

**Conditions for Development on NAS Alameda Community Reuse Plan Area
Based on Final Biological Opinion (Paraphrased for Clarification), with Additional
Lighting Restrictions**

I. Entire Reuse Plan Area

A. Conditions applicable to all Plan Areas:

- (1) Tenants and property owners should be aware of the minimization and avoidance measures outlined in the U.S. Fish and Wildlife Service's (Service's) Biological Opinion (BO).
- (2) Tenants and property owners should be aware that a California least tern predator management plan is being implemented by a qualified contractor under contract to the City throughout the Reuse Plan Area. The contractor may need to access roofs of buildings, vegetation, and other areas providing food, shelter, or nesting sites for predators during the period March 25 through August 7.
- (3) Tenants and property owners should be aware that the portion of the Bay Trail that surrounds the western, southern, and eastern sides of the Veterans Administration (VA) parcel will be closed from April 1 to August 15, and no public access to those areas will be allowed during that time.
- (4) Feral cat feeding stations and colonies, and the feeding of any native and non-native wildlife species that are potential predators of least terns (such as crows, ravens, raccoons, skunks, and foxes), are prohibited.
- (5) The City will not commission or explicitly issue approvals for airplane flights within 0.75 mile of the least tern colony, at any altitude, between April 1 and August 15.
- (6) The City will not commission or explicitly issue approvals for fireworks displays from April 1 to August 15.

II. Northwest Territories (Regional Park and Sports Complex)

A. Conditions applicable to the Regional Park area of the Northwest Territories (NWT):

- (1) For streetlights, walkway lights, and parking lot lights, the maximum mounting height shall be 20 feet, and the maximum illumination shall be 0.50 footcandle (5.5 lux) on grade measured at 60 feet from pole, with a maximum of 5 footcandles (50.5 lux) directly below each fixture. Luminaires shall have Illuminating Engineering Society of North America (IESNA) full cutoff distribution. LED lighting is preferred.
- (2) Within line of sight of the VA Undeveloped Area:
 - a. The number of new lights shall be limited to the minimum number required for building security.
 - b. All lights shall be directed away and/or screened from the VA Undeveloped Area.

- c. Tinting of windows, with non-reflective tinting material, within the line of sight of the VA Undeveloped Area shall be required.
- (3) Detailed stormwater management and monitoring plans for the NWT shall be developed in coordination with the Service and implemented to protect open water foraging areas for least terns. The plans shall be reviewed and approved by the Service prior to development of projects in this area.
- (4) Prior to any construction within the Regional Park, a Service-approved park management agency will be selected by the City.
- (5) No artificial features greater than 20 feet in height shall be constructed with the exception of 25 feet in the Veteran's memorial plaza area.
- (6) The cumulative square footage of buildings associated with the Regional Park in the NWT shall not exceed 4,500.
- (7) No tree species capable of growing to greater than 20 feet in height shall be planted in the regional park area. Tree and shrub density shall not exceed one tree or shrub per 10,000 square feet. A palette of proposed shrub and herbaceous plant species shall be reviewed and approved by the Service prior to the planting of any vegetation in this area.
- (8) From April 1 through August 15, nighttime lighting in the Regional Park area shall be limited to the minimum necessary for public safety.
- (9) The final Regional Park design/configuration, herbicide/pesticide drift control plan, and landscaping and management plans shall be developed in coordination with the Service, and they shall be reviewed and approved by the Service prior to any new development in this area.

B. Conditions applicable to the Sports Complex area of the NWT:

- (1) For streetlights, walkway lights, and parking lot lights, the maximum mounting height shall be 20 feet, and the maximum illumination shall be 0.50 footcandle (5.5 lux) on grade measured at 60 feet from pole, with a maximum of 5 footcandles (50.5 lux) directly below each fixture. Luminaires shall have IESNA full cutoff distribution. LED lighting is preferred.
- (2) Within line of sight of the VA Undeveloped Area:
 - a. The number of new lights shall be limited to the minimum number required for building security.
 - b. All lights shall be directed away and/or screened from the VA Undeveloped Area.
 - c. Tinting of windows, with non-reflective tinting material, within the line of sight of the VA Undeveloped Area shall be required.
- (3) Detailed stormwater management and monitoring plans for the NWT shall be developed in coordination with the Service and implemented to protect open water foraging areas for least terns. The plans shall be reviewed and approved by the Service prior to development of projects in this area.
- (4) The Sports Complex fields shall not be lighted for nighttime play from April 1 through August 15, unless proposed lighting in these areas can be designed to ensure that light levels within 750 feet of the least tern colony, from VA and City sources, do not increase by more than 10 percent of pre-conveyance levels.

