

**2012 OAKLAND ARMY BASE PROJECT
INITIAL STUDY / ADDENDUM**

LSA

May 2012

**2012 OAKLAND ARMY BASE PROJECT
INITIAL STUDY / ADDENDUM**

Submitted to:

City of Oakland
Community and Economic Development Agency (CEDA)
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LIST OF ACRONYMS

AAQS	ambient air quality standard (California: CAAQS; National: NAAQS)
ABAG	Association of Bay Area Governments
ACM	asbestos containing material
AC Transit	Alameda County Transit Authority
AHERA	Asbestos Hazard Emergency Response Act
AHM	acutely hazardous material
ALUC	Airport Land Use Commission of Alameda County
ALUPP	Airport Land Use Policy Plan
AMS	ancillary maritime support
API	Area of Primary Importance
ARB	California Air Resources Board
Army	U.S. Army
ASI	Area of Secondary Importance
AST	aboveground storage tank
ASTM	American Society for Testing and Materials
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit District
Base	Oakland Army Base (also OARB)
BCDC	Bay Conservation and Development Commission
bgs	below ground surface
BLS	basic life support
BMP	best management practice
BRAC	Base Realignment and Closure
BTEX	benzene, toluene, ethylbenzene, and xylene
CAA	Clean Air Act
CAAQS	California ambient air quality standards
Cal/EPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CAP	Clean Air Plan
CBD	Central Business District
CCAA	California Clean Air Act

CCMP	California Coastal Management Program
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CDMG	California Division of Mines and Geology
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Responsibility, Compensation, and Liability Act
CFR	Code of Federal Regulations
City	City of Oakland
CNDDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CNPS	California Native Plant Society
CO	carbon monoxide
Corps	(U.S.) Army Corps of Engineers
CRHR	California Register of Historic Resources
CRL	Community Redevelopment Law
CRUP	Covenant to Restrict Use of Property
CUPA	Certified Unified Agency Programs
CWA	Clean Water Act
CY	cubic yards
CZMA	Coastal Zone Management Act
dB	decibels
dBA	A-weighted decibels
DDT	dichloro-diphenyl-trichloroethane
DERP	Defense Environmental Restoration Program
district	Oakland Army Base area redevelopment district (also project area)
DOD	(U.S.) Department of Defense
DPW	Department of Public Works
DTSC	(California) Department of Toxic Substances Control
DWR	(California) Department of Water Resources
EBMUD	East Bay Municipal Utility District
EBRPD	East Bay Regional Park District
EBS	Environmental Baseline Survey
EDD	(California) Employment Development Department
EEZ	Exclusive Economic Zone

EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EMT	Emergency Medical Technician
EPA	(U.S.) Environmental Protection Agency
EPCRA	Emergency Planning and Community Right to Know Act
ESA	Endangered Species Act
ESG	Emergency Shelter Grant
FAR	Floor-to-area ratio
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FISCO	Fleet Industrial Supply Center, Oakland
FOST	Finding of Suitability to Transfer
FOSET	Finding of Suitability to Early Transfer
GPG	General Plan Guidelines
HCD	(California Department of) Housing and Community Development
HMTA	Hazardous Materials Transportation Act
HOPWA	Housing Opportunities for People with AIDS
HSC	Health and Safety Code
HUD	(U.S. Department of) Housing and Urban Development
HWCA	(California) Hazardous Waste Control Act
I-	Interstate
IBC	International Building Code
IEC	Interurban Electric (railway bridge)
JATC	Joint Apprentice and Training Committee
JIT	Joint Intermodal Terminal
kV	kilovolt
LBP	lead-based paint
L _{dn}	day/night average sound level
L _{eq}	equivalent sound level
LOS	level of service
LRA	Local Reuse Authority
LTMS	Long Term Management Strategy
LUTE	Land Use and Transportation Element (of the Oakland General Plan)
µmho/cm	micromho per centimeter

MCL	maximum contaminant level
MEI	maximally exposed individual
mg/L	milligrams per liter
MHW	mean high water
MLLW	mean lower low water
MOA	Memorandum of Agreement
MOIA	Metropolitan Oakland International Airport
MOU	Memorandum of Understanding
mph	miles per hour
MSC	Maritime Support Center
msl	mean sea level
MTBE	methyl tertiary ethyl
MTC	Metropolitan Transportation Commission
MTS	Metropolitan Transportation System
NAAQS	National ambient air quality standards
NAS	Naval Air Station (Alameda)
NCP	National Contingency Plan
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NISA	National Invasive Species Act
NMFS	National Marine Fisheries Service
NO ₂	nitrogen dioxide
NOA	Notice of Availability
NOC	Notice of Completion
NOD	Notice of Determination
NOP	Notice of Preparation
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRHP	National Register of Historic Places
NWP	nationwide permit
O ₃	ozone
OARB	Oakland Army Base (also Base)
OBRA	Oakland Base Reuse Authority

OHP	(California) Office of Historic Preservation
OMC	Oakland Municipal Code
OPR	(Governor's) Office of Planning and Research
ORA	Oakland Redevelopment Agency
OSCAR	Open Space, Conservation, and Recreation (Element of the Oakland General Plan)
OSHA	Occupational Safety and Health Administration
OSH Act	Occupational Safety and Health Act (also Cal/OSH Act)
OUSD	Oakland Unified School District
OWS	oil/water separator
PBC	Public Benefit Conveyance
PCBs	polychlorinated biphenyls
PG&E	Pacific Gas and Electric Company
P.L.	Public Law
PM	particulate matter
PM ₁₀	particulate matter with a diameter less than 10 microns
PM _{2.5}	particulate matter with a diameter less than 2.5 microns
Port	Port of Oakland
ppm	parts per million
PRC	Public Resources Code
RAO	remedial action objective
RAP/RMP	Remedial Action Plan/Risk Management Plan
R&D	Research and Development
RCRA	Resource Conservation and Recovery Act
Reserves	U.S. Army Reserves
RHND	Regional Housing Needs Determination
ROG	reactive organic gas
RWQCB	Regional Water Quality Control Board
SFEP	San Francisco Estuary Project
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SLC	State Lands Commission
SLM	sound level meter
SO ₂	sulfur dioxide
SPRR	Southern Pacific Railroad

