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## Comments and Responses to Comments made at Public Hearings on the DEIR

Public hearings on the DEIR were held before the Oakland Landmark Preservation Advisory Board on February 10, 2014 and before the City of Oakland Planning Commission on February 24, 2014. The following is a summary of comments received at the public hearings, followed by responses that address those comments. Some of the topics raised have been previously responded to in Chapter 5, Responses to Written Comments Received on the DEIR.

Responses focus on comments that pertain to the adequacy of the analysis in the EIR or to other aspects pertinent to the potential effects of the Specific Plan on the environment pursuant to CEQA. Comments that address topics beyond the purview of the EIR or CEQA are noted as such for the public record. Where comments have triggered changes to the DEIR, these changes appear as part of the specific response and are consolidated in Chapter 7: Revisions to the DEIR, where they are listed in the order that the revision would appear in the DEIR document.

### Responses to Comments from the February 10, 2014 Landmarks Preservation Advisory Board Meeting

The following comments were made at the Landmarks Preservation Advisory Board meeting on February 10, 2014:

#### Speaker 1: Jabari Herbert

Mt. Herbert spoke on the importance of emphasizing the African-American cultural theme on the 7th Street Cultural District.

LB1-A: This comment pertains to the merits of the Specific Plan, particularly to the Plan's proposed cultural district overlay on 7th Street, and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

#### Speaker 2: Naomi Schiff, representing Oakland Heritage Alliance

Ms. Schiff spoke to the importance of the International Brotherhood of Sleeping Car Porters building, indicating that there should be an effort to nominate this building for National Register-eligible status.

LB2-A: Comment noted. As indicated in the Draft EIR; "Despite that the false-front mansard resting on tall brackets is the only original ornament remaining of the original 1890 building and its OCHS rating is a "D", the building is a nominated Landmark because it served as the Pacific Coast headquarters of the International Brotherhood of Sleeping Car Porters, from which emanated historical union and civil rights activities." This comment pertains to the merits of the Specific Plan, particularly to the Plan's implementation strategies for the recognition of historic

resources, and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

Ms. Schiff spoke to ensuring that the Plan provide not just lip service, but include aggressive policies to ensure affordable building space is available for local, small businesses, potentially even by providing public subsidy or charging developer fees to off-set the costs of rent.

LB2-B: This comment pertains to the merits of the Specific Plan, particularly to the Plan's implementation strategies for the recognition of historic resources, and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

Ms. Schiff commented that those buildings with currently qualifying OCHS ratings are not the only important historic resources within West Oakland, and that the City should consider revisiting their CEQA definition for historic resources. She noted that many buildings within current Areas of Secondary Importance (ASIs) could qualify for historic resource designation based on further study or the advancement of time.

LB2-C: As indicated on page 4.4-37 of the DIER, the Draft EIR's analysis of historical resources is based on those buildings or sites that meet the City's current definition. That a resource is not listed in or formally determined to be eligible, or not deemed significant pursuant to established criteria did not preclude the City from considering that a resource may be a historical resource for purposes of this EIR. As noted in the Draft EIR (page 4.4-47); "The Specific Plan's Opportunity Areas contain a number of ASIs, and many PDHPs with existing ratings lower than "A" or "B". These properties were found by the OCHS surveys not to appear obviously eligible for the National Register, are not Local Register properties, and therefore their demolition or alteration might not be considered a significant impact under CEQA. Nevertheless, the policies of the Specific Plan, and existing City policies and regulations listed in the Regulatory Setting section above, would continue to encourage the retention and reuse of these properties in a manner that retains their historic character."

### **Speaker #3: Board Member Andrews, Sub-Committee Report**

Mr. Andrews suggested the Plan should greater emphasize that West Oakland is a collection of several neighborhoods, not just one large neighborhood. The neighborhoods should provide a useful framework for looking at the Plan and acknowledging that each neighborhood is unique and different. He questioned what the process was for obtaining feedback on the Plan, and suggested that there are a lot of opportunities through current technology to better reach out to the community and get greater grass-roots feedback on the Plan. He also indicated he though the Plan was a broad-brush approach and was looking for more clarity and description of the role of historic resource in economic development potential, and more preservation emphasis.

LB3-A: This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

### **Speaker #4: Board Member MacDonald**

Ms. MacDonald expressed concern regarding the intensity and height of new buildings proposed particularly near the West Oakland BART station, and is concerned with the effects of these new buildings on the adjacent neighborhoods, especially on the historically important South Prescott neighborhood. She particularly cited the EIR's illustrations for the BART TOD design.

LB4-A: As indicated in the DEIR (page 4.4-47), “The Specific Plan proposes that the height and massing of new buildings [at the West Oakland BART TOD] provide a transition to the South Prescott neighborhood, with building heights of two to three stories on Chester Street, stepping up to four stories over a parking podium on 5th Street, and taller buildings further east. . . . New development in the northeast corner of the AMCO block would step up from two stories closer to existing homes, to four stories further away. At the height and massing proposed, and with consideration of local context as part of Design Review of subsequent individual development projects, proposed new development at the eastern edge of the South Prescott ASI would not be expected to result in a significant adverse change in the character of this district or its individual resources or on its potential eligibility for the National Register, or S-20 status, should it be re-evaluated or designated in the future.” The comment does not provide information that would alter or change this conclusion.

#### **Speaker #5: Board Member Daniel Schulman**

Mr. Schulman questioned the reality of getting BART to commit to noise reduction with the recommended tube design or rail grinding, and suggested that BART and their TOD development partners consider establishing an assessment district to tax their development to pay for and prioritize these needed improvements.

LB5-A: The noise analysis presented in the Draft EIR is not predicated on achieving noise reductions for either the tube design or rail grindings. This comment regarding an assessment district pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

Mr. Schulman indicated that the Plan’s “hands-off” approach to the neighborhoods was well-and-good, but that the Plan should address a number of neighborhood pressures and issues, including addressing the pressure to add new units within existing buildings conflicting with parking requirements for off-street parking. He questioned whether the City could relax the parking requirements to reduce the need for trying to “shoe-horn in” the required parking spaces.

LB5-B: This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document. However, staff has made modifications to the Plan in response to these comments to achieve exactly the suggestion of Mr. Schulman. The off-street parking requirements for secondary units within West Oakland’s neighborhoods has been relaxed to better enable the permitting of affordable secondary units.

#### **Speaker #6: Board Member Peter Birkholz**

Mr. Birkholz indicated that he was appalled that the public notice for this meeting, nor the Plan itself, mentions supporting the neighborhoods. Isn’t that the point of the planning process?

LB6-A: This comment pertains to the merits of the Specific Plan, particularly the commenter’s perception on the lack of focus in the Plan on neighborhoods, and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

Mr. Birkholz questioned whether the Plan provided or could provide pre-approval for sustainable improvements to existing houses, such as solar panels on older homes, installation of wind farms along the freeway, solar cells instead of glass on the BART tube, etc. He also asked about pre-approval for mother-in-law units

LB6-B: This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document. The draft EIR does not provide analysis of the potential environmental affects that may be associated with any discretionary actions that may be needed to implement any of the suggestions listed in these comments.

Mr. Birkholz questioned how the City can go about bringing up the value of historic homes.

LB6-C: This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

Mr. Birkholz indicated that the paint shop identified on page 4.3.4 of the DEIR has already been removed.

LB6-D: Comment noted. Please see revisions to the DIER in Chapter 7 of this document, which removes reference to the 1874 paint shop at Oakland Point.

Mr. Birkholz questioned whether the Plan has considered the potential for a new grocery store at the corner of Market and West Grand.

LB6-E: The Specific Plan does include land use recommendations for the addition of new grocery stores in West Oakland, and identifies the area at market and West Grand Avenue as an excellent location of new neighborhood-serving retail and mixed-use space. These neighborhood-serving retail and mixed-uses are included in the overall assessment of the environmental effects of the Specific plan.

Mr. Birkholz wondered about OUSD's involvement in the Plan and whether they had provided input through the TAC, and indicated that many of West Oakland's schools had been re-purposed for other needs.

LB6-F: This comment pertains to the merits of the Specific Plan, specifically the input of the school district, and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document. The Draft EIR (page 4.9-18) indicates that new residential development pursuant to the Plan would generate approximately 1,395 new students attending the OUSD. The DEIR also discusses that, "if classroom capacity within the specific schools serving the Planning Area were found to be unavailable at the time new students enter the school system, the OUSD could reassign students among schools within the District, expand year-round schooling, add more portable classrooms, transport students to less crowded schools, or find opportunities to more efficiently use existing or abandoned school facilities."

### **Speaker #7: Board Member Valerie Garry, Chair**

Chair Garry noted in regard to Mr. Birkholz's comments on pre-approval of sustainable development (see comment LB6-B, above) the City's Green Development and Green Building Ordinance were included in the Plan.

LB7-A: Comment noted.

Chair Garry commented on the Plan's Design Guidelines, suggesting that these guidelines should address historical and cultural resources and the character-defining features and historic context of the neighborhoods, including the architectural context.

LB7-B: This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

Chair Garry commented on the DIER's mention of the Mills Act, noting new legislation regarding a statewide historic preservation tax credit program. She also noted that the California hotel is an excellent example of a first-rate adaptive reuse project.

LB7-C: This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document. Regarding the comment on new legislation, the California legislature is expected to consider adoption of a California State Historic Rehabilitation Tax Credit for commercial and residential properties, authored by Assemblywoman Toni Atkins (AB1999).

## Responses to Comments from the February 24, 2014 Planning Commission Hearing

The following comments were made at the City of Oakland Planning Commission on February 24, 2014:

### Speaker 1: George Burt

George Burt stated that he has been a property owner in West Oakland for about 40 years. He would like to speak about the West Oakland Commerce Association. Since 1990, their vision and intent was to prevent the Cypress freeway from being rebuilt once it collapsed due to the 1989 Loma Prieta Earthquake. The state of California wanted to sell off the median and the City of Oakland wanted to sell off two lanes which would've left a two lane street and nothing else, but the Community businesses fought for it and prevented it from happening. The Community businesses fought for many other projects and won. We worked very hard with staff on the general plan in 1991 or 1992 and it was approved in 1998, but the zoning wasn't included. They had to invent the CIX zone which is in place today. In November 2012, this item came before the Planning Commission in which they asked staff 12 questions. He isn't aware that they received answers to those 12 questions and they weren't made public, but they just received this document two weeks ago and have many concerns. After the public speakers have spoken tonight, we should be included in the Zoning Update Committee process so they can have dialog with the Planning Commission. He feels that some sections in the plan are subjective. He read a passage from the plan that states, "The plan recommends a number of specific policy regulatory changes that narrow a range of what might be to incur and facilitate what should be". He feels this kind of pejorative language is scary to the neighbors and have yet to receive a list of permitted and non-permitted conditions that is somehow envisioned in this. He can't tell who will be put out of business, put in legal non-conforming and can't move forward, they are frightened by this language. There are parts in the plan where it discussed building the plan's potential which states "general plan zoning regulations already permit the types of development concepts allocated to this plan". However, their concerns are: turning 5 areas of CIX into HBX in which they've contacted 3 property owners in the area and none of them were contacted by staff or the consultants, road guides for West Grand Avenue, Adeline Street and 14th Street. We are very proud of our roads and the infrastructure of these roads so, to take them away from us and place a roundabout at 28th Street right where Custom Alloy is, there is no warrants or traffic for that. You are reducing the FAR from 4 to 2, for example; Custom Alloy is right across the street from his property, but because they are in a high intensity overlay they retain the 4, but his property is dropped to 2 which is spot zoning. There is a proposal to have businesses go through design review, why, to corral us and make us into conditional use creatures that come before you and beg for our businesses to be located or built there, we don't want that. He stated that this entire thing comes down to a vision and the plan doesn't understand the market place. Those of us that own property have seen this in which you will hear more testimonies tonight. He asked that the Planning

Commission please listen to the Commerce Association members' concerns and would like to have a real conversation with you.

