

**EXHIBIT B - MITIGATION MONITORING PROGRAM**      **Congregation Beth El**

**Mitigation Monitoring and Reporting Program—Use Permit 99-1000079—1301 OXFORD STREET**

Impact	Mitigation Measure	Responsibility to Implement	Responsibility to Monitor	Timing	Compliance Signature	Notes
<p>Impact 4.2-3 The proposed project could result in congestion at the project's entrance and exit during peak drop-off and pickup times.</p>	<p>MM 4.2-3a: The following management practices shall be implemented to reduce potential congestion/safety impacts within the project site and at the entrance and exit:</p> <ol style="list-style-type: none"> <li>1. No staff parking shall occur off-site on the public right-of-way in the immediate neighborhood.</li> <li>2. A pickup/pickup plan shall be developed and implemented. This plan shall include the following: <ul style="list-style-type: none"> <li>• The plan shall describe the procedures parents, service attendees and others are to follow during peak traffic periods, including services, religious school drop-off and pick-up, Saturday and Sunday school sessions, and summer camp sessions.</li> <li>• The Plan shall include instructions for queuing on Oxford (should queues develop) in the curb lane, instructions for the use of the west side of Spruce Street as a secondary drop-off and pick-up zone, and specific procedures for parking, waiting and departing during the drop-off and pick-up periods. The plan can also incorporate some flexibility to try alternative approaches, should unexpected conditions develop.</li> <li>• Drop-off/pickup practices that define how subsets of the religious school students shall be dropped off/picked up on Spruce Street. The group should be designated, for example surnames from A to E, rather than left to parents' choice. At least 75 percent of the drop-offs and pick-ups shall be accommodated on site, with the no more than 25 percent occurring on Spruce Street.</li> <li>• Encourage carpools of three or more children by reserving on-site spaces for them.</li> <li>• Designate specific drop-off/pick-up areas for different groups, and provide staff monitors to smooth traffic flows and minimize drop-off and pick-up parking duration.</li> <li>• Stagger drop-off and pick-up times (i.e. by last name, age, or some other criteria) to avoid highly peaked traffic flows. This would require some children to arrive up to 30 minutes prior to camp start and to leave up to 30 minutes after the buses have dropped them off.</li> </ul> </li> <li>3. Oxford Street shall not be used for drop-off and pick-up parking, due to the horizontal curve and the red-curb recommendations to improve sight distance at the driveway. When parking on both sides of the driveway aisle are being used for drop-offs and pick-ups, staff monitors should direct and escort students to their vehicles, to avoid potential conflicts between vehicle and pedestrian movements.</li> </ol> <p>MM 4.2-3b: The following improvements and actions shall be implemented subject to the approval of and/or modification by the City Traffic Engineer to reduce potential safety impacts to a level of less than significant:</p> <ol style="list-style-type: none"> <li>1. Paint the east side curb on Oxford Street red between the project driveway and the existing red curb to the south. While sight distance for southbound left turners into the new driveway is adequate, about 210 feet, for the estimated prevailing speeds — 20 to 25 mph due to the speed humps - the additional red curb will improve visibility and provide a queuing space for northbound vehicles turning right into the driveway, should occasional queues develop.</li> <li>2. Paint the Spruce Street west side curb red for 50 feet north and south of the exit driveway, to improve visibility for drivers exiting the site. The sight distance is adequate for prevailing speeds (estimated at 35 mph): about 350 feet to the south and well over 500 feet (to the Eunice intersection) to the north.</li> <li>3. Restrict parking on the west side of Spruce Street along the project frontage to 10 minute parking for the period 5:30 — 6:30 p.m. weekdays. This will accommodate the pick-up spaces needed for the Religious School dismissal period. For summer camp drop-offs and pick-ups (8:30 — 9:00 a.m. and 3:00 — 3:30 p.m. weekdays), either permanent signs or temporary barricades could be used to reserve parking along the project frontage.</li> <li>4. Prune and maintain vegetation on either side of both driveways to ensure sight lines are clear to the north and south of each driveway. Post advanced warning signs on the northbound side of Oxford Street warning of driveway ahead.</li> </ol>	<p>Applicant.</p>	<p>COB  Current Planning Division.  Ongoing monitoring by Current Planning Division on complaint basis.</p>	<p>The applicant shall prepare and submit a Parking Management Plan to the COB for review and approval by the City Traffic Engineer and the Zoning Officer prior to the start of operations at the facility.</p> <p>The measures listed above shall be implemented prior to the start of operations at the site.</p>		<p>Practice 1 was modified to delete outdated reference to tandem parking. Further, it was clarified to indicate that the prohibition against staff on-street parking applies to the immediate neighborhood.</p> <p>The mitigation implemented prior to the start of operations is supplemented by Use Permit Condition 12</p> <p>Mitigation 4.2-3 was clarified to indicate the authority of the City Traffic Engineer.</p>

