# CHAPTER 1

## PROJECT DESCRIPTION

Introduction

Agency Authority

Project Location

Background

Project Description

# 1.0 PROJECT DESCRIPTION

## 1.1 INTRODUCTION

Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017) asks communities and air districts to work together to address air pollution and related health effects in overburdened communities like West Oakland. AB 617's community-focused approach provides a new framework for addressing the long-standing disparities in air pollution and related health effects across the state.

AB 617 requires the adoption and implementation of community emissions reduction plans for targeted jurisdictions with disproportionate impacts from air pollution. Pursuant to AB 617, the Bay Area Air Quality Management District (Air District) and the West Oakland Environmental Indicators Project jointly developed a community emissions reduction plan, referred to as the Community Action Plan, for West Oakland. The proposed plan includes strategies at the community level to maximize emission reductions and reduce residents' cumulative exposure to criteria air pollutants, diesel particulate matter (Diesel PM), fine particulate matter ($PM_{2.5}$), and toxic air contaminants. The West Oakland Community Action Plan is an integrated multi-pollutant community air quality plan to eliminate health risk disparities in West Oakland. This Community Action Plan documents the Steering Committee's effort to study air pollution in West Oakland, and to identify and to prioritize Action Strategies that once implemented, will work towards eliminating West Oakland's air pollution burden.

The government agencies with primary responsibility for implementing the strategies in the Community Action Plan include the City of Oakland, Port of Oakland, Alameda County Public Health Department, Air District, and California Air Resources Board.

## 1.2 AGENCY AUTHORITY

CEQA, Public Resources Code §21000 et seq., requires that the environmental impacts of proposed projects be evaluated and that feasible methods to reduce, avoid or eliminate significant adverse impacts of these projects be identified and implemented. To fulfill the purpose and intent of CEQA, the Air District is the lead agency for this project and has prepared the Notice of Preparation/Initial Study for the proposed West Oakland Community Action Plan.

The Lead Agency is the "public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect upon the environment" (Public Resources Code Section 21067). It was determined that the Air District has the primary responsibility for supervising or approving the project as a whole and is the most appropriate public agency to act as lead agency (CEQA Guidelines Section 15051(b)).

## 1.3 PROJECT LOCATION

The Air District has jurisdiction of an area encompassing 5,600 square miles. The Air District includes all of Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Napa Counties, and portions of southwestern Solano and southern Sonoma counties. The San Francisco Bay Area is characterized by a large, shallow basin surrounded by coastal mountain ranges tapering into sheltered inland valleys. The combined climatic and topographic factors result in increased potential for the accumulation of air pollutants in the inland valleys and reduced potential for buildup of air pollutants along the coast. The Basin is bounded by the Pacific Ocean to the west and includes complex terrain consisting of coastal mountain ranges, inland valleys and bays (see Figure 1).

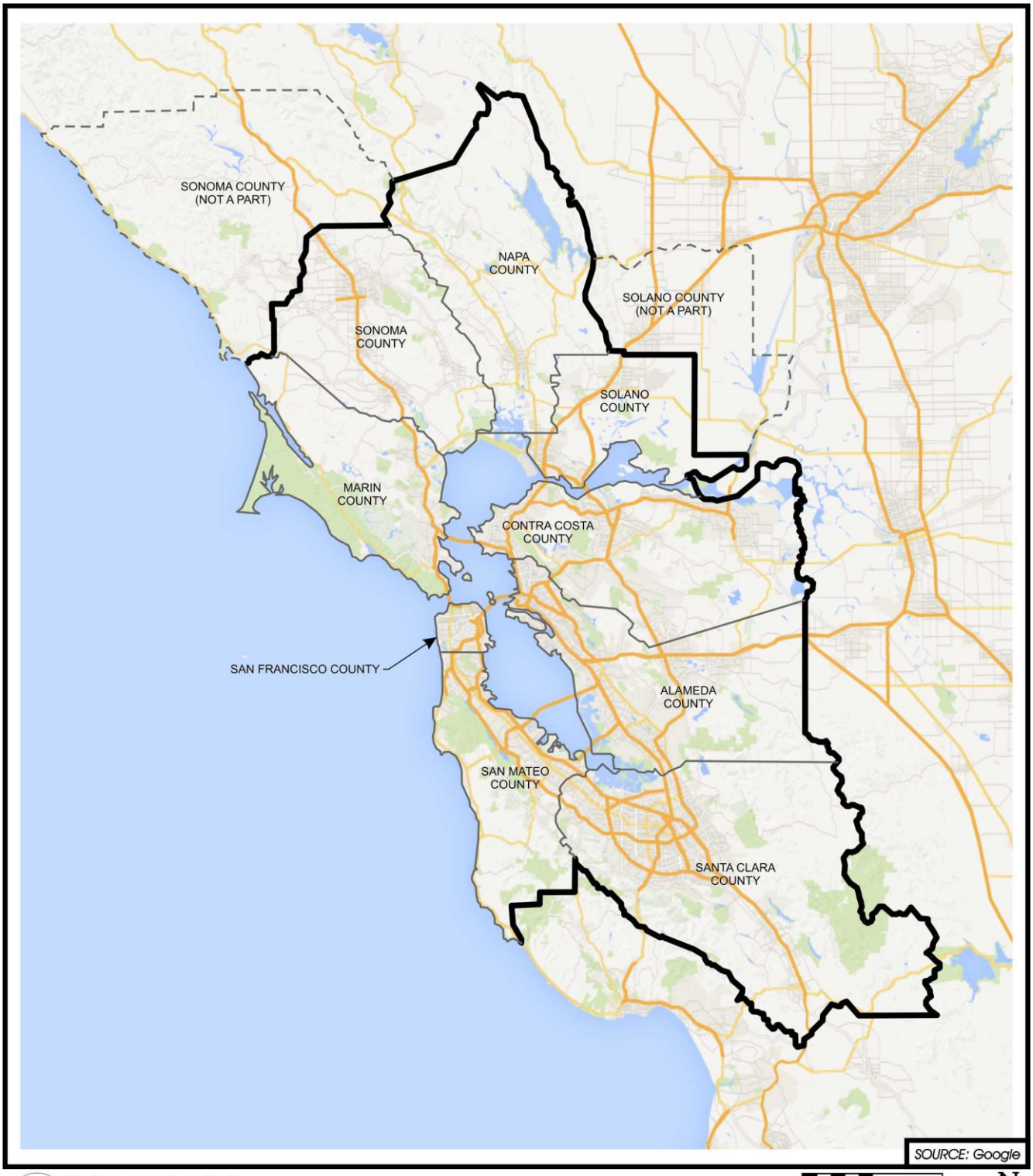
The proposed Community Action Plan will apply to West Oakland, which is part of the City of Oakland (see Figure 2). West Oakland is bounded by the Port of Oakland, the Union Pacific rail yard, and Interstates 80, 580, 880, and 980 (see Figure 3).

## 1.4 PROJECT BACKGROUND

AB 617 directs the state's California Air Resources Board (CARB), in consultation with local air districts, to identify and select communities that have a high cumulative exposure burden to air pollution. Once selected, these communities will work with local air districts on community emission reduction programs and/or air quality monitoring requirements. With the adoption of AB 617, the state acknowledges that many communities around the state continue to experience disproportionate impacts from air pollution. AB617 requires all of the following and more:

1. Air Districts in nonattainment areas must implement Best Available Retrofit Control Technologies (BARCT) on all sources subject to the AB 32 Cap-and-Trade Program. The Air District approved their BARCT requirements in December 2018.
2. CARB must establish and maintain a clearinghouse of best available control technology (BACT), and BARCT.
3. Air pollution violation maximum penalties were increased and will adjust with inflation.
4. CARB was required to prepare an air monitoring plan for all areas of the state by October 1, 2018.
5. Based on air monitoring plan information, CARB must select communities with high cumulative exposure burden to both toxic and criteria air pollutants by July 1, 2019.
    a. Each air district with a high cumulative burden community must deploy a community air monitoring system in that community within one year, and provide the air quality data to CARB for publication.
6. By January 1, 2020, and each January 1 thereafter, CARB will select additional communities with high cumulative exposure burden.

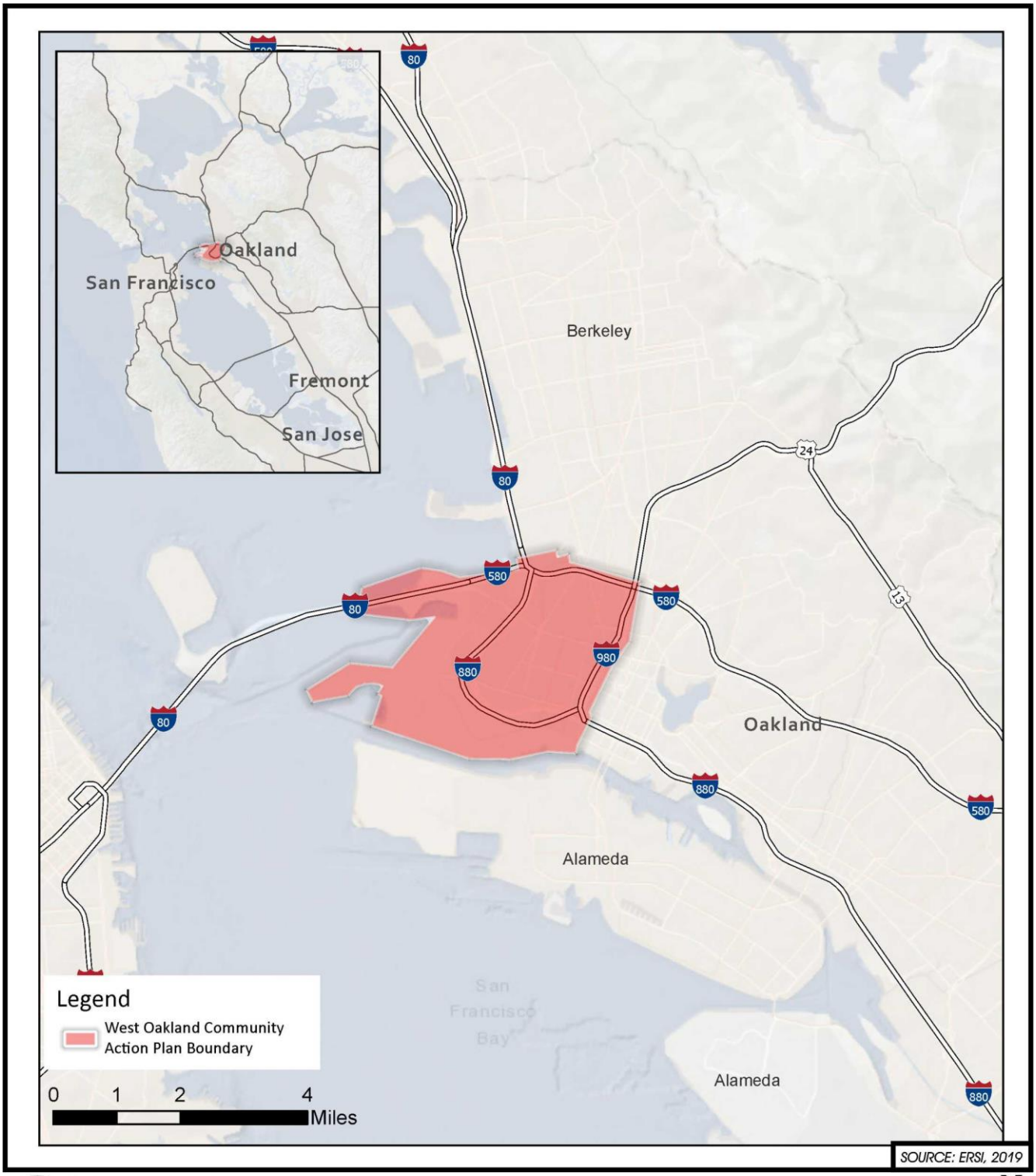
a. Each air district with a high burden community must deploy a community air monitoring system in that community within one year, and provide the air quality data to CARB for publication.




BAY AREA AIR QUALITY MANAGEMENT DISTRICT
JURISDICTION

Project No. 3100 Figure 1

N:\3100\BAAQMD Map.cdr




Environmental Audit, Inc.

WEST OAKLAND COMMUNITY ACTION PLAN
REGIONAL AND VICINITY MAP

Project No. 3100 Figure 2

N:\3100\Regional Map.cdr


Environmental Audit, Inc.

N

## WEST OAKLAND COMMUNITY ACTION PLAN PLANNING BOUNDARY

Project No. 3100 Figure 3

N:\3100\Planning Boundary.cdr

7. CARB must prepare a state-wide strategy to reduce emissions of toxic and criteria pollutants in communities affected by high cumulative exposure burden, by October 1, 2018, and update the strategy every five years. Criteria for the state-wide strategy recognized that disadvantaged communities and sensitive receptors are a priority, and include:
    a. A methodology for assessing and identifying contributing sources, and estimating their relative contribution to elevated exposure (source apportionment).
    b. Assessment of whether an air district should update and implement the risk reduction audit and emissions reduction plan for any facility if the facility causes or significantly contributes to the high cumulative exposure burden.
    c. Assessment of available measures for reducing emissions including BACT, BARCT, and toxics best available control technology (TBACT).
8. CARB selected locations for preparation of Community Emission Reduction Plans by October 1, 2018. CARB will select additional locations annually thereafter.
    a. Within one year, the air districts will adopt Community Emission Reduction Plans in consultation with CARB, individuals, community-based organizations, affected sources, and local governmental bodies.
    b. By October 2019, air districts adopt programs in first-year communities selected for community emissions reduction programs.
    c. The air districts' deadline to adopt the community emissions reduction programs is one year from community selection, which is October 1, 2019 for the first set of communities selected.
    d. The Community Emission Reduction Plans must be consistent with the state-wide strategy, and include emission reduction targets, specific reduction measures, a schedule for implementation of the measures, and an enforcement plan.
    e. The Community Emission Reduction Plans must be submitted to CARB for review and approval.
    f. The Community Emission Reduction Plans must achieve emission reductions in the community, based on monitoring or other data.
    g. The air districts must prepare an annual report summarizing the results and actions taken to further reduce emissions.
9. CARB will provide grants to community-based organizations for technical assistance and to support community participation in identification of communities with high exposure burden, and development and implementation of the Community Emission Reduction Plans.

AB 617 represents a significant enhancement to the approach CARB and local air districts take in addressing local air quality issues. The Air District has begun implementing programs that follow on from AB 617; these programs include the Community Air Risk Evaluation (CARE) Program, Health Risk Assessments for the AB 2588 Air Toxics "Hot Spots" Program, and Air District Rule 11-18: Reduction of Risk from Air Toxic Emissions at Existing Facilities. However, AB 617 presents myriad requirements and establishes challenging goals and timelines for implementation.

In August 2018, the District submitted the Community Health Protection Program to CARB which recommended the communities for the first five years of the state's Community Air Protection Program. The Air District recommended that West Oakland be eligible for a Community Action Plan in the first year of the AB 617 program. Maritime-freight industries, rail, large distribution centers, a cement plant, a power plant, metal facilities, small to medium industrial and manufacturing operations, major freeways and busy roadways used as trucking routes all impact the West Oakland community. These sources contribute to high levels of particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) concentrations and elevated cancer risk from toxic air contaminants. West Oakland is considered one of the most impacted areas in the San Francisco Bay Area due to the area's many sources of diesel particulate matter. As such, CARB approved West Oakland as a first-year priority community in the Bay Area. In addition, CARB approved Richmond for a Community Air Monitoring Plan. The currently proposed project will implement the required community emission reduction plan required under AB 617, which is referred to as the West Oakland Community Action Plan herein.

## 1.5 PROJECT DESCRIPTION

The West Oakland Community Action Plan is a joint effort between the West Oakland Environmental Indicators Project (Indicators Project) and the Air District, with direction from the West Oakland Community Action Plan Steering Committee. The West Oakland Environmental Indicators Project has a long history of community planning and advocacy to reduce residents' exposure to diesel particulate matter (Diesel PM), fine particulate matter ($PM_{2.5}$), and toxic air contaminants (TACs). The Steering Committee members are local stakeholders, including residents, community and local business leaders, and government agency representatives.

The Community Action Plan was developed through monthly meetings with the West Oakland Steering Committee, which began working on the Plan in July 2018. The Plan provides strategies for addressing the long-standing disparities in air pollution and related health effects in West Oakland. Once implemented, the Plan will work towards eliminating West Oakland's air pollution burden.

The goal of the Community Action Plan is to reduce emissions from air pollution sources within and adjacent to West Oakland air pollution sources, including:

- Stationary sources in West Oakland and adjacent to West Oakland, such as the East Bay Municipal Utility District wastewater treatment plant; recycling facilities such as Schnitzer Steel, CASS, and California Waste Solutions, Incorporated; gas stations, back-up diesel generators, and auto-body shops;
- Mobile sources, such as heavy-duty trucks and light-duty vehicles that travel in West Oakland and on the surrounding freeways; and
- Mobile sources that serve the Port of Oakland, such as cargo equipment, port trucks, locomotives, ocean-going ships, and harbor craft in the San Francisco Bay.

A summary table is provided at the end of this Chapter One as Appendix A that identifies the proposed strategies included in the Community Action Plan. A summary of those strategies is provided below.

### 1.5.1 Stationary Source Strategies

The Plan includes strategies to further control emissions from stationary sources in West Oakland. Strategies to control stationary sources to include considering: (1) replacing stationary diesel engines with Tier 4 diesel or cleaner engines; (2) reformulation of vanishing oils and rust inhibitors; (3) reducing toxic air contaminant emissions from existing industrial sources including Schnitzer Steel and the East Bay Municipal Utility District's Wastewater Treatment Plant; (4) potential new or amended regulations to further reduce emissions from metal recycling and foundry operations; (5) developing a regulation to reduce emissions of reactive organic gases and other toxic compounds from organic liquid storage tanks; and (6) identifying incentives to emissions from waste water treatment plants and anaerobic digestion facilities. The District may also consider developing an indirect source regulation to reduce emissions from freight operations.

### 1.5.2 Mobile Source Strategies

The Plan includes strategies to reduce emissions from mobile sources including vehicles, trucks, locomotives, and ships. A number of strategies would encourage the early retirement of old vehicles, the use of renewable fuels or increase the use of zero-emissions trucks, buses, and vehicles operating in West Oakland. Strategies to control emissions from locomotives and ships include: (1) increasing the use of shore-power or other emission control systems by vessels at berth in the Port of Oakland; (2) encouraging use of Tier 3 and 4 compliant diesel engines on tugs and barges; and (3) encouraging use of Tier 4 compliant engines on locomotives. A number of strategies would increase enforcement on a variety of different activities including illegal parking, excess idling, and not using appropriate truck routes.

### 1.5.3 Other Mobile Source Strategies

The Plan encourages other strategies to reduce emissions from mobile sources including: (1) encouraging car sharing for low-income individuals; (2) providing pedestrian and bicycle improvements to increase use of public transit, e.g., BART; (3) increasing street sweeping to minimize the re-entrainment into the air of particulates that collect on streets and freeways; (4) developing safe routes to school to minimize conflicts between pedestrians and trucks/vehicles; and (5) considering improvements to public transit along Grand Avenue.

### 1.5.4 Land Use Strategies

Land use strategies are aimed at modifying land uses to limit exposure to emissions. Under this category, the Plan includes strategies to reduce exposure to emissions by: (1)

relocating California Waste Systems and CASS to move sources away from sensitive receptors; (2) accelerating the relocation of auto and truck-related businesses that are non-conforming land uses; (3) developing regulations to prohibit certain freight businesses and truck yards in portions of West Oakland; (4) increasing urban tree planting and vegetative biofilters along streets/truck routes to help reduce exposure to emissions; (5) adopting development impact fees to fund various environmental mitigations including green infrastructure and transportation improvements; (6) installing solid barriers between buildings and air pollution sources (e.g., freeways) to reduce exposure to air pollution; (7) increasing electrical infrastructure to encourage zero emissions vehicles/trucks; and (8) improving and updating the complaint processes, enforcement procedures and coordination with other public agencies to better respond to odors and open burning complaints.

### 1.5.5 Health Programs

Health Program strategies are aimed at generally reducing exposure to air pollution. These strategies could include: (1) the installation of high efficiency air filtration systems on buildings to reduce exposure; (2) relocating exhaust stacks to reduce local exposure to air pollutants; (3) providing additional air monitoring to better detect sources of air pollution; and (4) better reporting of health data to identify public health impacts, as well as improvements.

Implementation of the Community Action Plan, once approved, will be the responsibility of a number of governmental agencies including the City of Oakland, Port of Oakland, Alameda County Public Health Department, Air District, and California Air Resources Board. Please see Appendix A for a list and description of all the proposed strategies in the West Oakland Community Action Plan.

