

INITIAL STUDY DETERMINATION

TO DETERMINE WHETHER FURTHER CEQA REVIEW IS
REQUIRED FOR IMPLEMENTATION OF THE
OAKLAND ARMY BASE REUSE PLAN

FOR THE

OARB AUTO MALL PROJECT

PREPARED FOR:

CITY OF OAKLAND



BY: **LAMPHIER -GREGORY**

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JANUARY 2006

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APPENDIX A

Mitigation Measures from the Previous EIR

OARB Area Redevelopment Plan EIR Mitigation Measure Checklist

Summary of Significant Impacts and Mitigation (from the OARB Area Redevelopment Plan Final EIR)

ENVIRONMENTAL DETERMINATION

GENERAL INFORMATION

Purpose of Document

The purpose of this evaluation is to determine what, if any, further environmental review needs to be performed in order to consider approval of an auto mall at the former Oakland Army Base (OARB), since an EIR has already been certified for the Oakland Army Base Redevelopment Plan and Reuse Plan. An additional project option is being reviewed which would include a larger auto mall and “big box” retail.

Project Name

OARB Auto Mall

Lead Agency

City of Oakland
Community and Economic Development Agency
250 Frank Ogawa Plaza, 3rd Floor
Oakland, California 94612
Contact Person: Elois Thornton, Planner IV
Phone: 510-238-6284

Project Location and Site Information

The Project site is located on an approximately 30-acre portion of the former Oakland Army Base (OARB) and within the Oakland Army Base Redevelopment Area. The site is specifically described as the North Gateway Development Area. It is bounded by the East Bay Municipal Utility District (EBMUD) Wastewater Treatment Plant on the north, West Grand Avenue to the south and I-880 on the east. Access to the site is via Wake Avenue from Maritime Street, and West Grand Avenue.

The City of Oakland also wishes to evaluate a Project option (Option B) that includes approximately 30 acres of additional land, primarily to the south of West Grand Avenue and east of Maritime Street.

Current General Plan Designation and Zoning:

The Project site is designated in the adopted City of Oakland Land Use and Transportation Element as Business Mix on the eastern portion (east of Maritime Street/Wake Street) and General Industrial/ Transportation on the westerly portion. The entire site is zoned M-40: Heavy Industrial. The Project as proposed (auto sales use within the North Gateway area) is consistent with the



current General Plan and zoning designations for the site as either a permitted or conditionally permitted use.

However, the City may choose to take this an opportune time to amend the General Plan and the Redevelopment Plan and to re-zone portions of the OARB (including the Project site) for the purpose of planning for and zoning the former OARB consistent with the adopted OARB Reuse Plan.¹ General Plan and Redevelopment Plan amendments were fully contemplated pursuant to implementation of the OARB Reuse Plan and evaluated in the OARB Redevelopment EIR. These amendments are not required to implement the Project, but may conveniently be processed together with the proposed Project. Similarly, rezoning of the site is not required for the project but may be considered concurrently with the Project to provide a “better fit” with the General Plan amendment.

Existing Land Uses:

The western portion of the North Gateway is known as the Baldwin Yard and is currently being used for outdoor sorting and storage of gravel and other rock. The eastern portion of the site is known as the Subaru site and is currently unused and fenced. South of West Grand Avenue/I-880 the former Army Base buildings, including the large warehouses, are being used primarily for Port-related storage and logistics activities.

Surrounding Land Uses:

The proposed Project site is located within the northeastern portion of the former Oakland Army Base. Land uses to the north of the Project site include the EBMUD Wastewater Treatment Plant and the Interstate-80 approach to the San Francisco Bay Bridge. Land uses on the west side of Maritime Street and to the south are comprised largely of Port-related activities such as container storage. Land uses on the east of the project site consist of a series of railroad tracks principally used by the Port for cargo distribution. The Port of Oakland plans to continue to use these tracks along the Project site’s eastern boundary for a railroad car storage and a turnaround facility, consistent with the use of these lands as envisioned under the OARB Redevelopment Plan and as analyzed in the OARB Redevelopment Plan EIR.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

Environmental factors which may be affected by the Project are listed alphabetically below.

Factors marked with a filled in block (■) have been determined to be potentially affected by the Project, involving at least one impact that has been identified as a “Potentially Significant Impact”, as indicated in the attached CEQA Evaluation and related discussion that follows.

Unmarked factors (□) were determined to be either not significantly affected by the Project, adequately examined by the earlier OARB Redevelopment Plan EIR, or fully mitigated through

¹ The existing General Plan land use designations reflect a scenario whereby the Port would have controlled all lands west of Maritime Street and the City having control of all lands east of Maritime Street. In fact, as ultimately determined through the Reuse Plan, the Port and the City generally “swapped” control of these areas east and west of Maritime Street.



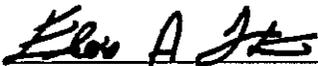
implementation of mitigation measures adopted by the City of Oakland as both lead agency and project sponsor.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Hazards and Hazardous Materials	<input type="checkbox"/> Population and Housing
<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Hydrology and Water Quality	<input type="checkbox"/> Public Services
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Land Use and Planning	<input type="checkbox"/> Recreation
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Transportation and Circulation
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Utilities and Service Systems
<input type="checkbox"/> Geology and Soils		

LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

I find that a Supplemental or Subsequent EIR needs to be prepared that further evaluates only air quality and transportation/circulation issues. All other environmental impacts have been adequately analyzed in the previously certified OARB Redevelopment EIR pursuant to applicable legal standards, and have been addressed by adoption of feasible mitigation measures, as appropriate.



Elois Thornton, Planner IV

1-19-06

Date



INTRODUCTION

This document evaluates a proposed Auto Mall and other potential commercial development located on a portion of the former Oakland Army Base (OARB) and within the OARB Redevelopment Area under the California Environmental Quality Act (CEQA).

A previous Environmental Impact Report for the OARB Area Redevelopment Plan and Reuse Plan (OARB Redevelopment EIR) was certified in July of 2002 (SCH# 2001082058). That “Project” EIR described and disclosed the potential environmental consequences associated with adoption by the City of Oakland, the Oakland Base Reuse Authority (OBRA) and the Port of Oakland of a Redevelopment Plan for an area comprising about 1,800 acres (including and surrounding the 430-acre former OARB). The Redevelopment Plan as evaluated in the 2002 OARB Redevelopment EIR involved replacing existing uses, some in derelict condition, with a variety of new uses including a “Flexible Alternative” of office/R&D, light industry, warehouse/distribution and retail use.

The primary purpose of this evaluation is to determine, pursuant to Public Resources Code sections 21090 and 2166 and CEQA Guidelines Sections 15180, 15162 and 15163 whether a Subsequent or Supplemental EIR is needed to fully assess and evaluate the currently proposed Auto Mall project. CEQA provides that when an EIR has been certified, no Subsequent or Supplemental EIR shall be prepared unless the City determines, on the basis of substantial evidence, one or more of the following:

1. substantial changes are proposed as part of the current Project that would involve major revisions to the original 2002 OARB Redevelopment EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects,
2. substantial changes have occurred with respect to circumstances under which the current Project is undertaken (i.e., a significant change in the existing or future condition) that would involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects, and/or
3. new information of substantial importance indicates that the Project may have a new significant environmental effect or a substantial increase in the severity of previously identified significant effects.

As stated above and detailed in the rest of this document, a Supplemental or Subsequent EIR does need to be prepared, but that addresses only air quality and transportation/circulation issues.

OVERVIEW OF THE PROJECT

At the time of preparation of the Notice of Preparation, the City of Oakland (as both Project sponsor and lead agency) had identified one Project for review, as well as one additional Project option, referred to in this document as Option B, that the City wished to also be evaluated:



- The Project generally consists of the redevelopment of approximately 30 acres of land in the North Gateway portion of the former Oakland Army Base to provide space for automobile dealerships on five (5) separate parcels of approximately 5 acres each, plus associated roadways and infrastructure improvements (See **Figure 5**).
- Option B is a larger effort on a total of approximately sixty (60) acres, including the Project as described above plus three (3) additional 5-acre automobile dealerships and one (1) approximately 12 to 15-acre site for “big box” retail use (See **Figure 5**).

BACKGROUND

Oakland Army Base Closure

In 1995, the Federal Base Realignment and Closure (BRAC) Commission recommended closure and realignment/disposal of the approximately 430-acre Oakland Army Base (OARB). The U.S. Army, the lead agency for base closure and transfer, conducted or participated in the required environmental processes pursuant to the closure, and conveyed the majority of the OARB land to the Oakland Base reuse Authority (OBRA). Three parcels (26 acres) were reserved for the U.S. Army Reserve, and 15 acres were assigned to the Department of the Interior for conveyance to the East Bay Regional Park District (EBRPD).

The Oakland Base Reuse Authority was established as the local reuse authority responsible for managing OARB assets and planning for reuse of the former OARB. OBRA operates the current leasing operations of the facilities remaining on the Base, and acquired the land from the U.S. Army and from the U.S. Army Reserves. OBRA will in turn transfer former OARB and U.S. Army Reserves property to other entities for redevelopment and reuse.

OARB Redevelopment Area

Immediately upon the BRAC Commission’s recommendation to close the OARB, the City of Oakland began to evaluate how best to implement reuse of the OARB and the surrounding areas. The City investigated redevelopment options, designated a Redevelopment Survey Area, and prepared the *Oakland Army Base Area Redevelopment Plan* that established an 1,800-acre Redevelopment Project Area, including the 430-acre OARB. The OARB Redevelopment Area is divided into the following three sub-districts:

1. **The OARB Sub-district** is 470 acres in size, consisting of the 430-acre OARB (both the land and submerged parcels of the Base, including lands currently owned by the Reserves) and several parcels immediately adjacent to the northern boundary of OARB, between the Base and I-80, totaling approximately 39 acres. The OARB Sub-district is bounded (clockwise from the north) by the Bay Bridge, I-880, the Port of Oakland and the Bay. This sub-district comprises two development areas:
 - The 220-acre Port Development Area (primarily in the west and southeast portion of the OARB)



- The City of Oakland’s 170-acre Gateway Development Area (primarily in the northwest portion of the OARB).² The City Gateway Development Area is further subdivided into the following districts:
 - a. North Gateway, north of West Grand Avenue
 - b. East Gateway, south of West Grand Avenue and east of Maritime Street
 - c. Central Gateway, south of West Grand Avenue and I-80 and west of Maritime Street
 - d. West Gateway, south of I-80
 - e. Gateway Park, the most westerly point of the OARB.
- 2. **The Maritime Sub-district** is approximately 1,290 acres in size. The majority of this sub-district comprises that portion of the Port of Oakland dedicated to maritime use. The area that comprises this sub-district runs from the Outer Harbor on the west to and including Howard Terminal on the east (including Schnitzer Steel, a non-Port property, and from the Inner Harbor on the South to Berth 10 on the north).
- 3. **The 16th/Wood Sub-district** is approximately 41 acres in size. This sub-district is located roughly between the realigned Cypress Freeway (I-880) to the west and Wood Street to the east; West Grand Avenue to the north to 7th Street to the south.

Figure 1 shows the general boundaries of the OARB Redevelopment Area and its subareas. **Figure 2** shows the smaller districts within the City Gateway Development Area.

OARB Redevelopment Plan and Reuse Plan

The Redevelopment Plan provides a framework of agency powers, duties, and obligations to enable redevelopment of the Redevelopment Area. The Redevelopment Plan also incorporates the OARB Reuse Plan.³ The Reuse Plan describes a “Flexible Alternative” land use plan for the City Gateway Development area. The Reuse Plan also describes the Port of Oakland’s plans for maritime and rail facilities in the Port development area. A summary of the assumptions for land use redevelopment as contained in the Redevelopment Plan and Reuse Plan for the Redevelopment Area is shown on the following **Table 1**.

² The current acreages for both the Port Development Area and the City Gateway Development Area are slightly different than as presented in the OARB Redevelopment EIR. These differences are due to more accurate calculations made since certification of that previous EIR.

³ Amended Draft Final Reuse Plan for the Oakland Army Base, OBRA 1998, as amended 2001



Table 1
OARB Redevelopment Area Buildout, through 2020

Potential Land Uses	Units	Redevelopment Sub-District				Total
		OARB		Maritime	16 th /Wood	
		Gateway	Port			
Light Industry	sq. ft.	494,000	-	-	305,000	799,000
Office, R&D	sq. ft.	1,528,000	-	-	1,437,000	2,965,000
Retail	sq. ft.	25,000	-	-	1,300	26,300
Warehouse/distribution	sq. ft.	300,000	-	-	-	300,000
Total square feet		2,347,000	-	-	1,743,300	4,090,300
Live/work units		-	-	-	375	375
Acres						
From uses listed above:	ac.	168	-	-	40	208
Park, Public Access	ac.	29	-	-	1	30
New Maritime	ac.	-	55	65	-	120
Terminal Recon.	ac.	-	-	82	-	82
Maritime Support	ac.	15	2	88 ^e	-	105
Rail	ac.	-	130	35	-	165
Acres redeveloped		212	187	270	41	710
Total acres		228	241	1,290	41	1,800

Source: OARB Redevelopment Plan EIR, Table 3-1, page 3-8.

Note that total acres and acres redeveloped are different now due to more accurate calculations made since the time the OARB Redevelopment EIR was certified

The OARB Reuse Plan’s “Flexible Alternative” strategy was intended to balance economic and community interests while maintaining flexibility to meet changing market conditions.

Assumptions for the Project Site(s) under the Redevelopment /Reuse Plan

As included in the OARB Redevelopment/Reuse Plan, the land uses envisioned for the approximately 30-acre Project site included approximately 300,000 square feet of warehouse and distribution facilities on the easterly portion of the site (known as the Subaru Site). It also anticipated providing 15 acres for ancillary maritime support (truck parking and associated uses) on the westerly portion of the site on property known as the Baldwin Yard.

Within the Option B area south of West Grand Avenue, the OARB Redevelopment/Reuse Plan anticipated redevelopment of that approximately 30-acre area to contain approximately 390,000 square feet of light industrial/flex-office use (assuming an average FAR of 0.30 for these uses, as calibrated from the OARB Redevelopment EIR).



Oakland Army Base Area Redevelopment Plan EIR

In July 2002 the EIR was certified by OBRA, the City of Oakland and the Port of Oakland that analyzed redevelopment of the entire 1,800-acre OARB Redevelopment Area. *The OARB Area Redevelopment Plan EIR* (hereafter OARB Redevelopment EIR) evaluated and disclosed the environmental impacts of establishing and implementing the OARB Redevelopment Plan and Reuse Plan. The analysis contained in the Redevelopment EIR identified all potentially significant environmental impacts of the Redevelopment Plan and provided mitigation measures that reduced the majority of impacts to a less than significant level. The Redevelopment EIR identified some impacts that would be Significant and Unavoidable in the following areas:

- Transportation and Traffic,
- Air Quality,
- Cultural Resources,
- Aesthetics, and
- Biology.

To acknowledge these significant and unavoidable impacts, OBRA, the City of Oakland and the Port of Oakland respectively adopted Statements of Overriding Considerations after certification of the OARB Redevelopment EIR.

PROJECT DESCRIPTION

PROJECT SITE

The Project site is located on an approximately 30-acre portion of the former OARB and within the Oakland Army Base Redevelopment Area. The site is specifically described as the North Gateway Development Area, a triangular site bounded by the East Bay Municipal Utility District Wastewater Treatment Plant on the north, West Grand Avenue to the south and I-880 on the east. Access to the site is via Wake Avenue from Maritime Street, and West Grand Avenue.

The Option B site includes the entire site described for the Project, combined with approximately 30 acres of additional land primarily to the south of West Grand Avenue and east of Maritime Street. This addition to the Project site is also located within the former OARB, within the Oakland Army Base Redevelopment Area, and is described as a portion of the East Gateway area.

Figure 3 shows the site location and vicinity, and **Figure 4** shows an aerial photo of the Project site(s).

PROPOSED LAND USES

Project

The approximately 30-acre Project site (the North Gateway) is now potentially envisioned by the City for land uses that would include automobile dealerships arranged as an Auto Mall.



Automobile Dealerships

Four or five separate automobile dealerships would occupy five separate parcels of approximately 4 to 6 acres each (Parcels A through E). Each dealership would include 1- to possibly 3-story building space to accommodate auto showrooms, sales space, and auto repair and service facilities. Each dealership also includes outdoor surface area for automobile storage, employee and customer parking and circulation.

Access Road and Utilities

A North Gateway access road would be extended from the intersection of West Grand Avenue and Maritime Street in order to carry traffic on the north side of West Grand Avenue and to provide access to auto dealership sites in the North Gateway. The access road is anticipated to align with the plans for a closed loop of this road that would re-connect with Maritime Street south of Grand Avenue in the East Gateway.

Additionally, utility infrastructure (water, sewer, storm drain, electricity, etc.) improvements would be completed as necessary and utility infrastructure would be extended to serve each of the dealership sites.

Ancillary Maritime Support

Pursuant to the requirements of the Bay Conservation and Development Commission's *Bay Plan*, the reuse and redevelopment of the OARB Redevelopment Area is required to include a total of 105 acres of ancillary maritime support (AMS) uses. Ancillary maritime support uses include truck parking associated with Port usage and other related services. According to the OARB Redevelopment/Reuse Plan a total of 15 acres of AMS uses were designated within the City Gateway Development Area and anticipated to be located on the Baldwin Yard in the North Gateway.⁴ With reconsideration of this site for auto dealership uses, the AMS land use designation will need to be relocated. The City of Oakland envisions transferring this AMS land use requirement to a 15-acre portion of the Central Gateway, at the southern boundary adjacent to the Port's Development Area.

Option B

As an additional option for consideration and review, City staff has also elected to study an expanded project. This expanded project (Option B) would include the Project as described above, plus an additional approximately 30-acre portion of the East Gateway immediately south of West Grand Avenue. Within this additional 30 acres, this option includes:

- Three (3) additional 5-acre automobile dealerships (Parcels F, G and H).
- One (1) approximately 12 to 15-acre site (Parcel I) for "big box" retail use, including approximately 150,000 square feet of building space, and customer and employee parking. The big box retail is expected to have total employment in the range of approximately 400 to 600 people.

⁴ The remaining 90 acres of Ancillary Maritime Support uses were designated within the Port Development Area and the Port's Maritime Subarea.



- Continuation of the North Gateway Access Road to the south (under West Grand Avenue) and reconnecting to Maritime Street.
- Associated infrastructure extensions.

Construction of the uses described above for the expanded Option B would necessitate removal of four or five of the “800 Series” warehouses plus several smaller warehouses and associated structures. These buildings are part of the OARB Historic District. The removal of these structures, resulting in the significant and unavoidable loss of these historic resources was fully analyzed and addressed in the OARB Redevelopment EIR. A Statement of Overriding Considerations was adopted by the City for this significant and unavoidable impact on historic resources.

A summary of the land uses anticipated under the Project and Option B is shown on **Table 2**.