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Impact	Mitigation Measure	Responsibility to Implement	Responsibility to Monitor	Timing	Compliance Signature	Notes
<p>Impact 4.3-1 The predicted noise levels associated with the play area will exceed the COB Noise Ordinance daytime noise level standard of 55 dB L50. This impact is considered significant.</p>	<p>MM 4.3-1 Upon completion of the project and operation of the play area, noise levels at the east and west property lines shall be measured by the COB to determine whether the City’s standard of 55 dB L50 is being exceeded. If noise levels are exceeded, the City shall require one of the following:</p> <ol style="list-style-type: none"> <li>1) Using a barrier performance methodology, a property line barrier 7-feet in height shall be installed to reduce hourly play area noise levels to less than 55 dB L50. The barrier shall be constructed along the project site’s east and west property lines as determined to be necessary, [this barrier, if required, is subject to the approval of a Use Permit to allow a “fence” to exceed six feet.], <u>OR</u></li> <li>2) Play area operations shall be reduced or altered, based on consultation with the City and a qualified acoustical engineer, to a level at which the City’s standard of 55 dB L50 would not be exceeded. This may be accomplished by reducing the number of children outside at any one time, operational restrictions (such as limits on hours), or any other appropriate and enforceable measure or measures. Upon implementation of these measures, noise levels shall be measured again to verify compliance with the City’s noise standards.</li> </ol>	Applicant	Current Planning	<ol style="list-style-type: none"> <li>1) Noise monitor after project completion.</li> <li>2) If necessary, construct sound wall only to reduce noise.</li> </ol>		<p>This sound wall exceeds 6 feet in height, and would require approval by the COB as part of the proposed Use Permit or a separate approval. Because of the potential adverse aesthetic effects such as a wall, the FEIR proposed reduction or modification of the on-site operation of the play area and Camp Kee Tov summer camp as an alternative mitigation if noise monitoring shows that activities generate noise levels in excess of City noise standards.</p>

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<p>Impact 4.3-2 The project will have on-site parking and circulation noise levels which will exceed the COB Noise Ordinance daytime noise level standard of 55 dB L50, at the nearest residences to the north. This impact is considered significant.</p>	<p>MM 4.3-2: Upon completion of the project and operation of Camp Kee Tov staging, noise levels at the north property line shall be measured by the COB to determine whether the City’s standard of 55 dB L50 is being exceeded. If noise levels are exceeded, the City shall require one of the following:</p> <ol style="list-style-type: none"> <li>1) Using a barrier performance methodology, a property line barrier 7-feet in height shall be installed to reduce hourly parking lot noise levels to less than 55 dB L50. The barrier shall be constructed along the project site’s northern property line, [this barrier, if required, is subject to the approval of a Use Permit to allow a “fence” to exceed six feet.], <u>OR</u></li> <li>2) Camp Kee Tov operations shall be reduced or altered, based on consultation with the City and a qualified acoustical engineer, to a level at which the City’s standard of 55 dB L50 would not be exceeded. This may be accomplished by reducing the number of buses staged on the project site at any one time, operational restrictions (such as limits on bus idling), or any other appropriate and enforceable measure or measures. Upon implementation of these measures, noise levels shall be measured again to verify compliance with the City’s noise standards.</li> </ol>	Applicant	Current Planning Division	<ol style="list-style-type: none"> <li>1) Noise monitor after project completion.</li> <li>2) If necessary, construct sound wall only to reduce noise.</li> </ol>		<p>See note for MM 4.3-1</p>

