permit (I-II-III or IV) depends on the type of work proposed and where it is taking place in relation to the

centerline of the creek. Public notice may also be required for Category III and IV Creek Protection Permits.

The EcoBlock stormwater mitigation work triggered a Creek Protection Permit as exterior improvements needed to be conducted within 20 feet of the bank of Sausal Creek. Typically, the EcoBlock project would fall under a **Category IV Permit**. However, the City of Oakland agreed that as long as the stormwater mitigation work did not increase loading (i.e., add more weight) to the top of the slope of the Creek, the project would fall under a **Category III Permit**, and the City would waive the requirement for the hydrology report.

Off-Site Infrastructure (PX) Permit

The stormwater mitigation work also triggered an [Off-Site Infrastructure \(PX\) Permit](#), which is required prior to the construction of public improvements within the public right-of-way (ROW) or City Easement or as part of a new Subdivision, Parcel, or Tract Map approval. The PX Permit is separate from a Minor or Major Encroachment Permit. The stormwater system for the EcoBlock Water Improvement project was permitted as a standalone improvement within the ROW, versus private development that includes a portion of work that extends into the ROW, which would be considered a ROW encroachment.

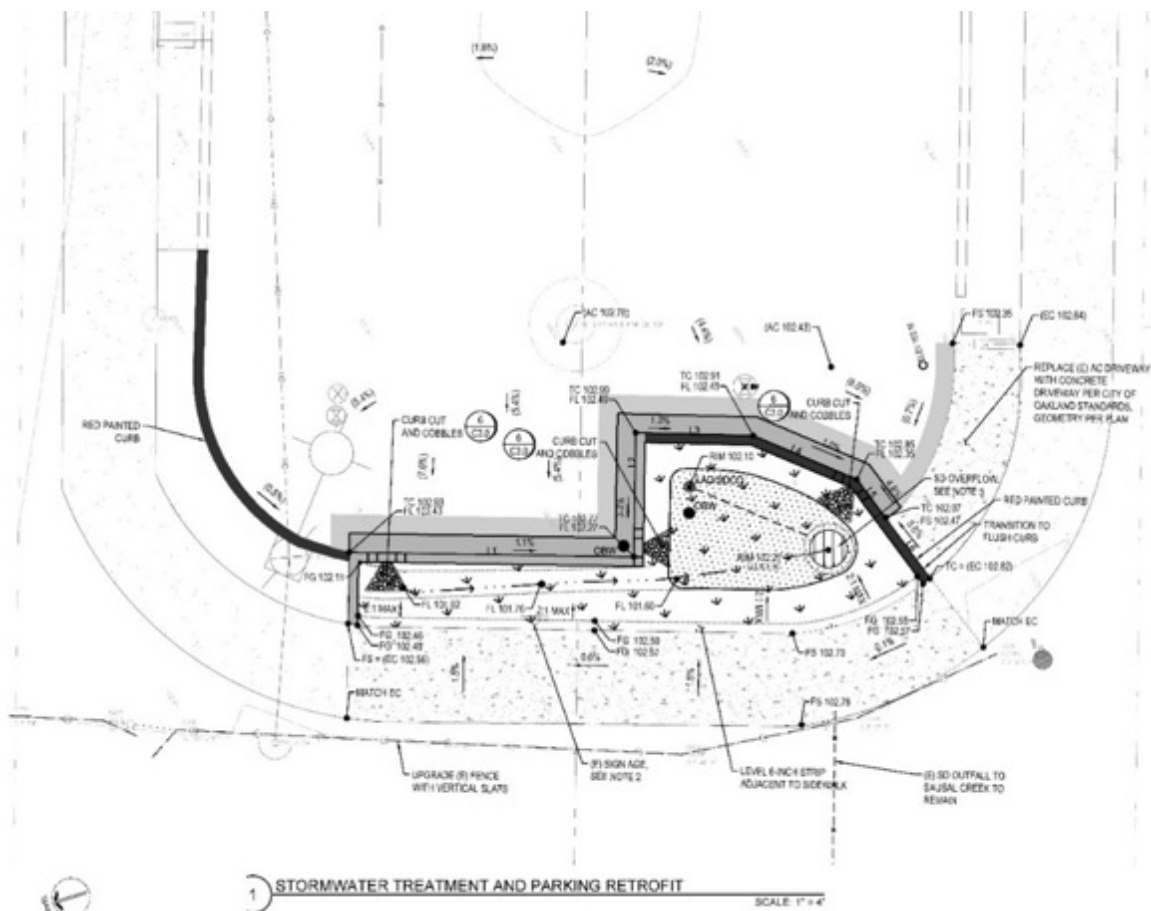


Figure 7: Permitted stormwater bioretention facility design. Credit: Sherwood Design Engineers

Permit Timeline

In early June 2022, Sherwood Design Engineers submitted the PX permit package to the City of Oakland Department of Transportation; UC Berkeley paid the fees in October, and Sherwood went through three rounds of plan review. In August 2023 Sherwood submitted the engineer's estimate and Oakland approved the permit plans. The contractor supplied the construction cost estimate in October. In late December, the city realized that the drawings inadvertently missed two departments and requested additional fees and additional rounds of review. The final permit was issued in July 2024. See Appendices B-N for additional details.

Bidding

As previously mentioned, during the bidding process, Sherwood Design Engineers worked through a value engineering exercise to reduce construction costs for the stormwater facility. The goal was to reduce costs by decreasing the footprint of the proposed hardscape and landscaping improvements, without compromising the project's water quality goals. The length of sidewalk to be restored was reduced by ~30 linear feet and the adjacent portion of landscaping was removed along with its curb and gutter perimeter. Asphalt pavement restoration was reduced to the minimum required asphalt plug adjacent to the proposed curb and gutter, rather than a more significant mill and overlap area. To meet project goals, the stormwater treatment area was maintained and increased slightly in size to help offset the reduction in proposed pervious surface. Two parking stalls were also maintained to address neighbors' concerns about reduced parking on the block. These adjustments to the proposed scope of work at the stormwater facility represented a **~16% reduction (\$66,829 to \$56,289 in total costs)** in Sherwood Design Engineer's estimate of probable construction cost.

Per [UC Berkeley's competitive bidding guidelines](#), an **informal solicitation** was encouraged for the stormwater bioretention retrofit as it was a federally-funded project that does not exceed \$100k of work. The team contacted **three potential contractors** by e-mail, providing each with a bid description. [The team noted that contractors seemed reluctant to bid on this small of a project.] After evaluating the bids, the team selected **Eco Performance Builders** as the general contractor.

Construction

The construction of the stormwater bioretention facility took place over **eight weeks**, from **September 9-early November 2024**. Per guidance from the City of Oakland, this retrofit is not subject to the City's [Grading Moratorium](#) as the EcoBlock site is not part of any Limited Operation Areas or Holiday Restricted Streets that the OakDOT inspectors enforce.² Furthermore, the Grading Moratorium is only enforced on permits issued by the Oakland Planning and Building Department and not on those issued by OakDOT, which is the case with the stormwater bioretention work. The next several photos depict the construction progress.

² The City of Oakland's Grading Moratorium takes effect between October 15 to April 15 due to the wet weather season. No grading operations are allowed during this time.



Figure 8: Construction timelapse of the stormwater bioretention facility. Credit: Therese Pfeffer, Haixin Guo, and Keith O'Hara



Figure 9: The west and east ends of the stormwater facility under construction. Credit: Haixin Guo



Figure 10: The stormwater drain in the facility. Credit: Haixin Guo

Construction Timeline

In July 2024, a project surveyor staked out the stormwater bioretention facility. During the mid-August pre-construction inspection with the City of Oakland, the city inspector required additional items, including a site traffic control plan, an arborist to assess impact on an existing tree, and a gutter for the driveway. In September, demolition began. The inspector requested further sidewalk work, which the construction team was able to get waived, and another visit by the arborist. By mid-September, the concrete work was complete. The inspector requested additional changes. By mid-October, the facility was complete; Sherwood conducted a final inspection, requesting some elevation changes. By early November, the facility was complete and signed off on Dec 2.



Figure 11: The nearly completed stormwater bioretention facility, with the exception of the painted red curb and planting. Credit: Phillippe Phanivong

Bioretention Facility Planting

On November 10, 2024, we held the **first community planting workshop** on the block for the stormwater bioretention facility. Twenty-one EcoBlock neighbors and team members gathered to plant around 50 grass and shrub seedlings acquired from the [Friends of Sausal Creek](#). The new plants are all local, drought-tolerant species that will enhance the stormwater facility. The plants will establish during the wet season and will require watering in the first summer from the community.

Figure 12 below shows the planting plan.

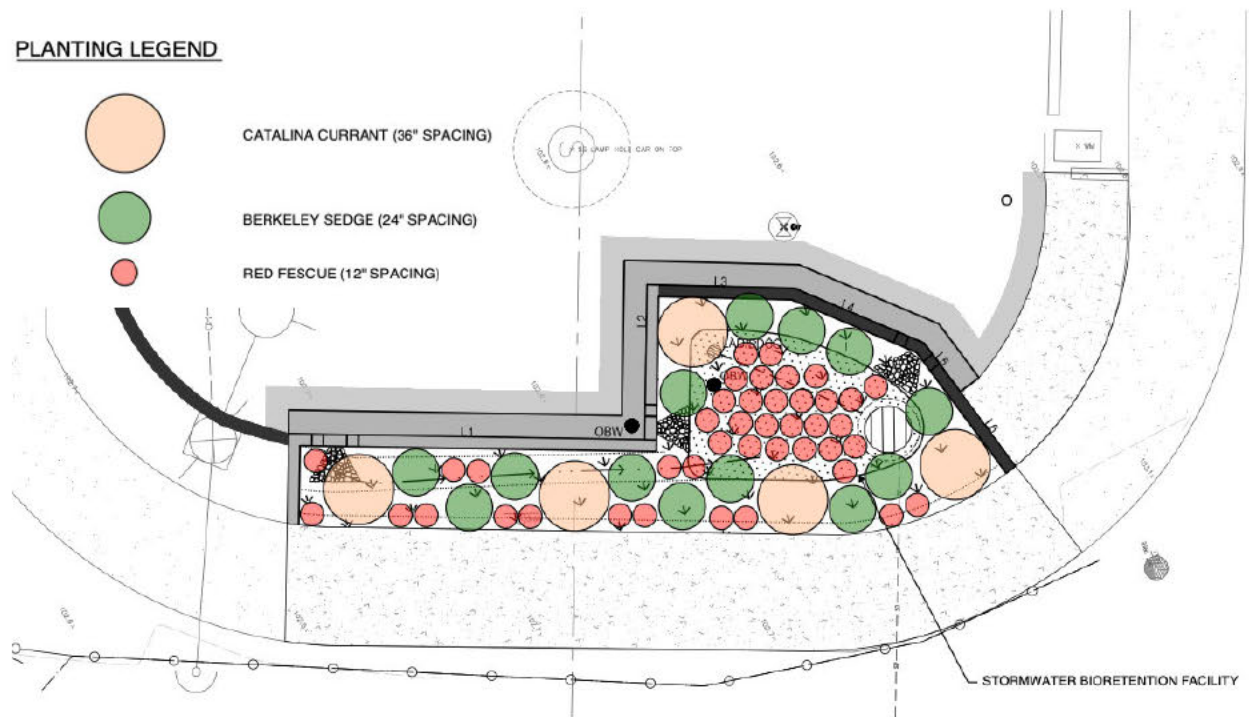


Figure 12: Bioretention planting plan.



Figure 13: The neighbors came together for the bioretention planting party.



Figure 14: The end-of-block stormwater bioretention facility with local, drought-tolerant plants.
Credit: Therese Pepper



Figure 15: Catalina currant, foothill sedge, and California fescue seedlings were planted in the stormwater bioretention facility. Credit: Therese Pepper

Streetwide Sidewalk Mitigation

The EcoBlock Water Improvement project also employed **urban greening techniques (concrete demolition and curbside/street tree planting)** to reduce the amount of stormwater, pollutants and debris reaching the bioretention facility. These improvements reduce the **urban heat island effect** locally and retard the flow of stormwater to Sausal Creek, **mitigating erosion and flooding downstream.**

The property lines encompassing the block include approximately 4 acres; the area within the right of way including the sidewalk, sidewalk planting strip, and street cover $\frac{3}{4}$ acre. Pre-construction impervious area included 26,910sf / 87%; pervious area was 4,140sf / 13%. As part of this effort, the project removed ~1,000 square feet of impervious sidewalk and asphalt throughout the sidewalk and street area (31,050 square feet) and replaced the curbside regions with uncompacted mulch. Post-construction impervious area was 25,930sf / 84% and pervious area was 5,120sf / 16%, achieving a 3% reduction in impervious surface area on the block (Appendix O).



Figure 16: Previous concrete-filled planting strips along the block. Credit: Therese Peffer



Figure 17: Demolished curbside regions along the block. Credit: Therese Peffer and Haixin Guo

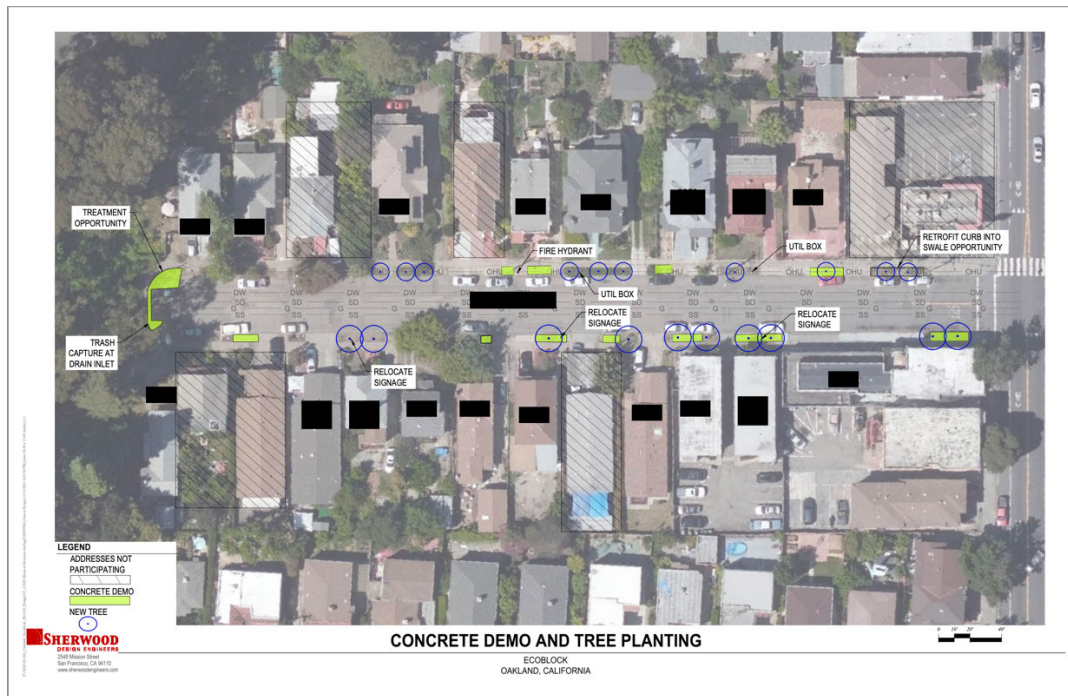


Figure 18: Schematic of concrete demolition work. Credit: Sherwood Design Engineers

Section III. Post-Construction

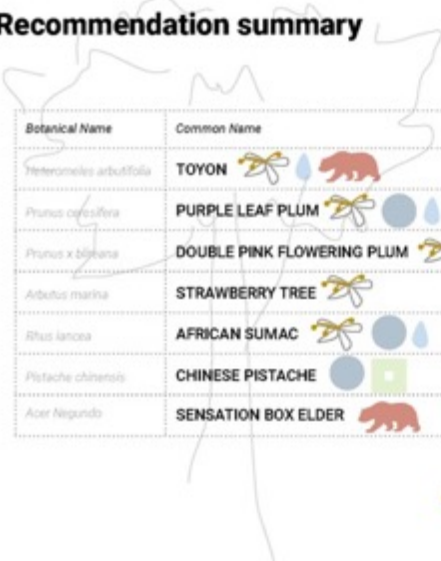
One resident reminded the team that they had not wanted concrete removed in front of their property, as they need some sidewalk to drive over when people block their driveway. Sherwood Design Engineers is working with the resident to address this issue, considering alternative solutions such as **pavers or gravel**. In parallel, Sherwood Design Engineers is working with the City of Oakland to develop an **Operation and Maintenance (O&M) plan** for the end-of-block stormwater facility.

Sidewalk Planting Strips

The project team hosted an **in-person community meeting** in mid-October 2024 to discuss planting options for the sidewalk strips along the block. After reviewing thousands of tree species, Sherwood Design Engineers developed an **EcoBlock Planting Palette** with a curated list of fourteen options for the Oakland EcoBlock. These trees have relatively low water usage, low isoprene emissions, and high resiliency in a changing climate.

The team worked with each homeowner to select plants or trees for their property. In preparing for the sidewalk strip planting, the engineer put together a google survey form for each homeowner to fill out to confirm tree selection and sent City of Oakland's approved tree list and accompanying waiver. This email was sent out to the 10 residents who had a suitable location for a tree in front of their home. Eight homeowners and one tenant responded (working with their landlord): three did not want trees, five did.

Recommendation summary



Botanical Name	Common Name	Botanical Name	Common Name
<i>Tetrameles arbutifolia</i>	TOYON	<i>Fraxinus dipetala</i>	FOOTHILL ASH
<i>Prunus cerasifera</i>	PURPLE LEAF PLUM	<i>x Chitalpa tashkentensis</i>	CHITALPA
<i>Prunus x biwana</i>	DOUBLE PINK FLOWERING PLUM	<i>Laurus nobilis 'Saratoga'</i>	SARATOGA LAUREL
<i>Arbutus menziesii</i>	STRAWBERRY TREE	<i>Quercus lobata</i>	CATALINA IRONWOOD
<i>Rhus lancea</i>	AFRICAN SUMAC	<i>Quercus agrifolia</i>	COAST LIVE OAK
<i>Pistache chinensis</i>	CHINESE PISTACHE	<i>Quercus douglasii</i>	BLUE OAK
<i>Acer negundo</i>	SENSATION BOX ELDER	<i>Aesculus californica</i>	RED HORSECHESTNUT

 flowering
  shady
  low water demand
  california native
  large tree well

Want more information? Take a look at the details included here on the [Oakland Street Tree List](#)

Figure 19: Excerpt from the initial Tree Guide developed for the EcoBlock residents to help with tree planting and selection. Credit: Sherwood Design Engineers

Planting and Mulching

We organized a **second community planting workshop** on January 6 for the sidewalk strips along the block.

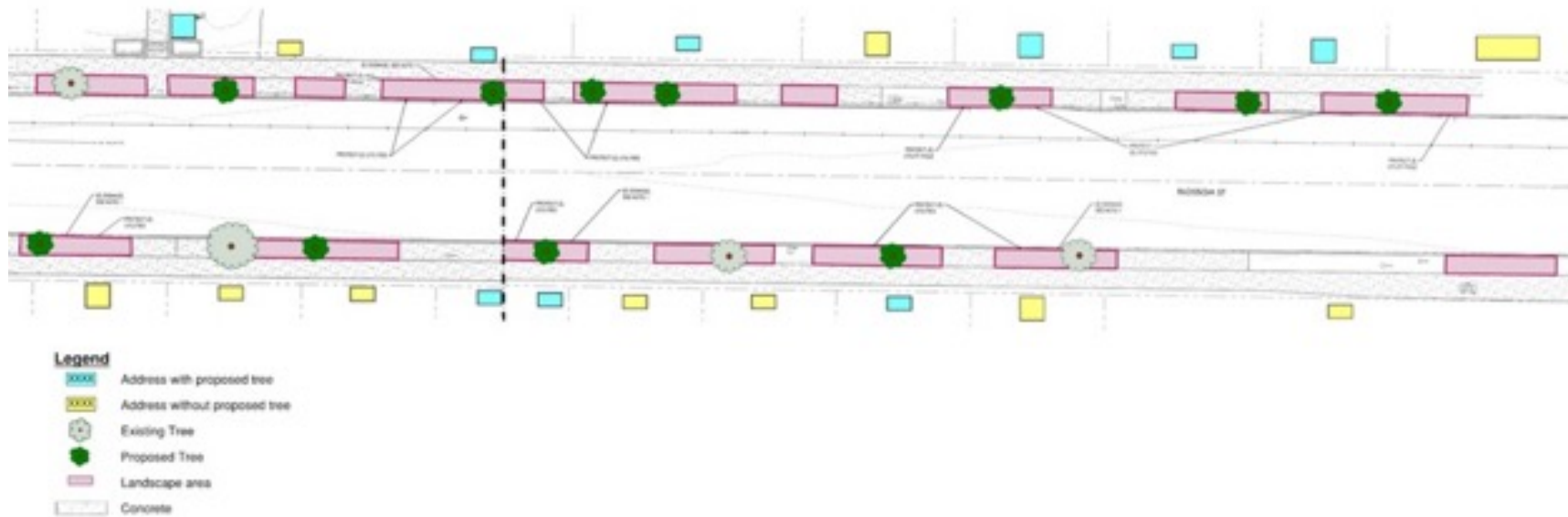


Figure 20: Color-coded tree planting plan for the EcoBlock. Credit: Sherwood Design Engineers

On January 6, the research team joined the residents to plant six trees (two Saratoga Laurel, two Toyon, and two flowering plum).



Figure 21: Tree planting party on the block.

On March 23, the team distributed 9 cubic yards of mulch in many of the newly uncovered strips as well as existing planting strips, including the bioretention facility.

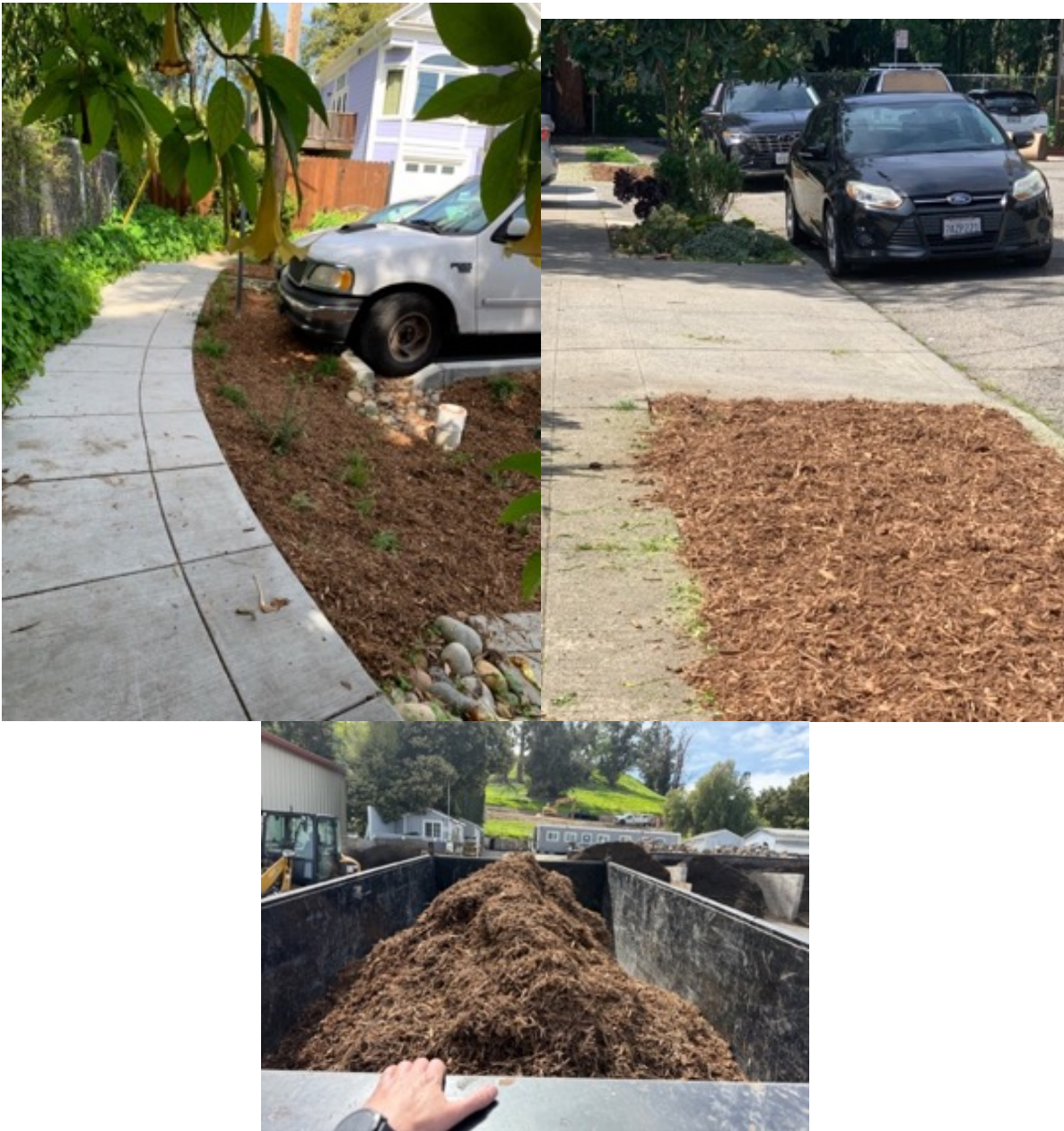


Figure 22: *Mulch in the bioretention swale and along the street*

The final planting scheme is shown in Figure 23 with concrete removal in green, six new trees (circles), and mulch (yellow).

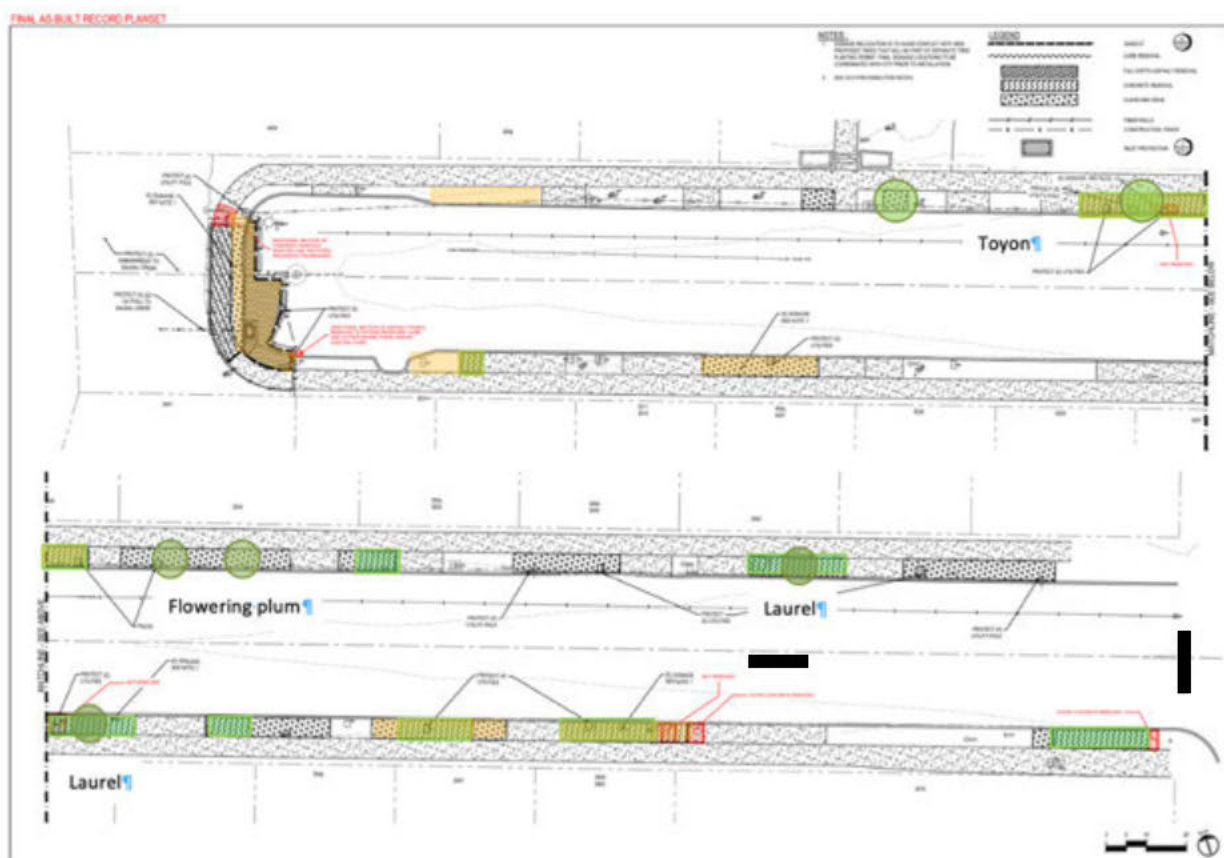


Figure 23: Schematic showing the mulch in the bioretention swale and along the street (yellow), six new trees (green circles) and remaining area to grub and mulch (green).