SR-	State Route
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	(California) State Water Resources Control Board
TAC	toxic air contaminant
TCE	trichloroethylene
TDS	total dissolved solids
TEU	twenty-foot equivalent unit
TPH	total petroleum hydrocarbons
TSCA	Toxic Substances Control Act
UBC	Uniform Building Code [<i>the UBC has since been replaced by the International Building Code (IBC)</i>]
ULR	Urban Land Redevelopment
UP	Union Pacific (railroad)
USC	United States Code
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UST	underground storage tank
VOC	volatile organic compound
WDR	waste discharge requirements
WOCA	West Oakland Commerce Association
WOCAG	West Oakland Community Advisory Group
WQOs	water quality objectives
WWTF	wastewater treatment facility (also wastewater treatment plant)
WWTP	wastewater treatment plant (also wastewater treatment facility)

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1.0 INTRODUCTION

1.1 PURPOSE OF THE INITIAL STUDY/ADDENDUM

The purpose of this evaluation is to determine whether a Subsequent or Supplemental Environmental Impact Report (EIR) is needed to fully assess and evaluate the impacts of a proposed development at the former Oakland Army Base. As detailed below, an Addendum (this document) is the appropriate California Environmental Quality Act (CEQA) document and no Supplemental or Subsequent EIR is required.

In 2002, the City prepared a “project level” EIR (2002 EIR), pursuant to *CEQA Guidelines* section 15180(b), which evaluated the environmental impacts of the Oakland Army Base (OARB) Redevelopment Plan and Army Base Reuse Plan. On July 29, 2002, the City Planning Commission certified the 2002 EIR, and the Oakland Base Reuse Authority adopted the 2002 EIR and approved the Reuse Plan. The City Council and Redevelopment Agency also took actions to certify/adopt the 2002 EIR in October 2002 and previously approved the Redevelopment Plan. No legal actions were filed challenging these actions or the 2002 EIR, and the 2002 EIR is presumed valid.

Concurrent with the actions described above in the City of Oakland, the Board of Port Commissioners adopted the Final Environmental Impact Report of the Oakland Army Base Area Redevelopment Plan in September 2002 as a responsible agency under CEQA.

The City relied on the 2002 EIR when it took further actions pursuant to and in furtherance of the Redevelopment and Reuse Plans over the years. For example, the City (a) certified the 2006 OARB Auto Mall Supplemental EIR and a 2007 Addendum; and (b) prepared a 2009 Addendum for the Central Gateway Aggregate Recycling and Fill Project.¹ In addition, on November 3, 2008, the City Council adopted Standards Conditions of Approval/Uniformly Applied Development Standards, via Ordinance No. 12899 C.M.S., which were revised, in part, in July 2011. In 2006, the Port’s Board of Port Commissioners considered and approved an Addendum to the 2002 EIR that looked at the impacts of not relocating Maritime Street to the East onto OARB property.

The Redevelopment Area covered over 1,800 acres, including the former OARB, 16th/Wood area, and Maritime areas of the Port. The City and the Port are now proposing to develop a portion of the Redevelopment Area, which generally encompasses the former OARB (approximately 360.5 acres), primarily for transportation and logistics purposes, including railroad and street infrastructure and other trade and logistics improvements (collectively, “2012 Project”, “Proposed Project” or “Project”), pursuant to and in furtherance of the Redevelopment and Reuse Plans.

This Initial Study/Addendum (IS/Addendum) demonstrates that no further/additional CEQA review is required as none of the circumstances necessitating preparation of additional CEQA review as

¹ The Automall CEQA documents were legally challenged by EBMUD and eventually the trial court ruled they could not be used as it relates to discharges from new development into an existing 15-inch sewer line and vacation/relocation of Wake Avenue, but were valid in all other respects. Neither project was developed.

specified in CEQA and the *CEQA Guidelines*, including Public Resources Code Section 21166 and *CEQA Guidelines* Sections 15162 and 15163, are present in that:

- (1) there are no substantial changes to the project that would result in new significant environmental impacts or a substantial increase in the severity of significant impacts already identified in the Previous CEQA Documents;
- (2) there are no substantial changes in circumstances that would result in new significant environmental impacts or a substantial increase in the severity of significant impacts already identified in the Previous CEQA Documents; and
- (3) there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Previous CEQA Documents were adopted, which is expected to result in (a) new significant environmental effects or a substantial increase in the severity of significant environmental effects already identified in the Previous CEQA Documents; or (b) mitigation measures which were previously determined not to be feasible would in fact be feasible, or which are considerably different from those recommended in the Previous CEQA Documents and which would substantially reduce significant effects of the project, but the City declines to adopt them.

Thus, in considering approval of the 2012 Project, the City and Port can rely on the previous CEQA documents.

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

1.2 BACKGROUND

1.2.1 Army Base Closure

In 1995, the Federal Base Realignment and Closure (BRAC) Commission recommended closure and realignment/disposal of the 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).

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 a 1,800-acre Redevelopment Project Area, including the 430-acre OARB. The OARB Redevelopment Area is divided into three sub-districts: the OARB Sub-District; the Maritime Sub-District; and the 16th/Wood Street Sub-District. For a more detailed discussion, please see Chapter 2, Project Description.

