

City of Oakland  
File No.  
Reference No.

**\*\*\*THIS INITIAL STUDY MUST BE USED IN CONJUNCTION WITH THE CEQA THRESHOLDS / CRITERIA OF SIGNIFICANCE GUIDELINES. THE GUIDELINES CONTAIN DIRECTIONS, HELPFUL DISCUSSIONS, TABLES, NOTES, AND DEFINITIONS THAT ARE NECESSARY TO PROPERLY COMPLETE THE INITIAL STUDY CHECKLIST AND CEQA REVIEW \*\*\***

**NOTE: All shaded text and footnotes in the document should be removed prior to document submittal and publication**

(July 15, 2008)

## **INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST**

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California Environmental Quality Act (CEQA)

1. Project Title:
2. Lead Agency Name and Address:  
City of Oakland  
Community and Economic Development Agency, Planning Division  
250 Frank H. Ogawa Plaza, Suite 3315  
Oakland, CA 94612
3. Contact Person and Phone Number:
4. Project Location:
5. Project Sponsor's Name and Address:
6. General Plan Designation:
7. Zoning:
8. Description of Project:
9. Surrounding Land Uses and Setting:
10. Actions/permits which may be required, and for which this document provides CEQA clearance, include without limitation:
11. Other Public Agencies Interested in the Project

## **ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages **[END HERE FOR NEGATIVE DECLARATIONS]**.

**[USE THE FOLLOWING FOR MND]**; which can be mitigated to less than significant levels.

**[USE THE FOLLOWING FOR EIR]**; which will be further studied in the EIR. No other environmental factors will be further studied in the EIR.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                  | <input type="checkbox"/> Agricultural Resources             | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources        | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils          |
| <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Land Use/Planning      |
| <input type="checkbox"/> Mineral Resources           | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing     |
| <input type="checkbox"/> Public Services             | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |   |

**DETERMINATION**

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment with Uniformly Applied Development Standards imposed as Standards Conditions of Approval, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures and Uniformly Applied Development Standards (imposed as Standard Conditions of Approval) have been imposed on the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in earlier document(s) pursuant to applicable legal standards, and 2) has been addressed by mitigation measures or Uniformly Applied Development Standards (imposed as Standard Conditions of Approval) based on the earlier analysis, and, in part, on CEQA Guidelines section 15183. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed, which include **[LIST ALL TOPICS TO BE STUDIED IN THE EIR]**. No other environmental factors will be further studied.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Planner Name  
Title

For Eric Angstadt  
Deputy Director of the  
Community and Economic Development Agency  
Environmental Review Officer

## **EVALUATION OF ENVIRONMENTAL IMPACTS**

CEQA requires that an explanation of all answers be provided along with this checklist, including a discussion of ways to mitigate any significant effects identified.

Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, less than significant with development standards, or less than significant. As defined here, a “Potentially Significant Impact” is appropriate if the significant effect is considered to have a substantial or potentially substantial adverse effect on the environment. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

A “Less than Significant with Mitigation” answer applies where incorporation of a mitigation measure has reduced an effect from a “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

A “Less than Significant with Standard Condition of Approval” answer applies where incorporation of a development standard has reduced an effect from a “Potentially Significant Impact” to a “Less than Significant Impact.” The City’s Uniformly Applied Development Standards (contained in a separate document) are incorporated into projects as Standard Conditions of Approval regardless of a project’s environmental determination. As applicable, the Standard Conditions of Approval are adopted as requirements of an individual project when it is approved by the City and are designed to, and will, substantially mitigate environmental effects, in part, pursuant to CEQA Guidelines section 15183. In reviewing project applications, the City determines which of the standard conditions are applied, based upon the zoning district, community plan, and the type(s) of permit(s)/approvals(s) required for the project. Depending on the specific characteristics of the project type and/or project site, the city will determine which standard conditions apply to each project; for example, standard conditions related to creek protection permits will only be applied projects on creekside properties.

The Standard Conditions of Approval incorporate development policies and standards from various adopted plans, policies, and ordinances (such as the Oakland Planning and Municipal Codes, Oakland Creek Protection, Stormwater Water Management and Discharge Control Ordinance, Oakland Tree Protection Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System (NPDES) permit requirements, Housing Element-related mitigation measures, California Building Code, and Uniform Fire Code, among others), which have been found to substantially mitigate environmental effects. Where there are peculiar circumstances associated with a project or project site that will result in significant environmental impacts despite implementation of the Standard Conditions, the City will determine whether there are feasible mitigation measures to reduce the impact to less than significant levels in the course of appropriate CEQA review (mitigated negative declarations or EIRs).