<u>Parcel</u>	<u>Use</u>	<u># of Buildings</u>	<u>Floors</u>	<u>Total Floor Area (sq.ft.)</u>	<u>Parcel Size (acres)</u>
Project, North Gateway					
A	Auto dealership	1	1	40,000	5.1
B	Auto dealership	1	2	160,000	6.0
C	Auto dealership	1	2	120,000	5.5
D	Auto dealership	2	1	40,000	3.8
E	Auto dealership	1	1	<u>30,000</u>	3.9
Loop Road					<u>5.7</u>
subtotal		6		390,000	30
Option B, East Gateway					
F	Auto dealership	1	1	20,000	5.4
G	Auto dealership	1	1	15,000	4.0
H	Auto dealership	1	1	15,000	4.0
I	“Big Box” retail	1	1	<u>150,000</u>	12.0
Loop Road					<u>4.6</u>
subtotal		4		200,000	30
Total		10		590,000	60.0

COMPARISON TO THE OARB REUSE PLAN AND OARB REDEVELOPMENT EIR

The land uses anticipated under the Project and Option B, while allowed under the current General Plan and zoning designations for these sites, were not specifically anticipated in the OARB Reuse Plan or the OARB Redevelopment EIR. These Project land uses may require amendments to the Reuse Plan and could potentially result in different environmental impacts than were analyzed in the



OARB Redevelopment EIR. This document provides a brief analysis of these comparative environmental effects.

Table 3 shows a comparison of the land use summary for the Project as compared to the land use assumptions for the Project area as included in the OARB Reuse Plan and analyzed in the OARB Redevelopment EIR.

Table 3
Comparison of Land Use
OARB Reuse Plan vs. Project and Project Option

	<u>OARB</u> <u>Reuse Plan</u>	<u>Project</u>	<u>Project plus</u> <u>Option B</u>
North Gateway			
Warehouse/distribution	300,000 square feet	-	-
Ancillary maritime support	15 acres	-	-
Auto dealership	-	390,000 square feet	390,000 square feet
East Gateway			
Light Industrial/Flex-Office	390,000 square feet	390,000 square feet	-
Auto dealerships	-	-	50,000 square feet
Big Box retail	-	-	150,000 square feet

Note: 15 acres of Ancillary Maritime Support uses moved from North Gateway to Central Gateway under the Project scenario and/or Option B

Changed Circumstances

There have been a number of circumstances that have changed since certification of the OARB Redevelopment EIR in 2002. These changes include:

- A major portion of the OARB Redevelopment District’s 16th and Wood Street subarea has since been approved for a development project known as Central Station.
- All portions of West Oakland not located in a previously established redevelopment area or the OARB Redevelopment Area has since been included into a new West Oakland Redevelopment Area.
- City staff has held discussions with potential developers that have interest in developing projects in portions of the OARB Gateway other than at the project site. Although no final plans for these areas have been developed and no applications filed, City staff does consider the potential for these projects as reasonable and feasible such that they should be included in a new cumulative projection of land uses for the area.



- The City of Oakland and the Port of Oakland have conducted minor land transfers in the vicinity of the Project for purposes of facilitating more accessible access and rail yard configurations.
- Hazardous materials clean-up operations have been initiated in several portions of the OARB, including the removal of Building #1 and the hazardous substances at that site pursuant to the approved OARB Remedial Action Plan/Risk Management Plan (RAP/RMP).
- The U.S. Army Reserves have completed transfer of their former land ownerships within the former OARB to OBRA, and
- The City of Oakland and State Lands Commission have negotiated and settled issues related to the designation of lands subject to Tidelands Trust.

Other than the projections for future growth and development used in forecasting cumulative traffic and cumulative air quality conditions, these changed circumstances are not anticipated to have any other implications on environmental consequences associated with the proposed Project.

REQUESTED ACTIONS AND REQUIRED APPROVALS

This environmental evaluation (and the Supplemental/Subsequent EIR) covers all steps necessary to implement the Project or Option B, as well as other matters contemplated under the OARB Redevelopment Plan, including without limitation:

- Oakland Base Reuse Authority (OBRA) approval of an amendment to the OARB Reuse Plan to reflect the proposed land use change to include auto mall (and potentially “big box” retail under Option B),
- Bay Conservation and Development Commission (BCDC) approval of re-designation of Ancillary Maritime Support uses from the North Gateway to the Central Gateway,
- Oakland Redevelopment Agency (ORA) issuance of Disposition and Development Agreements and any related documents as necessary for the individual developments,
- Obtain department of Toxic Substance Control (DTSC) and City approval for OARB Remedial Action Plan/Risk Management Plan (RAP/RMP) applicability to proposed uses which were not specifically identified in the Reuse Plan,
- Planning Commission approval of Design Review, conditional use permits, variances, subdivision applications and/or other land use approvals required for individual development applications, and
- Administrative approval of subsequent demolition, grading and building permits, infrastructure improvements and environmental remediation activities.

The City may choose this an opportune time to take the following additional actions for the purpose of planning for and zoning the former OARB consistent with the adopted OARB Reuse Plan. These additional actions were fully contemplated pursuant to implementation of the OARB Reuse Plan



and evaluated in the OARB Redevelopment EIR. They are not required, but may conveniently be processed together with the proposed project:

- City Council approval of a General Plan amendment,
- Oakland Redevelopment Agency (ORA) approval of an amendment to the OARB Area Redevelopment Plan to reflect the General Plan amendment, and
- City Council re-zoning of the Project site to provide a “better fit” with the General Plan amendment.



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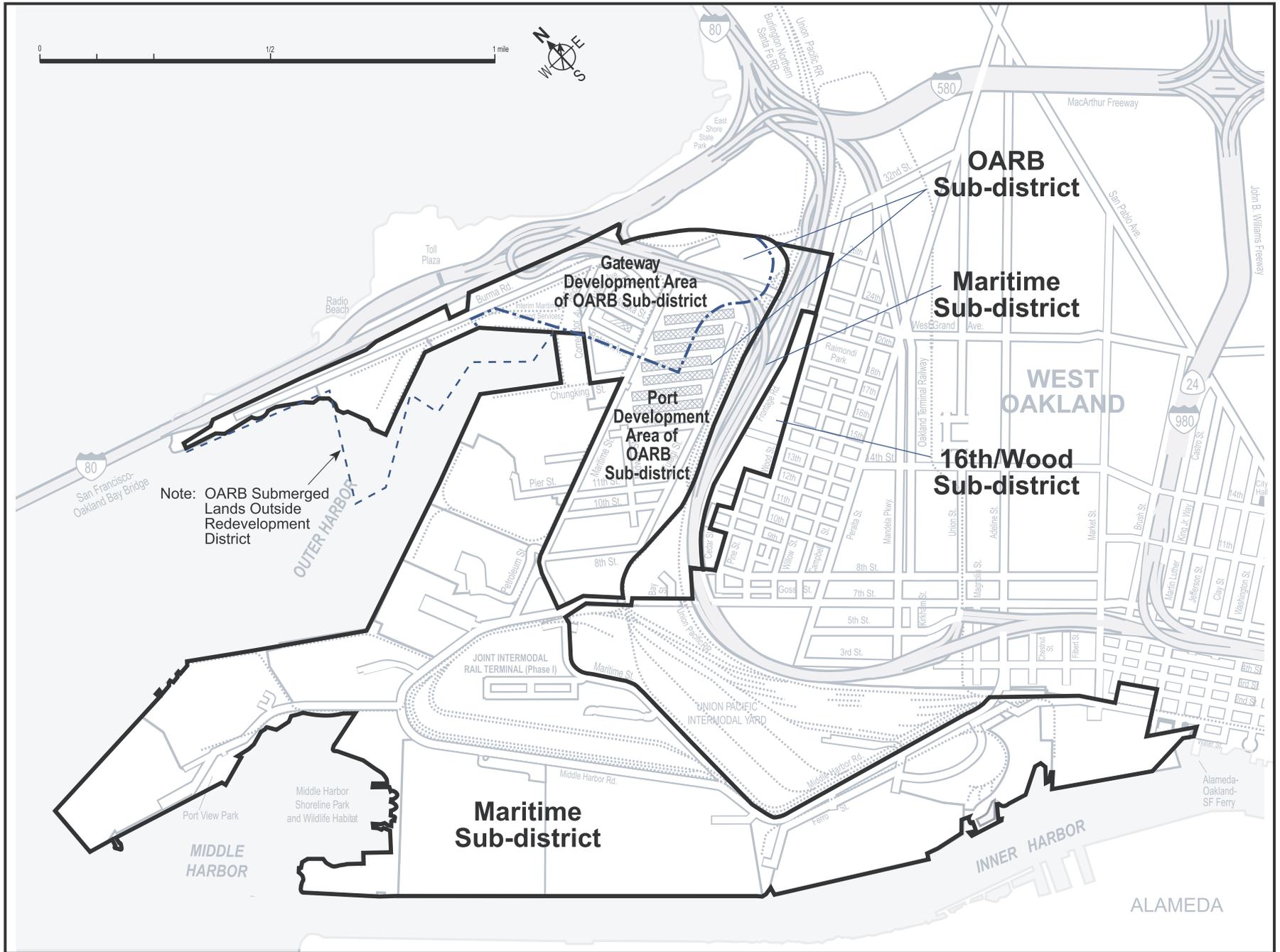


Figure 1: OARB Redevelopment District and Sub-districts



Source: OARB Redevelopment EIR
g. borchard & associates

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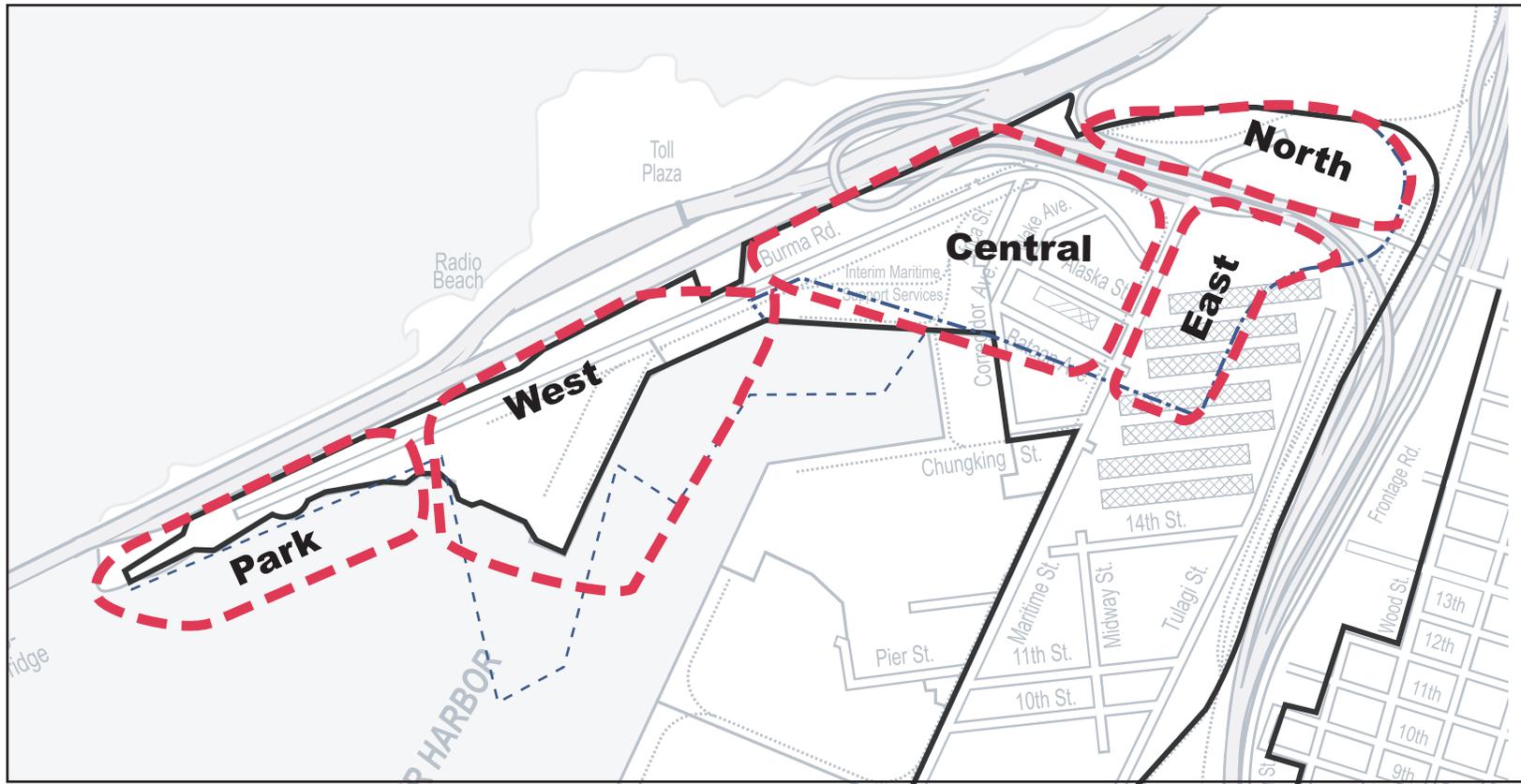


Figure 2: Gateway Development Area Subareas



Source: Modified from OARB Redevelopment EIR
g.borchard & associates

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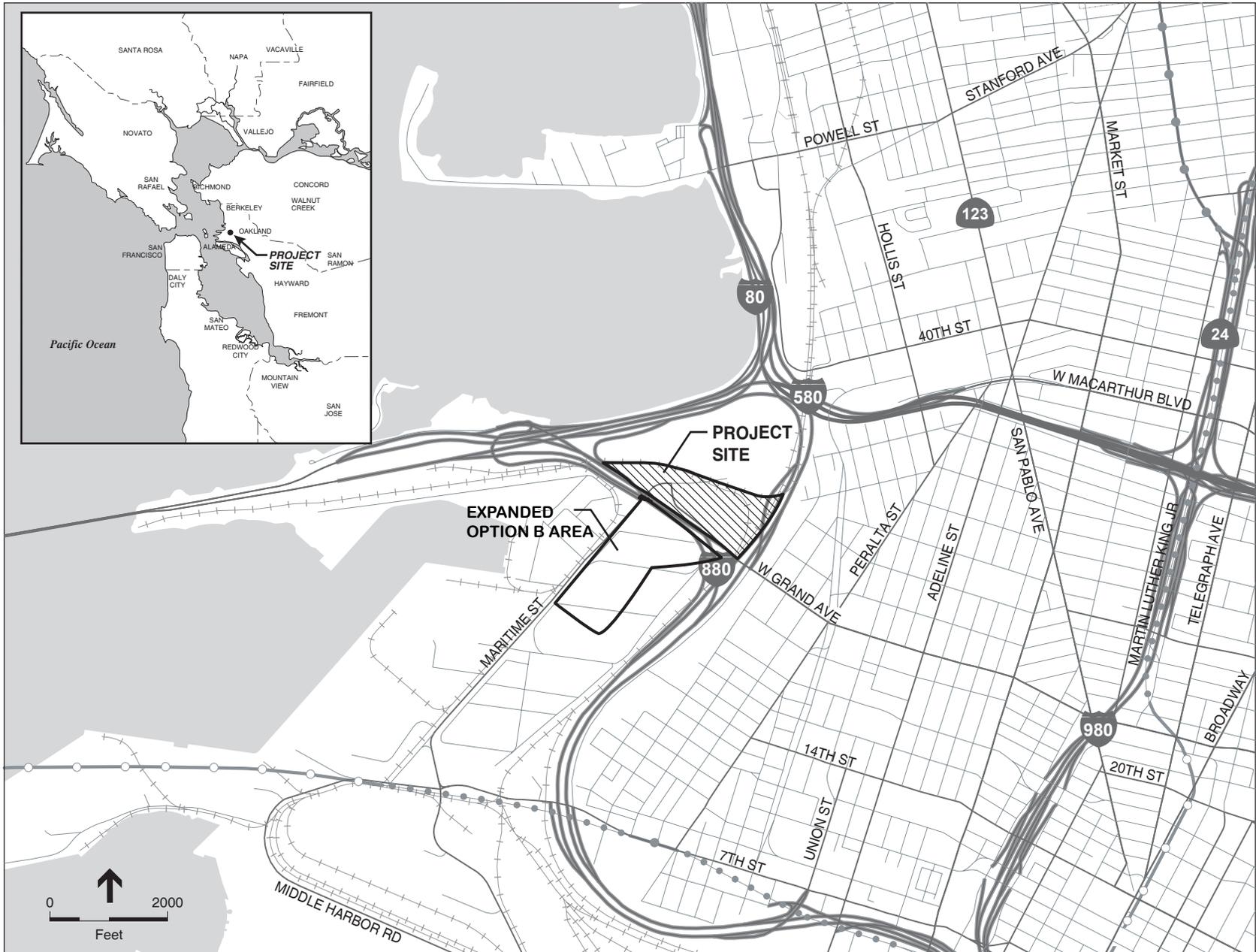


Figure 3
Project Site Vicinity



SOURCE: Lamphier-Gregory

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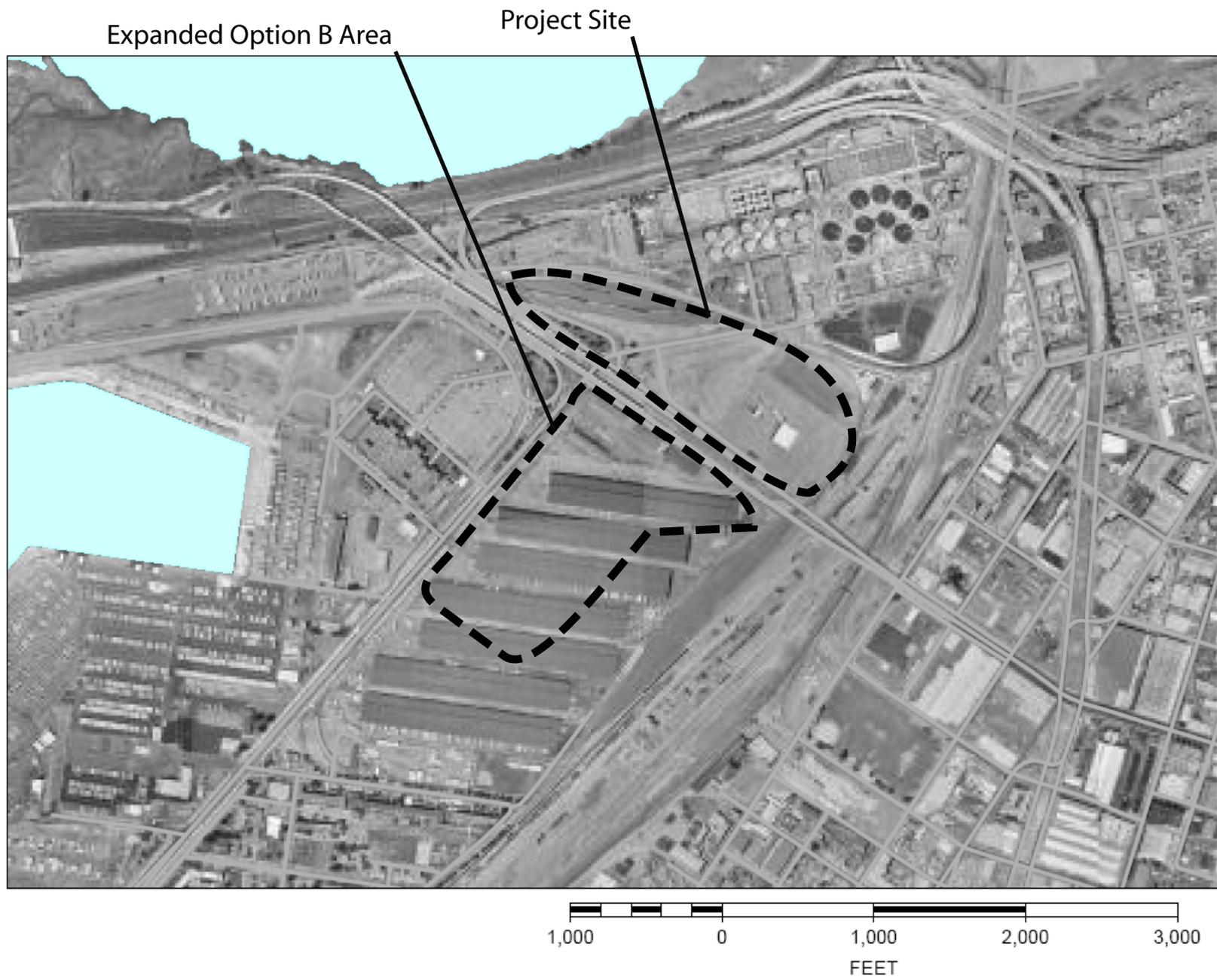