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<p>Impact 4.3-3 During the construction phases of the project, noise from construction activities would add to the noise environment in the immediate project vicinity. This impact is considered potentially significant.</p>	<p>MM 4.3-3a: See note.</p> <p>MM 4.3-3b: Construction equipment utilizing internal combustion engines shall be muffled with the equipment manufacturer’s muffler or with one providing similar sound suppression.</p> <p>MM4.3-3c: Prior to the start of construction the applicant or his agents shall provide written notification to all the residential neighbors within 500 feet of the property of the limitation of hours set by this mitigation and shall provide the name and telephone number of an individual who is empowered by the applicant to take corrective measures to reduce the noise complaints. The name and phone number of this individual shall also be posted on the property in a location where the information can be easily read by the public, indicating the individual’s responsibility and availability. This individual will provide weekly reports to the COB’s Zoning Officer of all the noise complaints received and all actions taken to prevent any reoccurrences.</p> <p>MM 4.3-3d: To ensure compliance with the City's noise control regulations and these mitigations the COB Zoning Officer is authorized to place additional limitations on the hours of operation and/or halt construction until corrective measures are taken.</p> <p>MM 4.3-3e: See note.</p> <p>MM 4.3-3f: The project contractor shall post signs on-site and visible from Oxford and Spruce streets identifying the contractor’s and City’s contact persons for noise complaints. Phone numbers for both contact persons shall be shown.</p> <p>MM 4.3-3g: In addition, construction activities shall be required to comply with all pertinent requirements of the COB Building Department.</p>	<p>Applicant’s Contractor</p>	<p>COB Building and Safety Division for MM 4.3-3b. Current Planning Division for MM 4.3-3c, d, and f</p>	<p>During grading and construction activities.</p>		<p>MM 4.3-3 a and superceded by 1 Permit Condition 17</p>
<p>Impact 4.4-1: Emissions of fine particulate matter (PM<sub>10</sub>) due to construction-related activities could have a potentially significant impact.</p>	<p>MM 4.4-1: The following control measures shall be implemented during construction at the project site:</p> <ul style="list-style-type: none"> <li>a. Water all active construction areas at least twice daily;</li> <li>b. Cover all trucks hauling soil, sand, or any loose material;</li> <li>c. Apply water at least three times daily, or apply non-toxic soil stabilizers on all unpaved parking areas, staging areas, or access ways;</li> <li>d. Sweep all paved access roads, parking areas, and staging areas at least once daily;</li> <li>e. Replant vegetation in disturbed areas as quickly as possible.</li> </ul>	<p>Applicant</p>	<p>COB , Building and Safety Division.</p>	<p>This measure shall be implemented at all times during the construction phase of the project.</p>		<p>Clarified that the mitigation applies during construction.</p>

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<p>Impact 4.4-2: The demolition and removal of structures on site that may contain asbestos materials is a potentially significant impact.</p>	<p>MM 4.4-2: The project applicant shall comply with all applicable requirements of Regulation 11, Rule 2: <u>Hazardous Materials: Asbestos Demolition, Renovation and Manufacturing</u>, and any other requirements imposed by the Bay Area Air Quality Management District, including consultation with the Air Quality District prior to commencing demolition of any structure on the project site.</p>	<p>Applicant</p>	<p>COB Current Planning and Building and Safety Divisions</p>			
<p>Impact 4.5-2: Development of the project site will increase the rate of stormwater runoff leaving the site. This is considered a potentially significant impact.</p>	<p>MM 4.5-2: Drainage plans shall be developed for the project. There are two alternatives to mitigate the increase in project site peak discharge drainage impact: (1) increase the size of the 12-inch CMP at Oxford, or (2) direct project site runoff to other (new) creek inlet locations. The applicant may select either alternative, subject to review and approval by the COB :</p> <p>1) The applicant must prepare hydrology/hydraulics calculations for the project based on final design plans. These calculations shall be reviewed by the City Engineer. If all drainage is directed to the Oxford Street drop inlet, the culvert at this inlet shall be sized adequately to convey the drainage area runoff for at least the 10-year storm. Preliminary engineering calculations indicate that a 24-inch CMP would adequately convey the post-project 10-year flows for the sub-basin.</p> <p>2) All project site runoff shall be captured within the project site and directed to inlet locations to Codornices Creek, thereby reducing the drainage impacts to the inlet at Oxford Street. Based on the location of the drainage inlets to Codornices Creek, adequate erosion control features must be implemented. Appropriate drainage-related erosion control features are presented in Mitigation Measure 4.5-3.</p>	<p>Applicant</p>	<p>COB Building and Safety Division, City Engineer</p>	<p>The applicant shall provide a detailed drainage plan to the COB demonstrating compliance with this requirement prior to the issuance of any building permits.</p> <p><i>Please see also the drainage-related impacts and mitigation measures below.</i></p> <p><i>COB may retain expert professional to review the plans as determined necessary.</i></p>		