1-A: This comment pertains to the merits of the Specific Plan, particularly to the Plan's proposed land use changes, and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

**Speaker #2: Kate Nicol**

Kate Nicol is the Co-founder and current head of the Vincent Academy Charter Elementary School. She stated that one of the important portions of the plan is schools. She described how Vincent Academy serves the youth in West Oakland. They first opened for business in 2011 starting with 60 students and have now grown to 135 students, but the goal is to have 350 students when they move to a larger, permanent location. They are open from 7:00 A.M. to 6:00 P.M. daily. Some of the programs and services they provide are: Enrichment, arts, significant mental health support and a variety of parenting classes. She stated that security is important and the youth feel safe when attending school. She would like for more coordination in the plan so when issues arise in the neighborhood, they are a part of the discussion when issues arise so that they can make sure that their students area safe. The school will be up for renewal in front of the Oakland School Board in the 2015-2016 school year and they would like a preference for the West Oakland students which is something they were not able to do initially. She feels very strongly that Vincent Academy Charter Elementary School should serve the neighborhood and West Oakland students. When the time comes for the school's renewal, she will ask for the Planning Commission's support so that they may receive preference so the students in the West Oakland neighborhoods will have an excellent school to attend.

2-A: This comment pertains to the merits of the Specific Plan and how the Plan relates to schools, and is beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

**Speaker #3: Brian Geiser**

Brian Geiser resides in City Council District 3. He stated that he agrees with Chair Pattillo's comment at a community meeting for the West Oakland Specific Plan a year ago when she stated that the citizen's concerns were not being heard. The West Oakland residents are very concerned about this project because they don't understand what it's all about. He feels that the Planning Department provided vague and misleading answers and since then, he has spoken to about 15 to 20 residents in District 3 and the more they knew about this project and the California Environmental Quality Act (CEQA) and Environmental Impact Report (EIR) process the more concerned they are. He complained about the large size of the Environmental Impact Report (EIR) and Area Plans and should be broken down to 10 different plans. He can see where there are various types of developments included in the plan i.e. San Francisco type high-rises, speculative office buildings, big box retail near the highway interchange at Grand Avenue and lot of stack and pack housing in between, These people don't care about the community and the mom and pop stores won't be involved. If this plan goes forward, it needs to be a smaller version of it.

3-A: This comment pertains to the merits of the Specific Plan, its public outreach process and the overall readability of the document. These comments are beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

**Speaker #4: Naomi Schiff**

Naomi Schiff thanked the staff for their good efforts and she does see progress in the plan, but she does have some worries. She stated that since the City of Oakland successfully evicted the film offices from the Port of Oakland, they can give up on winning them back. There should be an immediate effort to Landmark the Brotherhood of Railway Porters building which is a key historic resource, Chapter 9, the economic and social justice piece seems quite weak to her, 9.48-49 the educational programs is extremely underdeveloped and has anyone talked to the Peralta Colleges. For example, it isn't about training people for industry, what about small business education for arts and commercial small business. This can be provided in West Oakland, it should be included in the plan. In 9.64 it talks about diesel pollution and health effects, and she suggests that the City of Oakland take a stand against transporting coal through Oakland because it creates a double layer of pollution. The identity of 7th Street shouldn't be called a "Blues District", there has to be incentives for small businesses to locate there, because new commercial space in new buildings is too expensive for any locally owned business. There should be incentives for landlords that house arts activities by having an arts district overlay system or something. She questions the complete lack of a design interface with the Oakland Housing Authority property which is a very large area of Oakland which is right across the street from one of the development sites for expensive housing and that worries her that it will be right across from low income housing without addressing some of the social issues that will likely be raised. The streetcar is expensive and doesn't see why it's needed; AC Transit will do just fine. West Oakland isn't south Emeryville and shouldn't be made to mimic it, just keep it Oakland. She really encourages the Planning Commission to keep this meeting open and not close the public hearing because she doesn't think that anyone else is fully ready to comment on the Environmental Impact Report (EIR).

4-A: These comments pertain to the merits of the Specific Plan, and are beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

**Speaker #5: Christopher Andrews**

Christopher Andrews is the co-chair of the City of Oakland's Landmarks Preservation Advisory Board. His purpose at tonight's meeting is to give summary comments from the Landmarks Preservation Advisory Board meeting on February 10, 2014. They've seen tremendous progress in this plan and are optimistic about it continuing. The way they now see the plan is the recognition that West Oakland is not a neighborhood, it's a collection of 8 neighborhoods such as: South Prescott, Prescott Clausen, Hoover Foster, McClymonds, Ralph Bunch, Oak Center and Acorn. The Board believes this neighborhood framework is actually essential to breaking the plan into a scale that can be comprehended and implemented by the citizens of Oakland. The Board also reviewed the heights of some of the proposed development in the plan in relation to the historic buildings and neighborhoods. Some recognition that infill development on sites that have historic buildings or in historic neighborhoods may also allow reduced parking requirements or in-law units that could assist residents with developing their property in order to profit from this economic development. In terms of the design standards, the Board also felt that the neighborhood framework in some areas should really review both massing height and building details in the specific neighborhoods. For example, Opportunity Area 1 which actually embraces 4 neighborhoods which are: Clausen, McClymonds, Ralph Bunch and Prescott that design standards. This neighborhood framework would really help to empower the residents of West Oakland to take hold of this plan and implement it into the future.

5-A: These comments pertain to the merits of the Specific Plan, and are beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

### **Speaker #6: Soloman Seyum**

Soloman Seyum is a delegate of the Bay Area Workers Benefit Council based in West Oakland. He feels this plan will cause the removal of West Oakland's low income residents and the City of Oakland Administration has failed to prioritize the needs of the majority of most who live in this gateway to the city that needs real development from the bottom up, not relocation or removal.

The proposed development of the Life Science Information Sector and clean tech business campuses offer a large share of jobs in the professional, technical and scientific occupations that should be inclusive of the current West Oakland residents. West Oakland has been economically abandoned and left destitute since the 1960s. He has concerns about where the funds for this project came from and who stands to gain from it. The Bay Area Workers Benefit Council represents low income West Oakland residents that face financial dilemmas on a daily basis such as: paying their PG&E bill or buy groceries, purchase clothes for their children or purchase much needed medication. On behalf of the Bay Area Workers Benefit Council, he demands that the Oakland Planning Commission and City Council approve construction and development that will provide living wage jobs, housing and renovation that will benefit the low income residents and the economy of our community in general. He demands that the people are developed, not buildings. He demands that the City of Oakland implement a 5% tax on any development that comes to the area to be used to set up a special fund to assist the low income residents with paying their rent, electricity, water and other vital debt.

6-A: This comment pertains to the merits of the Specific Plan and specifically to issues of social and economic effects, is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

6-B: These comments pertain to the merits of the Specific Plan, specifically on social and economic issues and are beyond the purview of the EIR and CEQA. Please See Master Response #2 in Chapter 4 of this document.

### **Speaker #7: Yvonne Lau**

Yvonne Lau is one of the owners and operators of one of the properties identified as Opportunity Site #8 in the plan. Their property is the old Coca Cola bottling plant located at 14th Street and Mandela Parkway. She and her family were very nervous and aghast that decisions were made for them without having any dialogue with City staff or were not invited to participate at all in the process. Her property is currently zoned as industrial commercial mix which is proposed in the plan to be changed. If staff would've actually had some dialogue with her and her family about how she felt about a potential high rise development being built, she would've stated that it's kind of crazy to do so because it would be located next to the Peralta Village low income housing and she can't imagine high end development there. Some of the businesses in the area are industrial with trucks driving up and down the streets, so she doesn't think that another housing development on Mandela Parkway is good for the neighborhood. She asked that this proposal be removed from the plan and to have more open dialogue with the business owners in the area as this plan progresses.

7-A: This comment pertains solely to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. However, please see Master Responses #3 in Chapter 4 of this FEIR, which indicates that the Specific Plan's recommendation for rezoning the Coca-Cola/Mayway site to Housing/Business Mix (HBX) has been removed from further consideration.



**Speaker #8: Jim Findley**

Jim Findley is a retired PG&E employee and their former whistleblower, so he knows firsthand about what happens when you have deficient infrastructure which is one of the things he noticed about this plan. He feels that the infrastructure development should start from the bottom and work its way up. He stated that the City of Oakland shouldn't develop where there are inadequate, deficient, decrepit or unsafe systems. Speaking from experience with unsafe systems, he feels that the City of Oakland shouldn't cut corners and needs to be sure that those systems are installed, maintained and operated in a safe and sufficient manner. He explained how the workforce decreases and the quality of services are impacted. He asked that the public be taken care of and heard, and make sure that those who utilize the properties have good paying jobs which will assist in financially revitalizing the area.

8-A: This comment pertains solely to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. However, an analysis of the Project effects on public services and utilities is included in Chapter 4.11 of the Draft EIR.

**Speaker #9: Benny Murillo**

Benny Murillo is a delegate Bay Area Workers Benefit Council and was a West Oakland resident until 2013 when he moved out of Oakland because he was unable to afford housing in Oakland. He is speaking on behalf of the West Oakland residents and demands that the Planning Commission and City Council deny approval of this proposed specific plan. He feels that the West Oakland residents and small businesses will not enjoy the benefits of this proposed plan. The plan is extremely vague on provisions of replacement housing to those indirectly displaced by redevelopment. On page 36 of the specific plan goals, objectives, strategies and actions, he read a statement from the West Oakland Specific Plan from a previous community meeting that gave information on the household income median, renters vs. owners in which he feels this leaves them vulnerable to displacement when rents increase. He stated that industrial and small businesses are concerned about business gentrification and displacement. Changes in land use and emphasis on higher value operations and land use activities could result in valuable local enterprises being displaced by well-paid jobs that require a certain level of skill set more advanced for the current West Oakland residents. This is an overt omission that the residents of West Oakland will be displaced out of the neighborhood as the property value and rents increase, that is not acceptable. On page 9-12 of the plan, he stated that it referenced a proposal to build low and moderate income housing between now and the year 2035. There are 78% of the households are renters and vulnerable to displacement, yet only 15% of the median is for low income residents which don't meet the needs of the current population and this plan is to run us out of our neighborhood.

9-A: This comment pertains to the merits of the Specific Plan and specifically to issues of social and economic effects, is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

**Speaker #10: Darrell Johns**

Darrell Johns is an Oakland resident and works pro bono as an advocate for low income families in West Oakland. He stated that since the 1980s the City Planners have issued a staggering number of redevelopment plans, 25 total. They are promoted as a means to boost the economy of West Oakland, but one can look at the blighted potholes in the streets, boarded up businesses and foreclosed homes in West Oakland to see what a resounding failure these plans have been to date. He doesn't feel that redevelopment plan #26 will be any different than the other failed plans and the West Oakland Specific Plan won't benefit the current West Oakland residents rather than provide an opportunity for financial

institutions, large corporations and hedge fund managers to extract the last major piece of wealth from community members before they displace the current residents through gentrification. Who specifically benefits from the West Oakland Specific Plan because the past 25 redevelopment plans for West Oakland haven't been without benefits to corporations large and small who he feels scammed the system at taxpayers' expense with false hopes of job creations. They've benefited companies that wish to break unions by taking advantage of cheap sources of labor, hedge fund managers and Wall Street moguls who purchase the distressed properties at fire sale prices and extract money from the community by increasing rent and housing prices. He stated that the West Oakland residents will not be the ones to benefit from this plan and he demands that the Planning Commission reject this proposed plan until it can be rewritten to include specific provisions to assure that any redevelopment will have the primary effect of benefitting the current West Oakland residents. The demands should be, but not limited to: At least 50% of the housing development must be affordable to current West Oakland residents, all rental housing developed under this plan be subject to rent control, any incentive paid for new jobs created must be based on net jobs created statewide and must provide a living wage, at least 50% of new hires should come from the West Oakland area, any construction involved in the plan must hire 75% of its workers locally, pay union scale wages, provide union apprentice scale training where local workers currently don't have the job skills, proactive and transparent local government support to facilitate West Oakland homeowners to maintain ownership of their homes, must be exerted efforts to minimize displacement unless it's an unavoidable, adequate financial and logistical relocation support must be provided to community members displaced by redevelopment. It is time for a renewal project focus on developing people, not just property and invest in community, not profit.

10-A: This comment pertains to the merits of the Specific Plan and specifically to issues of social and economic effects, is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

**Speaker #11: John Pomeroy**

John Pomeroy is a West Oakland resident. He stated that the system as it currently exists is tragically flawed. The statistics clearly show that the disparity between the "haves" and the "have not's" is growing and we, the citizens of West Oakland demand a dramatic change in this societal archetype. Any new development should focus on local history, local empowerment and local resources. He feels that the specific plan is anything but specific. Any development must be sustainable, green and local, and buildings should be zero impact and focused on alternative energies such as: recycling, composting, water sewage treatment and self-sufficiency. He stated that the following is included in the plan, but should be addressed: Affordable housing - which isn't always affordable to all, enhancement - but to whose standards, neighborhood service retail - which is really vague, health food - with no gardens and slaughter houses to sustain this, unavoidable impacts - in which he feels every impact is avoidable, economic revitalization - which he feels doesn't mean anything, stimulating retail environment - he feels the word "stimulating" as it relates to this plan is a highly subjective term and wood frame construction - he stated that this is not a sustainable form of building. He stated that there are a lot of contradictory assessments about healthy food. The plan indicates healthy food and entities liked the Peoples Groceries, Mandela Food Co-op and City Slicker Farms and on the other hand you talk about a 15,000 square feet retail supermarket that will displace all of those markets that have benefited the community for a while.