Figure 4
Aerial Photograph



Source: City of Oakland CEDA

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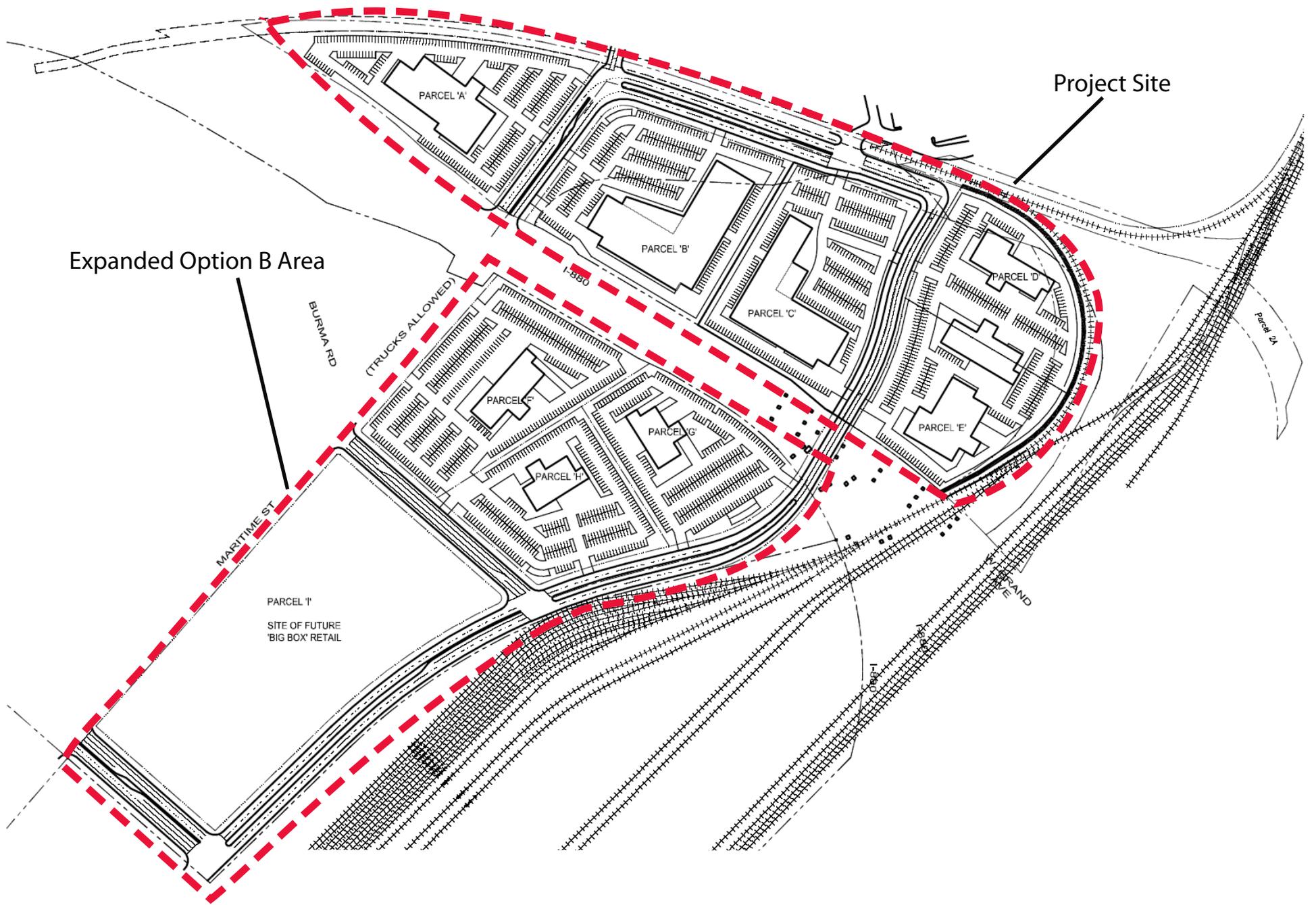


Figure 5
Site Concept

Source: Fee Munson Ebert

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CEQA EVALUATION

Pursuant to CEQA Guidelines Section 15063, the following sections provide an evaluation of whether the Project will have any new significant effects on the environment.

- If an environmental issue would not be affected by the project it is identified in the following evaluation as “*No Impact*”.
- If an environmental issue may cause a significant effect on the environment, this evaluation also determines whether this effect was adequately examined in the previous OARB Redevelopment Plan EIR. If the environmental issue was adequately examined in the previous document it is identified in the following evaluation as “*No New Impact*”. To the extent that mitigation measures were adopted pursuant to the OARB Redevelopment Plan EIR and these measures are applicable to the project, these measures are specifically identified in the following discussion. All mitigation measures from the OARB Redevelopment EIR are listed in **Appendix A**. This list also identifies which measures are specifically applicable to the Project and which are not.
- If an environmental issue may cause a significant effect on the environment that was not adequately examined in the previous OARB Redevelopment Plan EIR, but the applicant as lead agency has already agreed to implement mitigation measures that would reduce this impact to a less than significant level, it is identified in the following evaluation as “*Less than Significant with New Mitigation*” and these new measures are specifically identified.
- If an environmental issue may cause a significant effect on the environment that was not adequately examined in the previous OARB Redevelopment Plan EIR it is identified in the following evaluation as “*Potentially Significant*” and will be analyzed in a later Supplemental or Subsequent EIR.



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AESTHETICS

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
I. AESTHETICS — Would the Project:				
a) Have a substantial adverse effect on a scenic vista?	[]	[]	[]	[✓]
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	[]	[]	[✓]	[]
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	[]	[]	[]	[✓]
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	[]	[]	[✓]	[]
e) Introduce landscape that would now or in the future cast substantial shadows on existing solar collectors (in conflict with California Public Resources Code Section 25980-25986)?	[]	[]	[✓]	[]
f) 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?	[]	[]	[✓]	[]
g) Cast shadow that substantially impairs the beneficial use of any public or quasi-public park, lawn, garden, or open space?	[]	[]	[]	[✓]
h) Cast shadow on a historic resource, as defined by CEQA Section 15064.5(a), 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 Historic Resources, Local register of historical resources or a historical resource survey form (DPR Form 523) with a rating of 1-5.	[]	[]	[]	[✓]
i) 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?	[]	[]	[]	[✓]



Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
j) Create winds exceeding 36 mph for more than one hour during daylight hours during the year? NOTE: Wind analysis is required if project's height is 100 feet or greater (measured to the roof) <u>and</u> one of the following conditions exists: a) the project is located adjacent to a substantial water body (i.e., Oakland Estuary, Lake Merritt or San Francisco Bay), or b) the project is located in Downtown Oakland.	[]	[]	[]	[✓]

a), c), g), h), i) and j):

The OARB Redevelopment Plan EIR determined that future development within the entire Redevelopment Area would result in blockage of views toward the Outer Harbor for east-bound travelers on I-80. However these views do not constitute important views or scenic vistas. The proposed Project, as well as Option B, would not include any buildings that would cast significantly negative shadows, or any buildings taller than one hundred feet that would potentially lead to significant wind impacts. Neither the proposed Project nor Option B would result in any significant aesthetic impacts not previously addressed in the prior EIR.

b):

The proposed Project would have no impact on any scenic resources. The North Gateway area includes a currently vacant lot with weeds growing through disintegrating paving and a lot being used for outdoor sorting and storage of gravel and other rock. There are no historic buildings on the proposed Project site.

Option B however, would have an impact on scenic resources, as analyzed in the previous Redevelopment Plan EIR. Option B would involve removal of historic buildings along a state scenic highway. Development of this Option would eliminate visual evidence of a specific period in the history of West Oakland military transportation, including certain structures contributing to the OARB Historic District. The most visually striking of these contributing buildings are what is termed the “800 series” warehouses, seven large rectangular buildings, each encompassing approximately 235,000 square feet. These buildings are visually prominent from local roadways, are large in scale, and have distinctive architectural elements, including rooflines with double eaves and clerestory windows. They are located between existing Maritime Street and the Knight Railyard, and straddle the boundary between the Gateway and Port development areas. The 800 series warehouses are not clearly visible from I-580, a state scenic highway. They are, however, briefly visible to eastbound travelers on the Bay Bridge (I-80) a local scenic route, and from local arterial roads such as Maritime Street.

Development of Option B would result in the deconstruction of several of these 800 series warehouses plus three other smaller warehouses that are contributors to the OARB Historic District. Loss of their distinctive form representative of a period of West Oakland’s history is considered a significant visual impact that will remain significant and unavoidable even after



mitigation. A Statement of Overriding consideration was adopted along with the OARB Redevelopment EIR. The following OARB Redevelopment EIR mitigation measure is applicable to Option B.

Mitigation 4.6-12: At least one building each in the Gateway and Port development areas of the OARB sub-district, if feasible, shall include architectural design elements such as double eaves and clerestory windows evocative of the warehouse structures.

d):

Security lighting and lighting for night time operations is present throughout the OARB area. New construction in the OARB, including the Project or Option B would require nighttime illumination for security. This could increase nighttime light and glare and light spillage across property boundaries. This would have less impact at the proposed Project site and the expanded area of Option B than at sites closer to residential areas or to the Bay. The following OARB Redevelopment EIR mitigation measure is applicable to reduce this potential impact to a less than significant level:

Mitigation 4.11-1: New lighting shall be designed to minimize off-site light spillage; "stadium" style lighting shall be prohibited.

e) and f):

While active and passive solar systems are not currently present or planned in or near the Project area or the expanded Option B area, future development in the OARB area could include solar collectors or passive solar design. Development subsequent to the installation of such systems may cast shadows that could substantially affect their operation. The following OARB Redevelopment EIR mitigation measures are applicable to reduce this potential impact to a less than significant level:

Mitigation 4.11-3: New active or passive solar systems within or adjacent to the project area shall be set back from the property line a minimum of 25 feet.

Mitigation 4.11-4: New construction within the Gateway development area adjacent to a parcel containing permitted or existing active or passive solar systems shall demonstrate through design review that the proposed structures shall not substantially affect operation of existing solar systems.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant aesthetic environmental effects, or a substantial increase in the severity of previously identified aesthetic environmental effects.



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AGRICULTURAL RESOURCES

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the Project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	[]	[]	[]	[✓]
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	[]	[]	[]	[✓]
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	[]	[]	[]	[✓]

a), b), and c):

The OARB Redevelopment Plan EIR found that the majority of the Redevelopment Area, including the Project site and the expanded area of Option B and its vicinity are already developed for urbanized uses. There are no agricultural resources in the area and there is no potential impact to agricultural resources from the proposed Project or from Option B.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant agricultural resources environmental effects, or a substantial increase in the severity of previously identified agricultural resources environmental effects.



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AIR QUALITY

	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
<p>III. AIR QUALITY — Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:</p>				
<p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p>	[]	[]	[✓]	[]
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>	[✓]	[]	[]	[]
<p>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?</p>	[✓]	[]	[]	[]
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p>	[✓]	[]	[]	[]
<p>e) Create objectionable odors affecting a substantial number of people?</p>	[]	[]	[✓]	[]
<p>f) Contribute to CO concentrations exceeding the State AAQS of 9 ppm averaged over 8 hours and 20 ppm for 1 hour? NOTE: Pursuant to BAAQMD, localized carbon monoxide concentrations should be estimated for projects in which 1) vehicle emissions of CO would exceed 550 lb/day, 2) intersections or roadway links would decline to LOS E or F, 3) intersections operating at LOS E or F will have reduced LOS, or 4) traffic volume increase on nearby roadways by 10% or more unless the increase in traffic volume is less than 100 vehicles per hour.</p>	[✓]	[]	[]	[]
<p>g) Result in total emissions of ROG, NO_x, or PM₁₀ of 15 tons per year or greater, or 80 pounds per day or greater? NOTE: The Port of Oakland maintains PM₁₀ and PM_{2.5} monitoring stations in West Oakland and data from these stations should be obtained and used.</p>	[✓]	[]	[]	[]
<p>h) Result in potential to expose persons to substantial levels of Toxic Air Contaminants such that the probability of contracting cancer for the Maximally Exposed Individual exceeds one in 10 million?</p>	[]	[]	[✓]	[]
<p>i) Result in ground level concentrations of non-carcinogenic Toxic Air Contaminants such that the Hazard Index would be greater than 1 for the Maximally Exposed Individual?</p>	[]	[]	[✓]	[]
<p>j) Result in a substantial increase in diesel emissions?</p>	[✓]	[]	[]	[]



Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
k) Fundamentally conflict with the currently adopted Bay Area Clean Air Plan because population growth for the jurisdiction exceeds values in the Clean Air Plan, based on population projections in ABAG's currently adopted projections?	[]	[]	[]	[✓]
l) Fundamentally conflict with the Clean Air Plan because the rate of increase in vehicle miles traveled in the jurisdiction is greater than the rate of increase in population?	[]	[]	[✓]	[]
m) Fundamentally conflict with the Clean Air Plan because the project does not demonstrate reasonable efforts to implement transportation control measures in the Clean Air Plan.	[]	[]	[✓]	[]

a), l), m):

There is no evidence that significant impacts currently exist relative to fundamental conflicts with applicable plans and policies to which the redevelopment program could contribute. Generally, development within the City and surrounding jurisdictions occurs in accordance with relevant plans and policies, as they may be amended from time to time.

e):

A more detailed discussion of odors can be found in the Land Use section. The proposed land uses are not expected to generate objectionable odors affecting a substantial number of people. A nearby waste water treatment facility does generate noxious odors but prevailing wind direction precludes the likelihood of odor events at the site.

h) and i):

A screening-level health risks evaluation was conducted by ENVIRON Corporation as part of the OARB Redevelopment EIR. This study found that health risks from diesel particulate emissions would exceed some risk standards or significance thresholds. This impact was deemed significant and unavoidable and a Certificate of Overriding Consideration was adopted along with the OARB Redevelopment EIR. The majority of diesel emissions come from maritime and other port-related transportation. The change in land uses proposed in the Project and Option B are not significantly different from those analyzed in the OARB Redevelopment EIR and would not result in a significant difference in health risks.

k):

The Project does not propose any uses that would change population projections nor does Option B.



b), c), d), f), g), i):

The OARB Redevelopment EIR evaluated potential impacts on air quality resulting from implementation of the Redevelopment Plan and found that redevelopment activities would produce pollutant emissions. These activities include construction/remediation, vessel movement, cargo handling and transport, passenger car travel and operation of commercial developments. Both criteria and toxic pollutants would be emitted in all sub-districts of the OARB. Toxic Air Contaminants would be emitted in the form of particulate matter from diesel fuel exhaust. Construction/remediation emissions consist of fugitive dust from earth disturbing activities and equipment exhaust from combustion of gasoline and diesel fuel. Cargo ships, tugboats, on-dock equipment, and trains in the Maritime sub-district and Port Development Area would emit pollutants in the exhaust, as would trucks and vehicles traveling to all sub-districts within the OARB. Office and other land uses would also be sources of emissions from combustion of natural gas for space and water heating, exhaust emissions from landscaping equipment, and volatile organic compound emissions from miscellaneous consumer products, solvents and cleaners. Emissions from trucks and vehicles would occur from all redevelopment within all sub-districts within the OARB Redevelopment area.

In order to reduce these impacts, the OARB Redevelopment EIR recommended a number of mitigation measures intended to reduce these air quality impacts to the extent possible. Many of these measures are not directly applicable to the current Project or Option B, but the Following measures would be applicable to the Project and Option B:

- Mitigation 4.4-1** Contractors shall implement all BAAQMD “Basic” and “Optional” PM10 (fugitive dust) control measures at all sites, and all “Enhanced” control measures at sites greater than four acres.
- Mitigation 4.4-2** Contractors shall implement exhaust control measures at all construction sites.
- Mitigation 4.4-4:** The City and the Port shall jointly create, maintain, and fund on a fair share basis, a truck diesel emission reduction program. The program shall be sufficiently funded to reduce and/or off-set redevelopment related contributions to local West Oakland diesel emissions to the maximum extent feasible.
- Mitigation 4.4-5** Major developers shall fund on a fair share basis BAAQMD-recommended feasible Transportation Control Measures (TCMs) for reducing vehicle emissions from commercial, institutional, and industrial operations, as well as all CAP TCMs the BAAQMD has identified as appropriate for local implementation.
- Mitigation 4.4-6** Title 24 of the Uniform Building Code (UBC) requires that new construction include energy-conserving fixtures and designs. Additionally, the City and Port shall implement sustainable development policies and strategies related to new development design and construction.

Even with implementation of all mitigation measures recommended in the OARB Redevelopment EIR, impacts to air quality remain significant and unavoidable. A Statement of Overriding Consideration for the following impacts was adopted along with the OARB Redevelopment EIR:



- Increased Port maritime and rail operations, as well as trucking activities associated with all redevelopment operations would emit NO_x, ROG, and PM₁₀ in excess of 15 tons per year or 80 pounds per day, substantially increase diesel emissions, and potentially expose pollution-sensitive receptors to substantial pollutant concentrations.
- Construction and remediation-related generation of criteria pollutants and diesel exhaust. Because details of remediation and construction were not yet completely defined and could involve large scale construction/remediation throughout the redevelopment area, the impact was considered potentially significant and unable to be reduced to a level that is less than significant.
- Passenger vehicles and delivery trucks associated with redevelopment would emit NO_x, ROG, CO, and PM in excess of 15 tons per year or 80 pounds per day.

