

CITY OF OAKLAND  
COUNCIL AGENDA REPORT

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2005 JUN 16 PM 6:27

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Community and Economic Development Agency  
DATE: June 28, 2005

RE: REPORT AND RECOMMENDATION FOR THE REALIGNMENT OF THE BAY TRAIL THROUGH OAKLAND AND

A RESOLUTION AMENDING RESOLUTION No. 66328 C.M.S. BY ADOPTING CHANGES TO THE BAY TRAIL ALIGNMENT THROUGH OAKLAND; AND

A RESOLUTION AUTHORIZING THE APPLICATION, ACCEPTANCE AND APPROPRIATION OF \$300,000 FROM THE SAN FRANCISCO BAY TRAIL PROJECT FOR CRYER SEGMENT OF THE OAKLAND WATERFRONT BAY TRAIL; AND

A RESOLUTION AUTHORIZING THE APPLICATION, ACCEPTANCE AND APPROPRIATION OF \$200,000 FOR THE ALAMEDA AVENUE SEGMENT OF THE OAKLAND WATERFRONT BAY TRAIL; AND

A RESOLUTION AUTHORIZING THE APPLICATION, ACCEPTANCE AND APPROPRIATION OF \$200,000 FOR THE LAKE MERRITT BICYCLE/ PEDESTRIAN PATHWAY; AND

A RESOLUTION AUTHORIZING THE APPLICATION, ACCEPTANCE AND APPROPRIATION OF \$200,000 FOR THE WEST OAKLAND BAY TRAIL GAP CLOSURE

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**SUMMARY**

Staff requests that the City Council approve a resolution adopting changes to the Bay Trail alignment through Oakland. Four other resolutions are also presented authorizing the application, acceptance and appropriation of funds from the San Francisco Bay Trail Project for \$300,000 for the Cryer segment of the Oakland Waterfront Bay Trail; \$200,000 for the Alameda Avenue segment of the Oakland Waterfront Bay Trail; \$200,000 for the Lake Merritt Bicycle/Pedestrian Pathway project (Bay Trail connector); and \$200,000 for the West Oakland Bay Trail Gap Closure project.

In 2003, Oakland conducted a detailed feasibility study, resulting in a site plan and design guidelines for development of the Bay Trail along six and a half miles of Oakland Estuary shoreline. The purpose of the study was to ascertain the viability of extending the adopted July 1989 Bay Trail Plan alignment of the Bay Trail through Oakland to the shoreline. The study results concluded that construction of a continuous shoreline trail alignment is feasible. In order for a Bay Trail construction project to be eligible for funding under the San Francisco Bay Trail Project grant program, the segment must

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become part of the adopted Bay Trail system. Through the adoption of the recommended resolution changing the Bay Trail alignment through Oakland, the City of Oakland becomes eligible to compete for funding for the shoreline sections of Bay Trail. Staff will return to City Council at a later date with adoption recommendations specific to the Design Guidelines section of the study.

The recommendations to request funding for the four projects listed are based on (1) descriptions of the funding program priorities, focus, and eligibility requirements and discussions with Bay Trail staff and (2) staff assessment of each project's readiness, community benefit and support, availability of the Council approved Master Plan, annual operations and maintenance cost, existence of collaborative partners, ability to demonstrate land tenure, and leveraging of existing funds. Projects identified as competitive for this program focus on the closing existing gaps associated with the Oakland Waterfront Bay Trail, West Oakland Bay Trail and Lake Merritt Bay Trail connector.

Successful funding application(s) would allow the City to augment existing Measure DD funds assigned to the Lake Merritt Bicycle/Pedestrian Pathway project; the Cryer segment of the Oakland Waterfront Bay Trail project; the Alameda Avenue segment of the Oakland Waterfront Bay Trail; and complete the remaining section of West Oakland Bay Trail along 8th Street from Wood to Willow Street, and Wood Street from 7th to 8th Streets.

Construction documents are complete for the West Oakland Bay Trail project. Construction documents are 65% complete for the Lake Merritt and 30% complete for the two waterfront projects with construction scheduled to begin in Fall 2005 for the Lake Merritt and waterfront trail projects.

## **FISCAL IMPACT**

There is no fiscal impact to the City's General Fund associated with adopting changes to the Bay Trail alignment through Oakland.

\$5,000,000 of the projected project cost of \$11,500,000 is available in the Measure DD Fund (5320) Lake Merritt Bicycle and Pedestrian Pathway Project (C242310) and Lake Merritt Systemwide Project (C242110) for the Lake Merritt Bicycle/Pedestrian Pathway project with an additional \$5,500,000 recommended for appropriation in Measure DD Series B (July 2006) issuance; \$200,000 of the projected project cost of \$305,303 is available in the Measure DD Fund (2154) for the Alameda Avenue Project (C243510) segment of the Oakland Waterfront Bay Trail project; and \$1,450,000 of the total projected project cost of \$2,582,500 is available in the Measure DD Fund (2154) for the Cryer Site Project (C243010) segment of the Oakland Waterfront Bay Trail.

A grant match is not required by the San Francisco Bay Trail funding program in order to compete for available funding although Bay Trail staff looks favorably on proposed projects that provide strong leverage with local and in-kind matching contributions. Grant funds from the Bay Trail project are disbursed on a reimbursement basis. Once funds are expended, staff submits a request to the Bay Trail Project staff for payment. The Bay Trail Project also offers an option to schedule partial reimbursement at a minimum of six month intervals based on actual expenditures.

Grant funds, if awarded, will be appropriated to the State of California - Other (Fund 2159). Project budgets will include charges for public art (1½%), contract compliance (3% for funding sources other than Measure DD), City staff monitoring (7%) and a maximum administrative charge of 4.5% of the total funding for Public Works Agency, Project Delivery Division.

Costs for operations and maintenance, including staffing levels, have not been determined for Measure DD projects, and will be provided in a follow-up report to City Council by the Public Works Agency as a part of a follow-up to the FY 2005-2007 budget process.

## **BACKGROUND**

### **Bay Trail Alignment – Extension Recommendations**

The Oakland Waterfront has presented a unique set of challenges to Bay Trail development. The heavy manufacturing, commercial, and maritime-related industry that dominates the shoreline has historically limited large segments of the shore from adequate and safe access. Yet, times are changing. Community interest in the Oakland waterfront is increasingly turning toward blending existing-job-producing industrial uses with housing, improved public access, environmental quality, recreation, and other publicly-oriented activities. The City is working to transform its inaccessible industrial waterfront into a recreational resource for Oakland residents and visitors.

Using grants from the San Francisco Bay Trail Project (\$200,000) and the California Coastal Conservancy (\$200,000), Oakland has completed a detailed feasibility study including site plan and design guidelines for development of the Bay Trail along a six and a half mile section of Oakland Estuary running between Jack London Square and the 66<sup>th</sup> Avenue Gateway at Damon Slough.

The study demonstrated that a continuous shoreline path is feasible. Thirty public meetings and presentations have been held to solicit input into the proposed alignment and design guidelines. Organizations and meeting dates are listed in Exhibit A. Additionally, the alignment and design guidelines have been reviewed and received positively by the Bay Trail Board of Directors and the Bay Commission and Development Corporation (BCDC) staff and Design Review Board. Staff will return to City Council in Fall 2005 with specific recommendations pertaining to the Design Guidelines element of the study. Exhibit B, provided by the Association of Bay Area Governments (ABAG) as sponsor of the San Francisco Bay Trail Project, indicates the current alignment of the Bay Trail through Oakland. Attachment A indicates the proposed alignment extensions which correspond with the shoreline. Staff recommends that the City Council accept the extended alignment of the Bay Trail along the Oakland Estuary and approve the accompanying resolution.

In order for a Bay Trail construction project to be eligible for funding under the San Francisco Bay Trail Project grant program, the proposed grant segment must be part of the Bay Trail system as adopted by the ABAG. With Council approval of the proposed resolution, the City would be

confirming its support of the extended alignment of the Bay Trail to the estuary shoreline and would then be able to compete for funding for these sections of the Bay Trail.

While there are several sections of the Bay Trail shoreline alignment to be implemented before July 2006, there remain many challenges to completing the shoreline alignment including establishment of land tenure for trail purposes at the ConAgra, Gallagher and Burke and Hansen Gravel sites; and issuance of regulatory approvals and appropriate land tenure controls from the Army Corps of Engineers and United States Coast Guard to access land and provide continuous trail access by constructing the trail under the Park Street, Fruitvale and High Street Bridges.

### **Environmental Review**

The City of Oakland has met California Environmental Quality Act (CEQA) requirements for capital development projects that will result in a shoreline Bay Trail alignment through the preparation and certification of an Addendum for the Clean Water, Safe Waterfront Parks, and Recreation Trust Fund Ballot Measure (Measure DD) in June 2002, which was based upon the previously certified Environmental Impact Reports (EIRs) for the Oakland Land Use and Transportation element (LUTE) of the General Plan; the Estuary Policy Plan, and the Coliseum Redevelopment Plan.

None of the circumstances in CEQA Guidelines Sections 15162 and 15163 apply and further environmental review is not required.

A copy of the Addendum is attached as Exhibit D. Copies of the three previously certified EIRs are available for review in the City Clerk's Office, 1 Frank Ogawa Plaza, 1<sup>st</sup> Floor and the City of Oakland Planning Division, 250 Frank Ogawa Plaza, Suite 3315.

### **Bay Trail Funding Program**

In partnership with the California Coastal Conservancy, the Bay Trail Project is soliciting applications for trail planning and construction projects to complete gaps in the Bay Trail.

**\$3,800,000** is available from Proposition 40 to fund projects that complete Bay Trail gaps, provide strong leverage with local and in-kind matching contributions, demonstrate partnerships, encourage creative solutions and employ the California Conservation Corps. Projects must be complete by **June 30, 2007**.

The primary objective of the grant program is to maximize development of new trail miles.

*There are no established minimum or maximum grant amounts for this program. In prior funding cycles, grants have ranged from \$14,000 to \$500,000. Grants will be awarded at the discretion of the selection committee to the projects judged to best meet established program objectives.*

Each of the projects identified and being recommended to City Council for application of funds has been reviewed with Bay Trail staff and the projects are compatible with and further the program objectives.

## **KEY ISSUES AND IMPACTS**

Staff from PWA and CEDA analyzed known unfunded and under-funded City projects relative to the Bay Trail funding criteria and funding priorities set forth in Resolution 78747 C.M.S. (Resolution Establishing Prioritization Methods for the City of Oakland's Facilities and Structures, Parks and Open Space, Sewers, Storm Drains, Streets, Sidewalks, and Traffic Improvement Infrastructure Needs). Staff assessed each project's readiness, community benefit and support, availability of a Council approved Master Plan or other concept plan, estimated annual operations and maintenance cost, existence of collaborative partners, land tenure, existence of funding to be leveraged and ability to be implemented with the project completion timeframe.

The Bay Trail funding program focuses priority on trail projects that are a part of the Bay Trail plan and provide gap closures and linkages to existing sections of the Bay Trail or Bay Trail connectors. Based on this priority, Oakland Waterfront Bay Trail and Lake Merritt projects where the City has land tenure were looked at as having the best likelihood to receive funding through this grant program. Other trail projects were also considered such as the Brooklyn Basin and 66<sup>th</sup> Avenue Bay Trail sections, but did not meet the above criteria as well as the recommended Measure DD trail projects and the West Oakland Bay Trail Gap closure project.

For information, descriptions of all projects considered are provided below.

### **Project Descriptions for Recommended San Francisco Bay Trail Project Funding Requests:**

1. Lake Merritt Bicycle and Pedestrian Pathway:

Lake Merritt is identified in the Bay Trail Plan as a primary connector to the Bay Trail spine trail as providing connections to recreational opportunities as well as residential and employment centers inland from the Bay. Widening of the borders around Lake Merritt Park to increase parkland by redesigning Lakeside Drive and Lakeshore Avenues creates the ability to provide safe and expanded access to one of Oakland's most treasured recreational assets. The street redesigns would allow the creation of a wide multi-use Class One path and Class Two bike lanes along Lake Merritt, and would improve connections, both physical and visual, to perimeter parks such as Pine Knoll Park, Snow Park and Athol Park.

A total of \$11,500,000 is needed to fully implement the Lake Merritt Bicycle/Pedestrian Pathway project, including constructing such elements as signage, seating, trash receptacles, irrigation and landscaping. A total of \$10,500,000 is currently available for the project from the Measure DD General Obligation Bond program in Series A and Series B. This project is being recommended because funding has been identified for the project at local, regional, state and national levels; the City and others have documented the large number of users that would benefit from the project; the availability of matching funds from Measure DD; and the 65% set of construction documents.

During review of projects identified to be constructed along the Oakland Estuary, the City and Bay Trail staff identified two projects as meeting the Bay Trail funding program objectives of closing

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trail gaps between existing sections of Bay Trail, including ability of the City to satisfy the land tenure requirement. In all cases, the priority will be to first construct the trail system and second, to incorporate site improvements.

2. Cryer Site:

Proposed as Phase II of Union Point Park, this two acre area will primarily focus on providing a trail and connections to other existing trail systems. The existing building is proposed to be converted for community uses. The design concept proposes a 12' wide trail and series of 12' wooden boardwalks that connect to the water, providing a distinctively interesting edge to the site and includes provisions for a sandy beach. Wood piers are proposed to extend out into the water providing viewing decks. The site will be landscaped and include parking adjacent to the building. \$2,582,500 is needed to fully implement the Cryer site trail project. The building component of the project is currently unfunded. A total of \$1,450,000 is currently available for the trail project from the Measure DD General Obligation Bond program in Series A. Construction documents are 65% complete and the project is anticipated to be bid in Fall 2005.

3. Alameda Avenue

The project completes a ¼ mile section of Bay Trail along the Oakland Waterfront from the Fruitvale Bridge south to the former Union Pacific right-of-way. The street redesign would allow for the creation of a wide multi-purpose Class II path. The project cost is estimated at \$305,303. Currently \$200,000 is budgeted in Measure DD Series A to construct the trail components of the project. Construction documents are 65% complete and the project is anticipated to be bid in Fall 2005.

4. West Oakland Bay Trail

The West Oakland Bay Trail Gap Closure Project is the last segment of a three-phase bike and pedestrian project along 8th Street in West Oakland, a designated section of the Bay Trail. As in the other three phases, this last segment, which encompasses 8th Street from Wood to Willow Street, and Wood Street from 7th to 8th Streets, will provide enhanced pedestrian and bicycle amenities. Project elements include sidewalk repairs and ADA compliant curb ramps; textured & accented paving at crosswalks; new bulb-outs at the Wood Street / 8th Street intersection; bike routes and bike lanes; new pedestrian lighting; and new Bay Trail route signage.

The West Oakland Bay Trail streetscape project improves access for motorists, bicyclists and pedestrians alike, to existing bus stops and the West Oakland BART station. The Gap Closure segment provides a crucial connection between two non-continuous segments: 8th Street and the other on 7th Street. In addition, if funded, the streetscape improvements will extend to an existing neighborhood "pocket" park named Bertha Port Park at the intersection of Wood Street/8th Street. The City has contracted with The Trust for Public Land to design and construct extensive renovations through private fundraising efforts. When completed, the park will be turned over to the City to manage. Construction documents have been completed for this trail/streetscape project and the project is ready to bid. The project cost estimate is

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\$450,000 of which \$200,000 will be requested from the San Francisco Bay Trail Project grant program. There are currently no other funding sources associated with the project.