11-A: This comment pertains to the merits of the Specific Plan and specifically to issues of social and economic effects, is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

**Speaker #12: Mehrdad Dokhanchy**

Mehrdad Dokhanchy represents a small group of investors in Oakland. He owns businesses in Oakland and currently has property on Mandela Parkway and West Grand Avenue. He feels that there are some restrictions in the plan that will make it difficult for people to develop for the community such as: work live, commercial or residential businesses. These restrictions should be removed from the plan and reviewed and his partner tried to contact Ms. Thornton without success to discuss this matter. The Planning Commission should encourage communication between staff and property owners and these things should be taken into account.

12-A: This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #2.

**Speaker #13: Alicia Engman**

Alicia Engman is the owner of a local manufacturing company and her home is in Opportunity site #1B. She relocated from Boston to West Oakland because it has all of the key components for a company like hers to grow and thrive. She hires and trains youth from the West Oakland Internship Programs, she does most of her business with local businesses and hires from local businesses that rely on industrial space. The demand for United States goods is the reason why her company is rapidly growing with her staff tripling in amount within the last 4 months. If zoning changes are made, her company will be displaced and she and all of the families her company supports in a building with over 170 companies just like hers will no longer support the local economy.

13-A: This comment pertains to the merits of the Specific Plan and specifically to issues of social and economic effects, is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

**Speaker #14: George Read**

George Read is a delegate of the Bay Area Workers Benefit Council based in West Oakland and he is an Electrician. He demands that the City of Oakland Planning Commission and City Council deny approval of the proposed West Oakland Specific Plan. He would like to address the promise of jobs, as he just heard from the previous speaker, this plan may eliminate existing jobs that directly benefit the community. He read in the plan that it will create higher density campus style development similar to what currently exists in Emeryville at the East Bay Bridge Shopping Center. The plan also proposes to relocate high impact activity such as: trucking operations, recycling facilities for Life Science Information Sector and Clean tech business campuses that offer a large variety of jobs in the professional, technical and scientific occupations and capitalize on West Oakland's close proximity to Emeryville and UC Berkeley. He stated that the West Oakland Specific Plan summarizes workshops where residents express the need for living wage jobs and affordable housing. The plan projects an increased number of jobs, but it doesn't have any specific plan on how the jobs will actually be produced and housing for the residents in that area. He feels that the plan is very ambiguous and no one is held accountable as of a result.

14-A: This comment pertains to the merits of the Specific Plan and specifically to issues of social and economic effects, is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

He doesn't agree with the proposal to write tickets on trucks with their being currently 2,300 trucking jobs in West Oakland and some of the truckers live and work in Oakland. This will drive them out by criminalizing them and he sees this as another attack on the current West Oakland residents.

14-B: This comment pertains to the merits of the Specific Plan and specifically to issue of trucks and truck parking, is beyond the purview of the EIR and CEQA. However, as indicated on page 4.2-33 of the DIER, the EIR indicates that the Plan is consistent with and supports emissions reduction plans to reduce exposure of West Oakland's population to air toxics and diesel PM, providing incentives to reduce emissions from heavy duty diesel equipment, targeted enforcement of CARB diesel control rules, land use guidance and enhanced air quality monitoring

He stated that the West Oakland Specific Plan Equity Strategies document from 2013 referenced that the Enterprise Zone's tax credit program will facilitate economic development. He suggests that everyone become familiar with the Enterprise Zone and they will see how much of a failure it is related to displacement and corporate benefits. He and other members of the Bay Area Workers Benefit Council have been canvassing the West Oakland streets every Saturday since 1975 and found that over 60% of their residents are unemployed. Any plan to revitalize West Oakland for the benefit of its residents must begin with jobs and living wages. He demands that the Oakland Planning Commission and City Council approve construction and development that will bring living wage jobs, affordable housing and renovation to the benefit of low income residents and the economy of the community in general. He demands that 75% of the construction jobs must hire and train local residents to qualify with local unions receiving apprenticeship wages. He demands that all construction jobs be union jobs and 25% of all new jobs must be for West Oakland residents and provide full benefits.

14-C: This comment pertains to the merits of the Specific Plan and specifically to issues of social and economic effects, is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

#### **Speaker #15: Jabari Herbert**

Jabari Herbert is a West Oakland resident and a community developer that is involved with the development around the West Oakland Bay Area Rapid Transit Station (BART). Many activists and community members came together about 18 years ago to take advantage of the opportunity to be involved in developing a historic transit village with an African American theme around the West Oakland Bay Area Rapid Transit Station (BART). There was clean funding to do enhanced enterprise communities which targeted the Fruitvale area. As far as displacement as it relates to parking, vehicles will be displaced or centralizing them in a way that can be an historic transit oriented development that attracts smarter new ways of living around a major transit hub. This could be done paying homage to the African American community which was 80% when he first started this effort in West Oakland, but that percentage is currently much less than that. There has been the reality of gentrification and there is no way of stopping that, it may or may not be a good thing. He asks that the West Oakland Specific Plan be adopted so that it will bring some much needed development into West Oakland and pay homage to the community although it's changing at the blink of an eye.

15-A: This comment pertains to the merits of the Specific Plan, specifically to the benefits of needed development at the BART station and the consequences of gentrification. Both of these issues, as discussed, pertain to issues of social and economic effects and are beyond the purview of the EIR and CEQA. Please see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

#### **Speaker #16: Albert Kueffner**

Albert Kueffner is a member of the Bay Area Workers Benefit Council. He is here to represent the history of West Oakland. This history began and still is focused on West Oakland. At the turn of last century, African American Pullman Porters came to West Oakland in need of a place to stay, so they

built marvelous Victorian homes and became upstanding members of the community. This continued in that vein through the Second World War with the shipping industry and more transportation. He stated that there is currently no railroad train station and you continue the transportation vein by building Bay Area Rapid Transit (BART) train system that totally destroys the soul of the community in which West Oakland is the soul of the community. He sees the changes being made as transportation focused and feels that it should be changed back to what it used to be, a place for minorities to work in the transportation system and not be criminalized for parking their trucks on the street when there are over 2,000 truckers living in West Oakland. He sees a lot of foreclosed and abandoned properties in West Oakland and more and more residents are being pushed out of their homes due to greed from the big box stores and hedge fund managers that purchase the properties and build commercial retail and high end housing developments. He asked that West Oakland be restored as it used to be by creating good paying jobs for minorities like the Pullman Porters. He demands that the Oakland Planning Commission and City Council approve construction and development that will attract living wage jobs. He demands that not one single person be evicted from this neighborhood due to this plan or redevelopment schemes. Anyone that is displaced must have all relocation moving expenses paid for by the City of Oakland or via taxed on the industry's moving in. Before relocation, the City of Oakland must find comparable housing within the neighborhood. Please, let's work together to make West Oakland what it was, a wonderful thriving place to live.

16-A: This comment pertains to the merits of the Specific Plan and specifically to issues of social and economic effects, is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #1 regarding gentrification, equitable development, and direct and indirect displacement.

#### **Speaker #17: Bob Tuck**

Bob Tuck is with WOCA and he and his wife run a small business in Oakland that has been there since 1908 and in West Oakland since 1920 and they provide 34 jobs on an half of an acre. The proposed conversion of about 17 acres of CIX business mix land to residential, had businesses such as his were on that 17 acres, that is a potential loss of 500 jobs. You must stop the conversion of business commercial use to residential and would like for this proposal to be removed from the plan. He is concerned that eminent domain may be used in which he was a part of an organization that fought to stop it years ago. He reminded the public that there is no longer "redevelopment" or funds of any kind, and that they should be concerned with the uncertainty that this specific plan creates, because it could be a long time before anything happens. He asked that the Planning Commission consider removing the overlays which could complicate the planning process. He doesn't want the City of Oakland interfering with the EBMUD property development years down the line in which they fought for a long time to develop their property into usable property that provides living and saving wage jobs. He asked that there be a meeting to discuss this with more than a 2 minute time limit be scheduled to have discussions similar to the ones they had during the Zoning Update process on the General Plan which was very productive.

17-A: This comment pertains to the merits of the Specific Plan and specifically to economic issues associated with the conversion of business commercial uses to residential uses, and is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #2 in Chapter 4 of this document.

#### **Speaker #18: Nicolas Holmes**

Nicolas Holmes is speaking on behalf of Carla Fuller who had to leave because she waited a long time to speak and was unable to stay. She is a former receptionist who used to live in West Oakland but moved

because she could no longer afford to stay due to high prices of housing, so he will read her speech right now. She demands that the Planning Commission and the City Council deny the West Oakland Specific Plan because the benefits it may offer will not be enjoyed by the residents and small businesses of West Oakland. Carla Fuller grew up and lived most of her life in West Oakland along with her family have recently been forced out of the community and forced to move to Antioch, CA. The housing market has made it less affordable to live in the West Oakland community and she now has to commute almost 7 days a week because she still goes to church and works in Oakland. It is also a hardship for us to commute because of the gas prices, wear and tear on her vehicle and the Bay Area Rapid Transit (BART) system breaking down from time to time. Her grandchildren have had to relocate schools in hopes that they will adjust to their new neighborhood which may not seem like much to you, but those who stroll through our neighborhoods never know our struggles or feel our pain won't adjust to economical struggles and breakdowns. She demands that we, the members of West Oakland be included in any improvements that are planned for this community. We need true living wage jobs and housing that we truly can afford so that we are not forced to move out of our neighborhoods. She demands that any plan include development of people, not buildings and not one single person be evicted from their home. Develop the people, not the buildings.

18-A: This comment pertains to the merits of the Specific Plan, specifically to issues of social and economic effects, and is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #1 regarding gentrification, equitable development, and direct and indirect displacement.

### **Speaker #19: Ron Muhammad**

Ron Muhammad is a lifelong resident and small business owner in Oakland and his family owns a couple of small businesses in West Oakland. He stated that he would like to apologize to former City Councilmember Nancy Nadel when she would state that the industrial land needs to be protected. He used to believe that Oakland has no industry to protect so why protect the industrial land. He now understands what she meant now that developers are talking about density. There are some projects in the plan that will potentially be impacted by the zoning changes in the CIX business mix. He feels that once the industrial land is taken, it can never be given back and the type of housing that's proposed isn't necessarily housing for families. The density, in terms of stacked housing will further push the industrial lines back with less available jobs. He commended Ms. Thornton for doing a great job, she knows the history and she is one of the few remaining Planners that knows the history of West Oakland, but this needs to be reconsidered. He hopes that they can meet to have further discussions on this and he is glad that this isn't the final plan and hopes that the Planning Commission is open to the community's concerns.

19-A: This comment pertains to the merits of the Specific Plan and specifically to economics and land use issues associated with the conversion of business commercial uses to residential uses, and is beyond the purview of the EIR and CEQA. However, the Draft EIR (page 4.6-24) indicates that the General Plan amendments/rezoning of three individual sites would be in direct conflict with the City's Industrial Land Use Policy, which indicates that these areas are to remain industrial, without amendments. However, even with the proposed change in use to residential on these sites, there would remain an ample supply of industrial land within West Oakland and within the city as a whole to meet existing and projected market demand. Within the remaining industrial areas in West Oakland, the Plan would retain and expand existing compatible urban

manufacturing, construction and other light industrial businesses while attracting new targeted industries.