Conclusions:

The proposed Project may, depending upon its traffic generation characteristics exacerbate potential air quality impacts over that analyzed in the previous EIR. The OARB Redevelopment EIR anticipated warehouse/distribution and light industrial land uses on the Project site and these uses may generate fewer emissions than emission associated with the currently proposed car dealerships and “big box” retail uses. These newly proposed uses could lead to a net increase in vehicle emissions over emissions levels estimated in the OARB Redevelopment EIR. Therefore, air quality impacts associated with the proposed Project may constitute a *significantly greater impact* than was previously evaluated in the OARB Redevelopment EIR. This issue will be addressed in greater detail in the EIR for the Project.



BIOLOGICAL RESOURCES

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
IV. BIOLOGICAL RESOURCES — Would the Project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	[]	[]	[]	[✓]
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	[]	[]	[]	[✓]
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	[]	[]	[✓]	[]
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	[]	[]	[]	[✓]
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	[]	[]	[]	[✓]
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	[]	[]	[]	[✓]
g) Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect biological resources?	[]	[]	[]	[✓]

a) through g), except c):

A biological resources analysis was conducted for the OARB Redevelopment EIR and included the proposed Project site and expanded Option B area. The majority of the potentially significant impacts identified in the prior EIR addressed marine and aquatic resources impacts related to Port activities and coastline development, and the remaining measures addressed the potential for the loss of protected trees. There are no trees on the Project site or the expanded Option B area, no creeks, and there are no maritime uses proposed; therefore, these mitigation measures would not apply. The Project site and expanded area of Option B is surrounded by urban use and was formerly a military use; therefore, there is no evidence of threatened or endangered species on the project site.



c):

An easterly portion of the Project site (referred to as the “Subaru Site”) was formerly under the jurisdiction of the U.S. Army Reserves. After certification of the OARB Redevelopment EIR this property was subject to a subsequent biological resources analysis pursuant to the *Finding of Suitability for Transfer* (FOST) report.⁵ This report concluded that no threatened or endangered species occurred on this portion of the Project site; however a *Wetland Investigation and Sensitive Plant Survey* (Vernadero Consulting, May 2003) determined that three isolated wetlands were present on the site in the vicinity of soil stockpiles. All three sites contained standing water and supported hydric vegetation at the time of investigation. The survey was not able to conclude whether the three potential wetland areas met the hydric soil wetland criteria. The survey concluded that the three potential wetland areas should be considered “isolated” and, therefore, not regulated by the U.S. Army Corps of Engineers (USACOE) under the Clean Water Act.

A subsequent field investigation was conducted in November 2003 on behalf of OBRA (Wetlands Research Associates Inc. [WRA], December 3, 2003). WRA described four general areas on the Project site that had indicators of wetland hydrology. WRA characterized two of the four identified areas as water-filled depressions created in dry land incidental to construction activity. The remaining two areas were characterized as a drainage ditch excavated on dry land and as an artificially irrigated area that would revert to upland if irrigation ceased. The WRA investigation supported previous findings by concluding that none of the four identified areas would be considered a jurisdictional wetland by USACOE.

In January 2004, The San Francisco U.S. Army Corps of Engineers determined that the wetlands on the Project site were non-jurisdictional under federal law; however, they may be regulated by the Regional Water Quality Control Board (RWQCB). Lastly, the California Department of Fish and Game (CDFG) reviewed the available wetlands/biology reports and concluded that isolated wetland features exist at three locations on the Project site; however, they may have been unintentionally created by the placement of fill material in the upland areas within the industrial site. The CDFG did not object to the loss of the “low-value wetland features” provided that an appropriate remedy to offset the loss of the wetland features was provided.

Pursuant to OARB Redevelopment EIR mitigation measures (see below), OBRA submitted a *Wetlands Offset Plan* (OBRA, April 15, 2004) to the RWQCB to offset the loss of the low-value wetland features:

Mitigation 4.12-13

Contractors and developers shall comply with all conditions imposed by the RWQCB for fill of wetlands. The RWQCB may issue waste discharge requirements or a conditioned waiver of such requirements for fill of these wetlands. In either case, the developer responsible for the wetlands fill (City, Port or private), as well as that developer’s contractor, shall comply with the conditions imposed. The developer shall impose any relevant conditions on their contractor via contract specifications.

⁵ U.S. Army Reserve, *Finding of Suitability to Transfer*, June 2004.



The OBRA *Wetlands Offset Plan* was approved by Keith Lichten of the RWQCB on May 3, 2004. OBRA implemented the *Wetlands Offset Plan* on August 6, 2004. The activities included as part of this Plan included the following:

OBRA filed a *Notice of Intent to Comply* with the terms of the General Permit to Discharge Stormwater Associated with Construction Activity (WDID identification number 201C327470).

OBRA prepared a site specific Storm Water Pollution Prevention Plan.

OBRA contractor, Specialty Crushing, completed site grading activities that resulted in improved drainage patterns and the removal of all isolated wetland features.

OBRA provided \$70,000 for the purchase of plants and materials at the Lion Creek Restoration Project to the City of Oakland Public Works Agency, Environmental Services Division.

With implementation of the activities described above Mitigation Measure 4.12-13 of the OARB Redevelopment EIR was implemented and no further mitigation is required.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant biological resources environmental effects, or a substantial increase in the severity of previously identified biological resources environmental effects.



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CULTURAL AND HISTORIC RESOURCES

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
V. CULTURAL RESOURCES — Would the Project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	[]	[]	[✓]	[]
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	[]	[]	[✓]	[]
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	[]	[]	[✓]	[]
d) Disturb any human remains, including those interred outside of formal cemeteries?	[]	[]	[✓]	[]

b), c) and d):

Cultural resources impacts were addressed in detail in the OARB Redevelopment EIR. Most of the OARB area consists of land established through filling activities between 1900 and 1941. In terms of the archaeological record this precludes any likelihood of prehistoric archaeological resources within the redevelopment area. No archaeological sites, cultural landscapes, or other resources of concern to local Native Americans have been identified within the Project area or expanded Option B area. The following OARB Redevelopment EIR mitigation measure is applicable to ensure a less than significant impact even in the very unlikely event archaeological resources are encountered.

Mitigation 4.6-1: Should previously unidentified cultural resources be encountered during redevelopment, work in that vicinity shall stop immediately, until an assessment of the finds can be made by an archaeologist. If the resource is found to be significant under CEQA, an appropriate mitigation plan must be developed.

a): Historic Resources

Project Only: Significant historical resources (i.e. buildings and other structures) do exist at the OARB though not on the proposed Project site. The proposed Project would have no direct impact on historic resources. The North Gateway, where the proposed Project is located, includes a currently vacant lot and a lot being used for outdoor sorting and storage of gravel and other rock.

However, the OARB Redevelopment EIR identified that redevelopment activities throughout the OARB would result in the removal of all resources contributing to the OARB Historic District. This impact was considered significant and unavoidable and a Statement of Overriding Considerations was adopted along with the OARB Redevelopment EIR. Mitigation measures were recommended for all future development within the OARB, recognizing that virtually any new development within the OARB could materially impair the integrity of the National Register



Historic District. Therefore, the following measures are applicable to the proposed Project despite the fact that the proposed Project does not directly impact historical structures:

- Mitigation 4.6-2:** The City, Port and OARB sub-district developers shall fund on a fair-share basis development of a commemoration site, including preparation of a Master Plan for such a site, at a public place located within the Gateway development area. The City shall ensure that the scale and scope of the commemoration site reflects the scale of the actual loss of historic resources.
- Mitigation 4.6-3** The City shall ensure the commemoration site is linked to the Gateway Park and the Bay Trail via a public access trail.
- Mitigation 4.6-4** The City, Port and OARB sub-district developers shall fund on a fair-share basis collection and preservation of oral histories from OARB military and civilian staff.
- Mitigation 4.6-5** The City, Port, and OARB sub-district developers shall fund on a fair-share basis collaboration with “military.com” or a similar military history web site.
- Mitigation 4.6-6** The City, Port, and OARB sub-district developers shall fund on a fair-share basis distribution of copies of the complete OARB HABS/HAER documentation prepared by the Army to: Oakland History Room, Oakland Public Library; Bancroft Library, University of California; and Port of Oakland Archives for the purpose of added public access to these records.
- Mitigation 4.6-7** The City, Port, and OARB sub-district developers shall fund on a fair share basis distribution of copies of “A Job Well Done” documentary video published by the Army to: the Oakland History Room, Oakland Public Library; Bancroft Library, University of California; the Port of Oakland Archives; local public schools and libraries; and local public broadcasting stations.
- Mitigation 4.6-8** The City, Port, and OARB sub-district developers shall fund on a fair share basis preservation and long-term curation of murals from OARB Building No. 1, and OBRA shall either donate the murals to the Oakland Museum of California, or provide a permanent location within the project area.
- Mitigation 4.6-10** The City, Port, and OARB sub-district developers shall fund on a fair share basis production and distribution of a brochure describing history and architectural history of the OARB to local libraries and schools.
- Mitigation 4.6-11** The City, Port, and OARB sub-district developers shall fund on a fair share basis acquisition of copies of construction documentation and photographs of historic buildings currently in the OARB files. Copies shall be transferred to the Oakland History Room files and Port historic archives, including funding to cover costs of archiving and cataloging these materials at the Oakland History Room.
- Mitigation 4.6-16:** The City, Port, and OARB sub-district developers shall fund on a fair share basis preparation of a Historical Resource Documentation Program. This program shall consist of a coordinated effort of primary research and documentation, with a substantial scholarly input and publicly available products. The first product of this program shall include a coordinated effort to conduct the research, writing, photo documentation, assembly and



publication efforts needed to prepare a comprehensive book on the history of the Oakland Army Base. The book shall document the important contribution the Base has had to the U.S. military, to Oakland and to the nation at large.

The City of Oakland, pursuant to consideration of project approvals, would determine how these mitigation measures are to be implemented for the proposed Project. With implementation of these measures, no further mitigation would be required of the Project.

Option B: The expanded Option B site is located within the OARB National Register Historic District and any new development within the District would materially impair its integrity. Additionally, development of Option B would involve the deconstruction and removal of certain historic structures. These structures include several of the northerly “800 Series” warehouses (Buildings #808, 807, 806, 805 and potentially 804), the Maintenance Shop (Building #812) as well as three smaller warehouses immediately south of Grand Avenue (Buildings #821, 822 and 823). The loss of the Historic District and all of those structures that contribute toward it was fully analyzed in the OARB Redevelopment EIR. That EIR found this impact to be significant and unavoidable, and a Statement of Overriding Considerations was adopted along with the OARB Redevelopment EIR. That previous EIR did include mitigation measures specifically applicable to the demolition or deconstruction of historic buildings that would be applicable to Option B:

Mitigation 4.6-9 The City, Port, and OARB sub-district developers shall fund on a fair share basis a program to salvage as whole timber posts, beams, trusses and siding of warehouses to be deconstructed. These materials shall be used on site if deconstruction is the only option. Reuse of a warehouse building or part of a warehouse building at its current location, or relocated to another Gateway location is preferable.

Measure 4.6-14: No demolition or deconstruction of contributing structures to the OARB Historic District shall occur until necessary. All efforts shall be made to retain as much of Building 1 as possible while still achieving remediation goals.⁶

Measure 4.6-15: As part of the deconstruction and salvaging requirements for demolition of any contributing structure within the OARB Historic District (see Mitigation Measure 4.6-9), specific architectural elements, building components or fixtures should be salvaged. A professional architectural historian shall determine which, if any of such elements, components or fixtures should be retained.

The City of Oakland, pursuant to consideration of project approvals under Option B would determine how these mitigation measures are to be implemented for the proposed Project. With implementation of these measures and those identified for the Project above, no further mitigation would be required of Option B, however some impacts would remain significant and unavoidable. A Statement of Overriding Consideration has been adopted for the following impacts in conjunction

⁶ Building 1 no longer exists on the project site. Remediation efforts necessitated immediate and full removal of Building 1 prior and unrelated to conception of this Project.



with the OARB Redevelopment EIR that were previously determined to be significant and unavoidable:

- Redevelopment would remove all resources contributing to the OARB Historic District.
- Redevelopment would render the OARB Historic District no longer eligible to the National and/or California Registers of Historic Places or the Local Register.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant cultural and historic resources environmental effects, or a substantial increase in the severity of previously identified cultural and historic resources environmental effects.



GEOLOGY AND SOILS

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
VI.	GEOLOGY AND SOILS — Would the Project:				
	a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	[]	[]	[]	[✓]
	ii) Strong seismic ground shaking?	[]	[]	[✓]	[]
	iii) Seismic-related ground failure, including liquefaction?	[]	[]	[✓]	[]
	iv) Landslides?	[]	[]	[✓]	[]
	b) Result in substantial soil erosion or the loss of topsoil?	[]	[]	[✓]	[]
	c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of roadway improvements, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	[]	[]	[✓]	[]
	d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	[]	[]	[✓]	[]
	e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	[]	[]	[]	[✓]
	f) Be located above a well, pit, swamp, mound, tank vault, or unmarked sewer line, creating substantial risks to life or property?	[]	[]	[✓]	[]
	g) Be located above landfills for which there is no approved closure and post-closure plan, or unknown fill soils, creating substantial risks to life or property?	[]	[]	[✓]	[]

a), b), c) and d):

The proposed Project site, the expanded area of Option B, as well as the entire OARB Redevelopment Area are located in a seismically active region subject to building and safety requirements intended to protect people and structures from potentially destructive geological activity. The Project site and expanded area of Option B are approximately 5 miles from the closest



fault, Hayward Fault, and are not within an Alquist-Priolo Special Studies zone. Therefore, the likelihood of a rupture at the project site is very low.

Neither the proposed Project nor Option B would involve any new geotechnical impacts that were not addressed in the OARB Redevelopment EIR. The OARB Redevelopment EIR identified the following mitigation measures related to geology and soils which are applicable:

- Mitigation 4.13-1** Redevelopment elements shall be designed in accordance with criteria established by the UBC, soil investigation and construction requirements established in the Oakland General Plan, the Bay Conservation and Development Commission Safety of Fill Policy, and wharf design criteria established by the Port or City of Oakland (depending on the location of the wharf).
- Mitigation 4.13-2** Redevelopment elements shall be designed and constructed in accordance with requirements of a site-specific geotechnical evaluation.
- Mitigation 4.13-3** Prior to ground-disturbing activities, the contractor shall develop and implement a Regional Water Quality Control Board (RWQCB)-acceptable Stormwater Pollution Prevention Plan (SWPPP) that includes erosion control measures.

e):

Redevelopment would be served by municipal sewerage systems, and the use of septic systems is not anticipated.

f) and g):

Portions of the project area have functioned as a military base for approximately 50 years; some portions are previously-developed, and now vacant. There is potential for wells, pits, sumps, mounds, tank vault, unmarked sewer lines, landfills, and unknown fill materials to exist at the site. The OARB Redevelopment EIR identified the following mitigation measures to reduce these impacts to a less than significant level which would be applicable:

- Mitigation 4.13-4:** The project applicant shall thoroughly review available building and environmental records.
- Mitigation 4-13.5** The developer shall perform due diligence, including without limitation, retaining the services of subsurface utility locators and other technical experts prior to any ground-disturbing activities.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant geology and soils environmental effects, or a substantial increase in the severity of previously identified geology and soils environmental effects.



HAZARDS AND HAZARDOUS MATERIAL

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
VII.	HAZARDS AND HAZARDOUS MATERIALS — Would the Project:				
	a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	[]	[]	[✓]	[]
	b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	[]	[]	[✓]	[]
	c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	[]	[]	[✓]	[]
	d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	[]	[]	[✓]	[]
	e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the Project area?	[]	[]	[]	[✓]
	f) For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?	[]	[]	[]	[✓]
	g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	[]	[]	[]	[✓]
	h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	[]	[]	[]	[✓]

a) and b):

Remediation and construction workers and future commercial/industrial tenants and visitors occupying newly constructed or renovated facilities may be exposed to hazardous materials such as small quantities of gasoline, solvents, diesel fuel, oil and grease, hydraulic fluid, ethylene glycol, welding gases, and paint routinely used in construction or industrial/commercial operations. Hazardous materials may enter the study area via cargo on ships, trains or trucks. The type and quantity of hazardous materials that may be used in, stored or transported through the area would vary over time. Improper management of hazardous materials or accidental release could pose a substantial hazard to human health and the environment. However, management of hazardous



materials during construction and operations shall comply with applicable laws; therefore, this impact is considered less than significant with no mitigation warranted.

c):

There is no known component of the Project or of Option B that is anticipated to emit hazardous emissions or to result in the need to handle hazardous or acutely hazardous materials, substances, or waste. However, the OARB Redevelopment EIR provides mitigation measures that would be required to be implemented if any hazardous materials were to be present at the site:

Mitigation 4.7-1 For use of hazardous materials within ¼ mile of an existing or proposed school, business operators shall prepare Business Plan, update annually, and keep on file with the Oakland Fire Department.

Mitigation 4.7-2 For use of AHMs within ¼ mile of an existing or proposed school, in addition to a Business Plan, business operators shall prepare, implement, and update a Risk Management and Prevention Plan (RMPP) on at least an annual basis.

d):

The westerly portion of the Project site (the Baldwin Yard) and the expanded area of Option B is part of the former Oakland Army Base previously conveyed by the U.S. Army to OBRA. The easterly portion of the Project site (the Subaru site) was part of properties owned by the U.S. Army Reserves and which has now also been conveyed from the U.S. Army Reserves to OBRA.

OARB Remedial Action Plan/Risk Management Plan: The federal Comprehensive Environmental Responsibility, Compensation, and Liability Act (CERCLA) requires cleanup of inactive or abandoned sites that are contaminated with hazardous substances. CERCLA specifically applies to federal facilities and includes provisions to facilitate the reuse and redevelopment of property within closed federal facilities. Under CERCLA, a federal agency must take all necessary remedial actions before it can convey the property. The deed for the property in question must include a covenant that all remedial action necessary to protect human health and the environment with respect to any [hazardous] substances remaining on the property has been taken.

Transferring of remediated federal property requires a Finding of Suitability to Transfer (FOST) before the property can be conveyed. A FOST ensures that all necessary hazardous waste remediation has been completed and provides the basis for the covenant that is included on the deed of the property. With the approval by the state governor of a Covenant Deferral Request, however, the federal agency may undertake “early transfer” and issue a warranty that satisfies the deed covenant requirement. The early transfer process requires a Finding of Suitability for Early Transfer (FOSET). A FOSET must be based upon an approved Remedial Action Plan/Risk Management Plan (RAP/RMP) which defines remediation goals, establishes remediation actions and describes health protective measures to be taken. Under the “early transfer” scenario, the federal agency can convey property to a local agency without conducting environmental remediation; however, it must provide funds to the local agency for remediation efforts in accordance with the RAP/RMP.



