



AGENDA REPORT


TO: Jestin D. Johnson
City Administrator

FROM: Michael Kashiwagi, PE
Interim Director, Oakland
Public Works

SUBJECT: Estuary Park Master Plan and CEQA

DATE: November 05, 2024

City Administrator Approval


Jestin Johnson (Dec 24, 2024 08:21 PST)

Date: Dec 24, 2024

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution, Following Recommendation Of The Planning Commission, That: 1) Adopts The Estuary Park Master Plan (Master Plan), 2) Approves A Major Conditional Use Permit (CUP), Subject To Findings And Conditions Of Approval Attached To The Supporting Agenda Report, That Allows For Implementation Of The Master Plan Improvements; And 3) Adopts Appropriate California Environmental Quality Act (CEQA) Findings

EXECUTIVE SUMMARY

Adopting the Estuary Park Master Plan will provide the overall vision for the park renovation and expansion and guidance for incremental phased implementation. The Master Plan is the result of three years of community engagement, analysis, and recommendations guided by an Equity Framework. The engagement and analysis resulted in a Master Plan that proposes improvements to the park to enhance community benefits, improve resilience and civic life. The proposed Project Conceptual Plan for Estuary Park includes an expanded multi-use lawn, a refurbished trellis area and promenade, a new public restroom and boating program shower facility, upgraded, and expanded picnic areas, improved, and expanded pavement and walking paths throughout (including the San Francisco Bay Trail and parking lots), resurfacing and striping of the existing Jack London Aquatic Center (JLAC) parking lot, and improved lighting throughout.

An Addendum to the existing 2009 Oak to Ninth Project Environmental Impact Report (EIR) was prepared to evaluate the potential environmental impacts of the proposed Master Plan under the requirements of the California Environmental Quality Act (CEQA). The City, as CEQA lead agency, has determined that the Addendum is adequate for CEQA compliance purposes and recommends approval by the City Council.

BACKGROUND / LEGISLATIVE HISTORY

Estuary Park is currently approximately seven acres of public land, located on the north shore of the Oakland Inner Harbor and the west shore of Lake Merritt Channel. Estuary Park is in City Council District 2. Please see [Attachment A – Project Location Map](#). Estuary Park incorporates the Jack London Aquatic Center, a City facility that provides youth and adult rowing programs. The existing park includes a popular multi-use grass field frequently used for impromptu soccer and other casual, non-scheduled team sports, a public boat launching ramp, a group picnic area, and the demolished adjacent Cash and Carry building site that is currently fenced off and not in use.

Through a variety of planning processes, the Estuary Park Renovation and Expansion Project was proposed and thereby incorporated into several local and regional plans, including the adopted Open Space, Conservation and Recreation (OSCAR) Element of the City's General Plan, the 1999 Estuary Policy Plan, the City's 2007 Measure DD Implementation Project (Oakland Waterfront Trail and Access Improvements), and various other local and regional plans. As stated in the Estuary Policy Plan:

“Estuary Park is a significant public asset which can and should be upgraded. It has a historic relationship with nearby Lake Merritt and the Lake Merritt Channel. If Estuary Park is to fulfill its potential, it is important to make it more visible from the Embarcadero. It should be expanded and extended to the street, adding to the total amount of usable public space, and improving park security. The entire park (including the expansion area) should be improved. Consideration should be given to providing places to observe major civic celebrations and water related festivals.”

As a result of this initial planning vision, the four-acre “Cash and Carry” site located at 105 Embarcadero West is anticipated to be acquired by the City through the Brooklyn Basin Development Agreement, providing visual continuity from the Embarcadero to the water and expanding the total site area from seven to eleven acres. Upon completion and acceptance of remediation work by the developer, the site is to be transferred to the City.

The Estuary Park Renovation and Expansion Project was listed in the Measure DD – Oakland Trust for Clean Water and Safe Parks Bond program (Measure DD) under the category for Estuary Waterfront Access, Parks, and Cleanup Program. Funding for the design of the Estuary Park Renovation and Expansion Project was approved on December 13, 2016, by Resolution No. [86516 C.M.S.](#), which authorized the sale of the Measure DD Series C Bond. This positioned the City to realize long-held community objectives for the creation of a major open space of citywide and regional significance, as described in the Estuary Policy Plan. The Estuary Park Renovation and Expansion Project was initiated in 2018.

The WRT, LLC consultant services contract for park design was competitively procured through a formal Request for Proposals (RFP) in 2020. WRT, LLC's proposal met the City of Oakland's Local/Small Local Business Enterprise (L/SLBE) program requirements for the RFP. On July 28, 2020, a professional landscape architectural services agreement for the Estuary Park Renovation and Expansion Project was awarded to WRT, LLC through City Council Resolution

[88239 C.M.S.](#) to develop an Estuary Park Renovation and Expansion Project Master Plan and design for construction.