## 1.6 OVERVIEW OF ANALYTICAL APPROACH

The West Oakland Community Action Plan is designed to be a comprehensive Plan for the District and other agencies and community groups to use to implement strategies to reduce West Oakland residents' exposure to diesel PM, $PM_{2.5}$, and TAC emissions. To implement the Plan, the Air District and other agencies and organizations propose to draw on a full repertoire of tools and resources. This repertoire includes the District's principal regulatory tool, which is its rulemaking authority granted to it under the California Health & Safety Code to adopt mandatory regulations requiring stationary-source facilities to take action to reduce their air emissions. It also includes the District's grants and incentives programs, which provide monetary incentives for implementing voluntary actions to reduce emissions. And it also includes the District's role in promoting sound policy development and healthy air choices throughout all sectors of our economy and society. This last tool encompasses efforts such as providing technical support to other agencies as they develop and implement their own policies and programs to help achieve clean air; promoting best practices by developing model ordinances, guidance documents and other similar documents; outreach and education efforts to engage with community groups and other organizations; and advocacy in support of legislative and regulatory action at the federal, state and local levels to promote the District's air quality and public health goals.

To facilitate the analysis of the potential impacts from implementation of the strategies in the Community Action Plan, the District has organized the strategies into four categories; (1) stationary-source regulatory actions; (2) grants and incentive actions; (3) technical support, education outreach, and advocacy actions; and (4) strategies to be implemented by other agencies. The following discussion outlines each of these categories in general.

### 1.6.1 Stationary Source Regulatory Action

The principal type of activity that the Air District will engage in under the West Oakland Community Action Plan is to explore, research and/or adopt, if appropriate, mandatory regulations and rules requiring stationary-source facilities to take actions to reduce their air emissions, pursuant to the District's rulemaking authority under the California Health & Safety Code. The enhanced rules and regulations that the Air District proposes to develop under the Community Action Plan will help to reduce emissions in West Oakland. These proposed regulatory measures are evaluated to determine whether they could also result in any significant ancillary adverse environmental impacts.

The West Oakland Community Action Plan proposes a number of control strategies that would reduce emissions of diesel PM, $PM_{2.5}$, and TAC emissions. Potential stationary source strategies include reducing reactive organic gas (ROG) and TAC emissions from organic liquid storage tanks; reducing emissions from the use of vanishing oils; new regulations to control emissions from wastewater treatment plants; modification to existing regulations to further reduce emissions from metal recycling and foundry operations; and installing shore-power or a "bonnet" system on ships that visit the Schnitzer Steel marine terminal. The potential impacts of these types of control strategies are evaluated in Chapter 2 of the Initial Study as their implementation could result in physical impacts.

In addition to new and modified rules and regulations, some of the Air District's proposed stationary source regulatory actions will enhance enforcement of existing regulations. These regulatory actions do not require any new or modified equipment at any facilities and as such, they are not expected to result in adverse physical environmental impacts. Action #21 which would create a Sustainable Freight Advisory Committee, that could include enhance enforcement of truck parking and idling, and which would also result in improved referral and follow-up of nuisance and odor complaints, both fall into this category of no adverse impacts. As this measure would not have any physical environmental impacts, it not addressed in the subsequent environmental analysis.

For a number of other proposed stationary source control measures, it is not clear at this point what type of regulatory action (if any) the Air District may take to implement them. For example, several control strategies involve potential rules where further study is needed to determine whether it is possible to obtain additional emissions reductions, and if so, how would that be accomplished. Such measures include Action #2 to further control emissions from storage tanks, and Action #3 to control emissions from autobody and other coating operations, including vanishing oils and rust inhibitors.

For these types of measures, it is not possible to evaluate with any specificity whether there may be a significant environmental impacts arising from the Air District's implementation actions, as the implementation actions themselves and/or any resulting physical changes to the environment are not yet known with any specificity. In such situations, CEQA does not require a CEQA document to engage in speculation about what might or might not occur from such strategies. CEQA Guidelines Section 15145 provides that "[i]f, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact." Accordingly, speculative implementation strategies of this type are not addressed in detail in the environmental analyses. The Air District has projected what implementation of the Community Action Plan may involve as precisely as is reasonably possible at the current stage of development and, wherever there are specific implementation actions and specific physical changes to the environment that are likely or reasonably possible to occur, they and their environmental impacts are evaluated in detail. But where it is not possible at this stage to project the nature or extent of an implementation action or any resulting environmental impacts beyond mere speculation, they are not evaluated, and indeed cannot be evaluated, in accordance with CEQA Guidelines Section 15145. In addition to the examples cited above, other measures which are considered too speculative to determine if nay environmental impacts might occur at this stage include Action #18 (air pollution and health outcomes of allowing truck traffic on I-580 and a truck lane on I-880); Action #65 (shortcut nitrogen removal from wastewater treatment plants); as well as some of the measures that would encourage zero emission mobile sources.

### 1.6.2 Grants and Incentives

In addition to the stationary source regulatory measures proposed as part of the Community Action Plan, the Air District is also proposing to use its grants and incentives programs to fund projects in furtherance of the Plan's goals of reducing air pollution and protecting public health. The main vehicle for funding strategies is the Air District's Transportation Fund for Clean Air (TFCA), which funds cost-effective projects aimed at reducing on-road motor vehicle emissions in the Bay Area, including vehicle replacement projects that fund the replacement of older, higher-emitting vehicles with cleaner zero emission vehicles or partial zero emission vehicles. Other sources of grants include the Carl Moyer Program, the Mobile Source Incentive Fund, and the Goods Movement Program.

The Air District is proposing to use the grants and incentive program to further the Plan's goals of reducing emissions in West Oakland. These control strategies call for using grant funding to target emissions reductions to be obtained from the transportation section, either by promoting emissions-free alternatives to motor vehicle travel such as walking and bicycling, or by promoting less-polluting vehicular transportation such as zero-emission mobile sources and public transit. In Strategy #41, the Air District would use up to $7 million per year to replace older autos through the Vehicle Buy Back program and, up to $4 million per year through the Clean Cars for All program to replace older autos and provide an incentive for a zero emission vehicle or to get a Clipper Card for public transit.

A number of other strategies would also provide financial incentives to reduce emissions including loans for local businesses to install energy storage systems to replace stationary sources of pollution (e.g., back-up generators) (Strategy #14); financial incentives to replace diesel trucks with zero emission trucks (Strategy #42); streamlining the process for funding for fueling infrastructure for low/zero emission equipment (Strategy #46); financial incentives to upgrade tugs, barges, and locomotives with cleaner engines (Strategy #59 and #60); financial incentives to support development of hydrogen refueling stations and the purchase of trucks and off-road equipment powered by fuel cells (Strategy #45); financial incentives for the purchase of electric bicycles (Strategy #50); financial incentives to pay for cleaner equipment, e.g., electric lawn and garden equipment, batteries for transportation refrigeration units, and cargo-handling equipment (Strategy #47); financial incentives to replace diesel trucks with zero emission trucks (Strategy #42); and incentives and grants for building energy efficiency upgrades and high efficiency air filtration systems (Strategy #69).

For these types of implementation actions, it is only possible to evaluate the Plan's potential environmental impacts in highly general terms. Strategies #15 and 18 may require construction activities to install electric charging stations, for example, but more information on the location and number of stations is needed to evaluate the magnitude of the impacts. Strategies #27, 41-47, 60, and 63 could fund the purchase and replacement of older internal combustion engines with newer engines. The disposal of older engines, vehicles, trucks, etc., could have an adverse impact associated with removing hazardous waste (anti-freeze, gasoline, oil) from the vehicles, but more information is needed specifically about how and where such activities would occur before a detailed analysis of potential impacts could be conducted. In addition, if electric vehicles are purchased with the grant funding there could be potential impacts associated with electricity production and supply. However, it is not possible to evaluate whether there could be any environmental impacts from individual projects the Air District might fund, or the nature and extent of any such impacts, as there are no specific projects at this point that have been proposed for grant funding and the availability of the funding, in most cases, is unknown. Given the unspecified nature of the particular activities that the Air District would fund through these strategies, there is no way to evaluate at this point whether there could potentially be any significant environmental impacts associated with them.

CEQA Guidelines Section 15145, as stated above, provides that "[i]f, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact." That is also the case here with respect to evaluating impacts from some projects that the Air District may fund under the Community Action Plan. It is not possible at this stage to determine – beyond mere speculation – the nature, extent, location, or timing of any activities that may result from projects funded under the Plan and, therefore, it is not possible to evaluate whether any such activities may generate a significant impact. In such situations, CEQA does not contemplate an attempt to assess the significance of purely speculative impacts. Potential environmental impacts will be addressed as the Air District implements the Plan and it becomes clear what specific projects the District may support. When specific projects are proposed, they will be subjected to a CEQA environmental analysis before

they can be implemented. At that point, the specific details about the project, including what types of activity will be required and what the potential environmental impacts could be, will be evaluated. The future CEQA analysis will be able to conduct a full analysis of any potential environmental impacts at that time, as the nature, extent, amount of funding, location, timing, and duration of the activity will be known. For these reasons, the impacts analysis in Chapter 2 does not evaluate potential impacts from any projects that the Air District may fund through its grants and incentives programs, where the impacts are speculative.

### 1.6.3 Technical Support, Educational Outreach and Advocacy

The third category of actions the Air District is proposing in the West Oakland Community Action Plan involves measures to promote sound policy development and healthy air quality choices throughout all sector of the economy and society. These activities include promoting best practices by public agencies and other entities through information resources, model ordinances, guidance documents, etc.; outreach and education to engage with community groups and other organizations; and advocacy in support of legislative and regulatory action at the federal and state levels in order to promote the District's air quality and public health goals.

The Air District's technical support, educational and advocacy efforts are aimed at supporting and encouraging other agencies, organizations, businesses and individuals as they take action to address air pollution and climate change concerns in areas outside of the Air District's direct regulatory authority. The District regularly participates with such entities to support them in developing plans, policies and programs that are aligned with the Air District's clean air goals. The Air District has partnered and participated in multiple collaborative policy and planning efforts, such as: (1) *Plan Bay Area* in conjunction with the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG); (2) CARB's *2016 Mobile Source Strategy*; (3) MTC's regional *Goods Movement Plan*; and (4) the *Bay Area Goods Movement Collaborative* convened by MTC and the Alameda County Transportation Commission.

Portions of the West Oakland Community Action Plan would continue and expand technical support, educational and advocacy efforts. For example, Strategy #38 continues the District's engagement in the environmental review process for development projects in West Oakland, providing data and technical assistance to lead agencies. The Air District provides this support through resources it has developed through its CEQA Guidelines document, and its *Planning Healthy Places* guidance document, among others. The Community Action Plan calls on the Air District to continue and enhance these efforts in West Oakland going forward.

The Air District also focuses advocacy efforts on supporting legislative and regulatory initiatives to promote clean air and climate protection. The West Oakland Community Action Plan includes actions for the Air District to seek authority to reduce emissions and risk from magnet sources such as the Port of Oakland, freight operations and warehouse distribution centers.

Finally, the Air District also engages in education and outreach efforts aimed at encouraging members of the public to generally make positive lifestyle choices to help improve air quality. For example, the Air District's existing "Spare the Air Every Day" Program encourages members of the public to reduce motor vehicle travel and other pollutant-emitting activities, especially on "Spare the Air" days when high ozone levels are predicted. The proposed West Oakland Community Action Plan incorporates education and outreach efforts through strategies that would provide education on measures that could reduce the use of energy and lead to more energy efficient buildings.

These technical support, education and advocacy efforts are not expected to result in any significant environmental impacts. Providing policy input by participating in the development of other agencies' plans and initiatives in those agencies' own regulatory areas, as the District has done with CARB's *Mobile Source Strategy* and MTC's *Goods Movement Plan,* does not involve any activities that could generate environmental impacts. Nor does providing technical support for implementing such plans and initiatives once they are adopted, for example identifying best practices to mitigate air quality impacts from infill development. And the same is true for other educational outreach and advocacy efforts the Air District will engage in under the proposed Plan, such as continuing to review and comment on CEQA documents, and providing educational programs to promote informed lifestyle choices related to clean air.

To the extent that the Air District's technical support, educational and advocacy efforts are aimed at promoting sound policy choices by other governmental agencies and private individuals, it is not possible to assess with any level of specificity how the District's efforts would result in specific actions by such third-parties that would result in physical changes to the environment. The Air District obviously hopes that its efforts will help influence positive outcomes. But it is not possible to predict beyond speculation what actions any other agency or private individual may take or not take as a result of the District's efforts, compared to what would occur absent any District action. As a result, it is not possible to assess whether there would be any physical changes to the environment that might occur as a result of the District's efforts under the Plan, let alone the extent of any potential adverse impacts associated with any such changes. Accordingly, under CEQA Guidelines Section 15145, such speculative impacts from the District's technical support, educational and advocacy efforts are not evaluated in Chapter 2.

### 1.6.4 Actions by Other Agencies

Finally, to be comprehensive, the West Oakland Community Action Plan also includes control strategies proposed to be implemented primarily or exclusively by other agencies, such as the City of Oakland and CARB. A large portion of the control strategies would be implemented by agencies other than the Air District.

The West Oakland Community Action Plan includes these control measures because they involve activities by other agencies in the region that further the same clean air goals for West Oakland that the Air District, and other agencies and organizations, are seeking to achieve under the Plan. Including them in the Plan serves to provide a comprehensive picture of all such activities throughout the region. These activities by other agencies are included for information purposes only, however. They are not dependent on approval of the control strategies that are under the authority of the Air District. Further, the Air District's approval of the control strategies will not authorize or commit those agencies to any action. As these actions and activities by independent agencies are not Air District actions and will occur independently of the District's approval of the control strategies under their authority, they are not direct or indirect effects resulting from approval of the Plan that must be analyzed in this document. Accordingly, Chapter 2 does not address implementation actions by other agencies that are independent of the Air District's implementation actions under the Community Action Plan.

# ATTACHMENT A: DRAFT STRATEGIES

| Action # | Section | Description | Authority |
|---|---|---|---|
| 1 | Land Use | The City of Oakland continues working with California Waste Solutions and CASS, Inc. to relocate operations to the former Oakland Army Base and works with the property owners and local residents to redevelop the former sites in West Oakland with new business and light industrial uses that fit into a green economy. | City of Oakland |
| 2 | Land Use | The Air District will continue to engage in environmental review processes for development projects in West Oakland, such as the Oakland A's Ballpark and the Macarthur Maze Vertical Clearance Project, including coordinating with community partners and lead agency staff, providing data and technical assistance, and reviewing and commenting on CEQA documents through 2025. | Air District |
| 3 | Land Use | The Air District will study the potential air pollution and health outcomes of allowing truck traffic on I-580 and designating a truck lane on I-880. Allowing truck traffic on I-580 would require legislative approval, re-engineering, and re-construction. | Air District |
| 4 | Land Use | Consistent with measures in the West Oakland Specific Plan, the City of Oakland identifies locations outside of West Oakland for heavier industrial businesses currently in West Oakland that contribute to air pollution emissions and negative health outcomes in West Oakland. | City of Oakland |
| 5 | Land Use | The City of Oakland amends existing City Ordinances and Administrative policies to accelerate relocation of auto- and truck-related businesses out of West Oakland that do not | City of Oakland |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | conform with the zoning designations adopted in the West Oakland Specific Plan. | |
| 6 | Land Use | The City of Oakland uses incentives and subsidies to relocate auto- and truck-related businesses away from West Oakland that do not conform with the zoning designations adopted in the West Oakland Specific Plan. The Air District will provide emissions data and technical support to assist the City in these efforts. | City of Oakland |
| 7 | Land Use | The City of Oakland revises business licensing procedures to require current and proposed businesses to disclose truck visits per day and works with Caltrans to determine the number of trucks that park in the Caltrans right-of-way near West Oakland. These efforts would help to better understand emissions and exposure in West Oakland. | City of Oakland |
| 8 | Land Use | The City of Oakland amends existing City Ordinances and Administrative policies to list new truck yards as prohibited uses within West Oakland. | City of Oakland |
| 9 | Land Use | The City of Oakland develops a plan to limit the hours that trucks can operate in the community. | City of Oakland |
| 10 | Land Use | The City of Oakland creates a comprehensive area-wide urban canopy forest plan that identifies locations that trees can be added and maintained, such as parks and along Caltrans' rights-of-way, and develops a plan to protect existing trees that reduce exposure to air pollution emissions in West Oakland. This includes partnering with local nonprofit groups and encouraging trees on private property. | City of Oakland |
| 11 | Land Use | The City of Oakland works with local groups to train residents to maintain biofilters. | City of Oakland |

| Action # | Section | Description | Authority |
|---|---|---|---|
| 12 | Land Use | The Air District and the Environmental Indicators Project intends to implement the biofilter plan currently under development between Interstate 880 and the Prescott neighborhood in West Oakland by 2020. | Air District |
| 13 | Land Use | The City of Oakland adopts development impact fees that generate funds for various environmental mitigations, including green infrastructure. | City of Oakland |
| 14 | Land Use | The Air District provides subsidized loans for local businesses to install energy storage systems (e.g. batteries, fuel cells) to replace stationary sources of pollution (e.g. back-up generators). | Air District |
| 15 | Land Use | The City of Oakland reserves land for electrical charging stations for buses, trucks, and automobiles. | City of Oakland |
| 16 | Land Use | The City of Oakland requires solid barriers be incorporated into site design, similar to a sound wall, between buildings and sources of air pollution (for example, a freeway). | City of Oakland |
| 17 | Land Use | The City of Oakland adopts an ordinance that requires on-site renewable energy generation of at least 5% of a project's energy use. | City of Oakland |
| 18 | Land Use | The Air District advocates for more electrical infrastructure and power storage, development of (1) fast-charging facility, (1) truck charging stations and better land use support for electric trucks by 2025. | PG&E |
| 19 | Land Use | The Port of Oakland adopts an Electrical Infrastructure Plan for the maritime waterfront areas of Oakland. This Plan seeks to remove barriers to adoption of zero-emission trucks, such as cost, land, and ownership of charging equipment. | Port of Oakland |