For all projects identified above, additional funds will be requested through the various Federal requests, the California Coastal Conservancy, and private and non-profit donations to meet budget requirements. Improvements will be constructed in phases, according to funding availability.

### **SUSTAINABLE OPPORTUNITIES**

Staff will strive to make trail project construction and operation sustainable and to support the City's 3 Es: economy, environment and equity.

Economy. By virtue of funding available from the Measure DD bond program, local job opportunities will be created in both the design and construction professions.

Environment. Since the selected sites are walkable from BART and bus lines, and abut dense neighborhoods, staff expects there to be a fair number of customers who walk or bike or take BART or bus to the site. Bicycle parking facilities will be provided and pedestrian access will be improved. High efficiency fixtures or solar cell fixtures will provide area lighting.

Sustainable practices will be employed in landscape areas, including improvements to water quality, water conservation, alternative transportation and energy conservation. Drought tolerant plant species will be selected. Shrubs and lawn will be watered with reclaimed water. Compost generated can be applied directly to the park.

Equity. In general, projects funded from the Measure DD general obligation bond program will assist in bolstering the inventory of accessible open space in the flatland neighborhood districts as a result of expanding the park borders around Lake Merritt and adding new open space along the Oakland estuary.

### **DISABILITY AND SENIOR CITIZEN ACCESS**

The trail projects proposed for Lake Merritt, West Oakland and those proposed along the Oakland Waterfront will be designed and constructed to be ADA and senior citizen accessible. The City's accessibility program coordinator will be requested to participate in project review at various stages of each design process initiated.

### **RECOMMENDATION (S) AND RATIONALE**

Staff recommends that City Council approve the resolution adopting changes to the Bay Trail alignment through Oakland and resolutions authorizing the application, acceptance and appropriation of funds from the San Francisco Bay Trail project for \$300,000 for the Cryer segment of the Oakland

Waterfront Bay Trail; \$200,000 for the Alameda Avenue segment of the Oakland Waterfront Bay Trail; \$200,000 for the Lake Merritt Bicycle/Pedestrian Pathway project; and \$200,000 for the West Oakland Bay Trail Gap Closure project.

Authorizing the application of additional funding towards the Oakland Waterfront Bay Trail projects at the Cryer site and Alameda Avenue and Lake Merritt Bicycle/Pedestrian Pathway project meet the City's objective of leveraging Measure DD funds with outside sources to further the quality and quantity of improvements implemented. An application for funding for the West Oakland Bay Trail gap closure will complete the Bay Trail from Emeryville to Jack London Square.

**ACTION REQUESTED OF THE CITY COUNCIL**

City Council is requested to approve a resolution adopting changes to the Bay Trail alignment through Oakland and resolutions authorizing the application, acceptance and appropriation of funds from the San Francisco Bay Trail project for \$300,000 for the Cryer segment of the Oakland Waterfront Bay Trail; \$200,000 for the Alameda Avenue segment of the Oakland Waterfront Bay Trail; \$200,000 for the Lake Merritt Bicycle/Pedestrian Pathway project; and \$200,000 for the West Oakland Bay Trail Gap Closure project.

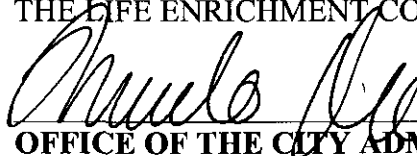
Respectfully submitted,



**CLAUDIA CAPPIO**  
**Director of Planning and Development**  
**Community and Economic Development Agency**

Prepared by:  
Kerry Jo Ricketts-Ferris,  
Project Manager, Waterfront Open Space

APPROVED AND FORWARDED TO  
THE LIFE ENRICHMENT COMMITTEE

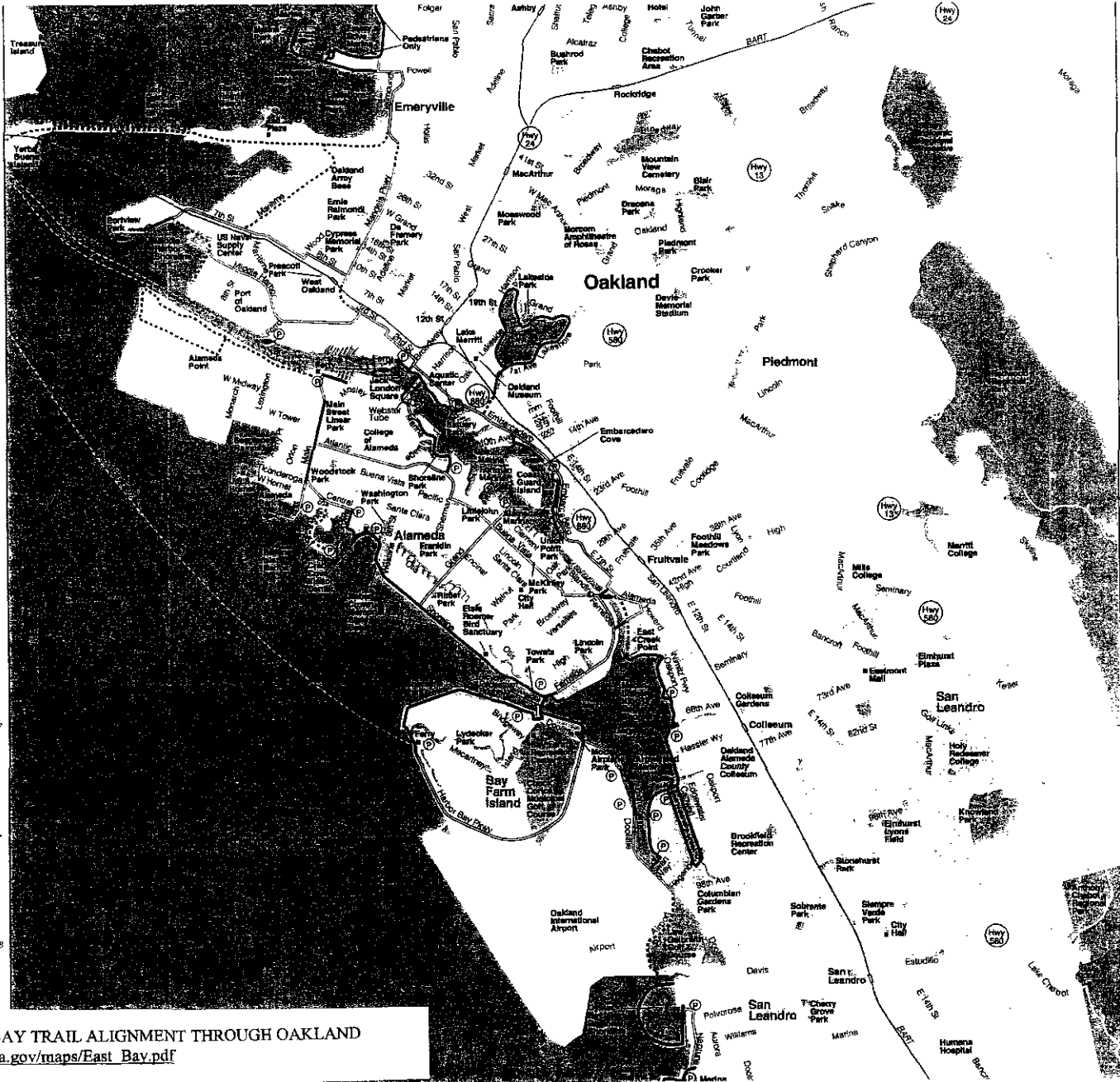
  
**OFFICE OF THE CITY ADMINISTRATOR**



## **Estuary Waterfront Access Public Meeting Dates**

### **Public and Individual Presentation Dates, Times and Locations**

July 17, 2003 – Audubon Society, Carmen Torres  
June 26, 2003 and August 22, 2003 – 1:00 p.m. East Bay Regional Parks District  
August 16, 2003 – 3:00 p.m., California Coastal Conservancy, 14<sup>th</sup> and Broadway  
August 24, 2003 – 8:00 am Waterfront Action, Jack London Aquatic Center  
September 11, 2003 – 10:00 a.m., Bay Trail Board of Directors, Jack London Aquatic Center  
September 15, 2003 – 7:00 p.m. Measure DD Community Coalition, Ira Jinkins Community Center  
September 19, 2003 – 8:00 am – 4:00 pm Bay Area Open Space Council Annual Meeting, Presidio Golden Gate Club  
October 1, 2003 – 6:30 pm, Bike Alameda, Tucker’s Ice Cream  
October 6, 2003 – 6:30 pm, Central Oakland Redevelopment PAC, Patten Bible College  
October 9, 2004 – Council District 5 Community Meeting – Waterpark Lofts  
October 15 -17, 2004 – Walk Bike California Conference – Display Only  
October 16, 2003 – 9:00 a.m. East Bay Regional Park District with Coastal Conservancy and Bay Trail staff  
October 16, 2003 – 12:00 noon SPUR San Francisco Planning and Urban Research Institute  
October 21, 2003 – 7:00 pm, East Bay Bicycle Coalition, Rockridge Library  
November 12, 2003 – 3:50 – 4:30, Chamber of Commerce Planning and Construction Committee – Greg Wright  
November 20, 2003 – 7:30 am, Lake Merritt Breakfast Club, Lakeside Park Garden Center  
November 20, 2003 – City of Alameda, Estuary Protocol Mtg (includes Alameda County Flood Control, US Coast Guard, CalTrans) 3-5 City of Alameda  
December 1, 2003 – Greater Mandana Action Coalition and East Bay Audubon Society – 7:30 p.m. Lakeshore Baptist Church  
December 2003 – Bay Commission and Development Corporation  
January 5, 2004 – Ebell Lakeview Women’s Club – 11-2 Lakeside Garden Center  
January 8, 2004 – Army Corps of Engineers  
January 04 - Port of Oakland Good Neighbor Breakfast  
January 23, 2004 – City/ Port Liaison Committee  
September 2004 - Downtown Rotary  
January 2004 - Jack London Aquatic Center, Board of Directors  
January 2004 - City Council District 2 Townhall meeting  
January and March 2005 - Peralta Community Colleges Administrative Staff  
January and March 2005 – Oakland Unified School District Administrative Staff  
March 24, 2004 – Oakland Planning Commission  
March 2005 – Oakland Chamber of Commerce – Economic Development Committee  
May 2005 - Oakland Chamber of Commerce



**SAN FRANCISCO BAY TRAIL**

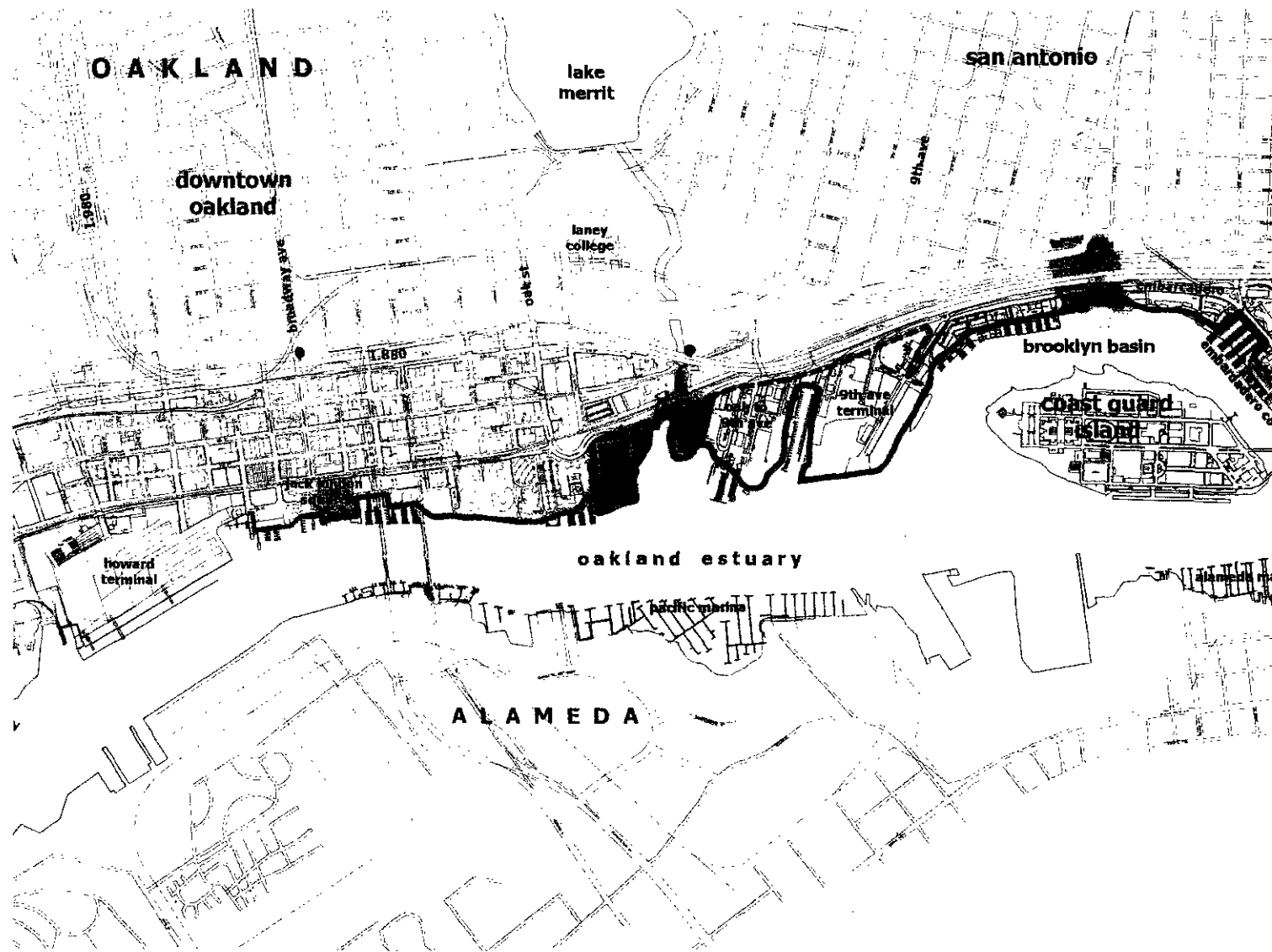
## East Bay

- Bay Trail (on street) Shared use paved or rough paths
- Bay Trail (on street) Bike lanes and sidewalks
- Unimproved Bay Trail (on street) Narrow path and/or rough surface
- Unimproved Bay Trail (on street) No bike lanes and/or no sidewalks
- Planned Bay Trail Future route - not developed
- Other Trail Paved or gravel paths connecting to Bay Trail
- Planned Other Trail Future connection to Bay Trail - not developed
- Boating/Marina
- Parking
- Fishing Pier

0 0.5 mile 1 mile  
0 1 km

EXHIBIT B -- CURRENT BAY TRAIL ALIGNMENT THROUGH OAKLAND  
 Source [http://baytrail.abag.ca.gov/maps/East\\_Bay.pdf](http://baytrail.abag.ca.gov/maps/East_Bay.pdf)

FIGURE 3.1 TRAIL ALIGNMENT



Attachment A  
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Attachment A  
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**TRAIL ALIGNMENT**  
**OAKLAND WATERFRONT TRAIL**