1.2.2 Previous CEQA Review

The following describes the CEQA documents that have been prepared for the project site, which have been relied upon when preparing this IS/Addendum.²

a. OARB Redevelopment/Reuse Plan Environmental Review. The 2002 EIR for the OARB Area Redevelopment Plan was certified in July 2002 by the City of Oakland and adopted in September 2002 by the Port of Oakland. That EIR described and disclosed the potential environmental consequences associated with adoption, by the City of Oakland and the City of Oakland Redevelopment Agency, of the Redevelopment Plan for an area comprising about 1,800 acres including and surrounding the 430-acre former OARB. The analysis contained in the 2002 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 2002 EIR identified impacts that would be Significant and Unavoidable in the following areas:

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

To acknowledge these significant and unavoidable impacts, the City of Oakland adopted a Statement of Overriding Considerations after certification of the OARB Redevelopment EIR. The Oakland Army Base Reuse Authority also adopted a Statement of Overriding Considerations when it approved the Base Reuse Plan.

b. Auto Mall Project and Supplemental EIR. In 2006 the City of Oakland Redevelopment Agency contemplated an amendment to the Base Reuse Plan to consider development of an auto mall within the North Gateway of the OARB. An approximately 30-acre site located north of West Grand Avenue was envisioned for land uses that would include automobile dealerships arranged as an Auto Mall.

A Draft Supplemental Environmental Impact Report (SEIR) for the OARB Auto Mall Project was prepared in April of 2006. That Draft SEIR described and disclosed the potential environmental consequences associated with the proposed amendment to the Redevelopment Plan for the Auto Mall Project. The East Bay Municipal Utilities District (EBMUD) challenged the City's certification of the SEIR and an Addendum to the SEIR and approval of the Auto Mall Project. The Court ultimately set aside the City's December 18, 2007, certification of the Auto Mall SEIR and approval of the Auto Mall Project but only to the extent applicable to the Auto Mall Project and its environmental review and/or clearance under CEQA for (1) any discharges from new development into an existing 15-inch sewer line and/or (2) vacation and/or relocation of Wake Avenue which presently provides ingress and egress to EBMUD's Main Wastewater Treatment Plant.³ This project was not further pursued.

² The previous CEQA documents are available at the Planning Division office located at 250 Frank H. Ogawa Plaza, Oakland, California, and on the City's website: www2.oaklandnet.com. The 2002 EIR is included on CD located on the back inside cover of this document.

³ Superior Court of California, County of Alameda Case No.:RG07-326552 (CEQA Action), March 2009.

c. Maritime Street Relocation. After the 2002 EIR was certified, the Port conducted a study that looked closely at the balance of maritime facilities (including vessel berths), container yards, and rail yards in the Outer Harbor area. This study determined that “The capacity of the Port is not currently constrained by its maritime facilities. It is constrained by the capacity and performance of the road and rail intermodal connectors. The most effective configuration for the Port of Oakland over the next 15 to 20 years requires an increase in rail yard space, in addition to construction of the 7th Street grade separation.”⁴ Therefore, in 2006, the Board of Port Commissioners considered and adopted an Addendum that analyzed the impacts of not relocating Maritime Street to the East onto OARB property, a realignment that was originally proposed as part of the 2002 Project.

d. The Aggregate Recycling & Fill Project Initial Study. The Aggregate Recycling & Fill Project was proposed for the Central Gateway portion of the former OARB. The Central Gateway is situated northwest of Maritime Street and south of I-80. This project was primarily a concrete crushing and asphalt recycling operation, which would have accepted asphalt and concrete materials from off-site locations for crushing into recycled aggregate materials. While an Initial Study in support of an Addendum was circulated in 2009, this project was never pursued.

1.3 CHANGES IN THE PROJECT

This Initial Study/Addendum will assess the extent to which changes that are proposed as part of the 2012 Project may result in new significant environmental impacts or a substantial increase in the severity of significant impacts already identified in the previous CEQA documents. Figure 1-1 shows the 2002 Project and Figure 1-2 shows the 2012 Project. For this analysis, changes between the 2002 Project and the 2012 Project are primarily confined to the OARB sub-district, as shown in Figure 2-2 of the Project Description.

The primary difference between the 2012 Project and what was proposed for the same geographic location in the 2002 Project, is a shift from office/R&D to a greater amount of warehouse/distribution and maritime-related logistics uses as the predominant use. The 2012 Project proposes up to approximately 2.5 million square feet of warehouse/distribution and maritime-related logistics uses and 175,000 square feet of office/R&D, as compared to 300,000 square feet of warehouse/distribution and approximately 1.5 million square feet of office/R&D identified for the 2002 Project.

Additional components of the 2002 Project and the 2012 Project are summarized in Table 1-1 and listed below.⁵

- Approximately 20 to 24 acres north of Grand Avenue for 407,160 square feet of indoor recycling facilities are proposed to be located in the North Gateway, as compared to 494,000 square feet proposed for light industrial uses in the 2002 Project.

⁴ Port of Oakland, 2004. *Maritime Development Alternatives Study*.

⁵ The areas proposed by the 2002 Project for Gateway Park and new Berth 21 are not part of the 2012 Project.