| Action # | Section | Description | Authority |
|---|---|---|---|
| 20 | Land Use | The City of Oakland revises development requirements to require the implementation of as many transportation demand management (TDM) strategies as feasible by developers of new buildings. | City of Oakland |
| 21 | Land Use | The Air District works with the City and Port of Oakland and other agency and local partners to create a Sustainable Freight Advisory Committee to provide recommendations to each agency's governing board or council. The Committee's scope includes: air quality issues, enhanced/increased enforcement of truck parking and idling, improved referral and follow-up to nuisance and odor complaints related to goods movement, improvements to the Port appointment system, charging infrastructure and rates, developing land-use restrictions in industrial areas, and consideration of video surveillance to enforce truck parking, route, and idling restrictions. | Air District |
| 22 | Land Use | The City of Oakland adopts more stringent CEQA air quality construction and operations thresholds and mitigation requirements for West Oakland. | City of Oakland |
| 23 | Land Use | The City and Port of Oakland provides West Oakland community members public notice and at least 30 days of comment period on any relevant planning or land-use decisions not currently subject to such notice. | City of Oakland, Port of Oakland |
| 24 | Land Use | The Air District works with agency and local partners to improve referral and follow-up on nuisance and odor complaints by 2021. This work includes updates to complaint processes, enforcement procedures and | Air District |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | coordination with other public agencies regarding odors and open burning complaints. | |
| 25 | Land Use | To address potential changes in local pollution exposure, the City of Oakland works with local community groups to address gentrification and the pricing out of long-term residents caused by gentrification. This effort includes meetings with local community groups and incentives and loans targeted to existing businesses and residents. Funding for this effort is identified as needed. | City of Oakland |
| 26 | Trucks | The California Air Resources Board develops improvements to the existing truck and bus inspection and maintenance programs. Potential improvements include increasing the warranty requirements, adding a lower in-use emissions performance level, increasing inspections in West Oakland, using aggregated GPS and other telecommunication records to identify locations of idling trucks and buses, and developing with the Air District a system using on-board diagnostic and remote sensing devices to identify and fix faulty emissions abatement devices on trucks and buses. | CARB |
| 27 | Trucks | The California Air Resources Board adopts regulatory amendments to increase the number of zero emission trucks and buses operating in West Oakland. | CARB |
| 28 | Trucks | The California Air Resources Board adopts regulatory amendments requiring trucks and buses with "Clean Idle" stickers to idle no more than 5 minutes when in West Oakland. | CARB |
| 29 | Trucks | The City of Oakland requires all loading docks in warehouse facilities located within West Oakland and adjacent waterfront | City of Oakland |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | area provide electrical connections for electric trucks and transportation refrigeration units. As part of the consideration of this measure, the City of Oakland conducts a study to identify small truck yards and other locations where transportation refrigeration units operate extensively. | |
| 30 | Trucks | The Port of Oakland, as part of the 2020 and Beyond Seaport Air Quality Plan, supports the transition to zero-emission drayage truck operations, including setting interim year targets out to 2035, coordinating an extensive zero-emission truck commercialization effort, working with the City of Oakland to amend local ordinances to increase the allowable weight limits for single-axle, zero-emission trucks on local streets located within the Port and the Oakland Army Base/Gateway areas and developing an investment plan for needed upgrades to the Port's electrical infrastructure. The Port of Oakland also works with the California Public Utilities Commission and the California Energy Commission to study the development of time-of-day electric rate structures favorable to truck operators. | Port of Oakland |
| 31 | Trucks | The City of Oakland, consistent with the West Oakland Truck Management Plan: 1) improves training for police officers and community resource officers who issue truck and trailer parking tickets; 2) changes the parking regulations so they are easier to enforce; 3) increases truck parking fines; 4) targets enforcement at specific times and locations; 5) offers incentives to truck drivers and businesses to | City of Oakland |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | park at the waterfront; and 6) improves signage directing drivers to available truck parking. | |
| 32 | Trucks | The City of Oakland, consistent with the West Oakland Truck Management Plan: 1) improves signage regarding existing truck routes; 2) studies the location and movement of smaller truck fleets operating in West Oakland; and 3) adds to or changes truck routes, time of day restrictions and prohibited streets. | City of Oakland |
| 33 | Trucks | The City of Oakland, consistent with the West Oakland Truck Management Plan, implements, in consultation with West Oakland residents, traffic calming measures to keep truck traffic of residential streets. | City of Oakland |
| 34 | Trucks | The Air District works with CARB to streamline the process for providing financial incentives for fueling infrastructure, and for low and zero-emission equipment. The Air District increases outreach and assistance to individual owner-operators and small companies by providing 2 workshops in West Oakland by 2022. | Air District |
| 35 | Trucks | The City and Port of Oakland award long-term leases to vendors that will deliver trucker services (including mini-market and convenience stores, fast food and fast casual restaurants) and parking to keep trucks off West Oakland streets. | City of Oakland, Port of Oakland |
| 36 | Trucks | The Port of Oakland studies the effects on truck flow and congestion due to increasing visits from larger container ships, the feasibility of an off-terminal container yard that utilizes zero emission trucks to move containers to and from the marine terminals, and the potential efficiency gains from increasing the number of trucks | Port of Oakland |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | hauling loaded containers on each leg of a roundtrip to the Port. | |
| 37 | Trucks | The Alameda County Transportation Commission works with West Oakland residents and businesses to develop mitigations to short- and long-term impacts caused by the construction of the 7th St Grade Separation East Project and the implementation of other elements of the GoPort Initiative. | ACTC |
| 38 | Other Mobile Sources | The City of Oakland collaborates with AC Transit, BART, Emery-Go-Round and the local community to implement the broad array of transit improvements identified in the West Oakland Specific Plan. | Multiple |
| 39 | Other Mobile Sources | The City of Oakland collaborates with MTC and ACTC to consider a program for extending car sharing to low-income individuals and groups in West Oakland. | City of Oakland, others |
| 40 | Other Mobile Sources | AC Transit implements the Grand Avenue transit improvements identified in its Bus Rapid Transit Plan, as well as mitigations if the improvements cause increases in truck and auto idling on Grand Avenue. | AC Transit |
| 41 | Other Mobile Sources | The Air District plans to offer up to $7 million per year to replace older autos through the Vehicle Buy Back program, and up to $4 million per year through the Clean Cars for All programs to replace older autos and provide an incentive for a hybrid electric, plug-in hybrid electric, battery electric vehicle, or to get a Clipper Card for public transit. | Air District |
| 42 | Other Mobile Sources | The Air District offers financial incentives to replace box and yard diesel trucks with zero emission trucks owned by West Oakland businesses every year. | Air District |
| 43 | Other Mobile Sources | The Air District plans to offer financial incentives to upgrade tugs and barges operating at the | Air District |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | Port of Oakland with cleaner engines every year. | |
| 44 | Other Mobile Sources | The Air District plans to offer financial incentives to upgrade line-haul, passenger, and switcher (yard) locomotives with cleaner engines every year. | Air District |
| 45 | Other Mobile Sources | The Air District plans to offer financial incentives to support the development of a hydrogen refueling station and the purchase of trucks and off-road equipment powered by fuel cells every year. | Air District |
| 46 | Other Mobile Sources | The Air District offers financial incentives to replace long-haul diesel trucks with zero emission trucks owned by West Oakland businesses every year. | Air District |
| 47 | Other Mobile Sources | The Air District will award up to $1 million in funding incentives to pay for the cost of purchasing cleaner equipment in West Oakland potentially including: electric lawn and garden equipment, battery electric Transportation Refrigeration Units, cargo-handing equipment by 2021. | Air District |
| 48 | Other Mobile Sources | The Bay Area Rapid Transit District to develop a bike station with controlled access at the West Oakland BART Station. | City of Oakland |
| 49 | Other Mobile Sources | The City of Oakland implements the broad array of bicycle and pedestrian improvements identified in the West Oakland Specific Plan. | City of Oakland |
| 50 | Other Mobile Sources | Through the Pilot Trip Reduction Program, the Air District offers incentives for the purchase of electric bicycles for bike share programs. | Air District |
| 51 | Other Mobile Sources | The Oakland Unified School District and the City of Oakland, as part of the Safe Routes to Schools Program in West Oakland, begin twice a day street closures next to public schools in West Oakland to keep cars and | Oakland Unified School District, City of Oakland |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | trucks away from arriving and departing students. | |
| 52 | Other Mobile Sources | The City of Oakland increases the frequency of street sweeping in West Oakland to decrease road dust, beginning with streets adjacent to schools and designated truck routes. The California Department of Transportation increases the frequency of street sweeping along the I-880, I-980 and I-580 freeways. Consideration is given to technology and techniques that avoid re-suspending road dust. | City of Oakland |
| 53 | Other Mobile Sources | The California Air Resources Board modifies the At-Berth Air Toxics Control Measure such that beginning in 2021 100% of all container vessels control emissions while at berth at the Port of Oakland. | CARB |
| 54 | Other Mobile Sources | The California Air Resources Board amends the Harbor Craft Air Toxics Control Measure to achieve additional control of harbor craft emissions and require early compliance by Harbor Craft operating near West Oakland. | CARB |
| 55 | Other Mobile Sources | The California Air Resources Board adopts regulations to reduce idling emissions from all rail yard sources, with an emphasis on reducing emissions from locomotives not pre-empted under the federal Clean Air Act, and early compliance for equipment and locomotives operating in West Oakland. | CARB |
| 56 | Other Mobile Sources | The Port of Oakland implements a Clean Ship Program to increase the frequency of visits by ships with International Maritime Organization Tier 2 and Tier 3 engines. | Port of Oakland |
| 57 | Other Mobile Sources | The Port of Oakland implements a Clean Locomotive Program to increase the increase the number | Port of Oakland |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | of US EPA Tier 4 compliant locomotives used by the UP, BNSF and OGRE railways to provide service in and out of the Port of Oakland; | |
| 58 | Other Mobile Sources | The Port of Oakland studies the feasibility of using electric switcher locomotives at the two Port railyards. | Port of Oakland |
| 59 | Other Mobile Sources | The Air District works with Schnizter Steel to study the feasibility of installing a shore-power or "bonnet" system to capture and abate vessel emissions at the West Oakland facility by 2021. | Air District |
| 60 | Stationary Sources | The Air District intends to seek authority in 2021 to reduce emissions and risk from magnet sources, such as the Port of Oakland, freight operations and warehouse distribution centers. | Air District |
| 61 | Stationary Sources | The Air District proposes amendments to existing regulations to further reduce emissions from metal recycling and foundry operations, such as changes to 1) Regulation 6, Rule 4: Metal Recycling and Shredding Operations, which requires metal recycling and shredding facilities to minimize fugitive PM emissions through the development and implementation of facility Emission Minimization Plans; and 2) Regulation 12, Rule 13: Foundry and Forging Operations, which requires metal foundries and forges to minimize fugitive emissions of PM and odorous substances through the development and implementation of facility Emission Minimization Plans by 2025. | Air District |
| 62 | Stationary Sources | Regulation 11, Rule 18: Reduce Risk from TACS at Existing Facilities (Reg. 11-18) requires selected Bay Area facilities to reduce risk or install best | Air District |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | available retrofit control technology for toxics on all significant sources of toxic emissions. Based on the results of the Technical Assessment, the Air District may require Schnitzer Steel to adopt a Risk Reduction Plan to meet these requirements during Phase 1 of Reg. 11-18 implementation, and may require East Bay Municipal Utility District Wastewater Treatment Plant to adopt a Risk Reduction Plan to meet these requirements during Phase 2 of Reg 11-18 implementation. | |
| 63 | Stationary Sources | The Air District intends to provide incentives to replace existing diesel stationary and standby engines (fire pumps, dryers, conveyor belts, cranes) with Tier 4 diesel or cleaner engines. Priority is given to upgrading Tier 0, 1 & 2 engines located closest to schools, senior citizen centers, child care facilities, and hospitals. | Air District |
| 64 | Stationary Sources | The Air District proposes new regulations to reduce emission sources from autobody and other coating operations, including the use of vanishing oils and rust inhibitors by 2025. | Air District |
| 65 | Stationary Sources | The Air District works with California Air Resources Board and other agency and community partners to identify incentives to improve the shortcut nitrogen removal processes at waste water treatment plants to reduce emissions by 2025. Shortcut nitrogen removal processes provide significant potential benefits in terms of energy, carbon, and chemical savings compared to conventional biological nitrogen removal. | Air District |
| 66 | Stationary Sources | The Air District proposes new regulations to reduce emissions from waste water treatment plants and anaerobic digestion | Air District |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | facilities, such as a regulation to reduce emissions of methane, reactive organic gases and oxides of nitrogen by 2019. | |
| 67 | Stationary Sources | The Air District proposes a regulation to reduce emissions of reactive organic gases and other toxic compounds from organic liquid storage tanks by 2020. | Air District |
| 68 | Stationary Sources | The Air District advocates for a plan that East Bay Clean Energy and PG&E are spearheading to replace the Dynergy Power Plant with a cleaner and more reliable source of energy by 2022. The proposed location for this initiative is the Oakland C, Oakland L, Maritime Port of Oakland, and Schnitzer Steel substation pocket, which is located within PG&E's Oakland distribution planning area. Eligible resource types include: (1) in-front-of-the-meter renewable generation; (2) in-front-of-the-meter energy storage, and (3) behind-the-meter energy storage. EBCE is seeking to procure the energy, resource adequacy (RA), and renewable energy credits (RECs) associated with these local resources, while PG&E will focus on meeting Oakland's transmission reliability needs. | East Bay Clean Energy, PG&E |
| 69 | Health Programs | The Air District intends to develop and fund a program to reduce exposure to air pollution at schools, day care facilities, hospitals, apartments and homes in West Oakland by 2021. This strategy includes policies or grants for building energy efficiency upgrades to reduce infiltration of pollutants and the installation of high-efficiency air filtration systems (rated MERV 13 or higher). | Air District |
| 70 | Health Programs | The City of Oakland works with local and agency partners to implement regional and local | City of Oakland |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | adoption of the State Department of Public Health's Health In All Policies program. | |
| 71 | Health Programs | Consistent with the Oakland Healthy Development Guidelines, the City of Oakland implements a project-wide smoking ban in Oakland at new developments. | City of Oakland |
| 72 | Health Programs | Consistent with the State's Building Energy Efficiency Standards for air filtration in effect as of January 1, 2019, the City of Oakland requires newly constructed buildings of 4 or more units to include air filtration systems equal to or greater than MERV 13 (ASHRAE Standard 52.2), or a particle size efficiency rating equal to or greater than 50 percent in the 0.30-1.0 µm range and equal to or greater than 85 percent in the 1.0-3.0 µm range (AHRI Standard 680). | City of Oakland |
| 73 | Health Programs | The City of Oakland works with agency and community partners to undertake participatory budgeting with West Oakland community members to allocate local health improvement grants that reduce emissions or exposure to emissions. | City of Oakland |
| 74 | Health Programs | The Air District researches actions that are potentially exposure-reducing, such as 1) An engineering evaluation of exhaust stacks and/or vents to determine if relocation will reduce local exposure; 2) A study to determine if smart air filtration systems can reduce exposure by in-taking air during daily non-peak vehicle travel times, such as between midnight and four a.m.; 3) A study of the potential air quality benefits of a centralized package delivery site such as personal lockers by 2025. | Air District |
| 75 | Health Programs | The City of Oakland works with local businesses, partner agencies, and community | City of Oakland |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | members to develop a Green Business Strategic Plan to attract, retain, and support innovative green companies in West Oakland. This effort includes coordination with State and local agencies to develop a criteria for green business certification for new and existing businesses. | |
| 76 | Health Programs | The California Air Resources Board sets a limit on West Oakland's cumulative exposure to TACs. | CARB |
| 77 | Health Programs | The City of Oakland works with community partners to align West Oakland zoning with the Healthy Development Guidelines and apply the Guidelines to new building projects. | City of Oakland |
| 78 | Health Programs | Expansion of the Alameda County Public Health Asthma Management programs. | Alameda County Public Health Department |
| 79 | Health Programs | The City of Oakland works with Alameda County Public Health to improve access to medical services within West Oakland. This work expands existing programs such as the 1) Child Health and Disability Prevention Program free health check-ups for infants through teens; 2) Asthma Management at schools; 3) Building Blocks for Health Equity which works to correct inequity in health outcomes for children; 4) Urban Male Health Initiative which is charged with reducing the premature mortality of men and boys in Alameda County; and 5) the Alameda County Health Improvement Plan to develop and implement a five-year county plan to improve health and achieve health equity. | City of Oakland |
| 80 | Health Programs | The Alameda County Health Department works with agency and local partners to investigate the use of green building approaches in housing construction and renovation that | Alameda County Public Health Department |

| Action # | Section | Description | Authority |
|---|---|---|---|
| | | will reduce emissions and exposure to air pollution emissions. This work examines weatherization/energy efficiency (EE) and renewable energy services. This work draws from the Contra Costa County Health Department's pilot effort in cooperation with the Regional Asthma Management Program. | |

# CHAPTER 2

## ENVIRONMENTAL CHECKLIST FORM

Introduction
General Information
Environmental Factors Potentially Affected
Determination
Evaluation of Environmental Impacts
Environmental Checklist and Discussion
- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology / Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation / Traffic
- Tribal Cultural Resources
- Utilities / Service Systems
- Wildfires
- Mandatory Findings of Significance

References

## INTRODUCTION

The environmental checklist provides a standard evaluation tool to identify a project's adverse environmental impacts. This checklist identifies and evaluates potential adverse environmental impacts that may be created by the proposed project.

## GENERAL INFORMATION

| | |
|---|---|
| Project Title: | West Oakland AB 617 Community Action Plan |
| Lead Agency Name: | Bay Area Air Quality Management District |
| Lead Agency Address: | 375 Beale Street, Suite 600<br>San Francisco, California 94105 |
| Contact Person: | Ada E. Márquez |
| Contact Phone Number: | 415-749-8673 |
| Project Location: | West Oakland |
| Project Sponsor's Name: | Bay Area Air Quality Management District |
| Project Sponsor's Address: | 375 Beale Street, Suite 600<br>San Francisco, California 94105 |
| General Plan Designation: | The City of Oakland's General Plan designations within the West Oakland Plan include Mixed Housing Type Residential, Urban Residential, Community Commercial, Institutional, Housing and Business Mix, Business Mix, Urban Park and Open Space, Gen Industrial/Transportation, Resource Conservation Area, and Regional Commercial. The proposed project is also within the West Oakland Planning Specific Plan. |
| Zoning: | The City of Oakland's Zoning Plan designation include Residential, Open Space, Central Business, Commercial, Industrial, and Special and Combining Zoning. |
| Description of Project: | See Chapter 1 for the Project Description |
| Surrounding Land Uses and Setting: | The San Francisco Bay, The Oakland-San Francisco Bay Bridge, The Port of Oakland, Interstate Highways80, 580, 880, and 980, and The Central Estuary District. |
| Other Public Agencies Whose Approval is Required: | California Air Resources Board |

| | |
|---|---|
| Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures for confidentiality, etc.? | No tribes have requested formal consultation under California Public Resources Code (PRC) §21080.3.1. |

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The following environmental impact areas have been assessed to determine their potential to be affected by the proposed project. As indicated by the checklist on the following pages, environmental topics marked with an "✓" may be adversely affected by the proposed project. An explanation relative to the determination of impacts can be found following the checklist for each area.

| | | |
|---|---|---|
| ☐ Aesthetics | ☐ Agriculture and Forestry Resources | ☑ Air Quality |
| ☑ Biological Resources | ☐ Cultural Resources | ☑ Energy |
| ☐ Geology & Soils | ☑ Greenhouse Gas Emissions | ☑ Hazards & Hazardous Materials |
| ☐ Hydrology & Water Quality | ☐ Land Use & Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population & Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation | ☐ Tribal Cultural Resources |
| ☑ Utilities & Services Systems | ☐ Wildfire | ☑ Mandatory Findings of Significance |

## DETERMINATION

On the basis of this initial evaluation:

- ☐ I find the proposed project COULD NOT have a significant effect on the environment, and that a NEGATIVE DECLARATION will be prepared.

- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be significant effects in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- ☑ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

*Ada E. Márquez* May 13, 2019

Signature: Date:

Ada E. Márquez

May 13, 2019

Date:

## EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which

were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and

   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

**ENVIRONMENTAL CHECKLIST AND DISCUSSION**

| | | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less-than-Significant Impact | No Impact |
|---|---|---|---|---|---|
| **I.** | **AESTHETICS**. Except as provided in Public Resources Code §21099, would the project: | | | | |
| a) | Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☐ | ☑ |
| b) | Substantially damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway? | ☐ | ☐ | ☐ | ☑ |
| c) | In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality. | ☐ | ☐ | ☑ | ☐ |
| d) | Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area? | ☐ | ☐ | ☑ | ☐ |

# Environmental Setting

West Oakland has a distinct visual character influenced by the new eastern segment of the Bay Bridge; the world's widest bridge; West Oakland's historic residential neighborhoods; the Port of Oakland, America's 5th largest port; other heavy industrial areas; and a major regional transportation hub including the MacArthur Maze. Both the former Oakland Army Base and the Port of Oakland are located, respectively in the west and south areas of the West Oakland community. West Oakland is also characterized by a significant amount of vacant and underutilized land distributed throughout the area. The visual character of large parts of West Oakland has been affected by social and economic conditions, including the decline in manufacturing and resulting vacant buildings; the loss of retail trade to the suburbs and resulting empty storefronts and underutilized commercial land; and urban problems such as blight and graffiti.

Major transportation corridors are located within or adjacent to West Oakland including Interstates 80, 880, 580, and 980. Interstates 580, 880, and 980 form the edges of the West Oakland community. The City of Oakland General Plan identified Interstates 580 and 880 entrances to the city as major gateways. Local transportation corridors located within West Oakland include West Grand Avenue, 7th Street, Mandela Parkway, San Pablo Avenue, Peralta Street, Martin Luther King Jr. Way, Market Street and Adeline Street. Segments of these corridors lack streetscape improvements that create a safe pedestrian environment, or safely balance multiple modes of travel, including public transit and bicycles.

The realignment of Interstate 880, the most expensive freeway construction project per mile in the world at the time, followed the 1989 Loma Prieta earthquake, and resultant collapse in West Oakland of I-880's Cypress Structure, where the upper deck onto the lower deck killing 42 people, most of the people who died in that earthquake.[1] That tragedy led to the creation of Mandela Parkway, a landscaped, treelined parkway that extends 18 blocks, from 8th Street to 32nd Street. The City has proposed and undertaken streetscape improvements projects for some of these streets including 7th Street, Martin Luther King Jr. Way, and Peralta Street.

The City of Oakland General Plan identifies the West Oakland BART Station as a visual landmark. Other readily identifiable structures in West Oakland include the elevated BART tracks, 16th Street Station, the U.S. Postal Service mail distribution center and garage, Jack London Gateway Center, and the California Hotel (City of Oakland, 2014).

# Regulatory Background

Visual resources are generally protected by the City and/or County General Plans through land use and zoning requirements. The City of Oakland has a Scenic Highways Element which does not specifically apply to the West Oakland District. However, other goals and policies from the City of Oakland's General Plan may apply within the West Oakland community.

# Significance Criteria

Project-related impacts on aesthetics and visual resources will be considered significant if any of the following conditions are met:

- The proposed project would have a substantial adverse effect on a scenic vista.
- The proposed project would substantially damage scenic resources, including but not limited to trees, rock outcropping, and historical buildings within a state scenic highway.

[1] For a discussion of the 1989 earthquake that collapsed the Interstate 880's Cypress Street Viaduct in West Oakland, see https://en.wikipedia.org/wiki/Cypress_Street_Viaduct .

- The proposed project would substantially degrade the existing visual character or quality of the site and its surrounds.
- The proposed project would add a visual element of urban character to an existing rural or open space area or add a modern element to a historic area.
- The proposed project would create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

# Discussion of Impacts

**1. a) No Impact.** West Oakland has scenic vistas of the San Francisco Bay as well as the new and old segments of the Willie L. Brown, Jr. Oakland-San Francisco Bay Bridge, whose Eastern terminus lands in West Oakland. A scenic vista is a location that offers a high quality and visually interesting view. There are no officially designated scenic vistas within the West Oakland area. The City of Oakland General Plan's Open Space, Conservation and Recreation Element calls for protection of views, particularly views of the East Bay hills from the flatlands; views of Downtown Oakland and Lake Merritt; views of the shoreline; and panoramic views from Skyline boulevard/Grizzly Peak Road, and other hillside locations.

