

Nowell, Keith, Env. Health

From: Nowell, Keith, Env. Health
Sent: Tuesday, December 08, 2015 2:31 PM
To: 'Dennis Dettloff'
Cc: Walter T. Sprague (wsprague@unitedpacific.com); Ed.C.Ralston@p66.com; Roe, Dilan, Env. Health
Subject: RE: Fuel leak case RO219 - 449 Hegenberger Rd., Oakland

Dennis,

Thank you for the information. Based on the moratorium, please provide ACEH with a revised date for the Remedial Action Plan report submittal.

Regards,
Keith Nowell

From: Dennis Dettloff [mailto:Dennis.Dettloff@anteagroup.com]
Sent: Tuesday, December 08, 2015 2:26 PM
To: Nowell, Keith, Env. Health <Keith.Nowell@acgov.org>; Roe, Dilan, Env. Health <Dilan.Roe@acgov.org>
Cc: Walter T. Sprague (wsprague@unitedpacific.com) <wsprague@unitedpacific.com>; ed.c.ralston@p66.com; Mark Mathiowetz <Mark.Mathiowetz@anteagroup.com>
Subject: Fuel leak case RO219 - 449 Hegenberger Rd., Oakland

Keith:

Please see the attached document from the City of Oakland and the email below indicating the moratorium for our excavation work. Let me know if you have any questions.

Best Regards,

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From: paul@pminc.net [mailto:paul@pminc.net]
Sent: Tuesday, December 08, 2015 2:07 PM
To: Dennis Dettloff
Subject: 449 Hegenberger Oakland wet season moratorium

Dennis,

The City of Oakland Plan check engineer Jing Wong has approved our work plan and drawing for our scope of work. The City of Oakland has a grading work moratorium from October 15 until April 15 inclusive. No grading work will be done during the wet season. See ordinance 1810B and 12.08.165 see attached document from the City of Oakland Building department.


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Chapter 12.08 GRADING AND EXCAVATIONS

Sections:

Article I. Grading, Excavating and Fill

- 12.08.010 Purpose of provisions.
- 12.08.020 Definitions.
- 12.08.030 Applicability of provisions.
- 12.08.040 Permit—Required.
- 12.08.050 Permit—Exemptions.
- 12.08.060 Permit—Application.
- 12.08.070 Permit—Fees.
- 12.08.080 Permit—Issuance conditions.
- 12.08.090 Permit—Denial—Appeal procedure.
- 12.08.100 Permit—Bond required.
- 12.08.110 Permit—Duration.
- 12.08.115 Assignment of permit.
- 12.08.120 Refund of permit fees.
- 12.08.130 Inspection—Required for building permit.
- 12.08.140 Inspection—Types required—Notice to City.
- 12.08.150 Inspection—Special supervision.
- 12.08.160 Grading—Hours of operation.
-  12.08.165 Grading—Seasonal prohibitions.
- 12.08.170 Grading—Dust and noise control.
- 12.08.180 Grading—Drainage restrictions.
- 12.08.190 Grading—Slopes and banks.

- B. The unit foundation bearing value recommended on faces of the areas filled;
- C. A description of the materials used in the fill and the procedure of deposit and compaction, including the preparation of original ground surface before making the fill;
- D. A plan showing the location of tests made in the fill, together with a tabulation of the percent compaction obtained in the various tests;
- E. A statement that all work was done in conformity with the provisions of Article I of this chapter. (Ord. 1491 § 3 (part), 2015: Ord. 516 § 1 (part), 1960)

12.08.160 Grading—Hours of operation.

All grading in residential zones, or within one thousand feet of any residential occupancy, hotel, motel or hospital, shall be carried on between the hours of eight a.m. and five-thirty p.m., unless other hours are specified by the Planning Commission or City Engineer, upon receipt of evidence that an emergency exists which would constitute a hazard to persons or property. (Ord. 1491 § 3 (part), 2015: Ord. 516 § 1 (part), 1960)



12.08.165 Grading—Seasonal prohibitions.

Grading shall be prohibited during the rainy season as defined in the Municipal Regional Permit, unless the City Engineer or his/her designee finds that the land disturbance is relatively minor and that erosion can be easily controlled, or is a necessary and integral part of an interim plan for previously initiated project phases, or is necessary to prevent an imminent threat to public safety as determined by the City Engineer or his/her designee. (Ord. 1491 § 3 (part), 2015: Ord. 1194 § 13, 1995)

12.08.170 Grading—Dust and noise control.

All graded surfaces and materials, whether filled, excavated, transported or stockpiled, shall be protected or contained in such a manner as to prevent any nuisance from dust, or spillage upon adjoining property or streets. Equipment and materials on the site shall be used in such a manner as to avoid excessive dust and noise. Roadways on the site shall be surfaced sufficiently to prevent excessive dust. (Ord. 1491 § 3 (part), 2015: Ord. 516 § 1 (part), 1960)

12.08.180 Grading—Drainage restrictions.

No grading shall be conducted in such a manner as to alter the established gradient of natural drainage channels in such a manner as to cause excessive erosion or flooding. (Ord. 1491 § 3 (part), 2015: Ord. 516 § 1 (part), 1960)

12.08.190 Grading—Slopes and banks.

A. The exposed or finished banks or slopes of any fill or excavation shall be uniformly graded, and no such slope, bank or inclined graded surface shall exceed a vertical height of thirty feet unless intercepting drains or terraces are provided. Such drains or terraces shall be permanently lined or protected with approved materials, and accumulating surface waters shall be conducted to an approved point of discharge. Berms shall be provided to prevent overflow from any such terrace or intercepting drain.