A “Less than Significant Impact” answer applies where the project creates no substantial or potentially substantial adverse effect on the environment.

A “No Impact” answer applies where a project does not create any impact in that category. A “No Impact” answer needs to be adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply doesn’t apply to projects like the one under involved. A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Condition of Approval	Less than Significant Impact	No Impact
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**I. AESTHETICS -- Would the project:**

a) Have a substantial adverse effect on a scenic vista? <sup>1</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state or locally designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings? <sup>2</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would substantially and adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Introduce landscape that now or in the future cast substantial shadows on existing solar collectors (in conflict with California Public Resource Code Section 25980-25986)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Cast shadows that substantially impairs the function of a building using passive solar heat collection, solar collectors for hot water heating, or photovoltaic solar collectors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Cast a shadow that substantially impairs the beneficial use of any public or quasi-public park, lawn, garden, or open space?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Cast shadow on an historic resource, as defined by CEQA Section 15064.5(a), such that the shadow would materially impair the resource's historic significance by materially altering those physical characteristics of the resource that convey its historical significance and that justify its inclusion on or eligibility for listing in the National Register of Historic Places, California Register of Historical Resources, Local Register of Historic Resources or a historical resource survey form (DPR Form 523) with a rating of 1-5? <sup>3</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Require an exception (variance) to the policies and regulations in the General Plan, Planning Code, or Uniform Building Code, and the exception causes a fundamental conflict with policies and regulations in the General Plan, Planning Code, and Uniform Building Code addressing the Provision of adequate light related to appropriate uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>1</sup> Only impacts to scenic views enjoyed by members of the public generally (but not private views) are potentially significant.

<sup>2</sup> For projects requiring design review, the Initial Study should briefly evaluate the project's consistency with the applicable design review criteria. Projects consistent with the design review criteria will generally be found to result in a less than significant impact.

<sup>3</sup> The City of Oakland's definition of a Historic Resource is located in Appendix A of the CEQA Thresholds / Criteria of Significance Guidelines.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Condition of Approval	Less than Significant Impact	No Impact
j) Create winds exceeding 36 mph for more than 1 hour during daylight hours during the year? <sup>4</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**II. AGRICULTURAL RESOURCES -- Would the project:**

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**III. AIR QUALITY -- Would the project:**

***Project Impacts***

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Frequently create substantial objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Contribute to CO concentrations exceeding the State AAQS of 9 ppm averaged over 8 hours and 20 ppm for 1 hour? <sup>5</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>4</sup> The wind analysis only needs to be done if the project's height is 100 feet or greater (measured to the roof) and one of the following conditions exist: a) the project is located adjacent to a substantial water body (i.e., Oakland Estuary, Lake Merritt or San Francisco Bay); or b) the project is located in Downtown.

<sup>5</sup> Pursuant to BAAQMD, localized carbon monoxide concentrations should be estimated for projects in which (1) vehicle emissions of CO would exceed 550 lb/day; (2) intersections or roadway links would decline to LOS E or F; (3) intersections operating at LOS E or F will have reduced LOS; or (4) traffic volume increase on nearby roadways by 10% or more unless the increase in traffic volume is less than 100 vehicles per hour.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Condition of Approval	Less than Significant Impact	No Impact
g) Result in total emissions of ROG, NOx, or PM10 of 15 tons per year or greater, or 80 pounds (36 kilograms) per day or greater? <sup>6</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Result in potential to expose persons to substantial levels of Toxic Air Contaminants (TAC), such that the probability of contracting cancer for the Maximally Exposed Individual (MEI) exceeds 10 in one million?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Result in ground level concentrations of non-carcinogenic TACs such that the Hazard Index would be greater than 1 for the MEI?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) Result in a substantial increase in diesel emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Cumulative Impacts</b>					
k) Result in any of the above project-specific significant impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l) Result in a fundamental conflict with the local general plan, when the general plan is consistent with the regional air quality plan? When the general plan fundamentally conflicts with the regional air quality plan, then if the contribution of the proposed project is cumulatively considerable when analyzed the impact to air quality should be considered significant?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Plan Impacts <sup>7</sup></b>					
m) Fundamentally conflict with the currently adopted Bay Area Clean Air Plan (CAP) because population growth for the jurisdiction exceeds values in the CAP, based on population projections in ABAG's currently adopted Projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n) Fundamentally conflict with the CAP because the rate of increase in vehicle miles traveled (VMT) in the jurisdiction is greater than the rate of increase in population?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o) Fundamentally conflict with the CAP because the project does not demonstrate reasonable efforts to implement transportation control measures (TCMs) in the CAP?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Greenhouse Gas Emissions and Global Climate Change Impacts. <sup>8</sup>**