While scenic vistas from the West Oakland community are limited by flat terrain and existing development, as compared to other parts of the City, the Oakland hills provide a prominent visual feature in the community. Portions of the East Bay hills are visible from various public vantage points within West Oakland. Some public vantage points have views of taller buildings in downtown and the cranes at the Port of Oakland. The East Bay hills have views over the community to San Francisco Bay. No designated scenic vistas in the West Oakland Community Action Plan would result in any potential significant impacts.

**1. b)** No **Impact**. Two highways within Alameda County have been designated as scenic highways. Interstate 580 has been designated as a scenic highway from the San Joaquin County line to State Route 205, which is over 40 miles from West Oakland. The MacArthur Freeway is a designated scenic highway from San Leandro City limit to State Route 24 in Oakland, which is over 13 miles from West Oakland. Interstate 680 is designated as a scenic highway from Mission Boulevard in Fremont to the Contra Costa County line, which is about 20 miles from West Oakland away at its closest point. Thus, any physical changes in the West Oakland area that occur as a result of the proposed project would not be visible from any scenic highways due to distance separation and intervening topography (e.g., hills). The Plan will not have a potentially significant impact on unique rock outcrops or plant life that could be considered a visual resource. Thus, modifications that occur as a result of the proposed project are not expected to damage or degrade existing scenic resources.

**1. c)** Less **than Significant.** Physical modifications at facilities associated with implementation of control strategies in the Community Action Plan would be limited to existing facilities, and primarily industrial facilities. For example, any additional equipment or measures would be constructed/implemented within the confines of the

existing industrial facilities and adjacent to existing industrial structures. The implementation of a bonnet system to control ship emissions would require that the bonnet be placed on the stack of the ship making it visible to the areas within and surrounding the port. The port facilities are located in industrial areas which do not have scenic views or scenic resources and it would be separated from the residential areas of West Oakland by Interstate 880. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power on use of a bonnet system for ships. Additionally, new air pollution control equipment is not expected to block any scenic vista, degrade the visual character or quality of the area, or result in significant adverse aesthetic impacts. Thus, residential areas and the surrounding community will have less than significant adverse aesthetic impacts.

**1. d)** Less **than Significant**. The businesses within the Community Action Plan may need to install equipment to reduce criteria pollutant emissions from their facilities. West Oakland does have facilities that currently operate and have existing lighting for nighttime operations. For example, port facilities can operate continuously 24 hours per day, 7 days per week and are already lighted for nighttime operations. Similarly, most other types of industrial operations have continuous lighting. Therefore, implementation of the Community Action Plan strategies is not expected to require any additional lighting to be installed as a result of the installation of new or modified equipment. New light sources, if any, would be located in industrial areas and are not expected to be noticeable in residential areas. Most local land use agencies have ordinances that limit the intensity of lighting and its effects on adjacent property owners. Therefore, implementation of the Community Action Plan is not expected to have significant adverse aesthetic impacts to the surrounding community.

# Conclusion

Based upon the above evaluation from the City of Oakland's General Plan and West Oakland Specific Plan, significant adverse impacts to aesthetics or light and glare are not expected to occur due to the proposed project; therefore, they will not be further evaluated in the Draft EIR.

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **II. AGRICULTURE and FOREST RESOURCES.** | | | | |
| In determining whether impacts on agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.--Would the project: | | | | |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☑ |
| b) Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract? | ☐ | ☐ | ☐ | ☑ |
| c) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | ☐ | ☐ | ☐ | ☑ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☑ |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☑ |

# Environmental Setting

The West Oakland community is a developed urban area with multiple zoning designations such as, residential, open space, business, commercial, and industrial. Approximately 59 percent of the land use is residential, 23 percent is utilized as industrial, commercial and auto-related/parking uses, while government/institutional and utilities uses occupy the remaining 18 percent of the land (City of Oakland, 2014). Farmland land or forest resources are not located within the West Oakland community.

# Regulatory Background

Farmland and forestland resources are generally protected by the California Resource Agency, the City and/or County General Plans through land use and zoning requirements.

# Significance Criteria

Project-related impacts on agriculture and forest resources will be considered significant if any of the following conditions are met:

- The proposed project conflicts with existing zoning or agricultural use or Williamson Act contracts.
- The proposed project will convert prime farmland, unique farmland or farmland of statewide importance as shown on the maps prepared pursuant to the farmland mapping and monitoring program of the California Resources Agency, to non-agricultural use.
- The proposed project conflicts with existing zoning for, or causes rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined in Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code § 51104 (g)).
- The proposed project would involve changes in the existing environment, which due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use.

# Discussion of Impacts

**1. a and b) No Impact.** Land designated by the California Resources Agency as Prime Farmland, Unique Farmland or Farmland of Statewide Importance are considered Farmland for CEQA purposes. The West Oakland community is an urbanized area and no designated Farmlands are within the community. The community and surrounding areas are designated as Urban and Built-Up Land by the California Department of Conservation. Furthermore, the area is not zoned for agricultural and no Williamson Act contracts are

located within the West Oakland area.[2] Therefore, the project would not conflict with existing zoning for agricultural use or with Williamson Act contracts.

**1. c and d)** No **Impact.** The West Oakland community is an urbanized area with no forest land or timberland resources in the community. Therefore, the proposed project would not conflict with existing zoning for, or cause re-zoning of forest land, and would not result in the loss of forest land or conversion of forest land to non-forest use or impact timberland zoned as Timberland Production.

**1. e) No Impact.** Implementation of the Community Action Plan's strategies would not involve changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use; since, agricultural and forest land resources are not located within the West Oakland community.

# Conclusion

Based upon the above considerations, the proposed project will not have significant adverse impacts to agricultural and forest resources are not expected to occur due to the proposed project. Therefore, agriculture and forest resources will not be further evaluated in the Draft EIR.

[2] California Department of Conservation, Division of Land Resource Protection, Contra Costa County Williamson Act FY 2012/2013, available atftp://ftp.consrv.ca.gov/pub/dlrp/wa/

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **III. AIR QUALITY.** | | | | |
| When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☐ | ☑ |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a non-attainment area for an applicable federal or state ambient air quality standard? | ☑ | ☐ | ☐ | ☐ |
| c) Expose sensitive receptors to substantial pollutant concentrations? | ☑ | ☐ | ☐ | ☐ |
| d) Result in other emissions (such as those leading to odors adversely affecting substantial number of people?) | ☐ | ☐ | ☑ | ☐ |

# Environmental Setting

The Air District is responsible to ensure that state and federal ambient air quality standards are achieved and maintained in its geographical jurisdiction, the San Francisco Bay Area The San Francisco Bay Area Air Basin (Bay Area) counties include all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, and the southern portion of Sonoma, and the southwestern portion of Solano County. Health-based air quality standards have been established by California and the federal government for the following criteria air pollutants: ozone, carbon monoxide (CO), nitrogen dioxide ($NO_2$), sulfur dioxide ($SO_2$), particulate matter less than 10 microns in diameter ($PM_{10}$), particulate matter less than 2.5 microns in diameter ($PM_{2.5}$), and lead.

The Bay Area is characterized by complex terrain, consisting of coastal mountain ranges, inland valleys, and bays, which affect normal wind flow patterns. The Coast Range splits resulting in a western coast gap, Golden Gate, and an eastern coast gap, Carquinez Strait, which allow air to flow in and out of the Bay Area and the Central Valley.

Combined climatic and topographic factors result in increased potential for the accumulation of air pollutants in the inland valleys and reduced potential for buildup of air pollutants along the coast.

Air quality conditions in the San Francisco Bay Area have improved greatly since the Air District was created in 1955, and regional concentrations of criteria pollutants are now in compliance with or near compliance with most ambient air quality standards. However, the Bay Area is not fully in attainment for the National and State 8-hour ozone standards and the State one-hour ozone standard. Although monitoring data shows that the Bay Area meets national and state standards for $PM_{2.5}$, the Bay Area is still formally designated as non-attainment for several $PM_{2.5}$ standards. For the national standards, the non-attainment designation will continue to apply until the Air District submits, and the U.S. EPA approves a resignation request and a maintenance plan which is discussed in the Clean Air Plan (2017). NOx and other pollutants react to produce secondary $PM_{2.5}$ in the form of nitrates. NOx reductions will have the added benefit of reducing secondary $PM_{2.5}$ formation.

# Regulatory Background

## Criteria Pollutants

At the federal level, the Clean Air Act Amendments of 1990 give the U.S. Environmental Protection Agency additional authority to require states to reduce emissions of ozone precursors and particulate matter in non-attainment areas. The amendments set attainment deadlines based on the severity of problems. At the state level, CARB has traditionally established state ambient air quality standards, maintained oversight authority in air quality planning, developed programs for reducing emissions from motor vehicles, developed air emission inventories, collected air quality and meteorological data, and approved state implementation plans. At a local level, California's air districts, including the Bay Area Air Quality Management District, are responsible for overseeing stationary source emissions, approving permits, maintaining emission inventories, maintaining air quality stations, overseeing agricultural burning permits, and reviewing air quality-related sections of environmental documents required by CEQA.

The Air District is governed by a 24-member Board of Directors composed of publicly-elected officials apportioned according to the population of the represented counties. The Board has the authority to develop and enforce regulations for the control of air pollution within its jurisdiction. The Air District is responsible for implementing emissions standards and other requirements of federal and state laws. It is also responsible for developing air quality planning documents required by both federal and state laws.

Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017) requires the adoption and implementation of community emissions reduction plans for targeted jurisdictions with disproportionate impacts from air pollution. Pursuant to AB 617, the Air District and the West Oakland Environmental Indicators Project jointly developed a community emissions reduction plan, referred to as the Community Action Plan, for West Oakland. The proposed plan includes strategies at the community level to maximize emission reductions and

reduce residents' cumulative exposure to criteria air pollutants and toxic air contaminants. The West Oakland Community Action Plan is an integrated multi-pollutant community air quality plan to eliminate health risk disparities in West Oakland. This Community Action Plan also documents the Steering Committee's effort to study air pollution in West Oakland, and to identify and to prioritize Action Strategies that once implemented, will significantly reduce West Oakland's air pollution burden.

**Toxic Air Contaminants (TAC)**

The Air District regulates Toxic Air Contaminants (TACs) through federal, state, and local programs. At the federal level, TACs are regulated primarily under the authority of the Clean Air Act. Prior to the amendment of the Clean Air Act in 1990, source-specific National Emission Standards for Hazardous Air Pollutants (NESHAPs) were promulgated under Section 112 of the Clean Air Act for certain sources of radionuclides and Hazardous Air Pollutants.

Title III of the 1990 Clean Air Act amendments requires U.S. Environmental Protection Agency to promulgate NESHAPs on a specified schedule for certain categories of sources identified by U.S. Environmental Protection Agency as emitting one or more of the 189 listed Hazardous Air Pollutants. Emission standards for major sources must require the maximum achievable control technology (MACT). MACT is defined as the maximum degree of emission reduction achievable considering cost and non-air quality health and environmental impacts and energy requirements. All NESHAPs were to be promulgated by the year 2000. Specific incremental progress in establishing standards were to be made by the years 1992 (at least 40 source categories), 1994 (25 percent of the listed categories), 1997 (50 percent of remaining listed categories), and 2000 (remaining balance). The 1992 requirement was met; however, many of the four-year standards were not promulgated as scheduled. Promulgation of those standards has been rescheduled based on court ordered deadlines, or the aim to satisfy all Clean Air Act Section 112 requirements in a timely manner.

Many of the sources of TACs that have been identified under the Clean Air Act are also subject to the California TAC regulatory programs. CARB developed regulatory programs for the control of TACs, including: (1) California's TAC identification and control program, adopted in 1983 as Assembly Bill 1807 (AB 1807 (Tanner 1983)) (California Health and Safety Code §39662), a two-step program in which substances are identified as TACs, and airborne toxic control measures are adopted to control emissions from specific sources; and (2) The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588 (Connelly 1987)) (California Health and Safety Code §39656) established a state-wide program to inventory and assess the risks from facilities that emit TACs and to notify the public about significant health risks associated with those emissions.

In 2004, the Air District initiated the Community Air Risk Evaluation (CARE) program to identify population areas with relatively high concentrations of air pollution and most vulnerable to health impacts, which include toxic air contaminants (TACs) and fine particulate matter (PM). Maps of communities most impacted by air pollution, generated

through the CARE program, have been integrated into many Air District programs. For example, the Air District uses information derived from the CARE program to develop and implement targeted risk reduction programs, including grant and incentive programs, community outreach efforts, collaboration with other governmental agencies, assist model ordinances, new regulations for stationary sources and indirect sources, and advocacy for additional legislation.

# Significance Criteria

The most recently available Air District draft CEQA guidelines established criteria pollutant thresholds for specific projects, general plans, and regional plans. The Air District's draft CEQA Guidelines (BAAQMD, 2017a) established criteria pollutant thresholds for air quality plans of "no net increase in emissions," which is appropriate for air quality plans because they include a mix of control measures with individual trade-offs. For example, one control measure may result in combustion to reduce reactive organic emissions, while increasing criteria pollutant emissions associated with combustion by a small amount. Those small increases in combustion emissions would be offset by decreases from other measures focused on reducing criteria pollutants. Because the proposed project is a Community Action Plan with the goal of reducing emissions, the criteria pollutant threshold for air quality plans of "no net increase in emissions" will apply to the proposed project.

# Discussion of Impacts

**3. a) No Impact.** The proposed Community Action Plan would not conflict with or obstruct implementation of the applicable air quality plan. The applicable air quality plan is the Air District's recently-adopted 2017 Clean Air Plan, *Spare the Air, Cool the Climate*. The Plan outlines a strategy for achieving the Bay Area's clean air goals by reducing emissions of ozone precursors, particulate matter, and other pollutants in the region. The Community Action Plan will not conflict with or obstruct implementation of the 2017 Clean Air Plan, rather it will help achieve the Plan's goals by helping to reduce diesel particulate matter (Diesel PM), fine particulate matter ($PM_{2.5}$), criteria pollutants, and TACs emissions in West Oakland, including emissions of ozone precursors (ROG and NOx) and particulate matter or precursors to particulates (NOx and $SO_2$); thus, improving public health and air quality in the region.

**3. b) and c**) Potentially **Significant Impact.** The primary purpose of developing the West Oakland Community Action Plan is to identify emission control strategies to reduce toxic air contaminants and criteria air pollutants primarily from sources within the community. However, some types of control strategies in the Community Action Plan could have the potential to increase emissions of one or more air pollutants while reducing the emissions of other air pollutant(s). These secondary or indirect air quality impacts could result from

construction activities associated with the installation of air pollution control equipment (e.g., bonnet systems on ships), or the control equipment itself.

Some of the emission control strategies could include financial incentives to replace existing diesel stationary and standby engines with Tier 4 diesel or cleaner engines, to replace older automobiles, and provide grants for building energy efficiency upgrades. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives). Short-term and/or indirect impacts could potentially have cumulatively net increase of criteria pollutants and potentially temporarily expose sensitive receptors. The Draft EIR will evaluate the air quality impacts and disclose the benefits associated with the Community Action Plan.

**3. d) Less Than Significant.** No emissions are expected during either the construction or operational phases that are expected to generate odors. No significant odor impacts are expected to occur with the proposed project.

# Conclusion

Implementation of the Community Action Plan will reduce criteria pollutants and toxic air contaminants (TACs) emissions and reduce exposure to sensitive receptors from the facilities in West Oakland. The construction and operation of new air pollution control systems have the potential to increase emissions of other criteria pollutants and generate localized impacts. However, no significant impacts were identified on air quality plans or the generation of odors.
Therefore, potential adverse secondary air quality impacts from implementing certain control strategies will be evaluated in the Draft EIR.

| | | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|---|
| **IV.** | **BIOLOGICAL RESOURCES.** Would the project: | | | | |
| a) | Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | ☐ | ☑ | | ☐ |
| b) | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | ☐ | ☐ | ☐ | ☑ |
| c) | Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐ | ☐ | ☐ | ☑ |
| d) | Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐ | ☑ | | ☐ |
| e) | Conflicting with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☑ | | ☐ |
| f) | Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☐ | ☑ |

# Environmental Setting

Fronting San Francisco Bay on the West, the West Oakland community is urbanized with some open space, residences, businesses, and a variety of industries. The West Oakland Community Action Plan does include the Port of Oakland, which is bounded by the San Francisco Bay. According to the California Natural Diversity Database (CNDDB) managed by the California Department of Fish and Wildlife, the West Oakland quad area species include a variety of flora and fauna. Some species examples include Cooper's hawk, white-tailed kite, great egret, great blue heron, American peregrine falcon, loggerhead shrike, and several bat species. Lake Merritt National Wildlife Refuge, since 1869 North America's first wildlife refuge, and home to numerous native and migratory birds on the Pacific Flyway, sits 1 mile away. Adjacent to West Oakland, a 331.29 acre Estuarine and Marine Wetland habitat is classified as a E2USN.[3] The San Pablo Bay National Wildlife Refuge is approximately 32 miles away. However, within the West Oakland Community Action Plan, no adopted, wetlands, or other sensitive communities are identified by the CA Department of Fish and Wildlife or the City of Oakland's General and West Oakland Specific Plans.

# Regulatory Background

Biological resources are protected at the federal, state, and local level. Federal laws and regulations including by the U.S. Fish and Wildlife Service, under laws including the Federal Endangered Species Act (ESA), Migratory Bird Treaty Act, and Marine Mammal Protection Act; the National Oceanic and Atmospheric Administration (NOAA) Fisheries; and the– US Army Corps of Engineers, under laws including Clean Water Act, Section 404; and the US Environmental Protection Agency (EPA) under laws including the federal Clean Air Act and federal Clean Water Act; the State of California Department of Fish Wildlife under laws including the California Endangered Species Act (CESA), California Fish and Game Code (F &G), including Division 4 on Birds and Mammals Sections, the Native Plant Protection Act, and the Marine Life Protection Act.

The U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency regulate the discharge of dredge or fill material into waters of the United States, including wetlands. The City of Oakland and/or Alameda County General Plans through land use and zoning requirements include goals and policies to minimize or prohibit development in biologically sensitive areas.

# Significance Criteria

The proposed project's impacts on biological resources will be considered significant if:

[3] https://www.fws.gov/wetlands/Data/Mapper.html

- The project has a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- The project has a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.
- The project has a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- The project interferes substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.
- The project conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

The project conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

# Discussion of Impacts

**4. a) and d) Less than Significant.** Physical modifications associated with implementation of the AB 617 Community Plan would be limited to changes within an urbanized area. According to the Open Space, Conservation and Recreation Element of the City of Oakland General Plan, there are no candidate species, sensitive species, or special status species known to occur within the West Oakland area (City of Oakland, 2014). The proposed project may require the replacement or construction of new equipment in the West Oakland area, but those physical changes would occur in already urbanized and developed areas.

There are several special-status animals that may potentially use habitat in the project area, including the peregrine falcon, Cooper's hawk, red-shouldered hawk, red-tailed hawk, pallid bat, silver-haired bat, hoary bat, and big free-tailed bat. Tree removal, building demolition and other construction activities can cause disturbance, noise or loss of habitat for resident or migratory birds and mammals, including special-status species that may forage in the project area. The City of Oakland enforces Standard Conditions of Approval on all development within the City including Tree Removal During Breeding Season. Under Tree Removal During Breeding Season, a preconstruction construction survey is required by a qualified biologist during the breeding season of March 15 and August 15 if any tree removal activities are required. If the survey indicates the potential presence of nesting raptors or other birds, an appropriately sized buffer is placed around the nest in which no work will be allowed until the young have fledged. Implementation of the existing City requirements and compliance with federal and state requirements would

minimize the potential impacts of any project activities on nesting birds and minimize the potential impacts to less than significant with mitigations.

**4. b) and c)** No **Impact.** The State of California recognizes some plant communities as sensitive natural communities if they are uncommon, regionally declining, or vulnerable. Among these communities are riparian habitat, coast live oak forest, freshwater seeps, freshwater marshes, and coastal salt marsh. According to the Open Space, Conservation and Recreation Element of the City of Oakland General Plan, no significant riparian habitat, wetlands, or other sensitive natural communities remain within the West Oakland area (City of Oakland, 2014). Physical modifications associated with implementation of the AB617 Community Plan would be limited to changes within an urbanized area. The proposed project may require the construction or replacement of new equipment in the West Oakland area, but those physical changes would occur in already urbanized and developed areas. Therefore, the proposed project would not be expected to impact riparian, wetlands, or other sensitive communities.