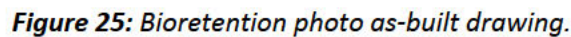
Bioretention Facility Monitoring

We also informed residents of the **monitoring and data collection process** for the stormwater bioretention facility that will occur over the next year. The team worked with Friends of Sausal Creek to purchase a water quality monitoring sensors to assess parameters for both the influent and effluent from the facility to determine urban pollutant concentrations; they use the same instrument when obtaining monthly water quality measurements throughout Sausal Creek, so the data can be easily shared for additional analysis. The water quality device measures pH, total dissolved solids, salinity and other metrics, taking measurements at two sampling port locations to identify differences between pre- and post-treatment flows.

Post-construction, the bioretention facility looked like Figure 24 (photo) and Figure 25 the as-built plan. The blue arrows show the stormwater entry points. The red circle marks the influent observation well (metal disk in gutter), the place to insert a probe to test water quality pre-treatment; the green circle denotes the effluent observation well, where one can measure water quality post-treatment. The purple circle outlines the landscape air drainage/clean out portal.

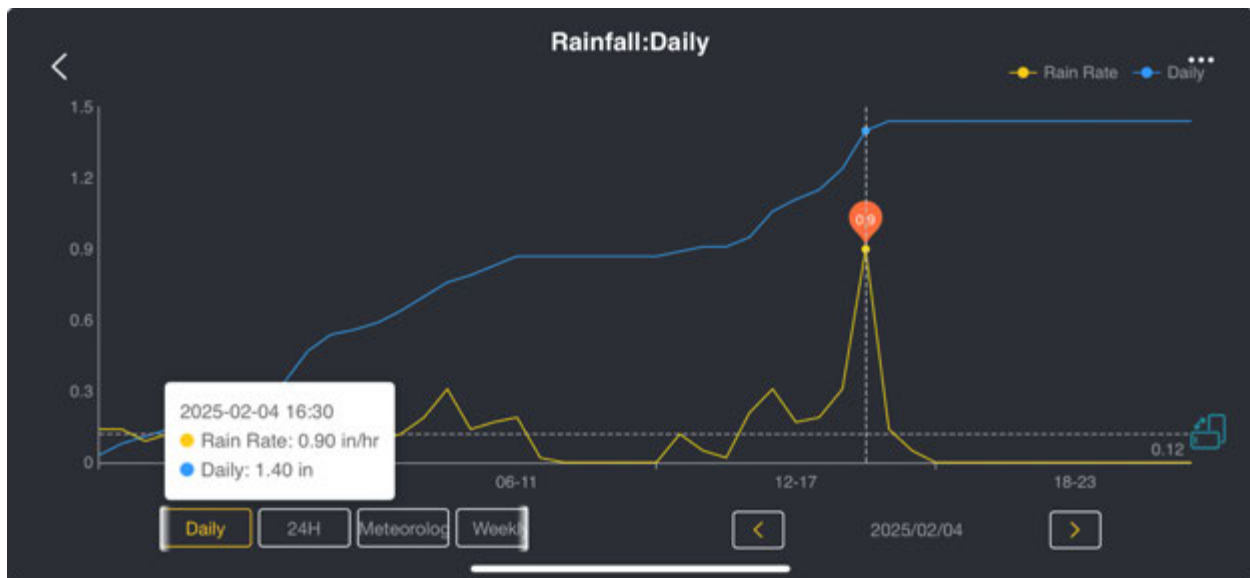


Figure 24: Photo of the bioretention facility before planting with labels showing the influent (red circle) and effluent (green circle) observation wells and the air drainage/clean out portal (purple circle).



The handheld instrument requires an operator to collect data; thus, the team is limited to being able to obtain data only when a team member is available during a storm event. Craig Boman from the EcoBlock team lives a few blocks away from the site and was able to obtain the first measurements on February 4th, 2025. Craig also installed a rain gauge at his house so that the water quality data can match with local rain data. Below (Table 1) are the influent measurements; Craig was unable to access the effluent (post-bioretenion portal) that day. One can see that the dissolved oxygen (%DO) is quite low (unhealthy) and the total dissolved solids is also low (not much mineralization). The team plans to voluntarily collect data for the next few years, beyond the timeline of this grant.

<i>Date and Time</i>	<i>Max Rainfall Intensity (in/hr)</i>	<i>Total Rainfall Depth (in)</i>	<i>pH</i>	<i>%DO (dissolved Oxygen)</i>	<i>Total dissolved solids (tds) (PPM)</i>	<i>Temperature (C)</i>
February 4, 2025 @ 6:00pm	0.9 in/hr	1.40 in	6.52 – 6.63	11.9% - 12.0%	11 - 25	12.6 – 12.5

Table 1: Water quality measurements**Figure 26:** Local rainfall measurement over time.

Section IV. Outreach and Feedback

Outreach

Sherwood Design Engineers met multiple times with the Friends of Sausal Creek and the City of Oakland interested in scaling this pilot to other neighborhoods. Another organization WhollyH2O used the EcoBlock site on a tour of water improvements in Oakland neighborhoods (<https://whollyh2o.org/>). As part of this outreach process, Sherwood posted a blog on their website about the project (<https://www.sherwoodengineers.com/oakland-ecoblock-transforming-a-neighborhood-into-a-model-for-long-term-resilience/>). In addition, local radio station KQED came out to the block during the tree planting to interview and photograph the process (<https://www.kqed.org/science/1997283/this-oakland-block-tried-to-quit-fossil-fuels-heres-what-they-learned>).

Resident Feedback

In June 2025, the team conducted an anonymous survey to gather the residents' feedback on the improvements funded by the EPA award: the end-of-block stormwater bioretention facility and the placement of curbside trees and wood chips (mulch) (Appendix P).

EcoBlock: Stormwater Feedback Survey

homeowners and residents: The EcoBlock team received a grant from the U.S. Environmental Protection Agency (EPA) to (1) clean stormwater flowing from the street as well as to (2) provide more shade and greenery on the block. As you may recall, we held a few meetings to get your feedback on design options and had an online vote for the final design.

As the EPA grant closes this month, we would like to hear from you, the residents. We would appreciate your feedback on the design process and the improvements: the construction of an end-of-block stormwater bioretention facility and placement of curbside trees and wood chips (mulch).

The survey will take **less than 10 minutes** to complete. Please share your thoughts by **Monday, June 30th**.

If you have any questions or comments, please contact Therese Peffer (tpfeffer@berkeley.edu) and Craig Boman. Craig will continue to monitor the facility and plantings over the next few years, so please don't hesitate to reach out.

Thank you for helping make these improvements a reality!

* Indicates required question

End-of-Block Stormwater Bioretention Facility

A key part of the improvements is the **end-of-block bioretention facility** that consists of a planting area; a new curb, gutter, and driveway; sidewalk replacement; and kept two parking spots.



Figure 27: Excerpt from the stormwater feedback survey. Credit: Sherwood Design Engineers; UC Berkeley

Nine residents—five property owners and four renters—responded to the survey over the course of 1.5 weeks. Overall, feedback was positive: Over half of the respondents agreed or strongly agreed that they understood the long-term maintenance needs for the improvements, believed the upgrades positively impacted the local environment, and would recommend similar interventions for other neighborhoods in Oakland.

Please rate your agreement with the following:

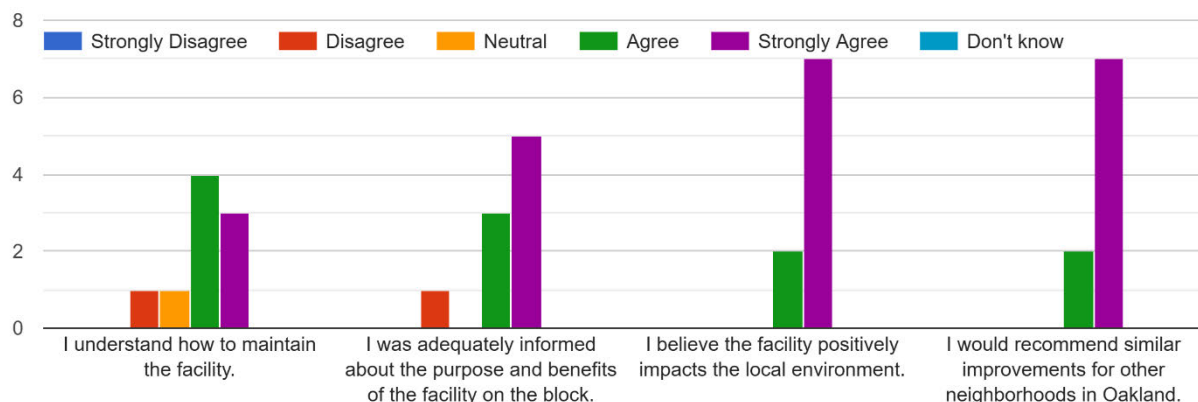


Figure 28: Survey responses for the end-of-block stormwater bioretention facility. Credit: Oakland EcoBlock

Please rate your agreement with the following:

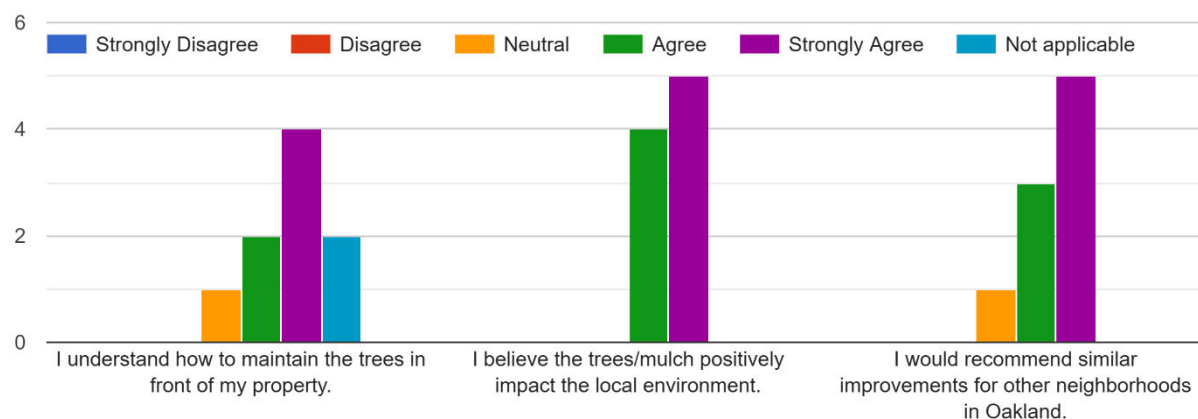


Figure 29: Survey responses for the concrete removal and curbside planting. Credit: Oakland EcoBlock

The residents also weighed in on various aspects of the stormwater improvement process (design, community coordination, construction, education, etc.). The majority of respondents demonstrated a clear understanding of the primary benefits of the enhancements, including stormwater filtration and pollution reduction, erosion control of the Sausal Creek bank, and aesthetic appeal. Many expressed their appreciation for the project team's responsiveness and incorporation of resident ideas and feedback into the final designs.

The residents also suggested several potential improvements for future projects. Some noted the delayed scheduling/timing of the improvements and suggested setting more realistic expectations regarding the final scope of work. One person recommended consolidating the educational resources provided by the team into a single, easily accessible location for the block. The neighbors also raised design and maintenance concerns: these included the removal of a single parking spot and the desire to fill the curbside strips with more plants, while others mentioned the increased upkeep required for the planting areas compared to the original concrete sidewalk.

Despite the constraints faced by the project, the residents frequently cited community engagement and collaboration as successful aspects of the stormwater improvement process. EcoBlock's participatory approach fostered a strong sense of connection, not only between the neighbors, but with the project team as well.

Section V. Lessons Learned

There are many lessons learned from the project that can inform future urban stormwater retrofits:

Internal Constraints

- **Team structure can affect available project funding** – As a research project, UC Berkeley was the prime contractor; a quarter of the EPA funds were allocated for indirect/overhead costs since under EPA rules the contractor and engineer could not be considered research partners. This requirement posed funding constraints for the team. More funding may have been available to construct the stormwater retrofit with a different team structure.

Community Approach

- **One-on-one conversations with the community create trust and comfort** – Sustained community outreach and engagement was critical in all aspects of the project: design, funding, and implementation. Enabling consistent and transparent communication between the residents and project team led to the community's unanimous approval of an end-of-block stormwater bioretention design—this was achieved through a “vote-by-mutual-consent” decision-making process that was developed by the team.
- **Avoiding overly technical terminology builds mutual understanding** - Using commonly understood descriptions like “rain garden” or “stormwater planter” in lieu of industry-specific terms like “bioretention facility” or “(Best Management Practice) BMP” was key to building interest and understanding within the community.

Municipal Approach

- **Proactive meetings with the city go a long way** – Given the pilot nature of the project, the team faced several logistical challenges with the City of Oakland during the permitting phase. By meeting with potential stakeholders, the team identified a lack of communication between two city departments (OakDOT and Public Works), whose approvals were both required to secure the necessary permits. While this resulted in additional fees and plan reviews, the project would have been delayed even further if the team had not reached out to the city in advance.
- **Securing municipal buy-in on multiple fronts is key** – Having multiple points of contact within the city is crucial to preserving institutional knowledge of the project, especially with staff turnover and municipal term limits.
- **Cities can be effective partners in scaling stormwater retrofits** - Working with municipalities to perform a watershed analysis can be effective in identifying locations that will create the most impact and those that will be the most constrained.
- **Understanding permitting requirements upfront can reduce communication delays** - Due to the non-standard nature of this project—where there was not a private project owner or developer—there was not a straightforward permitting pathway as online permit submittal portals require owner information during the upload process. This resulted in delays toward the end of the permitting phase as all parties negotiated the best route forward. Going through this process has created a precedent for how to navigate this challenge for similar projects in the future.

In addition, few civil contractors were interested in this project as it was considered too small.

Section VI Conclusion

While the permitting, constructing, and inspecting the stormwater facility took much longer than expected, this can be expected of a novel pilot project. The facility greatly improved the aesthetics of the end of the block and we expect it to improve both the quality and flow of stormwater entering the creek. In addition, the project seemed to pull the community together, both as place to hang out and socialize and in the planting sessions.

Appendix D: Initial Design and Stormwater Facility Vote-By-Mutual Consent Survey

Initial Designs

Sherwood Design Engineers developed five initial designs for community review and feedback:

Option 1: Adjusted Parking (2 spaces) + Stormwater Treatment + Open Space

Option 1 proposed the following:

- Move the existing curb and adjust parking
- Add a stormwater feature
- Add open space
- Have two parking stalls (one existing parking stall is lost)
- Prevent parked cars from blocking adjacent driveways

1. Open Space could incorporate natural play feature such as stumps, logs and bridges into a small play area.
Left (location), Right (location)



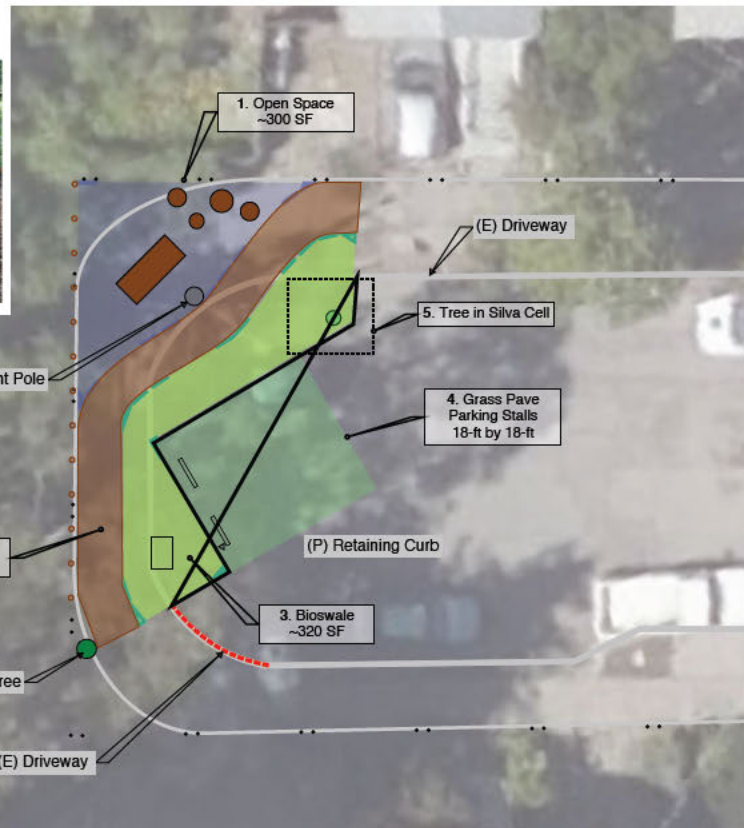
2. Naturalized and widened pathway, integrated with play area and bioswale.



Proposed Improvements
1) Move Curb and adjust parking
2) Add Stormwater Feature
3) Add Open Space
4) 2 Parking Stalls (1 lost)
5) Prevents parked cars from blocking driveways

SHERWOOD DESIGN ENGINEERS, 2548 MISSION STREET, SAN FRANCISCO, CA 94110, (415) 774-1111, www.sherwoodengineers.com

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DESIGN ENGINEERS
2548 MISSION STREET
SAN FRANCISCO, CA 94110
www.sherwoodengineers.com



OPTION 1 - PARKLET LAYOUT

ECOBLOCK
OAKLAND, CALIFORNIA

3. Bioswale/raingarden area planted with native plants treats stormwater runoff from [redacted] prior to discharge into the creek (see Stormwater Plan).



4. Angled parking stalls provide better access to existing driveways and easier maneuverability. OPTIONAL: Grass pave (or other permeable material) allows for integration into parklet when desired.



5. Native tree, planted in silva cell to support healthy tree roots.

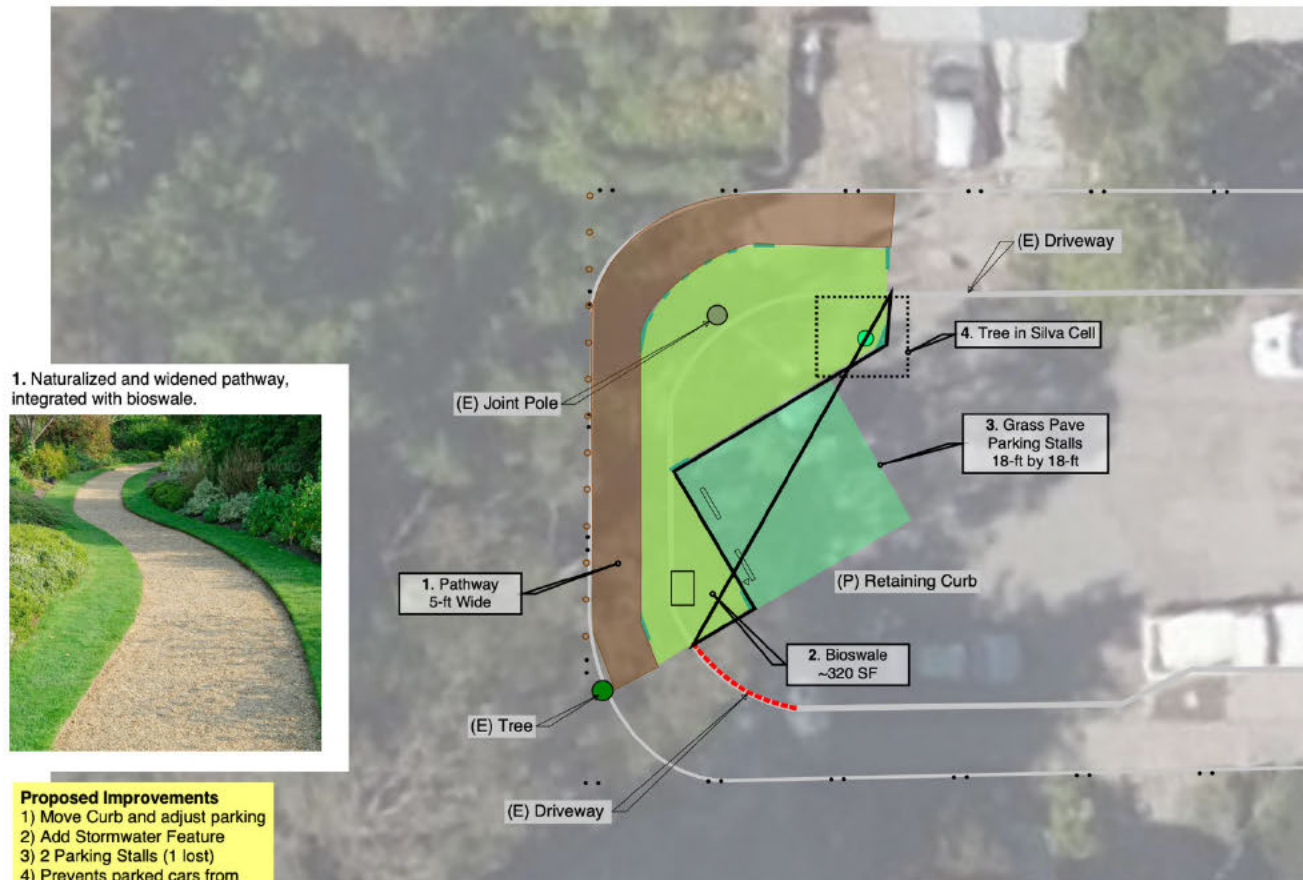


Figure 30: Schematic of Option 1 design. Credit: Sherwood Design Engineers

Option 2 - Adjusted Parking (2 spaces) + Stormwater Treatment

Option 2 was the most eco-friendly option and proposed the following:

- Move the existing curb and adjust parking
- Add a stormwater feature
- Have two parking stalls (one existing parking stall is lost)
- Prevent parked cars from blocking adjacent driveways



Proposed Improvements

- 1) Move Curb and adjust parking
- 2) Add Stormwater Feature
- 3) 2 Parking Stalls (1 lost)
- 4) Prevents parked cars from blocking driveways

SHERWOOD
DESIGN ENGINEERS
2548 Mission Street
San Francisco, CA 94110
www.sherwoodengineers.com

OPTION 2 - PARKLET LAYOUT

ECOBLOCK
OAKLAND, CALIFORNIA

Figure 31: Schematic of Option 2 design. Credit: Sherwood Design Engineers

Option 3 - Parking Maintained (3 spaces) + Minor Curb Adjustments + Stormwater Treatment

Option 3 was the second most eco-friendly option and proposed the following:

- Adjust the curb outside of existing parking spaces
- Add a stormwater feature
- Maintain three parking stalls
- Prevent parked cars from blocking adjacent driveways

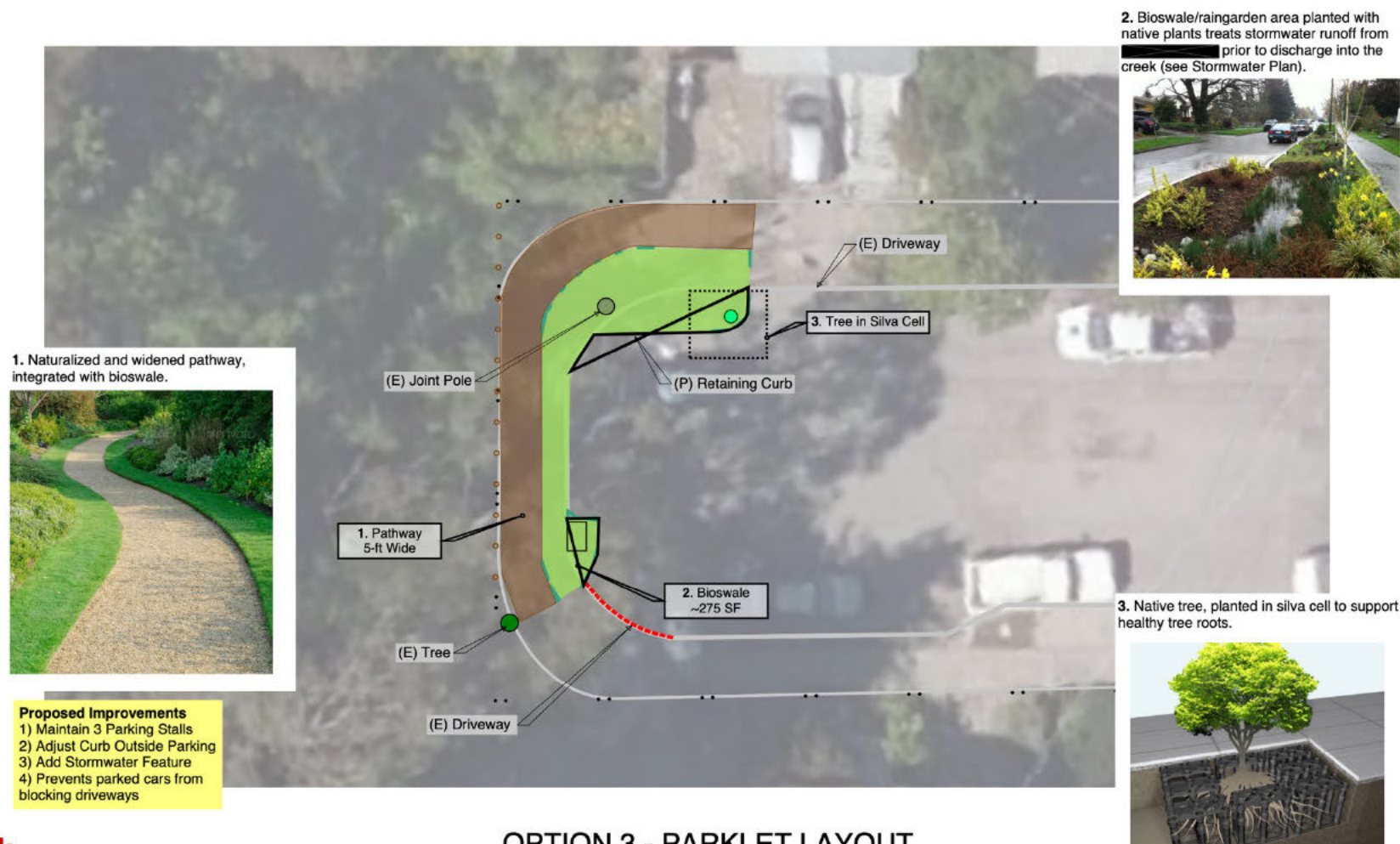


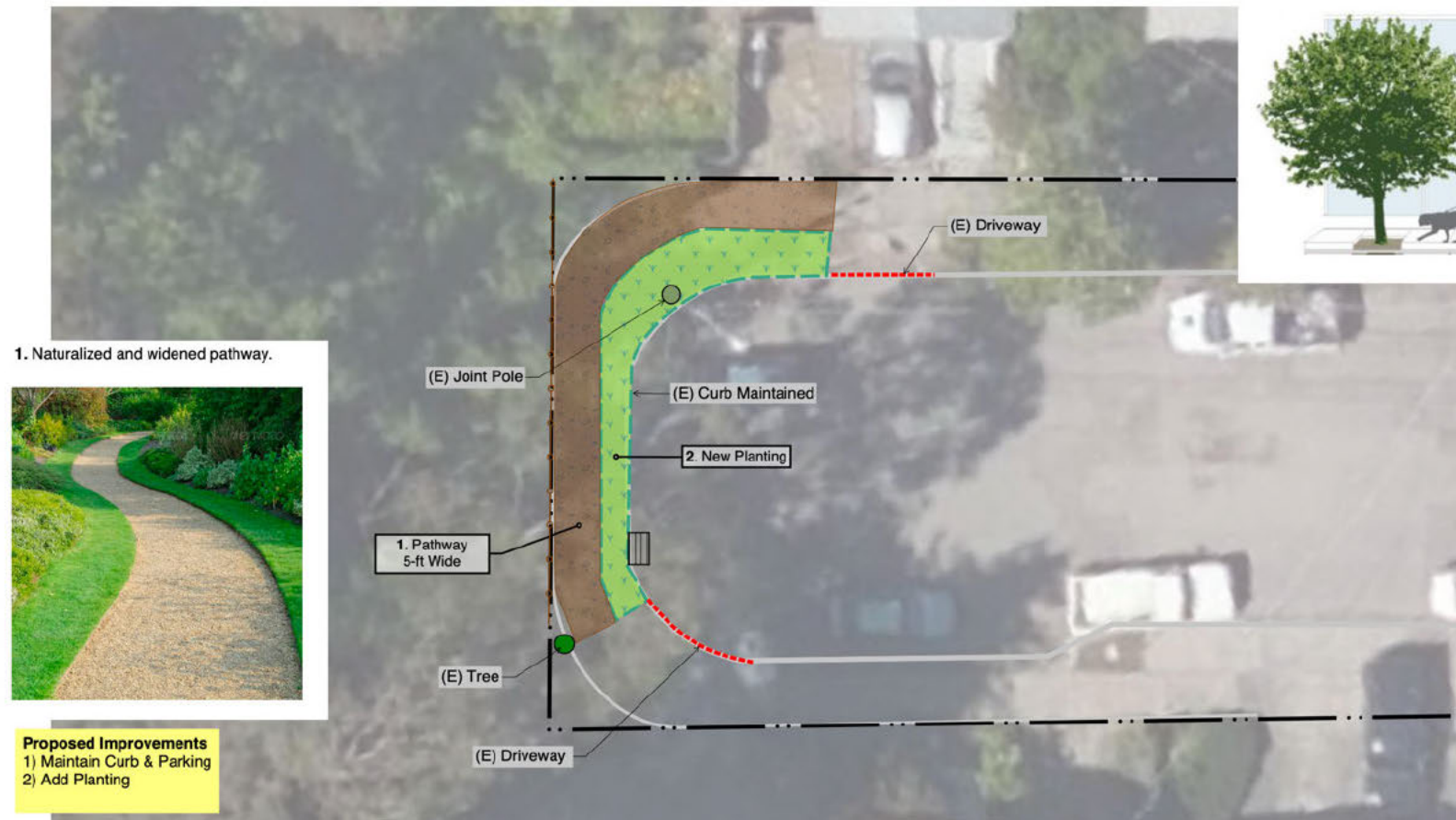
Figure 32: Schematic of Option 3 design. Credit: Sherwood Design Engineers