<sup>6</sup> The BAAQMD maintains a PM 2.5, NOx, and Ozone monitoring station in East Oakland along International Blvd. and data from this station should be obtained and used. The consultant must submit a public records request to BAAQMD to obtain this information. The form can be submitted via their website: [http://www.baaqmd.gov/adm/public\\_records\\_request.htm](http://www.baaqmd.gov/adm/public_records_request.htm).

<sup>7</sup> These thresholds should be analyzed only for Amendments to General Plans, Redevelopment Plans and/or Specific Plans

<sup>8</sup> Although no threshold has been established, Green House Gas Emissions and Global Climate Change Impacts must also be discussed / evaluated in environmental documents. Use the standard language/approach located in Appendix F1 of the CEQA Thresholds / Criteria of Significance Guidelines.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Condition of Approval	Less than Significant Impact	No Impact
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**IV. BIOLOGICAL RESOURCES - - Would the project:**

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

c) Have a substantial adverse effect on federally protected wetlands (as defined by Section 404 of the Clean Water Act) or state protected wetlands, through direct removal, filling, hydrological interruption, or other means?

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e) Fundamentally conflict with any applicable habitat conservation plan or natural community conservation plan?

f) Fundamentally conflict with the City of Oakland Tree Preservation Ordinance (Oakland Municipal Code (OMC) Chapter 12.36) by removal of protected trees under certain circumstances? Factors to be considered in determining significance include: The number, type, size, location and condition of (a) the protected trees to be removed and/or impacted by construction and (b) the protected trees to remain, with special consideration given to native trees.

Protected trees include the following: Quercus agrifolia (California or coast live oak) measuring four inches diameter at breast height (dbh) or larger, and any other tree measuring nine inches dbh or larger except eucalyptus and pinus radiata (Monterey pine); provided, however, that Monterey pine trees on City property and in development-related situations where more than five Monterey pine trees per acre are proposed to be removed are considered to be Protected trees.

g) Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect biological resources. Although there are no specific, numeric/quantitative criteria to assess impacts, factors to be considered in determining significance include whether there is substantial degradation of riparian and aquatic habitat through:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Condition of Approval	Less than Significant Impact	No Impact
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(a) discharging a substantial amount of pollutants into a creek; (b) significantly modifying the natural flow of the water; (c) depositing substantial amounts of new material into a creek or causing substantial bank erosion or instability; or (d) adversely impacting the riparian corridor by significantly altering vegetation or wildlife habitat?

**V. CULTURAL RESOURCES -- Would the project?**

a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5. Specifically, a substantial adverse change includes physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be “materially impaired.” The significance of an historical resource is “materially impaired” when a project demolishes or materially alters, in an adverse manner, those physical characteristics of the resource that convey its historical significance **and** that justify its inclusion on, or eligibility for inclusion on an historical resource list (including the California Register of Historical Resources, the National Register of Historical Resources, Local Register, or historical resources survey form (DPR Form 523) with a rating of 1-5)?

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

d) Disturb any human remains, including those interred outside of formal cemeteries?

**VI. GEOLOGY AND SOILS -- Would the project:**

a) Expose people or structures to substantial risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map or Seismic Hazards Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publications 42 and 117 and PRC §2690 et. Seq.)?

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction, lateral spreading, subsidence, collapse?