**4. e)** Less **than Significant.** Future demolition and construction activities may require the removal of trees that are protected by the City of Oakland Tree Protection Ordinance. The City of Oakland Tree Protection Ordinance (Oakland Municipal Code Chapter 12.36) applies to the removal of protected trees under certain circumstances. Factors to be considered in determining significance include the number, types, size, location and condition of the protected trees to be removed or affected by construction and the protected trees to remain, with special consideration given to native trees. Protected trees include the following: (1) California or coast live oak (*Querus agrifolia*); and (2) any other tree measuring nine inches in diameter (at breast height), except *Eucalyptus* and *Pinus radiate* (Monterey pine). Any project that would involve the removal of any tree protected by the Tree Protection Ordinance would be required to first obtain a permit from the City and comply with any conditions of the permit, including replacement plantings and protection of remaining trees during construction activities. Compliance with City's Tree Project Ordinance would minimize potential conflicts with local policies or ordinance protecting biological resources to less than significant. Further, the WOAK AB 617 Community Plan is expected to encourage the planting of additional trees to provide buffers between industrial and residential areas and improved air quality in the West Oakland Area providing a beneficial impact on biological resources.

**4. f) No Impact.** City of Oakland is not within a Habitat Conservation Plan, Natural Community Conservation Plan or other adopted habitat conservation plan Therefore, the proposed project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

# Conclusion

Based upon the above considerations, significant adverse impacts to biological resources are not expected to occur due to the proposed project.

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **V. CULTURAL RESOURCES.** Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | ☐ | ☐ | ☑ | ☐ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | ☐ | ☐ | ☑ | ☐ |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | ☐ | ☐ | ☑ | ☐ |

# Environmental Setting

The Bay Area, including Oakland, has a rich cultural history with evidence of human activity in prehistoric times, i.e., prior to 5,000 B.C, likely due to resources provided by the rivers, marshes and ocean. There was a prehistoric Native American shellmound and Ohlone burial ground in and around the Bay Street Shopping Center at Shellmound Street, Emeryville, one mile from West Oakland. Dating from 800 B.C., this shellmound, the largest of over 425 shellmounds that surrounded San Francisco Bay, is now California Historical Landmark #335.[4]

The arrival of the Spanish in the San Francisco Bay Area in 1775 led to a rapid reduction in native California populations. Diseases, declining birth rates, and the effects of the mission system served to eradicate aboriginal life. Brought into the missions, the surviving Native Americans were transformed from hunters and gatherers to agricultural laborers. With abandonment of the mission system and the Mexican takeover in the 1840s, numerous ranchos were established. The lands that eventually became Oakland were part of a Spanish land grant given to Luis Maria Peralta in 1820.

Human and economic activity increased when the transcontinental railroad arrived in 1869 and Oakland became home to enormous Central Pacific railroad yards, providing a job base where numerous businesses were established, and residential areas were developed. In 1941, the U.S. Army took over the entire Outer Harbor and filled it in. The area quickly developed with World War II-related industry and temporary housing for defense workers. A postwar building boom completed the area's development with heavy industrial uses

[4] See http://en.wikipedia.org/wiki/Emeryville_Shellmound

(metals, ship yards, construction materials, freight), such that West Oakland was largely industrial. To staff these industries, labor recruiters brought large number of both white and black workers from the South. Oakland's African-American population more than quintupled during the war years and many new residents settled in the established community of West Oakland.

Available space in West Oakland was limited and there was little room for the construction of new houses. Residents objected to the intense industrial development and were beginning to move to new tracts and larger houses in the lower hills during the building boom that followed the 1906 San Francisco earthquake.

In the mid-1950s, the industrially zoned, largely minority community of West Oakland was cut in half by a major public works project, the Cypress Freeway. In the following decades, several housing projects were built in West Oakland including the Acorn and neighboring projects of Oak Center, Westwood Gardens in Prescott, and Chestnut Court in McClymonds. Between 1969 and 1972, a new Post Office and the West Oakland BART Station were developed. In 1989, the Loma Prieta earthquake damaged many of the area's historic buildings, brought down the Cypress Freeway, and allowed for changes in Oakland.

# Regulatory Background

The State CEQA Guidelines define a significant cultural resource as a "resource listed or eligible for listing on the California Register of Historical Resources" (California Public Resources Code §5024.1[5]). A project would have a significant impact if it would cause a substantial adverse change in the significance of a historical resource (State CEQA Guidelines (14 California Code of Regulations (CCR) Chapter 3) §15064.5(b))[6]. A substantial adverse change in the significance of a historical resource would result from an action that would demolish or adversely alter the physical characteristics of a historical resource that convey its historical significance and that qualify the resource for inclusion in the California Register of Historical Resources or a local register or survey that meets the requirements of Public Resources Code §§50020.1(k) and 5024.1(g). In addition, the Historic Preservation Element of the City of Oakland General Plan sets forth goals, objectives, policies, and actions for historic preservation in the City.

# Significance Criteria

The proposed project impacts to cultural resources will be considered significant if:

- The project results in a substantial adverse change in the significance of a historical resources as defined in CEQA Guidelines §15064.5. A substantial adverse change includes physical demolition, destruction, relocation, or alteration

[5] All state code sections are accessible at https://leginfo.legislature.ca.gov/faces/codes.xhtml
[6] All state regulations in the California Code of Regulations are accessible at https://govt.westlaw.com/calregs/Search/Index .

of a resource or its immediate surroundings such that the significance of the historical resources would be materially impaired.
- Cause a substantial adverse change in the significance of an archaeological resources pursuant to CEQA Guidelines §15064.5.
- Disturb any human remains, including those interred outsides of formal cemeteries.

# Discussion of Impacts

**5 a) Less than Significant.** In the City of Oakland, a historical resource under CEQA is defined as a resource that meets any of the following criteria:

A) A resources listed in, or determined to be eligible for listing in, the California Register of Historical Resources (California Register);

B) A resource included in Oakland's Local Register of Historical Resources (defined below), unless the preponderance of evidence demonstrates that it is not historically or culturally significant;

C) A resource identified as significant (e.g., status code 1-5) in a historical resource survey recorded on Department of Parks and Recreation Form 523, unless the preponderance of evidence demonstrates that it is not historically or culturally significant;

D) Any object, building, structure, site, area, place, record, or manuscript which the Oakland City Council determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, education, social, political, military, or cultural annals of California, provided the determination is supported by substantial evidence in light of the whole record. Generally, a resource is considered "historically significant" if it meets the criteria for listing on the California Register of Historical Resources (CEQA Guidelines §15064.5); or

E) A resource that is determined by the City council to be historically or culturally significant even though it does not meet the other four criteria.

There are approximately 1,421 Local Register properties within West Oakland. Of this total, the 32 designated historic properties and properties rated of the highest importance (National Register properties, landmarks, heritage properties, study list properties S-7 Preservation Combining Zone properties, and Potential Designated Historic Properties) within West Oakland are identified in Table 2-1. The great majority of the Local Register properties are located in the residential neighborhoods of West Oakland.

In addition, the City of Oakland recognizes three Areas of Primary Importance (API) that contain a total of approximately 831 contributing properties including 721 separate

properties with the Oakland Point API, 84 contributing properties within the Oak Center API, and four contributing properties within the Southern Pacific Railroad Industrial API.

## TABLE 2-1

## Historic Properties within West Oakland[1]

| Address | Historic Name | Local Designation | OCHS Rating | Date Built |
|---|---|---|---|---|
| 2624 West Street | St. Augustine's Mission | Landmark | B+2+ | 1920 |
| 1716 7th Street | Brotherhood of Sleeping Car Porters Headquarters | Landmark-eligible | B*2+ | 1889-90 |
| 1611-17 & 1619 5th Street | Davidson-Patterson buildings | Study List | B*1+ | 1887-88 |
| 1522 8th Street | Wedgewood (Chas.) – Michel (August) house | Study List | C1+ | 1878-79 |
| 1561 8th Street | Lincoln (Harry) – Williams (Katherine) house | Study List | B-1+ | 1878-79 |
| 1267 14th Street | Nabisco plant | Study List | B+a3 | 1915-16 |
| 661 27th Street | Union French Bakery | Study List | C2+ | 1911-12 |
| 1909 Market Street | St. Andrew's Roman Catholic Church | Study List | B+3 | 1908-09 |
| 1717 Myrtle Street | Pearson (John Winfield & Allie M.) house | Study List | Cb+1+ | 1884-85 |
| 1600 7th Street | Flynn (Edward) Saloon – McAllister Plumbing | S-7 zoning | Ec2* | 1885-86 |
| 1620-24 7th Street | Site of the former Lincoln Theater | S-7 zoning | - | - |
| 1632-42 7th Street | Arcadia Hotel – Isaacs & Schwartz block | S-7 zoning | Db-2+ | 1906-07 |
| 3401-07 Adeline Street | Boman Building – North Oakland Reading Room | PDHP | A2+ | 1891 |
| 100-50 Linden Street | California Packing Corp. – Del Monte cannery | PDHP | A1+ | 1923 |
| 920 Peralta Street | St. Joseph's Institute – St. Patrick's Convent | PDHP | A1+ | 1912 |
| 1340 Mandela Parkway | Coca-Cola Company Bottling Plant | S-20 zoning | Cb+3 | 1939-40 |
| 1485-87 8th Street | Western Market – Father Divines' Peace Mission (Liberty Hall) | Landmark National Register | A1+ | 1877 |
| 3501 San Pablo Avenue | California Hotel | National Register | B+a3 | 1929-30 |
| 1601 Wood Street/1798 16th Street | Southern Pacific 16th Street Station | Landmark, National Register-eligible | - | - |
| 1450-54 8th Street | Sam (Jacob) – Dalton (Henry) house | Landmark | Cb-1+ | 1877-78 |
| 1782 8th Street | Berry (E.W.) – Shorey (Wm. & Julia) house | Landmark/Heritage | B-a1+ | 1872-73 |
| 1079-81 12th Street | Cordes (H.C.) – Hoover (Herbert) house | Landmark | B+2+ | 1892-93 |
| 766-78 14th Street | Metcalf (Victor H.) house | Landmark | Cb+3 | 1909 |
| 954 16th Street | Holland (Daniel) – Canning (James & Mary) house | Landmark | A1+ | 1878-79 |
| 970-72 16th Street | Gladding ( Charles) – Chickering (Wm.) house | Landmark | B-1+ | 1879-80 |

| Address | Historic Name | Local Designation | OCHS Rating | Date Built |
|---|---|---|---|---|
| 974 16th Street | Reed (George W.) – Henshaw (Edward) house | Landmark | B+1+ | 1879-80 |
| 1004-06 16th S Street | Quinn (Wm. H.) – Moran (James T.) house | Landmark | C1+ | 1872-73 |
| 1014 16th Street | Campbell (Robert A.) – Masino (A.) house | Landmark | A1+ | 1883-84 |
| 918 18th Street | Willcutt (Joseph) house | Landmark | B+1+ | 1889 |
| 730 29th Street | Oakland Laundry Co. | Landmark | B+3 | - |
| 1651 Adeline Street | DeFremery (Mary) – Grant (James) house | Landmark | A2+ | 1888-89 |
| 1529-31 Union Street | Davison (Seymour & Lucinda) house | Landmark | B+a2+ | 1884 |

Source: West Oakland Specific Plan – Draft EIR

[1] Local Register properties (or properties considered significant for purposes of environmental review under CEQA) within the Planning Area include those identified in this table, as well as S-20 Preservation Combining Zone properties, PDHPs with an existing rating of "B", and properties within an API.

The majority of Local Register properties within West Oakland are located within residential neighborhoods. Implementation of the control measures would not be expected to require the removal of any existing buildings or impact historic resources. In areas where there are sensitive historic resources, the City of Oakland requires pre-construction surveys and the use of qualified archaeological monitors during grading operations to identify historic resources. These standard requirements, along with the fact that the control strategies in the West Oakland Community Action Plan are not expected to impact or require removal of historic structures, would limit impacts on historic cultural resources to less than significant.

**5. b) and c) Less than Significant.** The West Oakland area is located on the margins of the San Francisco Bay shoreline and near locations of former intermittent and perennial watercourses, which were historically used by Native Americans. Thus, there is the potential for the presence of unrecorded cultural resources to be buried in West Oakland. Of the strategies that the District would implement, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing breweries or wineries, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives). Implementation of these types of control measures would not be expected to require extensive construction or grading that could impact archaeological resources. In areas where there are sensitive resources, the City of Oakland requires pre-construction surveys and the use of qualified archaeological monitors during grading operations to identify historic resources. These standard requirements, along with the fact that the control strategies are the West Oakland Community Action Plan are not expected to require extensive construction or grading activities, are expected to limit impacts to historic cultural resources to less than significant.

# Conclusion

Based upon the above considerations, significant adverse impacts to cultural resources are not expected to occur due to implementation of the Community Action Plan strategies and therefore, will not be further evaluated in the Draft EIR.

| | | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|---|
| **VI. ENERGY.** | | | | | |
| | Would the project: | | | | |
| a) | Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources, during project construction or operations? | ☑ | ☐ | ☐ | ☐ |
| b) | Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | ☑ | ☐ | ☐ | ☐ |

# Environmental Setting

Pacific Gas and Electric Company (PG&E) supplies electricity to over five million customers in central and northern California, including Oakland. Alameda County used over 11,112 gigawatt/hours (millions of kilowatt/hours) in 2017[7]. Residential electricity use accounts for approximately 28 percent of the electrical use and non-residential use accounts for approximately 72 percent. PG&E's electricity is supplied by natural gas power plants, nuclear generation, large hydroelectric facilities, and renewable sources (e.g., wind, geothermal, boil mass and small hydroelectric power). The City of Oakland operates three 55 megawatt (MW) fossil fuel plants that supplement PG&E's electricity generation.

In 2017 in California, about 34 percent of electricity was generated by natural gas, 29 percent was generated by renewables, 15 percent was generated by hydroelectric facilities, 9 percent was generated by nuclear, and 4 percent was generated by coal.[8]

In 2017, Alameda County used over 379 million therms of natural gas.[9] Residential use accounts for approximately 57 percent of natural gas consumption, and non-residential use accounts for approximately 43 percent of natural gas use in Alameda County.

[7] California Energy Commission, Electricity Consumption by County. Available at https://ecdms.energy.ca.gov/elecbycounty.aspx

[8] California Energy Commission, Total System Electric Generation. Available at: https://www.energy.ca.gov/almanac/electricity_data/total_system_power.html

[9] California Energy Commission, Gas Consumption by County. Available at: http://www.ecdms.energy.ca.gov/gasbycounty.aspx

# Regulatory Background

Energy efficiency requirements are primarily regulated at the state level. Title 24, California's Energy Efficiency Standards for Residential and Non-residential Buildings, details requirements to achieve minimum energy efficiency standards. The standards apply to new construction of both residential and non-residential buildings, and regulate energy consumed for heating, cooling, ventilation, water heating, and lighting. Compliance with these standards is verified and enforced through the local building permit process.

The City of Oakland has developed the Oakland Sustainability Community Development Initiative which includes programs that encourage a variety of sustainability programs that range from the development of green building practices to the replacement of heavy-duty diesel trucks.

The City of Oakland adopted a Civic Green Building Ordinance in May 2005, requiring City owned and occupied buildings to meet specific green building standards set by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system. In October 2010, the City adopted mandatory green building standards for private development projects. The intent of the mandatory green building standards is to integrate environmentally sustainable strategies in building construction and landscapes in Oakland (City of Oakland, 2014).

The Oakland Energy and Climate Action Plan was adopted by the City Council on December 4, 2012. The purpose of the Plan is to identify and prioritize actions that Oakland can take to reduce energy consumption and greenhouse gas emissions. The Plan recommends greenhouse gas reduction actions and establishes a framework for coordinating implementation, as well as monitoring and reporting progress. Implementation of renewable energy and energy efficiency measures include measures to reduce vehicle miles traveled annually by 20 percent, electricity consumption by 32 percent, and natural gas consumption by 14 percent (City of Oakland, 2014).

# Significance Criteria

The impacts to energy resources will be considered significant if any of the following criteria are met:

- The project conflicts with adopted energy conservation plans or standards.
- The project results in substantial depletion of existing energy resource supplies.
- An increase in demand for utilities impacts the current capacities of the electric and natural gas utilities.
- The project uses non-renewable resources in a wasteful and/or inefficient manner.

# Discussion of Impacts

**6. a and b) Potentially Significant:** Of the strategies that the District would implement, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing facilities, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power for ships. Implementation of these types of control measures would not be expected to use energy in a wasteful, inefficient or unnecessary manner, or conflict with an energy conservation plan. However, control measures that encourage zero emission mobile sources would increase electricity use, potentially requiring additional electricity or energy infrastructure. As such, the potential increase in energy consumption associated with the Community Action Plan will be evaluated in the EIR.

# Conclusion

Implementation of the Community Action Plan could increase use of electricity associated with zero emission mobile sources and providing shore power to ships. Therefore, the potential adverse impacts associated with increased energy requirements will be evaluated in the Draft EIR.

| | | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|---|
| **VII.** | **GEOLOGY AND SOILS.** Would the project: | | | | |
| a) | Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) | Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | ☐ | ☐ | ☑ | ☐ |
| ii) | Strong seismic ground shaking? | ☐ | ☐ | ☑ | ☐ |
| iii) | Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☑ | ☐ |
| iv) | Landslides? | ☐ | ☐ | ☑ | ☐ |
| b) | Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☑ | ☐ |
| c) | Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse? | ☐ | ☐ | ☑ | ☐ |
| d) | Be located on expansive soil, as defined in Table 18-1-B of the California Building Code, creating substantial direct or indirect risks to life or property? | ☐ | ☐ | ☑ | ☐ |
| e) | Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater? | ☐ | ☐ | ☐ | ☑ |

| | | | | | |
|---|---|---|---|---|---|
| f) | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. | ☐ | ☐ | ☑ | ☐ |

# Environmental Setting

California has 11 natural geologic regions, known as geomorphic provinces, which are defined by the presence of similar physical characteristics, such as relief, landforms, and geology. Most of the Bay Area is located within the natural region of California known as the Coast Ranges geomorphic province, with the eastern portions of Contra Costa and Alameda Counties extending into the neighboring Great Valley geomorphic province, located east of the Coast Ranges. The Coast Range extends about 400 miles from Oregon south into Southern California and is characterized by a series of northwest trending ridges and valleys that roughly parallel the San Andreas fault zone. The San Francisco Bay is a broad, shallow regional structural depression created from an east-west expansion between the San Andreas and the Hayward fault systems.

Much of the Coast Range province is composed of marine sedimentary and volcanic rocks located east of the San Andreas Fault. The regional west of the San Andreas Fault is underlain by a mass of basement rock that is composed of mainly marine sandstone and various metamorphic rocks. Marginal lands surrounding San Francisco Bay consist generally of alluvial plains of low relief that slope gently towards the bay from bordering uplands and foothills (ABAG, 2017). Unconsolidated alluvial deposits, artificial fill, and estuarine deposits, (including Bay Mud) underlie the low-lying region along the margins of the Carquinez Straight and Suisun Bay. The organic, soft, clay-rich sediments along the San Francisco and San Pablo Bays are referred to locally as Bay Mud and can present a variety of engineering challenges due to inherent low strength, compressibility and saturated conditions. Landslides in the region occur in weak, easily weathered bedrock on relatively steep slopes.

West Oakland is located on the San Francisco Bay, which is a seismically active region, situated on a tectonic plate boundary marked by the San Andreas Fault System. Under the Alquist-Priolo Earthquake Fault Zoning Act, Earthquake Fault Zones were established by the California Division of Mines and Geology along “active” faults, or faults along which surface rupture occurred in Holocene time (the last 11,000 years). The San Andreas and the Hayward faults are the two faults considered to have the highest probabilities of causing a significant seismic event in the Bay Area. These two faults are classified as strike-slip faults that have experienced movement within the last 150 years. The Hayward fault is the closest fault to West Oakland, located approximately 3.5 miles to the east along the southwestern base on the East Bay hill, paralleling Highway 13. Other principal faults capable of producing significant ground shaking in the Bay Area are included in Table 2-2, and include the Rodgers Creek-Healdsburg, Concord-Green Valley, Marsh Creek-Greenville, San Gregorio-Hosgri, West Napa and Calaveras faults (ABAG, 2017). A major seismic event on any of these active faults could cause significant ground shaking and potential surface fault rupture.

Ground movement intensity during an earthquake can vary depending on the overall magnitude, distance to the fault, focus of earthquake energy, and type of geological material. Areas that are underlain by bedrock tend to experience less ground shaking than those underlain by unconsolidated sediments such as artificial fill. Earthquake ground shaking may have secondary effects on certain foundation materials, including liquefaction, seismically induced settlement, and lateral spreading.

**TABLE 2-2**

**Active Faults in the Bay Area**

| Fault | Recency of Movement | Maximum Moment Magnitude Earthquake |
|---|---|---|
| San Andreas | 1989 | 7.9 |
| Hayward | 1868 | 7.1 |
| Rodgers Creek-Healdsburg | 1969 | 7.0 |
| Concord-Green Valley | 1955 | 6.9 |
| Marsh Creek-Greenville | 1980 | 6.9 |
| San Gregorio-Hosgri | Late Quaternary | 7.3 |
| West Napa | 2000 | 6.5 |
| Maacama | Holocene | 7.1 |
| Calaveras | 1990 | 6.8 |
| Mount Diablo Thrust | Quaternary | 6.7 |

(Source: ABAG, 2017)

# Regulatory Background

Construction is regulated by, among other things, the City of Oakland building codes that provide requirements for construction, grading, excavations, use of fill, and foundation work including type of materials, design, procedures, etc. which are intended to limit the probability of occurrence and the severity of consequences from geological hazards. Necessary permits, plan checks, and inspections are generally required.

