

Chapter 4

Other Statutory Considerations

4.1 INTRODUCTION

This chapter describes other statutory considerations and potential impacts of the VMP that have not already been described, as required by the CEQA Guidelines. This chapter includes a discussion of irreversible impacts, significant but mitigable impacts, growth-inducing impacts, and cumulative impacts of the VMP.

4.2 IRREVERSIBLE IMPACTS

CEQA Guidelines Section 15126.2(d) requires that an EIR must identify any irreversible impacts (also referred to as irreversible environmental changes) that may be caused by a proposed project, such as current or future commitments to using nonrenewable resources, secondary impacts, and growth-inducing impacts that commit future generations to similar uses. Section 15126 of the CEQA Guidelines states that significant, irreversible environmental changes associated with a proposed project may include:

- use of non-renewable resources during the initial and continued phases of the project that may be irreversible because a large commitment of such resources makes removal or non-use thereafter unlikely;
- primary impacts and, particularly, secondary impacts (such as a highway improvement that provides access to a previously inaccessible area) that commit future generations to similar uses; and
- irreversible damage that may result from environmental accidents associated with the project.

An irreversible commitment of nonrenewable resources would occur as a result of the VMP through the temporary use of heavy equipment, which would require the use of fossil fuels. However, the vegetation management practices implemented under the VMP would likely reduce the need for larger and more complex vegetation management projects that could be required over time if routine maintenance activities were deferred. In addition, failure to implement vegetation treatment activities under the VMP would increase the risk of wildfire within the VMP area, which could result in a catastrophic and uncontrolled commitment of nonrenewable resources. With implementation of the mitigation measures identified in this EIR, the VMP is not anticipated to have secondary impacts that would commit future generations to similar uses or result in irreversible damage, and it would not involve expansion of existing facilities.

4.3 SIGNIFICANT AND UNAVOIDABLE IMPACTS

Section 15126.2(c) of the CEQA Guidelines requires an EIR to describe any significant impacts that cannot be mitigated to a less than significant level. The following impacts are considered significant and unavoidable environmental impacts that cannot be avoided. Refer to Section 3.10, “Noise and Vibration,” of this DEIR for a full description of this impact.

- Impact NOI-1: Generate Substantial Temporary or Periodic Increase in Ambient Noise Levels; or Generate Noise in Violation of the City of Oakland Municipal Code, in Excess of General Plan Standards, California Noise Insulation Standards, or Applicable Standards Established by a Regulatory Agency

4.4 GROWTH INDUCEMENT

Section 15126.2(e) of the CEQA Guidelines requires an EIR to include a detailed statement of a proposed project’s anticipated growth-inducing impacts. The analysis of growth-inducing impacts must discuss the ways in which a proposed project could foster economic or population growth or the construction of additional housing in the project area. The analysis also must address project-related actions that, either individually or cumulatively, would remove existing obstacles to population growth. A proposed project is considered growth inducing if it would induce growth directly (through the construction of new housing or increasing population) or indirectly (by increasing employment opportunities or eliminating existing constraints on development). Under CEQA, growth is not assumed to be either beneficial or detrimental.

The VMP would neither involve the construction of new housing nor directly or indirectly result in population growth. Similarly, implementation of the VMP would not result in significant increases in employment, given modest increases in crew sizes and the relative frequency of vegetation management activities. Therefore, the VMP would not result in growth-inducing impacts.

4.5 CUMULATIVE IMPACTS

A cumulative impact refers to the combined effect of “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts” (CEQA Guidelines Section 15355). Cumulative impacts reflect the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable (i.e., probable) future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time (CEQA Guidelines Section 15355[b]).

CEQA Guidelines Section 15130(a) requires that an EIR address the cumulative impacts of a proposed project when:

- the cumulative impacts are expected to be significant; and

- the project's incremental effect is expected to be cumulatively considerable, or significant, when viewed in combination with the effects of past, current, and probable future projects.

An EIR does not need to discuss cumulative impacts that do not result in part from the project evaluated in the EIR.