**Speaker #20: Dean De Giovanni**

Dean De Giovanni is a Senior Engineer in the Facilities and Engineering Section with East Bay Municipal Utilities District (EBMUD) and manages the Adeline Maintenance Center (AMC) Campus on West Grand Avenue and Adeline Street. East Bay Municipal Utility District (EBMUD) has been a solid employer in the area for over 50 years with hundreds of employees and well-paying jobs and has completely invested in improving its property over the past few years. The AMC Campus houses administrative offices, trade shops, fleet maintenance, warehouses and material storage. It also serves vital construction maintenance and customer service functions for our central service area as well as our greater East Bay Municipal Utility District (EBMUD) service areas. The West Oakland Specific Plan highlights the Bay Municipal Utility District (EBMUD) property as an opportunity area in the Mandela Parkway and West Grand Avenue area 1B site #17. It proposes general plan land use and zoning changes that will impact our ability to improve our property over the next 25 years. The plan proposes bringing HBX zoning closer to their site which will then overlay CIX-S/19 zoning on their property. The plan also proposes high intensity business overlay that restricts truck yards and conditional use permits that seem to be very subjective. He stated that they've been corresponding with staff in meetings and in writing in which they've addressed them as an existing business that has no intentions of leaving the area. They've requested that their campus not be included in the plan on Mandela Parkway and West Grand Avenue 1B area and no zoning changes be imposed on them. There are no current plans for them to relocate and they plan on remaining a vital member of the community and a solid employer for many years to come.

20-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Project's land use recommendations and overlays specific to the existing EBMUD Adeline Maintenance Center (AMC). Please see Master Response#3 in Chapter 4 of this Response to Comments document, where it indicates that the Specific Plan's recommendation for rezoning the EBMUD site has been removed from further consideration.

**Speaker #21: Robert Sterling Savely**

Robert Sterling Savely is the co-founder and chairman of the California Cereal Products located in the former Nabisco plan. He is concerned about the rezoning of the MayWay facility to Housing and Business Mix. He feels that there is currently very little industrial stock which should be preserved. For example; 20 years ago, the Planning Commission approved the Nabisco plan to be rezoned to allow condominiums to be built there, but thanks to Ellen Wyrick-Parkinson and others, the City Council denied the approval. Two weeks later they purchased the facility and now average about 50 to 80 employees over the past 20 years. He doesn't see in the plan where the numbers show the average salary of Alameda County residents or that they spend the majority of their money locally, but yet, the industrial stock continues to just sit there. So, let's keep what little bit we have so that we can have a shot at some other jobs.

21-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Project's land use recommendations specific to the Coca-Cola/Mayway site. Please see Master Response #3 in Chapter 4 of this Response to Comments document, where it indicates that the Specific Plan's recommendation for rezoning this site has been removed from further consideration.

**Speaker #22: Jon Sarriugarte**

Jon Sarriugarte is a member of the WOCA Board and sits on the Make Oakland Board. He also owns a company and live work building at 26th and Adeline Streets. He is familiar with both live work and commercial because he is a Blacksmith with about 40 employees and tenants that live there. He would like to speak on behalf of 3 businesses across the street from his property which is one of the areas that is proposed for rezoning. He doesn't want to see the rezoning and loss of industrial land in West Oakland. There is no way they should demolish people's homes to make it a place to work although, jobs are foremost the important thing for Oakland right now. There needs to be industrial jobs for the West Oakland residents that they quality for. There are great training facilities in the Crucible, Laney College, etc. and those spaces should be honored by not rezoning anymore. He asks that the overlays be removed, a committee be formed with the minor and major stakeholders in the neighborhood and sit down at a meeting to discuss this further. He stated that staff did a really great job putting this plan together, but there are some errors, missing charts, streets that are misnamed, very lengthy and it's very hard to follow. So, we all need to sit down and review this plan so that we can do some real planning that makes sense for Oakland.

22-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Project and the relative merits of the Specific Plan document itself. Please see Master Response to Comment #2 in Chapter 4 of this document.

**Speaker #23: Hiko Shimamoto**

Hiko Shimamoto is one of the owners of the Mutual Express Company which is a local dredge company located on West Grand Avenue and Willow Street. They've heavily invested in new equipment to help clean and they are in West Oakland. They employ 20 drivers and most of them are West Oakland residents. They oppose the West Oakland Specific Plan because it will restrict business uses in selected areas that are in close proximity of the Port of Oakland. The Port of Oakland is a major economic engine for the City of Oakland and it is attempting to regain its standards among other United States Ports. It is imperative that the Port of Oakland is supported by providing the necessary land use for their services such as: trucking, warehousing, trades loading and distribution in close proximity to the Port of Oakland. These are essential services for the Port of Oakland's operations and a buffer zone around the major access point to the Port of Oakland namely, areas adjacent to West Grand Avenue. This will help provide an economic base which will create a wide range of employment opportunities for the citizens of West Oakland, not just construction jobs that are gone once the project is complete, but permanent jobs that provide living wages.

23-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Project. Please see Master Response to Comment #2 in Chapter 4 of this document.

**Speaker #24: Karen Cusolito**

Karen Cusolito is the founder of the American Steel Studios and the 2013 recipient of the Alameda County Arts Leadership Award. She also is a member of WOCA and sits on the advisory board for the Crucible. She has worked and lived in West Oakland for many years and the infrastructure of the building she works in is very important, because the tenants need to have that space to work. She opposes the West Oakland Specific Plan because parts of it are too confusing where commercial and industrial will be changed to business mixed use, but at the same time it states that it wants to retain industry and discourages industrial near residential. As a West Oakland resident and business owner, she would like to know if she is making a 2, 20 or 50 year investment in this plan so that she can make



decisions on how she runs her business and how it will continue to grow. She asks that those details be reconsidered because they are really big details that will impact a lot of people.

24-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Project and the relative merits of the Specific Plan document itself. Please see Master Response to Comment #2 in Chapter 4 of this document.

### **Speaker #25: Nathaniel Turner**

Nathaniel Turner is from South Hampton, Virginia (Fictitious citizen name). He moved to Oakland in 2009 because he had heard about its rich and vibrant African American communities centered here in West Oakland. Now he sees the residents being displaced to cities like Suisun City and Antioch and in their place are high rise condominiums selling for \$300,000 at a minimum. He doesn't see this as a legitimate public comment period and the residents of West Oakland are underrepresented. This room doesn't look like the community of people that will be affected by the decision that are being made right here. The people that should be here may be either just getting off from work, don't have a job at all or they didn't hear about this meeting due to what he feels is lack of noticing or advertising to the West Oakland residents. He stated that staff needs to make sure that more West Oakland residents know about these meetings and more about this plan that will affect so many lives long before this will ever go forward.

25-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the public outreach effort to inform the community about the Plan. Please see Master Response to Comment #2 in Chapter 4 of this document.

He stated that there were no community benefits agreements provided, no guarantee of local hire and no protection for low income housing for current residents included in the plan. He would like to know what is the goal and ethics of this plan and if they knew what happens to people that have no affordable place to live. They live in hotels and their children may have to change schools 5 or 6 times a year. He stated that the West Oakland residents will not take this lying down, because they know that anything that is called "revitalization" doesn't apply to them. The residents can see that the proposed grocery stores are for future residents of West Oakland, not for the current residents. The residents also see that if good food is too good for them, maybe the folks that plan things like the West Oakland Specific Plan don't care if they starve or develop diabetes. He doesn't have anything to recommend in its place and he doesn't have any trust in the staff or Planning Commission. He stated that it isn't that the plan is illegitimate, you all are illegitimate as a body and this meeting is illegitimate.

25-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Specific Plan. Please see Master Response to Comment #2 in Chapter 4 of this document. Please also see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

### **Speaker #26: Mark Essex**

Mark Essex stated that he has several concerns about the proposed West Oakland Specific Plan that is supposed to breathe new life into the community of West Oakland. He stated that in recent years of development in the Silicon Valley, we are talking about a major increase of jobs and working people who make a lot of money, that's a fact. If we look a little closer at the details of that, we are talking about white men in specific having a 20% increase in employment and every other demographic having almost the same percentage in decreased unemployment for African American men and all other demographics. It's really important when you think about projected plans of economy and business.

When looking at the development of businesses coming into the Bay Area we are looking at significant percentages of specifically African American people being displaced from communities where generations of them lived in. So when he talks about a whole world that a person has known since their great grandparents, being completely destroyed and removed from their life based on this development, in which he feels is good for the City Government, but it's not good for the Oakland residents. When he speaks of residents, he is talking about people who have committed their lives to their space and when the City talks about revitalizing or developing a space, who would have a more vested interest than the people that has known only that space. He asked who would have a more vested interest in the success of that space than someone that has known only that space as their home. He stated that when you talk about attracting developers to develop in West Oakland, it is a willful self-deception of inflating numbers and statistics and great it will be for the community, but how much attention is paid to who's being displaced and how much information is gathered on the longtime residents who were recently displaced. When you look at the housing collapse, we are talking about banks coming in purchasing all of this property and a family that has been there for generations home is foreclosed and you all didn't protect them from that foreclosure, you all are not at the forefront of keeping people in their homes to protect them from predatory banks. He stated that you are not concerned with the West Oakland residents at that point in this fashion. He feels that after the banks purchase all of the foreclosed properties, they prop up the Property Management Groups which is great for the City Of Oakland because they are generating money to throw around and get people to like you as candidates to look good for your careers. He stated that the banks have established a program of discriminating against people based on their credit scores and annual income, so in many places you follow up on some of the rental listings for West Oakland, the standard requirement is for your monthly income to be 3 times as much as the rent and it's being encouraged by the leniency on these bank. He feels that there are no incentives for them to rent to longtime residents, so they will not draw from the pool of current West Oakland residents to rent their units too, they are drawing from the pool of the entire nation which encourages others to come in and displace your actual constituency unless your constituency is just a dollar bill. He stated that there cannot be a discussion on the transportation expansion without looking at the impacts that the railroad had on the West. He feels that African Americans specifically in this deal being treated as not being worth considering the impacts that this development has had on communities and people who have known only this place for their entire lives. When you talk about displacing poor people, they are being displaced to places like Stockton in which he is sure that you all are familiar with the economy in Stockton. He stated that he is sure that the Planning Commission has already decided what they want to do with this plan and that it is solidified in your minds. He would like to remind you that these are human beings that you are talking about, not just numbers and statistics and speak of as vaguely as possible, but they do exist. Sometimes they starve to death or die in the cold although, it doesn't usually snow in the Bay Area, there are homeless people that still die from the cold and you all are still pushing for a plan that will move people out of their homes.

26-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Specific Plan. Please see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

**Speaker #27: Khalil**

Khalil thanked the Planning Commission for their unwillingness to listen to the public's concerns and clarifying why this meeting is being held in City Hall and not in West Oakland and when the meetings were held in West Oakland no one that he knows knew about it which means that the City of Oakland didn't advertise well enough. He stated that he has heard a lot at this meeting about property owners,

business owners, minor and major stakeholders and trees and buildings which is fascinating to him given the fact that there has been damn near no talk about him, his mom and dad and entire family. What about the thousands of families that live here who won't be about to afford to live here anymore and you all are concerned about trees and building. You have provisions in the plan on maintaining historical buildings. You can burn the buildings down as long as he is able to have a home in Oakland. He'd rather live in Oakland in a different home than move somewhere else and be in an even worse state of poverty, scattered across the world with hella people that he doesn't know, struggling to get by when you are conserving the buildings. What about conserving the residents who live here, you don't have any concern for that. Since around the year 2000, 25% of the African American population moved out of Oakland and since 1980 50% have left which is one in two people since his dad came out here in the 1980s. He stated that based on his personal experience, he came back from being gone a while and damn near everyone he knew was gone, maybe that's why he didn't know about this plan because you have gentrified damn near everyone out. Even numerous relatives of his that live in West Oakland didn't know about it either. He stated that the first thing that he thought of when he saw this plan was, "Have you lost your damn mind". Did you think that this would just go over cool or something, maybe this is why no one knew about it, maybe this is why you are pushing it through so quickly, and maybe this is why you have a thousand page documents with only 2 or 5 minutes to comment on it. Maybe you are all afraid of what might happen if you did advertise this plan very well. If you don't want to come to West Oakland and not publicize this properly and talk to us about trees and buildings and some crumbs off of the table than West Oakland will be in here next time, he guarantees it. He stated that normally, development projects almost always come with some Rooty poot little explanation about how it's cool because we won't displace you because there is low income housing, local hire and hella complicated and jargoning. They always tell you that there is some kind of community benefits or something.

He went on to say that for the past 20 years there were community benefits in a lot of these redevelopments that you did and his family was still thrown out. His uncles mother is still getting shot at in Stockton, but still can't afford to come back to Oakland and his uncle is still ice road trucking in North Dakota and his entire family is in Stockton who we can't see no matter how hard we work. None of your little community benefits agreements or any of those developments helped anything.