The OARB Redevelopment EIR incorporates by reference and summarizes the RMP/RAP for the OARB that recognizes the planned future commercial/industrial uses of the former base. The RMP/RAP provides for risk-based remediation of hazardous materials throughout the base. It is anticipated that the Army will fund, in full or in part, remediation required under CERCLA at the OARB, and that remediation funding will be provided on a reimbursement basis pursuant to an Environmental Services Cooperative Agreement entered into by the Army, OBRA and the Oakland Redevelopment Agency (ORA).

The RMP/RAP defines the target risk-based remediation goals for use during and after redevelopment of the OARB and establishes the remedial actions for identified and reasonably anticipated locations where releases have occurred that necessitate response when compared with the agency-approved remediation goals. The RAP/RMP approach adopted by OBRA, consistent with the City of Oakland Urban Land Redevelopment (ULR) Program and other applicable requirements, allows for the phasing of the investigation and remediation of most locations at the OARB to coincide with implementation of planned infrastructure upgrades and redevelopment activities. This integrated remediation/redevelopment program assures that affected subsurface conditions are fully addressed in conjunction with planned redevelopment uses and allows for substantial economies of scale in completing subsurface earthwork activities for remediation purposes in tandem with site excavation and grading work needed for redevelopment.

These remediation activities would be conducted as necessary, pursuant to redevelopment activities on the former OARB property. The specific mitigation measures applicable to the Project and the Option B site, and that result in implementation of the RAP/RMP remediation program include:

- Mitigation 4.7-3** Implement RAP/RMP as approved by DTSC, and if future proposals include uses not identified in the Reuse Plan and incorporated into the RAP/RMP, or if future amendments to the remediation requirements are proposed, obtain DTSC and City approval.
- Mitigation 4.7-9** For above-ground and underground storage tanks (ASTs/USTs) on the OARB, implement the RAP/RMP.
- Mitigation 4.7-11** For LBP-impacted ground on the OARB, implementation of RAP/RMP to be approved by DTSC as part of the project will result in avoidance of this potentially significant impact.
- Mitigation 4.7-13** No future tenancies shall be authorized at the OARB for use categories that are inconsistent with the Reuse Plan without an updated environmental analysis and DTSC approval as provided for in the RAP/RMP.
- Mitigation 4.7-15** Known PCB transformers or PCB-contaminated transformers at the OARB shall be removed, monitored and/or maintained in accordance with applicable laws and regulations.
- Mitigation 4.7-16** Oil-filled electrical equipment in the redevelopment project area that has not been surveyed shall be investigated prior to the equipment being taken out of service to determine whether PCBs are present.
- Mitigation 4.7-17** PCB-containing or PCB-contaminated equipment taken out of service shall be handled and disposed in compliance with applicable laws and regulations.



Additionally, because buildings are present in the expanded Option B area but not in the Project area, the following mitigation measures would be applicable to Option B that result in implementation of the RAP/RMP remediation program:

- Mitigation 4.7-6** Buildings and structures constructed prior to 1978 slated for demolition or renovation that have not previously been evaluated for the presence of LBP shall be sampled to determine whether LBP is present in painted surfaces, and the safety precautions and work practices as specified in government regulations shall be followed during demolition.
- Mitigation 4.7-7** Buildings, structures and utilities that have not been surveyed for ACM, shall be surveyed to determine whether ACM is present prior to demolition or renovation, and the safety precautions and work practices as specified in government regulations shall be followed during demolition.
- Mitigation 4.7-8** Buildings and structures proposed for demolition or renovation shall be surveyed for PCB-impacted building materials, and the safety precautions and work practices as specified in government regulations shall be followed during demolition.
- Mitigation 4.7-12** The condition of identified asbestos-containing material (ACM) shall be assessed annually, and prior to reuse of a building known to contain ACM.

U.S. Army Reserve FOST Report: With respect to the easterly portion of the Project site (the Subaru site) conveyed to OBRA by the U.S. Army Reserve, a FOST Report was prepared by the U.S. Army Reserve in June 2004. This report documents the state of the “Subaru Lot”, which encompasses the remaining area of the Project site not previously addressed in the OARB EIR (pursuant to the OARB RMP/RAP). The FOST identifies a set of environmental actions taken on the site, including record searches, preliminary assessments, site investigations and remedial investigations.

The documentation of transfer of the property from the U.S. Army Reserves to the City of Oakland determined that the area had been adequately assessed and evaluated for environmental hazards, environmental impacts anticipated from future use of the property to the extent known, and adequate notice of disclosure provided. The following mitigation measures from the OARB Redevelopment EIR have since been satisfied through the subsequent assessments and evaluations as contained in the U.S. Army Reserve’s FOST report:

- Mitigation 4.7-4** For the project area not covered by the DTSC-approved RAP/RMP, investigate potentially contaminated sites; if contamination is found, assess potential risks to human health and the environment, prepare and implement a clean-up plan for DTSC or RWQCB approval, prepare and implement a Risk Management Plan, and prepare and implement a Site Health and Safety Plan prior to commencing work.
- Mitigation 4.7-5** For the project areas not covered by the DTSC-approved RAP/RMP, remediate soil and groundwater contamination consistent with the City of Oakland ULR Program and other applicable laws and regulations.



Mitigation 4.7-11 For the remainder of the redevelopment project area, sampling shall be performed on soil or paved areas around buildings that are known or suspected to have LBP, and the safety precautions and work practices specified in government regulations shall be followed.

The U.S. Army Reserves determined that transfer of the property did not present a current or future risk to human health or the environment, subject to inclusion and compliance with the appropriate deed covenants. These covenants are consistent with the requirements identified in Mitigation Measure 4.7.4 above, and include:

Land use controls shall prohibit the establishment of sensitive uses such as residential housing, schools, day-care facilities, hospitals and hospices unless approved by the Department of Toxic Substances Control and the U.S. Army Reserves.

The construction of groundwater wells and extraction of groundwater from new and existing wells for all purposes is prohibited unless approved by these agencies.

In addition, the following specific mitigation measures from the OARB Redevelopment Plan EIR continue to be applicable to the Project and/or Option B:

Mitigation 4.7-10 For the remainder of the redevelopment project area (non-OARB areas), if an AST or UST is encountered, it would be closed in place or removed and the soil would be tested and remediated, if necessary, pursuant to regulatory approvals and oversight.

Mitigation 4.7-16 Oil-filled electrical equipment in the redevelopment project area that has not been surveyed shall be investigated prior to the equipment being taken out of service to determine whether PCBs are present.

Mitigation 4.7-17 PCB-containing or PCB-contaminated equipment taken out of service shall be handled and disposed in compliance with applicable laws and regulations.

e) through h):

The site of the Project and expanded area of Option B are not near a public airport or private airstrip nor are they located within an airport plan area. There are no wildlands on site or adjacent that could pose a risk of wildland fires. Neither the Project nor expanded Option B would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant hazards and hazardous materials environmental effects, or a substantial increase in the severity of previously identified hazards and hazardous materials environmental effects.



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HYDROLOGY AND WATER QUALITY

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY — Would the Project:				
a) Violate any water quality standards or waste discharge requirements?	[]	[]	[✓]	[]
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	[]	[]	[]	[✓]
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	[]	[]	[]	[✓]
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	[]	[]	[]	[✓]
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	[]	[]	[✓]	[]
f) Otherwise substantially degrade water quality?	[]	[]	[✓]	[]
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	[]	[]	[]	[✓]
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	[]	[]	[✓]	[]
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	[]	[]	[✓]	[]
j) Inundation by seiche, tsunami, or mudflow?	[]	[]	[✓]	[]
k) Fundamentally conflict with elements of the City of Oakland Creek Protection (OMC Chapter 13.16) ordinance intended to protect hydrologic resources?	[]	[]	[]	[✓]

a) through k):

The OARB Redevelopment EIR contained an analysis of impacts regarding hydrology and water quality issues including flood control, drainage, water quality of both storm water and recycled



water, and groundwater quality. The OARB Redevelopment EIR concluded that redevelopment could result in potentially significant impacts to groundwater and surface water. Potentially significant hydrology impacts could be reduced to less than significant levels with implementation of OARB Redevelopment EIR adopted mitigation measures.

The land uses proposed under the Project and in Option B are not significantly different from what was analyzed in the OARB Redevelopment EIR in terms of water use, water quality impacts and changes in drainage patterns. Neither the proposed Project nor Option B would involve any new environmental impacts that were not addressed in the OARB Redevelopment EIR regarding hydrology and water quality. The following OARB Redevelopment EIR mitigation measures are applicable to the Project and/or Option B to reduce this potential impact to a less than significant level:

- Mitigation 4.14-1** Installation of groundwater extraction wells into the shallow water-bearing zone or Merritt Sand aquifer for any purpose other than construction de-watering and remediation, including monitoring, shall be prohibited.
- Mitigation 4.14-2** Extraction of groundwater for construction de-watering or remediation, including monitoring, shall be minimized where practicable; if extraction will penetrate into the deeper aquifers, than a study shall be conducted to determine whether contaminants of concern could migrate into the aquifer; if so, extraction shall be prohibited in that location.
- Mitigation 4.15-2** Contractors and developers shall comply with all permit conditions from the Army Corps of Engineers, RWQCB, and BCDC.
- Mitigation 4.15-3** Prior to ground disturbing activities, the contractor shall develop and implement a Stormwater Pollution Prevention Plan to be reviewed by the City or the Port, including erosion and sediment control measures.
- Mitigation 4.15-4** Prior to construction or remediation, the contractor shall develop and implement a Stormwater Pollution Prevention Plan, including protocols for determining the quality and disposition of construction water which includes shallow groundwater encountered during construction/remediation.
- Mitigation 4.15-5** Post-construction controls of stormwater shall be incorporated into the design of new redevelopment elements to reduce pollutant loads.
- Mitigation 4.15-6** Site-specific design and best management practices shall be implemented to prevent runoff of recycled water to receiving waters.
- Mitigation 4.15-7** New development shall conform with the policies of the City of Oakland's Comprehensive Plan Environmental Health Hazards Element regarding flood protection.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant hydrology and water quality environmental effects, or a substantial increase in the severity of previously identified hydrology and water quality environmental effects.



LAND USE AND PLANNING

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
IX.	LAND USE AND PLANNING — Would the Project:				
	a) Physically divide an established community?	[]	[]	[]	[✓]
	b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	[]	[]	[]	[✓]
	c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	[]	[]	[]	[✓]
	d) Result in a fundamental conflict between adjacent or nearby land uses?	[]	[]	[✓]	[]

a), b) and c):

The OARB Redevelopment EIR evaluated the land uses contemplated in the OARB Redevelopment/Reuse Plan and concluded that those land uses would not divide an established community, would not conflict with any applicable land use plan, nor are there any habitat conservation plans applicable to the site or that would be in conflict with those uses. The Auto Mall land uses contemplated under the Project and those under Option B are not so dissimilar to those anticipated under the Redevelopment Plan as to change this conclusion.

d):

The City Gateway Development Area, including the Project site and the Option B area, is not adjacent to any incompatible residential land uses. The EBMUD wastewater treatment plant is located north of the Gateway Development Area and does represent a potential incompatibility with people-attracting land uses. The OARB Redevelopment EIR evaluated these potential land uses incompatibilities. The land uses analyzed in the OARB Redevelopment EIR included ancillary maritime support, warehouse/distribution and light industrial. The OARB Redevelopment EIR found that, due to the more industrial nature of these land uses, locating them near the WWTP would be a less than significant impact. The change in land use to automobile dealerships and warehouse retail could result in a potential impact due to the more people-attracting nature of these uses. However as noted in the OARB Redevelopment DEIR, the Project site is located upwind of the WWTP and the prevailing wind direction in this area is from the west and northwest, and only occasionally from the southwest. Because the wind direction is seldom from the northeast and blowing toward the Project site the likelihood of significant odor events at the OARB is low. Due to the low frequency of expected odor events at the Project site and the expanded Option B area, land use incompatibility issues associated with adjacency to the EBMUD Wastewater Treatment Plan is considered less than significant.



The Project site and the expanded Option B area are also adjacent to the Port Development Area. The types of land uses planned for the Port Development area and the City's Gateway Development Area are distinctly different from one another, with the Port Development area to be used for port-related industrial and transportation-type uses. In many instances, these dissimilar uses would be separated by major infrastructure. However, the adjacency of the uses may not always be compatible. For this reason, the OARB Area Redevelopment EIR included mitigation measures that would avoid or minimize potential land use impacts between the City Gateway and the Port Development areas. The following OARB Redevelopment EIR mitigation measure is applicable to ensure a less than significant impact:

Mitigation 4.2-1: The City shall ensure that Gateway Development Area redevelopment activities adjacent to Port of Oakland industrial maritime facilities are designed to minimize any land use incompatibilities to the extent feasible.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant land use and planning environmental effects, or a substantial increase in the severity of previously identified land use and planning environmental effects.



MINERAL RESOURCES

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
X.	MINERAL RESOURCES — Would the Project:				
	a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	[]	[]	[]	[✓]
	b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	[]	[]	[]	[✓]

a) and b):

The Initial Study conducted prior to the OARB Area Redevelopment EIR eliminated the presence of mineral resources as a focus of study in that EIR. The land use changes proposed for the Project or for Option B do not alter this conclusion. Therefore, no further analysis is necessary and no mitigation measures are necessary.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant mineral resources environmental effects, or a substantial increase in the severity of previously identified mineral resources environmental effects.



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NOISE

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
XI.	NOISE — Would the Project:				
	a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	[]	[]	[]	[✓]
	b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	[]	[]	[]	[✓]
	c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?	[]	[]	[]	[✓]
	d) A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?	[]	[]	[]	[✓]
	e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?	[]	[]	[]	[✓]
	f) For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?	[]	[]	[]	[✓]
	g) Violate the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding operational noise?	[]	[]	[]	[✓]
	h) Violate the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding construction noise, except if an acoustical analysis is performed and all feasible mitigation measures imposed.	[]	[]	[✓]	[]
	i) Violates the City of Oakland Noise Ordinance (Oakland Municipal Code Section 8.18.020) regarding nuisance of persistent construction related noise?	[]	[]	[]	[✓]
	j) Generate interior L _{dn} or CNEL greater than 45 dBA for multi-family dwellings, hotels, motels, dormitories and long term care facilities per California Noise Insulation Standards (CCR Part 2, Title 24)?	[]	[]	[]	[✓]
	k) Result in a 5 dBA permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	[]	[]	[]	[✓]
	l) Conflict with state land use compatibility guidelines for all specified land uses for determination of acceptability of noise?	[]	[]	[]	[✓]



a) through l) except h):

As discussed in the OARB Redevelopment EIR, existing noise sources in the Project area include vehicle traffic on I-880, noise from BART operations, commercial aircraft and activities at nearby railyards. There are also existing noise sources from industrial facilities in the area, mostly involving heavy trucks and forklifts. Given this existing noise environment, the previous EIR did not find that redevelopment activities would increase ambient noise levels throughout the area to a significant level. Although the proposed Project and Option B may increase local traffic levels and their associated noise as compared to the original land uses assumed in the previous EIR, these new land uses would not produce ambient noise levels substantially higher than anticipated for the Project site in the OARB Redevelopment EIR.

h):

In terms of construction noise impacts, the proposed Project would be required to adhere to construction noise mitigation measures recommended in the previous EIR. These mitigation measures are listed below:

Mitigation 4.5-1: Schedule

- Schedule operation of one piece of equipment that generates extreme levels of noise at a time.
- Schedule activities that generate low and moderate levels of noise during weekend or evening hours.
- Standard construction activities shall be limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday. No construction activities shall be allowed on weekends until after the building is enclosed without prior authorization of the Building Services and Planning Divisions of the Community and Economic Development Agency, or unless expressly permitted or modified by the provisions of a building and/or grading permit.

Pile Driving and/or Other Activities that Generate Extreme Levels of Noise for Noise Levels Greater than 90 dBA

- Pile-driving and/or other activities that generate noise above 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m., Monday through Friday, with no activity generating extreme levels of noise permitted between 12:30 and 1:30 p.m. No construction activities that generate extreme levels of noise shall be allowed on Saturdays, Sundays, or holidays unless expressly permitted or modified by the provisions of a building and/or grading permit.
- Install engine and pneumatic exhaust controls as necessary to ensure exhaust noise from pile driver engines are minimized. Such controls can reduce noise levels by 6 dBA L_{eq} .
- Employ sonic or vibratory pile drivers (sonic pile drivers are only effective in some soils). Such drivers may reduce maximum noise levels by as much as 12 dBA (L_{max}). In some cases however (e.g., sheet pile driving) vibratory pile drivers may generate more noise than impact pile drivers/methods. The specific circumstances should be evaluated.



- Tie rubber aprons lined with absorptive material around sheetpile.
- Hydraulically drive piles.
- Pre-drill pile holes.
- Erect temporary plywood noise barriers around the entire construction site.
- Use noise control blankets on the building structure as it is erected to reduce noise emission from the site.
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings.
- Monitor the effectiveness of noise attenuation measures by taking noise measurements.

Other Equipment, Methods

- A pre-construction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices are completed prior to the issuance of a building permit (including construction hours, neighborhood notification, posted signs, etc.).
- All construction equipment, fixed and mobile, and motor-vehicles shall be properly maintained to minimize noise generation. This would include maintaining equipment silencers, shields, and mufflers in proper operating order. “Quiet package” or “hush” equipment, which is readily available for such equipment as trailer-mounted compressors, welders, etc. shall be used. All equipment shall be operated in the quietest manner practicable.
- Equipment and trucks used for construction shall use best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).
- Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust should be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, which could achieve a reduction of 5 dBA. Quieter procedures should be used, such as drills rather than impact equipment, where practicable.
- Stationary noise sources should be located as far from sensitive receptors as possible, and they should be muffled and enclosed within temporary sheds, or insulation barriers, or other measures should be incorporated to the extent feasible.
- Material stockpiles and/or vehicle staging areas should be located as far as practicable from dwellings.
- Public address systems would be designed and to minimize “spill over” of sound onto adjacent properties.



- Physical barriers/screens (e.g., along fence lines) may be used to attenuate noise.
- Project workers exposed to noise levels above 80 dBA would be provided personal protective equipment for hearing protection (i.e., ear plugs and/or muffs).
- Areas where noise levels are routinely expected to exceed 80 dBA would be clearly posted "Hearing Protection Required in this Area.
- "A process with the following components shall be established for responding to and tracking complaints pertaining to construction noise:
 - A procedure for notifying City Building Division staff and Oakland Police Department;
 - -A list of telephone numbers (during regular construction hours and off-hours);
 - A plan for posting signs on-site pertaining to complaint procedures, permitted construction days and hours, day and evening contact telephone numbers for the job site and day and evening contact telephone numbers for the City in the event of a problem;
 - Designation of a construction complaint manager for the project who will respond to and track complaints; and
 - Notification of neighbors within 300 feet of the project construction area at least 30 days in advance of construction activities.

These mitigation measures would reduce construction noise impacts to a level of *less than significant*.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant noise environmental effects, or a substantial increase in the severity of previously identified noise environmental effects.