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<p>Impact 4.5-3: The use of a permeable surface on the project's parking lot could cause soils under the Oxford-to-Spruce access road to become unstable. This is considered a potentially significant impact.</p>	<p>MM 4.5-3: In order to reduce potential impacts associated with the saturation of soils under the access driveway, the following design features shall be incorporated in the design of this roadway:</p> <p>1) A subsurface drain shall be installed on the downslope side (i.e. southern edge) of the entrance road and parking area to catch water between the surface/fill soils and the clay subsoils. The drain should extend from the eastern-most end of the entrance road to Oxford Street. The drain should be 5-foot deep, 1-foot in width, and filled with a 4-inch perforated drainpipe surrounded by 3/4-inch drain rock and filter fabric.</p> <p>The pavement section shall be designed in accordance with Caltrans pavement design criteria. A traffic index based on the heaviest anticipated vehicle traffic should be used. The r-value used for calculating the thickness of the pavement shall be determined by site-specific analysis of subgrade soils. The subgrade soils should be recompacted to 90 percent relative compaction at two to four percent above optimum moisture content.</p>	<p>Applicant</p>	<p>COB Building and Safety and Public Works Engineering Divisions</p>	<p>If deemed necessary by the Building Official based upon the analysis and recommendations of the soils engineering report, hydrological calculations, and other studies required by the Official, the Applicant shall submit engineering plans for subsurface drainage before the issuance of any construction permits. of applicant shall provide a detailed plan to the COB Building and Safety Division demonstrating compliance with this requirement prior to the issuance of any building permits. The plan shall be supported by any field studies and calculation determined necessary by COB.</p> <p><i>Please also see the drainage-related impacts and mitigation measures below</i></p> <p><i>COB may retain expert professional to review the plans as determined necessary.</i></p>		<p>This impact and mitigation measures addressed an earlier site plan. The drainage installation proposed in MM 4.5-3 may not be necessary because the revised site plan relocates the entrance road a parking area to south side of the creek corridor. See Use Permit Condition 20.</p>

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<p>Impact 4.5-4: Development of the project site would entail earthwork and grading. Due to the surface soil characteristics and the steep banks of Codornices Creek, the project site is subject to erosion during project construction. Project-related alterations in on-site drainage patterns during construction could compound and increase on-site erosion. This represents a potentially significant impact</p>	<p>MM4.5-4: Implementation of the following mitigation measures would reduce construction-related erosion and sedimentation impacts to less-than-significant levels:</p> <p>1) The project shall comply with all Phase II NPDES Storm Water regulations for <i>Small Construction</i> activities. In particular, the project grading plan shall include Drainage and Erosion Control Plans to minimize the impacts from erosion and sedimentation during grading. This plan shall conform to all standards adopted by the COB and Alameda County. This plan shall include at least the following procedures: (1) restricting grading to the dry season; (2) protecting all finished graded slopes from erosion using such techniques as erosion control matting and hydroseeding; (3) protecting downstream storm drainage inlets from sedimentation; (4) use of silt fencing and hay bales to retain sediment on the project site; (5) use of temporary water conveyance and water diversion structures to eliminate runoff onto the banks of Codornices Creek; and; (5) any other suitable measures outlined in the Association of Bay Area Governments' (ABAG) <i>Manual of Standards for Erosion and Sediment Control Measures</i> or the San Francisco Bay Regional Water Quality Control Board's <i>Erosion and Sediment Control Field Manual</i>.</p> <p>2) After construction is completed, all drainage culverts, including the arch culvert under Oxford Street, shall be inspected for accumulated sediment. If sediment accumulation has occurred, these drainage structures shall be cleared of debris and sediment. <i>See also the discussion of impacts and mitigation related to urban runoff</i></p>	<p>Applicant</p>	<p>COB Public Works Engineering Division</p>	<p>The applicant shall provide a detailed drainage plan to the COB demonstrating compliance with this requirement prior to the issuance of any building permits. Monitoring for compliance with the plan shall occur during the construction phase of the project as part of the City's standard inspections associated with grading and building permits.</p> <p><i>Please also see drainage-related impacts and mitigation measures below.</i></p>		