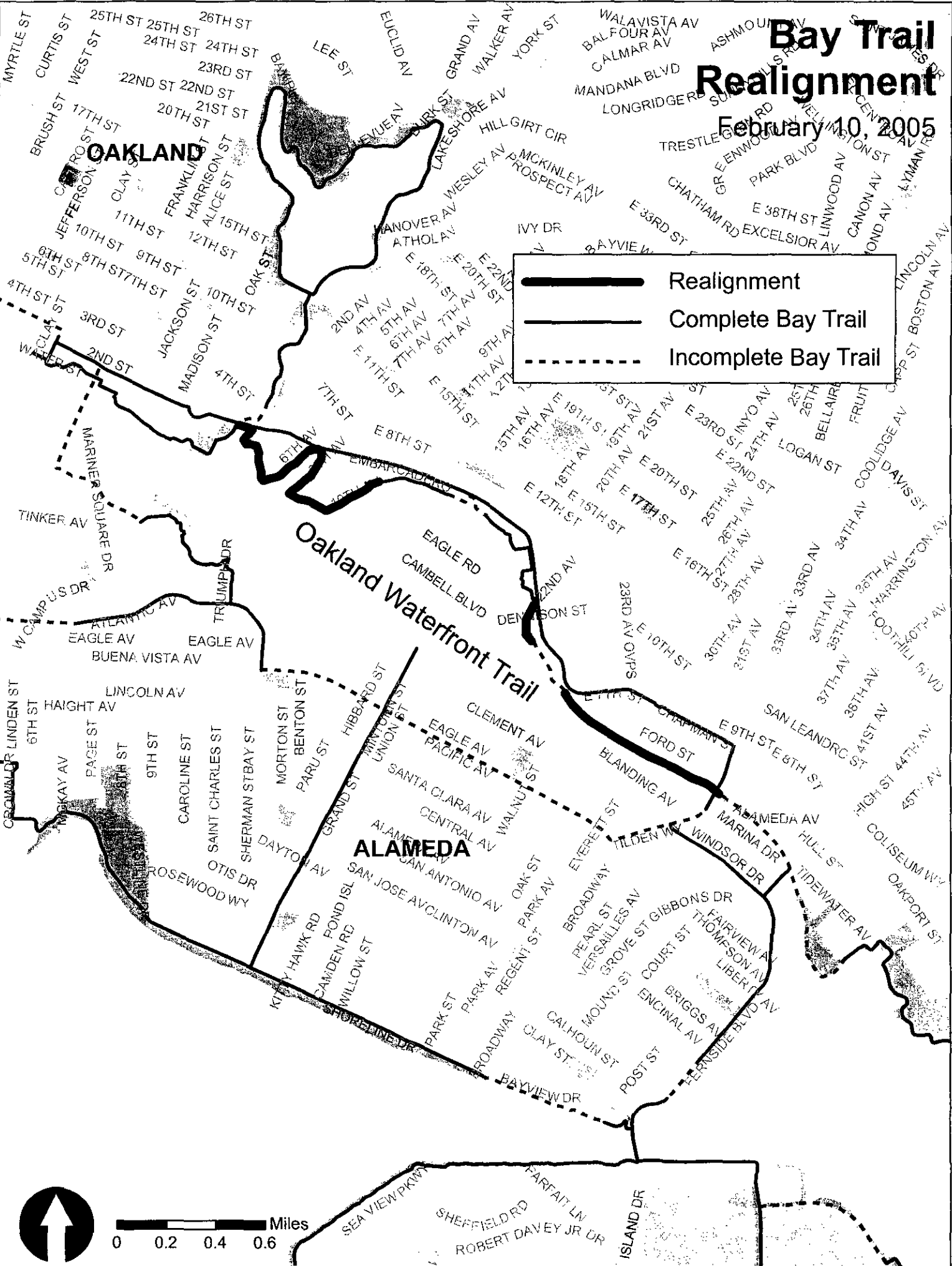
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|---|--------------------------|---|--|
|  | <i>Parks</i>             |  | <i>Proposed Long-Term Trail Alignment</i>  |
|  | <i>Archimedes Column</i> |  | <i>Proposed Short-Term Trail Alignment</i> |
|  | <i>Existing Streams</i>  |  | <i>Optional Trail Alignment</i>            |
|  | <i>Marshland</i>         |   |  |




 with: Hanson Herzog Nelson, Hood Design, Golden Associates, Moffatt & Nichol Engineers, Trudwell & Rolo, JWD Group, and Gabriel Roche



# Bay Trail Realignment

February 10, 2005



	Realignment
	Complete Bay Trail
	Incomplete Bay Trail



0 0.2 0.4 0.6 Miles

Environmental documents that were used to complete the Addendum for the Clean Water, Safe Waterfront Parks, and Recreation Trust Fund Ballot Measure (Measure DD) including the Oakland Land Use and Transportation element (LUTE) of the General Plan; the Estuary Policy Plan, and the Coliseum Redevelopment Plan are available for review in the following locations:

Oakland City Clerk's Office  
1 Frank Ogawa Plaza, 1<sup>st</sup> Floor  
Oakland, CA 94612

City of Oakland Planning Division  
250 Frank Ogawa Plaza, Suite 3315  
Oakland, CA 94612

**ADDENDUM FOR THE OAKLAND CLEAN  
WATER, SAFE WATERFRONT PARKS AND  
RECREATION TRUST FUND BALLOT MEASURE**

JUNE, 2002

City of Oakland  
Community and Economic Development Agency  
250 Frank Ogawa Plaza Suite 3330  
Oakland, CA 94612

This document is an addendum to the following previously certified or adopted environmental documents:

The General Plan Land Use and Transportation Element EIR (June, 1998)  
The Estuary Policy Plan EIR (June, 1998)  
The Open Space, Conservation and Recreation Element Mitigated Negative Declaration (October, 1995)

## Introduction

*The Ballot Measure Proposal.* The Oakland City Council is considering a proposed bond measure, entitled the Oakland Clean Water, Safe Waterfront Parks and Recreation Trust Fund, for submission to the voters on the November, 2002 municipal ballot. The 198,250,000 bond measure would authorize funding of improvements to parks, creeks and recreation facilities. Acquisition of land for new parks and open space also would be included. If approved by the voters, the City would sell bonds in order to fund a broad range of physical improvements to existing parks, acquire land for new parks, develop new parks and recreational facilities, institute clean water protection measures, restore and rehabilitate existing recreation buildings and implement creek and waterways protection and restoration projects.

The projects included within the ballot measure have been organized into five key areas, as follows:

- Restoration of Lake Merritt Park and related recreational facilities, and implement water quality protection measures for Lake Merritt;
- Improve and create new waterfront access along the Oakland Estuary, and implement a range of land acquisition, clean-up and park development projects consistent with the adopted Estuary Policy Plan (EPP);
- Create a Lake Merritt – to – Oakland Estuary Connection (the Lake Merritt Channel), consistent with the Estuary Policy Plan
- Construct new youth and public recreational facilities and restore and rehabilitate existing recreational facilities;
- Implement creek and waterway protection and restoration projects

Projects proposed for funding are described in greater detail in the next section of this report.

*Addenda to the General Plan Land Use and Transportation Element EIR, the Estuary Policy Plan EIR, the Coliseum Area Redevelopment Plan (CARDP) EIR and the Open Space, Conservation and Recreation Element Mitigated Negative Declaration.* The projects contained in the ballot measure included in the projects identified and analyzed in several environmental documents previously prepared, adopted and certified by the City of Oakland. These include the programmatic Environmental Impact Reports (EIRs) for the Land Use and Transportation Element (LUTE), the Estuary Policy Plan (EPP) and the Coliseum Area Redevelopment Plan (CARDP) and the Mitigated Negative Declaration (MND) for the General Plan Open Space, Conservation and Recreation Element (OSCAR).

The California Environmental Quality Act (CEQA) and the CEQA Guidelines specify that, when an EIR has been certified or negative declaration has been adopted for a project, no subsequent or supplemental EIR shall be prepared unless the lead agency determines that three conditions are not present::

- 1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
- 2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions to the previous EIR or Negative Declaration*



*due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

- 3) *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 EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:*
  - a) *The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
  - b) *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
  - c) *Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative; or*
  - d) *Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the proponents decline to adopt the mitigation measure or alternative.*

(Reference: CEQA Guidelines Sections 15162; 15163)

The projects included in the proposed bond measure have been reviewed and evaluated in a new Initial Study (attached) to determine whether any of the circumstances requiring preparation of subsequent environmental review is present. The review demonstrated that none of these projects would result in new significant environmental impacts or would increase the severity of impacts previously identified. Moreover, there is no significant, new information necessitating preparation of a subsequent or supplemental EIR. Each of the proposed projects has been reviewed using the three previously certified EIRs and the previously adopted MND as an information and basis of review, along with other recent environmental studies in the central downtown area (specifically the traffic and circulation impact study completed for the Lakepoint Towers Project and a traffic report completed pertaining to the proposed circulation changes around Lake Merritt.)<sup>1</sup>

This Addenda to the General Plan Land Use and Transportation Element EIR, the Estuary Policy Plan EIR, the Coliseum Area Redevelopment Plan (CARDP) EIR and the Open Space, Conservation and Recreation Element Mitigated Negative Declaration has been prepared in accordance with CEQA Guidelines Section 15164, which provides specifies that an agency shall prepare an addendum to previously certified or adopted CEQA documents if some changes or additions are necessary but none of the conditions calling for the preparation of a subsequent or supplemental EIR are present. The addendum will be used by the City Council when considering the proposed Oakland Clean Water, Safe Waterfront Parks and Recreation Trust Fund Bond Measure.

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<sup>1</sup> . It should be noted that many of the proposed projects, if undertaken independently, would be exempt from CEQA. (CEQA Guideline Section 15300 et seq)

## Detailed Project Description

The following section provides a description of each project included within the Clean Water, Safe Parks and Open Space Trust Fund bond measure based on the information that is known as of the date of this report. These descriptions were the basis upon which the projects were reviewed in the Initial Study. Each project is identified with a number and letter, which refers back to the Initial Study references (page 1-2). Where applicable, an endnote number (<sup>no.</sup>) has been included which identifies the project as otherwise categorically exempt under the CEQA Guidelines.

### *Category 1 – Lake Merritt Park Restoration and Water Quality Improvements*

#### A. Water Quality

1. Replace the 12<sup>th</sup> Street culvert at Lake Merritt Channel with an arched bridge to increase tidal flow into, and flushing of, Lake Merritt (part of C.1).
2. Install stormwater filters, floating trash barriers, aerating fountains and other water quality improvements, including a goose management plan. Stormwater filters, floating trash barriers and aerating fountains will be installed in and around the major storm drains around the lake, thereby improving water quality in the lake.<sup>1</sup>

A Goose Management Plan may be implemented, with the involvement of certified biologists and bird experts that may include the following actions:

- prohibit feeding the geese by park visitors
- reduce grass in designated areas and replacing with vegetative cover that prevents grazing by geese and increasing mowing height in other areas thereby reducing geese feeding on small grass shoots
- establish flight barriers and other vegetative barriers to discourage geese from congregating

#### B. Recreation and Youth Activities

1. Renovate Children's Fairylane. This project calls for new fencing around the Fairylane area, an enhanced, more visible entry into Fairylane with accommodations and improvements for bus loading, staging, seating and drop-offs, new paths to facilitate circulation and widened paths for Fairylane's "kiddie" train.<sup>2</sup>
2. Renovate the Municipal Boathouse at 1520 Lakeside Drive and return it to public use. This project involves renovating the historic structures and building code, health and safety improvements in order to accommodate the space for public and commercial uses. Improvements include the building entry, lighting, furnishings, planting and irrigation, access, and parking lot. Prior to demolition, any hazardous materials, particularly lead containing materials and asbestos containing materials would be surveyed and abated, as required. The project will be undertaken consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (1995 – Weeks and Grimmer.)<sup>3</sup>

3. Renovate the Sailboat House and convert most of the adjacent parking lot to parkland. The Sailboat House would be renovated, and a new accessory building constructed for boat storage. Prior to demolition, any hazardous materials, particularly lead containing materials and asbestos containing materials would be surveyed and abated, as required. Most of the adjacent parking lot would be converted into a public-use shoreline area.<sup>4</sup>

### C. Park Restoration and Access

1. 12<sup>th</sup> Street Boulevard, new 5 acre park and connection to Lake Merritt Channel. This project consists of replacing the 12<sup>th</sup> Street Viaduct with a new six lane boulevard connection to 11<sup>th</sup> and 12<sup>th</sup> Street with 1<sup>st</sup> Avenue, between Oak Street and International Boulevard. Rather than a high speed through street, 12<sup>th</sup> Street would become a major arterial with four new intersections created, as follows:
  - 13<sup>th</sup>/14<sup>th</sup> Streets
  - 12<sup>th</sup> St with 14<sup>th</sup> Streets
  - 12<sup>th</sup> Street with the Kaiser Convention Center
  - 12<sup>th</sup> Street with East 12<sup>th</sup> Street

The reconfiguration and realignment of this roadway will enable approximately 5 acres of land to be developed into the Lake Merritt Park, including a connection to Lake Merritt Channel. The current pedestrian tunnels would be removed. A new bridge would be constructed with clearance for pedestrians and bicyclists to pass under the street adjacent to the channel (listed as Water Quality Project A.1). On street parking and new bicycle lanes would be incorporated as feasible. The project encompasses the preparation of a detailed engineering study with elements including but not limited to a construction staging and management plan, transit accommodations, demolition plan, detour plan for both automobiles and pedestrians, dust abatement plan, construction noise plan, erosion control plan and other engineering requirements in compliance with the City's standard conditions and practices.

2. Implement system-wide improvements including paths, irrigation, landscaping, furnishing, restrooms and signs.<sup>5</sup> This action includes upgrading and restoring physical equipment and facilities, including renovation of the docks at 12<sup>th</sup> and 18<sup>th</sup> Streets, Grand Avenue, Lake Merritt Hotel and the Bandstand.
3. Repair or replace Lake Merritt retaining walls. Approximately 2 miles of retaining walls surrounding Lake Merritt will be repaired or replaced. Currently, many of these walls are cracking, spalling, tilting, eroding, settling and, thus, are in generally poor condition. Actions will be taken to reconstruct or reinforce foundations, provide shoring to brace walls, install proper drainage measures to prevent erosion and restore wall surfaces.<sup>6</sup>
4. Widen the Lake Merritt Park borders and paths to and add bike lanes by reconfiguring perimeter streets (Oak Street, Harrison Street, Lakeside Street and Lakeshore Street). Segments of Oak Street, Harrison Street, Lakeside Street and Lakeshore Street will be reconfigured to provide more parkland between Lake Merritt and the roadway curb.<sup>7</sup>

5. Redesign Bellevue Avenue for improved circulation and to accommodate parking moved from the sailboat house. Bellevue Avenue would be widened by 11 feet to accommodate diagonal parking (being relocated from the Sailboat House parking lot); lighting and landscaping would be improved and sidewalk bulb-outs at intersections would be incorporated to improve pedestrian crossings; a parallel pedestrian path would be provided and the Grand Avenue intersection with Bellevue would be narrowed to one lane to improve pedestrian conditions.<sup>8</sup>
  
6. Expand Snow Park and redesign the Lakeside/Harrison/20<sup>th</sup> Street intersection. This project would reconfigure the street system by Snow Park with the following actions:
  - Narrow a portion of one-way Lakeside Drive from 14<sup>th</sup> to 17<sup>th</sup> Streets from four travel lanes to three lanes.
  - Add a northbound bicycle lane in the segment from 14<sup>th</sup> to 17<sup>th</sup> Streets.
  - Narrow the two way portion of Lakeside Drive from 19<sup>th</sup> Street to 20<sup>th</sup> Street , from four lanes to two lanes.
  - Add bicycle lanes in each direction within the segment from 19<sup>th</sup> Street to 20<sup>th</sup> Street.
  - Remove 20<sup>th</sup> Street between Lakeside Drive and Harrison Street; convert to parkland for both Snow Park and Lake Merritt Park.
  - Move the Harrison/Lakeside intersection to form a perpendicular “T” intersection.
  - Restripe intersection of 14<sup>th</sup>/Lakeside for a double right turn (replacing the free right turn).
  - Reduce Harrison Street to three lanes in the southbound direction between Grand Avenue and Lakeside Drive.
  - Add a new southbound bicycle lane on Harrison between Grand Avenue and Lakeside Drive.
  - Construct a new two-way (approximately 14 feet wide) on the lakeside of Lakeside Drive and Harrison Street.