The City or County General Plan includes the Seismic Safety Element. The Element serves primarily to identify seismic hazards and their location in order that they may be considered in the planning of future development. The California Building Code is the principle mechanism for protection against and relief from the danger of earthquakes and related events.

In addition, the Seismic Hazards Mapping Act (Public Resources Code §§2690 – 2699.6) was passed by the California legislature in 1990 following the Loma Prieta earthquake. The Act required that the California Division of Mines and Geology (DMG) develop maps that identify the areas of the state that require site specific investigation for earthquake-triggered landslides and/or potential liquefaction prior to permitting most urban

developments. The Act directs cities, counties, and state agencies to use the maps in their land use planning and permitting processes.

Local governments are responsible for implementing the requirements of the Seismic Hazards Mapping Act. The maps and guidelines are tools for local governments to use in establishing their land use management policies and in developing ordinances and reviewing procedures that will reduce losses from ground failure during future earthquakes.

# Significance Criteria

The proposed project impacts on the geological environment will be considered significant if:

- Topographic alterations would result in significant changes, disruptions, displacement, excavation, compaction or over covering of large amounts of soil.
- Unique geological resources (paleontological resources or unique outcrops) are present that could be disturbed by the construction of the proposed project.
- Exposure of people or structures to major geologic hazards such as earthquake surface rupture, ground shaking, liquefaction or landslides.
- Secondary seismic effects could occur which could damage facility structures, e.g., liquefaction.
- Other geological hazards exist which could adversely affect the facility, e.g., landslides, mudslides.

# Discussion of Impacts

**7. a, c and d)** Less than Significant**.** The West Oakland Community Action Plan could require changes at certain industrial facilities. These facilities may need to install additional air pollution control equipment, modify their facilities, built new infrastructure, or install filtration equipment.

New development potentially resulting in earthquake hazards is expected to be limited to the construction of air pollution control equipment or measures at industrial facilities. New construction (including modifications to existing structures) requires compliance with the California Building Code. The California Building Code is considered to be a standard safeguard against major structural failures and loss of life. The goal of the code is to provide structures that will: (1) resist minor earthquakes without damage; (2) resist moderate earthquakes without structural damage, but with some non-structural damage; and (3) resist major earthquakes without collapse, but with some structural and non-structural damage. The California Building Code bases seismic design on minimum lateral seismic forces ("ground shaking"). The California Building Code requirements operate on the principle that providing appropriate foundations, among other aspects, helps to protect buildings from failure during earthquakes. The basic formulas used for the California Building Code seismic design require determination of the seismic zone and site coefficient, which represent the foundation conditions at the site. Compliance with the

California Building Code would minimize the impacts associated with existing geological hazards. Therefore, no significant impacts would be expected.

**7. b) Less than Significant.** Construction associated with strategies in the Plan would be limited to urban areas, and primarily industrial facilities. All construction would take place at already existing facilities that have been previously graded. Thus, the proposed project is not expected to result in substantial soil erosion or the loss of topsoil as construction activities are expected to be limited to existing operating facilities that have been graded and developed, so that no major grading would be required.

**7. e) No Impact.** Septic tanks or other similar alternative wastewater disposal systems are typically associated with small residential projects in remote areas. The West Oakland Community Action Plan would affect an existing urban area that has existing wastewater treatment systems and does not rely on septic tanks or similar alternative wastewater disposal systems. Based on these considerations, septic tanks or other alternative wastewater disposal systems are not expected to be impacted by the proposed project.

**7. f) Less than Significant.** As discussed in 5 b and 5 c above, the West Oakland area is located on the margins of the San Francisco Bay shoreline. Of the strategies that the District would implement, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing facilities, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives). Implementation of these types of control measures would not be expected to require extensive construction or grading that could impact paleontological resources. In areas where there are sensitive resources, the City of Oakland requires pre-construction surveys and the use of qualified archaeological and paleontological monitors during grading operations to identify historic resources. These standard requirements, along with the fact that the control strategies in the West Oakland Community Action Plan are not expected to require extensive construction or grading activities, are expected to limit impacts on paleontological resources to less than significant.

# Conclusion

Based upon the above considerations, significant adverse impacts to geology and soils are not expected to occur due to implementation of the West Oakland Community Action Plan strategies and therefore, will not be further evaluated in the Draft EIR.

| | | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|---|
| **VIII. GREENHOUSE GAS EMISSIONS.** | | | | | |
| | Would the project: | | | | |
| a) | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ☑ | ☐ | ☐ | ☐ |
| b) | Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☑ | ☐ | ☐ | ☐ |

# Environmental Setting

Global climate change refers to changes in average climatic conditions on the earth as a whole, including temperature, wind patterns, precipitation and storms. Global climate change is caused primarily by an increase in levels of greenhouse gases (GHGs) in the atmosphere. The major greenhouse gases are the so-called "Kyoto Six" gases – carbon dioxide ($CO_2$), methane ($CH_4$), nitrous oxide ($N_2O$), sulfur hexafluoride ($SF_6$), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs) – as well as black carbon.[10] These greenhouse gases absorb longwave radiant energy (heat) reflected by the earth, which warms the atmosphere in a phenomenon known as the "greenhouse effect." The potential effects of global climate change include rising surface temperatures, loss in snow pack, sea level rise, ocean acidification, more extreme heat days per year, and more drought years.

Increases in the combustion of fossil fuels (e.g., gasoline, diesel, coal, etc.) since the beginning of the industrial revolution have resulted in a significant increase in atmospheric levels of greenhouse gases. $CO_2$ levels have increased from long-term historical levels of around 280 ppm before the mid-18$^{th}$ century to over 400 ppm today. This increase in greenhouse gases has already caused noticeable changes in the climate. The average global temperature has risen by approximately 1.4°F (0.8°C) over the past one hundred years, and 16 of the 17 hottest years in recorded history have occurred since 2001, according to the National Oceanic and Atmospheric Administration.

[10] Technically, black carbon is not a gas but is made up of solid particulates or aerosols. It is included in the discussion of greenhouse gas emissions because, like true greenhouse gases, it is an important contributor to global climate change.

Total global greenhouse gas emissions contributing to climate change are in the tens of billions of metric tons of $CO_2e$ per year. The State of California alone produces about two percent of the entire world's GHG emissions with major emitting sources including fossil fuel consumption from transportation (37 percent), electricity production (20 percent), industry (24 percent), agricultural and forestry (8 percent), residential activities (6 percent), and commercial activities (5 percent) (ABAG, 2017). The Bay Area's contribution to the global total is approximately 85 million tons per year. Transportation sources generate approximately 40 percent of the total, with the remaining 60 percent coming from stationary and area sources (BAAQMD, 2017b).

# Regulatory Background

California has committed to reducing its greenhouse gas emissions to 1990 levels by 2020, to 40 percent below 1990 levels by 2030, and to 80 percent below 1990 levels by 2050. This commitment was enacted in AB 32, the Global Warming Solutions Act of 2006, which adopted the 2020 target; in 2016's SB 32 (Pavley), which adopted the 2030 target; and in Executive Order S-3-05, which adopted the 2050 target. The Air District has adopted the same 80 percent reduction target for 2050 for the Bay Area's greenhouse gas emissions, in Board of Directors Resolution 2013-11.

To achieve these emission reduction goals, the California Legislature has directed the California Air Resources Board (CARB) to develop a Scoping Plan setting forth regulatory measures that CARB will implement, along with other measures, to reduce the state's greenhouse gas emissions. One of the principal regulatory measures is CARB's Cap and Trade program, which requires industrial greenhouse gas sources to obtain "allowances" equal to their greenhouse gas emissions. The amount of available allowances is subject to a "cap" on total emissions statewide, which CARB will reduce each year. Regulated facilities will either have to reduce their emissions or purchase allowances on the open market, which will give them a financial incentive to reduce emissions and will ensure that total annual emissions from the industrial sector will not exceed the declining statewide cap.

California has also adopted the "Renewable Portfolio Standard" for electric power generation, which requires that at least 33 percent of the state's electric power must come from renewable sources by 2020, and at least 50 percent must come from renewables by 2030. To complement these efforts on electricity generation, the state has also committed to increasing the energy efficiency of existing buildings by 50 percent by 2050 in order to reduce energy demand.

California has adopted regulatory measures aimed at reducing greenhouse gas emissions from mobile sources. These measures include standards for motor vehicle emissions and the state's Low Carbon Fuel Standard, which set limits on the carbon intensity of transportation fuels. California has also adopted SB 375, the Sustainable Communities and Climate Protection Act of 2008, which requires regional transportation and land use planning agencies to develop coordinated plans, called "Sustainable Communities Strategies," to reduce greenhouse gas emissions from the transportation sector by

promoting denser development and alternatives to driving. The current Sustainable Communities Strategy for the Bay Area is *Plan Bay Area 2040*, which was adopted by the Metropolitan Transportation Commission and the Association of Bay Area Governments in July of 2017.

The Air District has committed to reducing the Bay Area's regional greenhouse gas emissions to 80 percent below 1990 levels by 2050, as noted above. The Air District has also committed to a broad suite of specific measures to address greenhouse gases in the 2017 Clean Air Plan, *Spare the Air, Cool the Climate*. That document lays out the Air District's vision for what the Bay Area may look like in a post-carbon year 2050 and describes policies and actions that the region needs to take in the near- to mid-term to achieve these goals.

In 2009, the Oakland City Council directed staff to develop an Energy and Climate Action Plan using preliminary planning GHG target equivalent to 36 percent below 2005 GHG emissions by 2020 and 80 percent below 2005 levels by 2050, with annual benchmarks for meeting the target. Based on Oakland's 2005 baseline GHG inventory, a total of approximately three million metric tons of GHG emissions and current forecasts of business-as-usual emissions growth, reducing GHG emissions by the equivalent of 36 percent below 2005 levels by 2020 will require taking actions that would result in 1.1 million metric tons of GHG emissions. On December 2, 2012, Oakland adopted the Energy and Climate Action Plan which evaluates and prioritizes opportunities to reduce energy consumption and GHG emissions in its own government operations and throughout the community

# Significance Criteria

The most recently available Air District draft CEQA guidelines established GHG thresholds for specific projects, general plans, and regional plans. An air quality rule does not fall neatly into any of these categories. Air quality rules are typically regional in nature, as opposed to general plans, community plans and regional plans. In addition, air quality rules are usually specific to particular source types and particular pollutants.

The Air District draft CEQA Guidelines (BAAQMD, 2017a) established a GHG threshold for air quality plans of "no net increase in emissions," which is appropriate for air quality plans because they include a mix of control measures with individual trade-offs. For example, one control measure may result in combustion of methane to reduce greenhouse gas emissions, while increasing criteria pollutant emissions by a small amount. Those increases from the methane measure would be offset by decreases from other measures focused on reducing criteria pollutants. In a particular rule development effort, there may not be opportunities to make these trade-offs. Because the proposed project is a Community Action Plan with the goal of reducing emissions, the GHG threshold for air quality plans of "no net increase in emissions" will apply to the proposed project.

# Discussion of Impacts

Global climate change refers to changes in average climatic conditions on earth as a whole, including temperature, wind patterns, precipitation and storms. Global warming, a related concept, is the observed increase in average temperature of the earth's surface and atmosphere. One identified cause of global warming is an increase of greenhouse gases (GHGs) in the atmosphere. The six major GHGs identified by the Kyoto Protocol are carbon dioxide ($CO_2$), methane ($CH_4$), nitrous oxide ($N_2O$), sulfur hexafluoride ($SF_6$), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs). The GHGs absorb longwave radiant energy reflected by the earth, which warms the atmosphere. GHGs also radiate longwave radiation both upward to space and back down toward the surface of the earth. The downward part of this longwave radiation absorbed by the atmosphere is known as the "greenhouse effect." Some studies indicate that the potential effects of global climate change may include rising surface temperatures, loss in snow pack, sea level rise, more extreme heat days per year, and more drought years.

**8. a and b) Potentially Significant.** Some control measures could potentially require modifications to refineries or other facilities and would require the generation of additional electricity to operate mobile sources which could generate additional GHG emissions. However, the implementation of these types of control measures would not be expected to generate a substantial increase in GHG emissions.

Implementation of the Community Action Plan could increase use of electricity associated zero emission mobile sources and providing shore power to ships. Therefore, the potential cumulative GHG emission impacts associated with increased energy requirements and generation of additional electricity will be evaluated in the Draft EIR.

| | | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|---|
| **IX.** | **HAZARDS & HAZARDOUS MATERIALS.** Would the project: | | | | |
| a) | Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☑ | ☐ | ☐ | ☐ |
| b) | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☑ | ☐ | ☐ | ☐ |
| c) | Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☑ | ☐ | ☐ | ☐ |
| d) | Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☑ | ☐ |
| e) | For a project located within an airport land use plan or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☑ |
| f) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☑ | ☐ |
| g) | Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | ☐ | ☐ | ☐ | ☑ |

# Environmental Setting

West Oakland was one of the first industrial locations in the San Francisco Bay Area, later became a center for defense related industries, and continues to be a major transportation hub and industrial zone. Over the years, many transportation and industrial uses have relocated and closed, and some industrial properties have been abandoned and left contaminated (City of Oakland, 2014).

West Oakland today contains a mix of industrial, commercial, transportation, and residential uses. Industrial uses are often located adjacent to or near residential and other sensitive land uses, such as schools and parks. Many ongoing industrial operations use, store or transport hazards materials, and contaminated sites and groundwater remain in the area, posing a potential hazard to human health and the environment (City of Oakland, 2014).

In California, regulatory databases listing hazardous materials sites provided by federal, state and local agencies are consolidated in the "Cortese List" pursuant to Government Code Section 65962.5. In addition, the Alameda County Department of Environmental Health maintains a list of sites for which it is the administrative agency responsible for coordination and enforcement of local, state, and federal hazardous materials management and environmental protection programs, as recognized by the California Department of Toxics Substances Control.

A review of the Cortese List indicates that there is a total of 123 reported environmental cases within West Oakland. The majority of reported environmental cases are attributed to leaking underground storage tanks, most of which contain (or used to contain) motor oil, gasoline or other similar petroleum products. Nearly 65 percent of the cases have been closed by the respective oversight agencies. Of those cases that remain open, remediation efforts are still needed before new development can occur. Within those closed case sites, the level of prior clean-up efforts may vary and may be appropriate only for commercial or industrial uses, may have deed restrictions preventing sensitive land uses, or may stipulate additional agency oversight may be required is development is being considered (City of Oakland, 2014).

In addition to contaminated sites, a number of facilities within West Oakland process flammable materials and acutely toxic substances. Accidents involving these substances can result in worker or public exposure to fire, heat, blast from an explosion, or airborne exposure to hazardous substances. The potential hazards associated with handling such materials are a function of the materials being processed, processing systems, and procedures used to operate and maintain the facilities where they exist. The hazards that are likely to exist are identified by the physical and chemical properties of the materials being handled and their process conditions, including toxic gas clouds; torch fires (gas and liquefied gas releases), flash fires (liquefied gas releases), pool fires, and vapor cloud explosions (gas and liquefied gas releases), thermal radiation (heat generated by fire), and explosion/overpressure.

There are approximately six large quantity hazardous waste generators, 73 small quantity generators, 90 storage tanks, 87 dry cleaners, and 72 auto related industries (City of Oakland, 2014). For all affected facilities, risks to the public are reduced if there is a buffer zone between industrial processes and residences or other sensitive land uses, or the prevailing wind blows away from residential areas and other sensitive land uses. The risks posed by operations at each facility are unique and determined by a variety of factors. Because the use and handling of hazardous materials at permitted sites are subject to strict regulation, the potential for a release of hazardous materials from these sites is considered low

# Regulatory Background

There are many federal and state rules and regulations that facilities handling hazardous materials must comply with which serve to minimize the potential impacts associated with hazards at these facilities.

Under the Occupational Safety and Health Administration (OSHA) regulations [29 Code of Federal Regulations (CFR) Part 1910][11], facilities which use, store, manufacture, handle, process, or move highly hazardous materials must prepare a fire prevention plan. In addition, 29 CFR § 1910.119, Process Safety Management (PSM) of Highly Hazardous Chemicals, and Title 8 of the California Code of Regulations (CCR), General Industry Safety Order §5189, Process Safety Management of Acutely Hazardous Materials, specifies required prevention program elements to protect workers at facilities that handle toxic, flammable, reactive, or explosive materials.

Section 112 (r) of the federal Clean Air Act [42 U.S.C. 7401 et seq.[12]] as amended by the Amendments of 1990, and Article 2, Chapter 6.95 of the California Health and Safety Code require facilities that handle listed regulated substances to develop Risk Management Programs (RMPs) and hazardous materials management plans to prevent accidental releases of these substances. U.S. Environmental Protection Agency regulations on chemical accident prevention are set forth in 40 CFR Part 68. In California, the California Accidental Release Prevention (CalARP) Program regulations (CCR Title 19, Division 2, Chapter 4.5) were issued by the Governor's Office of Emergency Services (OES). RMPs consist of three main elements: a hazard assessment that includes off-site consequences analyses and a five-year accident history, a prevention program, and an emergency response program.

Affected facilities that store materials are required to have Spill Prevention Control and Countermeasure (SPCC) Plan per the requirements of Title 40, Code of Federal Regulations, Part 112. The SPCC is designed to prevent spills from on-site facilities and includes requirements for secondary containment, provides emergency response procedures, establishes training requirements, and so forth.

[11] All federal regulations are accessible at https://codes.findlaw.com/cfr/#dirsearch2 .
[12] All federal statutes are accessible at https://codes.findlaw.com/us/ . "Et seq." means also including the sections that follow the cited section(s).

The Hazardous Materials Transportation (HMT) Act, as amended and codified, 49 U.S.C. §§ 5101 et seq., is the federal law that regulates transportation of hazardous materials. The primary regulatory authorities are the U.S. Department of Transportation, the Federal Highway Administration, and the Federal Railroad Administration. The HMT Act requires that carriers report accidental releases of hazardous materials to the Department of Transportation at the earliest practical moment (49 CFR Subchapter C, §171.15(a)). The California Department of Transportation (Caltrans) sets standards for trucks in California. These state regulations are enforced by the California Highway Patrol, among others.

The California Department of Toxic Substances Control (DTSC) is authorized by the U.S. Environmental Protection Agency (US EPA) to enforce and implement federal hazardous materials laws and regulations in California. California regulations pertaining to hazardous materials are equal to or exceed the federal regulation requirements. The DTSC is authorized by the US EPA to regulate the management of hazardous substances including the remediation of sites contaminated by hazardous substances. State hazardous materials regulations are contained in Title 22, Division 4.5 of the California Code of Regulations, Environmental Health Standards for the Management of Hazardous Waste. DTSC generally acts as the lead agency for soil and groundwater cleanup projects that affect public health and establishes cleanup levels for subsurface contamination that are equal to, or more restrictive than, federal levels. DTSC has also developed land disposal restrictions and treatment standards for hazardous waste disposal in California. DTSC has also developed brownfield programs to promote and expedite the cleanup of brownfields.

California Health and Safety Code Section 25500 et seq., codifying Assembly Bill 2185 (Maxine Waters 1985), requires local agencies to regulate the storage and handling of hazardous materials and requires development of a business plan to mitigate the release of hazardous materials. Businesses that handle any of the specified hazardous materials must submit to government agencies (i.e., fire departments), an inventory of the hazardous materials, an emergency response plan, and an employee training program. The information in the business plan can then be used in the event of an emergency to determine the appropriate response action, the need for public notification, and the need for evacuation.

# Significance Criteria

The proposed project impacts associated with hazards will be considered significant if any of the following occur:

- Non-compliance with any applicable design code or regulation.
- Non-conformance to National Fire Protection Association standards.
- Non-conformance to regulations or generally accepted industry practices related to operating policy and procedures concerning the design, construction, security, leak detection, spill containment or fire protection.
- Exposure to hazardous chemicals in concentrations equal to or greater than the Emergency Response Planning Guideline (ERPG) 2 levels.

- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school

# Discussion of Impacts

**9. a, b, and c) Potentially Significant.** Of the strategies that the District would implement, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing facilities and adding filtration systems to existing buildings. Implementation of these types of control measures would not be expected to result in the use of hazardous materials or create hazardous conditions.

Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power or use a bonnet system for ships. These types of control measures could require modifications to refineries or other facilities to produce alternative fuels and would require the generation of additional electricity to operate mobile sources which could create new hazards at refineries and electrical-generating facilities. In addition, emission controls on ships could include the use of selective catalytic reduction (SCR) units to minimize nitrogen oxide emissions. SCR systems require the use of ammonia, a hazardous material. A total of eleven schools are located within the West Oakland Community Action Plan. As such, the potential hazards associated with implementation of these control strategies in the Community Action Plan will be evaluated in the EIR.

