FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT AND RESPONSE TO COMMENTS

State Clearinghouse Number: 2011112055

Central Estuary Area Plan

Prepared for:

CITY OF OAKLAND

Department of Planning and Building

Prepared By:

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April 2013

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CITY OF OAKLAND

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COMBINED NOTICE OF AVAILABILITY AND RELEASE OF A FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR) AND NOTICE OF PUBLIC HEARING TO CONSIDER RECOMMENDING ADOPTION OF THE CENTRAL ESTUARY AREA PLAN

TO: All Interested Parties

PROJECT NAME: Central Estuary Area Plan

PROJECT LOCATION: Central Estuary Area which is bounded by 19th Avenue to the north, 54th Avenue to the south, I-880 to the east and the Estuary to the west.

PROJECT SPONSOR: Department of Planning and Building

CASE FILE NO: **ER11-0016/ ZT12109 / GP12110**; CEQA State Clearinghouse No. 2011112055

PROJECT LOCATION: The Central Estuary area (project area) encompasses about 416 acres of land, including about 319 acres of individual parcels, and about 100 acres of public rights-of-way. The project area is bordered by Interstate 880 (I-880) to the northeast and the Oakland Estuary to the southwest. About sixty (60) properties within the Central Estuary area are identified on the California Environmental Protection Agency's list of hazardous waste sites (Cortese List).

PROJECT DESCRIPTION: The CEAP is a 20-year planning document that would, if approved, modify or clarify land uses and associated densities within the Central Estuary area. As a companion document to the City's 1999 Estuary Policy Plan (EPP), the CEAP identifies steps to be undertaken to implement the recommendations of the EPP, including facilitating increased public access to the waterfront. The CEAP requires changes to the general plan (text and map changes) and the zoning code; the development of design guidelines to reconcile conflicting land use priorities, and the implementation of transportation improvements to address infrastructure deficiencies. At this hearing, the Planning Commission will consider certifying the SEIR for the CEAP, and consider recommending the CEAP, including EPP amendments, Planning Code amendments and Design Guidelines to the City Council for final adoption.

General Plan and Planning Code Amendments: The majority of the area is currently zoned for heavy industrial uses, although given the evolution of residential, commercial, park, and office uses, simply perpetuating the heavy industrial designation is no longer appropriate or viable. The CEAP proposes to maintain existing industrial uses while allowing for an increment of new commercial, residential, and office development in appropriate locations.

With respect to the General Plan, the project would expand areas designated for *Park* uses, and would also designate new Residential Mixed-Use for a portion of the West Planning Area. With respect to the Planning Code, the project proposes new zoning districts for the entire Plan Area, allowing more flexibility for mixed-use development.

Design Guidelines: The CEAP includes a set of area-specific Design Guidelines to help ensure that the new development is sensitive to the existing eclectic mix of industrial, commercial, and residential uses. The

Guidelines would provide detailed direction on a variety of site planning and design consideration intended to enhance the project area's livability and quality of place for both existing and future users.

Electronic copies of the CEAP, General Plan Amendments, Planning Code Amendments and Design Guidelines are available on the project webpage:
http://www2.oaklandnet.com/Government/o/PBN/OurOrganization/PlanningZoning/DOWD009073

ENVIRONMENTAL REVIEW: The preparation of the Final SEIR has been overseen by the City's Environmental Review Officer, and the conclusions and recommendations in the document represent the independent conclusions and recommendations of the City. Starting on Friday, April 5, 2013, copies of the Final SEIR will be available for review or distribution to interested parties at no charge at the Department of Planning & Building, Strategic Planning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612, Monday through Friday, 8:30 a.m. to 5:00 p.m. The Final SEIR may also be reviewed on the City's website at the "Current Environmental Review" page:
http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157

PUBLIC HEARING: The Oakland City Planning Commission will conduct a public hearing to consider certifying the EIR and recommending to the City Council adoption of the CEAP including EPP and Planning Code Amendments and Design Guidelines on **April 17, 2013, at 6:00 p.m.** in Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza, Oakland, CA.

A Draft SEIR was released for the project on November 9, 2012, to garner public comment, under the requirements of the California Environmental Quality Act (CEQA), pursuant to Public Resources Code Section 21000 et. seq. Copies of the Draft SEIR are available for review, as indicated above for the Final SEIR. The Planning Commission held a public hearing to accept public comment on the Draft SEIR on December 5, 2012, and the public comment period closed on December 24, 2012. Reponses to the comments received at the hearing and by the end of the comment period are presented in the FEIR.

The SEIR identifies significant and unavoidable impacts associated with future development facilitated by the CEAP such as Air Quality (exposure to odors and gaseous toxic air contaminants); Greenhouse Gas emissions (mobile and stationary sources), and Transportation (impacts to several intersections, freeway and roadway segments, the addition of new traffic across existing at-grade railroad crossings, and previously identified impacted intersections). Future program- and project-level environmental analyses, supporting development projects that implement the vision in the CEAP, may be tiered from this SEIR to the maximum feasible extent and will be undertaken at a later time.

If you challenge the environmental document or other actions pertaining to the CEAP in court, you may be limited to raising only those issues raised at the public hearing described above, or in written correspondence received by the Department of Planning & Building, Strategic Planning Division 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612 (email: **aparker@oaklandnet.com)**, on or prior to April 17, 2013.

For further information, please contact Alicia Parker, Planner II, **at (510) 238-3362** or at **aparker@oaklandnet.com**.

Scott Miller
Zoning Manager, Environmental Review Officer

Date of Notice: **April 4, 2013**
File Number ER 11-0016

TABLE OF CONTENTS

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1.0 INTRODUCTION

1.1 CEQA PROCESS

An Environmental Impact Report (EIR) is an informational document prepared by a Lead Agency (in this case, the City of Oakland) that contains environmental analysis for public review and for agency decision-makers to use in their consideration of discretionary actions. On November 9, 2012, the City of Oakland (Lead Agency) released the draft Supplemental Environmental Impact Report (SEIR) for public review for the Central Estuary Area Plan (also referred to in this document as the CEAP or the project). The 45-day public review and comment period on the draft SEIR began November 9, 2012 and the Oakland Planning Commission held a public hearing on the Central Estuary Area Plan and the corresponding draft SEIR on December 5, 2012. The Landmarks Preservation Advisory Board (LPAB) also held a public hearing on December 10, 2012. The public review and comment period ended at 4:00 p.m. on December 24, 2012.

This Responses to Comments document, together with the draft SEIR and Appendices, constitute the final SEIR for the project. Due to its length, the text of the draft SEIR is not included with this Response to Comments document; however, it is included by reference as part of this final SEIR.

The Oakland Planning Commission will consider the final SEIR before considering making a recommendation to the City Council on the CEAP. Before the Lead Agency may approve a project, it must certify that the final SEIR adequately discloses the environmental effects of the proposed project, that the final SEIR has been completed in conformance with the California Environmental Quality Act (CEQA), and that the decision-making body of the Lead Agency independently reviewed and considered the information contained in the final SEIR. Certification of the final EIR would indicate the City's determination that the final SEIR adequately evaluates the environmental impacts that could be associated with the proposed project.

The City of Oakland has prepared this document pursuant to CEQA Guidelines Section 15132 which specifies the following (and which also applies to draft and final SEIRs).

The final EIR shall consist of:

- The draft EIR or a revision of that draft.
- Comments and recommendations received on the draft EIR either verbatim or in a summary.
- A list of persons, organizations, and public agencies commenting on the draft EIR.
- The response of the Lead Agency to significant environmental points raised in review and consultation process.
- Any other information added by the Lead Agency.

This final SEIR incorporates comments from public agencies and general public and contains the Lead Agency's responses to those comments.

1.2 NEW INFORMATION IN THE FINAL EIR

If significant new information is added to an EIR after notice of public review has been given, but before final certification of the EIR, the Lead Agency must issue a new notice and recirculate the EIR for further comments and consultation.[1] None of the corrections or clarifications to the draft SEIR identified in this document constitutes significant new information pursuant to Section 15088.5 of the CEQA Guidelines. As a result, a recirculation of the draft SEIR is not required.

Specifically, the new information, corrections, or clarifications presented in this document do not disclose that:

- A new significant environmental impact would result from the project or from a new mitigation measure [or standard condition] proposed to be implemented;
- A substantial increase in the severity of an environmental impact would result unless mitigation measures [or standard conditions] are adopted that reduce the impact to a level of insignificance;
- A feasible project alternative or mitigation measure [or standard condition] considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it; or

[1] (*Laurel Heights Improvement Association v. Regents of the University of California*, 6 Cal 4th 112, (1993)).

- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Information presented in the draft SEIR and this document support the City's determination that recirculation of the draft SEIR is not required.

1.3 ORGANIZATION OF THE FINAL SEIR

The final SEIR contains information about the proposed project, supplemental environmental information, and responses to comments brought up during the public review and comment period on the draft SEIR. Following this introductory section, the document is organized as described below.

- Section 2.0, *Project Summary*, summarizes the proposed project, including minor changes made since publication of the draft SEIR.
- Section 3.0, *Changes to the Draft SEIR*, contains text changes and corrections to the draft SEIR initiated by the Lead Agency or resulting from comments received on the draft SEIR.
- Section 4.0, *Commenters on the Draft SEIR*, lists of all agencies, organizations, and individuals that submitted written comments on the draft SEIR during the public review and comment period, and/or commented at the Planning Commission Public Hearing.
- Section 5.0, *Responses to Written Comments Received on the Draft SEIR*, contains each of the comment letters received on the draft SEIR and presents individual responses to the specific comments raised in each letter.
- Section 6.0, *Responses to Comments Made at the Public Hearings on the Draft SEIR*, includes a summary of comments made at the Planning Commission and the LPAB public hearings on the draft SEIR and presents responses to the specific comments received.
- Appendix 1, *CMP and MTS Roadway Segment Analysis*, contains the raw data for the roadway segment analysis on Alameda County Congestion Management Program (CMP) routes and Metropolitan Transportation System (MTS) segments that was included in the draft SEIR.

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2.0 PROJECT SUMMARY

2.1 SUMMARY

The project under review is the proposed adoption of the Central Estuary Area Plan (CEAP). The CEAP is a 20-year planning document that modifies/clarifies land use policies and associated densities and intensities to all properties within the Central Estuary Plan Area (Plan Area). In summary, the project would expand areas designated for park uses, and would also designate new residential mixed-uses for a portion of the Plan Area. With respect to the City of Oakland Planning Code, the project proposes new zoning districts for the entire Plan Area, allowing denser commercial and industrial land uses and more flexibility for mixed-use development.

While the project itself would not directly result in development, taken as a whole, the program of land use changes would allow for an increment of growth in excess both of what exists and what current regulations permit.

2.2 BACKGROUND AND CONTEXT

Oakland's waterfront is a significant citywide and regional resource that connects the City of Oakland and the surrounding region to the San Francisco Bay. The Central Estuary Plan Area, the focus of this study, is generally encompassed by 19th Avenue, 54th Avenue, Interstate 880 (I-880), and the Oakland Estuary. The Plan Area includes roughly 416 acres of land, of which approximately 319 acres are made up of individual parcels; while the remaining acreage serves as public rights-of-way (roads, sidewalks, etc.).

A significant citywide challenge of the last decade has been the importance of preserving a healthy diversity of employment and industry in Oakland. Historically, many industries have depended on waterfront access for raw materials or distribution, and some of the industrial uses in the Oakland Estuary area continue to do so to this day. As a result, the area was predominantly zoned for industrial use, and a number of well-established industrial uses remain. In recent years, residential development interests have focused on industrial areas throughout the city because of the relative affordability of large parcels, and the estuary waterfront as a whole

has been particularly appealing because of its attractive views and central location. At the same time, the desire to increase public access to and recreational use of the city's waterfront adds a potentially conflicting demand with nearby industrial uses.

In recent years, residential development interests have focused on industrial areas throughout the city because of the relative affordability of large parcels. The Plan Area, as a whole, has been particularly appealing because of its attractive views and central location. At the same time, the desire to increase public access and recreational uses of the city's waterfront adds a potentially conflicting demand with nearby industrial uses. Citywide policies -- such as the City of Oakland General Plan (General Plan) and city zoning, as well as a number of plans and studies that have focused on the Central Estuary – collectively define the potential future for the Plan Area. Adopted in 1998, the General Plan defined a number of subsequent planning efforts that would be required to complete this process and further delineate the vision for certain Central Estuary subareas. The Estuary Policy Plan (EPP), adopted in June 1999, is an element of the General Plan that sets forth policies and principles to guide development in the Plan Area and other locations along the waterfront. Policy MF-2 of the EPP called for the city to prepare an "Estuary Plan Implementation Guide" as a subsequent companion document to the EPP. This policy encourages the scope of the implementation guide to provide specific strategies and standards to direct the initiation and evaluation of waterfront-related projects. The proposed CEAP fulfills the intent of this policy for the Plan Area.

2.3 PROJECT DESCRIPTION

The purpose of the CEAP is to continue to carry out the goals and policies of the EPP, and provide more detailed guidance for specific portions of the Plan Area, where future land use changes from existing conditions are seen as more likely to occur. The CEAP's proposed design guidelines are intended to better allow the diverse range of land uses in the Plan Area to continue to co-exist. The CEAP is also intended to provide a framework for the future realization of transportation and infrastructure improvements in the Plan Area, including stronger internal connections between neighborhoods and to the Central Estuary's commercial areas and recreational assets.

The CEAP identifies four Planning Areas: West, Central-West, Central-East, and East. Each Planning Area is subdivided into several districts or neighborhoods, as shown in **Table 2-1, Central Estuary Planning Areas and Districts.**

Table 2-1 Central Estuary Planning Areas and Districts

Planning Area	District
West	Embarcadero Cove
	Mixed-Use Triangle
	Food Industry Cluster
	Union Point Park
	ConAgra
Central-West	Jingletown/Elmwood
	Owens Brockway
Central-East	High Street Retail
	Warehouse Wedge
East	Tidewater North
	Tidewater South
	MLK Jr Regional Shoreline

Source: Central Estuary Area Plan, June 2012.

With respect to the General Plan, the project would expand areas designated for *Park* uses, and would also designate new Residential Mixed-Use for a portion of the West Planning Area. With respect to the Planning Code, the project proposes new zoning districts for the entire Plan Area, allowing more flexibility for mixed-use development.

To implement these changes, the project includes updates to the zoning and General Plan land use designations, minor modifications to the EPP land use designations, and the creation of recommended design guidelines to guide the quality and character of new development and to protect the relationship of the Central Estuary shoreline with surrounding districts and neighborhoods.

General Plan/EPP Map Amendments

Three map changes are proposed for the West Planning Area:

- A portion of the area designated as *Light Industrial 2* would change to *Residential Mixed Use* (RMU).
- Portions of Union Point Park are currently designated as *Waterfront Commercial Recreation 2* (WCR-2). To better reflect the current and future park use for this area, the EPP map would be amended to extend the *Parks* designation over the entirety of Union Point Park.
- The westernmost segment of Union Point Park, near Livingston Pier and fronting Embarcadero Cove Road, includes a portion of a larger Superfund site.[1] Currently designated *Parks,* the site is proposed to change to WCR-2 in order to provide a better transition between open space activities associated with Union Point Park and commercial activities at the Embarcadero Cove. The portion of the Superfund site facing the waterfront would remain under the current *Parks* designation.

One map change is proposed for the East Planning Area:

- Most of the Martin Luther King Jr. Regional Shoreline (MLKRS) has an existing land use designation of *Parks*. However, the MLKRS includes a new boathouse and portions of the Bay Trail that are outside the area currently designated *Parks*. Therefore, the *Parks* designation would be expanded to encompass these new facilities, taking lands out of the *Planned Waterfront Development 3* designation for the Tidewater South area.

Zoning Amendments

Many land uses have evolved in the Plan Area for which an industrial zone (particularly M-40, Heavy Industrial) is no longer appropriate or viable. Such uses include parks (Union Point Park and the MLKRS) mixed office/commercial and small-scale manufacturing uses in the West Planning Area, large-scale regional commercial uses on High Street, and finer-grained, mixed use areas in the Jingletown/Kennedy Tract (located in the Central-West Planning Area).

With the exception of the open space areas, the project proposes district-specific zoning classifications that would replace the existing zoning. These district-specific zones follow a nomenclature established by the city in other districts, such as the

[1] Superfund refers to the federal government's program to clean up hazardous waste sites, as established by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) http://www.epa.gov/superfund/.

Wood Street District, Oak to Ninth, and the Kaiser Permanente Medical Center areas. The Central Estuary zone districts are identified by the descriptive prefix of "CE" which signifies "Central Estuary."

EPP Text Amendments

The project would increase the density of development allowed in the Residential Mixed-Use (RMU), Planned Waterfront Development 3 (PWD-3), Waterfront Commercial Recreation 2 (WCR-2), Light Industrial 2 and 3 (LI-2 and LI-3), Heavy Industrial (HI) and General Commercial-1 (GC-1) districts, but would not change any of the underlying land use designations.

Design Guidelines

The CEAP's Design Guidelines (Guidelines) were set forth to help ensure that the eclectic mix of residential, commercial, and industrial uses can be retained. The Guidelines provide detailed direction, covering a variety of site planning and design considerations that will enhance the area's livability and quality of place for existing and future users.

For each major site planning consideration, a *statement of intent* is followed by a series of more detailed design guidelines. New development and major alterations will be required to demonstrate conformance with the intent of the Guidelines, in addition to the city's design review criteria (Sections 17.136.035 and 17.136.050 of the Planning Code).

2.4 SUMMARY OF CHANGES MADE TO CENTRAL ESTUARY AREA PLAN

Since the publication of the draft SEIR, City staff has proposed refinements to the draft CEAP in response to feedback received from project stakeholders, advisory board members, and various committees of the City's Planning Commission. The project stakeholders, advisory board members, and City committees are generally supportive of the draft CEAP. However, City staff also received comments requesting that the plan be revised to better characterize the desired future intent of the area, to better connect the Plan Area with the adjacent Fruitvale area, and to create and/or emphasize design guidance tailored to the unique urban industrial setting that currently exists. The revisions made to the CEAP supplement the details of the project description evaluated in the draft SEIR, and do not affect the analysis or conclusions of the SEIR. Resulting changes to the project description are described in detail in **Section 3, Changes to the Draft SEIR**, of this Response to

Comments document. The project summary provided in Section 2.3 above, also reflects these changes.

The majority of the CEAP changes are related to expanding the description of each proposed district to include more emphasis on the desired future character of the area overall. Character-defining features of the industrial setting of the area have been carried forward in the design guidelines, as well as provisions for artistic murals and frontage improvements. These changes do not affect the overall aesthetic effects of the project evaluated in the draft SEIR. If anything, the changes support the conclusion that the CEAP would create a more cohesive development pattern in the Plan Area and protect the aesthetic relationship of the Central Estuary shoreline with surrounding districts and neighborhoods.

One CEAP revision includes a slight modification to the proposed land use designations for Union Point Park. As described in the draft SEIR, the CEAP previously proposed modifying the existing *Waterfront Commercial Recreation 2* (WCR-2) land use designations so that the entirety of Union Point Park was reflected as *Parks*. While the majority of the existing WCR-2 designated land at Union Point Park would still reflect this change under the CEAP, the westernmost segment of the park (near Embarcadero Cove) would actually maintain and expand the existing WCR-2 designation to include the area at the Superfund site near Embarcadero Cove.

Other CEAP changes involved a closer look at parkland acreage calculations. Existing and foreseeable park land acreage calculations were previously based on land use designation maps, rather than the actual acreage of park land on the ground. Using more precise graphic information system (GIS) software, the recalculation found slightly lower acreages for both existing and foreseeable park lands than what was shown in the draft SEIR. In Section 4.5.12 of the draft SEIR, the analysis of potential impacts to parks and public facilities was determined to be one of the topics that would be evaluated on a case-by-case basis for future development projects. Implementation of the land use designations and zoning amendments proposed as part of the project would not physically construct or expand additional recreational facilities that would adversely impact the environment. The CEAP would formalize existing park and open space designations in the West and East Planning Areas, but would not add new public open spaces beyond the current uses. Existing policies, SCAs and the Design Guidelines would ensure the park-to-resident ratio is maintained/appropriately provided, and that the development of recreational facilities at sites within the Plan Area would have a less-than-significant impact on the environment. The above recalculations of parkland areas would not affect this determination.

The remaining changes were largely made to the CEAP's detailed zoning regulations (i.e., conditional permitting for certain land uses, truck route and/or gas station limitations, leash laws for public parks, etc.) in response to feedback received from the Zoning Update Committee of the City's Planning Commission. These are minor clarifying revisions and do not affect the descriptions of the proposed zoning or general zone intent that was evaluated in the draft SEIR.

In response to stakeholders and advisory board members feedback on the project packaging and branding (i.e. logo design and graphics), one of the revisions includes the renaming of the project from Central Estuary Implementation Guide to Central Estuary Area Plan. This change is reflected throughout this Response to Comments document.

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3.0 CHANGES TO THE DRAFT SEIR

3.1 INTRODUCTION

The changes presented in this section were initiated by City of Oakland (Lead Agency) staff directly or via comments on the draft SEIR from the public or other agencies. The changes are comprised of additions, deletions, clarifications, and corrections to the information presented in the draft SEIR and are thus consistent with all of the requirements set forth in Section 15088 of the CEQA Guidelines. Throughout this section, newly added text is shown in single underline format, and deleted text is shown in ~~strikeout format~~.

Changes are listed in the order in which they would appear in the draft SEIR document. As indicated in **Section 1.0, Introduction**, the entirety of the final SEIR consists of the draft SEIR and its appendices and this Response to Comments document. Thus, the draft SEIR changes presented in this section incorporate and supersede original text in the draft SEIR. Responses to individual comments, including those that did not warrant a text update, are provided in **Section 5.0, Response to Written Comments Received on the Draft SEIR**. Please also see **Section 6.0, Responses to Comments Made at the Public Hearings on the Draft SEIR,** which includes responses to comments received at the Planning Commission and the Landmarks Preservation Advisory Board (LPAB) public hearings on the draft SEIR.

3.2 TEXT REVISIONS

In response to stakeholders and advisory board comments on the project's packaging and branding (i.e. logo design and graphics), one of the City's revisions renames the project from the "Central Estuary Implementation Guide" to the "Central Estuary Area Plan." This change is considered a global revision to the draft SEIR, and is reflected throughout this Response to Comments document. However, individual revisions related to the project name change are not included in this section.

CHAPTER 1.0, INTRODUCTION

The following underlined text is added to Page 1-6 of the draft SEIR:

…the CEQA-required environmental review of such subsequent individual actions will be undertaken at a later time, if and when such actions come before the city in the form of a specific public improvement project or development application. At that time, when the details of the individual action are sufficiently defined, the action will be subject to its own, project-specific, environmental determination by the city that either: 1) the action's environmental effects were fully disclosed, analyzed, and as needed, mitigated to a less-than-significant level within this SEIR; 2) the action is exempt from CEQA (under Sections 21080 et al. of the Public Resources Code); 3) the action warrants preparation of a Mitigated Negative Declaration (under Sections 21064.5 et al. of the Public Resources Code); or 4) the action warrants preparation of a focused EIR limited to certain site-specific issues.

CEQA requires the analysis of potential adverse effects of the project on the environment. Potential effects of the environment on the project are legally not required to be analyzed or mitigated under CEQA. However, this document nevertheless analyzes potential effects of the environment on the project in order to provide information to the public and decision-makers. Where a potential significant effect of the environment on the project is identified, the document, as appropriate, identifies City Standard Conditions of Approval and/or project-specific non-CEQA recommendations to address these issues.