He continued on to state that basically, what you are saying even with this local hire and all of these community benefits is that I can get a job working for you as you slowly throw me out. Why would I work for you to throw myself out and you want to hire the West Oakland residents to help build a development that will raise the rent and throw us out, and asked if they've lost their damn mind? He stated that all the Planning Commission and staff needs to know is that every step of the way, every meeting here, every construction project, every City Council meeting, as soon as you break ground there will 20 or 30 of me including my mama and daddy and all types of people here every step of the way to make your lives hell. There is nothing you can say and I cannot be reasoned with or give into concessions, you will not do this and you will leave us alone.

27-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Specific Plan. Please also see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

### **Speaker #28: Steve Lowe**

Steve Lowe is the Vice President for both the West Oakland Commerce Association and the Jack London Business Association. He stated that one of the missing components that hasn't been discussed much is Caltrans in which there should be some consideration into bringing them into special projects or some kind of a committee so that we may begin to understand the effect they will have on West Oakland

economically, transportation wise and so forth. He is on the steering committee for the group that is present tonight and he is fairly happy with the document although, he does believe that going through the process as they've done, there will be a way to clear out what's not necessary. He asked that the Caltrans issue be addressed and to think about how they can do that.

28-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Specific Plan. Please see Master Response to Comment #2 in Chapter 4 of this document.

**Speaker #30: Dr. Lupin De Muth**

Dr. Lupin De Muth lives and works in West Oakland. She specifically chose West Oakland to introduce her practice to a very diverse and unique community. If the rezoning of the industrial areas occurs to make room for the tech industry or big box retail, West Oakland moves closer to a mono culture economy that may crumble when the economy shifts. Once those areas are converted, they will not be changed back as previously stated. The existing industrial zoning is essential for maintaining businesses such as hers. She encourages the Planning Commission to bring feedback for retaining all industrial zoning areas as they currently exist in West Oakland.

30-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Specific Plan. Please see Master Response to Comment #2 in Chapter 4 of this document.

**Speaker #31: Lauren Westreich**

Lauren Westreich stated that she is concerned about changing the zone from CIX to HBX which could be some potential perverse incentives for that and should be careful of this because, once it becomes residential there will be no available jobs. She is also concerned that in changing the zone to HBX, the buffer zone is proposed to be changed from 600 to 300 feet which is way worse. She stated that while the document provides a sort of dough eyed vision, which is the kindest way to put it, whether we get it or not, it will not happen through this plan, but the plan could prevent anything from occurring in the meantime. She urges the Planning Commission to be very careful that their vision for the future doesn't prevent things from occurring now. For example; it is unlikely that someone will come in and develop a 10 acre development, but it's more likely that small businesses such as hers will come in and hire 100+ people.

31-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Specific Plan. Please see Master Response to Comment #2 in Chapter 4 of this document.

She saw a lot of discussion in the plan about having to go through the Design Review process for every project; this will be a hindrance to business owners. She asked that the Planning Commission be very mindful of the restrictions and encourage local residents to do business here rather than prevent them. She loves the idea of having a round table discussion to further discuss the issues.

32-B: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Specific Plan. Please see Master Response to Comment #2 in Chapter 4 of this document.

**Speaker #32: Michelle Burke**

Michelle Burke lives and work in West Oakland. She stated that the community was heard a little after demanding to be heard. A draft of the plan finally came out last Spring including, support for existing

uses and yet, here we are back to where we started, with a plan that ignores what already exists. She stated that there were some great things and not so great statements made in the plan and the section's covering detail is missing. Planting residential next to industrial pushes out manufacturing, land banking, bureaucratic morass and political infighting. The disrespect has compounded a problem all of America's former industrial power houses have faced. Residential construction provides temporary building jobs, retail is not an economic engine, and manufacturing offers long term careers and employment solution as they are the engines that drive economies. We have the newest technology, skills and innovators right here in Oakland. Not all high tech and new manufacturing can thrive in tidy office buildings. This kind of high tech and new manufacturing requires creative thinkers as well as employees like those who already live here. Surprisingly, other municipalities are begging the West Oakland artists to teach them how to build business incubators and creative hubs. Turning our business incubators like American Steel Studios into mere schools like one of the drafts suggested removes a lynchpin of our economy. There is a beautiful opportunity that is currently happening for West Oakland with its industrial facilities, metal workers and artists to reuse the Bay Bridge as civic infrastructure.

32-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Specific Plan. Please see Master Response to Comment #2 in Chapter 4 of this document.

### **Speaker #33: Tom Dolan**

Tom Dolan stated that he is the first to build live work in the United States here in West Oakland and he would like to discuss true work live, how to implement it and what it does for our economy and society. The incubator cycle is what happens between your thought of an idea and going out and starting a business. To do so, you need a place that is between your bedroom and a 20,000 square foot warehouse shop studio. In the incubator cycle is what is accommodated very well by true work live. At some point or another, he moves into this great neighborhood that is West Oakland as he sees it. Live work or work live in the right place and done in the right manner, keeping in mind potential issues of "Not in my backyard" syndrome (NIMBY), issues of use conflicts between industry and work live can be regulated as it is in other cities like, Vancouver. He feels that whoever named Mandela Parkway after a wonderful man who had just been released from prison, never envisioned a road lined with forklift dealerships and other assorted industrial uses. We want industry and manufacturing in Oakland, but we also need mixed use, we need an activated 18 hour a day presence on that great Parkway. He stated that it was envisioned as a Parkway that would extend from Jack London Square to Emeryville, but it is also a place onto itself that needs to be made into place that is defined by 4 to 6 story buildings on each side so that it can become the vital place that was intended to be when those who replaced the Cypress freeway that divided the community envisioned it.

33-A: This is not a comment on the accuracy or adequacy of the EIR, but is instead a comment on the relative merits the Specific Plan. Please see Master Response to Comment #2 in Chapter 4 of this document.

### **Speaker #33: Rena Rickles**

Rena Rickles represents National Recycling. She would like to discuss the rezoning from CIX to HBX on a small portion of the Coca Cola property. She stated that this is the epitome of spot zoning, ironically called Region S in the plan. She described spot zoning as a result of the courts rule it illegal, is because it's placed next to property that isn't like it. This plan allows housing into very heavy industries and her friend and previous speaker Tom Dolan called it in his book, "imported NIMBYism" (Not in my backyard). She stated that this plan will bring people into the area that will not like the existing uses and fight it.

She feels it essentially brings housing next to incompatible uses which will not solve the issues that the creators of this plan were attempting to do by protecting the children and adjacent housing from these uses. The CIX zone currently prevents trucking because truckers should obtain a Conditional Use Permit and without it, you have no trucking. She stated that essentially, the zone is in conflict with the goals that states they want to attract new industry, support existing industry, create living wage jobs in Oakland, resolve existing land use incompatibilities, retain businesses that will reuse their sites and hire workers, but by making the zone changes it's doing the exact opposite. She feels that it doesn't encourage development, businesses would like to make decisions based on certainty by knowing what the zoning is in which the CIX zone isn't that old and people made the decision to stay here and invest in their property and now they are being told that it will be something else. In 2009, the City of Oakland drafted the performance standards for the recycling industry and one of the main goals was to keep them away from housing but now, they are moving homes close to recyclers. In closing she stated that we can have the balance that Mr. Blackwell described in his previous presentation, keep the zoning and protect the housing units from truckers and truck industries. She asked that this particular rezoning be removed from the plan, it's spot zoning and doesn't serve any public policy and it hurts 3 existing industries that are there that have hired over 120 people.

33-A: This comment pertains solely to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. However, please see Master Responses #3 in Chapter 4 of this FEIR, which indicates that the Specific Plan's recommendation for rezoning the Coca-Cola/Mayway site to Housing/Business Mix (HBX) has been removed from further consideration.

**Speaker #34: Ellen Wyrick Parkinson**

Ellen Wyrick Parkinson would like to talk about procedures. She stated that when this plan was coming about, she expressed the need for more community members to join the various Oakland committees, not City of Oakland staff or those who live outside of West Oakland because they don't know what they need or want, so they ended up with the current West Oakland Specific Plan.

34-A: This comment pertains solely to the merits of the Specific Plan and its public outreach and planning process, and is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #2 in Chapter 4 of this document.

Their major concern was undergrounding Bay Area Rapid Transit (BART) and they were basically told that it wasn't going to happen. BART stated that they didn't state yes or no to the idea and she feels that they could've negotiated with them to underground their trains at the West Oakland Bay Area Rapid Transit (BART) Station. Now the City of Oakland will spend millions of dollars with an ugly Bay Area Rapid Transit (BART) above ground. If you place it in a tube like it currently is in Chicago, there will not be any fresh air. The Bay Area Rapid Transit Station (BART) in East Oakland is beautiful, but she doesn't approve of it either because she feels their trains should be underground like it is in most countries. By placing the trains underground shows that you respect the neighborhood, the air and the noise. She used to own a business on 7th Street and couldn't operate with the door open because of the noise and grit that would accumulate on her merchandise. She feels that we need to ask for assistance to beautify West Oakland and make into something they can be proud of. We need various things other than jobs; we need to beautify West Oakland so that it is a place where people will want to come.

34-B: The City cannot underground the tracks belonging to BART. However, this concern has been brought to BART's attention and BART has indicated that financial considerations prohibit them from undergrounding the tracks at this time. The City and BART will continue to address community concerns. The Specific evaluated enclosing the tracks in order to reduce noise.

**Speaker #35: Alejandro Lara**

Alejandro Lara stated that about 40 of the 120 people attending tonight's meeting is a result of outreach done by him and a handful of residents in a week and a half's time. He asked why the City of Oakland's outreach is so poor and draws primarily, white people. He also asked where all of the African Americans, Latinos and Asians are and feels that the City Of Oakland isn't reaching out to them.

35-A: This comment pertains solely to the merits of the Specific Plan and its public outreach and planning process, and is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #2 in Chapter 4 of this document.

He stated that when he heard the City of Oakland staff's presentation about repurposing, maintaining the exteriors and infill, all of that is coded racist language because what it is factually doing is preserving the exterior appearance while not giving any cares whatsoever to the existing community. He feels it's being preserved for future residents which will eventually become a "white" West Oakland, so think about how this plan is inherently racist. He stated that if they got 40 to 50 people to come to this meeting tonight, think about how many more they will bring if this plan is approved.

34-A: This comment pertains solely to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. Please see Master Response to Comment #2 in Chapter 4 of this document.

**Speaker #36: Brent Bucknam**

Brent Bucknam would like to speak on behalf of his non-profit organization. He stated that there are a few major challenges in the West Oakland Specific Plan that the City Of Oakland should confront from a liability stand point. One is the significance of sea level rise and storm impacts. Almost all of the proposed development areas are within major storm surge areas and/or sea level rise impact areas and there are no significant mitigations if this occurs. He worked on plans in other cities like Mountain View where they actually created contingency plans on what would happen, how to back out of neighborhoods or reinforce them and what the levy costs are, this isn't included in the plan.

36-A: As indicated in the DEIR (page 4.4-41), regional sea level rise predictions for the San Francisco Bay region predict a 16-inch rise in sea level by mid-century and a 55-inch rise by the end of the century. According to San Francisco Bay Conservation and Development Commission (BCDC) maps of shoreline areas vulnerable to sea level rise, portions of the West Oakland Planning Area could be subject to flooding due to predicted sea level rise associated with global climate change (see Figure 4.4-1 of the DEIR). Implicit in the discussion of global warming, greenhouse gas emissions and sea level rise is that it extends beyond specific development projects, a specific plan area, or, indeed, an entire City. As both a local and a regional issue, it must be addressed in that context. The adopted Bay Plan and Oakland's Draft Energy and Climate Action Plan specifically recognize this, and include actions to participate in the preparation of a regional climate adaptation strategy.

He stated that a majority of the development within 1,000 foot setbacks from the freeway which has significant air quality impacts isn't significantly addressed in the design or the Environmental Impact Report (EIR). He feels there are a lot of incentives to essentially propose denser infill further away from the freeway, providing more green space and buffers from those sites hasn't been considered and the biggest issue is there is a lack of creative developer incentives.

36-B: Potential effects of the environment on a project are legally not required to be analyzed or mitigated under CEQA. However, the Draft EIR analyzed the effects of siting new sensitive receptors near existing freeways and other TAC sources in order to provide information to the

public and decision-makers. The Draft EIR (beginning on page 4.2-25) identified that the Specific Plan would facilitate development of new residential land uses in locations near freeways and other sources of TACs and/or diesel PM, and that the exposure of these new residential units would exceed established threshold criteria. The Draft EIR's discussion on this topic indicates that compliance with the City's standard conditions of approval would reduce each site's exposure through the installation of air filtration systems or other equivalent measures to reduce indoor DPM to acceptable levels. However impacts related to gaseous TACs would be significant and unavoidable. Please also see Master Response #4 in this document regarding additional mitigation measures recommended to reduce and further address the exposure of new residential units to diesel PM.

