MACARTHUR TRANSIT VILLAGE PROJECT

Volume 4. Response to Comments Document
SCH No. 2006022075

Prepared for:
City of Oakland

May 2008

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CITY OF OAKLAND

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Community and Economic Development Agency
Planning & Zoning Services Division

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NOTICE OF AVAILABILITY OF FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MACARTHUR TRANSIT VILLAGE DEVELOPMENT PROJECT

TO: All Interested Parties

SUBJECT: Notice of Availability of Final Environmental Impact Report for the MacArthur Transit Village Project

CASE NUMBER: ER 06-004

PROJECT SPONSOR: MacArthur Transit Community Partners, LLC

PROJECT LOCATION: The project site is approximately 8.2 acres and is comprised of 10 parcels, the existing BART Plaza, two unimproved roadway rights-of-way between Telegraph Avenue and Frontage Road, and Frontage Road between West MacArthur Boulevard and 40th Street.

BREIF DESCRIPTION OF PROJECT: The proposed project consists of a new Transit Village at the MacArthur BART station and includes 5 new buildings containing 624 residential units, 42,500 square feet of commercial space (including 7,000 square feet of live/work and flex space), 5,000 square feet of child care/community space, a 300-space replacement parking garage for BART patrons, and approximately 680 parking spaces for the residential and commercial units. The proposed project includes a rezone from C-28/S-18 and R-70/S-18 to Transit Oriented Development (S-15).

ENVIRONMENTAL REVIEW: A Draft Environmental Impact Report (DEIR) was prepared for the project and released for a public review period. All comments that were received have been compiled and responded to in the Response to Comment document/Final EIR (RTC), along with changes and clarifications to the Draft EIR. The preparation of the RTC has been overseen by the City's Environmental Review Officer and the conclusions and recommendations in the document represent the independent conclusions and recommendation of the City. Copies of the RTC EIR are available for distribution to interested parties at no charge at the Community and Economic Development Agency, 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 EIR is also available on the City of Oakland website at www.oaklandnet.com under "Major Projects" on the front page.

PUBLIC HEARING: The Oakland Planning Commission will hold a public hearing to consider approval of the MacArthur Transit Village Project on June 4, 2008. This action consists of the certification of the Final EIR and consideration of the planning-related items discussed above. The Planning Commission hearing begins **at 6:00 p.m**. in Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza. For further information, please contact Charity Wagner, Consulting Planner, at (415) 730-6718 or clwagner@rrmdesign.com.

May 23, 2008
File Number ER 0006-04

Gary Patton, Deputy Director of Planning
& Zoning Major Development Projects

TABLE OF CONTENTS

List of Figures

List of Tables

I. INTRODUCTION

A. PURPOSE OF THE RESPONSES TO COMMENTS DOCUMENT

This document has been prepared to respond to comments received on the Draft Environmental Impact Report (Draft EIR) prepared for the MacArthur Transit Village Project (SCH# 2006022075). The Draft EIR identifies the likely environmental consequences associated with the implementation of the proposed project, and recommends mitigation measures to reduce potentially significant impacts. This Response to Comments (RTC) Document provides responses to comments on the Draft EIR and makes revisions to the Draft EIR, as necessary, in response to these comments or to amplify or clarify material in the Draft EIR.

This RTC Document, together with the Draft EIR, constitutes the Final EIR for the proposed project.

B. ENVIRONMENTAL REVIEW PROCESS

According to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Draft EIR.

The City of Oakland circulated two Notices of Preparation (NOP), which stated that all environmental topics identified in Appendix G of the CEQA Guidelines would be evaluated in the EIR. The first NOP was published on February 15, 2006, and the public comment period for the scope of the EIR lasted from February 15, 2006 to March 16, 2006. Due to changes in the project description, a second NOP was circulated on June 13, 2007. The public comment period lasted from June 13, 2007 to July 13, 2007. Two scoping sessions were held for the project. The first was a public scoping session for public agencies on February 28, 2006. Additionally, a scoping meeting was held in conjunction with a Planning Commission meeting on March 15, 2006. Comments received by the City on the NOP at the agency scoping meeting and at the public scoping meeting were taken into account during the preparation of the EIR.

The Draft EIR was made available for public review on January 31, 2008 and distributed to applicable local and State agencies. Copies of the Notice of Availability of the Draft EIR (NOA) were mailed to all individuals previously requesting to be notified of the Draft EIR, in addition to those agencies and individuals who received a copy of the NOP.

The CEQA-mandated 45-day public comment period for the Draft EIR ended on March 17, 2008. A public hearing was held before the City of Oakland Planning Commission on March 5, 2008. Copies of all written comments received during the comment period and comments made at the public hearing before the Planning Commission are included in Chapter III of this document.

C. DOCUMENT ORGANIZATION

This RTC Document consists of the following chapters:

- *Chapter I: Introduction.* This chapter discusses the purpose and organization of this RTC Document and the Final EIR, and summarizes the environmental review process for the project.
- *Chapter II: List of Commenting Agencies, Organizations and Individuals.* This chapter contains a list of agencies, organizations, and persons who submitted written comments or spoke at the public hearing on the Draft EIR during the public review period.
- *Chapter III: Comments and Responses.* This chapter contains reproductions of all comment letters received on the Draft EIR as well as a summary of the comments provided at the public hearing. A written response for each CEQA-related comment received during the public review period is provided. Each response is keyed to the preceding comment.
- *Chapter IV: Text Revisions.* Corrections to the Draft EIR necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the Draft EIR, are contained in this chapter. Text with <u>underline</u> represents language that has been added to the Draft EIR; text with ~~strikeout~~ has been deleted from the Draft EIR. Revisions to figures are also provided, where appropriate.

D. PROJECT REFINEMENT

A staff-initiated text amendment to the S-15 zone is being proposed to modify the minimum useable open space requirement for residential facilities developed within the S-15 zone. The specifics of this amendment were not considered in detail in the Draft EIR so an analysis is provided below. The proposed amendment would modify the open space requirements as follows:

Existing Standard: 150 square feet of group open space and 30 square feet of private open space, for a total of 180 square feet of open space per unit.

Revised Standard: 75 square feet of open space per unit for residential facilities developed within a transit oriented development.

The proposed amendment would apply to other properties in the City that are currently zoned S-15. There are currently two areas of the City that are zoned S-15: (1) parcels surrounding West Oakland BART station, and (2) parcels surrounding Fruitvale BART station.

- *Frutivale BART Station Parcels.* Existing land uses in the S-15 zone surrounding Fruitvale BART include the Fruitvale BART transit village, BART parking lot, single- and multiple-family lots north of East 12th Street and a few parcels developed with commercial uses. The closest parks to these parcels are Sanborn Park: 0.4 miles at Fruitvale Ave and East 16th and Foothill Meadows Park: 0.8 miles at Foothill Boulevard and Harrington. The Coliseum Redevelopment Plan EIR found park impacts less-than-significant with a mitigation measure that requires the Redevelopment Agency to coordinate with OPR for land acquisition for parks in underserved areas and with school and churches for joint use agreements. The mitigation measure also requires the Redevelopment Agency to pursue funding outside of general fund for park acquisition.
- *West Oakland BART Station Parcels.* Existing land uses in the S-15 zone surrounding West Oakland BART include BART parking lots, and industrial and commercial land uses. The closest parks to these parcels are Wade Johnson Park: 0.7 miles up Mandela Parkway at Kirkham and 12th Street; Lowell Park up Adeline and 12th Street and Adeline; and De Fremery Park at Adeline and 16th. West Oakland Redevelopment Plan EIR found park impacts less-than-significant and recommended mitigation measures to further reduce the identified less-than-significant impacts:
    - Incorporate open space and recreation standards for new development landscaping in commercial and industrial areas should include picnic areas for workers.
    - Increase litter containers in parks to minimize need for increased maintenance personnel.
    - Work to rehabilitate existing park and recreation facilities to minimize the need for new open space and recreation facilities to serve residents and worker in the plan area.

A text amendment that reduces open space requirement for new residential facilities constructed as part of Transit Oriented Development (TOD) projects would not result in a significant environmental impact. As the relevant Redevelopment Plan EIRs did not identify significant impacts for parks, the Amendment would not change the standard for projects not immediately adjacent to BART; it would only change the standards for projects next to BART on parcels greater than 5 acres. The proposed changes are consistent with Downtown Open Space combining zone (S-17) standards which apply to parcels within Downtown. Staff believes that the current standard of 180 per units is excessive for the TOD and will compromise achieving other City policies related to TOD.

II. LIST OF COMMENTING AGENCIES, ORGANIZATIONS AND INDIVIDUALS

This chapter presents a list of letters and comments received during the public review period and describes the organization of the letters and comments that are included in Chapter III, Comments and Responses, of this document.

A. ORGANIZATION OF COMMENT LETTERS AND RESPONSES

Chapter III includes a reproduction of each letter received on the Draft EIR and a copy of comments made at the public hearing before the Planning Commission. The comments are grouped by the affiliation of the commentor, as follows: State, local and regional agencies (A); individuals (B); and the public hearing (C).

The comment letters are numbered consecutively following the A, B, and C designations. The letters are annotated in the margin according to the following code:

State, Local and Regional Agencies:	A1-#
Individuals and Organizations:	B1-#
Public Hearing:	C1-#

The letters are numbered and comments within that letter are numbered consecutively after the hyphen.

B. LIST OF AGENCIES, ORGANIZATIONS, AND INDIVIDUALS COMMENTING ON THE DRAFT EIR

The following comment letters were submitted to the City during the public review period and are arranged in order by the date received at the City.

State, Local and Regional Agencies

A1	East Bay Municipal Utility District, William Kirkpatrick, Manager of Water Distribution Planning	February 29, 2008
A2	Alameda County Congestion Management Agency, Diane Stark, Senior Transportation Planner	March 5, 2008

A3	AC Transit, Nancy Skowbo, Deputy General Manager for Service Development	March 17, 2008
A4	State of California , Department of Transportation, Lisa Carboni, District Branch Chief IGR/CEQA	March 18, 2008
A5	California Highway Patrol, D.E. Morrell, Captain Commander	February 22, 2008
A6	Governor's Office of Planning and Research, Terry Roberts, Director	March 18, 2008

Individuals

B1	Amanda Robins	February 4, 2008
B2	Deborah Robins	February 5, 2008
B3	William Manley	March 4, 2008
B4	Roy Alper	March 4, 2008
B5	Larry Rice	March 4, 2008
B6	Karen Hester	March 4, 2008
B7	Ken Ott	February 4, 2008
B8	David Steinberg	February 4, 2008
B9	Lynne Horiuchi (letter and follow-up email)	February 4, 2008
B10	Alli Chagi-Starr	February 4, 2008
B11	Seth Katz	February 4, 2008
B12	Jason Gardner	February 4, 2008
B13	Ruth Treisman	February 4, 2008
B14	Deirdre Synder	February 4, 2008
B15	Rawley Johnson	February 4, 2008
B16	Ron Bishop (email and addendum)	February 4, 2008
B17	Rajiv Bhatia, MD, MPH	February 4, 2008
B18	East Bay Bike Coalition	February 4, 2008

Public Hearing

C1	Summary of Comments Made at Planning Commission Hearing on Draft EIR	March 8, 2008

III. COMMENTS AND RESPONSES

Written responses to each comment letter received on the Draft EIR are provided in this chapter. Letters received during the public review period on the Draft EIR are provided in their entirety. Each letter is immediately followed by responses keyed to the specific comments. The letters and comments are grouped by the affiliation of the commenting entity as follows: State, local and regional agencies and commissions (A); individuals (B); and public hearing comments (C).

A. STATE, LOCAL AND REGIONAL AGENCIES AND COMMISSIONS

Letter
A1

EAST BAY
MUNICIPAL UTILITY DISTRICT

February 29, 2008

Charity Wagner, Consulting Planner
City of Oakland
Community and Economic Development Agency
250 Frank Ogawa Plaza, Suite 3315
Oakland, CA 94612

Re: Draft Environmental Impact Report – MacArthur Transit Village Project, Oakland (Case No: ER 0006-04)

Dear Ms. Wagner:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the MacArthur Transit Village Project located in the City of Oakland. EBMUD has the following comments.

WATER SERVICE

EBMUD's Central Pressure Zone, with a service elevation between 0 and 100 feet and/or Aqueduct Pressure Zone, with a service elevation between 100 and 200 feet will serve the proposed development. Main extensions, at the project sponsor's expense, will be required to serve the proposed development. Off-site pipeline improvements, also at the project sponsor's expense, may be required to meet domestic demands and fire flow requirements set by the local fire department. Off-site improvements include, but are not limited to, replacement of existing water mains tot eh project site. When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office to determine costs and conditions for providing water service to the proposed development. Engineering and installation of water mains, off-site pipeline improvements and services requires substantial lead-time, which should be provided for in the project sponsor's development schedule. 1

EBMUD owns and operates 6-inch water mains located in 39th Street and Apgar Street that provide service to EBMUD customers in the area. The integrity of these pipelines must be maintained at all times. Any proposed construction activity in 39th Street and Apgar Street needs to be coordinated with EBMUD and may require relocation and/or abandonment of the water mains, at the project sponsor's expense.

The Draft EIR indicates the presence of contaminated soils and/or groundwater within the project site boundaries. The project sponsor should be aware that EBMUD will not 2

Letter
A1
Cont.

inspect, install or maintain pipeline in contaminated soil or groundwater (if groundwater is present at any time during the year at the depth piping is to be installed) that must be handled as a hazardous waste or that may pose a health and safety risk to construction or maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping in areas where groundwater contaminant concentrations exceed specified limits for discharge to sanitary sewer systems or sewage treatment plants.

Applicants for EBMUD services requiring excavation in contaminated areas must submit copies of existing information regarding soil and groundwater quality within or adjacent to the project boundary. In addition, the applicant must provide a legally sufficient, complete and specific written remedial plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of all identified contaminated soil and/or groundwater. EBMUD will not design the installation of pipelines until such time as soil and groundwater quality data and remediation plans are received and reviewed and will not install pipelines until remediation has been carried ou and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists or the information supplied by the applicant is insufficient EBMUD may require the applicant to perform sampling and analysis to characterize the soil being excavated and groundwater that may be encountered during excavation or perform such sampling and analysis itself at the applicant's expense.

2 cont.

WASTEWATER PLANNING

EBMUD's Main Wastewater Treatment Plant is anticipated to have adequate dry weather capacity to treat the proposed wastewater flow from this project, provided this wastewater meets the standards of EBMUD's Environmental Services Division. However, the City of Oakland's Infiltration/Inflow (I/I) Correction Program set a maximum allowable peak wastewater flow from each subbasin within the City and EBMUD agreed to design and construct wet weather conveyance and treatment facilities to accommodate these flows. EBMUD prohibits discharge of wastewater flows above the allocated peak flow for a subbasin because conveyance and treatment capacity for wet weather flows may be adversely impacted by flows above this agreed limit. The developer for this project needs to confirm with the City of Oakland Public Works Department that there is available capacity within the subbasin flow allocation and that it has not been allocated to other developments. The projected peak wet weather wastewater flows from this project need to be determined to assess the available capacity within the subbasin and confirmation included in the EIR. Suggested language to include in the EIR is as follows: "The City of Oakland Public Works Department has confirmed that there is available wastewater capacity within Subbasin 50-2."

3

In general, the project should address the replacement or rehabilitation of the existing sanitary sewer collection system to prevent an increase in I/I. Please include a provision

Letter
A1
Cont.

to control or reduce the amount of I/I in the environmental documentation for this project. The main concern is the increase in total wet weather flows, which could have an adverse impact if the flows are greater than the maximum allowable flows from this subbasin. 3 cont.

WATER CONSERVATION

The proposed project presents an opportunity to incorporate water conservation measures. EBMUD would request that the City of Oakland include in its conditions of approval a requirement that the project sponsor comply with the Landscape Water Conservation Section, Article 10 Chapter 7 of the Oakland Municipal Code. EBMUD staff would appreciate the opportunity to meet with the project sponsor to discuss water conservation programs and best management practices applicable to the integrated projects. A key objective of this discussion will be to explore timely opportunities to expand water conservation via early consideration of EBMUD's conservation programs and best management practices applicable to the project. 4

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning at (510) 287-1365.

Sincerely,

David J Rehnstrom

FOR William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:NJR:sb
sb08_061.doc

cc: MacArthur Transit Community Partners, LLC
130 Webster Street
Oakland, CA 94607

LETTER A1
East Bay Municipal Utility District
William Kirkpatrick, Manager of Water Distribution Planning
February 29, 2008

Response A1-1: Comments related to the cost and installation of water mains and pipeline improvements are noted. Should construction of the proposed project require relocation or abandonment of water mains, the project applicant would coordinate construction and relocation with the City of Oakland and EBMUD and adhere to EBMUD requirements regarding relocation or abandonment of water mains.

Response A1-2: As is noted on page 361 of the Draft EIR, the City of Oakland's Condition of Approval (COA) HAZ-5 would be applicable to the project site. This COA would require Environmental Site Assessment Reports prior to issuance of a demolition, grading or building permit. If the reports recommend remediation, a Remediation Action Plan (RAP) would contain measures to reduce the potential contamination at the project site and otherwise comply with all regulatory requirements. Please see COA HAZ-5 for more details.

Response A1-3: As is noted on page 391 of the Draft EIR, the subbasin allocation system is the method by which EBMUD and the City of Oakland ensure that the City does not exceed its city-wide allocation as part of the Wet Weather program. The City has determined that with the proposed project the subbasin allocation would be exceeded, but that there is adequate capacity available in other subbasins that has not been allocated to other projects. As discussed in the Draft EIR, the City will work with EBMUD to reallocate portions of the City's unused allocations from subbasins with excess capacity to the subbasins that serve the project site consistent with the reallocation procedures that the City and EBMUD have utilized for several other projects. Such a reallocation will ensure the project's projected demand can be served and will not adversely impact the City's or EBMUD's ability to serve other areas.[1] While the reallocation has not occurred to date, COA UTIL-2 requires confirmation of the capacity of the City's surrounding

[1] Uzegbu, Marcel, 2007. Supervising Civil Engineer, City of Oakland Engineering Design and ROW Management. Communication with RRM Design Group, October.

stormwater and sanitary sewer prior to completing the final design for the project's sewer service and that the reallocation to be completed prior to the issuance of any grading or building permits.

As there is sufficient system-wide conveyance and treatment capacity dedicated to the City of Oakland, the fact that the project would cause Subbasin 50-01 and 50-04 to exceed its wet weather allocation prescribed by the City, is not a physical impact. Implementation of the City's Stormwater and Sewer Standard Condition of Approval (see COA UTIL-2 on page 388) would ensure that the project sponsor would be required to pay for an off-site sewer rehabilitation project to off-set the increase in sewer flow and payment of required impact fees.

In addition, all new and upgraded sanitary sewer infrastructure would be designed in accordance with the City's *Sanitary Sewer Design Guidelines* and would adhere to accepted engineering principles. In all newly developed areas and/or in all existing area where new sanitary sewers are required, the design is required to include the provisions that the sewer system size and capacity can adequately accommodate the ultimate anticipated conditions.

Response A1-4: EBMUD requests that the City of Oakland include as a condition of approval that the project applicant comply with the Landscape Water Conservation Section of the Oakland Municipal Code. While the City's Municipal Code does not include a section regarding Landscape Water Conservation and the City does not have a Standard Condition of Approval mandating landscaping water conservation, City staff will recommend a condition of approval be added to the project conditions of approval. Additionally, as noted on page 71, the MacArthur Transit Village anticipates participating in the LEED ND Pilot Program. As a result, the project applicant will be incorporating features into the project that promote environmentally responsible, sustainable development, and to reduce landscape related water use by using native plant species and drought tolerant landscaping.

Letter
A2

ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

March 5, 2008

Ms. Charity Wagner
Contract Planner
Community and Economic Development Agency
City of Oakland Planning Division
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612
clwaagner@rrmdesign.com

SUBJECT: Comments on the Draft Environmental Impact Report (DEIR) for the MacArthur Transit Village Project in the City of Oakland (Case # ER060004)

Dear Ms. Wagner:

Thank you for the opportunity to comment on the Revised Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) for the MacArthur Transit Village project in the City of Oakland. The project site is located in North Oakland, within the block that is bounded by 40th Street, Telegraph Avenue, West MacArthur Blvd., and Highway 24. The project site is approximately 8.4 acres and includes the BART parking lot, the BART Plaza, Frontage Road between West MacArthur Blvd, and 40th Street, and seven privately owned parcels that are anticipated to be acquired as part of the project. The proposed project would include five buildings with up to 675 units of high density multi-family feet housing and 34,000 square feet of ground floor neighborhood serving retail and 5,000 square of community space. The project includes approximately 700 to 775 residential, retail and community use parking spaces and 300 BART parking spaces. BART currently has approximately 600 spaces dedicated for exclusive BART parking purposes. This project would reduce exclusive BART parking by approximately 50 percent. Full replacement of BART commuter parking will also be analyzed as part of the EIR. A potential impact of a Residential Parking Permit Program, as proposed by the project sponsor, will also be evaluated within the EIR.

The ACCMA respectfully submits the following comments:

- Chapter IV, p. 167, j, Local Plans and Policies: Please add a discussion about compliance with the Alameda Countywide Bicycle Plan, as stated in our July 2, 2007 response to the NOP letter. 1

Letter
A2
Cont.

- Chapter IV, p. 171, 2b, Project Trip Generation: Please respond to the following comments from MacArthur Transit Village Trip Generation memo, from which trip generation rates were based:
    - A 38% reduction in trip generation rates appears high for both the morning and evening peak. The average of the three areas studied and noted in Appendix F, whose land use density ranged above and below the project, was as low as 28% in the a.m. In most other cases, this EIR uses conservative estimates. Please clarify why a 28% reduction in trip generation rates was not used in the am period.
    - p. 6, Retail trips: Please cite the research on TOD retail trips that justifies reducing trip generation rates. The trip generation rate is stated but no studies are cited as references.
- Mitigation Measure TRANS-4, p. 204: The TDM program should be submitted to AC Transit, as well as BART, to obtain input from transit providers that serve the project area.
- CMA Analysis, p. 209.
    - The 2005 Congestion Management Program should have been used as a reference, as stated in our letter dated July 6, 2007.
    - Please summarize the HEG land use data and the Furness process.

2

3

4

Thank you for the opportunity to comment on this Draft EIR. Please contact me at 510/836-2560 if you require additional information.

Sincerely,

Diane Stark

Diane Stark
Senior Transportation Planner

Cc: file:CMP - Environmental Review Opinions - Responses - 2008

LETTER A2
Alameda County Congestion Management Agency,
Diane Stark, Senior Transportation Planner
March 5, 2008

Response A2-1: The following text amendment has been made to page 107 of the Draft EIR:

> **h. Alameda County Congestion Management Agency 2006 Countywide Bicycle Plan.** The Alameda County Congestion Management Agency (CMA) adopted a Countywide Bicycle Plan in 2006. The Plan provides direction and tools to improve the county's bicycling environment. The purpose of the Plan is to encourage more bicycling within the county.
>
> The goals of the Countywide Bicycle Plan include the following:
>
> - Create and maintain an inter-county and intra-county bicycle network that is safe, convenient and continuous.
> - Integrate bicycle travel in transportation planning activities and in transportation improvement projects.
> - Encourage policies and actions that foster bicycling as a mode of travel.
> - Improve bicycle safety through facilities, education and enforcement.
> - Maximize the use of public and private resources in establishing the bikeway network.

These goals are consistent with the City of Oakland Bicycle Master Plan (BMP) goals. As described on page 212 of the Draft EIR, the proposed project is consistent with the City's BMP as it would include features that would encourage bicycle activity and it would not conflict with any of the adopted policies, plans, or programs supporting alternative transportation. Since the proposed project is consistent with the City's BMP, it is also consistent with the CMA's Countywide Bicycle Plan.

Response A2-2: As stated on page 171 of the Draft EIR and described in detail in Transportation Appendix C: Project Trip Generation (in Appendix F to the Draft EIR), the residential trip reductions are based on data collected at three sites. The average vehicle trip generation rate at the

three surveyed sites was about 38 percent lower than ITE rates during both AM and PM peak hours. During the AM peak hour, the trip rates were between 33 and 48 percent below ITE rates, and during the PM peak hour, the trip rates were between 28 and 45 percent below ITE rates. The 38 percent reduction was used in the Draft EIR because the observed average rate at the three surveyed sites during both AM and PM peak hours was about 38 percent.

In addition to surveying three sites, we reviewed data in a memorandum from Dowling Associates that was used for the Fruitvale Transit Village EIR, Bay Area Travel Survey (BATS) data for housing near BART locations, and Census data. The Dowling memorandum recommends using a 40 percent reduction for residential developments at BART Stations and the BATS data shows a 36 percent transit mode share in home-based work trips for households within a half-mile of BART stations. The 38 percent residential trip generation reduction used in the Draft EIR is consistent with these sources. Furthermore, the 38 percent reduction represents a conservative value because the proposed project site is more urban than two of the surveyed sites, and has higher density and is closer to a BART Station than the third site. The project site is also closer to a BART station than the sites in the BATS data and the Dowling memorandum. Thus it is reasonable to conclude that transit mode share at the proposed project site would potentially be higher.

The Transit Oriented Development (TOD) research related to retail trip generation is described on page 6 of Appendix C: Project Trip Generation (in Appendix F to the Draft EIR). The sources used to determine the retail trip generation reduction include *Travel Characteristics of Transit-Oriented Development in California* (Lund, Cervero, and Wilson, 2004), and *Ridership Impacts of Transit-Focused Development in California* (Cervero, 1994). These sources are listed in footnote "d" of Table IV.C-12 on page 172 of the Draft EIR text, as well as in footnote 4 of Table 5 in Appendix C.

Response A2-3: As noted within Mitigation Measure TRANS-4, the Transportation Demand Management (TDM) Plan would be reviewed and approved by the City of Oakland, as lead agency, and reviewed by the San Francisco Bay Area Rapid Transit District, as a Responsible Agency and the owner of a significant portion of the project site. The City of Oakland and BART will meet with other access providers regarding the

TDM Plan. AC Transit has reviewed and commented on the Draft EIR and did not request any changes to this mitigation measure.

Response A2-4: As stated on page 208 of the Draft EIR, an analysis of project impacts on CMP and MTS roadways was completed. This analysis was based on a NOP comment letter from ACCMA dated July 6, 2007 and used the latest ACCMA countywide travel demand model. Although not explicitly stated in the Draft EIR, the completed analysis is consistent with the 2005 Congestion Management Program. As stated on page 161 of the Draft EIR, the *Level of Service Monitoring on the Congestion Management Program Roadway Network* (ACCMA, July 2006) was used to complete the EIR analysis. The LOS Monitoring report was completed as required by and according to the 2005 Congestion Management Program.

The HEG (Hausrath Economics Group) land use data is summarized in Appendix E to the Draft EIR, entitled "Land Use Database and Cumulative Growth Scenario Memorandum." The Furness process is described in the text and footnote on page 180 of the Draft EIR.

Letter
A3

1600 Franklin Street, Oakland, CA 94612 - Ph. 510/891-4716 - Fax. 510/891-7157
Nancy Skowbo
Deputy General Manager - Service Development

March 17, 2008

Ms. Charity Wagner
Consulting Planner
RE: Case No. 0006-04
City of Oakland
Community and Economic Development Agency
Planning Division
250 Frank Ogawa Plaza, Suite 3315
Oakland, Ca. 94612

Subject: MacArthur Transit Village Environmental Impact Report (EIR)

Dear Ms. Wagner:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the MacArthur Transit Village. The Transit Village project would add as many as 675 dwelling units (20% designated affordable) at the MacArthur BART station. It would add up to 44,000 square feet of retail space and remove 300 currently existing parking spaces. In a separate, related project, bicycle lanes will be added to 40th Street in the station area (Telegraph Avenue to Martin Luther King Junior Way) but no travel lanes will be removed.

AC Transit supports construction of the MacArthur Transit Village. The project would add residents in a location where, in addition to BART and Emery Go Round, there are 5 bus routes, and 4 more bus routes within a block of the station. New housing at this location would thus have easy access to BART, to Emery Go Round, and to AC Transit connections to locations such as Pill Hill, Alta Bates Hospital, and the University of California. New residents in the area can help support additional retail there, allowing both new and existing residents greater access to services by walking. The project would be a major contribution to the ongoing revitalization of the Telegraph Avenue corridor. This is precisely the type of development AC Tranit's planning handbook—**Designing With Transit**—supports. 1

Treatment of the Bus Rapid Transit (BRT) Project
The District is concerned, however, about how the EIR analyzes the Bus Rapid Transit (BRT) project which AC Transit is developing along Telegraph Avenue, less than a block from the Transit Village site. The EIR argues that construction of the BRT is not certain, and therefore the base case for analysis should not include the BRT. The BRT project is relegated to a supplemental analysis in the EIR. 2

Letter
A3
Cont.

Ms. Charity Wagner
City of Oakland
March 17, 2008

MacArthur Transit Village EIR (cont.)

Certainty, however, is not the standard which the California Environmental Quality Act (CEQA) uses to evaluate whether a project should be included in EIR analysis. CEQA asks whether a project can be reasonably anticipated to occur; if the project is a "probable future" project, then it must be included in the analysis. The BRT project is included in the fiscally constrained section of the Metropolitan Transportation Commission's Regional Transportation Plan (RTP). Thus the agency charged with regional transportation planning for the Bay Area has determined that the BRT is a high priority, financially supported project. Projects included in the RTP should be included in environmental documents. This is the approach used by the Alameda County Congestion Management Agency in developing their traffic model. AC Transit urges the City of Oakland to restructure the Final EIR to incorporate the BRT into its base case analysis.

2 cont.

AC Transit is aware of an "Access Plan" that is being prepared for the project. Under this Access Plan, the existing structure of surface transit circulation would be retained. Shuttles and Emery Go Round would enter the station area on an internal roadway, while transit buses would continue to use the peripheral streets, especially 40th Street. AC Transit supports this approach. At an earlier point, there was discussion of moving shuttles and Emery Go Round onto 40th Street, which raised the possibility of conflicts between various agencies' bus stops, layover zones, and taxi zones. AC Tranist looks forward to completion of the Access Plan.