CHAPTER 2.0, SUMMARY

The following underlined text is added to Page 2-3 of the draft SEIR:

According to the Section 15382 of *State CEQA Guidelines*, a "significant effect on the environment" means a substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. Implementation of the project would have the potential to generate significant environmental impacts to air quality, greenhouse gas emissions/global climate change, noise, and traffic/transportation.

CEQA requires the analysis of potential adverse effects of the project on the environment. Potential effects of the environment on the project are legally not required to be analyzed or mitigated under CEQA. However, this document nevertheless analyzes potential effects of the environment on the project in

order to provide information to the public and decision-makers. Where a potential significant effect of the environment on the project is identified, the document, as appropriate, identifies City Standard Conditions of Approval and/or project-specific non-CEQA recommendations to address these issues.

CHAPTER 3.0, PROJECT DESCRIPTION

Since the publication of the draft SEIR, the City has proposed changes to the draft CEAP in response to feedback received from project stakeholders, advisory board members, and various committees of the City's Planning Commission. As previously discussed in **Section 2.4, Summary of Changes Made to the Central Estuary Plan**, the revisions made to the CEAP supplement the details of the project description evaluated in the draft SEIR, and do not affect the analysis or conclusions of the SEIR.

One CEAP revision includes a slight modification to the proposed land use designations for Union Point Park. As described in the draft SEIR, the CEAP previously proposed modifying the existing *Waterfront Commercial Recreation 2* (WCR-2) land use designations so that the entirety of Union Point Park was reflected as *Parks*. While the majority of the existing WCR-2 designated land at Union Point Park would still reflect this change under the CEAP, the westernmost segment of the park (near Embarcadero Cove) would actually maintain and expand the existing WCR-2 designation to include the area at the Superfund site near Embarcadero Cove. [1]

City staff has also updated **Figure 3-2**, Existing and Proposed Land Use Designations, on Page 3-9 of the draft SEIR to reflect the revisions made to the proposed land use designations under the CEAP. This document includes both the previous and revised versions of **Figure 3-2** in order for the reader to better identify the changes to the proposed land use designation map.

The following text was revised on Page 3-8 of the draft SEIR:

~~Two~~Three map changes are proposed for the West Planning Area:

- A portion of the area designated as *Light Industrial 2* would change to *Residential Mixed Use* (RMU).
- Portions of Union Point Park are currently designated as *Waterfront Commercial Recreation 2* (WCR-2). To better reflect the current and future

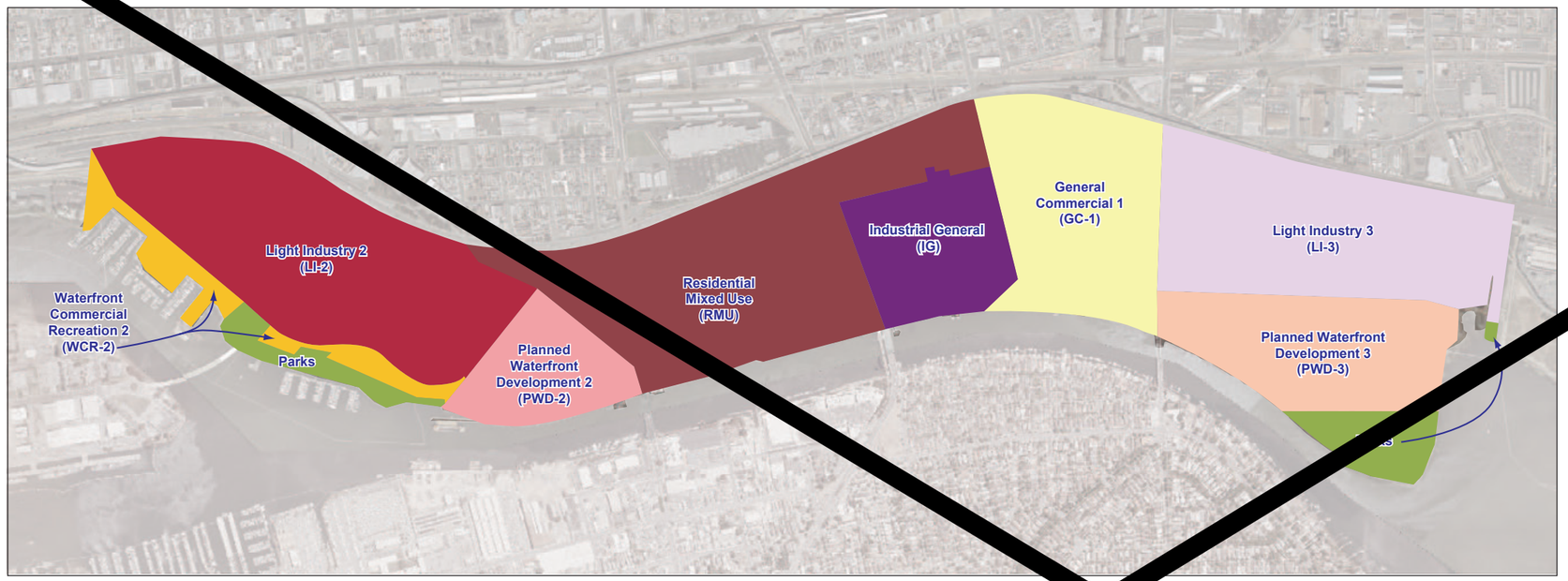
[1] Superfund refers to the federal government's program to clean up hazardous waste sites, as established by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) http://www.epa.gov/superfund/.

park use for this area, the EPP map would be amended to extend the *Parks* designation over the entirety of Union Point Park.

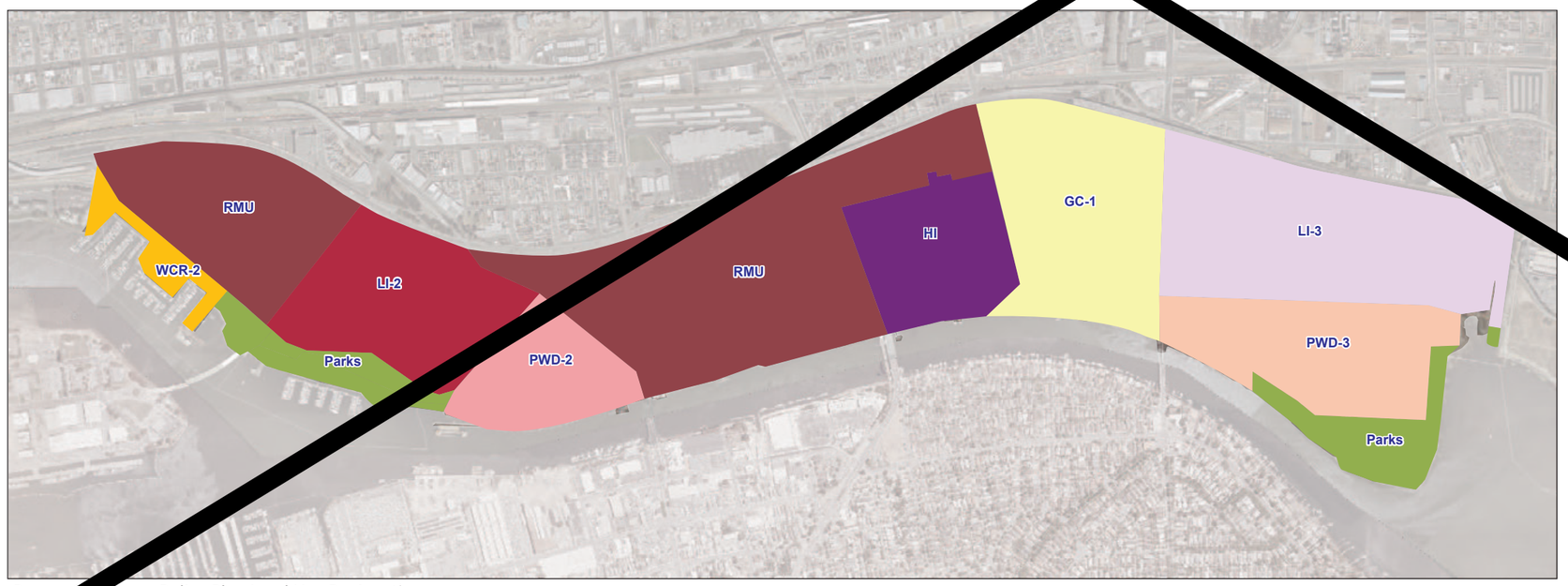
- The westernmost segment of Union Point Park, near Livingston Pier and fronting Embarcadero Cove Road, includes a portion of a larger Superfund site. Currently designated *Parks,* the site is proposed to change to WCR-2 in order to provide a better transition between open space activities associated with Union Point Park and commercial activities at the Embarcadero Cove. The portion of the Superfund site facing the waterfront would remain under the current *Parks* designation.

Other CEAP changes include revised park land acreage calculations. Existing and foreseeable park land acreage calculations were previously based on land use designation maps, rather than the actual acreage of park land on the ground. Using more precise graphic information system (GIS) software, the recalculation found slightly lower acreages for both existing and foreseeable park lands than what was shown in the draft SEIR. Table 3-4 on Page 3-18 of the draft SEIR was revised to correct this discrepancy in acreages of existing and foreseeable park land.

In Section 4.5.12 of the draft SEIR, the analysis of potential impacts to parks and public facilities was determined to be one of the topics that would be evaluated on a case-by-case basis for future development projects. Implementation of the land use designations and zoning amendments proposed as part of the project would not physically construct or expand additional recreational facilities that would adversely impact the environment. The CEAP would formalize existing park and open space designations in the West and East Planning Areas, but would not add new public open spaces beyond the current uses. Existing policies, SCAs and the Design Guidelines would ensure the park-to-resident ratio is maintained/appropriately provided, and that the development of recreational facilities at sites within the Plan Area would have a less-than-significant impact on the environment. Therefore, the recalculations set forth in Table 3-4 would not have any effect on these determinations.



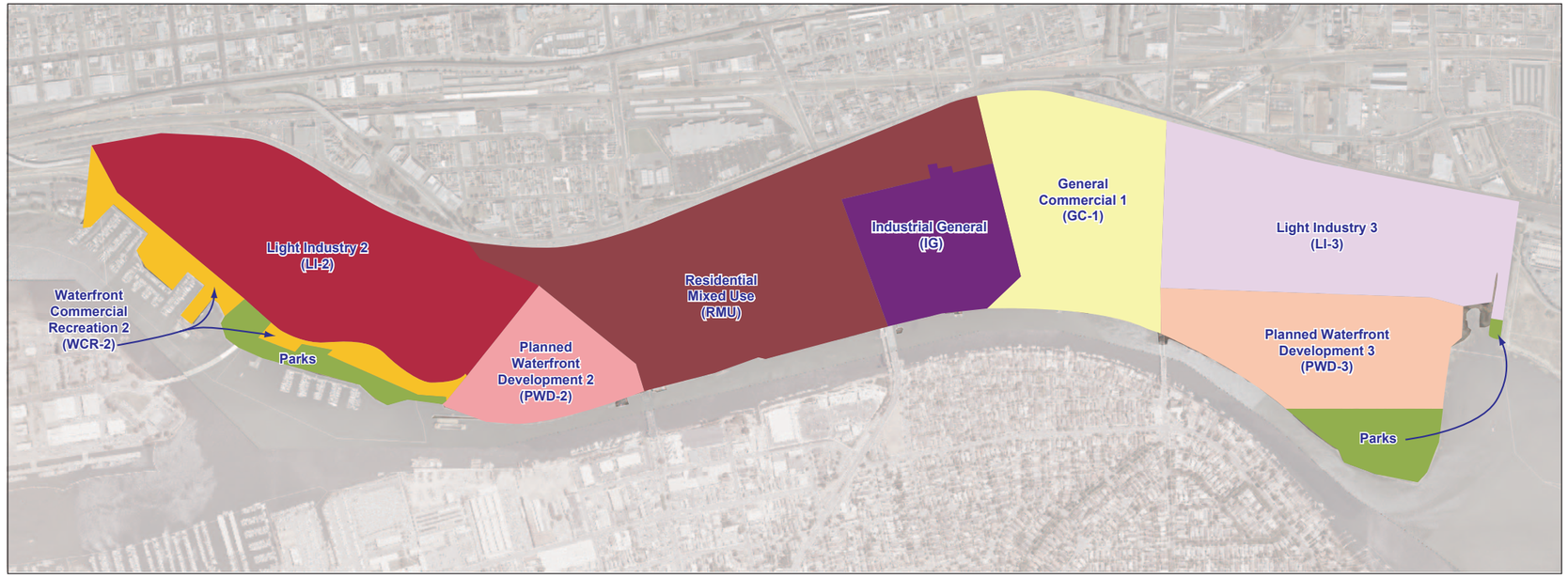
Existing Estuary Policy Plan Land Use Designations



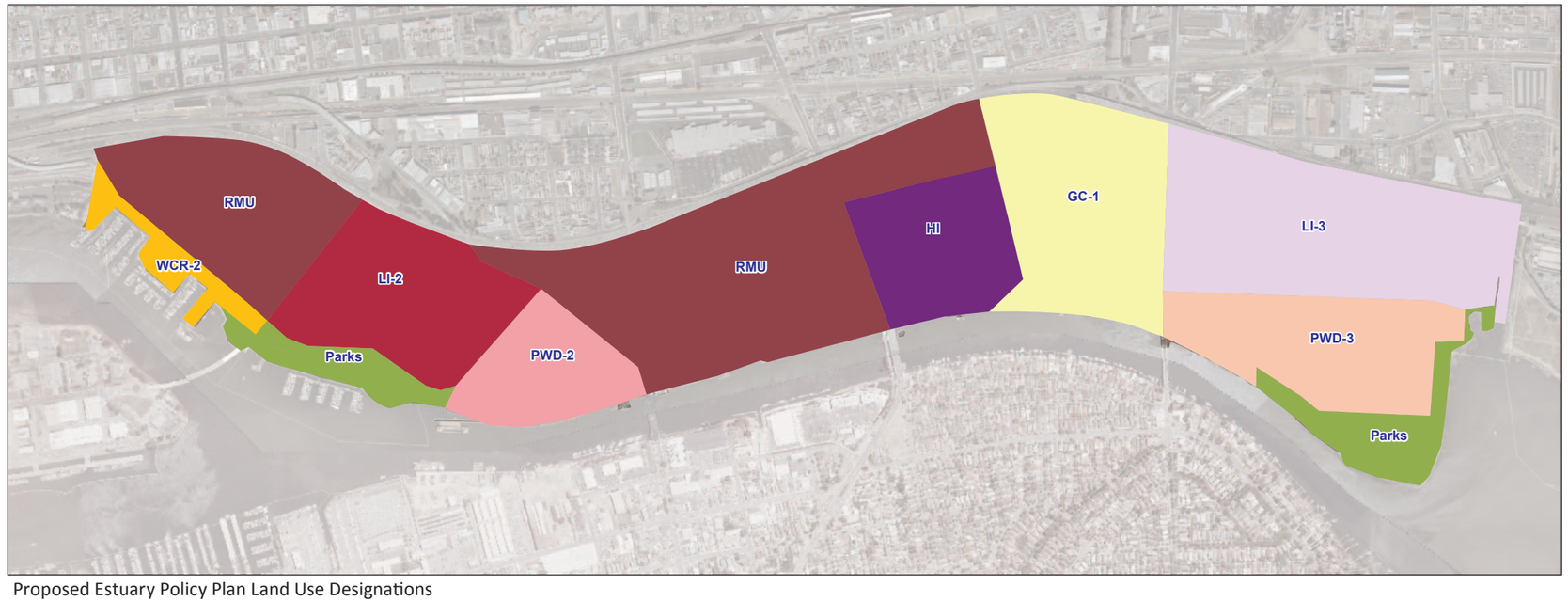
Proposed Estuary Policy Plan Land Use Designations

Existing and Proposed Land Use Designations Figure 3-2

Source: Community Design + Architecture, 2012.



Existing Estuary Policy Plan Land Use Designations



Proposed Estuary Policy Plan Land Use Designations

Legend

Land Use Designations

- General Commercial 1 (GC-1)
- Industrial General (IG)
- Light Industry 2 (LI-2)
- Light Industry 3 (LI-3)
- Parks
- Planned Waterfront Dev 2 (PWD-2)
- Planned Waterfront Dev 3 (PWD-3)
- Residential Mixed Use (RMN)
- Waterfront Commercial Rec 2 (WCR-2)

0 500 1000 2000
FEET

Existing and Proposed Land Use Designations Figure **3-2**

Source: Community Design + Architecture, 2012.

Table 3-4 Central Estuary Area: Existing Development and Reasonably Foreseeable Growth under the Implementation Guide

Planning Area	Residential (dwelling units)		Live/Work (dwelling units)		Industrial (square feet)		Commercial and Office (square feet)		Parks (acres)	
	Existing	Reasonably Foreseeable	Existing	Reasonably Foreseeable	Existing	Reasonably Foreseeable	Existing	Reasonably Foreseeable	Existing	Reasonably Foreseeable
West	**29**	**0**	39	11	2,322,764	0	174,207	83,713	8.9	~~2.1~~ 0.7
Central-West	**355**	**391**	95	20	593,894	-177,240	25,336	0	~~0.4~~ 0.8	~~0.4~~ 0
Central-East	**59**	**0**	0	0	1,219,699	-139,461	200,100	268,071	~~0~~ 1.8	0
East	**0**	0	0	0	680,544	691,558	5,366	360,238	~~7.3~~ 4	~~8.2~~ 9
Total, Existing	**443**	**--**	**134**	**--**	**4,816,899**	**--**	**405,009**	**--**	~~**17.2**~~ **15.5**	**--**
Total, Reasonably Foreseeable	**--**	**391**	**--**	**31**	**--**	**374,857**	**--**	**712,022**	**--**	~~**10.7**~~ **9.7**

Notes: The number of "Reasonably Foreseeable" units does not include the "Existing" units. The sum of the "Existing" and "Reasonably Foreseeable" units is the total amount of units that would be allowable per land-use category under the ~~Implementation Guide~~ CEAP.

Source: ~~Central Estuary Implementation Guide~~ Central Estuary Area Plan, ~~April 2011~~ 2013.

CHAPTER 4.0, ENVIRONMENTAL ANALYSIS

The following underlined text is added to Page 4-1 of the draft SEIR:

It is anticipated that many of the environmental impacts would not change from those considered in previous environmental documents; however, because of the time that has transpired since these documents were certified, there is new information regarding existing conditions, as well as new policies and regulatory updates that require new analyses within a supplemental environmental impact report (SEIR). As a result, this draft SEIR focuses on potential impacts for four key environmental topics: air quality, greenhouse gas emissions, noise, and transportation/traffic. However, all other environmental topics are also evaluated.

CEQA requires the analysis of potential adverse effects of the project on the environment. Potential effects of the environment on the project are legally not required to be analyzed or mitigated under CEQA. However, this document nevertheless analyzes potential effects of the environment on the project in order to provide information to the public and decision-makers. Where a potential significant effect of the environment on the project is identified, the document, as appropriate, identifies City Standard Conditions of Approval and/or project-specific non-CEQA recommendations to address these issues.

4.1 Air Quality

The following text is revised on Page 4.1-21 of the draft SEIR:

SCA A: Construction-Related Air Pollution Controls (Dust and Equipment Emissions).[2]
Timing: Ongoing throughout demolition, grading, and/or construction.

[2] In a document published July 28, 2011, the City identified several supplemental standard conditions of approval that replaced several previously published SCAs related to air quality.

SCA A (Construction-Related Air Pollution Controls) is noted as replacing previously published SCAs 26 (Dust Control) and 27 (Construction Emissions)

SCA B (Exposure to Air Pollution [Toxic Air Contaminants: Particulate Matter]) is noted as replacing previously published SCAs 94 (Indoor Air Quality) and 95 (Air Pollution Buffering for Private Open Space).

SCA C (Exposure to Air Pollution [Toxic Air Contaminants: Gaseous Emissions) was also noted as replacing previously published SCAs 94 (Indoor Air Quality) and 95 (Air Pollution Buffering for Private Open Space).

During construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the BAAQMD:

BASIC (Applies to ALL construction sites)

a) Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.

b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).

c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

d) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

e) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).

f) Limit vehicle speeds on unpaved roads to 15 miles per hour.

g) Idling times <u>on all diesel-fueled commercial vehicles over 10,000 lbs.</u> shall be minimized either by shutting equipment off when not is use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations. Clear signage to this effect shall be provided for construction workers at all access points.

h) <u>Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written idling policy (as required by Title 13, Section 2449 of the California Code of Regulations.</u>

<u>i)</u> ~~h)~~All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

j) ~~i)~~ Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the city and the BAAQMD shall also be visible. This information may be posted on other required on-site signage.

~~ENHANCED: All "Basic" controls listed above plus the following controls if the project involves:~~

- ~~i. 114 or more single-family dwelling units;~~
- ~~ii. 240 or more multi-family units;~~
- ~~iii. Nonresidential uses that exceed the applicable screening size listed in the BAAQMD CEQA Guidelines;~~
- ~~iv. Demolition permit;~~
- ~~v. Simultaneous occurrence of more than two construction phases (e.g., grading and building construction occurring simultaneously);~~
- ~~vi. Extensive site preparation (i.e., the construction site is four acres or more in size); or (7) Extensive soil transport (i.e., 10,000 or more cubic yards of soil import/export).~~

k) ~~j)~~ All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.

l) ~~k)~~ All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.

m) ~~i)~~Install sandbags or other erosion control measures to prevent silt runoff to public roadways.

n) ~~m)~~ Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).

o) ~~n)~~ Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

p) ~~o)~~ Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind blown dust. Wind breaks must have a maximum 50 percent air porosity.

q) ~~p)~~ Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.

r) ~~q)~~ The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.

s) ~~r)~~ All trucks and equipment, including tires, shall be washed off prior to leaving the site.

t) ~~s)~~ Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.

~~t) Minimize the idling time of diesel-powered construction equipment to two minutes.~~

u) ~~The project applicant shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent PM reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as they become available.~~ All Equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449 of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") must meet Emissions and Performance Requirements one year in advance of any fleet deadlines. The project applicant shall provide written documentation that the fleet requirements have been met.

v) Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).

~~w) All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.~~

~~x) Off-road heavy diesel engines shall meet the CARB's most recent certification standard.~~

4.2 Greenhouse Gas Emissions

Aside from the global change to the project title noted in Section 3.2, there are no other changes to this chapter.

4.3 Noise

In Section 4.3, Noise, of the draft SEIR, Impact NO-6 was incorrectly identified as a significant ("S") impact in the impact statement. Both the analysis that follows the impact statement and Table 2-1, Summary of Environmental Impacts, correctly identify the impact as less than significant (LTS). The following text was revised on Page 4.3-39 of the draft SEIR to accurately reflect the less-than-significant determination made under Impact NO-6:

Impact NO-6: Development facilitated by the ~~CEIG~~ CEAP could be exposed to noise levels in conflict with the land use compatibility guidelines of the Oakland General Plan. (LTS)

4.4 Transportation

New text related to transit route 51A is added to Table 4.4-3 on Page 4.4-15 of the draft SEIR.