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Condition of Approval	Less than Significant Impact	No Impact
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil, creating substantial risks to life, property, or creek/waterways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as it may be revised), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located above a well, pit, swamp, mound, tank vault, or unmarked sewer line, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Be located above landfills for which there is no approved closure and post-closure plan, or unknown fill soils, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>VII. HAZARDS AND HAZARDOUS MATERIALS - -Would the project:</b>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment? <sup>9</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and would result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be located within the vicinity of a private airstrip, and would result in a safety hazard for people residing or working in the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>9</sup> The Cortese List is the compiled list of hazardous materials sites, pursuant to Government Code Section 65962.5. Appendix B of the CEQA Thresholds / Criteria of Significance Guidelines contains guidance on the Cortese List.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Condition of Approval	Less than Significant Impact	No Impact
project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>VIII. HYDROLOGY AND WATER QUALITY - - Would the project:</b>					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in substantial erosion or siltation on- or off-site that would affect the quality of receiving waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in substantial flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute substantial runoff which would exceed the capacity of existing or planned stormwater drainage systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Create or contribute substantial runoff which would be an additional source of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) Expose people or structures to a substantial risk of loss, injury or death involving flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k) Result in inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l) Substantially alter the existing drainage pattern of the site	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Condition of Approval	Less than Significant Impact	No Impact
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or area, including through the alteration of the course, or increasing the rate or amount of flow, of a Creek, river or stream in a manner that would result in substantial erosion, siltation, or flooding, both on- or off-site?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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m) Fundamentally conflict with elements of the City of Oakland Creek Protection (OMC Chapter 13.16) ordinance intended to protect hydrologic resources. Although there are no specific, numeric/quantitative criteria to assess impacts, factors to be considered in determining significance include whether there is substantial degradation of water quality through (a) discharging a substantial amount of pollutants into a creek; (b) significantly modifying the natural flow of the water or capacity; (c) depositing substantial amounts of new material into a creek or causing substantial bank erosion or instability; or (d) substantially endangering public or private property or threatening public health or safety?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**IX. LAND USE AND PLANNING -- Would the project:**

a) Physically divide an established community?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Result in a fundamental conflict between adjacent or nearby land uses?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Fundamentally conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect and actually result in a physical change in the environment? <sup>10</sup>

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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d) Fundamentally conflict with any applicable habitat conservation plan or natural community conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**X. MINERAL RESOURCES -- Would the project:**

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<sup>10</sup> Use the land-use language/approach located in Appendix C of the CEQA Thresholds / Criteria of Significance Guidelines.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant with Standard Condition of Approval	Less than Significant Impact	No Impact
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**XI. NOISE --** Would the project result in:

a) Exposure of persons to or generate noise levels in excess of standards established in the Oakland general plan or applicable standards of other agencies (e.g., OSHA)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding operational noise?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Violate the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding construction noise, except if an acoustical analysis is preformed? <sup>11</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Violates the City of Oakland Noise Ordinance (Oakland Municipal Code Section 8.18.020) regarding nuisance of persistent construction-related noise?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create a vibration not associated with motor vehicles, trains, and temporary construction or demolition work, which is perceptible without instruments by the average person at or beyond any lot line containing vibration-causing activities, except vibration causing activities located within the (a) M-40 zone or (b) M-30 zone more than 400 feet from any legally occupied residential property (Oakland Planning Code Section 17.120.060)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Expose person to or generate rail-related groundbourne vibration in excess of standards established by the Federal Transit Administration? <sup>12</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Generate interior Ldn or CNEL greater than 45 dBA for multi-family dwellings, hotels, motels, dormitories and long-term care facilities (and may be extended by local legislative action to include single family dwellings) per California Noise Insulation Standards (CCR Part 2, Title 24):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Result in a 5dBA permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Conflicts with state land use compatibility guidelines for all specified land uses for determination of acceptability of noise after incorporation of all applicable Standard Conditions of Approval? <sup>13</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>11</sup> The acoustical analysis must identify, at a minimum, (a) the types of construction equipment expected to be used and the noise levels typically associated with the construction equipment and (b) the surrounding land uses including sensitive receptors. If sensitive receptors are present, the acoustical analysis must recommend measures to reduce potential impacts. Tables with the Noise Standards at a receiving property line are included in the CEQA Thresholds / Criteria of Significance Guidelines.

<sup>12</sup> A Table with the Vibration Criteria is included in the CEQA Thresholds / Criteria of Significance Guidelines.

<sup>13</sup> A discussion of the evaluation of land use compatibility is included in the CEQA Thresholds / Criteria of Significance Guidelines.

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j) Be located within an airport land use plan and would expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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k) Be located within the vicinity of a private airstrip, and would expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**XII. POPULATION AND HOUSING -- Would the project:**

a) Induce substantial population growth in a manner not contemplated in the General Plan either directly (for example by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure), such that additional infrastructure is required but the impacts of such were not previously considered or analyzed?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere in excess of that contained in the City's Housing Element?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere in excess of that contained in the City's Housing Element?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**XIII. PUBLIC SERVICES - - Would the project:**

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

i) Fire protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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ii) Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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iii) Schools? <sup>14</sup>

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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iv) Other public facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**XIV. RECREATION - - Would the project:**

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<sup>14</sup> Although impacts to schools are exempt from CEQA review and mitigation (see SB 50) the impacts should nevertheless be analyzed.