These changes would be accomplished by relocating on-street parking but with no net loss of on-street parking. The project encompasses the preparation of a detailed engineering study with elements including but not limited to a construction staging and management plan, transit accommodations, demolition plan, detour plan for both automobiles and pedestrians, dust abatement plan, construction noise plan, erosion control plan and other engineering requirements in compliance with the City’s standard conditions and practices.

7. Consolidate the El Embarcadero roadway to form a “Grand Lake green link”. The existing double El Embarcadero roadway would be consolidated into one road (with two way operation), along with renovation of the tot lot, restrooms and lawn areas at Eastlake Park, in the Grand Lake area. The new land area available after removal of the roadway segment would be converted into parkland.<sup>9</sup>

*Category 2 – Estuary Waterfront Access and Clean-up*

- A. Water Quality Improvements and Hazardous Materials Remediation.

1. Acquire land for conservation and remediation purposes.

2. Remediate hazardous materials from contaminated soils. This project involves the clean up of contamination from land areas that have been designated for parkland development within the Estuary Policy Plan. As part of this project, the City will undertake the following actions:
  - Prepare a cleanup plan for each area where soil and groundwater is contaminated above risk-based clean-up standards. Such plans would specify measures to be taken to protect workers and the public from exposure to potential hazards and certify that the proposed remediation measures, including removal, disposal or stabilization of wastes generated are protective of human health and the environment and are implemented in accordance with applicable federal, state, regional and local requirements.
  - Prepare a risk management plan, as deemed required by the governing agency, to identify and manage residual contamination of soil and groundwater that may affect development and post development activities.
  - Prepare a site health and safety plan, as deemed required by the governing agency, prior to commencing work on any contaminated areas.
  - Commencement of remediation and site development work would not proceed until clean up plans for defined areas are reviewed and approved by the appropriate agencies.

B. Waterfront Trail and Parks Acquisition and Construction.

3. Provide continuous public access from Jack London Square to Martin Luther King, Jr. Regional Shoreline; this work would include linkages around the five bridges to Coast Guard Island and Alameda.
4. Construct a staging area at 66<sup>th</sup> Avenue to serve as a visible and convenient entrance from I-880 into the shoreline parks. In addition, realign the road into the City's sports fields, and expand the park area to connect it to Martin Luther King, Jr. Regional Shoreline.
5. Construct parks consistent with the Estuary Policy Plan:
  - Renovate Estuary Park on the west side of the mouth of Lake Merritt Channel, to improve its access and visibility from the Embarcadero. This work entails expanding the park by approximately 6 acres to its ultimate planned size of 11.5 acres. Accommodation of a large green suitable for informal and organized sports is proposed, along with a small pier extended into the water from the southeastern edge of the park.
  - Create the new "Meadow Park" on the east side of the channel mouth, an 11 acre new park to complement the Estuary Park across the Channel to the west. This action includes restoration of shoreline edges to tidal wetlands.
  - Create the new "Crescent Park" at the 9<sup>th</sup> Avenue Terminal, an approximately 11 acre park.

- Complete Union Point Park at Dennison and Embarcadero in the San Antonio/Fruitvale neighborhoods. Two acres of this park at the eastern edge would be reserved for the Cal Crew boathouse. Development would also include a pedestrian promenade and bike path within the park.

### *Category 3 – Lake Merritt Channel*

#### A. Water Quality Improvements

1. Construct an arched bridge to replace the existing culvert at 10<sup>th</sup> Street, thereby improving water quality and boat access for both boats and pedestrians along the Lake Merritt Channel.
2. Relocate and redesign the Lake Merritt flood control station under 7<sup>th</sup> and 8<sup>th</sup> Streets to improve water quality and open up access along the channel.<sup>10</sup>

#### B. Public Access Improvements

Provide public access, shoreline, and landscaping improvements to enhance the connection between Lake Merritt and the Estuary.<sup>11</sup>

### *Category 4 – Youth and Public Recreation Facilities*

- A. Construct the East Oakland Sports Complex. The East Oakland Sports Complex is proposed as a 150,000 square foot addition to and expansion of the existing Ira Jenkins Park/Recreation Center at Edes Avenue and Jones Avenue in East Oakland. The facility will likely include a 50 meter pool, activity pool, gymnasium, fitness center, meeting rooms and community space and a bowling alley.
- B. Renovate and Restore Studio One. This project entails the renovation and restoration of the historic Studio One building into an arts and cultural center, with studios for painting, drawing, sculpture, ceramics, photography and other arts. Prior to demolition, any hazardous materials, particularly lead containing materials and asbestos containing materials would be surveyed and abated, as required. The renovation and seismic upgrading will be undertaken consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (1995 – Weeks and Grimmer.)<sup>12</sup>

### *Category 5 – Creeks and Waterways Restoration*

- A. Restore and rehabilitate creeks by creating natural meanders, regarding and stabilizing banks, removing failing structures, and landscaping with native landscaping. The following criteria will be used to consider funding creek restoration projects:
  - Potential to improve water quality, hydrology and wildlife habitat
  - Potential to prevent flooding

- Potential to increase community stewardship
- Degree of community support and public accessibility
- Connectivity to trails

Potential creek restoration projects include:

- Segments of Lion Creek
- Segments of Sausal Creek
- Segments of Palo Seco Creek
- Segments of Cinderella Creek
- Segments of Arroyo Viejo Creek
- Segments of Glen Echo Creek
- Segments of Temescal Creek
- Segments of Shepard Creek
- Portions of Coliseum Slough

B. Acquisition of creekside properties to facilitate restoration and habitat preservation.<sup>13</sup>

The following criteria will be used to consider creekside properties for acquisition:

- Existence of high-value, restorable habitat
- Presence of rainbow trout and other native wildlife populations
- Aesthetic value
- Opportunities for recreation and the creation of open space
- Hydrological, flood control and water quality protection value
- Connective to other open space and creekside areas.

These creek restoration projects would be undertaken in compliance with the Creek Protection Ordinance, the City's standards pertaining to erosion control requirements (Best Management Practices), and the standards and policies set forth in the OSCAR regarding habitat and creek restoration.

Endnotes Identifying Certain Proposed Projects as Otherwise Exempt from Further CEQA Review:

1. These stormwater filters are otherwise categorically exempt under CEQA Guidelines Section 15301 – Existing Facilities.
2. These improvements are otherwise categorically exempt under CEQA Guideline Sections 15301– Existing Facilities and 15302 - Replacement and Reconstruction.
3. This renovation is otherwise categorically exempt under CEQA Guideline Section 15301 – Existing Facilities – interior and exterior alterations and 15331 – Historical Resource Restoration and Rehabilitation.
4. This renovation is otherwise categorically exempt under CEQA Guideline Section 15301 – Existing Facilities – interior and exterior alterations and 15331 – Historical Resource Restoration and Rehabilitation.
5. These improvements are otherwise categorically exempt under CEQA Guideline Sections 15301– Existing Facilities and 15302 - Replacement and Reconstruction.
6. This renovation is otherwise categorically exempt under CEQA Guidelines Section 15302 – Replacement and Reconstruction.
7. through 9. This reconfiguration of existing streets and on-street is otherwise exempt under CEQA Guidelines Section 15301(c) – minor alteration to existing roadways, sidewalks, and similar facilities with negligible or no expansion of an existing use.

10. The replacement and relocation of the flood control station is otherwise exempt under CEQA Guidelines Section 15302 – Replacement and Reconstruction.

11. The public access, landscaping and other improvements are otherwise exempt under CEQA Guidelines Section 15301 – minor alterations to existing facilities and 15304 – minor alterations to land.

12. This renovation is otherwise categorically exempt under CEQA Guideline Section 15301 – Existing Facilities – interior and exterior alterations and 15331 – Historical Resource Restoration and Rehabilitation.

13. The acquisition of land to expand and restore creekside properties is otherwise categorically exempt under CEQA Guideline Section 15313 – Acquisition of Lands for Wildlife Conservation Purposes and 15325 - Transfers of Ownership of Interest in Land to Preserve Existing Natural Conditions.



## Land Use Planning and Policy Framework

The activities contemplated within five project categories would directly implement important adopted objectives, policies and recommended actions and projects contained in the Oakland General Plan OSCAR (Open Space, Conservation and Recreation Element), EPP (Estuary Policy Plan) the LUTE (Land Use and Transportation Element) and the CARDP (Coliseum Area Redevelopment Plan) as set forth in the following section. As discussed above, these adopted planning and policy documents were the subject of previous environmental review and these documents have formed the basis for the environmental review for the Addendum. The applicable project proposed as part of the Oakland Clean Water, Safe Waterfront Parks and Recreation Trust Fund is listed at the end of each section.

### *Oscar Element (OSCAR Mitigated Negative Declaration)*

OSCAR ACTION –7.5.3: *Improvements to Lake Merritt Trail* Develop the Lake Merritt Trail as a continuous landscaped promenade. (Applicable to Category 1 – Projects C.2 and C.7)

OSCAR Planning Area Strategy for the Central Oakland Area includes a number of specific recommendations for Lake Merritt Park and the Channel area including: circulation changes on the perimeter of the lake to widen park borders and make the lake more accessible to adjacent neighborhoods; construction of a bridge over the railroad tracks separating Channel Park from Estuary Park; erosion control, bulkhead restoration, restoration of key park facilities and the fountain. (Applicable to Category 1 – Projects B.1, B.2, B.3, C.2, C.3, C.4; Category 2 – Project B.1)

OSCAR Policy OS-2.5 (in part) *Urban Park Acquisition Criteria* Increase the amount of urban parkland in the seven flatland planning areas, placing a priority on land with the following characteristics:

- a. Land in areas with limited public open space . . . . (note: such as in the Central downtown areas and Estuary areas);
- b. Land adjacent to existing parks which has the potential to accommodate park expansion or to link together the existing parks;
- c. Land with the potential to provide creek or shoreline access;
- d. Land with visual or historic significance.

(Applicable to Category 2 – Projects A.1 and B.)

OSCAR Objective OS-5: *Linear Parks and Trails* To develop a series of linear parks and trails which a) links existing parks together; b) provides safe, convenient access to open space from residential areas and employment centers; c) provides places to hike, bike, and experience Oakland's scenery; d) provides a means of moving from one place to another without an automobile. (Applicable to Category 1 – Projects C.6 and C.7; Category 2 – Projects B.1 and B.2)

OSCAR Policy OS-5.1 *Priorities for Trail Improvement* Improve trail connections within Oakland, emphasizing connections between the flatlands and the hill and shoreline parks; lateral trail connections between the hill area parks and trails along the waterfront.

- *Channel Park to Estuary is identified as a specific link* (Applicable to Category 3 – Project B.)

OSCAR Objective CO-6: *Surface Waters* – To protect the ecology and promote the beneficial use of Oakland’s creeks, lakes and nearby near shore waters (Applicable to Category 5 – Projects A and B.)

OSCAR Policy CO-6.1: *Creek Management* Protect Oakland’s remaining natural creek segments by retaining creek vegetation, maintaining creek setbacks, and controlling bank erosion. Design future flood control projects to preserve the natural character of creeks and incorporate provisions for public access, including trails, where feasible. (Applicable to Category 5 – Project A.)

OSCAR Policy CO-6.2: *Creek Maintenance and Safety* Strictly enforce local, state, and federal laws and ordinances on the maintenance of creeks and watercourses. Abate health and safety hazards along and within creeks through a variety of measures, including creek clean-up programs, stronger enforcement of litter and anti-dumping laws, and vegetation maintenance requirements for properties abutting creeks. (Applicable to Category 5 – Projects A and B.)

OSCAR Action CO-6.2.1: *Community Creek Clean-ups* Promote and support community organized restoration and clean-up projects along creeks, incorporating such projects into the existing “We Mean Clean” anti-litter campaign where appropriate. (Applicable to Category 5 – Project A.)

OSCAR Action CO-7.1.4: *Riparian Setbacks* Where legally permissible, consider establishing a 150 foot setback along riparian corridors which are wholly contained on public lands. (Applicable to Category 5 – Projects A and B)

OSCAR Policy CO-7.2: *Native Plant Restoration* Encourage efforts to restore native plant communities in areas where they have been compromised by development or invasive species, provided that such efforts do not increase an area’s susceptibility to wildfire. (Applicable to Category 5 – Projects A and B)

OSCAR Objective OS-7: *Shoreline Access* To increase physical and visual access to the Oakland shoreline and create new opportunities for shoreline recreation. (Category 2 – Projects B.1, B.2 and B.3)

OSCAR Policy OS-7.4: *Waterfront Park Enhancement* Expand and enhance the City’s waterfront areas. (Remainder of policy identifies Downtown Waterfront area, Clinton Basin/9<sup>th</sup> Avenue Terminal, Tidal Channel and San Leandro Bay as opportunity sites for implementation of this policy.) (Applicable to Category 2 – Projects B.1, B.2 and B.3)

OSCAR Objective OS-8: *Creek Conservation* To conserve open space along Oakland’s creeks, restoring the creeks where feasible and enhancing creek access on public lands. (Applicable to Category 5 – Project A)

OSCAR Policy OS-8.1 *Public Access to Creeks* (in part) Pursue additional public access to creeks at feasible locations, including City parks, schools, flood control easements, and City-owned properties along creeks. . . . . (Applicable to Category 5 – Projects A and B)

OSCAR Policy OS-8.2 *Creek Daylighting* Support programs to restore or “daylight” sections of creek that have been culverted or buried in the storm drain system, provided that the following conditions exist: 1) broad based community support for the project; 2) availability of financial resources for the project; 3) no significant health, safety, flooding or erosion hazards would

result from the project. Place priority for daylighting on properties where additional opportunities for recreational access would be created. (Applicable to Category 5 – Project A)

Renovation of the Studio One facility is called out as a specific strategy in the OSCAR (North Oakland Park recommendations – page 5-3.) (Applicable to Category 4 – Project B.)