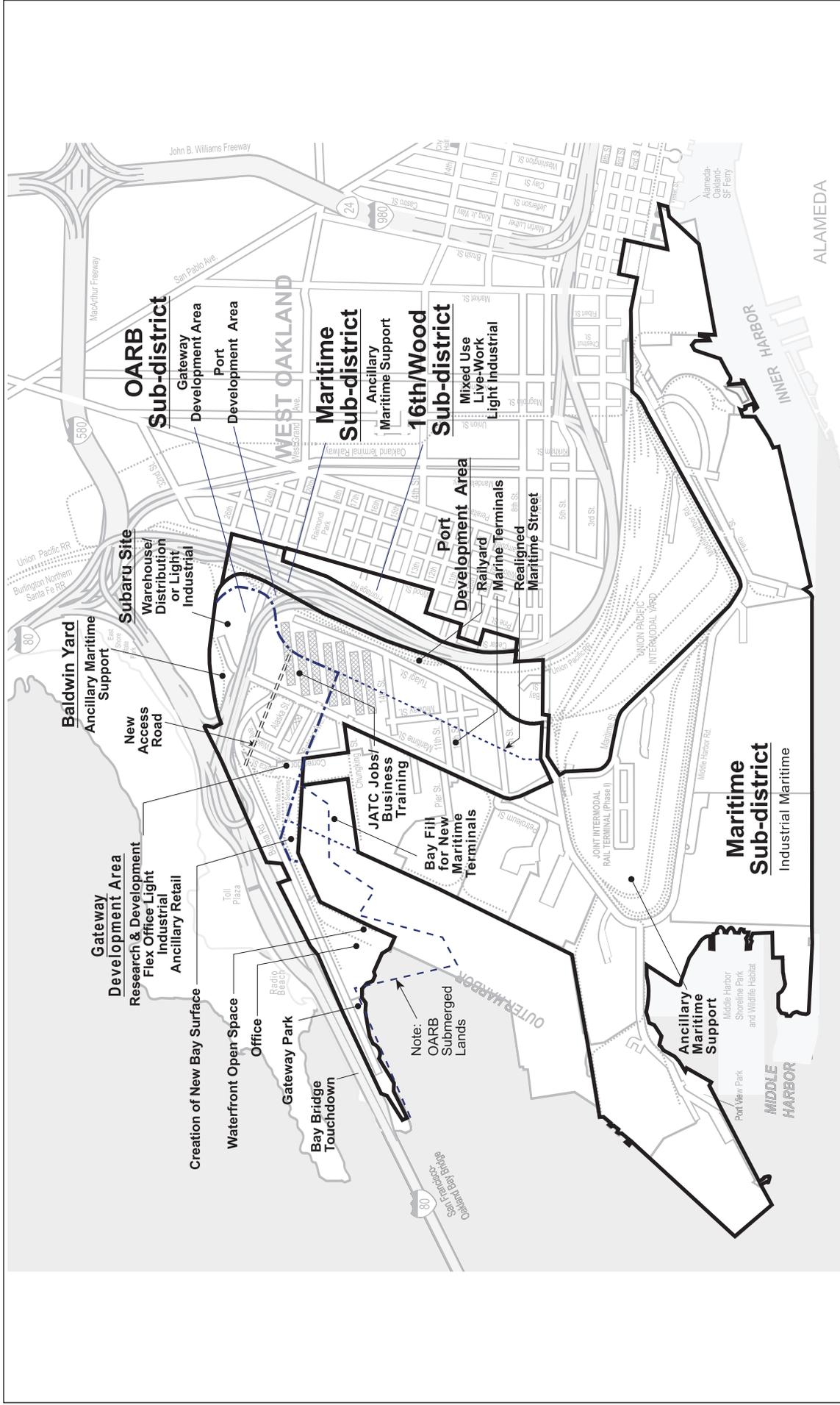


FIGURE 1-1

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Table 1-1: Comparison of 2002 Project and 2012 Project

OARB Sub-District	Land Use	2002 Project ¹		2012 Project			
		Square Feet	Acres ²	Variant A		Variant B	
				Working Waterfront Square Feet	Acres	R&D/Open Space Square Feet	Acres
Gateway Development Area (GDA)	Light Industry	494,000	-	-	-	-	-
	Recycling Facilities	-	-	379,605	25	Same as Variant A	
	Retail	25,000	-	-	-		
	Ancillary Maritime Services ³	n/a	15	37,673	15		
	Office, R&D	1,528,000	-	-	-	175,000	11
	Warehouse/Distribution	300,000	-	1,089,223	94	942,763	82
	Five (5) Billboards	-	-	n/a	Included	Same as Variant A	
	Building Development Subtotal	2,347,000	183	1,506,501	133	1,535,041	133
	Roadways ⁴	n/a	Included	864,450	20	Same as Variant A	
	Rail Right-of-Way	-	-	124,200	3	Same as Variant A	
	Utilities	n/a	Included	n/a	Included		
	Wharf Reuse/Repair ⁵	n/a	Included	504,600	13.1	91,100	2.1
	Infrastructure Subtotal⁶	-	-	124,200	23	124,200	23
Public Access or Park ⁷	n/a	10	n/a	3	n/a	12	
GDA Subtotal⁸	2,347,000	193	1,506,501	159	1,535,041	168	
Port Development Area	Warehouse/Distribution	-	-	882,88	97	Same as Variant A	
	Ancillary Maritime Services	n/a	2	n/a	Included		
	Four (4) Billboards	-	-	n/a	Included		
	Building Development Subtotal	-	2	882,881	97	882,881	97
	Port Rail Terminal ⁹	n/a	130	2,664,400	61	Same as Variant A	
	Roadways ⁴	n/a	Included	657,550	15		
	Utilities	n/a	Included	n/a	Included		
	Marine Terminals and Cargo Throughput ⁸	n/a	55	Not included as part of this project			
	Infrastructure Subtotal⁶	n/a	185	2,664,400	76	2,664,400	76
	Port Development Area Subtotal⁶	n/a	187	3,547,281	173	3,547,281	173
TOTAL		380	2,347,000	332	2,417,922	341	

Note: All property and building measurements are approximate.

¹ The approximately 360-acre 2012 Project is almost entirely on the Oakland Army Base portion of the Oakland Army Base Redevelopment Area. What is shown under the 2002 Project only includes the development that was proposed in the same geographic area of the 2012 Project.

² Acres refers to total land area occupied by this use, not proposed building square footage.

³ Ancillary Maritime Services (AMS) uses may include a variety of port-related transportation supporting facilities, including and not limited to: truck parking; cargo storage and other maritime support services. The 2012 Project does not include a change in AMS uses but does include a change in location.