Table 4.4-3 AC Transit Routes Serving the Central Estuary Plan Area Table

Route #	Route Name	Service Type	Time Period[1]	Service Span		Service Frequency			
				Start	End	AM Peak	Mid-Day	PM Peak	Night
20	Dimond District – Downtown Oakland	Local	M-F	5:00 AM	12:30 AM	30	30	30	30
			Sat Sun	5:00 AM	12:20 AM	30	30	30	30
21	Dimond District – Oakland Airport	Local	M-F	6:20 AM	10:10 PM	30	30	30	30
			Sat-Sun	7:15 AM	10:00 PM	30	30	30	30
51A	Rockridge BART – Fruitvale BART	Local	M-F	5:00 AM	12:35 AM	10-12	10-12	10-12	20
			Sat-Sun	5:23 AM	12:35 AM	15	15	15	20
O	SF Transbay Terminal – Fruitvale BART	Transbay	M-F	5:00 AM	10:45 PM	12-15	60	10	60
			Sat-Sun	5:30 AM	12:30 AM	60	60	60	60
OX	SF Transbay Terminal – Island Dr. Park & Ride	Transbay	M-F(EB)	4:15 PM	8:40 PM	-	-	10	30
			M-F(WB)	5:35 AM	8:50 AM	15	-	-	-
			Sat-Sun	No Weekend Service					

Notes:
[1] Schedules effective as of January 2013 (www.actransit.org).
Source: AC Transit, 2013.

Mitigation Measure TRAN-11 is revised so that the Plans, Specifications, and Estimates (PS&E) requirements are consistent with the PS&E components listed in Mitigation Measure TRAN-4. The following change is made to the forth bullet of Mitigation Measure TRAN-11 on Page 4.4-83 of the draft SEIR:

- Plans, Specifications, and Estimates (PS&E) to modify the intersection to accommodate the signal installation (or other improvements). All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for among other items the elements listed below:
  - 2070L Type Controller <u>with Cabinet Assembly</u>
  - GPS communication (clock)
  - Accessible pedestrian crosswalks according to Federal and State Access Board guidelines <u>with signals (audible and tactile)</u>
  - <u>Countdown Pedestrian Head Module Switch out</u>
  - City Standard ADA wheelchair ramps
  - <u>Video Detection on Existing (or new, if required)</u>
  - <u>Mast Arm Poles, full actuation (where applicable)</u>
  - <u>Polara Push Buttons (full actuation),</u>
  - <u>Bicycle detection (full actuation)</u>
  - <u>Pull Boxes</u>
  - <u>Signal interconnect and communication w/ trenching (where applicable), or through (E) conduit (where applicable)- 600 feet maximum</u>
  - <u>Conduit replacement contingency</u>
  - <u>Fiber Switch</u>
  - <u>PTZ Camera (where applicable)</u>
  - ~~Full signal actuation (includes video detection, pedestrian push buttons, bicycle detection)~~
  - ~~Accessible Pedestrian Signals, audible and tactile according to Federal Access Board guidelines~~

- ~~Countdown Pedestrian Signals~~
- ~~Fiber signal interconnect for corridors identified in the City's ITS Master Plan for a maximum of 600 feet.~~

To accurately reflect the less-than-significant determination made under Impact TRAN-35, the following change is made on Page 4.4-93 of the draft SEIR:

The three factors above are basic factors that make estimating AC Transit travel times with reasonable certainty throughout the life of the project, or establishing numerical thresholds for AC Transit travel times, difficult and impractical.

Mitigation TRAN-35: None required.

~~Significance after Mitigation: LTS~~

4.5 Other Environmental Topics

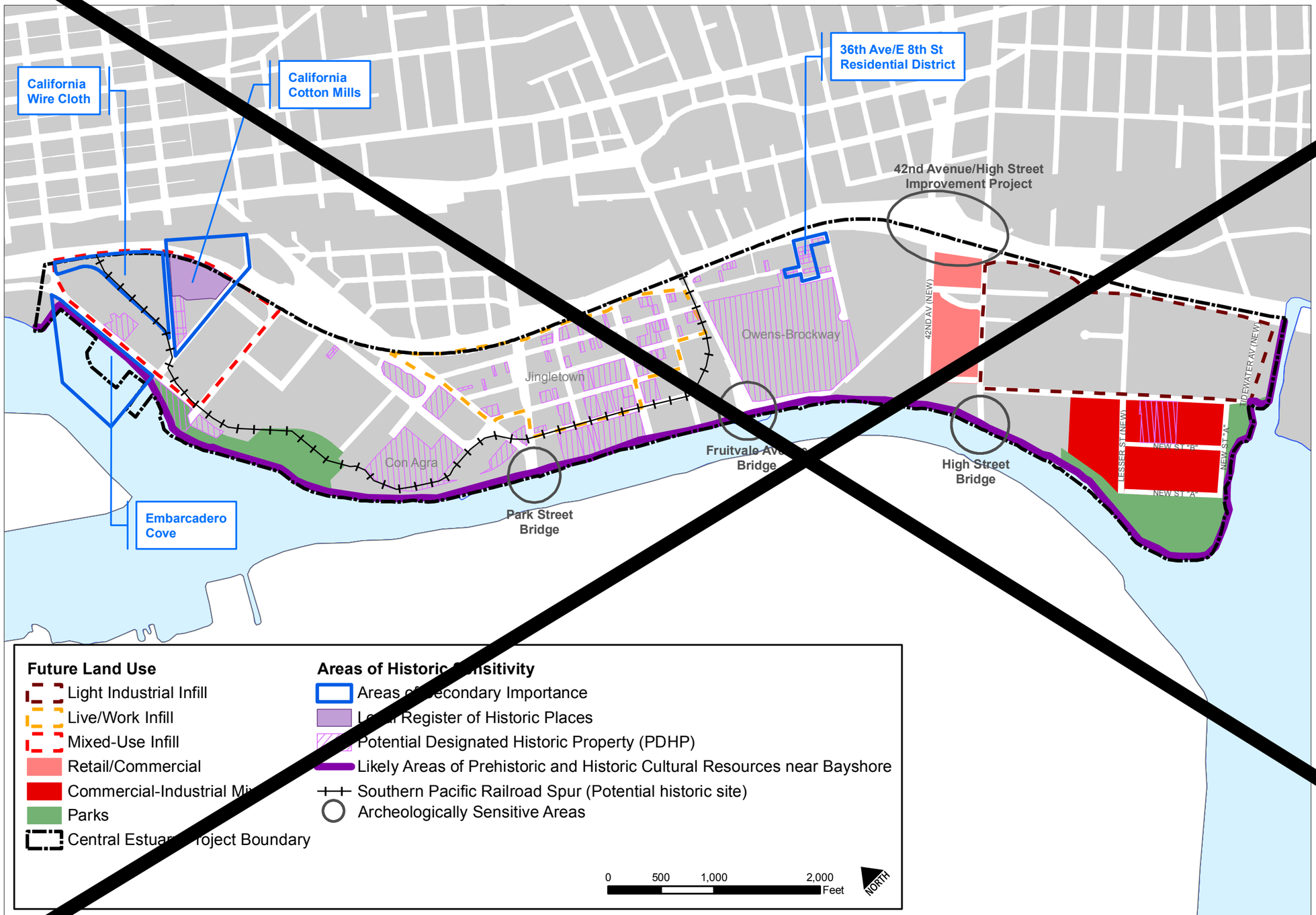
After publication of the draft SEIR, several changes were made to **Figure 4.5-1**, Likely Areas of Historical Sensitivity. This document includes both the previous and revised versions of **Figure 4.5-1** in order for the reader to better identify the changes.

*The changes to **Figure 4.5-1** on Page 4.5-43 of the draft SEIR include:*

- The potential designated historic property (PDHP) designation for the condominiums south of Glascock Street was removed;
- A depiction of the boat slips near Embarcadero Cove was added; and
- A caveat was added to the "Likely Areas of Prehistoric and Historic Cultural Resources near Bayshore," explaining that the graphic depiction is illustrative only

The following <u>underlined</u> text is added to Page 4.5-45 of the draft SEIR:

Although no known properties are listed as historical resources, due to the relative age of existing buildings and structures, there is potential that unrecognized historic architectural resources exist in the Plan Area. It is possible that future development projects in the Plan Area could involve demolition of, or impacts to cultural or historic resources. However, prior to the issuance of approvals from the City of Oakland, each of these projects would be subject to CEQA review, as well as to the SCAs, and policies of the Historic Preservations Element and LUTE of the General Plan. The policies and conditions that apply to the future development under the ~~CEIG~~ <u>CEAP</u> are described below.

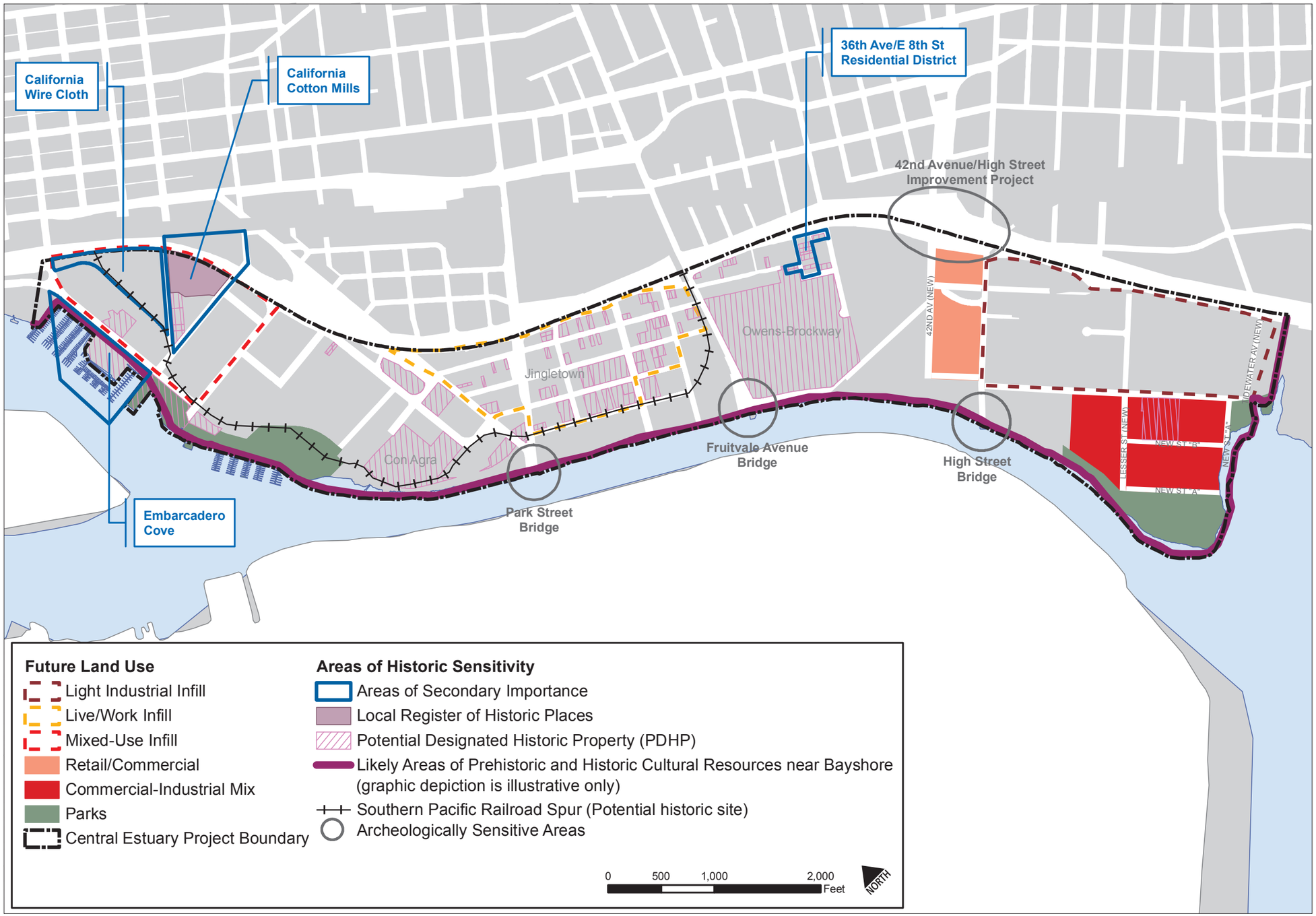


Likely Areas of Historical Sensitivity

Figure 4.5-1

Source: Circlepoint, 2012.

Figure 4.5-1 OLD (back) – Likely Areas of Historic Sensitivity



Likely Areas of Historical Sensitivity

Figure 4.5-1

Source: Circlepoint, 2012.

Figure 4.5-1 Revised (back) – Likely Areas of Historic Sensitivity

Recommended Measure: Many of the residential buildings within the Jingletown/Elemwood residential neighborhood and the early industrial buildings used to produce material for the World War II effort, and that supported Oakland's role as the largest grain port on the West Coast are in need of further study to determine the presence of historic architectural resources. Further, it is expected that several types and classes of archeological sites may be present in the project area, particularly along the bayshore and in close proximity to drainages and geomorphic features. Given that less than 15% of the plan area has been inspected for prehistoric and historic cultural resources, ~~S~~should specific development projects be submitted, as part of the environmental review process, an OCHS intensive survey shall be conducted/confirmed (even if one already exists or if an OCHS reconnaissance survey exists). This provision would generally apply to buildings, structures, objects, district, sites, and natural features related to human presence 50 years old and older.

- If an OCHS intensive survey exists on the property it should be updated and confirmed; or
- If an OCHS reconnaissance survey exists for the property, an OCHS intensive survey shall be conducted; or
- If there is not an OCHS intensive survey, the OCHS shall be consulted to determine if it appears that a parcel may include property types that may have historical significance, and if so, an OCHS intensive survey shall be conducted.

CHAPTER 5.0, ALTERNATIVES

In addition to pending and proposed projects in and near the Central Estuary that are detailed under other plans and programs, Alternative 5, Maximum Infrastructure, includes a number of recommended future transportation improvements that are identified in Appendix A of the CEAP. A brief description of these recommended improvements is included in Section 4.4, Transportation/Traffic, on Page 4.4-97 of the draft SEIR. The description of Alternative 5 is revised to accurately reflect the inclusion of these recommended improvements identified in the CEAP. As these improvements were previously considered as part of Alternative 5, no changes to the conclusions of the alternatives analysis are required.

The following text on Page 5-7 of the draft SEIR is revised:

The ~~CEIG~~ CEAP does not propose, include, or provide funding for any new or unique transportation improvements. This EIR is thus focused on the potential

effects of the ~~CEIG~~CEAP's proposed changes in land use regulations. However, the planning work undertaken in development of the ~~CEIG~~CEAP identified a number of transportation improvements currently contemplated by the city or other responsible agencies. Additionally, as shown in **Figure 5-1**, a number of recommended future transportation improvements are identified in the CEAP. As these improvements are neither approved nor funded, they are appropriately excluded from the main body of this EIR's analysis. However, Table 5-2 below summarizes these unapproved, unfunded transportation improvements whose potential implementation could affect the physical environment of the Plan Area. Alternative 5 thus contemplates the environmental effects likely to result from the combination of approval of the ~~CEIG~~CEAP plus implementation of these improvements. Any future transportation improvement project will be subject to appropriate CEQA review.

Table 5-2 on Page 5-11 of the draft SEIR is revised to include the recommended future transportation improvements that are identified in Appendix A of the CEAP:

Table 5-2 Unapproved, Unfunded Transportation Improvements Contemplated as Part of Alternative 5

~~Alternative 5: Unapproved, Unfunded Transportation Improvements~~ I. Pending and Proposed Transportation Projects in or Near the Central Estuary[1]
Fruitvale Avenue: improvements to all modes between International Boulevard and the Estuary (improvements included in the Fruitvale Alive! Community Transportation Plan)
~~**37th Avenue:** extension through to Alameda Avenue~~
~~**Alameda Avenue:** reconfiguration to conform to pending changes at 42nd Avenue and High Street~~
"Waterfront Boulevard": creation of a continuous waterfront parkway along the Estuary from Oak Street to 66th Avenue (proposed as part of the City of Oakland Estuary Policy Plan)
~~**Tidewater Avenue:** improvements for truck access to industrial areas~~
International Boulevard: portion of regional bus rapid transit (BRT) system[2]
Oakland Waterfront Trail Improvements (Measure DD Projects)
▪ Brooklyn Basin to Embarcadero Cove
▪ Livingston Pier
▪ Cryer Site
▪ Gallagher & Burk/Hanson Aggregate Sites

I. Pending and Proposed Transportation Projects in or Near the Central Estuary (Contd.)

- Bridge Areas: Park Street Bridge, Fruitvale Avenue Bridge, High Street Bridge

High Street: improvements for all modes from International Boulevard to the Estuary (proposed as part of the City of Oakland Estuary Policy Plan)

~~**Del Monte Road:** access improvements between Fruitvale shopping areas east of I-880 and Central Estuary~~

~~**50th Avenue:** bike/pedestrian connection under or over I-880~~

~~Alternative 5: Unapproved, Unfunded Transportation Improvements~~

II. Recommendations for Future Transportation Projects[3]

Arterials (General Plan)

Fruitvale Avenue: widening existing bike lanes and sidewalks to strengthen connectivity to the City of Alameda, the Central Estuary and neighborhoods to the northeast

High Street: consider the need to balance maintaining vehicular capacity and better incorporating non-motorized travel: include Class 2 bike lanes in both directions; sidewalks are recommended to be widened on west side and buffering pedestrians on the east side through a narrow planting strip

Collectors (General Plan)

East 7th Street between Kennedy Street and 23rd Avenue: in addition to recent restriping of bicycle boulevard, the pedestrian environment is recommended to be upgraded through street trees and other landscaping

42nd Avenue Extension: bike lanes (in both directions), and sidewalks and a sidewalk furnishing zones (on both sides of the street)

Tidewater Extension (West): same as 42nd Ave Extension above

Tidewater Avenue and Tidewater Extension (East): recommendations based on importance of multimodal access to the public MLK Jr. Regional Shoreline: convert Tidewater to a public street, accommodate two Class 2 bike lanes and provide a wider sidewalk with landscape buffer; also, at 50th Avenue: bike/pedestrian connection over I-880

Local Streets (General Plan)

Livingston Street: introduction of landscaping zones at curb of existing sidewalk, and corner curb extensions of sidewalks

22nd Avenue: widened sidewalk on east side along with landscaping zones, corner curb extensions of sidewalks, existing oversized travel way should be narrowed to two standards 12-foot lanes to accommodate sidewalk improvements

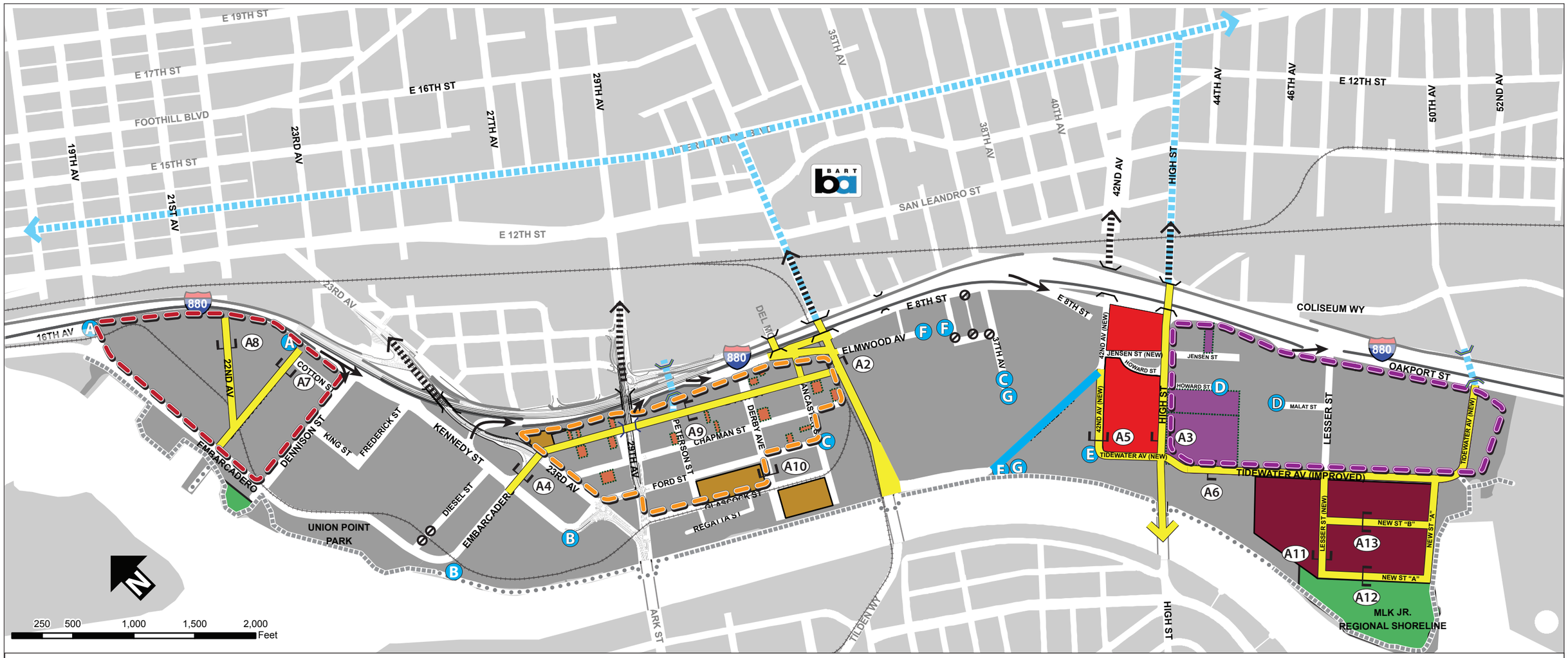
East 7th Street between 23rd Avenue and Fruitvale Avenue: the importance of this block as the sole link between Union Point Park and residences in Jingletown/Elmwood motivated this recommendation: narrow westbound travel lanes to provide class 2 bike lanes

II. Recommendations for Future Transportation Projects (Contd.)
Derby Avenue: re-angled parking, continuous sidewalks, sidewalk furnishing zone
Lesser Street Extension (New): bike lanes, wider sidewalks with landscape buffers that include street trees, all on both sides of the street. Corner curb extensions of sidewalks are recommended (but curb radii must be designed to accommodate turning trucks). The new Lesser Street Extension would serve as a segment of the Bay Trail, providing access from Tidewater Ave. to the Bay Trail and other recreational destinations along the Estuary shoreline
New Street A: ample sidewalks with landscape buffers that accommodate street trees. The street is an extension of the M. L. King Jr. Regional Shoreline Park and should be designed with landscaping and abundant street trees. Corner curb extensions are appropriate (sized to accommodate truck traffic)
New Street B: street will serve greater level of truck traffic, but does include ample sidewalks with landscape buffers that accommodate street trees
Jingletown/Elmwood Neighborhood Connection Improvements: range of pedestrian improvements recommended along Elmwood Ave., Del Monte Rd., and Lancaster Street. Del Monte Road: access improvements between Fruitvale shopping areas east of I-880 and Central Estuary. Additional ped/bike undercrossing of I-880 that extends from the Peterson Street dead end to the Fruitvale Station shopping Center.
Policy Connections
A number of policy-level recommendations for future enhancements to the Central Estuary's local street network that are contingent on major, long-term changes in existing uses currently occupied by economically viable uses

Notes:
1. These projects are detailed in other plans; they are listed in Chapter 3 of the CEAP.
2. Appendix D of the draft SEIR includes a brief analysis including consideration of the BRT system along International Boulevard.
3. See Figure 5-1, Potential Future Street Network Map; these projects are detailed in Appendix A of the CEAP.

