
CEQA Required Assessment Conclusions

This chapter summarizes the EIR findings in terms of the assessment categories required by Section 21100 of the California Environmental Quality Act: growth-inducing impacts; significant irreversible changes; unavoidable significant impacts; cumulative impacts; and effects found not to be significant.

Growth-Inducing Impacts

Section 211 00(b)(5) of CEQA requires that an EIR include information regarding the growth-inducing impacts of the proposed project. CEQA Guidelines section 15126.2(d) states that an EIR shall: "Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing either directly or indirectly, in the surrounding environment. ... It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment." The Specific Plan may foster economic growth, result in population growth, and indirectly result in the construction of additional housing and non-residential development within Oakland and the Bay Area region.

Amount and Locations of Growth Facilitated by the Specific Plan

The Specific Plan sets forth a specifically defined proposal for growth and revitalization in West Oakland, focusing on key Opportunity Areas and Opportunity Sites. Implementation of the Specific Plan would result in population growth and would foster economic growth, stimulate private investment and increase the community's supply of housing. For CEQA environmental impact assessment purposes, it is assumed in this EIR that the Specific Plan would be fully successful in facilitating economic revitalization of the Planning Area and development of new employment uses and new housing on the 37 Opportunity Sites, as well as additional infill development on vacant and underutilized properties throughout the Opportunity Areas, by 2035. As shown on Table 4.8-5, the Specific Plan would provide for development of up to approximately 5,090 net new housing units and 4.03 million square feet of net new non-residential space within the Opportunity Areas by 2035. This development would result in an estimated 11,136 net new residents and 14,850 net new jobs by 2035. This population increase would not in itself constitute a significant adverse environmental impact.

Nearly all of the growth facilitated by the Specific Plan would occur in the four Opportunity Areas, which contain numerous vacant and underutilized properties, and older facilities that no longer meet current standards and market conditions, and thus have the most potential for change. Within the four Opportunity Areas, new development is most likely to occur on the 37 Opportunity Sites. These Opportunity Sites are individual parcels or groups of parcels which are vacant, underutilized, blighted or which contain uses that conflict with nearby residential neighborhoods. The Opportunity Sites were identified by the City as being available for development based on previous development applications or where the City has consistently sought opportunities to re-make these sites into positive contributors to the community through development outreach. Development of the Opportunity Sites is in turn expected to encourage development of other properties in the surrounding Opportunity Area.

Comparison of Specific Plan and ABAG Growth Projections

ABAG periodically produces growth forecasts for public information and for use by other regional agencies, including the Metropolitan Transportation Commission (MTC) and the Bay Area Air Quality Management District (BAAQMD), in making project funding and regulatory decisions. For example, the ABAG projections provide the basis for the MTC Regional Transportation Plan and the BAAQMD regional Ozone Attainment Plan. The ABAG projections are also the basis for the Alameda County Congestion Management Agency (ACCMA) regional traffic model.

The General Plans and development regulations of local jurisdictions are a key basis for the ABAG projections. The forecasts also reflect larger realities like climate change, high energy costs and the aging population, which over the long term, are expected to influence development outcomes. The ABAG projections also reflect the anticipated impact of “smart growth” policies and incentives in shifting development patterns from historical trends toward better jobs-housing balance, cleaner air, lower greenhouse gas (GHG) emissions, increased preservation of open space, and lower housing and travel costs.

The Specific Plan build-out projections are consistent with the ABAG projections of household and employment growth, and would therefore not represent growth for which adequate planning has not occurred.

General Plan Amendments

Implementation of the Specific Plan would require (and the project analyzed in this EIR assumes) General Plan amendments to allow residential development of specific sites currently not planned nor zoned for residential purposes. The potential environmental consequences of these proposed General Plan amendments/zoning changes and their resulting residential development on the subject parcels are assessed in the respective individual chapters within this EIR. With the General Plan amendments, the amount of new development allowed under the Specific Plan would not represent an increase over the amount of development allowed under the General Plan.

Growth Inducement

Growth within West Oakland under the Specific Plan would generate jobs, personal income, and revenue to the City, to the extent that such growth was attracted to West Oakland from elsewhere in the region and not from elsewhere in Oakland. New uses attracted to the Planning Area would generate increased local demand for goods and services, and additional indirect jobs and personal income through an economic "multiplier effect". The multiplier effect describes the indirect and induced employment and income generated by the Specific Plan. For every new job, other jobs are attracted to the local economy to support that job.