3

As noted above, numerous AC Transit lines serve MacArthur BART. The bus lines form an integral part of the transit mobility which residents of the Transit Village will enjoy. Therefore, we urge that the project seriously consider adoption of an AC Transit Universal Pass program (often termed "Ecopass") for the residents of the project. Under the Ecopass program, bus passes would be purchased for all units (possibly at the rate of one pass per unit) at a highly discounted rate. The passes would provide pre-paid bus transit, giving Transit Village residents easy access to numerous employment, shopping, and other opportunities. For additional details about the AC Transit Ecopass program, please contact Nichele Ayers (AC Transit Marketing: 891-4879); for questions on other aspects of this comment letter, please contact Senior Planner Nathan Landau (891-4792). Again, thank you for the opportunity to comment on the MacArthur Transit Village project.

4

Yours Truly,

Nancy Skowbo
Deputy General Manager for Service Development

Cc: Tina Spencer
Jim Cunradi
Nathan Landau

LETTER A3
AC Transit,
Nancy Skowbo, Deputy General Manager for Service Development
March 17, 2008

Response A3-1: The commentor's support of the proposed project is noted.

Response A3-2: As stated in the comment, the proposed Telegraph Avenue BRT project is included in the Metropolitan Transportation Commission's financially constrained 2030 Regional Transportation Plan (RTP). The financially constrained RTP includes projects that would receive priority in funding. However, it does not guarantee full funding. The project was not included in the latest ACCMA travel demand model that was used to forecast future traffic volumes for the MacArthur Transit Village project. Consistent with the Draft EIR's treatment of other planned infrastructure projects, the Draft EIR did not include the proposed Telegraph BRT project in the Cumulative Year 2015 or 2030 baseline conditions because it is currently under environmental review, and it has not been fully designed, approved or funded. However, an analysis of the Telegraph Avenue BRT project is provided in Appendix J: Telegraph Avenue Bus Rapid Transit Analysis (in Appendix F to the Draft EIR) for both Cumulative Year 2015 and 2030. As such the information to understand the project's potential impacts with BRT is available in the EIR.

Response A3-3: Comment noted. As stated in the comment, shuttles would remain on internal streets, while AC Transit buses would remain on adjacent roadways. Also, as stated in the comment, an Access Feasibility Study for the Station area to identify opportunities for increased ridership via multi-modal access to the station is currently being prepared by the City and BART, independent of this EIR and will be shared with AC Transit upon completion.

Response A3-4: An EcoPass for residents of the Transit Village is being considered as one of the strategies in the TDM Plan being prepared in response to the EIR mitigation measures.

Letter
A4

DEPARTMENT OF TRANSPORTATION
111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 622-5491
FAX (510) 286-5559
TTY 711

Flex your power!
Be energy efficient!

March 17, 2008

ALA024030
ALA-24-R1.85
SCH#2006022075

Ms. Natalie Fay
City of Oakland
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

Dear Mr. Fay:

MacArthur Transit Village Project – Draft Environmental Impact Report (DEIR)

Thank you for continuing including the California Department of Transportation (Department) in the environmental review process for the MacArthur Transit Village project. We reviewed the Draft Environmental Impact Report (DEIR) and have the following comments:

Highway Operations
Please provide traffic analysis and mitigation measures for State facilities including impacts to mainlines, on-ramps, and off-ramps. The analysis should include, MacArthur Blvd, 52nd Street, Martin Luther King Jr. Way, and 35th Street. 1

Forecasting
In Table IV.C-12 on page 172, Project Vehicle Trip Generation, a 38% residential transit reduction rate during peak hour for households within ½ mile of BART station is used. However, the 2004 ITE Trip Generation Handbook for vehicle trips uses reduction rates ranging from 10% to 15% for residential developments within ¼ mile of light rail stations. We recommend the study adopt a 10% vehicle trip reduction rate for the following reasons: 2

- Residents who live further than ¼ mile from light rail and BART stations are more likely to drive to these stations. Therefore, there is no vehicle reduction for vehicle trips further than ¼ mile.
- The Department is aware that the commercial transit reduction already accounts for 5%. Due to the nature of mixed-use projects, the overall residential transit reduction rate should avoid double counting the commercial transit reduction. Therefore, a 10 % (15% - 5%) residential transit reduction for the peak hour is most appropriate for this application.

Community Planning
According to page 163, state highway facilities (I-80, I-580, I-880, and SR-24) are currently operating at LOS F during the AM & PM peak hours. The proposed project is expected to generate approximately 4,886 new daily vehicle trips, including 324 AM peak hour and 358 PM peak hour

vehicle trips. In order to provide a safer pedestrian access to BART, public transit, and residential/commercial activities in and around this development, we suggest the following:

- Provide pedestrian count-down signals at all intersections surrounding the project, particularly at the Village Drive/Telegraph Avenue intersection to allow a safer pedestrian crossing to access the northbound BRT bus stop. 3
- Study the feasibility of improving access to mode-sharing transit options by centralizing buses, shuttles, and taxi services closer to BART fare gates. 4
- Described as an area of concern for pedestrian collusions at the intersection of Telegraph Avenue and 40th Street, please examine the feasibility of relocating the 1R BRT bus stop (both northbound & southbound) to the south-side corner on Telegraph Avenue and 40th Street, adjacent to the existing AC Transit bus stop (routes C/12/14/57/653/660/662). This will create a safer waiting environment for passengers and obviate the need for pedestrians to cross the busy intersection to access BRT. 5

Park and Ride Facilities

The environmental document does not address passenger pick-up and drop-off impacts. According to Figure IV.C-3 on page 128, the "observed pickup and drop-off" area is much greater than the designated area for existing conditions. Will the new designated pick-up and drop-off zone be adequate? The proposed zone will be along Village Drive with on street parking for businesses. Are these two uses compatible? 6

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

Sincerely,

for LISA CARBONI
District Branch Chief
IGR/CEQA

c: State Clearinghouse

LETTER A4
State of California, Department of Transportation
Lisa Carboni, District Branch Chief, IGR/CEQA
March 18, 2008

Response A4-1: An evaluation of freeway mainline operations was completed as part of the Congestion Management Agency (CMA) analysis presented on pages 208 through 210 of the Draft EIR and in Appendix I: CMA Analysis Calculations (in Appendix F to the Draft EIR). This analysis evaluated freeway operations in 2015 and 2030. The Draft EIR identified a number of freeway segments that would operate at LOS F with or without the project. However, it found that the project would not cause any significant impacts based on the significance criteria used in the Draft EIR. At the most, the proposed project would add 25 peak hour trips to a single freeway ramp. This represents an increase of less than one-half of one percent to the forecasted no project volumes on the freeway segments served by these ramps. As a result, the project would not cause a significant impact on these facilities.

Response A4-2: As stated in the comment, the ITE *Trip Generation Handbook* data referenced in the comment is applicable to residential developments within ¼ mile of a transit station with minimum density of 24 dwelling units per acre. Since the proposed project is immediately adjacent to the MacArthur BART Station, has higher density, and is located within an urban area with commercial amenities nearby, it is reasonable that it would have higher transit mode share. Furthermore, as stated on page 171 of the Draft EIR and described in detail in Transportation Appendix C: Project Trip Generation (in Appendix F to the Draft EIR), the residential trip reductions are based on data collected at three sites. The average vehicle trip generation rate at the three surveyed sites was about 38 percent lower than ITE rates during both AM and PM peak hours. In addition to surveying three sites, we reviewed data in a memorandum from Dowling Associates that was used for the Fruitvale Transit Village EIR, Bay Area Travel Survey (BATS) data for housing near BART locations, and Census data. The Dowling memorandum recommends using a 40 percent reduction for residential developments at BART Stations and the BATS data shows a 36 percent transit mode share in home-based work trips for households within a half-mile of BART stations.

The 38 percent residential trip generation reduction used in the Draft EIR is consistent with these sources, and represents a conservative value because the project site is more urban than two of the surveyed sites, and has higher density and is closer to a BART Station than the third site. Finally, the project site is directly adjacent to a BART station, which is closer than the sites in the BATS data and the Dowling memorandum.

No internalization reduction was taken to reflect trips by Transit Village residents to the on-site retail. The residential trips and commercial trips were calculated separately. Therefore, there is no double-counting between the residential and commercial trips.

Response A4-3: As stated on pages 210 through 212 of the Draft EIR, the proposed project would include improvements that improve safety and encourage pedestrian activity. The project would include signalization of the three intersections that provide access to the site: Frontage Road/40th Street, Telegraph Avenue/Village Drive, and Frontage Road/MacArthur Boulevard. These signals would include marked crosswalks and pedestrian signal heads. The soon to be released latest version of *Manual on Uniform Traffic Control Devices* (MUTCD) will require all pedestrian signal heads to provide count down signals.

Response A4-4: Based on communications from AC Transit staff, AC Transit prefers that local buses remain on streets adjacent to the project, rather than using internal project roadways. This would avoid potential conflicts with shuttle stops, layover zones, and taxi zones. In addition, most transfers from BART would not cross vehicular traffic. Re-locating taxi zones to internal streets within the project site after hours may be considered as part of the Final Development Plans for the site.

Response A4-5: This comment does not pertain to the proposed MacArthur Transit Village project. Specific locations for BRT stations would be further explored as part of the Telegraph Avenue BRT project.

Response A4-6: An Access Feasibility Study that is being developed for the Station area discusses pick-up and drop-off capacity. As stated in the study, BART patrons dropped off or picked up would use the eight designated “kiss-and-ride” drop-off/pick-up spaces on both sides of Frontage Road, between Village Drive and 40th Street. These spaces could be accessed from either Telegraph Avenue or 40th Street.

Observations of pick-up and drop-off activity were conducted at Frontage Road and the BART parking lot in May 2006. Based on these observations, the combined maximum pick-up and drop-off activity occurred between 5:45 and 6:00 PM, with 26 pick-ups and 11 drop-offs in both locations in the 15-minute period. On average, pick-ups were observed to take about four minutes each, while drop-offs were observed to take about 30 seconds. Given these assumptions, the eight designated pick-up and drop-off spaces on Frontage Road could accommodate up to 30 pick-ups in 15 minutes, or up to 240 drop-offs. Therefore, the current level of pick-up/drop-off activity could be accommodated. However, with the reduction in BART parking, pick-up and drop-off activity is expected to increase.

Based on existing kiss-and-ride patterns, drivers may disobey the designated spaces and drop off or pick up passengers where it is most convenient. It is likely that the parking spaces on Village Drive would be used for pick-up and drop-off during peak periods to supplement the spaces on Frontage Road. The Access Feasibility Study includes the following two recommendations that may be considered by BART:

- Recommended Strategy: Consider designating additional BART pick-up/drop-off spaces on Village Drive during peak periods (e.g., 6:00 a.m. – 9:00 a.m. and 4:00 p.m. – 7:00 p.m.).
- Recommended Strategy: Enforce pick-up/drop-off activity in designated zones.

Letter
A5

State of California

Business, Transportation and Housing Agency

Memorandum

Date: February 22, 2008

Clear 3-17-08 e

RECEIVED
FEB 28 2008
STATE CLEARING HOUSE

To: State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Oakland Area

File No.: 370.011086.Mac_Arthur

Subject: MAC-ARTHUR TRANSIT VILLAGE PROJECT SCH#2006022075

The Oakland Area office of the California Highway Patrol (CHP) received the "Notice of Completion" initial environmental study document from the State Clearinghouse regarding the MacArthur Transit Village Project, State Clearinghouse (SCH#2006022075), prepared by the city of Oakland. After review, we have concluded that the implementation of this project will have a minimal impact on traffic management and traffic safety within our jurisdiction. 1

If you have any questions, please contact Lieutenant M. Sherman at (510) 450-3821.

D. E. MORRELL, Captain
Commander

cc: Special Projects Section
Golden Gate Division

Safety, Service, and Security

CHP 51WP (Rev. 11-86) OPI 076

LETTER A5
California Highway Patrol
D.E. Morrell, Captain Commander
February 22, 2008

Response A5-1: This comment letter acknowledges the California Highway Patrol's receipt and review of the Draft EIR. The commentator concludes that this project will have a minimal impact on traffic management and safety within its jurisdiction.

Letter
A6

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

March 18, 2008

Charity Wagner
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

Subject: Mac Arthur Transit Village
SCH#: 2006022075

Dear Charity Wagner:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on March 17, 2008, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Letter
A6
Cont.

Document Details Report
State Clearinghouse Data Base

SCH# 2006022075
Project Title Mac Arthur Transit Village
Lead Agency Oakland, City of

Type EIR Draft EIR

Description The proposed project would include the demolition of all existing buildings and parking lots on the project site to allow for the construction of a new mixed-use, transit village development project. The transit village includes five new buildings that will accommodate for-rent and for-sale residential units, neighborhood-serving commercial and commercial uses, live/work units and a community center or childcare use. New land uses in the project area would be consistent with the land uses prescribed in the S-15, Transit-Oriented Development Zone. The project also includes two new internal roadways, a parking garage, landscaping and other streetscape improvements (i.e., benches and street lighting), and improvements to the BART plaza.

Lead Agency Contact

Name Charity Wagner
Agency City of Oakland
Phone (415) 730-6718 **Fax**
email
Address 250 Frank H. Ogawa Plaza
City Oakland **State** CA **Zip** 94612

Project Location

County Alameda
City Oakland
Region
Cross Streets 40th Street and Telegraph Avenue
Parcel No. Multiple
Township **Range** **Section** **Base**

Proximity to:

Highways SR 24, I-580
Airports
Railways Oakland Terminal Railway
Waterways San Francisco Bay
Schools Multiple
Land Use General Plan: Neighborhood Center Mixed Use
Zoning: Commercial Shopping and High Density Residential/Mediated Design Review (C-28/S-18 and R-70/S-18)

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Cumulative Effects; Geologic/Seismic; Growth Inducing; Landuse; Noise; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 2; Department of Parks and Recreation; Native American Heritage Commission; Integrated Waste Management Board; Public Utilities Commission; Department of Fish and Game, Region 3; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Air Resources Board, Transportation Projects; Department of Toxic Substances Control

Date Received 01/31/2008 **Start of Review** 01/31/2008 **End of Review** 03/17/2008

Note: Blanks in data fields result from insufficient information provided by lead agency.

LETTER A6
Governor's Office of Planning and Research
Terry Roberts, Director
March 18, 2008

Response A6-1: This comment letter acknowledges that the City has complied with the State Clearinghouse review requirements.

B. INDIVIDUALS AND ORGANIZATIONS

Letter
B1

From: Amanda Robins [troublelervsme@yahoo.com]
Sent: Monday, February 04, 2008 6:14 PM
To: Wagner, Charity L.; kkleinbaum@oaklandnet.com
Cc: Rashaad Butler; Deborah Robins
Subject: What BART is hiding from commuters: MacArthur BART commuters fight to retain 300 parking spaces! TIME SENSITIVE
Hello Charity and Kathy,

I am writing to you as a new tenant from 509 40th Street, the building directly connected to the BART parking lot. I would like to strongly encourage your planning to leave the patch of trees next to our building as a way of separation of the two buildings. I myself do not drive so am not concerned so much about the construction over the lot - although I will inquire what the hours are going to be during construction because of sound? I think it is imporatant for the city to leave nature in place when possible and also feel that the buildings do not need to be so crammed that the trees must be eliminated. When I signed the lease to move in, I was told about this construction and want to feel as if I have a say in what happens right outside of my window. 1

I feel the new building may be an asset to the neighborhood as it needs a more developed, live-in community and I am interested to see what changes come from this. I am asking for you to look at this from a more practical, humane view - I am not a tree hugger and won't be chaining myself up anytime soon, but feel there can still be a little nature left in our neighborhood.

Please get back to me and let me know you have received this. I work until very late (at the Boys & Girls Clubs in SF) and will not be able to attend the meetings about this development... I simply am asking for my word to be heard.

Kindly,
Amanda

LETTER B1
Amanda Robins
February 4, 2008

Response B1-1: The comment expresses concern about the removal of existing trees and construction noise, and the majority of the comment relates to the merits and design components of the proposed project, not the adequacy of the Draft EIR analysis. The merits of the project and project design components will be addressed as part of the project review process. Also see Response to Comment B11-1.

A conceptual landscape plan and existing tree inventory plan were submitted by the project applicant as part of the Preliminary Development Plan. The existing tree inventory plan shows the proposed project would include removal of 78 trees within the project site. Of the 78 trees to be removed, 67 trees are considered "protected trees" and a Tree Removal Permit is required prior to removal of these protected trees. [2] As part of the tree removal permit, the project would be required to plant replacement trees. The conceptual landscape plan (see Figure III-11 on page 69 of Draft EIR) shows approximately 200 new trees to be planted as part of the project including trees along the west side of Telegraph, the south side of 40th Street, along Village Drive, along Internal Street, along Frontage Road, along West MacArthur Boulevard, adjacent to the BART plaza, within the transit village plaza and within the building courtyards. The conceptual landscape plans also include a preliminary plant list that includes seven different tree species, and a variety of perennials, ground cover, shrubs vines and grasses. Pages 434 and 435 include Standard Conditions of Approval (COA) AES-2 through AES-4, which discuss tree removal permits, tree replacement plantings and tree protection during construction.

[2] Section 12.36.020 of the Oakland Municipal Code defines Protected Trees as follows: On any property California or Coast Live Oak measuring four inches dbh or larger; and any other tree measuring nine inches dbh or larger except Eucalyptus and Monterey Pine. Additionally, all Monterey Pines are protected trees when on City property and in development-related situations where more than five Monterey Pine trees per acre are proposed to be remove.

As is noted on page 290 of the Draft EIR, construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except pile driving and/or other extreme noise generating activities which are limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday. Any construction activity proposed to occur outside of the standard of hours of 7:00 a.m. and 7:00 p.m. Monday through Friday shall be evaluated on a case by case basis and shall only be allowed with prior written authorization of the Building Services Division and only under certain circumstances.

Letter
B2

From: Deborah Robins [deborah.robins@sbcglobal.net]
Sent: Tuesday, February 05, 2008 8:35 AM
To: Wagner, Charity L.; ruthiescafe@yahoo.com; Amanda Robins
Cc: Rashaad Butler; Deborah Robins; kkleinbaum@oaklandnet.com; Dias, Lynette
Subject: RE: What BART is hiding from commuters: MacArthur BART commuters fight to retain 300 parking spaces! TIME SENSITIVE

Dear Charity,

I was cc'ed on this e-mail, so I'll put my two cents in as well. I'm a West Oakland neighbor of this proposed development, and wonder how you can read over your response to Amanda below and not cringe at what you've laid out here--

Removal of mature trees, long and noisy working/pile-driving hours, M-F AND Saturday, if needed-- and, it is no consolation to people on 3 sides of the building who enjoy and benefit from the beauty and shade of those mature trees, that you're leaving trees on Telegraph Avenue, most of the apartments have windows on the other three sides of the building!

If I owned that building, I would be very upset to see the beauty of the property I have nurtured for many years (and extensive renovations and updating have been done to make this a wonderfully preserved old building!), to see the rental values be significantly diminished to do construction noise and dust/air and noise pollution, and the desecration of landscaping which made the units appealing to tenants to begin with.

At the very least, it would appear that the landlord should be given some kind of stipend to compensate the tenants as an inducement for them to stay (many of them have said they would move out, under the circumstances), and to compensate the building owner for what may be up to, what? two years? of lost rentals.

I think we all agree that this development will be a nice upgrade for the neighborhood, and we're all for that. However, there is such thing as the right to quiet enjoyment of one's own domicile, and if that is disturbed in such a major way, people must be compensated, and considerations must be made before greedily removing those very things that make Oakland a desirable residential metro area-- GREENERY.

I believe the landlord has asked only that this project push itself another 20 or so feet away from her property, so she and the tenants can, at least, continue the enjoyment of those mature trees, and let the trees stand as a buffer zone between them and a lengthy, unsightly construction ordeal.

Thanking you in advance for taking this SERIOUSLY, it is important to all of us.

Sincerely,

Deborah Robins
President, Nut Hill Productions, Inc.
A not for profit media organization in Oakland 510-547-8300

--- "Wagner, Charity L." <clwagner@rrmdesign.com>

1

Letter
B2
Cont.

wrote:

> Amanda - Thank you for your message. Your comments about construction
> noise and maintaining existing trees are important, and we will
> consider these in our review and your email message will be included
> in the package for review by decision makers.
>
>
> You are correct that the most all of the trees would
> be removed as part
> of the proposed project. There are a few trees along
> Telegraph Avenue
> that would be maintained and the proposed plans also
> introduce new
> landscaping on site. But if I understand your
> comment correctly, it
> sounds like you are interested in maintaining mature
> trees.
>
>
> In terms of construction hours, the City limits
> construction to 7:00 am
> and 7:00 pm Monday through Friday, except that
> extreme noise generators
> (like pile driving) are limited to 8:00 am and 4:00
> pm Monday through
> Friday. No construction is allowed on Sundays;
> however, the City does
> allow applicants to request that some construction
> activities be allowed
> on Saturdays and these requests are reviewed on a
> case-by-case basis.
>
>
> Again, thank you for your comments and please feel
> free to contact me
> with questions.
>
>
> Best, Charity
>
>
> Charity Wagner
>
> <http://www.rrmdesign.com> Consulting Planner, City
> of Oakland
>
> rrmdesigngroup
>
> 415-331-8282
>

Letter
B2
Cont.

> _____
>
> From: Amanda Robins
> [mailto:troublelervsme@yahoo.com]
> Sent: Monday, February 04, 2008 6:14 PM
> To: Wagner, Charity L.; kkleinbaum@oaklandnet.com
> Cc: Rashaad Butler; Deborah Robins
> Subject: What BART is hiding from commuters:
> MacArthur BART commuters
> fight to retain 300 parking spaces! TIME SENSITIVE
>
>
>
> Hello Charity and Kathy,
>
>
> I am writing to you as a new tenant from 509 40th
> Street, the building
> directly connected to the BART parking lot. I would
> like to strongly
> encourage your planning to leave the patch of trees
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> myself do not drive so
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> When I signed the lease
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>
> I feel the new building may be an asset to the
> neighborhood as it needs
> a more developed, live-in community and I am
> interested to see what
> changes come from this. I am asking for you to look
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> practical, humane view - I am not a tree hugger and
> won't be chaining
> myself up anytime soon, but feel there can still be
> a little nature left
> in our neighborhood.

Letter
B2
Cont.

>
>
> Please get back to me and let me know you have
> received this. I work
> until very late (at the Boys & Girls Clubs in SF)
> and will not be able
> to attend the meetings about this development... I
> simply am asking for
> my word to be heard.
>
>
> Kindly,
>
> Amanda
>

LETTER B2
Deborah Robins
February 5, 2008

Response B2-1: Please see Response to Comment to B1-1 which discusses tree removal, landscaping within the proposed project and permitted construction hours. Also see Response to Comment B11-1 which discusses the building setbacks.

The commentor also raises concerns regarding a landscape buffer or setback from the existing apartment building at 505 40th Street. This comment, like the comments related to tree removal and construction hours, are not related to the adequacy of the Draft EIR. Nevertheless, it is worth noting that Building A within the proposed project includes the following building setbacks adjacent to the existing apartment building with vacant ground floor retail at 505 40th Street: to the west along 40th Street: the first floor is built to the property line and floors 2 to 5 are set back 5 to 6 feet from the property line; to the south along Telegraph Avenue: the first floor is built to the property line and floors 2 to 4 are set back 5 to 6 feet from the property line. 505 40th Street was built to the property line, so any building setback or buffer would need to be accommodated by the proposed project. There are no side setbacks required within the existing or proposed zoning; however, City planning staff appreciates the concern to maintain natural light and air into the existing apartment units and will require the proposed setbacks as a condition of approval.

Standard Condition of Approval (COA) AIR-1, described on page 235 of the Draft EIR, would require the construction contractor to implement basic and enhanced construction measures to control dust during demolition, grading and construction.

Letter
B3

From: William Manley [bmanleynow@yahoo.com]
Sent: Tuesday, March 04, 2008 10:45 PM
To: Wagner, Charity L.
Cc: jbrunner@oaklandnet.com; boardofdirectors@bart.gov
Subject: Comments on DEIR for MacArthur BART Transit Village -- Case Nbr ER0006-04

A few comments about the proposed project.

Generally in favor of overall design.

It is how BART stations should have been designed from the outset.

I vigorously applaud
the reduction in the parking spaces reserved for BART.

This is a transit village, and as such it should be gearedtoward pedestrian, bicycle, and mass transit.
That said, I recognize that many patrons are accustomed to plentiful andfree/low cost parking, no matter how much it increases costs of BART and thepublic generally who don't come there by car. So I think retaining 300 spaces for BART parkers is a generouscompromise. **1**

The parking should pay for itself. This may be impossible in the short term, butshould be kept in mind as a long-term principle. But minimally, the rates for parking shouldbe comparable (if not higher) to West Oakland. This accomplishes two key functions:

Helps reduce costs of this very expensive facility.
Helps reduce demand on this scarce resource.
I
According to information presented in the publicpresentation of the draft EIR, the City of Oakland will contribute $32 million to theproject, half of which will be for the parking facility. That's $16 million for 300 spaces, or about $53,000 for each space. This is a tremendous subsidy to drivers thatundercuts use of bicycles, busses and carpooling. Even nominal interest on this money would be$2500/year per space, to say nothing of amortized construction costs, security andmaintenance. **2**

Another key measure that should be implemented is the undbundling of parking from theresidential and commercial units. Giventhe ample public transit that will be available from this site, it is highlylikely that a large number of the new residents of the transit village will optnot to own a car, yet archaic zoning guidelines prescribe over 1000 spaces bededicated to the 600 residences. Thosespaces – if so many are indeed required – should be colocated and with generalBART and retail parking so that they may be available for use by BART or retailpatrons. They should be available toresidents for rental (or maybe purchase) by residents, but residents SHOULD NOTBE REQUIRED to buy or rent them. **3**

The unbundling can significantly lower the cost of renting or buying units, and can provide a more flexible, market-based approach to addressing parking demands.

These areas are key to the success of the project. Accordingly I ask that the final project have
- no more than 300 spaces dedicated for BART usage
- price parking to help offset costs to the City and BARt **4**

Letter
B3
Cont.

- unbundle the parking from the residential components to make more available for BART and Retail patrons and lower the costs of the housing overall

4 cont.

Thank You
William D. Manley
4132 Gilbert St.
Oakland, CA 94611

LETTER B3

William Manley

March 4, 2008

Response B3-1: The commentor's support of the proposed project and reduction in parking is noted.

Response B3-2: This comment relates to the Redevelopment Agency's financial contribution to the proposed project, and the cost of construction of the BART parking garage. These comments do not relate to the adequacy of the Draft EIR analysis. The comment will be considered by the City during deliberations of the requested City approvals.

Response B3-3: The commentor's support of "unbundling" the parking spaces is noted. The concept of unbundled parking is one of several parking strategies discussed in Section IV.C.4.d(6) of the Draft EIR. Also, the project TDM Plan is recommending unbundling a portion of the residential parking. The commentor's discussion regarding implementation of an unbundled parking strategy relates to the merits and design of the project and will be addressed as part of the project review process.

Response B3-4: The commentor's support of the proposed project and reduction in parking is noted.

Letter
B4

From: Roy Alper [royalper@sbcglobal.net]
Sent: Tuesday, March 11, 2008 5:49 PM
To: Wagner, Charity L.
Subject: MacArthur Transit Village
Dear Ms. Wagner,

I understand that you are the contract planner for the Planning Department working on the MacArthur Transit Village. I live four blocks from the site and will be able to see the project from the second floor of my house when it is finally constructed after decades of false starts. It can□t happen soon enough, as far as I am concerned.

You should be aware that there is an organized campaign going on to complain about the site. If is fair to say that there are people in the neighborhood who do not want the project to be built, and have opposed most other projects as well. But the overwhelming majority of Temescal neighbors support the project and understand the value of increased density along Telegraph Avenue and particularly at the BART station. A year or so ago, dueling petitions by supporters and opponents of higher density development along Telegraph resulted in twice as many signatures supporting higher density than opposing. For property and business owners along Telegraph, over 80% support more dense housing development.

As to points raised by the opponents□ campaign:

1. I fail to see how the addition of hundreds of housing units at the BART station will increase traffic congestion in the neighborhood. The residents of the Transit Village will certainly walk and not drive to BART □ that□s why they will want to live there. And any additional cars on Telegraph, 40th or MacArthur in the off-peak periods can be easily handled without any congestion.

2. The loss of parking may cause some people who currently drive to BART to park on neighboring streets, but that has been solved near other BART stations by residential parking permit programs. The opponents do not mention the scourge of crime that currently affects the area around 40th and Telegraph and which causes many in the neighborhood to drive instead of walk to BART for their personal safety. With over 1,000 new residents living there, I would expect the petty criminals to move elsewhere and that those of us in the neighborhood will feel safe to walk to BART.

3. The 85 trees that will be removed do almost nothing to shield the current below grade parking lot, which is quite a blight on the neighborhood. I can't imaging the City will not require good landscaping and tree planting in the new development to replace the trees; nor can I imagine a developer of such a large project ignoring the value of having many good new trees in the new development.

4. I can't speak to whether some apartments in the poorly maintained apartment building at the corner of 40th and Telegraph will lose some sunlight due to the development. It is certain, however, that they will lose their view of the parking lot and freeway interchange and instead be looking at a new and attractively designed building. And they will have the benefit of the new buildings buffering their apartments from the very substantial noise generated at that location by the freeway and BART.

I was disappointed that the project was downsized by eliminating the 22 story buildings that were originally proposed, as I would have been able to see those buildings from my house instead of the freeway ramps. Anymore downsizing will only further reduce the importance of the project in improving our neighborhood. I urge you to recommend approval of the EIR and approval of the proposed transit village.

Roy Alper

1

LETTER B4

Roy Alper

March 4, 2008

Response B4-1: The commentor's support of EIR analysis and the proposed project is noted.

Letter
B5

March 11, 2008

Charity Wagner, Consulting Planner
RE: Case No. ER 0006-04
City of Oakland
Community and Economic Development Agency, Planning Division
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

Dear Sir or Madam:

Please accept the following comments concerning the Draft Environmental Impact Report ("EIR") for the MacArthur Transit Village Project.