Source: CD+A, 2013.

*A new **Figure 5-1**, Potential Future Street Network Map, is added to the description of Alternative 5 to illustrate the unapproved, unfunded transportation improvements listed in the revised Table 5-2 above. The original **Figure 5-1** in the draft SEIR (Sources of Particulate Matter) is renumbered as **Figure 5-2** in the final SEIR. As no substantive changes were made to the original figure, it is not included in this Response to Comments document.*



Potential Future Street Network

- Recommended Mid-term Improvements (Improvements and New Streets)[1]
- Potential Long-Term Projects Beyond Project Boundary[1]
- Bay Trail (existing)
- Bay Trail (proposed)
- Underpass - Existing
- Ped/Bike Underpass - Future
- I-880 On/Off Ramps
- Gated or closed street
- Connections to existing neighborhoods
- Street Section Numbers (see Appendix A for Street Section Figures)
- Future Roadway Policy Connection Points[1]
- Street segment to be removed from network after completion of potential future E-E policy connection[1]

Potential Future Land Use

- Retail/Commercial
- Commercial-Industrial Mix
- Medium Density Res
- Parks
- Infill: Live/Work
- Infill: Light Industrial/R&D
- Area of Live/Work Infill
- Area of Light Industrial Infill
- Area of Mixed-use Infill

NOTE: [1] The recommended transportation improvements (including mid-term improvements and new streets; long-term projects beyond the plan area; future roadway policy connection points; and street segments to be removed from network after completion analysis of potential policy connections) shown on this map are unapproved and unfunded. As such, they were excluded from the main body of the Supplemental Environmental Impact Report (SEIR) prepared for this project. However, these improvements were studied at a qualitative level as part of the Maximum Infrastructure Alternative #5 in the SEIR's analysis. Any future transportation improvement project will be subject to appropriate CEQA review. These projects are detailed in Appendix A of the CEAP.

Potential Future Street Network Figure **5-1**

Source: CD+A, 2013

Figure 5-1 (back) – *Potential Future Street Network Map*

CHAPTER 6.0, OTHER CEQA REQUIRED DISCUSSIONS

Aside from the global change to the project title noted in Section 3.2, there are no other changes to this chapter.

CHAPTER 7.0, REPORT PREPARATION

No changes required.

APPENDICES

Appendix 1 of this Response to Comments document contains the raw data for the roadway segment analysis on Alameda County Congestion Management Program (CMP) routes and Metropolitan Transportation System (MTS) segments that is included in the draft SEIR. This data supports the traffic impact analysis presented under *Traffic Load and Capacity Thresholds #7 and #8* beginning on Page 4.4-88 of the draft SEIR.

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4.0 COMMENTERS ON THE DRAFT SEIR

4.1 AGENCIES, ORGANIZATIONS, AND INDIVIDUALS COMMENTING IN WRITING

Table 4-1, Index to Comments lists correspondence the City received from public agencies, organizations, and individuals. The table assigns each commenter an alphabetical identifier**.**

Copies of all written comments received up to the end of the public review period are included in **Section 5.0, Response to Written Comments on the Draft SEIR**, which provides responses to comments received during the public review period.

Table 4-1 Index to Comments

ID	Date of Comment	Commenter
A	December 7, 2012	Alameda-Contra Costa County Transit District
B	December 14, 2012	Alameda County Transportation Commission
C	December 24, 2012	Alameda County Health Care Services Agency Public Health Department
D	January 4, 2013	California Department of Transportation
E	December 26, 2012	Governor's Office of Planning and Research – State Clearinghouse and Planning Unit

Source: Circlepoint, 2013.

4.2 COMMENTERS AT PLANNING COMMISSION PUBLIC HEARING

The following lists persons who provided verbal comments at the Planning Commission and the LPAB public hearings on the draft SEIR, held on December 5, and December 10, 2012, respectively.

Planning Commission Public Hearing

Public Speakers

- Margot Prado

Planning Commissioners

- Chris Pattillo

LPAB Public Hearing

Board Members

- Thomas Biggs
- Valerie Garry
- Daniel Schulman

5.0 RESPONSE TO WRITTEN COMMENTS RECEIVED ON THE DRAFT SEIR

5.1 AGENCIES, ORGANIZATIONS, AND INDIVIDUALS COMMENTING IN WRITING

This section includes copies of written comments received by hand-delivered mail or email during the public review period on the draft SEIR. Specific responses to the individual comments in each correspondence follow each letter or email. Consistent with the list of commenters presented in **Section 4.0, Commenters on the Draft SEIR**, each piece of correspondence is coded with a letter. Specific comments within each piece of correspondence are identified by an alphanumeric designator that reflects the sequence of the specific comment within the correspondence (e.g., "A-1" for the first comment in Letter A). The set of responses to comments immediately follows the correspondence.

Responses specifically focus on comments that pertain to the adequacy of the analysis in the draft SEIR or other aspects pertinent to the environmental analysis of the proposed project pursuant to CEQA. Comments that address topics beyond the purview of the draft EIR or CEQA are noted as such for the public record. Where comments and/or responses have warranted changes to the text of the draft EIR, these changes appear as part of the specific response and are repeated in **Section 3.0, Changes to the Draft SEIR**, where they are listed in order of where the revision would appear in the draft SEIR document.

From: Parker, Alicia
To: Nathan Landau
Cc: Jennifer Gallerani; John Cook; michael.iswalt@arup.com
Subject: RE: Error in CEIG transit section
Date: Friday, December 07, 2012 2:40:03 PM

Dear Nathan,

Thank you for correcting the AC Transit information. This is important to note. We will log this as a comment and update the document/respond the comment in the Final EIR.

Best,
Alicia

From: Nathan Landau [mailto:NLandau@actransit.org]
Sent: Friday, December 07, 2012 12:51 PM
To: Parker, Alicia
Subject: Error in CEIG transit section

Alicia, I don't know if AC Transit will be submitting formal comments on the Central Estuary Implementation Guide EIR, but I wanted to alert you to an error in the transit section. That shows four AC Transit routes serving the area. There's actually a fifth route—line 51A—which crosses the plan area on Fruitvale Ave., the same street as line O uses. The map includes line 51A, but the text doesn't. Line 51 used to end in Alameda but we extended it to Fruitvale BART about two years ago, to provide better connections between Alameda and Fruitvale BART. Improving that connection was very important to the City of Alameda.

A-1

The 51A has one stop in the plan area, at Fruitvale Ave. & Alameda Ave. There doesn't seem to be very high ridership at that stop, but line 51A runs every 10-12 minutes on weekdays. So it could provide good service to more intense development, were that to occur in that area. Let me know if you need any more information about this.

Nathan Landau

Responses to Comment Letter A

A-1 New text related to Alameda-Contra Costa Transit District (AC Transit) route 51A is added to Table 4.4-3 on Page 4.4-15 of the draft SEIR.

Table 4.4-3 AC Transit Routes Serving the Central Estuary Plan Area Table

Route #	Route Name	Service Type	Time Period[1]	Service Span		Service Frequency			
				Start	End	AM Peak	Mid-Day	PM Peak	Night
20	Dimond District – Downtown Oakland	Local	M-F	5:00 AM	12:30 AM	30	30	30	30
			Sat Sun	5:00 AM	12:20 AM	30	30	30	30
21	Dimond District – Oakland Airport	Local	M-F	6:20 AM	10:10 PM	30	30	30	30
			Sat-Sun	7:15 AM	10:00 PM	30	30	30	30
51A	Rockridge BART – Fruitvale BART	Local	M-F	5:00 AM	12:35 AM	10-12	10-12	10-12	20
			Sat-Sun	5:23 AM	12:35 AM	15	15	15	20
O	SF Transbay Terminal – Fruitvale BART	Transbay	M-F	5:00 AM	10:45 PM	12-15	60	10	60
			Sat-Sun	5:30 AM	12:30 AM	60	60	60	60
OX	SF Transbay Terminal – Island Dr. Park & Ride	Transbay	M-F(EB)	4:15 PM	8:40 PM	-	-	10	30
			M-F(WB)	5:35 AM	8:50 AM	15	-	-	-
			Sat-Sun	No Weekend Service					

Notes:
[1] Schedules effective as of January 2013 (www.actransit.org).
Source: AC Transit, 2013.

ALAMEDA County Transportation Commission
1333 Broadway, Suites 220 & 300 ▪ Oakland, CA 94612 ▪ PH: (510) 208-7400
www.AlamedaCTC.org

December 14, 2012

Alicia Parker
City of Oakland
Department of Planning, Building, and Neighborhood Preservation
Strategic Planning Division
250 Frank Ogawa Plaza
Suite 3315
Oakland, CA 94612

SUBJECT: Comments on the Draft Supplemental Environmental Impact Report (DSEIR) for the Central Estuary Implementation Guide (CEIG) Project (ER-11-0016/ZT12109/GP12110)

Dear Ms. Parker:

Thank you for the opportunity to comment on the Draft Supplemental Environmental Impact Report for the Central Estuary Implementation Guide Project. The Draft CEIG is a companion document to the City's 1999 Estuary Policy Plan that modifies and clarifies land uses and associated densities within the Central Estuary area. The project consists of 416 acres of land between 19th Ave, 54th Ave, Interstate 880, and the Oakland Estuary. The area is currently zoned for heavy industrial uses, and the project calls for maintaining industrial uses while allowing for an increment of new commercial, residential, and office development in appropriate locations. At full build out, the project would result in 1,679 p.m. peak hour trips in excess of existing land uses in the project area.

The Alameda County Transportation Commission (Alameda CTC), on behalf of the Alameda County Congestion Management Agency (ACCMA) through the powers dedicated to Alameda CTC by the joint powers agreement which created the Alameda CTC, respectfully submits the following comments:

- Page 4.4-50 of the DSEIR states that the P07 model version generates more conservative traffic volumes. The traffic impact analysis should include tables that compare the AM and PM peak hour volumes from the P07 and P09 model versions on all CMP/MTS study segments to demonstrate that the most conservative traffic volumes are applied to determine impacts. This comparison table should confirm a general trend that P07 is more conservative within the study area than the most recent model, which was recommended for use in the Alameda CTC NOP response dated December 15, 2011. B-1

- On page 4.4-92, the DSEIR states that project impacts on AC Transit travel times are not considered due to the lack of a clear quantitative methodology by which to study such impacts. However, on page 4.4-45, footnote 4, which describes the City of Oakland's AC Transit travel time threshold of significance, it is acknowledged that "The evaluation may require a qualitative and/or quantitative analysis depending upon these relevant B-2

factors." The DSEIR should consider qualitatively whether project traffic will significantly degrade AC Transit travel times and whether there are opportunities to mitigate this degradation through measures like moving nearside stops to farside, installing bus bulbs, etc. B-2, cont.

Thank you for the opportunity to comment on this Draft SEIR. Please do not hesitate to contact me or Matthew Bomberg of my staff at (510) 208-7400 if you require additional information.

Sincerely,

Beth Walukas
Deputy Director of Planning

Cc: Matthew Bomberg, Assistant Transportation Planner

File: CMP – Environmental Review Opinions – Responses - 2012

Responses to Comment Letter B

B-1 The traffic forecasts in the draft SEIR were developed using the Alameda County Transportation Commission (Alameda CTC) regional travel demand model, which incorporates the Association of Bay Area Governments (ABAG) Projections 2007 (P07) land use forecast for 2015 and 2035. This was the model available when the Central Estuary planning process began in 2008/2009 and reflects a more optimistic pre-recession economic outlook. In April 2011, Alameda CTC's traffic model was updated to incorporate Projections 2009 (P09) land uses. The P09 update took into account the deep economic downturn that occurred in 2008-2009, and thus provided decreased growth assumptions going forward.

Although the P09 model was released prior to the publication of the draft SEIR, the City decided to continue the analysis using the P07 model for two reasons: 1) the higher land use forecasts generate more conservative traffic volumes (i.e., higher, "worst case"), and 2) P07 was the adopted model at the time the planning work on the project began. For these same reasons, Alameda CTC staff confirmed, in June 2011, that the P07 model was appropriate for use in the traffic impact analysis of the draft SEIR, and that there was no need to re-start the analysis using the updated P09 model.[1] Follow-up coordination with Alameda CTC in response to this comment letter again confirmed that no additional analysis or changes to the draft SEIR are required.[2]

B-2 Impact TRAN-35 on Page 4.4-92 of the draft SEIR qualitatively assesses the project impacts on AC Transit bus service (Traffic Load and Capacity Threshold #9). The analysis indicates that the project would result in a degradation of level of service (LOS) at several intersections and roadway segments outside of the Plan Area. This degradation of intersection operations, particularly along International Boulevard at High Street and

[1] Suthanthira, Saravana, Senior Transportation Planner, Alameda County Transportation Commission (June 23, 2011). Email correspondence with Michael Iswalt, Senior Engineer, Arup, regarding the use of the P07 model in the draft SEIR.

[2] Bomberg, Matthew, Assistant Transportation Planner, Alameda County Transportation Commission (January 9, 2013). Email correspondence with Michael Iswalt, Senior Engineer, Arup, regarding the use of the P07 model in the draft SEIR.

42nd Avenue, would result in an increase in AC Transit travel times for bus routes along International Boulevard. Without roadway improvements along International Boulevard, these delays to the AC Transit routes would be unavoidable.

However, the City has no reliable basis to establish a numerical threshold for "substantially increased travel times" due to several factors:

- First, bus service, in general, can change quite frequently over time in response to external factors, as is the case with AC Transit's bus network. During the duration of the planned development under the CEAP, existing routes may no longer exist or new routes may be added to service or altered in some way. In fact, AC Transit has generally reduced its bus service over the past few years in response to budget issues. Similar to parking, transit service is not part of the physical environment, and can change.
- Second, any numerical threshold to determine the significance of increased travel times needs to consider additional characteristics of the bus service, including its headway (the amount of time between scheduled trips) and total travel time. Given the changeable nature of bus service, establishing such thresholds is not reasonable, as service can be rerouted, eliminated, or created at any time. Consideration would also have to be given to different types of transit service (e.g., trunk service, Transbay service, local service, and community service), as they generally operate with different characteristics.
- Third, unlike the situation for intersections or roadway facilities, there are no well-established methodologies for characterizing the operations of transit service in relation to travel times. For intersections, clear distinctions are made between intersections that operate at acceptable conditions (e.g., LOS D or better) and those that operate at unacceptable conditions (e.g., LOS E or LOS F), and separate impact thresholds are provided. For bus service, however, there is no well-established LOS equivalent for characterizing transit service in relation to travel times.

It should be noted that the BRT analysis included in Appendix D of the draft EIR concluded that the BRT project would mitigate any project effects on bus transit. Specific elements of the BRT project that will improve transit travel times include dedicated transit-only lanes, transit signal priority, improved station amenities, enhanced pedestrian crosswalks, and other

safety features. These improvements are identified on a block by block basis in existing BRT project documents available from AC Transit, and were incorporated into the BRT analysis that was appended to the draft SEIR. The City anticipates that most of the design elements of the BRT project, which has been recently approved, will be constructed by the time future development under the CEAP is implemented; thereby alleviating potential delays to the AC Transit travel times.

The evaluation of other opportunities to mitigate AC Transit delays through measures like moving bus stops, installing bus bulbs, etc. is not possible until specific development projects are proposed under the CEAP. These types of improvements are generally associated with the design of the internal circulation of specific sites, and would be evaluated on a case-by-case basis as development applications are received, which is standard practice.

The City's Standard Conditions of Approval (SCA) 25, *Parking and Transportation Demand Management*, includes the provision for the applicant to prepare a Transportation Demand Management (TDM) plan containing strategies to reduce travel by single-occupancy vehicle and thus also reduce demand for parking on-site. Strategies to consider include the installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count down signals, bulb outs, etc.), which could double as improvements that would mitigate AC Transit delays.

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
PUBLIC HEALTH DEPARTMENT

Alex Briscoe, Director
Muntu Davis, MD, MPH, Acting Director

Community Assessment, Planning and Evalation

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Director

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December 24, 2012

Alicia Parker
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Strategic Planning Division
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612
Via e-mail: aparker@oaklandnet.com

RE: Central Estuary Implementation Guide Supplemental EIR and Public Health Concerns

Dear Ms. Parker:

The Alameda County Public Health Department (ACPHD) is writing to share our comments regarding the Central Estuary Implementation Guide Supplemental Environmental Impact Report (SEIR). ACPHD has documented the social and health inequities in Oakland that continually disproportionately impact low-income communities and communities of color. As the agency responsible for protecting the public health of Alameda County residents, our role is to analyze and comment on the public health impacts of planning processes for consideration in decision making.

First, we would like to thank the Strategic Planning staff for consideration of public health and for involving ACPHD early in the Central Estuary Specific Planning process. While gathering health data to prioritize community needs, we found that this is an area where existing residents are already impacted with disproportionately high emergency department visit rates compared to the Alameda County rates for: asthma, coronary-heart disease, assault, mental disorders, motor vehicle crashes obesity-related reasons and stroke (See Section X, Public Health of the Existing Conditions Report, September 2009). ACPHD has made recommendations that would help the City create a plan that would address the health issues impacted by the built environment and economic development as well as ideas for paying for implementation costs. These issues include: poor air quality, land use conflicts, poor access to active transportation and goods and services, lack of affordable housing, social cohesion, safety issues, and poor access to good-paying jobs.[1]

After reviewing the SEIR, ACPHD is still concerned that there are considerable health risks to new and existing residents and that there is a lack of clarity regarding implementation of mitigating these risks. The SEIR's analysis found several significant and unavoidable impacts:

- Air quality: exposure to odors and gaseous toxic air contaminants;
- Greenhouse gas emissions for both mobile and stationary sources;
- and transportation: impacts at various intersections, freeway and roadway segments traffic at railroad crossings.

Should the City of Oakland decide to override the considerations of significance, the City should adopt the utmost stringent mitigations and actions to ensure implementation and enforcement is realized. This will also help reduce and prevent costs to the already burdened healthcare system.

C-1

[1] See ACPHD letters to CED Committee on February 9, 2010 and April 20, 2010 and to Strategic Planning on December 21, 2011.

Sensitive Land Uses and Public Health

Air quality

ACPHD is very concerned with allowing increased density of sensitive uses, particularly residences and schools, in the area because of the high health risks. In addition to identifying air quality as a significant and unavoidable impact, the SEIR found that a Particulate Matter Exclusion Zone, which would prohibit most new housing in locations within 1000 feet of large sources of particulate matter emissions – railroads, freeways and major roadways – conflicts with the industrial land retention policy. However, the commingling of industrial and residential land uses proposed perpetuates these impacts. The area near Owens Brockway and the West Sub-area are particularly problematic. From a health perspective, no new housing should be sited here. However, **should the City of Oakland move forward to write a Statement of Overriding Consideration, we strongly recommend the City strengthen the Standard Condition of Approval (SCA) A, B and C, Exposure to Air Pollution (See Appendix A below) and implement the actions and mitigations to reduce exposures for existing and new residents.** This includes recapturing the value of rezoning the land for community benefits and ensuring funds for implementation particularly for populations who are most susceptible to poor air quality – children, seniors and people with pre-existing health conditions (More explanation below). C-2

Noise and Vibrations

ACPHD is concerned about the impacts of noise and vibrations in the area. Noise and vibrations are linked to negative health outcomes and further comingling residential infill development with industrial uses will increase these impacts. The SEIR analysis shows that the noise environment for residential land uses along Kennedy Street in the West Sub-area, are already considered "Clearly Unacceptable" for residential development and Union Point Park is considered "Normally Unacceptable" for park areas. The SEIR also says in SCA 29: Noise Control and NO-4 that development facilitated by the CEIG could potentially increase ambient noise levels, but discounted this by saying it is not significant because it increases by less than a 5 dBA permanent increase. Noise modeling for year 2035 indicates that the majority of the existing and future noise-sensitive development within the Plan Area would continue to experience unacceptable noise levels with the cumulative addition of traffic noise beyond the project-related development within the Plan Area. Adding additional noise impacts to an already overburdened area is problematic even if it is incremental from a health perspective. **ACPHD recommends restricting new residential development in areas where noise is projected to deteriorate to unacceptable levels and to add more noise mitigations in these areas (See Appendix A below).** C-3

Access to Active Transportation and Safety Issues

ACPHD is very concerned with potential increased health risks, particularly for youth, seniors and disabled people, due to a lack of pedestrian and bike facilities and public transit that promote physical activity and contribute less greenhouse gases to the environment. Transportation access is important to health, especially for low-income residents, whom tend to have poor access to necessary and health-promoting goods and services. First, we are concerned that the City is allowing increased density of residential uses, particularly multi-family residential in the West Sub-area, in areas that already have limited access to safe pedestrian and bicycle facilities and nearby, frequent and reliable transit. According to the SEIR, the Park Street Triangle is one area with the most collisions. At the same time, positioning new residences near existing residential areas, such as the Central West Sub-area which is adjacent to the Park Street Triangle, maximizes connectivity to transit, bike, and pedestrian facilities and can help improve transit ridership. Improving access and safety will be challenging without substantial resources. Also, the SEIR fails to mention AC Transit bus 51A, which has a couple of stops in the area. **To ensure environmental and community health benefits for new and existing residents, ACPHD recommends prioritizing and funding bicycle, pedestrian and transit improvements as well as more protections from the impacts of trucks (see Appendix A below).** C-4

Ensure Implementation of Health and Economic Benefits through Recapturing Land Value Increases

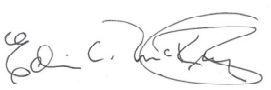
ACPHD supports retaining industrial land because it is an economic development strategy that may improve health outcomes in Oakland, particularly among those in disproportionately higher risk of poor health outcomes, if coupled with actions to increase job opportunities, local hire and job training for those with a high-school degree or less. This is also an opportunity to increase affordable housing and income for our most vulnerable populations. Research clearly indicates that one of the best ways to improve health outcomes is to increase income levels or reduce poverty. The City's lack of affordable housing contributes to food insecurity and poor nutrition, especially among low-income children or color, and reduces families' income for other essential needs. Additionally, a lack of safe, affordable housing can lead vulnerable residents to settle for substandard housing situations, which is a major contributor to the development of serious respiratory and skin infections. **ACPHD recommends utilizing up-zoning revenues and development impact fees for the necessary mitigations and community benefits that prioritize health and economic benefits, such as air quality** C-5

and transportation mitigations, local jobs and affordable housing (See Appendix A). Specifically, these benefits should include a requirement that any new housing include a high percentage of affordable housing and job training for new development, prevent displacement and local hire and wage standards for all permanent jobs resulting from the new development.

C-5, Cont.

Again, ACPHD expresses its appreciation to the City of Oakland for considering our recommendations for addressing public health in the Central Estuary Specific Plan process and SEIR. Please feel free to contact me with any questions or concerns.

Regards,



Chuck McKetney, DrPH
Director of Community Assessment, Planning, and Evaluation
Alameda County Public Health Department

cc: Dr. Muntu Davis, Director, Alameda County Public Health Department

APPENDIX A

Recommendations for actions and mitigations for Reducing and Preventing Air Quality Impacts:

SCA A Construction-Related Air Pollution Controls (Dust and Equipment Emissions)

- Measure t) "*Minimize the idling time of diesel-powered construction equipment to two minutes"* is difficult to implement/enforce. Amend this measure to require that all off road construction equipment used within this project site must meet CARB Tier 3 standards.