- (5) No trees or landscape turf shall be planted within 100 feet from the southern boundary of the Sports Complex, other than the turf required for the Sports Complex field playing surfaces. Shrubs will be managed as to not exceed 4 feet in height within 300 feet of the southern boundary of the Sports Complex. No tree species capable of growing to greater than 20 feet in height shall be planted within the Sports Complex area. Tree and shrub density shall not exceed one tree or shrub per 550 square feet. Trees species shall be light-limbed. No palm trees shall be allowed in this area. A palette of proposed tree and shrub species shall be reviewed and approved by the Service prior to the planting of any trees or shrubs in this area.
- (6) No new artificial features greater than 20 feet in height shall be constructed.
- (7) The cumulative square footage of buildings associated with the Sports Complex shall not exceed 7,500 square feet or be greater than 20 feet in height. All buildings associated with the Sports Complex area shall be located greater than 200 feet from the southern boundary of the current east-west runway.
- (8) The City shall ensure that all new and existing artificial structures and newly-constructed buildings associated with the Sports Complex are designed to prohibit avian perching (e.g., by species such as hawks, falcons, and ravens that may prey on least terns) or fitted with anti-perching devices that will be maintained in perpetuity.

III. Marina Area

A. Conditions applicable to the entire Marina Area:

- (1) Within line of sight of the VA Undeveloped Area:
 - a. The number of new lights shall be limited to the minimum number required for building security.
 - b. All lights shall be directed away and/or screened from the VA Undeveloped Area.
 - c. Tinting of windows, with non-reflective tinting material, within the line of sight of the VA Undeveloped Area shall be required.
- (2) Detailed stormwater management and monitoring plans for the Marina shall be developed in coordination with the Service and implemented in perpetuity to protect open water foraging areas for the least tern. The plans shall be reviewed and approved by the Service prior to development of projects in this area.
- (3) The City will require that signage and educational materials be provided in any marina that is developed within the Seaplane Lagoon to discourage boaters from entering the "watercraft exclusion zone" and honoring no-wake conditions within the "no-wake zone". Contracts or leases for boat owners using the Marina Area shall include notification of these restrictions and shall provide for revocation of the contracts or leases if these restrictions are violated. The language within these contracts or leases shall be reviewed and approved by the Service prior to granting any leases or signing any contracts.

- (4) No dredging activities shall occur during the period from March 15 through August 15 each year to minimize open water turbidity just prior to and during the least tern breeding season.

B. Conditions applicable throughout Zones 1, 5, and 6 of the Marina Area:

- (1) The following restrictions shall be placed on building lights:
- a. Small Wall Security Lights or Sconces: Fully enclosed solid top fixtures with total down light output. Maximum light output per fixture shall not exceed an initial value of 5,000 - 7,000 lumens, with IESNA full cutoff distribution. LED lighting is preferred. Maximum mounting height shall be 20 feet above grade. Back-light controls and/or shields will be required on wall mounted fixtures to prevent glare from being reflected off wall surface.
 - b. Large Wall Area Lights: not allowed on the west and south sides of buildings; allowed on the north and east sides of hangar buildings without restrictions.
 - c. Exterior Façade Lights (typically used at building entries for decorative effect): Maximum initial value shall not exceed 1,200 lumens, fully shielded. LED lighting is preferred. Mounting height shall be 6-12 feet above grade.
 - d. Stairs that have windows that face the tern colony shall have their light fixtures controlled by a motion sensor. Lights that are continuously on shall not be used.
 - e. Windows that face west in the direction of the tern colony shall be given special design attention to prevent nighttime visibility of interior lighting that may become a source of glare and light pollution. Lamps shall be fully shielded.
- (2) Streetlights, Walkway Lights and Parking Lot Lights (architectural style solid top fixtures): Maximum mounting height shall be 30 feet, and the maximum illumination shall be 0.50 footcandle (5.5 lux) on grade measured at 60 feet from pole, with a maximum of 5 footcandles (50.5 lux) directly below each fixture. Luminaires shall have IESNA full cutoff distribution. LED lighting is preferred. Fixtures shall be oriented so that their primary beams point away from the tern colony, and they shall be equipped with back-light or house-side shields.
- (3) Pole Mounted Flood and Spot Lights: not allowed on the west and south sides of buildings; allowed on the north and east sides of hangar buildings as long as their beams are directed away from the west.

- (4) Landscape Lights (bollards, up lights, flag pole lights): Maximum initial value shall not exceed 1,200 lumens, fully shielded. Integral glare shields shall be used where bollards have a direct line of sight toward the tern colony.