The Parking Supply and Demand section, p. 219, indicates that the parking needs engendered by the project should be borne by the surrounding neighborhood. Why should the neighbors be expected to pay, through degradation in their qualify of life, to benefit the project's residents, business owners and BART commuters from other neighborhoods? **1**

The EIR document is somewhat vague concerning the number of on-street spaces that the project would provide (p. 221: "35 to 45", p. 222: "30 to 45"). Since it is not yet known what commercial uses the 44,000 available square feet will be put to, the assertion that 59 spaces will suffice for commercial shoppers and employees is cavalier. A grocery store or a video rental would generate a different pattern of parking space demand than, say, self-storage or a movie theater. In any event, the document admits a peak deficit of 70 spaces for residential guests, commercial shoppers and employees. **2**

The document does not disclose whether the on-street parking spaces will be metered or not. If they are metered, it is unlikely they will be suitable for employees or residential guests. If they are not metered, open spaces within the project will be hard to find. **3**

On p. 224, the plan for BART parking is revealed: the overflow of BART patrons will take every available space in the surrounding ¼ mile radius, but that won't be enough, so at least 30 commuters will have to settle for parking even further away. This ludicrously assumes that neighborhood residents will automatically find spots and only commuters will be searching. What will actually happen is, BART commuters will grab the available parking, leave their cars all day, and neighborhood residents will have to park ¼ mile or more from their homes, lugging home groceries while dealing with children, pets and the rain. **4**

Letter
B5
Cont.

The document goes on to disparage the developers' proposal to create a residential permit parking area ("RPP") in the neighborhood, positioning it as an affront to BART patrons, and suggesting that "additional on-street parking for BART patrons may also be desirable". The RPP was originally proposed by the developers to counter neighborhood resistance to the project and to address its impact on parking. The proposal had been presented as one where the RPP would be created as part of the project activity, not as one requiring neighborhood residents to canvass for signatures. The developers also offered, albeit tentatively, to pay the cost of the RPP for an unspecified initial period. Once the project had unstoppable momentum, Councilmember Brunner scuttled the RPP proposal at the February 7, 2008 Citizens Planning Committee meeting, declaring it would be up to neighborhood residents to gather community and Council support, without assistance or subsidy. We were disappointed that she would not provide leadership to help the neighborhood absorb this project. If it were feasible to gather sufficient signatures to create such an area, we would have done it long ago. In a neighborhood characterized by poverty, absentee landlords and transient rental property, where people are afraid to answer their doors and shootings occur on the streetcorners with alarming regularity, door-to-door signature gathering would require leadership from the Councilmember and subsidy from the developers.

5

I live on 40th Street next to two 18 unit buildings that have no off-street parking, so I can speak of the effects caused by those who misguidedly think that reducing parking options improves the community by reducing vehicle use. Yes, having public transit available reduces car trips. No, it does not eliminate the need to have (and park) a car. The reality is that, as peoples' jobs and families change and evolve, a car is necessary in this society to go to work, take kids to school or sports activities, buy groceries, go to the doctor, and/or the myriad of other daily needs that public transportation may not effectively service. Another consequence of inadequate parking is increased crime. This neighborhood is plagued by auto break-ins, because the thieves know people frequently cannot park close to home, so cannot watch their vehicles. There are also recurring robberies of pedestrians walking to and from BART.

6

Local examples of poor parking policy abound. One such is the area around Berkeley Bowl Marketplace on Adeline near Ashby. Piedmont Avenue in Oakland and areas around Lake Merritt also suffer from misguided planning. We do not need to become another San Francisco, where fistfights erupt over parking spaces, towing companies profit, and every street is packed with cars. The MacArthur Transit Village should carry its own weight regarding parking.

7

Sincerely,

Larry Rice

Larry Rice
40th Street resident

LETTER B5
Larry Rice
March 4, 2008

Response B5-1: The analysis of Parking Demand and Supply in the Draft EIR, which begins on page 219 and continues to page 226 does not conclude that the parking demands associated with the proposed project should be borne by the surrounding neighborhoods as suggested in this comment. Contrary to this, the EIR concludes on page 225:

> **(6) Parking Strategies**. Existing conditions suggest a high level of demand for BART parking both on and off-site. High BART parking demand is expected to continue after the Transit Village development. The City, BART and the project applicant are working together to consider a range of parking strategies that would increase parking supply (to compensate for removal of BART patron parking both on and off-site) and ultimately increase BART ridership independent of the Transit Village project. Additionally, as previously discussed within this section, a Traffic Demand Management Plan (TDM) is required to mitigate project impacts. The TDM will consider parking strategies. . . .

The section then continues on and describes six different parking strategies that are being considered by BART and the project applicant.

Additionally, as is noted on page 67 of the Draft EIR, the proposed project may include a Residential Parking Permit (RPP) program that would extend approximately ¼-mile radius around the project site. This component of the project is proposed to offset potential parking impacts in the surrounding neighborhood that would be associated with a reduction in the amount of BART Parking on the project site. However, the implementation of an RPP is dependent on neighborhood support and is subject to approval by the City of Oakland City Council. It is unknown if the necessary amount of neighborhood support is substantial enough to create the RPP program. Therefore, this EIR includes an evaluation of parking demand both with and without an RPP.

Response B5-2: The Preliminary Development Plan submittal shows 44 on-street parking stalls; however, the exact number of on-street parking spaces within the project site may be reduced to approximately 30 spaces as a result of emergency vehicle access requirements, hence the range of on-street spaces described in the Draft EIR. Since specific commercial uses have not been determined, the analysis assumes that parking demand for the commercial component of the project would be similar to parking demand for community serving retail as published in *Shared Parking* by Urban Land Institute. The parking demand rates published in *Shared Parking* are based on data collected at numerous community serving retail sites throughout the country. Since these sites include a variety of uses, the rates used to estimate parking demand for the project site represent expected typical conditions. Furthermore, considering the number of different modes that serve this site including transit, pedestrians and bicyclist, the rates utilized are arguably conservative. Additionally, the project TDM Plan is recommending unbundling a portion of the residential parking to allow it to be accessible to commercial users if the demand warrants increased parking.

Given the space constraints on the project site, it is unlikely that the project would include a major grocery store, it may include a smaller neighborhood-serving grocer. Retail components of the project would be geared towards project residents, BART riders, and residents living nearby as opposed to being a regional shopping destination requiring large numbers of parking spaces.

The proposed project would comply with the City's zoning requirements for off-street parking spaces. Additionally, as is discussed in the Draft EIR, parking is not considered a CEQA impact and parking information has been is included in the Draft EIR to provide additional information for decision makers.

Response B5-3: The on-street parking spaces are anticipated to be metered from 8 am to 6 pm. As such, employees and residential guests (staying for a period longer then a meter time) will not be able to utilize on street parking for the entire day. As with residential guests or employees that currently work in the area and do not have access to a dedicated on-site parking space, there are other alternative transportation modes available to access the area that do not require parking a vehicle, including transit, biking and walking.

Response B5-4: This comment makes statements regarding the Draft EIR which are not accurate as they are stated out of context of the entire paragraph and do not include any reference to the proposed RPP. The sixth paragraph on page 224 of the Draft EIR states the following relative to BART Parking Demand:

> When the BART parking lot is fully occupied around noon, there are about 280 parking spaces available within a ¼-mile of the project site. Thus, most of the BART patrons who use the BART parking spaces that would be eliminated can be accommodated in the surrounding neighborhoods. This leaves a residual parking demand of approximately 30 BART patrons' vehicles. Based on field observations, there are sufficient additional on-street spaces beyond the ¼-mile radius of the station for these 30 BART patrons to use. It is also likely that with a reduction of BART parking spaces, some patrons would shift to other access modes or not use BART. **As described previously, City of Oakland is considering implementing RPP in the residential neighborhood surrounding the MacArthur BART Station. If an RPP is implemented, the 312 displaced BART patrons would not be accommodated in the surrounding neighborhood. Potential affects of parking elimination on BART ridership were discussed previously within this section.** *[emphasis added]*
>
> As is noted in the Draft EIR, parking is not considered a CEQA impact and a discussion on parking has been is included in the Draft EIR to provide additional information for decision makers.

Response B5-5: The implementation of an RPP is dependent on neighborhood support and is subject to approval by the City of Oakland City Council. As it is not known whether an RPP can be implemented, the Draft EIR provides a discussion of the project effects with and without an RPP to allow the effects of each to be understood by the EIR reviewers including interested citizens and the decision makers. Also see Responses to Comments B5-1, B5-4, and B5-5 which discuss the RPP.

As is noted in the Draft EIR, parking is not considered a CEQA impact and a discussion on parking has been is included in the Draft EIR to provide additional information for decision makers.

Response B5-6: This comment does not relate to the adequacy of the Draft EIR analysis. The comment will be considered by the City during deliberations of the requested City approvals.

Response B5-7: This comment does not relate to the adequacy of the Draft EIR analysis. The comment will be considered by the City during deliberations of the requested City approvals.

Letter
B6

From: Karen Hester [karen@hesternet.net]
Sent: Thursday, March 13, 2008 1:18 PM
To: Ken; Wagner, Charity L.; ULTRA Oakland; joel@transcoalition.org
Cc: Jane Brunner
Subject: Re: In support of MacArthur BART transit village plans

Dear Ken,

Thanks so much for taking the time to respond with your ideas. These are ones that members of ULTRA probably also support--certainly the affordable housing component and greening the whole project as much as possible, plus BRT (most of us support it)

I'm not sure if you've been able to attend a report back from the MacArthur planning meetings but there are minutes from our site at www.ultraoakland.org and the whole design is available at: http://www.oaklandnet.com/government/ceda/revised/planningzoning/MajorProjec tsSection/macarthur.html

1

It includes a power point presentation but no minutes from the 2/08 meeting--
Charity, could you make sure those go up on the site?

Ken, if you're not a member of our yahoo group, please email John Gatewood at John Gatewood <johnnyg@california.com>

Karen Hester
510-654-6346
Karen@hesternet.net
www.hesternet.net

Do your work as though it was to last a thousand years and you were to die tomorrow. - Ann Lee

> Dear Charity Wagner, Contract Planner,
>
> I am a Temescal resident who firmly believes in sustainable, mixed
> use/transit oriented development. With gas rising $1/gal every few
> years, there willsoon be very few car drivers going through the
> station. I will definitely not miss the parkinglot sewer--precious
> urban space should not be wasted on parking. At least put it deep underground!
>
> It's been way too long for there not to be highrise housing/shopping
> built into and adjacent MacArthur BART Station. If this was India,
> Japan, Singapore, China, parts of Europe... or San Francisco, that's what we'd have already.
>
> Suggestions for alleviating NIMBY concerns:
> 1. put together urban tree canopy plan for replacing/saving trees 2.
> cut traffic congestion with dedicated Bus Rapid Transit lanes--long
> overdue!
> 3. have adjacent neighborhoods implement paid residential parking
> permit programs, like other parts of Oakland, Berkeley 4. lost
> parking: add more carshare pods to BART stations and throughout

Letter
B6
Cont.

> neighborhoods, whether thru nonprofit City Carshare, corporate Zipcar,
> or neighborhood DIY. add more public amenities so that people will
> want to want, instead of drive 5. include 20% affordable housing to
> those multitudes who earn <$60k/year.
> (rentals, small units Japan-style: 2DK, 2LDK, etc.) 6. include a
> grocery/co-op like berkeley bowl on the ground floor.
>
> I and my immediate neighbors fully support your plans. I just wish the
> development were a bit taller, Berkeley/Tokyo/NYC style. I also hope
> it will feature rooftop gardens, tennis, and views of the bay.
>
> Thank you for your time and consideration.
>
> Sincerely,
>
> Kenneth Ott
> 350 49th St.
> 510-557-9150
>
>
>
>
>
> _____
> _____
> _____

LETTER B6
Karen Hester
March 4, 2008

Response B6-1: This comment does not relate to the adequacy of the Draft EIR analysis. The comment will be considered by the City during deliberations of the requested City approvals.

.

Letter
B7

From: Ken [k150@yahoo.com]
Sent: Wednesday, March 12, 2008 9:19 PM
To: Wagner, Charity L.
Cc: Jane B - Oakland Council; Karen Hester Ultra
Subject: In support of MacArthur BART transit village plans

Dear Charity Wagner, Contract Planner,

I am a Temescal resident who firmly believes in sustainable, mixed use/transit oriented development. With gas rising $1/gal every few years, there willsoon be very few car drivers going through the station. I will definitely not miss the parkinglot sewer--precious urban space should not be wasted on parking. At least put it deep underground!

It's been way too long for there not to be highrise housing/shopping built into and adjacent MacArthur BART Station. If this was India, Japan, Singapore, China, parts of Europe... or San Francisco, that's what we'd have already.

Suggestions for alleviating NIMBY concerns:
1. put together urban tree canopy plan for replacing/saving trees 2. cut traffic congestion with dedicated Bus Rapid Transit lanes--long overdue!
3. have adjacent neighborhoods implement paid residential parking permit programs, like other parts of Oakland, Berkeley 4. lost parking: add more carshare pods to BART stations and throughout neighborhoods, whether thru nonprofit City Carshare, corporate Zipcar, or neighborhood DIY. add more public amenities so that people will want to want, instead of drive 5. include 20% affordable housing to those multitudes who earn <$60k/year. (rentals, small units Japan-style: 2DK, 2LDK, etc.) 6. include a grocery/co-op like berkeley bowl on the ground floor.

I and my immediate neighbors fully support your plans. I just wish the development were a bit taller, Berkeley/Tokyo/NYC style. I also hope it will feature rooftop gardens, tennis, and views of the bay.

Thank you for your time and consideration.

Sincerely,

Kenneth Ott
350 49th St.
510-557-9150

1

Letter B7
Ken Ott
February 4, 2008

Response B7-1: The commentor's support of the project is noted. The City will consider the recommendations and concerns included in this comment as they review the final design components of the project during the project review process. This comment does not relate to the adequacy of the Draft EIR analysis. The comment will be considered by the City during deliberations of the requested City approvals.

Letter
B8

OaklandNJB
<oaklandnjb@gmail.com>
02/29/2008 12:37 AM

To BoardofDirectors@bart.gov
cc
Subject Message for Carole Ward Allen

I am not sure whom to contact, so I'll start with you. I think the idea of building a transit village at MacArthur BART is great. I live in Adams Point and work in San Francisco, so I use the station every day, but if I'm reading the plans correctly, the idea is to cut by HALF the number of parking spaces when this project is developed. How does that encourage public transportation use? As it is, it's virtually impossible to get a parking spot at the MacArthur Station. Why would the city even consider halving the number of spaces -- and then restricting parking on surrounding streets to residents only???? Infill housing and transit villages -- great ideas; I'm all for them! But we need to include enough parking spots for folks to utilize the stations! 1

--
David A. Steinberg
382 Orange St
Oakland, CA 94610

Letter B8
David Steinberg
February 4, 2008

Response B8-1: The commentor's opposition to the reduction in BART parking is noted. While the proposed project would result in a reduction in dedicated BART parking spaces, consideration for other travel modes are incorporated into the project design. This would include access for AC Transit buses, the various shuttle bus operators that serve the site, pedestrians, and bicycles. Additionally, Mitigation Measure TRANS-9 (see page 207 of the Draft EIR) requires the project sponsor to prepare, fund and implement a TDM Plan to encourage more residents and employees of the project to shift from driving alone to other modes of travel. The TDM Plan will be reviewed by the City and BART, and is subject to approval by the City.

The City and BART will consider the recommendations and concerns included in this comment as they review the final design components of the project during the project review process. This comment does not relate to the adequacy of the Draft EIR analysis. The comment will be considered by the City during deliberations of the requested City approvals.

Letter
B9

Lynne Horiuchi
39th Street Neighborhood Group
701 39th Street Oakland, CA 94609-2301
Tel.: (510) 735 9558 Email: horiuchi@berkeley.edu

March 16, 2008

Charity Wagner
Consulting Planner
RE: Case No. ER 0006-04
City of Oakland
Community and Economic Development Agency
Planning Division
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

Dear Charity Wagner ,

I am writing with comments regarding the Draft Environmental Impact Report (EIR) for the proposed development of the MacArthur Transit Village Project, SCH No. 2006022075, dated January 2008. Please note that I am a member of the 39th Street Neighborhood Group, the West-Mac Neighborhood Council, and I served as a member of the Citizens Planning Committee for the development of MacArthur BART (CPC) from 1992 through 1992. I am also currently serving on the West Oakland Project Area Committee for West Oakland Redevelopment, **1**

The EIR is significantly lacking a proper analysis of the socio-economic effects of this development for the area west of the MacArthur BART Station). I documented social equity issues in 1997 in A Proposal for A Specific Plan for the MacArthur BART Station Area. This document was supported by a City Council resolution recognizing the need for further study. Clearly the area west of the MacArthur BART Station is comparatively different in income, race and ethnicity than the east side. Construction projects have consistently degraded the west side of MacArthur BART Station beginning with the construction of the Route 24 and the BART station, resulting in long-term disinvestment. The redistricting of the west side area out of the Broadway/MacArthur/San Pablo effectively cut the west side out of the project area and excluded them from any significant participation in the process of development at the MacArthur BART Station. The EIR, in following this pattern, has neglected to provide any analysis of the socio-economic effects on the area adjacent to the west of the MacArthur BART Station. **2**

The residents in the area around the MacArthur BART Station have raised the issues of personal safety as one of the most important requirements of the new development. The threat of gang violence is palpable in the areas around the MacArthur BART Station, and the gangs continue to function in the same areas as they always have with assaults with guns. This issue is in part related to the concentration of public assisted housing, poverty, and unemployment on the west side of the MacArthur BART Station. The government placement of such a concentration of poverty and the poor physical access to the MacArthur Station have only exacerbated disinvestment of the west side.

Alli Starr, my neighbor, has expressed the possibilities of new businesses in to the MacArthur BART corridor that could address these conditions:
They (new businesses should) be required to support job readiness, and necessary training programs to prepare local young people from THIS neighborhood to benefit from those jobs, and not bring in more affluent or economically-privileged folks from other neighborhoods to take those **3**

Letter
B9
Cont.

jobs. We have the opportunity to uplift the lives of those who live right here. I believe this will not only be economically more viable in the long-run, as the community will be more invested in the success of these establishments, but it is also a moral obligation to create opportunity where there is none.
Her letter,which is attached, addresses these issues at length.

3 cont.

Good access to the BART station has been a major issue raised consistently in CPC meetings, yet planning for the MacArthur BART Station, as shown in the EIR, will extenuate the effects of the original construction of the station which left the west side residents with significant barriers to access to the BART station. Good access from the west side will maintain considerable lengths of blank walls leading up to MacArthur BART Station. The station continues to look toward the Oakland Hills and disregard the west side, even though greater numbers of people and transportation services now approach the station from the west side.

4

As in the past, the construction staging will be located on the west side. The use of the vacant lot on the southeast side of the intersection of 40th Street and MLK for construction staging will maintain the pattern of locating the worst effects of construction on the west side. Pedestrian access to the MacArthur BART Station will not only be restricted and inconvenient, but also dangerous. Construction staging will have greater impacts on the west side; its placement in predominately poorer neighborhoods is unjust and unfair.

5

Lastly, members of the 39th Street Neighborhood Group have raised concerns about the impact of the loss of parking spaces. While several people are interested in permit parking programs, others have found such programs lacking in effectiveness. Please address what will be done to ease the impacts of the loss of parking on the west side of the the MacArthur BART Station, and with details as to how permit parking might work, i.e. fees, restrictions, etc.. How will the impacts of reduced parking affect the west side? This relates to the traffic projections as well which do not seem plausible. Level of service F in the near future was projected for the intersection at 40th and MLK Jr. Way in past documents. MacArthur Blvd, which the City informed us will be losing traffic lanes in the near future, and 40th Street are major transit and transportation corridors that connect Oakland to Emeryville on the west side, yet they are projected with no change in traffic as a result of the project will create new businesses (44,000 square ft. of commercial) and 675 dwelling units with additional institutional land use.

6

Your attention to these comments will be appreciated.

Best regards,

Lynne Horiuchi

Letter
B9
Cont.

From: horiuchi@berkeley.edu
Sent: Monday, March 17, 2008 3:48 PM
To: Wagner, Charity L.
Cc: wjean@berkeley.edu; Larry_e_rice@hotmail.com
Subject: RE: MacArthur Transit Village Project

Dear Charity,
Thank you for acknowledging the receipt of our comments. One last comment for the official record:
The City of Oakland is proposing to take out the landscaped islands on 40th Street west of MLK Jr. Way. This is an indirect if not direct impact of the proposed project. The denuding of the area will compare to the relatively new landscaped islands installed at great expense on 40th Street from Telegraph Avenue to Broadway that are now blooming with poppies, daffodils, and other spring flowers. Why are planning to take out landscaping that beautifies our neighborhood?
Many of the residents will remember the landscaped islands west of Martin Luther King Jr. Way on 40th as a special project of Lorraine Smith who lobbied for their creation. Lorraine lived at 909 40th Street and was extremely active in community affairs and politics before she passed away in 2005. For years, 30 by her testimony, she maintained the landscaped islands because she said the City of Oakland saw them as a maintenance problem and neglected them. She could often be seen planting, weeding, and trimming the islands; she knew every tree and plant in the islands.
To remove the islands, regardless of whatever traffic mitigations seem necessary, will be to disrespect the memory of Lorraine Smith's work and to contribute to disinvestment in the west side of the MacArthur BART Station. Again, this appears to be a social justice issue that has not been addressed in the EIR document.
Best regards, Lynne Horiuchi

7

>
> Dear Lynne,
>
> Thank you for your email with the two comment letters for the
> MacArthur Transit Village Draft EIR. Responses to these two letters
> will be provided in the Final EIR.
>
> Please feel free to contact me with comments or questions regarding
> this project.
>
> Best, Charity Wagner
>
> Charity Wagner
> rrmdesigngroup
> 10 Liberty Ship Way, Suite 300
> Sausalito, CA 94965
> P: (415) 331-8282 ext. 201| F: (415) 331-8298 www.rrmdesign.com
>
> -----Original Message-----
> From: Lynne Horiuchi [mailto:horiuchi@berkeley.edu]
> Sent: Sunday, March 16, 2008 6:16 PM
> To: Wagner, Charity L.
> Cc: Pamela Campbell; Alli Chagi-Starr; AshEl; Madeline Wells; Larry
> Rice
> Subject: MacArthur Transit Village Project
>

Letter
B9
Cont.

> Dear Charity Wagner, Please find attached comments on the MacArthur
> Transit Village Project.
> Best regards,
> --
> Lynne Horiuchi
> 39th Street Neighborhood Group
>

Visiting Scholar
Institute of Governmental Studies
University of California, Berkeley

Letter B9
Lynne Horiuchi (letter and follow-up email)
February 4, 2008

Response B9:1: This comment provides a description of the commentor and does not relate to the adequacy of the information or analysis within the Draft EIR; no further response is required.

Response B9-2: The City and BART have been working with the MacArthur BART CPC since 1993, and questions about options for improving pedestrian connections between the BART station and the west side of the freeway have long been raised. In response to these concerns, the City and BART hired a consulting team to work with the MacArthur BART CPC to prepare a design plan to study improving the pedestrian and bicycle connection to the station and also the feasibility of building a second entrance to the station from the West Side in 2004. The resulting plan, the MacArthur BART Station West Side Pedestrian Enhancement Project, was sponsored by a Caltrans Environmental Justice Grant. The plan developed a list of potential streetscape improvements for 40th Street that were prioritized by the MacArthur BART CPC. The results of the second entrance study showed that it was not financially feasible, nor feasible from a security perspective, to have a second entrance to the station from the west due to the extended length of the tunnel that would be required to traverse the freeway underpasses. After completing the plan, the City applied for and received capital grant funding to implement the streetscape improvements on 40th Street, which are currently under construction. The streetscape improvements start at Martin Luther King Jr. Way west of Highway 24 and include enhanced pedestrian lighting both inside and outside of the underpass area, a bicycle lane, a traffic signal and new crosswalk that directly access the BART plaza on the west-side of the 40th Street and BART Frontage Road intersection, and artistic colored lighting and surface treatment improvements in the underpass.

Response B9-3: This comment relates to the project merits and not the adequacy of the Draft EIR analysis. However, it should be noted that the project applicant and the Redevelopment Agency have negotiated a project term sheet that requires the project to comply with the Agency's

Small/Local Business Enterprise, Local Employment, Apprenticeship, Prevailing Wage, First Source Hiring and Living Wage Programs.

Response B9-4: This comment relates to the merits and components of the design of the proposed project, not the adequacy of the analysis or information within the Draft EIR; however, concerns regarding disregard of the west side of the freeway have not been ignored by the City or the project applicant. See Response to Comment B9-2.

Response B9-5: The specific location of construction staging areas has not yet been determined. The preparation of a construction management plan is required by Condition of Approval TRANS-1 (see pages 170 and 210 of the Draft EIR). The project applicant does not anticipate using parcels on the west side for staging areas, but until site acquisition and the construction management plan are complete and approved, the specific location for the staging areas will not be finalized.

Response B9-6: As is noted on page 219, parking impacts are generally not considered environmental impacts under CEQA. Parking is considered within this EIR to provide additional information to reviewers of the EIR.

A description of the potential Residential Parking Permit (RPP) program begins on page 222 of the Draft EIR. As noted in the Draft EIR, implementation of an RPP is dependent on neighborhood support and is subject to approval by the City of Oakland City Council. It is unknown if the necessary amount of neighborhood support is substantial enough to create the RPP program. Also see Responses to Comments B5-1, B5-4, and B5-5 which discuss the RPP.

The Draft EIR analyzed the potential transportation impacts at 24 intersections. The analysis concluded the trips associated with the project (including both the commercial and residential components) would cause significant impacts under the Cumulative Year 2015 with project scenario at two intersections; however, mitigation measures are presented which would reduce the impact at both of these intersections to a less-than-significant level.

Under the Cumulative Year 2030 with project scenario, seven intersections would be significantly impacted; however, mitigation measures are presented that would reduce the impact to five intersections. The two intersections that would have significant and

unavoidable impacts (Telegraph Avenue/51st Street and Broadway/MacArthur Boulevard) are anticipated to have a Level of Service of F even without the project in the Cumulative Year 2030 scenario.

Response B9-7: The City's proposal to remove the landscaped islands on 40th Street west of Martin Luther King Jr. Way is not connected to the project. Please see Response to Comment B1-1 which includes a discussion about landscaping and tree removal requirements.

Letter
B10

March 11, 2008

Dear Friends,
Ashel Eldridge and I (Alli Chagi-Starr) live at 704 39th St. -- upstairs from Pamela Campbell my TIC partner who co-purchased 702/704 with me about 2.5 years ago. We love our home and our neighborhood. Upon moving in, we have upgraded the building in many ways and have planted a vegetable and flower garden helping to bring back bees and birds to our neighborhood, while working to create more sustainability and healthy food in our lives.

I am personally interested in what is possible for our neighborhood in terms of revitalization, green building and job creation for those who most need work as a way to uplift both our environment and create real alternatives to poverty and violence. (see website where I work: <http://www.greenforall.org>www.greenforall.org)

By 2020, it is predicted that one in four jobs will be a "green job." I believe safety will arrive with opportunity for our young people. I also am a co-founder of <http://www.artinactioncamp.org>www.artinactioncamp.org and support the programs Silence The Violence and Turf Unity working with low income and homeless youth from Oakland and across the Bay Area. I have seen first-hand what is possible when we give our young people skills, self-esteem and a second chance.

If new businesses come in to the MacArthur BART corridor, I would advocate that they be required to support job readiness, and necessary training programs to prepare local young people from THIS neighborhood to benefit from those jobs, and not bring in more affluent or economically-privileged folks from other neighborhoods to take those jobs. We have the opportunity to uplift the lives of those who live right here. I believe this will not only be economically more viable in the long-run, as the community will be more invested in the success of these establishments, but it is also a moral obligation to create opportunity where there is none.

1

I would like to see a youth media and green jobs training program emerge in our community or nearby. "Green City Youth Media Center" would be a model project that might be replicated in other cities. Art in Action has put together a proposal for such a project. We are currently creating a professional power point presentation to shop to potential investors. (I was just at a job fair at Youth Uprising in East Oakland this weekend- very inspiring what they have done there with this center for youth leadership and opportunity.)

The potential I see with new commercial entities entering would depend on their and our commitment that those businesses reflect the needs of a local living economy and the vitality of the community as a whole. I do not support any business that fouls our environment in any way, or any chain stores where profits leave our community and the products are produced in sweatshops abroad. This would be out of integrity for those of us working to improve our neighborhood, our city and our planet. I believe in a triple bottom line for business: economic growth, environmental sustainability, and social equity. See: <http://www.svn.org>www.svn.org and <http://www.livingeconomies.org>www.livingeconomies.org.

In any way that the proposed project supports improved accessibility to public transportation I am for. By taking away parking places at BART, I am not clear that that would be helpful.

I do not support having to purchase my ability to park in my own neighborhood, or purchase the right for my friends or family to park here. If we do decide down the line that we need to create permit parking, I would propose that residents not be made to pay for this service, but rather the developers who stand to profit from selling and renting housing and storefronts provide proper

Letter
B10
Cont.

parking allocation for those who live here, and that we not have to re-apply every year.

I am thankful to all of you who have put much time into thinking about the well-being of the neighborhood. I hope in the future to be able to join conversations in any way that might be useful. This next month, my work has me out and about quite a bit. But, I hope to be able to plug in later in April.

1 cont.

With respect, and hope for a bright future for the neighborhood,

Alli

Alli Chagi-Starr
Event Chair, The Dream Reborn
Green For All

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<http://www.greenforall.org>www.greenforall.org

LETTER B10
Alli Chagi-Starr
February 4, 2008

Response B10-1: This comment relates to the project merits and not the adequacy of the Draft EIR analysis; comments related to local employment are briefly discussed in Response B9-3 and comments related to establishing an RPP Program are addressed in Responses B5-1, B5-4 and B5-5.

Letter
B11

From: kasakatz [kasakatz@yahoo.com]
Sent: Monday, March 17, 2008 9:56 AM
To: Wagner, Charity L.
Subject: Please respect historic building

Dear Ms. Wagner,

It is my understanding that the MacArthur BART Transit Village design as it stands today will block the light to the side windows of the historic building at the corner of Telegraph and 40th.