Option 4 - Parking Maintained (3 spaces) + No Curb Adjustments + Plant Trees/Shrubs

Option 4 proposed the following:

- Maintain existing curb and parking
- Add planting

2. Add Trees and Planting.



OPTION 4 - PARKLET LAYOUT



ECOBLOCK
OAKLAND, CALIFORNIA

Figure 33: Schematic of Option 4 design. Credit: Sherwood Design Engineers

Option 5 - Parking Maintained (3 spaces) + No Curb Adjustment + Underground Stormwater Storage

Option 5 proposed the following:

- Maintain existing curb and parking
- Add planting
- Add below-grade stormwater storage

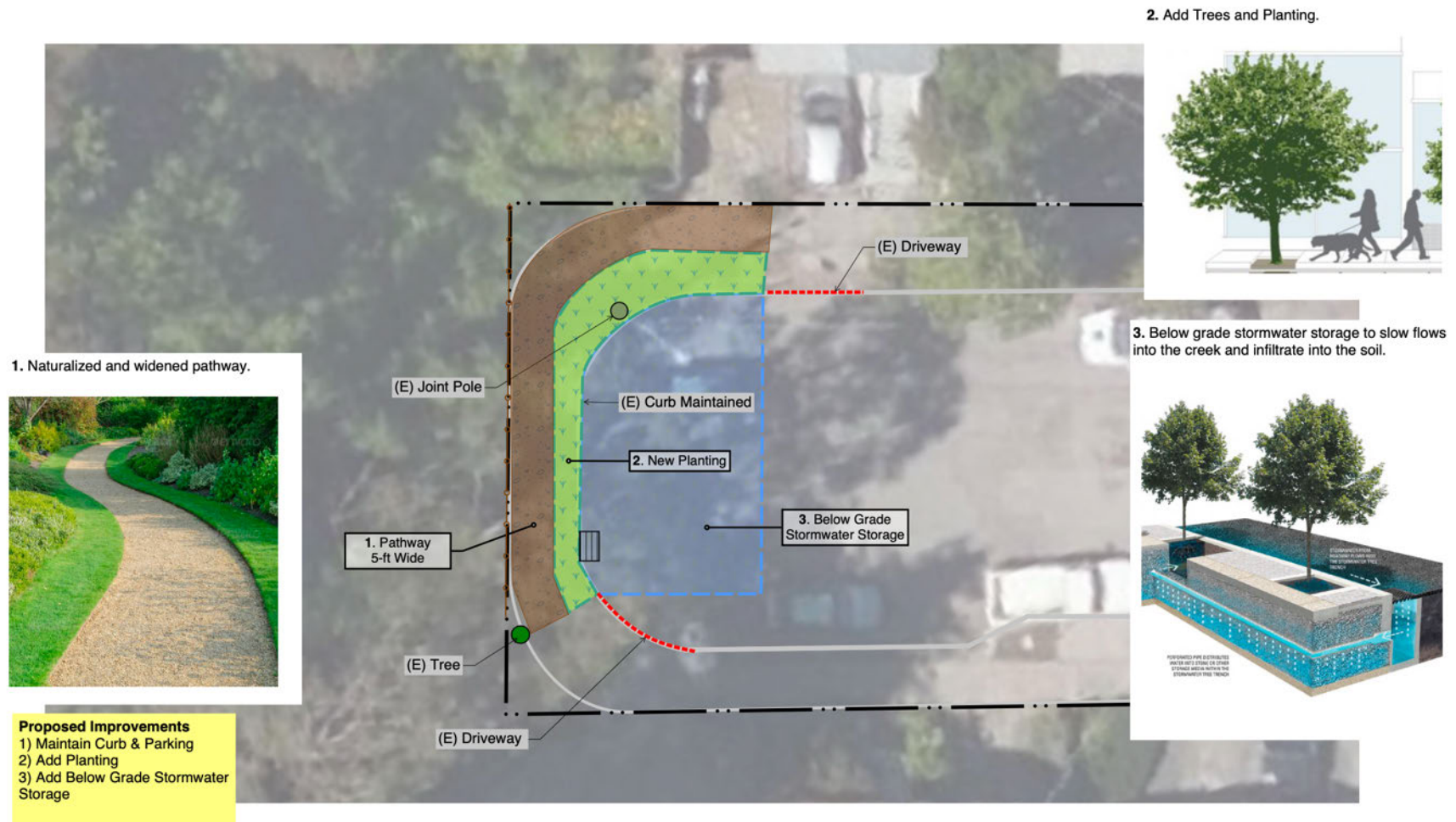


Figure 34: Schematic of Option 5 design. Credit: Sherwood Design Engineers

In order to select a design for the block, the project team developed a **vote-by-mutual-consent process** and asked all property owners—participating and non-participating—to choose up to three stormwater parklet design options out of five. Each voting member's first choice earned three points, the second choice earned two points, and the third choice earned one point. Each member was required to vote for at least one option, but did not have to select three. They were also able to object to any of the options but had to include a reason for doing so. The design with the most points and no unresolved objections would be selected.

After receiving votes from 14 of the 22 property owners over a month-long period, the winning design was **Option 3**, with parking maintained at two-three spaces, minor curb adjustments, and stormwater treatment. Option 3 received the most points and was ranked #1 the most with no objections.

The mutual consent process was suggested by cooperative law expert, Tuttle Law; the survey is found in the next figure.

EcoBlock Stormwater Parklet Voting by Mutual Consent

Please vote below for up to your top 3 preferred options for the end-of-block stormwater parklet improvements by August 16th, 2021. A PDF of the options is included here for reference:

Note that your 1st choice will earn 3 points, 2nd choice 2 points, and 3rd choice 1 point. You must vote for at least one option, but do not have to select three.

For mutual consent, you may also include an objection to any of the options. If you object, you must also include a reason for the objection.

After all voting is concluded, the option with the most points and with no unresolved objections will be selected. We will provide a final plan to the community for review and will not progress with City permitting or construction without consulting with the community and confirming all community members are comfortable with the plan.

Thanks for all your input during this stormwater design process and looking forward to making one of these options a reality!

If you have any comments or questions, please feel free to reach out to Craig Boman at



* Indicates required question

What is your address? *

Your answer

Are you a property owner or renter? *

- ☐ Owner Lives On Block
- ☐ Owner Lives Off Block
- ☐ Renter

Which option is your #1 choice? (3 points) *

- ☐ Option 1 - Adjusted Parking (2 spaces) + Stormwater Treatment + Open Space
- ☐ Option 2 - Adjusted Parking (2 spaces) + Stormwater Treatment (Most eco-friendly)
- ☐ Option 3 - Parking Maintained (3 spaces) + Minor Curb Adjustments + Stormwater Treatment (2nd most eco-friendly)
- ☐ Option 4 - Parking Maintained (3 spaces) + No Curb Adjustments + Plant Trees/Shrubs
- ☐ Option 5 - Parking Maintained (3 spaces) + No Curb Adjustment + Underground Stormwater Storage

Which option is your #2 choice? (2 points)

- ☐ Option 1 - Adjusted Parking (2 spaces) + Stormwater Treatment + Open Space
- ☐ Option 2 - Adjusted Parking (2 spaces) + Stormwater Treatment (Most eco-friendly)
- ☐ Option 3 - Parking Maintained (3 spaces) + Minor Curb Adjustments + Stormwater Treatment (2nd most eco-friendly)
- ☐ Option 4 - Parking Maintained (3 spaces) + No Curb Adjustments + Plant Trees/Shrubs
- ☐ Option 5 - Parking Maintained (3 spaces) + No Curb Adjustment + Underground Stormwater Storage

Which option is your #3 choice? (1 points)

- ☐ Option 1 - Adjusted Parking (2 spaces) + Stormwater Treatment + Open Space
- ☐ Option 2 - Adjusted Parking (2 spaces) + Stormwater Treatment (Most eco-friendly)
- ☐ Option 3 - Parking Maintained (3 spaces) + Minor Curb Adjustments + Stormwater Treatment (2nd most eco-friendly)
- ☐ Option 4 - Parking Maintained (3 spaces) + No Curb Adjustments + Plant Trees/Shrubs
- ☐ Option 5 - Parking Maintained (3 spaces) + No Curb Adjustment + Underground Stormwater Storage

Any additional comments or feedback?

Your answer

Are there any options you object to? *

- ☐ Option 1 - Adjusted Parking (2 spaces) + Stormwater Treatment + Open Space
- ☐ Option 2 - Adjusted Parking (2 spaces) + Stormwater Treatment (Most eco-friendly)
- ☐ Option 3 - Parking Maintained (3 spaces) + Minor Curb Adjustments + Stormwater Treatment (2nd most eco-friendly)
- ☐ Option 4 - Parking Maintained (3 spaces) + No Curb Adjustments + Plant Trees/Shrubs
- ☐ Option 5 - Parking Maintained (3 spaces) + No Curb Adjustment + Underground Stormwater Storage
- ☐ None

Why do you object to this option? If multiple, please include reason for each option. If none, please insert "NA". *

Your answer



Appendix B: City of Oakland Permitting process

The City of Oakland required two permits: the Creek Protection Permit and the Offsite Infrastructure Permit, which are both described below.

Creek Protection Permit

Any work done on creekside property requires a [Creek Protection Permit](#). The category of the required permit (I-II-III or IV) depends on the type of work proposed and where it is taking place in relation to the centerline of the creek. Public notice may also be required for Category III and IV Creek Protection Permits.

The categories for the Creek Protection Permit are as follows:

- **Category I:** Interior construction and alterations including remodeling.
- **Category II:** Exterior work that does not include earthwork and is located more than 100 feet from the centerline of the Creek.
- **Category III:** Exterior work that is located between 20 feet from the top of the Creek bank and 100 feet from the centerline of the Creek; or Exterior work that includes earthwork involving more than three (3) cubic yards of material, beyond 20 feet from the top of the Creek bank.
- **Category IV:** Exterior work conducted from the centerline of the Creek to within 20 feet from the top of the Creek bank.

The application for the Creek Protection Permit includes the following requirements:

- **Site Plan (Category II-IV):** The site plan should clearly illustrate the relationship and distance of the project to the creek centerline and top of the creek bank.
- **Notices (Category III and IV):** Public notices are required to be posted within a 300 ft. radius of the project location. A Category IV Permit will also require mailing of public notices.
- **Creek Protection Plan (Category III and IV):** The creek protection plan should describe how the team will protect the creek, its banks, riparian vegetation, wildlife, surrounding habitat, and the creek's natural appearance during and after construction.
- **CEQA (Category III and IV):** Category 3 and 4 projects will be reviewed for compliance with the California Environmental Quality Act.
- **Hydrology Report (Category IV):** A hydrology report must be prepared by a licensed engineer with creek hydrology expertise. Review and approval by the City is required prior to issuance of a Creek Protection Permit. A hydrology report may include, but is not limited to, elements such as flows and water surface levels; creek bank stability, before and after the project; and the impact of proposed work with regard to the direction and quantity of flow in the Creek.

The EcoBlock stormwater mitigation work triggered a Creek Protection Permit as exterior improvements needed to be conducted within 20 feet of the bank of Sausal Creek. Typically, the EcoBlock project would fall under a **Category IV Permit**. However, the City of Oakland agreed that as long as the stormwater mitigation work did not increase loading (i.e., add more weight) to the top of the slope of the Creek, the project would fall under a **Category III Permit**, and the City would waive the requirement for the hydrology report.

Permit Timeline

- **2021:** The Oakland Public Works Department agrees to recategorize the EcoBlock stormwater mitigation work as a Category III Creek Protection Permit, per staff discretion. Typically, EcoBlock would be considered for a Category IV Permit; however, the City agreed to the recategorization with the understanding that EcoBlock would not add more weight to the top of the existing slope near Sausal Creek. This decision also waives the permit requirement for a geotechnical/soils report (no hydrology report was needed).
- **January 8, 2024:** Sherwood Design Engineers submits the Creek Protection Permit application (Appendix C) and Basic Application for Development Review (Appendix D) to the City of Oakland's Watershed and Stormwater Management Division.
- **February 2024:** Sherwood Design Engineers undergoes one round of plan review with the City of Oakland's Watershed and Stormwater Management Division and resubmits the permit application materials on February 28, 2024.
- **March 29, 2024 at 4 pm-April 15, 2024 at 4 pm:** Sherwood Design Engineers conducts a 17-day public notice period for the permit.
- **April 15, 2024 at 4 pm-April 30, 2024 at 4 pm:** The City of Oakland conducts a 15-day period for any comments or objections to be submitted.
- **April 30, 2024 at 4 pm-May 10, 2024 at 4 pm:** The City of Oakland conducts a 10-day appeal period; no applications for appeal are submitted.
- **May 11, 2024:** The City of Oakland approves and issues a Category III Creek Protection Permit to Sherwood Design Engineers.
- **May 16, 2024:** Sherwood Design Engineers submits a signed Creek Protection Permit Decision Letter (Appendix E) to the City of Oakland.

Public Notice Period

The Creek Protection Permit was approved and issued by the City on **May 11, 2024** after a **17-day public notice period**, beginning on Friday, March 29, 2024 at 4 pm and ending on Monday, April 15, 2024 at 4 pm. After the public notice period the City provided a **15-day public comment period** to allow for any comments or objections, and finally, a **10-day appeal period** after the decision letter was issued.

As the Permit Applicant, Sherwood Design Engineers was responsible for meeting the following public notice requirements from the City of Oakland:

- **Physical posting of the project site:** The Applicant is required to construct a 24"x35" all weather sign for posting at the project site. The sign included the public notice and a floor plan, site plan, rendering or elevation of the project which best illustrates the project to the public.

- **USPS owner mailings for Regular Design Review, Tentative Parcel Map, Tentative Tract Maps and Creek Permits only:** The Applicant is responsible for delivering the staff provided public notice to USPS owners located within 300 feet of the property lines (property edges) of the affected site. If there is more than one parcel in the project, it should be measured from the furthestmost edges of all of the parcels involved).



Figure 35: The Notice of Application Sign shows a plan view of the stormwater bioretention design and the Public Notice provided by the City of Oakland. The sign was affixed to the existing chain link fence abutting Sausal Creek at the end of the block. Credit: Sherwood Design Engineers



Figure 36: The 300-ft. offset was generated from EcoBlock Property SS-1, which was the nearest parcel to the end-of-block stormwater bioretention facility site. Credit: Sherwood Design Engineers

EcoBlock Water Improvement

The Regents of the University of California, Berkeley

UNITED STATES POSTAL SERVICE®

Certificate of Mailing — Firm

Name and Address of Sender City of Oakland Bureau of Planning 250 Frank Ogawa Plaza, Suite 2114 Oakland CA 94612		TOTAL NO. of Pieces Listed by Sender 6	TOTAL NO. of Pieces Received at Post Office™ \$198.24 (09)		Affix Stamp Here Backsheet with Photo of Recipient U.S. POSTAGE PAID WALNUT CREEK, CA 94596 MAR 28, 24 AMOUNT \$28.42 R2354P119131-21	
Postmaster, per (Name of Person or Firm) Ruth Romero						
USPS® Tracking Number Firm-specific Identifier	Address (Name, Street, City, State, and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airlift	
1						
2						
3						
4						
5						
6						

PS Form 3665, January 2017 (Page 1 of 1) PSN 7530-17-000-0549 See Reverse for Instructions

Figure 37: The public notice was mailed to addresses within the 300-ft. radius of EcoBlock Property SS-1. Credit: Therese Pfeffer

Off-Site Infrastructure (PX) Permit

The stormwater mitigation work also triggered an [Off-Site Infrastructure \(PX\) Permit](#), which is required prior to the construction of public improvements within the public right-of-way (ROW) or City Easement or as part of a new Subdivision, Parcel, or Tract Map approval. The PX Permit is separate from a Minor or Major Encroachment Permit. The stormwater system for the EcoBlock Water Improvement project was permitted as a standalone improvement within the ROW, versus private development that includes a portion of work that extends into the ROW, which would be considered a ROW encroachment.

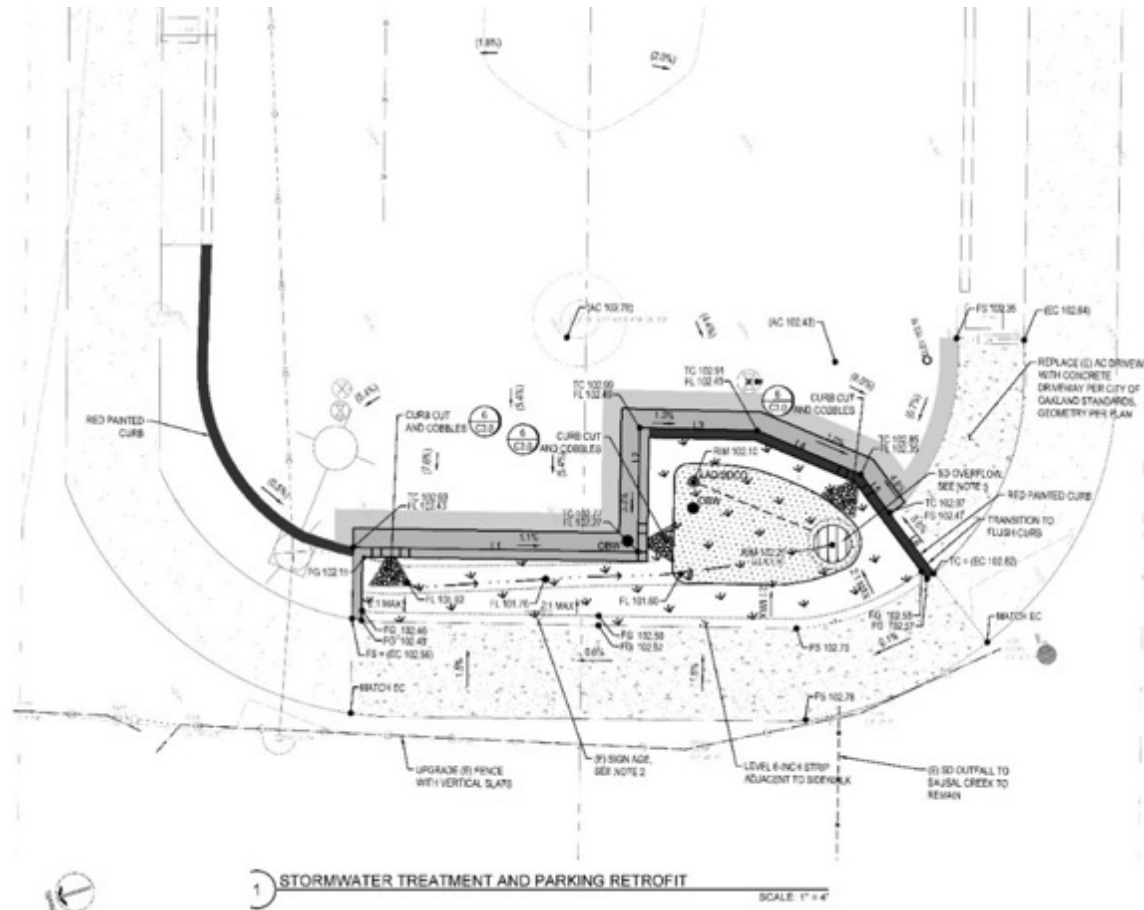


Figure 38: Permitted stormwater bioretention facility design. Credit: Sherwood Design Engineers

Permit Timeline

- **June 8, 2022:** Sherwood Design Engineers submits the PX Permit package to the Oakland Department of Transportation (OakDOT).
- **August 25, 2022:** Sherwood Design Engineers receives a payment request, totaling **\$14,969.48**, from OakDOT for the PX Permit fees.
- **Oct 2022:** UC Berkeley pays the permit fees.
- **November 2022-July 2023:** Sherwood Design Engineers undergoes three rounds of plan review with OakDOT.

- **August 1, 2023:** Sherwood Design Engineers submits the engineer's estimate of probable construction costs (Appendix F). The estimate totals **\$56,289**, with **\$40,289** in hard costs
- **August 15, 2023:** OakDOT approves the permit plans and probable construction cost estimate. They provide the P-Job Agreement and bond documents that need to be signed and completed prior to PX Permit issuance.
- **October 19, 2023:** Sherwood Design Engineers meets with the Oakland Watershed Program (part of the Public Works Department) to discuss the bonds.
- **October 20, 2023:** Eco Performance Builders provides a construction cost estimate for the stormwater facility, totaling **\$98,350.11** (Appendix G).
- **July 18, 2024:** The City of Oakland receives the final bond documents from Eco Performance Builders. They also request minor sheet edits to the Creek Protection Permit drawing set in order to move forward with PX Permit approval.
- **July 24, 2024:** The City of Oakland approves the PX Permit package (Appendix H).

Permit Materials

The following documents were required prior to PX Permit issuance:

- **P-Job agreement (Appendices H and I):** This is required for the private construction of publicly maintained infrastructure. The agreement must be wet signed by the appropriate parties; the wet-signed originals must then be delivered to the City of Oakland's Department of Transportation office. The P-Job agreement is then signed by the City Engineer and when recorded with the County Recorder, the PX Permit will be issued by the Plan Reviewer.
- **Three surety bond documents (Appendices J, K, and L):** These must be wet-signed by the appropriate parties; the wet-signed originals must then be delivered to the City of Oakland's Department of Transportation office. Eco Performance Builders paid the Faithful Performance and Payment bonds; the City received the paid bonds in **July 2024**.
 - **Faithful Performance** (100% of hard costs) – After negotiating with the City's Creeks and Watershed Program (part of the Public Works Department), 25% of the Faithful Performance bond was decided to be held for one year following completion of the stormwater retrofit construction to serve as the Maintenance bond. After this one-year period the Maintenance bond will be released.
 - **Payment** (labor and materials) (50% of hard costs)
 - **Maintenance** (25% of hard costs) – Sherwood Design Engineers worked with the City of Oakland's **Creeks and Watershed Program** (part of the Public Works Department) to waive the one-year Maintenance bond, as the construction of the stormwater facility was estimated to take two weeks. The City's **Real Estate Department** was determined to serve as the bond holder; the City also notified the (1) **Drainage Maintenance** and (2) **Parks and Trees Services Divisions** to put EcoBlock on their maintenance lists.
- **Contractor's application:** This may be filled out and sent electronically, separate from the rest of the documents.

Appendix C: City of Oakland Creek Protection Permit

The Creek Protection Permit application is shown below:

EcoBlock Water Improvement
The Regents of the University of California, Berkeley



CITY OF OAKLAND
CREEK PROTECTION PERMIT APPLICATION

250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031
Phone: 510-238-3911 Fax: 510-238-4730
Intake Appointment Phone: 510-238-3940

PERMIT NO. CP
CATEGORY _____
FEE PAID: _____
RECEIPT NO: _____
RELATED PERMITS _____

Pursuant to the Creek Protection, Storm Water Management and Discharge Control Ordinance, (Chapter 13.16 of the Oakland Municipal Code), a Creek Protection Permit is required for any proposed construction activity occurring on a Creekside property. The extent to which your development will be regulated by the Creek Protection Ordinance depends upon the location and type of proposed work.

I. GENERAL DATA REQUIRED

A. PROPERTY ADDRESS: _____
B. ASSESSOR'S PARCEL NUMBER: _____

C. OWNER: _____
MAILING ADDRESS: _____
CITY/STATE Oakland ZIP 94612
PHONE _____ FAX _____ OTHER _____

TO BE COMPLETED ONLY IF APPLICANT IS NOT THE PROPERTY OWNER:

I authorize the applicant indicated below to submit the application on my behalf.