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<p>Impact 4.5-5: On-site drainage and drainage outfalls to Codornices Creek may be affected by post-development drainage from the project site. This is a potentially significant impact.</p>	<p>MM4.5-5: Implementation of the following mitigation measures would reduce the potential for drainage-related erosion impacts to a level that is less than significant:</p> <p>1) Appropriate energy dissipaters shall be installed at all drainage outfalls. Rock size for the energy dissipaters shall be determined based on peak discharge rates per standards presented in ABAG Manual of Standards for Erosion and Sediment Control Measures. All designs shall be reviewed and approved by the City Engineer.</p> <p>2) Grassed swales shall be used where possible for runoff conveyance on the project site, and shall be designed according to the following guidelines: (a) swales should not be used from areas where the runoff velocity is expected to exceed 5 feet per second (fps); (b) the longitudinal slope shall not exceed 5 percent; (c) a flow spreader and energy dissipater shall be used at the entrance of swales; (d) the swale bottom shall be as level as is reasonable based on sound engineering practices (i.e. V-ditch or steeply concaved ditches are not preferable); (e) turf grass is the preferred vegetation.</p>	<p>Applicant</p>	<p>COB, Building and Safety Division</p>	<p>The applicant shall provide a detailed drainage plan to the COB demonstrating compliance with this requirement prior to the issuance of any building permits. Monitoring for compliance with the plan shall occur during the construction phase of the project as part of the City's standard inspections associated with grading and building permits. <i>Please see also the drainage-related impacts and mitigation measures below.</i></p>		

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<p>Impact 4.5-6: The proposed project would increase the amount of suburban non-point source pollutants generated by the site during storm events, impacting the water quality of Codornices Creek, and causing a cumulative water quality impact to San Francisco Bay. This is a potentially significant impact. <i>Note: This impact can be mitigated to an acceptable level. See discussion below.</i></p>	<p>MM4.5-5: Implementation of the following mitigation measures would further reduce the non-point source pollution impacts associated with development of the site:</p> <ol style="list-style-type: none"> <li>1) Pursuant to NPDES requirements, the applicant shall develop a stormwater pollution prevention plan (SWPPP) for the project site. At a minimum, the SWPPP shall: (a) identify specific types and sources of stormwater pollutants; (b) determine the location and nature of potential impacts; and, (c) specify appropriate control measures to eliminate any potentially significant impacts to receiving water quality from stormwater runoff. Control measures should include use of grassed swales or vegetated buffer strips, public education, street sweeping of the entrance driveway during the summer months when traffic is greatest, and other design or source control management practices, as appropriate, to mitigate potential water quality effects.</li> <li>2) The design guidelines for grassed swales presented under Mitigation Measure 4.5-3 shall be incorporated, as well as the following guidelines which are relevant to optimizing the pollutant removal mechanisms of grassed swales: (a) a dense, uniform growth of fine-stemmed herbaceous plants shall be installed for filtering pollutants; (b) vegetation that is tolerant to the water, climatological, and soil conditions of North Berkeley shall be utilized; and, (c) grassed swales with wetland-type plants within the swale shall be installed.</li> <li>3) A catch basin filtration system designed to adsorb oil and grease, petroleum hydrocarbons and heavy metals shall be installed in all storm drainages inlets to capture pollutants before they are carried into Codornices Creek. This filtration system shall be reviewed and approved by the COB Public Works Department to comply with the requirements of the City's NPDES Permit. The applicant shall be required to implement a regular maintenance schedule for the catch basin inserts, subject to City review and inspection, or the applicant shall hire a service to carry out such maintenance.</li> </ol>	<p>Applicant</p>	<p>COB, Public Works Engineering Division</p>	<p>MM 4.5-5 (1 and 2): The applicant shall provide a detailed drainage filtration plan to the COB demonstrating compliance with this requirement prior to the issuance of any building permits. (One-time action)</p> <p>MM 4.5-5 (3): The applicant shall provide for long-term maintenance and replacement of any filters according to the manufacturer's specifications and standards. (On-going Action)</p> <p><i>Please also see the drainage-related impacts and mitigation measures above.</i></p> <p><i>COB may retain expert professional to review the plans as determined necessary.</i></p>		