### **Speaker #37: Commissioner Weinstein**

Commissioner Weinstein thanked the public for attending tonight's meeting and submitting their comments both verbally and in writing. She also thanked the Planning Commission for their patience tonight. She reminded everyone of the purpose of the Specific Plan. There is currently a general plan in place and the Specific Plan is to provide more specificity and guidance for the West Oakland area.

The problems, questions and confusion may be due to the document being very large and complicated to understand. There are issues around the way the document is organized and the manner in which the content is presented. The heading of the document is arbitrary and it's complicated to read the heading and understand what the content will be within a chapter, which means important information is lost. There should be some clarity about the overall goals, there are various sections that state goals, versus development vision, versus the intention framework, which is confusing. There is also a section called "Tending to the Broader Vision" and a chapter called "The Vision Statement". This doesn't appear to have clear direction or prioritization, and the policies for the plan itself didn't seem prioritized. In terms of organization, there should be a section that describes how the plan itself is organized. The Specific Plan is supposed to be a land use document, but the land use framework isn't described until Chapter 7. She questions if the entire Chapter 7 should be further up within the Plan organization and each individual Opportunity Area is its own chapter. The issues around specific sites and implications of the zoning changes are really complicated and could get lost when all of the zoning changes and land use framework is presented in the same chapter. She sometimes finds it difficult when she receives letters from various property owners. She was unable to take the information from the letter she received about the Coca Cola Mayway site and identify where the site was in the Plan. Is it an Opportunity Site?, how the zoning was changing or if there was an overlay over it? It became very difficult to understand what was actually happening on the site. It's important that the content be "place-based" in order to really review the zoning changes with the actual location in individual sites. Of all the various maps, only one shows the zoning changes, but she isn't clear about the alphabetization, which doesn't have names with them. There is the ability to review them one by one to see how the zoning is changing, but it's not clear how they match up to the overlays or Opportunity Sites.

37-A: Comments noted. These comments pertain to the merits of the Specific Plan, its content and presentation, and are beyond the purview of the EIR and CEQA. Staff has reorganized and restructured the Specific Plan in an effort to make it easier to use, easier to find information particular to an individual location, and to hopefully clarify ambiguities.

Some pieces around the context of the Plan are missing, particularly around the current market. There is some information about demographics changes, but it's unclear what is occurring in the industrial market and how square footage or jobs have changed in neighborhoods, this is the same for housing. As there is discussion about the changing demographics or changing nature of the neighborhood, we need



to have some way to understand the history and where our baseline is. As changes happen, we can go back and measure them in regards to where we are now.

37-B: The May 2014 version of the Specific Plan includes an entire chapter dedicated to assessing the current market potential for jobs and housing, and described the economic conditions affecting that market. Each analytical chapter of the Draft EIR begins with a Setting section which describes the current context of both physical environmental conditions and current regulations and policies.

She understood the land use framework easier when she read the Environmental Impact Report (EIR). The description of the specific plan in the Environmental Impact Report (EIR) does a really good job describing what the framework is, and then she was able to apply that and re-read the Specific Plan.

37-C: Comment noted. Please see Master Response #3 in this document for a discussion of recommended changes to certain parts of the Project Description, and their potential effects on the environment.

Within each chapter of the Plan, she recommends going into detail in terms of the divisions of that area and the division of the Subareas. The Opportunity Sites and the proposed zoning changes within each specific subarea should be shown within the maps, with the current use, the overlays and the proposed changes side by side. Most of the changes proposed in the maps are massing studies, and understanding what the uses of those sites are seems to get lost in the massing studies. High intensive versus low intensive businesses and having an explanation of what that means on the ground, number of employees, type of business and type of wages would help round out the discussion about economic development and linking it to the land use.

37-D: Comments noted. These comments pertain to the merits of the Specific Plan, its content and presentation, and are beyond the purview of the EIR and CEQA. Staff has reorganized and re-structured the Specific Plan in an effort to make it easier to find information particular to an individual location. See Master Response #2 in this Final EIR document.

There isn't enough information concerning the "arts" district and what that really means, making both the area around the Bay Area Rapid Transit (BART) station and the 7th street jazz history district and the large area of industrial arts in the art district. There are really important parts of the Plan that she doesn't think enough attention was given to. The area around the Bay Area Rapid Transit (BART) station, the transit oriented development looks as if there are two different proposals and two different options which are very different options and this is an area that has the ability to impact a significant and very important part of the Plan. There is a need for more specificity around what those different options are and why one is proposed over the other.

37-E: The Specific Plan does offer two different conceptual development plans for the ABRT Station TOD, one being almost entirely residential with ground-floor retail; and one being a combination of commercial/office development and residential use. The Draft EIR also presents an analysis of each of these development concepts. The residential concept is presented as part of the Project Description, and the commercial/office concept is included in Alternative #3. The Draft EIR then provides a comparative analysis of the environmental effects associated with these two options.

She has heard a lot about changing the zoning from CIX to Housing Business Mix, she believes this pertains to about 30 sites that have zoning changes and not all of them will change from CIX to the Housing Business Mix. Out of all of those zoning changes, how many are the CIX to Housing Business Mix. If there are just a few, does it begin to look like spot zoning? It would be useful to have a sense of

those zoning changes, CIX to Housing Business Mix, how many of them are occupied sites with existing industrial businesses that have active employees and how many of them of these sites are speculative or empty.

37-F: As indicated in the Draft EIR Project Description, zoning changes from business/commercial (CIX-1) to housing and business mix (HBX) are located at the following sites and general locations:

- the approximately 5.5-acre Phoenix Iron Works site (Opportunity Site #28) located in Opportunity Area #2 on the west side of Pine Street, between Shorey Street and 9th Street;
- the approximately 2-block Roadway Site (Opportunity Sites #6, #8 and #12) bounded by 17th Street, 18th Street, Wood Street and Campbell Street, the adjacent south block face on 17th Street between Willow Street and Campbell Street, and each of the blocks along Wood Street between Raimondi Park and 15t;
- although the Draft Specific Plan included recommended changes to the Mayway/Coca Cola Bottling site (Opportunity Site #38), this change is no longer included in the May 2014 version of the Plan (see Master Response #3 in this document);
- a portion of the Prescott-Oakland Point neighborhood bound by 12th Street to the north, Pine Street to the west, 11th Street to the south, and Wood Street to east,
- an already mixed use neighborhood along Ettie Street in the northern-half of the Mandela/ Grand Opportunity Area; and
- another already mixed-use neighborhood located primarily along Adeline Street just outside the southeastern edge of the Mandela/ Grand Opportunity Area.

With the exception of the Mayway site, the other remaining sites and general areas are still recommended to be re-zoned to HBX as part of the May 2014 version of the Plan.

### **Speaker #38: Commissioner Coleman**

Commissioner Coleman stated that in the public review draft, it states that trucks will be fitted with diesel particle filters. He remembered there was a recent trucker protest against that and he doesn't know the outcome of that protest, but this specifically needs to be addressed.

38-A: As indicated on page 4.2-26 of the DIER, the Port of Oakland's Maritime Air Quality Policy, Maritime Air Quality Improvement Plan, and Comprehensive Truck Management Program sets a goal of an 85 percent reduction in neighboring-community cancer health risks related to exposure to diesel particulate matter emissions from the Port's maritime operations from 2005 to 2020. In June 2009, the Port Board adopted the Maritime Comprehensive Truck Management Program (CTMP) to comprehensively address security, air quality, business and operations, and community issues related to trucking operations at the Port's maritime facilities. CTMP measures to reduce diesel particulate matter emissions include enacting a ban on older, more-polluting trucks (2009), providing grants for diesel exhaust retrofits (2009-2010), and supporting initiatives to reduce idling (on-going).

Please also see Master Response #4-1 : Operation-Related Criteria Pollutants and TAC Emission Reductions, in Chapter 4 of this Final EIR for a discussion of additional Project-specific mitigation measures related to diesel PM emissions form trucks.

He views the proposed transit loop as being similar to the free Broadway Shuttle (The Free "B") but there are no specifics about it. He would like to see how this is being coordinated through AC Transit.

38-B: As indicated in the DEIR Introduction (page 1-3), the degree of specificity and analysis in the EIR corresponds to the degree of specificity in the underlying project. Although the DEIR indicates (on page 1-10) that this EIR may provide the environmental review necessary for a variety of private development projects and public improvement projects carried out in furtherance of the West Oakland Specific Plan, the enhanced transit system advocated in the Specific Plan is not developed to a level of detail that would enable an adequate environmental analysis to be conducted. Prior to implementation of any enhanced transit system (i.e., the “O”), the Specific Plan describes a process for development of a Transit Needs Study to consider the transit needs of West Oakland at intermediate stages of development, identify technical requirements, costs and funding sources. The Transit Needs Study is intended to engage the City of Oakland, AC Transit, BART, Caltrans, Emeryville, the Port of Oakland, and a cross-section of the West Oakland community with a specific outreach program. Ultimately, the Transit Needs Study should formulate technically sound analyses and findings pertaining to transit routes, appropriate service characteristics, the level of transit capacity required, the need for capital improvements and roadway changes, the probable levels of funding required, potential funding sources, the appropriate and cost effective ways that the transit system can reflect the history and character of West Oakland, and an economic analysis of the value of improvements to bus and rail service. Since none of these studies have yet been completed, there is not currently enough detail regarding the enhanced transit system to permit an adequate and thorough environmental review.

On page 9-65 and 66 it states that Oleanders will be planted to mitigate air pollution, he wonders about the feasibility of using toxic plants to mitigate air pollution and he understands there is currently a disease on Oleanders in which Caltrans refuses to use them.

38-C: Comment noted. The City’s Supplemental SCA B was misrepresented in the Plan, and instead the current SCA recommends trees that are best suited to trapping PM, including one or more of the following: Pine (pinus nigra var. maritima), Cypress (X Cupressocyparis leylandii), Hybrid poplar (Populus deltoids X trichocarpa), and Redwood (Sequoia sempervirens).

Page 9-66 and 67, the foot notes are one digit off, number 34 is actually 35.

38-D: Comment noted. This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. Staff and the consultant team acknowledge and apologize for small technical and typographical errors.

The DEIR, he really focused on the greenhouse gas emissions chapter and this is the best analysis he has ever seen of the entire predicament. Page 4.4-18, the use of biodegradable food services where if cost is neutral. How is the cost neutral on this, long term?

38-E: Comment is appreciated. The remainder of the comment refers to the City’s Polystyrene Foam Ban Ordinance and Green Food Service Ware Ordinance, which prohibits the use of polystyrene foam disposable food service ware, and requires when cost neutral, the use of biodegradable or compostable disposable food service ware by food vendors and City facilities. According to this ordinance, there is no exception to the prohibition of polystyrene foam. Non-compostable and non-biodegradable products may be used if vendor can show that no alternative exists at the same or lower cost.

Is staff coordinating with Bay Area Rapid Transit (BART) and AC Transit to encourage the use of public transportation? He assumes they are involved, but he hasn’t seen any record of it.

39-F: Both BART and AC Transit have been part of the City's Technical Advisory Committee and participants in the Steering Committee process in preparation of the Specific Plan.

Transportation management in terms of air pollution, he found that synchronizing the traffic lights will reduce vehicles idling at traffic lights. Some of the surrounding streets have synchronized traffic lights and some don't, but they can be programmed.

39-G: As noted on page 4.10-48 of the DIER, the City regularly maintains traffic signals in its jurisdiction and performs timing adjustments as needed to improve traffic operations. Because these adjustments are part of regular signal and traffic monitoring and maintenance, signal timing optimization is no longer considered a mitigation measure but is instead part of the City's standard practices. For those signals not fully equipped to signal optimization, mitigation measures include bringing all facilities supporting vehicle travel and alternative modes through the intersection up to both City standards and ADA standards, including Type 2070L controllers, GPS communication clocks, accessible pedestrian crosswalks according to Federal and State Access Board guidelines, City standard ADA wheelchair ramps, full actuation (video detection, pedestrian push buttons, bicycle detection), accessible pedestrian signals (audible and tactile according to Federal Access Board guidelines), signal interconnect and communication to City Traffic Management Center for corridors identified in the City's ITS Master Plan, and a signal timing plan for the signals in the coordination group.