Signature of Property Owner

D. APPLICANT'S NAME/COMPANY: Jon Keim-Shenk / Sherwood Design Engineers
MAILING ADDRESS 2548 Mission Street
CITY/STATE San Francisco / CA ZIP 94110
PHONE (717) 725-9927 FAX _____ OTHER _____

E. SITE PLAN PREPARED BY (FOR CATEGORY II, III, IV): Sherwood Design Engineers
MAILING ADDRESS 2548 Mission Street
CITY/STATE San Francisco / CA ZIP 94110
PHONE (717) 725-9927 FAX _____ OTHER _____

F. CREEK PROTECTION PLAN PREPARED BY (FOR CATEGORY III, IV): Sherwood Design Engineers
MAILING ADDRESS 2548 Mission Street
CITY/STATE San Francisco / CA ZIP 94110
PHONE (717) 725-9927 FAX _____ OTHER _____

G. HYDROLOGY REPORT PREPARED BY (FOR CATEGORY IV): N/A
MAILING ADDRESS _____
CITY/STATE _____ ZIP _____
PHONE _____ FAX _____ OTHER _____

5/3/21

1

2. SUPPLEMENTAL PROJECT INFORMATION

H. DESCRIPTION OF WORK (include additional sheets if needed):

The project proposes improvements within the right-of-way including an end-of-block stormwater treatment facility, which will capture upstream runoff and provide treatment, while reducing flow velocities towards Sausal Creek via energy dissipaters and landscape conveyance. The project includes the rehabilitation or replacement of a single catch basin.

I. EROSION CONTROL MEASURES TO BE USED (include additional sheets if needed):

Best practices for erosion control during construction are proposed throughout the site including fiber roll perimeters around areas to be excavated, and inlet protection around a single catch basin which is downstream of the proposed limit of work. Material stockpiling will take place upstream of fiber roll protection. Fiber roll and inlet protection locations and details are shown on the permit plans (C1.0/C3.1) included with this Creek Protection Permit application.

J. CREEK PROTECTION TO BE USED (include additional sheets if needed):

Erosion control measures in and surrounding the project construction site are noted above. No additional disturbance is proposed directly within Sausal Creek.

F. GENERAL PLAN LAND USE CLASSIFICATION: Road Right-Of-Way (TO BE CONFIRMED BY STAFF)

G. ZONING: Public ROW (TO BE CONFIRMED BY STAFF)

This permit is issued pursuant to all provisions of City of Oakland Ordinance Nos. 12005 and 12024 C.M.S., "Creek Protection Ordinance". This permit is granted upon the express condition that the permittee shall be responsible for all claims and liabilities arising out of work performed under this permit or arising out of permittee's failure to perform the obligations with respect to this permit. The permittee shall, and by acceptance of this permit agrees to defend, indemnify, save and hold harmless the City, its officers and employees, from and against any and all suits, claims or actions brought by any person for or on account of any bodily injuries, disease or illness or damage to persons and/or property sustained or arising in the construction of the work performed under this permit or in consequence of permittee's failure to perform the obligations with respect to this permit. Violations of the provisions of the Creek Protection Ordinance are subject to fines and penalties specified under Section 20-3.030 of the Ordinance.

APPROVALS (TO BE COMPLETED BY STAFF)

☐ PLANNING AND ZONING _____ DATE: _____
☐ ENGINEERING SERVICES _____ DATE: _____
☐ ENVIRONMENTAL SERVICES _____ DATE: _____
☐ CHIEF OF BUILDING SERVICES _____ DATE: _____

5/3/21

2

3. SUBMITTAL REQUIREMENTS: WHAT TO SUBMIT

The following project information and drawings must be included in the submittal package for your Creek Permit application. City of Oakland staff reserves the right to require additional information as needed (including CEQA), for certain development proposals.

- ☒ (1) **Creek Protection Permit Application**
This application form signed and completed. Original signatures or clear & legible copies are required.
- ☐ (2) **Assessor's Parcel Map**
Available at the City of Oakland Engineering Services or Zoning counters, or County Assessor's Office, 1221 Oak St.
- ☐ (3) **Photographs**
Photographs must be placed in a secure envelope or mounted on a board folded to a size no larger than 9" x 12".
☐ Labeled color photographs showing the existing creek corridor, and the area(s) of new construction and/or grading.
- ☒ (4) **Site Plan** (see supplemental requirements for Category III and IV Creek Permit applications).
 - **Three (3)** stapled and folded sets of full-sized plans are required for all submitted Creek Permit applications.
 - **One (1)** additional set of reduced plans (8½" x 11" or 11" x 17") is required for all creek permit applications reviewed by the Creek Permit Processing Committee.
 - Fold plans to 9" x 12" maximum size. Plans must be on sheets no greater than 24" x 36".
 - Include north arrow, date prepared and scale. Acceptable drawing scales are: 1/4" = 1', 3/16" = 1', 1/8" = 1', and 1" = 10'. Other scales may be appropriate, but should be discussed with Planning Department staff before filing.
 - Include the name and phone number of person preparing the plan(s).Site Plans must include the following:
 - ☐ Location of creek banks, any associated riparian corridor, and all existing and proposed building footprints;
 - ☒ Location of all exterior work, including earthwork involving more than three (3) cubic yards of material;
 - ☐ Setback dimensions between top of creek bank and all existing and proposed development or work;
 - ☒ Location of all existing trees, and indication of any trees to be removed;
 - ☒ Existing and proposed topographic contours extending over entire site and related creek channel;
 - ☒ Location and dimensions of existing and proposed site paving;
 - ☒ Location and height of existing and proposed walls and fences;
 - ☒ Location of existing and proposed storm drain and sanitary sewer infrastructure; and
 - ☒ Vicinity map indicating site in relationship to major streets.
- ☐ (5) **Fees** (all fees are due at the time of application submittal)
 - Additional fees may be required if the project changes or based on staff's environmental determination.

Supplemental Requirements for Category III and IV Creek Permit Applications

- ☐ (a) **Landscape Plan** (Required for all development-related Category III or IV Creek Permits).
 - ☐ Show new planting areas and proposed plant palette. Indicate type, size and location of landscaping to be installed, existing riparian vegetation to be retained, and any existing trees and/or riparian vegetation that is to be removed.
 - ☐ Include a description of proposed method of irrigation.
 - ☒ Include all existing and proposed groundcovers, driveways, walkways, patios, and other surface treatments.
- ☒ (b) **Creek Protection Plan** (Required for all Category III or IV Creek Permits – may be combined with Site Plan).
Creek Protection Plans must include the following:
 - ☒ Measures to limit debris, control dust, prevent pollution, and generally protect the creek, its banks, riparian vegetation, wildlife, surrounding habitat, and natural appearance;
 - ☒ Location of temporary fencing to be installed limiting and defining the area of construction;
 - ☒ Measures to be implemented to control sediment and erosion both during construction and ongoing;
 - ☒ Method of on-site water velocity control- resulting in no-flow change, erosion or increase of run-off into creek; and
 - ☒ All other on-site measures to be implemented as part of a required Creek Protection Plan.
- ☐ (c) **Hydrology Report** (For Category IV only – must be prepared by a licensed engineer with creek hydrology experience).
Hydrology Reports will be tailored to the specific project, but must include some or all of the following:
 - ☐ Impact of proposed work on the existing and future direction and quantity of flow in the creek;
 - ☐ Creek bank stability - before and after the project;
 - ☐ Location of major drainage facilities (trash racks, culverts, discharge points, etc.), and
 - ☐ Profiles of the stream, cross sections, and any proposed improvements to the creek.

Appendix D: City of Oakland Basic Application for Development Review

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BASIC APPLICATION FOR DEVELOPMENT REVIEW

250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031
Online Permit Center: <https://lca-prod.accela.com/OAKLAND/Default.aspx>

CERTAIN APPLICATIONS ARE ACCEPTED BY APPOINTMENT ONLY!

Submit a [Zoning Worksheet \(ZW\)](#) through the Online Permit Center if your project involves any of the following:

- Conditional Use Permit
- Variance
- Regular Design Review
- Parcel Map Waiver
- Tentative Parcel Map
- New dwelling unit(s)
- 1,000 sq. ft. or more of new floor area/footprint
- Additions ≥ 100% of existing floor area/footprint
- Creek Protection Permit (Category 3 or 4)

Staff will contact you to schedule an appointment within 3-5 business days. Applicants must cancel at least 24 hours in advance.

Submit a [Zoning Worksheet \(ZW\)](#) through the Online Permit Center for the following application types:
Design Review Exemption (DRX) or Small Project Design Review (DS)

1. TYPE OF APPLICATION**

(Check all that apply)

Development Permits

- ☐ Conditional Use Permit (CUP) (Major or Minor)
- ☐ Variance (Major or Minor)
- ☐ Regular Design Review (DR)
- ☐ Small Project Design Review (DS) (Type 1, 2, 3)
- ☐ Special Project Design Review (SP) (West Oakland)
- ☐ Design Review Exemption (DRX)
- ☐ Tree Preservation or Removal Permit (T)
- ☐ Determination (DET)
- ☐ Planned Unit Development/Mini-Lot Development

Subdivision Applications

- ☐ Parcel Map Waiver (PMW) (Lot Line Adjustment/Margery)
- ☐ Tentative Parcel Map (TPM) (subdivision for 1-4 lots)
- ☐ Tentative Tract Map (TTM) (subdivision 5 or more lots)

Other Applications

- ☐ Environmental Review Request
- ☐ Rezoning
- ☐ General Plan Amendment
- ☐ Density Bonus
- ☐ Creek Protection Permit (separate application required)
- ☐ SB 35 Streamlining
- ☐ By Right Residential Approval
- ☐ Other: _____ (see p. 15, Submittal Req. #12)

**FOR AFFORDABLE HOUSING PROJECTS, PLEASE INDICATE ANY FUNDING DEADLINE DATE:

2. GENERAL INFORMATION

APPLICANT'S NAME/COMPANY: Jon Keim-Shenk / Sherwood Design Engineers

PROPERTY ADDRESS: Within the Blossom Street right-of-way, between 3001/3005 Blossom Street.

ASSESSOR'S PARCEL NUMBER(S):

EXISTING USE OF PROPERTY: Street and Sidewalk

DESCRIPTION OF PROPOSAL (including type of use, hours of operation, number of employees, etc., on additional sheets if needed.):

The project proposes improvements within the right-of-way including an end-of-block stormwater treatment facility, which will capture upstream runoff and provide treatment, while reducing flow velocities towards Sausal Creek via energy dissipaters and landscape conveyance. The project includes the rehabilitation or replacement of a single catch basin.

TO BE COMPLETED BY STAFF

GENERAL PLAN LAND USE CLASS: SPECIFIC PLAN: ZONING:

HISTORIC DESIGNATION: HOUSING ELEMENT OPPORTUNITY SITE:

FEES¹:

APPLICATION FEE: \$

POSTER DEPOSIT²: \$

TREE PERMIT FEE: \$

CREEK PERMIT FEE: \$

TOTAL FEES DUE: \$⁰

EXPECTED PROCESSING TIME³:

¹Fees are subject to change without prior notice. The fees charged will be those that are in effect at the time of application submission. All fees are due at submission of application.
²For permit applications requiring public notice, a refundable security deposit is required for the on-site poster containing the public notice. Posters MUST be returned within 180 days and in good condition to claim a refund of the deposit.

³Expected processing time is only an estimate and is subject to change without notice due to staff workload, public hearing availability, and the completeness or complexity of the application.

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3. PROPERTY OWNER AND APPLICANT INFORMATION

Original signatures or clear & legible copies are required.

Owner(s):

Owner Mailing Address:

City/State: Oakland

Zip:

Phone No.:

Fax No.:

E-mail:

To be completed only if Applicant is not the Property Owner:

I authorize the applicant indicated below to submit the application on my behalf:

Signature of Property Owner

Applicant (Authorized Agent), if different from Owner: Jon Keim-Shenk / Sherwood Design Engineers

Applicant Mailing Address: 2548 Mission Street

City/State: San Francisco / CA

Zip: 94110

Phone No.: (717) 725-9927

E-mail:

I understand that approval of this application does not constitute approval for any administrative review, Conditional Use Permit, Variance, or exception from any other City regulations which are not specifically the subject of this application. I understand further that I remain responsible for satisfying requirements of any private restrictions or covenants appurtenant to the property. I understand that the Applicant and/or Owner phone number listed above will be included on any public notice for the project.

I certify that I am the Applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of planning permits as determined by the Planning Director. I further certify that I am the Owner or purchaser (or option holder) of the property(ies) involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature above. If this application involves more than one property, I certify that all property owners have signed above.

I understand that statements made to me about the time it takes to review and process this application are general. I am aware that the City has attempted to request everything necessary for an accurate and complete review of my proposal; however, that after my application has been submitted and reviewed by City staff, it may be necessary for the City to request additional information and/or materials. I understand that any failure to submit the additional information and/or materials in a timely manner may render the application inactive and that periods of inactivity do not count towards statutory time limits applicable to the processing of this application.

I understand that the proposed project and/or property may be subject to other laws, codes, regulations, guidelines, restrictions, agreements, or other requirements of other public agencies within or outside of the City of Oakland, and that the project and/or property may also be subject to requirements enforced by private parties, including but not limited to private easements/agreements and Covenants, Conditions and Restrictions (CC&Rs) of a homeowners' association. I am aware and acknowledge that the City recommends that I become fully aware of any other potential requirements before I submit this application and that I comply with all other requirements prior to commencing the proposed project.

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT I HAVE READ THE ABOVE AND THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION IS TRUE AND CORRECT.

Signature of Owner or Authorized Agent

Date

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4. PROJECT & LOT INFORMATION					
CALCULATIONS	Existing Pre-Project	Demolition	New Proposed	Total Post-Project	% Change (Existing / Total)
Type/Size of Dwelling Units (Please fill in the number of each type)					
Rooming Units				0	0.00%
Efficiency Units				0	0.00%
1-Bedroom Units				0	0.00%
2-Bedroom Units				0	0.00%
3-Bedroom Units				0	0.00%
≥ 4-Bedroom Units				0	0.00%
Total Number of Dwelling Units	0	0	0	0	0.00%
Are Any of the Project Units Affordable? If Yes, Please Fill Out the Section Below (include number of each type)					
Market-Rate/Unrestricted Dwelling Units (DU)				0	0.00%
Moderate-Income Restricted DU (80%-120% AMI)				0	0.00%
Low-Income Restricted DU (50%-80% AMI)				0	0.00%
Very Low-Income Restricted DU (30%-50% AMI)				0	0.00%
Extremely Low-Income Restricted DU (<30% AMI)				0	0.00%
Total Affordable Units				0	0.00%
Total Affordable Units located Onsite:				0	0.00%
Other Types of Units/Rooms (if applicable) (not counted towards density) - include number of each type					
Accessory Dwelling Units (ADUs)				0	0.00%
Live/Work Units				0	0.00%
Work/Live Units				0	0.00%
Mobile Homes				0	0.00%
Hotel Rooms				0	0.00%
Floor Area					
Office Floor Area (square feet)				0	0.00%
Retail Floor Area (square feet)				0	0.00%
Industrial Floor Area (square feet)				0	0.00%
Other Non-Residential Floor Area (sq. ft.)				0	0.00%
Total Non-Residential Floor Area (sq. ft.)	0	0	0	0	0.00%
Residential Floor Area (sq. ft.)				0	0.00%
Total Res. & Non-Res. Floor Area (sq. ft.)	0	0	0	0	0.00%
Other Project Information					
Total Building Footprint Area (square feet)				0	0.00%
Building Height (feet)				0	0.00%
Building Stories (number)				0	0.00%
Total Lot Area (square feet)				0	0.00%
Number of Lots				0	0.00%
Automobile Parking Spaces (number)				0	0.00%
Bicycle Parking Spaces (number)				0	0.00%
New Landscape Square Footage (WEL0 see pg. 13)	n/a			n/a	n/a
Setback Slope (for hillside properties only)				n/a	n/a
Structure Slope (for hillside properties only)				n/a	n/a

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Definitions For Table 4 on Page 3

"Building Height" means the vertical distance measured from any point on top of the facility to a line directly below which meets finished grade on the outside perimeter of the facility, or intersects with a perpendicular plane connecting opposite points of finished grade at the outside perimeter of the facility.

"Floor Area" for all projects with one or two dwelling units on a lot means the total square footage of all levels of all buildings on the lot, measured horizontally from the outside surface of exterior walls and supporting columns, but excluding: (a) unenclosed living areas such as balconies, decks, and porches; (b) carports that are unenclosed on two or more sides; (c) 440 square feet within an attached or detached garage or carport that is enclosed on three sides or more; (d) non-habitable accessory structures of less than 120 square feet; (e) unfinished understories, attics and basements; and (f) finished basements if the height from finished grade at the exterior perimeter of the building to the finish floor elevation above is six (6) feet or less for at least 50% of the perimeter and does not exceed twelve (12) feet above grade at any point. For new floor area, only include new floor area located outside of the existing building envelope.

"Floor Area" for all projects except those with one or two dwelling units on a lot means the total of the gross horizontal areas of all floors, including usable basements and cellars, below the roof and within the outer surfaces of the main walls of principal or accessory buildings, or the center line of party walls separating such buildings, but excluding: (a) areas used for off-street parking spaces, loading berths, driveways, and maneuvering aisles; (b) areas which qualify as usable open space in Chapter 17.126; and (c) arcades, porches, and similar open areas which are located at or near street level of Nonresidential Facilities, are accessible to the general public, and are not designed or used as sales, display, storage, or production areas. For new floor area, only include new floor area located outside of the existing building envelope.

"Footprint" means the total land area covered by all structures on a lot, measured from outside of all exterior walls and supporting columns, including residences, garages, covered carports, and accessory structures, except that the following shall not be considered in determining footprint:

1. The portions of any uncovered and unenclosed decks, porches, landings, or patios, not including railings, which are less than thirty (30) inches above finished grade.
2. The portions of any uncovered and unenclosed balconies and stairways, including railings, which are less than six (6) feet above finished grade.
3. Eaves and roof overhangs.
4. Trellises and similar structures which do not have solid roofs and which would not otherwise be included in this definition.

"Market-Rate/Unrestricted Dwelling Units" are residential units for which the rent/price is set by the real estate market and not limited to certain household incomes.

"Restricted Dwelling Units" are residential units for which the rent/price is legally restricted to households earning a certain income expressed as a percentage of the Area Median Income or AMI. For more information, visit the Housing and Community Development Department's website at <https://www.oaklandca.gov/services/housing/index.c.php#section=plans-and-data/rent-and-income-limits-for-affordable-housing>

"Setback Slope" means the slope between edge of pavement and the front setback line, at the midpoint and perpendicular to the front property line.

"Structure Slope" means the steepest slope across building footprint measured from one side of the building to another.

5. IMPERVIOUS SURFACE INFORMATION

The San Francisco Bay Regional Water Quality Control Board reissued the Municipal Regional Stormwater Permit (MRP 3.0). The MRP went into effect July 1, 2022 with further changes to the Regulated Project Thresholds effective July 1, 2023.

PROJECT CHARACTERISTICS: (check one)

- ☐ (1) The one single-family home project will create or replace 10,000 square feet or more of new or existing impervious surface area*.
- ☐ (2) The project will create or replace 5,000 square feet or more of new or existing impervious surface area including pavement maintenance or paving upgrade projects*.

➤ If you checked (1) or (2) the project is considered a "Regulated Project" and must comply with NPDES C.3 stormwater requirements. You must submit a completed Stormwater Supplemental Form MRP 3.0 and a Preliminary Post-Construction Stormwater Management Plan with your application (see page 14).

- ☐ (3) The project will create or replace 2,500 square feet or more but less than 10,000 square feet of new or existing impervious surface for one single-family home OR 2,500 square feet or more but less than 5,000 sq. ft. of new or existing impervious surface for all other projects unless the project meets the definition of (1) or (2) above.

➤ If you checked (3) site design measures to retain stormwater on-site are required. Refer to the City's "Overview of Provision C.3" for more information. <https://www.oaklandca.gov/documents/overview-of-provision-c-3-requirements-for-stormwater-management>

- ☒ (4) None of the above.

* *Impervious Surface* - Any surface that cannot be effectively (fully) penetrated by water. Permeable paving (such as permeable concrete and interlocking pavers) underlain with permeable soil or permeable storage material, and green roofs with a minimum of three inches of planting media, are not considered impervious surfaces. Do not include existing impervious surface to be replaced as part of routine maintenance/repair activities when calculating the amount of new/replaced impervious surface.

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6. TREE PRESERVATION ORDINANCE

Pursuant to the Tree Preservation Ordinance (§12.36 O.M.C.) a Tree Preservation/Removal Permit is required for any proposed construction activity (including buildings, driveways, paths, decks, construction vehicle routes, sidewalk improvements, & perimeter grading) within 10 feet of a Protected Tree, even if such trees are not being removed or if they are located on a neighbor's property.

The following are Protected Trees:

- Any Coast Live Oak tree that is larger than 4 inches dbh*
- Any tree (except Eucalyptus) that is larger than 9 inches dbh* (Eucalyptus trees and up to 5 Monterey Pines per acre are not considered Protected Trees under this section. Monterey Pines must be inspected and verified by the Public Works Agency - Tree Division prior to their removal. Contact the Tree Division at (510) 615-5934 for more information or to schedule an inspection).
- Any tree of any size located in the public right-of-way (including street trees).

I ATTEST THAT: (check one)

- ☒ (1) There are no existing Protected Trees anywhere on the subject property or within 10 feet of the proposed construction activities** (including neighbor's properties or the adjacent public right-of-way).
- ☐ (2) There are Protected Trees on the subject property or within 10 feet of the proposed construction activities**, and their location is indicated on the site plan and landscape plan and (check one),
- ☐ (a) No Protected Trees are to be removed and No construction activity** will occur within 10 feet of any Protected Tree.
- ☐ (b) No Protected Trees are to be removed and Construction activity** will occur within 10 feet of any Protected Tree.
- ☐ (c) Protected Trees will be removed.

If you checked (2b) or (2c), a Tree Preservation/Removal Permit is required. Please complete the section below.

DESCRIPTION OF TREES (Identification numbers and letters must be consistent with the Tree Survey; see substantial requirements in Section 8)

Trees proposed for removal			Trees <u>not</u> proposed for removal but located within 10 feet of Construction Activity**		
#	Species	dbh*	#	Species	dbh*
1			A		
2			B		
3			C		
4			D		
5			E		
6			F		
7			G		

Reason for removal/impacting of trees:

* dbh: "diameter at breast height" is determined by measuring the trunk at 4'-6" from the ground. Multi-trunked trees are measured by combining the diameters of all trunks at 4'-6" from the ground.

** Construction Activity: Any proposed building, driveway, path, deck, construction vehicle route, sidewalk improvement, grading, or demolition.

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7. CREEK PROTECTION ORDINANCE

Pursuant to the Creek Protection, Storm Water Management and Discharge Control Ordinance (§13.16 O.M.C.) a Creek Protection Permit is required for any proposed construction activity occurring on a Creekside property. The extent to which your development will be regulated by the Creek Protection Ordinance depends upon the location and type of proposed work.

WHAT IS A CREEK?

"A Creek is a watercourse that is a naturally occurring swale or depression, or engineered channel that carries fresh or estuarine water either seasonally or year around."

A creek must include the following two components:

- The channel is part of a contiguous waterway. It is hydrologically connected to a waterway above or below the site or is connected to lakes, the estuary, or bay. Creek headwaters, found at the top of watersheds, are connected in the downhill direction. Additionally, creeks in Oakland are often connected through underground culverts. Only the open sections of creeks are subject to the permit, and
- There is a creek bed, bank and topography such as a u-shape, v-shape channel, ditch or waterway (identified through field investigation, topographical maps, and aerial photos). To help with identification in the field a creek may also have the following features (the absence of these features does NOT mean there is no creek):
 - A riparian corridor, which is a line of denser vegetation flowing downhill. This is sometimes missing due to landscaping or vegetation removal practices, landslide or fire.
 - The channel has a bed with material that differs from the surrounding material (i.e. more rocky, or gravelly, little or no vegetation).
 - There are man-made structures common to waterways, - for example bank retaining walls, trash racks, culverts, inlets, rip rap, etc.

I ATTEST THAT: (check one)

- ☐ (1) I do not know if there is a Creek on or near the proposed project site. I have submitted a request for a Creek Determination by the City of Oakland (separate form and fee required).
- ☐ (2) No Creek exists on or near the project site. (check one)
- ☐ (a) Based on my review of the characteristics of the project site, as well as all relevant maps and plans, and the Creek Determination criteria provided in the "What is a Creek?" section above, or
- ☐ (b) Based on the attached report prepared by a relevant licensed professional.
- However, if the City determines that a Creek exists on or near the project site, a Creek Protection Permit is required.
- ☒ (3) A Creek DOES exist on or near the project site and: (check one)
- ☐ (a) The proposed project only entails interior construction and/or alterations (including remodeling), and therefore requires a Category 1 Creek Permit (this is a no fee permit and only requires distribution of educational materials); or
- ☐ (b) The proposed project entails exterior work that does not include earthwork and is located more than 100 feet from the centerline of the Creek, and therefore requires a Category 2 Creek Permit (this permit requires a site plan and distribution of educational materials); or
- ☒ (c) The proposed project entails (a) exterior work that is located between 20 feet from the top of the Creek bank and 100 feet from the centerline of the Creek, and/or (b) exterior work that includes earthwork involving more than three (3) cubic yards of material located beyond 20 feet from the top of the Creek bank, and therefore requires a Category 3 Creek Permit (this permit requires a site plan and creek protection plan and may require environmental review); or
- ☐ (d) The project entails exterior work conducted from the centerline of the Creek to within 20 feet from the top of the Creek bank, and therefore requires a Category 4 Creek Permit (this permit requires a site plan and creek protection plan and may require environmental review and a hydrology report).

The Creek Permit requirements for your project are subject to verification by the City of Oakland and may differ from what you have indicated above. Additionally, you are responsible for contacting and obtaining all required permits from the relevant state and federal permitting agencies for Category 3 and Category 4 Creek Permits.

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8. HAZARDOUS WASTE AND SUBSTANCES STATEMENT

STATE GOVERNMENT CODE SECTION 65962.5 (f): Before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site that is included on any of the lists compiled pursuant to this section and shall specify any list.

Please refer to the following State-maintained websites:

<https://calopa.ca.gov/State/Comptroller/Comptroller/Info/>

<http://aestrucker.waterboards.ca.gov/>

or contact the CalBPA at (916) 323-2514 to determine if your project is on any list of properties containing hazardous waste, toxic substances or underground fuel tanks. **NOTE: YOU MUST REVIEW ALL LISTS.**

- ☒ I have reviewed ALL the lists and my site does not appear on them (sign below). **City Verification Required**
☐ My site does appear on the list(s) (please complete the following statement and sign below).

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

Name of applicant: _____
Applicant's address: _____
Phone number: _____
Address of site on list: _____
Local agency (city/county): _____
Specify any list pursuant to Section 65962.5 of the Government Code: _____
Regulatory identification number: _____
Date of list: _____
Status of regulatory action: _____

Signature of Owner or Authorized Agent

Date

9. RECYCLING SPACE REQUIREMENTS

Applicants are required to provide sufficient space for the storage and collection of recyclable materials to comply with Ordinance No. 11807 - Recycling Space Allocation Requirements. This space should be in addition to that provided for garbage service.

Affected projects:

1. New multifamily buildings in excess of five (5) units
2. New commercial and industrial projects that require a building permit
3. New public facilities
4. Additions and alterations for a single or multiple permits that add 30% or more to the gross floor area

Requirements:

For residential projects, two (2) cubic feet of storage per unit, with a minimum requirement of not less than ten (10) cubic feet. Additionally, Oakland Municipal Code Section 8.28.140 requires the provision of 32 gallons or 4.3 cubic feet of storage per unit for garbage. For affected commercial, industrial and public facility project, two (2) cubic feet of storage and collection space per each one thousand (1,000) square feet of the total gross building footage, with a minimum requirement not less than ten (10) cubic feet. For these projects, the space for storage and collection of garbage varies based on the type and operation of the facility. Space for storage of recyclables should be separated into the following categories: paper and cardboard (mixed together); plastic bottles, glass bottles and metal cans (mixed together); and organics/plant material.