CEQA Guidelines Section 15130 requires an analysis of cumulative impacts to contain the following elements:

- Either a list of past, present, and probable future projects producing related cumulative impacts or a summary of projections contained in an adopted local, regional, or statewide plan that describes or evaluates conditions contributing to the cumulative effect;
- A definition of the geographic scope of the area affected by the cumulative effect and a reasonable explanation for the geographic limitation used;
- A summary of the environmental effects expected to result from those projects with specific reference to additional information stating where that information is available; and
- A reasonable analysis of the combined (cumulative) impacts of the relevant projects.

The discussion of cumulative impacts is not required to provide as much detail as the discussion of effects attributable to the project alone. Rather, the level of detail should be guided by what is practical and reasonable. In addition, Section 15130(e) of the CEQA Guidelines directs that, if a cumulative impact is adequately addressed in a previous EIR for a general plan and the proposed project is consistent with that general plan, the project EIR need not analyze that cumulative impact further.

4.5.1 Methods Used in this Analysis

As described above, Section 15130 of the CEQA Guidelines provides two recommended approaches for analyzing and preparing an adequate discussion of significant cumulative impacts:

- the *list approach*, which involves listing past, present, and probable future projects that would produce related or similar impacts, including those projects outside the control of the lead agency; or
- the *projection approach*, which utilizes a summary of projections contained in an adopted general plan, a related planning document, or an adopted environmental document that evaluated regional or area-wide conditions contributing to the cumulative impact.

The discussion of cumulative impacts in this DEIR uses a combination of the list approach and the projection approach. Section 4.5.2 identifies other past, present, and reasonably foreseeable future projects involving vegetation and wildfire management that could affect resources similar

to those affected by the VMP. Section 4.5.3 describes aspects of relevant planning documents that reflect the City's past, present, and reasonably foreseeable future development conditions in the VMP area. Using this combined approach, the cumulative impact analysis focuses on environmental resources that could be affected by the VMP in conjunction with other past, present, and reasonably foreseeable future projects.

4.5.2 Activities with Potential to Affect Resources Similar to the VMP

Chabot Space and Science Center Vegetation Management Implementation Plan

The City of Oakland prepared and is implementing a Vegetation Management Implementation Plan at the Chabot Space and Science Center (CSSC) (WRA 2013). The plan includes recommendations to reduce fuel loads on approximately 7.93 acres of land to the southwest of the CSSC, bounded by the CSSC driveways to the northwest and southeast and by Skyline Boulevard to the southwest.

Chabot Space and Science Center Pallid Manzanita Habitat Enhancement and Conservation Plan

The Pallid Manzanita Habitat Enhancement and Conservation Plan (CSSC 2015) was prepared to fulfill mitigation measures established in the 1995 CSSC EIR. These mitigation measures were designed to avoid and minimize impacts to pallid manzanita (*Arctostaphylos pallida*), a plant species federally listed as threatened and state listed as endangered, located in the vicinity of the CSSC. The habitat enhancement and conservation plan describes performance standards and habitat enhancement and restoration measures to restore the species to previous numbers (at a minimum) and protect the plants into the future. The plan sets forth a monitoring regimen to take place each spring to document the success of habitat enhancement and restoration efforts.

EBRPD East Bay Hills Wildfire Hazard Reduction, Resource Management Plan

The EBRPD East Bay Hills Wildfire Hazard Reduction and Resource Management Plan (LSA 2009) provides long-term strategies to reduce fuel loads and manage vegetation within the EBRPD's Study Area parks. The resource management plan includes goals for wildfire hazard reduction and resource management to minimize the risk of Diablo wind-driven catastrophic wildfire along the WUI while maintaining and enhancing ecological habitat values within the EBRPD's jurisdiction. To achieve these goals, the EBRPD established a vegetation management plan that describes vegetation types and characteristics within the EBRPD's Study Area; identifies fire hazard reduction and resource management goals; and sets forth fuel treatment methods. The vegetation management plan also discusses fuel reduction methods and allows for a feedback process to improve implementation.