POPULATION AND HOUSING

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
XII. POPULATION AND HOUSING — Would the Project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	[]	[]	[]	[✓]
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	[]	[]	[]	[✓]
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	[]	[]	[]	[✓]

a), b) and c):

The OARB Redevelopment EIR determined that future redevelopment pursuant to implementation of the OARB Redevelopment Plan would not cause significant impacts regarding population and housing. Neither the proposed Project nor Option B include construction or displacement of housing, displacement of people or any other indirect inducement for substantial population increase. The change in land use would not alter the OARB Redevelopment EIR’s conclusions regarding population and housing and no further analysis is necessary.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant population and housing environmental effects, or a substantial increase in the severity of previously identified population and housing environmental effects.



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PUBLIC SERVICES

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
XIII. PUBLIC SERVICES —				
a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	[]	[]	[✓]	[]
ii) Police protection?	[]	[]	[]	[✓]
iii) Schools?	[]	[]	[]	[✓]
iv) Parks?	[]	[]	[]	[✓]
v) Other public facilities?	[]	[]	[]	[✓]

i): Fire Protection:

The OARB Redevelopment EIR's evaluation of fire protection issues assumed that the North and East Gateway sites would be occupied by warehouse/distribution and light industrial uses. The previous EIR concluded that a new fire station may ultimately need to be built to provide an adequate level of public safety. The following mitigation measure was recommended to address this impact:

Mitigation 4.9-1 The City and Port shall cooperatively investigate the need for, and if required shall fund on a fair-share basis construction and operation of a fire station in the OARB sub-district. Construction and operation of this fire station shall occur in accordance with all applicable measures recommended in this EIR to mitigate environmental impacts of such construction and operation.

The uses currently proposed for the Gateway area (the proposed automobile dealerships and potentially warehouse retail uses) would bring more people to the area compared to the previously anticipated warehouse and industrial uses. This increase in people will likely increase the demand for fire protection services to a greater degree than envisioned in the previous EIR. However, the mitigation measure recommended in the previous EIR (i.e., fair-share funding of a new fire station should it be needed) would still reduce this impact to a less than significant level. The City of Oakland shall determine, pursuant to consideration of subsequent Project approvals, how this measure shall be applied to individual projects.



ii) through v):

The OARB Redevelopment EIR concluded that implementation of the Redevelopment/Reuse Plan would lead to a larger service demand placed on all other public services, and recommended a set of mitigation measures that would mitigate these impacts. The proposed Project would be required to comply with the following public services mitigation measures included in the OARB Redevelopment EIR:

Mitigation 4.9-3 The Port and City shall require developers within their respective jurisdictions to notify OES of their plans in advance of construction or remediation activities.

Mitigation 4.9-10 The Port and City of Oakland shall work cooperatively to develop an ongoing joint program to identify and evaluate impacted local roadways and identify required maintenance/repair activities. The agencies will fund needed repairs and maintenance on a fair-share basis.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant public services environmental effects, or a substantial increase in the severity of previously identified public services environmental effects.



RECREATION

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
XIV.	RECREATION —				
	a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	[]	[]	[✓]	[]
	b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	[]	[]	[✓]	[]

a) and b):

The proposed Project would not induce any significant impacts on nearby recreational facilities. The land uses established on the Project site would not include new residents that would normally make more use of recreation facilities than would users of the non-residential land uses proposed for the site. The same reasoning holds for the land uses proposed as Option B. No mitigation is necessary.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant recreation environmental effects, or a substantial increase in the severity of previously identified recreation environmental effects.



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TRANSPORTATION / TRAFFIC

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
XV. TRANSPORTATION/TRAFFIC — Would the Project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	[✓]	[]	[]	[]
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	[✓]	[]	[]	[]
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	[]	[]	[]	[✓]
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	[✓]	[]	[]	[]
e) Result in inadequate emergency access?	[✓]	[]	[]	[]
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	[✓]	[]	[]	[]
g) Generate added transit ridership that would 1) increase the average ridership on AC Transit lines by 3% percent at bus stops where the average load factor with the project in place would exceed 125% over a peak thirty minute period, 2) Increase the peak hour average ridership on BART by 3% where the passenger volume would exceed the standing capacity of BART trains, or 3) Increase the peak hour average ridership at a BART station by 3% where average waiting time at fare gates would exceed one minute.	[✓]	[]	[]	[]

a) through g):

Traffic and circulation impacts were addressed in detail in the OARB Redevelopment EIR. That previous EIR concluded that redevelopment activities throughout the OARB Redevelopment Area would result in significant traffic and circulation impacts, some of which can be reduced to a less than significant level and others which would be significant and unavoidable.

A Statement of Overriding Consideration was adopted for the following impacts considered to be significant and unavoidable:



- Redevelopment would cause some roadway segments on the MTS to operate at LOS F and increase the V/C ratio by more than three percent on segments that would operate at LOS F without redevelopment.

Specifically, redevelopment would cause the following freeway segments on the MTS to operate at LOS F or increase the V/C ratio by more than three (3) percent for segments that would operate at LOS F without redevelopment:

- I-80 east of the I-80/I-580 split
- I-880 connector to I-80 east
- I-880 from 7th Street to the segment south of I-238
- I-580 east and west of I-980/SR-24
- SR-24 east of I-580

Conclusion:

Mitigation measures were recommended in that previous EIR, including fair-share contributions toward funding of many identified intersection improvements. These fair-share funding obligations would still be applicable to the Project as currently contemplated. However, a number of changes have occurred and there are new land uses currently proposed that require re-evaluation of traffic impacts pursuant to CEQA Guidelines Section 15162 and 15163 pertaining to Subsequent or Supplemental EIRs. These changes include:

1. Substantial changes are proposed as part of the land uses contemplated under the current Project as compared to the land uses envisioned under the original 2002 OARB Redevelopment EIR. These newly proposed land uses may generate substantially more traffic than the uses previously contemplated uses. This potential increase in traffic may result in environmental impacts, or increase the severity of environmental impacts over that identified in the previous EIR.
2. Substantial changes have occurred with respect to circumstances under which the current Project is undertaken. For example, the baseline condition evaluated in the 2003 OARB EIR was the 1995 pre-OARB closure condition (as appropriate for a base reuse EIR). However, baseline conditions have likely increased significantly since that time. Additionally, assumptions regarding the likely buildout of the remainder of the OARB and other cumulative traffic conditions in the vicinity have changed since certification of the OARB EIR.
3. New information of substantial importance indicates that the Project may have a significant impact, or a more significant impact than was disclosed in the previous EIR. For example, the previous 2002 OARB Redevelopment Plan EIR indicated that traffic impacts at certain intersections throughout the City (and beyond) could be mitigated through implementation of identified intersection improvements. However, since certification of that previous EIR the City has found that implementation of some of these intersection improvements is likely



infeasible, and traffic impacts at these intersections will likely remain significant and unavoidable.

Therefore, transportation and traffic impacts associated with the proposed Project may constitute a *significantly greater impact* than was previously evaluated in the OARB Redevelopment EIR. This issue will be addressed in greater detail in the EIR for the Project.



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UTILITIES AND SERVICES

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS — Would the Project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	[]	[]	[✓]	[]
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	[]	[]	[✓]	[]
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	[]	[]	[✓]	[]
d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?	[]	[]	[✓]	[]
e) Result in a determination by the wastewater treatment provider, which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	[]	[]	[✓]	[]
f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?	[]	[]	[✓]	[]
g) Comply with federal, state, and local statutes and regulations related to solid waste?	[]	[]	[✓]	[]
h) Violate applicable federal, state and local statutes and regulations relating to energy standards?	[]	[]	[✓]	[]
i) Result in a determination by the energy provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments and require or result in construction of new energy facilities or expansion of existing facilities, construction of which could cause significant environmental effects?	[]	[]	[✓]	[]

a) through i):

The OARB Redevelopment EIR concluded that redevelopment activities would increase the demands for public utilities and services, and recommended a series of mitigation measures that would mitigate these impacts. The proposed Project would be required to comply with the following mitigation measures included in the OARB Redevelopment EIR:

Mitigation 4.9-4 Individual actions with landscaping requirements of one or more acres shall plumb landscape areas for irrigation with reclaimed water.



- Mitigation 4.9-5** Individual buildings with gross floor area exceeding 10,000 square feet shall install dual plumbing for both potable and reclaimed water, unless determined to be infeasible by the approving agency (City or Port).
- Mitigation 4.9-6** Site design shall facilitate use of reclaimed water, and shall comply with requirements of CCR Title 22 regarding prohibitions of site run-off to surface waters.
- Mitigation: 4.9-7** To the maximum extent feasible, the City and Port shall jointly participate in a deconstruction program to capture materials and recycle them into the construction market.
- Mitigation 4.9-8** Concrete and asphalt removed during demolition/construction shall be crushed on-site or at a near-site location, and reused in redevelopment or recycled to the construction market.
- Mitigation 4.9-9** The City and Port shall require developers to submit a plan that demonstrates a good faith effort to divert at least 50 percent of operations phase solid waste from landfill disposal.

That previous EIR also found that infrastructure improvements to the water system, storm drain system, sewer lines, electrical and telecommunication systems, and natural gas service into the OARB sites would be necessary to service new redevelopment activities. These improvements were included as part of the OARB Redevelopment/Reuse Plan project description. Engineering studies regarding public and private utility infrastructure service extensions are on-going, and more detailed information has been developed in regards to needed infrastructure improvements than was known at the time of the previous OARB Redevelopment Plan EIR. However, no impacts of a significant nature have been identified as being associated with these infrastructure improvements that were not previously identified in the OARB Redevelopment EIR.

Conclusion:

Therefore, there are no changes in the project, change in circumstances, or new information that would result in new significant utilities and services environmental effects, or a substantial increase in the severity of previously identified utilities and services environmental effects.



MANDATORY FINDINGS

	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE —				
a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	[]	[]	[✓]	[]
b) Does the Project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects.)	[✓]	[]	[]	[]
c) Does the Project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	[✓]	[]	[]	[]

a):

This Initial Study does not indicate that there are any biology, hydrology or water quality impacts associated with the proposed Project or Option B that would substantially degrade the quality of the environment. There is no evidence to indicate that there are any fish or wildlife populations that would be significantly affected by the proposed Project. Implementation of the Project would not threaten to eliminate a plant or animal, nor reduce the number nor restrict the range of a rare or endangered plant or animal species. However, implementation of Option B would result in the elimination of several buildings that are important examples of California history (i.e., buildings associated with the OARB National Register Historic District).

b):

The OARB Redevelopment EIR found several cumulatively considerable impacts associated with redevelopment activities at the Oakland Army Base. Most cumulative effects were fully and adequately addressed in the OARB Redevelopment EIR and need no further environmental review. However, as discussed under the topics of Traffic and Air Quality (above) there may be new cumulative effects associated with these issues that were not adequately addressed in the OARB Redevelopment EIR and will be further reviewed in this EIR.



c):

This evaluation concludes that the Project may result in the emission of air quality pollutants that may exceed, or contribute on a cumulative basis toward exceeding established air quality thresholds. The emission of these air quality pollutants could cause adverse effects on the health of nearby residents.

Growth Inducement:

Growth inducement is an inherent effect of redevelopment. The basic premise of the OARB Area Redevelopment Plan is to foster economic growth by improving business and employment opportunities. As described in the OARB Redevelopment EIR, the surrounding area has historically suffered from blighted conditions and associated economic depression, and these conditions could worsen as a result of the closure of the OARB. Redevelopment activities such as the proposed Project have the potential to generate substantial numbers of jobs and therefore to improve the physical and economic condition of West Oakland and of the City and its citizens as a whole. The OARB Redevelopment EIR concluded that job and population growth associated with the Redevelopment Plan was well within that projected by ABAG for the build-out period. The extent of job growth projected under the Project is consistent with that assumed in the OARB Redevelopment EIR. Therefore, consistent with the conclusion of the OARB Redevelopment EIR, potential growth inducing impacts are considered less than significant.



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APPENDIX A

MITIGATION MEASURES FROM THE PREVIOUS EIR

OARB AREA REDEVELOPMENT PLAN EIR MITIGATION MEASURE CHECKLIST

and

SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION

(FROM THE OARB AREA REDEVELOPMENT PLAN FINAL EIR)

OARB AREA REDEVELOPMENT PLAN EIR - MITIGATION MEASURE CHECKLIST

The chart on the following pages identifies the party responsible for implementation of each OARB Redevelopment Plan EIR mitigation measure. The legend to this chart is as follows:

- An “X” under the column header of “City” indicates that the City of Oakland as lead agency is responsible for carrying out that specific mitigation requirement.
- An “X” under the column headers of “City Gateway” and/or “Port” indicates that each redevelopment project within the City’s OARB Gateway Development Area and/or the Port’s OARB Development Area/Maritime subarea is responsible for implementation of the mitigation measure.
- An “X” under the column headed “Auto Mall Project” indicates which of the OARB EIR mitigation measures would be applicable to the Project and to Option B.
- The words “Option B” under the column headed “Auto Mall Project” indicate the mitigation measures would be applicable to the expanded Option B only.
- The word “EIR” under the column headed “Auto Mall Project” indicates the mitigation measures will be reassessed as part of the subsequent or supplemental EIR for the project.
- If a cell is blank, that indicates that measure would not apply to that particular subarea or project site. Blank cells under the column header “City”, followed by an “X” under the columns headed “City Gateway” and/or “Auto Mall Project” indicate that the City would assign the responsibility for implementation of that measure to individual development projects within those areas.
- Note that this checklist lists those mitigation measures only applicable to the 16th/Wood sub-district but does not include a column for that sub-district.

Table A-2: OARB Mitigation Measure Implementation Responsibility Checklist

Mitigation Measures	City	City Gateway Area	Auto Mall Project	Port
Mitigation 4.1.1: Bay/Seaport Plan Amend.	X			
Mitigation 4.2-1: Land Use Compatibility/Gateway		X	X	
Mitigation 4.2-2: Land Use Compatibility/Port				X
Mitigation 4.2-3: Land Use Coordination	X			X
Mitigation 4.3-1: West Grand Avenue / Maritime Street.		X	EIR	X
Mitigation 4.3-2: West Grand Avenue / I-880 Frontage Road		X	EIR	X
Mitigation 4.3-3: 7 th /Maritime Street		X	EIR	X
Mitigation 4.3-4: Transit Access Plan		X	EIR	X
Mitigation 4.3-5: Standard Design Practices		X	EIR	X
Mitigation 4.3-6: Truck Signage Plan				X
Mitigation 4.3-7: Truck Management Plan	X			X
Mitigation 4.3-8: Emergency Evacuation Plan	X			X
Mitigation 4.3-9: Alternative Transportation Facilities		X	EIR	X
Mitigation 4.3-10: Parking		X	EIR	X
Mitigation 4.3-11: Port Truck Parking				X
Mitigation 4.3-12: BART Capacity Assessment	X			X
Mitigation 4.3-13: Construction Period Traffic		X	EIR	X
Mitigation 5.3-1: 7 th /Maritime Street		X	EIR	X
Mitigation 5.3-2: 7 th Street/I-880 Northbound Ramps		X	EIR	X
Mitigation 5.3-3: 3 rd /Adeline Street		X	EIR	X
Mitigation 5.3-4: 3 rd /Market Street		X	EIR	X
Mitigation 5.3-5: 12 th /Brush Street		X	EIR	X
Mitigation 5.3-6: Powell Street/I-80 Northbound Ramps		X	EIR	X
Mitigation 5.3-7: Truck Impact Reduction Program.	X			X
Mitigation 5.3-8: BART Capacity Improvements	X	X		X
Mitigation 4.4-1: Dust Control		X	X	X

Table A-2: OARB Mitigation Measure Implementation Responsibility Checklist

Mitigation Measures	City	City Gateway Area	Auto Mall Project	Port
Mitigation 4.4-2: Construction-period Exhaust Controls		X	X	X
Mitigation 4.4-3: Criteria Pollutant Reduction Plan				X
Mitigation 4.4-4: Diesel Emission Reduction Program	X	X	X	X
Mitigation 4.4-5: Vehicle Emission Reduction		X	X	X
Mitigation 4.4-6: Sustainable Development Design and Construction	X	X	X	X
Mitigation 5.4-1: Emission Reduction Projects	X			X
Mitigation 4.5-1: Noise Reduction Plan		X	X	X
Mitigation 4.6-1: Discovery of Cultural Resources		X	X	X
Mitigation 4.6-2: Historic Commemoration Site		X	X	X
Mitigation 4.6-3: Public Trail Access		X	X	
Mitigation 4.6-4: Oral Histories		X	X	X
Mitigation 4.6-5: Historic Military Website		X	X	X
Mitigation 4.6-6: HABS/HAER Distribution		X	X	X
Mitigation 4.6-7: Video Distribution		X	X	X
Mitigation 4.6-8: Mural Preservation		X	X	X
Mitigation 4.6-9: Historic Warehouse Salvage Program		X	Option B	X
Mitigation 4.6-10: Historic Brochure		X	X	X
Mitigation 4.6-11: Historic Archive		X	X	X
Mitigation 4.6-12: Historic Architecture			Option B	
Mitigation 4.6-13: Central Station Retention and Protection				
Mitigation 4.6-14: Historic Structure Demolition, Timing		X	Option B	X
Mitigation 4.6-15: Historic Building, Deconstruction and Salvaging		X	Option B	X
Mitigation 4.6-16: Historic Resource Documentation Program		X	X	X
Mitigation 4.7-1: Haz. Mat. Business Plan		X	X	X
Mitigation 4.7-2: Risk Management and Prevention Plan		X	X	X
Mitigation 4.7-3: RAP/RMP Implementation		X	X	X

Table A-2: OARB Mitigation Measure Implementation Responsibility Checklist

Mitigation Measures	City	City Gateway Area	Auto Mall Project	Port
Mitigation 4.7-4: Hazmat Investigation and Remediation		X	X	X
Mitigation 4.7-5: Soil and Groundwater Remediation		X	X	X
Mitigation 4.7-6: Building Survey, Lead-Based Paint		X	Option B	X
Mitigation 4.7-7: Asbestos Safety Requirements		X	Option B	X
Mitigation 4.7-8: Building Survey, PCBs		X	Option B	X
Mitigation 4.7-9: RAP/RMP for Underground Storage Tanks		X	X	X
Mitigation 4.7-10: Underground Storage Tank Closure/Removal		X	X	X
Mitigation 4.7-11: Lead-Based Paint Safety Requirements		X	X	X
Mitigation 4.7-12: Asbestos-Containing Building Reuse		X	Option B	X
Mitigation 4.7-13: RAP/RMP Update		X	X	X
Mitigation 4.7-14: Building Survey, Asbestos-Containing Materials		X		X
Mitigation 4.7-15: Removal of PCB Transformers		X	X	X
Mitigation 4.7-16: PCB Investigation		X	X	X
Mitigation 4.7-17: PCB Safety Requirements		X	X	X
Mitigation 4.9-1: Fire and Emergency Response	X	X	X	X
Mitigation 4.9-2: OES Coordination	X			X
Mitigation 4.9-3: OES Notification	X		X	X
Mitigation 4.9-4: Reclaimed Water Pipelines		X	X	X
Mitigation 4.9-5: Dual-Plumbing		X	X	X
Mitigation 4.9-6: Compliance with Title 22 Requirements		X	X	X
Mitigation: 4.9-7: Deconstruction and Recycling		X		X
Mitigation 4.9-8: Concrete and Asphalt Recycling		X	X	X
Mitigation 4.9-9: Solid Waste Diversion		X	X	X
Mitigation 4.9-10: Roadway Repair		X	X	X
Mitigation 4.11-1: Lighting Standards		X	X	X
Mitigation 4.11-2: Lighting Near Gateway Park		X		
Mitigation 4.11-3: Solar Energy Setbacks		X	X	X