The Specific Plan recommends improvements to streets and water, sewer and storm drainage facilities within the Planning Area, which may in limited cases be designed to also accommodate growth in adjacent areas. Growth in West Oakland in accordance with the Specific Plan may, to a limited extent, increase the potential for development and redevelopment in some surrounding areas both within and outside of the West Oakland Planning Area. Any such potential would be limited by the ability of the market to “absorb” the amount of development allowed by the Specific Plan. Given the types of uses targeted by the Specific Plan, and existing plans for surrounding areas, any potential for such induced growth would likely occur in industrial areas of the Jack London waterfront adjacent to the 3rd Street Opportunity Area, rather than at the former Oakland Army Base or Downtown Oakland. New economic activity and growth outside West Oakland may in turn increase traffic, air quality and noise impacts, and

generate demand for housing, public services and utilities, the expansion or new construction of which could cause environmental impacts. This potential indirect growth would occur in accordance with the General Plan and the 2007-2014 Housing Element, and applicable neighborhood plans, specific plans and other plans, which have undergone their own program-level environmental review under CEQA. Potential new development projects may require their own project-level environmental review in accordance with CEQA. The location, timing, nature, extent and severity of the potential environmental impacts of any given project are too speculative to predict or evaluate in this EIR.

In summary, the potential environmental impacts of development within West Oakland facilitated by the Specific Plan have been evaluated in this EIR. The Specific Plan build-out projections are consistent with the ABAG projections of household and employment growth. Potential induced growth, if any, outside the Opportunity Areas due to infrastructure improvements, enhanced development potential on adjacent land, or increased economic activity, would occur as already contemplated in and consistent with adopted plans and the environmental documents prepared for those plans. Therefore, growth facilitated or induced by the Specific Plan would not represent growth for which adequate planning has not occurred, and the growth inducement impacts of the Specific Plan would be less than significant.

Significant Irreversible Changes

CEQA Guidelines Section 15126(c) requires that an EIR also discuss “significant irreversible environmental changes which would be caused by the proposed project should it be implemented.” These may include current or future uses of non-renewable resources, and secondary or growth-inducing impacts that commit future generations to similar uses. Irreversible commitments of resources should be evaluated to assure that such current consumption is justified. The CEQA Guidelines describe three distinct categories of significant irreversible changes: (1) changes in land use that would commit future generations; (2) irreversible changes from environmental accidents; and (3) consumption of non-renewable resources.

The Specific Plan would commit future generations to an increase in development intensity and changes in land use and visual character within the Planning Area. Given the significant public and private investments in buildings and other improvements associated with these changes, and the anticipated lifetime of these improvements, these changes would not be likely to be reversed or significantly changed for many years to come.

The Specific Plan may also result in the unavoidable irreversible loss of significant historic resources. Development under the Specific Plan would not be expected to involve significant quantities of hazardous materials, nor other potential for environmental accidents. While some new uses in accordance with the Specific Plan would involve the use, transport, storage and disposal of hazardous materials, such activities would comply with existing federal, State and County regulations and standards, and the routine practices of regulatory and oversight agencies, which would reduce the likelihood and severity of environmental accidents which could result in irreversible environmental damage.

Development under the Specific Plan would irreversibly commit construction materials and non-renewable energy resources to the purposes of the projects. These energy resource demands would be used for demolition, construction, transportation of people and goods, heating, ventilation and air conditioning, lighting, and other associated energy needs. Because development facilitated by the Specific Plan would be required to comply with California Code of Regulations Title 24 energy regulations, the Specific Plan would not be expected to use energy in a wasteful, inefficient, or unnecessary manner.

Non-renewable and slowly renewable resources used by projects that implement the Specific Plan would include, but are not limited to, lumber and other forest products; sand and gravel; asphalt; petrochemical construction materials; steel; copper; lead and other metals; water; etc. The impacts of the Specific Plan related to consumption of nonrenewable and slowly renewable resources are considered to be less than significant because these projects would not use unusual amounts of energy or construction materials.

Unavoidable Significant Impacts

CEQA Guidelines section 15126.2(b) requires that the EIR discuss "significant environmental effects which cannot be avoided if the proposed project is implemented." Unavoidable significant impacts are those that could not be reduced to less-than-significant levels by mitigation measures, as part of the project, or other mitigation measures that could be implemented. The Specific Plan would result in the following unavoidable significant impacts:

Air Quality

- **Air-3: Odor Impacts.** Development in accordance with the Specific Plan could expose a substantial number of new people to existing and new objectionable odors. Potential effects of the environment on a project are legally not required to be analyzed or mitigated under CEQA. This EIR nevertheless analyzes potential effects of the environment on the project (i.e. siting new receptors near existing and potential new odor sources) in order to provide information to the public and decision-makers.
- **Impact Air-5:** During construction, individual development projects pursuant to the Specific Plan will generate regional ozone precursor emissions from construction equipment exhaust. For most individual development projects, construction emissions will be effectively reduced to a level of less than significant with implementation of required City of Oakland Standard Conditions of Approval. However, larger individual construction projects could generate emissions of criteria air pollutants that would exceed the City's thresholds of significance.
- **Impact Air-7:** Once buildout of the Specific Plan is complete and all of the expected new development is fully occupied, new development pursuant to the Specific Plan will generate emissions of criteria pollutants (ROG, NO_x, PM₁₀ and PM_{2.5}) as a result of increased motor vehicle traffic and area source emissions. Traffic emissions combined with anticipated area source emissions would generate levels of criteria air pollutants that would exceed the City's project-level thresholds of significance.
- **Impact Air-9:** Development pursuant to the West Oakland Specific Plan would include new light industrial, custom manufacturing and other similar land uses, as well as the introduction of new diesel generators that could emit toxic emissions. resulting in (a) a cancer risk level greater than 10 in one million, (b) a chronic or acute hazard index greater than 1.0, or (c) an increase of annual average PM_{2.5} concentration of greater than 0.3 micrograms per cubic meter; or under cumulative conditions, resulting in a) a cancer risk level greater than 100 in a million, b) a chronic or acute hazard index greater than 10.0, or c) annual average PM_{2.5} of greater than 0.8 micrograms per cubic meter.
- **Air-10:** Certain future development projects in accordance with the West Oakland Specific Plan could result in new sensitive receptors exposed to existing levels of toxic air contaminants (TACs) or concentrations of PM_{2.5} that could result in increased cancer risk or other health hazards. CEQA requires the analysis of potential adverse effects of a project on the environment. Potential effects

of the environment on a project are legally not required to be analyzed or mitigated under CEQA. However, this EIR nevertheless analyzes potential effects of the environment on the project (i.e. siting new receptors near existing TAC sources) in order to provide information to the public and decision-makers.

Greenhouse Gas Emissions

- **Impact GHG-3:** It is possible that on an individual basis, certain development project envisioned and enabled under the Specific Plan could exceed, on an individual and project-by-project basis, the project-level GHG threshold. Under the City's required SCAs, individual development projects exceeding project-level screening criteria are required to undergo project-specific GHG emissions forecasts and, as appropriate, implement project-specific GHG reduction plans with the goal of increasing energy efficiency and reducing GHG emissions to the greatest extent feasible below both applicable numeric City of Oakland CEQA Thresholds. However, not until these tiered projects are proposed and evaluated can the efficacy of each individual project's design characteristics, applicable SCAs and other City policies (particularly SCA F) in reducing GHG emissions to below relevant thresholds be determined.

Traffic and Transportation

- **Impact Trans-1 (Existing plus Project) and -3 (Cumulative plus Project) at Hollis and 40th Street:** The addition of traffic generated by the full development of the proposed Project to both Existing conditions and Cumulative 2035 conditions would cause PM peak hour southbound left turn 95th percentile queue length at the signalized intersection of Hollis and 40th Street (#1) located in Emeryville to exceed the available queue storage. Because this intersection is within the City of Emeryville's jurisdiction, the timing and implementation of the improvements are not under the City of Oakland's control. Therefore, the improvement cannot be assured to be completed.
- **Impact Trans-2 (Existing plus Project) and -4 (Cumulative plus Project) at San Pablo Avenue and 40th Street:** The addition of traffic generated by the full development of the proposed Project to both Existing Conditions and Cumulative 20135 Conditions would cause PM peak hour traffic operations at the signalized intersection of San Pablo Avenue and 40th Street (#2) located in Emeryville to degrade from LOS D to LOS E under Existing plus Project conditions. Additionally, the eastbound left and northbound left turn 95th percentile queue length would exceed the available queue storage in the AM peak hour. Because this intersection is within the City of Emeryville's jurisdiction, the timing and implementation of the improvements are not under the City of Oakland's control. Therefore, the improvement cannot be assured to be completed.
- **Impact Trans-5 (Cumulative plus Project) at Mandela Parkway and West Grand Avenue:** The addition of traffic generated by the full development of the Specific Plan under Cumulative 2035 conditions would degrade operation from LOS D to LOS F in the AM peak hour, and from LOS E to LOS F in the PM peak hour at the signalized intersection at Mandela Parkway and West Grand Avenue (#7) located outside the Downtown Area and would increase the volume-to-capacity ratio beyond the threshold of significance. The recommended mitigation measures would encroach into Memorial Park and the street medians, and the provision of four westbound lanes would preclude planned installation of a bicycle facility on West Grand Avenue which is a City priority (Resolution 84197, Nov 2012). Therefore, these additional improvements are not recommended.

Effects Found Not to be Significant

Section 15128 of the CEQA Guidelines requires that the EIR “contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.” All environmental topics are addressed in this EIR, as found in Chapters 4.1 through 4.12.