Table notes continued on next page.

- ⁴ Includes the following changes: 1) Maritime Street will not be relocated and will be improved in same general location through the Gateway Development Area to the Gateway Peninsula; Burma Road (West Burma) will be relocated south of its current alignment in the Central Gateway, and connect to a new Access Roadway (East Burma) east of Maritime; 2) Under the highway there will be no change from what was studied in the 2002 EIR; 3) changes proposed to Grand Avenue at-grade were required mitigation as part of the 2002 EIR at Grand Avenue/Maritime Street; 4) two variants for 7th Street grade separation are included.
 - ⁵ As noted in Footnote 17 (p.3-29 of the 2002 EIR), Wharf 7 and the majority of Wharf 6 ½ would remain and be reused.
 - ⁶ Wharf repair/reuse and roadways are not included in the calculations for any of the building or infrastructure subtotals or total development.
 - ⁷ The 2002 EIR included 29 acres of park/public access which consisted of 10 acres of shoreline access and 19 acres for a Gateway Park to be developed by EBRPD. The 2012 Project area does not include the 19-acre Gateway Park. Gateway Park is in the early planning stages being led by EBRPD and a consortium of agencies.
 - ⁸ The new marine terminal in the OARB Sub-district and the Maritime Sub-district (“New Berth 21”) studied in the 2002 EIR continue to be part of the Port’s development plan. However, these improvements will not be constructed as part of the 2012 Project but are considered a cumulative project. 4.05 million twenty-foot equivalent units (TEU) of container cargo throughout was cleared through the 2002 OARB EIR.
 - ⁹ The Port’s Joint Intermodal Terminal, which is not located on the OARB property, will be retained; the 2002 EIR considered demolishing that rail yard.
- Source: City of Oakland, Port of Oakland, CCIG, 2012.

- Both the 2002 Project and the 2012 Project include the BCDC-required acreage for Ancillary Maritime Services (AMS) for the City and Port. However, in the 2012 Project, the 15-acres of BCDC-required AMS in the City-owned portion of the OARB is now being provided in three different locations within the project area. As part of the proposed truck parking facilities, there would be fueling services, which would include biodiesel. The BCDC-required fifteen (15) acres of AMS for the Port are now being provided in the 2012 Project as truck parking.
- A commemorative area is proposed within the Central Gateway, in the vicinity of the intersection of Maritime Street and Burma Road, to memorialize the contributions of civilians and the military in the Bay Area to World War II, and the Korean and Vietnam Wars.
- Demolition, site preparation, and remediation are generally the same in both the 2002 and 2012 Projects.
- Up to nine billboards are proposed to the north of West Burma Road, along Grand Avenue and along I-880 (Figure 2-6) as part of the 2012 Project; no billboards were proposed as part of the 2002 Project.
- The Port-owned Joint Intermodal Terminal (JIT) will remain in operation as a rail yard.
- Berth/Wharf 7 will remain in operation as a bulk terminal under Variant A.
- The railroad intermodal terminal in the OARB sub-district Port Development Area and associated right-of-way to support maritime uses that were proposed in the 2002 Project will be constructed as part of the 2012 Project, but will be smaller (approximately 61 acres).
- Maritime Street is proposed to be improved with intersection controls, bicycle and pedestrian paths, repaving and landscaping, and includes a minor reconfiguration. The street will not be relocated 400-600 feet to the east as was proposed in the 2002 Project (see Port's 2006 Addendum that looked at the impacts of not relocating Maritime Street to the east onto OARB property). Roadway improvements also include options to improve Burma Road and Engineers Road to relocate Wake Avenue, and to rebuild and grade separate 7th Street west of I-880.
- Installation of new utility systems that meet current standards, such as water distribution (both domestic and reclaimed water), wastewater collection, stormwater collection/discharge, gas distribution, electrical systems, security, telecommunication and similar systems.⁶

1.4 CHANGE IN CIRCUMSTANCES

There have been a number of circumstances that have changed since certification of the 2002 EIR including:

- A major portion of the OARB Redevelopment District's 16th/Wood Street subarea has since been approved for residential and limited commercial development.⁷

⁶ No new connections will be made to EBMUD's existing 15" sewer line. Please see Chapter 2, Project Description, and Section 3.17, Utilities and Service Systems, for additional descriptions.

⁷ Oakland, City of, 2005. Wood Street Development Project (formerly Central Station), approved by the City Council on June 7, 2005.

- Those portions of West Oakland not located in a previously established redevelopment area or the OARB Redevelopment Area have since been included in the West Oakland Redevelopment Area.
- The City of Oakland and the Port of Oakland have conducted minor land transfers for purposes of facilitating access and rail yard configurations.
- Hazardous materials clean-up operations have been conducted in several portions of the OARB, pursuant to the approved OARB Remedial Action Plan/Risk Management Plan (RAP/RMP) (see Section 3.8, Hazards and Hazardous Materials).
- The U.S. Army Reserves have completed transfer of their former land ownerships within the former OARB to the Oakland Redevelopment Agency and the Port of Oakland.
- The City of Oakland, Port of Oakland, and State Lands Commission have negotiated and settled issues related to the designation of lands subject to Tidelands Trust through the recordation of the Oakland Army Base Title Settlement and Exchange Agreement dated August 7, 2006.
- The East Bay Municipal Utility District (EBMUD) has prepared a Main Wastewater Treatment Plant (MWWTP) Land Use Master Plan which will serve as a planning tool for the property over the next 30 years. The plan includes two renewable energy projects proposed for the near term: biodiesel production and food waste reprocessing to help EBMUD meet sustainability goals by increasing onsite power generation.⁸
- BCDC, through Resolution No. 07-07 dated January 22, 2007, has approved the relocation of the AMS use requirement to the East Gateway.
- Related Port improvement projects were completed including the 50-foot channel deepening project, reconstruction of Berths 30-32 and 60-63 container terminal yards and Berth 22 wharf, and the Vision 2000 maritime development of the former US Navy Fleet Industrial Supply Center Oakland.
- New State regulations and Port policies related to emissions reductions from Port sources, including:
 - 2004 Air Toxics Control Measure (ATCM) for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets (13 CCR 2477) limiting emissions from TRU at ports and other facilities in California;
 - 2005 Cargo Handling Equipment Emissions Regulation (13 CCR 2479) limiting emissions from off-road cargo handling equipment at ports and railyards in California;
 - 2007 Drayage Truck Regulation (13 CCR 2027) limiting emissions from trucks doing business at California Ports;
 - 2007 Shore Power Regulation (13 CCR 2299.3 and 17 CCR 93118.3) restricting the emissions of auxiliary engines by container ships and other vessels while berthed at California ports;