B. All exposed or finished banks or slopes of any fill or excavation having a slope steeper than three horizontal to one vertical shall be protected from erosion by approved planting, cribbing, walls or terracing, or a combination thereof. Other unprotected graded surfaces exceeding five thousand square feet in area shall be planted, paved or built upon, or shall be provided with berms and approved drainage facilities adequate to prevent erosion and to conduct the accumulation or runoff of surface waters to an approved place of discharge.

by a disinterested party, neither the owner of the property nor the builder who is to construct the improvements on the property or perform the grading work, shall be the "Civil Engineer in Responsible Charge" that provides any "Statement of Engineer" pursuant to the requirements of this chapter.

Section 1810B General Requirements Applicable for All Grading Work Unless Modified by the Building Official.

The following shall apply to all grading work:

1. Grading, erosion control and sedimentation control work shall be done in accordance with plans hereinbefore described.
- ~~2.~~ No grading work shall be done during the wet season except for emergency stabilization of geotechnical instability.
- ~~3.~~ Temporary erosion and sedimentation control facilities shall be completely in place prior to October 15th, and shall be diligently maintained to ensure effectiveness through April 15th.
4. The hours of grading operations shall be only between 7:00 a.m. to 9:00 p.m. weekdays, 8:30 a.m. to 6:00 p.m. Saturdays, and prohibited on Sundays and Holidays unless otherwise approved by the Building Official. Exceptions will only be granted if it can be shown that there is a compelling public interest to grade during prohibited times.
5. No clearing and grubbing shall take place on any site for which a Grading Permit is required prior to the issuance of a valid Grading Permit.
6. Where required, a valid Tree Removal Permit must be obtained prior to the issuance of a Grading Permit. No tree removal shall take place until both Tree Removal Permit and a Grading Permit, if required, has been issued.
7. No grading shall be approved on properties adjacent to the site without the written permission of the adjacent property owner. Such written permission shall be notarized and acknowledged and presented to the Building Official as a part of the items required with the application for a Grading Permit.
8. The rate of slope of the surface of permanent fills shall not be steeper than 2 to 1 and the rate of permanent cut slopes shall not be steeper than 1.5 to 1, unless otherwise recommended in the Soils Report and approved by the Building Official.
9. Areas to receive fill shall be adequately prepared by stripping unsuitable material and by benching slopes. Where past sliding is known or suspected or where unstable material exists, all such unstable material shall be stripped, with slip surfaces destroyed by benching and subdrainage installed before the fill is placed.
10. Drainage facilities shall be provided to convey stormwater to a natural watercourse, swale or other drainage way, or to a public storm drainage system at locations and in a manner satisfactory to the Building Official. Adequate temporary measures shall be taken to control stormwater during grading operations.

condition to accommodate construction of a structure authorized by a valid building permit, and which will not remain after completion of the work.

WATERCOURSE is a stream, stream bed, creek, canal, paved ditch, lake or other open drainage way as also defined in Chapter 9.16, Watercourses, of the Oakland Municipal Code.

~~X~~ WET (OR RAINY) SEASON is October 15th until April 15th inclusive.

Section 1802B.1 Permit—When Required.

No person shall do or cause any grading in private or public property without first having obtained a permit to do so from the Building Official whenever such grading will result in any of the following:

1. The volume of excavation or fill will exceed fifty (50) cubic yards provided either:
 - a. the existing or the resulting rate of slope will exceed 20%; or
 - b. the vertical distance between the top and bottom of excavation or fill will exceed five feet at any location.
2. Any permanently unretained excavation or fill exceeding five cubic yards where the vertical distance between the top and bottom of the excavation or fill exceeds five feet at any location, disregarding benches; and the rate of slope of the surface exceeds 2 to 1 (2:1) for fill or 1.5 to 1 (1.5:1) for excavation, regardless of findings in the Soils Report.
3. An excavation or fill exceeding five cubic yards within fifteen (15) horizontal feet of any property line if the bottom of such excavation is below a line descending at a rate of slope of 2 to 1 from the existing ground surface at such property line, or if the top of such fill is above a line ascending at a rate of two to one from such property line, regardless of the findings in the Soils Report.
4. Grading in connection with a building, swimming pool, retaining wall or other structure where the vertical distance between top and bottom of the unretained slope will exceed five feet at any point, disregarding benches, when the cut slope exceeds 1.5 to 1 or the fill slope exceeds 2 to 1.
5. Any retained or unretained excavation or fill of any volume and height where the City has information of purported land stability problems on or in the vicinity of the site (i.e., "Land Stability Problem Area").
6. Any "Land Disturbance" where the rate of slope of the ground surface exceeds 20%. Grading of an emergency nature to safeguard life or property may be undertaken prior to the issuance of a Grading Permit.
7. If a grading permit is not otherwise required, the necessity for a grading permit involving ground slopes 20% or less and greater than 10%, where a Grading Permit would be required if the ground slope were greater than 20%, will be determined, for cause, by the Building Official or his duly authorized representative.
8. The volume of excavation or fill will exceed five hundred (500) cubic yards on a