**9. d) Less than Significant.** Government Code §65962.5 requires creation of lists of facilities that may be subject to Resource Conservation and Recovery Act (RCRA) permits or site cleanup activities. As discussed above, a number of sites within West Oakland are included on the hazardous materials sites list pursuant to Government Code §65962.5. Implementation of control strategies could require development or modifications to sites included on hazardous materials list. The facilities that may be affected by the proposed control strategies would be required to continue to manage any and all hazardous materials in accordance with federal, state, and local regulations. Implementing the control strategies would not be expected to interfere with site cleanup activities or create additional site contamination. As a result, the proposed project is not expected to affect any facilities included on a list of hazardous material sites and, therefore, would not create a significant hazard to the public or environment.

**9. e) No Impact.** West Oakland is not located within an airport land use plan area or within two miles of a public airport, public use airport, or near a private airstrip. The closest airport is Oakland International Airport which is over 6 miles southeast of West Oakland. The proposed project is not expected to result in a safety hazard for people residing or working within two miles of a public airport or air strip. Therefore, the Community Action Plan would have no impact on safety hazards for people residing or working in the project area.

**9. f) Less than Significant.** The Oakland Office of Emergency Services has identified a network of evacuation routes and potential emergency shelters. The emergency evaluation routes within West Oakland are 7th Street, 14th Street, 12th Street, 27th Street, 35th Street, Adeline Street, Market Street, Martin Luther King Jr. Boulevard, San Pablo Avenue, and West Grand Avenue (City of Oakland, 2014).

Of the strategies that the District would implement, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing facilities, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power for ships. Implementation of these types of control measures would not be expected to interfere with an adopted emergency response plan or emergency evacuation plan. Any need for traffic lane reductions or street closure due to construction would be short-term, temporary and localized. Individual future projects would be required to obtain an encroachment permit from the City for any proposed changes to, or construction use, of street rights-of-way, which would include review and notification to the Oakland Fire Department. Standard notification is required to ensure that the Oakland Fire Department is notified and award of construction traffic that could block any City Streets. Therefore, implementation of the Community Action Plan would neither be expected to impair implementation of, nor to interfere with any adopted emergency response plan or emergency evacuation plan.

**9. g) No Impact.** The California Department of Forestry and Fire Protection (CalFIRE) maps areas of significant fire hazard based on fuels, terrain, weather, and other relevant factors. These zones, referred to as Fire Hazard Severity Zones, determine the requirements for special building codes designed to reduce the potential impacts of wildland fires on urban structures. West Oakland is located within a non-Very High Fire Hazard Severity Zone, as the area is urbanized and not located directly adjacent to wildland areas. The area is outside Oakland's Wildfire Prevention Assessment District boundary, which indicates that it is not subject to significant wildfire hazard. Implementation of the Community Action Plan would be expected to have no impact related to wildland fires.

# Conclusion

Implementation of the Community Action Plan could result in new hazards associated modifications to refineries and energy-generating facilities, as well as the increased use of hazardous materials associated with air pollution control equipment. As such, the potential hazards associated with implementation of these control strategies in the Community Action Plan will be evaluated in the EIR.

Based upon the above considerations, adverse hazard impacts, associated with hazardous materials sites, compiled pursuant to Government Code Section 65962.5, airport land use plans, safety at public and private airports, emergency response plans, emergency evacuation plans, and wildland fires, are not expected to be significant due to implementation of the Community Action Plan strategies.

| | | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|---|
| **X. HYDROLOGY AND WATER QUALITY.** | | | | | |
| Would the project: | | | | | |
| a) | Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | ☐ | ☐ | ☑ | ☐ |
| b) | Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | ☐ | ☐ | ☐ | ☑ |
| c) | Substantially alter the existing drainage pattern of the site or area, including through alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: | | | | |
| i) | result in substantial erosion or siltation onsite or offsite; | ☐ | ☐ | ☑ | ☐ |
| ii) | substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; | ☐ | ☐ | ☑ | ☐ |
| iii) | create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; | ☐ | ☐ | ☑ | ☐ |
| iv) | impede or redirect flood flows? | ☐ | ☐ | ☑ | ☐ |
| d) | In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | ☐ | ☐ | ☑ | ☐ |
| e) | Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | ☐ | ☐ | ☐ | ☑ |

# Environmental Setting

The City of Oakland is responsible for the construction and maintenance of the local storm drainage system, while the Alameda County Flood Control and Water Control District constructs, operates, and maintains major trunk lines and flood control facilities in Oakland.

The City of Oakland is within the Alameda County Flood Control and Water Control District Zone 12 (which also includes Emeryville), the largest of the District's zones. Zone 12 has approximately 50 miles of closed conduit, approximately 10 miles of earthen and concrete channels, as well as the existing natural waterways which transfer stormwater to the San Francisco Bay (City of Oakland, 2014).

West Oakland is part of a drainage basin that flows to a pump station located at the intersection of Ettie and 34th Streets. While the piping network is a City facility, the pump station itself is owned and operated by Alameda County Flood Control and Water Control District. The pump station was installed by the City of Oakland in 1954 and was taken over by that District in 1997. It includes six working pumps capable of pumping just over 500,000 gallons per minute (gpm). There has never been flooding in the area as a result of the pump failing (City of Oakland, 2014).

Stormwater runoff within West Oakland is conveyed by gravity through storm drain pipes to the Alameda County Flood Control and Water Control District Ettie Street Pump Station, located at the northern end of Ettie Street near I-580, where the stormwater is lifted and discharged to the Bay.

The City of Oakland Storm Drainage Master Plan estimates that 30 percent of the existing storm drainage conduits and all of the storm drainage structures within West Oakland need rehabilitation. The Master Plan also indicates that system capacity upgrades are also needed throughout West Oakland, especially within the commercial and industrial area near West Grand/Mandela and 3rd Street (City of Oakland, 2014).

See Section XIX – Utilities and Service Systems, for a description of existing water and wastewater treatment facilities.

# Regulatory Background

The Federal Clean Water Act of 1972 primarily establishes regulations for pollutant discharges into surface waters in order to protect and maintain the quality and integrity of the nation's waters. This Act requires industries that discharge wastewater to municipal sewer systems to meet pretreatment standards. The regulations authorize the U.S. Environmental Protection Agency to set the pretreatment standards. The regulations also allow the local treatment plants and others to set more stringent wastewater discharge requirements, if necessary, to meet local conditions.

The 1987 amendments to the Clean Water Act enabled the U.S. Environmental Protection Agency to regulate, under the National Pollutant Discharge Elimination System (NPDES) program, discharges from industries and large municipal sewer systems. The U.S. Environmental Protection Agency set initial permit application requirements in 1990. The State of California, through the State Water Resources Control Board, has authority to issue NPDES permits, which meet U.S. Environmental Protection Agency requirements, to specified industrial and other entities.

The Porter-Cologne Water Quality Act, California Water Code Division 7 and related sections, is California's primary water quality control law. It implements the state's responsibilities under the Federal Clean Water Act but also establishes state wastewater discharge requirements. The Regional Water Quality Control Board administers the state requirements as specified under the Porter-Cologne Water Quality Act, which include storm water discharge permits. The water quality in the Bay Area is under the jurisdiction of the San Francisco Bay Regional Water Quality Control Board.

In response to the Federal Clean Water Act, the State Water Resources Control Board prepared two state-wide plans in 1991 and 1995 that address storm water runoff: the California Inland Surface Waters Plan and the California Enclosed Bays and Estuaries Plan, which have been updated in 2005 as the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California. Enclosed bays are indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. San Francisco Bay, and its constituent parts, including Carquinez Strait and Suisun Bay, fall under this category.

The San Francisco Bay Basin Plan identifies the: (1) beneficial water uses that need to be protected; (2) the water quality objectives needed to protect the designated beneficial water uses; and (3) strategies and time schedules for achieving the water quality objectives.

# Significance Criteria

**Water Demand:**

- The existing water supply does not have the capacity to meet the increased demands of the project, or the project would use more than 263,000 gallons per day of potable water.

**Water Quality:**

- The project will cause degradation or depletion of ground water resources substantially affecting current or future uses.
- The project will cause the degradation of surface water substantially affecting current or future uses.
- The project will result in a violation of National Pollutant Discharge Elimination System (NPDES) permit requirements.

- The capacities of existing or proposed wastewater treatment facilities and the sanitary sewer system are not sufficient to meet the needs of the project.
- The project results in substantial increases in the area of impervious surfaces, such that interference with groundwater recharge efforts occurs.
- The project results in alterations to the course or flow of floodwaters.

**Water Demand:**

The existing water supply does not have the capacity to meet the increased demands of the project, or the project would use a substantial amount of potable water.

The project increases demand for water by more than 300,000 gallons per day.

# Discussion of Impacts

### 10. a) Water Quality Standards and Waste Discharge Requirements

**Less than Significant.** Of the strategies that the District would implement as part of the Community Action Plan, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing facilities, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power or bonnet systems for ships. Implementation of strategies such as replacing diesel engines, adding filtration systems to existing buildings, the use of zero emission sources, producing alternative fuels and generating additional electricity would not be expected to result in water use or wastewater discharge. The control strategies would not be expected to require the use of additional water, result in the discharge of wastewater, or result in impacts to water quality, since the control strategies do not involve the use of water.

Construction activities associated with land disturbance of more than one acre would requirement compliances with the Construction General Permit for Discharges of Storm Water Associated with Construction Activity Water Quality (Order No. 99-08-DWQ, NPDES No. CAS000002).

Should any wastewater be generated, compliance with existing General Plan policies, Municipal Code regulations, and federal, state and local regulations would reduce impacts related to wastewater discharge to less than significant.

### 10. b) Ground Water Supplies

**No Impact.** West Oakland is underlain by the East Bay Plain groundwater basin. The San Francisco Regional Water Quality Control Board has identified groundwater supplies in this basin for municipal, industrial, and agricultural water supply. Impacts to the aquifer would occur if actions in accordance with the Community Action Plan would result in reduced recharge to the aquifer or increased extraction for the aquifer. However, the East

Bay Municipal Utility District, the major water purveyor for Oakland, relies on surface water supplies. The groundwater basin is not currently being used for municipal water supply (City of Oakland, 2014).

Of the strategies that the Air District would implement as part of the Community Action Plan, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing facilities, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power or bonnet systems for ships. Implementation of strategies such as replacing diesel engines, adding filtration systems to existing buildings, the use of zero emission sources, producing alternative fuels and generating additional electricity would not be expected to require the use of additional water or groundwater. As a result, implementation of the Community Action Plan would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Impacts to groundwater would be less than significant.

**10. c) Surface Water**

**Less Than Significant.** As discussed above, the control strategies that the District would implement are not expected to require extensive construction or grading, that would result in alteration of the existing drainage pattern of the area or increase the rate or amount of surface water runoff. The West Oakland area is urbanized and developed so the project is not expected to add impervious surfaces that would alter surface water runoff. Further, there are no natural streams or rivers in the West Oakland area, so the project would not alter the course of a stream or river. Therefore, the impact of the Community Action Plan on surface water discharge is expected to be less than significant.

**10. d) Flooding, seiche, tsunami**

**Less than Significant.** No portion of West Oakland is located within a 100-year or 500-year flood hazard area, as mapped on the National Flood Insurance Program Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency. All of West Oakland is designated Zone X, which means that it is an area determined to be an area of minimal flood hazard, outside the 0.2 percent annual chance floodplain (City of Oakland, 2014). For this reason, implementation of the Community Action Plan would not result in substantial flooding on- or off-site; would not expose people or structures to a substantial risk of loss, injury, or death involving flooding; would not impede or redirect flood flows or place structures within a 100-year flood hazard area.

A seiche is a tidal change in an enclosed or semi-enclosed water body caused by sustained high winds or an earthquake. There is no data on the local occurrence or impact of seiches, as none has been recorded in the Bay Area (City of Oakland, 2012). No enclosed or semi-enclosed water body, if any, in West Oakland is located close enough to the San Francisco Bay to be affected by a seiche (City of Oakland, 2014).

Tsunamis are seismically induced sea waves that, upon entering shallow near-shore waters, may reach heights capable of causing widespread damage to coastal areas. The western portion of West Oakland, generally west of Mandela Parkway, is subject to tsunami inundation (City of Oakland, 2014).

The National Weather Service operates the Alaska Tsunami Warning Center in Palmer, Alaska which serves as the regional tsunami warning center for Alaska, British Columbia, Washington, Oregon, and California. In the event that an earthquake occurred that would be capable of producing a tsunami that could affect West Oakland, the City of Oakland would receive the warning through the State Warning System. In addition, the Oakland Office of Emergency Services operates a network of outdoor warning sirens to alert the public in case of an emergency. There are sirens installed at three locations in West Oakland: the Goss Avenue/Pine Avenue intersection, Poplar Recreation Area, and Lafayette Square.

The Alaska Tsunami Warning Center, State Warning System and Oakland emergency alert system, including the outdoor warning sirens in West Oakland, would provide early notification of an advancing tsunami allowing evacuation of people. Given the rare occurrence of tsunamis, the distance of West Oakland to the Bay shoreline, and the emergency alert system enabling evacuation of people, implementation of the Community Action Plan would not place additional structures in areas that are expected to be impacted by tsunami inundation.

**10. e) Water Quality Control Plan or Sustainable Groundwater Management Plan**

**No Impact.** As discussed above, the East Bay Municipal Utility District, the major water purveyor for Oakland, relies on surface water supplies. The groundwater basin is not currently being used for municipal water supply (City of Oakland, 2014). Further, implementation of the Community Action Plan is not expected to require additional water supplies. Therefore, the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan

# Conclusion

Based upon the above considerations, no significant adverse hydrology and water quality impacts are expected to occur due to implementation of the Community Action Plan strategies.

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XI. LAND USE AND PLANNING.** Would the project: | | | | |
| a) Physically divide an established community? | ☐ | ☐ | ☐ | ☑ |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☐ | ☑ |

# Environmental Setting

The land uses in the West Oakland area vary greatly and are described below.

- Land uses to the north include the Emeryville portion of the East Bay Bridge Shopping Center, which contains regional commercial, community commercial, and medium-density residential uses. Other residential, light industrial, office, commercial, and public uses are located further to the north in Emeryville, including at the Bay Street Shopping Center.

- Interstate 580 is located along the northern boundary of West Oakland. North of Interstate 580 is the Longfellow residential neighborhood, near MacArthur Boulevard and 40th Street in North Oakland.

- To the northeast is the MacArthur BART Station, within the median of State Route 24. This area includes the MacArthur Transit Village, which provides 624 high-density, multifamily housing units, retail space, and a BART parking garage.

- Interstate 980 is located along the eastern boundary of West Oakland. East of Interstate 980 are the Pill Hill and Uptown neighborhoods, Downtown Oakland, City Center, Old Oakland, and the 19th Street and 12th Street BART stations.

- To the southeast is the waterfront Jack London district with Jack London Square, Amtrak's Oakland Jack London Square Railroad Station, and the Oakland Ferry Terminal.

- The Port of Oakland lies southwest of West Oakland. Interstate 880, the Union Pacific Railroad, and the Burlington Northern and Santa Fe (BNSF) Railroad are located along the southern and western boundary of West Oakland. The Union Pacific Intermodal Yard lies south of Interstate 880, within the Port. Port shipping

terminals line the Oakland Estuary/Inner Harbor Channel further south and the Outer Harbor Channel to the west. The BNSF Intermodal Yard and Middle Harbor Park are to the southwest.

- Interstate 880 is located near the western boundary of the Planning Area. The Union Pacific Railroad and the BNSF Railroad, and the Knight Rail Yard are located underneath and immediately west of Interstate 880. The former Oakland Army Base (OARB), and former OARB Redevelopment Area, lies west of Interstate 880. The Oakland Base Reuse Authority currently leases space for various transportation, industrial and commercial uses until the former Army Base is redeveloped for permanent non-military uses.

- Land uses in West Oakland include the East Bay Municipal Utility District Main Wastewater Treatment Plant (MWWTP); the Interstates 80, 580, and 880 Interchange, known as the MacArthur Maze; and the Emeryville Crescent State Marine Reserve on the shore of San Francisco Bay. The newly constructed eastern single deck section of the Willie L. Brown Jr. San Francisco-Oakland Bay Bridge is the world's widest bridge. (Guinness World Records, 2014). The eastern terminus of that bridge, the bridge toll plaza, and the new maintenance yard lie further to the south, all within West Oakland. (City of Oakland, 2014).

# Regulatory Background

Land uses are protected and regulated by the City of Oakland General Plan through land use and zoning requirements. The City of Oakland General Plan is comprised of the following 10 elements: Land Use and Transportation Element; Bicycle Master Plan; Pedestrian Master Plan; Estuary Policy Plan; Open Space, Conservation, and Recreation Element; Historic Preservation Element; Housing Element; Noise Element; Safety Element; and Scenic Highways Element.

# Significance Criteria

Land use and planning impacts will be considered significant if the project conflicts with the land use and zoning designations established by the City of Oakland General Plan and the City of Oakland Specific Plan.

# Discussion of Impacts

**11. a) No Impact.** West Oakland is currently subject to existing conditions that disrupt and divide the community. These conditions include the location of heavy industrial and transportation uses immediately adjacent to residential uses, and the separation of West Oakland from downtown Oakland, the waterfront at Jack London Square, Middle Harbor Park, and the rest of the City by freeways that surround the community.

Of the strategies that the District would implement, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from

existing facilities, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power for ships. Implementation of these types of control measures would not be to physically divide the community, beyond the divisions that currently exist, as any new facilities would be expected to occur within the confines of the existing facilities. Therefore, the proposed project would not disrupt or divide the physical arrangement of the West Oakland community or any surrounding community.

**11. b) No Impact.** Of the strategies that the District would implement, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing facilities, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power for ships. Implementation of these types of control measures would not be expected to require any changes to land use or result in development that could conflict with a land use plan, policy, or regulation. Therefore, no significant land use impacts would be expected from implementation of the Community Action Plan.

# Conclusion

Based upon the above considerations, no significant adverse land use impacts are expected to occur due to implementation of the Community Action Plan strategies and therefore, will not be further evaluated in the Draft EIR.

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XII. MINERAL RESOURCES.** Would the project: | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | ☐ | ☐ | ☐ | ☑ |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | ☐ | ☐ | ☐ | ☑ |

# Environmental Setting

According to the California Department of Conservation Division of Mines and Geology's Aggregate Resources Map, West Oakland is not currently considered an Aggregate Resource sector. The Leona Quarry was the last mine in Oakland to be identified as a regionally significant source of aggregate resources. Areas with this designation are judged to be of prime importance in meeting future mineral needs in the region, and land use decisions must consider the importance of these resources to the region as a whole. The Leona Quarry has been closed for many years and there is no other land in Oakland with such a designation (City of Oakland, 2014).

# Regulatory Background

Mineral resources are generally protected and regulated by the City and/or County General Plans through land use and zoning requirements, as well as to some extent by federal and state laws.

# Significance Criteria

The proposed project impacts on mineral resources will be considered significant if:

- The project would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- The proposed project results in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

# Discussion of Impacts

**12. a) and b) No Impact.** No known mineral resources are located within West Oakland and the area is not designated as a locally important mineral resource recovery site under the City of Oakland General Plan Land Use and Transportation Element or Open Space, Conservation and Recreation Element. Therefore, no impacts on mineral resources are expected due to implementation of the West Oakland Community Action Plan.

# Conclusion

Based upon the above considerations, no mineral resource impacts are expected to occur due to implementation of the Community Action Plan strategies, and therefore, will not be further evaluated in the Draft EIR.

| | | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|---|
| **XIII. NOISE.** Would the project result in: | | | | | |
| a) | Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☐ | ☑ | ☐ |
| b) | Generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☑ | ☐ |
| c) | For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☑ |

# Environmental Setting

Transportation sources such as automobiles, trucks, and trains are the principal sources of noise in West Oakland. The primary noise sources are traffic on Interstates 580, 880, and 980, and on local arterial streets including Mandela Parkway, 14th Street, West Grand Avenue, 7th Street Adeline Street, Peralta Street, Hollis Street, San Pablo Avenue, Market Street, 27th Street, and Martin Luther King Jr. Way. The elevated BART line is a major noise source affecting the southern portion of West Oakland.

The Union Pacific Railroad and BNSF Railroad and their associated railyards and Port of Oakland intermodal facilities that border West Oakland on the south and west are major noise sources affecting those immediate areas.

Industrial and commercial equipment and operations also contribute to the ambient noise environment in West Oakland. Other sources of noise include traffic helicopters in the morning reporting on freeway traffic, ships passing by on their way to or from the Port of Oakland, the 5th biggest container port in the US and the 3rd biggest on the West Coast, and police helicopters at night.

Typical examples of transient noise sources in urban areas include car horns, car alarms, loud vehicles or motorcycles, emergency sirens, loud music, mechanical equipment, lawn mowers, trucks, and people talking. Many of these transient sources are common in urban areas. Although some of these transient sources may be annoying, they do not contribute substantially to the overall ambient noise level in any particular area (City of Oakland, 2014).