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<p>Impact 4.6-3 Construction of the wall proposed for sound mitigation along the northern property line of Codornices Creek could adversely affect existing mature trees.</p>	<p>MM 4.6-3 If the construction of a wall is required as a noise mitigation measure, said wall shall be constructed with a “grade beam” or similar construction technique, or as otherwise recommended by a qualified arborist, in those areas where a typical footing could disturb the root system of existing mature trees.</p> <p>Implementation of this measure would reduce impacts to a level of less than significant.</p>	<p>Applicant</p>	<p>COB, Current Planning and Building and Safety Divisions .</p>	<p>The applicant shall provide the COB with a Plan demonstrating compliance with this measure prior to the issuance of any building permits. Consultation with a qualified arborist shall take place prior to development of plans for any proposed wall. A qualified arborist shall monitor excavation of footings in areas where trees could be potentially affected, and shall monitor installation of the wall in these areas.</p> <p><i>COB may retain expert professional to review the plans as determined necessary.</i></p>		<p>See MM 4.3-1 a –2 for discussion of alternative mitigation measures to avoid need for construction of wall to serve as noise barrier.</p>

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<p>Impact 4.6-5 Construction of the proposed project may result in impacts (i.e. dripline encroachment) to several coast live oaks, a locally protected tree species. Because the COB recognizes these trees as a significant biological resource, impacts to coast live oaks would be considered potentially significant and mitigation would be required.</p>	<p>MM 4.6-5 : To avoid impacts to oak trees, any construction or other activities that would encroach into their dripline should be avoided. If encroachment cannot be avoided, the project shall implement the following measures:</p> <ol style="list-style-type: none"> <li>1. Avoid removing more than 15 inches of soil from the existing grade within the dripline of the trees to be preserved.</li> <li>2. Avoid using landscaping that would require irrigation in the area between the trunks and pavement. An organic mulch placed on the soil surface would be a suitable ground material.</li> <li>3. Minimize compaction of soils in close proximity to the trees. This can be accomplished through the use of “turf block” or similar materials which allow water and air to pass through while support the weight of vehicles and reducing compaction of soils under the trees.</li> <li>4. Any pruning (if necessary) and injuries to existing trees should be evaluated by the consulting arborist immediately. Pruning or limbing should be performed by the consulting arborist in accordance with International Society Of Arboriculture (ISA) guidelines.</li> <li>5. Construction equipment or other sources of hazardous materials should not be stored within the driplines of any coast live oaks.</li> <li>6. Prior to the issuance of a building or grading permit the project’s grading plan must first be approved by either the City’s Forester or, at his discretion, a consulting arborist (to be retained by the City at the applicant’s expense) to insure that any grading, filling, paving or other related activities, will not be detrimental to the long term health of the oak trees.</li> </ol> <p>Implementation of the above mitigation measures would reduce potential impacts to coast live oaks to less than significant.</p> <p>7.To avoid impacts to the Monkey Puzzle tree, excavation in the dripline of the Monkey Puzzle tree should not remove more than fifteen percent (15%) of the total volume of roots, and excavation (if any) should occur on one side of the tree only and no closer than fifteen feet (15’) to the trunk of the tree. [Third Addendum to the Final EIR]</p>	<p>Applicant</p>	<p>COB, Current Planning Division, Building and Safety Division, City Forester.</p>	<p>The applicant shall provide the COB with a Plan demonstration compliance with item #6, above, prior to the issuance of any permits for demolition, grading, construction, or tree removal. Implementation of items #1-5 shall take place during the entire clearing, demolition, grading, and construction period.</p>		<p>As stated in the Third Addendum the Final EIR, the potential for impacts to the site’s oak trees has been mostly eliminated by the reconfiguration of the site plan to relocate all site development and paving to the southern portion of the lot. Although this measure was intended to mitigate potential impacts to the original project, the site’s oak trees, it is also applicable to the Monkey Puzzle (Araucaria araucana) tree, which is not protected or of special concern, but was among the existing species present on the site and identified in the EIR. The project arborist has determined that because of the similarity of their root systems, the same impacts to the Monkey Puzzle tree would be mitigated by the measures proposed to protect Coast Live Oaks. Also see Use Permit Condition 21.</p>