East Bay Municipal Utility District East Bay Watershed Fire Management Plan

The EBMUD Fire Management Plan (EBMUD 2000) guides the implementation of fire protection and preparedness activities that meet key watershed management objectives. Using an integrated GIS-based fire-planning process, the fire management plan is periodically updated to reflect current scientific information, federal and state regulations, and natural resource constraints. The plan presents implementation strategies and tactics for fire assessment, reduction, and management.

East Bay Municipal Utility District Low Effect East Bay Habitat Conservation Plan

The EBMUD Low Effect East Bay Habitat Conservation Plan (EBMUD 2008) specifies the potential impacts of activities associated with the take of listed species occurring within the HCP area. General goals include managing maintenance of existing covered species habitat types and educating EBMUD personnel regarding identification and avoidance of sensitive species. Species-specific goals include protecting individuals and habitats of covered species on EBMUD watershed land and working toward general species recovery within the HCP area.

Alameda County Community Wildfire Protection Plan

The Alameda County Community Wildfire Protection Plan (Diablo Fire Safe Council 2015) provides an overview of wildfire hazards and risk in the WUI areas of Alameda County, California. The CWPP follows the format established by the federal Healthy Forest Restoration Act by identifying and prioritizing opportunities for fuel reduction within the county, addressing structural ignitability, and encouraging collaboration with stakeholders. The CWPP aims to aid stakeholders in preventing and reducing the threat of wildfire in the county by increasing education about wildfires, reducing hazardous fuels and structural ignitability, and assisting with emergency preparedness and fire suppression efforts. Action plan summaries identify implementation steps, leaders and partners, timeframes, and funding needs to facilitate the implementation of mitigation efforts.

Fire Hazard Mitigation Program and Fuel Management Plan for the East Bay Hills (1995)

The *Fire Hazard Mitigation Program and Fuel Management Plan* (East Bay Hills Vegetation Management Consortium 1995) covers a study area of approximately 37,000 acres from Berkeley to Oakland and summarizes the efforts of nine public agencies collectively referred to as the Vegetation Management Consortium (VMC), to mitigate fire risk. The plan was funded by grants from FEMA and the California Office of Emergency Services matched by funding from local agencies. The plan identifies high fire hazard areas and prioritizes fuel treatment areas based on those ratings. In addition, the plan identifies vegetation management prescriptions by dominant vegetation type.

Resource Management Plan for the Caldecott Wildlife Corridor

The *Resource Management Plan for the Caldecott Wildlife Corridor* (Caldecott Corridor Committee 1998) covers the area of land above the Caldecott Tunnel, a significant habitat linkage across SR 24. The plan outlines the ecology, ownership, and fire environment of the study area and outlines management goals and objectives intended to improve wildlife habitat value and reduce wildfire hazard. The plan recommends management actions focused on fuel management, habitat restoration, power line management, public education, and road closure.

UC Berkeley Wildland Vegetative Fuel Management Plan

The University of California at Berkeley's (UC Berkeley) proposed Wildland Vegetative Fuel Management Plan (WVFMP) covers the University's Hill Campus (Plan Area) and aims to reduce wildfire risk and minimize the potential for harmful effects of wildfire on people, property, and natural resources in the Plan Area, as well as on adjacent public and private land. The WVFMP includes five different vegetation treatment activities: 1) manual treatment, 2) mechanical treatment, 3) prescribed broadcast burning, 4) managed herbivory (livestock grazing), and 5) targeted ground application of herbicides. UC Berkeley would implement vegetation treatment activities on an average of 200 acres per year within the Plan Area. UC Berkeley is also proposing nine identified treatment projects (two fuel break projects, four temporary refuge areas, and three fire hazard reduction projects) in the Plan Area. (UC Berkeley 2020)

4.5.3 Planning Documents Considered for Cumulative Impact Analysis

City of Oakland General Plan

The Safety Element of the City of Oakland's General Plan (City of Oakland 2004) provides an overview of five specific environmental hazards (public safety, geologic hazards, fires, hazardous materials, and flooding), including the institutional framework and policy actions related to those hazards. In particular, Chapter 4, "Fire Hazards," analyzes the city's risk from wildfires and structural fires, as well as the city's firefighting capabilities, water supply and roadway standards, and emergency routes. It also addresses the City's response to the 1991 Oakland/Berkeley Hills Fire, which included special development requirements for new construction in wildfire-hazard areas, vegetation management, and fire suppression and public education programs in the Oakland Hills.

