

# Section 3

## Master Responses to Comments on the Draft EIR

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### 3.1 INTRODUCTION

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This section contains master responses to address comments that were raised repeatedly and to provide information in a comprehensive, easily-located discussion that clarifies and elaborates upon the analyses in the Draft EIR. The master responses address the following topics:

- Master Response 1: Description of the Project and its Components;
- Master Response 2: Circulation and Safety Around the Project Area Vicinity;
- Master Response 3: Air Quality and Public Health Concerns;
- Master Response 4: Cultural Resources; and
- Master Response 5: Socioeconomic Considerations Related to the Project.

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### 3.2 MASTER RESPONSES

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#### **Master Response 1: Description of the Project and its Components**

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This master response addresses comments regarding the Project and its components. The information is organized into the following topics:

- additional explanation and detail regarding the proposed General Plan amendment and rezoning;
- the purpose and need to examine different development scenarios for the Project;
- comparison of the proposed Wood Street Zoning District and conventional zoning districts;
- suggestions to modify the Project components;
- comparison of the Project against the existing land use classifications and policies for the Project Area; and
- applicability of various plans and policies to the Project.

#### **The Project – A Proposed General Plan Amendment and Rezoning**

The Project studied in this EIR is the range of development that would be permitted by the proposed Wood Street Zoning District. While development proposals are being pursued by different applicants and along different timelines pursuant to the proposed General Plan amendment and new zoning district

for the Project Area, the best way to study this range of development in a comprehensive manner, as determined by City of Oakland staff, was to combine the development proposals into a single EIR. Each one of these development proposals could comprise a separate project under the California Environmental Quality Act (CEQA), and could have been studied in a separate EIR. However, because the Project Sponsors have coordinated in proposing a change in the General Plan land use classification from Business Mix to Urban Residential and a single zoning district for all of their proposals, and in order to ensure a comprehensive review of the collection of development proposals, the proposed General Plan amendment, zoning district, and all the development proposals are studied together in one EIR and are collectively referred to as the “Project.”

One approval required to implement the Project would be rezoning the Project Area to the proposed Wood Street Zoning District Standards, Guidelines, and Regulations for Development and Use of Property within the Wood Street Zoning District. This proposed zoning district is included in the Draft EIR as Appendix H. The Wood Street Zoning District proposes a set of land uses, development standards, and design guidelines to regulate future development. Typical zoning regulations, such as height limits, building intensities, residential densities, and setbacks, are established for nine subareas that comprise the Project Area. In addition, the proposed Wood Street Zoning District includes architectural and design guidelines that seek to promote visual interest, pedestrian friendliness, an attractive streetscape, and visual compatibility with existing nearby development. These proposed guidelines cover project features such as building articulation, the amount of occupied space along the street frontage, design of awnings, and building massing. These standards, uses, and an illustrative concept of how development might be organized in the Project Area are described in Section 2, Project Description, of the Draft EIR. It is those physical attributes of the range of development that would be permitted under the proposed Wood Street Zoning District that this EIR studies.

The proposed Wood Street Zoning District also identifies three “overlay zones” within the Project Area, which would impose additional development standards and design guidelines. The overlay zones, identified below, were proposed to ensure future buildings in the Project Area would be developed with appropriate massing, setbacks, and relationship to surrounding conditions.

- 1. Proposed Wood Street Overlay Zone** – The purpose of the proposed Wood Street Overlay Zone is to establish a transition in scale from the existing neighborhood to the mixed-use development and to promote an active and pedestrian-scaled street frontage. The proposed Wood Street Overlay Zone affects a 30-foot-wide land area measured from the western edge of the Wood Street right-of-way from 12<sup>th</sup> Street to 20<sup>th</sup> Street. To achieve this purpose, the development standards specific to the proposed Wood Street Overlay Zone would do the following:
  - a. reduce allowable height for buildings within the Overlay Zone from 65 feet to 50 feet;
  - b. require occupied building frontage and multiple street level entries at the street line;  
and
  - c. limit the placement of parking facilities on Wood Street.

In addition, the design guidelines specific to the proposed Wood Street Overlay Zone would do the following:

- a. encourage additional articulation of building massing adjacent to Wood Street; and
  - b. limit utility and service areas facing the street line.
- 2. Plaza Overlay Zone** – The purpose of the proposed Plaza Overlay Zone is to ensure that new development fronting the 16<sup>th</sup> Street Plaza creates a well-defined urban space with active ground-floor uses facing the 16<sup>th</sup> Street Plaza, and to ensure that the scale of new buildings is complementary to the scale of the 16<sup>th</sup> Street Train Station. The Plaza Overlay Zone affects a 30-foot-wide land area of Development Area Four along 16<sup>th</sup> Street starting at the Wood Street westernmost right-of-way line stretching to a point that is 200 feet west of Wood Street. The Overlay Zone affects a 30-foot-wide land area of Development Area Six along its southernmost boundary starting at the Wood Street westernmost right-of-way line stretching to a point that is 150 feet west of Wood Street. To achieve this purpose, the development standards specific to the Plaza Overlay Zone are proposed to accomplish the following:
- a. reduce allowable heights for buildings within the Overlay Zone from 65 feet to 50 feet or 40 feet;
  - b. require continuous building frontage on the Plaza with publicly accessible uses at the ground floor; and
  - c. exclude the placement of parking facilities at the ground level of buildings fronting the Plaza.

In addition, the design guidelines specific to the proposed Plaza Overlay Zone would do the following:

- a. encourage provision of awnings or other pedestrian shelters at buildings fronting the Plaza.
- 3. Frontage Road Overlay Zone** – The purpose of the proposed Frontage Road Overlay Zone is to allow greater flexibility for development facing onto a busy arterial street. The Frontage Road Overlay Zone would affect a 20-foot-wide land area parallel to the frontage road, as measured from the eastern street right-of-way line of frontage road, and would extend from 10<sup>th</sup> Street north to the southern edge 16<sup>th</sup> Street. To achieve this purpose, the development standards specific to the proposed Frontage Road Overlay Zone would allow parking facilities to be placed at the street line subject to requirements for screening and/or provision of occupied building frontage above parking facilities.

## **Purpose and Function of Development Scenarios for the Project**

The proposed Wood Street Zoning District allows flexibility in the permitted uses within different development areas. Specifically, some of the designated development areas would permit either residential or commercial uses. This EIR determined that different types of environmental impacts

would be generated, depending upon the actual use ultimately made of the property. The EIR therefore studies a range of potential impacts by identifying various scenarios that could be developed pursuant to the proposed Wood Street Zoning District (see text beginning on page 3.1-2, titled “Environmental Approach to Addressing Development Variations for the Project Area”). To indicate the environmental impacts that could result from residential development, the EIR defines and studies a “Maximum Residential Scenario,” which describes the impacts that would likely result if Development Areas Two, Four, and Eight develop residential uses to the maximum extent permitted under the proposed Wood Street Zoning Regulations. To indicate the environmental impacts that could result from commercial development, the EIR defines and evaluates a “Maximum Commercial Scenario,” which studies the impacts that could result if Development Areas Two, Four, and Eight develop commercial uses to the maximum extent permitted under the proposed Wood Street Zoning Regulations. These scenarios are described on page 2-11 of the Draft EIR. Under both scenarios, the Main Hall and Signal Tower of the 16<sup>th</sup> Street Train Station are proposed for reuse incorporating exhibit space, commemorating the station’s history, and potentially serving as a venue for private and public events.

This EIR also evaluates a Maximum Trips Scenario, which was developed to ensure that potential traffic impacts were identified based on the combination of land uses that yield the maximum number of trips. The traffic engineers determined that maximum commercial development of Development Areas Four and Eight, combined with maximum residential development of the other areas, would result in the greatest number of trips during peak hours and would also generate the greatest number of daily trips. This configuration of development is described on pages 3.1-3 and 3.4-13 of the Draft EIR. To resolve any concern about whether the live/work units should be categorized as commercial, residential, or both, and to ensure an accurate projection of trips generated by the live/work units, the traffic engineers conducted a survey of the trips generated by existing, comparable live/work units. This survey is included in the Draft EIR, Appendix B. Mitigation measures to address the identified traffic impacts are based upon the impacts projected under the Maximum Trips Scenario.

The Maximum Residential, Maximum Commercial, and Maximum Trips Scenarios were used in evaluating issues and potential environmental impacts as follows:

Land Use	Maximum Residential and Maximum Commercial Scenarios
Visual Quality	Maximum Residential and Maximum Commercial Scenarios
Transportation	Maximum Trips Scenario
Noise	Maximum Residential and Maximum Trips Scenarios
Air Quality	Maximum Residential and Maximum Trips Scenarios
Cultural Resources	Impacts of all scenarios are the same.
Hazardous Materials	Impacts of all scenarios are the same.
Soils, Geology, and Seismicity	Impacts of all scenarios are the same.
Hydrology and Water Quality	Maximum Residential and Maximum Commercial Scenarios
Biological Resources	Impacts of all scenarios are the same.

Population, Employment, and Housing	Maximum Residential and Maximum Trips Scenarios
Utilities	Maximum Residential and Maximum Trips Scenarios
Public Services	Maximum Residential and Maximum Trips Scenarios

The impacts of any combination of scenarios can be derived from the analyses in this EIR. The Maximum Residential, Maximum Commercial, and Maximum Trips Scenarios “bracket” the type and severity of environmental impact that could result from any other combination of permitted uses within the Project Area. In other words, the three development scenarios (Maximum Residential, Maximum Commercial, and Maximum Trips) enable the public and the decision makers to evaluate the maximum potential impacts associated with rezoning the entire Project Area. Thus, contrary to the suggestions by some commentors, the EIR evaluates the proposed future development of the Project Area, as well as various development scenarios that may emerge from the application of the proposed zoning district standards and regulations.

Some commentors stated that the EIR incorrectly assumed that the proposed Wood Street Zoning District would be enacted. However, there is no assumption that these zoning regulations, or any aspect of the Project, will be approved. Instead, the EIR evaluates the environmental impacts of the Project if it were approved and developed. This EIR provides a project-level analysis of environmental impacts and is intended to support all approvals required to build and operate the Project. If the Project were to be approved, and then a Project Sponsor were to propose a land use or building form not within the ranges evaluated in this EIR, the City is required to determine whether further environmental review would be required.

Prior to development within a particular development area, the Project Sponsor will need to submit preliminary and final development plans for City approval. Some commentors suggested that the EIR should not have evaluated Development Area Five, or any development that is not precisely defined in a preliminary or final development plan. However, a proposal to rezone property is considered a “project” and must be evaluated under CEQA. If no environmental review were performed until a preliminary or final development plan were submitted, the public and decision makers would not have the underlying, comprehensive environmental analysis to assess the entirety of impacts associated with the actions to change the land uses in the Project Area.

When a preliminary development plan is submitted, the City will be required to evaluate whether additional environmental review is required. A supplemental or subsequent EIR would be required if there are changes to the Project, changes to the circumstances under which the Project is undertaken, or new information, any of which reveal new significant environmental effect or a substantial increase in the severity of a previously identified significant effect.

**Comparison of Wood Street Zoning District with Conventional Zoning Districts**

Several commentors questioned why the EIR did not evaluate standard zoning districts already included in the Oakland Municipal Code, or compare the Project zoning with the more conventional districts. The proposed Wood Street Zoning District, including its overlay zones, is fashioned after standard

zoning districts as depicted in Table CR 3-1 in this Final EIR. In general, Table CR 3-1 shows residential and commercial densities would be lower under the Project than if the corresponding standard zoning district were applied, buildings may be taller and setbacks would be less under the Project, open space would be less under the Project, and off-street parking rates would be the same.

Some commentors may have intended to suggest that use of conventional zoning districts be studied as an alternative to the Project. This EIR did not consider development under standard residential zoning districts as an alternative to the Project, because the range of alternatives studied in the EIR is broader and provides a more detailed review of the types of impacts that could be expected from development of the alternatives than would an alternative based on standard zoning districts. Also, use of the standard zoning districts would not permit the flexibility incorporated in the proposed Wood Street Zoning Regulations to adjust development to relate better to adjoining development in terms of building heights, massing, and other design considerations. In particular, future development along the Wood Street frontage of the Project Area would need to comply with a specially proposed overlay zone – the proposed Wood Street Overlay Zone – the purpose of which would be to regulate the building heights and setbacks, and incorporate design features to assure that the scale and massing of the new development relate to the existing residential uses on the east side of Wood Street. Finally, the range of alternatives studied in this EIR is reasonable, and additional alternatives are not necessary to make the range reasonable.

In any event, information about the environmental impacts that would result from use of all or some of the standard zoning districts referenced in Table CR 3-1 can be determined from this EIR. To the extent that standard zoning districts would result in lower densities, information can be determined from the discussion of Project impacts and from the discussion of the Reduced Project Alternative. A reduction in residential density or commercial floor area ratio would result in a proportionate reduction in population-related impacts such as traffic, public service and utility demand, and population and housing changes. For impacts resulting from the physical location of the development, such as biological, cultural, and geological effects, there would be little difference between the proposed Wood Street Zoning Regulations and the standard zoning districts, because use of these districts would not significantly alter the footprint of the development and, thus, any encroachment of future development into a resource or hazardous area would be similar for either zoning application.

Some commentors question the EIR's comparison of the Wood Street Zoning District to the existing zoning at the site. The Draft EIR compares the proposed Wood Street Zoning District regulations to the existing zoning to more clearly describe the zoning amendments being requested (see Table 3.2-2 on page 3.2-10 of the Draft EIR). The existing zoning in the Project Area consists of industrial districts (see Figure 3.2-2 on page 3.2-7 of the Draft EIR), not mixed-use residential districts.

### **Consideration of Alternative Development Proposals/Components**

Some commentors suggested revising the Project to include other elements such as affordable housing or open space, to exclude other components such as the proposed removal of a portion of the 16<sup>th</sup> Street Train Station complex, or to modify elements such as the proposed uses for certain development areas. Other commentors believe that the mix of uses at the Fruitvale Transit Village is an appropriate model

**Table CR 3-1  
Wood Street Zoning District - Comparison with Existing Zoning Standards**

<b>Regulations</b>	<b>Planning Code R-50</b>	<b>Development Area 1</b>	<b>Development Area 3</b>	<b>Planning Code R-60</b>	<b>Development Area 2</b>	<b>Planning Code R-70</b>	<b>Development Area 4</b>	<b>Development Area 6</b>	<b>Development Area 7</b>	<b>Planning Code R-80</b>	<b>Development Area 8</b>
Allowable Density	1 unit per 1500sf site	1 unit per 1535.22sf site	1 unit per 1217sf site	1 unit per 800sf site	1 unit per 848sf site	1 unit per 450sf site	1 unit per 613.75sf site	1 unit per 615.92sf site	1 unit per 679.02sf site	1 unit per 300sf site	1 unit per 331.65sf site
Residential	29 du/acre	28.4 du/acre	35.8 du/acre	55 du/acre	51.5 du/acre	97du/acre	71 du/acre	70.7 du/acre	64.2 du/acre	145 du/acre	131.3 du/acre
Non-residential/Commercial	NA	NA	NA	FAR 1.5 [1]	FAR 1.38	FAR 2.25 [1]	FAR 2.02	FAR 2.02	NA	FAR 3.5 [1]	FAR 2.947
Height Limits	30 feet [2]	65 feet	50 feet (40 feet at Wood St.)	40 feet [2]	65	40 feet [3]	65 feet (40 feet at Wood St.)	65 feet (50 feet at Wood St.)	90 feet (50 feet at Wood St.)	none	90 feet
Front Setbacks	15 feet	Wood Street: 10 feet  Other locations: 0 feet	Wood Street: 10 feet  Other locations: 0 feet	10 feet	Wood Street: 10 feet  Other locations: 0 feet	10 feet	Wood Street: 10 feet  Other locations: 0 feet	Wood Street: 10 feet  Other locations: 0 feet	Wood Street: 10 feet  Other locations: 0 feet	10 feet	Wood Street: 10 feet  Other locations: 0 feet
Side Setbacks	4 feet	5 feet	10 feet	5 feet	5 feet	None [4]	5 feet	5 feet	None [4]	None [4]	None [4]
Rear Setbacks	15 feet	5 feet	10 feet	15 feet	5 feet	10 feet	5 feet	5 feet	None [4]	10 feet	None [4]
Required Open Space	200sf/du-group [5]	100sf/du	100sf/du	200sf/du-group [5]	75sf/du	150sf/du-group [5]	75sf/du	75sf/du	75sf/du	150sf/du-group [5]	50sf/du
Required Off-Street Parking	1 space per du	1 space per du	1 space per du	1 space per du	1 space per du	1 space per du	1 space per du	1 space per du	1 space per du	1 space per du	1 space per du

Source: Pyatok Associates

*Notes:*

1. FAR may be increased at certain locations per the Oakland Planning Code.
2. Maximum height may be increased upon the granting of a conditional use permit per Section 17.26.130 Oakland Planning Code.
3. Maximum height may be increased above 40 feet incorporating vertical setbacks in ratios outlined in Section 17.28.140 Oakland Planning Code.
4. Five-foot setback required opposite any legally required window.
5. Per Section 17.126.020, private open space may be substituted for group open space at a ratio of one square foot private open space for two square feet of group open space.

for what should happen in the Wood Street Project Area. These comments are important and reflect the amount of interest engendered by this Project. The City Planning Commission and City Council will listen to proposals for modifications to the Project as these bodies consider the merits of the Project.

This EIR evaluates whether these suggestions to modify the Project or to pursue a different project might reduce or avoid an identified significant impact. Preservation of the entire train complex is addressed in Master Response 4, and proposals for affordable housing or local hire programs are discussed in Master Response 5. This EIR does not address these suggestions beyond their potential role to mitigate or reduce significant impacts. Policy considerations such as affordable housing, historic preservation, urban design, or local hire policies are not physical environmental impacts and thus are addressed during discussion of the Project merits, rather than during discussion of the EIR.

### **Consideration of the Project Relative to the No Project Alternative**

Some commentors indicated that the EIR should have measured the environmental impacts of the Project by comparing them against the impacts of the No Project Alternative. However, CEQA requires that an EIR identify the impacts of the Project by measuring the Project against baseline conditions, and not future conditions under a different set of land uses or policies. The baseline is generally defined by the physical conditions existing in the Project vicinity around the date the Notice of Preparation was published (January 2004). Thus, this EIR reports how the Project Area vicinity would change from “on-the-ground” conditions in 2004, including current traffic volumes, police and fire response times, development and business activities at the Project Area, air and noise emission levels, etc., if the Project were developed as proposed.

This EIR also discusses the impacts of the No Project Alternative. The No Project Alternative is a projection of what can reasonably be expected to occur in the foreseeable future based upon current plans and consistent with available infrastructure and community services should the Project not move forward. In this EIR, two No Project Alternatives were studied: one assumed that the Project Area would develop under the existing General Plan land use classification of Business Mix, and a second alternative assumed that the Project Area would develop in accordance with the assumptions of the Oakland Army Base Area Redevelopment Plan. The impacts of both of these No Project Alternatives are measured against baseline conditions, and are also compared to those of the Project (see Section 5.3, Impact Assessment, of the Draft EIR).

### **Project Consistency with Applicable Plans**

Some commentors claim the Project is inconsistent with certain plans, policies, studies, land use regulations, and other documents. Many of these comments refer to items that do not govern the Project Area (such as a 2003 report that describes measures the Governor recommends for State agencies, or a study prepared in 1998 regarding West Oakland). These items comprise recommendations regarding development in local communities, or studies prepared for various

agencies. Some of the recommendations or suggestions by the commentors are not laws or policies of the City of Oakland.