C. Conditions applicable to specific sub-areas of the Marina Area:

Zone 1:

- (1) No new buildings, light posts, vegetation greater than 4 feet in height, landscape turf, or other structures greater than 4 feet in height shall be constructed. The Service shall review all proposed plans to ensure compliance with the BO.

Zone 5:

- (1) Building 25 may be reconstructed within the footprint of this zone, but any new building in this zone cannot exceed the height of the existing building (55 feet).
- (2) Landscaping shall be restricted to vegetation less than 4 feet in height (no palm trees) within the current line-of-sight portion of the northeast corner of this zone. Within line-of-sight of the existing least tern colony, landscaping shall be restricted to vegetation less than 4 feet in height. In areas outside of the line-of-sight of the existing least tern colony, no tree species capable of growing to greater than 20 feet in height shall be planted and shrubs shall be managed as to not exceed 6 feet in height. The density of trees and shrubs in this area shall not exceed one tree or shrub per 550 square feet. A palette of proposed tree and shrub species shall be reviewed and approved by the Service prior to the planting of any trees or shrubs in this area.
- (3) Newly constructed buildings and any new or existing artificial structures 20 feet or greater in height shall contain anti-perching devices (to deter use by species such as hawks, falcons, and ravens that may prey on least terns) which will be maintained in perpetuity.

Zone 6:

- (1) No new buildings greater than 20 feet in height shall be constructed in this zone.
- (2) New buildings may have an additional 5 feet of height to accommodate heating/conditioning/ventilation units as long as these units are not within the line of sight of the least tern colony or the units are placed as far back and away from the side of the building facing the tern colony as possible and avian predator perch deterrents are installed and maintained on these units in perpetuity.
- (3) No palm trees shall be allowed in this area. Within line-of-sight of the existing least tern colony landscaping shall be managed as to not exceed 4 feet in height. In areas outside of the line-of-sight of the existing least tern colony no tree species capable of growing to greater than 20 feet in height shall be planted and shrubs shall be managed as to not exceed 6 feet in height. The density of trees and shrubs in this area shall not exceed one tree or shrub per 550 square feet. A palette of proposed tree and shrub species shall be reviewed and approved by the Service prior to the planting of any trees or shrubs in this area.
- (4) Newly constructed buildings and any new or existing artificial structures 20 feet or greater in height shall contain anti-perching devices (to deter use by species

such as hawks, falcons, and ravens that may prey on least terns) which will be maintained in perpetuity.

West Marina Area (east of Hangar Buffer Area):

- (1) Streetlights, Walkway Lights and Parking Lot Lights: Maximum mounting height shall be 30 feet, and the maximum illumination shall be 1.0 footcandle (10.1 lux) on grade measured at 60 feet from pole, with a maximum of 5 footcandles (50.5 lux) directly below each fixture. Luminaires shall have IESNA full cutoff distribution.
- (2) Building-Mounted Wall Packs: Only fixtures with cutoff optics shall be used.
- (3) Floodlights: Only fixtures with cutoff optics shall be used. Floodlights shall not be aimed toward the west.

Conservation Easement Zone:

- (1) Within the open-water area encumbered by a conservation easement, no development (e.g., marinas or piers) will be allowed, and the City will not coordinate or explicitly approve any coordinated, water-based activities, such as regattas or other activities that may concentrate boating activity, will be allowed during the period April 1 through August 15.

Watercraft Exclusion Zone:

- (1) Watercraft exclusion zones will be established and clearly demarcated on submerged lands south of the VA parcel and within 300 feet of the breakwater. The only exception to this exclusion zone is the use of a gap in the breakwater by Water Emergency Transportation Authority ferries, which will restrict crossings through this gap to six per day (three ingress and three egress). The City will place floating signs/buoys along the established boundary with warnings prohibiting boaters from entering the area at any time. The City will also require that signage and educational materials be provided in any marina that is developed within the Seaplane Lagoon to discourage boaters from entering the watercraft exclusion zone. Contracts or leases for boat owners using the Marina Area shall include notification of these restrictions and provisions for revocation of the contracts or leases if these restrictions are violated. The language within these contracts or leases shall be reviewed and approved by the Service prior to granting any leases or signing any contracts.

No-Wake Zone:

- (1) A no-wake zone during the least tern breeding season (1 April to 15 August) will be established and clearly demarcated on all submerged lands south of NAS Alameda that are transferred to the City. The City will place floating signs or buoys identifying the no wake zone to boaters traversing this area.