On page 4.4-35 states new housing is listed as 11,136 new homes and 14,850 new jobs, totaling 25,986. It's listed as a total of 26,166 which is a 180 number discrepancy. He wondered if some of those who live in the new homes in West Oakland will be working in those new jobs. Therefore, how does it come to a total of service population of 26,166 instead of another number?

39-H: The discrepancy in Table 4.4-5 on page 4.4-35 of the DIER is noted. Please see Chapter 7 of this Final EIR for changes and corrections to the DIER. The correct projection is based on the following:

- a current service population within the Opportunity Areas of 10,410 (9,770 jobs and 630 population),
- plus a net change (under a residentially-based BART TOD) of a 14,890 jobs and 10,988 people, for
- a total service area population within the Opportunity Areas of 24,660 jobs and a residential population of 11,618, for a total service population of 36,278.

These changes (as also presented in Chapter 7 of this Final EIR document) do not result in a material change to the effective increase in West Oakland service population such that the ratio of GHG emissions per service population would substantially change and would not exceed threshold levels. While the service population estimates do include "double-counting" of local residents also locally employed, the number represents a maximum (or worst case for CEQA purposes) population estimate, and the methodology is consistent with Air District guidance and methodology.

Someone mentioned earlier about the sea level rise, they've received a wonderful map that shows the 16 inch sea level rise and referred to the 55 inch sea level rise, but they don't show a map although, they refer to a map which should be included.

39-I: As indicated in the DIER (on page 4.4-41), regional sea level rise predictions for the San Francisco Bay region predict a 16-inch rise in sea level by mid-century, and a 55-inch rise by the end of the

century. According to San Francisco Bay Conservation and Development Commission (BCDC) maps of shoreline areas vulnerable to sea level rise, portions of the West Oakland Planning Area could be subject to flooding due to predicted sea level rise associated with global climate change under the 16-inch sea level rise scenario (as shown on Figure 4.4-1 of the DIER).

For additional informational purposes, maps from BCDC's Adapting to Rising Tides publication for tidal inundation and storm event flooding under a 55-inch sea level rise scenario are presented in Chapter 7 of this Final EIR document.

There are implications in the Specific Plan draft review about an urban bamboo forest which those may be a part of the air pollution mitigation, but it's not referred to in the Environmental Impact Report (EIR) itself, he would like to see those included or he may've missed them completely.

39-J: Please refer to the Draft EIR (page 4.5-47), wherein it states; "EPA's analysis of the AMCO site is ongoing, and additional information about the effectiveness of various remediation alternatives may affect the types of land uses allowed at the site. In the interim, during the on-going analysis and planning for remediation of this site, interim use of the site in a manner that is beneficial to the community has been considered. A bamboo forest has been identified as the preferred interim use. Bamboo plantings could visually screen the site and restrict access during cleanup, and could possibly have some value for groundwater cleanup, capping lead contamination in soil, and reducing exposure to freeway related air pollutants."

Chapter 4.9 the public services and recreation, there is a list of fire stations on page 4.9-1 shown on figure 4.9-1, but in fact, none are shown. Fire station number one is listed, but it's not in the planning area and in fact, that's determined on the next page. That map needs sprucing up and that figure needs a legend, a list of the park names, fire station, schools, etc. because they are referred to, but may've been overlooked.

39-K: Comment noted. Figure 4.9-1 of the DIER has been modified, and the updated version is included in Chapter 7: Revisions to the Draft EIR.

Page 4.9-12, parks should be within walking distance of every residence. Will this be a half of a mile, a block, two miles or five miles, what is the expected distance for people to walk? There should be a specific distance instead of stating that parks should be within walking distance of every residence.

39-L: Comment noted. The actual reference to the statement that "parks should be available within walking distance of every Oakland resident" is a planning principal of the City of Oakland's General Plan Open Space, Conservation and Recreation (OSCAR) Element, and is not a recommendation of either the West Oakland Specific Plan or its EIR.

He found a paragraph concerning school impact fees on page 4.9-17 and 18 that seems quite redundant which confused him causing him to read it over again.

39-M: Comment noted. The EIR's discussion of school impact fees is repetitive, but is not incorrect and no changes are necessary.

The project description in Chapter 3, figure 3-8 on page 3-24, existing zoning and proposed rezoned maps are exactly the same and one needs to be changed, but isn't sure which one.

39-M: The difference between the Existing Zoning and the proposed Zoning maps on Figure 3-8 of the DIER is the frontage along Pine Street which is shown as CIX-1/S-19 under current zoning, and HBX under the proposed zoning.

Will there truly be reduction or elimination of billboards and prohibiting billboards along freeways under aesthetics, shadows and wind? He certainly hopes so, but he would like clarification.

39-O: No billboards are proposed pursuant to the Specific Plan, nor are they analyzed in the EIR.

**Speaker #40: Vice Chair Moore**

Vice Chair Moore thanked everyone and Councilmember Lynette McElhane for attending tonight's meeting and stated that there have been numerous meetings on the plan over the past two years. Staff mentioned numerous times at the community meeting on February 6, 2014 that this plan is intended to be a living document, meaning over time as the plan is fulfilled over the intended course of 25 years. There are opportunities for changes to adapt to the needs of the community. He feels that this is important to keep in mind especially since the presentation tonight was a bit over detailed for some; this seemed to represent massing for maximum potential which could be shocking to some of the neighbors. This is a 25-year plan which will take time and it's important that we figure out how to keep the existing neighborhoods intact, enhance, develop business opportunities in industrial areas and bring in new businesses, which will benefit Oakland.

The CIX issues raised at tonight's meeting warrant revisiting. The businesses that are currently zoned for CIX worked very hard to get that zoning and currently provide a lot of jobs to West Oakland residents and others.

40-A: These comments pertain to the merits of the Specific Plan and the current industrial zoning, and are beyond the purview of the EIR and CEQA. See Master Response #2 in this Final EIR document. Please also see Master Response #3 regarding changes and revisions to the Plan, especially pertaining to certain industrially designated sites (the Mayway and EBMUD sites, in particular).

He is interested in the San Pablo Avenue Opportunity Area which should have a business improvement district, it should be a neighborhood serving area with ground floor retail, upper floor level retail and residential. There is an opportunity there as well as throughout the plan for local existing residents to own businesses and we, as a City should find ways to assist with that. Although there will be small, medium and large businesses coming into Oakland, the growth in jobs will flourish from the growth of small businesses. He feels that 7th Street should have its own unique business improvement district due to their interests aren't necessarily aligned with the San Pablo Avenue opportunity area. It's more transit oriented adjacent to a transit oriented district and downtown. It seems to be evolving into more of an entertainment area which isn't the same improvement district as the San Pablo business improvement plan.

40-B: These comments pertain to the merits of the Specific Plan and are beyond the purview of the EIR and CEQA. The comment suggests methods to encourage San Pablo Avenue to grow as a neighborhood serving area with ground floor retail, upper floor level retail and residential, which are consistent with the recommendations of the Plan.

Shorey Street goes from Highway 880 to Pine Street, but the Shorey House is on the first block of 8th Street. It would be nice if Shorey Street could extend to Wood Street so that the Shorey House could be located on Shorey Street.

40-C: Comment noted. This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA.

In the hazardous material section 4.5 in the Environmental Impact Report (EIR), staff aggregated a list of properties that goes beyond the Corteze list and includes other agencies. If that is the case, this should

be a list that should be maintained and made available to property owners, applicants and those who want to develop some of the industrial properties there.

40-D: The list of properties identified from environmental regulatory databases maintained through the DTSC EnviroStor database, State Water Resources Control Board's Geotracker database, the San Francisco Bay Regional Water Quality Control Board (RWQCB) Spills, Leaks, Investigations, and Cleanup database (SLIC) and Alameda County DEH databases actually comprises the effective "Cortese List" of properties within the West Oakland Planning Area. This list, and an Excel spreadsheet included in the Appendix to the EIR are part of the administrative record for this project and are available to all interested parties.

It struck him that illegal dumping is the largest reported cause of spills and hazardous waste in Oakland and he thought about what Director Flynn previously stated about the City of Oakland spending about five million dollars a year on cleaning up illegal dumping. This means the City of Oakland spends a couple of million dollars cleaning up illegal dumping rather than spending money on not allowing it to happen.

40-E: Comment noted.

The AMCO site he is particularly interested in because it's the only remaining superfund site in West Oakland and the bamboo forest is proposed there. He would like to see the Environmental Impact Report (EIR) attempt what could be done to mitigate this site in the semi-near term so that it won't be left there for a long period of time. Standard conditions of approval addresses the hazardous materials in terms of future projects, demolition and removal of lead and asbestos.

40-F: Please refer to the Draft EIR (page 4.5-47), wherein it states; "EPA's analysis of the AMCO site is ongoing, and additional information about the effectiveness of various remediation alternatives may affect the types of land uses allowed at the site [in the long-term]. In the interim, during the on-going analysis and planning for remediation of this site, interim use of the site in a manner that is beneficial to the community has been considered. A bamboo forest has been identified as the preferred interim use. Bamboo plantings could visually screen the site and restrict access during cleanup, and could possibly have some value for groundwater cleanup, capping lead contamination in soil, and reducing exposure to freeway related air pollutants."

The noise section of the Environmental Impact Report (EIR) suggests that rail grinding and a noise baffle tube may assist with the Bay Area Rapid Transit (BART) train noise, but there is no funding mechanism. If Bay Area Rapid Transit (BART) is about to develop quite a large project there, there may be a way for the City of Oakland to impose, request, provide incentives or figure out a way to assist with making this happen and not be a problem that an assessment district would be created or tax ourselves for.

40-G: Comment noted. As indicated in the Draft EIR (page 4.7-40) the West Oakland Specific Plan includes strategies specifically seeking to reduce noise from BART trains. These strategies include developing an agreement with BART for regularly scheduled rail grinding in the West Oakland area, and implementing a noise baffle structure and/or a completely enclosed noise mitigation "tube" on the BART overhead structure along 7th Street. Both the rail grinding and the noise baffle/enclosed tube strategies would substantially reduce BART-related noise in the area, but there is no currently identified source of funding for these strategies and they are not part of any currently proposed implementation project. Accounting for these noise attenuation strategies in the CEQA document would not be consistent with CEQA Guidelines, even though their implementation could potentially result in significant reductions in BART-related noise exposure.

The Specific Plan (Strategy 7th Street TOD Env-3) suggests that, as an element of BART's participation in the TOD development project, BART should consider implementation of such noise reduction strategies that would have significant benefit to the surrounding existing community as well as for the new residential and commercial buildings anticipated by this Specific Plan.

Some of the speakers mentioned that Bay Area Rapid Transit (BART) should've been underground when it was first built and he agrees with that idea. He doesn't want to look back 20 or 30 years from now and regret not recommending this idea. There should be a way to make 7th Street more livable, it makes sense if a lot of development is there that there is a way to fund it, and to state that there is no mechanism for funding is inadequate.

40-G: The City cannot underground the tracks belonging to BART. However, this concern has been brought to BART's attention and BART has indicated that financial considerations prohibit them from undergrounding the tracks at this time. The City and BART will continue to address community concerns. The Specific evaluate enclosing the tracks in order to reduce noise.

As far as utilities, the plan states that there is enough water service, power, gas and sewers will all be developed as the project is being built. There should be caution in doing so, and will likely see small projects developed and built in the early years and imposing huge infrastructure applicant costs on small projects isn't fair, so there should be an impact fee or a way for a small project to be able to participate without being a barrier to the developer.

40-H: As noted in the Draft EIR (page 4.11-11) the City's SCA 91: Stormwater and Sewer requires confirmation of the capacity of the City's surrounding sewer and stormwater system and state of repair, and charges project applicants with the responsible to make necessary sewer stormwater infrastructure improvements to accommodate the proposed project, and to pay additional fees to improve infrastructure if required by the Sewer and Stormwater Division.

He commended staff for fulfilling the requests made at prior Landmarks Preservation Advisory Board and Planning Commission Meetings on identifying the neighborhoods which is really helpful.