Other comments misconstrue the nature of the planning document or regulation. For example, one commentor notes that the Housing Element in Oakland's General Plan encourages provision of adequate sites suitable for housing for all income groups, meaning that the sites identified in the Housing Element, which do not encompass the Project Area, are sufficient to fulfill this goal. Oakland's Housing Element has been determined, by the California Department of Housing and Community Development, to identify adequate housing opportunities for all income groups. The Project furthers the goals of the Housing Element by increasing the supply of housing in the City of Oakland for a variety of income groups. Also, the Project is included within the *OARB Area Redevelopment Plan*, which will generate tax increment funding, a portion of which must be used to increase and improve the City's supply of affordable housing. Several commentors identified local goals, policies, and provisions with which the Project allegedly conflicts. Appendix A to the Final EIR contains a table that quotes each of these cited goals, policies, and provisions (including the OARB Area Redevelopment Plan) and provides a response to each goal, policy, or provision.

Many commentors specifically inquired about the applicability of the California Redevelopment Law and the OARB Area Redevelopment Plan to the Project, specifically as each relates to the provision of affordable housing. California Redevelopment Law provides the Redevelopment Agency with a variety of options to locate affordable housing on site or off site to comply with the Redevelopment Law's inclusionary housing requirements. Please see Redevelopment Plan Sections 331 and 332 and Health and Safety Code Section 33413. The Project, by developing underutilized property, is consistent with the Redevelopment Plan and would be implemented in furtherance of the Redevelopment Plan. The price at which housing is sold is an economic issue and is addressed in Master Response 5. The City's goal of providing opportunities for affordable housing is not relevant to the Project's potential physical impacts on the environment. Thus, such comments are not related to physical environmental impacts. Rather, they raise policy issues to be reviewed by decision makers during consideration of the merits of the Project.

## **Master Response 2: Circulation and Safety Around the Project Area Vicinity**

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While transportation-related comments on the Draft EIR identified a broad range of concerns, the following represent many of the most frequently raised issues:

- the number of new trips on West Oakland streets;
- the effect the new trips would have on local intersections, pedestrians, and bicyclists;
- the effect the new trips would have on neighborhood residents coming and going to local parks; and
- the effect of construction-related vehicles on neighborhood circulation and safety.

In light of these expressed concerns, many of the commentors felt additional study or mitigation measures were warranted. These concerns are comprehensively addressed in this master response.

## **Project-Related Trips in West Oakland**

The Project would add traffic to residential streets in West Oakland. Approximately 13 to 18 percent of Project trips would travel to and from the east toward Peralta Street and Mandela Parkway.<sup>1</sup> Ten streets provide east-west connections between the Project Area and Peralta Street. Six streets extend past Peralta Street and connect directly to Mandela Parkway. The traffic volumes along the east-west streets between the Project Area and Peralta Street are currently low.<sup>2</sup> Just east of Wood Street, 14<sup>th</sup> Street currently carries approximately 200 vehicles, and 18<sup>th</sup> Street serves about 45 vehicles during the PM peak hour. This level of traffic is equivalent to slightly more than three vehicles per minute on 14<sup>th</sup> Street and less than one trip per minute on 18<sup>th</sup> Street. The AM and PM peak hour levels of service at the stop sign controlled approaches to Wood Street are LOS A and LOS B, respectively, for 14<sup>th</sup> Street and LOS A for both time periods for 18<sup>th</sup> Street. The average delay per vehicle at the stop signs ranges from 8.9 to 10.2 seconds.<sup>3</sup>

The Project would add 154 to 164 vehicles to these streets during the PM peak hour for the Maximum Residential Scenario and Maximum Trips Scenario, respectively. As shown in Appendix B of the Draft EIR, 18<sup>th</sup> Street east of the Project is conservatively estimated to carry a total of 45 to 48 Project trips during the PM peak hour and 14<sup>th</sup> Street is conservatively estimated to carry a total of 109 to 116 Project trips.<sup>4</sup> The Project would generate less than one trip per minute on 18<sup>th</sup> Street and less than two trips per minute on 14<sup>th</sup> Street during the PM peak hour. The Project would likely add fewer trips to 20<sup>th</sup> Street than to 18<sup>th</sup> Street because of the proposed location of Project access points and the tendency for drivers to travel along the shortest path to their destination.

## **Project Impacts**

**Safety Impacts.** The addition of traffic along the streets of West Oakland due to the Project would not create a significant impact on safety at other locations in West Oakland, at Raimondi Park, or at Willow Park. Although traffic volumes would increase, the additional trips would not be significant according to the EIR significance criterion stated on page 3.4-11, bullet 3, because the Project would not substantially increase traffic hazards to motor vehicles, bicycles, or pedestrians due to design features that have been included in the Project. In other words, the Project would not alter the road network in a manner that interferes with, disrupts, or creates hazards for pedestrian or bicycle circulation. The Project would also not preclude the provision or installation of planned vehicular,

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<sup>1</sup> This information was derived from the information contained in Figure 3.4-2 and Appendix B: Intersection Peak-Hour Traffic Volumes – Existing, Project, 2025 Cumulative.

<sup>2</sup> Existing traffic volumes are provided in Appendix B.

<sup>3</sup> Information from Draft EIR Table 3.4-2 on page 3.4-8.

<sup>4</sup> This is a conservative estimate because many streets (e.g., 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup>, and 17<sup>th</sup> Streets) were not included in the traffic model, so all the Project traffic to the east was assigned to the streets that were in the model (e.g., 10<sup>th</sup>, 14<sup>th</sup>, and 18<sup>th</sup> Streets.)

pedestrian, or bicycle facilities. Since pedestrian and bicyclist safety impacts are not anticipated to result from the Project design, mitigation measures are not warranted. The EIR does acknowledge, however, that the turn-arounds along the numbered streets at Wood Street could be problematic and result in a potentially significant impact (see discussion below).

Safety concerns were raised regarding Raimondi Park, which is reported in the Draft EIR on page 3.14-6 to get heavy use. The park is completely surrounded by fencing. Sidewalks are located around the park along the north side of 18<sup>th</sup> Street and 20<sup>th</sup> Street, and along both sides of Campbell Street. There are no existing sidewalks along Wood Street between the Project Area and the park.

Stop signs are located at all the intersections around Raimondi Park. Stop signs are located at the 18<sup>th</sup> Street and 20<sup>th</sup> Street approaches to Wood Street, at the 20<sup>th</sup> Street approaches to Campbell Street, and at the Campbell Street approaches to 18<sup>th</sup> Street. Striped crosswalks are located at the intersection of 18<sup>th</sup> Street and Campbell Street.

The addition of Project trips to the streets near Raimondi Park (and other streets in the area) would increase the potential exposure of pedestrians and bicyclists to conflict with motor vehicles; however, the increased exposure would not be out of the ordinary. As noted above, the Project would generate less than one trip per minute on 18<sup>th</sup> Street during the PM peak hour. The Project would likely add fewer trips to 20<sup>th</sup> Street than to 18<sup>th</sup> Street because of the proposed location of Project access points and the tendency for drivers to travel along the shortest path to their destination. Safe pedestrian and bicycle routes to the park would be available from all directions after completion of the public improvements proposed by the Project along Wood Street. After completion of the Project, sidewalks would be available along the west side of Wood Street, the north side of 18<sup>th</sup> Street and 20<sup>th</sup> Street, and along both sides of Campbell Street.

Similar safety concerns were raised for Willow Park, a neighborhood park east of Willow Street between 13<sup>th</sup> and 14<sup>th</sup> Streets. Willow and 13<sup>th</sup> Streets were not studied in the EIR because the Project would add little or no traffic to these streets. The only measurable traffic increase adjacent to Willow Park is expected along 14<sup>th</sup> Street. This street carries about 200 vehicles during the PM peak hour. Appendix B of the Draft EIR conservatively estimates 14<sup>th</sup> Street to carry 109 to 116 Project-related trips during the PM peak hour. This volume translates to less than two trips per minute during this period.

Because the Project would not substantially increase pedestrian or traffic hazards around nearby parks, there would be no significant Project impact, and the Project Sponsors would not be required to add sidewalks or other facilities around the parks as mitigation for significant impacts, as suggested by some commentors.

During consideration of the Project merits, further access improvements to the parks can be discussed if deemed desirable by decision makers. Such improvements could include sidewalks, removal of the railroad spur lines along 18<sup>th</sup> Street and/or 20<sup>th</sup> Street, and traffic calming measures – stop signs, crosswalks, or speed humps. According to the Oakland Bike Plan, bike lanes are not called for on any of the local streets in West Oakland.

**Circulation Impacts.** Two design features of the Project were identified as a potentially significant impact in Impact TR-4 on page 3.4-22 of the Draft EIR. The truncation of 11<sup>th</sup> Street, 18<sup>th</sup> Street, and 20<sup>th</sup> Street could result in vehicles backing out onto Wood Street, thereby substantially increasing traffic hazards to motor vehicles, bicycles, or pedestrians on Wood Street. The adverse safety impact of these Project design elements would be mitigated to a less-than-significant level by implementation of Mitigation Measure TR-4.1 on page 3.4-24 of the Draft EIR, which calls for turn-around designs at the end of the streets to allow vehicles to enter Wood Street in a front-end-first manner.

The Project would not provide automobile access between the area in West Oakland east of Wood Street and the I-880 frontage road. The Illustrative Concept Plan, presented as Figure 2-3 in Section 2, Project Description, of the Draft EIR, was developed in response to earlier comments from the West Oakland community. When the I-880 frontage road was constructed as part of the I-880 freeway project, curb returns were provided at 10<sup>th</sup> Street and 14<sup>th</sup> Street for future connections to the frontage road. About the same time, the City of Oakland conducted the West Oakland Transportation and Economic Development Study (circa 1998) that addressed the question of whether to provide connections between West Oakland and the I-880 frontage road. Because community residents expressed concerns over the potential for cut-through traffic (i.e., motorists traversing West Oakland residential streets to avoid highway congestion and gain access directly to the frontage road), the City of Oakland decided not to provide connections between the frontage road and Wood Street. As of December 2004, the City Planning Commission approved removal of concrete barriers that prohibited access to the frontage road via 10<sup>th</sup> Street, so that truck traffic from California Waste Solutions, a recycling business, could access the frontage road. However, the Project does not propose to provide access to the frontage road through the Project Area.

**Construction Impacts.** A number of construction vehicles and trucks would traverse the Project Area vicinity streets during the construction period. Impact TR-1, beginning on page 3.4-17 of the Draft EIR, projects that construction activities could generate up to 3,300 trips daily. These trips could affect local circulation, access to properties, bus service, and pedestrian and bicyclist movements. To reduce this potentially significant impact, the Draft EIR proposes Mitigation Measure TR-1.1 which requires that a construction traffic management plan define how traffic operations would be managed and maintained during each phase of construction. Restricting construction materials deliveries to non-peak hours, limiting truck routes, and establishing construction hours are three measures identified in Mitigation Measure TR-1.1 on page 3.4-18 that may be implemented if necessary. The traffic management plan would be prepared with the direct participation of the City of Oakland, and the City staff has the authority to disapprove any plan that does not adequately address safety concerns. Thus, the Draft EIR recognizes that construction-related traffic would affect the surrounding neighborhood and also identifies adequate measures to reduce the impact to less-than-significant.

### **Master Response 3: Air Quality and Public Health Concerns**

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The issue of air quality impacts and consequent public health effects was a major concern among commentors of the Wood Street Project Draft EIR. The following discussion is intended to clarify and

expand upon the analysis in Section 3.6, Air Quality, of the EIR. This master response discusses the following topics:

- Diesel fuel emissions and particulate matter;
- Construction emissions (including new supplementary PM<sub>10</sub> impact analysis); and
- Operational emissions as a result of the Project
  - PM<sub>10</sub> and asthma
  - PM<sub>10</sub> and cancer risk
  - EIR analysis of Project-related emissions.

This master response also discusses air quality health issues for new Project residents, though that subject does not entail an impact of the Project on the existing environment.

### **Diesel Fuel Emissions and Particulate Matter**

Per the Bay Area Air Quality Management District California Environmental Quality Act (BAAQMD CEQA) Guidelines, exhaust from diesel engines includes hundreds of gaseous and particulate components, many of which are toxic.<sup>5</sup> As stated in Table 3.6-3 of the Draft EIR, particulate matter may be inhaled and lodge in and irritate the lungs, increase the risk of chronic respiratory disease with long exposure, and alter lung function in children. Many of these toxic compounds adhere to particles forming particulate matter-pollution consisting of very small liquid and solid particles floating in the air. Of greatest concern to public health are the particles small enough to be inhaled into the deepest parts of the lungs, including particles of less than 10 microns in diameter (PM<sub>10</sub>) and fine particulate matter known as PM<sub>2.5</sub>. PM<sub>10</sub> is a mixture of materials that can include smoke, soot, dust, salt, acids, and metals. Particulate matter also forms when gases emitted from motor vehicles and industry undergo chemical reactions in the atmosphere. Major sources of particulate matter include motor vehicles; wood burning stoves and fireplaces; dust from construction, landfills, and agriculture; wildfires and brush/waste burning; industrial sources; and windblown dust from open lands.<sup>6</sup>

Diesel PM is most often associated and measured as a constituent of PM<sub>10</sub> and PM<sub>2.5</sub>. However, diesel particulate exposure can also be measured based on carbon levels, emissions information, and other data.<sup>7</sup> Daily average PM<sub>10</sub> levels have been monitored in California since the mid-1980s at 150 locations throughout the state. Twenty-four-hour average levels of PM<sub>2.5</sub> have been monitored since 1998 at approximately 80 locations.<sup>8</sup> Continuous hourly average PM<sub>10</sub> levels are also collected at

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<sup>5</sup> BAAQMD, *BAAQMD CEQA Guidelines*, December 1999, page 6.

<sup>6</sup> <http://www.arb.ca.gov/html/brochure/pm10.htm>, accessed December 3, 2004.

<sup>7</sup> California Air Resources Board, *Final Assessment of California's Statewide Air Monitoring Network for the Children's Environmental Health Protection Act*, October 2003, page 11.

<sup>8</sup> California Air Resources Board, *Final Assessment of California's Statewide Air Monitoring Network for the Children's Environmental Health Protection Act*, October 2003, pages 36-37.

12 sites, and hourly average PM<sub>2.5</sub> values are gathered at 11 sites.<sup>9</sup> As stated on page 3.6-6 of the Draft EIR, the Port of Oakland conducts PM<sub>10</sub> and PM<sub>2.5</sub> monitoring at two locations to track air quality conditions in West Oakland. Specific data for these monitoring stations is included in Table 3.6-5 of the Draft EIR.

Since levels of PM<sub>10</sub> are reported along with ROG and NO<sub>x</sub> as a function of automobile trips, a common misconception is that vehicular sources are the primary sources of PM<sub>10</sub>. In fact, Table CR 3-2 shows the main sources of PM<sub>10</sub> and PM<sub>2.5</sub> emissions for Alameda County in 2004 are paved road dust, construction and demolition, and residential fuel combustion. Trucks and buses contribute 1.33 tons per day of the total 35.13 tons per day of PM<sub>10</sub> and 1.03 tons per day of the 14.55 tons per day of PM<sub>2.5</sub>. In short, on-road vehicular sources are a relatively small contributor to PM<sub>10</sub> and PM<sub>2.5</sub> emissions in the County, far exceeded by dust on paved roads.

	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Stationary Sources</b>		
Fuel Combustion	0.33	0.32
Waste Disposal	0.05	0.03
Industrial Processes	2.96	1.80
Subtotal Stationary Sources	3.34	2.15
<b>Areawide Sources</b>		
Miscellaneous Processes		
Construction and Demolition	7.07	1.47
Paved Road Dust	13.63	2.30
Residential Fuel Combustion	4.22	4.07
Other Processes	2.58	1.11
Subtotal Areawide Sources	27.50	8.95
<b>Mobile Sources</b>		
On-Road Vehicles		
Trucks	1.23	0.94
Buses	0.10	0.09
Other On-Road Vehicles	0.71	0.39
Other Mobile Sources	2.25	2.03
Subtotal Mobile Source	4.29	3.45
<b>Alameda Total Sources</b>	<b>35.13</b>	<b>14.55</b>

Source: California Air Resources Board, 2004 Estimated Annual Average Emissions, Alameda County, 2004.

<sup>9</sup> California Air Resources Board, Final Assessment of California's Statewide Air Monitoring Network for the Children's Environmental Health Protection Act, October 2003, page 15.

## Construction Emissions

**Potential Impacts.** Project construction may occur over a ten-year period, extending into 2015. Over that period, various development areas that comprise the Project Area would be under construction. Activities such as site grading, installation of utilities and construction of the basic circulation system, demolition of existing buildings, construction of new buildings, rehabilitation work at the 16<sup>th</sup> Street Train Station, and installation of the public plaza, landscaping, and site design features would involve truck traffic and construction equipment that generate local air emissions. Specifically, the Draft EIR on page 3.6-11 explains that “Heavy construction activity on dry soil exposed during construction phases between 2005 and 2015 could cause emissions of dust (usually monitored as PM<sub>10</sub>). ROG<sub>s</sub> [reactive organic gases], NO<sub>x</sub> [nitrogen oxides], CO, and additional particulate matter emissions also would be created from the combustion of diesel fuel by heavy equipment and construction worker vehicles.”

**EIR Impact Analysis Methodology.** The methodology used in the EIR to identify the amount and significance of these emissions follows the BAAQMD CEQA Guidelines for Evaluating Construction Emissions. The Guidelines note that PM<sub>10</sub> is the pollutant of greatest concern, potentially leading to adverse health effects as well as nuisance concerns such as reduced visibility and soiling of exposed surfaces. Notably, the Guidelines do not recommend use of air quality models to quantify emissions during construction; rather, the District’s approach is to “emphasize effective and comprehensive control measures.”<sup>10</sup> The Guidelines identify a set of PM<sub>10</sub> control measures that should be implemented at all construction sites and state that “The determination of significance with respect to construction emissions should be based on a consideration of the control measures to be implemented.”

In accordance with the BAAQMD CEQA Guidelines, the construction-period air quality analysis in the Draft EIR does not quantify emissions. The Draft EIR acknowledges that in the absence of feasible control measures, particulate emissions would be potentially significant (see Impact AQ-1, pages 3.6-12 to 3.6-14) and would affect sensitive land uses in the Project Area vicinity, including adjacent residential uses and Raimondi Park.

To reduce these emissions and, hence, the potential impacts to surrounding uses, the Draft EIR proposes the control measures identified by the BAAQMD. Specifically, pages 3.6-13 to 3.6-14 of the Draft EIR include the BAAQMD comprehensive list of “Basic Control Measures,” “Enhanced Control Measures,” and “Optional Control Measures,” taken directly from Table 2 of the BAAQMD CEQA Guidelines, as proposed mitigation measures for construction emissions of PM<sub>10</sub>. The Draft EIR concludes that with implementation of these mitigation measures in accordance with City practice and BAAQMD standard mitigation requirements, Project construction-related air quality impacts would be reduced to a less-than-significant level.

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<sup>10</sup> BAAQMD, *BAAQMD CEQA Guidelines*, December 1999, page 13.