IV. Civic Core Area

A. Conditions applicable to the entire Civic Core Area:

- (1) Within line of sight of the VA Undeveloped Area:

- a. The number of new lights shall be limited to the minimum number required for building security.
 - b. All lights shall be directed away and/or screened from the VA Undeveloped Area.
 - c. Tinting of windows, with non-reflective tinting material, within the line of sight of the VA Undeveloped Area shall be required.
- (2) Sporting fields within the Civic Core Area shall be designed so that lighting for nighttime play from April 1 through August 15 does not cause a cumulative increase in ambient nighttime light levels within 750 feet of the least tern colony, from VA and City sources, of more than 10 percent of pre-conveyance levels.
- (3) The City shall ensure that all anti-perching devices on light posts proposed for the sporting fields (to deter use by species such as hawks, falcons, and ravens that may prey on least terns) are maintained in perpetuity.

B. Conditions applicable throughout Zones 1, 2, 3, and 4 of the Civic Core Area:

- (1) The following restrictions shall be placed on building lights:
- a. Small Wall Security Lights or Sconces: Fully enclosed solid top fixtures with total down light output. Maximum light output per fixture shall not exceed an initial value of 5,000 - 7,000 lumens, with IESNA full cutoff distribution. LED lighting is preferred. Maximum mounting height shall be 20 feet above grade. Back-light controls and/or shields will be required on wall mounted fixtures to prevent glare from being reflected off wall surface.
 - b. Large Wall Area Lights: not allowed on the west and south sides of buildings; allowed on the north and east sides of hangar buildings without restrictions.
 - c. Exterior Façade Lights (typically used at building entries for decorative effect): Maximum initial value shall not exceed 1,200 lumens, fully shielded. LED lighting is preferred. Mounting height shall be 6-12 feet above grade.
 - d. Stairs that have windows that face the tern colony shall have their light fixtures controlled by a motion sensor. Lights that are continuously on shall not be used.
 - e. Windows that face west in the direction of the tern colony shall be given special design attention to prevent nighttime visibility of interior lighting that may become a source of glare and light pollution. Lamps shall be fully shielded.
- (2) Streetlights, Walkway Lights and Parking Lot Lights (architectural style solid top fixtures): Maximum mounting height shall be 30 feet, and the maximum illumination shall be 0.50 footcandle (5.5 lux) on grade measured at 60 feet from pole, with a maximum of 5 footcandles (50.5 lux) directly below each fixture.

Luminaires shall have IESNA full cutoff distribution. LED lighting is preferred. Fixtures shall be oriented so that their primary beams point away from the tern colony, and they shall be equipped with back-light or house-side shields.

- (3) Pole Mounted Flood and Spot Lights: not allowed on the west and south sides of buildings; allowed on the north and east sides of hangar buildings as long as their beams are directed away from the west.
- (4) Landscape Lights (bollards, up lights, flag pole lights): Maximum initial value shall not exceed 1,200 lumens, fully shielded. Integral glare shields shall be used where bollards have a direct line of sight toward the tern colony.

C. Conditions applicable to specific sub-areas of the Civic Core Area:

Zone 1:

- (1) No new buildings, light posts, vegetation greater than 4 feet in height, landscape turf, or other structures greater than 4 feet in height shall be constructed in this area without prior approval from the Service. The Service shall review all proposed plans to ensure compliance with the BO.

Zones 2 and 3:

- (1) Any new buildings constructed or extensions of existing buildings shall not exceed the height of the existing buildings.
- (2) No palm trees shall be allowed in this zone. Within line-of-sight of the existing least tern colony, landscaping shall be restricted to vegetation less than 4 feet in height. In areas outside of the line-of-sight of the existing least tern colony, no tree species capable of growing to greater than 20 feet in height shall be planted and shrubs shall be managed as to not exceed 6 feet in height. The density of trees and shrubs in this area shall not exceed one tree or shrub per 550 square feet. A palette of proposed tree and shrub species shall be reviewed and approved by the Service prior to the planting of any trees or shrubs in this area.
- (3) Light posts in this area 20 feet or greater in height shall contain anti-perching devices (to deter use by species such as hawks, falcons, and ravens that may prey on least terns), which will be maintained in perpetuity.

Zone 4:

- (1) If Building 19 or the fire house is replaced with a new building, the new building shall not exceed 20 feet in height, not extend farther west and east than the western and eastern most point of the existing building, and not exceed the existing width of the building as measured from north to south.
- (2) A new building, not to exceed 20 feet in height, may be constructed just east of Building 19 or may be added on to the fire house provided that the new building/extension is not in direct line-of-sight of any portion of the existing least tern colony.
- (3) New buildings may have an additional 5 feet of height to accommodate heating/conditioning/ventilation units as long as these units are not within the line of sight of the least tern colony. Alternatively, the units may be placed as far back