The Open Space, Conservation, and Recreation Element of the City's General Plan (City of Oakland 1996) is the official policy document addressing the management of open land, natural resources, and parks in Oakland. The element contains chapters that address City goals and policies to protect open space, soil, water, plant and animal, air, and energy resources.

City of Oakland 2016-2021 Local Hazard Mitigation Plan

The City of Oakland's *2016-2021 Local Hazard Mitigation Plan* (City of Oakland 2016) is an amendment to the City's General Plan Safety Element and an annex to the Association of Bay Area Governments (ABAG) multi-jurisdictional Local Hazard Mitigation Plan. The plan identifies the natural and human-caused hazards the City faces, assesses residents' vulnerability, and identifies specific actions that can be taken to reduce the risk. The fire prevention mitigation strategies that the City committed to include reauthorizing Wildfire Prevention Assessment

District (WPAD), establishing a Defensible Space Vegetation Program to reduce wildfire hazards, and amending the Oakland Planning Code to adopt a “Fire-safe Combining Zone” for future construction.

Oakland 2030 Equitable Climate Action Plan

The City’s recently adopted 2030 ECAP (City of Oakland 2020) contains goals and actions that apply to activities within the city, with a GHG reduction target for the year 2030 of 56 percent below 2005 levels. Actions relevant to the VMP include reducing wildfire risk, expanding and protecting tree canopy cover, and rehabilitating riparian and open space areas.

North Oakland Hill Area Specific Plan

The North Oakland Hill Area Specific Plan (City of Oakland 1986) is a document addressing land use, infrastructure, zoning, and development in a portion of the Oakland hills. The area covered by this specific plan is generally located along the ridgeline northwest of Shepherd Canyon Road. This specific plan includes a vegetation management prescription and specific policies and mitigation measures to reduce fire hazard risk within the North Oakland hill area.

Plan Bay Area 2040

Plan Bay Area 2040 is the latest update to the long-range Regional Transportation Plan and Sustainable Communities Strategy for the nine-county San Francisco Bay Area. Prepared by ABAG and the Metropolitan Transportation Council (MTC) in 2017, the plan discusses growth in the Bay Area through 2040 and identifies transportation and land use strategies to enable a more sustainable, equitable, and economically vibrant future. Starting with the current state of the region, Plan Bay Area 2040 identifies goals, a proposed growth pattern and supporting transportation investment strategy, and key actions to address ongoing and long-term regional challenges. **Table 4-1** provides the plan’s estimates of population growth in the Bay Area and population in the VMP area.

Table 4-1. Projected Population and Housing Growth for the VMP Area for 2020–2030

Jurisdiction	Population		Projected Annual Population Growth (%)
	2020	2030	
City of Oakland ¹	480,270	554,325	1.4
VMP Area	8,425 ²	9,690 ³	

Sources: (1) ABAG and MTC 2017; (2) U.S. Census Bureau 2018; (3) calculated.

4.5.4 Resource Topics Considered and Dismissed for Cumulative Impacts Analysis

Based on the significance thresholds in Appendix G of the CEQA Guidelines, the City of Oakland CEQA Thresholds of Significance Guidelines (City of Oakland 2013), and City of Oakland Transportation Impact Review Guidelines (City of Oakland 2017), several resource sections of the environmental analysis in Chapter 3 of this DEIR include some level of evaluation of the VMP for its potential to make a considerable contribution to cumulative impacts. These resource

topics are air quality, biological resources, greenhouse gases, and transportation. The VMP's contribution to cumulative air quality impacts is addressed in Section 3.3, "Air Quality." Greenhouse gas emissions are inherently a cumulative issue and are addressed in Section 3.7, "Greenhouse Gas Emissions, Climate Change, and Energy." Therefore, these topics are not discussed further in this section. Cumulative impacts on biological resources and noise are evaluated to a limited degree and are included below.