**Supplementary PM<sub>10</sub> Impact Analysis.** Although the BAAQMD CEQA Guidelines state that quantification of construction emissions is not necessary, the Guidelines also state that a lead agency may elect to calculate construction emissions.<sup>11</sup> Given this option and the number of comments regarding the health-related impacts from increased air emissions, further analysis is undertaken here by EIP Associates to estimate construction particulate emissions for the Project using the URBEMIS 2002 model, which is currently employed by many other air districts in California to calculate construction emissions. The URBEMIS 2002 model derives construction emissions based on the most current EMFAC emission factors. Project acreage, maximum potential disturbed acreage, and types of construction equipment are all factors that are modeled to determine construction emissions generated by the Project.

During construction, three basic types of activities would be expected to occur and generate emissions: demolition of existing structures and clearing of the demolition site; site preparation, excavation, backfilling, compaction, and grading to accommodate new development; and construction of the proposed development areas and associated infrastructure. These activities would involve on-site heavy-duty construction vehicles, equipment used to haul materials to and from the site, and motor vehicles to transport construction crews to and from the site. The use of construction equipment on site would result in localized tailpipe exhaust and fugitive dust emissions. The construction activity that usually produces the most PM<sub>10</sub> is the site grading phase, when soil is actively disturbed by the most heavy-duty equipment.

*Alternative Significance Thresholds for PM<sub>10</sub>.* The BAAQMD CEQA Guidelines do not specify construction significance thresholds for the Bay Area because the District encourages the implementation of control measures that would mitigate construction-period air quality impacts and obviate the need to establish significance standards, as discussed above. In the absence of local significance thresholds for construction-related emissions of PM<sub>10</sub>, surrounding air districts were consulted for their thresholds for PM<sub>10</sub> emissions. All of the following districts are in non-attainment for PM<sub>10</sub> emissions like the Bay Area:

- **San Joaquin Valley Air Pollution Control District:** No PM<sub>10</sub> threshold for construction is specified. Similar to the BAAQMD, the PM impact is assumed to be less than significant, as long as certain dust mitigation measures are implemented.
- **Monterey Bay Unified Air Pollution Control District:** 82 pounds-per-day construction threshold for PM<sub>10</sub>.
- **South Coast Air Quality Management District:** 150 pounds-per-day construction threshold for PM<sub>10</sub>.
- **Sacramento Metro Air Quality Management District (SMAQMD):** Threshold is the California Ambient Air Quality Standard of 50 micrograms per cubic meter. Appendix B of

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<sup>11</sup> BAAQMD, *BAAQMD CEQA Guidelines*, December 1999, page 13.

the new SMAQMD Guide to Air Quality Assessment (July 2004) provides a screening table to help assess PM impacts. This table lists PM<sub>10</sub> mitigation measures based on maximum area graded per day. If the applicant implements the mitigation measures specified for the project size, the screening table shows that the project is likely not significant for PM<sub>10</sub>. For a maximum graded area per day of five acres and below, no mitigation is required. For five to eight acres, exposed soil must be watered twice daily, and two feet of freeboard space must be maintained on soil hauling trucks. These control measures are not as stringent as the BAAQMD's basic controls.

*Model Assumptions.* The URBEMIS model estimates vehicular and stationary emissions based on the number of trips and any major stationary source associated with a project. State-approved emission factors are applied to the projected number of vehicle trips and to the types of construction equipment to be used to derive the amounts of criteria air pollutants emitted. The resultant emissions are relative to the existing baseline. The assumptions incorporated into the URBEMIS model run were conservative. Specifically, the URBEMIS 2002 model was run for Phase I of the Project (Development Areas One, Two, Three, Four, and Nine), because this phase would involve the largest construction area at 19.23 acres. The project area specified for input to URBEMIS 2002 was 20 acres. Based on existing conditions, a maximum of 246,535 square feet of existing buildings would be demolished (see Table 2-1 on page 2-3 of the Draft EIR). The maximum amount graded per day was specified to be five acres following URBEMIS 2002 default assumptions which suggest a maximum grading rate per day equal to 25 percent of the total project area. Potential construction equipment used during Project grading was estimated based on Table 3.1, Construction Activity Equipment Types and Number Requirements, of the SMAQMD Guide to Air Quality Assessment. Site grading equipment was anticipated to include off-highway trucks, rubber-tired dozers, and rubber-tired loaders. Building equipment was anticipated to include concrete/industrial saws, rough terrain forklifts, and other equipment. The construction start year (2005) was chosen based on input from the Project Sponsors. It was assumed that construction would start in June, when the weather is dry and dust becomes airborne.

*Model Results.* Based on standard construction practices and considering the total Project duration, the URBEMIS 2002 model projects that the site grading phase would last up to 1.8 months. The model results showed that over this 1.8-month period, with a maximum disturbed area of five acres per day, maximum emissions, assuming no control measures, would be 69.14 pounds per day of PM<sub>10</sub>. Of this total, 9.18 pounds would be produced by off-road diesel equipment. This level of emissions would be below the construction threshold of significance for PM<sub>10</sub> of other consulted air districts, and below the BAAQMD operational standard of 80 pounds per day. As a result, based on the quantification of construction emissions, PM<sub>10</sub> generated by Project construction would be considered less than significant. With implementation of all the mitigation measures identified in the Draft EIR (see Mitigation Measure AQ-1.1, pages 3.6-12 to 3.6-14), construction PM<sub>10</sub> during site grading would be reduced to 10.08 pounds per day (0.88 pounds from fugitive dust, 9.18 pounds from diesel equipment emissions, and 0.02 from construction worker trips), which is well below the construction threshold of significance for PM<sub>10</sub> of other consulted air districts with even higher background PM<sub>10</sub> nonattainment levels.

*Additional Measures to Further Reduce Less-Than-Significant PM<sub>10</sub> Impacts.* Even though PM<sub>10</sub> emissions would be considered less than significant, there are other measures that could further reduce the generation and dispersion of particulate matter. However, to the extent that they are feasible and effective, the following measures may be imposed by City decision makers.

Because the construction period for the Project could last ten years, PM<sub>10</sub> construction emissions for the Project would occur for a long period, rather than the short-term construction impacts assumed for most projects. As a result, the Project Sponsors could further minimize PM<sub>10</sub> emissions through a modification to Mitigation Measure TR-1.1, Construction Traffic Management Plan. Specifically, Mitigation Measure TR 1.1b on page 3.4-18 could be revised as follows:

- b. Specify predetermined haul routes from staging areas to construction sites and to disposal areas of agreement with the City prior to construction. The routes shall follow streets and highways that provide the safest route, minimize truck traffic impacts to sensitive receptors, and have the least impact on traffic.

Additional measures or conditions of approval to further reduce diesel particulate emissions during Project construction could include:

- Consolidate truck deliveries when possible.
- Restrict truck idling to no more than ten consecutive minutes.

BAAQMD has suggested alternate measures that could be implemented. The BAAQMD has indicated that these measures are feasible and may be considered per implementation where their effectiveness can be demonstrated. These measures include:

- Use emulsified fuel (emulsification of diesel and water) in heavy construction vehicles if available from the selected contractor at reasonable market prices and if the on-site vehicle can perform as required. (Emulsified fuel is accompanied with a reduction in power that may impact whether all types of on-site equipment can use this fuel.)
- Use ultra low sulfur diesel or low sulfur diesel in heavy construction vehicles where emulsified fuel cannot be used, if available from the selected contractor at reasonable market prices.
- Use ethanol- or natural gas-powered mobile equipment and pile drivers instead of diesel-powered equipment to the extent available and at competitive prices. Propane- or butane-powered on-site mobile equipment should be used instead of gasoline-powered equipment to the extent available and found to be feasible.
- Maintain equipment and vehicle engines in good condition and in proper tune as per manufacturers' specifications and per BAAQMD rules.
- Install equipment emission controls such as particulate traps and oxidation catalysts on on-site earthmoving equipment. (Based on current designs, this technology has not been shown to be effective when used with other control technologies, such as emulsified diesel fuel. In addition, this technology has not been shown to be effective on certain types of off-road

vehicles, such as track vehicles. If this technology is not feasible with emulsified diesel fuel, then the available technologies that show effective reduction in emissions will be used.)

- Request the use of compressed or liquefied natural gas-powered trucks and compressed natural gas or propane-powered construction equipment by contractors, to the extent available for short-term construction projects.

As noted above, these measures are not required mitigation measures of the Project, since significant PM<sub>10</sub> impacts are not identified. Any effort to implement these measures would further reduce a less-than-significant impact, and therefore is a policy matter on the part of decision makers.

## Operational Emissions

As described on pages 3.6-9 to 3.6-10 of the Draft EIR, the State has adopted various regulations that would reduce diesel emissions in the overall fleet of diesel-fueled vehicles. These regulations include new diesel fuel and emissions standards, and inspection and maintenance requirements. In addition, the California Air Resources Board is expected to establish a protocol for modeling the associated risk of placing people near roadways with diesel vehicles sometime in the future, but has not yet done so.

**PM<sub>10</sub> and Asthma.** In October 2000, the California Air Resources Board prepared a report on the potential cancer risks associated with activities exposed to diesel-fueled engines entitled, “Risk Characterization Scenarios.” According to this report, “many factors greatly influence the determination of whether a diesel PM emitting activity or operation poses a significant health risk, such as size of an operation, the frequency of activity, the age of vehicles, and the location of sensitive receptors in relation to the diesel PM emitting sources.” The report continues, “Other critical factors are the air dispersion model used to characterize the risk, emission factors, meteorological data, and modeling configuration such as area source, point source, and volume source.”

Commentors on the Draft EIR expressed concern about the susceptibility of West Oakland residents to asthma as a result of diesel particulate emissions (from both construction and operational emissions). According to the California Air Resources Board:

Asthma is a serious chronic lung disease that appears to be on the rise in California, the United States and many other countries around the world. The prevalence of asthma in the U.S. has increased by more than 75% since 1980; children and certain racial groups, especially African Americans, have experienced relatively greater increases in asthma prevalence. An estimated 11.9% of Californians - 3.9 million children and adults - report that they have been diagnosed with asthma at some point in their lives, compared to the national average of 10.1%. Nearly 667,000 school-aged children in California have experienced asthma symptoms during the past 12 months. Asthma causes breathing problems due to a narrowing of the airways causing the lungs to get less air. Attacks are characterized by a tight feeling in the chest, coughing and wheezing.<sup>12</sup>

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<sup>12</sup> <http://www.arb.ca.gov/research/asthma/asthma.htm>, accessed December 3, 2004.

Regarding the relationship between asthma and air pollution, the California Air Resources Board concludes “Air pollution plays a well-documented role in asthma attacks, however, the role air pollution plays in initiating asthma is still under investigation and may involve a very complex set of interactions between indoor and outdoor environmental conditions and genetic susceptibility.” Many studies have been undertaken by various agencies in order to determine if there is a causal relationship between diesel particulate emissions and asthma. According to the West Oakland Environmental Indicators Report, *Reducing Diesel Pollution in West Oakland*, “Recent studies have shown that diesel exhaust cannot only make asthma worse, but may actually cause asthma.”<sup>13</sup> Many studies suggest that PM<sub>10</sub> exposure is associated with asthma symptoms.<sup>14</sup> However, the preliminary findings of the Fresno Asthmatic Children’s Environment Study (F.A.C.E.S.), which focused on the acute and chronic health effects of particulate matter by studying the relative risks for nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), and PM<sub>2.5</sub>, indicated that “PM<sub>2.5</sub> associations were the smallest in the analysis,” and that “relative risks were generally higher for O<sub>3</sub> and NO<sub>2</sub>.”<sup>15</sup>

Another study, *Evaluation of the Health Impacts of Toxic Air Pollutants in a Southern California Community* conducted by Epidemiology Division, Department of Medicine of the University of California at Irvine, reports “Although deficits in peak expiratory flows of the lungs were found in relation to increases in some air pollutants, most findings were not statistically significant.”<sup>16</sup> The study concludes “Results suggest that more work is needed on potentially causal air toxics in the pollutant mix from both traffic and industrial sources.”<sup>17</sup> The Irvine study also mentions several other epidemiological studies that were recently completed regarding children and asthma symptoms associated with specific air toxics, including studies completed in Northern Ireland in 2001, Norway in 2000, and London in 2000. The Irvine report finds that “These studies suggest that the lung may be responding to a large number of compounds, and the attributing effects to any one agent ignores the importance of the mixture.”<sup>18</sup>

In light of these studies, the U.S. Environmental Protection Agency has not issued an official position on the link between asthma and PM<sub>10</sub> emissions. In its comprehensive final Health Assessment Document for Diesel Engine Exhaust, the U.S. Environmental Protection Agency states that effects from diesel emissions may include exacerbation of existing allergies and asthma symptoms, but the

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<sup>13</sup> West Oakland Environmental Indicators Report, *Reducing Diesel Pollution in West Oakland*, November 2003, page 2.

<sup>14</sup> *Housing, Asthma and Health*, a presentation by Eric Roberts, MD, PhD from Community Action to Fight Asthma, June 10, 2004.

<sup>15</sup> U.C. Berkeley, California Department of Public Health, Sonoma Technology, and California Air Resources Board, *Fresno Asthmatic Children's Environment Study (F.A.C.E.S.)*, 2002, page 195.

<sup>16</sup> Epidemiology Division, Department of Medicine, University of California, Irvine, *Evaluation of the Health Impacts of Toxic Air Pollutants in a Southern California Community*, 2002, page xx.

<sup>17</sup> Epidemiology Division, Department of Medicine, University of California, Irvine, *Evaluation of the Health Impacts of Toxic Air Pollutants in a Southern California Community*, page xviii.

<sup>18</sup> Epidemiology Division, Department of Medicine, University of California, Irvine, *Evaluation of the Health Impacts of Toxic Air Pollutants in a Southern California Community*, page 128.

nature and extent of these symptoms are highly variable across the population.<sup>19</sup> Although a correlation may exist between particulate emissions and asthma, based on the information now available, a causal relationship has not yet been established and research continues to be conducted on the subject. Thus, there is no scientific basis for any determination that emissions from Project construction and traffic would have an effect on the incidence of asthma in West Oakland. Even though a causal relationship has not been proven, construction-related emissions of PM<sub>10</sub> would be mitigated through implementation of the control measures identified in Mitigation Measure AQ-1.1, beginning on page 3.6-13 of the Draft EIR. Because of the uncertainty over whether particulate emissions cause asthma and because mitigation measures would reduce PM<sub>10</sub> emissions to 10 pounds per day, the Project's effect on asthma would be considered to be less than significant. Further, decision makers may choose to employ the additional measures listed in this master response.

**Background Cancer Risk.** Because there is no scientific basis for determining the likelihood of a causal link between diesel particulate emissions and asthma, the BAAQMD does not suggest evaluating asthma incidence.<sup>20</sup> Instead, the BAAQMD suggests that long-term health effects, as measured by effects such as cancer risk, be considered. The potential cancer risk associated with diesel particulate emissions has been studied by the California Air Resources Board. Cancer risk is the probability that a person would develop cancer after being exposed to diesel exhaust of a certain concentration. Cancer risk estimates for air toxic purposes are based on measured ambient air chemical concentrations and theoretical chemical cancer potency factors. Cancer risk is expressed as the upper-bound, increased likelihood of an individual developing cancer as a result of exposure to a particular chemical. For example, a cancer risk of “one-in-a-million” refers to an upper-bound increased chance of one individual developing cancer out of an exposed population of one million.

It is important to consider risk estimates in light of other “natural” cancer-causing agents. It is well known that humans are routinely exposed to many agents that contribute to a “background” cancer risk. Contributors to this background risk include lifestyle, hormonal, nutritional, bacterial, viral, and environmental factors. The background risk of eventually developing cancer for every American is four in ten. The background cancer incidence rates in California from 1995 to 1999 were 5.26 per thousand for males and 4.11 per thousand for females (or 5,260 and 4,110 per million, respectively). These measured cancer incidence rates include cancers from all source and environmental factors.

**Diesel Particulates and Cancer Risk.** On a statewide basis, the average potential cancer risk associated with existing background diesel emissions is over 500 potential cancer cases per million people. In addition to these general risks, diesel exhaust particulates can also present elevated localized or near-source exposures. Depending on the activity and nearness to receptors, these potential risks can range from small to 1,500 cancer cases per million or more people.<sup>21</sup> In a report published by the

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<sup>19</sup> U.S. Environmental Protection Agency, Office of Research and Development's National Center for Environmental Assessment, Health Assessment Document for Diesel Engine Exhaust, EPA/600/8-90/057F, May 2002.

<sup>20</sup> Telephone conversation with Suzanne Bourguignon, BAAQMD, December 1, 2004.

<sup>21</sup> California Air Resources Board, Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles, October, 2000.

South Coast Air Quality Management District (*SCAQMD Multiple Air Toxics Exposure Study—MATES II* [Final Report], 1999), the cancer risk from ambient air was estimated to be 1,400 per million people. Approximately 90 percent of the cancer risk estimated by the SCAQMD is attributed to vehicle emissions (70 percent from diesel vehicles) and 10 percent to stationary sources (including industries and certain businesses such as dry cleaners and chrome plating operations). Finally, the U.S. Environmental Protection Agency in its assessment of diesel engine exhaust reports that epidemiological studies suggest that occupational exposures to diesel exhaust particulates from diesel engines built prior to the mid-1990s cause an increase in the risk of lung cancer, in the range of about 20-50 percent.<sup>22</sup>

Based on regional, state, and federal studies, there is a clear indication that diesel exhaust emissions result in a greater incidence of cancer cases. The question for scientists, regulatory agencies, and communities is what constitutes an acceptable level of exposure to diesel exhaust emissions, an issue that is discussed below.

**Significance Thresholds.** The U.S. federal regulatory agencies have typically adopted a “one-in-a-million” cancer risk as being of negligible concern in situations where large populations (e.g., 200 million people) are involuntarily exposed to suspected carcinogens. Other agencies recommend a range of standards when smaller populations are exposed (e.g., in occupational settings). For example, the theoretical cancer risk of up to 100 in a million has been considered acceptable. California regulations such as the Safe Drinking Water and Toxic Substances Control Act of 1986 (Proposition 65) and Air Toxics Hot Spots Act (AB 2588) cite a cancer risk of ten in a million as an acceptable risk in California. The BAAQMD CEQA Guidelines recommend the following threshold of significance: “Probability of contracting cancer for the Maximally Exposed Individual (MEI)<sup>23</sup> exceeds 10 in one million.”<sup>24</sup> Notably, the U.S. Environmental Protection Agency’s health assessment specifically of diesel engine exhaust concluded that no specific cancer unit risk estimate for diesel exhaust is recommended because the currently available data are considered unsuitable for a quantitative risk assessment.

**EIR Analysis of Project-Related Emissions.** Per the BAAQMD CEQA Guidelines, the Draft EIR evaluates the PM<sub>10</sub> mobile and stationary source emissions for the Project using the California Air Resources Board’s URBEMIS 2002 model. The current, baseline circumstances involve operations that generate 11.4 pounds of PM<sub>10</sub> emission per day. The Project would eliminate those emissions and generate emissions from different sources. The net increase over baseline is shown in Table 3.6-6 on page 3.6-15 of the Draft EIR, which reports that the increase over baseline in PM<sub>10</sub> emissions for the Project in 2010 would be 75.96 pounds per day under the Maximum Trips Scenario (the scenario yielding the greatest number of trip and, hence, PM<sub>10</sub> emissions for the Project). This estimate would

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<sup>22</sup> U.S. Environmental Protection Agency, Office of Research and Development's National Center for Environmental Assessment, Health Assessment Document for Diesel Engine Exhaust, EPA/600/8-90/057F, May 2002.

