

[The following condition applies to all projects involving both of the following:

- a. Construction, grading, or mining activities; and**
- b. Located in an area of naturally-occurring asbestos, serpentine soils, and/or ultramafic rock (generally above Highway 13 between Shepherd Canyon Rd. and Keller Ave.; staff can refer to the map on the City server).]**

27. Naturally-Occurring Asbestos

Requirement: The project applicant shall comply with all applicable laws and regulations regarding construction in areas of naturally-occurring asbestos, including but not limited to, the Bay Area Air Quality Management District's (BAAQMD) Asbestos Airborne Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations (implementing California Code of Regulations, section 93105, as may be amended) requiring preparation and implementation of an Asbestos Dust Mitigation Plan to minimize public exposure to naturally-occurring asbestos. Evidence of compliance shall be submitted to the City upon request.

When Required: Prior to approval of construction-related permit

Initial Approval: Applicable regulatory agency with jurisdiction

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

BIOLOGICAL RESOURCES

[The following condition applies to all construction projects which include glass as part of the building's exterior AND at least one of the following:

- a. The project is located immediately adjacent to a substantial water body (e.g., Oakland Estuary, San Francisco Bay, Lake Merritt or other lake, reservoir, or wetland);**
- b. The project is located immediately adjacent to recreation area or park larger than one acre and which contains substantial vegetation;**
- c. The project includes a substantial vegetated or green roof (roofs with growing medium and plants taking the place of conventional roofing, such asphalt, tile, gravel, or shingles), but excluding container gardens; or**
- d. The project includes an existing or proposed substantial vegetated area (generally contiguous one acre in size or larger) located directly adjacent to project buildings.]**

28. Bird Collision Reduction Measures

Requirement: The project applicant shall submit a Bird Collision Reduction Plan for City review and approval to reduce potential bird collisions to the maximum feasible extent. The Plan shall include all of the following mandatory measures, as well as applicable and specific project Best Management Practice (BMP) strategies to reduce bird strike impacts to the maximum feasible extent. The project applicant shall implement the approved Plan. Mandatory measures include all of the following:

- i. For large buildings subject to federal aviation safety regulations, install minimum intensity white strobe lighting with three second flash instead of solid red or rotating lights.
- ii. Minimize the number of and co-locate rooftop-antennas and other rooftop structures.

- iii. Monopole structures or antennas shall not include guy wires.
- iv. Avoid the use of mirrors in landscape design.
- v. Avoid placement of bird-friendly attractants (i.e., landscaped areas, vegetated roofs, water features) near glass unless shielded by architectural features taller than the attractant that incorporate bird friendly treatments no more than two inches horizontally, four inches vertically, or both (the “two-by-four” rule), as explained below.
- vi. Apply bird-friendly glazing treatments to no less than 90 percent of all windows and glass between the ground and 60 feet above ground or to the height of existing adjacent landscape or the height of the proposed landscape. Examples of bird-friendly glazing treatments include the following:
 - Use opaque glass in window panes instead of reflective glass.
 - Uniformly cover the interior or exterior of clear glass surface with patterns (e.g., dots, stripes, decals, images, abstract patterns). Patterns can be etched, fritted, or on films and shall have a density of no more than two inches horizontally, four inches vertically, or both (the “two-by-four” rule).
 - Install paned glass with fenestration patterns with vertical and horizontal mullions no more than two inches horizontally, four inches vertically, or both (the “two-by-four” rule).
 - Install external screens over non-reflective glass (as close to the glass as possible) for birds to perceive windows as solid objects.
 - Install UV-pattern reflective glass, laminated glass with a patterned UV-reflective coating, or UV-absorbing and UV-reflecting film on the glass since most birds can see ultraviolet light, which is invisible to humans.
 - Install decorative grilles, screens, netting, or louvers, with openings no more than two inches horizontally, four inches vertically, or both (the “two-by-four” rule).
 - Install awnings, overhangs, sunshades, or light shelves directly adjacent to clear glass which is recessed on all sides.
 - Install opaque window film or window film with a pattern/design which also adheres to the “two-by-four” rule for coverage.
- vi. Reduce light pollution. Examples include the following:
 - Extinguish night-time architectural illumination treatments during bird migration season (February 15 to May 15 and August 15 to November 30).
 - Install time switch control devices or occupancy sensors on non-emergency interior lights that can be programmed to turn off during non-work hours and between 11:00 p.m. and sunrise.
 - Reduce perimeter lighting whenever possible.
 - Install full cut-off, shielded, or directional lighting to minimize light spillage, glare, or light trespass.
 - Do not use beams of lights during the spring (February 15 to May 15) or fall (August 15 to November 30) migration.
- vii. Develop and implement a building operation and management manual that promotes bird safety. Example measures in the manual include the following:
 - Donation of discovered dead bird specimens to an authorized bird conservation organization or museums (e.g., UC Berkeley Museum of Vertebrate Zoology) to aid in

species identification and to benefit scientific study, as per all federal, state and local laws.

- Distribution of educational materials on bird-safe practices for the building occupants. Contact Golden Gate Audubon Society or American Bird Conservancy for materials.
- Asking employees to turn off task lighting at their work stations and draw office blinds, shades, curtains, or other window coverings at end of work day.
- Install interior blinds, shades, or other window coverings in windows above the ground floor visible from the exterior as part of the construction contract, lease agreement, or CC&Rs.
- Schedule nightly maintenance during the day or to conclude before 11 p.m., if possible.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

The following condition applies to all projects that involve removal of a tree (either protected or unprotected tree).]

29. Tree Removal During Bird Breeding Season

Requirement: To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.

When Required: Prior to removal of trees

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Building

The following condition applies to all projects requiring a tree permit per the City's Tree Protection Ordinance (OMC Chap. 12.36).]

30. Tree Permit

a. Tree Permit Required

Requirement: Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.