Table 4-2 describes resource topics for which significant cumulative impacts do not exist or the VMP would not have the potential to make a considerable contribution to any significant cumulative impacts. These resource topics have been dismissed from consideration in the analysis of cumulative impacts and are not discussed further.

Table 4-2. Resource Topics Eliminated from Further Consideration in the Analysis of Cumulative Impacts

Resource Topic	Rationale for Elimination
Aesthetics	Impacts related to aesthetics from other vegetation management and conservation plans in the Oakland Hills would be site specific and dependent upon the type of activity proposed. Several of these plans would involve similar activities to the VMP in contiguous areas. Similar to the VMP, treatment activities under the cumulative projects would be phased over multiple years, and the likelihood of any one vegetation management activity occurring over a large enough area to have a substantial adverse effect on a scenic vista or view from a scenic highway is minimal. Impacts of the VMP related to short-term degradation of public views as a result of large equipment would be mitigated, and clearance of roadside vegetation would generally improve visual conditions for most viewers as a result of implementation of the VMP. Impacts of the VMP related to long-term degradation of public views from recreational trails and scenic vistas as a result of tree removal would be reduced through implementation of Mitigation Measure AES-1, which requires a visual reconnaissance, potential relocation of tree removal actions, thinning of surrounding vegetation or screening of treatment areas that are publicly visible. For these reasons, the VMP would not contribute to a cumulatively significant impact related to aesthetics. Therefore, this resource topic is dismissed from further analysis.

Resource Topic	Rationale for Elimination
Cultural Resources and Tribal Cultural Resources	Impacts related to cultural and tribal cultural resources from other vegetation management and conservation plans in the Oakland Hills would be site specific. Similar to the VMP, cumulative project proponents would be required to assess the presence of such resources (e.g., consultation with Native American tribes) before conducting plan-related activities. If such resources are identified on a given project site, projects would be required to implement standard measures to avoid impacts to cultural resources (similar to the cultural resources mitigation measures identified in Sections 3.5 and 3.13 of this DEIR). In addition, state-mandated protocols for unanticipated discoveries found during construction would also be required. For these reasons, the VMP would not contribute to a cumulatively significant impact related to cultural or tribal cultural resources. Therefore, these resource topics are dismissed from further analysis.
Geology, Soils, and Seismicity	Impacts related to geology, soils, and seismicity from other vegetation management and conservation plans in the Oakland Hills would be site specific. Similar to the VMP, cumulative project proponents would be required to comply with state law to avoid destruction of paleontological resources or unique geologic features. Additionally, other plans would be required to implement standard measures to avoid impacts from erosion, loss of topsoil, and landslides. For these reasons, the VMP would not contribute to a cumulatively significant impact regarding geology, soils and seismicity. Therefore, this resource topic is dismissed from further analysis.
Hazards and Hazardous Materials	Impacts related to hazards and hazardous materials from other vegetation management and conservation plans in the Oakland Hills would be site specific. Similar to the VMP, cumulative project proponents would be required to comply with federal, state, and local requirements to minimize impacts related to hazardous materials. For these reasons, the VMP would not contribute to a cumulatively significant impact regarding hazards and hazardous materials. Therefore, this resource topic is dismissed from further analysis.
Hydrology and Water Quality	Similar to the VMP, other vegetation management and conservation plans in the Oakland Hills would be required to comply with state and local permit requirements and implement stormwater management BMPs aimed at reducing pollutants of concern and minimizing the volume and velocity of stormwater runoff from a project site. Similar to the VMP, cumulative project proponents would also be required to implement measures to avoid violation of water quality standards from erosion, sedimentation, and siltation from treatment activities. For these reasons, the VMP would not contribute to a cumulatively significant impact related to hydrology and water quality. Therefore, this resource topic is dismissed from further analysis.