10. GREEN BUILDING ORDINANCE

If GreenPoint Rater is required, this sheet must be filled in and signed by the GreenPoint Rater along with the checklist and is due at the Intake appointment or over the counter approval, the submittal will not be accepted if this is not complete at intake and the applicant will need to come back for another appointment.

If there is an addition and/or remodel that total over 1,000 square feet, the project is over 1,000 square feet, or there is a new unit; a GreenPoint Rater is required. Please read the guidelines from the code as listed below.

Pursuant to the Ordinance 'Sustainable Green Building Requirements for Private Development,' (Chapter 18.02 of the Oakland Municipal Code), a Green Building Permit is required for any proposed construction activity within certain categories. The extent to which your development will be regulated by the Green Building Ordinance depends upon the location, type of proposed work, and size of proposed work.

A. PROPERTY ADDRESS: _____

B. PROJECT TYPE OF DEVELOPMENT (check one): ☐ New Construction ☐ New Construction-Mixed Use ☐ Addition
☐ Existing Building ☐ Tenant Improvement ☐ Remodel
☐ Historic ☐ Landscape Project

C. TOTAL NEW AND ALTERED FLOOR AREA (square feet): _____

I, THE APPLICANT/OWNER, ATTEST THAT: (check one)

- ☐ (1) I have reviewed the Green Building Ordinance and the project **DOES NOT** fall within the list of applicable project types.
☐ (2) I have reviewed the Green Building Ordinance and the project **MUST** comply with the ordinance, AND I'm submitting the required additional green building materials with this application.
☐ (3) I have reviewed the Green Building Ordinance and the project must comply with the ordinance, AND I'm submitting the required additional green building materials with this application, but a GreenPoint Rater or LEED AP is not required as the project uses the Small Commercial Checklist or the Bay Friendly Basic Checklist.

D. Name of Greepoint Rater (required for Greenpoint Rated Projects)*: _____

Name of LEED Accredited Professional (AP)*(required for LEED projects) * _____

MAILING ADDRESS: _____

PHONE: _____ E-MAIL: _____

RATING SYSTEM: _____ # OF POINTS THE PROJECT IS ANTICIPATED TO RECEIVE: _____

E. GREEN BUILDING FEATURES NOT SHOWN ON PLANS BUT PART OF CHECKLIST (include additional sheets if needed): _____

I, hereby certify under the penalty of perjury that I have reviewed the project and appropriate checklist and attest that to the best of my knowledge the proposed project would likely comply with the City of Oakland's Green Building Ordinance and attain green building certification. I, hereby further certify under the penalty of perjury, that I: 1) have no vested financial interest in the project other than my green building services, 2) have reviewed the project and appropriate green building checklist, and 3) attest that to the best of my knowledge the proposed project would likely comply with City of Oakland's Green Building Ordinance and attain green building certification.

X

Signature of the GreenPoint Rater or LEED Accredited Professional _____

Date

This permit is issued pursuant to all provisions of City of Oakland Ordinance No. 13040 CM 5, "Sustainable Green Building Requirements for Private Development." This permit is granted upon the express condition that the permittee shall be responsible for all claims and liabilities arising out of work performed under this permit or arising out of permittee's failure to perform the obligations with respect to this permit. The permittee shall, and by acceptance of this permit agrees to defend, indemnify, save and hold harmless the City, its officers and employees, from and against any and all suits, claims or actions brought by any person for or on account of any bodily injuries, disease or illness or damage to persons and/or property sustained or arising in the construction of the work performed under this permit or in consequence of permittee's failure to perform the obligations with respect to this permit. Violations of the provisions of the Green Building Ordinance are subject to fines and penalties specified under Section 20.3.030 of the Ordinance.

TO BE COMPLETED BY CITY STAFF:

CASE NUMBER(S): _____

CASE PLANNER'S NAME: _____

Note to Case Planner: Please route a copy of this form to the green building coordinator in the Planning and Zoning Division.

The City of Oakland has laws to protect residential tenants, including the Rent Adjustment Ordinance (OMC Chap. 8.22, Article I), Just Cause Eviction Ordinance (OMC Chap. 8.22, Articles II & III), Tenant Protection Ordinance (OMC Chap. 8.22, Article V) and Code Compliance Relocation Ordinance (OMC Chap. 15.60). These laws may apply to development projects under certain circumstances.

	Yes	No
A. Will the project affect existing residential units on the site, including Live/Work Units, Work/Live Units, Joint Living and Working Quarters, or unpermitted units?	☐	☐
➤ If "Yes," go to Question B. ➤ If "No," you do not need to complete the remainder of this section.		

Address: _____
 Number of dwelling units: _____
 Floor area of nonresidential: _____
 Floor area of residential: _____

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The City of Oakland has laws to protect residential tenants, including the Rent Adjustment Ordinance (OMC Chap. 8.22, Article I), Just Cause Eviction Ordinance (OMC Chap. 8.22, Articles II & III), Tenant Protection Ordinance (OMC Chap. 8.22, Article V) and Code Compliance Relocation Ordinance (OMC Chap. 15.60). These laws may apply to development projects under certain circumstances.

Note to Case Planner: If any Questions above are marked "Yes," please route a copy of this page to the Housing and Community Development Department.

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13. EQUITABLE CLIMATE ACTION PLAN CONSISTENCY

The California Environmental Quality Act (CEQA) requires the analysis of greenhouse gas (GHG) emissions and potential climate change impacts from new development. The Oakland 2030 Equitable Climate Action Plan (ECAP) serves as a citywide plan for the reduction of GHG emissions and may be used in qualitative cumulative impact analysis pertaining to development projects. Projects that demonstrate consistency with the ECAP will be considered to have no significant environmental effect pertaining to greenhouse gas emissions. Projects that do not demonstrate consistency may, at the City's discretion, prepare a more comprehensive project-specific analysis of GHG emissions consistent with CEQA requirements.

I, THE APPLICANT/OWNER, HAVE REVIEWED THE ECAP CHECKLIST AND TO THE BEST OF MY KNOWLEDGE BELIEVE THE FOLLOWING APPLIES TO THE PROJECT: (check one)

- ☐ (1) The project demonstrates consistency with the ECAP through the ECAP Checklist, which I am submitting with this application.
- ☐ (2) The project does not demonstrate consistency with one or more items on the ECAP Checklist, which I am submitting with this application, and the GHG Standard Condition of Approval will apply to the project.
- ☐ (3) The project is exempt from CEQA analysis or otherwise is not required to demonstrate consistency with the ECAP.

(Case Planner and Environmental Review Officer to Verify)

14. COMMUNITY ENGAGEMENT

Although community engagement is important for all development projects requiring discretionary approval, it is especially important for larger projects, controversial projects, and projects with the potential to cause substantial community impacts. Applicants proposing the following project types will be required to submit a written statement to the City describing the community engagement efforts undertaken to date:

	Yes	No
A. Does the application involve any of the following?		
• New residential project with 100 or more dwelling units; • New nonresidential project with 100,000 square feet or more of floor area; • New Planned Unit Development (PUD); • New subdivision of 25 or more lots; • Proposed regulatory change (Development Agreement, Rezoning, and/or General Plan Amendment); or • Any other new project requiring discretionary approval that the Planning Bureau has determined may potentially cause substantial community impacts.	☐	☒
➤ If "Yes," complete Section B below.		

B. Community Engagement Efforts. Please summarize community engagement efforts undertaken to date concerning the project, community input received concerning the project, and how the project has or has not been modified in response to community input (attach additional sheets if necessary):

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15. SUBMITTAL REQUIREMENTS: WHAT TO SUBMIT

The following information and drawings must be included in the submittal package for your application. Planning staff reserves the right to require additional plans and information as needed for certain development proposals.

The following items are required for ALL applications unless otherwise noted.
Each and every item is required at the time of application submittal.
APPLICATIONS WITH MISSING ITEMS WILL NOT BE ACCEPTED.
All fees are due at the time of application submittal.
Unless otherwise noted, all documents must be submitted electronically.

- ☒ (1) **Basic Application for Development Review**
 This application form signed and completed (including impervious surface, protected tree, creek information, the Hazardous Waste and Substances Statement, and green building sections). Clear and legible scanned copies or copies with secure electronic signatures are required.
- ☐ (2) **Supplemental Forms and Findings**
 Explanation describing how the proposal complies with City requirements (forms provided by staff).
☐ DRX, DS, DR, or SP supplemental findings.
☐ CUP and/or Variance supplemental findings.
☐ TPM/TTM supplemental findings.
☐ Other extra CUP or DR findings, such as alcohol, ground floor use, extra units, telecom (mini, micro, macro), etc.
☐ Specific Plans Design Guidelines Checklist (Broadway Valley District, Central Estuary, Lake Merritt Station, or West Oakland).
☐ Affordable Housing Density Bonus Requirements and Checklist.
☐ Oakland 2030 Equitable Climate Action Plan (ECAP) Consistency Checklist.
- ☐ (3) **Assessor's Parcel Map**
 Available at the City of Oakland Engineering Services or Zoning counters, the County Assessor's Office, 1221 Oak St. or the County Assessor's website at <http://acessor.org/MS/prop/index.aspx>
- ☐ (4) **Photographs**
☐ Color photographs showing the existing structure or lot as seen from across the street and from the front, side and rear property lines. Label each photograph with the view pictured (e.g., front, side, rear, across the street).
☐ Color photographs showing the 20 nearest neighbors from the street (5 nearest lots on either side, 10 nearest lots across the street). Label each photograph with the address pictured.
- ☒ (5) **Plans** (see supplemental requirements for all Tentative Parcel Map (TPM), Tentative Tract Map (TTM), Parcel Map Waiver (PMW) applications).
 • Full-sized plans and reduced plans (11" x 17") are required for all applications. For Major Permits, a color 11"x17" rendering MUST be submitted.
 • Include north arrow, date prepared and scale.
 • Acceptable drawing scales are: 1/4" = 1', 3/16" = 1', 1/8" = 1', and 1" = 10'. Other scales may be appropriate, but should be discussed with Planning staff before filing. Also, please limit the range of scales used, so Planning staff can more easily analyze your project in relation to adjacent properties.
 • Include the name and phone number of person preparing the plan(s). As appropriate or required, include the stamp and "wet signature" of any licensed architect, landscape architect, surveyor and/or civil engineer preparing final plans.
 • Show all encroachments over the public Right-of-Way.
 • All submittals are required to provide an electronic submission of all the required submittal items at time of intake. Plan sets will have two copies submitted, one (1) low resolution and one (1) high resolution in .PDF format. Each item will be scanned separately and clearly identified. For each revision of the project, the applicant will be required to submit an electronic submittal of all the material being revised as directed by Planning staff.
- ☒ (a) **Survey** (required only for the following project types listed below)
 • Must be no more than 3 years old from the time of submittal – date of survey must be included.
 • Must be prepared by a California State Licensed Land Surveyor or by a Civil Engineer with a license number below 33966 (licensed prior to January 1, 1982).
 • Include the wet stamp and signature of the Land Surveyor or Civil Engineer who prepared the survey.
 • Include the applicable surveyor's statement in accordance with the Professional Land Surveyors Act.
 • In addition to paper copies, the survey must also be submitted on a CD.
Required for all new buildings and >100% footprint additions to existing buildings (except small non-habitable buildings).

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- ☐ Full boundary & topographic survey with field-verifiable monuments set or found by the surveyor.
- ☐ Location, dimensions, and dimensions to property lines of all existing buildings and similar structures.
- Required for any building or addition within any required setback:
- ☐ Applicable line survey with field-verifiable monuments set or found by the surveyor.
- ☐ Location, dimensions, & dimensions to property line of existing buildings & similar structures adjacent to relevant property line.
- Required for any building or addition located on a lot with a slope of 20% or more:
- ☐ Site topography for all areas of proposed work and for all existing driveways, buildings, and similar structures.
- ☐ Location and dimensions for all existing driveways, buildings, and similar structures.
- ☒ (b) **Site Plan**
 - ☐ Location and dimensions of all property boundaries.
 - ☐ Location and dimensions of all existing and proposed buildings, decks, stairs, and patios.
 - ☐ Dimensions of all existing and proposed building setbacks from property lines.
 - ☐ Location of building footprints and approximate height of buildings on adjacent lots.
 - ☐ Location, dimensions, and paving materials of all adjacent sidewalks, curbs, curb-cuts (including curb-cuts on adjacent neighbor's lots), and streets.
 - ☐ Location and dimension of all existing and proposed driveways, garages, carports, vehicle parking spaces, bicycle parking spaces, maneuvering aisles, wheel-stops, pavement striping/markings, and directional signage. Indicate existing and proposed paving materials.
 - ☐ Location, height, and building materials of all existing and proposed fencing and walls.
 - ☐ Location, height (including top and bottom elevation measurements), and building materials of all existing and proposed retaining walls.
 - ☐ Location and size (dbh) of all existing trees and indication of any trees to be removed, include trees on neighboring properties that are within 10 feet of construction.
 - ☐ Location of drainage ways, creeks, and wetlands (check with the Engineering Services Division for this information)
 - ☐ Roof plan showing roof slope and direction, and location of mechanical equipment, ducts, and vents.
 - ☐ For projects located on a lot with a slope of 20% or more: Show existing and proposed topographic contours overlaid with proposed roof plan and indicating roof ridge spot elevations.
 - ☐ For multi-family residential projects: Show the location, dimension, slope, and site area of all existing and proposed Group Usable Open Space and Private Usable Open Space, including a summary table of site area.
 - ☐ For projects in all Residential, Commercial, and Industrial Zones, including the CIX-1A Zone, show any building to be demolished, both historic and non-historic.
 - ☐ Location and size of storage area for recycling containers (see page 7 for more information).
- ☐ (c) **Landscape Plan** (required for new buildings, new dwellings, residential additions of more than 500 sq. ft., and nonresidential additions of more than 1,000 sq. ft.)
 - ☐ Indicate any existing landscaping and new landscaping.
 - ☐ Indicate the size, species, location, and method of irrigation for all plantings.
 - ☐ Include the square footage of new landscaping, if over 500 square feet or over 2,500 square feet of new landscaping please provide all requirements per the Water Efficiency Landscape Ordinance (WELCO)
 - ☐ Include all existing and proposed groundcovers, driveways, walkways, patios, and other surface treatments.
- ☐ (d) **Floor Plan**
 - ☐ Include complete floor plan of all floors of entire building, including existing and proposed work.
 - ☐ Label all rooms (e.g., bedroom, kitchen, bathroom), and include dimensions of room sizes.
 - ☐ Show the location of all existing and proposed doors, windows, and walls.
 - ☐ Location of and distance to all adjacent property boundaries.
 - ☐ For non-residential projects: show all existing and proposed seating areas, mechanical/kitchen equipment, and/or other major functional components of the proposed project.
- ☐ (e) **Elevations** (required only for new construction, additions, or exterior alterations)
 - ☐ Show all structure elevations (front, sides and rear) that will be affected by the proposed project.
 - ☐ For additions/alterations: label existing and new construction, as well as items to be removed.
 - ☐ Identify all existing and proposed exterior materials - including roofing, roof eaves, eave brackets, siding, doors, trim, sills, windows, fences, and railings. Show details of proposed new exterior elements, including a complete window and door schedule.
 - ☐ Show any exterior mechanical, duct work, and/or utility boxes.
 - ☐ Include dimensions for building height and wall length.
- ☐ (f) **Cross Sections** (required only for buildings or additions located on a lot with a slope of 20% or more)
 - ☐ Include all critical cross sections, including at least one passing through the tallest portion of the building.
 - ☐ Include floor plate and roof plate elevation heights.

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- ☐ Location of and distance to all adjacent property boundaries.
- ☐ Label the location of the cross-sections on the site plan.
- ☐ (g) **Tree Survey** (required only for projects which involve a Tree Preservation/Removal Permit [see page 5])
 - ☐ Include north arrow, date prepared and scale (Tree Survey should be drawn to the same scale as the Site Plan).
 - ☐ Include the name & phone number of person preparing the plan(s). As appropriate or required, include the stamp & "wet signature" of any licensed architect, landscape architect, surveyor and/or civil engineer preparing final plans.
 - ☐ For new construction on an undeveloped lot: include the stamp and "wet signature" of the licensed architect, landscape architect and/or civil engineer preparing the survey.
 - ☐ Indicate the size (dbh), species, and location of all protected trees within 30 feet of development activity on the subject lot, regardless of whether or not the protected trees are included on any tree preservation/removal permit application.
 - ☐ Label all protected trees that are located within 10 feet of construction (including trees located on neighbor's properties or the adjacent public right-of-way) with the matching number or letter from the Tree Preservation/Removal Permit application (see section 6 of this application).
- ☐ (h) **Shadow Study** (for DS-III projects and other two-story DR projects for one- and two-units)
 - ☐ Include a roof plan of proposed house/addition with adjacent homes and show the shadows at different times of the day as shown in the Design Review Manual for One- and Two-Unit Residences on page 2.1 and 2.2.
- ☒ (i) **Grading Plan** (required only if the project proposes any site grading)
 - ☐ Show proposed grading plan and/or map showing existing and proposed topographic contours (this may be combined with the Site Plan for small projects with only minor grading).
 - ☐ Include an erosion & sedimentation control plan.
 - ☐ Include a summary table of all proposed excavation, fill, and off-lot volumes.
- The following are required only for non-residential, mixed-use, and/or multi-family residential projects.
- ☐ (j) **Sign Plan** (required only for non-residential and mixed-use projects)
 - ☐ Include fully dimensioned color elevations for all proposed signs.
 - ☐ Indicate proposed sign location(s) on site plan.
 - ☐ Indicate proposed material(s) and method of lighting for all proposed signs.
- ☐ (k) **Lighting Plan** (required only for non-residential, multi-family residential, and mixed-use projects)
 - ☐ Show the type and location of all proposed exterior lighting fixtures (this may be combined with the Site Plan for small projects).
- ☐ (l) **Materials & Color Board** (required only for non-residential, multi-family residential, and mixed-use projects involving new construction or an addition/alteration that does not match existing materials and colors)
 - ☐ Limit board(s) to a maximum size of 9" x 12". Large projects (generally more than 25 dwelling units or 50,000 square feet of floor area) should also submit a large sized materials & color board (24" x 36") for use at public hearings.
 - ☐ Include samples of proposed exterior building materials and paint colors.
 - ☐ Include manufacturer's brochures as appropriate.
- ☐ (m) **Three-dimensional Exhibits** (required only for large projects with more than 25 dwelling units or 50,000 square feet of floor area)
 - ☐ Provide color perspective drawings showing the project from all major public vantage points, or provide a scale model of the proposed project.
- ☐ (n) **Preliminary Post-Construction Stormwater Management Plan*** (required only for "Regulated Projects" subject to NPDES C.3 stormwater requirements [see page 4 for more information])
 - ☐ Show location and size of new and replaced impervious surface.
 - ☐ Show directional surface flow of stormwater runoff.
 - ☐ Show location of proposed on-site storm drain lines.
 - ☐ Show preliminary type and location of proposed site design measures, source control measures, and stormwater treatment measures.
 - ☐ Show preliminary type and location of proposed hydromodification management measures (if applicable).
 - ☐ * Please refer to the Stormwater Supplemental Form for more information concerning NPDES C.3 requirements. The Stormwater Supplemental Form must also be submitted with the application.
- ☐ (7) **Preliminary Title Report or deed not more than 60 days old** (required for all Tentative Parcel Map (TPM), Tentative Tract Map (TTM), Parcel Map Waiver (PM-W), Rezoning, and General Plan Amendment applications, and any application where the owner information does not match the current Alameda County Assessor's records)
- ☐ (8) **Fees** (all fees are due at the time of application submittal)

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EcoBlock Water Improvement
The Regents of the University of California, Berkeley

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- Additional fees may be required if the project changes or based on staff's environmental determination.

- ☐ (9) **Additional Telecom Information Required** (See full requirements in Chapter 17.128 in the Oakland Planning Code)
- ☐ For Telecom facilities on private property, for the whole parcel, indicate the total number of existing and proposed antennas and equipment cabinets, their location, and the carriers they serve (please include all wireless carriers). Also indicate area, height, and width of all equipment cabinets and antennas (existing and proposed).
 - ☐ Additional Telecom CUP & DR findings for either: Mini, Micro, Macro, Monopole, or Tower (See definitions in 17.10.869).
 - ☐ For Small Wireless Facilities (SWF) in the public right-of-way, complete the SWF Design Guidelines Checklist.
 - ☐ Include Radio Frequency emissions report (RF), see Section 17.128.130 and the SWF Design Guidelines Checklist for requirements.
 - ☐ If a revision, please include previous approved case number if applicable and can be obtained.
 - ☐ If swapping out & replacing existing antennas, include existing & proposed heights of antennas (per Federal Section 6409).
- ☐ (10) **Replacement Unit Documentation**
- ☐ Information to prove vacancy or occupancy status of existing units or units demolished within the past five years. Examples include utility bills, property tax bills, IRS forms with W2s, lease agreements.
- ☐ (11) **Transportation Demand Management (TDM) Plan** (required for all project generating 50 or more net new a.m. or p.m. peak hour vehicle trips)
- ☐ TDM Plan requirements are provided in the City of Oakland Transportation Impact Review Guidelines.
- ☐ (12) **By Right Residential Approval** (See full requirements in Planning Code Section 17.136.023)
- This requirement applies to all projects subject to By Right Residential Approval – S-13 streamlining, S-14 streamlining, and projects for Affordable Housing where one hundred percent 100% of the housing units, other than manager's units, are deed-restricted affordable housing.
- PROJECT NOTICING REQUIREMENTS:**
- ☐ Generate and send by U.S. Postal Service (USPS) a notice to all building owners and occupants located within 300 feet of the property lines (property edges) of the affected site (see sample template). If there is more than one parcel in the project, it should be measured from the furthestmost edges of all parcels involved. This must be done prior to submittal.
 - ☐ Proof of mailing (and a copy of your notice) must be provided to the City at the time of submittal. Failure to provide such proof will be grounds for rejecting your application. You will be responsible for working with an outside entity to obtain the mailing lists for noticing; the City will not provide these to you.

For any questions regarding this application, contact us via our [Permit & Services Questions Portal](#) or call the [Zoning Information Line](#) below.

Zoning Information:

Hotline: (510) 238-3911 (leave voicemail)

Walk-in: Mon 9am - 3 pm, Wed 10 am - 2 - pm

By Appt: Tue, Thu 9 am - 4 pm ([schedule online](#))

Planning & Building Department website: <https://www.oaklandca.gov/departments/planning-and-building>

Appendix E: City of Oakland Creek Protection Permit Decision Letter

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • SUITE 3315 • OAKLAND, CALIFORNIA 94612

Planning and Building Department
Bureau of Planning(510) 238-3941
FAX (510) 238-6538
TDD (510) 238-3254

April 30, 2024

Jonathan Keim-Shenk

2548 Mission Street
San Francisco, CA. 94110

RE: Case File No. [REDACTED]

Dear Applicant:

Your application, as described below, has been **APPROVED** for the reasons stated in Attachment A, which contains the findings required to support this decision. Attachment B contains the Conditions of Approval for the project. This decision is effective ten (10) days after the date of this letter unless appealed pursuant to the procedures set forth below.

The following table summarizes the proposed project

Proposal:	Creek Protection Permit to perform right-of-way improvements within 20 feet of the top of bank of Sausal Creek. Improvements include an end-of-block stormwater treatment facility and the rehabilitation or replacement of a single catch basin. The proposal includes creek protection measures.
Planning Permits Required:	Category III Creek Permit
General Plan:	Mixed Housing Residential
Zoning:	RM-3
Environmental Determination:	15301(i) - Maintenance of Stream Channels and 15183 - Projects Consistent with a Community Plan, General Plan, or Zoning
Historic Status:	N/A
City Council District:	CCD5

CP24001; 3001 Blossom Street

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If you, or any interested party, seeks to challenge this decision, an appeal **must** be filed by no later than ten (10) calendar days from the date of this letter, by 4:00 p.m. on May 10, 2024. An appeal shall be on a form provided by the Bureau of Planning of the Planning and Building Department, and submitted via email to: (1) Andrea Ramirez, Planner I, at aramirez2@oaklandca.gov and (2) Robert Merkamp, Zoning Manager, at Rmerkamp@oaklandca.gov, and (3) Catherine Payne, Development Planning Manager, at Cpayne@oaklandca.gov. The appeal form is available online at <https://www.oaklandca.gov/documents/appeal-application-form>. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Zoning Manager or decision-making body or wherein the decision is not supported by substantial evidence. Applicable appeal fees in the amount of \$2,599.09 in accordance with the City of Oakland Master Fee Schedule must be paid within five (5) calendar days of filing the appeal.

If the fifth (5th) calendar day falls on a weekend or City holiday, appellant will have until the end of the following City business day to pay the appeal fee. Failure to timely appeal (or to timely pay all appeal fees) will preclude you, or any interested party, from challenging the City's decision in court. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so may preclude you, or any interested party, from raising such issues during the appeal and/or in court. However, the appeal will be limited to issues and/or evidence presented to the Zoning Manager prior to the close of the previously noticed public comment period on the matter. For further information, see the attached Interim City Administrator Emergency Order No. 3 and Interim Procedures for Appeals of City Planning Bureau Decisions for Development Projects.

If the ten (10) day appeal period expires without an appeal, you are expected to contact Andrea Ramirez in order to receive the signed Notice of Exemption (NOE) certifying that the project has been found to be exempt from CEQA review. It is your responsibility to record the NOE and the Environmental Declaration at the Alameda County Clerk's office at 1106 Madison Street, Oakland, CA 94612, at a cost of \$50.00 made payable to the Alameda County Clerk. Please bring the original NOE related documents and five copies to the Alameda County Clerk and return one date stamped copy to the Bureau of Planning, to the attention of Andrea Ramirez, Planner I. Pursuant to Section 15062(d) of the California Environmental Quality Act (CEQA) Guidelines, recordation of the NOE starts a 35-day statute of limitations on court challenges to the approval under CEQA. The NOE will also be posted on the City website at <https://aca.aucela.com/OAKLAND/Welcome.aspx>.

If you have any questions, please contact the case planner, Andrea Ramirez, Planner I at (510) 238-6966 or aramirez2@oaklandca.gov, however, this does not substitute for filing of an appeal as described above.

Very Truly Yours,

ROBERT D. MERKAMP
Zoning Manager

Attachments:

- A. Findings
- B. Conditions of Approval, including Standard Conditions of Approvals
- C. Interim City Administrator Emergency Order No. 3 and Interim Procedures for Appeals of City Planning Bureau Decisions for Development Projects

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ATTACHMENT A
CREEK PERMIT FINDINGS ATTACHED AND INCORPORATED INTO
CASE: CP2

A creek protection permit may be issued only if the answer to each finding below is "No" and facts supporting each answer are specified following each.

If in the opinion of the Director of Building Services the following findings can be met with imposition of Conditions for issuance, pursuant to OMC Section 13.16.190, the Director of Building Services may grant a Creek Protection Permit upon imposition of such conditions.

Findings and Supporting Facts

Pursuant to OMC Section 13.16.200, the following findings are made in support of the decision to issue a Creek Protection Permit: (please explain why, and include facts from the record that support any answer).

1. Will the proposed activity (during construction and after project is complete) (directly or indirectly) cause a substantial adverse impact on the creek?