<sup>23</sup> A hypothetical off-site person, usually at or near the site boundary, who would receive the maximum exposure from a facility’s operations.

<sup>24</sup> BAAQMD, *BAAQMD CEQA Guidelines*, December 1999, page 17.

not exceed the BAAQMD's significance threshold of 80 pounds per day for PM<sub>10</sub> emissions. This means that new and existing residents in West Oakland would not be exposed to significant PM<sub>10</sub> emissions from Project operations including traffic trips generated by the Project.

The vehicle fleet associated with the Project would consist mainly of automobiles used by residents and guests to the Project Area and small- to mid-sized trucks used for deliveries to the commercial businesses. These types of vehicles are mainly gasoline-fueled automobiles and light trucks that have very little diesel exhaust emissions. The proposed uses in the Project Area are not the types of facilities such as truck depots, bus terminals, and distribution centers whose vehicle fleet consists mainly of diesel-fueled vehicles. Furthermore, statewide emissions of diesel exhaust are expected to decrease in the future with implementation of the state's Risk Reduction Plan, described on pages 3.6-10 to 3.6-11 of the Draft EIR. As a result, it is not expected that the Project would pose increased cancer risks above the BAAQMD's threshold of ten cancer cases in a million.

It is important to understand that in the absence of the Project, the Project Area would be developed in accordance with the General Plan and Oakland Army Base Redevelopment Plan, both of which call for a continuation of various businesses. The PM<sub>10</sub> emissions associated with buildout of the No Project/OARB Alternative would be 155.13 pounds per day, which would substantially exceed the BAAQMD's significance threshold of 80 pounds per day for PM<sub>10</sub>. In addition, industrial and manufacturing uses are likely to emit other TACs as part of the production and manufacturing process, and current residents of West Oakland would be exposed to such TACs. Thus, the Project would result in fewer small particulate emissions and lesser potential health effects for West Oakland than if the Project Area were to be developed in accordance with its current designation for a mix of businesses.

**Health Impacts for New Project Residents.** In response to comments on the Draft EIR, EIP Associates has also examined whether the exposure of Project residents to diesel emissions from the adjacent freeway would pose a substantial cancer risk, even though this is not an effect of the Project. Pursuant to CEQA, the EIR addresses change to baseline conditions as the result of implementing a Project. The commentors request consideration of how the environment would affect the Project. To help address this question, the California Environmental Protection Agency and the California Air Resources Board recently drafted the *Air Quality Land Use Handbook: A Community Health Perspective* in May 2004 to provide land use agencies with a simple qualitative, screening tool that could be used to help determine when a more in-depth analysis of the air quality impacts of a project would be warranted, or when a more qualitative analysis would suffice. The handbook relies upon the California Air Resources Board's *Risk Characterization Scenarios* in order to qualitatively evaluate the effects of diesel particulate emissions.

The *Risk Characterization Scenarios* examines seven scenarios of diesel emissions exposure and estimates the 70-year cancer risk associated with each scenario through air dispersion monitoring. The seven scenarios evaluate the risk from idling school buses; emergency/standby engines; a truck stop; a low-volume freeway (approximately 2,000 heavy heavy-duty diesel-fueled trucks per day); a distribution center; prime engines such as compressors, cranes, and generators pumps; and a high-volume freeway (approximately 20,000 heavy heavy-duty diesel-fueled trucks per day). According to

the study, "The estimated risk ranges are used to provide a 'qualitative' assessment of potential risk levels near sources of diesel PM."<sup>25</sup>

The study assumed that a sensitive receptor could be located as close as 20 meters to the emissions source. The highest cancer risk scenarios according to this study are the high volume freeway scenario (1,700 people per million based on 70-year exposure), prime engines (750 people per million based on 70-year exposure), and the distribution center (550 people per million based on 70-year exposure).<sup>26</sup> The study demonstrates that areas throughout the state that are characterized by heavy truck travel and construction exhausts are associated with potentially high cancer risks.

Further, other state Air Resources Board studies have also been conducted dealing specifically with particulate emissions near a major highway. Ultrafine particle size (which includes PM<sub>10</sub> and PM<sub>2.5</sub>) distribution from freeways changed markedly and its number concentration dropped dramatically with increasing distance.<sup>27</sup> Studies also found that in addition to atmospheric dilution, the smaller the particle, the greater its diffusion because of coagulation (two small particles collide to form a bigger particle).<sup>28</sup> Combined, these studies suggest that cancer risks are a concern along transportation corridors with heavy truck traffic and that ultrafine particulate concentrations diminish rapidly with distance from a freeway and represent a relatively small component of overall PM concentrations near the freeway.

While the Project Area is located along I-880, traffic in the Project Area vicinity includes 3,192 trucks per day, 641 of which are heavy-duty trucks, according to the Annual Average Daily Truck Traffic on the California State Highway System prepared by Caltrans in 2004. Diesel exhaust emissions from truck traffic adjacent to the Project Area would, therefore, be well below even the low volume freeway scenario that was evaluated in the *Risk Characterization Scenarios*. Therefore, a qualitative evaluation of cancer risk associated with diesel exhaust emissions was considered a sufficient assessment. Furthermore, as stated on page 3.6-20 of the Draft EIR, "According to the GAIA report on particulate emissions in West Oakland, particulate emissions in the Project Area are generally comparable to the rest of the Bay Area."<sup>29</sup> Data from BAAQMD monitoring stations in the region also indicate that particulate matter levels are influenced more by regional phenomena than local phenomena. For example, 24-hour PM<sub>10</sub> concentrations for September and October in Concord, Livermore, and San Francisco averaged 17.7 µg/m<sup>3</sup>, 22.4 µg/m<sup>3</sup>, and 17.4 µg/m<sup>3</sup> respectively, while PM<sub>10</sub> concentrations for the same time span averaged 20 µg/m<sup>3</sup> and 13.8 µg/m<sup>3</sup> at each of the Port monitoring locations. Since the Project itself would not be considered a potential source of TACs, and particulate emission levels in the Project Area vicinity from diesel emissions are comparable to other

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<sup>25</sup> California Air Resources Board, *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*, October 2000, Appendix VII, Risk Characterization Scenarios, VII-2.

<sup>26</sup> California Air Resources Board, *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*, October 2000, Appendix VII, Risk Characterization Scenarios, Figure 1.

<sup>27</sup> Zhu, Y. Hinds, W.C., Kim, S., and Sioutas, C., "Concentration and size distribution of ultrafine particles near a major highway." *J. Air Waste Management Assoc.*, 52, 1032-1042 (2002), page 1038.

<sup>28</sup> Zhu, Y., Hinds, W.C., Kim, S., Shen, S., and Sioutas, C. "Study on ultrafine particles near a major highway with heavy-duty traffic." *Atmospheric Environment*, 36, 4323-4335 (2002.)

<sup>29</sup> GAIA, West Oakland Particulate Air Quality Monitoring Program Annual Progress Report, 2002-2003.

locations in the Bay Area, there would not be a noticeably greater health risk to locating new residents here than other locations in Oakland.

## Master Response 4: Cultural Resources

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Several commentors asked for additional detail regarding the historical significance of the 16<sup>th</sup> Train Station, the mitigation measures proposed to alleviate impacts to the Train Station and details regarding the proposed rehabilitation and reuse of the Main Hall. In addition, commentors raised issues relating to archaeological resources. This master response provides information relating to these issues.

### 16<sup>th</sup> Street Train Station

**Historical Significance of the 16<sup>th</sup> Street Train Station.** The 16<sup>th</sup> Street Train Station is a City of Oakland Landmark. It is eligible for inclusion in the National Register of Historic Places because of both its association with the development of rail transportation and its architectural significance as an exceptional example of train station design (see the Dreyfuss report in Appendix D of the Draft EIR).

From 1870 to 1910, the site was occupied by a small hip-roofed, half-timbered wooden train station (Figure CR-1). By World War I, Oakland had become the central rail hub for the Bay Area. Southern Pacific, which had enjoyed exclusive rail and sea rights within Oakland since 1870, was then starting to face competition. Southern Pacific made a series of investments to retain its market position. It launched a major capital campaign, constructing or rebuilding stations in Emeryville (1903), Berkeley (1908), Alameda (1910), downtown Oakland (1908), and the 16<sup>th</sup> Street Station (1912). Unlike the previous generation of buildings which were rather sparse and functional, these responded to the City Beautiful movement, incorporating certain design elements, often in the Beaux Arts style.



Figure CR-1 – Original 16<sup>th</sup> Street Station Wooden Structure, 1874

At the 16<sup>th</sup> Street site, Southern Pacific desired a larger, more efficient transfer station to connect passengers on its long-haul trains with those on its regional commuter lines. With pressure from Oakland's Chamber of Commerce and the City of Oakland, Southern Pacific made a particularly large investment into the structure, designing a Beaux Arts/Secessionist building completed in 1911-1912 (Figure CR-2). It contracted Jarvis Hunt, who also designed the grand station in



Figure CR-2 – 16<sup>th</sup> Street Station shortly after 1912 construction

Kansas City, to create a monumental station which reflected the importance of Oakland as the terminus of transcontinental rail service.

In the years following World War I, the 16<sup>th</sup> Street Train Station hosted long-distance trains using the station's at-grade tracks, regional commuter trains using the elevated tracks, and local streetcars using a turn-around in front of the station.

In the interwar years of the '20s and '30s, and into World War II, rail travel was the primary means of transportation for urban America. Grand downtown rail stations were considered the mark of a city's success. Although the 16<sup>th</sup> Street Station hosted high volumes of rail travel, it was relatively distant from the bustling Oakland Pier and Mole,<sup>30</sup> from the shop- and office-filled area of Washington and 3<sup>rd</sup> Street that hosted the primary Oakland passenger station in the late 1800s, and from the other grand, downtown station built around 1908 at 1<sup>st</sup> and Broadway. The Oakland Mole – a vast glass-domed shed suspended out over the San Francisco Bay, with hundreds of trains and ferries berthing just next door to one of the largest rail yards and one of the busiest ports in the nation – probably would have been a more popular destination for those wishing to witness Oakland's important transportation role. The Washington and 3<sup>rd</sup> Street Station, located in what is now Jack London Square, and later the 1<sup>st</sup> and Broadway Station, each would have occupied more of an iconic “downtown” role. As a transfer station on the edge of Oakland, the 16<sup>th</sup> Street Station had limited adjacent commercial activity, including the Southern Pacific Hotel, which still exists outside the Project Area.

The automobile brought about the demise of the regional commuter service that the 16<sup>th</sup> Street Station had provided.<sup>31</sup> In 1941, following completion of the Bay Bridge, Southern Pacific discontinued its local Interurban Electric Railroad, colloquially known as the “Big Red Trains.”<sup>32</sup> Accordingly, after a relatively brief period from 1912 through 1941, the 16<sup>th</sup> Street Station's intended role as both a regional and national transfer station essentially came to an end. Thereafter, the Station's role focused on serving statewide and national passenger travel.

Accordingly, the 16<sup>th</sup> Street Train Station is much more strongly remembered today as the end of the line for out-of-state immigrants and visitors. However, Oakland's importance as a western terminus

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<sup>30</sup> The “Oakland Mole” was the station at the end of the Oakland Pier, which was built far out into the Bay. Passengers would arrive to find high speed ferries waiting to complete their journey to San Francisco.

<sup>31</sup> When the 16<sup>th</sup> Street Train Station building first opened in 1912, the automobile had already started gaining popularity. Ironically, much press coverage was given to a grand parade of 500 automobiles through downtown Oakland in 1912 held to inaugurate the 16<sup>th</sup> Street Station. By 1941, the automobile had gained dominance.

<sup>32</sup> Some commentators confuse this local commuter system, which operated for a relatively short time at the 16<sup>th</sup> Street Station, with the Key System. The Key System was in competition with the Southern Pacific lines and ran on different tracks. Compared to the Southern Pacific commuter train lines, the Key System had electric trains sooner, its trains were faster, its service system provided more coverage, and it used a longer pier, providing for a shorter ferry ride into San Francisco. The Key System outlasted Southern Pacific's interurban system by almost 20 years, even incorporating several of the IER lines into its system during the 1940s. The last of the Key System trains stayed in service until 1958, and therefore has a somewhat greater hold on memories of East Bay residents.

for the transcontinental railroad predates the 1912 construction of the concrete 16<sup>th</sup> Street Station buildings. Transcontinental rail service began in 1869, and triggered both Oakland's transformation into a commercial center and the growth of West Oakland. The initial growth was focused well to the south of the 16<sup>th</sup> Street Station, below 7<sup>th</sup> Street and adjacent to the railyards and Oakland Point. The Oakland Point Historic District, which lies immediately southwest of the Project Area (see Figure 3.7-5 on page 3.7-11 in the Draft EIR) and was associated with working people and the western terminus of the transcontinental railroad at Oakland Point, dates from the late 1800s, when the 16<sup>th</sup> Street Train Station was still a relatively small wooden structure. While the Oakland Point Historic District denotes historically important activities in the area, it does not include the area of the 16<sup>th</sup> Street Train Station.

As documented in reports prepared for Caltrans and Oakland,<sup>33</sup> in the 16<sup>th</sup> Street Station's earlier years, before the Oakland Mole and Downtown stations closed in 1958, there were other stations that played equal or more important roles as West Coast destinations for interstate travelers. Out-of-state arrivals whose ultimate destination was San Francisco tended not to disembark at the 16<sup>th</sup> Street Station, but continued on to the Oakland Mole at the end of the Long Wharf off Oakland Point, where ferries awaited. For Oakland-bound passengers arriving from southern locations such as San Jose, Los Angeles, El Paso, and New Orleans via Niles Canyon, the downtown stations on Broadway were the more obvious points of disembarkation to connect with local trains or trolleys. Historic maps of Southern Pacific long-haul and interurban lines indicate that before 1958, trains coming from those locations south of Oakland would have stopped downtown or at the Oakland Pier without passing through the 16<sup>th</sup> Street Train Station.

Though its role was not as prominent as that of these other stations, the 16<sup>th</sup> Street Station's status as a destination point did define its final 30 years. The station was the end point for many traveling across the country to the Bay Area, after the Oakland Mole and downtown stations closed in 1958. However, regional and long-haul train ridership declined markedly each year throughout the second half of the twentieth century. After the Loma Prieta earthquake caused extensive damage to the structure in 1989, and with construction of the new Emeryville and Jack London stations, the 16<sup>th</sup> Street Station closed. The construction of the new Cypress Mandela Freeway demolished the track system. Other tracks connecting the new Amtrak stations at Jack London Square and Emeryville were built on the Army Base side of the freeway, expressly to avoid impacting West Oakland. This left the 16<sup>th</sup> Street Station cut off from the tracks it had served, leaving only disconnected pieces of elevated tracks immediately adjacent to the Station.

Though less dramatic than the Oakland Mole, the 16<sup>th</sup> Street Train Station through the early- and mid-twentieth century was the jumping off point for successive waves of American immigrants into Oakland and the East Bay. West Oakland was an exceptionally diverse community in the early twentieth century, hosting Chinese, Portuguese, Italian, Irish, Mexican, and other cultures, many of whom had arrived by train.

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<sup>33</sup> Caltrans District 4, *Historic Property Survey Report: Volume 4*, 1990; Oakland Cultural Heritage Survey, *West Oakland Survey: Phase II*, 1990, pages 16-17.

In the late 1930s and during World War II, a substantial migration of African-Americans into West Oakland transformed the character of the neighborhood.<sup>34</sup> By mid-century, other areas of Oakland outside the area of the 16<sup>th</sup> Street Station hosted the largest rail yard (adjacent to the Oakland Mole and the Oakland Pier), and one of the largest shipyards (the Port of Oakland), of any western city. Particularly during World War II, major investments in shipbuilding and a labor shortage combined to entice thousands of African-Americans to settle in West Oakland, with many disembarking at the 16<sup>th</sup> Street Station.

West Oakland was also where C.L. Dellums, head of the West Coast Brotherhood of Sleeping Car Porters (BSCP), was born and raised. In 1925, Dellums and A. Philip Randolph founded the BSCP, the first African-American labor union to sign a collective bargaining agreement with a major U.S. corporation. The BSCP influenced politics at a national level,<sup>35</sup> and is seen by many as the inspiration for civil rights groups that formed decades later. At a time where race dramatically limited options available to young black men, life as a Pullman Porter was an exciting chance for African-Americans to gain status, a stable income, and an opportunity for extensive travel. The Pullman Porters sustained their importance through World War II. After the war, the Pullman Company stopped hiring and started cutting back service, until it closed in 1971.

The West Coast BSCP headquarters building still stands at 7<sup>th</sup> and Wood Streets. These headquarters are part of the 7<sup>th</sup> Street Historic Entertainment District, which was a major commercial, lodging, and entertainment center in the late 1910s and 1920s. This District centered along the rail service then available along 7<sup>th</sup> Street, with stations at Wood, Center, Adeline, and Market Streets. The portions of this District that survive today are the Arcadia Hotel, the Lincoln Theater, the BSCP Headquarters, and Esther's Orbit Room.<sup>36</sup> The 7<sup>th</sup> Street Historic Entertainment District does not include the area of the 16<sup>th</sup> Street Train Station (see Figure 3.7-5 on page 3.7-11 in the Draft EIR).

The Redcaps, and their associated union, were another source of train-related employment for African-Americans in Oakland. Their numbers were few, however, including approximately 30 in Southern Pacific's Oakland operations during the 1930s.<sup>37</sup> The Redcaps also enjoyed status as rail workers. The United Transport Service Employees of America (UTSEA), which included the International Brotherhood of Redcaps, and the Brotherhood of Sleeping Car Porters, were two of only four African-

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<sup>34</sup> For example, see Rhomberg, *No There There: Race, Class and Political Community in Oakland*, University of California Press, Berkeley, 2004, page 121.

<sup>35</sup> "The BSCP leadership was instrumental in lobbying President Franklin Roosevelt to require fair employment practices in the defense industry during World War II. Labor recruiters for Oakland's Moore shipyard traveled through the post-Depression South offering various inducements for African Americans to come work in California. As a result, between 1940 and 1950, Oakland's African American community grew from around 8,400 to nearly 50,000...." Praetzellis, ed., with Caltrans and Sonoma State University, *Putting the "There" There: Historical Archaeologies of West Oakland*, page 11.

<sup>36</sup> Oakland Redevelopment Agency, *West Oakland Redevelopment Plan Draft EIR*, SCH#2002072065, June 2003.

<sup>37</sup> See the description of an interview with a Redcap porter by Willie Collins in "Putting on the Big Hat" article published in *Sights and Sounds: Essays in Celebration of West Oakland*, 1997.

American trade unions in Oakland into the 1950s.<sup>38</sup> However, as early as World War II, Redcaps, Porters, and other established railroad employees, along with other African-American professionals, began a gradual movement out of West Oakland into new middle-class African-American neighborhoods in South Berkeley and North Oakland.<sup>39</sup>

The development of jazz and blues music is also related to West Oakland. The African-Americans who came west during the Depression and World War II often brought their music with them. Pullman Porters and other African-American railroad men were known for finding commercially produced music targeted at African-Americans, produced in the 1920s through 1950s in East Coast cities, and bringing it back home to West Oakland.