SCA B Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter) and SCA C Exposure to Air Pollution (Toxic Air Contaminants: Gaseous Emissions)[2]

- The Health Risk Assessment should be made publicly available or at least consult with the BAAQMD.
- Health Risk assessment recommended list of measures should include, but not be limited to the following:
  The applicant shall implement all of the following features that have been found to reduce the air quality risk to sensitive receptors and shall be included in the project construction plans. These features shall be submitted to the Planning and Zoning Division and the Building Services Division for review and approval prior to the issuance of a demolition, grading, or building permit and shall be maintained on an ongoing basis during operation of the project.
  - Redesign the site layout to locate sensitive receptors as far as possible from any freeways, major roadways, or other sources of air pollution (e.g., loading docks, parking lots).
  - Do not locate sensitive receptors near distribution center's entry and exit points.
  - Incorporate tiered plantings of trees (redwood, deodar cedar, live oak, and/or oleander) to the maximum extent feasible between the sources of pollution and the sensitive receptors.
  - Require an HVAC with filtration or other air take system in the building or in each individual residential unit for sensitive use sites that are within 1000 feet of a significant particulate matter source – freeway, railway, major road – that meets or exceeds an efficiency standard of MERV 13. The HV system shall include the following features: Installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85% supply filters shall be used. Retain a qualified HV consultant or HERS rater during the design phase of the project to locate the HV system based on exposure modeling from the pollutant sources. C-6
  - Incorporate engineering strategies to ensure that new buildings maintain clean indoor air quality. Strategies could include providing mechanical ventilation; keeping building interiors under positive pressure; installing particulate filtration and carbon filtration as needed; and locating air intakes away from pollution sources
  - Project applicant shall maintain, repair and/or replace HV system on an ongoing and as needed basis or shall prepare an operation and maintenance manual for the HV system and the filter. The manual shall include the operating instructions and the maintenance and replacement schedule. This manual shall be included in the CC&Rs for residential projects and distributed to the building maintenance staff. In addition, the applicant shall prepare a separate homeowners manual. The manual shall contain the operating instructions and the maintenance and replacement schedule for the HV system and the filters.
  - Install indoor air quality monitoring units in buildings.
  - Incorporate pollution prevention measures into new business operations to ensure that they are as "clean" as possible.
  - Require warehouse and distribution facilities to provide adequate on site truck parking.
  - Inform all potential buyers of all increased health risk associated with living close to major highways and thoroughfares and educate them in the proper use of any installed air filtration
  - Consider limiting building heights adjacent to roadways with high traffic flows. Taller buildings create "urban canyons" which can reduce the dispersion of air pollutants and increase ambient exposure levels. Dispersion analysis could inform where to allow higher buildings
  - Apply California Air Resource Board's Air Quality and Land Use Handbook regulations for large stationary sources (e.g., refineries, power plants, chemical facilities, etc) and small stationary sources (e.g., dry cleaners, auto body shops, welders, chrome plating facilities, service stations, etc), including: (1) Operating permit rules; (2) Air Toxics "Hot Spots" Law (AB 2588); (3) Local district rules; (4) Air Toxic Control Measures (ATCMs); (5) New Source Review rules.
  - Prohibit schools within 1000 feet of a high traffic road or freeway (100,000 vehicles per day).

[2] For more information, please see the Sustainable Communities Index at: http://www.sustainablesf.org/

- Apply regulations for mobile sources (non-fleet - e.g., cars, trucks, buses), including: (1) Emission standards; (2) Cleaner-burning fuels (i.e., unleaded gasoline, low-sulfur diesel); (3) Inspection and repair programs (i.e., Smog Check)
- Create an air quality and odor complaint hotline and procedure.

Recommendations for actions and mitigations for Reducing and Preventing Noise Impacts[3]:

- Adequately maintain City-owned vehicles and travel surfaces near sensitive land uses with unacceptable noise levels to minimize noise
- Reduce traffic speeds on adjacent residential streets through traffic calming measures (especially traffic circles, semi-diverters, and diagonal diverters).
- If noise is greater than 65 decibels, notify all potential buyers that the property they are occupying has significant noise risks.
- Design units exposed to high noise levels with interior courtyards and patios that open into acoustically protected and shielded areas.
- Incorporate noise insulation materials in new construction, especially near busy roadways or industrial uses
- Promote site planning, building orientation and design, and interior layout that will lessen noise intrusion
- Restrict new residential development in areas where noise is projected to deteriorate to unacceptable levels
- Create an impact fee on new development to pay the fair share of costs of implementing noise mitigations, such as maintaining roads.

Recommendations for actions and mitigations for Promoting Active Transportation Options (access to bicycle, pedestrian facilities and transit)

- Add to SCA 25, Parking and Transportation Demand Management:
  - Businesses with trucks and the City should identify designated areas for heavy duty truck parking, particularly by the Park Street triangle.
  - Examine increases and improvements in pedestrian, bicycle, transit and carpool/vanpool use in conjunction with existing or planned truck routes to prevent conflicts.
  - Require new development to consider the cost of improvements for bicycles, pedestrians and transit access and contribute to a mitigation fund that will be administered by the City.
- The following come from the Sustainable Communities Index[4]
  - Prioritize development projects located near high capacity, frequent, and reliable public transit
  - Establish a residential transit pass program funded by monthly or annual homeowners' fees. The transit pass program should subsidize free or discounted passes for below market rate units
  - Work with local and/or regional transit agencies to provide subsidized transit passes to tenants in below market rate units and other transit-dependent tenants (e.g., persons with disabilities, seniors, and youth) as well as for low-income households (e.g., <200% poverty level), or provide discounts on car-share memberships or discounts on new bicycles and helmets
  - Require or incentivize employers to subsidize employees who commute to work via mass transit, bicycle or foot
  - Ensure that all employees have access to tax incentives for mass transit (e.g., commuter check programs)
  - Provide no-cost shuttles between worksites, homes, and regional public transit
  - Provide secure, covered bicycle parking and changing facilities at workplaces. Provide safe, convenient bicycle parking on streets and in parking garages.
  - Make pedestrian access to public transportation safer and encourage transit ridership by improving walking environments to and around public transit stops through measures such as more pedestrian scale lighting, wider sidewalks, and visible, safe pedestrian crosswalks. Funding could be provided through a development agreement or other means.
  - Include traffic calming design strategies which will increase pedestrian and bicycle safety

C-6, Cont.

[3] For more information, please see the Sustainable Communities Index at: http://www.sustainablesf.org/
[4] For more information, please see the Sustainable Communities Index at: http://www.sustainablesf.org/

Recommendations for actions or mitigations for Preventing Displacement and Increasing Affordable, Healthy Housing[5]

- Capture a portion of the increased land value from the conversion of commercial land to residential and from increased height limits, to be used for increased affordable housing
- Include soundproofing and/or air filtration systems in noisy and/or high pollution areas
- Use high quality building materials to offset long-term maintenance and repair costs
- Provide density bonuses to developers for increased affordable housing. Density bonuses are when a city permits developers to increase the number of units allowed on a piece of property if they agree to something beneficial for the city such as restricted rents or sales prices or Brownfield clean-up
- Require below market rate units to come in a mix of sizes/number of bedrooms to address the need for affordable housing for different household types (e.g., at least 25% of below market rate (BMR) units have 2-bedroom and at least 25% have 3 or more bedrooms)
- Provide incentives for development of rental property. Examples include tax credits, bond financing, deferral or forgiveness of real estate taxes, water charges, and other public debts owed on rental properties, construction financing, technical assistance, etc.
- Provide permanently affordable and service-enriched housing to reduce the need for temporary homeless shelters
- Discourage the demolition of sound, existing housing by requiring 1:1 replacement of affordable units or in-lieu fees paid to the City's affordable housing fund
- Encourage more landlords to get their property Section 8 certified through incentives such as assistance with the approval process and tenant search.
- Educate tenants and landlords about tenants' rights and responsibilities - especially related to evictions, rent control, deposits, and maintenance
- Encourage development agreements to include rent control commitments and provide model language to support this
- Protect the affordability of units in existing buildings at risk of being converted to market rate housing by discouraging private property owners participating in affordable housing programs from terminating their participation (e.g., federally-insured mortgages, project-based Section 8 rental subsidies, low-income housing tax credit program, restricted by other sources such as tax-exempt bonds, CDBG, HOME, tax increment and density bonus/land use restrictions).
- Use tax increment financing (TIF) to capture a portion of the increased land value from the conversion of commercial land to residential and from increased height limits, to be used for increased affordable housing.
- Require incremental increases in affordable units with incremental increases in heights
- Require that market-rate housing projects provide below market rate (BMR) units at a range of affordability levels including low- and very-low income

C-6, Cont.

Recommendations for actions or mitigations to Increase High-quality Employment for Local Residents

- Use a community benefits agreement to provide and ensure neighborhood economic benefits not otherwise possible via land use and zoning tools (e.g., living wages, local hiring and job training, readiness and placement services, affordable housing, environmental remediation, employer support services, First Source provision, and funds for community programs).
- Implement a community benefits agreement that ensures developers will hire locally and provide prevailing and living wages for construction-related jobs during the development process.
- Target industry sectors that have higher paying entry level jobs to locate in the area and hire locally through a high-wage adult job training program

[5] For more information, please see the Sustainable Communities Index at: http://www.sustainablesf.org/

Responses to Comment Letter C

C-1 The public health assessment included in the 2009 Existing Conditions Report prepared for the project found that the Plan Area includes numerous and diverse industrial and commercial land uses that provide good-quality employment for local and regional residents [see Appendix E of the draft Supplemental Environmental Impact Report (SEIR)]. Further, residents in the Plan Area are well-served with higher quality parks, open space, and local schools. Plan Area challenges that reflect the most significant public health hazards include: (1) transportation deficiencies related to a lack of safe pedestrian/bicycle networks, and (2) the presence of industrial and mobile sources of air pollution and noise.

The Central Estuary Area Plan (CEAP) addresses the transportation deficiencies by recommending circulation and streetscape improvements. The intent of the CEAP is to enhance the area as an employment generating, commercial/industrial area. Unfortunately, commercial and industrial activities can impact the surrounding community. Potential impacts are, in part, addressed by the proposed zoning for the area. The proposed zoning prohibits residential uses in four out of the six zones, thus minimizing potential health impacts from co-locating residential and industrial uses. Where residential uses are allowed in proposed light industrial zones, separation distances have been proposed, along with other restrictions on activities adjacent to residential uses. City policies and Standard Conditions of Approval (SCAs) also help to address possible impacts.

This comment letter from the Alameda County Public Health Department (ACPHD) raises concerns with the health risks associated with air quality; greenhouse gas (GHG) emissions; transportation impacts from the I-880 freeway, high volume roadways and existing industrial facilities; as well as development facilitated by the CEAP. The draft SEIR analyzes each of these impacts, as summarized below under the topic area subheadings.

Many of the ACPHD's concerns relate to the impact of the environment on a project (e.g., the impact of siting new development near the I-880 freeway and other existing pollution generators). As discussed in Chapter 1 of the draft SEIR, CEQA requires the analysis of potential adverse effects of the project on the environment. Potential effects of the environment on the project are legally not required to be analyzed or mitigated under CEQA. Although not required under CEQA, the draft SEIR nevertheless analyzes potential effects of the environment on the project in order to provide information to the public and decision-makers. Where a potential

significant effect of the environment on the project is identified, the document, as appropriate, identifies City SCAs and/or project-specific non-CEQA recommendations to address these issues.

Air Quality

The air quality analysis contained in Section 4.1 of the draft SEIR found the project to have less than significant air quality impacts at the plan-level. Specifically, development facilitated by the CEAP was found to have a less than significant impact on the projected rate of increase in Vehicle Miles Traveled (VMT) and vehicle trips. The analysis found that VMT and vehicle trips would grow at a lesser rate than the Plan Area population, which is consistent with the Bay Area 2010 Clean Air Plan and therefore, a less-than-significant impact. Further, emissions of criteria pollutants due to future development under the CEAP were found to be in conformance with ambient air quality standards. Finally, the project would not conflict with the 2010 Bay Area Clean Air Plan because development within the Plan Area would minimize regional and local air pollutant emissions by encouraging use of transit, alternative transportation modes, and sustainable development patterns. Therefore, this impact would be less than significant.

The draft SEIR states that all locations in the Plan Area are within 1,000 feet of the I-880 freeway, high volume roadways, or active rail lines. Additionally, several locations in the Plan Area include stationary sources of pollutants. Collectively, these mobile and stationary sources emit diesel particulate matter and/or gaseous toxic air contaminants. Impacts from these existing stationary and mobile sources represent an effect of the environment on the project. As mentioned above, although not required under CEQA, the draft SEIR nevertheless analyzes potential effects of the environment on the project in order to provide information to the public and decision-makers. The City's SCA B, Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter) and SCA C, Exposure to Air Pollution (Toxic Air Contaminants: Gaseous Emissions), impose measures on future developers to incorporate project design features that reduce potential health risk due to exposure to diesel particulate matter and gaseous toxic air contaminants.

The City of Oakland Housing Element Draft Environmental Impact Report (DEIR) noted the presence of many sources of diesel particulate matter throughout the entire city. The Housing Element DEIR concluded that implementation of SCA 94 (now replaced by SCA B) would reduce both plan

and project level impacts from diesel particulate matter and toxic air contaminants to an acceptable, less-than-significant level. With regard to gaseous toxic air contaminants, the Housing Element DEIR noted that a variety of common commercial, industrial and public uses have the potential to be sources of gaseous-borne toxic air contaminants. Many of these identified uses are found within and in proximity to the Plan Area. The Housing Element DEIR also stated that exposure to gaseous TACs cannot be reduced through the use of filters and that no feasible measures or techniques are available to reduce the impact of gaseous toxic air contaminants on sensitive receptors. Therefore, the Housing Element DEIR concluded that despite the adherence to SCA 95 (now replaced by SCA B), plan- and project-level impacts of gaseous toxic air contaminants would remain significant and unavoidable. The CEAP draft SEIR reached a similar conclusion.

Odor

The ACPHD notes concerns with possible odor impacts. The majority of odor impacts are due to existing odor sources. The presence of existing odor sources represents an impact of the environment on the project. While not required to be evaluated, an analysis has been included in the draft SEIR for informational purposes. The Bay Area Air Quality Management District provided the City odor complaints spanning 2007 to early 2012, and although all locations within the Plan Area are located less than one mile from a potential odor source, all existing sources of odors in or near the Plan Area were found to cause fewer than one confirmed odor complaint per year. The Housing Element DEIR also notes that nearly the entire City of Oakland, and all of the Plan Area, could be exposed to nuisance odor impacts due to potentially incompatible land uses. The Housing Element DEIR concluded that odor sources currently present in all high-density areas of the City of Oakland could potentially expose residences to substantial/frequent odor, and that this may result in a significant and unavoidable impact at plan and project levels of evaluation. Although General Plan policies relating to avoiding nuisances that occur with potentially incompatible land use would reduce odor impacts, the same significant and unavoidable impacts found in the Housing Element DEIR apply to the CEAP draft SEIR.

Greenhouse Gas Emissions

Development facilitated by the CEAP would not exceed the City's GHG emissions thresholds at the plan-level. However, such development could

likely exceed the project-level thresholds. New industrial/commercial uses could also result in stationary source emissions. Adherence to the City's SCAs and other policies would reduce the GHG-producing potential of each new development within the Plan Area, but until such projects are proposed and evaluated, the efficacy of these measures in reducing GHG emissions below relevant thresholds cannot be determined with certainty. The City's SCAs, particularly SCA F, Greenhouse Gas Reduction Plan, which includes measures that future project sponsors would have to adhere to, along with other City policies, represent a comprehensive approach to reducing energy usage, fostering more sustainable land use development patterns, and reducing GHG emissions. No other mitigation is considered feasible. Therefore, impacts at the project-level are conservatively considered significant and unavoidable. Since publication of the draft SEIR, the City has adopted an Energy Climate Action Plan (ECAP), which would apply to future development projects. For a summary of the ECAP, see Page 4.2-8 of the draft SEIR.

Traffic/Transportation

The transportation impacts are analyzed in Chapter 4.4 of the draft SEIR. Many of the impacted intersections and roadway segments are currently operating below acceptable service levels. As such, any increment of development, regardless of size, would cause further degradation in level of service. Facilitated development under the CEAP would generate traffic that would therefore cause significant and unavoidable impacts to these intersections and roadway segments. The CEAP recommended transportation improvements would help to alleviate transportation impacts. Further, the infill development encouraged in the CEAP would meet larger regional and citywide land use and transportation objectives of locating new employment and residential uses in close proximity to transit.

Significant and Unavoidable Impacts

As acknowledged by the commenter, the City may approve a project with significant unavoidable impacts if it finds that such impacts are acceptable due to project benefits (i.e., overriding considerations). In preparing the Statement of Overriding Considerations, "CEQA requires the City to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects" [CEQA

Guidelines Section 15093(a)]. If the City finds that "the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable' [CEQA Guidelines Section 15093(a)].

The City will be preparing and adopting, as part of the project approvals, a Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCA/MMRP) that will identify all impacts, the SCAs and/or mitigation measures to address the impact, the responsible entity, and the timeframe for addressing the impact. This will be the City's tool to ensure that the appropriate SCAs and mitigation measures are implemented and enforced.

C-2 See response to comment C-1. For further detail, see the project impacts related to health risks from toxic air contaminants discussed under Impact AQ-3 on Page 4.1-33 of the draft SEIR. The CEAP recognizes the importance of the existing industrial land uses in the Plan Area and includes design guidelines intended to enhance the area as an industrial center for the City of Oakland. Only two of the proposed six zones permit housing. Housing is not proposed to be permitted at the Owens- Brockway site. In the West subarea, multi-family housing is proposed to be permitted in the Mixed Use Triangle area only. Where housing is proposed to be allowed near light industrial uses, distance thresholds are proposed along with other limitations on businesses to protect the health of nearby residents.

Detailed responses to each of ACPHD's suggested revisions to the City's SCAs and mitigation measures, as provided in Appendix A of the comment letter, are included under Response C-6.

C-3 See response to comment C-1. Potential effects of the environment on the project (e.g., impacts from existing noise environments on current and/or proposed land uses) are legally not required to be analyzed or mitigated under CEQA, but are addressed in the draft SEIR for informational purposes. Section 4.3, Noise, of the draft SEIR discusses the project's potential noise impacts under the City's CEQA thresholds; including potential conflicts with the land use compatibility guidelines of the Oakland General Plan (see Impact NO-6). With the implementation of the City's SCAs, building codes, and General Plan policies, no significant noise impacts are anticipated as a result of the project.

Detailed responses to each of ACPHD's suggested revisions to the City's SCAs and mitigation measures, as provided in Appendix A of the comment letter, are included under Response C-6.

C-4 Traffic safety was evaluated using collision data records for the Plan Area, as discussed under Impact TRAN-36, on Page 4.4-93 of the draft SEIR. The projected number of vehicle trips generated by project land uses would not cause a measurable impact on the rate or severity of collisions. In addition, the West subarea currently has a Class I bike path and the Bay Trail alignment adjacent to the Embarcadero. The CEAP recommends future pedestrian improvements including landscaping zones, street furnishings, and corner curb extensions of sidewalks within the West subarea. The project's design guidelines are intended to minimize potential conflicts between cars, pedestrians, and bicyclists and to create even and continuous sidewalk surfaces in the Plan Area. These guidelines are listed on Page 4.4-42 of the draft SEIR. The CEAP explores a variety of funding mechanisms to implement the recommended transportation improvements; however it is beyond the scope of the CEAP to implement any particular funding mechanism.

As discussed under Response to Comment B-2, the City's SCA 25, Parking and Transportation Demand Management (TDM), includes the provision for the preparation of a TDM plan containing strategies to reduce on-site parking demand and single occupancy vehicle travel. Potential TDM strategies include ways to promote more efficient use of existing transportation facilities and ensure that the future development is designed in ways to maximize the potential for alternative transportation usage. Other TDM strategies include the installation of safety elements per the Pedestrian Master Plan (cross walk striping, curb ramps, count down signals, bulb outs, and similar measures).

See response to Comment A-1. New text related to AC Transit route 51A is added to Table 4.4-3 on Page 4.4-15 of the draft SEIR. Detailed responses to each of ACPHD's suggested revisions to the City's SCAs and mitigation measures, as provided in Appendix A of the comment letter, are included under Response C-6.

C-5 The suggested implementation of health and economic benefit programs do not relate to physical impacts of the project and therefore not required to be analyzed in the draft SEIR. However, as part of any individual Development Agreement processes, the City may negotiate for certain community benefits in exchange for concessions to development standards.

However, for projects not involving Development Agreements, the City does not currently have a context for extracting community benefits from developers. Development impact fees could be explored – at the citywide level – at a later date.

As catalogued in the General Plan Housing Element, the City of Oakland has numerous programs and policies supportive of affordable housing. The City has contributed to the development of numerous affordable housing developments and continues to support legislation advocating for additional financing for affordable housing development. Citywide affordable housing programs and policies would apply to the Plan Area. Detailed responses to each of ACPHD's suggested revisions to the City's SCAs and mitigation measures, as provided in Appendix A of the comment letter, are included under Response C-6.

C-6 Responses to ACPHD's recommendations for SCAs and mitigations are as follows:

ACPHD Comments	City Response
SCA A Construction-Related Air Pollution Controls (Dust and Equipment Emissions)	
▪ Measure t) "*Minimize the idling time of diesel-powered construction equipment to two minutes"* is difficult to implement/enforce. Amend this measure to require that all off-road construction equipment used within this project site must meet CARB Tier 3 standards.	The City has revised its SCA to improve the enforceability regarding the idling requirement and the performance targets for the fleet (see **Subsection 3.1, Air Quality,** in this Response to Comments document). Adding a strict prohibition on all but Tier 3 certified construction equipment would be more difficult to implement than the revised SCA, which allows a mix of equipment. The changes to the SCA A make the measures more closely tied with requirements as defined in the California Code of Regulations. By relying on the regulatory definitions, the revised SCA allows less room for interpretation, which should improve enforceability and overall likelihood of effective implementation of the measures.
SCA B Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter) and SCA C Exposure to Air Pollution (Toxic Air Contaminants: Gaseous Emissions)	
▪ The Health Risk Assessment should be made publicly available or at least consult with the BAAQMD.	The Health Risk Assessment must be submitted to the Planning and Zoning Division for review and approval. A copy of the HRA is kept in the project case file; contents of the case file are public records and are made available for public review upon request.
▪ Health Risk assessment recommended list of measures should include, but not be limited to the following: The applicant shall implement all of the following features that have been found to reduce the air quality risk to sensitive receptors and shall be included in the project construction plans. These features shall be submitted to the Planning and Zoning Division and the Building Services Division for review and approval prior to the issuance of a demolition, grading, or building permit and shall be maintained on an ongoing basis during operation of the project.	A Health Risk Assessment is required as part of the City's SCA B, Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter)[3]

[3] See Page 4.1-24 of the draft SEIR for the complete text of SCA B

ACPHD Comments	City Response
• Redesign the site layout to locate sensitive receptors as far as possible from any freeways, major roadways, or other sources of air pollution (e.g., loading docks, parking lots).	Currently included in the City's SCA B, Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter) (a)
• Do not locate sensitive receptors near distribution center's entry and exit points.	Currently included in the City's SCA B, Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter) (b)
• Incorporate tiered plantings of trees (redwood, deodar cedar, live oak, and/or oleander) to the maximum extent feasible between the sources of pollution and the sensitive receptors.	Currently included in the City's SCA B, Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter) (c)
• Require an HVAC with filtration or other air take system in the building or in each individual residential unit for sensitive use sites that are within 1000 feet of a significant particulate matter source – freeway, railway, major road – that meets or exceeds an efficiency standard of MERV 13. The HV system shall include the following features: Installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85% supply filters shall be used. Retain a qualified HV consultant or HERS rater during the design phase of the project to locate the HV system based on exposure modeling from the pollutant sources.	Currently included in the City's SCA B, Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter) (d) & (e)
• Incorporate engineering strategies to ensure that new buildings maintain clean indoor air quality. Strategies could include providing mechanical ventilation; keeping building interiors under positive pressure; installing particulate filtration and carbon filtration as needed; and locating air intakes away from pollution sources	Currently included in the City's SCA B, Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter)(d) – mechanical ventilation and particulate filtration and carbon filtration, and (a) – locate sensitive receptors as far as possible from any freeways, major roadways, etc. address this comment.

