



CITY OF OAKLAND

Community and Economic Development Agency, Planning & Zoning Division
250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California, 94612-2032

NOTICE OF AVAILABILITY OF THE RESPONSES TO COMMENTS ON THE REVISIONS TO THE ANALYSIS FOR THE OAK TO NINTH PROJECT EIR

TO: All Interested Parties

SUBJECT: Notice of Availability of the Responses to Comments on the Revisions to the Analysis for the Oak to Ninth Project Environmental Impact Report

CASE NUMBER: ER04-0009

PROJECT SPONSOR: Oakland Harbor Partners, LLC (Signature Properties and Reynolds & Brown)

PROJECT LOCATION: Approximately 64.2 acres bound by Embarcadero Road, the Oakland Estuary, Fallon Street, and 10th Avenue

PROJECT DESCRIPTION: The 64.2 acre site would be redeveloped with up to 3,100 residential units, 200,000 square feet of ground-floor commercial space, a minimum of 3,950 parking spaces, 31.89 acres of parks and public open space, two renovated marinas (total 170 boat slips), and a wetlands restoration area. The existing buildings on the site will be demolished with the exception of 20,000 square feet of the Ninth Avenue Terminal building and wharf and the Jack London Aquatic Center. All trees on the site are proposed for removal. The project does not include approximately six acres of privately-held property along and east of 5th Avenue that contain a mix of commercial and industrial uses, as well as a small community of work/live facilities.

ENVIRONMENTAL REVIEW: The EIR for the Oak to Ninth Project was certified by the City Council on June 20, 2006 (Resolution No. 79981) and the Project approved per various resolutions and ordinances adopted on June 20 and July 18, 2006. However, in Case Numbers RG06-280345 and RG06-280471, the Alameda Superior Court determined that the EIR was deficient in certain respects. The Court ordered that the EIR certification be set aside and project approval suspended. The Revisions to the Analysis for the EIR provides the environmental review required by the Court, and the Council will consider whether to re-certify the EIR, as revised.

On September 30, 2008, the Revisions to the Analysis for the EIR was published for this project, and the public review period ran until November 17, 2008. All comments that were received have been compiled and responded to in the Responses to Comments. The preparation of the Revisions to the EIR and the Responses to Comments have been overseen by the Environmental Review Officer or his/her representative, and the conclusions and recommendations in the document represent the independent conclusions and recommendations of the City. Copies of the documents are available for distribution to interested parties at no charge at the Community Economic Development Agency, Planning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612, Monday through Friday, 8:30 a.m. to 5:00 p.m. The documents are also available on the City of Oakland website at www.oaklandnet.com under "Oak to Ninth Project" on the front page.

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PUBLIC HEARING: The Oakland City Council will hold a public hearing on **Tuesday, January 20, 2009 in the City Council Chambers, One Frank Ogawa Plaza, 7:00 p.m.** to consider adoption of a Resolution Rescinding Certification of the Oak to Ninth Project Environmental Impact Report per Resolution No. 79981 C.M.S., Approving the Revisions to the Analysis in the Oak to Ninth Project EIR, Re-Certifying the Oak to Ninth Project EIR as Revised, and Readopting the CEQA Findings and Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program as Revised.

For further information, please contact **Margaret Stanzione**, Project Planner, at (510) 238-4932 or by email at mstanzione@oaklandnet.com

December 19, 2008

ERIC ANGSTADT
Interim Deputy Director of CEDA
Planning and Zoning Division
Environmental Review Officer