#### *Estuary Policy Plan (EPP EIR)*

Policy OAK 1-1: *Protect and enhance the natural and built components that establish the waterfront's unique environment.*

OAK-1.1 Encourage the preservation and enhancement of wetland areas (Lake Merritt Channel in particular). (Applicable to all Category 3 projects)

OAK-1.2 Provide for continuous pedestrian and bicycle movement along the water's edge. (Applicable to Category 3 – Project B)

OAK –1.3 Undertake remediation of contaminants in conjunction with development and/or improvement of relevant sites. (Applicable to Category 2 – Projects A.1 and A.2)

Policy OAK 2: *Establish a well-structured, integrated system of major recreational facilities which accommodate a wide variety of activities and which take advantage of the unique waterfront setting. Promote a variety of recreational experiences.*

OAK-2.1: Expand Estuary Park. Encourage aquatic sports within the mouth of Lake Merritt Channel. (Applicable to Category 2 – Project B.3)

OAK-2.2: Create a major new park on the east side of the mouth of Lake Merritt Channel, at the Estuary. (Applicable to Category 2 – Project B.3)

OAK-2.4: Establish a large park in the area of the existing 9<sup>th</sup> Avenue Terminal to establish a location for large civic events and cultural activities. (Applicable to Category 2 – Project B.3)

Policy SAF-8: *Develop a continuously accessible shoreline, extending from Ninth Avenue to Damon Slough.*

SAF-8.2: Develop a major new public park at Union Point Park. (Applicable to Category 2 – Project B.3)

SAF-8.3: Extend the Martin Luther King, Jr. Regional Shoreline. (Applicable to Category 2 – Project B.1)

#### *Land Use and Transportation Element (Lute EIR)*

Policy T3.3 *Allowing Congestion Downtown* For intersections within Downtown and for those that provide direct access to Downtown locations, the city should accept a lower level of service and a higher level of traffic congestion than is accepted in other parts of Oakland. The desired pedestrian-oriented nature of Downtown activity and the positive effect of traffic congestion in promoting the use of transit or other methods of travel should be encouraged. (Applicable to Category 1 – Projects C.1, C.4, C.5, C.6, C.7)

Policy T3.5 *Including Bikeways and Pedestrian Walks* the City should include bikeways and pedestrian walks in the planning of new, reconstructed, or realized streets, wherever possible. (Applicable to Category 1 – Projects C 4, C.6, C.7)

Policy T4.1 *Incorporating Design Features for Alternative Travel* The City will require new development, rebuilding, or retrofit to incorporate design features in their projects that encourage the use of alternative modes of transportation such as transit, bicycling and walking. (Applicable to Category 1 – Projects C.1, C.4, C.6, C.7)

Policy T4.10 *Converting Underused Travel Lanes* Take advantage of existing transportation infrastructure and capacity that is underutilized. For example, where possible and desirable, convert underused travel lanes to bicycle or pedestrian paths or amenities. (Applicable to Category 1 – Projects C.1, C.4, C.6, C.7)

Policy T6.3 *Making the Waterfront Accessible* The waterfront should be made accessible to pedestrians and bicyclists throughout Oakland. (Applicable to Category 2 – Projects B.1, B.2; Category 3 – Project B)

#### *Coliseum Area Redevelopment Plan (Coliseum Area Redevelopment Plan EIR)*

The Coliseum Area Redevelopment Plan (CRDP) was adopted in 1995 and encompasses 6,500 acres in and around the Oakland Coliseum. The site of the proposed East Oakland Sports Complex located in the Brookfield sub-planning area of the plan. The plan was devised with the following goals and objectives in mind:

- To provide long-term job training and employment opportunities for Coliseum Redevelopment Area (CRA) residents.
- To stimulate home ownership in the CRA.
- To improve public safety for people living and working in the CRA.
- To improve the quality of the residential environment by assisting new construction, rehabilitation and conservation of living units in the CRA.
- To eliminate land use conflicts between the residential and industrial edge in the CRA.
- To improve transportation, public facilities and infrastructure in residential, commercial and industrial opportunity areas.
- To stimulate industrial, research and development, and commercial development by improving obsolete, underutilized and vacant properties in the CRA.
- To assist neighborhood commercial revitalization.
- To attract and retain businesses to the CRA.

The Brookfield sub-area contains existing Ira Jenkins Park/Recreation Center. The proposed East Oakland Sports complex would be located within the boundaries of the existing park and recreational facility. Key redevelopment plan implementation strategies for the project, based on the CRDP objectives would be to:

- Eliminate blight by renovating and expanding an important community facility, thereby improving public infrastructure and adding to the recreational opportunities in the area;
- Provide a transition between the heavy industrial uses within the adjacent Railroad Avenue area, those uses along Pippin Street, Pearmain Street, Edes Avenue, 98<sup>th</sup> Avenue and 105<sup>th</sup> Avenue areas, and the adjacent single family residential neighborhoods, thereby reducing the land use conflicts between industrial and commercial lands.
- To provide a high quality recreational facility that serves a broad range of community needs, thereby improving the quality of the residential environment.

## Findings Regarding Compliance with the California Environmental Quality Act.

Staff has determined that the proposed Oakland Clean Water, Safe Waterfront Parks and Recreation Trust Fund Ballot Measure complies with the California Environmental Quality Act in reliance upon previously prepared environmental documents as addended by this Addendum to the OSCAR Mitigated Negative Declaration, the General Plan LUTE EIR, the Estuary Policy Plan EIR and the Coliseum Redevelopment Plan Area EIR as follows:

1) The projects set forth in this Addendum all fall within either the existing park, recreation and conservation areas, policies, and programs as adopted by the LUTE, the OSCAR, and the EPP, or generally fulfill the objectives of the Coliseum Area Redevelopment Plan, as set forth in the planning policy framework section of this addendum. As such, these projects would implement the existing objectives, policies and programs of the LUTE, the OSCAR, the EPP and the Coliseum Area Redevelopment Plan and are part of the projects analyzed in the CEQA documents prepared for those plans. These existing planning policies have all been reviewed in compliance with CEQA, with significant impacts identified and measures to mitigate those identified impacts to a less than significant level.

2)) The attached Initial Study assesses these projects within all required environmental categories. In no instance was it determined that the projects would result in new, significant environmental impacts that have not been previously identified in the LUTE EIR, the OSCAR MND, the EPP EIR and the CARDP EIR. Further, there is no demonstrable increase in the severity of impacts, based on the project descriptions and information known as of the date of this addendum, from the levels that have been previously identified.

3) As described in the planning policy framework of this Addendum, there are no substantial changes to the projects that have been described in previous planning documents other than a refinement and placing of priorities of what improvements are to be undertaken as part of this ballot measure effort.

4) There have been no substantial changes to the circumstances surrounding development of the projects since the planning policy documents referred to in this Addendum were completed. These documents represent current City policy pertaining to open space, conservation, recreation, land use, estuary land use and priorities, and the redevelopment efforts within the Coliseum Area Redevelopment Plan. There is no new information of substantial importance which was not known or could not have been known at the time of preparing the previous environmental documents which are referenced in this Addendum.

5) As noted within the Initial Study, the project descriptions contained in the Addendum call for a variety of measures to minimize potential environmental impacts through the use of current OSCAR habitat conservation and water quality policies, construction management plans (including noise control, traffic routing and detours, etc.), erosion control plans, etc. which are applied as a standard City practice for similar public and private projects throughout the City of Oakland. In this regard, this information represents current City standards, but is not considered to be new, significant information.

6) Pursuant to CEQA Guideline Section 15180, the proposed East Oakland Sports Center is within the range of public and private activities that were deemed approved at the time the Coliseum Area Redevelopment Plan was adopted by the City Redevelopment Agency in 1995. As a private or public undertaking pursuant to or in furtherance of a redevelopment plan, it is part

of the single project analyzed in the EIR prepared and certified for the CARDP. The findings in support of how this proposed project fulfills the goals and objectives of the CARDP are described in the planning policy framework section of this Addendum. The proposed project has been reviewed and considered for potential environmental impacts using the EIR prepared for the CARDP. As detailed in the Initial Study, in no instance was there found to be a new significant impact or an increase in severity of a previously identified impact. Therefore, no further environmental analysis is required for this project.

7) Similarly, pursuant to CEQA Guideline Section 15180, the proposed projects within the Lake Merritt Area and the Estuary Policy Plan area are all within the range of public and private activities that were deemed approved at the time of the Central District Redevelopment Plan. As a private or public undertaking pursuant to or in furtherance of a redevelopment plan, it is part of the single project analyzed in the environmental documentation that has been prepared and certified for the Central District Redevelopment Plan. The findings in support of how this proposed project fulfills the goals and objectives of the Central District Area Redevelopment Plan are described in the planning policy framework section of this Addendum. The proposed project has been reviewed and considered for potential environmental impacts using the General Plan LUTE EIR and Estuary Policy Plan EIR. As detailed in the Initial Study, in no instance was there found to be a new significant impact or an increase in severity of a previously identified impact. Therefore, no further environmental analysis is required for this project.

8) The projects as proposed would create a beneficial impact on the environment through the rehabilitation, renovation, restoration and renovation of existing parks, recreational facilities, and conservation areas in the City of Oakland. As such, the overall impact of these projects will benefit the environment through better water quality, restoration and expansion of habitat areas, and restoration of identified historic resources. In addition, it is noted that many of the proposed projects otherwise would be considered as exempt from further CEQA review under minor alterations of existing facilities, environmental restoration projects, minor changes to land, or restoration or rehabilitation of historic structures in compliance with the Secretary of the Interior's Guidelines.

Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Incorporated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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**EVALUATION OF ENVIRONMENTAL IMPACTS**

CEQA requires that an explanation of all answers except "No Impact" answers be provided along with this checklist, including a discussion of ways to mitigate any significant effects identified. As defined here, a significant effect is considered a substantial adverse effect.

**I. AESTHETICS -- Would the project:**

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Comments to I a and b:**

**Sources:** Field survey and project descriptions  
 General Plan Land Use and Transportation Element (LUTE) and LUTE EIR  
 Open Space, Conservation and Recreation Element (OSCAR)  
 Estuary Policy Plan (EPP) and EPP EIR  
 Oakland Coliseum Area Redevelopment Plan and Redevelopment Plan EIR  
 Scenic Highways Element of the Oakland Comprehensive Plan  
 City of Oakland Zoning Map

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Comments:** The projects included within the proposed ballot measure involve construction of, improvements to and renovations of existing public parks, natural features such as the Estuary Channel and the creeks and realignment and improvements to existing roadways and path systems. The majority of this work will be a visual benefit to the surrounding area by enhancing visual quality through planting materials, increased buffer around Lake Merritt, trees, more park space along the Estuary, etc. The one major structure proposed at Ira Jenkins Park (the East Oakland Sports Complex) falls within the range of the immediately surrounding industrial buildings and warehouses along I-880. No new structures are proposed within scenic vistas open to the public and no designated scenic highways are in the vicinity of any proposed project. No significant adverse visual effects will result from the project, and beneficial visual impacts are anticipated to result from this project.

**Sources:** Project Descriptions  
 LUTE and LUTE EIR  
 EPP and EPP EIR  
 Historic Preservation Element  
 Coliseum Area Redevelopment Plan and Redevelopment Plan EIR

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Incorporated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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**Comments:**

The City's standard conditions of approval applicable to the projects that involve installation of exterior lighting will ensure that such impacts less than significant. Standard conditions of approval require the use of full-cutoff light fixtures and installation that does not permit light to radiate upward or horizontally across parcel boundaries. Other applicable lighting requirements including use of motion sensitive lighting circuits to provide light only when needed, recessed lighting where minimal areas require lighting, and correct installation of all lighting to ensure that light does not radiate beyond site boundaries either horizontally or upward, and to ensure that light trespass on adjacent properties does not occur. Standard conditions of approval also limit or prohibit lighting that does not strictly promote security when human activities are not present. Furthermore, lighting plans will be required to comply with these basic requirements prior to approval of final plans and specifications.

**Source:** Project Descriptions  
Standard Planning Department Exterior Lighting Requirements and Conditions

**II. AGRICULTURAL RESOURCES -- Would the project:**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*Comments on II a, b, and c:* The proposed project is located in an existing densely developed urban area that contains mixed uses. Agricultural or farmland uses do not exist on or adjacent to any of the land areas proposed for the projects and the project does not conflict with any Williamson Act Contract.

**Sources:** Oakland General Plan: Open Space, Conservation, & Recreation Element (OSCAR)  
LUTE and LUTE EIR  
EPP and EPP EIR  
Coliseum Area Redevelopment Plan and Redevelopment Plan EIR  
Project Descriptions  
Field Survey

**III. AIR QUALITY -- Would the project:**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|



	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Comments on III a, b, c, d, and e:**

The project will result in short-term localized less-than-significant impacts to air quality due to temporary emissions from excavation and construction equipment and grading and construction activities. Standard conditions of approval will be imposed to ensure compliance with all applicable City regulations, practices and operating procedures prior to issuance of building or grading permits, including dust control measures as set forth by the Bay Area Air Quality Management District (BAAQMD.) The City construction specifications and practices will require implementation of dust control measures and removal of project dirt, mud, materials and debris, to the satisfaction of the Public Works Division responsible for inspection services for the projects or the Building Services Division prior to building permit where required. These conditions of approval and standard practices include measures to insure that identified air quality impacts remain at less than significant levels. The Best Management Practices (BMP) recommended by BAAQMD will be implemented, as set forth below:

1. Maintaining moist soil conditions, particularly on windy days.
2. Avoiding earth moving and other major dust generating activities on windy days.
3. During excavation and/or fill activities, haul trucks used to transport soil shall utilize tarps or other similar covering devices to reduce dust emissions and reduce the risk of spills. If spills do occur, they shall be swept up promptly before materials become airborne if prompt sweeping does not present a hazard.
4. Motorized equipment operated during construction activities shall be properly muffled and maintained to minimize emissions. Equipment shall be turned off when not in use.
5. Cover stockpiled sand, soil, and other particulates with a tarp to avoid blowing dust.
6. Water all construction areas at least twice daily, using reclaimed water where feasible.
7. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and construction staging areas.

	Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Incorporated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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8. Sweep daily with water sweepers all paved access roads, parking areas, and staging areas at construction site.
9. Sweep streets daily with water sweepers if visible soil material is carried onto adjacent public streets.

Sources: OSCAR Element of the City of Oakland General Plan  
 Project Description  
 BAAQMD Guidelines  
 City of Oakland, CEDA, Planning and Building Divisions

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 & Game or US Fish & Wildlife Service?

Comment: Category 1 projects: Several projects in this category involve the installation or replacement of equipment in and around Lake Merritt. Storm water filters, floating trash barriers and aerating fountains will have a beneficial effect on habitat as pollutants and garbage will be blocked from entering the lake and estuary areas. The proposed goose management plan for the Lake Merritt area will be prepared under the direct supervision of a certified biologist and include actions as outlined that will discourage birds in certain areas through non-invasive and non-harmful actions such as reducing grass, establishing vegetative barriers and prohibiting feeding the geese by park visitors. Category 2 and 3 Projects: Several projects within these categories would potentially involve habitat changes in the form of shoreline restoration and landscaping and changes along the Estuary Channel. These physical changes Category 5 projects: Restoration and habitat improvements to the creeks in Oakland was specifically set forth in the OSCAR Element. Actual restoration, grading or activities involved with these projects will require a creek protection permit and will be regulated by the City's Creek Protection Ordinance, consistent with the policies and action language of the Conservation Chapter in the OSCAR Element, as detailed in the Addendum (attached.)

Sources: OSCAR Element  
 Environmental Services Department with the City of Oakland  
 Creek Protection Ordinance

- 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 & Game or US Fish & Wildlife Service?