☐ Yes/☒ No

The proposed project will not cause substantial adverse impacts on the adjacent creek. The project, located in the public right-of-way, will improve the quality of stormwater runoff that flows into the creek by capturing upstream runoff in a single bioretention area, treating it, and reducing flow velocities running from the storm drain into the creek. The project includes creek protection measures intended to mitigate impacts to the creek, including fiber roll perimeters around areas to be excavated and inlet protection around a single catch basin which is downstream of the proposed limit of work. Material stockpiling will take place upstream of the fiber roll protected area. Best management practices include best practices for handling, storage, and disposal of construction materials, the management of stormwater runoff, spill prevention and control measures, tool use and cleaning measures, and the covering of storm drain inlets onsite. A complete description of best management practices can be found in the Creek Protection Plans approved by Watershed and Stormwater Management staff at the City of Oakland.

In making the above finding, the Director of Building Services must, at a minimum, consider the following factors:

1. Will the proposed activity discharge a substantial amount of pollutants into the creek?

☐ Yes/☒ No

The Project will not discharge substantial amounts of pollutants into the creek. Proposed project work will be separated from the creek by an existing fence with vertical slats and temporary fiber roll protection around areas of excavation for the duration of construction. Construction personnel will be educated on proper waste handling procedures and best management practices to reduce debris, dust control, and prevent pollution. Relevant measures include, but are not limited to, the covering and protecting of stormwater drains onsite, a designated tool cleaning area, and the appropriate storage of construction materials within designated areas away from the creek.

2. Will the proposed activity result in substantial modifications to the natural flow of water in the creek?

☐ Yes/☒ No

The proposed project will not alter the direction of natural channel flow in any way. Construction workers will be instructed not to travel beyond the existing fence and fiber rolls will be placed around the excavation area to prevent damage to the creek. The completed project is expected to improve the flow of water in the creek by reducing flow velocities from stormwater runoff.

CP24001; 3001 Blossom Street

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3. Will the proposed activity deposit a substantial amount of new material into the creek or cause substantial bank erosion or instability?

☐ Yes/☒ No

No work is proposed that will modify the creek bank; or result in bank erosion or instability. Proposed project work will be separated from the creek by temporary straw wattles and silt fencing for the duration of construction, and construction personnel will be educated on proper waste handling procedures and best management practices to reduce debris, dust control, and prevent pollution. Relevant measures include the covering and protecting of stormwater drains onsite, the appropriate storage of construction materials within designated areas away from the creek.

4. Will the proposed activity result in substantial alteration of the capacity of the creek?

☐ Yes/☒ No

The proposed project will not result in substantial alteration of the capacity of the creek. Construction will take place 72 ft from the creek and no construction workers or activity will be permitted beyond the silt fencing.

5. Are there any other factors which would indicate that the proposed activity will adversely affect the creek?

☐ Yes/☒ No

Staff is not aware of any other factors that would result in adverse impacts to the creek as a result of this project. The stormwater retrofit project is expected to affect the creek positively by reducing the flow of stormwater runoff that drains into Sausal Creek and treating the water before it enters the storm drain.

6. Will the proposed activity substantially adversely affect the riparian corridor, including riparian vegetation, animal wildlife or result in loss of wildlife habitat?

☐ Yes/☒ No

The proposed work will not substantially adversely affect the riparian corridor, vegetation, wildlife, or wildlife habitat associated with the creek. Creek protection measures will be implemented to mitigate any potential impacts to the creek including fiber rolls to control erosion and runoff; a temporary washout facility; and the avoidance of any construction activities within the creek facility itself.

7. Will the proposed activity substantially degrade the visual quality and natural appearance of the riparian corridor?

☐ Yes/☒ No

The proposed work will not substantially degrade the visual quality and natural appearance of the riparian corridor. As previously discussed, construction will take place in the public right-of-way and will not encroach upon the riparian corridor. Various protection measures will be implemented alongside project work to mitigate any potential impacts to the riparian corridor.

8. Is the proposed activity inconsistent with the intent and purposes of OMC Chapter 13.16?

☐ Yes/☒ No

The scope of the proposed work for creek protection complies in all significant elements of the Creek Protection Ordinance, Chapter 13.16 where creek protection measures prevent discharge of pollutants into the creek, prevent sedimentation into the creek, and prevent erosion of the creek bank.

9. Will the proposed activity substantially endanger public or private property?

☐ Yes/☒ No

The proposed activity will not likely result in substantial danger to public or private property. By utilizing the creek protection measures and enforcing best management practices as described above, all potential debris and contaminants will be contained at the site and all waste will be properly disposed of.

10. Will the proposed activity (directly or indirectly) substantially threaten the public's health or safety?

☐ Yes/☒ No

Conformance with the creek protection plan will prevent discharge of pollutants and sedimentation into the creek, and erosion of the creek bank, through the incorporation of creek protection measures and best management practices. Accordingly, project work will not substantially threaten the public's health and safety.

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ATTACHMENT B: CONDITIONS OF APPROVAL

The proposal is hereby approved subject to the following Conditions of Approval:

1. Approved Use

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, and the approved plans **February 2462024**, as amended by the following conditions of approval and mitigation measures, if applicable ("Conditions of Approval" or "Conditions").

2. Effective Date, Expiration, Extensions and Extinguishment

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten (10) calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire **five years** from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period a complete building permit application has been filed with the Bureau of Building and diligently pursued towards completion, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

3. Compliance with Other Requirements

The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Bureau of Building, Fire Marshal, Department of Transportation, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition #4.

4. Minor and Major Changes

- Minor changes to the approved project, plans, Conditions, facilities, or use may be approved administratively by the Director of City Planning
- Major changes to the approved project, plans, Conditions, facilities, or use shall be reviewed by the Director of City Planning to determine whether such changes require submittal and approval of a revision

to the Approval by the original approving body or a new independent permit/approval. Major revisions shall be reviewed in accordance with the procedures required for the original permit/approval. A new independent permit/approval shall be reviewed in accordance with the procedures required for the new permit/approval.

5. Compliance with Conditions of Approval

- The project applicant and property owner, including successors, (collectively referred to hereafter as the "project applicant" or "applicant") shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and approved technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.
- The City of Oakland reserves the right at any time during construction to require certification by a licensed professional at the project applicant's expense that the as-built project conforms to all applicable requirements, including but not limited to, approved maximum heights and minimum setbacks. Failure to construct the project in accordance with the Approval may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension, or other corrective action.
- Violation of any term, Condition, or project description relating to the Approval is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approval or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Approval or Conditions.*

6. Signed Copy of the Approval/Conditions

A copy of the Approval letter and Conditions shall be signed by the project applicant, attached to each set of permit plans submitted to the appropriate City agency for the project, and made available for review at the project job site at all times.

7. Blight/Nuisances

The project site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within sixty (60) days of approval, unless an earlier date is specified elsewhere.

8. Indemnification

- To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called "City") from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- Within ten (10) calendar days of the filing of any Action as specified in subsection (a) above, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense

Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

9. Severability

The Approval would not have been granted but for the applicability and validity of each and every one of the specified Conditions, and if one or more of such Conditions is found to be invalid by a court of competent jurisdiction this Approval would not have been granted without requiring other valid Conditions consistent with achieving the same purpose and intent of such Approval.

10. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Monitoring

The project applicant may be required to cover the full costs of independent third-party technical review and City monitoring and inspection, including without limitation, special inspector(s) inspection(s) during times of extensive or specialized plan-check review or construction, and inspections of potential violations of the Conditions of Approval. The project applicant shall establish a deposit with Engineering Services and/or the Bureau of Building, if directed by the Director of Public Works, Building Official, Director of City Planning, Director of Transportation, or designee, prior to the issuance of a construction-related permit and on an ongoing as-needed basis.

11. Public Improvements

The project applicant shall obtain all necessary permits/approvals, such as encroachment permits, obstruction permits, curb/gutter/sidewalk permits, and public improvement ("p-job") permits from the City for work in the public right-of-way, including but not limited to, streets, curbs, gutters, sidewalks, utilities, and fire hydrants. Prior to any work in the public right-of-way, the applicant shall submit plans for review and approval by the Bureau of Planning, the Bureau of Building, Engineering Services, Department of Transportation, and other City departments as required. Public improvements shall be designed and installed to the satisfaction of the City.

12. Regulatory Permits and Authorizations from Other Agencies

Requirement: The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.

When Required: Prior to activity requiring permit/authorization from regulatory agency

Initial Approval: Approval by applicable regulatory agency with jurisdiction; evidence of approval submitted to Bureau of Planning

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

13. Trash and Blight Removal

Requirement: The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

14. Graffiti Control

Requirement:

- a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:
 - a. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.
 - b. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.
 - c. Use of paint with anti-graffiti coating.
 - d. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).
 - e. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.
- b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:
 - i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system.
 - ii. Covering with new paint to match the color of the surrounding surface.
 - iii. Replacing with new surfacing (with City permits if required).

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

15. Lighting

Requirement: Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

16. Dust Controls – Construction Related

Requirement: The project applicant shall implement all of the following applicable dust control measures during construction of the project:

1. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible.
2. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).

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3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. Limit vehicle speeds on unpaved roads to 15 miles per hour.
5. All demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph.
6. All trucks and equipment, including tires, shall be washed off prior to leaving the site.
7. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

17. Criteria Air Pollutant Controls - Construction Related

Requirement: The project applicant shall implement all of the following applicable basic control measures for criteria air pollutants during construction of the project as applicable:

- a. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points.
- b. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations").
- c. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. Equipment check documentation should be kept at the construction site and be available for review by the City and the Bay Area Air Quality District as needed.
- d. Portable equipment shall be powered by grid electricity if available. If electricity is not available, propane or natural gas generators shall be used if feasible. Diesel engines shall only be used if grid electricity is not available and propane or natural gas generators cannot meet the electrical demand.
- e. Low VOC (i.e., ROG) coatings shall be used that comply with BAAQMD Regulation 8, Rule 3: Architectural Coatings.
- f. All equipment to be used on the construction site shall comply with the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") and upon request by the City (and the Air District if specifically requested), the project applicant shall provide written documentation that fleet requirements have been met.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

18. Exposure to Air Pollution (Toxic Air Contaminants)

a. Health Risk Reduction Measures

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Requirement: The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods:

- a. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. The approved risk reduction measures shall be implemented during construction and/or operations as applicable.
- or -
- b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:
 - i. Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.
 - ii. Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).
 - iii. Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.
 - iv. The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods.
 - v. Sensitive receptors shall be located on the upper floors of buildings, if feasible.
 - vi. Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (*Pinus nigra* var. *maritima*), Cypress (*X Cupressocyparis leylandii*), Hybrid poplar (*Populus deltoids X trichocarpa*), and Redwood (*Sequoia sempervirens*).
 - vii. Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.
 - viii. Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible.
 - ix. Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:
 - a. Installing electrical hook-ups for diesel trucks at loading docks.
 - b. Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards.
 - c. Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels.
 - d. Prohibiting trucks from idling for more than two minutes.

- e. Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

19. Maintenance of Health Risk Reduction Measures

Requirement: The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

20. Archaeological and Paleontological Resources – Discovery During Construction

Requirement: Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.

In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant. The project applicant shall implement the ARDTP at his/her expense.

In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

21. Human Remains – Discovery During Construction

Requirement: Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

22. Construction-Related Permit(s)

Requirement: The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

23. Hazardous Materials Related to Construction

Requirement: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:

- a. Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction;
- b. Avoid overtopping construction equipment fuel gas tanks;
- c. During routine maintenance of construction equipment, properly contain and remove grease and oils;
- d. Properly dispose of discarded containers of fuels and other chemicals;
- e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and
- f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the

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environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

24. Erosion and Sedimentation Control Measures for Construction

Requirement: The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

25. Site Design Measures to Reduce Stormwater Runoff

Requirement: Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate site design measures into the project to reduce the amount of stormwater runoff. These measures may include, but are not limited to, the following:

- i. Minimize impervious surfaces, especially directly connected impervious surfaces and surface parking areas;
- ii. Utilize permeable paving in place of impervious paving where appropriate;
- iii. Cluster structures;
- iv. Direct roof runoff to vegetated areas;
- v. Preserve quality open space; and
- vi. Establish vegetated buffer areas.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

26. Source Control Measures to Limit Stormwater Pollution

Requirement: Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate source control measures to limit pollution in stormwater runoff. These measures may include, but are not limited to, the following:

- a. Stencil storm drain inlets "No Dumping - Drains to Bay;"
- b. Minimize the use of pesticides and fertilizers;
- c. Cover outdoor material storage areas, loading docks, repair/maintenance bays and fueling areas;
- d. Cover trash, food waste, and compactor enclosures; and
- e. Plumb the following discharges to the sanitary sewer system, subject to City approval:
 - a. Discharges from indoor floor mats, equipment, hood filter, wash racks, and, covered outdoor wash racks for restaurants;

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- b. Dumpster drips from covered trash, food waste, and compactor enclosures;
- c. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories;
- d. Swimming pool water, if discharge to on-site vegetated areas is not feasible; and
- e. Fire sprinkler test water, if discharge to on-site vegetated areas is not feasible.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: N/A

27. Vegetation Management on Creekside Properties

Requirement: The project applicant shall comply with the following requirements when managing vegetation prior to, during, and after construction of the project:

- a. Identify and leave "islands" of vegetation in order to prevent erosion and landslides and protect habitat;
- b. Trim tree branches from the ground up (limbing up) and leave tree canopy intact;
- c. Leave stumps and roots from cut down trees to prevent erosion;
- d. Plant fire-appropriate, drought-tolerant, preferably native vegetation;
- e. Provide erosion and sediment control protection if cutting vegetation on a steep slope;
- f. Fence off sensitive plant habitats and creek areas if implementing goat grazing for vegetation management;
- g. Obtain a Tree Permit before removing a Protected Tree (any tree 9 inches diameter at breast height (dbh) or greater and any oak tree 4 inches dbh or greater, except eucalyptus and Monterey pine);
- h. Do not clear-cut vegetation. This can lead to erosion and severe water quality problems and destroy important habitat;
- i. Do not remove vegetation within 20 feet of the top of the creek bank. If the top of bank cannot be identified, do not cut within 50 feet of the centerline of the creek or as wide a buffer as possible between the creek centerline and the development;
- j. Do not trim/prune branches that are larger than 4 inches in diameter;
- k. Do not remove tree canopy;
- l. Do not dump cut vegetation in the creek;
- m. Do not cut tall shrubbery to less than 3 feet high; and
- n. Do not cut short vegetation (e.g., grasses, ground-cover) to less than 6 inches high.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

28. Creek Protection Plan

i. Creek Protection Plan Required

Requirement: The project applicant shall submit a Creek Protection Plan for review and approval by the City. The Plan shall be included with the set of project drawings submitted to the City for site improvements and shall incorporate the contents required under section 13.16.150 of the Oakland Municipal Code including Best Management Practices ("BMPs") during construction and after construction to protect the creek. Required BMPs are identified below in sections (b), (c), and (d).

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

ii. Construction BMPs

Requirement: The Creek Protection Plan shall incorporate all applicable erosion, sedimentation, debris, and pollution control BMPs to protect the creek during construction. 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. The project applicant shall implement mechanical and vegetative measures to reduce erosion and sedimentation, including appropriate seasonal maintenance. One hundred (100) percent biodegradable 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.
- e. Install filter materials (such as sandbags, filter fabric, etc.) acceptable to the City at the storm drain inlets nearest to 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 creek or 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 it in a dumpster or other container which is emptied or removed at least 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, street, gutter, or storm drains.
- 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 Control Board (RWQCB).
- 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 the City.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

iii. Post-Construction BMPs

Requirement: The project shall not result in a substantial increase in stormwater runoff volume or velocity to the creek or storm drains. The Creek Protection Plan shall include site design measures to reduce the amount of impervious surface to maximum extent practicable. New drain outfalls shall include energy dissipation to slow the velocity of the water at the point of outflow to maximize infiltration and minimize erosion.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

iv. Creek Landscaping

Requirement: The project applicant shall include final landscaping details for the site on the Creek Protection Plan, or on a Landscape Plan, for review and approval by the City. Landscaping information shall include a planting schedule, detailing plant types and locations, and a system to ensure adequate irrigation of plantings for at least one growing season.

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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

v. Creek Protection Plan Implementation

Requirement: The project applicant shall implement the approved Creek Protection Plan during and after construction. During construction, all erosion, sedimentation, debris, and pollution control measures shall be monitored regularly by the project applicant. The City may require that a qualified consultant (paid for by the project applicant) inspect the control measures and submit a written report of the adequacy of the control measures to the City. If measures are deemed inadequate, the project applicant shall develop and implement additional and more effective measures immediately.

When Required: During construction; ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

29. Construction Days/Hours

Requirement: The project applicant shall comply with the following restrictions concerning construction days and hours:

- i. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.

CP24001; 3001 Blossom Street

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- ii. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.
- iii. No construction is allowed on Sunday or federal holidays.

Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.

Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

30. Construction Noise

Requirement: The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:

- a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible.
- b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.
- c. Applicant shall use temporary power poles instead of generators where feasible.
- d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.
- e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

31. Operational Noise

CP24001; 3001 Blossom Street

Page 18

Requirement: Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

32. Construction Activity in the Public Right-of-Way

a. Obstruction Permit Required

Requirement: The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets, sidewalks, bicycle facilities, and bus stops.

When Required: Prior to approval of construction-related permit

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

b. Traffic Control Plan Required

Requirement: In the event of obstructions to vehicle or bicycle travel lanes, bus stops, or sidewalks, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian accommodations (or detours, if accommodations are not feasible), including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The Traffic Control Plan shall be in conformance with the City's Supplemental Design Guidance for Accommodating Pedestrians, Bicyclists, and Bus Facilities in Construction Zones. The project applicant shall implement the approved Plan during construction.

Initial Approval: Department of Transportation

Monitoring/Inspection: Department of Transportation

33. Repair of City Streets

Requirement: The project applicant shall repair any damage to the public right-of-way, including streets and sidewalks, caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.

When Required: Prior to building permit final

Initial Approval: N/A

Monitoring/Inspection: Department of Transportation

34. Construction and Demolition Waste Reduction and Recycling

Requirement: The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a

Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalosystems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.

When Required: Prior to approval of construction-related permit

Initial Approval: Public Works Department, Environmental Services Division

Monitoring/Inspection: Public Works Department, Environmental Services Division

35. Underground Utilities

Requirement: The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

Applicant Statement

I have read and accept responsibility for the Conditions of Approval. I agree to abide by and conform to the Conditions of Approval, as well as to all provisions of the Oakland Planning Code and Oakland Municipal Code pertaining to the project.

Jonathan Keim-Sherk
Name of Project Applicant

J. Keim-Sherk
Signature of Project Applicant

5/16/2024
Date

Appendix F: Engineer's Estimate of Probable Construction Costs for the End-of-Block Stormwater Bioretention Facility



Engineer's Estimate of Probable Construction Costs
EcoBlock Stormwater Retrofit
08/01/2023

Item	Quantity	Units	Unit Price	Total Cost	Notes
1 Materials and Installation					
Site Preparation and Demolition					
Sawcut asphalt pavement	50	LF	\$2.96	\$148	
Demo AC pavement	225	SF	\$2.45	\$550	
Demo concrete pavement	1110	SF	\$2.45	\$2,716	
Clear and grub	1,070	SF	\$0.65	\$697	
Demo curb	35	LF	\$18.38	\$643	
Replace Fence with Slats (protect posts)	1	LS	\$500.00	\$500	
Site Paving and Landscaping					
CIP concrete paving (pedestrian)	165	SF	\$27.30	\$4,505	
Concrete driveway	45	SF	\$40.95	\$1,843	
AC plug	50	SF	\$4.73	\$236	
Curb and gutter	35	LF	\$70.35	\$2,462	
Vertical curb	10	LF	\$61.95	\$620	
Bioretention	55	SF	\$78.75	\$4,331	
Clearcut	1	EA	\$105.00	\$105	
4" PVC Perforated Underdrain	8	LF	\$110.00	\$880	
Landscaping	175	SF	\$0.63	\$110	
Shrubs	20	EA	\$47.25	\$945	
Grasses and perennials	30	EA	\$36.75	\$1,103	
15 gal size tree	9	EA	\$514.77	\$4,633	
24 gal size tree	10	EA	\$855.11	\$8,551	
Removal and reset of sign	4	EA	\$88.20	\$353	
Scarfing and recompact site	385	SF	\$0.55	\$210	
New 24" catch basin	1	EA	\$3,449.25	\$3,449	
Modify existing catch basin	1	EA	\$700.00	\$700	
Subtotal				\$43,289	
2 General Conditions					
Contractor Overhead & Profit	10%			\$4,000	
3 Projects Contingencies					
Construction Contingency	10%			\$4,000	
Design Contingency	10%			\$4,000	
Owner's Contingency	10%			\$4,000	
Total Direct Cost				\$56,289	



Appendix G: Eco Performance Builders Original Cost Estimate

Estimate Notes

EcoBlock Stormwater Retrofit



Summary

Description: **Site Drainage Upgrade** Estimate Date: **10/20/2023**
 Project Address: **[REDACTED]** Estimate Version: **v.3**
Oakland CA

Total Construction Cost: \$98,350.11

Documentation Basis

1. Civil Plans from Sherwood Design Engineers – dated 4/18/2023 – 6 total pages

Scope of Work

DEMOLITION

1. Demo 1,235 SF Sidewalk
2. Clear And Grub 1,105 SF
3. Demo 791 SF Asphalt
4. Demo 52 LF Curb

GRADING

1. Excavate 42 SF Bio-retention Basin.
2. Fine Grade 3,157 SF Work Site
3. Place 10 SF Cobbles on Geotextile Fabric
4. Place 12" Pervious Rock in Said Basin, BSM
5. Place 18" BSM Over Said Pervious Rock
6. Place 8" Base Rock For 449 SF Asphalt
7. Place 4" Base Rock For 45 SF Driveway
8. Place 4" Base Rock For 257 SF Sidewalk

WET UTILITIES

1. Install 2' Diameter Beehive Drain
2. Install Cleanout And 4" PVC Pipe to Said Drain
3. Connect Drain to Existing Solid Pipe

CONCRETE

1. Pour 59 LF Curb and Gutter
2. Pour 9 LF Transition Curbs
3. Pour 257 SF Sidewalk, 3" Thick
4. Pour 45 SF Driveway, 6" Thick

ASPHALT PAVING

1. Tack Coat Adjacent Vertical Surfaces
2. Pave 388 SF, 2-1/2" Thick in One Lift
3. Compact To a uniform finish

FENCING AND EROSION CONTROL

1. Install 191 LF Wattles
2. Install 191 LF Temporary Construction Fence

Estimate Notes

EcoBlock Stormwater Retrofit



SIGNAGE

1. Relocate Up To (6) Signs

PAYMENT AND PERFORMANCE BONDS

Estimate

Item #	Description	Total Price	Notes
1	General Conditions	\$ -	Project to be performed in parallel with main Eco Block project
2	Fencing and erosion control		
3	Demolition	\$ 25,842.00	
4	Grading	\$ 18,644.00	
5	Wet utilities	\$ 12,272.00	
6	Concrete	\$ 14,042.00	
7	Asphalt paving	\$ 9,440.00	
8	Signage	\$ 2,242.00	
	Payment and performance bond	\$ 1,888.00	
9	Landscaping, softscape and tree	\$ -	Excluded
10	Surveying	\$ -	Excluded
11	Permits	\$ -	Excluded
	Sub Total	\$ 84,370.00	
12	General requirements		
13	Overhead	\$ 10,124.40	12%
14	General Liability	\$ 1,324.61	1.57%
	Sub Total	\$ 95,819.01	
15	Profit	\$ 2,531.10	3%
	Total	\$ 98,350.11	

Key Assumptions / Clarifications

- The work described in this estimate is priced to run concurrently with the main EcoBlock project. If the work completed in this estimate is performed separately additional General Conditions will be required.
- This estimate has been provided without a soils report or input from a soils engineer.
- This estimate is based on the thickness provided above; additional demolition / excavation / concrete thickness will result in additional costs.
- We have assumed that there is no pavement reinforcing fabric present in the existing asphalt.
- We have assumed that all dirt is "clean" and does not have any special dumping / testing requirements.

Exclusions (Unless Noted Above)

- Landscape Patch Back
- Permits
- Site surveying
- Cost of any fees from cities, counties, PG&E etc. (Allowance for permit included)
- Builders Risk Insurance
- Any line in the cost breakdown with a value of zero

Estimate Notes

EcoBlock Stormwater Retrofit



- Special inspections, testing and fees.
- Engineering, architecture, or title 24 design
- Work required by hidden conditions
- The cost to create, acquire or install samples and create mockups
- Mold remediation
- Lead or asbestos remediation
- Any demands from the building department on the approved plans which we have not seen or are ordered in the field
- Any additional cost or time stemming from issues with OFCI items

General Clarifications

- Notes, clarifications and exclusions from the estimate and this document take precedent over the construction documents and will be incorporated in to the contract.
- The owner is to remove all items from the home during construction.
- Construction will be allowed during all working hours allowed by the city.
- The schedule is based on getting selections and decisions from the owner / owner's agent in a timely manner
- Allowances are amounts given for items that are not yet selected or are unclear in the documents. They act as place holders until the item is selected and the final cost can be determined. If the amount is exceeded, Supervision and OHP are added to that amount. If the amount is lower, then a credit is given for the amount that is not used.