Table A-2: OARB Mitigation Measure Implementation Responsibility Checklist

Mitigation Measures	City	City Gateway Area	Auto Mall Project	Port
Mitigation 4.11-4: Solar Energy Operation		X	X	
Mitigation 4.11-5: Solar Access		X		X
Mitigation 4.11-6: Public Open Space Access		X		X
Mitigation 4.12-3: Raptor Deterrents		X		
Mitigation 4.12-4: Permit Requirements for Fill		X		X
Mitigation 4.12-5: In Water Construction				X
Mitigation 4.12-6: Spawning Habitat Protection				X
Mitigation 4.12-7: Tree Protection/Replacement		X		X
Mitigation 4.12-8: Tree Removal Schedule		X		X
Mitigation 4.12-9: Construction Near Active Bird Nest		X		
Mitigation 4.12-10: Ballast Water				X
Mitigation 4.12-11: Ballast Water Education				X
Mitigation 4.12-12: Exotic Species				X
Mitigation 4.12-13: Wetlands Mitigation		X	X	X
Mitigation 4.13-1: Construction Standards		X	X	X
Mitigation 4.13-2: Geotechnical Report		X	X	X
Mitigation 4.13-3: Stormwater Pollution Prevention/Erosion Control		X	X	X
Mitigation 4.13-4: Environmental Records Review		X	X	X
Mitigation 4.13-5: Due Diligence		X	X	X
Mitigation 4.14-1: Groundwater Extraction		X	X	X
Mitigation 4.14-2: Groundwater De-watering		X	X	X
Mitigation 4.15-1: In Water Construction				X
Mitigation 4.15-2: Subsequent Permit Conditions		X	X	X
Mitigation 4.15-3: Stormwater Pollution Prevention/Erosion Control		X	X	X
Mitigation 4.15-4: Stormwater Pollution Prevention/Erosion Control		X	X	X

Table A-2: OARB Mitigation Measure Implementation Responsibility Checklist

Mitigation Measures	City	City Gateway Area	Auto Mall Project	Port
Mitigation 4.15-5: Post-construction Stormwater Controls		X	X	X
Mitigation 4.15-6: Recycled Water Runoff		X	X	X
Mitigation 4.15-7: Flood Protection		X	X	X
Mitigation 4.15-8: Flood Hazard Mapping	X			X

Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Consistency of Plans and Policies		
Impact 4.1-2: Proposed land uses in a portion of the 16 th /Wood sub-district would be fundamentally inconsistent with Seaport and Bay plan Port Priority Use designations.	Mitigation 4.1-1: Amend the Bay and Seaport plans to eliminate, where necessary, Port Priority Use designations within the 16th/Wood sub-district.	L
Land Use		
Impact 4.2-1: Under proposed redevelopment, dissimilar land uses may be located proximate to one another.	Mitigation 4.2-1: The City shall ensure that Gateway development area redevelopment activities adjacent to Port of Oakland industrial maritime facilities are designed to minimize any land use incompatibilities to the extent feasible.	L
	Mitigation 4.2-2: If any land use incompatibility is subsequently identified, the Port of Oakland shall use its best efforts, consistent with meeting cargo throughput demand, to locate maritime activities that could result in land use incompatibilities as far away from the property boundary as feasible.	
	Mitigation 4.2-3: The City and Port shall coordinate to implement Mitigation Measures 4.2-1 and 4.2-2. The City and Port shall cooperatively coordinate regarding the types of land uses to be developed at the coterminous boundary of their respective jurisdictions.	

Legend: S = Significant and unavoidable; L = Less than significant; A = Impact avoided

Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Transportation and Traffic		
Impact 4.3-1: Redevelopment would cause the level of service to degrade to worse than LOS D at three intersections located outside the Downtown area: <ul style="list-style-type: none"> • West Grand Avenue/Maritime Street • West Grand Avenue/I-880 Frontage Road • 7th/Maritime Street 	Mitigation 4.3-1: <i>West Grand Avenue/Maritime Street.</i> As part of the design for the realignment of Maritime Street, project area developers shall fund on a fair-share basis modifications to the West Grand Avenue/Maritime Street intersection.	L
	Mitigation 4.3-2: <i>West Grand Avenue/I-880 Frontage Road.</i> Project area developers shall fund, on a fair-share basis, modifications to the West Grand Avenue/I-880 Frontage Road intersection.	
	Mitigation 4.3-3: <i>7th/Maritime Street.</i> As part of the design for the realignment of Maritime Street, project area developers shall fund on a fair-share basis modifications to the 7th/Maritime Street intersection.	
Impact 4.3-2: Redevelopment would cause some roadway segments on the MTS to operate at LOS F and increase the V/C ratio by more than three percent on segments that would operate at LOS F without redevelopment.	Mitigation 4.3-4: The City and Port, in consultation with transit agencies, shall jointly create and maintain a transit access plan(s) for the redevelopment project area designed to reduce demand for single-occupant, peak hour trips, and to increase access to transit opportunities. Major project area developers shall fund on a fair share basis the plan(s).	S
Impact 4.3-3: Redevelopment could result in traffic hazards to motor vehicles, bicycles, or pedestrians due to inadequate design features or incompatible uses.	Mitigation 4.3-5: Redevelopment elements shall be designed in accordance with standard design practice and shall be subject to review and approval of the City or Port design engineer.	L

Legend: S = Significant and unavoidable; L = Less than significant; A = Impact avoided

Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
	Mitigation 4.3-6: The Port shall fund signage designating through transport truck prohibitions through the interior of the Gateway development area.	
	Mitigation 4.3-7: The City and the Port shall continue to work together and shall create a truck management plan designed to reduce the effects of transport trucks on local streets. The City and Port shall fund on a fair share basis implementation of this plan.	
Impact 4.3-4: Due to site constraints, it may not be possible to provide two emergency access routes to the western portion of the Gateway development area, which would be in excess of 1,000 feet from the nearest major arterial.	Mitigation 4.3-8: Provide an emergency service program and emergency evacuation plan using waterborne vessels.	L
	See Mitigation Measure 4.9-1, below.	
Impact 4.3-5: Redevelopment could fundamentally conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).	Mitigation 4.3-9: Redevelopment plans shall conform to City of Oakland or Port development standards with facilities that support transportation alternatives to the single-occupant automobile.	L
Impact 4.3-6: Redevelopment could result in an inadequate parking supply at the Gateway development area, the 16th/Wood sub-district, or for trucks serving the Port of Oakland.	Mitigation 4.3-10: The number of parking spaces provided in the project area shall comply with City code or Port requirements and/or with recommendations of a developer funded parking demand analysis.	L
	Mitigation 4.3-11: During both construction and operation, the Port shall provide truck parking within the Port development area or Maritime sub-district, at a reasonable cost to truck operators and provide advance information to operators where the parking is located.	

Legend: S = Significant and unavoidable; L = Less than significant; A = Impact avoided

Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 4.3-9: Redevelopment would increase the peak hour average ridership at the West Oakland BART station by 3 percent where average waiting time at fare gates could exceed 1 minute.	Mitigation 4.3-12: The City and Port shall provide detailed information regarding redevelopment to BART to enable BART to conduct a comprehensive fare gate capacity assessment at the West Oakland BART station. Pending the results of this assessment, the City and the Port may need to participate in funding the cost of adding one or more fare gates at the West Oakland BART station.	L
Impact 4.3-11: Remediation, demolition/deconstruction, and construction activities within the redevelopment project area would utilize a significant number of trucks and could cause significant circulation impacts on the street system.	Mitigation 4.3-13: Prior to commencing hazardous materials or hazardous waste remediation, demolition, or construction activities, a Traffic Control Plan (TCP) shall be implemented to control peak hours trips to the extent feasible, assure the safety on the street system and assure that transportation activities are protective of human health, safety, and the environment.	L
Impact 5.3-1: Increased congestion at intersections exceeding the cumulatively significant threshold.	See Mitigation Measures 4.3-1, 4.3-2 and 4.3-3, above.	L: all but Maritime/Grand S: Maritime/Grand
	Mitigation 5.3-1: <i>7th/Maritime Street</i> . Project area developers shall fund a fair share of additional modifications at the 7th /Maritime Street intersection.	
	Mitigation 5.3-2: <i>7th Street/I-880 Northbound Ramps</i> . Project area developers shall fund a fair share of modifications at the 7th Street/I-880 Northbound ramp.	
	Mitigation 5.3-3: <i>3rd/Adeline Street</i> . Project area developers shall fund a fair share of the modifications at the 3rd/Adeline Street intersection.	
	Mitigation 5.3-4: <i>3rd/Market Street</i> . Project area developers shall fund a fair share of modifications at the 3rd/Market Street intersection.	

Legend: S = Significant and unavoidable; L = Less than significant; A = Impact avoided

Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
	Mitigation 5.3-5: <i>12th /Brush Street</i> . Project area developers shall fund a fair share of modifications to the 12th/Brush Street intersection to increase the signal cycle length to 102 seconds. Implementation of this mitigation measure would reduce cumulative impacts at the 12th /Brush Street intersection to a level that is less than significant.	
	Mitigation 5.3-6: <i>Powell Street/I-80 Northbound Ramps</i> . Project area developers shall fund a fair share of modifications at the Powell Street/I-80 northbound ramps intersection.	
Impact 5.3-2: Increased congestion on the Metropolitan Transportation System (MTS) exceeding the cumulatively significant threshold.	See Mitigation Measure 4.3-4, above.	S
Impact 5.3-3: Increased traffic hazards.	See Mitigation Measure 4.3-5, above.	L
Impact 5.3-4: Inadequate emergency access.	See Mitigation Measure 4.3-8, above.	L
Impact 5.3-5: Inadequate truck-related parking.	See Mitigation Measures 4.3-10 and 4.3-11, above.	S
	Mitigation 5.3-7: The City and Port shall cooperatively develop a program that combines multiple strategic objectives and implementation tools designed to reduce cumulative truck parking and other AMS impacts.	
Impact 5.3-6: Increased ridership on AC Transit during peak weekday hours.	See Mitigation Measure 4.3-12, above.	L
Impact 5.3-7: Increased ridership on BART trains.	Mitigation 5.3-8: The City and Port shall work with BART to ensure adequate BART train capacity will be available for riders to and from the redevelopment project area, and possibly fund, on a fair share basis, BART train capacity improvements.	L

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 5.3-8: Increased waiting time during peak weekday hours at BART fare gates.	See Mitigation Measure 4.3-12, above.	L
Air Quality		
Impact 4.4-1: PM as fugitive dust would be emitted during construction and remediation activities.	Mitigation 4.4-1: Contractors shall implement all BAAQMD “Basic” and “Optional” PM10 (fugitive dust) control measures at all sites, and all “Enhanced” control measures at sites greater than four acres.	L
Impact 4.4-2: Construction equipment exhaust could increase levels of NO _x , ROG, CO, and PM ₁₀ (the latter primarily as diesel PM) that could exceed 15 tons per year, or result in substantial increase in diesel emissions.	Mitigation 4.4-2: Contractors shall implement exhaust control measures at all construction sites.	S
Impact 4.4-3: Increased Port maritime and rail operations, as well as trucking activities associated with all redevelopment operations would emit NO _x , ROG, and PM ₁₀ in excess of 15 tons per year or 80 pounds per day, substantially increase diesel emissions, and potentially expose pollution-sensitive receptors to substantial pollutant concentrations.	Mitigation 4.4-3: The Port shall develop and implement a criteria pollutant reduction program aimed at reducing or off-setting Port-related emissions in West Oakland from its maritime and rail operations. The program shall be sufficiently funded to reduce and/or off-set redevelopment related contributions to local West Oakland air quality to the maximum extent feasible.	S
	Mitigation 4.4-4: The City and the Port shall jointly create, maintain, and fund on a fair share basis, a truck diesel emission reduction program. The program shall be sufficiently funded to reduce and/or off-set redevelopment related contributions to local West Oakland diesel emissions to the maximum extent feasible.	

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 4.4-4: Passenger vehicles and delivery trucks associated with redevelopment would emit NO _x , ROG, CO, and PM in excess of 15 tons per year or 80 pounds per day.	Mitigation 4.4-5: Major developers shall fund on a fair share basis BAAQMD-recommended feasible Transportation Control Measures (TCMs) for reducing vehicle emissions from commercial, institutional, and industrial operations, as well as all CAP TCMs the BAAQMD has identified as appropriate for local implementation.	S
Impact 4.4-5: Space and water heating as well as routine maintenance of office buildings, warehouses, retail stores, and live-work space, could emit NO _x , ROG, CO, and PM ₁₀ in quantities that could exceed thresholds.	Mitigation 4.4-6: Title 24 of the Uniform Building Code (UBC) requires that new construction include energy-conserving fixtures and designs. Additionally, the City and Port shall implement sustainable development policies and strategies related to new development design and construction.	L
Impact 5.4-1: Redevelopment would result in significant cumulative air quality impacts associated with emissions of nitrogen oxides (NO _x), reactive organics gases (ROG), carbon monoxide (CO), particulate matter less than 10 microns in diameter (PM ₁₀), and diesel exhaust (almost entirely particulate matter less than 2.5 microns in diameter [PM _{2.5}]), the latter defined as a toxic air contaminant by the California Air Resources Board (CARB).	See Mitigation Measures 4.4-1 4.4-2, 4.4-3, 4.4-4, and 4.4-5, above.	S
	Mitigation Measure 5.4-1: The City and the Port shall encourage, lobby, and potentially participate in emission reduction demonstration projects that promote technological advances in improving air quality.	

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Noise		
Impact 4.5-1: Construction, including remediation, could result in short-term noise levels in excess of established standards, or that violate the City of Oakland Noise Ordinance at and near the redevelopment project area, and along construction haul routes.	Mitigation 4.5-1: Developers and/or contractors shall develop and implement redevelopment-specific noise reduction plans.	L
Cultural Resources		
Impact 4.6-1: Redevelopment has the potential to encounter previously unknown subsurface cultural resources during ground-disturbing activities.	Mitigation 4.6-1: Should previously unidentified cultural resources be encountered during redevelopment, work in that vicinity shall stop immediately, until an assessment of the finds can be made by an archaeologist. If the resource is found to be significant under CEQA, an appropriate mitigation plan must be developed.	L
Impact 4.6-2: Redevelopment would remove all resources contributing to the OARB Historic District.	Mitigation 4.6-2: The City, Port and OARB sub-district developers shall fund on a fair-share basis development of a commemoration site, including preparation of a Master Plan for such a site, at a public place located within the Gateway development area.	S
	Mitigation 4.6-3: The City shall ensure the commemoration site is linked to the Gateway Park and the Bay Trail via a public access trail.	
	Mitigation 4.6-4: The City, Port and OARB sub-district developers shall fund on a fair-share basis collection and preservation of oral histories from OARB military and civilian staff.	
	Mitigation 4.6-5: The City, Port, and OARB sub-district developers shall fund on a fair share basis collaboration with "military.com" or a similar military history web site.	

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
	<p>Mitigation 4.6-6: The City, Port, and OARB sub-district developers shall fund on a fair share basis distribution of copies of the complete OARB HABS/HAER documentation prepared by the Army to: Oakland History Room, Oakland Public Library; Bancroft Library, University of California; and Port of Oakland Archives for the purpose of added public access to these records.</p>	
	<p>Mitigation 4.6-7: If determined of significant historical educational value by the Oakland Landmarks Preservation Advisory Board and the Oakland Heritage Alliance, the City, Port, and OARB sub-district developers shall fund on a fair share basis distribution of copies of “A Job Well Done” documentary video published by the Army.</p>	
	<p>Mitigation 4.6-8: The City, Port, and OARB sub-district developers shall fund on a fair share basis preservation and long-term curation of murals from OARB Building No. 1, and OBRA shall either donate the murals to the Oakland Museum of California, or provide a permanent location elsewhere.</p>	
	<p>Mitigation 4.6-9: The City, Port, and OARB sub-district developers shall fund on a fair share basis a program to salvage as whole timber posts, beams, trusses and siding of warehouses to be demolished to the maximum extent feasible.</p>	
	<p>Mitigation 4.6-10: The City, Port, and OARB sub-district developers shall fund on a fair share basis production of a brochure describing history and architectural history of the OARB.</p>	

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
	<p>Mitigation 4.6-11: The City, Port, and OARB sub-district developers shall fund on a fair share basis acquisition of copies of construction documentation and photographs of historic buildings currently in the OARB files and transfer the copies to the Oakland History Room files and Port historic archives, including funding to cover costs of archiving and cataloging these materials, as well as curator costs at the Oakland History Room. While select photos and information may be exhibited at the commemoration site, the Oakland History Room is the most appropriate location for this archive.</p>	
	<p>Measure 4.6-14: No demolition or deconstruction of contributing structures to the OARB Historic District shall occur until necessary.</p>	
	<p>Measure 4.6-15. As part of the deconstruction and salvaging requirements for demolition of any contributing structure within the OARB Historic District (see Mitigation Measure 4.6-9), specific architectural elements, building components or fixtures should be salvaged. A professional historic preservationist shall determine which, if any of such elements, components or fixtures should be retained.</p>	

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 4.6-3: Redevelopment would render the OARB Historic District no longer eligible to the National and/or California Registers of Historic Places or the Local Register.	<p>Mitigation 4.6-16: The City, Port, and OARB sub-district developers shall fund on a fair share basis preparation of an Historical Resource Documentation Program. This program shall consist of a coordinated effort of primary research and documentation, with a substantial scholarly input and publicly available products. The first product of this program shall include a coordinated effort to conduct the research, writing, photo documentation, assembly and publication efforts needed to prepare a comprehensive book on the history of the Oakland Army Base. The book shall document the important contribution the Base has had to the U.S. military, to Oakland and to the nation at large.</p>	S
Impact 4.6-4: Redevelopment would result in renovation of the SPRR (Amtrak) Station and 16 th Street Tower, which could alter the historic character of the buildings in a manner that could affect their eligibility.	<p>Mitigation 4.6-13: Prior to major renovation of a historically significant structure, the redeveloper of the SPRR Station and 16th Street Tower shall ensure that historically significant artifacts and features, if present, are retained and protected in place if feasible. If retention and protection is found Infeasible, such artifacts and features shall be recorded and deposited with the appropriate museum. Renovation of the exterior of a historic structure shall be consistent with the Secretary's of Interior's Standards.</p>	L
Impact 5.6-1: Loss of historic resources.	<p>See Mitigation Measures 4.6-2, 4.6-3, 4.6-4, 4.6-5, 4.6-6, 4.6-7, 4.6-8, 4.6-9, 4.6-10, 4.6-11, 4.6-14, 4.6-15, and 4.6-16, above.</p>	S