#### **Speaker #41: Commissioner Bonilla**

Commissioner Bonilla stated that it is really important in this process to hear the neighbors' concerns and true feelings. He would like to comment on job creation, living wage and training because he is very familiar with these areas. He has been in the construction business for 31 years and one of the main problems in the urban areas in this country is when there is development, developers will hire outside contractors that come from the Valley. For example, the Mercedes Benz dealership on Webster Street was built by a general contractor from Lodi and all of the subcontractors were hired from outside cities such as Merced, Modesto, etc. They didn't employ any Oakland residents, which he confirmed by visiting the job site many times. The minimum wage today would be \$28.00 per hour if inflation and cost of living were kept up, which is a huge disparity. There are community groups in Oakland fighting for a \$12.25 per hour minimum wage which seems that we have gone backwards. He is a product of a working class family, a commercial painter for 25 years working with his hands all of those years. Now, he represents workers in the construction industry for a living, and volunteers on the Planning Commission because it is important to engage civically and listen to community concerns. The Department of Industrial Regulations regulates the construction wage for different areas in the State of California. Those determinations don't apply to private sector construction, so to build a County Hospital, you would receive a prevailing wage from the Department of Industrial Regulations, which is the standard set up by union contractors. Those jobs are supposed to be paid per the determination,



which for a commercial painter is about \$54.00 per hour for a package including: benefits, healthcare, pension, annuity and other funds. In the private sector, you don't have to pay any of those things, so if a contractor from the Valley comes to do business in Oakland, all they are required to pay is the California state minimum wage. This is a problem when community members present here tonight are angry, rightly so, express their anger in various ways. It's because of the history and legacy of not having access to good paying jobs and economic, demographic and geographic displacement. He doesn't have the answers to resolve all of these issues, but it would help if there were a wage determination for private sector jobs. He doesn't know the legalities involved with this or if the City Attorney will look into this matter and discuss this with someone at the State level. This will help West Oakland residents obtain construction jobs within the city, but until then, it will not happen because all the private sector contractor has to abide by is minimum wage that is about \$8.00 + an hour, which isn't enough money to take care of a family. There is a need to retain jobs in Oakland, particularly construction because that is what he has been working in for the past 31 years. Wage determinations applied to the private sector will be a great way to help the Oakland residents. As far as training, there is already a labor management apprenticeship program in place that invests over ¾ of a billion dollars in the United States to train young people, in which he went through one of those programs and graduated. We need to create pathways for our youth in order to send them through this program so they can come with a skill set that they can apply for the next 30 + years so they can have good paying jobs, we have a long way to go and a lot of work to do.

41-A: These are not comments on the accuracy or adequacy of the EIR, but instead are comments on the relative merits the Specific Plan. Please see Master Response to Comment #2 in Chapter 4 of this document. Please also see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

#### **Speaker 42: Chair Pattillo**

Chair Pattillo stated that she has read through portions of chapter 9 and believes the consultant is attempting to integrate responses to the comments made at tonight's meeting. She is curious to know if the Planning Commission has comments about specific language in the plan and if they agree that it's going in the right direction. Maybe if they offer written comments, it will bring valuable insight that may assist with the direction they are going in. This is a daunting document and she, along with everyone else was overwhelmed. She is impressed with her fellow Planning Commissioners on how thorough they've been in reviewing this plan and is stunned at how Commissioner Coleman noted every footnote and pages. She thanked staff and the consultants with getting this plan together; this is truly a herculean effort.

She agrees with Commissioner Weinstein and that she too had a difficult time grasping the format. There are three specific solutions that came to her mind that should be considered in the final draft: add an index, enlarge the zoning maps and place attachments from previous documents into an appendix so that the plan may be significantly reduced.

42-A: Comments noted. These comments pertain to the merits of the Specific Plan, its content and presentation, and are beyond the purview of the EIR and CEQA. Staff has reorganized and restructured the Specific Plan in an effort to make it easier to find information. See Master Response #2 and #3 in this Final EIR document.

She hasn't had the opportunity to read the entirety of the cultural components, but she intends to do so. The portions that she has read, she is very appreciative of the acknowledgement of the tremendous value of cultural resources and historic buildings that exist in West Oakland. She loves everything about

West Oakland and is grateful that the plan does as much as it does to respect, honor and celebrate all of those aspects of West Oakland.

42-B: Comment noted.

She expressed at the hearing on this project about a year ago that she is concerned about the impact of this magnitude of development. If it was implemented as its depicted, it would really be a wholesale change in West Oakland. Her anxiety about that has somewhat diminished and she now has a better understanding, since it was made clear that each of the four zones has its own thing that it's trying to accomplish. She still has some concerns about the holistic impact and how profoundly it will change West Oakland.

42-C: Comment noted. Please also see Chapter 5 of the DIER, which presents and provides a comparative analysis of alternatives to the Specific Plan (the Project), including a Reduced Development Alternative.

Chapter 9, she knows staff put a tremendous amount of effort into it and it is attempting to break new ground and provide concrete tangible responses to the kind of concerns and issues that were raised at tonight's meeting. She was a little disappointed while reading it - it does a really good job stating the issues and problems, but there aren't enough solutions offered. Although they are some tough questions, there shouldn't be a problem to go to the next step and offer more solutions. She would provide answers if she knew them and she reaches out to the public to encourage them to submit their written comments or suggestions.

42-D: These are not comments on the accuracy or adequacy of the EIR, but instead are comments on the relative merits the Specific Plan. Please see Master Response to Comment #2 in Chapter 4 of this document. Please also see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

The EIR is very well done, particularly the air quality and noise sections which are excellent. She stated that to Commissioner Coleman's previous comments that there were two references to the West Oakland reforestation plan, but she missed the Oleander tree.

43-E: Comment noted and appreciated

In section 2.1 there was a reference to the Oakland Army Base, but it should be referred to as the Oakland Global Logistics Center, which is the current name.

43-F: Comment noted.

In section 2.25 she felt that the members of the steering committee and the TAC should get top billing over the Planning Commissioners and even the City Council due to their tremendous amount of time and effort and would like for the community to appreciate those efforts.

43-G: This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. See Master Response #2 in Chapter 4 of this Final EIR.

On page 3.7 it made references to improvement of the Army Base, this definitely needs to happen especially since it is now called the Oakland Global Logistics Center and would like to see more detail in the plan, specifically what they are referring too.

43-H: This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. Improvements associated with the Oakland Global Logistics Center were analyzed in a separate CEQA document for that project, a 2012 Addendum to the 2002 Oakland Army Base Redevelopment Plan EIR.

On page 3.9 there is a graphic that shows transit loops, particularly the enhanced transit loop #2 that goes into West Oakland on 14th Street and sort of loops around, but it doesn't really explain why it does that, but it should be provided with that graphic.

43-I: This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. However, the graphic presented in Chapter 3 is intended as a summary of information presented in other chapters of the Plan, including Chapter 8. Starting on page 8-27 of the Plan, the reasons for the expanded transit loops are specifically described and include connecting to the 16th Street train Station.

In section 4, infrastructure, she felt the plan did a very good job of addressing the needed infrastructure improvements. As she read further, she was looking to see if there was fiber, which she found in section 4.42 and feels that bringing fiber optics into West Oakland should be a priority because that one infrastructure improvement might drive a lot of these changes and have a huge impact.

43-J: This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA.

She is pleased to see that in some areas the Floor Area Ratio (FAR) is lowered and other areas it's proposed to be raised, which is a good idea.

43-K: This comment pertains to the merits of the Specific Plan and is beyond the purview of the EIR and CEQA. However, please also see Master Response #3 in Chapter 4 this Final EIR document regarding land use overlay and zoning.

She agrees that her first choice would be to place West Oakland's section of Bay Area Rapid Transit (BART) below grade, it's inexplicable why it comes above ground and then down underground which may have made perfect sense at the time, but now it doesn't. If it isn't feasible for it to be placed underground, for whatever reason, she likes the idea that the development team included incasing the Bay Area Rapid Transit (BART) train tracks in a glass structure in the plan.

43-L: The City cannot underground the tracks belonging to BART. However, this concern has been brought to BART's attention and BART has indicated that financial considerations prohibit them from undergrounding the tracks at this time. The City and BART will continue to address community concerns. The Specific evaluate enclosing the tracks in order to reduce noise.

#### **Speaker #44: Councilmember McElhaney**

Councilmember McElhaney thanked the Planning Commission for all that they do and that she recognizes that they are all volunteers and thanked Chair Pattillo for her grace while listening to the speakers tonight. She stated that it is tough what we have to do, communities are dynamic. There are many people that have left West Oakland and the outward migration of African Americans, not only from Oakland, but from the State of California is part of a complex mix of things; a lot of it revolving around the lack of educational opportunities that are safe, psychologically, psycho- emotionally and economic opportunities. African Americans came to Oakland for jobs and the opportunity of a more just and robust civic life and in this last cycle we are starting to see reverse migration back to the South to Atlanta, Dallas, Fort Worth and other places where people see both the economic opportunities, a lower cost of living and safer communities for their children. With that being said, Oakland still has a plurality of African Americans living in a high concentration in both East and West. We have to as a society, figure out how we continue to strengthen communities to make this a place that people can choose to raise their children, to provide adequate resources for recreation, education, groceries and quality food and some of that is reflected here.

44-A: These are not comments on the accuracy or adequacy of the EIR, but instead are comments on the relative merits the Specific Plan. Please see Master Response to Comment #1 regarding gentrification, direct and indirect displacement.

She echoes Commissioner Weinstein's comments about so much of the land use that we would typically see in a specific plan is buried. Much of that comes from the very lengthy process that staff and the consultants have undertaken to hear and try to consider a lot of what's in the community.

44-B: Comments noted. These comments pertain to the merits of the Specific Plan, its content and presentation, and are beyond the purview of the EIR and CEQA. Staff has reorganized and re-structured the Specific Plan in an effort to make its content and presentation more traditional and easier to use. Please also see Master Response #3 in this Final EIR document.

Whether we are talking about the comments about poor government actions in a generation ago, whether it was Bay Area Rapid Transit (BART), or the siting of the Post Office that tore the fabric, or the imposition of the Federal Highway Administration in bringing in the 980 freeway or the destruction of hundreds of homes to make way for Bay Area Rapid Transit (BART) and other government projects. There is a long history and a lot of pain that is real, not made up. So, given that history with some of it being fairly recent, there is no wonder why people are distrustful of a government-led process. She stated that the businesses, government officials here whether they are Bay Area Rapid Transit (BART) Commissioners, or our volunteer Commissioners, we in this community get to define what we desire to see and then go out and do additional work, which is to find people who agrees with this vision. Just because they make the plan doesn't mean that people will come in the way that we desire to see them. This is just one step in the process and it is her hope that we can bring this to conclusion. As a resident, she began attending the meetings around the West Oakland Specific Plan and listen to her neighbors as they were all trying to weigh in on what was going on, where was this grant funding and feeling a bit rushed because of the timeline that was established under the TIGER Grant. The staff and Administration heard those concerns, there has been a slow down, more inclusion and more outreach, but it's not perfect. To bring us to a point now where she would not want to see us time delayed, the ability to revitalize 7th Street in particular and capitalize on Federal Government resources that are available now. It's really critically important and that a month or 2 month delay could cost us years. She has been pressing that this redevelopment on 7th Street is a 30 year delayed promise; she doesn't wish to preside over a time in our city where we continue to say to this community, wait your turn when it's our turn now. It is time for us to both seize the economic opportunities that are present in today's marketplace and do the best that we can to turn back the significant injury to the communities and neighborhoods that comprise West Oakland. To Vice Chair Moore's point, this is not just one area; the needs in the South Prescott are different from those in the Clausen and the San Pablo Corridor. We have to be mindful, and she appreciates staff's attempt to leverage what speaker Jabari Herbert stated about a grant for a specific area around the transit village to think about how we make this collection of neighborhoods more holistic, more integrated and robust. How do we take advantage of that now? Not only for the existing residents, but to bring in economic and socially diverse community that make us resilient to the changes. Those are her aspirations and she really appreciates the comments in which she will review them again more closely. She would like to encourage residents and business owners who continue to have concerns to make those known to the Planning Commission via email or standard mail to bring this to a conclusion and begin the real work of finding people who will assist us in investing in this whether it's small businesses, we want to make sure that people don't have to go to Emeryville or Walnut Creek or San Leandro to shop or for employment. This is the situation that we are in right now; retailers decided that will take our dollars in other zip codes other than our own. One economic forecast stated that we have a one billion dollar leakage of our money because we haven't figured out

how to satisfy Oakland's needs in our zip codes, that is the work that is in front of us. She thanked the Planning Commission for doing the heavy lifting before this is brought before the City Council and thanked each of the community members that continue to weigh in on this very important process and she hopes that we are able to move forward together.