**Baseline Condition of the 16<sup>th</sup> Street Train Station.** The impacts of the Project to the 16<sup>th</sup> Street Train Station must be measured against the baseline, which consists of the circumstances existing around the date the Notice of Preparation of this EIR was published in January 2004. Figure CR-3 depicts the status of the facilities in July 2004 and are representative of the baseline conditions.

The station facilities are currently composed of the Main Hall (which includes the general waiting room and symmetrical wings to the north and south), the Baggage Wing, the platform (or concourse), the elevated platform that supports the Elevated Tracks, and the 16<sup>th</sup> Street Signal Tower. The surrounding tracks that formerly served the Station are no longer in existence, and active rail lines do not run anywhere near the Station.

The Station suffered extensive damage from the 1989 Loma Prieta earthquake. Between the time the Station was closed in 1989 and its purchase by one of the Project Sponsors, BUILD West Oakland, or its predecessor in interest (“BUILD”), the Station experienced considerable vandalism, damage from weather, and other deterioration. Interior finishes, ornaments, and fixtures were stripped and removed, and there was evidence of indoor fires. The two historic murals – one of Lake Tahoe and the other of Mount Shasta – were destroyed. Most doors are missing, as are the original clock, the decorative light fixtures and the restroom partitions and fixtures. The original marble floors remain, as does evidence of a tall, marble wainscot. The exterior terra cotta is in generally good condition, although covered in graffiti.

Neither the authors of this EIR nor City staff intend to attribute responsibility for these circumstances to any person or entity, or to the neighboring community, as suggested by some commentators. Instead, the EIR simply describes the circumstances as they existed in early 2004.

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<sup>38</sup> According to Willie Collins, “...to work at Sixteenth Street Station in the 1940s, one had to be ‘in’ even to work there. Redcaps J.R. Hoskins, A.D. Smith, and Jack Wagner – all regulars at Sixteenth Street Station – had considerable pull with the mayor and other people of influence in Oakland. The Redcaps’ status in the community is underscored by the fact, noted above, that former Mayor Lionel Wilson had worked as a Redcap porter before entering politics.”

<sup>39</sup> Robert Self, *American Babylon: Race and the Struggle for Postwar Oakland*, Princeton University Press: 2003, page 50.



**Figure CR-3**  
**16<sup>th</sup> Street Station Existing Conditions in July 2004**

This baseline condition incorporates relatively recent actions by BUILD to stabilize the condition of the facility. During early 2001, BUILD removed 25 tons of trash and installed fencing to reduce further trespassing. A local resident was retained as a security guard to reduce vandalism. The area in front of the Station was graded and filled, and compressed rock was dispersed to prevent flooding. BUILD also retained a contractor to perform weatherization work. Roof tiles were removed and stacked on pallets inside the Station, and a new roof was installed. Plexiglas windows were installed over all window openings. These measures were entirely funded by BUILD, without any contribution from the City. Since 2001, with financial assistance from BUILD, two local residents also have been undertaking an urban greening project, adding flower planter boxes and maintaining green areas around the Station.

**Project Impacts to the 16<sup>th</sup> Street Train Station.** The Project Sponsors propose to facilitate restoration of the 16<sup>th</sup> Street Signal Tower, the Main Hall, and a 20-foot-wide portion of the platform and Elevated Tracks on the train side of the Main Hall, and to demolish the remainder of the platform, the remainder of the Elevated Tracks and the Baggage Wing. Portions of the 16<sup>th</sup> Street Train to be retained and portions to be removed are illustrated in Figure CR-4. The size<sup>40</sup> of each of these various facilities is as follows:

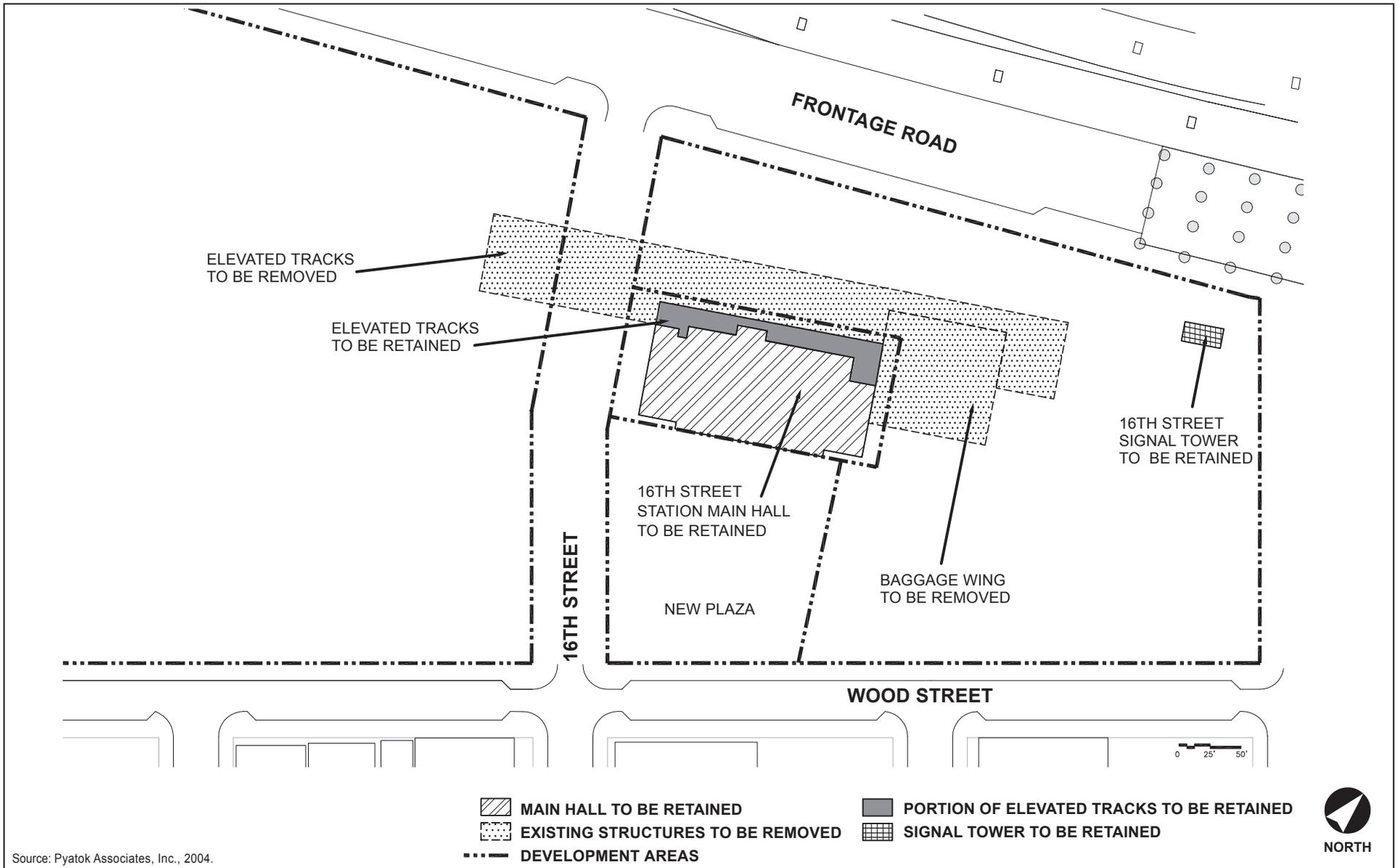
- Main Hall: 14,847 square feet (83 feet by 185 feet by 62 feet high (north and south wings are 25 feet high)<sup>41</sup> – proposed for preservation.
- Elevated Tracks and Platform: 3,710 square feet (20 feet by 185 feet by 32 feet high) – proposed for preservation.
- Elevated Tracks and Platform: 25,307 square feet (62 feet by 470 feet by 32 feet high) – proposed for demolition.
- Baggage Wing: 8,887 square feet (92 feet by 98 feet by 22 feet high) – proposed for demolition.
- Signal Tower: 814 square feet (22 feet by 37 feet by 35 feet high) – proposed for preservation.

The Main Hall is the most prominent aspect of the 16<sup>th</sup> Street Train Station. It is the portion that best lends itself to adaptive reuse and that preserves the historical attributes of the structure because of its historical significance and architecturally interesting interior. Its lofty 62-foot ceilings also offer numerous possibilities for reuse, while still permitting reuse in a manner that honors its cultural and historic significance. By contrast, the Baggage Wing was designed as a utilitarian space, with normal height ceilings. It is architecturally set back from the rest of the structure and allows little entry of light and air. Unlike the Main Hall, the Baggage Wing was not formerly a “grand” structure, and it

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<sup>40</sup> Overall area numbers may not precisely correspond to the width and length information provided since the walls of the structures are not uniform in some instances.

<sup>41</sup> The Main Hall comprises 14,847 square feet, and includes the north and south wing. The portion of the Baggage Wing that lies in Development Area Five is 580 square feet. This totals 15,427 square feet, as noted in Table 2-3 in the Draft EIR for Development Area Five.



EIP  
ASSOCIATES  
**FIGURE CR-4**  
**16th Street Train Station**

has been divided into subspaces for functional purposes. In addition, the Baggage Wing is not as prominent as the Main Hall because it was not as central to the train station experience for those immigrating to West Oakland. As its name suggests, the Baggage Wing was used for baggage storage, and it housed a U.S. Postal Service staging area. The Main Hall, in contrast, was used by passengers, porters, ticket clerks, and baggage handlers alike. The Elevated Tracks are not as prominent, both because they have been disconnected from the tracks that were used to approach the Station, and because their intended purpose was to facilitate dual use of the Station for both local commuter trains and long distance trains, which occurred during only a short span of the Station's history and which is not associated with the Station's primary importance in interstate travel. However, all aspects of the 16<sup>th</sup> Street Train Station are as a whole historical resources; the Elevated Tracks and Baggage Wing are integral parts of the 16<sup>th</sup> Street Train Station, and they contribute substantially to its architectural significance.

The analysis of the Project's impacts to the Train Station was prepared by Alan Dreyfuss, AIA,<sup>42</sup> and reviewed and supplemented by Neill Brower of EIP Associates. The analysis in this EIR encompasses information from the City's Cultural Heritage Survey, which included completion of a State Department of Park and Recreation (DPR) historic resources inventory form. City staff had already ranked the 16<sup>th</sup> Street Train Station for its historic significance. The Project has been considered by the City's Landmarks Preservation Advisory Board, whose comments are included in and responded to in this Final EIR. The impacts to the 16<sup>th</sup> Street Train Station have therefore been analyzed, peer-reviewed, and evaluated by persons with expertise in the field.

The Project's impacts to historical resources are not expected to contribute significantly to any cumulative impacts. With General Plan buildout, there are no other train stations associated with migration into Oakland, the Pullman Porters, C.L. Dellums, the BSCP, the Redcaps, jazz and blues music, or the influx of people and goods into West Oakland that are also proposed for demolition, the impacts of which would combine with those of the 16<sup>th</sup> Street Train Station. As noted earlier, in this master response, the Downtown and the Oakland Mole Stations were the primary long-haul destinations for interstate travelers, and these stations have already been demolished.

The City enforces a well-defined regulatory framework to protect historic resources that involves the CEQA process, review by the City's Landmarks Preservation Advisory Board, design review, and consistency with the General Plan Historic Preservation Element. This regulatory framework is based upon and was developed in conjunction with a citywide "windshield survey" of every street in Oakland, in which field surveyors estimated the age and possible historical and archaeological significance of every visible building. Numerous buildings and areas were then subjected to a more rigorous survey in the City's Cultural Heritage Survey project. This process and these regulations resulted in a wealth of information regarding historic resources and detailed measures designed to

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<sup>42</sup> The Dreyfuss report references the Central Station Master Plan prepared by Pyatok Associates, and especially Section 5.0, Development Standards, and Section 5.80, the 16<sup>th</sup> Street Train Station portions of that plan. These are references to Sections 5.00 and 5.80 of the Development Standards contained within the Wood Street Zoning Regulations. These are included with the Draft EIR, in Appendix H.

protect the resources considered significant. The City's adoption of the Historic Preservation Element established the minimum amount of preservation that would be considered acceptable citywide. Since the Project, and proposed future development under General Plan buildout, would meet those standards, a substantial citywide loss of historic resources has not been identified.

**Mitigation for Impacts to the 16<sup>th</sup> Street Train Station.** Several commentors asked for more clarity regarding the actions to be implemented and monitored as mitigation measures, requested more detail in how the mitigation measures would be implemented, and requested additional detail regarding the correlation between the mitigation measures proposed in the Dreyfuss report (Appendix D) and the EIR mitigation measures. This master response provides such additional detail, and ensures that all measures intended as CEQA mitigation measures are expressly labeled as such.

The Project Sponsor of Development Areas Five, Six, and Nine, BUILD, has indicated that, instead of selling the train station facilities for revenue (which could result in private uses that were not open to the public), it would undertake construction and maintenance of a publicly available plaza, stabilization of the Main Hall, restoration of the Signal Tower, and facilitation of rehabilitation and reuse of the Main Hall with tax increment financing, and any other public funding, tax credits, private financing, and/or private philanthropic grants that may become available. The Project Sponsors have advised the City that they will create a non-profit organization that would participate in the reuse of the Main Hall. Revised and augmented mitigation measures are listed below, replace Mitigation Measure CR-2.1 and CR-2.2 on pages 3.7-21 and 3.7-22 of the Draft EIR. Some of these mitigation measures reflect recommendations from the Dreyfuss report for facilities proposed for demolition, as noted at the end of each measure.

*CR-2.1 HABS Recordation of the 16<sup>th</sup> Street Train Station.* ~~Prior to any construction-related activities in~~ The Project Sponsor of Development Areas Four, Five, and Six, and Nine the Project Sponsors for those development areas shall, within 12 months of the effective date of the Wood Street Zoning District, record the 16<sup>th</sup> Street Train Station and the Signal Tower in accordance with the procedures of the Historical American Building Survey (HABS). In accordance with the HABS recordation process, the Project Sponsor shall consult with the National Park Service (NPS) to determine the appropriate level of documentation, and all documentation shall be subject to review and approval by NPS with approval determined by compliance with HABS procedures. [This reflects Suggested Demolition Mitigation Measure 2 on page 3 of the Dreyfuss report.]

*CR-2.2 Salvage and Reuse of Original Building Materials from Structures Proposed for Demolition.* ~~Prior to any construction-related activities in~~ The Project Sponsor of Development Areas Four, Five, or Six, and Nine the Project Sponsors for those development areas shall, within 12 months of the effective date of the Wood Street Zoning District, submit a study to the City of Oakland detailing those portions of the Baggage Wing and Elevated Tracks 16<sup>th</sup> Street Train Station's structure that can be feasibly salvaged. Following City approval of the study, the Project Sponsors shall salvage architectural elements and materials from the portion of the building

~~to be demolished, including~~ The study shall include an assessment of the feasibility of salvaging terra-cotta cladding, windows, doors and hardware. ~~These salvaged materials shall be reused to the extent feasible and in accordance with the Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings in the rehabilitation of the Main Hall. Salvaged materials that cannot be reused shall be incorporated into an interpretive display in or near the Main Hall.~~ The City's Planning Director may approve, disapprove, or modify the study to ensure it adequately identifies those parts that can be feasibly salvaged. Following City approval of the study, the Project Sponsor shall salvage parts as indicated in the approved study and shall make the salvaged materials available for reuse in rehabilitating the Main Hall or Signal Tower. [This reflects Suggested Demolition Mitigation Measure 3 on page 3 of the Dreyfuss report.]

CR-2.3 Stabilization of Main Hall and Signal Tower. The Project Sponsor of Development Areas Five, Six, and Nine shall, within three months of the effective date of the Wood Street Zoning District, take measures designed to preclude further deterioration of the Main Hall and the Signal Tower from rain and to exclude trespassers. These measures must be approved by the City's Planning Director, who shall find them acceptable if they preclude deterioration or vandalism that would occur in the absence of these measures. These measures shall remain in place until the decision regarding reuse of the Main Hall is made. The facilities preserved and protected by this measure include the canopy at the Wood Street entrance to the Main Hall.

CR-2.4 Restriction on Alteration of the Main Hall and the Signal Tower. The property owner of property containing the Main Hall and the Signal Tower shall not make any alteration to the Main Hall that is not consistent with the preservation, rehabilitation, or reuse recommendations contained in the *OARB Area Redevelopment Plan* (as amended); the *City of Oakland General Plan* (as amended); the Wood Street Zoning District; and Secretary of the Interior's Standards for the Treatment of Historic Buildings. Alterations shall be further restricted in accordance with any additional design standards, guidelines, or recommendations when the development plan, adopted pursuant to Mitigation Measure CR-2.5, becomes effective.

CR-2.5 Application for Redevelopment Agency Funding Approval for Train Station Preservation, Rehabilitation, and Stabilization. Consistent with the *OARB Area Redevelopment Plan* goals as set out in Section 100, the property owner of the property containing the Main Hall shall submit an application to the Agency requesting that the Agency make available tax increment funds provided for in Section 502 of the *OARB Area Redevelopment Plan* for the preservation, rehabilitation, and stabilization of the Main Hall. In connection with such

application, the property owner shall submit the following materials and information to the Agency:

- a. a finance plan demonstrating the prudent use of tax increment funds in restoring, preserving, and reusing the Main Hall, including a commitment by the property owner to maximize the leverage of the tax increment funds by seeking additional public funding, tax credits, private financing, and/or private philanthropic grants;
- b. a management plan demonstrating exemplary and continued stewardship of the Main Hall, with recognition of its cultural and historical importance to the City of Oakland and which is accountable to the goals and policies of the *OARB Area Redevelopment Plan* and the *City of Oakland General Plan*;
- c. a community participation plan providing for input by Oakland community members in decisions concerning the Main Hall's preservation and reuse; and
- d. a development plan demonstrating that the proposed renovation and reuse of the Main Hall is consistent with the design standards, policies, and goals of the *OARB Area Redevelopment Plan* (as amended); the *City of Oakland General Plan* (as amended); and the Wood Street Zoning District; as well as with any other design criteria that the Agency determines is appropriate to meet said goals and policies.

CR-2.6 *Facilitate Rehabilitation and Reuse of Main Hall, Platform and Signal Tower.* Upon determination by the OARB Redevelopment Agency of sufficient funding (through Redevelopment Agency approval of the use of sufficient tax increment funding, realization of that funding, and realization of any additional funding referenced in Mitigation Measure CR-2.5 above, all as determined by the Redevelopment Agency), the Project Sponsor of Development Area Five shall use such funding to rehabilitate the facilities depicted for retention in Figure 2-4 of the Draft EIR, in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Buildings, and in conformance with the General Standards referenced in the Dreyfuss report, page 5.<sup>43</sup> This rehabilitation shall include using

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<sup>43</sup> These are: (1) Any renovation, modification or addition to the 16th Street Station shall conform with the standards set forth in the Planning Code "Special regulations of designated landmarks." (2) Any reuse of the 16th Street Station shall include stabilization and repair of exterior materials to improve the exterior appearance and to ensure a water tight building envelope. (3) For the purpose of the standards, the primary portion of the station is defined as the General Waiting Room and the symmetrical wings to the north and south. A water tight building envelope refers to measures designed to preclude rain from entering the building. The General Waiting Room and symmetrical wings to the north and south comprise the Main Hall as that term is used in this EIR.

salvaged materials to the extent feasible, and seismically strengthening and rehabilitating the exterior of the Main Hall, including the portions of the platform that are to be preserved. No additions to the structures would be permitted except as specified in the Dreyfuss report, page 5.<sup>44</sup> Plaques shall be installed on the exterior façade of the station and the Signal Tower that identify their historic uses and include additional historical information. A display shall be created on the interior of the Station using historic photos and documents to give a more complete history of the Station and the Signal Tower. [This reflects Suggested Demolition Mitigation Measures 1 and 3, and Suggested Setting Mitigation Measures 1 and 2, all on page 3 of the Dreyfuss report, and Suggested Mitigation Measure 1 on page 6 of the Dreyfuss report.]