Resource Topic	Rationale for Elimination
Recreation	The VMP would not result in increased use of recreational facilities in the VMP area that would lead to physical deterioration or permanently disrupt use of or access to recreational facilities. Similar to the VMP, impacts to recreational facilities and open spaces from other vegetation management and conservation plans within the Oakland Hills would be localized and temporary. Mitigation in the VMP requires that public notification would be provided in the event of a temporary trail closure. For these reasons, the VMP would not contribute to a cumulatively significant impact related to recreation. Thus, this resource topic is dismissed from further analysis.
Transportation	The VMP would not result in a significant increase in VMT because the various project sites and treatment activities would take place over a 10-year period, with minimal increases in daily trips (up to 18-48). Similar to the VMP, other vegetation management and conservation plans would involve periodic maintenance and treatment activities conducted by small crews, resulting in limited increases in daily trips. For these reasons, the VMP would not contribute to a cumulatively significant impact related to transportation. Thus, this resource topic is dismissed from further analysis.
Wildfire	The VMP would reduce the risk of wildfire in the treatment area through targeted vegetation and fuel management activities conducted along roadsides, medians, trails, open spaces, and urban/residential parcels in the Oakland Hills. Similar to the VMP, other vegetation management and conservation plans would be required to implement fire safety measures such that projects would not exacerbate wildfire risks. For these reasons, the VMP would not contribute to a cumulatively significant impact related to wildfire. Thus, this resource topic is dismissed from further analysis.

4.5.5 Cumulative Impacts

Cumulative Impact BIO-1: Cumulative Effects on Biological Resources (*Less than Significant with Mitigation*)

VMP activities and ongoing activities conducted under regional vegetation management and conservation plans could result in the loss of wetlands and water features. These outcomes could potentially lead to direct take or loss of habitat for both common and special-status species, including the Alameda whipsnake and California red-legged frog. The VMP area contains a wide variety of sensitive natural communities that support many special-status species, including brittle leaf – woolly leaf manzanita chaparral, bush monkeyflower scrub, California bay forest, freshwater emergent wetland, needle grass – melic grass grassland, redwood forest, red alder forest, and valley/foothill riparian. As a result, anticipated growth and development in Oakland, along with other vegetation management and conservation plans contiguous to the VMP area, could result in cumulative effects on special-status species and sensitive habitats.

Ground-disturbing activities associated with the other vegetation management and conservation plans could disturb or directly injure or kill special-status species or result in permanent loss of habitat, all of which would be significant impacts. However, it is expected that

other plans contiguous to the VMP area would be required to implement the same types of mitigation measures to offset their adverse effects on special-status species and other sensitive biological resources as those identified for the VMP. Some cumulative projects in the VMP area would have long-term direct benefits to specific species in the area, such as the CSSC Vegetation Management Implementation Plan and CSSC Pallid Manzanita Habitat Enhancement and Conservation Plan, which are designed improve habit conditions for pallid manzanita. Additionally, the EDMUD Low Effect East Bay HCP identifies general and species-specific biological goals regarding identification and avoidance of sensitive species. However, the Alameda County Plan Bay Area 2040 and the City of Oakland General Plan anticipate population and housing growth over the next 10 years; this ongoing development would also contribute to significant impacts on biological resources. Overall, the potential to adversely affect special-status species, wetlands, and water features would result in a significant cumulative impact.

As described in Section 3.4, “Biological Resources,” the VMP would involve vegetation management activities in various locations that could impact special-status plants and wildlife, as well as wetlands and water features. If left unmitigated, these impacts would result in a considerable contribution to a cumulative impact. However, adherence to Mitigation Measures BIO-1 through BIO-16 identified in Section 3.4 would mitigate impacts of the VMP to special-status species, wetlands, and water features to a less than significant level. Considering that the VMP would not convert large areas of sensitive habitat and would avoid, minimize, or mitigate temporary and permanent effects to the maximum extent practicable with implementation of the above-mentioned mitigation measures, the VMP’s contribution to cumulative impacts on biological resources would not be considerable. Therefore, this impact would be **less than significant with mitigation**.