We are sparing that building due to its aesthetic and historic value. This value is diminished if many or most of the rooms lose their sunlight and air flow.

There are many ways to leave space around that building. Bicycle or pedestrian access to the transit village could be created. Green space could be added. I leave the specifics to the architects.

I believe the owner and residents of the building should not suffer the loss of light and air. But more importantly, I believe this building should be able to offer a quality living opportunity. If the apartments decline, the residents willing to live there could become a problem for residents of the transit village and the greater area.

1

Thank you,

Seth Katz
member, Broadway/MacArthur/San Pablo Redevelopment Project Area Committee member,
Greater Mosswood Neighborhood Association

LETTER B11
Seth Katz
February 4, 2008

Response B11-1: Neither the existing or proposed zoning for the project site require building setbacks to the existing building at Telegraph and 40th Street (505 40th Street). However, the project applicant has incorporated setbacks into the project design. Please see Response B2-1 for information on proposed setbacks for Building A, which would be adjacent to 505 40th Street.

As is noted in Section IV.K, Cultural and Paleontological Resources, the building adjacent to the project site at the southwest corner of the Telegraph Avenue/40th Street intersection may qualify as an historical resource under CEQA since it is possibly a B-rated property (a property of Major Importance as defined in the City's HPE), as indicated on the OCHS survey map. However, the project effects on the building at the southwest corner of the Telegraph Avenue/40th Street intersection will be less than significant. The historical building is not within or adjacent to an historic district and existing adjacent construction consists of modern or older buildings whose appearance and historical integrity have been greatly altered from modern remodels and additions (e.g., 3915, -17, -19, and -21 Telegraph Avenue), and currently have the appearance of modern buildings. Modern, post-ca. 1970 construction is visible from the Telegraph Avenue/40th Street intersection, including the MacArthur BART station, parking lots, a medical office building at 3875 Telegraph Avenue, and elevated roadways to the west. While the proposed project will change the overall setting and configuration of the neighborhood adjacent to the potentially historic building, these effects will not result in significant new alterations to the historical values of the existing urban streetscape.

Potential shadow impacts caused by the proposed project are illustrated in Figures IV.L-12 to IV.L-17. As is noted in the Draft EIR, shadows produced by the proposed project would not be considered significant impacts. Please see Response to Comment B13-2 for an additional discussion regarding potential shadow impacts.

Letter
B12

From: Jason Gardner [townsat@sbcglobal.net]
Sent: Monday, March 17, 2008 10:50 AM
To: Wagner, Charity L.
Subject: In support of the MacArthur BART transit village design

Dear Charity Wagner --

Your email address was posted on the Temescal Families newsgroup as the contact person for comments on the EIR for the MacArthur BART transit village. I've been following the development process for the last seven years and wanted to voice my strong support of the current design as presented in the Preliminary Development Plan pdf. It's a great design -- exactly what our neighborhood needs to reduce blight, make the BART station safe, and decrease the regional environmental impact of adding new residents to our urban neighborhood.

1

Please count my voice of support for the project as currently envisioned.

Best,

Jason Gardner
545 43rd St.
Oakland, CA 94609

LETTER B12
Jason Gardner
February 4, 2008

Response B12-1: The commentor's support of the project is noted.

Letter
B13

From: Ruth Treisman [ruthiescafe@yahoo.com]
Sent: Friday, March 14, 2008 3:36 PM
To: Wagner, Charity L.
Subject: MacArthur Transit Village project draft EIR

Dear Charity,

As you may know, I am the owner of the mixed-use building at 505 - 40th Street in the City of Oakland, California. The building is located at the corner of 40th Street and Telegraph Avenue, next to the MacArthur BART station, and close to the area where the transit village is being proposed.

As I have mentioned in the past, both in writing and on the phone, I feel very strongly that the proposed project will impact in a negative way on my property, an older building that I have spent a lot of time, effort and money to restore during the past nine years, and to keep it from further deteriorating (as it had been doing under the conditions of the twenty years or so before I bought the building).

I have been renting the apartments for several months, and have found that one of the greatest selling points is the amount of sunlight that enters the apartments from the south and west. I am able to command fairly high rents for the area because of the excellent condition of the apartments, and the fact that they have so much light.

If the project goes forward, I expect the impact on my building to be two-fold: one, that the amount of noise and dirt caused by the construction of a 50-70 foot building some six to twelve feet from the windows of the apartments will make it impossible to rent them for at least a year or possibly more, and two, that after these extremely tall (at least as tall as my building, and probably taller in the main portions), very close concrete walls that form the rear of the project are in place, that the apartments which are now warm and sunny will change to cold and dark.

It would appear to be in the best interests of the city and the developer not to have an unrented and blighted building on the corner, next to their new attractive development.

1

None of this is truly addressed in the draft EIR. It gives a "shadow study" that merely shows the effect of the shadowing on the roof of my building. But I do not have any tenants on the roof; naturally, they all live in the apartments, where the shadowing (essentially closing off of 95% of the light) will be highly detrimental to their well-being and quiet enjoyment of their homes.

Many of my current tenants like to work from home on their computers part of the time, as they are graduate students and researchers who like the fact that there are few distractions and a comfortable environment.
All of this will change if the project is allowed to go forward in the way it is currently proposed.

2

During the past two weeks I have had numerous complaints from tenants about the work being done to enlarge the sidewalk in front of the building: it started with the jackhammering at 7:00am directly outside their windows, and continued with the blocking off of the front door, which until then was their only means of entry to the apartments. I can see from the strong nature of their complaints on the very first day (continuing until today) how unlikely it is that anyone could really be convinced to continue to pay rent to live in what will certainly be a "construction zone" much more unpleasant and for a much longer time than what they have been enduring for the past two weeks of sidewalk widening work.

3

Letter
B13
Cont.

The land use policies referred to on pages 430-433 make reference to designing the project "in a manner that is sensitive to surrounding residential uses," (Policy N1.5) and that the development should be designed so as to avoid "unreasonably blocking sunlight and views for the surrounding buildings" and "avoiding undue noise exposure"(Policy N3.9).
Certainly what is reasonable to one person is not necessarily reasonable to another, but I am certain that not one person who is involved in the decisions regarding this project would allow anyone else to build a five-story building within twelve feet of the windows of his or her home or office. It would simply be too disruptive to bear, and completely unreasonable to expect it to be borne.

4

For the past twelve years I lived a block away from the current Kaiser Hospital expansion project. The City of Oakland insisted that Kaiser buy any houses that were located on the same block as the construction, at a fair market value, if the homeowners requested the sale, and that these same houses must be kept as residential homes, empty and unrented, until after the project is completed. They can then be resold to the public as homes. Even one block away, life with the noise and dirt quickly became unbearable, and I have chosen to move. Because my property is not on the same block, it was not an option to sell it to Kaiser, but I did consider it because I could no longer live there comfortably. I know that having this construction even closer to my building on 40th Street will be worse.

5

From the first moment I heard about this project, some nine years ago, I said in a public meeting that one of the most important factors for the neighborhood would be providing enough parking for the BART users. I still think that is not being properly addressed by the developers, especially the plan to halve the amount of public parking, while changing all the local neighborhood parking to "permit only"--effectively prohibiting many of the current BART users from having easy access to the transit system. I feel this is extremely shortsighted, and highly detrimental to the community as a whole, and particularly to the greater use of public transit. There is no guarantee that the new residents of the transit village, who will be provided parking spaces, will use the BART or bus system. There is a fairly good chance that they will have friends who visit them by arriving in their own cars, and that will simply add to the parking problem that will be created.

6

I also object to the removal of the 85 mature trees, referred to in the application form. Many of these trees provide a natural buffer zone between the current parking lot and my tenants' apartment windows.
They also add a lot to the community, because of their size and years of growth; new trees will not be the same at all. I would like to propose that the ten or so trees that are currently located between the west end of my property and the eastern-most parking lot driveway on 40th Street be retained, and that the buildings be moved back somewhat, behind those trees, but to be built higher than the current fifty feet in order to compensate for any lost apartments.

7

The photos on page 440 of the draft EIR, volume I, are very telling. They show the existing view of my building, along with the view of the proposed project, showing buildings A and C. What is extremely misleading in the conceptual simulation is the fact that there will also be higher buildings directly behind my building, on the south and west sides, that will be some twenty feet higher than my building, and that do not even appear in this simuation! This does not show how truly detrimental the new buildings will be on the existing neighborhood (that is, my building), and even so, is strangely designed in a way that dwarfs my building, and makes it unliveable.

8

Most of the draft EIR is written in a very general and not very specific way that barely scratches the surface of the problems involved. However, the fact that it is going to cause me to lose substantial amounts of income and my building to lose a substantial amount of value is not even

9

Letter
B13
Cont.

addressed.
Nor are the obvious parking problems that will certainly be exacerbated by the current plans properly addressed. And the loss to the community by having some 85 mature trees removed (no matter what is said, the replacements offered will not be the same) is substantial as well, particularly the ones closest to my building's apartment windows, which currently provide an attractive alternative to the usual urban views.

9 cont.

I am sending this email to you on Friday, March 14, and I expect an acknowledgment that you have received it.

Thank you for allowing me to comment on the draft EIR for the MacArthur Transit Village project.

Yours truly,
Ruth Ellen Treisman

LETTER B13
Ruth Treisman
February 4, 2008

Response B13-1: Please see Response to Comment B2-1 which describes the setbacks incorporated into Building A of the proposed project.

Potential noise and air quality issues are adequately addressed within the Draft EIR. The City will require implementation of its Standard Condition of Approval (COA) NOISE-1, which provides limitations for days and hours of construction operation. COA NOISE-2 outlines noise control measures, COA NOISE-3 outlines noise complaint procedures, and COA NOISE-5 provides measures to address generators of extreme construction noise. Moreover, compliance with the City's Standard Conditions of Approval will result in less-than-significant impacts. Moreover, construction related noise would occur for a finite period of time, and would not be considered a significant unavoidable impact.

COA AIR-1 outlines the dust control measures that the City would require the developer to implement. These measures would help to control dust during the construction process and are consistent with the BAAQMD. Compliance with the Standard Condition of Approval would result in a less-than-significant impact. Moreover, this potential construction related air quality impact would occur for a finite period of time, and would not be considered a significant unavoidable impact.

Response B13-2: The significance criteria used to evaluate whether a shadow impact is significant under CEQA is as follows:

- Cast shadow that substantially impairs the function of a building using passive solar heat collection, solar collectors for hot water heating, or photovoltaic solar collectors;
- Cast shadow that substantially impairs the beneficial use of any public or quasi-public park, lawn, garden, or open space;
- Cast shadow on an historic resource, as defined by CEQA Section 15064.5(a) and the City of Oakland, such that the shadow would materially impair the resource's historic significance by materially altering those physical characteristics of the resource that convey

its historical significance and that justify its inclusion on or eligibility for listing in the National Register of Historic Places, California Register of Historical Resources, Local register of historical resources or a historical resource survey form (DPR Form 523) with a rating of 1-5]; or

- Require an exception (variance) to the policies and regulations in the General Plan, Planning Code, or Uniform Building Code, and the exception causes a fundamental conflict with policies and regulations in the General Plan, Planning Code, and Uniform Building Code addressing the provision of adequate light related to appropriate uses.

As is noted on page 446 of the Draft EIR, a shadow analysis (see Figures IV.L-12 to IV.L-17 of the Draft EIR) was conducted to determine whether the five proposed buildings would cast new shadows on buildings, streets, and parking areas within and adjacent to the project site. Overall the shadow impacts on adjacent properties from the proposed project would not be that substantial as the majority of the shadows will be cast towards the freeway and onto the project site.

The shadows cast by the proposed project would not result in a significant impact given the significance criteria listed above. The building on the southwest corner of the 40th Street/Telegraph Avenue intersection does not include passive solar heat collection, solar collectors for hot water heating, photovoltaic solar collectors, or any public or quasi-public park, lawn, garden, or open space. While the building on the southwest corner of the 40th Street/Telegraph Avenue intersection may qualify as a historic resource (as is described on page 422 of the Draft EIR), the project's shadow effects on the building would be less-than-significant as the shadow impact would not materially alter the physical characteristics that may make it an historic resource. The potentially historic building is not within or adjacent to a historic district and existing adjacent construction consists of modern or older buildings whose appearance and historical integrity have been greatly altered. Finally, the proposed project would not require a variance related to the provision of adequate light related to appropriate uses. As indicated in Response to Comment B2-1, there are no setback requirements that require the project to maintain a specific distance from the existing building, but the City appreciates this concern and will continue to work with the

project applicant to minimize impacts to light and air into the existing apartment units.

Shadows created by the proposed project on December 21, winter solstice, would be the most extensive; however, the winter solstice shadows would not be significant because the new shadows created by the project would minimally increase to the existing shadow condition on this day and, as a result, would not be considered significant.

Response B13-3: This comment notes impacts from existing construction on 40th Street that is not related to the proposed project.

Response B13-4: The proposed project would be located in an urban and densely populated area within the City of Oakland. The block that the project is located on is not identified within the City's General Plan as an area for exclusive residential use, but is intended to contain a mix of uses and is also identified as a Transit-Oriented District. The project would comply with all applicable requirements regarding setbacks and landscaping. Also, please refer to Response to Comments B2-1 and B11-1 related to the adjacency of the proposed project, B13-2, which describes shadow impacts, and B13-1, which discusses noise impacts associated with construction.

Response B13-5: Contrary to the comment's assertion, the City of Oakland did not require the applicant of the Kaiser Permanente Oakland Medical Center Replacement Project to purchase homes located within the same block as the proposed project.

Please see Response to Comment B13-1 which describes dust related mitigation measures. Construction-related impacts are considered throughout the Draft EIR. The City will consider the recommendations and concerns included in this comment as it reviews the final project proposal. This comment relates to the project merits and not the adequacy of the Draft EIR analysis. The comment will be considered by the City during deliberations of the requested City approvals.

Response B13-6: Please see Responses to Comments B5-1, B5-4, and B5-5 which discuss the proposed RPP and parking demand concerns.

Response B13-7: Please see Response to Comment B1-1, which discusses landscaping associated with the project and tree replacement requirements.

Response B13-8: The photo simulations of the proposed project are generated using the project plans submitted by the project applicant. This figure (Figure IV.L-9) noted by the commentor shows the buildings to the west and south of her property. The commentor's opinion that the new buildings would be detrimental to her property is noted; however, the placement of new buildings adjacent to the structure on the southwest corner of the 40th Street/Telegraph Avenue intersection would not be considered a significant aesthetic impact.

Response B13-9: The Draft EIR is a comprehensive and very thorough document that analyzes each topic required by CEQA based on established significance criteria. The EIR does not specifically considered whether the proposed project would result in any specific financial effects on the adjacent property, positive or negative, as CEQA does not require the analysis of such economic impacts. Please see Responses to Comments B5-1, B5-4, and B5-5 which discuss the proposed RPP and parking demand concerns and Response to Comment B1-1 which discusses landscaping and tree replacement.

Letter
B14

From: Deirdre Snyder [desnyderus@yahoo.com]
Sent: Sunday, March 16, 2008 8:14 PM
To: Wagner, Charity L.
Subject: Response to EIR on MacArthur Transit Village

Ms. Wagner,

As one of the writers of early questions for the EIR on the sky-scraper version of the , I appreciate that many of our questions were taken into consideration.
However, one consideration, that of the effect of shadow, does not seem to have been fully thought out in the EIR study of the present proposal. **1**

I am particulary concerned that the EIR does not take into consideration the effects it has on the existing structures that will not be taken down, such as the historical building on the corner of 40th and Telegraph. The whole issue of integrating the project into the larger community rather than imposing a hostile gated, separate "community" has come up many times in public meetings, particularly the most recent one at Beebe memorial church. **2**

The most specific example is that the new project is designed so as to destroy all light into the building and apartments on the corner of 40th and Telegraph.
This is not the type of spirit one wishes from a new neighbor. Also, the destruction of mature trees really needs to be kept to a miniumum. The more established trees are a much greater carbon sink than new saplings would be, and cutting them down really does hurt the community. **3**

A final question I have is whether there have been any efforts to arrange for the present buiness- the Ethiopian market and the Chinese restaurant, to be relocated back into the finished project. This would be another extremely important good will gesture. **4**

Thank you for your consideration of my requests. I do hope that the design that comes out is friendly to the existing community so that the community will be friendly to it.

Deirdre Snyder

LETTER B14
Deirdre Synder
February 4, 2008

Response B14-1: Please see Response to Comment B13-2 which discusses potential shadow impacts.

Response B14-2: The City will consider the recommendations and concerns included in this comment as they review the final design components of the project during the project review process. This comment relates to the project merits and not the adequacy of the Draft EIR analysis. The comment will be considered by the City during deliberations of the requested City approvals.

Response B14-3: Please see Response to Comment B13-2, which discusses shadow impacts and Response to Comment B1-1, which discusses tree removal and landscaping.

Response B14-4: Identification of tenants in the proposed retail components has not occurred. This comment does not address the adequacy of the analysis or information within the Draft EIR; no further response is required.

Letter
B15

From: Rawley Johnson [rawleyjohnson@yahoo.com]
Sent: Monday, March 17, 2008 12:18 PM
To: Wagner, Charity L.
Subject: MacArthur Transit Village Public Comment

My public comment about the proposed MacArthur Transit Village:

As an Oakland resident committed to promoting affordable, transit oriented development, I have a comment on the draft EIR as proposed. The EIR states that the significant and unavoidable impact of the development will be increased traffic and decreased level of service for automobiles at two identified street intersections. Rather than the City having to adopt a "statement of overriding concerns" about these impacts, I suggest that the parking ratio be reduced to the minimum of 0.5 parking spaces per housing unit. Less parking would encourage more tenants who don't own or use cars to live in the transit village and this would reduce traffic. After all, the whole POINT of a transit village is to reduce automobile dependency and promote a pedestrian-friendly living environment. Less parking spaces would also reduce the size of the garages that must be built, open up more space to increase the number of housing units, and overall reduce the COST of the entire project. In a time of economic recession, we all know that "market rate" housing is too expensive for most Bay Area residents, and my suggestion would lower the price of every unit of housing in the project. Besides, many people interested in living in a transit village are the type of people who don't own cars. Marketability of the units without parking should not be an issue. **1**

So, to reduce the significant impact of increased traffic, to make the housing project more affordable to potential tenants, and to realize the vision of a true "transit village", please reduce the parking requirements of the project to the minimum required for an S-15 zone.

Thank you,
Rawley Johnson

LETTER B15
Rawley Johnson
February 4, 2008

Response B15-1: The proposed project includes providing parking for the residential units at a ratio of one space for each unit. The S-15 zoning proposed for the site requires 0.5 parking spaces per unit and the approval of a Use Permit if additional parking is provided. City staff believes approval of the Use Permit and adopting a Statement of Overriding Consideration is justified and appropriate for this project to address the competing issues associated with parking supply and demand. Many other comments on this Draft EIR have raised the concern that the parking proposed is not adequate to address the loss of BART parking and the potential demand that would be created by residential guest and commercial users. As such, the City believes that the requested increase in parking is appropriate.

The City is working with the project sponsor to develop a TDM Plan in response to the traffic mitigation measures and to help reduce peak hour trips associated with project. The TDM Plan will consider strategies such as attended parking and shared (or unbundled) parking to potentially reduce the amount of parking that may be provided in later phases of the project if the anticipated demand, which will be analyzed based on earlier phases and current market conditions, suggest that less parking would meet the anticipated demand.

The commentor's preference for the City to not adopt a Statement of Overriding Consideration and instead reduce the parking ratio to the minimum of 0.5 spaces per unit is noted. The comment will be considered by the City during deliberations on the EIR and the requested City approvals.

Letter
B16

RON BISHOP - ARCHITECT
409 45th Street - Oakland - CA - 94609 - (510) 652-4667 E-Mail: rbishop747@aol.com

MacArthur BART: Comments on the new infill proposal **March 17, 2008**
#ER0006-04

Charity Wagner, Consulting Planner
CEDA, Planning Division
250 Frank Ogawa Plaza # 3315
City Of Oakland, CA 94612
E-mail: clwagner@rrmdesign.com

Dear Ms. Wagner:

I am glad to see the MacArthur BART infill project is finally moving forward and we can make written comments to be included into the project.

MacArthur BART infill proposal EIR [#ER0006-04] requires that pertinent comments be made. I will focus first on the transportation element of the plan. I will add comments about other issues, but I want to ensure that the transportation element gets the attention it deserves. 1

Transportation:
BART is a transportation hub and the goal of BART, and most community participants, is to make MacArthur BART more accessible and increase the number of patrons that access BART on foot or by bicycle. Given that premises I question many of the decisions made by the transportation consultants. The plan, although apparently decreasing the number of parking spaces for BART, still follows auto access design and fails to achieve great solutions for pedestrians and bicycles. The vicinity of the BART Plaza should have a minimal amount of vehicular traffic and exist mostly as a pedestrian zone except for transit needs particularly at the rush hour times. 2

No bike lanes are shown or included in the design for the MacArthur/Entry Drive intersection. This Route is frequently used by pedestrians and bicycles despite the poor infrastructure and should be included in the planning for any new or revised entry from this intersection all the way to the BART Plaza. The City needs to step forward and provide the leadership to install the necessary infrastructure for Bike Lanes along MacArthur from Oakland Avenue to the Emeryville border in both directions.

Bike Parking:
Another element missing in the project is a Bike Station facility. The Fruitvale TODD included the Bike Station in the project and a Bike Station should be included in this project. TODD's are attempts to make the infrastructure less auto dependent, yet the MacArthur BART TODD leaves the improvement for bicycle access and storage out of the equation. The Bike Station was mentioned and included in all previous plans before the present Development Group took over the project. 3

Bicycle parking must be included not only for the BART needs but also for residents and customers for the retail segment of the project. Residents should get secure bike parking in the facility and a portion of the parking in/near the facility should be for guest of the residents. The retail bicycle parking requirements should be sufficient for the retail facility and since this is a TODD there should be a large contingent of bicycle use in the complex.

Letter
B16
Cont.

MacArthur BART Main Entrance at 40th St:

Existing Conditions:

All pedestrians must cross motor vehicle traffic twice to get from 40th St. on the north side to the BART plaza. Bicyclists must merge with traffic or dismount and use the pedestrian path.
On Entry Drive motorists and busses typically occupy one lane for loading and unloading and another lane to pass the stopped vehicles. That means that there are two vehicle lanes in one direction to allowing passing and stopping without interrupting traffic flow.

Proposed Conditions:

The new MacArthur BART 40th St. entrance makes the intersection two way and provides parking spaces for kiss & ride on the east side of the entrance.

The new plan will constrict the 40th St. BART entrance, be more confusing and dangerous to pedestrians, bicyclists and motorists, and contribute to gridlock several times a day.

BART access for cyclist has not been substantially improved at 40th St., but the City as a separate project has scheduled new Bike Lanes on 40th St. There is no improvement for passengers waiting for busses or shuttles in the plan. Entry Drive will now be a narrow, constricted, two-way road for motor vehicles where it is now one way at Entry Drive with room to pass stopped vehicles. On the positive side Oakland is adding a new 40th St. pedestrian crossing under the freeway as a separate project.

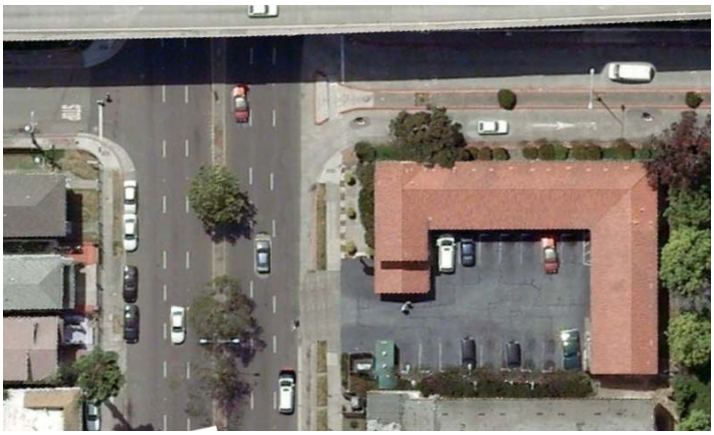
4

Village Drive and Entry Drive:
Just past the main pedestrian and bicycle entry to the MacArthur BART Station at 40th and Entry Drive, there is a "T" intersection at Entry Drive and the proposed new Village Drive. This intersection requires Entry Drive to become a two-way street from the Village Drive "T" to 40th St., which will decrease pedestrian, bicycle and motorist safety by increasing confusion and congestion where travelers are already in a hurry to catch their BART train. Kiss and ride drop off locations are also designed into the project along this short section. Village Drive should not have a vehicular connection to Entry Drive for normal traffic. Kiss & ride patrons should be dropped of and encouraged to walk from Village Drive or Telegraph to the BART Station and the two way section of Entry Drive should remain a one way entry as it is now. Bike parking should be convenient, adjacent to retail, and when possible covered.

MacArthur Blvd at BART

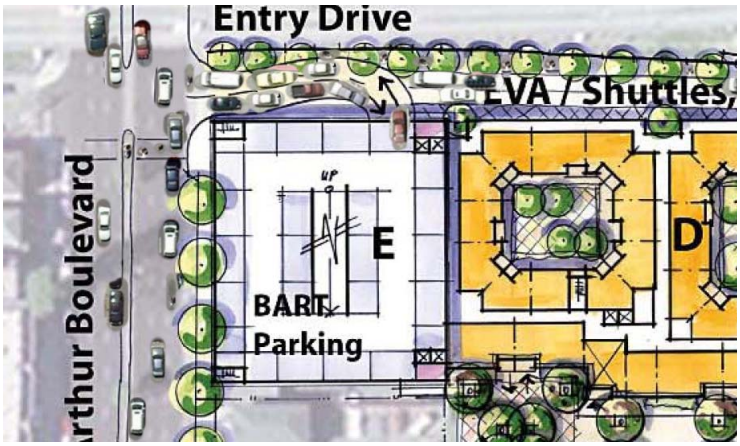
Existing Conditions:

Pedestrians and bicycles typically use the sidewalk along the west side of Entry Drive to access the BART station from MacArthur. Some bicyclists ride in the road the wrong direction to reach BART or the CalTrans Shuttle, as there is little traffic. There is no pedestrian crossing or left turn pocket at the MacArthur entrance and there is little vehicular traffic.



Proposed Conditions:

A new BART Parking garage will be built near the MacArthur BART entrance. This will create another opportunity for congestion that will slow public transit vehicles from leaving the BART premises. The circulation pattern in this area needs to address ped-bike access and improved transit exiting over parking ingress and egress.



At this scale it is difficult to determine how the ped-bike multi-use path from MacArthur to the BART station on Entry Drive's west side would work. It appears that the driveway, to enhance the entry to the parking garage, has intruded the pedestrian path. This needs to be corrected and a minimum 10-foot wide (12-foor preferred) multi-use path should be built to convey pedestrians and bicyclists to and from the station. Pedestrian friendly surfacing should be provided.

Letter
B16
Cont.

There appears to be a lack of pedestrian crossings included at the new MacArthur/ Entry Drive intersection and there is no indication of a signalized intersection. No signal would cause motorists leaving the parking and turning left to block other vehicles including transit vehicles from turning right unless there are two lanes [not indicated on the drawing]. Lack of a signal will also decrease ped-bike safety at the crossing. Pedestrians and cyclists entering BART must have safety and priority for BART access. Pedestrian crossings should be provided on each side of Entry Drive across MacArthur and the western most crossing should bear the brunt of the travel. Without a signalized intersection this will be a very difficult problem to resolve, as it will be even with a signal.

5 cont.

The garage should include bike parking located near the entry/exit located in areas where vehicular parking is not feasible. This would be another good location for additional bike parking lockers. There is normally sufficient space to include some bike parking where motor vehicles will not fit in this area and it could reduce pressure to include the entire bike parking at the plaza. There may even be a need for cyclist to park on MacArthur for future business and destinations.

Sustainable Design

I find it unfortunate that this proposal is not able to provide a greater density. The developer started with a 25-story proposal, which only raised the ire of the community. Instead of negotiating in good faith with the community, the developer team fell back to the 6-story flat top in the new proposal. The project missed out on height variation opportunities to include some 10-story buildings. In the process we also lost many of the community desires, enumerated during the CPC process. Renovation of the MacArthur BART property is a restructure of public land at BART and as such it should reach for high goals. Most CPC members agreed that the need for housing was high on the list, but forgotten was the desire for a new grocery store, a public meeting space, and park space to relieve the closed in high density feeling. This could still be included on top of new buildings; perhaps the garage might fulfill that function.

Some existing adjacent landowners will have the new development imposed on their right to light and livability with little attention by the developers to those adjacencies or solar access. Instead of dealing with given parameters the developer has determined to build at their height and not be to concerned with adjacencies. The transportation in the area will be impacted greatly and it behooves us all to ensure that pedestrians and bicycles get the best solution possible rather than meet code requirements, which are a minimum.

6

This is a very unique opportunity. Oakland, it citizens, and the developer must step up to the highest level of achievement. There will not be the possibility of another attempt. We must take the time and effort to reach our highest aspirations. This needs to be a sustainable, quality, solar project that provides for integrated low-income housing.

I find it unfortunate that this proposal is not able to provide a greater density through varying height, while also including a true open space park and other amenities that the citizens identified over the past 15 years. This low density proposal compromises TODD guidelines and may not provide sufficient mass or proper mixture to be a sustainable project. The possibility of views was thwarted due to a lack of good communication between the citizens and the developers. There was a failure to listen to the fine points and include public safety for all modes of transportation and needs of the community. No parks or open space are included to provide relief from the mass. Yards and roof top gardens have been discussed, but not included in the project. We need density, but we also need a sense of community and a place to sit and contemplate nature.
Sincerely,

Ron Bishop - Architect - AIA

Letter
B16
Cont.

Bishop Architecture
Bicycle Safety Instructor - LCI
[510] 652-4667

Background: Local resident and architect since 1979 UCB. originally appointed to the MacArthur BART Citizen Planning Committee (CPC) in 1993 and held a seat on the committee until 2005 when the CPC was disbanded and became a single entity. I have attended most past presentation proposals by other firms for this site. I continue to attend meetings regularly despite the deterioration of the relationship between the committee and citizens with the new developer. I am very familiar with the MacArthur BART Project in particular, and have reviewed and commented on several other Transit Oriented Design & Development (TODD) projects in the Bay Area. For my professional standing in the design community, I am a founding member of the Regional Urban Design Forum, AIAEB.