CR-2.7 *Reuse of the Main Hall.* The reuse of the Main Hall shall incorporate exhibit space commemorating the site's cultural history and its function as the end of the trans-continental railroad and the gateway arrival point in the West. The exhibit space could also serve as a venue for private and public events, facilitating greater exposure of persons to the historical significance of the Station. Oral histories shall be recorded and made available to the extent feasible. The building would not be subjected to extensive night lighting. Reuse shall proceed according to the finance, management, community participation, and development plans submitted pursuant to Mitigation Measure CR-2.5, as approved by the Redevelopment Agency, as well as any other design criteria that the City Planning Director determines is appropriate to meet the City's goals and policies.

CR-2.8 *Enhancement of the Train Station Setting.* The Project Sponsor of Development Area Nine shall construct and landscape the plaza area to provide an enhanced visual setting for the Main Hall, to provide a visual focus and view corridor, to increase public accessibility to the 16<sup>th</sup> Street Train Station, and to create a feature that recalls the historic use of the Station. All these improvements shall be completed with private financing by the Project Sponsor; no public funds would be requested with respect to the Plaza. [This reflects Suggested Suggested Setting Mitigation Measure 3 on page 3 of the Dreyfuss report.]

As is the case with any mitigation under the control of another agency, and as some commentors note, it is possible that the Redevelopment Agency could decline to approve use of tax increment financing to rehabilitate the 16<sup>th</sup> Street Train Station, and it is possible that additional public funding, tax credits, private financing and/or private philanthropic grants, as proposed by Mitigation Measure CR-2.5, will

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<sup>44</sup> The standards for additions are: 1(a.) No addition to the existing train station shall exceed a total building footprint greater than 20 percent of the existing structure to be retained. 1(b.) No addition to the existing train station shall exceed the height of the north or south wings that flank the General Waiting Room (approximately 25 feet in height.) 1(c.) No addition shall be made to either the primary façade facing the 16th Street Plaza or the southern façade, facing the 14th Street non-development area. 2. No additions are permitted to the Signal Tower.

not be realized. Any funding made available for restoration of the Main Hall would mitigate impacts by partially offsetting the impacts of demolition, but not to a less-than-significant level. If funding is not available, then the rehabilitation and reuse portions of these mitigation measures would not occur. The Project Sponsor would, however, still be required to implement the rest of the mitigation measures, which are all under its control. These measures would provide some protection against further deterioration and provide a suitable setting for future reuse of the Station. The Plaza would ensure the Main Hall is emphasized and not hidden from views along Wood Street. These measures would facilitate and promote use of the 16<sup>th</sup> Street Train Station as a centerpiece and an opportunity for greater public access, involvement, and awareness. These measures would accordingly reduce Impacts CR-2 (demolition of portions of 16<sup>th</sup> Street Train Station) and CR-3 (adversely affect the historical setting and views of the station).

The Project Sponsor for Development Areas Five, Six, and Nine has determined it is not feasible for it to fund rehabilitation and reuse of any structures beyond the Project Sponsor's dedication of the sites and facilities comprising the Main Hall and implementation of Mitigation Measures CR-2.1 through CR-2.4, and Mitigation Measure CR-2.8. In addition, the Project Sponsor has concluded that preservation of the Baggage Wing and all of the Elevated Tracks would not be feasible. The Project Sponsor has developed the following information regarding the feasibility of preserving and restoring the entire Train Station. Further information shall be provided by the Project Sponsor to enable the City to make its determination of feasibility prior to consideration of Project approval.

The 4.31-acre land area encompassed by future Map 8554 was purchased by BUILD in 2002. It is bounded by frontage road to the west, Wood Street to the east, land area owned by Central Station Land LLC to the north, and the future right-of-way of 16<sup>th</sup> Street to the south. This area contains the existing 16<sup>th</sup> Street Train Station and its associated elevated platform and tracks, its associated Baggage Wing and the Signal Tower. BUILD acquired this land, incurred the entitlement costs, and undertook a land development effort in order to turn the land into developable property that could be sold to a residential builder or built out by BUILD. To recover its costs and obtain a reasonable rate of return for its investor, BUILD determined that 215 units would be needed on the parcel. BUILD evaluated three scenarios to achieve 215 units as described below:

*Scenario A.* Scenario A proposes building the 215 new homes on the existing vacant land area (approximately 2.39 acres) in front of the Train Station fronting Wood Street. Although this scenario would allow for the construction of 215 units at a density (90 units/acre) associated with four- to five-story podium-style residential buildings, it was rejected because it would have completely blocked views of the historic Main Hall of the 16<sup>th</sup> Street Train Station from the adjacent West Oakland neighborhood and would, therefore, not be economically feasible.

*Scenario B.* Scenario B reserves a 0.75-acre parcel directly in front of the Main Hall for development of a publicly accessible plaza, leaving 1.64 acres of developable land. Scenario B could accommodate the 215 units, but at a density of 131 units per acre and a height of 85 feet, which would be visually inappropriate next to the 62-foot-tall train station. Other concerns with this scenario are that the units would be of a product type and density not readily marketable in this West Oakland submarket, and the units would require steel or concrete

construction that is significantly more costly to develop. BUILD determined that Scenario B would be infeasible.

*Scenario C.* Scenario C seeks to increase the buildable area to make the development feasible. Under this scenario, BUILD conceived of a plan that would retain the Main Hall, retain a portion of the elevated platform that is attached to the Main Hall building, demolish the rest of the elevated structure and the Baggage Wing, and retain the historically important Signal Tower. Through discussions with architectural and historical consultants, BUILD ascertained that the most significant component of the 16<sup>th</sup> Street Train Station facilities is the Main Hall. Under this scenario, the land area made available for redevelopment increases to approximately 3.04 acres, creating a parcel that could support residential development at densities in line with the height of the 16<sup>th</sup> Street Train Station and cover BUILD's costs. Under this scenario, the 0.75-acre plaza would create a front door view to the Main Hall with development flanking it and the Train Station.

BUILD has proposed a Project implementing Scenario C for Development Area Six, which would result in a development density of 70.7 units per acre. Though less expensive to construct on a per-unit basis than a concrete or steel high-rise (as described in Scenario B), BUILD states that this density would still be significantly costlier than typical exclusively wood-frame construction because it would require modifications to standard Type V construction (including a costly two-story garage with a podium above). As modeled under this scenario, in which the Project would pay for its own infrastructure and streetscape improvements and gain no financial return on the land underneath the plaza or Station, BUILD states that Scenario C is the only economically feasible alternative.

BUILD has concluded that development at substantially lower densities, as would be required to limit height of the structures adjacent to the Main Hall and along Wood Street to 25 feet instead of 65 feet, would not be feasible because of the reduced number of units that could be built in the development area. Some commentors questioned why removal of the Elevated Tracks was necessary. The Project proposes to leave a 20-foot wide portion of the Elevated Tracks in place. Removal of the remaining portion of the Elevated Tracks and the canopy or overhang above it would be necessary to provide emergency access to the Project. Emergency services would come primarily from West Oakland, e.g., the nearest fire station is on 14<sup>th</sup> Street and the local police patrol beat is centered more to the east. Accordingly, omitting emergency access would create serious health and safety issues.

**Feasibility of Retaining Baggage Wing and All of the Elevated Tracks.** Some commentors suggested that a public or volunteer group could preserve and restore the entire 16<sup>th</sup> Street Train Station, including the Baggage Wing and all of the Elevated Tracks while also ensuring a feasible development alternative for the remainder of the development area. Not only would such preservation render the development of the 4.31 acre land area infeasible, according to BUILD, for the reasons described in Scenario B above, no agency or entity has indicated a willingness to fund the acquisition, restoration, and rehabilitation of the entire 16<sup>th</sup> Street Train Station. A commentor indicated the previous availability of \$8 million to restore the entire 16<sup>th</sup> Street Train Station, but there is no evidence that those funds are currently available or will be available in the near future. A commentor stated that the Alliance for West Oakland Development had an agreement with Union Pacific to buy the

Station for less than \$9 million. However, the Station was owned by Southern Pacific, which indicated there was no such agreement and that no other parties were in negotiation for the property when it was initially purchased by Central Station Land LLC.

The EIR nonetheless evaluates an alternative that encompasses preservation of the entire 16<sup>th</sup> Street Train Station, including the Baggage Wing and all of the Elevated Tracks. This Preservation Alternative is included to advise the decision makers and the public about the impacts that would occur should the entire 16<sup>th</sup> Street Train Station be preserved. It was also included to avoid the significant impact of demolishing a portion of the Historic Train Station.

**Feasibility of Restoring Main Hall and Portion of Elevated Tracks.** It is feasible for restoration of the Main Hall and a portion of the Elevated Tracks to occur. The Project Sponsor of Development Area Five has told the City the estimated cost of restoration is approximately \$10 million. Financial analysis performed by the Conley Group for the Project Sponsor's projects that tax increment funding would be sufficient by 2009 to pay for such work. The restoration could not be completed earlier using tax increments funds because such funds are not anticipated to be available before then. However, if sufficient alternative funding sources were identified to rehabilitate the Main Hall, then the work could be accomplished sooner. To the extent such issues raise environmental concerns (such as any potential for release of hazardous substances upon demolition), they are addressed in this EIR according to the subject matter they concern, and all environmental impacts are mitigated to a level less than significant whenever feasible. Suggestions regarding the merits of such methods are policy issues that will be reviewed and considered by the decision makers during the development review process. Such issues do not pertain to physical impacts.

Some commentors suggested that the Project cannot comply with Secretary of Interior's Standards unless all elements of the 16<sup>th</sup> Street Train Station are fully preserved. The Secretary of Interior's Standards do not preclude demolition, but provide standards to ensure that restoration activities preserve the integrity of the historic property or portion of the property that is to be restored.

**Reuse of the Main Hall and Portions of the Elevated Tracks.** In response to comments about the range of uses for the Main Hall, the proposed uses for the historic 16<sup>th</sup> Street Train Station listed on page 2-18 of the Draft EIR include commercial activities in the Main Hall, because it could serve as a venue for private and public events, and because all possible impacts of reusing the Main Hall need to be studied.

Several comments were submitted regarding the best reuse of the Main Hall. These proposed uses would not provide any greater mitigation for the loss of portions of the historic Train Station or its setting than the measures described above. Some proposals for reuse appear even more prohibitively expensive, such as building a system of train tracks to connect this currently isolated train station to an existing system of tracks. Whether any of these other proposed uses represent a better reuse of the Main Hall are policy issues and will be considered during review of the merits of the Project. Such issues do not pertain to physical impacts.

## Historic Preservation Element

Commentors referenced Policy 3.8 of the Historic Preservation Element and claimed that the Project was not consistent with that policy. This master response describes the Historic Preservation Element and Policy 3.8 and evaluates how the mitigation measures proposed to protect the 16<sup>th</sup> Street Train Station conform to Policy 3.8. As described on pages 3.7-15 to 3.7-17 of the Draft EIR, the City of Oakland adopted and amended a Historic Preservation Element (“Preservation Element”) to govern the treatment of “Designated Historic Properties” (DHPs) and “Potential Designated Historic Properties” (PDHPs), establish a graduated system of ratings and designations for these structures, and establish a local historic register for the purposes of CEQA, as allowed under Section 15064.5(a)(2) of the CEQA Guidelines. The City uses letters A–E as a means of designating the relative importance of historic properties, and as described in the Preservation Element, letters A and B denote structures of primary importance; letters C–E, secondary importance (see Table CR 3-3).

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**Table CR 3-3**  
**Summary of Historical and Architectural Rating System**

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A: Highest Importance: Outstanding architectural example or extreme historical importance (about 150 properties total). Examples: City Hall, Camron-Stanford House, 16<sup>th</sup> Street Station, Floral Depot.

B: Major Importance: Especially fine architectural example, major historical importance (about 600 total). Examples: Plaza Building, California Cotton Mills, Fruitvale Hotel, Herbert Hoover House.

C: Secondary Importance: Superior or visually important example, or very early (pre-1906). Cs “warrant limited recognition” (about 10,000 total).

D: Minor Importance: Representative example. About 10,000 Ds are PDHPs, either because they have a higher contingency rating (“Dc”) or because they are in districts (“D2+”).

E: Of no particular interest, \* or F: Less than 45 years old or modernized. Some Es, Fs, and \*s are also PDHPs because they have higher contingency ratings or are in districts.

Contingency Ratings (lower-case letter, as in “Dc” or “Fb”): potential rating under some condition, such as “if restored” or “when older” or “with more information.”

District Status (numbers):

“1”: In an Area of Primary Importance (API) or National Register quality district. Examples: Old Oakland, Downtown, Oakland Point (Prescott).

“2”: In an Area of Secondary Importance (ASI) or district of local interest. Examples: 23rd Avenue Commercial, Clawson Neighborhood, Bella Vista, Jingtowntown, Carrington Airplane Bungalows.

“3”: Not in a historic district.

For properties in districts, + indicates contributors, — noncontributors, \* potential contributors.

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*Source:* Historic Preservation Element of the Oakland General Plan.

Although the City considers a property that holds a contingency rating of at least C (secondary importance) or contributes or potentially contributes to a district of primary or secondary importance to “warrant consideration for possible preservation,” Policy 3.8 of the Preservation Element further refines the definition of what the City considers to be historic resource for the purposes of the CEQA. As described on page 3.7-17 of the Draft EIR, the following properties would constitute the register under Policy 3.8:

- All Designated Historic Properties, and
- Those Potential Designated Historic Properties that have a contingency rating of “A” or “B” or are located within an area of primary importance.

Policy 3.8 also states that until complete implementation of Action 2.1.2 (Redesignation), the local register also includes Oakland Landmarks, S-7 Preservation Combining Zone properties, and Preservation Study List properties.

The City Community and Economic Development Agency has consistently interpreted Policy 3.8 to limit the definitions of “historical resources” in CEQA analyses to include only the properties that meet the specific criteria enumerated therein. The consistent application of this interpretation is illustrated by the historical resources analyses provided in the Draft EIR.

In the case of the Wood Street Project EIR, only the 16<sup>th</sup> Street Train Station is recognized as a historical resource. Other structures and districts in the Project Area and in the Project Area vicinity are rated as being of secondary importance. Further description of both Bea’s Hotel and the Pacific Coast Canning Company is provided below to supplement information in the Draft EIR. However, as explained in the Draft EIR on page 3.7-4, both of these structures would not be considered a historic resource for the purposes of CEQA, pursuant to Policy 3.8, because neither is a designated historic property, has a contingency rating of “A” or “B,” or is included on the Preservation Study List in Appendix B to the Preservation Element. Therefore, consistent with Policy 3.8 and the City’s methods for cultural resources analysis in EIRs, impacts to these properties would not be considered significant under CEQA.

The City’s Historic Preservation Element contains a list of potential mitigation measures to reduce the impacts on a historical resource or on the property’s character-defining elements (i.e., those features of design, materials, workmanship, setting, location, and association that identify a property as a representative of its period and contribute to its visual distinction or historical significance<sup>45</sup>). The potential mitigation measures, outlined in Action 3.8.1, and their applicability to the Project are summarized here:

- *Mitigation Measure #1 - Modify project design to avoid adversely affecting the character-defining elements of the property.* While the Project design has not been modified as part of the CEQA review process, it was originally designed with the idea of protecting the 16<sup>th</sup> Street

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<sup>45</sup> Oakland General Plan, Historic Preservation Element, Appendix A, August 1998, page A-3.

Train Station and its character-defining elements to the extent feasible. Specifically, the Project was designed to preserve the Main Hall and the Signal Tower, to protect views from West Oakland, to prohibit additions to key facades of the Main Hall, to preclude any additions to the Signal Tower, and to rehabilitate the remaining portions of the 16<sup>th</sup> Street Train Station in conformance with the Secretary of Interior's Standards for Rehabilitation of Historic Structures. These measures included as part of the Project are articulated in Section 5.80 of the Wood Street Zoning Regulations (see Appendix H of the Draft EIR). Preservation of the entire complex is considered infeasible by BUILD for reasons explained earlier in this master response. This EIR studies an alternative that proposes preservation of the entire complex.

- *Mitigation Measure #2 - Relocate historical resource.* This measure is not applicable, as the Main Hall, a portion of the Elevated Tracks, and the Signal Tower would all be left in their original locations.
- *Mitigation Measure #3 - Modify project design to include restoration of remaining historic character of the project.* As noted above in response to Mitigation Measure #1, the Project would incorporate design features and standards to retain the historic character of the property. It is also noted that three new mitigation measures are proposed to further the Project's response to this Historic Preservation Element action: Mitigation Measure CR-2.3 has been proposed to protect the historical resource from further deterioration before restoration and rehabilitation efforts commence, Mitigation Measure CR-2.4 has been proposed to restrict alterations to the historic structures that are to be retained, and Mitigation Measure CR-2.8 has been proposed to reinforce the historic setting by providing an enhanced visual setting and by increasing public accessibility and awareness of the historic facilities.
- *Mitigation Measure #4 - Modify project design to incorporate or replicate elements of the building's original architectural design.* Mitigation Measure CR-2.2 calls for salvaging original building materials. New Mitigation Measure CR-2.6 calls for incorporation of salvaged materials into the rehabilitation of the Main Hall, remaining portions of the Elevated Tracks, and the Signal Tower.
- *Mitigation Measure #5 - Salvage and preserve significant features of the structure.* See response to Mitigation Measure #4, above.
- *Mitigation Measure #6 - Protect historical resource from construction activities.* Noise and vibration impacts would be mitigated by Mitigation Measure NO-1.1, City Council-Adopted Best Management Practices to Reduce Construction Noise, and by Mitigation Measure NO-1.2, Pile Driving Noise and Vibration Effects on Structures (beginning on page 3.5-16 of the Draft EIR). Air quality and dust impacts would be mitigated by Mitigation Measure AQ-1.1, Construction Dust Control Measures (beginning on page 3.6-13 of the Draft EIR). No other construction period impacts are expected to be potentially significant.
- *Mitigation Measure #7 - Document in a Historic American Buildings Survey report.* This suggestion is already included in the Draft EIR as Mitigation Measure CR-2.1, HABS Recordation of the 16<sup>th</sup> Street Train Station.

- *Mitigation Measure #8 – Place plaque, commemorative marker, or artistic or interpretative display.* This suggestion is included as part of new Mitigation Measures CR-2.6 and CR-2.7. Mitigation Measure CR-2.6 specifically mentions plaques and displays in the rehabilitation of the Main Hall; Mitigation Measure CR-2.7 explicitly calls for exhibit space in the Main Hall. In addition, Mitigation Measures CR-2.8 recommends developing the plaza in front of the station in a manner that recalls the historic use of the station.
- *Mitigation Measure #9 – Contribute to a façade improvement fund, historic preservation revolving loan fund, the Oakland Cultural Heritage Survey, or other program appropriate to the character of the resource.* The Project would generate tax increment funds, which the Project Sponsors would request to be used for the purposes of rehabilitating the Train Station (see new Mitigation Measures CR-2.5 and CR-2.6).