⁸ EBMUD certified an EIR (SCH #2009112073) when it adopted the Land Use Master Plan in June 2011. The City, if it acts as a Responsible Agency in approving the State-mandated Non-Disposal Facility Element, would be relying on this EIR.

- 2007 Commercial Harbor Craft Regulation reducing emissions from diesel engines on commercial harbor craft, including tugboats, towboats, crew and supply vessels, work boats and pilot vessels, among other vessels;
- 2008 Ocean-Going Vessel Low Sulfur Fuel Rule (13 CCR 2299.2 and 17 CCR 93118.2) requiring vessels operating within 24 nautical miles of California to use low sulfur fuels to reduce emissions;
- Comprehensive Truck Management Plan (Port Ordinance 4112) banning certain trucks which fail to meet the Drayage Truck Regulation and implementing a licensed motor carrier registry for trucking companies doing business at the Port of Oakland; and
- Maritime Air Quality Improvement Policy Statement (Port Resolution 08057) and Maritime Air Quality Improvement Plan (Port Resolution 09038) setting human health risk improvement goals associated with diesel particulate matter emissions and identifying a roadmap to achievement of such goals.

1.5 NEW INFORMATION

This document assesses the extent to which “new information of substantial importance” was known, or could have been known, with the exercise of reasonable diligence at the time of the previous CEQA documents that may indicate a new significant impact or a substantially increased significant environmental impact associated with the Project. Since certain information on air quality and global climate change was known, or could have been known in 2002 and later, it is not legally “new information” as specifically defined under CEQA. However, an analysis of the 2012 Project relying on the recommended May 2011 Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and Thresholds has nevertheless been conducted in order to provide more information to the public and decision-makers, and in the interest of being conservative.⁹ Although the analysis in this IS/Addendum evaluates air quality and global climate change using both the 2002 EIR significance thresholds (based upon BAAQMD 1999 CEQA Thresholds) and the BAAQMD May 2011 CEQA Guidelines and Thresholds, significance determinations are based on the thresholds from the 2002 EIR.

New information is included in this Initial Study/Addendum, along with an assessment of whether this new information indicates that the 2012 Project may have a new significant environmental effect or a substantial increase in the severity of previously identified significant effect.

Since publication of the 2002 EIR, the City of Oakland has adopted Standard Conditions of Approval (SCA) that are applicable to all development projects within the City’s jurisdiction regardless of a project’s environmental determination, pursuant in part to *CEQA Guidelines* Section 15183.¹⁰ The City’s SCA serve to avoid or substantially reduce potentially significant impacts. If the City approves the 2012 Project, the SCA would be adopted as requirements of the 2012 Project to help ensure less-

⁹ On March 5, 2012, the Alameda County Superior Court issued a Judgment invalidating the May 2011 BAAQMD Thresholds, and BAAQMD recommends the Thresholds not be used. Nevertheless, in the absence of further technical guidance, the City is generally continuing to use the May 2011 BAAQMD Guidelines in its CEQA review.

¹⁰ The Port will impose the City of Oakland SCA where the 2012 Project requires building and electrical permits, which apply to most projects at the Port.

than-significant impacts. Generally, the SCA are more current, more detailed, and provide greater clarity regarding process and procedures than previously imposed mitigation measures; the SCA will not increase significant adverse effects, but rather will further reduce adverse impacts. The SCA would be incorporated and required as part of the 2012 Project and, therefore, are not listed as mitigation measures but will be included in the Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCA/MMRP) for the 2012 Project. In cases of conflict or overlap between mitigation measures from the 2002 Redevelopment EIR and current City SCA, the more stringent requirements would apply. The Port does not generally use the City SCA for projects that do not need City permits, but does rely on the MMRP and on adopted Port policies, such as the Exterior Lighting Policy.¹¹

1.6 CUMULATIVE ANALYSIS BACKGROUND

1.6.1 Approach

CEQA defines cumulative as “two or more individual effects which, when considered together, are considerable, or which can compound or increase other environmental impacts”. Section 15130 of the *CEQA Guidelines* requires that an environmental document evaluate potential environmental impacts when the project’s incremental effect is cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, current projects, and probable future projects. “The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonable foreseeable probable future projects.” The City of Oakland’s analysis approach specifies that “past, present, existing, approved, pending and reasonably foreseeable future projects” should be included as part of the cumulative analysis.

1.6.2 Context

The context used for assessing cumulative impacts typically varies depending on the specific topic being analyzed. For example, considerations for the cumulative air quality analysis are different from those used for the cumulative analysis of aesthetics. In assessing aesthetic impacts, only development within the vicinity of the project would contribute to a cumulative visual effect. In assessing air quality impacts, on the other hand, all development within the air basin contributes to regional emissions of criteria pollutants, and basin-wide projections of emissions is the best tool for determining the cumulative effect. Accordingly, the geographic setting and other parameters of each cumulative analysis discussion can vary.