Cumulative Impact NOI-2: Cumulative Effects Related to Noise (*Significant and Unavoidable*)

As described in Section 3.10, “Noise and Vibration,” VMP treatment activities would involve the use of equipment, including trucks used for hauling away material or transporting equipment and livestock, that may generate groundborne vibration. At any given site near sensitive receptors, groundborne vibration from equipment and trucks would be limited in duration and infrequent. Similar conditions would apply to other vegetation management and conservation plans in or near the VMP area. In addition, Section 17.120.060 of the City of Oakland Planning Code exempts motor vehicles and temporary construction and demolition activities from the vibration standard. Therefore, the generation of groundborne vibration from VMP activities and other cumulative projects would be less than significant.

The major noise sources in the Oakland area are transportation-related, including vehicle traffic on highways and major roads, BART and rail operations, and aircraft operations at Oakland International Airport. In and around the VMP area, the primary sources of noise are Interstate 580, SR 13, and BART. Many parcels targeted by vegetation management plans are in or adjacent to parks and single-family residential areas, where common noise sources include equipment used for landscaping and yardwork. Similarly, many of these areas are open spaces or recreational areas that generally have less ambient noise and no permanent or substantial onsite noise sources. On-site uses in active recreation areas such as Oakland Zoo, Chabot Science Center, sport fields, or amphitheaters constitute additional potential noise sources. These sites are generally located in the Oakland Hills, either within or bordering residential areas

and open spaces, which are designated as sensitive receptors in the City of Oakland General Plan. Therefore, anticipated growth and development in Oakland, along with other contiguous vegetation management and conservation plans, could result in cumulative effects related to noise.

Mechanical treatment activities and vehicles associated with other vegetation management and conservation plans would result in increased noise levels in areas adjacent to the VMP area. Although these increases would likely be temporary, they would affect sensitive receptors in residential areas and open spaces that are the targets of the plans. In addition, the Alameda County Plan Bay Area 2040 anticipates population growth of approximately 1.4 percent per year over the next 10 years; this ongoing development would also contribute to significant impacts related to noise. Overall, the increases in noise levels would result in a significant cumulative impact.

VMP activities would be temporary at any given site. Activities would be phased over multiple years, and the likelihood of any individual management activity occurring over a large enough area to have a substantial adverse noise effect in the long term would be minimal. In general, noise levels are considered a localized issue. While implementation of Mitigation Measures NOI-1 and NOI-2 would help minimize noise impacts, the use of noise-producing equipment near residences and other sensitive receptors may be necessary in order to reduce fire risk at those receptors and in adjacent VMP treatment areas.

There is no additional feasible mitigation that could be implemented to decrease noise levels at receptors. The use of temporary sound barriers between construction activity and the sensitive receptors is a common construction-related noise mitigation measure. However, this strategy is not feasible to implement for VMP management activities because of the location, nature, and pace of the treatment work. Installing temporary sound barriers in the VMP area would often be a hazard to workers, the public, and nearby structures or buildings because of the hilly, vegetated, and undeveloped terrain, and sound barriers could inhibit wildlife movement in the area. Establishing a distance from residences within which noise-generating treatments or hand-operated power tools and heavy equipment would be prohibited is another potential mitigation strategy. However, prohibiting or reducing the effectiveness of treatments near residences would prevent the City from accomplishing the primary objective of the VMP. Therefore, these potential mitigation strategies are not feasible. For the reasons described above, even with implementation of Mitigation Measures NOI-1 and NOI-2, the VMP would make a considerable contribution to the cumulative temporary increases in ambient noise levels in VMP treatment areas; this cumulative impact would be **significant and unavoidable**.