ACPHD Comments	City Response
• Project applicant shall maintain, repair and/or replace HV system on an ongoing and as needed basis or shall prepare an operation and maintenance manual for the HV system and the filter. The manual shall include the operating instructions and the maintenance and replacement schedule. This manual shall be included in the CC&Rs for residential projects and distributed to the building maintenance staff. In addition, the applicant shall prepare a separate homeowners manual. The manual shall contain the operating instructions and the maintenance and replacement schedule for the HV system and the filters.	Currently included in the City's SCA B, Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter)(g)
• Install indoor air quality monitoring units in buildings.	Currently included in the City's SCA B, Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter) (f)
• Incorporate pollution prevention measures into new business operations to ensure that they are as "clean" as possible.	A number of current City SCAs deal with hazardous materials plans including: 60 – site review by the Fire Services Division[4], 61 – Phase I and/or Phase II Reports[5], 62 – Lead-based Paint/Coatings, Asbestos, or PCB Occurrence Assessment, 63 – Environmental Site Assessment Reports Remediation, 64 – lead-based Paint Remediation, 65 – Other Materials Classified as Hazardous Waste, 66 – Health and Safety Plan per Assessment, 67 – Best Management Practices for Soil and Groundwater Hazards, 68 – Radon or Vapor Intrusion from Soil or Groundwater Sources. 70 – Fire Safety Phasing Plan[6], 72 Fire Safety, 73 – Hazardous Materials Business Plan[7]. Also, the City's Green Building Ordinance requires that new commercial development and additions and alterations over 5,000 sq. ft. meet green building compliance standards.

[4] See Page 4.5-64 of the draft SEIR for the complete text of SCA 60

[5] See Page 4.5-78 to 4.5-82 of the draft SEIR for the complete text of SCA 61-68

[6] See Page 4.5-138 to 4.5-139 of the draft SEIR for the complete text of SCA 70 and 72

[7] See Page 4.5-73 of the draft SEIR for the complete text of SCA 73

ACPHD Comments	City Response
• Require warehouse and distribution facilities to provide adequate on site truck parking.	Off street parking and loading is prescribed in Chapter 17.116 of the Oakland Planning Code. The current requirements for warehouse and distribution facilities are as follows: for facilities with 10,000 square feet of floor area and outdoor storage, processing, or sales area, one space is required for each three employees. Off-street loading (also in Ch. 17.116) is based on the size of the facility. Facilities under 10,000 sq. ft. require no loading berths, facilities over 10,000 sq. ft. are required to provide loading berths as prescribed in the section. Additionally, the Central Estuary zoning chapter will include provisions for the location of parking and loading docks. Finally, the Design Review Manual for the Central Estuary includes further guidance providing adequate on-site truck parking to prevent double parking and idling.
• Inform all potential buyers of all increased health risks associated with living close to major highways and thoroughfares and educate them in the proper use of any installed air filtration.	The notification requirement would be impractical to implement because the disclosure would need to be included with the majority of homes in the City of Oakland (as most are near major roadways). Specifically, the Housing Element DEIR identifies 13,501 housing sites that are located within 1,000 feet of a freeway, high volume roadway, or active rail line. As part of the General Plan's Housing Element process, each city is required, by the State of California, to plan for housing for a variety of income levels. Numerous policies in the City's General Plan Land Use and Transportation Element and Housing Element support the concept of in-fill development and locating housing in close proximity to major transportation corridors well served by public transportation. Publicizing risks from air quality, noise, odors, and crime would discourage residents and be at cross purposes with the City's policies and State mandates. Education on use of air filtration system is addressed through the operations and maintenance manual included in the City's SCA B, Exposure to Air Pollution (Toxic Air Contaminants: Particulate Matter)(g).

ACPHD Comments	City Response
• Consider limiting building heights adjacent to roadways with high traffic flows. Taller buildings create "urban canyons" which can reduce the dispersion of air pollutants and increase ambient exposure levels. Dispersion analysis could inform where to allow higher buildings	The current height context adjacent to the freeway and other high traffic roadways in the project area is fairly low scale with significant space between buildings likely disrupting potential “urban canyon” affects. The proposed heights are generally consistent with the existing character adjacent to the freeway.
• Apply California Air Resource Board's Air Quality and Land Use Handbook regulations for large stationary sources (e.g., refineries, power plants, chemical facilities, etc) and small stationary sources (e.g., dry cleaners, auto body shops, welders, chrome plating facilities, service stations, etc), including: (1) Operating permit rules; (2) Air Toxics "Hot Spots" Law (AB 2588); (3) Local district rules; (4) Air Toxic Control Measures (ATCMs); (5) New Source Review rules.	Local air districts typically implement statewide air quality standards, and in some cases, develop more stringent standards. The California Air Resources Board Handbook (Handbook) sets forth recommended distances between toxic air emitters and sensitive receptors, technical approaches to prevent air pollution impacts, air quality evaluation and modeling tools, public outreach approaches, and responsibilities for improving air quality used by local air districts and cities. The approach taken to develop the CEAP and associated zoning generally conforms to the guidance provided in the Handbook One of the basic approaches to minimizing health risks from air pollution described in the Handbook involves assigning separation requirements between polluters and sensitive receptors. Although the CEAP is an industrially-focused plan, two out of the six proposed zoning districts permit residential uses, zoning districts CE-3 and CE-4. Some of the more toxic uses such as dry cleaning plants, automotive service stations and repair facilities, and trucking activities would not be permitted in these zones. Additionally, the proposed zoning regulations include a 300 foot separation requirement between the CE-3 and CE-4 zones and trucking-related activities and construction operations. Performance standards are cited in the Handbook as a tool for reducing impacts to sensitive uses from industrial activities. The City’s current S-19 Health and Safety Protection Combining Zone requires businesses that use hazardous substances locate in appropriate locations and develop in such a manner as not to be a serious threat to the environment, or to public health, particularly to residents living adjacent to industrial areas where

ACPHD Comments	City Response
(*Continued)*	these materials are commonly used, produced or found. Generally, the S-19 zone is applied to industrial areas within 300 feet of a residential zone. It is possible that the S-19 overlay could be added to the CE-3 and CE-4 zones. The ACPHD comment letter specifically recommended applying the Handbook's regulations for large stationary sources and small stationary sources, including: (1) Operating permit rules; (2) Air Toxics "Hot Spots" Law (AB 2588); (3) Local district rules; (4) Air Toxic Control Measures (ATCMs); (5) New Source Review rules. Enforcing these four items is the responsibility of the local air district. Since these rules would apply to any large or small stationary source siting in the City of Oakland, they will also be applied to new stationary sources siting in the Central Estuary area.
• Prohibit schools within 1000 feet of a high traffic road or freeway (100,000 vehicles per day).	The majority of the planning area, and a significant portion of the land in the City of Oakland, is within 1,000 feet of a high traffic roadway or freeway (the Housing Element Draft EIR notes that each of the 13,501 housing sites are within 1,000 feet of such a roadway). Prohibiting schools within 1,000 feet of high capacity roadways would conflict with City policy encouraging mixed-use development in close proximity to transit. Such a location limitation would also be impractical as the majority of the City of Oakland is within 1,000 feet of such an area. Moreover, the City generally has limited or no land use authority over the location of public or state-charted schools.
• Apply regulations for mobile sources (non-fleet - e.g., cars, trucks, buses), including: (1) Emission standards; (2) Cleaner-burning fuels (i.e., unleaded gasoline, low-sulfur diesel); (3) Inspection and repair programs (i.e., Smog Check)	The City's recently adopted Energy and Climate Action Plan (ECAP) identifies the combustion of fossil fuels as a major source of greenhouse gas (GHG) in the City of Oakland. The ECAP contains priority actions to reduce GHG emissions such as facilitating dense, mixed-use development near transit hubs and on transit corridors. The development program proposed in the CEAP would add a variety of residential, commercial,

ACPHD Comments	City Response
(Continued)	employment and recreational uses within close proximity to regional and local transit systems thereby supporting City policy. Additionally, recommended streetscape improvements would improve the pedestrian and bicycling environment. Further, the ECAP does contain similar measures for the City's vehicle fleet. Regulations for mobile sources of pollution already exist at the federal and state level and would be impractical, and possibly impermissible, at the local level.
• Create an air quality and odor complaint hotline and procedure.	The Bay Area Air Quality Management District already has such a complaint hotline. Starting a new hotline would duplicate efforts.
Recommendations for Actions and Mitigations for Reducing and Preventing Noise Impacts	
▪ Adequately maintain City-owned vehicles and travel surfaces near sensitive land uses with unacceptable noise levels to minimize noise	The City of Oakland Public Works Agency maintains its fleet vehicles through its Equipment Services Division. The Public Works Agency itemizes roadway improvements through its 5 Year Paving Plan. The recently adopted ECAP contains numerous policies on updating its fleet vehicles to comply with clean air standards by transitioning to alternative fuel vehicles, etc.
▪ Reduce traffic speeds on adjacent residential streets through traffic calming measures (especially traffic circles, semi-diverters, and diagonal diverters).	The CEAP includes recommended transportation improvements to address traffic speed including adding bulb outs to various intersections and adding new streets to enhance connectivity and provide relief for the existing congested roads.

ACPHD Comments	City Response
▪ Restrict new residential development in areas where noise is projected to deteriorate to unacceptable levels ▪ If noise is greater than 65 decibels, notify all potential buyers that the property they are occupying has significant noise risks. ▪ Design units exposed to high noise levels with interior courtyards and patios that open into acoustically protected and shielded areas. ▪ Incorporate noise insulation materials in new construction, especially near busy roadways or industrial uses. ▪ Promote site planning, building orientation and design, and interior layout that will lessen noise intrusion	The measured noise levels within the Plan Area are generally considered acceptable for the types of existing land use in the area. The exception is the noise environment for residential land uses along Kennedy Street, which is considered "Clearly Unacceptable" for residential development (75 to 80 dBA), and the noise environment at Union Point Park (L-2) which is considered "Normally Unacceptable" (65 to 75 dBA) for park areas. Most of the noise impacts are due to the presence of the I-880 freeway (and therefore relate the impact of the environment on the project – a non-CEQA issue). See response to comment C-1. Further, many noise sources in the area do not conform to today's Noise Ordinance and other City policy directives. However, new development will be subject to current standards which will reduce noise exposure to acceptable levels. The Design Review Manual for the Central Estuary includes specific design guidelines to ensure that buildings are designed with regard to land use compatibility in order to lessen noise intrusion. These Guidelines include building siting, orientation and use of building materials. Any changes to noise insulation requirements should be addressed on a citywide basis and will be considered in the adoption of the CEAP.
▪ Create an impact fee on new development to pay the fair share of costs of implementing noise mitigations, such as maintaining roads.	See Response C-1 and C-5. Also, previous response (in row above).
Recommendations for Actions and Mitigations for Promoting Active Transportation Options (access to bicycle, pedestrian facilities and transit)	
▪ Add to SCA 25, Parking and Transportation Demand Management: • Businesses with trucks and the City should identify designated areas for heavy duty truck parking, particularly by the Park Street triangle.	The City's parking requirements and the Design Guidelines prepared for the CEAP address the amount of parking required and the location/design of parking.

ACPHD Comments	City Response
• Examine increases and improvements in pedestrian, bicycle, transit and carpool/vanpool use in conjunction with existing or planned truck routes to prevent conflicts.	The City routinely considers traffic issues when implementing pedestrian and bicycle improvements and when designating new streets types.
• Require new development to consider the cost of improvements for bicycles, pedestrians and transit access and contribute to a mitigation fund that will be administered by the City.	The City routinely evaluates the potential for appropriate improvements to bicycle, pedestrian and transit access during the review of development projects. The idea of a mitigation fund will be considered in the adoption of the CEAP.
▪ The following come from the Sustainable Communities Index: • Prioritize development projects located near high capacity, frequent, and reliable public transit.	The City's current policy framework supports the prioritization of public transportation. The City's Transit First policy expresses the City's commitment to prioritizing development that reduces dependency on single-occupancy vehicles and improves the public transit and bicycle and pedestrian environment. The General Plan Land Use and Transportation Element also includes policies directing development to major corridors well served by public transportation and focusing Transit Oriented Development near regional public transportation hubs, such as near BART stations.
• Establish a residential transit pass program funded by monthly or annual homeowners' fees. The transit pass program should subsidize free or discounted passes for below market rate units.	This is already an option under the City's SCA 25, Parking and Transportation Demand Management.[8]
• Work with local and/or regional transit agencies to provide subsidized transit passes to tenants in below market rate units and other transit-dependent tenants (e.g., persons with disabilities, seniors, and youth) as well as for low-income households (e.g., <200% poverty level), or provide discounts on carshare memberships or discounts on new bicycles and helmets.	This is already an option under the City's SCA 25, Parking and Transportation Demand Management.

[8] See Page 4.4-36 of the CEAP Draft EIR for SCA 25

ACPHD Comments	City Response
• Require or incentivize employers to subsidize employees who commute to work via mass transit, bicycle or foot.	This is already an option under the City's SCA 25, Parking and Transportation Demand Management.
• Ensure that all employees have access to tax incentives for mass transit (e.g., commuter check programs)	This is already an option under the City's SCA 25, Parking and Transportation Demand Management.
• Provide no-cost shuttles between worksites, homes, and regional public transit	This is already an option under the City's SCA 25, Parking and Transportation Demand Management.
• Provide secure, covered bicycle parking and changing facilities at workplaces. Provide safe, convenient bicycle parking on streets and in parking garages.	The City's Bicycle Parking Ordinance requires new facilities and additions to existing facilities to provide bicycle parking; the number of spaces is dependent on the facility type and size. The City's Parking and Transportation Demand Management Standard Condition of Approval provides strategies for enhancing the City's basic bicycle parking requirements such as including shower and locker facilities, construction of bike lanes, and signage and striping to encourage bike safety.
• Make pedestrian access to public transportation safer and encourage transit ridership by improving walking environments to and around public transit stops through measures such as more pedestrian scale lighting, wider sidewalks, and visible, safe pedestrian crosswalks. Funding could be provided through a development agreement or other means.	The City's Pedestrian Master Plan contains safety elements such as cross walk striping, curb ramps, bulb outs, etc. to improve the pedestrian environment. The City's Parking and Transportation Demand Management Standard Condition of Approval provides strategies for implementing such pedestrian safety elements. Development of funding for these improvements is a non-CEQA issue; it will be considered in the adoption of the CEAP.
• Include traffic calming design strategies which will increase pedestrian and bicycle safety	The City's SCA 25, Parking and Transportation Demand Management includes the provision of bulb outs which can calm traffic. The SCA is written in a very broad manner encouraging additional traffic calming strategies.

ACPHD Comments	City Response
Recommendations for Actions or Mitigations for Preventing Displacement and Increasing Affordable, Healthy Housing	
▪ Capture a portion of the increased land value from the conversion of commercial land to residential and from increased height limits, to be used for increased affordable housing.	This comment pertains to a non-CEQA issue; it will be considered in the adoption of the CEAP.
▪ Include soundproofing and/or air filtration systems in noisy and/or high pollution areas.	The City's SCAs provide requirements for noise buffering and air filtration. SCA 30, Noise Complaint Procedures,[9] ensures that noise levels meet City standards prior to issuing a certificate of occupancy for a building. SCA B, Exposure to Air Pollution.[10] includes requirements meeting indoor air quality standards. Any changes to noise insulation requirements should be addressed on a citywide basis and will be considered in the adoption of the CEAP.
▪ Use high quality building materials to offset long-term maintenance and repair costs.	The Design Review Manual for the Central Estuary prepared for this project contains design guidance about using high quality building materials.
▪ Provide density bonuses to developers for increased affordable housing. Density bonuses are when a city permits developers to increase the number of units allowed on a piece of property if they agree to something beneficial for the city such as restricted rents or sales prices or Brownfield clean-up.	The City's Density Bonus Ordinance, whereby a developer may receive an increase in density in exchange for building affordable housing, applies citywide. Therefore, the Plan Area is also subject to the City's Density Bonus Ordinance.
▪ Require below market rate units to come in a mix of sizes/number of bedrooms to address the need for affordable housing for different household types (e.g., at least 25% of below market rate (BMR) units have 2-bedroom and at least 25% have 3 or more bedrooms).	Any requirements for below market rate housing should be applied on a citywide level. This comment pertains to a non-CEQA issue; it will be considered in the adoption of the CEAP.

[9] See Page 4.3-27 of the draft SEIR for the complete text of SCA 30

[10] See Page 4.1-24 of the draft SEIR for the complete text of SCA B

ACPHD Comments	City Response
▪ Require that market-rate housing projects provide below market rate (BMR) units at a range of affordability levels including low- and very-low income.	Any requirements for below market rate housing should be applied on a citywide level. This comment pertains to a non-CEQA issue; it will be considered in the adoption of the CEAP.
▪ Require incremental increases in affordable units with incremental increases in heights.	Any requirements for below market rate housing should be applied on a citywide level. This comment pertains to a non-CEQA issue; it will be considered in the adoption of the CEAP.
▪ Discourage the demolition of sound, existing housing by requiring 1:1 replacement of affordable units or in-lieu fees paid to the City's affordable housing fund	Any requirements for affordable housing should be applied on a citywide level. An affordable housing in-lieu fee should be considered at a citywide level. This comment pertains to a non-CEQA issue; it will be considered in the adoption of the CEAP.
▪ Provide permanently affordable and service-enriched housing to reduce the need for temporary homeless shelters	The City's 2007-2014 Housing Element Policy 2.10 PATH Strategy For The Homeless contains strategies to address homelessness. The Alameda County-wide program called the EveryOne Home plan and PATH are based on a "Housing First" model that emphasizes rapid client access to permanent housing rather than prolonged stays in shelters and transitional housing. What differentiates a Housing First approach is that the immediate and primary focus is on helping individuals and families quickly access and sustain permanent housing. The City of Oakland uses a combination of Federal, State and local funds for PATH plan implementation. This comment pertains to a non-CEQA issue; it will be considered in the adoption of the CEAP.
▪ Provide incentives for development of rental property. Examples include tax credits, bond financing, deferral or forgiveness of real estate taxes, water charges, and other public debts owed on rental properties, construction financing, technical assistance, etc.	Appendix D of the 2007-2014 Housing Element contains a housing programs directory. The City provides funding to nonprofit and for profit developers to develop affordable rental housing through new construction and substantial rehabilitation. This comment pertains to a non-CEQA issue; it will be considered in the adoption of the CEAP.

ACPHD Comments	City Response
▪ Encourage more landlords to get their property Section 8 certified through incentives such as assistance with the approval process and tenant search.	Action 5.1.4, Project Based Section 8 Assistance, from the City's 2007-2014 Housing Element outlines an approach to promoting project-based Section 8. Specifically, the City should collaborate with the Oakland Housing Authority to secure project-based Section 8 assistance both to enhance affordability and to provide additional income that can leverage private capital for repairs and improvements. This comment pertains to a non-CEQA issue; it will be considered in the adoption of the CEAP.
▪ Educate tenants and landlords about tenants' rights and responsibilities - especially related to evictions, rent control, deposits, and maintenance	Appendix D of the 2007-2014 Housing Element includes a table of "Miscellaneous Housing Services" which describes how non-profit service providers are funded by the City of Oakland to assist Oakland residents in a variety of housing related activities. These non-profit service providers may also receive funds from other organizations and agencies. Housing services include the following: ▪ Housing search assistance, counseling, and referrals for people with a disability. ▪ Code enforcement relocation. ▪ Fair housing and landlord-tenant counseling. ▪ Rent adjustment board. ▪ Shared housing education and counseling. ▪ Relocation assistance to families who live in housing scheduled for demolition or rehabilitation through city action. This comment pertains to a non-CEQA issue; it will be considered in the adoption of the CEAP.
▪ Protect the affordability of units in existing buildings at risk of being converted to market rate housing by discouraging private property owners participating in affordable housing programs from terminating their participation (e.g., federally-insured mortgages, project-based Section 8 rental subsidies, low-income housing tax credit program, restricted by other sources such as tax-exempt bonds, CDBG, HOME, tax increment and density bonus/land use restrictions).	The 2007-2014 Housing Element includes Affordable Housing Strategies. This section identifies that the City has historically provided funding to nonprofit and for profit developers to preserve existing affordable housing at risk of converting to market-rate housing. This comment pertains to a non-CEQA issue; it will be considered in the adoption of the CEAP.

ACPHD Comments	City Response
▪ Use tax increment financing (TIF) to capture a portion of the increased land value from the conversion of commercial land to residential and from increased height limits, to be used for increased affordable housing.	Future tax increment financing from redevelopment activities no longer exists in the State of California. This comment pertains to a non-CEQA issue; it will be considered in the adoption of the CEAP.
▪ Encourage development agreements to include rent control commitments and provide model language to support this.	The City's Residential Rent Adjustments and Evictions Ordinance (a.k.a rent control) applies to buildings built before 1983. Any change to this ordinance should apply at a citywide level. This comment pertains to a non-CEQA issue; it will be considered in the adoption of the CEAP.
Recommendations for Actions or Mitigations to Increase High-Quality Employment for Local Residents	
▪ Use a community benefits agreement to provide and ensure neighborhood economic benefits not otherwise possible via land use and zoning tools (e.g., living wages, local hiring and job training, readiness and placement services, affordable housing, environmental remediation, employer support services, First Source provision, and funds for community programs). ▪ Implement a community benefits agreement that ensures developers will hire locally and provide prevailing and living wages for construction-related jobs during the development process. ▪ Target industry sectors that have higher paying entry level jobs to locate in the area and hire locally through a high-wage adult job training program	These comments pertain to non-CEQA issues; they will be considered in the adoption of the CEAP. Any requirements for local hire programs, job training and readiness services, etc. would need to be initiated at the citywide level. The desired character of the area is primarily commercial and industrial in nature with a concentration of employment opportunities. Target industries include maritime services, food related businesses, production of raw materials, and custom production. Each of these industries employs a variety of skill levels.

Letter D

DEPARTMENT OF TRANSPORTATION
111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-6053
FAX (510) 286-5559
TTY 711

Flex your power!
Be energy efficient!

December 24, 2012

ALA880698
ALA-880-24.27
SCH#2011112055

Ms. Alicia Parker
City of Oakland
250 Frank H. Ogawa Plaza Ste. 3315
Oakland, CA 94612

Dear Ms. Parker:

Central Estuary Implementation Plan – Supplemental Environmental Impact Report

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the Central Estuary Implementation Plan. The following comments are based on the Supplemental Environmental Impact Report.