Generally, to establish a partial baseline for cumulative analysis, the City of Oakland’s Major Projects list was used, in part, to determine past, present, existing, approved, pending and reasonably foreseeable future projects in the vicinity of the former Oakland Army Base. The geographic areas near the 2012 Army Base Project Site generally include West Oakland, Downtown/Central Oakland, Uptown,

¹¹ At various places throughout this Addendum, Mitigation Measures and Standard Conditions of Approval indicate that the project sponsor, project applicant, developer, City and/or Port are responsible for implementation. Regardless of such, the City within its jurisdiction and the Port within its jurisdiction are responsible for implementing the Mitigation Measures and/or Standard Conditions of Approval. Where both the City and Port jurisdictions are involved, both entities are responsible.

and Lake Merritt Business District. Major projects from the City's Major Projects List that pertain to the former Army Base vicinity are summarized below.¹² Projects listed below are not inclusive of all possible past major projects; projects not listed were no longer maintained on the City's list as of November 2011 but are part of the baseline assumptions for this analysis. Additional development projects that are not on the City's Major Projects list have also been considered for the cumulative assessment of certain topic areas and are identified in the appropriate environmental topic section in this document. Specifically, a more detailed cumulative list of projects was identified in order to analyze cumulative visual, wind and shadow effects in the project area, given the site specific and localized nature of these effects. Moreover, the transportation analyses (and transportation-related traffic, noise and air quality) used the Alameda County Transportation Commission (former Congestion Management Agency) Analysis; a travel demand model which requires inputs at the traffic analysis zones (TAZ) level, which includes reasonably foreseeable projects through the years 2020 and 2035 based on land use assumptions updated to ABAG's Projections 2009.

Projects that are relevant to the cumulative analysis include those that could contribute incremental effects on the same environmental resources and would have similar environmental impacts to those discussed in this document. The cumulative impact discussions below analyze the potential cumulative impacts that could occur when the impacts of the 2012 OARB Project are considered in combination with the impacts of other past, present, and reasonably foreseeable future projects that are generally subject to independent environmental review and consideration by approving agencies. Consequently, it is possible that some of the reasonably foreseeable future projects will not be approved or will be modified prior to approval (e.g., as a result of the CEQA alternatives analysis process). For the purposes of assessing worst-case cumulative impacts, however, the cumulative impact analysis is premised on the approval and construction of all of the reasonably foreseeable projects identified in this analysis. These projects are briefly described below:

- As detailed in Section 1.4, Change in Circumstances, a number of development and other projects have been approved and/or constructed, along with other activities on/near the former Army Base since 2002.
- As discussed and analyzed in the 2002 OARB Redevelopment Plan EIR, the Port proposes additional projects that are not part of the 2012 Project studied in this Initial Study/Addendum; however, they are considered as part of the cumulative analysis:
 - Port-wide marine cargo throughput of 4.05 million TEUs.
 - Replace existing Outer Harbor Berths 21, 20, 10, 9, and 8 with "New Berth 21". To achieve an efficient terminal and berth geometry, reconfigure a portion of the Outer Harbor shoreline, including both excavation and fill to create about 29 acres of new land for a marine terminal.
 - Expand and realign maritime facilities to achieve cargo throughput efficiencies by adjusting boundaries and consolidating property within marine terminals in response to tenant demand.
- As discussed in the 2002 OARB Redevelopment Plan EIR, an approximately 19-acre area along the south side of the Bay Bridge touchdown is being planned as a regional park. "Gateway Park" is not part of the 2012 Project studied in this Initial Study/Addendum; however, it is considered as part of the cumulative analysis. It is currently part of a separate effort being planned by the

¹² A more complete version of the list can be found on the City's website at: www2.oaklandnet.com/oakca1/groups/ceda/documents/report/oak025453.pdf and is incorporated herein by reference.

Gateway Park Working Group, a consortium of agencies including the Bay Area Toll Authority (BATA), Caltrans, Bay Conservation and Development Commission (BCDC), California Transportation Commission (CTC), East Bay Regional Park District (EBRPD), City of Oakland, Port of Oakland, East Bay Municipal Utility District (EBMUD), and Association of Bay Area Governments (ABAG) Bay Trail Project, among other agencies.

- The California Department of Transportation (Caltrans) proposes to replace and reconstruct the existing maintenance facilities located at the San Francisco Oakland Bay Bridge (SFOBB) Toll Plaza area in Oakland. The existing SFOBB Maintenance Complex is located in two separate areas of the Toll Plaza. The Tow/Electrical Sub Shop and the Toll Operation Building are located in the median of the toll plaza area. The remainder of the complex consists of a series of buildings, structures, and installations located south of the eastbound lanes of Interstate 80 in the toll plaza area and north of Burma Road and the Port of Oakland.
- The San Francisco/Oakland Bay Bridge Seismic Safety Project includes construction of a new two-mile-long east span for the Bay Bridge. This project includes construction of bridge piers within San Francisco Bay and Oakland mudflats, and construction of the bridge above the Bay. Five stormwater detention ponds would be constructed beneath the MacArthur maze. Construction of this project is expected to be complete by 2013.
- Additional planned recreational facilities in the project vicinity include parts of the San Francisco Bay Trail. The preferred alignment for the San Francisco Bay Trail is adjacent to the northern property boundary of the MWWTP, and completion of this segment of the trail will help complete the trail that will connect all nine Bay Area counties.
- Approved private development projects near the 2012 Project site include:
 - Red Star affordable senior housing project, located at 1396 5th Street, includes 119 affordable senior units and 3,300 square feet of commercial space and has been approved and is currently under construction;
 - A 92-unit affordable senior housing project, located at 116 E. 14th Street, has been approved;
 - Several residential and live/work projects in the 16th/Wood Sub-district of the OARB Redevelopment Area Plan (e.g., Zephyr Gate, Pacific Cannery Lofts and the Ironhorse Apartments at Central Station) have been approved and/or completed;
 - Mandela Transit Village, located at 1357 5th Street, includes 120 residential units and 38,500 square feet of commercial space and has been approved;
 - Mandela Gateway Townhomes, located at 1431 8th Street, includes 14 condominiums and has been completed;
 - Ettie Street/Mandela Parkway live/work project, located at 2818 Mandela Parkway, includes 91 live/work units; and
 - Mandela Gateway Gardens, located at 1431 7th Street, includes 200 residential units and 15,000 square feet of retail space (that also includes some live/work units) and has been completed.
- The City of Oakland has three specific planning efforts underway:
 - The Broadway Valdez District Specific Plan preferred land use concept envisions a retail core in the Valdez Triangle with a mix of housing and office uses in the approximately 96-acre