MacArthur Transit Village Project – Proposed Circulation Plan

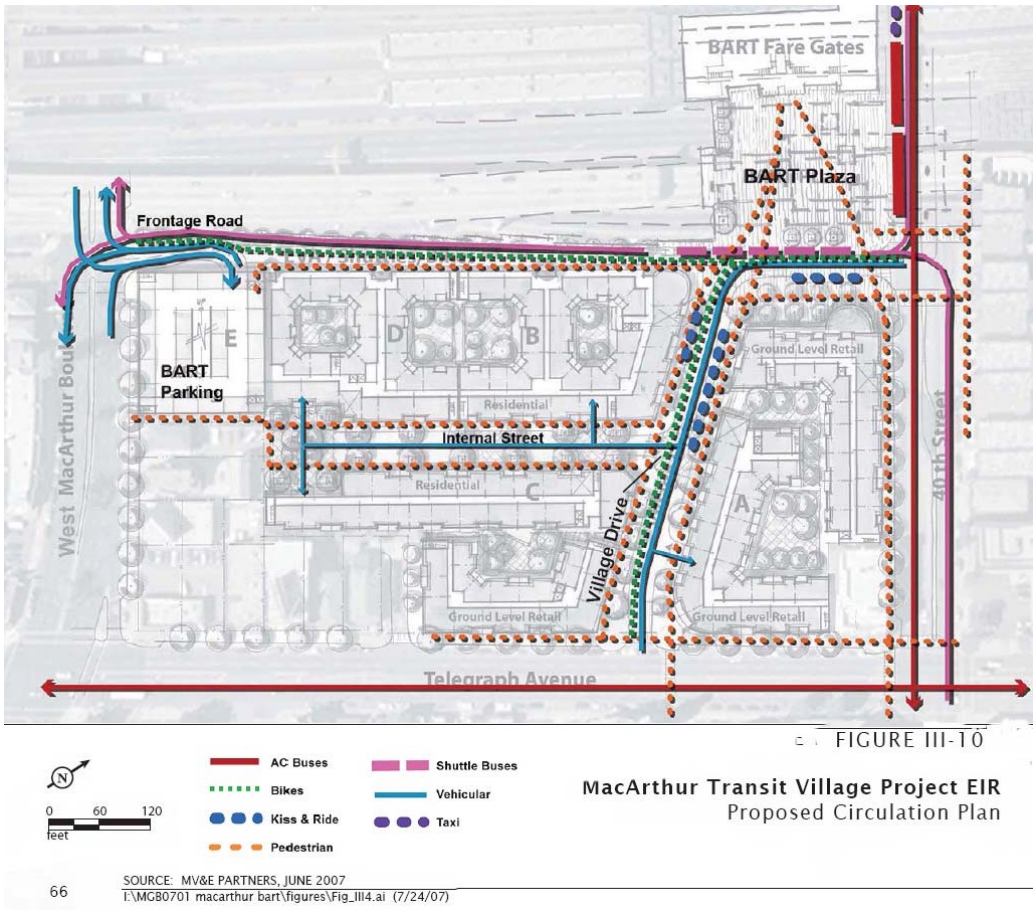


FIGURE III-10
MacArthur Transit Village Project EIR
Proposed Circulation Plan

SOURCE: MV&E PARTNERS, JUNE 2007
I:\MGB0701 macarthur bart\figures\Fig_III4.ai (7/24/07)

Letter
B16
Cont.

From: RBishop747@aol.com
Sent: Monday, March 17, 2008 4:41 PM
To: Wagner, Charity L.
Subject: MacBART - #ER0006-04 - Addendum

MacArthur BART: Comments on the new infill proposal Addendum
#ER0006-04

March 17, 2008

Charity Wagner, Consulting Planner
CEDA, Planning Division
250 Frank Ogawa Plaza # 3315
City Of Oakland, CA 94612
E-mail: clwagner@rrmdesign.com

Dear Ms. Wagner:

I find that I must make an amendment to add comments to my previously submitted comments.

The project must be respectful of adjacent existing tenants in regard to solar shading, aesthetics to the existing buildings, and environmental and structural care when abutting existing properties.

I did not see any reference to a commitment to: solar installations, energy efficient design, low income integrated inclusive housing, using sustainable products for the buildings or paving, and providing an impact absorbing material that is friendly to all levels of mobility, free of cracks or confusing designs within the project boundaries.

Also missing from the document is how the developers actually intend to address the excessive noise and pollution issues caused by the adjacent freeway point source for the inhabitants or the BART patrons.

7

Sincerely,

Ron Bishop - Architect - AIA
Bishop Architecture
Bicycle Safety Instructor - LCI
[510] 652-4667

LETTER B16
Ron Bishop (Email and Addendum)
February 4, 2008

Response B16-1: This introductory comment is noted. Responses to the comment in this letter are provided below.

Response B16-2: The City, BART and the project sponsor are considering a number of strategies to increase the accessibility to the BART station by pedestrians, bicyclist and transit and shuttle providers. As described on page 65 of the Draft EIR, two-way bicycle access would be included on Frontage Road. Pages 210 to 212 of the Draft EIR also describe and discuss the bicycle and pedestrian improvements that are proposed as part of the project. The text is provided below for easy reference:

> **a. Vehicle, Pedestrian and Bicycle Safety.** The proposed MacArthur Transit Village Project would result in increased vehicular traffic and pedestrian and bicycle activity in and around the project area. The streets surrounding the project site provide sidewalks on both sides and the internal project roadways would provide sidewalks and pedestrians paths. Approved and funded improvements in the study area benefiting pedestrians and bicyclist, such as the 40th Street/MacArthur Transit Hub improvements, were previously discussed on pages 164 to 166.
>
> In addition, the proposed project would include improvements to vehicle, pedestrian and bicycle access and circulation in and around the project area to improve safety and encourage more pedestrian and bicycle activity. These improvements would include:
>
> - Signalization of the three intersections providing access to the site (Frontage Road/40th Street, Telegraph Avenue/Village Drive, and Frontage Road/MacArthur Boulevard). These three intersections would provide marked crosswalks and pedestrian signal heads.
> - Implementing flashing pedestrian warning lights at garage driveways.

- Providing enhanced crosswalks, such as raised crosswalks, within the project area.
- Restrict transit and vehicle circulation to reduce pedestrian and bicycle conflict zones.
- Implementing wayfinding strategies such as directional signs within the project area and nearby neighborhoods.
- Providing bicycle access between the BART Station and West MacArthur Boulevard.
- Providing and enhancing bicycle parking for the Transit Village and BART Station.

In addition, as required by Mitigation Measures TRANS-6 and TRANS-8, protected left-turn phasing will be implemented at the Telegraph Avenue/40th Street and Telegraph Avenue/ West MacArthur Boulevard intersections. This improvement would reduce potential conflicts between left-turn vehicles and on-coming vehicles, pedestrians, and bicyclists.

The project site plan has not been finalized; the final project design will be reviewed to ensure consistency with design standards. Considering the above listed improvements, the final project design would minimize potential conflicts between various modes and provide safe and efficient pedestrian, bicycle, and vehicle connections between the BART Station, Transit Village and the surrounding circulation systems.

The proposed project would not cause a significant impact by substantially increasing traffic hazards to motor vehicles, bicycles, or pedestrians due to a design feature. The following improvements should be considered during review of the project's merits to further enhance safety for vehicles, pedestrians and bicycles in and around the project area and to encourage more pedestrian and bicycle activity:

Recommendation TRANS-1: In consultation with City of Oakland staff and pending feasibility studies, the following improvements should be considered in and around the project area:

- *Removal of the slip right-turns on northbound and southbound Telegraph Avenue at West MacArthur Boulevard.*

- *Providing street furniture and widening sidewalks where feasible in and around the project site.*
- *Providing pedestrian scale lighting on MacArthur Boulevard under the freeway overpass.*
- *Specific intersection improvements, such as advanced stop bars, median refuge islands, reduced corner curb radii, raised crosswalks, curb bulb-outs, audible pedestrian signals, and pedestrian and bicycle signal detection.*

The project sponsor is also preparing a TDM Plan that will identify measures to reduce vehicle trips and increase the use of alternative modes. The City is currently implementing the MacArthur Transit Hub/40th Street Streetscape improvement project, (currently under construction). This 40th Street Streetscape improvement project includes lighting, pedestrian, and bicycle access improvements in the 40th Street underpass between Martin Luther King, Jr. Way and the BART Frontage Road. BART is also studying opportunities for access improvements as part of an Access Feasibility Study that is being prepared.

This comment primarily relates to the project merits and not the adequacy of the Draft EIR analysis. The comment will be considered by the City during deliberations of the requested City approvals.

Response B16-3: See Response to B16-2. Also as is noted on page 68 of the Draft EIR, improvements to the BART Plaza are anticipated to include bike lockers. The project sponsor and BART are also considering the feasibility of a Bike Station, which will be included in the TDM Plan being prepared by the applicant in response to the Mitigation Measures included in the Draft EIR. This comment relates to the project merits and not the adequacy of the Draft EIR analysis. The comment will be considered by the City during deliberations of the requested City approvals.

Response B16-4: The conceptual site plan and on-site circulation and access illustrated in Figure III-10 has been reviewed based on the significance criteria detailed in the EIR and no significant impacts were identified. The proposed project will provide significant improvements for pedestrians, bicyclists, and shuttles along Frontage Road (labeled as Entry Drive on exhibits included in comment) over current conditions. Two-way circulation will be permitted along short segments of Frontage Road, but the majority of its length will be reserved for

shuttles, bicyclists and pedestrians. The City and the project sponsor have met with AC Transit and each of the shuttle providers to review the conceptual site plan and they are all supportive of the proposed plan, which the City will consider as part of the Preliminary Development Plan. Further detail will be provided and considered as part of the subsequent Final Development Plan approval process.

This comment primarily relates to the project merits. The comment will be considered by the City during deliberations of the requested City approvals.

Response B16-5: See Responses to Comments B16-2 and 4. Street sections that detail the travel lanes for each mode will be included in the Preliminary Development Plan submittal that will be considered during deliberations of the requested City approvals.

Response B16-6: The tower development initially proposed by the developer was determined to be infeasible for a number of reasons, not just as a result of the community opposition. The alternatives evaluated in the Draft EIR include a tower development to allow a tower to be considered in the future if market conditions change to make such a proposal feasible. The proposed project includes buildings that vary in height from 4 to 7 stories and elements that address many of the community's desires including a space for a childcare facility in the ground floor of one of the buildings. The tenants for the commercial space have not yet been determined, but the project sponsor has expressed interest in trying to secure a small neighborhood grocer as a tenant. The City and applicant are also discussing the potential of roof top gardens if they can be determined financially feasible for the proposed construction type and appropriate for this site given the relatively high noise levels.

Also please refer to Response to Comments B2-1 related to the adjacency of the proposed project to other development and B13-2 related to solar access.

As noted on page 71, the MacArthur Transit Village has been chosen to participate in the LEED ND Pilot Program. The project applicant will be incorporating features into the project that promote environmentally responsible, sustainable development, through increased density at transit, and improved bicycle and pedestrian access. The

project will use bioswales and porous pavers to manage stormwater, decrease heat island effect and achieve enhanced energy efficiency.

The comment states a desire for a TOD project with greater density and an open space park. The City and BART will consider the recommendations and concerns included in this comment as they review the final design components of the project during the project review process for both the Preliminary Development Plan (PDP) and the future Final Development Plans (FDPs).

The Preliminary Development Plans show that the project would provide approximately 60,000 square feet of group open space (approximately 95 sq.ft. per unit) within court yards and the open space plaza. The project's open space may increase as the plans are refined and the size and location of balconies are better defined.

Also please refer to Response to Comments B2-1 related to the adjacency of the proposed project to other development and B13-2 related to solar access.

Response B16-7: See Response to Comment B16-6.

The proposed project would include approximately 113 affordable rental units.

As noted in the City of Oakland's Condition of Approval (COA) NOISE-4, the applicant would be required to comply with the interior noise requirements outlined in the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level.

Potential air quality impacts are discussed in Section IV.D of the Draft EIR. As discussed on page 247, a health risk assessment was performed to evaluate the risk to future site residents caused by exposure to toxic air contaminants from vehicle exhaust from I-580, SR-24 and Telegraph Avenue. As is noted in the Draft EIR, the risk assessment determined that the future residents would not be exposed to significant levels of toxic air contaminants.

Letter
B17

March 17, 2008

VIA EMAIL TO: clwagner@rrmdesign.com

Charity Wagner, Consulting Planner
Re: Case No. ER0006-04
City of Oakland
CEDA, Planning Division
250 Frank Ogawa Plaza, Suite 3315
Oakland, CA 94612

Dear Ms. Wagner:

This letter provides comments on the air quality and noise chapters of the MacArthur Transit Villa DEIR.

1. CEQA regulations and Oakland's significance thresholds provide a legal basis for analysi exposure of sensitive receptor to air pollutants

The DEIR states that analysis of the impacts of pollutants from freeways on sensitive receptors "is legally required under CEQA." (p 247) This statement should be either substantiated or corrected. While it is accurate that the City of Oakland has not historically required projects adjacent to freeways to conduct such analysis, both CEQA regulations and Oakland's own significance thresholds indicate that such an analysis should be done when there are potential for a project to expose sensitive receptors to substantial and detrimental pollutant concentrations.

Federal and state regulations control air pollutants at the regional level by limiting vehicle and stationary sources emissions. However, current State and Federal air quality regulations do not protect sensitive land uses from air pollution "hot spots" associated with proximity to transportatio facilities. Because of the robust evidence relating proximity to roadways and a range of non-cance and cancer health effects such as those described below, the California Air Resource Board (CARI created guidance for avoiding air quality conflicts in land use planning in their *Air Quality and La Use Handbook: A Community Health Perspective* (2005). (CARB 2005) In their guidance, CARB recommends not locating sensitive land uses, including residential developments and health care facilities, within 500 feet of a highway with more than 100,000 vehicles per day. CARB guidanc suggests context-specific evaluation of air quality and application of this guidance in individual la use decisions.

Thresholds for significance noted in the MBTV DEIR state that "implementation of the project would have a significant impact on air quality if it would…expose sensitive receptors to substantial pollutant concentrations." As this significance threshold acknowledges, an EIR under CEQA is required to discuss health and safety problems caused by the physical environmental changes that result from development of a project (CCR §15126.2), and must analyze any significant environmental effects the project might cause by bringing development and people into the area affected by an environmental hazard (see again CEQA Guidelines, Section 15126.2).

1

2. The risk assessment conducted in the DEIR should consider roadway air pollutant impacts on sensitive uses comprehensively

The DEIR for the project includes a human health risk assessment to assess potential health effects on sensitive residential uses related high volume roadways. The risk assessment determined that "…the future residents would not be exposed to significant levels of to toxic air contaminants; as a result no significant impact related to the location of sensitive uses adjacent to a freeway would result." (p 267) However, the risk assessment conducted for the DEIR focused exclusively on mobile sources of listed toxic air contaminants. The cancer risk assessment of mobile source air toxics is appropriate but not sufficient to make evidence based judgment about the health impacts from roadway air pollution sources on sensitive uses.

The error in the approach taken in the MBTV DEIR appears to be equating and confounding two important but distinct human health concerns associated with proximity to roadways—namely, the epidemiological findings that acute and chronic health hazards associated with proximity to high volume roadways and the more specific cancer hazards associated with specific mobile source toxics such as diesel exhaust.

It is critical to distinguish between these two related hazards, with regards to impact assessment and mitigation because either pathway may result in exposure of sensitive receptors to substantial pollutant concentrations. It is particularly notable that none of the epidemiologic studies referenced by CARB in developing their guidance on land use-roadway conflicts focused on cancer endpoints.

2

The non-cancer health impacts of placing sensitive uses in proximity to roadways are considerable. Air quality research consistently demonstrates that pollutant levels are a significantly higher near freeways and busy roadway and human health studies have consistently demonstrated that children living within 300-600 feet of freeways or busy roadways have poorer lung function and more respiratory disease (Delfino 2002).

Engine exhaust, from diesel, gasoline, and other combustion engines, are complex mixtures of particles and gases, with collective and individual toxicological characteristics. Furthermore, at present, it is not possible to attribute the effects of roadway proximity on non-cancer health effects described above to one or more specific vehicle types or vehicle pollutants.

Researchers have found relationships between roadway distance and pollutant concentration for several specific contaminants including CO, nitrogen oxides, and particulate matter (Jerrett 2005). One study which used a land use regression models for Alameda County found proximity to traffic to be a key predictor of ambient nitrogen dioxide concentrations.

In children, roadway proximity is associated with asthma prevalence, asthma symptoms and hospitalization, and impaired lung growth. Studies conducted in California are noted below.

1. In Oakland California, school children at schools in proximity to high volume roadways experienced more asthma and bronchitis symptoms (Kim 2004).
2. In a low income population of children in San Diego, children with asthma living with 550 feet of high traffic flows were more likely than those residing near lower traffic flows to have more medical care visits for asthma (English 1999).
3. In a study of Southern California School Children, living within 75 meters of a major road was associated with an increased risk of lifetime asthma, prevalent asthma, and wheeze (McConnell 2006).

Letter
B17
Cont.

4. In a study conducted in 12 southern California communities, children who lived within 500 feet of a freeway had reduced growth in lung capacity relate to those living greater than 1,500 feet from the freeway (Gauderman 2004).

2 cont.

3. Methods for exposure and health assessment exist to address non-cancer, short-latency health impacts

Clearly the project site falls within the advisory provided by CARB. There are several ways to evaluate air quality impacts from roadway proximity on sensitive uses. One approach would be evaluate qualitatively whether the conditions under which such effects are observed in epidemiologic studies are similar to the conditions expected at the project site. As referenced above, in Oakland California, school children at schools in proximity to high volume roadways experienced more asthma and bronchitis symptoms.

An alternative approach is to quantify the spatial extent of roadway pollutants from vehicle sources and to evaluate roadway contributions of criteria air pollutants against the health effects of the incremental roadway based exposures. PM2.5 or NO2 are two metrics that represent relatively sensitive signals for near source motor vehicle exhaust emissions. Both PM 2.5 and NO2 are also associated with short-latency acute and chronic health impacts and standard modeling tools exist to assess roadway exposure for these two critical pollutants.

The impact of roadway air pollutants on new sensitive uses was analyzed in the June 2007 Draft EIR for the Eastern Neighborhoods Rezoning and Area Plans prepared by the City and County of San Francisco. That Draft EIR concluded that, if unmitigated, rezoning in these areas would likely result in significant environmental impacts to new residential uses because of the respiratory health effects of living near busy roadways (CCSF 2007). The Draft EIR also included mitigation requirements for proposed residential projects to analyze roadway pollution and mitigate effects on new residential uses through ventilation systems and building design. This approach has been used in several subsequent EIRs in San Francisco.

3

To implement this mitigation, Department of Public Health (SFDPH) established that a roadway contribution of 0.2 ug/m3 $PM_{2.5}$, measured as an annual average, should be a trigger or action-level for a project requiring incorporation of appropriate for ventilation system to mitigate roadway air pollutants. This action level was based upon concentration/response functions for mortality and $PM_{2.5}$, published in the California Air Resources Board, Particulate Matter Staff Report, 2002, and an intra-urban study in Southern California (Jerrett 2005). The Department of Public Health did not establish a similar action level for 24-hour concentration of $PM_{2.5}$.

Line source dispersion models are established tools to predict ambient concentrations of pollutants from traffic sources near roadways taking into account meteorological conditions, pollutant type, and other parameters (Yura 2007). CAL3CHCR, derived from the CALINE3 model, is one of the USEPA accepted and preferred models for air quality modeling and has the capacity to model the spatial extent of particulate matter contributions from roadway sources (USEPA Website). The Sacramento Metropolitan Air Quality District's (SMAQMD) in their recently upgraded CEQA guidance recommends CAL3QHCR should be used in assessment of roadway proximity health risks as the dispersion model to estimate PM_{10} concentrations at defined receptor locations by processing hourly meteorological data over a year, hourly emissions, and traffic volume. The San Francisco Health Department has used CAL3QHCR to model $PM_{2.5}$ concentration at potential sensitive receptors for several residential and non residential projects locations in San Francisco.

Letter
B17
Cont.

Figure 1 (attached below) illustrates estimated annual average freeway contributions to PM 2.5 concentrations at the Mac Arthur Bart Transit Village project site. Based upon the CAL3QHCR Line Source Dispersion Model Version 2.0, the maximum annual average contribution to PM 2.5 concentrations of from vehicles on major roadways at the project site was 0.31 micrograms per cubic meter. Figure 2 reflects the highest 24 hour concentration from freeway sources.

For the purpose of this analysis we used truck percentages and peak hourly traffic count data from California Department of Transportation (CalTrans). EMFAC 2007 for Alameda County was used to calculate emissions. Annual exposure was modeled using annual emissions at 55mph, 50% relative humidity, and 50 degrees F. Surface meteorology in the SAMSOM format was obtained from San Francisco International Airport and Upper Air Data in the SCRAM format was obtained for the Oakland Metropolitan Airport. Analysis was completed with the CALRoads View Interface Program produced by Lake Environmental.

3 cont.

There is no established health based no effect level for PM 2.5 exposure and both EPA and CARB have acknowledged that health effects occur below current state and federal thresholds for PM. Based upon recent study in Los Angeles, a 0.1 ug /m3 change in PM2.5 results in a 0.14% increase in non-injury mortality or an increase of about one excess death per 100,000 persons per year (Jerrett 2005). Similarly, based upon Concentration Response Functions in the 2002 CARB Staff Report on AAQS for PM a 0.1 ug /m3 increase in PM2.5 affecting a population of 100,000 adults would result in about 1 extra premature death per year. The same increase would result in ~80 days per year with respiratory symptoms, 108 days with work limitations, and 577 days with minor activity limitations in the same adult population.

4. Mechanical ventilation systems with fresh air filtration are feasible mitigations to protect sensitive uses from roadway impacts

Building near transit has known regional benefits on air quality. Where it is desirable to develop at a site with significant traffic-related air pollutant exposures, design and development should include sufficient verifiable mitigations to protect future residents from higher rates of morbidity and mortality. One approach is to install a central HVAC (heating, ventilation and air conditioning) including high efficiency filters and/ or carbon filter to filter particulates and t other chemical matter.

Ideally, air intake systems for HVAC should be placed based on exposure modeling to minimize roadway air pollution sources and building should limit infiltration of unfiltered outdoor air or systems should maintain positive pressure within the building.

4

According to a recent study by Lawrence Berkeley Laboratory, mechanical ventilation with the following parameters would remove 80% of fine particulate matter mitigating roadway effects of particulates and having added health benefits in terms of reducing allergen loads (Fisk 2001):

- ASHRAE 85% supply air filters;
- >= 1 air exchanges per hour of fresh outside filtered air ;
- >= 4 air exchanges / hour recirculation;
- <= 0.25 air exchanges per hour in unfiltered infiltration.

Ideally, the developer should also ensure an ongoing maintenance plan for the HVAC and filtration systems; disclose to buyers the findings of air quality evaluations; and inform occupant's regarding the proper use of any installed air filtration.

Letter
B17
Cont.

5. The DEIR implies that physiological effects of noise begin at 75dBa. This conclusion is questionable based on a contemporary review of the evidence.

According to the DEIR "Exposure to high noise levels affects our entire system, with prolonged noise exposure in excess of 75 dBA increasing body tensions, and thereby affecting blood pressure, functions of the ear, and the nervous system." (p. 283) However, many physiological effects of exposure to environmental noise are well documented at levels occur below 75 dBA (WHO 1999). Most notably, there is a convincing relationship between increasing community noise, including traffic noise, and the risk of myocardial infarction at noise levels above 60dBA (Van kempen E 2002; Babish 2008). 5

6. Conditions of approval to meet interior noise standards are appropriate but could be strengthened.

Based on existing conditions, the DEIR concludes that meeting interior noise standards 45 dBA Ldn will require alternate form of ventilation and sound-rated assemblies determined by a more specific acoustical analysis. In COA NOISE-4: Interior Noise, the DEIR specifies the need for sound rated assemblies with an overall STC-30 rating with windows having a minimum STC-34 rating and an alternate form of ventilation, such as air conditioning systems to ensure that windows could remain closed. The findings and recommendations in the DEIR are appropriate; however, I recommend the following additions to the conditions of approval listed in COA NOISE-4: (a) incorporate in ventilation systems filtration of ambient make up air provided to each unit; (b) because of the proximity to the freeway, avoid the use of Z-ducts; (c) ensure acoustical analysis accounts for ventilation system noise; and (d) include performance testing of a sample of constructed units occur to ensure compliance with interior noise standards. 6

7. The DEIR should ensure interior noise protections account for single event levels of noise at night to protect residents from sleep disturbance.

Because the primary sources of noise at the site are transportation sources that may be present at nighttime, it is important to assess the maximum single event levels of community noise at nighttime and their potential effects on sleep disturbance, and whether acoustical protections. Dose response functions permit the evaluation of single event levels of noise an sleep disturbance. The U.S. Federal Interagency Committee on Noise has found that the relationship between sleep disturbance and noise is as follows (http://www.fican.org/pdf/nai-8-92.pdf): 7

$$\%\ Awakening = (7.079 \times 10^{-6}) \times SEL^{3.4961}$$

Acoustical protection should be designed sufficient to limit nighttime awaking from single noise events.

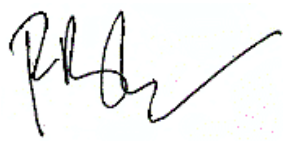
8. The recommendations in the DEIR of the need to protect outdoor spaces from ambient traffic noise are appropriate but should be mitigation measures. 8

Letter
B17
Cont.

Noise can both limit the utility of outdoor spaces as well as be detrimental for the health of those chronically exposed in such spaces. The recommendation to shield outdoor spaces with buildings or buffer these spaces with sufficient distance would be protective of health. I suggest that Recommendation NOISE-1 be formally included as a condition of approval for the project. 8 cont.

Thank you for your consideration of these comments.

Sincerely,



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Letter
B17
Cont.

Figure 1: Modeled annual average concentrations of PM 2.5 from freeway sources at the Macarthur Transit Village

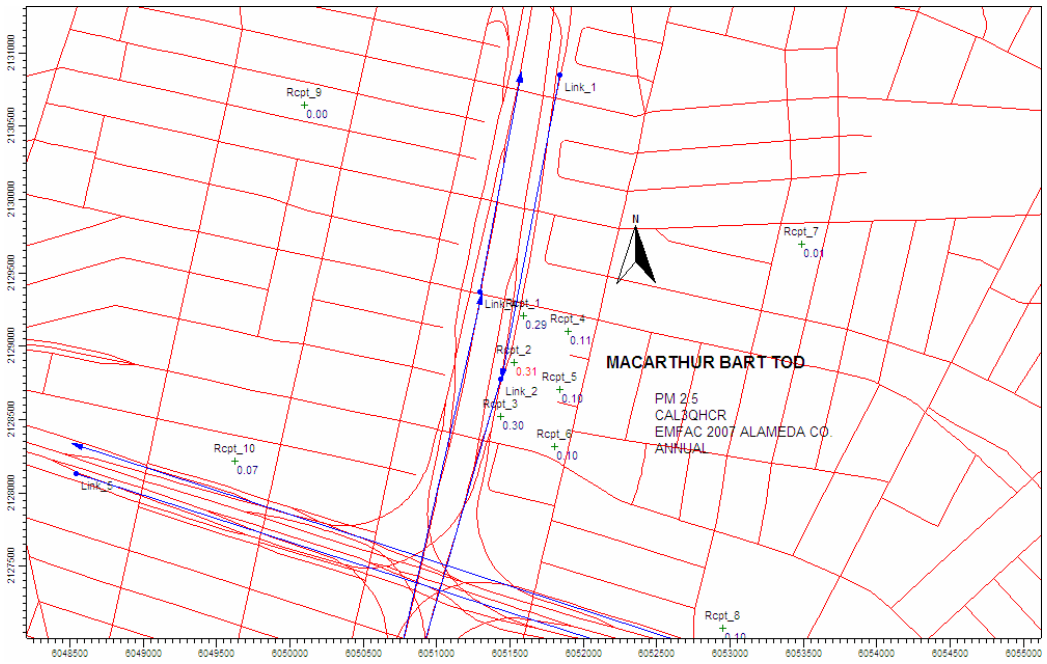

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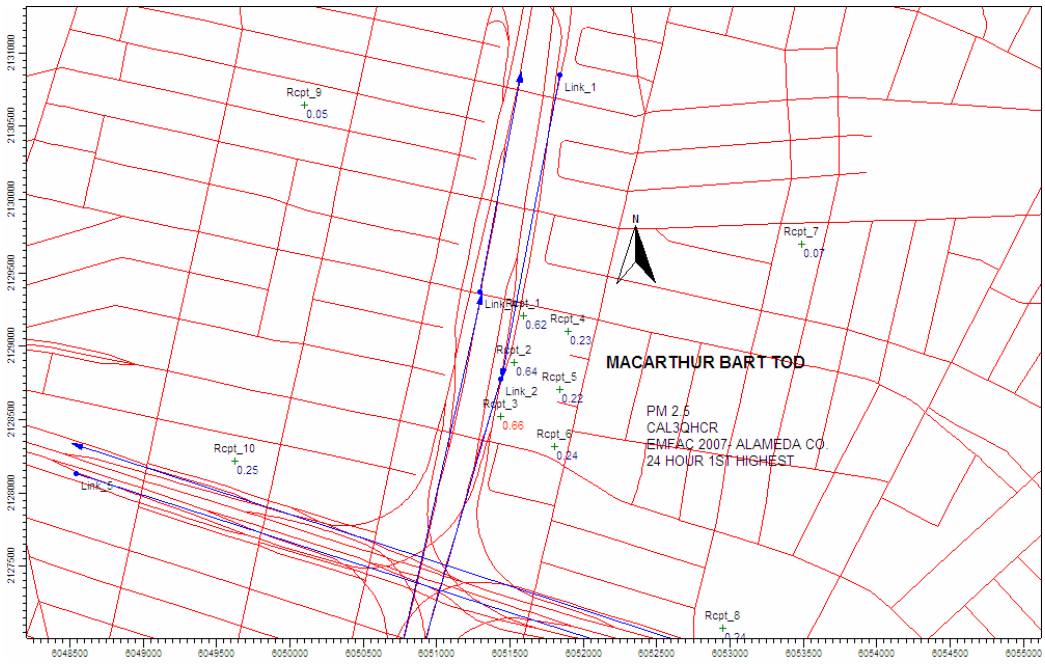
Figure 2: Modeled maximum 24 hour concentrations of PM 2.5 from freeway sources at the Macarthur Transit Village



Letter
B17
Cont.