Comment: As noted in the project description section, the overall effects of the Oakland Clean Water, Safe Waterfront Parks and Recreation Trust Fund ballot measure will be substantially beneficial by restoring and expanding existing habitat areas

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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throughout the City of Oakland, and creating new habitats, improving water quality, thus improving habitat, and completing remediation and clean up of contaminated industrial sites by the Estuary, thereby improving habitat. Specifically, Category 1, 2 and 4 projects have the potential for impacts on riparian habitat and other sensitive natural communities due to the close proximity of trail construction, park construction and habitat restoration projects to wetlands, the shoreline and creeks. These projects, as noted in the project description section of the Addendum, will be undertaken in compliance with current OSCAR and other City standards, requirements and conditions pertaining to habitat restoration, erosion control, water quality measures, and revegetation with native and drought tolerant plants. The Addendum section on land use planning policy framework details the current City policies pertaining to habitat restoration and conservation in order to protect sensitive habitats. The OSCAR Element MND and EPP EIR contain assessments of these potential impacts and identify mitigation measures that will result in less than significant impacts. Specifically, with compliance to the policies contained in the OSCAR and EPP, habitat disturbance will be minimized. (Policies CO9.1 – protection of habitat; CO 9.1.2 – standardized protection measures, performance criteria and construction standards to protect the habitat of rare, unique or endangered species; CO 6.5 and CO 8.1 – protection of Bay Estuary, and wetlands from incompatible land uses, thereby protecting habitat and CO 7.1 – protection of native plant communities. Similarly, the EPP EIR identifies potential impacts regarding:

H1: loss or damage to potential habitat;

H.2: impact to lands designated for resource conservation

H.3: impact to habitat of sensitive species and plants

With compliance to the policies of the OSCAR, as well as other City standards and requirements such as Best Management Practices and the Creek Protection Ordinance, as well as the previously listed OSCAR policies, these impacts would be reduced to a less than significant level.

Source: Oakland General Plan: Open Space, Conservation, & Recreation Element (OSCAR) and OSCAR MND  
LUTE and LUTE EIR  
EPP and EPP EIR  
Oakland CEDA, Planning and Building Divisions  
Oakland Public Works Dept. – Environmental Services

- 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?

**Comment:** There are potential wetlands as defined by the Clean Water Act located within areas containing Category 2 and 3 projects. As noted in the project description section in the Addendum, these designated projects will fully comply with local, state and federal requirements prior to construction, thus resulting in minimum disturbance of wetlands and mitigating any potentially significant impacts. Further, as noted in sub-section IV.b., these projects will be undertaken consistent with all applicable OSCAR policies and standard City practices and requirements pertaining to protection and restoration of wetlands.

<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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Source: Oakland General Plan: Open Space, Conservation, & Recreation Element (OSCAR) and OSCAR MND  
 LUTE and LUTE EIR  
 EPP and EPP EIR  
 Oakland CEDA, Planning and Building Divisions  
 Oakland Public Works Dept. - Environmental Services

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comment to d and e: Please see responses to IV. a. and b. No removal of protected trees as defined by the Tree Protection Ordinance is anticipated. The projects will result in the addition of trees. The projects will also fully comply with the Creek Protection Ordinance and all OSCAR Element policies pertaining to protection of biological resources, as detailed in the land use framework section of the Addendum and responses to IV. a. and b. Therefore, the project will not conflict with any local policies or ordinances protecting biological resources.

Sources: Tree Protection Ordinance  
 Creek Protection Ordinance  
 OSCAR Element and OSCAR Element MND  
 EPP and EPP EIR  
 LUTE and LUTE EIR  
 Oakland CEDA, Planning and Building Divisions  
 Oakland Public Works Dept. - Environmental Services

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comments: The proposed project will not conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The project is not located in an area affected by any such plans.

Source: Oakland General Plan, Open Space, Conservation, and Recreation Element, October 1995

<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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V. CULTURAL RESOURCES -- Would the project?

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

**Comments:** There are three projects that would involve changes to identified cultural resources: renovation of the Municipal Boat House at 1520 Lakeside Drive and renovation of the Studio One facility at 365 45<sup>th</sup> Street. Both of these buildings have been identified as a historic and cultural resource under CEQA. The Sailboat House is a designated City landmark and is within the Lake Merritt Historic District. Studio One is designated as a B+3 in the Oakland Cultural Heritage Survey. In addition, projects located in and around Lake Merritt would potentially affect the Lake Merritt Historic District, a designated Area of Primary Importance (API) by the Oakland Cultural Heritage Survey, and therefore designated as a historic resource because it is thus eligible for the National Register of Historic Places.

The renovation of these two buildings will not adversely affect a historical resource as defined by CEQA because the projects will be accomplished with the involvement of a qualified historic/preservation expert and both projects will be undertaken consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (1995- Weeks and Grimmer.) The other restoration, renovation and improvement projects proposed within the Lake Merritt Historic District (Categories 1 and 2) will be accomplished consistent with the physical characteristics and qualities that have been identified for the district and as identified to date, will not physically alter or impair these characteristics and physical elements because they essentially involve restoration of an existing element.

**Sources:** Historic Preservation Element  
Oakland Cultural Heritage Survey

- 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?

**Comments to Vb, c, and d:** The proposed projects do not involve extensive grading, excavation or other ground disturbance except for the hazardous materials remediation planned within the Estuary Plan area (EPP) (Category 2 – Project A). The EPP EIR has previously assessed these potential impacts and there are adopted mitigation measures to assure that any significant impact will be mitigated to a less than significant level (EPP EIR, Chapter III.G, Impact G.1/Mitigation Measure G.1 and Impact G.2 and Mitigation Measure G.2.) In addition, standard City practice and policy, as set forth in the Historic Preservation Element (HPP) requires protection of significant archeological resources

<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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(Policy 4.1). Standard City conditions and requirements for protecting archeological resources are set forth below and will apply to projects that involve extensive grading and excavation:

- A. An archeological monitoring plan shall be prepared as part of the final plans and specifications for grading and excavation projects along the Estuary (Category 2 – Project A).
- B. If cultural materials are found during earth moving activities associated with these projects, the City will comply with CEQA and ensure that the following standard conditions of approval measures are taken:
  1. Immediately halt or relocate excavations and contact a qualified archaeologist to inspect the site. If the archaeologist determines that potentially significant archaeological materials or human remains are encountered, the archaeologist must record, recover, retrieve, and/or remove any archaeological materials.
  2. The archaeologist must study any archaeological resources found onsite and publish data concerning these resources.
  3. If human remains are found onsite, the applicant must notify the Ohlone Most Likely Descendants, as designated by the California Native American Heritage Commission. The coroner shall be called and the archaeologist shall provide safe and secure storage of these remains while on-site, in the laboratory and otherwise, and shall consult with the Native American representatives regarding either onsite reburial of the remains or other arrangements for their disposition.
  4. The archaeologist shall provide a copy of documentation of all recovered data and materials found on-site to the regional information center of the California Archaeological Inventory (CAI) for inclusion in the permanent archives, and another copy shall accompany any recorded archaeological materials and data.
  5. If any historic artifacts are exposed, the archaeologist shall record the data and prepare a report to be submitted to the local historical society.

The City must maintain compliance with these measures on a continual basis during construction. At the completion of work, the applicant will submit a summary of findings to the Planning Director for review and for the final record.

Sources: Estuary Policy Plan and Estuary Policy Plan EIR  
 Oakland Cultural Heritage Survey  
 Historic Preservation Element  
 Section 15064.5 of the California Environmental Quality Act, (CEQA)  
 Project Description

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:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map for the area or based on other substantial evidence of a known fault?

**Comment:** Two fundamental geotechnical issues are present for any construction, restoration or renovation of buildings anywhere in California: 1) whether site soils and geology can support the placement of a structure, and 2) whether seismic activity would place the structure in jeopardy. The City of Oakland Buildings and Construction Code and Uniform Building Code (UBC) address these issues directly, and construction, restoration or renovation of the structures listed within the project descriptions (Category 1-Projects B.1, B.2, B.3, C.3 and Category 4-A and B) would need to follow these regulations by law. These requirements reduce potential impacts to people or structures to less than significant. The site is not in a Seismic Hazards Zone, so no special studies are required with regard to the Alquist-Priolo Act.

**Sources:** City of Oakland Engineering Services, *Special Studies Zone*, Dec. 1990  
 Oakland General Plan, Environmental Hazards Element, September 1974  
 Uniform Building Code (California Title 24, as amended)

- ii) Strong seismic ground shaking?
- iii) Seismic-related ground failure, including liquefaction?

**Comments to VI ii and iii:** The project sites are located in soil Zones III and IV on the Potential Ground Response Map (Map 5) of the City of Oakland's Environmental Hazards Element. Such soils are susceptible to intense ground shaking, seismic related ground failure and potential liquefaction in the event of an earthquake.

The submittal of detailed engineering drawings to the Building Services Division of the City of Oakland are required prior to commencing grading and construction activities on the sites subject to grading, excavation or construction of structures. Standard engineering drawings include grading calculations and other details. The proposed work must be designed and constructed in accordance with recommendations in these site specific reports.

These measures ensure that all construction is designed and built in conformance with the seismic requirements of the City of Oakland Building Code. Although some damage may occur, implementation of the building code requirements will reduce any impacts associated with groundshaking to less than significant.

**Sources:** City of Oakland Engineering Services, *Special Studies Zone*, Dec. 1990  
 Oakland General Plan, Environmental Hazards Element, September 1974  
 Uniform Building Code (California Chapter 24, as amended)

- iv) Landslides?

**Comments:** With the exception of Category 5 projects, none of the subject sites are susceptible to landslides due to their shallow slope or flat topography. Some of the

	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Less Than Significant Impact	No Impact
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potential creek restoration projects are located within areas that have been historically subject to landslide activity as listed in the Environmental Hazards Element of the Oakland General Plan. Since none of the creek restoration projects involve the construction of structures, and the restoration projects themselves will not increase the risk of landslides or expose more people to the risk of landslides due to the nature of the projects proposed (restoration of habitat, water quality improvement, etc.), there is a less than significant impact.

Sources: City of Oakland Building and Engineering Services Division  
Oakland General Plan, Environmental Hazards Element, September 1974

b) Result in substantial soil erosion or the loss of topsoil?

Comments: Projects in all categories will involve the potential for soil erosion. The City has established Best Management Practices in order to minimize wind or water erosion on the site during construction, and, as set forth in the project descriptions, as applicable, the City will implement a construction period erosion control plan to the Building Services Division for approval prior to the issuance of grading and building permits, consistent with standard City practices. The plan will be in effect for a period of time sufficient to stabilize the construction site throughout the construction process. Furthermore, storm drainage facilities shall be designed, renovated and modified to meet all applicable regulations.

Source: City of Oakland Building and Engineering Services Division

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Comment: See Section VI aii, iii, and iv.

d) Be located on expansive soil creating substantial risks to life or property?

Comment: See Section VI aii, iii, and iv.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Comments: The project sites are all fully served by Oakland's sewer system, which provides wastewater collection service. Thus, there is no proposed use of septic tanks or alternative wastewater disposal systems.

Sources: Community Services Analysis, Technical Report #5, October 1995  
Oakland General Plan: Land Use & Transportation Element, March 1998  
City of Oakland Engineering Services Division



Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments to VII a, b, c and d: The majority of the proposed projects involve renovation of, improvements to and expansion of existing parks, natural habitats and open spaces, and therefore the routine transport, use or disposal of hazardous materials, or accidents involving the release of hazardous materials, would not be expected to occur in conjunction with project implementation. The following projects, however, may expose workers or surrounding residents or businesses to potential hazards:

- Category 1 – project B.2, B.3 and Category 4 project B – restoration and renovation of existing structures; and projects involving demolition of structures, roadways and paths
- Category 2 – project A.2 – Remediate hazardous materials from contaminated soils

Some hazardous substances may be encountered during demolition of existing portions of structures (lead paint and asbestos) or during roadway demolition. In addition, certain hazardous materials may be used during construction, and could expose workers to potential health hazards. In all these instances, the City will comply with all applicable OSHA regulations regarding worker safety, consistent with standard City practices, institute lead abatement and asbestos abatement procedures complying with standards as set forth in Title 8, California Code of Regulations, Section 1532.1) prior to demolition or construction. In this way, potentially significant effects will be reduced to less than significant as part of the project. With regard to remediation of contaminated soil and groundwater that may be encountered during cleanup and remediation activities as part of Category 2- Project A, the City will comply with all applicable requirements and conditions of the governing agency, as set forth in the project description. The EPP EIR (Section H), identified an impact associated with exposure of workers and people to hazardous materials during remediation activities, and a mitigation measure was incorporated accordingly concerning preparation of on-site safety plans as required (Mitigation Measure H.5), thereby reducing the impact to a less than significant level.

	Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Incorporated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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Thus, the proposed project will not create a significant hazard to the public or the environment.

None of the subject sites are included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962, (list dated 1/23/02)

Sources: EPP and EPP EIR  
Project Description  
OSCAR Element of the City of Oakland General Plan  
Hazardous Waste and Substances Sites List – Facilities Inventory Database –  
1/23/02

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?

Comments to VII e and f: None of the projects are located within an airport land use plan. All except one of the projects are located beyond a two mile radius a public airport, public use airport, or any airstrip. The proposed East Oakland Sports Complex is located approximately 1.75 miles from Oakland International Airport, but due to the proposed design, nature and intensity of the activity, will not result in a safety hazard. Also, the projects would not result in an air safety hazard for people residing or working on the project site.

Sources: Oakland General Plan: Land Use and Transportation Element, March 1998  
Project Description

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Comments: In evaluating the project as they relate to the City of Oakland's Multi-Hazard Functional Plan ("City Emergency Plan"), there will not be interference with emergency response plans or evacuation plans nor will there be any adverse effect to the City's response and operational procedures in the event of a large scale disaster or emergency situation. The nature of these projects are water quality, park enhancement and construction, and recreation facility construction and restoration within the areas already adequately covered by the City Emergency Plan. Therefore, the degree of risk will not increase directly as the result of implementation of these projects.

Sources: Oakland General Plan: Land Use & Transportation Element, March 1998  
Draft Multi-Hazard Functional Plan of the City of Oakland, 1993  
Project Description and Plans

<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comment:** The project sites, with the exception of Category 5, are all located in a built-out, urban area that is not adjacent to nor intermixed with wildlands and are not at risk from wildland fires. Category 5 projects will involve the restoration and improvement of creeks in some hillside and wildland areas, but the degree of exposure to these areas will not increase as the result of these projects because they area all located within existing park and open space areas.

**Sources:** City of Oakland, CEDA, Planning and Building Divisions  
Project Description

### VIII. HYDROLOGY AND WATER QUALITY - - Would the project:

a) Violate any water quality standards or waste discharge requirements?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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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)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comments to VIII a and b:** The project will not substantially impact water quality or ground water supplies. Water needs for the proposed projects will be provided by East Bay Municipal Utilities District (EBMUD). The projects will not affect compliance with applicable water quality standards or water discharge requirements. No groundwater under the city is used as potable water. Where applicable, particularly with projects in Category 2, water discharge requirements and standards will be in compliance with applicable hazardous materials management plans and remediation plans.