- area around Broadway, which is generally bounded by Interstate-580 to the north, Grand Avenue to the south, Webster Street and Valley Street to the west, and Harrison Street, Bay Place, 27th Street, Richmond Avenue, and Brook Street to the east; an NOP for the Specific Plan EIR was issued on April 30, 2012.
- The Lake Merritt Station Area Plan preferred land use plan envisions a mix of transit-oriented retail, housing and office uses to take advantage of the transit-rich Plan area generally bounded by I-880 to the south, 14th Street to the north, Broadway to the west and 5th Avenue to the east; an NOP for the Specific Plan EIR was issued on March 1, 2012.
 - The West Oakland Specific Plan is in the process of determining potential uses for key opportunity sites in the area generally bounded by I-580, I-980, 3rd Street and I-880; while an EIR will be prepared for this project, an NOP has not yet been issued.
 - The City of Oakland is considering proposals from various Outdoor Advertising Companies to rent and develop advertising sign relocation or franchise agreements for one or more City-owned properties currently available throughout the City. The potential locations for new/relocated billboards are primarily concentrated in the Downtown/Lake Merritt area; they are not near the 2012 Project site.
 - On March 20, the Oakland City Council recently adopted Amendments to the Central District Urban Renewal Plan, which extended the duration of the Redevelopment Plan and increased the cap on the receipt of tax increment revenue.

1.7 SUBSEQUENT INITIAL STUDY/ADDENDUM SCOPE

Environmental Topics Covered in the Subsequent Initial Study/Addendum

This IS/Addendum updates information, and provides clarification and further analysis for the following environmental topics, which are addressed in separate sections in Chapter 3:

- *Aesthetics*. This section evaluates the potential visual impacts associated with the build out of the 2012 Project, including installation of up to 9 billboards.
- *Agricultural Resources and Forest Resources*. This section describes the absence of agricultural or forest resources on the 2012 Project site.
- *Air Quality*. This section provides an updated air quality analysis.
- *Biological Resources*. This section provides an updated analysis that addresses the proposed changes in the site plan. Current regulatory requirements associated with biological resources are described.
- *Geology and Soils*. This section provides an updated geology and soils assessment that addresses the proposed site plan changes and current regulatory requirements.
- *Greenhouse Gas Emissions*. This section addresses an environmental topic that was recently added to the State *CEQA Guidelines* and therefore was not addressed in the 2002 EIR; this section discusses potential global climate change impacts associated with the 2012 Project.
- *Hazards and Hazardous Materials*. This section discusses the current regulatory requirements applicable to potential hazardous materials at the project site.

- *Hydrology and Storm Drainage.* This section evaluates the proposed changes to the site plan and updates the hydrology and water quality assessment. Current regulatory requirements pertaining to hydrology and water quality issues are described.
- *Land Use and Planning Policy.* This section evaluates the 2012 Project as it relates to land use and planning issues. Current planning policies and land use requirements are described.
- *Mineral Resources.* This section describes the lack of mineral resources on the project site.
- *Noise.* This section provides an updated noise analysis that addresses the proposed site plan changes and current regulatory requirements.
- *Population, Housing and Employment.* This chapter describes the changes in employment projections associated with the 2012 Project.
- *Public Services and Recreation.* This section provides an updated discussion on potential public services and recreation impacts.
- *Transportation/Traffic.* This section outlines the potential transportation impacts associated with the 2012 Project.
- *Utilities and Service Systems.* This section provides an updated discussion on potential utility and service system impacts.

1.8 SUBSEQUENT INITIAL STUDY/ADDENDUM ORGANIZATION

This Initial Study/Addendum is organized into the following chapters:

- *Chapter I – Introduction:* Discusses the overall document purpose, project background and provides a summary of the 2012 Project; describes the IS/Addendum scope; and summarizes the organization of the document.
- *Chapter II – Project Description:* Provides background on the project; description of the project site, site characteristics and conditions, and details of the project itself, as well as steps taken to implement the adopted Redevelopment and Base Reuse Plans.
- *Chapter III – Environmental Topics Requiring Updated Discussion:* This chapter provides an update of existing site conditions, and update of applicable policies and regulations, and an environmental assessment of the build out of the 2012 Project. For each environmental topic, the chapter summarizes the 2002 EIR analysis and conclusions, identifies currently applicable Standard Conditions of Approval for City projects, updates the regulatory setting, summarizes existing conditions, and analyzes the effects the implementation of the 2012 Project and compares that with the information contained in the 2002 EIR. Also, previously imposed mitigation measures from the 2002 EIR are identified, and where appropriate, are clarified, refined, revised, or deleted.
- *Chapter IV – Report Preparation:* Identifies preparers of the document, references used and persons and organizations contacted.
- *Appendices:* The section includes all appendices reference in the Initial Study/Addendum.

REFERENCES

Oakland, City of, 2005. Wood Street Development Project (formerly Central Station), approved by the City Council on June 7, 2005.

Port of Oakland, 2004. Maritime Development Alternatives Study.

Superior Court of California, County of Alameda Case No.:RG07-326552 (CEQA Action), March 2009.

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