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LETTER B17
Rajiv Bhatia, MD, MPH
February 4, 2008

Response B17-1: The commenter expresses his opinion about the requirements of CEQA. The air quality section of the Draft EIR evaluated all potential sources of air pollution consistent with BAAQMD and California Air Resources Board guidelines, requirements of CEQA, and City standards. Comment noted.

Response B17-2: This comment states that the risk assessment conducted in the Draft EIR should consider roadway air pollutant impacts on sensitive uses comprehensively. Contrary to the commenter's assertion, the potential health impacts of exposure to vehicle emissions were assessed comprehensively. As documented in the Bay Area Air Quality Management District's (BAAQMD's) *Community Air Risk Evaluation Project Phase 1* findings, diesel particulate matter (PM) in the Bay Area is linked to about 80 percent of the cancer risk from airborne toxics in addition to diesel's contribution of fine particulate matter in acute impacts such as aggravation of the heart and respiratory disease, including asthma. Major sources of diesel PM include on-road diesel trucks present on high volume freeways. Diesel PM exposure was evaluated in the project's health risk assessment, described below.

Due to the proximity of the project to a high volume roadway (Highway 24), vehicle pollution sources were accounted for in the Draft EIR health risk assessment. The health risk assessment was conducted following guidelines from the California Air Resources Board (ARB) and the Office of Environmental Health and Hazard Assessment (OEHHA) for exposure to vehicular exhaust from roadways. The analysis followed all protocols for the evaluation of toxic air contaminants (TACs), including diesel PM, and presented the findings as compared to the specified significance criteria. Exposure on the project site was found to be under the significance criteria for acute and chronic non-cancer health effects, as well as for carcinogenic health effects. Hence, the commenter's assertion that both "acute and chronic health hazards" and "specific cancer hazards" must be evaluated has already been addressed and the impacts found to be less than significant.

This comment references several studies that discuss the potential for exposure to high traffic areas to cause an increased risk of contracting cancer or experiencing other adverse health effects on populations. The complete reference citations are not included in the comment, but are similar to cites by the commenter in other public papers he has prepared. Further, it should be noted that one of the studies referenced has been incorrectly summarized. Guaderman 2004 does not conclude that children who lived within 500 feet of a freeway had reduced growth in lung capacity related to those living further than 1,500 feet from the freeway. Instead, this article discusses the effect of air pollution on lung development with no reference to freeway distances.

Most of the studies referenced in this comment are mapping studies that attempt to correlate particular health effects with proximity to high traffic areas. While the studies do identify a correlation, none of the referenced studies establish a causal link between high traffic areas and health effects. Indeed, even the commenter does not state that there is a causal link between proximity to high traffic areas and health effects. Moreover, while the comment references English 1999[3] as an example of a California study of traffic and health effects, the commenter fails to note that the study found no evidence of increased asthma risk with higher traffic counts near children's residences, and instead concluded only that proximity to traffic has a possible relation to an increase in repeat medical visits.

Some of the mapping studies referenced discuss a variety of airborne emissions sources in addition to vehicle exhaust. Vehicular emissions contain criteria pollutants (oxides of nitrogen [NOx], oxides of sulfur [SOx], carbon monoxide [CO], respirable particulate matter [PM_{10}] and volatile organic compounds [VOCs]) and some chemicals classified by the California OEHHA as TACs. There is no indication, either in the literature or in the comment that the effects result solely from particulate matter exposure.

[3] English, P., Neutra R., Scalf R., Sullivan M., Waller L., and Zhu L. 1999. *Examining Associations Between Childhood Asthma and Traffic Flow Using a Geographic Information System.* Environmental Health Perspectives 107(9):761-767.

Many of the studies referenced cite particulate matter as being the important factor in potential health effects associated with freeways or other high traffic areas. Except for concentrations that exceed adopted ambient air quality standards, it is not a settled issue in the scientific community that specific concentrations or specific increases in particulate matter concentration cause adverse health effects. This is a subject of great debate and study. In particular, whether the observed weak statistical association between particulate matter and health effects identified in some studies represents biological causation is the subject of intense research and dispute in the scientific community.[4,5,6,7,8,9]

Response B17-3: The commenter states that there are "several ways to evaluate air quality impacts from roadway proximity on sensitive uses," and provides two examples. The commenter is correct. The analysis prepared for the Draft EIR used a different approach from those suggested by the commenter. As stated in the response to comment B17-2, the health risk assessment conducted for the Draft EIR follows applicable regulatory guidance. The existing guidance is designed to be conservative enough to be protective of all human health, including healthy adults, children and the infirm. No changes to the

[4] Lipfert, F.W., Ahang, J., and Wyzga, R.E. (2000). *Infant mortality and air pollution: A comprehensive analysis of U.S. data for 1990.* J Air & Waste Manage Assoc 50:1350-1366.

[5] Lippman, M., Frampton M., Schwartz, J., et al. 2003. *The U.S. Environmental Protection Agency particulate matter health effects research centers program: A midcourse report of status, progress, and plans.* Environmental Health Perspectives 111(8), 1074-1092

[6] Moolgavkar, S.H. (2000). *Air pollution and hospital admissions for chronic obstructive pulmonary disease in three metropolitan areas in the United States.* Inhal Toxicol 12(Suppl 4):75-90.

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[8] Green, L.C., Crouch, E.A.C., Ames, M.R., and Lash, T.L. (2002). What's wrong with the National Ambient Air Quality Standard (NAAQS) for fine particulate matter ($PM_{2.5}$)? Regul Toxicol Pharmacol 35:327-337.

[9] Mage, D.T. (2002). *A particle is not a particle is not a PARTICLE.* J Exp Anal Environ Epidemiol 12:93-95.

health risk assessment or additional analysis are needed to fully consider the human health risks.[10]

In the previous section, the commenter states, "Engine exhaust, from diesel, gasoline, and other combustion engines, are complex mixtures of particles and gases, with collective and individual toxicological characteristics. Furthermore, at present, it is not possible to attribute the effects of roadway proximity on non-cancer health effects described above to one or more specific vehicle types or vehicle pollutants [emphasis added]." Yet, despite correctly stating that any effects of roadway proximity can not be assigned to a specific pollutant, the comment goes on to assert that the described complex analysis of potential health impacts can, in fact, be evaluated by looking at a single pollutant, $PM_{2.5}$.

The suggested project action level or trigger of a roadway contribution of 0.2 ug/m3 PM 2.5, measured as an annual average, has been used only in San Francisco and has not been accepted by any regulatory agencies or standard making bodies..

Importantly, the BAAQMD, the agency that is responsible for the impacts of air quality on public health in the Bay Area, and an agency that frequently comments on California Environmental Quality Act (CEQA) documents, has not adopted any threshold of significance for incremental $PM_{2.5}$ above background concentrations. Furthermore, the commenter's recommended action level is so small that it is beyond the level which can be discerned by the current state-of-the-art measurement techniques.

There is little information documenting the commenter's derivation of the threshold in his role as the Director of Occupational and Environmental Health for the City and County of San Francisco. In a May 3, 2007 letter he wrote to Paul Malzer, former Environmental Review Officer in San Francisco, he states his rationale for a threshold of 0.1 to 0.2 $\mu g/m^3$, and apparently basis this quantitative level on a single article by Jerrett[11]. Public policy on threshold levels are not

[10] A revision was made to the HRA to correct an error (see page 124 of Chapter IV of this document). The revision did not change the finding that no significant impact would occur.

[11] Jerrett, Michael, et al. *Spatial Analysis of Air Pollution and Mortality in Los Angeles* Epidemiology. Volume 16, Number 6, November 2005

properly made by a single individual based on a single article. Rather, numerous scientific articles are reviewed, the process is open to public comment, and a considered decision is made. This is the process that the California ARB and OEHHA follow when setting the California Ambient Air Quality Standards.

The South Coast Ambient Air Quality Management District (SCAQMD) is very active in setting thresholds for significance under CEQA. The SCAQMD is responsible for protecting public health from air quality impacts in the Los Angeles area, one of the most polluted regions in the nation. The SCAQMD lists a 24-hour maximum for incremental PM2.5 but does not list an annual average.

Accordingly, in the absence of adopted regulatory standards or pollutant-specific trigger levels, there is little rationale for modeling emissions from the freeway as the commenter recommends.

Response B17-4: The analysis included in the Draft EIR does not identify any significant impacts that warrant mitigation to be imposed under CEQA. The commenter appears to recommend mitigation regardless of whether a regulatory threshold has been met, and provides proposed mitigation techniques, stating that mechanical ventilation systems with fresh air filtration are feasible mitigations to protect sensitive uses from roadway impacts. As determined in the air quality analysis of the Draft EIR, significant air quality impacts would not occur, therefore mitigation measures are not required.

Although the studies conducted for the EIR demonstrate that the project site was found to be below the significance criteria for health risk based on the assessment prepared in accordance with the California Air Resources Board and the Office of Environmental Health and Hazard Assessment for exposure to vehicular exhaust from roadways, the project sponsor has agreed to incorporate into the project a mechanical ventilation system that meets the efficiency standard of the MERV 13 for those units with windows fronting the freeway or Frontage Road. The ventilations shall be subject to review and approval by the City's Building Services Division.

Response B17-5: This comment refers to the discussion on the characteristics of sound found in the Setting subsection of the Noise and Vibration section of the Draft EIR, and is intended to provide context to understanding the

effects of noise on individuals. The commenter does not provide information disputing the validity of the statement, but only offers additional information regarding the effects of exposure to environmental noise. The setting section is not meant to be a comprehensive explanation of all of the characteristics of noise, but rather an overview. Further, it is noted that the comment letter does not question the significance criteria that are detailed on page 297, which were utilized for determining whether the noise effects associated with the project would be significant. The impact analysis, which evaluates the effects of the project, concludes that the users of the project would not be exposed to unacceptable noise levels based on the significance criteria.

Response B17-6: The commentor states that the conditions of approval included to address the interior noise standards are appropriate and includes recommendations for additional conditions and features that would further decrease noise impacts. As presented in the Draft EIR, the project must meet the interior noise standard of 45 dBA L_{dn}. This will be achieved through a mandatory condition of approval requiring that "noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls) shall be incorporated into the project building design, based upon recommendations of a qualified acoustical engineer. Final recommendations for sound-rated assemblies will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phase" (COA NOISE-4: Interior Noise). It is during this analysis that the acoustical engineer will determine the need, if any, for additional noise attenuation features such as those outlined in this comment. These determinations can only be made after the buildings are designed. Review and approval of the final design and compliance with the interior noise standard will occur during building permit review (see MMRP). Consequently, COA NOISE-4 will ensure that any potential interior noise impact will be reduced to a less-than-significant level.

Response B17-7: The noise analysis conducted for this project did consider single event noise sources as described on pages 294 and 306 of the Draft EIR. The highest instantaneous sound level measured, 77.1 dBA, was associated with buses and is lower than any projected vehicular noise levels for the area. As a result, potential single event noises would be reduced through the implementation of the City's Standard Condition of Approval (COA NOISE-4) for Interior Noise that is detailed on page

207. Incorporating design features to meet the City's interior noise level standard of 45 dBA L_{dn} would reduce exterior noise impacts to a less-than-significant level.

Response B17-8: The City does not consider noise impacts for private outdoor use areas to be a significant impact given that the City is a dense urban environment. Therefore, the recommendations are not warranted as mitigation measures as there is no significant impact that triggers the need for such mitigation measures under CEQA or the City Oakland's significance criteria. Nonetheless, the City has included COA 39 in the project conditions of approval that requires to the extent practicable, exterior active use areas, including playgrounds, patios, and decks, shall either be shielded by buildings or otherwise buffered to reduce exterior noise for project residents. These recommendations will be considered by the City during its review of the project. Comment noted.

Letter
B18

EAST BAY BICYCLE COALITION

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FRUITVALE VILLAGE, 3301 EAST 12th ST, SUITE 143
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March 14, 2008

Charity Wagner, Consulting Planner
CEDA, Planning Division
250 Frank Ogawa Plaza # 3315
City Of Oakland, CA 94612
By FAX 238-6538

MacArthur BART: Comments on the new infill proposal #ER0006-04

Please consider the bicycle parking needs at the development and set aside space for a Bike Station to accommodate residents, guests and transit users. Secure bicycle parking is certainly needed at this busy location. 1

Robert Raburn
Executive Director

LETTER B18
East Bay Bike Coalition
February 4, 2008

Response B18-1: The developer will provide secure bicycle storage facilities for residents, employees, and visitors to MacArthur Transit Village. Long-term parking will be provided in a storage room within the parking garage of each block at ratios to meet or exceed the requirements of the City's bike parking requirements. The City is developing an ordinance defining specific requirements for bicycle parking for commercial and residential land uses in new development (included in chapter 5 of the 2007 Bicycle Master Plan Update). The project applicant is committed to providing bicycle parking in accordance with the draft ordinance that the Planning Commission reviewed and recommended the City Council adopt. The draft ordinance includes requirements such as provision of a locker or locked enclosure for long-term bicycle parking and the provision of short-term bicycle parking within 50 feet of retail uses.[12] Key criteria for the location and design of bicycle racks will include: visibility, access, lighting, weather protection, avoidance of conflict with pedestrians and vehicles, and security (including being able to lock both wheels, etc.).

In total, the project applicant is committed to providing approximately 43 short-term and 172 long-term parking spaces consistent with the requirement of the draft ordinance. The developer is also exploring the possibility of providing a "do-it-yourself" bicycle repair room on-site, on Block A. A second facility may also be provided on Block C.

Also see Response to Comment B16-3 regarding the feasibility of a bike station.

This comment does not relate to the adequacy of the EIR; the comments will be considered as part of the project deliberations.

[12] Current information about the City of Oakland bicycle ordinance is available at http://www.oaklandpw.com/Page127.aspx#ordinance.

C. PUBLIC HEARING COMMENTS

A Public Hearing on the Draft EIR was held before the Planning Commission on March 5, 2008. The following individuals from the public spoke regarding the EIR: Ellen Dektar, Ruth Treisman, Walter Miles, Kari Mashburn, Colleen Vetter and Sanjiv Honda. Planning Commissioner Zayas-Mart also spoke regarding the EIR. None of the other Planning Commissioners had comments. The following provides a summary of the comments following by responses to the comments that are relevant to the EIR.

Ellen Dektar

- Supportive of project.
- Likes that project has an area designated for childcare use because it is a good and much needed amenity for the neighborhood.
- The neighborhood needs new housing opportunities for empty nesters and senior citizens.

Response: The speaker's support for the project is noted.

Ruth Treisman

- Most components/aspects of the project are great; some are horrible.
- The building she owns at 505 40th Street at the corner of Telegraph and 40th will be impacted badly by the project.
- 505 40th Street has 11 apartments in the building, 8 will be impacted.
- Apartments will face a wall that is taller than 505 40th Street.
- 505 40th Street was built in 1918.
- Proximity of construction is immediately adjacent to the apartments at 505 40th Street.
- EIR is misleading; shadow study is shown on the roof.
- Construction that is taking place on 40th Street is giving tenants at 505 40th Street a taste of what construction from the project will feel like.

Response: This speaker also presented her comments in writing. See Response Comment Letter B13.

Walter Miles

- Supportive of project.
- Has been involved in the Citizen's Planning Committee that has been working on the project for 15 years.
- Project is moving forward after so many years, and is very exciting.

Response: The speaker's support for the project is noted.

Kari Mashburn

- Was shot on way home from BART 20 years ago.
- Drives to BART when/if she uses it.
- Happy about transit village, but very concerned about loss of ½ of parking spaces.
- Glad that project is providing affordable housing.
- Scary to loose half of parking because of safety impact to neighborhood.
- Project should be sure to include handicap accessible parking.

Response: The speaker's support for the project is noted. See Response to Comment B5-1 regarding the reduction in the BART parking.

Colleen Vetter

- Has owned property in area for many years.
- Never envisioned the problems with parking in front of her home.
- Parking in area is hard because of all of the housing and motels.
- Most damaging part of project is the parking reduction, which will have catastrophic effects on the neighborhood.
- The project should include doubling the parking, not cutting it in half.
- Failure to provide parking is failure to meet BART's goals.

Response: See Response to Comment B5-1 regarding the reduction in the BART parking.

Sanjiv Honda

- The transit village at Fruitvale BART has not delivered.
- Only 6 units have been sold in Downtown Oakland in 56 days.
- The survey of the parking in the area only included 8 square blocks to count the number of parked vehicles.
- How many of the spaces in the survey area were handicap or red zones?
- The City should consider AC Transit cuts in service and it's effects on BART. ridership, and how AC Transit is dropping out of the "Fast Pass" system.
- Public safety issues should be addressed in the EIR.

Response: *Parking Survey.* The parking occupancy counts were conducted within the ¼-mile area, which is comprised of approximately 12 blocks. Within a ¼-mile of the MacArthur BART station, which roughly corresponds with the distance patrons feel comfortable walking from their car to a station, there are approximately 1,080 on-street parking spaces in the surrounding neighborhood streets. The number of spaces was estimated through a field review in May 2006 of neighborhood streets within the ¼-mile area. Parking spaces were not generally delineated, so the number of spaces on a given block face was

estimated using an average of 22 feet per parking space.[13] Curb cuts, no-parking zones, and corners were not included in the block face length calculation. On streets with marked spaces, the spaces were simply counted. Counts were taken every 30 minutes during three periods of the day: the morning peak from 6:30 AM to 10:00 AM, the midday from 11:00 AM to 1:00 PM, and the evening peak from 4:00 PM to 6:30 PM. The license plate survey was conducted on each street at 6:30 AM and a second time at 10:00 AM. By having a list of the vehicles present at 6:30 AM and 10:00 AM, vehicle turnover was determined, as well as how many vehicles stay in the neighborhood, how many leave and how many arrive. Handicapped spaces were not identified separate from the other spaces.

AC Transit Cuts. The recently revised AC Transit Routes are considered in the Draft EIR. AC Transit reviewed the document; see Responses to Comment Letter A3. None of the EIR findings rely on Fast Pass.

Public Safety Issues. Public safety is addressed in the EIR relative to the various environmental topics including hazards, air quality, transportation and noise. The EIR does not specifically address crime-related public safety issues as this is not a topic that falls under the scope of CEQA.

Commissioner Zayas-Mart

- Glad to see several alternatives considered.
- Transportation mitigation measures may impact bike and pedestrian circulation and this should be taken into account.
- Noise mitigation that requires AC units may affect good environmental design; alternatives to AC units should be considered.
- Appreciates how the hydrology section includes a discussion of the LEED and sustainable practices proposed by the project.
- More parking encourages auto use; reducing parking moving toward less auto use is the right direction.
- People don't pay for the true cost of parking.
- The Tower Alternative and the Increased Commercial Alternative are not very easy to understand.

Response: *Transportation Mitigation Measures.* The Draft EIR considers the effect of each recommended transportation mitigation measure on bikes and pedestrians. The discussion is included within each mitigation measure. The majority of the mitigation measures recommend changes to the signal time. The increase in

[13] Based on the City's standard parallel parking length as stated in Zoning Code Section 17.94.060; a conservative estimate as a typical car is about 16 feet long.

signal cycle length may result in additional delay for pedestrians and bicycles. However, no significant effects would result from implementation of this measure.

Mitigation Measure that requires AC units. COA NOISE-4 allows for alternative forms of ventilation, which are being considered by the project sponsor.

Tower and Increased Commercial Alternatives. These alternatives are provided as planning alternatives to the project. These alternatives would not lessen or avoid any of the significant, adverse environmental effects of the project as they are evaluated primarily to consider variants to the project that may be desirable to the project developer, the City, BART, and/or members of the community.

IV. TEXT REVISIONS

This chapter presents specific revisions to the text of the Draft EIR that are being made in response to comments, or to amplify and clarify material in the Draft EIR. Where revisions to the main text are called for, the page and paragraph are set forth, followed by the appropriate revision. Added text is indicated with underlined text. Deletions to text in the Draft EIR are shown with ~~strikeout~~. Page numbers correspond to the page numbers of the Draft EIR. The revisions to the Draft EIR derive from two sources: (1) comments raised in one or more of the comment letters received by the City of Oakland on the Draft EIR; and (2) staff-initiated changes that correct minor inaccuracies, typographical errors or clarify material found in the Draft EIR subsequent to it publication and circulation. None of the changes or clarifications presented in this chapter significantly alters the conclusions or findings of the Draft EIR.

Page 107 has been revised as follows:

> **h. Alameda County Congestion Management Agency 2006 Countywide Bicycle Plan.** The Alameda County Congestion Management Agency (CMA) adopted a Countywide Bicycle Plan in 2006. The Plan provides direction and tools to improve the county's bicycling environment. The purpose of the Plan is to encourage more bicycling within the county.
>
> The goals of the Countywide Bicycle Plan include the following:
>
> - Create and maintain an inter-county and intra-county bicycle network that is safe, convenient and continuous.
> - Integrate bicycle travel in transportation planning activities and in transportation improvement projects.
> - Encourage policies and actions that foster bicycling as a mode of travel.
> - Improve bicycle safety through facilities, education and enforcement.
> - Maximize the use of public and private resources in establishing the bikeway network.

Page 166 has been revised as follows:

- The Shattuck Avenue/52nd Street intersection (#1) will be modified to provide exclusive left-turn lanes on the northbound and southbound Shattuck Avenue approaches. Signal operations will also be modified to provide protected left-turn phases in the eastbound and ~~westbound~~ northbound approaches, permitted left-

turn phase in the southbound approach and protected/permitted left-turn in the westbound approach. This improvement is funded, approved, and expected to be implemented in Winter 2008 and is assumed to be in place in the Existing Plus Project and Cumulative Year 2015 and 2030 Baseline scenario analyses.

Page 410, Table IV.K-2, has been revised as follows:

Table IV.K-2 Property Ratings/Historical Resource Status for Buildings Within Project Site

Address	OCHS Rating	OHP Rating	Eligible for Historical Register?	CEQA Historical Resource?	Potential Designated Historic Properties?
1. 3875 Telegraph Avenue	Not Rated	Not Rated	No—Less than 50 years	No	No
2. 3901 Telegraph Avenue	C ~~D3~~	6Y	No	No	No
3. 3915, -17, -19, -21 Telegraph Avenue	D3	Not Rated	No	No	No
4. 526 West MacArthur Boulevard	✔	Not Rated	No	No	No
5. 544 West MacArthur Boulevard	✔	Not Rated	No	No	No

Note: OHP = Office of Historic Preservation.
Source: OCHS, 2007.

Page 416 has been revised as follows:

The OCHS assigned Lee's Auto Laundry a ~~'D'~~ 'C' rating, indicating that it is a building of Minor Importance. In March 2006, the California OHP assigned a rating of 6Y to the building, indicating that it was found ineligible for listing in the National Register by a consensus determination through the Section 106 process. The building meets the minimum age requirement (50 years) for listing in the California and National registers, but subsequent changes in ownership, purpose, and necessary maintenance have diminished distinctively unique Art Moderne decorative elements such as signage, lighting, and curvilinear decorative accents. Integrity of design is compromised with a currently larger rear service-oriented section than the original, which results in the front curved section out of original proportion. Integrity of materials is lost with modern siding, windows, and filled in window casements on the south or 39th Street facing façade. The building is not significant under any criterion for listing in either the California Register or National Register. Lee's Auto Laundry is not listed in the Oakland Register nor does it otherwise constitute an historical resource for purposes of CEQA.

Page 412, Table IV.K-3, has been revised as follows:

Table IV.K-3 Property Ratings/Historical Resource Status for Buildings Adjacent to Project

Address	OCHS Rating	OHP Rating	Eligible for Historical Register?	CEQA Historical Resource?	Potential Designated Historic Properties?
6. 518 40th Street	✔	Not Rated	No	No	No
7. 522 40th Street	✔	Not Rated	No	No	No
8. 526 40th Street	✔	No Rated	No	No	No
9. 530 40th Street	Dc3 ✔[a]	Not Rated	No	No	Yes
10. 542 40th Street	✔	Not Rated	No	No	No
11. 548 40th Street	✔	Not Rated	No	No	No
12. 554 40th Street	✔	Not Rated	No	No	No
13. 3720 Telegraph Avenue	✔	Not Rated	No	No	No
14. 3723 Telegraph Avenue	✔	6Z URM Survey	No	No	No
15. 3770 Telegraph Avenue	✔	Not Rated	No	No	No
16. 3800 Telegraph Avenue	Cb+	Not Rated	No	No	Yes
17. 3801 Telegraph Avenue	✔	Not Rated	No	No	No
18. 3810 Telegraph Avenue	✔	Not Rated	No	No	No
19. 3816 Telegraph Avenue	Dc3	Not Rated	No	No	Yes
20. 3820, -22, and -24 Telegraph Ave.	✔	Not Rated	No	No	No
21. 3830 Telegraph Avenue	Dc3 ✔	Not Rated	No	No	Yes
22. 3832 Telegraph Avenue	Dc3 ✔	Not Rated	No	No	Yes
23. 3833 Telegraph Avenue	Cb ✔[b]	Not Rated	No	No	Yes

Address	OCHS Rating	OHP Rating	Eligible for Historical Register?	CEQA Historical Resource?	Potential Designated Historic Properties?
24. 3837, -39, -41, and -43 Telegraph	C3	Not Rated	No	No	Yes
25. 3838 and -40 Telegraph Avenue	✔	Not Rated	No	No	No
26. 3900 Telegraph Avenue	F	Not Rated	No	No	No
27. 3910-36 (even numbers)	✔	Not Rated	No	No	No
28. 3927, -29, -31, and -33 Telegraph and 501-517 40th Street	C3/B3[ac]	Not Rated	Unknown	Unknown	Yes
29. 508, -10 W. MacArthur	✔	Not Rated	No	No	No
30. 514 W. MacArthur	Cb3 ~~Dc3~~	Not Rated	No	No	Yes
31. 518 W. MacArthur	C3	Not Rated	No	No	Yes
32. 531 W. MacArthur	✔	Not Rated	No	No	No
33. 537, -39, -43, and -45 MacArthur	3-C3's	Not Rated	No	No	Yes
34. 3845-47 Telegraph Avenue	C3	Not Rated	No	No	No

Notes: OHP = Office of Historic Preservation.
✔ = Building was (1) less than 50 years old at the time the OCHS survey, and/or (2) was preliminarily considered to be "D" rated at the time of the OCHS survey.
~~[a] This building has a possible property rating of Dc3, as indicated on the OCHS survey map.~~
~~[b] This building has a possible property rating of C, as indicated on the OCHS survey map.~~
[ac] This building was assigned a C3 property rating by OCHS. A marginal note on the OCHS survey map states, however, that "surely this [building] is a B!".

Page 411, Figure IV.K-1, has been revised as shown on the following page:

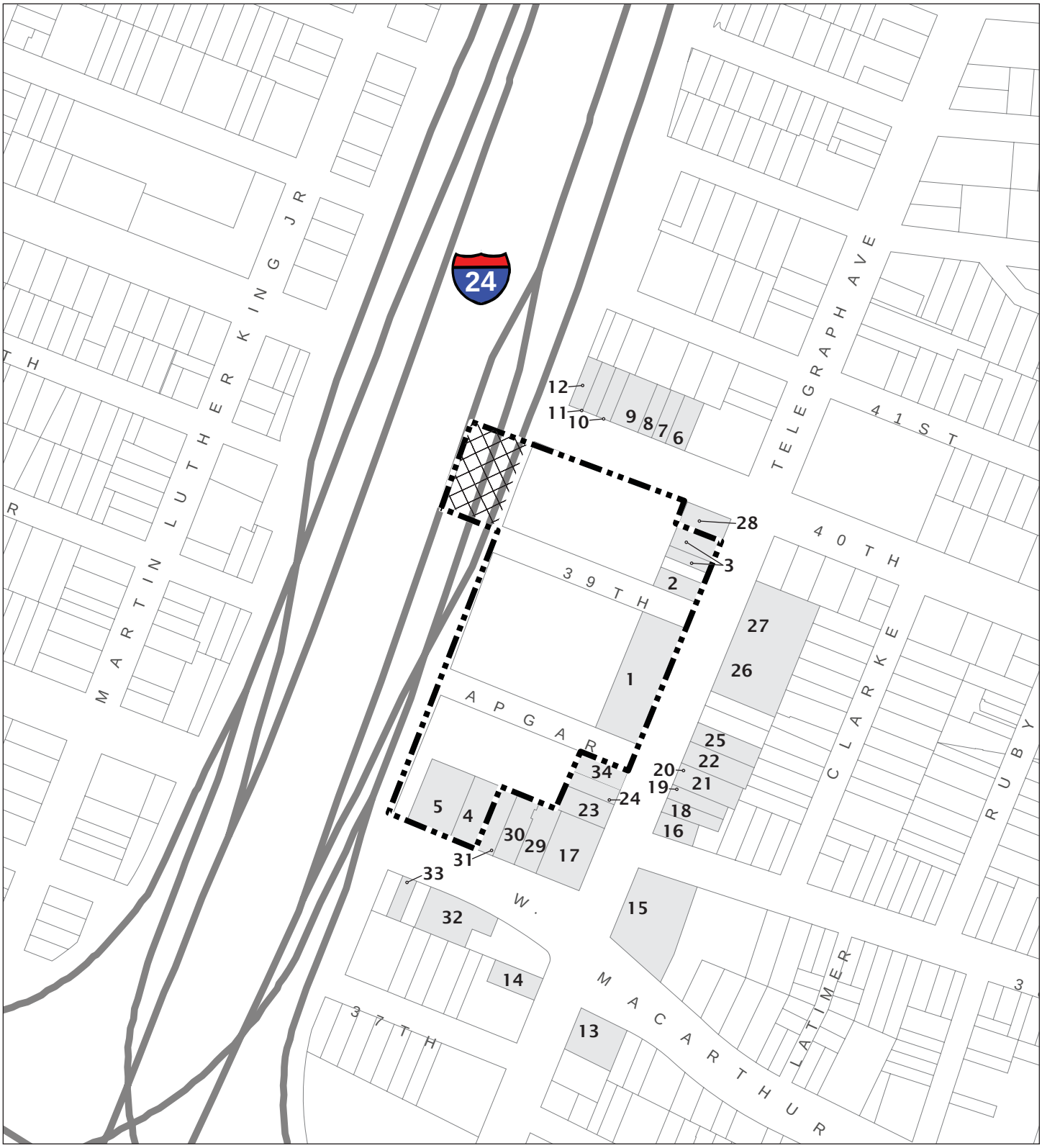

FIGURE IV.K-1

Legend

Project site

BART Plaza

Parcel lines

N NTS

MacArthur Transit Village Project EIR
OCHS Properties Within and Adjacent to the Project Site

SOURCE: CITY OF OAKLAND, 2005.