Traffic Diagram

In Table 4.4-8 on page 4.4-54, it states the proposed plan will generate 1,406 AM and 1925 PM peak hour trips respectively. Due to the high volume generated, please include turning traffic diagrams under Existing, Project Only, 2035 Cumulative and 2035 Cumulative plus Project conditions for our review. Specifically, please indicate directional turning traffic at the on and off-ramps at Interstate 880. D-1

Should you have any questions regarding this letter, please call Yatman Kwan, AICP of my staff at (510) 622-1670.

Sincerely,

for

ERIK ALM, AICP
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

Responses to Comment Letter D

D-1 The turning traffic diagrams requested by this commenter are included in Appendix D of the draft SEIR.

Letter E

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Edmund G. Brown Jr.
Governor

Ken Alex
Director

December 26, 2012

Alicia Parker
City of Oakland Economic Development Agency
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

Subject: Central Estuary Implementation Guide (CEIG)
SCH#: 2011112055

Dear Alicia Parker:

The State Clearinghouse submitted the above named Supplemental EIR to selected state agencies for review. The review period closed on December 24, 2012, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. E-1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2011112055
Project Title Central Estuary Implementation Guide (CEIG)
Lead Agency Oakland, City of

Type SIR Supplemental EIR

Description The project includes the preparation of the Draft Central Estuary Implementation Guide (a 20 year planning document), Draft General Plan Amendments, Draft Zoning Code Amendments, and Draft Design Guidelines to facilitate 420 new residential dwelling units, 374,857 sf of industrial development, 712,022 sf of commercial and office development and 10.7 acres of parks.

Lead Agency Contact

Name Alicia Parker
Agency City of Oakland Economic Development Agency
Phone (510) 238-3362 **Fax**
email aparker@oaklandnet.com
Address 250 Frank H. Ogawa Plaza, Suite 3315
City Oakland **State** CA **Zip** 94612

Project Location

County Alameda
City Oakland
Region
Lat / Long
Cross Streets I-880 to the northeast & the Oakland Estuary to the southwest
Parcel No. Multiple
Township **Range** **Section** **Base**

Proximity to:

Highways I-880
Airports
Railways UPRR
Waterways Oakland Estuary
Schools Beacon Day School
Land Use GP - LI-2; WCR-2, PWD-2, RMU, HI, GC-1, LI-3, WPD-3, Parks, Zoning: M-30, M-40, HBX-3

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Growth Inducing; Landuse; Cumulative Effects; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 3; Office of Historic Preservation; Department of Parks and Recreation; San Francisco Bay Conservation and Development Commission; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Department of Housing and Community Development; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

Date Received 11/07/2012 **Start of Review** 11/08/2012 **End of Review** 12/24/2012

Responses to Comment Letter E

E-1 This comment acknowledges receipt of the draft SEIR, and confirms that no state agencies submitted comments during the public review period. No response required.

6.0 RESPONSES TO COMMENTS MADE AT THE PUBLIC HEARINGS ON THE DRAFT SEIR

6.1 INTRODUCTION

The City of Oakland Planning Commission held a public hearing on the Central Estuary Area Plan (CEAP) and the corresponding draft SEIR on December 5, 2012. The Landmarks Preservation Advisory Board (LPAB) also held a public hearing on December 10, 2012. This chapter presents a summary of the comments made at the public hearings, followed by the responses to each speaker's comments.

As in **Section 5.0, Response to Written Comments Received on the Draft SEIR,** responses presented in this section focus on comments that pertain to the adequacy of the analysis in the draft SEIR or other aspects pertinent to the environmental analysis of the proposed project pursuant to the CEQA. Comments that address topics beyond the purview of the draft SEIR or CEQA are noted for the public record and may be taken into consideration by the Planning Commission and the City Council prior to action on the draft SEIR or the Central Estuary Area Plan.

6.2 RESPONSE TO COMMENTS

6.2.1 CITY OF OAKLAND PLANNING COMMISSION PUBLIC HEARING

Public Speakers

Margot Prado

- The zoning is confusing; there are too many zones and it is difficult to distinguish between the zones. Truck access to and through the area should be the highest priority, as the area is an industrial hub and employment center for the City of Oakland (rather than limiting trucking related activities).

Response: This comment provides an opinion regarding aspects of the project rather than the adequacy of the draft SEIR or the project's compliance with CEQA. This comment is however, part of the administrative record that will be considered by the City when making a decision about the project.

Planning Commissioners

Chris Pattillo

- The following editorial comments were provided by Commissioner Chris Pattillo on the draft Central Estuary Area Plan.
  - Union Point Park is complete; (update text on page 19).
  - The landscaping should be suited to the area's climate (on page 22).
  - The importance of maintaining industrial use should be emphasized; apply this language in West Oakland (on page 26).
  - Remove reference to a particular developer (Signature Properties) in the Plan (on page 27).
  - Industrial uses pay a livable wage (higher than retail)
  - Focus on "branding" the area

Response: These editorial changes to the draft CEAP are not comments on the adequacy of the draft SEIR or the project's compliance with CEQA. These are minor clarifying revisions, none of which affect the analysis or conclusions of the draft SEIR.

6.2.2 LANDMARKS PRESERVATION ADVISORY BOARD PUBLIC HEARING

Board Members

Thomas Biggs

- How will the "recommended measure" be implemented?

Response: As part of the regular development review process for projects proposed under the CEAP, if it appears that a parcel may include resources of historic significance, the project applicant shall work with the City's historic preservation staff to determine whether an OCHS intensive survey shall be conducted. This recommended measure will be applied on a case-by-case basis.

Valerie Garry

- Add clarifying information to the "recommended measure" about why this measure is being proposed; i.e., there are many resources in this area that may be overlooked without this trigger. (State the reason for an intensive survey.)

Response: The "recommended measure" will be revised as follows:

Recommended Measure: Many of the residential buildings within the Jingletown/Elemwood residential neighborhood and the early industrial buildings used to produce material for the World War II effort, and that supported Oakland's role as the largest grain port on the West Coast are in need of further study to determine the presence of historic architectural resources. Further, it is expected that several types and classes of archaeological sites may be present in the project area, particularly along the bayshore and in close proximity to drainages and geomorphic features. Given that less than 15% of the plan area has been inspected for prehistoric and historic cultural resources, ~~S~~should specific development projects be submitted under the CEAP, as part of the environmental review process, an OCHS intensive survey shall be conducted/confirmed (even if one already exists or if an OCHS reconnaissance survey exists). This provision would generally apply to buildings, structures, objects, district, sites, and natural features related to human presence 50 years old and older.

- If an OCHS intensive survey exists on the property it should be updated and confirmed; or
- If an OCHS reconnaissance survey exists for the property, an OCHS intensive survey shall be conducted; or
- If there is not an OCHS intensive survey, the OCHS shall be consulted to determine if it appears that a parcel may include property types that may have historical significance, and if so, an OCHS intensive survey shall be conducted.

Additionally, the Design Guidelines will be updated to include similar descriptive information of the area's historic context.

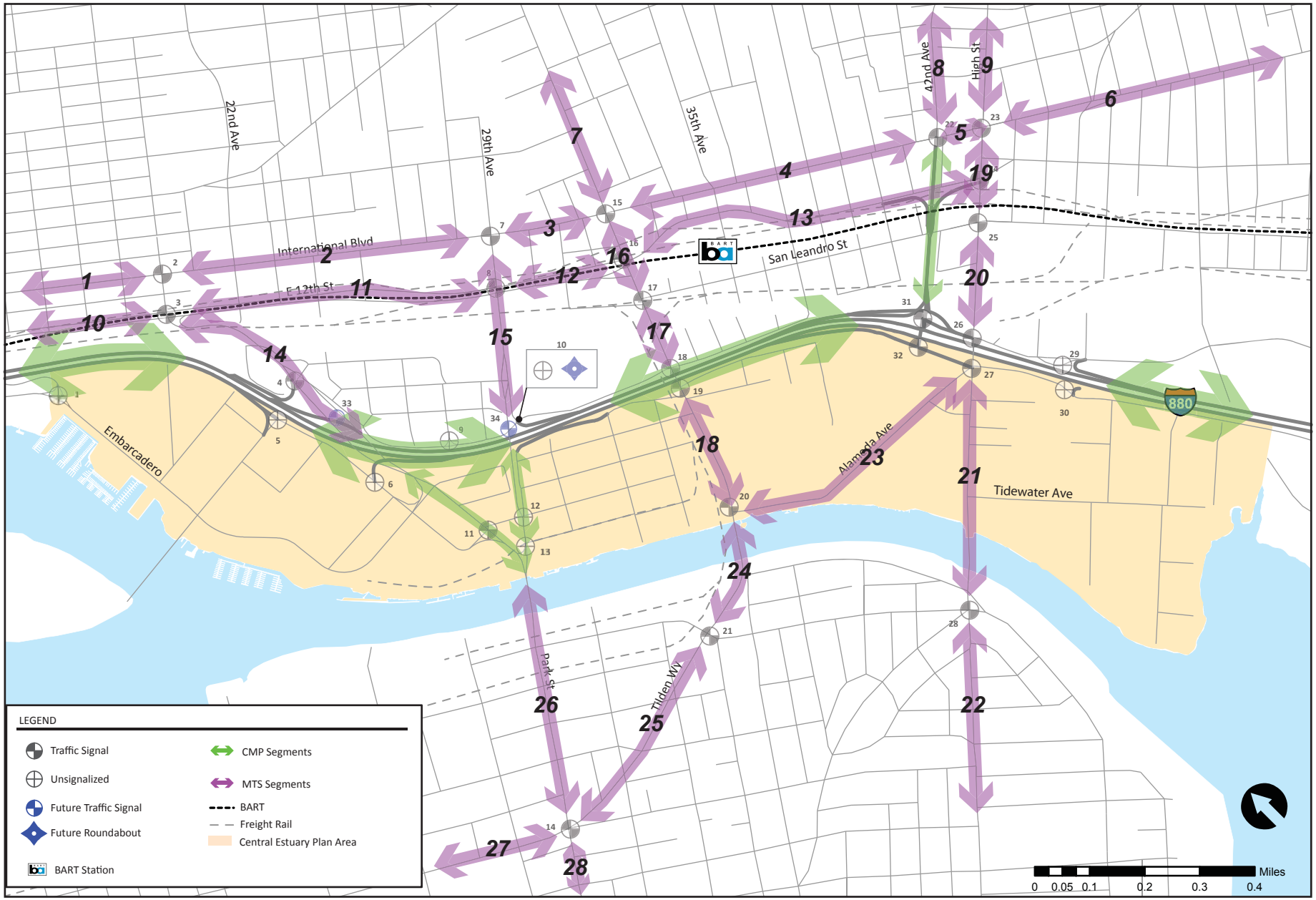
Daniel Schulman

- Figure 4.5-1: the graphic depiction of the "likely areas of prehistoric and historic cultural resources near bayshore" (i.e., thick purple line) should be more fine grained (which areas are built up with dredge sources from inland fill vs. estuary fill; depending on the source, the potential for artifacts may be higher or lower).

Response: The graphic depiction of the "Likely Areas of Prehistoric and Historic Cultural Resources near Bayshore" was designed to be vague to discourage possible exploitation of cultural resource sites made possible by a precise map. A caveat has been be added to the legend of Figure 4.5-1, Likely Areas of Historical Sensitivity, explaining that the depiction is illustrative only (see **Chapter 3.0, Section 4.5, Other Resources,** of this Response to Comments document).

APPENDIX 1

CMP AND MTS ROADWAY SEGMENT ANALYSIS



Transportation Study Area

Figure A1

Source: City of Oakland, Arup, 2012.

AM Peak Hour				FDOT Generalized Peak Hour Directional Volumes				Existing (2009)			Existing Plus Project			Interim Year 2020 No Project			Interim Year 2020 With Project			Cumulative Year 2035 No Project			Cumulative Year 2035 With Project		
#	CMP Segment	Direction	# of Lanes	LOS C	LOS D	LOS E	Proj Trips	Volume	v/c	LOS	Volume	v/c	LOS	Volume	v/c	LOS	Volume	v/c	LOS	Volume	v/c	LOS	Volume	v/c	LOS
1	I-880: 16th Ave	NB	4	6,080	7,420	8,400	69	8,758	*1.04*	*F*	8,827	*1.05*	*F*	9,589	*1.14*	*F*	9,658	*1.15*	*F*	10,851	*1.29*	*F*	10,920	*1.30*	*F*
	Freeway (4-lanes)	SB	4	6,080	7,420	8,400	220	6,628	*0.79*	*D*	6,848	*0.82*	*D*	7,300	*0.87*	*D*	7,520	*0.90*	*E*	8,327	*0.99*	*E*	8,547	*1.02*	*F*
2	I-880: 23rd Ave	NB	4	6,080	7,420	8,400	93	7,262	*0.86*	*D*	7,355	*0.88*	*D*	7,900	*0.94*	*E*	7,993	*0.95*	*E*	8,861	*1.05*	*F*	8,954	*1.07*	*F*
	Freeway (4-lanes)	SB	4	6,080	7,420	8,400	238	6,098	*0.73*	*D*	6,336	*0.75*	*D*	6,693	*0.80*	*D*	6,931	*0.83*	*D*	7,600	*0.90*	*E*	7,838	*0.93*	*E*
3	I-880: Fruitvale Ave	NB	4	6,080	7,420	8,400	87	7,166	*0.85*	*D*	7,253	*0.86*	*D*	8,140	*0.97*	*E*	8,227	*0.98*	*E*	9,685	*1.15*	*F*	9,772	*1.16*	*F*
	Freeway (4-lanes)	SB	4	6,080	7,420	8,400	245	6,619	*0.79*	*D*	6,864	*0.82*	*D*	7,208	*0.86*	*D*	7,453	*0.89*	*E*	8,097	*0.96*	*E*	8,342	*0.99*	*E*
4	I-880: 50th Ave (south of High St)	NB	4	6,080	7,420	8,400	225	7,251	*0.86*	*D*	7,476	*0.89*	*E*	8,268	*0.98*	*E*	8,493	*1.01*	*F*	9,888	*1.18*	*F*	10,113	*1.20*	*F*
	Freeway (4-lanes)	SB	4	6,080	7,420	8,400	70	7,218	*0.86*	*D*	7,288	*0.87*	*D*	7,909	*0.94*	*E*	7,979	*0.95*	*E*	8,960	*1.07*	*F*	9,030	*1.07*	*F*
5	23rd Ave: Alameda City limit to I-880 (CMP)	EB	2	1,330	1,770	1,870	24	1,394	*0.75*	*D*	1,418	*0.76*	*D*	1,418	*0.76*	*D*	1,442	*0.77*	*D*	1,428	*0.76*	*D*	1,452	*0.78*	*D*
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870	6	333	*0.18*	*C or Better*	339	*0.18*	*C or Better*	451	*0.24*	*C or Better*	457	*0.24*	*C or Better*	612	*0.33*	*C or Better*	618	*0.33*	*C or Better*
6	29th Ave: Alameda City limit I-880 (CMP)	EB	1	560	810	860	23	801	*0.93*	*D*	824	*0.96*	*E*	992	*1.15*	*F*	1,015	*1.18*	*F*	1,304	*1.52*	*F*	1,327	*1.54*	*F*
	Class II Arterial (1-lane)	WB	1	560	810	860	36	216	*0.25*	*C or Better*	252	*0.29*	*C or Better*	247	*0.29*	*C or Better*	283	*0.33*	*C or Better*	271	*0.32*	*C or Better*	307	*0.36*	*C or Better*
7	42nd Ave (SR-77): I-880 to International Blvd	EB	2	2,560	3,320	3,760	9	406	*0.11*	*C or Better*	415	*0.11*	*C or Better*	586	*0.16*	*C or Better*	595	*0.16*	*C or Better*	774	*0.21*	*C or Better*	783	*0.21*	*C or Better*
	Uninterrupted Flow Highway (2-lane)	WB	2	2,560	3,320	3,760	14	908	*0.24*	*C or Better*	922	*0.25*	*C or Better*	1,064	*0.28*	*C or Better*	1,078	*0.29*	*C or Better*	1,228	*0.33*	*C or Better*	1,242	*0.33*	*C or Better*
MTS																									
1	Int: 14 to 22	EB	2	1,330	1,770	1,870		456	*0.24*	*C or Better*	519	*0.28*	*C or Better*	642	*0.34*	*C or Better*	700	*0.37*	*C or Better*	1,022	*0.55*	*C or Better*	1,054	*0.56*	*C or Better*
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		608	*0.33*	*C or Better*	620	*0.33*	*C or Better*	872	*0.47*	*C or Better*	901	*0.48*	*C or Better*	1,425	*0.76*	*D*	1,499	*0.80*	*D*
2	Int: 22 to 29	EB	2	1,330	1,770	1,870		486	*0.26*	*C or Better*	544	*0.29*	*C or Better*	661	*0.35*	*C or Better*	716	*0.38*	*C or Better*	1,006	*0.54*	*C or Better*	1,043	*0.56*	*C or Better*
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		702	*0.38*	*C or Better*	721	*0.39*	*C or Better*	963	*0.51*	*C or Better*	998	*0.53*	*C or Better*	1,482	*0.79*	*D*	1,554	*0.83*	*D*
3	Int: 29 to Fruitvale	EB	2	1,330	1,770	1,870		484	*0.26*	*C or Better*	558	*0.30*	*C or Better*	626	*0.33*	*C or Better*	694	*0.37*	*C or Better*	888	*0.47*	*C or Better*	933	*0.50*	*C or Better*
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		916	*0.49*	*C or Better*	939	*0.50*	*C or Better*	1,234	*0.66*	*C or Better*	1,276	*0.68*	*C or Better*	1,851	*0.99*	*E*	1,939	*1.04*	*F*
4	Int: Fruitvale to 42nd	EB	2	1,330	1,770	1,870		688	*0.37*	*C or Better*	779	*0.42*	*C or Better*	794	*0.42*	*C or Better*	869	*0.46*	*C or Better*	964	*0.52*	*C or Better*	1,010	*0.54*	*C or Better*
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		1,264	*0.68*	*C or Better*	1,289	*0.69*	*C or Better*	1,629	*0.87*	*D*	1,678	*0.90*	*D*	2,301	*1.23*	*F*	2,403	*1.29*	*F*
5	Int: 42nd to High	EB	2	1,330	1,770	1,870		530	*0.28*	*C or Better*	615	*0.33*	*C or Better*	1,418	*0.76*	*D*	742	*0.40*	*C or Better*	938	*0.50*	*C or Better*	959	*0.51*	*C or Better*
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		1,011	*0.54*	*C or Better*	1,031	*0.55*	*C or Better*	451	*0.24*	*C or Better*	1,358	*0.73*	*D*	1,899	*1.02*	*F*	1,978	*1.06*	*F*
6	Int: High to 66	EB	2	1,330	1,770	1,870		528	*0.28*	*C or Better*	548	*0.29*	*C or Better*	992	*0.53*	*C or Better*	713	*0.38*	*C or Better*	941	*0.50*	*C or Better*	1,021	*0.55*	*C or Better*
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		1,048	*0.56*	*C or Better*	1,115	*0.60*	*C or Better*	247	*0.13*	*C or Better*	1,425	*0.76*	*D*	1,950	*1.04*	*F*	1,991	*1.06*	*F*
7	Fruitvale: Foothill to Int	NB	2	1,330	1,770	1,870		547	*0.29*	*C or Better*	570	*0.30*	*C or Better*	586	*0.31*	*C or Better*	638	*0.34*	*C or Better*	711	*0.38*	*C or Better*	744	*0.40*	*C or Better*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		482	*0.26*	*C or Better*	512	*0.27*	*C or Better*	1,064	*0.57*	*C or Better*	569	*0.30*	*C or Better*	632	*0.34*	*C or Better*	656	*0.35*	*C or Better*
8	42nd Ave: n/o Int	NB	2	1,330	1,770	1,870		306	*0.16*	*C or Better*	311	*0.17*	*C or Better*	473	*0.25*	*C or Better*	485	*0.26*	*C or Better*	858	*0.46*	*C or Better*	889	*0.48*	*C or Better*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		891	*0.48*	*C or Better*	899	*0.48*	*C or Better*	1,124	*0.60*	*C or Better*	1,139	*0.61*	*C or Better*	1,544	*0.83*	*D*	1,573	*0.84*	*D*
9	High St: n/o Int	NB	2	1,330	1,770	1,870		484	*0.26*	*C or Better*	503	*0.27*	*C or Better*	529	*0.28*	*C or Better*	585	*0.31*	*C or Better*	598	*0.32*	*C or Better*	720	*0.39*	*C or Better*
	Freeway (4-lanes)	SB	2	1,330	1,770	1,870		570	*0.30*	*C or Better*	679	*0.36*	*C or Better*	647	*0.35*	*C or Better*	732	*0.39*	*C or Better*	768	*0.41*	*C or Better*	812	*0.43*	*C or Better*
10	E12: 14 to 22	EB	3	2,080	2,680	2,830		778	*0.27*	*C or Better*	784	*0.28*	*C or Better*	936	*0.33*	*C or Better*	941	*0.33*	*C or Better*	1,205	*0.43*	*C or Better*	1,206	*0.43*	*C or Better*
	Class II Arterial (2-lane)	WB	3	2,080	2,680	2,830		1,121	*0.40*	*C or Better*	1,122	*0.40*	*C or Better*	1,392	*0.49*	*C or Better*	1,394	*0.49*	*C or Better*	1,870	*0.66*	*C or Better*	1,874	*0.66*	*C or Better*
11	E12: 22 to 29	EB	3	2,080	2,680	2,830		464	*0.16*	*C or Better*	465	*0.16*	*C or Better*	624	*0.22*	*C or Better*	625	*0.22*	*C or Better*	934	*0.33*	*C or Better*	937	*0.33*	*C or Better*
	Class II Arterial (2-lane)	WB	3	2,080	2,680	2,830		876	*0.31*	*C or Better*	881	*0.31*	*C or Better*	1,044	*0.37*	*C or Better*	1,047	*0.37*	*C or Better*	1,325	*0.47*	*C or Better*	1,326	*0.47*	*C or Better*
12	E12: 29 to Fruitvale	EB	3	2,080	2,680	2,830		464	*0.16*	*C or Better*	465	*0.16*	*C or Better*	1,418	*0.50*	*C or Better*	593	*0.21*	*C or Better*	824	*0.29*	*C or Better*	827	*0.29*	*C or Better*
	Class II Arterial (2-lane)	WB	3	2,080	2,680	2,830		697	*0.25*	*C or Better*	702	*0.25*	*C or Better*	451	*0.16*	*C or Better*	964	*0.34*	*C or Better*	1,486	*0.53*	*C or Better*	1,487	*0.53*	*C or Better*
13	E12: Fruitvale to 42nd	EB	2	1,330	1,770	1,870		351	*0.19*	*C or Better*	362	*0.19*	*C or Better*	992	*0.53*	*C or Better*	460	*0.25*	*C or Better*	611	*0.33*	*C or Better*	638	*0.34*	*C or Better*
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		266	*0.14*	*C or Better*	278	*0.15*	*C or Better*	247	*0.13*	*C or Better*	395	*0.21*	*C or Better*	610	*0.33*	*C or Better*	637	*0.34*	*C or Better*
14	23rd: E12 to I-880	NB	2	1,330	1,770	1,870		588	*0.31*	*C or Better*	595	*0.32*	*C or Better*	586	*0.31*	*C or Better*	667	*0.36*	*C or Better*	752	*0.40*	*C or Better*	780	*0.42*	*C or Better*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		1,028	*0.55*	*C or Better*	1,067	*0.57*	*C or Better*	1,064	*0.57*	*C or Better*	1,189	*0.64*	*C or Better*	1,372	*0.73*	*D*	1,379	*0.74*	*D*
15	29th: Int to I-880	NB	1	560	810	860		475	*0.55*	*C or Better*	491	*0.57*	*C or Better*	553	*0.64*	*C or Better*	567	*0.66*	*D*	681	*0.79*	*D*	690	*0.80*	*D*
	Class II Arterial (1-lane)	SB	1	560	810	860		425	*0.49*	*C or Better*	429	*0.50*	*C or Better*	516	*0.60*	*C or Better*	524	*0.61*	*C or Better*	672	*0.78*	*D*	688	*0.80*	*D*
16	Fruitvale: Int to San Leandro	NB	2	1,330	1,770	1,870		469	*0.25*	*C or Better*	481	*0.26*	*C or Better*	499	*0.27*	*C or Better*	508	*0.27*	*C or Better*	542	*0.29*	*C or Better*	548	*0.29*	*C or Better*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		553	*0.30*	*C or Better*	556	*0.30*	*C or Better*	599	*0.32*	*C or Better*	605	*0.32*	*C or Better*	667	*0.36*	*C or Better*	679	*0.36*	*C or Better*
17	Fruitvale: San Leandro to I-880	NB	2	1,330	1,770	1,870		604	*0.32*	*C or Better*	623	*0.33*	*C or Better*	698	*0.37*	*C or Better*	714	*0.38*	*C or Better*	850	*0.45*	*C or Better*	860	*0.46*	*C or Better*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		669	*0.36*	*C or Better*	674	*0.36*	*C or Better*	734	*0.39*	*C or Better*	744	*0.40*	*C or Better*	833	*0.45*	*C or Better*	852	*0.46*	*C or Better*
18	Fruitvale: I-880 to Alameda	NB	2	1,330	1,770	1,870		745	*0.40*	*C or Better*	775	*0.41*	*C or Better*	783	*0.42*	*C or Better*	816	*0.44*	*C or Better*	838	*0.45*	*C or Better*	875	*0.47*	*C or Better*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		561	*0.30*	*C or Better*	580	*0.31*	*C or Better*	624	*0.33*	*C or Better*	662	*0.35*	*C or Better*	721	*0.39*	*C or Better*	794	*0.42*	*C or Better*
19	High St: Int to San Leandro	NB	2	1,330	1,770	1,870		428	*0.23*	*C or Better*	468	*0.25*	*C or Better*	481	*0.26*	*C or Better*	595	*0.32*	*C or Better*	565	*0.30*	*C or Better*	826	*0.44*	*C or Better*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		553	*0.30*	*C or Better*	795	*0.43*	*C or Better*	641	*0.34*	*C or Better*	826	*0.44*	*C or Better*	783	*0.42*	*C or Better*	869	*0.46*	*C or Better*
20	High St: San Leandro to I-880	NB	2	1,330	1,770	1,870		502	*0.27*	*C or Better*	551	*0.29*	*C or Better*	550	*0.29*	*C or Better*	690	*0.37*	*C or Better*	623	*0.33*	*C or Better*	939	*0.50*	*C or Better*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		656	*0.35*	*C or Better*	931	*0.50*	*C or Better*	714	*0.38*	*C or Better*	928	*0.50*	*C or Better*	802	*0.43*	*C or Better*	924	*0.49*	*C or Better*
21	High St: I-880 to Bridge	NB	2	1,330	1,770	1,870		1,142	*0.61*	*C or Better*	1,252	*0.67*	*C or Better*	1,183	*0.63*	*C or Better*	1,508	*0.81*	*D*	1,242	*0.66*	*C or Better*	1,944	*1.04*	*F*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		689	*0.37*	*C or Better*	1,062	*0.57*	*C or Better*	710	*0.38*	*C or Better*	1,015	*0.54*	*C or Better*	740	*0.40*	*C or Better*	955	*0.51*	*C or Better*
22	High St: Tilden to Central	NB	1	560	810	860		769	*0.89*	*D*	889	*1.03*	*F*	822	*0.96*	*E*	911	*1.06*	*F*	901	*1.05*	*F*	941	*1.09*	*F*
	Class II Arterial (1-lane)	SB	1	560	810	860		418	*0.49*	*C or Better*	438	*0.51*	*C or Better*	446	*0.52*	*C or Better*	505	*0.59*	*C or Better*	486	*0.57*	*C or Better*	613	*0.71*	*D*
23	Alameda: Fruitvale to High	EB	1	560	810	860		215	*0.25*	*C or Better*	228	*0.27*	*C or Better*	274	*0.32*	*C or Better*	298	*0.35*	*C or Better*	382	*0.44*	*C or Better*	431	*0.50*	*C or Better*
	Class II Arterial (1-lane)	WB	1	560	810	860		354	*0.41*	*C or Better*	362	*0.42*	*C or Better*	443	*0.52*	*C or Better*	465	*0.54*	*C or Better*	602	*0.70*	*D*	653	*0.76*	*D*
24	Fruitvale: Alameda to Blanding	NB	2	1,330	1,770	1,870		859	*0.46*	*C or Better*	869	*0.46*	*C or Better*	1,054	*0.56*	*C or Better*	1,073	*0.57*	*C or Better*	1,393	*0.74*	*D*	1,430	*0.76*	*D*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		802	*0.43*	*C or Better*	815	*0.44*	*C or Better*	973	*0.52*	*C or Better*	994	*0.53*	*C or Better*	1,267	*0.68*	*C or Better*	1,302	*0.70*	*C or Better*
25	Tilden: Blanding to Park	NB	2	1,330	1,770	1,870		555	*0.30*	*C or Better*	565	*0.30*	*C or Better*	740	*0.40*	*C or Better*	759	*0.41*	*C or Better*	1,097	*0.59*	*C or Better*	1,134	*0.61*	*C or Better*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		546	*0.29*	*C or Better*	559	*0.30*	*C or Better*	621	*0.33*	*C or Better*	642	*0.34*	*C or Better*	741	*0.40*	*C or Better*	776	*0.41*	*C or Better*
26	Park St: Bridge to Tilden	NB	2	1,330	1,770	1,870		886	*0.47*	*C or Better*	902	*0.48*	*C or Better*	1,014	*0.54*	*C or Better*	1,030	*0.55*	*C or Better*	1,219	*0.65*	*C or Better*	1,233	*0.66*	*C or Better*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		623	*0.33*	*C or Better*	637	*0.34*	*C or Better*	787	*0.42*	*C or Better*	802	*0.43*	*C or Better*	1,082	*0.58*	*C or Better*	1,098	*0.59*	*C or Better*
27	Tilden: Oak to Park	EB	1	560	810	860		548	*0.64*	*C or Better*	556	*0.65*	*C or Better*	671	*0.78*	*D*	678	*0.79*	*D*	883	*1.03*	*F*	890	*1.03*	*F*
	Class II Arterial (1-lane)	WB	1	560	810	860		377	*0.44*	*C or Better*	384	*0.45*	*C or Better*	508	*0.59*	*C or Better*	516	*0.60*	*C or Better*	764	*0.89*	*D*	772	*0.90*	*D*
28	Park St: s/o Tilden	NB	2	1,330	1,770	1,870		806	*0.43*	*C or Better*	814	*0.44*	*C or Better*	919	*0.49*	*C or Better*	927	*0.50*	*C or Better*	1,100	*0.59*	*C or Better*	1,107	*0.59*	*C or Better*
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		696	*0.37*	*C or Better*	703	*0.38*	*C or Better*	902	*0.48*	*C or Better*	910	*0.49*	*C or Better*	1,285	*0.69*	*C or Better*	1,293	*0.69*	*C or Better*