On May 12, 2023, the City of Oakland published the Estuary Park Renovation and Expansion Project Master Plan Draft (Master Plan) for the eleven-acre park site that provides a vision to create a major open space of citywide and regional significance at an expanded Estuary Park. The Plan provides recreational amenities for a diverse community, improved access to and enjoyment of the shoreline, and an improved San Francisco Bay Trail through the park. Please see [Attachment B – Draft Estuary Park Master Plan](#).

The Master Plan implements the City of Oakland’s planning vision for Estuary Park in the Estuary Policy Plan, the City’s General Plan, Measure DD-funded Oakland Waterfront Trail and Access Improvements, and various other local and regional plans. The Master Plan specifically defines a proposed “Project Conceptual Plan” (Project), which is the basis for CEQA compliance.

A Racial Equity Impact Analysis developed in partnership with Oakland Parks, Recreation, and Youth Development (OPRYD) identifies opportunities for closing racial disparities and goals for improving outcomes for the Oakland community through the park renovation in two key ‘themes’ highlighted by the 2018 Oakland Equity Indicators Report: Public Health and Neighborhood and Civic Life. Project goals have been identified in the Estuary Park Master Plan to specifically target improvements and programs for improving disadvantaged community outcomes to foster civic life, improve public health, and enhance resiliency and adaptation. Park program objectives, such as: improve public health through access to high-quality open space and recreational programs, activate the park with new recreational opportunities, respond to the needs of the community, foster connection to nature, and connect park visitors with the estuary and maritime uses; were developed to reinforce these goals.

The JLAC boating program is run through OPRYD, providing programs open to everyone including youth and adult advanced sailing and kayaking programs; and hosts community-based rowing and dragon boating programs for middle and high school and adults. The Master Plan includes a new public restroom and boating program shower and locker room facility and secure boat storage yard that will greatly improve the boating program.

The Master Plan was unanimously recommended by the Parks and Recreation Advisory Commission (PRAC) on October 12, 2022. On September 16, 2024, the Landmarks Preservation Advisory Board (LPAB) recommended approval of the Master Plan, the CEQA determination, and the Major Conditional Use Permit for the Project. An informational report was provided to the Planning Commission on September 18, 2024, and City Staff received their recommendation for approval of the Master Plan, the Major CUP, and certification of Addendum #2 to the 2009 EIR that was certified when the Oak to Ninth Street (now “Brooklyn Basin”) Project was approved. The Major CUP findings are attached hereto at [Attachment D](#), and the Major CUP Conditions of Approval and Standard Conditions of Approval and Mitigation Monitoring Reporting Program (“SCAMMRP”) are attached hereto at [Attachments E and F](#), respectively. The City Council is being asked to also approve the Major CUP and adopt the findings and Conditions of Approval through its approving Resolution.

ANALYSIS AND POLICY ALTERNATIVES

The Master Plan provides a project vision that will advance the Citywide priorities of **holistic community safety** and **vibrant, sustainable infrastructure** by expanding recreational amenities for a diverse community, improving access to and enjoyment of the shoreline, improving the San Francisco Bay Trail through the park, and implementing shoreline improvements that accommodate future sea level rise. Adoption of the Master Plan and CEQA determination is required in order to issue a Major Conditional Use Permit and implement the Project improvements.

Failure to adopt the Master Plan and CEQA determination would mean that the improvement project could not move forward, and respond to the City of Oakland's planning vision for Estuary Park in its 1999 Estuary Policy Plan, ii) the OSCAR, an element of the City's General Plan, III) the City's 2007 Measure DD Implementation Project (Oakland Waterfront Trail and Access Improvements), and IV) various other local and regional plans could not be realized. The Downtown Oakland Specific Plan (DOSP) and Oakland's Sea Level Rise Roadmap point to the urgent need to plan for rising tides along the shoreline. As part of the Estuary Park Renovation and Expansion Project, the park's undeveloped area is proposed to be raised two feet above the current elevation, which would address the Sea Level Rise effects beyond projected mid-century levels. Failure to adopt the Master Plan would put the City at greater risk of flooding due to Sea-level rise.

FISCAL IMPACT

Adoption of the Master Plan will have no direct fiscal impact. However, fiscal impacts will result from future capital improvement project implementation.

A planning-level estimate of the cost to implement the full Master Plan is approximately \$25.5 million, not including escalation. The project will be implemented in Phases, pending available funding. Funding for Phase 1 will be provided by Measure DD Bond series C. Staff is working with project stakeholders to define the Phase 1 scope of work and budget.

PUBLIC OUTREACH / INTEREST

The Project is referenced repeatedly throughout various City and regional plans, as listed in the Background/Legislative History section of this report. Public outreach and engagement were conducted throughout the development of those plans. As a result of this engagement, the Project was prioritized for funding by the Measure DD Estuary Waterfront Access, Parks, and Cleanup Program.