Table 1 of Appendix B-1 is modified as shown below:

Table 1 Emission Rates

Hwy I-580	AADT by Vehicle Category				Number of Sources	Emission Rates per source		
	LDA	LDT	MDT	HDT		g/s~~/m²~~	lb/hr~~/m²~~	lb/yr~~/m²~~
Total AADT 203,000	201,591	1073	103	233				
	% of Vehicles That Are Diesel-Powered							
	0%	20.0%	70.0%	87.5%				
	Diesel Exhaust PM_{10} Emissions at 60 mph (g/s)							
	0	3.93E-06	1.56E-06	2.44E-05	9	~~1.01E-09~~ 3.32E-06	~~8.01E-09~~ 2.64E-05	~~7.02E-05~~ 0.231
Average Speed 60 mph	% of Vehicles That Are Gasoline-Powered							
	100%	80.0%	30.0%	12.5%				
	Gasoline Exhaust ROG Emissions at 60 mph (g/s)							
	3.26E-03	2.59E-05	1.20E-06	4.46E-06	9	~~1.11E-07~~ 3.66E-04	~~8.82E-07~~ 2.90E-03	~~7.73E-03~~ 25.5
Hwy SR-24	**AADT by Vehicle Category**							
	LDA	**LDT**	**MDT**	**HDT**				
Total AADT 104,000	100,995	1848	498	659				
	% of Vehicles That Are Diesel-Powered							
	0%	20.0%	70.0%	87.5%				
	Diesel Exhaust PM_{10} Emissions at 60 mph (g/s)							
	0	6.78E-06	7.52E-06	6.90E-05	14	~~1.81E-09~~ 5.95E-06	~~1.43E-08~~ 4.72E-05	~~1.26E-04~~ 0.414
Average Speed 60 mph	% of Vehicles That Are Gasoline-Powered							
	100%	80.0%	30.0%	12.5%				
	Gasoline Exhaust ROG Emissions at 60 mph (g/s)							
	1.63E-03	4.46E-05	5.80E-06	1.26E-05	14	~~3.68E-08~~ 1.21E-04	~~2.92E-07~~ 9.62E-04	~~2.56E-03~~ 8.43
Telegraph Rd.	**AADT by Vehicle Category**							
	LDA	**LDT**	**MDT**	**HDT**				
Total AADT 30,000	28,800	300	300	600				
	% of Vehicles That Are Diesel-Powered							
	0%	20.0%	70.0%	87.5%				

Hwy I-580	AADT by Vehicle Category				Number of Sources	Emission Rates per source		
	LDA	LDT	MDT	HDT		g/s~~/m²~~	lb/hr~~/m²~~	lb/yr~~/m²~~
Average Speed 40 mph	**Diesel Exhaust PM_{10} Emissions at 40 mph (g/s)**							
	0	1.04E-06	4.31E-06	5.21E-05	13	~~1.61E-09~~ 4.42E-06	~~1.28E-08~~ 3.51E-05	~~1.12E-04~~ 0.308
	% of Vehicles That Are Gasoline-Powered							
	100%	80.0%	30.0%	12.5%				
	Gasoline Exhaust ROG Emissions at 40 mph (g/s)							
	4.66E-04	6.99E-06	3.50E-06	1.46E-05	13	~~1.38E-08~~ 3.78E-05	~~1.09E-07~~ 3.00E-04	~~9.58E-04~~ 2.63

Source: LSA Associates, Inc., September 2007.

Page 4 of Appendix B-1 is modified as shown below:

Acute Emission Impacts. Exposure to diesel exhaust can have immediate health effects. Diesel exhaust can irritate the eyes, nose, throat, and lungs, and it can cause coughs, headaches, lightheadedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (ARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute noncancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term noncancer health risk guidance value for respiratory effects. The maximum acute hazard index is 0.~~0000002~~00008, which is below the threshold of 1.0. Therefore, the potential for short-term acute exposure will be less than significant.

Carcinogenic and Chronic Impacts. The results of the health risk assessment are shown in Figure 1 and Table 3. Results of the analysis indicate that the maximum exposed individual (MEI) inhalation cancer risk associated with living at the proposed development for 70 years would be exposed to an inhalation cancer risk of ~~0.000402~~ 1.6 in 1 million which is less than the threshold of 10 in 1 million. The maximum chronic hazard index is 0.~~0000002~~0009, which is below the threshold of 1.0.

Table 3: Inhalation Health Risks from ~~Train~~ Roadway Vehicle Sources

	Carcinogenic Inhalation Health Risk	Chronic Inhalation Health Index	Acute Inhalation Health Index
MEI Onsite	1.6	0.0009	0.00008
Threshold	**10 in a million**	**1.0**	**1.0**

Source: LSA Associates, Inc., 2007.

The HRA Risk Value Data Sheets have been updated and are provided on the following pages.

HARP RISK Values

Receptor Number	Cancer Risk # in a million	Chronic Hazard Index	Acute Hazard Index	UTM Easting	UTM Northing	ZONE
1	5.48E-02	3.02E-05	1.01E-05	563,410	4,188,231	10
2	5.95E-02	3.29E-05	1.04E-05	563,510	4,188,231	10
3	6.45E-02	3.58E-05	1.11E-05	563,610	4,188,231	10
4	7.02E-02	3.91E-05	1.16E-05	563,710	4,188,231	10
5	7.71E-02	4.30E-05	1.22E-05	563,810	4,188,231	10
6	8.46E-02	4.73E-05	1.26E-05	563,910	4,188,231	10
7	9.34E-02	5.24E-05	1.33E-05	564,010	4,188,231	10
8	1.05E-01	5.88E-05	1.43E-05	564,110	4,188,231	10
9	1.20E-01	6.75E-05	1.54E-05	564,210	4,188,231	10
10	1.40E-01	7.92E-05	1.66E-05	564,310	4,188,231	10
11	1.68E-01	9.53E-05	1.75E-05	564,410	4,188,231	10
12	2.09E-01	1.19E-04	1.93E-05	564,510	4,188,231	10
13	2.70E-01	1.54E-04	2.32E-05	564,610	4,188,231	10
14	3.26E-01	1.86E-04	3.02E-05	564,710	4,188,231	10
15	2.49E-01	1.43E-04	2.46E-05	564,810	4,188,231	10
16	2.02E-01	1.15E-04	2.07E-05	564,910	4,188,231	10
17	1.77E-01	1.01E-04	1.85E-05	565,010	4,188,231	10
18	1.48E-01	8.44E-05	1.69E-05	565,110	4,188,231	10
19	1.29E-01	7.33E-05	1.54E-05	565,210	4,188,231	10
20	1.13E-01	6.38E-05	1.35E-05	565,310	4,188,231	10
21	9.99E-02	5.65E-05	1.29E-05	565,410	4,188,231	10
22	8.97E-02	5.06E-05	1.17E-05	565,510	4,188,231	10
23	8.14E-02	4.59E-05	1.09E-05	565,610	4,188,231	10
24	7.46E-02	4.20E-05	1.02E-05	565,710	4,188,231	10
25	6.88E-02	3.87E-05	9.71E-06	565,810	4,188,231	10
26	5.64E-02	3.10E-05	1.05E-05	563,410	4,188,131	10
27	6.15E-02	3.39E-05	1.13E-05	563,510	4,188,131	10
28	6.70E-02	3.71E-05	1.18E-05	563,610	4,188,131	10
29	7.33E-02	4.07E-05	1.26E-05	563,710	4,188,131	10
30	8.10E-02	4.51E-05	1.33E-05	563,810	4,188,131	10
31	8.97E-02	5.01E-05	1.36E-05	563,910	4,188,131	10
32	9.98E-02	5.59E-05	1.46E-05	564,010	4,188,131	10
33	1.13E-01	6.32E-05	1.58E-05	564,110	4,188,131	10
34	1.30E-01	7.33E-05	1.61E-05	564,210	4,188,131	10
35	1.55E-01	8.75E-05	1.81E-05	564,310	4,188,131	10
36	1.91E-01	1.08E-04	2.00E-05	564,410	4,188,131	10
37	2.53E-01	1.44E-04	2.28E-05	564,510	4,188,131	10
38	3.92E-01	2.24E-04	2.67E-05	564,610	4,188,131	10
39	8.96E-01	5.14E-04	3.19E-05	564,710	4,188,131	10
40	3.79E-01	2.17E-04	2.65E-05	564,810	4,188,131	10
41	2.67E-01	1.53E-04	2.24E-05	564,910	4,188,131	10
42	2.18E-01	1.25E-04	2.07E-05	565,010	4,188,131	10
43	1.77E-01	1.01E-04	1.74E-05	565,110	4,188,131	10
44	1.47E-01	8.40E-05	1.60E-05	565,210	4,188,131	10
45	1.26E-01	7.16E-05	1.41E-05	565,310	4,188,131	10
46	1.11E-01	6.27E-05	1.34E-05	565,410	4,188,131	10
47	9.83E-02	5.56E-05	1.24E-05	565,510	4,188,131	10
48	8.83E-02	4.98E-05	1.11E-05	565,610	4,188,131	10
49	8.02E-02	4.52E-05	1.05E-05	565,710	4,188,131	10
50	7.33E-02	4.12E-05	9.91E-06	565,810	4,188,131	10
51	5.82E-02	3.19E-05	1.13E-05	563,410	4,188,031	10
52	6.37E-02	3.50E-05	1.19E-05	563,510	4,188,031	10
53	6.97E-02	3.85E-05	1.25E-05	563,610	4,188,031	10
54	7.65E-02	4.24E-05	1.31E-05	563,710	4,188,031	10
55	8.50E-02	4.72E-05	1.39E-05	563,810	4,188,031	10
56	9.46E-02	5.27E-05	1.46E-05	563,910	4,188,031	10
57	1.06E-01	5.93E-05	1.61E-05	564,010	4,188,031	10
58	1.21E-01	6.77E-05	1.67E-05	564,110	4,188,031	10
59	1.41E-01	7.95E-05	1.83E-05	564,210	4,188,031	10

HARP RISK Values

Receptor Number	Cancer Risk # in a million	Chronic Hazard Index	Acute Hazard Index	UTM Easting	UTM Northing	ZONE
60	1.70E-01	9.62E-05	2.02E-05	564,310	4,188,031	10
61	2.15E-01	1.22E-04	2.27E-05	564,410	4,188,031	10
62	2.96E-01	1.69E-04	2.54E-05	564,510	4,188,031	10
63	4.99E-01	2.86E-04	3.23E-05	564,610	4,188,031	10
64	9.12E-01	5.24E-04	3.68E-05	564,710	4,188,031	10
65	4.90E-01	2.82E-04	2.76E-05	564,810	4,188,031	10
66	3.54E-01	2.04E-04	2.57E-05	564,910	4,188,031	10
67	2.71E-01	1.56E-04	2.22E-05	565,010	4,188,031	10
68	2.09E-01	1.20E-04	1.89E-05	565,110	4,188,031	10
69	1.69E-01	9.68E-05	1.65E-05	565,210	4,188,031	10
70	1.42E-01	8.11E-05	1.52E-05	565,310	4,188,031	10
71	1.23E-01	6.97E-05	1.38E-05	565,410	4,188,031	10
72	1.08E-01	6.10E-05	1.28E-05	565,510	4,188,031	10
73	9.59E-02	5.41E-05	1.20E-05	565,610	4,188,031	10
74	8.63E-02	4.86E-05	1.08E-05	565,710	4,188,031	10
75	7.81E-02	4.40E-05	1.02E-05	565,810	4,188,031	10
76	6.01E-02	3.29E-05	1.19E-05	563,410	4,187,931	10
77	6.59E-02	3.61E-05	1.29E-05	563,510	4,187,931	10
78	7.23E-02	3.98E-05	1.35E-05	563,610	4,187,931	10
79	7.97E-02	4.40E-05	1.41E-05	563,710	4,187,931	10
80	8.90E-02	4.93E-05	1.55E-05	563,810	4,187,931	10
81	9.96E-02	5.54E-05	1.58E-05	563,910	4,187,931	10
82	1.12E-01	6.27E-05	1.66E-05	564,010	4,187,931	10
83	1.29E-01	7.21E-05	1.80E-05	564,110	4,187,931	10
84	1.52E-01	8.54E-05	1.94E-05	564,210	4,187,931	10
85	1.86E-01	1.05E-04	2.20E-05	564,310	4,187,931	10
86	2.39E-01	1.36E-04	2.60E-05	564,410	4,187,931	10
87	3.37E-01	1.92E-04	2.96E-05	564,510	4,187,931	10
88	6.22E-01	3.57E-04	3.86E-05	564,610	4,187,931	10
89	8.56E-01	4.92E-04	3.90E-05	564,710	4,187,931	10
90	5.74E-01	3.32E-04	2.98E-05	564,810	4,187,931	10
91	5.45E-01	3.19E-04	2.88E-05	564,910	4,187,931	10
92	3.42E-01	1.98E-04	2.27E-05	565,010	4,187,931	10
93	2.49E-01	1.43E-04	1.92E-05	565,110	4,187,931	10
94	1.95E-01	1.12E-04	1.74E-05	565,210	4,187,931	10
95	1.60E-01	9.15E-05	1.61E-05	565,310	4,187,931	10
96	1.36E-01	7.73E-05	1.46E-05	565,410	4,187,931	10
97	1.18E-01	6.68E-05	1.34E-05	565,510	4,187,931	10
98	1.04E-01	5.86E-05	1.23E-05	565,610	4,187,931	10
99	9.24E-02	5.21E-05	1.15E-05	565,710	4,187,931	10
100	8.29E-02	4.67E-05	1.04E-05	565,810	4,187,931	10
101	6.23E-02	3.39E-05	1.25E-05	563,410	4,187,831	10
102	6.83E-02	3.73E-05	1.31E-05	563,510	4,187,831	10
103	7.52E-02	4.12E-05	1.40E-05	563,610	4,187,831	10
104	8.31E-02	4.57E-05	1.53E-05	563,710	4,187,831	10
105	9.31E-02	5.14E-05	1.63E-05	563,810	4,187,831	10
106	1.05E-01	5.81E-05	1.75E-05	563,910	4,187,831	10
107	1.19E-01	6.64E-05	1.88E-05	564,010	4,187,831	10
108	1.38E-01	7.72E-05	2.03E-05	564,110	4,187,831	10
109	1.64E-01	9.21E-05	2.16E-05	564,210	4,187,831	10
110	2.02E-01	1.14E-04	2.38E-05	564,310	4,187,831	10
111	2.62E-01	1.49E-04	2.84E-05	564,410	4,187,831	10
112	3.77E-01	2.16E-04	3.24E-05	564,510	4,187,831	10
113	8.05E-01	4.62E-04	4.91E-05	564,610	4,187,831	10
114	8.09E-01	4.65E-04	4.23E-05	564,710	4,187,831	10
115	6.32E-01	3.67E-04	3.16E-05	564,810	4,187,831	10
116	8.49E-01	5.01E-04	3.01E-05	564,910	4,187,831	10
117	4.29E-01	2.50E-04	2.38E-05	565,010	4,187,831	10
118	2.88E-01	1.66E-04	2.05E-05	565,110	4,187,831	10

HARP RISK Values

Receptor Number	Cancer Risk # in a million	Chronic Hazard Index	Acute Hazard Index	UTM Easting	UTM Northing	ZONE
119	2.19E-01	1.26E-04	1.79E-05	565,210	4,187,831	10
120	1.77E-01	1.01E-04	1.70E-05	565,310	4,187,831	10
121	1.48E-01	8.42E-05	1.47E-05	565,410	4,187,831	10
122	1.27E-01	7.21E-05	1.38E-05	565,510	4,187,831	10
123	1.11E-01	6.28E-05	1.24E-05	565,610	4,187,831	10
124	9.83E-02	5.55E-05	1.17E-05	565,710	4,187,831	10
125	8.77E-02	4.94E-05	1.07E-05	565,810	4,187,831	10
126	6.47E-02	3.51E-05	1.32E-05	563,410	4,187,731	10
127	7.10E-02	3.86E-05	1.43E-05	563,510	4,187,731	10
128	7.83E-02	4.27E-05	1.53E-05	563,610	4,187,731	10
129	8.68E-02	4.76E-05	1.60E-05	563,710	4,187,731	10
130	9.78E-02	5.38E-05	1.66E-05	563,810	4,187,731	10
131	1.11E-01	6.13E-05	1.80E-05	563,910	4,187,731	10
132	1.27E-01	7.05E-05	1.98E-05	564,010	4,187,731	10
133	1.48E-01	8.22E-05	2.11E-05	564,110	4,187,731	10
134	1.75E-01	9.83E-05	2.33E-05	564,210	4,187,731	10
135	2.18E-01	1.23E-04	2.68E-05	564,310	4,187,731	10
136	2.86E-01	1.62E-04	3.01E-05	564,410	4,187,731	10
137	4.26E-01	2.43E-04	3.62E-05	564,510	4,187,731	10
138	1.36E+00	7.81E-04	6.80E-05	564,610	4,187,731	10
139	7.74E-01	4.46E-04	4.17E-05	564,710	4,187,731	10
140	6.83E-01	3.97E-04	3.41E-05	564,810	4,187,731	10
141	7.88E-01	4.65E-04	3.05E-05	564,910	4,187,731	10
142	4.56E-01	2.66E-04	2.58E-05	565,010	4,187,731	10
143	3.14E-01	1.82E-04	2.10E-05	565,110	4,187,731	10
144	2.39E-01	1.37E-04	1.93E-05	565,210	4,187,731	10
145	1.92E-01	1.10E-04	1.69E-05	565,310	4,187,731	10
146	1.60E-01	9.10E-05	1.58E-05	565,410	4,187,731	10
147	1.36E-01	7.73E-05	1.43E-05	565,510	4,187,731	10
148	1.18E-01	6.67E-05	1.32E-05	565,610	4,187,731	10
149	1.04E-01	5.85E-05	1.21E-05	565,710	4,187,731	10
150	9.23E-02	5.20E-05	1.07E-05	565,810	4,187,731	10
151	6.69E-02	3.61E-05	1.45E-05	563,410	4,187,631	10
152	7.41E-02	4.01E-05	1.51E-05	563,510	4,187,631	10
153	8.22E-02	4.46E-05	1.59E-05	563,610	4,187,631	10
154	9.13E-02	4.98E-05	1.70E-05	563,710	4,187,631	10
155	1.03E-01	5.65E-05	1.85E-05	563,810	4,187,631	10
156	1.18E-01	6.46E-05	1.95E-05	563,910	4,187,631	10
157	1.35E-01	7.45E-05	2.08E-05	564,010	4,187,631	10
158	1.57E-01	8.72E-05	2.24E-05	564,110	4,187,631	10
159	1.88E-01	1.05E-04	2.49E-05	564,210	4,187,631	10
160	2.34E-01	1.32E-04	2.98E-05	564,310	4,187,631	10
161	3.11E-01	1.77E-04	3.28E-05	564,410	4,187,631	10
162	4.84E-01	2.76E-04	4.13E-05	564,510	4,187,631	10
163	1.35E+00	7.73E-04	5.66E-05	564,610	4,187,631	10
164	7.48E-01	4.31E-04	4.27E-05	564,710	4,187,631	10
165	7.65E-01	4.47E-04	3.89E-05	564,810	4,187,631	10
166	7.26E-01	4.27E-04	3.17E-05	564,910	4,187,631	10
167	4.55E-01	2.65E-04	2.55E-05	565,010	4,187,631	10
168	3.26E-01	1.88E-04	2.26E-05	565,110	4,187,631	10
169	2.51E-01	1.44E-04	1.93E-05	565,210	4,187,631	10
170	2.03E-01	1.16E-04	1.80E-05	565,310	4,187,631	10
171	1.69E-01	9.62E-05	1.61E-05	565,410	4,187,631	10
172	1.44E-01	8.15E-05	1.48E-05	565,510	4,187,631	10
173	1.24E-01	7.03E-05	1.35E-05	565,610	4,187,631	10
174	1.09E-01	6.17E-05	1.23E-05	565,710	4,187,631	10
175	9.71E-02	5.46E-05	1.17E-05	565,810	4,187,631	10
176	6.96E-02	3.73E-05	1.52E-05	563,410	4,187,531	10
177	7.76E-02	4.17E-05	1.65E-05	563,510	4,187,531	10

HARP RISK Values

Receptor Number	Cancer Risk # in a million	Chronic Hazard Index	Acute Hazard Index	UTM Easting	UTM Northing	ZONE
178	8.66E-02	4.67E-05	1.79E-05	563,610	4,187,531	10
179	9.66E-02	5.23E-05	1.87E-05	563,710	4,187,531	10
180	1.09E-01	5.93E-05	1.99E-05	563,810	4,187,531	10
181	1.24E-01	6.79E-05	2.09E-05	563,910	4,187,531	10
182	1.43E-01	7.87E-05	2.30E-05	564,010	4,187,531	10
183	1.68E-01	9.28E-05	2.49E-05	564,110	4,187,531	10
184	2.01E-01	1.12E-04	2.75E-05	564,210	4,187,531	10
185	2.52E-01	1.42E-04	3.16E-05	564,310	4,187,531	10
186	3.41E-01	1.93E-04	3.67E-05	564,410	4,187,531	10
187	5.50E-01	3.13E-04	4.44E-05	564,510	4,187,531	10
188	1.12E+00	6.43E-04	5.54E-05	564,610	4,187,531	10
189	7.32E-01	4.22E-04	4.43E-05	564,710	4,187,531	10
190	1.03E+00	6.05E-04	4.29E-05	564,810	4,187,531	10
191	6.72E-01	3.94E-04	3.29E-05	564,910	4,187,531	10
192	4.45E-01	2.59E-04	2.60E-05	565,010	4,187,531	10
193	3.28E-01	1.89E-04	2.31E-05	565,110	4,187,531	10
194	2.58E-01	1.48E-04	2.08E-05	565,210	4,187,531	10
195	2.10E-01	1.20E-04	1.78E-05	565,310	4,187,531	10
196	1.76E-01	9.98E-05	1.72E-05	565,410	4,187,531	10
197	1.50E-01	8.49E-05	1.45E-05	565,510	4,187,531	10
198	1.30E-01	7.34E-05	1.42E-05	565,610	4,187,531	10
199	1.14E-01	6.42E-05	1.25E-05	565,710	4,187,531	10
200	1.01E-01	5.69E-05	1.20E-05	565,810	4,187,531	10
201	7.23E-02	3.86E-05	1.61E-05	563,410	4,187,431	10
202	8.12E-02	4.34E-05	1.76E-05	563,510	4,187,431	10
203	9.13E-02	4.89E-05	1.87E-05	563,610	4,187,431	10
204	1.02E-01	5.50E-05	1.91E-05	563,710	4,187,431	10
205	1.16E-01	6.25E-05	2.09E-05	563,810	4,187,431	10
206	1.32E-01	7.18E-05	2.30E-05	563,910	4,187,431	10
207	1.54E-01	8.39E-05	2.49E-05	564,010	4,187,431	10
208	1.80E-01	9.90E-05	2.73E-05	564,110	4,187,431	10
209	2.16E-01	1.20E-04	3.02E-05	564,210	4,187,431	10
210	2.72E-01	1.52E-04	3.29E-05	564,310	4,187,431	10
211	3.75E-01	2.12E-04	3.90E-05	564,410	4,187,431	10
212	6.35E-01	3.62E-04	5.09E-05	564,510	4,187,431	10
213	1.00E+00	5.74E-04	5.43E-05	564,610	4,187,431	10
214	7.30E-01	4.21E-04	4.49E-05	564,710	4,187,431	10
215	1.23E+00	7.28E-04	4.42E-05	564,810	4,187,431	10
216	6.27E-01	3.66E-04	3.28E-05	564,910	4,187,431	10
217	4.34E-01	2.51E-04	2.83E-05	565,010	4,187,431	10
218	3.29E-01	1.89E-04	2.30E-05	565,110	4,187,431	10
219	2.61E-01	1.49E-04	2.14E-05	565,210	4,187,431	10
220	2.15E-01	1.23E-04	1.92E-05	565,310	4,187,431	10
221	1.80E-01	1.02E-04	1.72E-05	565,410	4,187,431	10
222	1.54E-01	8.71E-05	1.63E-05	565,510	4,187,431	10
223	1.34E-01	7.56E-05	1.40E-05	565,610	4,187,431	10
224	1.18E-01	6.65E-05	1.34E-05	565,710	4,187,431	10
225	1.05E-01	5.91E-05	1.18E-05	565,810	4,187,431	10
226	7.47E-02	3.96E-05	1.80E-05	563,410	4,187,331	10
227	8.45E-02	4.48E-05	1.89E-05	563,510	4,187,331	10
228	9.63E-02	5.11E-05	1.99E-05	563,610	4,187,331	10
229	1.09E-01	5.81E-05	2.23E-05	563,710	4,187,331	10
230	1.24E-01	6.64E-05	2.31E-05	563,810	4,187,331	10
231	1.43E-01	7.69E-05	2.39E-05	563,910	4,187,331	10
232	1.66E-01	9.00E-05	2.57E-05	564,010	4,187,331	10
233	1.94E-01	1.06E-04	2.88E-05	564,110	4,187,331	10
234	2.33E-01	1.28E-04	3.25E-05	564,210	4,187,331	10
235	2.96E-01	1.65E-04	3.76E-05	564,310	4,187,331	10
236	4.13E-01	2.33E-04	4.30E-05	564,410	4,187,331	10

HARP RISK Values

Receptor Number	Cancer Risk # in a million	Chronic Hazard Index	Acute Hazard Index	UTM Easting	UTM Northing	ZONE
237	7.66E-01	4.36E-04	5.77E-05	564,510	4,187,331	10
238	9.24E-01	5.28E-04	5.55E-05	564,610	4,187,331	10
239	7.42E-01	4.28E-04	4.45E-05	564,710	4,187,331	10
240	9.95E-01	5.85E-04	4.28E-05	564,810	4,187,331	10
241	5.89E-01	3.42E-04	3.28E-05	564,910	4,187,331	10
242	4.24E-01	2.44E-04	2.84E-05	565,010	4,187,331	10
243	3.27E-01	1.87E-04	2.50E-05	565,110	4,187,331	10
244	2.63E-01	1.50E-04	2.13E-05	565,210	4,187,331	10
245	2.18E-01	1.24E-04	2.08E-05	565,310	4,187,331	10
246	1.84E-01	1.04E-04	1.72E-05	565,410	4,187,331	10
247	1.58E-01	8.88E-05	1.69E-05	565,510	4,187,331	10
248	1.37E-01	7.71E-05	1.48E-05	565,610	4,187,331	10
249	1.21E-01	6.81E-05	1.36E-05	565,710	4,187,331	10
250	1.08E-01	6.07E-05	1.23E-05	565,810	4,187,331	10
251	7.69E-02	4.06E-05	1.92E-05	563,410	4,187,231	10
252	8.81E-02	4.64E-05	2.09E-05	563,510	4,187,231	10
253	1.02E-01	5.35E-05	2.26E-05	563,610	4,187,231	10
254	1.17E-01	6.18E-05	2.46E-05	563,710	4,187,231	10
255	1.35E-01	7.14E-05	2.59E-05	563,810	4,187,231	10
256	1.56E-01	8.30E-05	2.76E-05	563,910	4,187,231	10
257	1.82E-01	9.73E-05	2.97E-05	564,010	4,187,231	10
258	2.12E-01	1.15E-04	3.20E-05	564,110	4,187,231	10
259	2.54E-01	1.39E-04	3.50E-05	564,210	4,187,231	10
260	3.25E-01	1.80E-04	4.00E-05	564,310	4,187,231	10
261	4.58E-01	2.57E-04	4.68E-05	564,410	4,187,231	10
262	1.08E+00	6.16E-04	7.08E-05	564,510	4,187,231	10
263	8.69E-01	4.96E-04	5.68E-05	564,610	4,187,231	10
264	7.75E-01	4.47E-04	4.69E-05	564,710	4,187,231	10
265	8.79E-01	5.14E-04	4.24E-05	564,810	4,187,231	10
266	5.59E-01	3.23E-04	3.43E-05	564,910	4,187,231	10
267	4.14E-01	2.38E-04	2.95E-05	565,010	4,187,231	10
268	3.25E-01	1.85E-04	2.56E-05	565,110	4,187,231	10
269	2.64E-01	1.50E-04	2.32E-05	565,210	4,187,231	10
270	2.20E-01	1.24E-04	2.01E-05	565,310	4,187,231	10
271	1.87E-01	1.05E-04	1.91E-05	565,410	4,187,231	10
272	1.61E-01	9.04E-05	1.61E-05	565,510	4,187,231	10
273	1.40E-01	7.85E-05	1.56E-05	565,610	4,187,231	10
274	1.24E-01	6.93E-05	1.38E-05	565,710	4,187,231	10
275	1.11E-01	6.18E-05	1.27E-05	565,810	4,187,231	10
276	7.86E-02	4.13E-05	2.05E-05	563,410	4,187,131	10
277	9.14E-02	4.79E-05	2.21E-05	563,510	4,187,131	10
278	1.07E-01	5.61E-05	2.44E-05	563,610	4,187,131	10
279	1.27E-01	6.64E-05	2.66E-05	563,710	4,187,131	10
280	1.48E-01	7.74E-05	2.89E-05	563,810	4,187,131	10
281	1.74E-01	9.10E-05	3.12E-05	563,910	4,187,131	10
282	2.03E-01	1.07E-04	3.38E-05	564,010	4,187,131	10
283	2.36E-01	1.26E-04	3.57E-05	564,110	4,187,131	10
284	2.82E-01	1.53E-04	3.82E-05	564,210	4,187,131	10
285	3.59E-01	1.97E-04	4.33E-05	564,310	4,187,131	10
286	5.15E-01	2.88E-04	5.06E-05	564,410	4,187,131	10
287	1.59E+00	9.06E-04	7.94E-05	564,510	4,187,131	10
288	8.37E-01	4.76E-04	5.46E-05	564,610	4,187,131	10
289	8.47E-01	4.89E-04	4.94E-05	564,710	4,187,131	10
290	8.01E-01	4.66E-04	4.30E-05	564,810	4,187,131	10
291	5.36E-01	3.08E-04	3.54E-05	564,910	4,187,131	10
292	4.06E-01	2.32E-04	3.08E-05	565,010	4,187,131	10
293	3.23E-01	1.83E-04	2.60E-05	565,110	4,187,131	10
294	2.65E-01	1.50E-04	2.39E-05	565,210	4,187,131	10
295	2.22E-01	1.25E-04	2.13E-05	565,310	4,187,131	10