PM Peak Hour			FDOT Generalized Peak Hour Directional Volumes				Existing			Existing Plus Project			Interim Year 2020 No Project			Interim Year 2020 With Project			Cumulative Year 2035 No Project			Cumulative Year 2035 With Project		
#	CMP Segment	Direction	# of Lanes	LOS C	LOS D	LOS E	Proj Trips	Volume	v/c	LOS	Volume	v/c	LOS	Volume	v/c	LOS	Volume	v/c	LOS	Volume	v/c	LOS	Volume	v/c	LOS
1	I-880: 16th Ave	NB	4	6,080	7,420	8,400	271	7,550	0.90	E	7,821	0.93	E	8,209	0.98	E	8,481	1.01	F	9,202	1.10	F	9,473	1.13	F
	Freeway (4-lanes)	SB	4	6,080	7,420	8,400	127	6,795	0.81	D	6,922	0.82	D	7,304	0.87	D	7,431	0.88	E	8,061	0.96	E	8,188	0.97	E
2	I-880: 23rd Ave	NB	4	6,080	7,420	8,400	291	6,686	0.80	D	6,977	0.83	D	7,231	0.86	D	7,522	0.90	E	8,046	0.96	E	8,337	0.99	E
	Freeway (4-lanes)	SB	4	6,080	7,420	8,400	156	6,073	0.72	C or Better	6,229	0.74	D	6,566	0.78	D	6,722	0.80	D	7,303	0.87	D	7,459	0.89	E
3	I-880: Fruitvale Ave	NB	4	6,080	7,420	8,400	343	7,603	0.91	E	7,946	0.95	E	8,229	0.98	E	8,571	1.02	F	9,166	1.09	F	9,509	1.13	F
	Freeway (4-lanes)	SB	4	6,080	7,420	8,400	198	6,486	0.77	D	6,684	0.80	D	7,005	0.83	D	7,203	0.86	D	7,780	0.93	E	7,978	0.95	E
4	I-880: 50th Ave (south of High St)	NB	4	6,080	7,420	8,400	128	7,964	0.95	E	8,092	0.96	E	8,650	1.03	F	8,778	1.04	F	9,682	1.15	F	9,810	1.17	F
	Freeway (4-lanes)	SB	4	6,080	7,420	8,400	276	6,710	0.80	D	6,986	0.83	D	7,258	0.86	D	7,535	0.90	E	8,079	0.96	E	8,355	0.99	E
5	23rd Ave: Alameda City limit to I-880 (CMP)	EB	2	1,330	1,770	1,870	24	895	0.48	C or Better	919	0.49	C or Better	1,066	0.57	C or Better	1,090	0.58	C or Better	1,300	0.70	C or Better	1,324	0.71	C or Better
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870	26	617	0.33	C or Better	643	0.34	C or Better	739	0.40	C or Better	765	0.41	C or Better	906	0.48	C or Better	932	0.50	C or Better
6	29th Ave: Alameda City limit I-880 (CMP)	EB	1	560	810	860	9	699	0.81	D	708	0.82	D	918	1.07	F	927	1.08	F	1,298	1.51	F	1,307	1.52	F
	Class II Arterial (1-lane)	WB	1	560	810	860	52	257	0.30	C or Better	309	0.36	C or Better	292	0.34	C or Better	344	0.40	C or Better	324	0.38	C or Better	376	0.44	C or Better
7	42nd Ave (SR-77): I-880 to International Blvd	EB	2	2,560	3,320	3,760	55	742	0.20	C or Better	797	0.21	C or Better	903	0.24	C or Better	958	0.25	C or Better	1,106	0.29	C or Better	1,161	0.31	C or Better
	Uninterrupted Flow Highway (2-lane)	WB	2	2,560	3,320	3,760	53	596	0.16	C or Better	649	0.17	C or Better	745	0.20	C or Better	798	0.21	C or Better	888	0.24	C or Better	941	0.25	C or Better
MTS																									
1	Int: 14 to 22	EB	2	1,330	1,770	1,870		810	0.43	C or Better	842	0.45	C or Better	1,114	0.60	C or Better	1,149	0.61	C or Better	1,722	0.92	D	1,754	0.94	D
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		565	0.30	C or Better	639	0.34	C or Better	797	0.43	C or Better	876	0.47	C or Better	1,273	0.68	C or Better	1,347	0.72	D
2	Int: 22 to 29	EB	2	1,330	1,770	1,870		871	0.47	C or Better	908	0.49	C or Better	1,088	0.58	C or Better	1,127	0.60	C or Better	1,475	0.79	D	1,512	0.81	D
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		606	0.32	C or Better	678	0.36	C or Better	777	0.42	C or Better	852	0.46	C or Better	1,090	0.58	C or Better	1,162	0.62	C or Better
3	Int: 29 to Fruitvale	EB	2	1,330	1,770	1,870		944	0.50	C or Better	989	0.53	C or Better	1,122	0.60	C or Better	1,168	0.62	C or Better	1,419	0.76	D	1,464	0.78	D
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		591	0.32	C or Better	679	0.36	C or Better	722	0.39	C or Better	813	0.43	C or Better	950	0.51	C or Better	1,038	0.56	C or Better
4	Int: Fruitvale to 42nd	EB	2	1,330	1,770	1,870		1,093	0.58	C or Better	1,139	0.61	C or Better	1,411	0.75	D	1,459	0.78	D	2,000	1.07	F	2,046	1.09	F
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		1,137	0.61	C or Better	1,239	0.66	C or Better	1,461	0.78	D	1,567	0.84	D	2,057	1.10	F	2,159	1.15	F
5	Int: 42nd to High	EB	2	1,330	1,770	1,870		949	0.51	C or Better	970	0.52	C or Better	1,418	0.76	D	1,248	0.67	C or Better	1,739	0.93	D	1,760	0.94	D
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		979	0.52	C or Better	1,058	0.57	C or Better	451	0.24	C or Better	1,284	0.69	C or Better	1,592	0.85	D	1,671	0.89	D
6	Int: High to 66	EB	2	1,330	1,770	1,870		967	0.52	C or Better	1,047	0.56	C or Better	992	0.53	C or Better	1,294	0.69	C or Better	1,647	0.88	D	1,727	0.92	D
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		1,052	0.56	C or Better	1,093	0.58	C or Better	247	0.13	C or Better	1,352	0.72	D	1,767	0.94	D	1,808	0.97	E
7	Fruitvale: Foothill to Int	NB	2	1,330	1,770	1,870		786	0.42	C or Better	819	0.44	C or Better	586	0.31	C or Better	884	0.47	C or Better	947	0.51	C or Better	980	0.52	C or Better
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		394	0.21	C or Better	418	0.22	C or Better	1,064	0.57	C or Better	469	0.25	C or Better	524	0.28	C or Better	548	0.29	C or Better
8	42nd Ave: n/o Int	NB	2	1,330	1,770	1,870		616	0.33	C or Better	647	0.35	C or Better	805	0.43	C or Better	838	0.45	C or Better	1,160	0.62	C or Better	1,191	0.64	C or Better
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		513	0.27	C or Better	542	0.29	C or Better	648	0.35	C or Better	678	0.36	C or Better	891	0.48	C or Better	920	0.49	C or Better
9	High St: n/o Int	NB	2	1,330	1,770	1,870		679	0.36	C or Better	801	0.43	C or Better	894	0.48	C or Better	1,021	0.55	C or Better	1,301	0.70	C or Better	1,423	0.76	D
	Freeway (4-lanes)	SB	2	1,330	1,770	1,870		514	0.27	C or Better	558	0.30	C or Better	546	0.29	C or Better	590	0.32	C or Better	593	0.32	C or Better	637	0.34	C or Better
10	E12: 14 to 22	EB	3	2,080	2,680	2,830		1,298	0.46	C or Better	1,299	0.46	C or Better	1,471	0.52	C or Better	1,472	0.52	C or Better	1,744	0.62	C or Better	1,745	0.62	C or Better
	Class II Arterial (2-lane)	WB	3	2,080	2,680	2,830		691	0.24	C or Better	695	0.25	C or Better	942	0.33	C or Better	946	0.33	C or Better	1,438	0.51	C or Better	1,442	0.51	C or Better
11	E12: 22 to 29	EB	3	2,080	2,680	2,830		857	0.30	C or Better	860	0.30	C or Better	1,058	0.37	C or Better	1,061	0.38	C or Better	1,411	0.50	C or Better	1,414	0.50	C or Better
	Class II Arterial (2-lane)	WB	3	2,080	2,680	2,830		594	0.21	C or Better	595	0.21	C or Better	787	0.28	C or Better	788	0.28	C or Better	1,155	0.41	C or Better	1,156	0.41	C or Better
12	E12: 29 to Fruitvale	EB	3	2,080	2,680	2,830		859	0.30	C or Better	862	0.30	C or Better	1,418	0.50	C or Better	1,121	0.40	C or Better	1,601	0.57	C or Better	1,604	0.57	C or Better
	Class II Arterial (2-lane)	WB	3	2,080	2,680	2,830		464	0.16	C or Better	465	0.16	C or Better	451	0.16	C or Better	628	0.22	C or Better	945	0.33	C or Better	946	0.33	C or Better
13	E12: Fruitvale to 42nd	EB	2	1,330	1,770	1,870		501	0.27	C or Better	528	0.28	C or Better	992	0.53	C or Better	672	0.36	C or Better	908	0.49	C or Better	935	0.50	C or Better
	Class II Arterial (2-lane)	WB	2	1,330	1,770	1,870		342	0.18	C or Better	369	0.20	C or Better	247	0.13	C or Better	510	0.27	C or Better	767	0.41	C or Better	794	0.42	C or Better
14	23rd: E12 to I-880	NB	2	1,330	1,770	1,870		833	0.45	C or Better	861	0.46	C or Better	586	0.31	C or Better	1,032	0.55	C or Better	1,293	0.69	C or Better	1,321	0.71	C or Better
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		1,033	0.55	C or Better	1,040	0.56	C or Better	1,064	0.57	C or Better	1,141	0.61	C or Better	1,289	0.69	C or Better	1,296	0.69	C or Better
15	29th: Int to I-880	NB	1	560	810	860		625	0.73	D	634	0.74	D	779	0.91	D	788	0.92	D	1,051	1.22	F	1,060	1.23	F
	Class II Arterial (1-lane)	SB	1	560	810	860		448	0.52	C or Better	464	0.54	C or Better	529	0.61	C or Better	545	0.63	C or Better	663	0.77	D	679	0.79	D
16	Fruitvale: Int to San Leandro	NB	2	1,330	1,770	1,870		722	0.39	C or Better	728	0.39	C or Better	774	0.41	C or Better	780	0.42	C or Better	850	0.45	C or Better	856	0.46	C or Better
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		477	0.26	C or Better	489	0.26	C or Better	516	0.28	C or Better	528	0.28	C or Better	574	0.31	C or Better	586	0.31	C or Better
17	Fruitvale: San Leandro to I-880	NB	2	1,330	1,770	1,870		684	0.37	C or Better	694	0.37	C or Better	798	0.43	C or Better	809	0.43	C or Better	986	0.53	C or Better	996	0.53	C or Better
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		722	0.39	C or Better	741	0.40	C or Better	758	0.41	C or Better	777	0.42	C or Better	810	0.43	C or Better	829	0.44	C or Better
18	Fruitvale: I-880 to Alameda	NB	2	1,330	1,770	1,870		784	0.42	C or Better	826	0.44	C or Better	1,003	0.54	C or Better	1,047	0.56	C or Better	1,403	0.75	D	1,445	0.77	D
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		584	0.31	C or Better	629	0.34	C or Better	634	0.34	C or Better	680	0.36	C or Better	710	0.38	C or Better	755	0.40	C or Better
19	High St: Int to San Leandro	NB	2	1,330	1,770	1,870		588	0.31	C or Better	849	0.45	C or Better	755	0.40	C or Better	1,024	0.55	C or Better	1,062	0.57	C or Better	1,323	0.71	C or Better
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		478	0.26	C or Better	564	0.30	C or Better	534	0.29	C or Better	621	0.33	C or Better	621	0.33	C or Better	707	0.38	C or Better
20	High St: San Leandro to I-880	NB	2	1,330	1,770	1,870		607	0.32	C or Better	923	0.49	C or Better	727	0.39	C or Better	1,048	0.56	C or Better	931	0.50	C or Better	1,247	0.67	C or Better
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		646	0.35	C or Better	768	0.41	C or Better	736	0.39	C or Better	859	0.46	C or Better	880	0.47	C or Better	1,002	0.54	C or Better
21	High St: I-880 to Bridge	NB	2	1,330	1,770	1,870		1,207	0.65	C or Better	1,909	1.02	F	1,232	0.66	C or Better	1,934	1.03	F	1,267	0.68	C or Better	1,969	1.05	F
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		823	0.44	C or Better	1,038	0.56	C or Better	864	0.46	C or Better	1,079	0.58	C or Better	923	0.49	C or Better	1,138	0.61	C or Better
22	High St: Tilden to Central	NB	1	560	810	860		427	0.50	C or Better	467	0.54	C or Better	520	0.60	C or Better	561	0.65	D	680	0.79	D	720	0.84	D
	Class II Arterial (1-lane)	SB	1	560	810	860		601	0.70	D	728	0.85	D	658	0.77	D	786	0.91	D	745	0.87	D	872	1.01	F
23	Alameda: Fruitvale to High	EB	1	560	810	860		254	0.30	C or Better	303	0.35	C or Better	315	0.37	C or Better	366	0.43	C or Better	424	0.49	C or Better	473	0.55	C or Better
	Class II Arterial (1-lane)	WB	1	560	810	860		379	0.44	C or Better	430	0.50	C or Better	469	0.55	C or Better	522	0.61	C or Better	628	0.73	D	679	0.79	D
24	Fruitvale: Alameda to Blanding	NB	2	1,330	1,770	1,870		659	0.35	C or Better	696	0.37	C or Better	823	0.44	C or Better	861	0.46	C or Better	1,113	0.60	C or Better	1,150	0.61	C or Better
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		1,175	0.63	C or Better	1,210	0.65	C or Better	1,352	0.72	D	1,387	0.74	D	1,637	0.88	D	1,672	0.89	D
25	Tilden: Blanding to Park	NB	2	1,330	1,770	1,870		427	0.23	C or Better	464	0.25	C or Better	559	0.30	C or Better	598	0.32	C or Better	808	0.43	C or Better	845	0.45	C or Better
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		734	0.39	C or Better	769	0.41	C or Better	911	0.49	C or Better	947	0.51	C or Better	1,224	0.65	C or Better	1,259	0.67	C or Better
26	Park St: Bridge to Tilden	NB	2	1,330	1,770	1,870		757	0.40	C or Better	771	0.41	C or Better	949	0.51	C or Better	964	0.52	C or Better	1,293	0.69	C or Better	1,307	0.70	C or Better
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		996	0.53	C or Better	1,012	0.54	C or Better	1,141	0.61	C or Better	1,157	0.62	C or Better	1,374	0.73	D	1,390	0.74	D
27	Tilden: Oak to Park	EB	1	560	810	860		511	0.59	C or Better	518	0.60	C or Better	618	0.72	D	625	0.73	D	800	0.93	D	807	0.94	D
	Class II Arterial (1-lane)	WB	1	560	810	860		455	0.53	C or Better	463	0.54	C or Better	536	0.62	C or Better	544	0.63	C or Better	670	0.78	D	678	0.79	D
28	Park St: s/o Tilden	NB	2	1,330	1,770	1,870		695	0.37	C or Better	702	0.38	C or Better	889	0.48	C or Better	896	0.48	C or Better	1,242	0.66	C or Better	1,249	0.67	C or Better
	Class II Arterial (2-lane)	SB	2	1,330	1,770	1,870		976	0.52	C or Better	984	0.53	C or Better	1,147	0.61	C or Better	1,155	0.62	C or Better	1,428	0.76	D	1,436	0.77	D