**Sources:** Project Description  
City of Oakland CEDA, Building and Engineering Services Divisions

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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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

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments to VIII c through f: The implementation of Projects in Category 1 and Category 5 will result in beneficial impacts to water quality because they are specifically focused on improving water quality in Lake Merritt and Oakland's creeks. For those projects that involve construction near bodies of water (Lake Merritt, the Estuary and creeks), the specific project descriptions include compliance with all City erosion control standards and requirements, Best Management Practices, and as applicable, all water quality standards as set forth in the Storm Water Management Plans and Practices (SWMPP) as governed by Alameda County under the Clean Water Act. Improvements to storm water management and facilities are a part of projects in Category 1, 2, 3 and 5. Projects in these categories will be in compliance with OSCAR policies CO 6.1 – Creek Management, CO 6.2 – Creek Maintenance and Safety, OS 8 – Creek Conservation, and other policies as detailed in the land use planning framework section of the Addendum. The City's erosion control and sediment control management standards and requirements will be followed in the development of specific construction standards and provisions for all applicable projects. As part of the submittal of final plans and specifications for the applicable projects, consistent with current regulations and practices, the City will submit on-site grading and drainage plans to the Building Services Division for review prior to commencement of construction or grading activities, to ensure that surface runoff during construction and operation of the projects is adequately controlled. Thus, the proposed project would not result in significant impacts with respect to erosion, flooding, stormwater drainage system capacity, surface water quality or quantity.

Sources: OSCAR Element and OSCAR MND  
 EPP EIR  
 Oakland Community Services Analysis, Technical Report #5,  
 Oct. 1995  
 Project Description  
 Building Division and Public Works Agency

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Comments:** The projects would not result in the increased exposure of people or structures to the risk of flooding or impede or redirect flood flows because the all of them involve the reconstruction or renovation of existing facilities. Category 5 projects will, in some cases, redirect creek waters by removing existing culverts; these projects will be undertaken in full review and compliance of drainage capacity in the area. All other projects involve improvements and enhancements to existing flood control facilities.

**Sources:** Association of Bay Area Governments, *Dam Failure Inundation Hazard Maps*, <http://www.abag.ca.gov/bayarea/eqmaps/damfailure/>, accessed October 2, 2001  
 Flood Insurance Rate Map (FIRM) Floodplain Map, Federal Emergency Management Administration (FEMA), Effective date 9/30/82  
 Project Description

j) Result in inundation by seiche, tsunami, or mudflow?

**Comments:** The project sites are not located in an area subject to inundation by seiche, tsunami, or mudflow.

**Sources:** Oakland General Plan, Open Space, Conservation, and Recreation Element, October 1995  
 Project description

**IX. LAND USE AND PLANNING -- Would the project:**

a) Physically divide an established community?

**Comments:** None of the projects involve the construction of facilities that would divide an established neighborhood or community.

**Sources:** Oakland General Plan: Land Use and Transportation Element, 1998  
 Project Description and Plans

b) Conflict with 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?

**Comments:** The projects fall within two land use designations of the Oakland LUTE: Urban Open Space and Estuary Planning Area. As set forth in the planning framework section of the Addendum, all projects are consistent with the goals, objectives, policies and actions of the OSCAR, the EPP, the LUTE, and in the case of the East Oakland Sports Complex, of the Coliseum Area Redevelopment Plan. These plans would serve a beneficial impact on the environment by implementing the OSCAR policies, improving water quality, restoring habitat, increasing parks and open space, cleaning up contaminated areas of the Estuary, and increasing access to parks and open space.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Sources: LUTE  
 OSCAR  
 EPP  
 Oakland Planning Commission, Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations, May 6, 1998, amended November 3, 1999 and December 5, 2001  
 Project Description

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Comments: The proposed projects would implement the habitat conservation policies contained in the OSCAR, and other similar objectives contained in the EPP, as detailed in the planning policy framework in the Addendum. Therefore, the proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan affecting the area.

Sources: Oakland General Plan, Land Use and Transportation Element, 1998  
 Oakland General Plan: Open Space, Conservation and Recreation Element, October, 1995

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?

Comments to Questions X a and b: No known existing mineral resource have been identified on any of the project sites, therefore the project will not result in the loss of any such resources. The proposal would not involve any quarrying, mining, dredging, or extraction of mineral resources. Therefore, the proposed project would not substantially deplete or inhibit the extraction of a nonrenewable natural resource, nor will it deplete any nonrenewable natural resource.

Sources: Project Description  
 OSCAR Element, October 1995  
 Oakland General Plan, Environmental Hazards Element, 1974

XI. NOISE -- Would the project result in:

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?

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments to Questions XI a, b, c and d: The proposed project would be constructed in a built-out urban environment surrounded by similar development. The proposed project would not result in an increase in residential population since no construction of homes is proposed.

Many of the specific activities would involve construction activity, and as noted in the project descriptions, temporary construction noise would be managed through a construction management and staging plan as part of the project. Standard City conditions of approval and practices require a number of measures that will decrease the level of construction noise to the greatest feasible degree, depending on the proximity of sensitive receptors such as schools. Such measures will conform to the temporary construction noise control measures adopted by the Council on 1/16/01, including limiting hours of construction, baffling or muffling heavy equipment, and other measures. No significant long-term noise impacts will result.

Sources: Noise Element, Oakland Comprehensive Plan, 1974  
 Construction Noise Management Measures adopted by the City Council on 1/16/01  
 Project Description  
 City of Oakland, CEDA, Planning and Building Divisions

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments to Questions XI e and f: Except for the East Oakland Sports Complex, none of the project sites are located within an airport land use plan or within two miles of a public airport, public use airport, or any airstrip. The proposed sports complex will meet interior noise standards required for such facilities, and is a recreational facility that will be operated during normal business hours. Thus, the project would not result in a safety hazard for people residing or working on the project site.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Sources: Project Description  
Oakland General Plan: Land Use & Transportation Element, March 1998

**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)?

Comment: The project would not induce substantial population growth impacts either directly or indirectly because the projects involve construction, renovation and improvements to existing and designated recreational and park facilities. These actions would result in an insignificant rate of growth to the surrounding neighborhood, and would therefore not result in a significant impact related to population growth from the projections set forth in the LUTE and the Coliseum Area Redevelopment Plan.

Sources: Oakland General Plan: Land Use & Transportation Element, March 1998  
Coliseum Area Redevelopment Plan  
Project Description and Plans

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?

Comments on XII b and c: The proposed projects focus on the improvement, restoration, renovation and expansion of currently designated parks, recreational facilities and open space. No housing units will be affected by the implementation of these projects.

Sources: Project Description  
Oakland General Plan, Land Use & Transportation Element, March 1998

**XIII. PUBLIC SERVICES - - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 following public services:**

a) Fire protection?

b) Police protection?



	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Comments:** The proposed project would result in an insignificant increase in the level of public services which are already provided to these existing park, recreational, and conservation site. These sites are already being adequately served by the City of Oakland, and therefore insignificant levels of change would be required to maintain acceptable service ratios, response times, or other performance objectives for any of the above public services.

**Sources:** Project Description  
Community Services Analysis, Technical Report 5, October 1995  
2000 Census

#### XIV. RECREATION - - Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Comments:** As described in the project description section of the Addendum, the proposed projects involve the improvement and enhancement of currently designated park, recreational and conservation areas. Although the projects may result in increased use of these existing park, recreational and open space areas, this increase is not anticipated to create an any significant impact on the physical deterioration of parks and recreation facilities or create the further need to expand or construct any new facilities. The project would not result in the removal of any facilities currently considered a park by the City of Oakland. Rather, many of the projects will implement the policies and objectives of the OSCAR to enhance and expand recreational and park opportunities in the City. No significant adverse impact will result from the project.

**Sources:** Project Description  
OSCAR Element  
LUTE

#### 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Less Than Significant Impact	No Impact
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**Comments:** Category 1 – Projects C.1, C.2, C.4, C.5, C.6 and C.7 involve realignment and revisions to existing transportation facilities in the City of Oakland. These improvements as discussed in the project descriptions in the Addendum, involve changes that will not result in decreased capacity that will impact level of service. Project C.1 will change the nature of 12<sup>th</sup> Street in the vicinity of Lake Merritt from a through street to a major arterial with four new intersections. This change will increase pedestrian safety by offering more controlled crossings to Lake Merritt. The change proposed for Lakeside and Harrison will similarly change the alignment of the intersection to a more standard design and allow safer access to Lake Merritt and Snow Park. These changes have been schematically and programmatically reviewed using traffic counts and projections based on actual traffic patterns and growth projections from the City’s General Plan and ABAG. None of the existing or anticipated traffic demand will be detrimentally impacted by these changes and no significant adverse effects will result from these changes. As also noted in the project description, these improvements encompass the preparation of a detailed engineering study with elements such as detours, construction staging and management, transit accommodations, demolition plan, and other requirements in compliance with the City’s standards, conditions and policies, thereby minimizing temporary impacts during construction. With regard to the East Oakland Sports Complex, the intersections surrounding this project are operating at an acceptable level of service and none of the expected increases resulting from the project would result in a peak hour trip increase of more than 3 percent above what has been projected by other anticipated activities in the redevelopment plan area. The site is surrounded by industrial activities that generate relatively few daily trips along Edes Avenue. The main access point, 98<sup>th</sup> Avenue, is expected to continue to operate at LOS D or above during peak hours, as projected in the CARDP traffic analysis. No significant traffic impacts would result from the Complex.

**Source:** Oakland General Plan: LUTE  
 Traffic Impact Analysis for Lakepoint Tower Project, Korve Engineering (4/01)  
 DKS traffic report, June, 2002, available at the City of Oakland, Community and  
 Economic Development Agency, Planning and Zoning Division  
 Coliseum Area Redevelopment Plan EIR

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways ?

**Comment:** None of the roadway alignment or changes will result in a decrease in the level of service for any intersection that would be considered significant, either as part of the project or cumulatively, see response to XV. a. The projected traffic increases for the Sports Center fall within the analysis previously completed for the CARDP EIR as part of the Alameda Congestion Management Agency land use requirements.

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?

**Comments:** None of the proposed projects would result in a change in air traffic patterns.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Sources: Project Description

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Comment: The project sites involving changes to roadways are all located in areas of high daily traffic volumes. These projects include restoration of more standard geometrics for downtown city streets along 12<sup>th</sup> Street, Harrison and 20<sup>th</sup> Streets, thereby decreasing hazards. No incompatible uses are proposed. Rather, these changes have been considered in order to provide more compatibility between the Lake Merritt and Estuary areas and the urban development that surrounds them.

Sources: Project Description  
Engineering Services Division, Community and Economic Development Agency, City of Oakland

e) Result in inadequate emergency access?

Comments: None of the proposed roadway changes will result in a decrease of emergency access, because the changes will result in the maintenance of existing street access.

Sources: Project Description  
City of Oakland, CEDA, Planning and Building Divisions

f) Result in inadequate parking capacity?

Comment: The changes proposed in the parking capacity for areas in and around Lake Merritt have been calculated using a "no net loss" strategy. Thus, existing parking capacity will be maintained, as detailed in the project descriptions. For the East Oakland Sports Center Complex, sufficient land area exists to cover the projected parking demand, and if required, a parking management plan will be instituted to increase efficiency of existing parking at the Ira Jenkins Center.

Sources: Project Description  
City of Oakland Planning Code (Off-Street Parking, § 17.116.060)

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Comments: This project results in implementation of many of the LUTE's objectives and policies concerning increasing pedestrian and bicycle access in the central downtown, and increasing access to parks and recreational facilities. The street changes proposed will fully consider bus access and account for bus and transit stop improvements, as detailed in the project descriptions.

Sources: Land Use and Transportation Element of the Oakland General Plan  
Bicycle Master Plan, July 20, 1999  
AC Transit Bus System Map, August 2000

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. UTILITIES AND SERVICE SYSTEMS - - Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments to Questions XVI a, b, c, d, e, f and g: The proposed project sites are located a densely developed urban area already served by utilities and service systems, and would result in an incremental increase in demand for utilities and service systems in the immediate project area. The Community Services Analysis prepared for the LUTE as well as the OSCAR MND stated that future expansion of recreational or conservation areas were well within the capacity of existing utilities and service systems. The infrastructure improvements that are proposed would address the connections to and improvements to the affected public utilities prior to issuance of service connections, as applicable..

Sources: Oakland General Plan: Land Use & Transportation Element, Community Services Analysis, Technical Report #5, October 1995  
 OSCAR and OSCAR MND  
 Oakland General Plan: Land Use and Transportation Element  
 Coliseum Area Redevelopment Plan and RDP EIR  
 Project Description

<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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**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?

**Comments to Mandatory Findings of Significance:** As set forth in this initial study, and in the previously certified and adopted environmental documents incorporated by reference including the OSCAR MND, the LUTE EIR, the EPP EIR and the Coliseum Area Redevelopment Plan EIR, the proposed projects included within the Oakland Clean Water, Safe Waterfront Parks and Recreation Trust Fund ballot measure would not degrade the quality of the environments with respect to plant or animal habitats. This finding is made because the projects included will not result in adverse effects and will have the environmental benefits of restoring Lake Merritt Park, restoring habitat, improving water quality and constructing parks that will increase recreational opportunities in the City of Oakland. The activities proposed to restore and renovate historic resources (Municipal Sailboat house, Studio One and projects falling within the Lake Merritt Historic District) will be accomplished consistent with the Secretary of Interior's standards and will be overseen by a qualified historic preservation consultant. The cumulative effects of the project with respect to traffic, air quality and noise would be less than significant with standard conditions of approval incorporated and because there have been no new significant impacts identified as part of this Initial Study that have not been previously identified in the certified environmental documents listed as part of the Addendum. The project does not have any potential environmental effects which will cause substantial adverse effects on human beings. This is because the proposed land uses are consistent and compatible with existing and planned land use, objectives and policies as set forth in the Addendum. The proposed projects will comply as required, with all conditions and standards as to the handling and treatment of hazardous wastes as set forth in this Initial Study.

**Sources:** OSCAR and OSCAR MND  
 LUTE and LUTE EIR  
 Estuary Policy Plan and EPP EIR  
 Coliseum Area Redevelopment Plan and Redevelopment Plan EIR

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

FILED  
OFFICE OF THE CITY  
CLERK  
CITY ATTORNEY  
*Mark P. Wald*

2005 JUN 16 PM 6:38

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C. M. S.