Other Client Costs to Consider for Total Project Budget

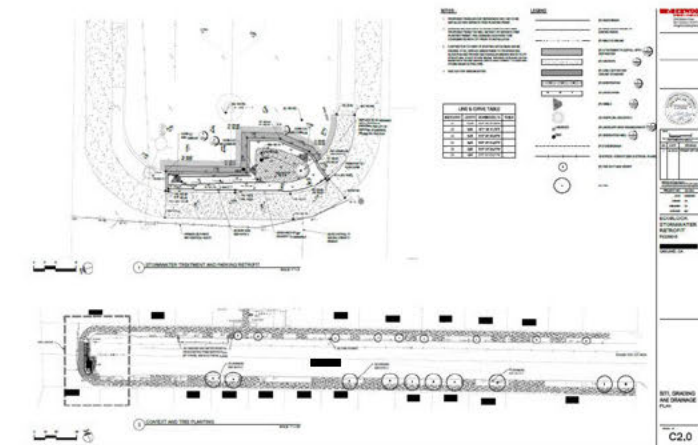
- Architecture, Design, Engineering, & Title-24
- Permits (Building and Trade)
- PG&E and other utility company fees
- Meter Fees
- Special inspection costs
- Project contingency (20% of total cost suggested)
- Landscape Patch Back
- Permits
- Site surveying

Estimate Notes

EcoBlock Stormwater Retrofit



Plans



Appendix H: Approved Off-Site Public Infrastructure (PX) Permit Package

GENERAL NOTES		EXISTING CONDITIONS		ABBREVIATIONS	
1. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE.	2. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE.	3. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE.	4. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE.	5. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE.	6. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE.
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Underground Service Alert

Dial: 811

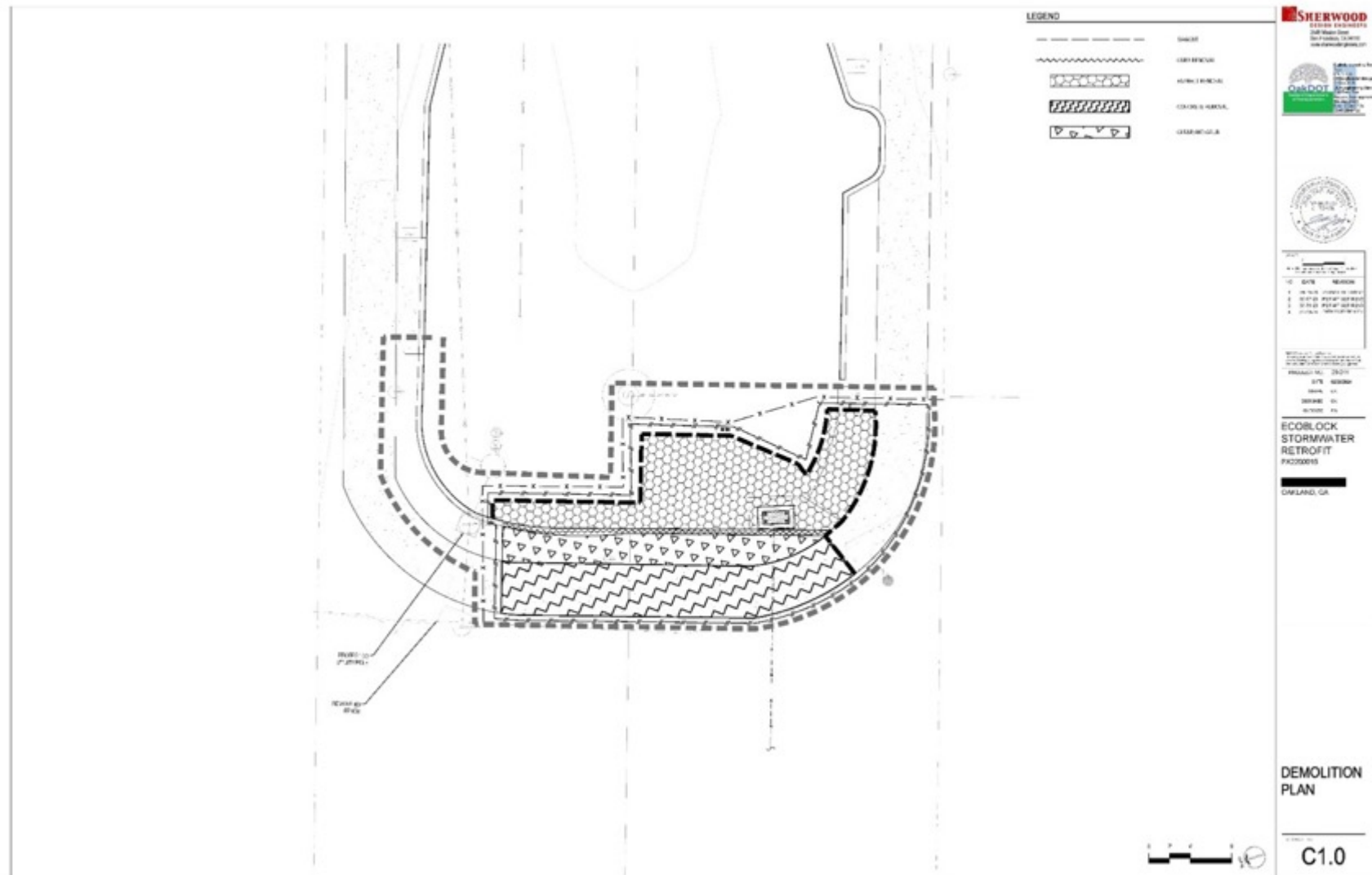
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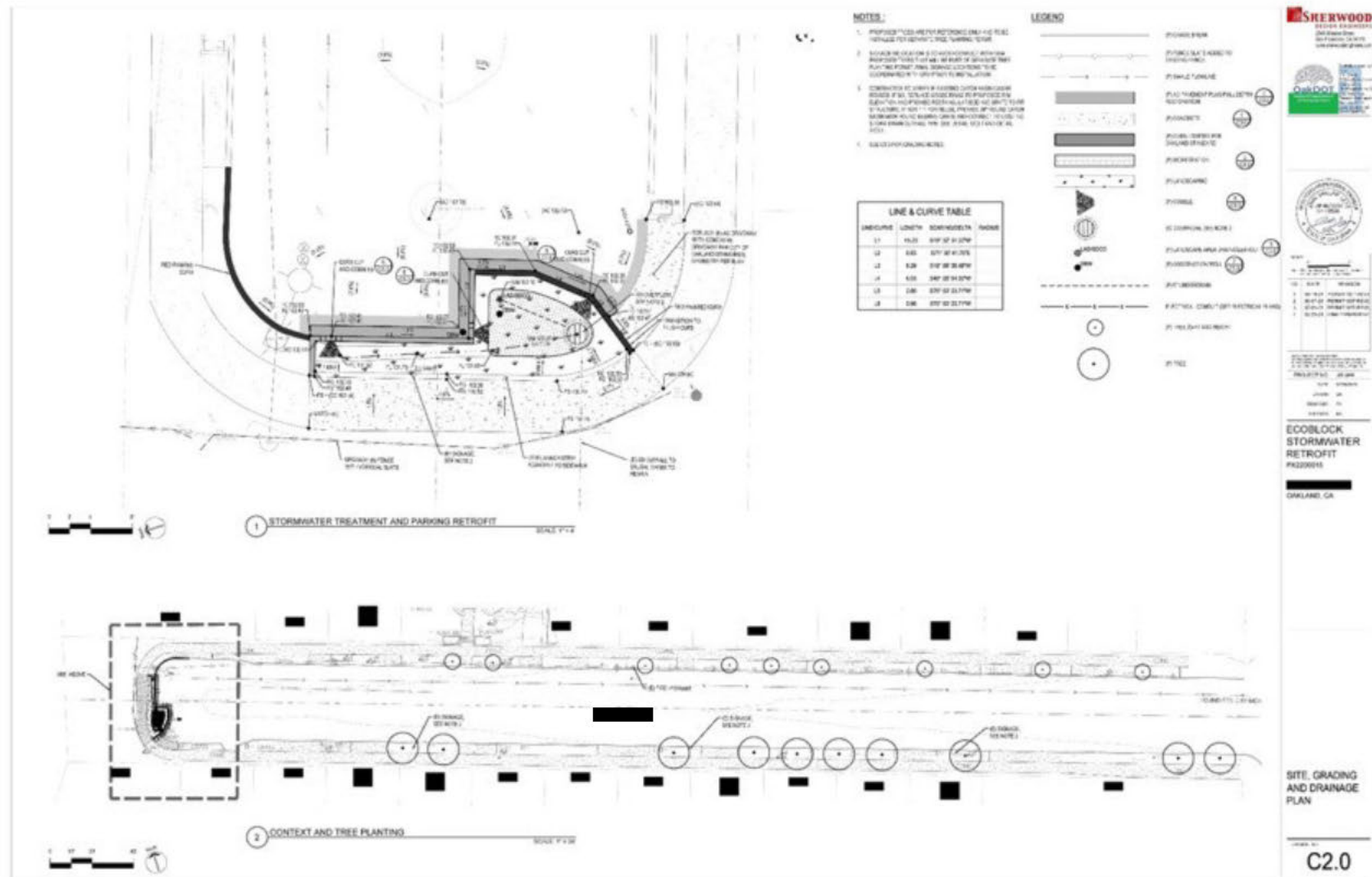
NEIGHBORHOOD MAP

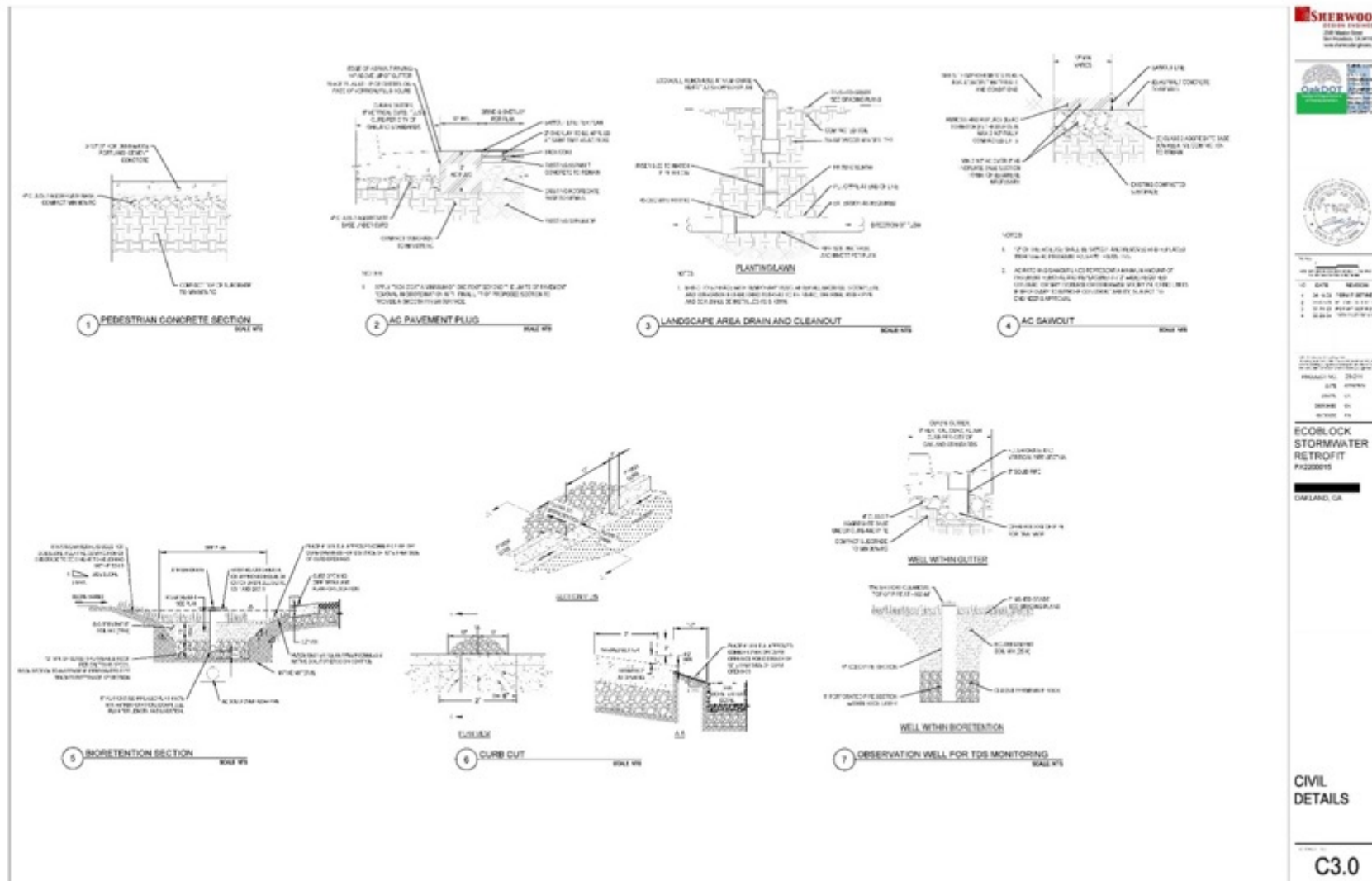
COVER, GENERAL NOTES & ABBREVIATIONS

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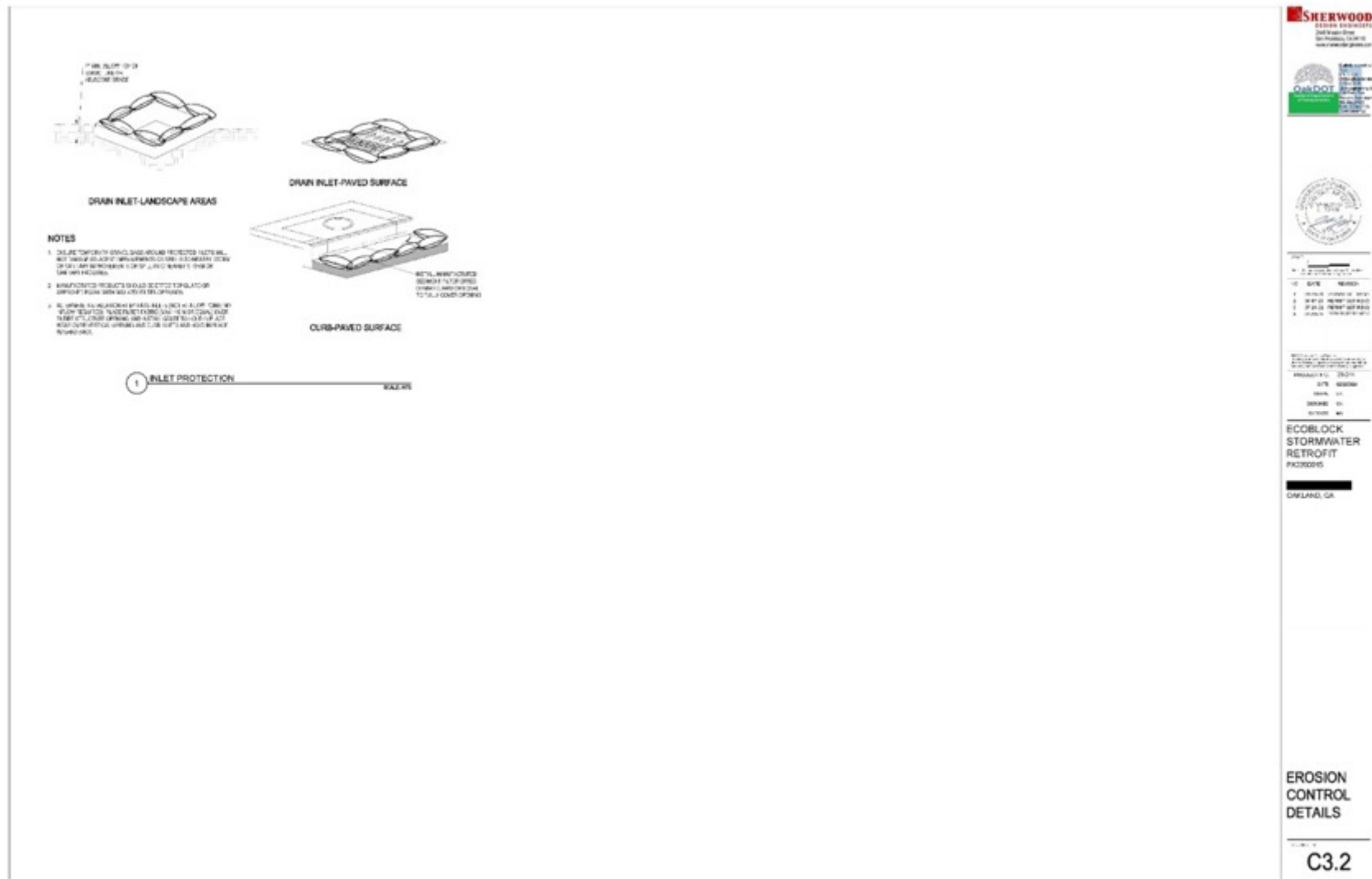














Appendix I: City of Oakland Permit for Public Improvement by Private Contract (P-Job)

City of Oakland Permit for Public Improvement by Private Contract (P-JOB)							
Application is hereby made to construct all public improvements included in the plans and specifications prepared by: _____							
C. E. License No. _____		Date _____		Project Title: _____			
Applicant _____		Address _____		City _____		State _____ Zip _____	
Phone _____		Email _____		Site Address _____		Related Appl. _____	
Contractor _____		State License No. _____		Class _____		Expiration Date _____	
Address _____		City _____		State _____		Zip _____	
Phone _____		Oakland Business Tax No _____		Expiration Date _____			
This permit issued pursuant to all provisions of Chapter 8, Article 2 of the Oakland Municipal Code. This permit is granted upon the express condition that the permittee shall be responsible for all claims and liabilities arising out of work performed under the permit or arising out of permittee's failure to perform the obligations with respect to street maintenance. The permittee shall, and by acceptance of the permit agrees to, defend, indemnify, save and hold harmless the City, its officers and employees, from and against any and all suits, claims or actions brought by any person for or on account of any bodily injuries, disease or illness or damage to persons and/or property sustained or arising in the construction of the work performed under the permit or in consequence of permittee's failure to perform the obligations with respect to street maintenance. Permittee shall comply with requirements of the latest edition of Work Area Traffic Control Handbook or California Manual on Uniform Traffic Control (MUTCD). If working within 25' feet of a monument you must comply with State Law 8771, contact the Inspector prior to starting excavation: minimum \$5,800.00 fine for non-compliance. Do not cut into pavement until ready to commence work. Schedule inspection 72 hours prior to construction by sending notice to: 510 238-6381 This permit is valid for up to one year from issuance unless otherwise stated in Special Provisions. I hereby agree to strictly comply with the conditions under which this permit is granted. I hereby certify that I am the applicant for a public improvement permit and that in the performance of the work for which such permit is issued, I will not employ any person or persons in any manner so as to become subject to the provisions of the Labor Code of the State of California relating to workers compensation insurance.				NOTE: You are notified that Section 6500 of the Labor Code requires the issuance of a permit by the Division of Industrial Safety of the State of California prior to the construction of any trench or excavation which is five feet or deeper and into which a person is required to descend. Obtain permit at Elihu Harris State Building, Auditorium; 1515 Clay Street, Oakland, CA. Prior to excavation contractor must contact UNDERGROUND SERVICE ALERT (USA) 800-227-2600 or 811 48 hours prior to start work Number: _____ Date: _____			
Approximate Start Date _____ Approximate End Date _____				20 P X 2 _ 0 0 0 _ _ Area for Plan Check Reviewer – City Engineer in Charge Plans Checked By: _____ Record Agreement? ____ Yes ____ No Record Subdivision Improvement Agreement? ____ Yes ____ No Bond(s) Required? ____ Yes ____ No Bond Processing Fee Invoiced? ____ Yes ____ No ____ N/A Surety Bonds Approved by _____ Date _____ P- _____ Job documents scanned into Accela? ____ Yes ____ No			
Special Provisions _____ Related to parcel or tract map? ____ No ____ Yes Map No: _____ Minor/Major Encroachment application required? ____ No ____ Yes Permission is hereby granted to do the work described in this application in accordance with the provisions of the Oakland Municipal Code, related ordinances and specifications. Approved: By _____ Print Name _____ Date _____ Maintenance Bond Amount: \$ _____ Issued: ____ Yes ____ No Project Completion & Acceptance by _____ Print Name _____ Date _____ Release Bond(s)? ____ Yes ____ No As-Built Drawings submitted? ____ Yes ____ No Documents returned to Right-of-Way Division? ____ Yes ____ No							
Contractor/Developer Signature _____ Date _____ CONSTRUCTION LENDER (If none, write "none") Name: _____ Branch: _____ Street Address: _____ City: _____ State: _____ Zip: _____							

Appendix J: City of Oakland Department of Transportation Fillable P-Job Agreement

No Fee Document Pursuant To Government Code Section 6103

Recording requested by:

CITY OF OAKLAND

When recorded mail to:

City of Oakland
Department of Transportation
Daitzel Admin. Building
250 Ogawa Plaza – 4th Floor
Oakland, CA 94612

Attn: Ishrat Jahan, P.E.
Supervising Civil Engineer

APN(s): _____

----- space above for Recorder's use only -----

City of Oakland Public Works Department
Engineering Services
250 Frank H. Ogawa Plaza – 4th floor
Oakland, California 94612

AGREEMENT

PRIVATE CONSTRUCTION OF PUBLICLY MAINTAINED INFRASTRUCTURE

☐ Public Right-Of-Way ☐ Public Service Easement

ADDRESS _____ APN _____

OWNER _____ PX PERMIT No. _____

ENGINEER _____ MAP No. _____

License _____ Expires _____ Engineer's Cost Estimate Amount _____

DESCRIPTION

RECITAL

The undersigned owners hereby agree by and between themselves to remise, release, forever discharge, defend, fully indemnify, and save harmless the City of Oakland and its officers, employees, agents, and volunteers, and each of them, from the following:

- any and all actions, causes of actions, litigation, claims, and demands of whatsoever kind or nature, and any damage to real or personal property, loss of any nature, bodily injury, disease, illness, or death which may be sustained directly or indirectly by any corporation, person, persons, or other entity arising or resulting from or sustained by

anything done or omitted by the owners, owner's Engineer of Record, the owner's Contractor, or others in connection with the design, construction, maintenance, and repair of the infrastructure improvement described herein; and

- any and all actions, causes of actions, claims, and demands relating to, or because of, the execution and enforcement of the terms of this Agreement.

The owners also hereby agree to be bound by the attached Exhibits and to comply with the conditions, requirements, and restrictions therein faithfully and fully at all times. This Agreement and attached Exhibits shall equally and fully bind all agents, heirs, successors, and assigns of the owners.

SURETY / BOND AMOUNTS

Performance _____ Payment (Labor & Mat.) _____ Maintenance _____
(100%) (50%) (25%)

ACKNOWLEDGEMENTS (corporate authority and seal required) Signatures must be Notarized

Name of Property Owner:

OWNER _____ OWNER _____

signature _____ signature _____
Print Name _____ Print Name _____

DATE _____ DATE _____

ATTACHMENTS

Exhibit A - Materials and Quantities Exhibit C - Special Conditions Exhibit E - Responsibilities
Exhibit B - General Conditions Exhibit D - Plans & Specs. Exhibit F - Securities & Engr. Est.

CITY OF OAKLAND a municipal corporation. JESTIN JOHNSON City Administrator Department of Transportation	by _____ date _____ WLAD WLASSOWSKY Assistant Director Department of Transportation
---	--

(Space below intentionally left blank)

EcoBlock Water Improvement
The Regents of the University of California, Berkeley

EXHIBIT A
Materials and Quantities

ADDRESS _____ APN _____
OWNER _____ PX PERMIT No. _____

☐ set forth below ☐ attached hereto

	MATERIAL	QUANTITY/ UNIT
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____
16.	_____	_____

NOTE: *If more than 16 items attach separately.*

EXHIBIT B
General Conditions

ADDRESS _____ APN _____
OWNER _____ PX PERMIT No. _____

1. This Agreement shall be effective upon its execution by the Assistant Director, Dept. of Transportation, and may be voided and the Infrastructure Permit may be suspended or revoked at any time at the sole discretion of the Assistant Director, Dept. of Transportation, upon failure of the owners and their Engineer of Record and Contractor to comply fully and continuously with each and all of the general and special conditions set forth herein and in the standard conditions set forth the Infrastructure Permit.

2. As a condition of the final approval of the Infrastructure Permit (Notice of Completion), the owners shall submit the following for review and approval by the Assistant Director, Dept. of Transportation:

a. Certification sealed and signed by the owners' Engineer of Record attesting that the infrastructure improvements were constructed in conformance with the plans and specifications as approved by the Assistant Director, Dept. of Transportation, for construction with subsequent modifications therefrom approved by the Assistant Director, Dept. of Transportation, during construction, and

b. As-Built of the record drawings indicating all revisions sealed and signed by the owners' Engineer of Record (in electronic or AutoCAD format and in Portable Document Format or PDF format) delineating all deviations from the approved plans describing all substitutions from the approved specifications of materials and equipment; and

c. Materials Testing Laboratory Certification sealed and signed attesting to its analysis of the sampled and tested materials incorporated into and the in situ construction of the infrastructure improvement; and

d. Other applicable certifications sealed and signed by the licensed professionals set forth in the Special Conditions of this Agreement attesting to conformance of the construction with their design and installation recommendations for the infrastructure improvement.

3. The owners shall maintain fully in force and effect at all times good and sufficient insurance for Comprehensive General Liability, including coverage for bodily injury, automobile liability, products and completed operations liability, and contractual liability assumed hereunder, in a face amount not less than \$2,000,000 for each person, accident, or occurrence and for Property Damage Liability in a face amount not less than \$1,000,000 for each accident or occurrence, insuring the City of Oakland, its officers, agents, employees, and volunteers against any and all claims arising out of the construction of the infrastructure improvement. The certificate of such insurance and

subsequent notices of the renewal thereof shall be filed with the Assistant Director, Dept. of Transportation, and shall contain a clause substantially in the following words:

"This policy shall not be canceled nor the amount of the coverage reduced until thirty (30) calendar days after receipt by the Assistant Director, Dept. of Transportation, of a written notice of such cancellation or reduction in coverage."

4. Warranty. The owners shall warrant the performance of and functioning of the materials and equipment incorporated into the construction the infrastructure improvements for one year following the date of final approval of the Infrastructure Permit (Notice of Completion).

5. Payment Security. The owners shall provide an individual security guaranteeing the payment of labor, fabricators, suppliers, subcontractors, materials men, materials, and equipment used for and incorporated into the construction of the infrastructure improvement. The form of the security shall be acceptable to the Assistant Director, Dept. of Transportation, and the face amount shall be not less than one-half of the cost of construction (50%) of the infrastructure improvement as estimated by the Engineer of Record. The security shall not be released or reduced in amount until the date of final approval of the Infrastructure Permit (Notice of Completion).

6. Performance Security. The owners shall provide an individual security guaranteeing the completion of the infrastructure improvement as described in the approved specifications and delineated in the approved plans and warranting the faithful performance of the infrastructure improvement and functioning of the materials and equipment incorporated therein. The form of the security shall be acceptable to the Assistant Director, Dept. of Transportation, and the face amount shall be not less than the cost of construction (100%) of the infrastructure improvement as estimated by the Engineer of Record. The security shall not be released or reduced in amount until the date of final approval of the Infrastructure Permit (Notice of Completion).

7. Maintenance Security. Owners shall provide an individual security guaranteeing the maintenance of the infrastructure improvement as described in Paragraph 4 above and warranting the faithful performance of the infrastructure improvement and functioning of the materials and equipment incorporated therein. The form of the security shall be acceptable to the Assistant Director, Dept. of Transportation, and the face amount shall be not less than one-fourth the cost of construction (25%) of the infrastructure improvement as estimated by the Engineer of Record. The security shall not be released or reduced in amount until expiration of the warranty period as set forth herein.

8. Until the expiration of the warranty following the date of final approval of the Infrastructure Permit (Notice of Completion), the owners shall remain liable for and shall immediately reimburse the City of Oakland for all costs, fee assessments, penalties, and accruing interest associated:

- a) with the City's notification to the owners' and their contractor of a violation, and
- b) with the City's subsequent abatement actions

for enforcement of required maintenance, repairs, or removal, whether in whole or in part, of the infrastructure improvement or of damage to City-maintained or privately-maintained infrastructure improvements made necessary by the failure, whether direct or indirect, of the Owner or its contractor to monitor the construction and the worksite effectively and accomplish preventative, remedial, or restorative work expeditiously. The City reserves the unqualified right to collect all

monies unpaid through any combination of available statutory remedies, including withholding of the Notice of Completion, awards of judgments by a court of competent jurisdiction, and instituting a demand of the surety for its independent action and reimbursement to the City for its costs, fee assessments, penalties, and accruing interest.

9. Until the expiration of the warranty following the date of final approval of the Infrastructure Permit (Notice of Completion), the owners shall remain solely and fully liable and responsible for the repair, replacement, removal, reconstruction, and maintenance of any portion or all of the infrastructure improvements, whether by the cause, neglect, or negligence of the owners or their contractor or others and for the associated costs and expenses necessary to restore infrastructure improvement to the satisfaction of the Assistant Director, Dept. of Transportation, and shall not allow the worksite to become a blight or a menace or a hazard to the health and safety of the general public.

10. Notwithstanding the regulations, requirements, and restrictions set forth within this Agreement, the owners' and their heirs, successors, and assigns and future purchasers for valuable consideration of properties abutting the infrastructure improvements shall remain responsible beyond the expiration of the warranty following the date of final approval of the Infrastructure Permit (Notice of Completion) for required maintenance and repairs as set forth in California Streets and Highways Code Section 5600 et seq. and Oakland Municipal Code Chapters 12.04 and 13.08.

11. Special Condition of Approval – Indemnifications and save harmless set forth in the Recital herein above shall expire and no longer have any force or effect upon the expiration of the warranty period, as set forth in General Condition 4 herein above, following the date of final approval of the Infrastructure Permit (Notice of Completion).