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<p>Impact 4.6.7 Implementation of the landscape plan and recommendations regarding creek bed stabilization may require work within the ordinary high water mark (OHWM) of Codornices Creek, a jurisdictional Waters of the U.S. Because work below the OHWM is regulated under Section 404 of the CWA, impacts are considered potentially significant and mitigation would be required.</p>	<p>MM 4.6.7: Prior to the issuance of any COB permits involving work with or within the banks of Codornices Creek, the project sponsor shall present to the City adequate documentation from the applicable federal and state agencies that such work has received all necessary permits, or that such work is exempt from permitting requirements. Permits which may be required include:</p> <p>1. Prior to any work within jurisdictional waters of the U.S., the appropriate Section 404 permit shall be acquired. Limited bank stabilization work may qualify for authorization under Nationwide Permit 13 (Bank Stabilization). More extensive stream restoration work may qualify for authorization under Nationwide Permit 27 (Stream Restoration.) Use of these Nationwide Permits requires compliance with all notification requirements and general conditions associated with these permits. The Corps shall be consulted regarding the appropriate permit authorization.</p> <p>A Streambed Alteration Agreement shall be obtained from DFG, pursuant to Section 1600 of the California Fish and Game Code, for any activities affecting the bed, bank, or associated riparian vegetation of the stream. If required, the project applicant shall coordinate with DFG in developing appropriate mitigation, and shall abide by the conditions of any executed permits.</p>	<p>Applicant</p>	<p>COB Current Planning Division</p>	<p>All required permits shall be obtained as required by state and federal law.</p>		
<p>Impact 4.6-8: Increased Project Runoff</p>	<p>Mitigation 4.6-8: The mitigation measures described in the “Hydrology and Water Quality” section of the DEIR, which would reduce the proposed project’s contribution to pollutant levels in runoff water from the site to levels below a level of significance.</p> <p>In addition, the proposed project includes the restoration of the existing open portion of Codornices Creek, resulting in reduced erosion and sediment runoff and the creation of potential new habitat for trout, should the fish ever return to this portion of the creek. This is considered a beneficial impact of the proposed project.</p>					
<p>Impact 4.6-9: Construction-Related Impacts</p>	<p>Mitigation 4.6-9: The mitigation measures described in the Geology/Hydrology section of this report would reduce construction-related impacts to <i>less-than-significant</i> levels. Hence, the mitigation measures would reduce impacts to fishes, particularly trout, in Codornices Creek, to <i>less-than-significant</i> levels, as well.</p> <p>In addition, the following measure is proposed:</p> <p>MM4.6-9: Construction should occur during the summer months when, it is presumed that fewer fish are present. This will also help reduce adverse impacts on fishery resources.</p>	<p>Applicant</p>	<p>COB, Building and Safety Division</p>	<p>This is a one-time mitigation measure.</p>		

EXHIBIT B. Congregation Beth El, 1301 Oxford Street Use Permit Mitigation Monitoring Program