## RESOLUTION AMENDING RESOLUTION No. 66328 C.M.S. BY ADOPTING CHANGES TO THE BAY TRAIL ALIGNMENT THROUGH OAKLAND

**WHEREAS**, California Senator Bill Lockyer authored legislation in 1987 (SB100) which required that the Association of Bay Area Governments (ABAG) plan a regional trail, responsive to all Bay Area interests; and

**WHEREAS**, In July 1989, a plan for creating and developing a 400 mile regional hiking and biking trail around the perimeter of the San Francisco and San Pablo Bays was adopted by ABAG; and

**WHEREAS**, On June 13, 1989, the City of Oakland passed Resolution no. 66328 affirming support for the Bay Trail plan and the proposed alignment through Oakland; and

**WHEREAS**, the Estuary Policy Plan, adopted as a part of the Oakland General Plan on June 8, 1999, calls for an extensive network of open space and public access improvements along the Oakland waterfront; and

**WHEREAS**, the City Council directed staff to pursue funding to study the feasibility of creating a continuous pathway for bicyclists and pedestrians along the Oakland Estuary between Jack London Square and the Oakland Airport; and

**WHEREAS**, the City of Oakland was awarded grants of \$200,000 each from the California Coastal Conservancy and the San Francisco Bay Trail Regional Development Program for a total of \$400,000 to fund a design and feasibility study for the proposed waterfront pathway; and

**WHEREAS**, over the course of a year, the nationally recognized landscape architecture and urban design firm of EDAW, Inc. in collaboration with Hood Design, led a multi-disciplinary consulting team in conducting a feasibility and master planning process for the Oakland Waterfront Bay Trail that involved a wide range of park users, local businesses, residents, issue-specific advocates and other members of the public as well as staff from many City agencies; and which included a community survey process, an "open house" at which the general public was welcome to provide comments and feedback to feasibility study and master plan recommendations and alternatives, interviews with stakeholders, two "visioning" sessions, a series of roundtable discussions with organized constituencies, and meetings with technical staff; and

**WHEREAS**, In September 2003, at the end of the feasibility study funded by the San Francisco Bay Trail Project and the California Coastal Conservancy, EDAW, Inc. has produced a feasibility and design guidelines document that contains well-thought-out recommendations in the areas of recreation, ecology, access and circulation, water quality, historic preservation, and maintenance for the Oakland Waterfront

Trail ; and

**WHEREAS**, the feasibility study concluded that it is possible to align the Bay Trail directly adjacent to the waterfront; and

**WHEREAS**, in order to be eligible for grant funding available from the Bay Trail grant program, the City of Oakland is required to formally recognize modifications to the Bay Trail plan as set forth in the Oakland Waterfront/Bay Trail Feasibility Study; and

**WHEREAS**, the Oakland Waterfront Feasibility Study and Design Guidelines is a planning and feasibility study for potential future actions that are not currently approved, or adopted, and which will inform future decision-making but does not have a legally binding effect on later activities; and

**WHEREAS**, the City of Oakland has met California Environmental Quality Act (CEQA) requirements for capital development projects that will result in a shoreline Bay Trail alignment through the preparation and certification of an Addendum for the Clean Water, Safe Waterfront Parks, and Recreation Trust Fund Ballot Measure (Measure DD) in June 2002, which was based upon the previously certified Environmental Impact Reports (EIRs) for the Oakland Land Use and Transportation element (LUTE) of the General Plan; the Estuary Policy Plan, and the Coliseum Redevelopment Plan; and

**WHEREAS**, none of the circumstances in CEQA Guidelines Sections 15162 and 15163 apply and that further environmental review is not required; **now, therefore, be it**

**RESOLVED:** That the City Council has independently reviewed and considered the environmental documents for the proposed project and finds this resolution complies with CEQA for the reasons stated above and directs that a Notice of Determination be filed with the County; and be it further

**FURTHER RESOLVED:** That the City Council amends Resolution No. 66328 by changing the preferred alignment of the Bay Trail through Oakland to that depicted on Attachment A; and be it

**FURTHER RESOLVED** that the City Council commends EDAW and Hood Design and its subconsultants for the outstanding work involved in developing the Oakland Waterfront Bay Trail Feasibility Study and Design Guidelines plan; and be it

**FURTHER RESOLVED** that the City Council expresses its desire to see the plan implemented using Measure DD funds in order to acknowledge Oakland as a waterfront City, and provide access and recreation opportunities to the citizens of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, 20

**PASSED BY THE FOLLOWING VOTE:**

AYES– BRUNNER, CHANG, BROOKS, NADEL, REID, KERNIGHAN, QUAN AND  
PRESIDENT DE LA FUENTE

NOES–

ABSENT–

ABSTENTION–

ATTEST:

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

CITY ATTORNEY

2005 JUN 16 PM 6: 38

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C. M. S.

## RESOLUTION AUTHORIZING THE APPLICATION, ACCEPTANCE AND APPROPRIATION OF UP TO \$300,000 FROM THE SAN FRANCISCO BAY TRAIL PROJECT FOR CRYER SEGMENT OF THE OAKLAND WATERFRONT BAY TRAIL

**WHEREAS**, The San Francisco Bay Trail Project has announced the availability of grant funds to complete undeveloped segments of the 500-mile Bay Trail; and

**WHEREAS**, In partnership with the California Coastal Conservancy, the San Francisco Bay Trail Project is soliciting applications for trail planning and construction projects to complete gaps in the Bay Trail; and,

**WHEREAS**, \$3,800,000 is available from Proposition 40 to fund projects that complete Bay Trail gaps, provide strong leverage with local and in-kind matching contributions, demonstrate partnerships, encourage creative solutions and employ the California Conservation Corps; and,

**WHEREAS**, said adopted procedures established by the California Coastal Conservancy require the San Francisco Bay Trail Project and applicant of Proposition 40 funds appropriated to the San Francisco Bay Trail project to certify by resolution the approval of applications prior to submission of said applications to the state; and

**WHEREAS**, the City of Oakland has met California Environmental Quality Act (CEQA) requirements for capital development projects that will result in a shoreline Bay Trail alignment through the preparation and certification of an Addendum for the Clean Water, Safe Waterfront Parks, and Recreation Trust Fund Ballot Measure (Measure DD) in June 2002, which was based upon the previously certified Environmental Impact Reports (EIRs) for the Oakland Land Use and Transportation element (LUTE) of the General Plan; the Estuary Policy Plan, and the Coliseum Redevelopment Plan; and

**WHEREAS**, none of the circumstances in CEQA Guidelines Sections 15162 and 15163 apply and that further environmental review is not required; **now, therefore, be it**

**RESOLVED:** That the City Council has independently reviewed and considered the environmental documents for the proposed project and finds this resolution complies with CEQA for the reasons stated above and directs that a Notice of Determination be filed with the County; and be it further



**RESOLVED** that the City Council hereby:

1. Approves the filing of an application, and the acceptance and appropriation of funds if awarded, for San Francisco Bay Trail Program assistance for up to \$300,000 in trail access components for the Cryer segment of the Oakland Waterfront Bay Trail; and
2. Appoints the City Administrator as agent of the City to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, agreements, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the grant funded under the San Francisco Bay Trail funding program, subject to the approval of the City Attorney.
3. Directs the Budget Office to appropriate grant funds received for this project to State of California - Other Grants Fund (2159).

IN COUNCIL, OAKLAND, CALIFORNIA, 20

**PASSED BY THE FOLLOWING VOTE:**

AYES- BRUNNER, CHANG, BROOKS, NADEL, REID, KERNIGHAN, QUAN AND  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST:

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
*A. J. ...*  
CITY ATTORNEY

2005 JUN 16 PM 6:38

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C. M. S.

## RESOLUTION AUTHORIZING THE APPLICATION, ACCEPTANCE AND APPROPRIATION OF UP TO \$200,000 FROM THE SAN FRANCISCO BAY TRAIL PROJECT FOR THE ALAMEDA AVENUE SEGMENT OF THE OAKLAND WATERFRONT BAY TRAIL

**WHEREAS**, The San Francisco Bay Trail Project has announced the availability of grant funds to complete undeveloped segments of the 500-mile Bay Trail; and

**WHEREAS**, In partnership with the California Coastal Conservancy, the San Francisco Bay Trail Project is soliciting applications for trail planning and construction projects to complete gaps in the Bay Trail; and,

**WHEREAS**, \$3,800,000 is available from Proposition 40 to fund projects that complete Bay Trail gaps, provide strong leverage with local and in-kind matching contributions, demonstrate partnerships, encourage creative solutions and employ the California Conservation Corps; and,

**WHEREAS**, said adopted procedures established by the California Coastal Conservancy require the San Francisco Bay Trail Project and applicant of Proposition 40 funds appropriated to the San Francisco Bay Trail project to certify by resolution the approval of applications prior to submission of said applications to the state; and

**WHEREAS**, the City of Oakland has met California Environmental Quality Act (CEQA) requirements for capital development projects that will result in a shoreline Bay Trail alignment through the preparation and certification of an Addendum for the Clean Water, Safe Waterfront Parks, and Recreation Trust Fund Ballot Measure (Measure DD) in June 2002, which was based upon the previously certified Environmental Impact Reports (EIRs) for the Oakland Land Use and Transportation element (LUTE) of the General Plan; the Estuary Policy Plan, and the Coliseum Redevelopment Plan; and

**WHEREAS**, none of the circumstances in CEQA Guidelines Sections 15162 and 15163 apply and that further environmental review is not required; **now, therefore, be it**

**RESOLVED**: That the City Council has independently reviewed and considered the environmental documents for the proposed project and finds this resolution complies with CEQA for the reasons stated above and directs that a Notice of Determination be filed with the County; and be it further

**RESOLVED** that the City Council hereby:

1. Approves the filing of an application, and the acceptance and appropriation of funds if awarded, for San Francisco Bay Trail Program assistance for up to \$200,000 in trail access components for the Alameda Avenue segment of the Oakland Waterfront Bay Trail; and
2. Appoints the City Administrator as agent of the City to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, agreements, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the grant funded under the San Francisco Bay Trail funding program, subject to the approval of the City Attorney.
3. Directs the Budget Office to appropriate grant funds received for this project to State of California - Other Grants Fund (2159).

IN COUNCIL, OAKLAND, CALIFORNIA, 20

**PASSED BY THE FOLLOWING VOTE:**

AYES- BRUNNER, CHANG, BROOKS, NADEL, REID, KERNIGHAN, QUAN AND  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

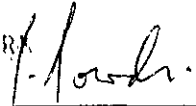
ABSTENTION-

ATTEST:

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND



2005 JUN 16 PM 6:38

CITY ATTORNEY

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C. M. S.

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RESOLUTION AUTHORIZING THE APPLICATION, ACCEPTANCE AND  
APPROPRIATION OF UP TO \$200,000 FROM THE SAN FRANCISCO BAY TRAIL  
PROJECT FOR THE LAKE MERRITT BICYCLE/PEDESTRIAN PATH PROJECT

**WHEREAS**, The San Francisco Bay Trail Project has announced the availability of grant funds to complete undeveloped segments of the 500-mile Bay Trail; and

**WHEREAS**, In partnership with the California Coastal Conservancy, the San Francisco Bay Trail Project is soliciting applications for trail planning and construction projects to complete gaps in the Bay Trail; and,

**WHEREAS**, \$3,800,000 is available from Proposition 40 to fund projects that complete Bay Trail gaps, provide strong leverage with local and in-kind matching contributions, demonstrate partnerships, encourage creative solutions and employ the California Conservation Corps; and,

**WHEREAS**, said adopted procedures established by the California Coastal Conservancy require the San Francisco Bay Trail Project and applicant of Proposition 40 funds appropriated to the San Francisco Bay Trail project to certify by resolution the approval of applications prior to submission of said applications to the state; and

**WHEREAS**, the City of Oakland has met California Environmental Quality Act (CEQA) requirements for capital development projects that will result in a shoreline Bay Trail alignment through the preparation and certification of an Addendum for the Clean Water, Safe Waterfront Parks, and Recreation Trust Fund Ballot Measure (Measure DD) in June 2002, which was based upon the previously certified Environmental Impact Reports (EIRs) for the Oakland Land Use and Transportation element (LUTE) of the General Plan; the Estuary Policy Plan, and the Coliseum Redevelopment Plan; and

**WHEREAS**, none of the circumstances in CEQA Guidelines Sections 15162 and 15163 apply and that further environmental review is not required; **now, therefore, be it**

**RESOLVED**: That the City Council has independently reviewed and considered the environmental documents for the proposed project and finds this resolution complies with CEQA for the reasons stated above and directs that a Notice of Determination be filed with the County; and be it further

**RESOLVED** that the City Council hereby:

1. Approves the filing of an application, and the acceptance and appropriation of funds if awarded, for San Francisco Bay Trail Program assistance for up to \$200,000 in trail access components for the Lake Merritt Bicycle/Pedestrian Path project as a connector to the Bay Trail spine trail; and
2. Appoints the City Administrator as agent of the City to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, agreements, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the grant funded under the San Francisco Bay Trail funding program, subject to the approval of the City Attorney.
3. Directs the Budget Office to appropriate grant funds received for this project to *State of California - Other Grants Fund (2159)*.

IN COUNCIL, OAKLAND, CALIFORNIA, 20

**PASSED BY THE FOLLOWING VOTE:**

AYES- BRUNNER, CHANG, BROOKS, NADEL, REID, KERNIGHAN, QUAN AND  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST:

*LaTonda Simmons*  
City Clerk and Clerk of the Council  
of the City of Oakland, California

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

  
CITY ATTORNEY

2005 JUN 16 PM 6: 38

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C. M. S.

## RESOLUTION AUTHORIZING THE APPLICATION, ACCEPTANCE AND APPROPRIATION OF UP TO \$200,000 FROM THE SAN FRANCISCO BAY TRAIL PROJECT FOR THE WEST OAKLAND BAY TRAIL GAP CLOSURE PROJECT

**WHEREAS**, The San Francisco Bay Trail Project has announced the availability of grant funds to complete undeveloped segments of the 500-mile Bay Trail; and

**WHEREAS**, In partnership with the California Coastal Conservancy, the San Francisco Bay Trail Project is soliciting applications for trail planning and construction projects to complete gaps in the Bay Trail; and,

**WHEREAS**, \$3,800,000 is available from Proposition 40 to fund projects that complete Bay Trail gaps, provide strong leverage with local and in-kind matching contributions, demonstrate partnerships, encourage creative solutions and employ the California Conservation Corps; and,

**WHEREAS**, said adopted procedures established by the California Coastal Conservancy require the San Francisco Bay Trail Project and applicant of Proposition 40 funds appropriated to the San Francisco Bay Trail project to certify by resolution the approval of applications prior to submission of said applications to the state; and

**WHEREAS**, the City of Oakland has met California Environmental Quality Act (CEQA) requirements for capital development projects that will result in a shoreline Bay Trail alignment through the preparation and certification of an Addendum for the Clean Water, Safe Waterfront Parks, and Recreation Trust Fund Ballot Measure (Measure DD) in June 2002, which was based upon the previously certified Environmental Impact Reports (EIRs) for the Oakland Land Use and Transportation element (LUTE) of the General Plan; the Estuary Policy Plan, and the Coliseum Redevelopment Plan; and

**WHEREAS**, none of the circumstances in CEQA Guidelines Sections 15162 and 15163 apply and that further environmental review is not required; **now, therefore, be it**

**RESOLVED:** That the City Council has independently reviewed and considered the environmental documents for the proposed project and finds this resolution complies with CEQA for the reasons stated above and directs that a Notice of Determination be filed with the County; and be it further

**RESOLVED** that the City Council hereby:

1. Approves the filing of an application, and the acceptance and appropriation of funds if awarded, for San Francisco Bay Trail Program assistance for \$200,000 in trail access components for the West Oakland Bay Trail Gap Closure project; and
2. Appoints the City Administrator as agent of the City to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, agreements, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the grant funded under the San Francisco Bay Trail funding program, subject to the approval of the City Attorney.
3. Directs the Budget Office to appropriate grant funds received for this project to *State of California - Other Grants Fund (2159)*.

IN COUNCIL, OAKLAND, CALIFORNIA, 20

**PASSED BY THE FOLLOWING VOTE:**

AYES- BRUNNER, CHANG, BROOKS, NADEL, REID, KERNIGHAN, QUAN AND  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST:

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California