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b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**XV. TRANSPORTATION/TRAFFIC - - Would the project:** <sup>15</sup>

***Project Impacts***

Cause an increase in traffic which is substantial in relation to the traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections), or change the condition of an existing street (i.e.) street closures, changing direction of travel) in a manner that would substantially impact access or traffic load capacity of the street system?

Specifically:

a) At a study, signalized intersection which is located outside the Downtown area<sup>16</sup>, the project would cause the level of service (LOS) <sup>17</sup> to degrade to worse than LOS D (i.e., E)?

b) At a study, signalized intersection which is located within the Downtown area, the project would cause the LOS to degrade to worse than LOS E (i.e., F)?

c) At a study, signalized intersection outside the Downtown area where the level of service is LOS E, the project would cause the total intersection average vehicle delay to increase by four (4) or more seconds, or degrade to worse than LOS E (i.e., F)?

d) At a study, signalized intersection for all areas where the level of service is LOS E, the project would cause an increase in the average delay for any of the critical movements of six (6) seconds or more, or degrade to worse than LOS E (i.e., F)?

e) At a study, signalized intersection for all areas where the level of service is LOS F, the project would cause (a) the total intersection average vehicle delay to increase by two (2) or more seconds, or (b) an increase in average delay for any of the critical movements of four (4)

<sup>15</sup> A discussion of Transportation Impact Assessment Methodology is located in Appendix G of the CEQA Thresholds /Criteria of Significance Guidelines.

<sup>16</sup> The downtown Area is defined in the Land Use and Transportation Element of the General Plan as the area generally bounded by West Grand Avenue to the north, Lake Merritt and Channel Park to the east, the Oakland Estuary to the south and I-980/Brush Street to the west.

<sup>17</sup> A further discussion of LOS and the delay calculations is in located in the CEQA Thresholds / Criteria of Significance Guidelines.

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seconds or more; or (c) the volume-to-capacity (“V/C”) ratio exceeds three (3) percent (but only if the delay values cannot be measured accurately)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) At a study, unsignalized intersection, the project would add ten (10) or more vehicles and after project completion satisfy the Caltrans peak hour volume warrant?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) For a Congestion Management Program (CMP) required analysis, (i.e., projects that generate 100 or more Metropolitan Transportation System to operate at LOS F or increase the V/C ratio by more than three (3) percent for a roadway segment that would operate at LOS F without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Other Thresholds**

h) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Substantially increase traffic hazards due to motor vehicles, bicycles, or pedestrians due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) Result in less than two emergency access routes for streets exceeding 600 feet in length, unless otherwise determined by the Fire Chief, or his/her designee, in specific instances due to climatic, geographic topographic, or other conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k) Fundamentally conflict with adopted policies, plans, or programs supporting alternative transportation (e.g. bus turnouts, bicycle routes, pedestrian safety)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Cumulative Impacts**

A project’s contribution to cumulative impacts is considered “considerable” (i.e., significant) when the project exceeds at least one of the intersection-related thresholds listed above in threshold #a through #g for years 2015 or 2030.

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Planning Related Non-CEQA Issues**

The following transportation-related topics are not considerations under CEQA but should be evaluated in order to

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Inform decision-makers and the public about these issues. <sup>18</sup>

- i) Parking
- ii) Transit
- iii) Queuing
- iv) Traffic Control Devices
- v) Collision History

**XVI. UTILITIES AND SERVICE SYSTEMS - -** Would the project:

a) Exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in construction of new storm water drainage facilities or expansion of existing facilities, construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Exceed water supplies available to serve the project from existing entitlements and resources, and require or result in construction of water facilities or expansion of existing facilities, construction of which could cause significant environmental effects? <sup>19</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments and require or result in construction of new wastewater treatment facilities or expansion of existing facilities, construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs and require or result in construction of landfill facilities or expansion of existing facilities, construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Violate applicable federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Violate applicable federal, state and local statutes and regulations relating to energy standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Result in a determination by the energy provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the					

<sup>18</sup> A discussion of the Planning Related Non-CEQA methodology is located in the CEQA Thresholds / Criteria of Significance Guidelines.

<sup>19</sup> EBMUD needs to be consulted early and a Water Supply Assessment performed for certain projects as discussed in Appendix D of the CEQA Thresholds / Criteria of Significance.

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providers' existing commitments and require or result in construction of new energy facilities or expansion of existing facilities, construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

a) Does the project have the potential to degrade the quality of

the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects.)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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