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EcoBlock Water Improvement
The Regents of the University of California, Berkeley

EXHIBIT C
Special Conditions

ADDRESS _____ APN _____

OWNER _____ PX PERMIT No. _____

1. Construction of the infrastructure improvement shall conform with the design and recommendations of the following licensed professionals:
 - a. Land Survey _____, PLS No. _____, expires _____
Map entitled _____, Sheets _____, dated _____
 - b. Engineer of Record _____, PE _____, expires _____
 - c. Geotechnical Engineer _____, GE _____, expires _____
 - d. Hydrological Engineer _____, PE _____, expires _____
2. Construction of the infrastructure improvement shall conform to "Best Management Practices" and the requirements of the Oakland Municipal Code and by the State Water Resources Control Board - San Francisco Bay for noise mitigation, fugitive dust control, erosion control, and storm water pollutant run-off mitigations.
3. Construction of the infrastructure improvement shall conform with the requirements of the following related permits:
Creek Protection _____ Tree Removal _____ Other(s) _____
4. Construction Hours of Operation shall conform to the requirements of Conditions of Approval and Oakland Municipal Code, Section 3304.11 (more stringent requirement shall control). Construction generated noise shall further conform to the requirements of Oakland Municipal Code section 17.120. No work shall be permitted on weekends and holidays, on Holiday Restricted streets, and on Moratorium Street without the written permission of the Assistant Director, Dept. of Transportation.

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EXHIBIT D
Plans and Specifications

ADDRESS _____ APN _____

OWNER _____ PX PERMIT No. _____

1. Construction of the infrastructure improvement shall conform to the plans prepared by the Engineer of Record and entitled "_____", sealed and stamped on dated: _____ and all modifications thereto, as approved by the Assistant Director, Dept. of Transportation, which are attached hereto.
2. Construction of the infrastructure improvement shall conform to the specifications prepared by the Engineer of Record dated: _____ and all modifications thereto, as approved by the Assistant Director, Dept. of Transportation, which are attached hereto.
3. Construction of the infrastructure improvement shall conform with the requirements of the Special Provisions to the Green Book for Oakland entitled "Standard Specifications For Public Works Construction (year) 2015 Edition", as amended and supplemented by City of Oakland ordinance 12498 C.M.S.
4. Construction of the infrastructure improvement shall conform with the requirements of the City of Oakland construction design, entitled "Standard Details For Public Works Construction (year) 2015 Edition", as established by ordinance 12498 C.M.S.
5. Prefabricated materials incorporated into the construction of the infrastructure improvement shall have prior written approval of the Assistant Director, Dept. of Transportation, and shall conform to installation recommendations of the product manufactures.

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EcoBlock Water Improvement
The Regents of the University of California, Berkeley

EXHIBIT E**Responsibilities**

ADDRESS _____ APN _____

OWNER _____ PX PERMIT No. _____

The owners shall employ the services of the Engineer of Record during construction, who shall periodically visit the site to assure that the work and the materials and equipment incorporated therein conform with the plans and specifications and any modifications thereto, as approved by the Assistant Director, Dept. of Transportation, and with the standard conditions of the Infrastructure Permit and the Special Conditions of this Agreement

Engineer of Record _____ **signature** _____ **date** _____

1. The owners shall also employ the services of a Materials Testing Laboratory during construction, as required by the standard conditions of the Infrastructure Permit and the Special Conditions of this Agreement and approved by the Assistant Director, Dept. of Transportation, that shall periodically visit the site and sample, test, and analyze the installation of imported and in situ materials incorporated in the infrastructure improvement to assure conformance with the plans and specifications and any modifications thereto, as approved by the Assistant Director, Dept. of Transportation.
2. The owners shall also employ the services of Special Inspectors during construction, as required by the standard conditions of the Infrastructure Permit and Special Conditions of this Agreement and approved by the Assistant Director, Dept. of Transportation, who shall periodically visit the site and observe the installation of equipment and imported and in situ materials incorporated therein to assure conformance with the plans and specifications and any modifications thereto, as approved by the Assistant Director, Dept. of Transportation.
3. The owners shall also employ other licensed professionals, as required by the Special Conditions of this Agreement, who shall periodically visit the site and provide specialized services, including boundary and topographical survey and soils, hydrological, and geotechnical observation, to assure that the construction and the materials and equipment incorporated therein conform their design and installation recommendations and any modifications hereto, as approved by the Assistant Director, Dept. of Transportation.

(Space below intentionally left blank)

EXHIBIT F**Securities and Estimated Cost of Construction**

ADDRESS _____ APN _____

OWNER _____ PX PERMIT No. _____

Engineer of Record's Estimated Cost of Construction (See Exhibit A)**1. Performance Security**

☐ **Bond** (copy attached; original document filed with Records)

surety _____ control no. _____

☐ **Cash/ cashiers check** (deposited in a City account; interest will not be paid upon refund)

bank _____ check no. _____

☐ **Assignment of Certificate of deposit** (copy attached; original document filed with Records)

bank _____ control no. _____

☐ **Irrevocable instrument of credit** (copy attached; original document filed with Records)

bank _____ control no. _____

2. Payment Security

☐ **Bond** (copy attached; original document filed with Records)

surety _____ control no. _____

☐ **Cash/ cashiers check** (deposited in City account; interest will not be paid upon refund)

bank _____ check no. _____

☐ **Assignment of Certificate of deposit** (copy attached; original document filed with Records)

bank _____ control no. _____

☐ **Irrevocable instrument of credit** (copy attached; original document filed with Records)

bank _____ control no. _____

3. Maintenance Security

To be posted following the date of final approval of the Infrastructure Permit (Notice of Completion).

☐ **Bond** (copy attached; original document filed with Records)

surety _____ control no. _____

☐ **Cash/ cashiers check** (deposited in City account; interest will not be paid upon refund)

bank _____ check no. _____

☐ **Assignment of Certificate of deposit** (copy attached; original document filed with Records)

bank _____ control no. _____

☐ **Irrevocable instrument of credit** (copy attached; original document filed with Records)

bank _____ control no. _____

DOT / Engineering Services
Staff Initials: _____

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Appendix K: City of Oakland Surety Bond – Faithful Performance

Surety Bond

Faithful Performance

Public Infrastructure Improvements

BOND No. _____

ADDRESS: _____ OWNER _____ (Corporation)
 PARCEL No.: _____ PRINCIPAL: _____
 PERMIT: X _____ AMOUNT: \$ _____

As required by the Oakland Municipal Code for approval of the permit referred to above and made a part hereof, the City of Oakland ("City"), a California municipal corporation, and _____ ("Principal"), a California _____ (no. _____) have entered into an Agreement whereby said Principal will construct certain improvements as specified in said permit. Before commencing said work, said Principal is required to furnish a good and sufficient instrument to secure its Faithful Performance of said work. (Amount shall be not less than the cost of construction (100%) of the infrastructure improvement as estimated by the Engineer of Record.)

The Principal and _____, as their Surety and a California corporation authorized to transact such business, are held and firmly bound unto the CITY, in the penal sum of _____ dollars (\$ _____) lawful money of the United States, for the payment of which sum well and truly to be made, we bind our heirs, ourselves, successors, executors and administrators, jointly and severally, firmly by these presents for the performance of said work.

The condition of this obligation is such that if said Principal and its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the Agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Oakland and its officials, officers, employees, representatives, agents, and volunteers as therein stipulated, then this obligation shall become null and void. Otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Said Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Agreement or to said work to be performed there under or the plans and specifications accompanying the permit referred to above shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the plans and specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by said Owner and said Surety named above, on the dates indicated below:

OWNER	SURETY
By _____	By _____
Name _____	Name _____
Title _____	Title _____
Date _____	Date _____
(notary seal)	(corporate authorization)

Appendix L: City of Oakland Surety Bond – Payment Labor and Materials

Surety Bond
Payment Labor and Materials
Public Infrastructure Improvements

BOND No. _____

ADDRESS: _____ OWNER _____ (Corporation)
PARCEL No.: _____ PRINCIPAL: _____
PERMIT: PX _____ AMOUNT: \$ _____

As required by the Oakland Municipal Code for approval of the permit referred to above and made a part hereof, the City of Oakland ("City"), a California municipal corporation, and _____ ("Principal"), a California _____ (no. _____) have entered into an Agreement whereby said Principal will construct certain improvements as specified in said permit. Before commencing said work, said Principal is required to furnish a good and sufficient instrument to secure its payment of labor and materials for said work. (Amount shall be not less than one-half of the cost of construction (50%) of the infrastructure improvement as estimated by the Engineer of Record.)

The Principal and _____, as their Surety and a California corporation authorized to transact such business, are held and firmly bound unto the CITY, in the penal sum of _____ dollars (\$ _____) lawful money of the United States, for the payment of which sum well and truly to be made, we bind our heirs, ourselves, successors, executors and administrators, jointly and severally, firmly by these presents for the payment of said work.

The condition of this obligation is such that if said Principal and its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the Agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Oakland and its officials, officers, employees, representatives, agents, and volunteers as therein stipulated, then this obligation shall become null and void. Otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Said Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Agreement or to said work to be performed there under or the plans and specifications accompanying the permit referred to above shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the plans and specifications.

It is hereby expressly stipulated and agreed that this surety bond for payment of labor and materials shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

IN WITNESS WHEREOF, this instrument has been duly executed by said Owner and said Surety named above, on the dates indicated below:

OWNER	SURETY
By _____	By _____
Name _____	Name _____
Title _____	Title _____
Date _____	Date _____
(notary seal)	(corporate authorization)

Appendix M: City of Oakland Surety Bond – Maintenance

Bond No. _____
Premium _____

Surety Bond

Maintenance One (1) Year Warranty

Privately Constructed Public Infrastructure Improvements P-Job Agreement / PX Permit

WHEREAS, the City of Oakland, ("City"), a municipal corporation of the State of California and _____, as principal ("Principal") have entered into an agreement entitled **P-JOB AGREEMENT** for the privately constructed public infrastructure improvements associated with _____ ("Project") and _____ ("PX - Permit Number.") incorporated herein by reference and referred to as the "Agreement," which requires Principal to install and complete certain designated public improvements; and,

WHEREAS, under the terms of the Agreement, Principal is required to furnish a bond to City to make good and protect the City against the results of any work or labor done or materials or equipment furnished which are defective or not in accordance with the terms of the Agreement having been used or incorporated in any part of the work so Agreement for, which shall have appeared or been discovered, within the period of one (1) year from and after the completion and final acceptance of the work done under the Agreement.

NOW, THEREFORE, we the Principal and, a corporation duly authorized and admitted to transact business and issue surety bonds in the State of California ("Surety"), are held firmly bound unto the City in the sum of _____ (\$_____,00), for the payment of which sum well and truly to be made, we the Principal and Surety bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally.

The condition of this obligation is such that, if the Principal shall well and truly make good and protect the City against the results of any work or labor done or materials or equipment furnished which are defective or not in accordance with the terms of the Agreement having been used or incorporated in any part of the work performed under the Agreement, which shall have appeared or been discovered within said one-year period from and after completion of all work under the Agreement and final acceptance by City of said work, then this obligation shall be null and void; otherwise, it shall be and remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any change, extension of time, alteration or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by authorized representatives of the Principal and Surety. SIGNED AND SEALED on _____, 20____

PRINCIPAL:

SURETY:

(Principal name) (Seal)

(Surety name) (Seal)

BY:

(Signature)

BY:

(Signature)

(Print name and title)

(Print name and title)

Principal address and telephone:

Surety address and telephone:

Affix Corporate Seals

Attach Notary Acknowledgments for All Signatures

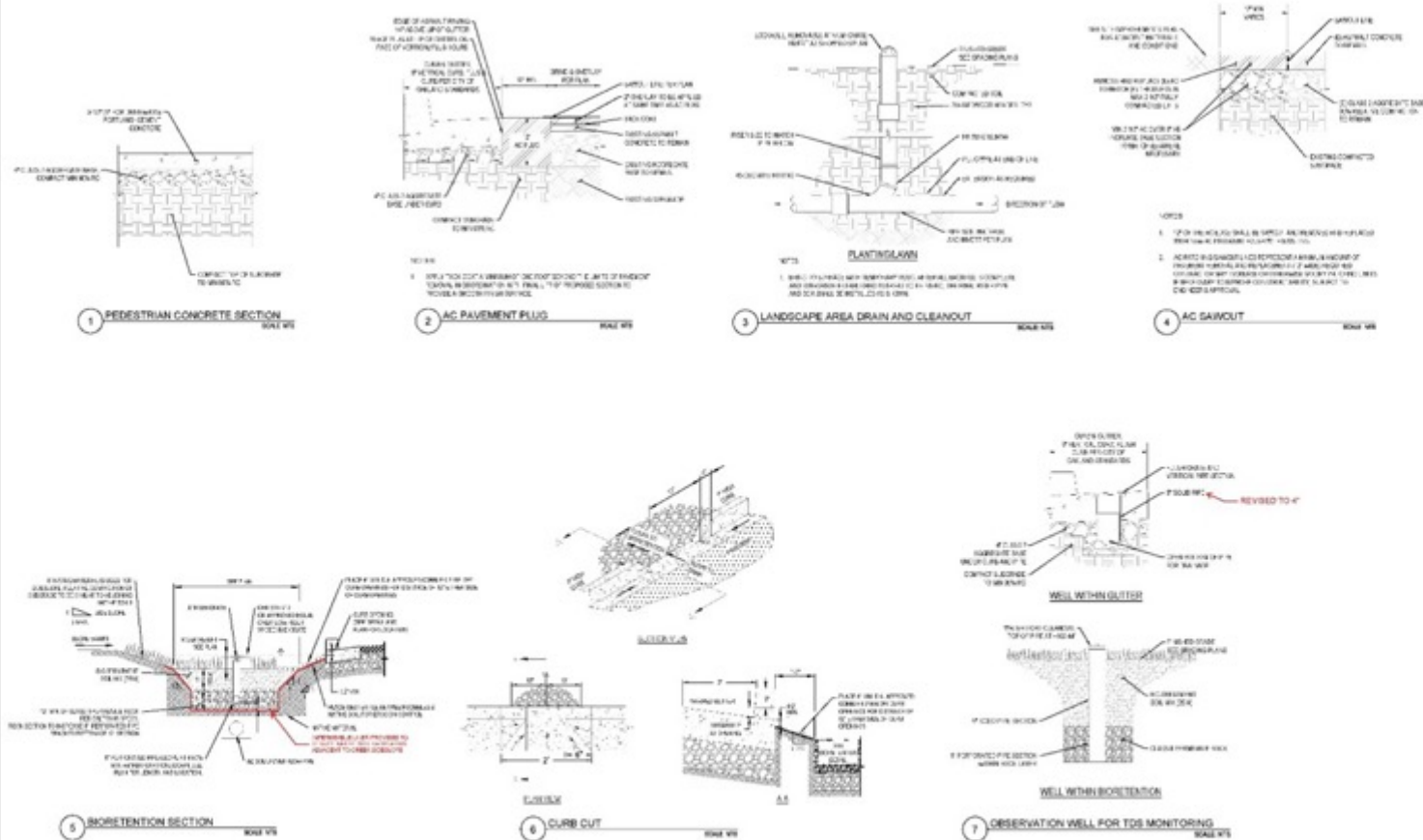
Attach Power-of-Attorney if executed by Attorney-in-Fact







FINAL AS-BUILT RECORD PLANSET



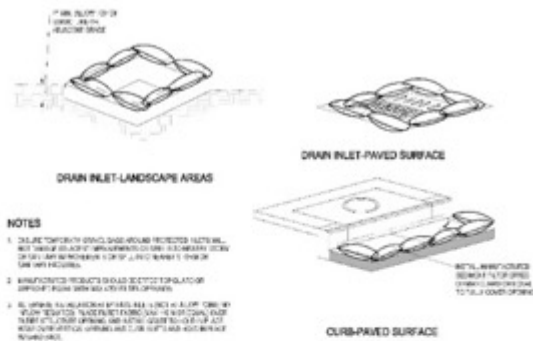
PROJECT NO.	49-98T56501-0
DATE	08/15/2018
BY	DAVID A. SMITH
CHECKED BY	DAVID A. SMITH
DATE	08/15/2018
PROJECT NAME	ECOBLOCK STORMWATER RETROFIT
LOCATION	BERKELEY, CA
CLIENT	THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

ECOBLOCK STORMWATER RETROFIT
 PROJECT NO. 49-98T56501-0
 DATE: 08/15/2018
 BY: DAVID A. SMITH
 CHECKED BY: DAVID A. SMITH
 DATE: 08/15/2018
 PROJECT NAME: ECOBLOCK STORMWATER RETROFIT
 LOCATION: BERKELEY, CA
 CLIENT: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

CIVIL
 DETAILS

C3.0

FINAL AS-BUILT RECORD PLANSET



1 INLET PROTECTION

SHERWOOD
 CIVIL ENGINEERING
 2000 University Avenue
 Berkeley, CA 94720
 www.sherwood-engineering.com



DATE: 10/1/2020
 DRAWN BY: J. SHERWOOD
 CHECKED BY: J. SHERWOOD
 PROJECT NO.: 49-98T56501-0

PROJECT NO.: 49-98T56501-0
 SHEET NO.: 1
 TOTAL SHEETS: 1

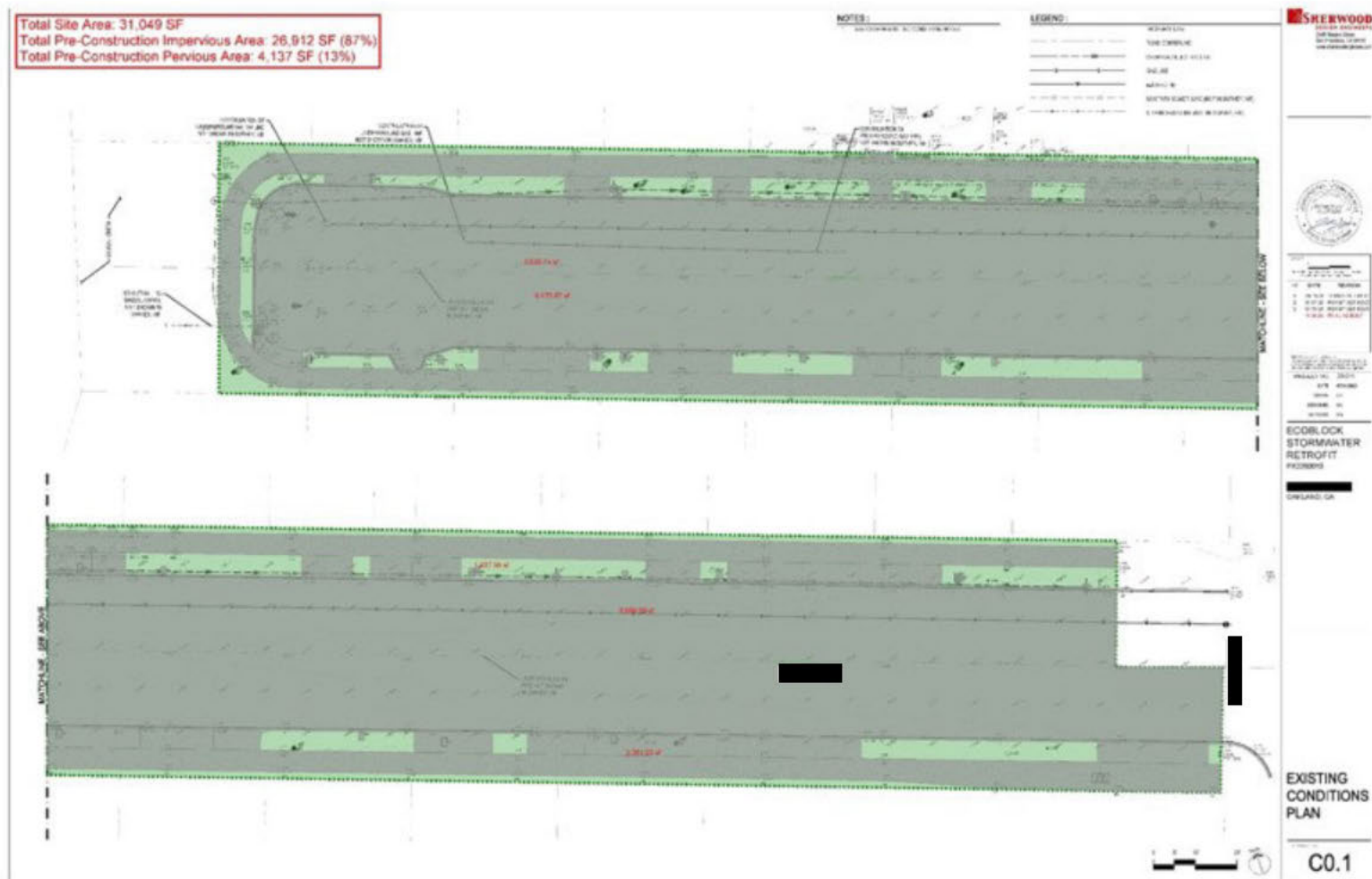
**ECOBLOCK
 STORMWATER
 RETROFIT**

OWLAND, CA

**EROSION
 CONTROL
 DETAILS**

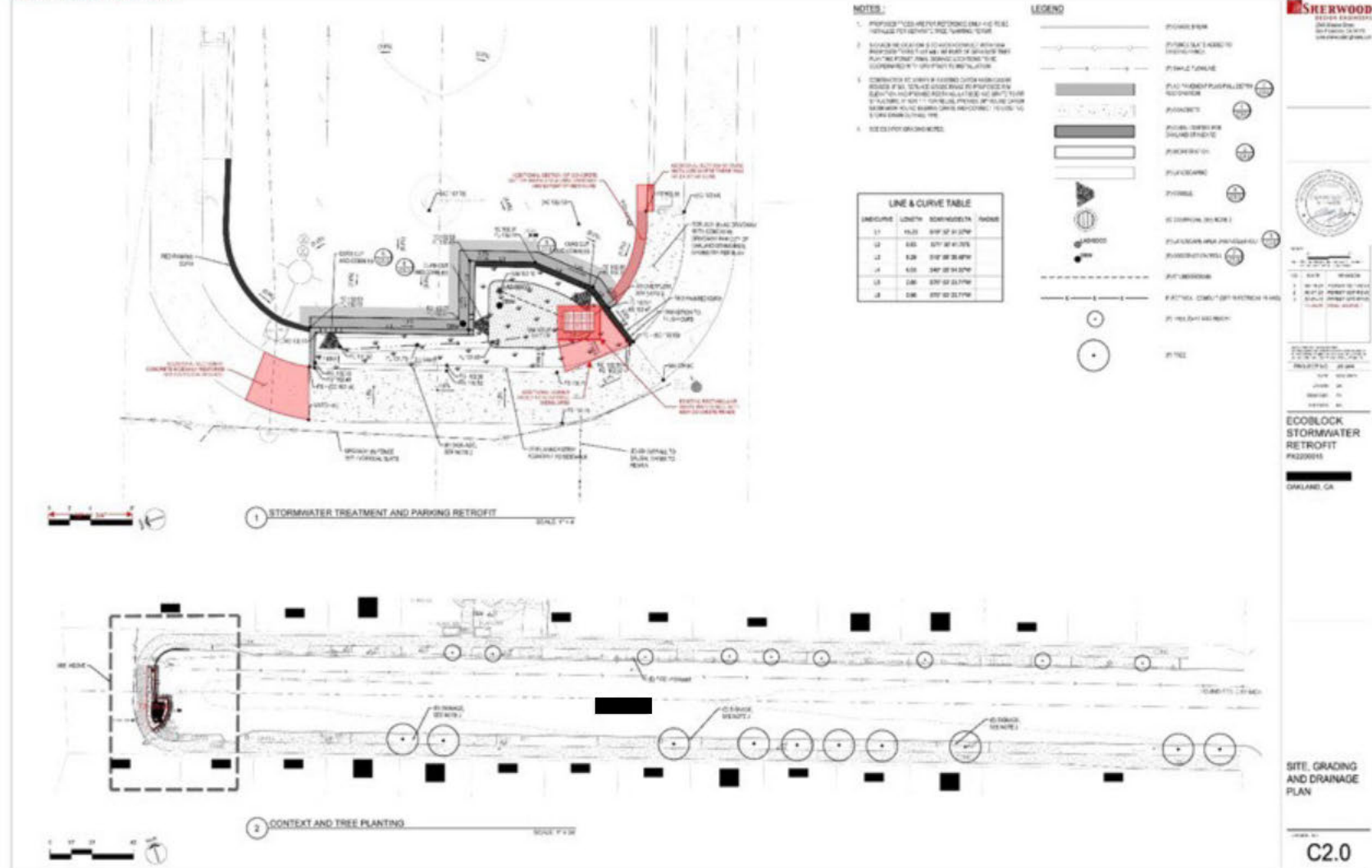
C3.1

Appendix O: Pre- and Post-Construction Impervious and Pervious Area





FINAL AS-BUILT RECORD PLANSET



Appendix P: Stormwater Feedback Survey

EcoBlock: Stormwater Feedback Survey

homeowners and residents: The EcoBlock team received a grant from the U.S. Environmental Protection Agency (EPA) to (1) clean stormwater flowing from the street as well as to (2) provide more shade and greenery on the block. As you may recall, we held a few meetings to get your feedback on design options and had an online vote for the final design.

As the EPA grant closes this month, we would like to hear from you, the residents. We would appreciate your feedback on the design process and the improvements: the construction of an end-of-block stormwater bioretention facility and placement of curbside trees and wood chips (mulch).

The survey will take **less than 10 minutes** to complete. Please share your thoughts by **Monday, June 30th**.

If you have any questions or comments, please contact Therese Peffer (toeffer@berkeley.edu) and Craig Boman. Craig will continue to monitor the facility and plantings over the next few years, so please don't hesitate to reach out.

Thank you for helping make these improvements a reality!

** Indicates required question*

End-of-Block Stormwater Bioretention Facility

A key part of the improvements is the **end-of-block bioretention facility** that consists of a planting area; a new curb, gutter, and driveway; sidewalk replacement; and kept two parking spots.



1. Please rate your agreement with the following: *

Mark only one oval per row.

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Don't know
I understand how to maintain the facility.	☐	☐	☐	☐	☐	☐
I was adequately informed about the purpose and benefits of the facility on the block.	☐	☐	☐	☐	☐	☐
I believe the facility positively impacts the local environment.	☐	☐	☐	☐	☐	☐
I would recommend similar improvements for other neighborhoods in Oakland.	☐	☐	☐	☐	☐	☐

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Concrete Removal & Curbside Planting

Another part of the EPA work includes **curbside planting areas** (the area between the sidewalk and the street). Many of the curbside strips with existing concrete were removed and replaced with native trees or mulch.



2. Please rate your agreement with the following: *

Mark only one oval per row.

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Not applicable
I understand how to maintain the trees in front of my property.	☐	☐	☐	☐	☐	☐
I believe the trees/mulch positively impact the local environment.	☐	☐	☐	☐	☐	☐
I would recommend similar improvements for other neighborhoods in Oakland.	☐	☐	☐	☐	☐	☐

General

3. As part of the stormwater improvement **design** process, how well did the research team **incorporate your ideas and feedback**? *

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The Regents of the University of California, Berkeley

4. What do you think are the **primary benefits** from the stormwater improvements? *

5. Have you experienced any **drawbacks** as a result of the stormwater improvements?
If so, please describe them.

6. Based on your experience, what aspects of the stormwater improvement process
(community coordination, construction, education, etc.) do you feel **worked well**? *

7. Based on your experience, what aspects of the stormwater improvement process
(community coordination, construction, education, etc.) **could be improved** for
future EcoBlocks? *

8. Do you have any concerns about the **long-term maintenance or functionality** of the
stormwater bioretention facility and/or curbside plantings? If so, please explain.

9. Are you a property owner or renter? *

Mark only one oval.

☐ Owner

☐ Renter

10. Any additional comments or feedback?

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