Impact	Mitigation Measure	Responsibility to Implement	Responsibility to Monitor	Timing	Compliance Signature	Notes
Impact 4.6-10: Drainage-Related Erosion	Mitigation 4.6-10: The mitigation measures described in the Geology/Hydrology section of this report would reduce potentially significant impacts to fishes, but not to a level of <i>less than significant</i> . Hence, the increased project runoff could result in <i>less than significant impacts</i> to fish, including trout, in Codornices Creek.					
Impact 4.6-11: Increased Soil Saturation	Mitigation 4.6-11: The mitigation measures described in the “Hydrology and Water Quality” section of the DEIR would reduce potential impacts to be <i>less than significant</i> . Hence, the mitigation measures would result in a <i>less than significant</i> impact to fish, particularly trout, in Codornices Creek.					
Impact 4.6-12: Increased Non-Point Source Pollution	Mitigation 4.6-12: The mitigation measures described in the Geology/Hydrology section of the DEIR would reduce potential impacts to be <i>less than significant</i> . Hence, the mitigation measures would result in a <i>less than significant</i> impacts to fish, including trout, in Codornices Creek and San Francisco Bay.					
Impact 4.8-1: The construction of 6-foot high stucco walls along the Oxford Street and Spruce Street frontages would generate potentially significant impacts by creating an institutional appearance inconsistent with the character of the surrounding neighborhood	MM 4-8.1: Walls constructed along the Oxford Street and Spruce Street frontages shall be no higher than 3 feet from the adjacent sidewalk’s] grade. Gates at the vehicle and pedestrian entries shall be constructed of an “open” material, such as wrought iron or tubular steel, which is consistent with the overall architectural character of the proposed buildings. At least 80 percent (80%) of these gates shall be open; a maximum of 20 percent (20%) may be comprised of a solid material.	Applicant	COB, Current Planning Division.	The applicant shall submit revised plans to the COB showing the reduced height of these walls and the design of the gates prior to the issuance of any building permits. The height of the walls shall be verified during construction by the City as part of the standard inspection process. <i>Note: Reducing the height of the walls in the vicinity of the Oxford Street entrance is also required to reduce potential visibility problems at this location. See the Traffic/Parking section of this report for further information on this issue.</i>		

EXHIBIT B. Congregation Beth El, 1301 Oxford Street Use Permit Mitigation Monitoring Program

Impact	Mitigation Measure	Responsibility to Implement	Responsibility to Monitor	Timing	Compliance Signature	Notes
<p>Impact 4.8-2: The 7-foot high stucco walls proposed to be built at the northern property line would eliminate desirable views into the site from Berryman Path, creating an institutional appearance inconsistent with the character of the surrounding neighborhood. .</p>	<p>MM 4.8-2: See MM4.3-2</p>	<p>Applicant and COB</p>	<p>COB, Current Planning Division, City Engineer.</p>	<p>The applicant shall submit plans to the COB showing the proposed wall prior to the issuance of any building permits. The installation and height of the wall shall be verified during construction by the City as part of the standard inspection process. <i>See also the Fisheries and Trees section of this report for a discussion the potential impact of this wall on existing mature trees.</i></p>		
<p>Impact 4.8-3: The installation of site lighting as proposed would result in lighting visible to surrounding properties, creating possible spill, and resulting in an institutional appearance, inconsistent with the character of the surrounding neighborhood. .</p>	<p>MM 4.8-3: Lighting installed for illumination of the project site shall be low wattage, downward-directed, and shall avoid spill onto surrounding properties. Bollard-type lighting, at a height of no more than 4 feet, shall be used to illuminate the vehicle entry driveway and main pedestrian paths. In parking areas, light standards of up to 7 feet in height may be used. No lighting, other than accent lighting intended to highlight architectural features, shall be allowed on the exterior of the building. Lighting at the vehicle and pedestrian access points shall be limited to that required for identification of features and safety, and shall avoid spill onto neighboring properties or public ways.</p>	<p>Applicant</p>	<p>COB, Current Planning Division, Design Review Planner.</p>	<p>The applicant shall submit revised plans to the COB showing the reduced height of light standards and any proposed exterior lighting on the buildings prior to the issuance of any building permits. The height of light standards shall be verified by the City during construction as part of standard inspection process.</p>		<p>See Use Permit Condition 39 for requirements specific to access and architectural lighting.</p>