## **Bea’s Hotel**

Bea’s Hotel is located in Development Area Four, at 1751 16<sup>th</sup> Street. The analysis of the hotel is based primarily on the study conducted by City staff for the Oakland Cultural Heritage Survey, which was itself conducted for the 1998 amendments to the Historic Preservation Element of the City’s General Plan. The survey resulted in a classification of historic and potentially historic properties according to their potential for historic significance. The classifications are set forth in Table CR 3-3.

The hotel is located within the 16<sup>th</sup> Street Station Commercial District (see Figure 3.7-5 on page 3.7-11 in the Draft EIR). Originally known as the Golden Eagle Hotel – Terminal Hotel, Bea’s Hotel is a representative example of a Colonial Revival hotel, but it did not meet the criteria for individual architectural distinction and historical associations.<sup>46</sup> The building was rated Dc2+, meaning the property is of minor importance, being not individually distinctive but typical or representative of an important type, style, convention, or historical pattern, and is considered a contributor to an Area of Secondary Importance (i.e., historically or visually cohesive areas but not sufficient to be eligible for the National Register). As many commentors noted, the hotel contributes to the 16<sup>th</sup> Street Station Commercial District because it was part of the area of hotels and commercial uses supported by the 16<sup>th</sup> Street Train Station during its operations. However, the Cultural Heritage Survey concluded that this district is of only secondary importance. As noted above, the neighborhood did not function as an iconic “downtown” rail center that served as the heart of a major city, and the neighborhood did not include the adjacent ferries and rail yard that distinguished the area of the Oakland Mole station. Instead, the neighborhood derives its importance from being associated with the historic nature of the 16<sup>th</sup> Street Train Station itself. In addition, the district’s designation is in question since the demolition several years ago of one of the then three structures that constituted the district.

The hotel itself was given a rating of “D” in the survey. Based on the architectural evaluation and historical information gathered in the survey, the hotel itself does not appear to rise to the significance

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<sup>46</sup> City of Oakland, Cultural Heritage Survey, Evaluation Sheet and Evaluation Tally Sheet, September 30, 1988.

level of an A (Highest Importance) or B (Major Importance) rated resource, but is appropriately designated as a “contingency” C (Secondary Importance). The contingency rating is based on the fact that the hotel has been significantly altered with the addition of false stone at the pilasters, aluminum siding replacing or covering the original wood siding, and metal sash replacing the original wood sash. In its current condition, the rating has been reduced to D/c (Minor Importance/contingent upon reversal of the non-historic alterations). Based on the information presented in the survey, the rating appears to be appropriate to the resource. Independent review by an EIP expert in historic resources confirmed that, while the hotel is a representative architectural example of a Colonial Revival hotel, it appears to lack sufficient individual architectural distinction and historical association to meet the criteria for listing on the National Register of Historic Places.

### **Pacific Coast Canning Company**

The Pacific Coast Canning Company is composed of four buildings located at 1111 to 1119 Pine Street (between 11<sup>th</sup> and 13<sup>th</sup> Streets) in Development Area Two. The complex was constructed in several phases, between 1909 and c.1928 to house the diverse functions of a fruit and vegetable cannery. The buildings include a concrete, cold storage warehouse, a brick warehouse, a steel-frame cooling room, and a steel-reinforced concrete cannery building, all built in an early 20<sup>th</sup> century utilitarian architectural style. The warehouse and cold storage building is a concrete two-story structure, with rectangular plan and gable roof. A tall, square chimney with corbelled top projects from the roof toward the rear. The brick warehouse is trapezoidal in plan, and is a high, single-story building, with a roof of two parallel gables. The rectangular plan, steel-frame, cooling room, like the brick warehouse, is a high, single-story building, with two parallel gables. The cannery building is a large, two-story structure with smooth concrete exterior. In plan, it is trapezoid, angled at the rear to conform to the railroad right-of-way. Penthouse skylights surmount the main wing, and a tall, square chimney with corbelled top projects above the roof of the south wing.

The plant was established by Lew Hing, who was well known in the Bay Area’s canning industry. He was also a leader in developing banking and shipping interests in the Chinese community. His cannery was a major employer of Chinese, Portuguese, and Italians in West Oakland. By 1911, it was one of Oakland’s largest businesses, with 1,000 employees during the peak season. According to the Davis Commercial Encyclopedia, it was the third largest canning company on the West Coast by 1914. According to the Oakland Cultural Heritage Survey, “although the Pacific Coast Canning Company cannery is representative of an important aspect of the regional economy in the early 20<sup>th</sup> century, and although Lew Hing was an important figure in the local ethnic and industrial history, the cannery now lacks sufficient integrity to be considered eligible for the National Register, due to the gunite exteriors and alterations of almost all door and window openings.”<sup>47</sup> Given these findings, the complex was rated Cb+2+.

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<sup>47</sup> Oakland Cultural Heritage Survey, Historic Resources Inventory for Pacific Coast Canning Company Plant, August 1990.

The Project would initially remove the brick warehouse and the steel-framed cooling room. The concrete cold-storage warehouse would initially remain in its present form as a commercial storage facility, and may eventually be removed to accommodate up to approximately 30 residential units. The Project would not propose to demolish the cannery building. As explained on page 2-14 of the Draft EIR:

The Pacific Cannery Building would be seismically upgraded and improved as residential lofts . . . . The floor area of the Pacific Cannery Building would increase from its current 94,479 sf to a maximum of 145,092 sf with the addition of interior mezzanines and a possible penthouse, but the current building footprint would not change.

## **Archaeological Resources**

The EIR's conclusions about archaeological resources are based upon several sources including the *OARB Area Redevelopment Plan EIR*. There was consultation with the Native American Heritage Commission. While no response was received from the Native American Heritage Commission, the *OARB Area Redevelopment Plan EIR* determined that no archaeological sites, cultural landscapes, or other resources of concern to local Native Americans were identified within the area of the entire Redevelopment Plan. In addition, the Finding of Effect for the Cypress Freeway project, which was reviewed by the State Office of Historic Preservation, did not identify any eligible archaeological sites within the Area of Potential Effect for that project, which is near the Wood Street Project Area.<sup>48</sup>

Although these other sources did not report the presence of archaeological resources, commentors have identified other projects where cultural resources were found. These other projects do not share the same environmental setting or soil characteristics as the Project Area. Nevertheless, in an abundance of caution, the EIR recognized potential impacts to archaeological resources in the Project Area. The mitigation proposed in the EIR for this potential impact is consistent with the mitigation measures contained in the *OARB Area Redevelopment Plan EIR*. The Wood Street Project EIR, however, strengthens the mitigation over that proposed in the *OARB Area Redevelopment Plan EIR* by expanding the mitigation measures and providing more detail.

Requiring the Project Sponsors to dig for potential artifacts before grading commences, as recommended by some commentors, would involve a sampling technique that could not ensure that all unique artifacts that would be revealed during grading are discovered. It would be difficult to extrapolate from samples to areas that are not sampled. Because the site is mostly fill, it is not likely that archaeological artifacts would be concentrated at a place of ancient use, or distributed in a pattern reflective of such ancient use, as might be the case for undisturbed soils. This does not preclude the potential for archaeological resources to exist within the fill, but discovery of such resources would be covered by proposed Mitigation Measure CR-1.1, Archaeological Monitoring.

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<sup>48</sup> Caltrans, Finding of Effect for the Proposed Route I-880 Replacement Project from the I-980 Interchange to the I-80/I-580/I-880 Distribution Structure in the Cities of Oakland and Emeryville, Alameda County, 1991.

Only the areas proposed for ground disturbance by the Project would need to be evaluated. If there are archaeological remains in soils that lie below or outside the area proposed for grading, then the Project would not impact those resources. Under Public Resource Code Section 21083.2(b)(3), capping or covering archaeological sites with a layer of soil before building on the sites would avoid impacts to the resource.

Some commentors suggested more extensive archaeological monitoring, citing the Uptown Project as an example where archaeological professionals were required to monitor all ground-disturbing activities. In the case of Uptown, there were known or potential historic resources in closer proximity to the site, as well as more extensive grading activities proposed. With the Wood Street Project, the degree of archaeological monitoring necessarily reflects the potential for discovery of archaeological resources. The Uptown Mixed Use Project EIR explains that that project area is considered to have a low-to-moderate likelihood to containing prehistoric archaeological deposits, but a high likelihood of containing historical archaeological deposits. It is because of the high potential for historical archaeological resources to be on site that the City decided that monitoring of all ground-disturbing activities would be desirable. This same degree of archaeological sensitivity has not been made for the Wood Street Project Area.

## **Master Response 5: Socioeconomic Considerations Related to the Project**

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Many commentors raised issues relating to the Project's economic and social characteristics and how those aspects of the Project might affect conditions in the area evaluated for environmental impacts under CEQA. The role of this EIR is to assess whether those socioeconomic implications may or may not result in changes in the physical environment, such as urban decay, relocation of housing, and health impacts. This analysis underscores the importance of recognizing a project's socioeconomic effects and tracing through potential ripple effects to determine whether there is substantial evidence that a significant adverse physical consequence may result that the EIR should identify. Although socioeconomic implications in and of themselves are not physical effects, such aspects of a project as, for example, its effects on land values and housing costs, the income levels of new residents, and the fiscal consequences are policy issues of concern to decision makers in evaluating the merits of the Project. Such issues do not pertain to the physical impacts that are addressed in an EIR.

The desire by many commentors to introduce analysis of the socioeconomic implications of the Project into the EIR acknowledges the importance of socioeconomic considerations in weighing the merits of the Project. In recognition of this fact, and because communications the City has received on the Draft EIR show a widespread interest in socioeconomic matters among members of the public and include extensive comments on those topics, a report entitled *The Proposed Wood Street Project: Policy and Planning Framework* has been prepared to address socioeconomic issues. This report is intended to provide information about, and perspectives on socioeconomic topics to assist the public and decision makers as they consider the policy choices and tradeoffs in the larger context of West Oakland, the City, and the Bay Area. Among the issues discussed in this report are land use changes, potential costs and benefits of the Project, the gentrification issue, and Oakland's existing and potential

housing policies and strategies. This report is attached for informational purposes as Appendix C to this Final EIR.

Specific topics raised by commentors that pertain to socioeconomic conditions are:

- the Project's population, employment, and housing characteristics;
- the Project's effect on values of nearby housing and the potential for gentrification;
- the affordability of Project housing;
- the Project's effects on citywide cumulative growth;
- the Project's effects on the jobs-to-housing ratio;
- the Project's effect on additional housing demand; and
- Local Hire Programs.

The following information for each of the topics listed above describes the nature of the socioeconomic issue, and then considers whether a significant physical impact would result from that socioeconomic issue.

### **The Project's Population, Employment, and Housing Characteristics**

In accordance with the CEQA Guidelines, Appendix G, three factors that pertain to population and housing are used in the Draft EIR to evaluate the Project's effects (see page 3.12-8):

- Induce substantial population growth in a manner not contemplated in the General Plan, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extensions of roads or other infrastructure), such that the additional infrastructure is required but the impacts of such were not previously considered or analyzed.
- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

In Section 3.12, Population, Employment, and Housing, of the Draft EIR, the Project has been evaluated in the light of these three criteria (two on displacement and one on infrastructure) to determine whether adverse physical impacts would result. The Draft EIR finds that the Project:

- would not induce substantial population growth *such that additional infrastructure or other development [development that is not part of the Project] would be required.*
- would not displace substantial numbers of existing people or housing *necessitating the construction of replacement housing elsewhere.*

- would not substantially alter the jobs-to-housing ratio in Oakland *resulting in the need for increased housing to accommodate an excess of jobs or an increase in employment-generating development to accommodate an excess of housing.* (This issue is discussed further below in the section pertaining to the jobs-to-housing ratio.)

The rest of this master response evaluates whether the Project's population characteristics might trigger significant physical effects.

### **The Project's Effect on Values of Nearby Housing and the Potential for Gentrification**

Gentrification is a process by which a more affluent set of residents replaces a less affluent set of residents within a given neighborhood. This process and its impacts are addressed in Chapter 4 of *The Proposed Wood Street Project: Policy and Planning Framework*, where gentrification is defined as "the arrival of wealthier people in an existing urban district, a related increase in rents and property values, and changes in the district's character and culture."

**Gentrification and the Wood Street Project.** Several commentors stated that the proposed Wood Street Project may trigger market forces, which could in turn cause the value of nearby residential property to rise, which could then persuade the owners of nearby property either to sell their property or raise rents beyond the economic capacity of the current tenants. Households able to pay the higher prices for property or the higher rents would then move in, and the neighborhood would be said to "gentrify."

In order to evaluate both the Project's potential to contribute to gentrification and to determine whether, if gentrification occurs, it would have physical effects subject to CEQA analysis, it is important to understand that gentrification can occur in a number of ways:

1. *Market forces alone may lead to gentrification.* A neighborhood with property values and rents that are perceived as a good value may attract a more affluent set of residents than its current occupants. This change in a resident population is particularly likely in a tight housing market, when households that cannot afford to purchase or rent units in traditionally-attractive neighborhoods seek pioneering locations where they can afford to live. The new residents may make renovations and other improvements to their property. Visible signs of reinvestment attract other investors, perhaps households interested in acquiring and upgrading individual properties and perhaps developers perceiving an opportunity to acquire modestly priced property, upgrade it, and resell it at a higher price.

Whether a neighborhood experiences these changes as a consequence of household or business strategies, the result is an increasing population of new residents who are more affluent than their initial neighbors. As noted in Chapter 4 of *The Proposed Wood Street Project: Policy and Planning Framework*, gentrification of this kind is a process observed to have been occurring in the Project Area of West Oakland from the 1990s, well before the Wood Street Project was proposed; it is an economic process that is neither a direct nor an indirect result of the Project.

2. *Actions by government can contribute to gentrification.* It is anticipated that development proposed under the Oakland Army Base Redevelopment Plan (Redevelopment Plan), which encompasses the Project Area (see Figure 3.2-3 on page 3.2-20 of the Draft EIR), will trigger a rise in property values, at least within the Redevelopment Plan area itself. The Redevelopment Plan was established to eliminate blighting influences, and to improve commercial and industrial areas; it intends to raise property values within the Redevelopment Plan area. While the question of whether rising property values are beneficial or adverse is a question regarding the merits of the Redevelopment Plan, the strategy of redevelopment is to generate a tax increment from an increase in property values and apply that increment to actions that help to eliminate the blighted conditions. In the absence of an increase in property values, there would be no tax increment and no ability to pursue redevelopment objectives. Therefore, the potential for gentrification is theoretically present in all redevelopment projects, including the Redevelopment Plan area in which the proposed Wood Street Project is located. Also, much of the West Oakland neighborhood is included in the West Oakland Redevelopment Plan area, which lies adjacent to, but entirely outside, the Project Area. One goal of the West Oakland Redevelopment Plan is to increase property values to generate tax increment funding. It would be speculative to attempt to quantify the extent to which the Project would interact with the rise in the property values projected to be caused by implementation of the West Oakland Redevelopment Plan.
3. *Housing values or rents of a new project can contribute to direct gentrification.* A new project can be said to have a direct gentrification effect if housing values and/or rents within the project itself are sufficiently higher than those in the surrounding community such that households moving into the project are more affluent than their initial neighbors. A direct gentrification effect refers only to the project site, and does not necessarily affect values, rents, or occupancy patterns in the surrounding neighborhood.
4. *Changes in the perception of a neighborhood lead to indirect gentrification.* A new project can be said to have an indirect gentrification effect in an existing neighborhood if it changes the perception of that neighborhood in the minds of existing property owners or potential purchasers of property, or both, and consequently affects their strategies with regard to property pricing and reinvestment. These individuals may interpret the investment going into the new project as indicative of a more favorable market for property in the neighborhood. If they believe property values are rising or likely to rise, current owners will begin to adjust their selling prices and (if they can) the rents they charge in rental property they own. (This behavior is similar to that described above for market-related gentrification, but in this case it is induced by the project.) New residents of these (now higher-priced/higher-rent) units are, therefore, likely to be more affluent than those moving out because they must be able to afford the higher housing costs.

The area in which the proposed Wood Street Project is proposed to be located may be subject to all of these possible gentrification effects, at least in some degree:

- The first two types of gentrification described above – resulting from (1) market forces and (2) government actions – are observed to be occurring already or are anticipated to occur as a consequence of the Redevelopment Plan.
- The third type of gentrification – the direct gentrification effect – would be avoided if the proposed Wood Street Project does not go forward, but any market-rate housing project elsewhere in West Oakland could have the same direct effect: its occupants would likely be more affluent than their (initial) neighbors.
- The fourth type of gentrification – indirect gentrification, possibly leading to displacement (which some commentators anticipate as an outcome of the proposed Wood Street Project) – would, if it occurs, be an indirect socioeconomic effect of the project (and of any similar West Oakland project). Decision makers would need to balance the benefit to West Oakland landowners of any proposed rise in the value of their property against the economic detriment to any West Oakland tenants who might be displaced by some of those landowners. This question relates to the socioeconomic effects of the proposed Wood Street Project and goes to the merits of the Project, not its environmental impacts. Because the rents or prices at which nearby homes are rented or sold is not a physical impact, it cannot be avoided or reduced by physical mitigation measures imposed on the Project. Rather, economic issues can be addressed, should decision makers choose to do so, only through economic regulations (such as rent control) or economic subsidies (such as use of the tax increment financing to fund housing).<sup>49</sup>

**Potential for Gentrification to Contribute to CEQA Effects.** As a result of the rise in property values, many commentators believe a number of other changes might occur, in West Oakland and elsewhere, that could result in CEQA impacts. Among these changes are:

- other developers would build new housing to accommodate tenants indirectly displaced by gentrification, causing significant environmental impacts to open space and farmlands that would be converted to these uses in a manner that has not already been evaluated in any environmental document;

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<sup>49</sup> Commentors should note that California Redevelopment Law addresses concerns about affordable housing, in that it anticipates the issue of rising property values on existing housing stock by requiring that 20 percent of the tax increment funds generated as a result of the rising property values within a redevelopment area be set aside to provide affordable housing. The Oakland Redevelopment Agency has increased this requirement to 25 percent. The Framework Paper discusses strategies for using tax increments to assist in the provision of low- and moderate-income housing. See Master Response 1 for a discussion of affordable housing in the context of California Redevelopment Law.

The Oakland City Planning Director has indicated that City staff would prepare a project fiscal analysis to evaluate whether the Project will generate revenues to the City of Oakland in excess of its costs (or, alternatively, impose a cost burden in excess of the revenues it would generate.) While the fiscal report may contain information on market and economic forces affecting West Oakland, such a fiscal analysis is outside the scope of the EIR. However, because of the community's interest in the topic, this report is attached to this Final EIR as Appendix C.

- the displaced tenants would move further away from their current jobs and community, increasing traffic congestion;
- such tenants would become homeless, which would result in less access to health care and force the tenants into a “lower” lifestyle; and/or
- the residents moving to the neighborhood would have higher incomes, leading to more vehicle use in the immediate area.