HARP RISK Values

Receptor Number	Cancer Risk # in a million	Chronic Hazard Index	Acute Hazard Index	UTM Easting	UTM Northing	ZONE
296	1.89E-01	1.06E-04	1.95E-05	565,410	4,187,131	10
297	1.64E-01	9.15E-05	1.77E-05	565,510	4,187,131	10
298	1.43E-01	8.00E-05	1.57E-05	565,610	4,187,131	10
299	1.26E-01	7.04E-05	1.39E-05	565,710	4,187,131	10
300	1.12E-01	6.26E-05	1.28E-05	565,810	4,187,131	10
301	7.51E-02	3.96E-05	2.27E-05	563,410	4,187,031	10
302	9.42E-02	4.90E-05	2.55E-05	563,510	4,187,031	10
303	1.14E-01	5.90E-05	2.72E-05	563,610	4,187,031	10
304	1.39E-01	7.17E-05	2.93E-05	563,710	4,187,031	10
305	1.67E-01	8.60E-05	3.21E-05	563,810	4,187,031	10
306	2.01E-01	1.03E-04	3.49E-05	563,910	4,187,031	10
307	2.34E-01	1.21E-04	3.75E-05	564,010	4,187,031	10
308	2.72E-01	1.43E-04	4.02E-05	564,110	4,187,031	10
309	3.20E-01	1.71E-04	4.51E-05	564,210	4,187,031	10
310	4.03E-01	2.19E-04	4.91E-05	564,310	4,187,031	10
311	5.87E-01	3.26E-04	5.72E-05	564,410	4,187,031	10
312	1.30E+00	7.35E-04	6.85E-05	564,510	4,187,031	10
313	8.24E-01	4.67E-04	5.69E-05	564,610	4,187,031	10
314	1.11E+00	6.46E-04	6.03E-05	564,710	4,187,031	10
315	7.45E-01	4.29E-04	4.41E-05	564,810	4,187,031	10
316	5.21E-01	2.97E-04	3.66E-05	564,910	4,187,031	10
317	4.01E-01	2.27E-04	3.15E-05	565,010	4,187,031	10
318	3.23E-01	1.81E-04	2.76E-05	565,110	4,187,031	10
319	2.68E-01	1.50E-04	2.50E-05	565,210	4,187,031	10
320	2.24E-01	1.25E-04	2.31E-05	565,310	4,187,031	10
321	1.91E-01	1.06E-04	1.98E-05	565,410	4,187,031	10
322	1.66E-01	9.23E-05	1.82E-05	565,510	4,187,031	10
323	1.46E-01	8.11E-05	1.61E-05	565,610	4,187,031	10
324	1.28E-01	7.14E-05	1.46E-05	565,710	4,187,031	10
325	1.14E-01	6.35E-05	1.34E-05	565,810	4,187,031	10
326	7.13E-02	3.77E-05	2.41E-05	563,410	4,186,931	10
327	8.78E-02	4.60E-05	2.82E-05	563,510	4,186,931	10
328	1.18E-01	6.07E-05	3.34E-05	563,610	4,186,931	10
329	1.55E-01	7.85E-05	3.66E-05	563,710	4,186,931	10
330	2.00E-01	1.00E-04	3.92E-05	563,810	4,186,931	10
331	2.49E-01	1.25E-04	4.19E-05	563,910	4,186,931	10
332	2.89E-01	1.46E-04	4.33E-05	564,010	4,186,931	10
333	3.25E-01	1.67E-04	4.73E-05	564,110	4,186,931	10
334	3.75E-01	1.97E-04	5.08E-05	564,210	4,186,931	10
335	4.66E-01	2.50E-04	5.80E-05	564,310	4,186,931	10
336	6.90E-01	3.80E-04	6.42E-05	564,410	4,186,931	10
337	1.16E+00	6.55E-04	7.09E-05	564,510	4,186,931	10
338	8.34E-01	4.70E-04	6.05E-05	564,610	4,186,931	10
339	1.30E+00	7.60E-04	5.77E-05	564,710	4,186,931	10
340	7.08E-01	4.04E-04	4.50E-05	564,810	4,186,931	10
341	5.12E-01	2.89E-04	3.87E-05	564,910	4,186,931	10
342	4.00E-01	2.24E-04	3.36E-05	565,010	4,186,931	10
343	3.26E-01	1.81E-04	2.91E-05	565,110	4,186,931	10
344	2.71E-01	1.50E-04	2.61E-05	565,210	4,186,931	10
345	2.28E-01	1.26E-04	2.35E-05	565,310	4,186,931	10
346	1.94E-01	1.07E-04	2.05E-05	565,410	4,186,931	10
347	1.68E-01	9.31E-05	1.89E-05	565,510	4,186,931	10
348	1.47E-01	8.16E-05	1.64E-05	565,610	4,186,931	10
349	1.31E-01	7.24E-05	1.54E-05	565,710	4,186,931	10
350	1.17E-01	6.45E-05	1.41E-05	565,810	4,186,931	10
351	6.82E-02	3.60E-05	2.69E-05	563,410	4,186,831	10
352	9.08E-02	4.71E-05	3.32E-05	563,510	4,186,831	10
353	1.11E-01	5.72E-05	3.78E-05	563,610	4,186,831	10
354	1.61E-01	8.13E-05	4.85E-05	563,710	4,186,831	10

Receptor Number	Cancer Risk # in a million	Chronic Hazard Index	Acute Hazard Index	UTM Easting	UTM Northing	ZONE
355	2.67E-01	1.30E-04	5.29E-05	563,810	4,186,831	10
356	3.66E-01	1.77E-04	5.20E-05	563,910	4,186,831	10
357	4.01E-01	1.96E-04	5.71E-05	564,010	4,186,831	10
358	4.28E-01	2.14E-04	5.88E-05	564,110	4,186,831	10
359	4.70E-01	2.40E-04	6.17E-05	564,210	4,186,831	10
360	5.61E-01	2.95E-04	6.49E-05	564,310	4,186,831	10
361	8.47E-01	4.63E-04	7.80E-05	564,410	4,186,831	10
362	1.11E+00	6.16E-04	7.45E-05	564,510	4,186,831	10
363	8.76E-01	4.89E-04	6.51E-05	564,610	4,186,831	10
364	1.11E+00	6.37E-04	5.85E-05	564,710	4,186,831	10
365	6.92E-01	3.89E-04	4.87E-05	564,810	4,186,831	10
366	5.14E-01	2.86E-04	4.21E-05	564,910	4,186,831	10
367	4.07E-01	2.25E-04	3.69E-05	565,010	4,186,831	10
368	3.34E-01	1.83E-04	3.12E-05	565,110	4,186,831	10
369	2.77E-01	1.52E-04	2.86E-05	565,210	4,186,831	10
370	2.32E-01	1.28E-04	2.53E-05	565,310	4,186,831	10
371	1.98E-01	1.09E-04	2.24E-05	565,410	4,186,831	10
372	1.70E-01	9.37E-05	1.92E-05	565,510	4,186,831	10
373	1.49E-01	8.21E-05	1.75E-05	565,610	4,186,831	10
374	1.32E-01	7.29E-05	1.57E-05	565,710	4,186,831	10
375	1.18E-01	6.52E-05	1.45E-05	565,810	4,186,831	10
376	5.73E-02	3.08E-05	2.52E-05	563,410	4,186,731	10
377	7.01E-02	3.74E-05	3.05E-05	563,510	4,186,731	10
378	8.98E-02	4.74E-05	4.00E-05	563,610	4,186,731	10
379	1.26E-01	6.49E-05	5.45E-05	563,710	4,186,731	10
380	2.50E-01	1.23E-04	8.73E-05	563,810	4,186,731	10
381	1.03E+00	4.77E-04	9.10E-05	563,910	4,186,731	10
382	7.75E-01	3.65E-04	8.40E-05	564,010	4,186,731	10
383	6.89E-01	3.31E-04	7.99E-05	564,110	4,186,731	10
384	6.70E-01	3.31E-04	7.70E-05	564,210	4,186,731	10
385	7.34E-01	3.76E-04	8.09E-05	564,310	4,186,731	10
386	1.13E+00	6.08E-04	9.62E-05	564,410	4,186,731	10
387	1.12E+00	6.10E-04	8.30E-05	564,510	4,186,731	10
388	9.73E-01	5.36E-04	7.41E-05	564,610	4,186,731	10
389	1.04E+00	5.85E-04	6.30E-05	564,710	4,186,731	10
390	7.01E-01	3.86E-04	5.55E-05	564,810	4,186,731	10
391	5.33E-01	2.91E-04	4.54E-05	564,910	4,186,731	10
392	4.26E-01	2.31E-04	4.10E-05	565,010	4,186,731	10
393	3.48E-01	1.88E-04	3.39E-05	565,110	4,186,731	10
394	2.86E-01	1.55E-04	3.13E-05	565,210	4,186,731	10
395	2.39E-01	1.30E-04	2.67E-05	565,310	4,186,731	10
396	2.02E-01	1.10E-04	2.35E-05	565,410	4,186,731	10
397	1.73E-01	9.43E-05	2.10E-05	565,510	4,186,731	10
398	1.51E-01	8.24E-05	1.84E-05	565,610	4,186,731	10
399	1.33E-01	7.31E-05	1.66E-05	565,710	4,186,731	10
400	1.19E-01	6.55E-05	1.51E-05	565,810	4,186,731	10
401	5.52E-02	2.96E-05	2.74E-05	563,410	4,186,631	10
402	6.62E-02	3.52E-05	3.12E-05	563,510	4,186,631	10
403	8.39E-02	4.42E-05	3.89E-05	563,610	4,186,631	10
404	1.13E-01	5.87E-05	4.84E-05	563,710	4,186,631	10
405	1.68E-01	8.55E-05	5.35E-05	563,810	4,186,631	10
406	3.02E-01	1.48E-04	6.62E-05	563,910	4,186,631	10
407	4.92E-01	2.37E-04	8.28E-05	564,010	4,186,631	10
408	7.91E-01	3.77E-04	1.16E-04	564,110	4,186,631	10
409	1.60E+00	7.48E-04	1.50E-04	564,210	4,186,631	10
410	1.25E+00	6.10E-04	1.21E-04	564,310	4,186,631	10
411	1.97E+00	1.05E-03	1.31E-04	564,410	4,186,631	10
412	1.28E+00	6.73E-04	9.99E-05	564,510	4,186,631	10
413	1.19E+00	6.44E-04	8.94E-05	564,610	4,186,631	10

Receptor Number	Cancer Risk # in a million	Chronic Hazard Index	Acute Hazard Index	UTM Easting	UTM Northing	ZONE
414	1.08E+00	5.87E-04	7.42E-05	564,710	4,186,631	10
415	7.62E-01	4.08E-04	6.15E-05	564,810	4,186,631	10
416	5.91E-01	3.14E-04	5.38E-05	564,910	4,186,631	10
417	4.71E-01	2.49E-04	4.35E-05	565,010	4,186,631	10
418	3.78E-01	2.00E-04	4.02E-05	565,110	4,186,631	10
419	3.04E-01	1.62E-04	3.24E-05	565,210	4,186,631	10
420	2.49E-01	1.33E-04	3.04E-05	565,310	4,186,631	10
421	2.07E-01	1.12E-04	2.46E-05	565,410	4,186,631	10
422	1.76E-01	9.54E-05	2.24E-05	565,510	4,186,631	10
423	1.53E-01	8.30E-05	1.94E-05	565,610	4,186,631	10
424	1.34E-01	7.32E-05	1.71E-05	565,710	4,186,631	10
425	1.19E-01	6.51E-05	1.50E-05	565,810	4,186,631	10
426	5.25E-02	2.81E-05	2.59E-05	563,410	4,186,531	10
427	6.34E-02	3.36E-05	2.85E-05	563,510	4,186,531	10
428	7.76E-02	4.09E-05	3.27E-05	563,610	4,186,531	10
429	9.84E-02	5.15E-05	3.91E-05	563,710	4,186,531	10
430	1.36E-01	7.03E-05	4.51E-05	563,810	4,186,531	10
431	1.97E-01	1.00E-04	5.88E-05	563,910	4,186,531	10
432	2.84E-01	1.43E-04	6.42E-05	564,010	4,186,531	10
433	3.91E-01	1.97E-04	7.56E-05	564,110	4,186,531	10
434	5.45E-01	2.76E-04	9.49E-05	564,210	4,186,531	10
435	8.15E-01	4.20E-04	1.11E-04	564,310	4,186,531	10
436	1.89E+00	1.02E-03	1.46E-04	564,410	4,186,531	10
437	1.79E+00	8.99E-04	1.55E-04	564,510	4,186,531	10
438	2.11E+00	1.10E-03	1.50E-04	564,610	4,186,531	10
439	1.36E+00	7.04E-04	1.07E-04	564,710	4,186,531	10
440	9.83E-01	5.02E-04	8.29E-05	564,810	4,186,531	10
441	7.53E-01	3.83E-04	6.38E-05	564,910	4,186,531	10
442	5.82E-01	2.97E-04	5.20E-05	565,010	4,186,531	10
443	4.44E-01	2.28E-04	4.30E-05	565,110	4,186,531	10
444	3.33E-01	1.74E-04	3.61E-05	565,210	4,186,531	10
445	2.60E-01	1.38E-04	3.15E-05	565,310	4,186,531	10
446	2.14E-01	1.14E-04	2.61E-05	565,410	4,186,531	10
447	1.79E-01	9.63E-05	2.22E-05	565,510	4,186,531	10
448	1.54E-01	8.28E-05	1.94E-05	565,610	4,186,531	10
449	1.34E-01	7.28E-05	1.69E-05	565,710	4,186,531	10
450	1.19E-01	6.47E-05	1.55E-05	565,810	4,186,531	10
451	5.02E-02	2.68E-05	2.34E-05	563,410	4,186,431	10
452	5.89E-02	3.13E-05	2.70E-05	563,510	4,186,431	10
453	7.06E-02	3.73E-05	3.07E-05	563,610	4,186,431	10
454	8.72E-02	4.58E-05	3.39E-05	563,710	4,186,431	10
455	1.13E-01	5.92E-05	3.97E-05	563,810	4,186,431	10
456	1.54E-01	7.99E-05	4.95E-05	563,910	4,186,431	10
457	2.13E-01	1.10E-04	5.23E-05	564,010	4,186,431	10
458	2.91E-01	1.51E-04	6.28E-05	564,110	4,186,431	10
459	4.12E-01	2.17E-04	7.63E-05	564,210	4,186,431	10
460	6.57E-01	3.54E-04	8.92E-05	564,310	4,186,431	10
461	1.30E+00	7.20E-04	1.07E-04	564,410	4,186,431	10
462	9.82E-01	5.32E-04	1.04E-04	564,510	4,186,431	10
463	1.53E+00	8.56E-04	1.08E-04	564,610	4,186,431	10
464	1.06E+00	5.55E-04	1.06E-04	564,710	4,186,431	10
465	1.12E+00	5.57E-04	1.17E-04	564,810	4,186,431	10
466	1.67E+00	7.89E-04	1.37E-04	564,910	4,186,431	10
467	1.02E+00	4.91E-04	8.33E-05	565,010	4,186,431	10
468	6.38E-01	3.14E-04	5.77E-05	565,110	4,186,431	10
469	3.85E-01	1.96E-04	4.46E-05	565,210	4,186,431	10
470	2.77E-01	1.44E-04	3.38E-05	565,310	4,186,431	10
471	2.18E-01	1.15E-04	2.83E-05	565,410	4,186,431	10
472	1.80E-01	9.58E-05	2.43E-05	565,510	4,186,431	10

HARP RISK Values

Receptor Number	Cancer Risk # in a million	Chronic Hazard Index	Acute Hazard Index	UTM Easting	UTM Northing	ZONE
473	1.53E-01	8.19E-05	2.08E-05	565,610	4,186,431	10
474	1.32E-01	7.14E-05	1.80E-05	565,710	4,186,431	10
475	1.17E-01	6.34E-05	1.57E-05	565,810	4,186,431	10
476	4.65E-02	2.48E-05	2.21E-05	563,410	4,186,331	10
477	5.42E-02	2.88E-05	2.45E-05	563,510	4,186,331	10
478	6.36E-02	3.38E-05	2.80E-05	563,610	4,186,331	10
479	7.73E-02	4.09E-05	2.94E-05	563,710	4,186,331	10
480	9.74E-02	5.12E-05	3.53E-05	563,810	4,186,331	10
481	1.26E-01	6.60E-05	3.81E-05	563,910	4,186,331	10
482	1.69E-01	8.88E-05	4.54E-05	564,010	4,186,331	10
483	2.35E-01	1.25E-04	5.43E-05	564,110	4,186,331	10
484	3.48E-01	1.87E-04	6.21E-05	564,210	4,186,331	10
485	6.27E-01	3.46E-04	7.44E-05	564,310	4,186,331	10
486	1.03E+00	5.77E-04	8.24E-05	564,410	4,186,331	10
487	8.23E-01	4.57E-04	8.12E-05	564,510	4,186,331	10
488	1.09E+00	6.21E-04	8.39E-05	564,610	4,186,331	10
489	7.42E-01	4.05E-04	7.71E-05	564,710	4,186,331	10
490	6.34E-01	3.34E-04	7.33E-05	564,810	4,186,331	10
491	6.05E-01	3.09E-04	7.20E-05	564,910	4,186,331	10
492	6.26E-01	3.11E-04	6.68E-05	565,010	4,186,331	10
493	6.70E-01	3.26E-04	6.56E-05	565,110	4,186,331	10
494	4.13E-01	2.07E-04	5.15E-05	565,210	4,186,331	10
495	2.85E-01	1.46E-04	5.33E-05	565,310	4,186,331	10
496	2.19E-01	1.15E-04	3.74E-05	565,410	4,186,331	10
497	1.79E-01	9.49E-05	2.80E-05	565,510	4,186,331	10
498	1.52E-01	8.11E-05	2.29E-05	565,610	4,186,331	10
499	1.32E-01	7.06E-05	1.87E-05	565,710	4,186,331	10
500	1.16E-01	6.26E-05	1.57E-05	565,810	4,186,331	10
501	4.34E-02	2.32E-05	2.03E-05	563,410	4,186,231	10
502	4.94E-02	2.64E-05	2.22E-05	563,510	4,186,231	10
503	5.73E-02	3.05E-05	2.45E-05	563,610	4,186,231	10
504	6.84E-02	3.63E-05	2.63E-05	563,710	4,186,231	10
505	8.43E-02	4.46E-05	3.03E-05	563,810	4,186,231	10
506	1.06E-01	5.60E-05	3.44E-05	563,910	4,186,231	10
507	1.37E-01	7.26E-05	3.83E-05	564,010	4,186,231	10
508	1.87E-01	9.96E-05	4.46E-05	564,110	4,186,231	10
509	2.91E-01	1.58E-04	4.93E-05	564,210	4,186,231	10
510	6.42E-01	3.59E-04	6.72E-05	564,310	4,186,231	10
511	8.35E-01	4.70E-04	6.39E-05	564,410	4,186,231	10
512	7.39E-01	4.17E-04	6.49E-05	564,510	4,186,231	10
513	8.61E-01	4.92E-04	6.04E-05	564,610	4,186,231	10
514	5.86E-01	3.25E-04	5.79E-05	564,710	4,186,231	10
515	4.81E-01	2.60E-04	5.74E-05	564,810	4,186,231	10
516	4.31E-01	2.27E-04	5.57E-05	564,910	4,186,231	10
517	4.03E-01	2.09E-04	4.98E-05	565,010	4,186,231	10
518	3.75E-01	1.91E-04	4.69E-05	565,110	4,186,231	10
519	3.13E-01	1.60E-04	4.15E-05	565,210	4,186,231	10
520	2.51E-01	1.30E-04	3.32E-05	565,310	4,186,231	10
521	2.02E-01	1.06E-04	2.82E-05	565,410	4,186,231	10
522	1.70E-01	8.99E-05	2.32E-05	565,510	4,186,231	10
523	1.48E-01	7.88E-05	2.16E-05	565,610	4,186,231	10
524	1.30E-01	6.95E-05	2.41E-05	565,710	4,186,231	10
525	1.15E-01	6.18E-05	2.20E-05	565,810	4,186,231	10
526	4.08E-02	2.19E-05	1.88E-05	563,410	4,186,131	10
527	4.58E-02	2.45E-05	1.91E-05	563,510	4,186,131	10
528	5.29E-02	2.83E-05	2.20E-05	563,610	4,186,131	10
529	6.23E-02	3.32E-05	2.27E-05	563,710	4,186,131	10
530	7.48E-02	3.98E-05	2.72E-05	563,810	4,186,131	10
531	9.09E-02	4.84E-05	2.98E-05	563,910	4,186,131	10

HARP RISK Values

Receptor Number	Cancer Risk # in a million	Chronic Hazard Index	Acute Hazard Index	UTM Easting	UTM Northing	ZONE
532	1.14E-01	6.08E-05	3.50E-05	564,010	4,186,131	10
533	1.48E-01	7.95E-05	3.71E-05	564,110	4,186,131	10
534	2.14E-01	1.16E-04	4.44E-05	564,210	4,186,131	10
535	6.93E-01	3.91E-04	6.48E-05	564,310	4,186,131	10
536	6.23E-01	3.51E-04	5.22E-05	564,410	4,186,131	10
537	6.85E-01	3.92E-04	5.40E-05	564,510	4,186,131	10
538	6.79E-01	3.89E-04	5.02E-05	564,610	4,186,131	10
539	4.71E-01	2.64E-04	4.82E-05	564,710	4,186,131	10
540	3.85E-01	2.11E-04	4.65E-05	564,810	4,186,131	10
541	3.38E-01	1.82E-04	4.33E-05	564,910	4,186,131	10
542	3.09E-01	1.64E-04	4.02E-05	565,010	4,186,131	10
543	2.82E-01	1.48E-04	3.89E-05	565,110	4,186,131	10
544	2.49E-01	1.30E-04	3.53E-05	565,210	4,186,131	10
545	2.14E-01	1.12E-04	3.15E-05	565,310	4,186,131	10
546	1.83E-01	9.64E-05	2.55E-05	565,410	4,186,131	10
547	1.59E-01	8.44E-05	2.13E-05	565,510	4,186,131	10
548	1.38E-01	7.34E-05	1.95E-05	565,610	4,186,131	10
549	1.20E-01	6.44E-05	1.74E-05	565,710	4,186,131	10
550	1.08E-01	5.81E-05	1.45E-05	565,810	4,186,131	10
551	3.82E-02	2.05E-05	1.68E-05	563,410	4,186,031	10
552	4.27E-02	2.29E-05	1.86E-05	563,510	4,186,031	10
553	4.89E-02	2.62E-05	1.99E-05	563,610	4,186,031	10
554	5.71E-02	3.05E-05	2.21E-05	563,710	4,186,031	10
555	6.72E-02	3.59E-05	2.34E-05	563,810	4,186,031	10
556	7.99E-02	4.27E-05	2.68E-05	563,910	4,186,031	10
557	9.81E-02	5.25E-05	3.02E-05	564,010	4,186,031	10
558	1.23E-01	6.60E-05	3.38E-05	564,110	4,186,031	10
559	1.63E-01	8.84E-05	3.85E-05	564,210	4,186,031	10
560	2.68E-01	1.48E-04	5.04E-05	564,310	4,186,031	10
561	3.45E-01	1.93E-04	4.54E-05	564,410	4,186,031	10
562	7.47E-01	4.35E-04	5.12E-05	564,510	4,186,031	10
563	4.98E-01	2.85E-04	4.30E-05	564,610	4,186,031	10
564	3.69E-01	2.07E-04	3.98E-05	564,710	4,186,031	10
565	3.09E-01	1.70E-04	3.76E-05	564,810	4,186,031	10
566	2.75E-01	1.49E-04	3.73E-05	564,910	4,186,031	10
567	2.50E-01	1.34E-04	3.60E-05	565,010	4,186,031	10
568	2.28E-01	1.21E-04	3.36E-05	565,110	4,186,031	10
569	2.06E-01	1.09E-04	2.94E-05	565,210	4,186,031	10
570	1.82E-01	9.64E-05	2.61E-05	565,310	4,186,031	10
571	1.62E-01	8.61E-05	2.43E-05	565,410	4,186,031	10
572	1.44E-01	7.67E-05	2.15E-05	565,510	4,186,031	10
573	1.30E-01	6.94E-05	1.79E-05	565,610	4,186,031	10
574	1.16E-01	6.23E-05	1.57E-05	565,710	4,186,031	10
575	1.04E-01	5.57E-05	1.45E-05	565,810	4,186,031	10
576	3.55E-02	1.91E-05	1.59E-05	563,410	4,185,931	10
577	3.99E-02	2.15E-05	1.64E-05	563,510	4,185,931	10
578	4.51E-02	2.42E-05	1.85E-05	563,610	4,185,931	10
579	5.23E-02	2.80E-05	2.02E-05	563,710	4,185,931	10
580	6.08E-02	3.26E-05	2.19E-05	563,810	4,185,931	10
581	7.10E-02	3.81E-05	2.46E-05	563,910	4,185,931	10
582	8.42E-02	4.52E-05	2.55E-05	564,010	4,185,931	10
583	1.01E-01	5.45E-05	2.97E-05	564,110	4,185,931	10
584	1.31E-01	7.12E-05	3.43E-05	564,210	4,185,931	10
585	1.72E-01	9.44E-05	3.74E-05	564,310	4,185,931	10
586	2.14E-01	1.18E-04	3.69E-05	564,410	4,185,931	10
587	2.78E-01	1.56E-04	4.06E-05	564,510	4,185,931	10
588	3.01E-01	1.69E-04	3.76E-05	564,610	4,185,931	10
589	2.73E-01	1.52E-04	3.36E-05	564,710	4,185,931	10
590	2.46E-01	1.35E-04	3.34E-05	564,810	4,185,931	10

HARP RISK Values

Receptor Number	Cancer Risk # in a million	Chronic Hazard Index	Acute Hazard Index	UTM Easting	UTM Northing	ZONE
591	2.25E-01	1.23E-04	3.28E-05	564,910	4,185,931	10
592	2.07E-01	1.12E-04	3.03E-05	565,010	4,185,931	10
593	1.91E-01	1.02E-04	2.84E-05	565,110	4,185,931	10
594	1.75E-01	9.36E-05	2.70E-05	565,210	4,185,931	10
595	1.59E-01	8.47E-05	2.46E-05	565,310	4,185,931	10
596	1.43E-01	7.64E-05	2.16E-05	565,410	4,185,931	10
597	1.30E-01	6.95E-05	1.96E-05	565,510	4,185,931	10
598	1.18E-01	6.32E-05	1.72E-05	565,610	4,185,931	10
599	1.08E-01	5.82E-05	1.54E-05	565,710	4,185,931	10
600	9.93E-02	5.33E-05	1.37E-05	565,810	4,185,931	10
601	3.33E-02	1.80E-05	1.47E-05	563,410	4,185,831	10
602	3.73E-02	2.01E-05	1.60E-05	563,510	4,185,831	10
603	4.19E-02	2.25E-05	1.66E-05	563,610	4,185,831	10
604	4.82E-02	2.59E-05	1.89E-05	563,710	4,185,831	10
605	5.48E-02	2.94E-05	1.96E-05	563,810	4,185,831	10
606	6.19E-02	3.32E-05	2.19E-05	563,910	4,185,831	10
607	7.25E-02	3.90E-05	2.34E-05	564,010	4,185,831	10
608	8.64E-02	4.66E-05	2.57E-05	564,110	4,185,831	10
609	1.08E-01	5.90E-05	3.08E-05	564,210	4,185,831	10
610	1.27E-01	6.94E-05	3.09E-05	564,310	4,185,831	10
611	1.53E-01	8.40E-05	3.41E-05	564,410	4,185,831	10
612	1.83E-01	1.02E-04	3.39E-05	564,510	4,185,831	10
613	2.01E-01	1.11E-04	3.20E-05	564,610	4,185,831	10
614	2.00E-01	1.11E-04	3.02E-05	564,710	4,185,831	10
615	1.93E-01	1.06E-04	2.91E-05	564,810	4,185,831	10
616	1.84E-01	1.00E-04	2.87E-05	564,910	4,185,831	10
617	1.73E-01	9.36E-05	2.69E-05	565,010	4,185,831	10
618	1.61E-01	8.71E-05	2.60E-05	565,110	4,185,831	10
619	1.50E-01	8.08E-05	2.46E-05	565,210	4,185,831	10
620	1.39E-01	7.44E-05	2.15E-05	565,310	4,185,831	10
621	1.27E-01	6.80E-05	1.93E-05	565,410	4,185,831	10
622	1.17E-01	6.28E-05	1.80E-05	565,510	4,185,831	10
623	1.08E-01	5.79E-05	1.68E-05	565,610	4,185,831	10
624	9.88E-02	5.33E-05	1.55E-05	565,710	4,185,831	10
625	9.19E-02	4.95E-05	1.40E-05	565,810	4,185,831	10