From August 2018 through September 2021, a robust community engagement process was conducted for the Estuary Park Renovation and Expansion Project. During this period, three stakeholder and four public community meetings were held.

October 17, 2018 [COMMUNITY MEETING #1](#)
December 05, 2018 [COMMUNITY MEETING #2](#)

January 31, 2019	COMMUNITY MEETING #3
April 22, 2021	STAKEHOLDER MEETING #2
September 14, 2021	STAKEHOLDER MEETING #3
September 30, 2021	STAKEHOLDER MEETING #4
October 23, 2021,	COMMUNITY MEETING #4, Summary of 4th Workshop and Survey

In addition to these meetings, the team has attended over fifteen events and regularly occurring meetings. An online project website hosts project information and updates. Staff also conducted two online and in-person surveys—one in 2018 and one in 2021—to help prioritize elements of the Project. This feedback directly informed the recommendations in the Master Plan.

COORDINATION

The project team has worked closely with OPRYD to ensure that the park goals and program are in support of their mission to expand recreational opportunities for underserved communities of Oakland. OPRYD has provided key demographic data on existing program and rental users to support the project Racial Equity Impact Analysis and contributed their experience and expertise to identify opportunities for closing racial disparities and goals for improving outcomes for the Oakland community through the park renovation. The Racial Equity Impact Analysis and goals have informed the development of the Master Plan project goals and park program.

This report and the accompanying resolutions have been reviewed for form and legality by the Office of the City Attorney and have been reviewed by the Budget Bureau.

SUSTAINABLE OPPORTUNITIES

Economic: Adoption of the Master Plan will have no direct economic impacts. Implementation of the Master Plan will provide economic opportunities through contracting for services, construction, materials, and supplies.

Environmental: Adoption of the Master Plan reaffirms the City's commitment to providing access to nature, the shoreline, and recreational opportunities. Master Plan implementation will proceed in accordance with various City's programs to protect and conserve natural resources, address climate change impacts, and build resiliency, and target waste reduction and energy conservation objectives. Additionally, the Project design is based on the most recent sea level rise data and will provide a plan for future adaptive steps to extend the resiliency of the park.

Race & Equity: Adoption of the Master Plan has no direct, immediate opportunities to advance racial equity. Implementation of the Master Plan expands access to recreational opportunities for Oaklanders and creates a more welcoming and accessible waterfront.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The expansion and certain improvements to Estuary Park were previously analyzed in the Oak to Ninth Avenue Project Environmental Impact Report (EIR), which the City recertified in 2009 (“2009 EIR”). The Oak to Ninth Avenue Project (subsequently renamed “Brooklyn Basin Project”) analyzed in the 2009 EIR involved the redevelopment of approximately 64- acres along the north shore of the Estuary. The project was approved and included the development of a mixed-use neighborhood; new and improved parkland, trails, and open space, including renovated marinas; and shoreline improvements, and demolition of existing structures, site remediation, and restoration of parts of the Ninth Avenue Terminal building. The 2009 EIR also specifically considered a four-acre expansion of Estuary Park, including many of the improvements now defined by the proposed project.

The City completed the California Environmental Quality Act (CEQA) analysis as an Addendum #2 to the 2009 EIR (“Addendum”) document to determine if the proposed Project requires the preparation of a subsequent EIR. The City’s determination was made pursuant to the conditions in Public Resources Code Section 21166 and CEQA Guidelines Section 15162 and 15164. The City, as CEQA lead agency, has determined that the Addendum is adequate for CEQA compliance purposes and recommends approval by the City Council. Please see [Attachment C – CEQA EIR Addendum](#) document.

The Project covered by the Master Plan will be subject to the City’s Standard Conditions of Approval that will reduce any potential environmental impact to a less-than-significant level.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution, Following Recommendation Of The Planning Commission, That: 1) Adopts The Estuary Park Master Plan (Master Plan), 2) Approves A Major Conditional Use Permit (CUP), Subject To Findings And Conditions Of Approval Attached To The Supporting Agenda Report, That Allows For Implementation Of The Master Plan Improvements; And 3) Adopts Appropriate California Environmental Quality Act (CEQA) Findings

For questions regarding this report, please contact Christine Reed, at (510) 238-6540.

Respectfully submitted,

Michael Kashiwagi

Michael Kashiwagi
Interim Director, Public Works

Reviewed by:

Emily Ehlers, Interim Assistant Director
Bureau of Design & Construction

Prepared by:

Christine Reed, Division Manager
Project & Grant Management Division

Attachments (6):

Attachment A – Project Location Map

Attachment B – Estuary Park Master Plan

Attachment C – CEQA EIR Addendum

Attachment D – Major CUP Findings for Approval

Attachment E – Conditions of Approval

Attachment F – Standard Conditions of Approval Mitigation Monitoring and Reporting Program (SCAMMRP)