The likelihood that these outcomes would materialize is speculative. The evidence commentors cite is not relevant to the establishment of a causal link between the Project’s socioeconomic characteristics and the outcomes described. The EIR authors have (1) evaluated available data and information; (2) reviewed carefully each of the citations provided by the commentors; and (3) presented (in Appendix B of this Final EIR) the results of that detailed analysis. The studies cited by the commentors seeking to establish the causal link between gentrification and physical impacts do not establish any reasonable projection regarding whether, or to what extent, persons currently living in West Oakland would move out of West Oakland. The studies cited do not indicate whether, or to what extent, such persons would move into the situations described in the studies. While the studies cited indicate that lower income residents typically suffer poorer health than wealthier residents, that living in a segregated neighborhood can lead to health problems, and that continuing urban decay is associated with rising crime levels, the studies do not indicate that the Project may cause reductions in the economic status of any persons. In short, there are no data that would allow a reasonable projection of:

- how many tenants might be displaced from a neighborhood;
- what job skills these potentially displaced tenants possess;
- what income levels characterize the potentially displaced tenants;
- what actions directly or indirectly might cause the displacement;
- where such tenants would relocate;
- whether they would find new jobs;
- whether replacement doctors, schools, healthcare facilities, and neighborhood shopping facilities would be closer to or further from their homes than the ones the tenants currently visit;
- whether the displaced tenants would be more or less likely to take public transit at their new locations; or
- how driving or other behaviors of the new residents in West Oakland would differ from those of existing residents.

The Project will increase the housing stock of Oakland, without removing any housing units in the Project Area or converting any existing housing to other uses. Consequently, the Project's effect in generating a need for new housing would be negligible.

The Project would not result in a net decrease in jobs, and therefore would not require residents currently employed in the Project Area to relocate elsewhere.<sup>50</sup>

Given that some degree of gentrification is occurring and is anticipated to occur independently of the proposed Wood Street Project, attributing any given outcome of the gentrification process specifically to the Project would be speculative. No causation between the Project's socioeconomic effects and physical impacts has been demonstrated.

### **The Affordability of Project Housing**

Several commentors stated that homes within the Project would not be affordable to current residents of West Oakland.

The Project's anticipated housing prices are based on a number of factors, including market conditions, construction and land costs, comparable units, the neighborhood features and amenities, and economic feasibility. The price at which individuals or families purchase or rent dwelling units constructed within the Project is an economic circumstance that does not cause physical changes to the environment. While this EIR assumes that all units constructed in the Project would be occupied – thereby assuring that the analysis addresses the maximum reasonably projected environmental impacts – it does not evaluate the Project's housing prices because occupants' housing costs are not related to physical impacts on the environment.

### **Oakland's Cumulative Growth Scenario**

The Draft EIR discusses near-term and long-term population and employment projections in Section 3.12. In response to comments seeking clarification of the development and use of the cumulative growth scenario, this portion of the master response expands upon the explanation contained in the Draft EIR.

**Project and Study Area Population and Employment.** Table CR 3-4 shows the population and employment associated with the proposed Wood Street Project, and compares those figures with projections of study area growth by the year 2025. Three scenarios are shown for the Project, as described in the Draft EIR. The derivation of the Project population estimates is contained in the Draft EIR, Appendix G, in which Bay Area Economics used different household sizes applied to a potential mix of housing unit types provided by the Project Sponsors to estimate Project Area

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<sup>50</sup> A discussion whether the additional jobs the Project would generate would themselves generate the need for additional housing appears below, under the heading "Increase in Jobs and the Potential for Induced Housing Demand."

**Table CR 3-4  
Wood Street Project Growth in the Context of Growth Projections  
for the EIR Study Area, 2025**

Project Scenario	Proposed Wood Street Project Population and Employment		Study Area Growth with the Project		Project as Percent of Study Area Growth	
	Population	Employment	Population	Employment	Population	Employment
Maximum Residential	3,414	150	8,610	10,336	39.7%	1.5%
Maximum Commercial	2,380	1,201	n.a.	n.a.	n.a.	n.a.
Maximum Trips	2,759	1,201	7,950	11,387	34.7%	15.1%

Source: Wood Street Project Draft EIR, Appendix G.

*Notes:*

Study Area = West Oakland and the Harbor Area (as described in the Draft EIR, Appendix C, page C-9).

n.a. = not available.

As noted in the text, the Draft EIR impact analysis focuses on two of the three scenarios defined in Section 3 of the Draft EIR – the Maximum Residential Scenario and the Maximum Trips Scenario; therefore, future conditions projections were not made for the Maximum Commercial Scenario.

population. The derivation of study area population and employment is contained in Draft EIR Appendix C, which is the basis for the Draft EIR’s cumulative analysis.

The residential population within the Project Area would be highest (3,414±) under the Maximum Residential Scenario and lowest (2,380±) under the Maximum Commercial Scenario. The population increase associated with the Maximum Trips Scenario (2,759±) would fall between the other two scenarios. Employment within the Project Area would be lowest (150) under the Maximum Residential Scenario and highest (1,201) under the Maximum Trip Scenario.<sup>51</sup> The Draft EIR impact analysis focuses on two of the three scenarios defined in Section 3 of the Draft EIR – the Maximum Residential Scenario and the Maximum Trips Scenario – because these two scenarios between them reflect (1) the highest population level anticipated with the Project; and (2) the highest trip-generating effect of the Project.

Comparing Project population and employment with the growth anticipated in the study area by 2025, Table CR 3-4 shows that Project population represents a significant proportion of study area growth (over one-third), whereas Project employment is less than half that proportion (15.1 percent under the Maximum Trips Scenario, and only 1.5 percent under the Maximum Residential Scenario).

<sup>51</sup> Even though the Maximum Commercial Scenario anticipates a greater amount of commercial floor area than the Maximum Trips Scenario, employment is projected to be virtually identical under these two scenarios because the Maximum Commercial Scenario assumes that the commercial floor area projected for Development Area Two would be predominantly warehousing, which has a low number of employees per square foot of space. Thus, where the EIR mentions the use of the Maximum Trips Scenario to evaluate potential employment impacts, it is interchangeable with the Maximum Commercial Scenario.

**Cumulative Growth Scenario.** Of particular note, Table 3.12-1 and Table 3.12-2 from the Draft EIR and updated in Section 6 of this Final EIR present information about future population and jobs from the cumulative growth scenario updated for the Project by Hausrath Economics Group (HEG). These growth forecasts are used to measure cumulative population, housing, and employment impacts of the Project and other foreseeable development proposals.

The HEG report, which describes the evolution of the growth forecasts and their relationship to the ABAG projections, appears as Appendix C of the Draft EIR. While other jurisdictions often use Association of Bay Area Government's (ABAG) projections to identify the future number of people and jobs in a community, the City of Oakland has been working with HEG since 2000 to develop growth forecasts that use a projections-based approach (drawing on ABAG projections). The projections are validated against a list of known and foreseeable project-(residential and commercial/industrial projects assumed in the cumulative analysis are listed at the conclusion of Draft EIR Appendix C), and then refined for accuracy to ensure a comprehensive cumulative scenario. This approach to the cumulative analysis results in a more comprehensive, accurate, and reliable projection of growth in Oakland.

The cumulative growth scenario developed for Oakland in terms of total population, households, and jobs is very similar to the most recent ABAG projections used in the Alameda County Congestion Management Agency's travel demand model. As discussed in Appendix C of the Draft EIR:

- The employment projections under the updated cumulative growth scenario are similar to and within about one percent of the ABAG projections for Oakland. The economic activity and employment growth anticipated in Oakland “fit” within the ABAG employment projections for both the short-term (2010) and the longer-term (2025) futures.
- The Project, which emphasizes residential development, contributes to household projections for Oakland in 2010 and 2025 that are higher than the ABAG projections: about 2 to 3 percent higher in the short term (2010) and about one percent higher over the longer term (2025).
- The cumulative growth scenario shows higher population in Oakland than the ABAG projections in 2010 but slightly less population in 2025, due to recognition of the types of new housing actually being built in Oakland. (Higher-density and live/work and loft-style units being built in parts of the City tend to have a smaller household size. If the cumulative growth scenario and ABAG project the same number of households, the resulting population in 2025 is lower under the cumulative growth scenario than under ABAG because of the smaller household size.)

In summary, the cumulative analysis as set forth in Draft EIR Appendix C, and as further clarified in Section 6 of this Final EIR, establishes an appropriate and adequate basis for the Draft EIR's evaluation of cumulative impacts.

### **The Project's Effects on the Jobs-to-Housing Ratio**

In response to comments seeking clarification on jobs and housing and how the Project would affect short-term and long-term projections of both, Section 6 of this Final EIR contains revisions to text that

more precisely reflect the conclusions of Appendix C to the Draft EIR, more clearly distinguish short-term and long-term projections, and more precisely indicate the sources of data referenced in the tables and in the text. The revisions also clarify which conclusions pertain to the study area used for the EIR population analysis (the West Oakland and the Harbor Areas), and which pertain to citywide issues.

**Potential for Impacts Inferred from a Jobs-to-Housing Ratio.** The balance between jobs and housing units is not an environmental impact, but it can be used to determine whether physical impacts are likely to occur. Physical impacts may occur, for example, if employment substantially exceeds available housing units, since that situation can indicate that a project will induce residential growth to accommodate the additional workers. An EIR must address the ways in which a project may foster growth, because that growth can cause physical impacts. Increases in population may burden existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. The jobs/housing ratio can indicate the likelihood of change in the amount of commuting in and out of a particular community; therefore, depending upon other evidence, a change in the jobs/housing ratio may provide a sufficient basis for traffic engineers to adjust the length of trips that would otherwise be estimated for a project.

**Employed Residents as the “Housing” Indicator in the Jobs-to-Housing Ratio.** The relationship between jobs and people (or households) is more appropriately indicated by the ratio between jobs and employed residents (i.e., workers residing in the housing) rather than the ratio between jobs and housing units or households. Inclusion of non-working residents (infants, children, seniors, and some adults) in the people (or households) component make the jobs-to-housing ratio less exact and inferences about commute patterns based on that ratio potentially misleading. Using employed residents, rather than population or households, eliminates part of this concern.

**Changes in Oakland’s Jobs-to-Employed Residents Ratio.** As shown in Table 3.12-2 from the Draft EIR and clarified in Section 6 of this document, the ratio of total jobs to employed residents in the City of Oakland would increase from 1.06:1 to 1.08:1 between 2000 and 2025 under the Baseline Scenario without the Project (i.e., conditions without any development in the Project Area). With the Project, under the Maximum Residential Scenario and the Maximum Trips Scenario, the ratio of total jobs to employed residents citywide would increase from 1.06:1 to 1.07:1 and 1.08:1, respectively. In other words, the change in the Project Area from an underutilized commercial/industrial area to a mixed residential development under the Project would have a small balancing effect on the ratio of jobs to employed residents in the City; that is, it would reduce the slight anticipated trend toward more and more jobs per employed resident.<sup>52</sup>

**Effects of Changes in the Jobs-to-Employed Residents Ratio.** Extrapolating from these small differences in the ratio of jobs-to-employed residents to potential differences in vehicular travel and air emissions in the region would be highly speculative. In general, a lower ratio of jobs to employed

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<sup>52</sup> Note that although the ratio numbers are rounded, all of the Project scenarios would have a slightly lower ratio than the Baseline Scenario.

residents (as would occur under the Project, particularly under the Maximum Residential Scenario) would mean that there would be more housing opportunities in Oakland, and less need for commuting into Oakland, compared to the future under the Baseline Scenario without the Project. However, there is no reasonable way to forecast precisely where the new Project residents would otherwise live without the Project, or to quantify all of the differences that could result. For example, it is difficult to determine whether they would reside elsewhere in Oakland, in nearby cities of the Inner East Bay, in more distant Bay Area locations, or beyond. Finally, there is no reasonable way to project precisely how many of these new residents will take jobs in Oakland or already work in Oakland. The most reasonable conclusion that can be reached is that the Project would offer more housing opportunities in Oakland in proximity to places of work in Oakland and the Inner East Bay compared to the future under the Baseline Scenario without the Project.

Note also that the Project offers live/work units, enabling residents to work in their units and thereby avoid commuting. As observed above, the traffic engineers who evaluated the traffic impacts of the Project documented specific trip generation rates for the live/work units, based on similar units elsewhere.

Beyond these types of conclusions, further findings about vehicular travel and air emissions and the influence of the jobs-to-employed residents ratio on these characteristics would be unfounded, because the choice of where to live depends on many factors beyond one's place of work, such as quality of schools, family or social ties, affordability of housing, place(s) of work for other household member(s), and lifestyle.

In summary, with respect to Project effects on Oakland's jobs-to-housing ratio, the EIR concludes that the Project would not substantially alter the jobs-to-housing ratio in Oakland resulting in the need for increased housing to accommodate an excess of jobs or an increase in employment-generating development to accommodate an excess of housing. In fact, by improving the jobs-to-housing ratio, the Project could reduce the need for housing elsewhere and, concomitantly, the need for long commutes.

## **Increase in Jobs and the Potential for Induced Housing Demand**

**Jobs and Housing Demand with the Project.** Some commentors questioned whether the Project proposes to generate jobs that would themselves generate the need for additional housing. The jobs that would be added by the Project, however, could be accommodated by existing and already planned housing.

Baseline employment within the Project Area totals approximately 30 jobs. These jobs are in the warehousing/distribution and commercial sectors. The Project would displace these jobs but more than offset this employment with new jobs. Under the Maximum Commercial Scenario and the Maximum Trips Scenario (either of which would generate 1,200± new jobs), these 30 existing jobs would be replaced with jobs in facilities for self-storage units, retail, and office, leasing headquarters, and residential units built in a manner that can be converted to commercial spaces of approximately 1,000 square feet each. The total number of jobs under these Project scenarios would be about 1,200,

a net increase in jobs of 1,170±. The Project's job count would be substantially lower than the job count anticipated under the No Project/OARB Alternative: using the same factors as were used to derive employment for the Maximum Commercial Scenario, the No Project/OARB Alternative would generate over 4,900 employees, more than four times the number associated with the Maximum Commercial and Maximum Trips Scenarios.

Current data as well as Draft EIR comment letters indicate that unemployment in the West Oakland study area is high, but some jobs could be filled by existing residents who are not working. Whether the employment skills of West Oakland residents match the requirements of the jobs in the Project is a matter of speculation until the actual jobs materialize. The Project includes retail and service jobs that do not require extensive work experience or education.<sup>53</sup> As a result, the likelihood that the jobs created by the Project would need to be filled by people who currently live outside of Oakland and who would need housing in Oakland would not appear to be high, and there is no reasonable basis to project the jobs from the Project would generate a substantial need for housing in Oakland or elsewhere. See also the discussion of "Effect of Changes in the Jobs-to-Employed Residents Ratio" above.

**Comparison of Jobs and Housing Demand Between the Project and the No Project/OARB Alternative.** Several commentors suggested that the Project would generate a greater need to house employees than would the No Project/OARB Alternative and that the City would suffer a loss of jobs in the future as a result of the Project. Fewer jobs are created under the Project than under the No Project/OARB Alternative, resulting in less need for housing.

The No Project/OARB Alternative not only would have substantially more jobs, but many of those jobs would require advanced education, work experience, and technical/professional skills. This alternative proposes buildings that would house the following job types: higher-end office, professional services, research and development, technical and fabrication, artisans, and sole proprietorships – all in campus-type developments such as those in Emeryville, West Berkeley, and parts of Alameda. Unlike the Wood Street Project, under the No Project/OARB Alternative a large share of the jobs would not be available at entry levels, and these non-entry-level jobs would be more likely to be filled by workers from outside the study area, potentially resulting in a greater need for housing relating to Project site employment.

Over the next five to ten years, according to HEG, there will be limited growth in the kinds of jobs associated with the No Project/OARB Alternative; that is, the types of jobs typically located in mid-rise office/R&D/campus-type development. As a consequence, the jobs associated with this alternative are much less likely to materialize than are the jobs associated with the Project. Therefore, in the short term, the Project would have no effect on Oakland's potential for commercial development and employment growth: market forces will limit that growth whether or not the Project proceeds.

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<sup>53</sup> While the Project Sponsors have not developed a profile of the types of jobs that might be available, Appendix C of the West Oakland Data Book, prepared by the 16<sup>th</sup> & Wood Train Station Coalition and included in Section 4 of this document as Comment 42A, contains a reasonable list of job types. As shown in the Data Book, the qualifications for many of the jobs involve job training rather than college degrees.

Over the longer term, however, regional economic growth is expected to support growth of business activities that could provide demand for mid-rise office/R&D/campus-type development similar to that proposed under the No Project/OARB Alternative. In theory, the Project would result in less potential than this Alternative for mid-rise office/R&D/campus uses (of the type previously proposed for the Project Area) and less potential for the associated types of business and employment growth in Oakland. In practice, however – based on the professional judgment of HEG, drawing on their extensive experience in real estate market analysis and employment forecasting in this area – the types of businesses and jobs anticipated for the Project Area under the No Project/OARB Alternative would, over the long term, be more likely to locate outside of Oakland, choosing sites in Emeryville, Alameda, West Berkeley, or parts of Richmond (i.e., on the west side of the East Bay hills from Richmond to San Leandro).

If sites in these other Inner East Bay locations are chosen by the types of businesses associated with the No Project/OARB Alternative, they could still draw workers from residences in the Inner East Bay. Claims by commentators that relocating these jobs to the larger Inner East Bay would result in longer commutes are speculative. There are no data to allow a reasonable projection of how many new jobs might be closer to the employees' residences, how many new employees might relocate to be closer to the job, or whether the new job locations might be more accessible by transit.

Job experience, preparation, and skills required to meet the labor force requirements of the No Project/OARB Alternative would suggest that workers under the No Project/OARB Alternative would need to come from West Oakland, greater Oakland, and the larger Inner East Bay: a larger commuted than workers needed under the Project. The No Project/OARB Alternative would create substantially more and different types of jobs than the Project, and concerns about induced housing demand would be more pronounced under that alternative.

## **Local Hire Policies**

The Project Area is inside the OARB Redevelopment Plan Area but outside the Reuse Plan Area. The Reuse Plan encourages local hire policies. The Redevelopment Plan states that all development in the Redevelopment Plan Area must conform to the Reuse Plan, and commentators have suggested that these provisions require that the Project employ local residents. The Redevelopment Plan, however, does not require that all private and public projects comply with all Reuse Plan provisions. Instead, the requirement that development within the Redevelopment Plan conform to the Reuse Plan merely gives the Redevelopment Agency the power to enforce Reuse Plan requirements within the area of the Reuse Plan.

Also, even within the Reuse Plan area, the Reuse Plan does not require that any specific number or percentage or type of jobs be made available exclusively to Oakland residents. The Reuse Plan encourages the creation of job opportunities for local residents, and states that developers would be required to “incorporate” hiring opportunities for Oakland residents. The Reuse Plan provides that “sustainable job creation and economic development which provide employment and advancement opportunities for Oakland residents and businesses” is one of its goals, to be implemented through an objective to “promote sustainable job creation and job retention opportunities for Oakland residents.”

It notes that “Maximizing the number and variety of prospective jobs for the city’s employment base has always been an important objective of the OARB reuse program” and refers to the reuse program promoting uses that will “generate employment and business development opportunities that are accessible to local residents.”

The Project would fulfill these goals and objectives. As explained above, the Project would create job opportunities for Oakland residents and therefore would “incorporate” hiring opportunities that are accessible to Oakland residents. It would also promote the occurrence of local trips, meaning that imposition of a local hire requirement would not likely reduce significant traffic impacts. According to information incorporated into the travel demand forecast model, the majority of trips in the Project Area would be expected to originate within the City of Oakland.