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Hazardous Materials		
Impact 4.7-2: Hazardous or acutely hazardous materials (AHMs) may be handled or emitted within ¼ mile of an existing or proposed school.	Mitigation 4.7-1: For use of hazardous materials within ¼ mile of an existing or proposed school, business operators shall prepare Business Plan, update annually, and keep on file with the Oakland Fire Department.	L
	Mitigation 4.7-2: For use of AHMs within ¼ mile of an existing or proposed school, in addition to a Business Plan, business operators shall prepare, implement, and update a Risk Management and Prevention Plan (RMPP) on at least an annual basis.	
Impact 4.7-4: Site preparation, remediation and development of areas that contain contaminated soil and groundwater could expose remediation and construction workers, and future utility workers, tenants, and visitors to soil and groundwater contamination conditions.	Mitigation 4.7-3: Implement RAP/RMP as approved by DTSC, and if future proposals include uses not identified in the Reuse Plan and incorporated into the RAP/RMP, or if future amendments to the remediation requirements are proposed, obtain DTSC and City approval.	L
	Mitigation 4.7-4: For the project area not covered by the DTSC-approved RAP/RMP, investigate potentially contaminated sites; if contamination is found, assess potential risks to human health and the environment, prepare and implement a clean-up plan for DTSC or RWQCB approval, prepare and implement a Risk Management Plan, and prepare and implement a Site Health and Safety Plan prior to commencing work.	
Impact 4.7-5: Potential exposure to contaminants in soil and groundwater remaining in place after remediation could be a hazard to future residents, employees and visitors.	Mitigation 4.7-5: For the project areas not covered by the DTSC-approved RAP/RMP, remediate soil and groundwater contamination consistent with the City of Oakland ULR Program and other applicable laws and regulations.	L

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 4.7-6: Workers and others could be exposed to LBP in buildings, ACM or PCBs during demolition, remediation, renovation and site work activities.	Mitigation 4.7-6: Buildings and structures constructed prior to 1978 slated for demolition or renovation that have not previously been evaluated for the presence of LBP shall be sampled to determine whether LBP is present in painted surfaces, and the safety precautions and work practices as specified in government regulations shall be followed during demolition.	L
	Mitigation 4.7-7: Buildings, structures and utilities that have not been surveyed for ACM, shall be surveyed to determine whether ACM is present prior to demolition or renovation, and the safety precautions and work practices as specified in government regulations shall be followed during demolition.	
	Mitigation 4.7-8: Buildings and structures proposed for demolition or renovation shall be surveyed for PCB-impacted building materials, and the safety precautions and work practices as specified in government regulations shall be followed during demolition.	
Impact 4.7-7: Workers or others could be exposed to hazardous materials and contamination in and around ASTs and USTs during remediation and redevelopment activities.	Mitigation 4.7-9: For ASTs/USTs on the OARB, implement the RAP/RMP, which incorporates the steps enumerated below.	L
	Mitigation 4.7-10: For the remainder of the redevelopment project area (non-OARB areas), if an AST or UST is encountered, it would be closed in place or removed and the soil would be tested and remediated, if necessary, pursuant to regulatory approvals and oversight.	

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 4.7-8: Workers or others could experience direct contact exposure to LBP-contaminated soil, concrete, and pavement surrounding buildings that have LBP.	Mitigation 4.7-11: For LBP-impacted ground on the OARB, implementation of RAP/RMP to be approved by DTSC as part of the project will result in avoidance of this potentially significant impact. For the remainder of the redevelopment project area, sampling shall be performed on soil or paved areas around buildings that are known or suspected to have LBP, and the safety precautions and work practices specified in government regulations shall be followed.	L
Impact 4.7-10: During interim or future use of existing buildings, people could be exposed to ACM or other environmental hazards.	Mitigation 4.7-12: The condition of identified ACM shall be assessed annually, and prior to reuse of a building known to contain ACM.	L
	Mitigation 4.7-13: No future tenancies shall be authorized at the OARB for use categories that are inconsistent with the Reuse Plan without an updated environmental analysis and DTSC approval as provided for in the RAP/RMP.	
	Mitigation 4.7-14: For the remainder of the redevelopment project area (non-OARB areas), any building that has not been surveyed for ACM but potentially contains ACM shall be surveyed to determine whether ACM is present prior to demolition, renovation or reuse.	
Impact 4.7-11: Workers could be exposed to polychlorinated biphenyls (PCB) and PCB-contaminated equipment during remediation, construction and future operations.	Mitigation 4.7-15: Known PCB transformers or PCB-contaminated transformers at the OARB shall be removed, monitored and/or maintained in accordance with applicable laws and regulations.	L

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
	Mitigation 4.7-16: Oil-filled electrical equipment in the redevelopment project area that has not been surveyed shall be investigated prior to the equipment being taken out of service to determine whether PCBs are present.	
	Mitigation 4.7-17: PCB-containing or PCB-contaminated equipment taken out of service shall be handled and disposed in compliance with applicable laws and regulations.	
Impact 5.7-1: Increased exposure to hazardous wastes during construction.	See Mitigation Measures 4.7-3, 4.7-4, 4.7-6, 4.7-7, 4.7-8, 4.7-9, 4.7-10, 4.7-11, and 4.7-14, above.	
Population, Housing, and Employment		
No significant impacts.		
Public Services and Utilities		
Impact 4.9-1: Construction activities and increases in employees and residents as well as increased building density would increase demand for fire, hazmat, and first responder medical emergency services.	Mitigation 4.9-1: The City and Port shall cooperatively investigate the need for, and if required shall fund on a fair-share basis ,development and operation of increased firefighting and medical emergency response services via fireboat to serve the OARB sub-district.	L
Impact 4.9-6: Redevelopment construction could interfere with operation of the Maritime Street emergency response staging area, or with the West Grand Avenue and 7th Street evacuation routes.	Mitigation 4.9-2: The Port and City shall work with OES to ensure changes in local area circulation are reflected in the revised Response Concept.	L
	Mitigation 4.9-3: The Port and City shall require developers within their respective jurisdictions to notify OES of their plans in advance of construction or remediation activities.	

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 4.9-8: Redevelopment would increase potable water demand.	Mitigation 4.9-4: Individual actions with landscaping requirements of one or more acres shall plumb landscape areas for irrigation with reclaimed water.	L
	Mitigation 4.9-5: Individual buildings with gross floor area exceeding 10,000 square feet shall install dual plumbing for both potable and reclaimed water, unless determined to be infeasible by the approving agency (City or Port).	
	Mitigation 4.9-6: Site design shall facilitate use of reclaimed water, and shall comply with requirements of CCR Title 22 regarding prohibitions of site run-off to surface waters.	
Impact 4.9-10: Redevelopment would increase the quantity of solid waste, and demand for solid waste services.	Mitigation: 4.9-7: To the maximum extent feasible, the City and Port shall jointly participate in a deconstruction program to capture materials and recycle them into the construction market.	L
	Mitigation 4.9-8: Concrete and asphalt removed during demolition/construction shall be crushed on-site or at a near-site location, and reused in redevelopment or recycled to the construction market.	
	Mitigation 4.9-9: The City and Port shall require developers to submit a plan that demonstrates a good faith effort to divert at least 50 percent of operations phase solid waste from landfill disposal.	
Impact 4.9-12: Both construction/remediation vehicles and increased operations vehicle activity would accelerate or advance deterioration of local roadways and the timing and extent of roadway maintenance/repair.	Mitigation 4.9-10: The Port and City of Oakland shall work cooperatively to develop an ongoing joint program to identify and evaluate impacted local roadways and identify required maintenance/repair activities. The agencies will fund needed repairs and maintenance on a fair-share basis.	L

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 5.9-1: Increased demand for fire-related services.	See Mitigation Measure 4.9-1, above.	L
Impact 5.9-2: Increased demand for police protection services.	Existing funding mechanism	L
Impact 5.9-3: Increased demand for library services.	Existing funding mechanism	L
Impact 5.9-5: Increased demand for water.	See Mitigation Measures 4.9-4 and 4.9-5, above.	L
Impact 5.9-7: Increased demand for solid waste services.	See Mitigation Measures 4.9-7, 4.9-8, and 4.9-9, above.	L
Recreation and Public Access		
Impact 4.10-2: Construction and/or operation of the Gateway Park could have an adverse physical effect on the environment.	See Mitigation Measures 4.12-1, 4.12-2, 4.12-3, 4.15-1, and 4.15-2, below	L
Aesthetics		
Impact 4.11-2: Redevelopment would remove buildings contributing to a historic district, including visually striking warehouse structures visible from I-80, a locally designated scenic route, and a portion of the state scenic highway system.		S
Impact 4.11-3: New security lighting and/or lighting for night time operations would alter current patterns of light or glare, and could alter nighttime views in the area.	Mitigation 4.11-1: New lighting shall be designed to minimize off-site light spillage; "stadium" style lighting shall be prohibited. Mitigation 4.11-2: At or near the boundary of the proposed Gateway Park, new lighting shall be shielded to prevent light spillage into natural areas.	L

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 4.11-4: New construction could introduce building or landscaping elements that would now or in the future cast shadow on existing collectors or photovoltaic cells, or a building using passive solar heat collection.	Mitigation 4.11-3: New active or passive solar systems within or adjacent to the project area shall be set back from the property line a minimum of 25 feet.	L
	Mitigation 4.11-4: New construction within the Gateway development area adjacent to a parcel containing permitted or existing active or passive solar systems shall demonstrate through design review that the proposed structures shall not substantially impair operation of existing solar systems.	
	Mitigation 4.11-5: The City and Port shall coordinate with respect to the design of new, permanent buildings constructed along the Port/Gateway boundary to minimize conflicts over solar access.	
Impact 4.11-5: New construction could introduce building or landscaping elements that would now or in the future cast shadow that substantially impairs the beneficial use of a public park or open space.	Mitigation 4.11-6: New construction adjacent to a public park or open space shall demonstrate through design review that development shall not substantially impair enjoyment of the public using the space.	L
Biological Resources		
	Mitigation 4.12-3: Raptor deterrents shall be placed on light standards and other tall elements installed within the Gateway Park.	
	See Mitigation Measure 4.11-2, above.	

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 4.12-3: Redevelopment would result in net loss of approximately 27 acres of open and covered water at New Berth 21.	Mitigation 4.12-4: Contractors, developers, the Port, and EBRPD shall comply with all permit conditions from the Corps, RWQCB, USFWS/NMFS, BCDC, and CDFG for fill.	L
Impact 4.12-4: Redevelopment could result in both temporary impacts to herring spawning habitat during construction, and a permanent net loss of Pacific herring spawning habitat associated with the wharf pilings at existing Berths 9, 10, 20 and 21 due to construction of New Berth 21.	Mitigation 4.12-5: A qualified observer shall be present on site during all in-water construction activities near potential herring spawning areas between December 1 and March 1.	L
	Mitigation 4.12-6: If spawning is observed, in-water construction activities shall be redirected for 200 meters around the spawning area for two weeks.	
Impact 4.12-6: Redevelopment may result in loss of protected trees measuring 4 inches dbh (or larger) or trees with a dbh of greater than 9 inches.	Mitigation 4.12-7: Application for a tree preservation/tree removal permit from the City of Oakland for all protected trees shall comply with the Tree Ordinance, which includes replacement of native trees at a minimum of a 1:1 ratio.	L
Impact 4.12-7: Redevelopment may affect nesting migratory birds.	Mitigation 4.12-8: Trees shall be removed between September 1 and January 31 to avoid the nesting season (February 1 to August 31). Alternatively, field surveys shall be conducted no earlier than 45 days and no later than 20 days prior to the removal of any trees during the nesting/breeding season of bird species potentially nesting on the site to determine whether birds are present.	L
	Mitigation 4.12-9: Construction shall not occur within 150 feet of an active nest until the nest is vacated or the juveniles have fledged.	

Legend: S = Significant and unavoidable; L = Less than significant; A = Impact avoided

Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 4.12-8: Redevelopment could result in a substantial increase in the risk of establishment of invasive species in the San Francisco Bay.	Mitigation 4.12-10: The Port shall continue to enforce its tariff requirements regarding ballast water and if the State law sunsets, shall implement the remainder of its ballast water ordinance, as it may be amended from time to time.	S
	Mitigation 4.12-11: The Port shall continue to develop and implement a carrier ballast water education program.	
	Mitigation 4.12-12: The Port shall support international and United States efforts to adopt uniform international or national standards to avoid introduction of exotic species through shipping activities.	
Impact 4.12-9: Loss of up to approximately 0.5 acre of isolated, urban wetlands	Mitigation 4.12-13: Contractors and developers shall comply with all conditions imposed by the RWQCB for fill of wetlands.	L
Impact 5.12-1: Effects to sensitive species.	See Mitigation Measures 4.12-1, 4.12-2, and 4.12-3, above.	L
Impact 5.12-2: Loss of protected wetlands and waters of the U.S.	See Mitigation Measures 4.12-4 and 4.12-13, above.	L
Impact 5.12-3: Redevelopment could increase potential risk of invasive species being established in San Francisco Bay.	See Mitigation Measures 4.12-10, 4.12-11, and 4.12-12, above.	S
Geology, Seismicity, and Soils		
Impact 4.13-1: Redevelopment could expose increased numbers of people and structures to strong seismic ground shaking.	Mitigation 4.13-1: Redevelopment elements shall be designed in accordance with criteria established by the UBC, soil investigation and construction requirements established in the Oakland General Plan, the Bay Conservation and Development Commission Safety of Fill Policy, and wharf design criteria established by the Port or City of Oakland (depending on the location of the wharf).	L

Legend: S = Significant and unavoidable; L = Less than significant; A = Impact avoided

Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
	Mitigation 4.13-2: Redevelopment elements shall be designed and constructed in accordance with requirements of a site-specific geotechnical evaluation.	
Impact 4.13-2: Redevelopment could expose increased numbers of people or structures to seismic related ground failure, including liquefaction, lateral spreading, subsidence, or collapse.	See Mitigation Measures 4.13-1 and 4.13-2, above.	L
Impact 4.13-3: Localized landsliding may occur in sloped shoreline areas.	See Mitigation Measures 4.13-1 and 4.13-2, above.	L
Impact 4.13-4: Under certain conditions, disturbance of soils during construction or remediation could result in erosion.	Mitigation 4.13-3: Prior to ground-disturbing activities, the contractor shall develop and implement a Regional Water Quality Control Board (RWQCB)-acceptable Stormwater Pollution Prevention Plan (SWPPP) that includes erosion control measures.	L
Impact 4.13-5: Redevelopment could occur on expansive soils.	See Mitigation Measures 4.13-1 and 4.13-2, above.	L
Impact 4.13-6: Redevelopment elements may be located above a well, pit, sump, mound, tank vault, unmarked sewer line, landfill, or unknown fill soils.	See Mitigation Measure 4.13-2, above	L
	Mitigation 4.13-4: The project applicant shall thoroughly review available building and environmental records.	
	Mitigation 4-13.5: The developer shall perform due diligence, including without limitation, retaining the services of subsurface utility locators and other technical experts prior to any ground-disturbing activities.	

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 5.13-1: Exposure of persons or property to seismic risk.	See Mitigation Measures 4.13-1 and 4.13-2, above.	L
Groundwater		
Impact 4.14-1: Operation of wells could cause saltwater to intrude into shallow groundwater.	Mitigation 4.14-1: Installation of groundwater extraction wells into the shallow water-bearing zone or Merritt Sand aquifer for any purpose other than construction de-watering and remediation, including monitoring, shall be prohibited.	L
Impact 4.14-2: Operation of wells could cause contaminants to migrate to uncontaminated groundwater.	Mitigation 4.14-2: Extraction of groundwater for construction de-watering or remediation, including monitoring, shall be minimized where practicable; if extraction will penetrate into the deeper aquifers, than a study shall be conducted to determine whether contaminants of concern could migrate into the aquifer; if so, extraction shall be prohibited in that location.	L
Impact 5.14-1: Concurrent operation of multiple remediation wells or construction dewatering activities could further impair groundwater quality.	See Mitigation Measures 4.14-1 and 4.14-2, above.	L
Surface Water		
Impact 4.15-1: In-water construction or remediation would increase turbidity, and could release contaminants, affecting water quality.	Mitigation 4.15-1: Prior to in-water construction, the contractor shall prepare a water quality protection plan acceptable to the RWQCB, including site-specific best management practices for protection of Bay waters, and shall implement this plan during construction.	L
	Mitigation 4.15-2: Contractors and developers shall comply with all permit conditions from the Corps, RWQCB, and BCDC.	

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
Impact 4.15-2: Under certain circumstances, disturbance of soils during construction and remediation could result in erosion, which in turn could increase sediment loads to receiving waters.	Mitigation 4.15-3: Prior to ground-disturbing activities, the contractor shall develop and implement a Stormwater Pollution Prevention Plan to be reviewed by the City or the Port, including erosion and sediment control measures.	L
Impact 4.15-3: During construction or remediation, shallow groundwater may be encountered that could be contaminated with sediment or chemicals, and could enter nearby receiving waters as could contaminated stormwater.	Mitigation 4.15-4: Prior to construction or remediation, the contractor shall develop and implement a Stormwater Pollution Prevention Plan, including protocols for determining the quality and disposition of construction water which includes shallow groundwater encountered during construction/remediation; <u>depending on the results of the testing, contaminated water shall be disposed of via standards of the applicable regulatory agency (RWQCB, DTSC, or EBMUD), as appropriate. In addition, the contractor shall comply with the requirements of NPDES Permit Nos. CAG912002 and CAG912003 if appropriate.</u>	L
Impact 4.15-4: Net changes in impervious surface could result in higher pollutant loads to receiving waters.	Mitigation 4.15-5: Post-construction controls of stormwater shall be incorporated into the design of new redevelopment elements to reduce pollutant loads.	L
Impact 4.15-5: Use of recycled water for non-potable purposes could lead to degradation of surface water quality.	Mitigation 4.15-6: Site-specific design and best management practices shall be implemented to prevent runoff of recycled water to receiving waters.	L
Impact 4.15-6: New construction could result in changes in localized flooding.	Mitigation 4.15-7: New development shall conform with the policies of the City of Oakland's Comprehensive Plan Environmental Health Hazards Element regarding flood protection.	A

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Table 1-1 Revised Summary of Significant Impacts and Mitigation

Significant Impact	Proposed Mitigation	Residual Significance
	Mitigation 4.15-8: The City and the Port shall complete flood hazard mapping in the project area, where necessary and applicable to delineate 100- and 500-year flood hazard zones.	
Impact 5.15-1: Construction-related increases in erosion and sedimentation/turbidity.	See Mitigation Measures 4.15-1, 4.15-2, and 4.15-3, above	L
Impact 5.15-2: Increases in 303(d) pollutants and toxics.	See Mitigation Measures 4.15-4 and 4.15-5, above	L

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