There have been number of efforts to mitigate traffic noise impacts in West Oakland, in particular noise from trucks associated with the Port of Oakland. While signs direct trucks to prescribed truck routes, trucks often deviate from these routes and trucks have been detected in mixed industrial/residential areas of West Oakland. Sound walls have been constructed along portions of Interstate 880 adjacent to the Prescott and South Prescott neighborhoods (City of Oakland, 2014).

A number of noise studies have been performed to measure noise levels in the West Oakland area. In general, the noise levels measured for the 2003 West Oakland Redevelopment Plan EIR are comparable to other, more recent noise measurements taken within West Oakland and at other BART station locations with similar locations and exposure circumstances. The conclusions that can be reached from all of these noise studies indicate that:

- Noise levels are generally highest along the elevated sections of the Interstate 580 and 880 freeways, with community noise exposure levels (CNELs) estimated at 68 to 71 decibels at 400 feet from both freeway centerlines; freeway noise levels are lower in areas protected by sound walls (less than 60 decibels at 400 feet from the Interstate 880 freeway centerline).

- Noise levels reach in excess of 67 decibels during the day in the southeastern portion of the West Oakland BART station south parking lot. Noise levels at the northern edge of the BART station on 7$^{th}$ Street reach in excess of 68 decibels during the day.

- Along major arterial streets such as Mandela Parkway, San Pablo Avenue, 7$^{th}$ Street, and West Grand Avenue daytime noise levels are mostly between 66 to 68 decibels and CNEL levels were mostly between 68 and 72 decibels at 50 feet from roadway centerlines.

- In areas away from arterials, freeways, and BART (where there are no adjacent major noise sources), noise levels are generally less than 65 decibels CNEL.

When measured noise levels are compared to City noise and land use compatibility guidelines, they indicate that the existing noise environments near the elevated segments of Interstates 580 and 880 (unprotected by sound walls) and near the elevated BART tracks and West Oakland BART station are generally incompatible with residential and other noise-sensitive land uses. Noise levels along many major arterial streets generally meet

the threshold for conditionally acceptable noise levels for residential uses (City of Oakland, 2014).

# Regulatory Background

Noise issues related to construction and operation activities are addressed in the City of Oakland General Plan including the Land Use and Transportation Element and Noise Element. The Noise Element identifies noise and land use compatibility standards for various land uses, derived from the California Department of Health Services noise compatibility guidelines. The following are the maximum interior noise levels generally considered acceptable for various common land uses:

- 45 decibels: residential, hotels, motels, transient lodging, institutional (churches, hospitals, classrooms, libraries), movie theaters.
- 50 decibels: professional offices, research and development, auditoria, meeting halls.
- 55 decibels: retail, banks, restaurants, sports clubs.
- 65 decibels: manufacturing, warehousing (City of Oakland, 2014).

The City of Oakland has a noise ordinance that prohibits persistent, excessive and annoying noise between 9:00 p.m. and 7:00 a.m. Oakland Municipal Code §§ 8.18.010–8.18.020.[13]

City of Oakland Planning Code § 17.120.050 also regulates noise in the City of Oakland with several maximum allowable receiving noise level standards variously applying 24 hours a day.[14]

# Significance Criteria

The proposed project impacts on noise will be considered significant if:

- Construction noise levels exceed the local noise ordinances or, if the noise ordinance is currently exceeded, project noise sources increase ambient noise levels by more than three decibels (dBA) at the site boundary.
- The proposed project operational noise levels exceed any of the local noise ordinances at the site boundary or, if the noise threshold is currently exceeded, project noise sources increase ambient noise levels by more than three decibels at the site boundary.

[13] See Oakland Noise Ordinance, Oakland Municipal Code §§ 8.18.010–8.18.020, at: https://library.municode.com/ca/oakland/codes/code_of_ordinances?nodeId=TIT8HESA_CH8.18NU_8.18.010EXANNOPR .

[14] See Oakland Noise Performance Standards, Oakland Planning Code § 17.120.050, at http://oakland-ca.elaws.us/code/plco_title17_ch17.120_sec17.120.050.

- The proposed project is in the vicinity of a private airstrip or airport land use plan and exposes people residing or working in the project area to excessive noise levels.
- Construction results in the generation of excessive groundborne vibration or groundborne noise levels

# Discussion of Impacts

**Noise Descriptors**

Noise is a by-product of urbanization and there are numerous noise sources and receptors in an urban community. Noise is generally defined as unwanted sound. The range of sound pressure perceived as sound is extremely large. The decibel is the preferred unit for measuring sound since it accounts for these variations using a relative scale adjusted to the human range for hearing (referred to as the A-weighted decibel or dBA). The A-weighted decibel is a method of sound measurement that assigns weighted values to selected frequency bands in an attempt to reflect how the human ear responds to sound. The range of human hearing is from 0 decibels (the threshold of hearing) to about 140 decibels which is the threshold for pain.

In addition to the actual instantaneous measurements of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. To analyze the overall noise levels in an area, noise events are combined for an instantaneous value or averaged over a specific time period. The time-weighted measurement is referred to as equivalent sound level and represented by energy equivalent sound level (Leq). The percentage of time that a given sound level is exceeded also can be designated as $L_{10}$, $L_{50}$, $L_{90}$, etc. The subscript notes the percentage of time that the noise level was exceeded during the measurement period. Namely, an $L_{10}$ indicates the sound level is exceeded 10 percent of the time and is generally taken to be indicative of the highest noise levels experienced at the site. The $L_{90}$ is that level exceeded 90 percent of the time and this level is often called the base level of noise at a location. The $L_{50}$ sound (that level exceeded 50 percent of the time) is frequently used in noise standards and ordinances.

Environmental noise is measured on a logarithmic scale in decibels (dB). Decibels measure the relative magnitude of pressure fluctuations in a sound medium under the influence of a vibratory source. An increase of 10 decibels represents a 10-fold increase in acoustic energy, which is perceived by people as approximately a doubling of loudness over a wide range of amplitudes. Since decibels are logarithmic units, sound pressure levels are not added arithmetically. When two sounds of equal sound pressure level are added, the result is a sound pressure level that is three dB higher. For example, 60 dB plus 60 dB equals 63 dB. However, where noise levels differ, there may be little change in comparison to the louder noise source; for example, when 70 dB and 60 dB sources are added, the resulting noise level equals 70.4 dB. In general, a three to five decibels change in community noise levels starts to become noticeable, while one to two decibels changes are generally not perceived.

Because the human hearing system is not equally sensitive to sound at all frequencies, the A-weighted filter system is used to express measured sound levels, in units of decibels, based on the sensitivity of the human ear. The decibels scale emphasizes mid- to high-range frequencies and de-emphasizes the low frequencies to which human hearing is less sensitive. Because A-weighted sound levels are adjusted to the sensitivity of the human ear, they are commonly used to quantify noise events and environmental noise. However, community response also depends on the existing ambient sound level, magnitude of sound with respect to the background noise level, duration of the sound, repetitiveness, number of events, and time of day.

**13. a) Less Than Significant.**

**Construction Noise Impacts**

Of the strategies that the District would implement, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing breweries or wineries, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power for ships. Implementation of these types of control measures may require construction activities at existing facilities. Table 2-3 presents typical noise levels associated with construction equipment.

**TABLE 2-3**

**Construction Equipment Noise Levels**

| Equipment | Typical Noise Level 50 ft from Source (dBA) |
|---|---|
| Air Compressor | 81 |
| Backhoe | 80 |
| Ballast Equalizer | 82 |
| Ballast Tamper | 83 |
| Compactor | 82 |
| Concrete Mixer | 85 |
| Concrete Pump | 82 |
| Concrete Vibrator | 76 |
| Crane, Derrick | 88 |
| Crane, Mobile | 83 |
| Dozer | 85 |
| Generator | 81 |
| Grader | 85 |
| Impact Wrench | 85 |
| Jack Hammer | 88 |
| Loader | 85 |

| | |
|---|---|
| Paver | 89 |
| Pile-driver (Impact) | 101 |
| Pile-driver (Sonic) | 96 |
| Pneumatic Tool | 85 |
| Pump | 76 |
| Rail Saw | 90 |
| Rock Drill | 98 |
| Roller | 74 |
| Saw | 76 |
| Scarifier | 83 |
| Scraper | 89 |
| Shovel | 82 |
| Spike Driver | 77 |
| Tie Cutter | 84 |
| Tie Handler | 80 |
| Tie Inserter | 85 |
| Truck | 88 |

Source: U.S. FTA, 2018.

Specific projects have not been identified so that the actual construction equipment that would be used is unknown. However, noise associated with construction activities would diminish rapidly with distance from a constructive site, generally at a rate of six decibels per doubling of distance. For example, a noise level of 86 decibels measures at 50 feet from the noise source would decrease to 80 decibels at 100 feet, and 74 decibels at 200 feet.

The City of Oakland limits construction activities to between 7:00 am and 7:00 pm Monday through Friday, except that pile driving and other extreme noise generating activities greater than 90 decibels are limited to between 8:00 am and 4:00 pm Monday through Friday. Compliance with the City's noise requirements would limit noise activities to daytime hours during weekdays and avoid construction during the more sensitive nighttime hours. Further construction activities are expected to be limited to industrial areas and would be temporary. Therefore, noise impacts associated with construction activities are expected to be less than significant.

**Operational Noise Impacts**

Of the strategies that the District would implement, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing facilities, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power for ships. Implementation of strategies such as replacing diesel engines, adding filtration systems to existing buildings and use of zero

emission sources would not be expected to result in operational noise increases as no new noise sources would be required.

Producing alternative fuels and additional electricity could result in additional noise sources at refineries and electricity producing facilities. Also, the use of a bonnet system on ships could require the operation of additional control equipment. While these activities could result in an increase in noise sources, they are located in industrial areas where allowable noise levels generally are higher. Residential and sensitive land uses are typically located a sufficient distance from these industrial areas that significant noise impacts would not be expected to occur. The Port is in West Oakland and served by Interstate 880, which is a dominate noise source in West Oakland.

In addition, the City of Oakland requires that noise levels from any activity, property or mechanical equipment comply with performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code.[15] Under these Code provisions, the maximum allowable receiving noise recognizes varying degrees of sensitivity associated with different land uses. Section 17.120 sets forth different and more stringent maximum allowable noise levels for residential and civic uses (such as parks/open space areas than for commercial or industrial uses deemed to have lower noise sensitivity. Compliance with the City's noise standards would limit noise impacts to less than significant.

**13. b) Less Than Significant.** The proposed project is not expected to generate or expose people to excessive groundborne vibration or groundborne noise. The use of large construction equipment that would generate substantial noise or vibration (e.g., backhoes, graders, jackhammers, etc.) would be limited because the sites are already graded and developed. Further, construction activities are temporary and would occur during the daylight hours, in compliance with local noise standards and ordinances. Therefore, the proposed project is not expected to generate excessive groundborne vibration or noise.

**13. c) No Impact.** West Oakland is not located within an airport land use plan area or within two miles of a public airport, public use airport, or near a private airstrip. The closest airport, Oakland International Airport, is over 6 miles southeast of West Oakland. The proposed project would not expose people residing or working in the project area to excessive noise levels associated with airports.

# Conclusions

Based upon the above considerations, no significant noise impacts are expected to occur due to implementation of the Community Action Plan strategies and therefore, will not be further evaluated in the Draft EIR.

[15] For links to these code sections, see the immediately prior two footnotes just above.

| | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XIV. POPULATION AND HOUSING.** Would the project: | | | | |
| a) Induce substantial unplanned population growth in an area either directly (e.g., by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure)? | ☐ | ☐ | ☐ | ☑ |
| b) Displace a substantial number of existing people or housing units, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☑ |

# Environmental Setting

The population of West Oakland grew from approximately 23,400 to 25,250 people between 1990 and 2011, an increase of 15 percent, which is faster than the overall growth rate for the City of Oakland of 11 percent. West Oakland has been a primarily African American community since the mid-20$^{th}$ Century. While African Americans are still the largest racial group, in recent decades the area has become more diverse with a growth in the Hispanic community. The number of households in West Oakland decreased from 8,683 to 8,431 between 1990 and 2011, in part due to the demolition and reconstruction of the Chestnut/Linden and Westwood Gardens public housing projects. The average household size in West Oakland increase between 1990 and 2011 from 2.67 to 2.90 persons per household and the percentage of households with children rose from 40 to 60 percent. In 2011, West Oakland had an estimated 10,444 housing units, of which 8,431 were occupied, leaving a 19.3 percent vacancy rate, while the vacancy rate in Oakland was 6.3 percent, substantially less than West Oakland (City of Oakland, 2014).

# Regulatory Background

Population and housing growth and resources are generally protected and regulated by the City of Oakland General Plan, which includes a Housing Element adopted in December 2010. The Housing Element includes an assessment of housing needs; a statement of the community's goals, objectives, and policies related to housing; and a five-year schedule for actions to implement the goals and objectives. Population and housing may also be influenced by the Alameda County General Plan, though to a lesser extent than by the directly governing Oakland General Plan.

# Significance Criteria

The proposed project impacts on population and housing will be considered significant if:

- The demand for temporary or permanent housing exceeds the existing supply.
- The proposed project produces additional population, housing or employment inconsistent with adopted plans either in terms of overall amount or location.
- The project displaces substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere in excess of that contained in the City's Housing Element

# Discussion of Impacts

**14. a) No Impact.** According to the Association of Bay Area Governments (ABAG), population in the Bay Area is currently about 7.6 million people and is expected to grow to about 9.6 million people by 2040 (ABAG, 2017). The proposed project is not anticipated to generate any significant effects, either directly or indirectly, on the Bay Area's population or population distribution. Of the strategies that the District would implement, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing breweries or wineries, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power or a bonnet system for ships.

The proposed project will require construction activities and temporary construction workers to modify existing operations and/or install air pollution control equipment at existing industrial facilities. In addition, it is not expected that the affected facilities would need to hire additional personnel to operate new air pollution control equipment at existing facilities or add filtration systems to existing buildings. It is expected that the existing labor pool would accommodate the labor requirements for the temporary construction workers, as the existing labor pool is over seven million people. As such, adopting the Community Action Plan is not expected to induce substantial population growth.

**14. b). No Impact.** Construction associated with the proposed project is expected to be limited to constructing new air pollution control equipment or facility modifications at existing facilities. All construction would take place at existing facilities. The implementation of the Community Action Plan is not expected to result in the creation of any industry/business that would affect population growth, directly or indirectly induce the construction of single- or multiple-family units or require the displacement of people or housing elsewhere in the Bay Area. Based upon these considerations, significant population and housing impacts are not expected from the implementation of the proposed project.

# Conclusion

Based upon the above considerations, no significant population and housing impacts are expected to occur due to implementation of the Community Action Plan strategies and therefore, will not be further evaluated in the Draft EIR.

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XV. PUBLIC SERVICES.** Would the project: | | | | |
| a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services: | ☐ | ☐ | ☐ | ☑ |
| Fire protection? | | | | |
| Police protection? | ☐ | ☐ | ☐ | ☑ |
| Schools? | ☐ | ☐ | ☐ | ☑ |
| Parks? | ☐ | ☐ | ☐ | ☑ |
| Other public facilities? | ☐ | ☐ | ☐ | ☑ |

# Environmental Setting

## Fire Protection

The Oakland Fire Department provides fire protection (prevention and suppression), and local emergency response (rescue, hazardous materials response, and first responder emergency medical services) services to West Oakland. The Alameda County Medical Services District contracts with American Medical Response Ambulance Company and Oakland Fire Department to respond to medical emergencies. In addition to firefighting and emergency medical response capabilities, the Oakland Fire Department also has a Hazardous Materials Unit that operates from Station 3 in West Oakland and responds citywide to emergencies involving hazardous materials. The Oakland Fire Department is a part of the State of California Master Mutual Aid Agreement where Oakland Fire Department provides mutual aid to other cities and communities throughout the state, and vice versa.

The Oakland Fire Department operates 25 fire stations. There are two fire stations within West Oakland.[16] Fire Station 3, located at 1445 14th Street at Mandela Parkway. Station 3 is staffed daily by eight firefighters, two of which are paramedics and the remaining

[16] City of Oakland https://www.oaklandca.gov/topics/fire-stations

emergency response technicians (EMT). Station 3 has an engine and truck for fire suppression, and houses Oakland Fire Department's primary hazardous materials incident response team. Fire Station 5 is located at 934 34th Street at San Pablo Avenue. Station 5 is staffed daily by four fire fighters (one paramedic and three EMTs) and has one engine. In addition, Station 1 and Station 15 are located just outside West Oakland at 1605 Martin Luther King Way, and at 455 27th Street, respectively. Station 1 is staffed daily with nine firefighters (two paramedics and seven EMTs) and has one engine and one truck. The Oakland Fire Department's response time goal is seven minutes, 90 percent of the time. The Oakland Fire Department's average citywide response time is seven minutes, 86 percent of the time (City of Oakland, 2014).

**Police Protection**

The Oakland Police Department provides police services throughout the city. The Port of Oakland obtains City services, including police protection, through annual payments to the City. The Port also provides private security at its truck parking facility.

The Oakland Police Department is headquartered at 455 7th Street in Downtown Oakland. The Oakland Police Department also operates from the Eastmont Substation at 73rd and Bancroft Avenues.

The Oakland Police Department has approximately 660 sworn police officers, approximately 297 support staff, and 10 reserve officers. The Oakland Police Department has geographically divided the City into three command areas, 57 community policing beats and 35 patrol beats. The beats located within West Oakland are 02X, 02Y, 05X, 05Y, 06X and 07X. Neighborhood service coordinators are civilian employees who serve as a liaison between the community and the Police Department, and work with residents, businesses, schools, and other institutions to set priorities and develop strategies to improve public safety and reduce crime. Each neighborhood service coordinator handles multiple patrol beats (City of Oakland, 2014).

Police response times to calls for police services are recorded for the city as a whole; the Oakland Police Department does not track response times for individual service areas. In 2011, citywide average response times for Priority 1, 2, and 3 calls were 10.4 minutes, 22.8 minutes, and 23.5 minutes, respectively. These response times did not meet City goals (City of Oakland, 2014).

West Oakland has historically had high crime rates, both violent crimes against persons and property crimes. West Oakland had a much higher murder rate, almost four times higher than the city's and 16 times higher than the state in 2010. Rates of robbery and aggravated assault, the most common violent crimes, were twice as high in West Oakland in 2010 than in the City of Oakland, and between six and eight times higher than the state. For property crimes (burglary, larceny, vehicle theft, and arson), West Oakland had a rate in 2010 more than 20 percent higher than the city's and 1.5 times higher than the state (City of Oakland, 2014).

## Schools

The Oakland Unified School District operates the public-school system in the City of Oakland. The Oakland Unified School District administers 77 elementary schools, 19 middle schools, one junior high school, 31 high schools, and two K-12 schools. It is also responsible for three alternative schools, two special education schools, three continuation schools, three community day schools, and one opportunity schools. The District's overall enrollment peaked in 1999 at 55,000, dropped to 39,000 by 2007, and is continuing to decline. Declining enrollment is projected to continue (City of Oakland 2014).

The Oakland Unified School District divides the city into three regional zones to manage resources. West Oakland is located within Region 1. There are 22 elementary schools, seven middle schools and one K-8 school within Region 1. Oakland Unified School District has four elementary schools, two middle schools and one high school in West Oakland including the following:

- McClymonds High School at 2607 Myrtle Street has approximately 383 students in the 2018-2019 school year[17]. McClymonds is a highly valued resource in West Oakland since it is the only full-sized public high school in Region 1.

- Ralph Bunche Middle School at 1240 18th Street has approximately 124 students in the 2018-2019 school year.

- Lowell Middle School at 991 14th Street has approximately 199 students in the 2018-2019 school year and houses the West Oakland Middle School and Kipp Bridge Academy, a charter school.

- Hoover Elementary School at 890 Brockhurst Street has approximately 269 students in the 2018-2019 school year.

- Lafayette Elementary School at 1700 Market Street has approximately 83 students in the 2018-2019 school year.

- Martin Luther King, Jr. Elementary School at 960 10th Street has approximately 314 students in the 2018-2019 school year.

- Prescott Elementary School at 920 Campbell Street, now known as Preparatory Literary Academy of Cultural Excellence (PLACE) @ Prescott, has 151 students during the 2018-2019 school year.

Oakland Unified School District charter schools in West Oakland include: Oakland Charter High School (Grades 9-12) located at 345 12th Street (235 students in 2018-2019), KIPP

[17] California Department of Education, Dataquest system; Available at https://dq.cde.ca.gov/dataquest/page2.asp?level=School&subject=Enrollment&submit1=Submit

Bridge Charter Academy, a charter school (Grades 5-8) located at 991 14th Street (528 students in 2018-2019), Oakland School of the Arts (Grades 6-8) located at 530 18th Street (749 students in 2018-2019), and the American Indian Public Charter School II (Grades 6-8) located at 171 12th Street (161 students in 2018-2019).

**Parks**

The City of Oakland General Plan establishes a parkland standard of four acres per 1,000 residents (for parks that meet the active recreational needs of the community as opposed to passive recreational open space). Oakland provides 1.33 acres of local serving park acreage per 1,000 residents, which falls short of the General Plan parkland standard.

According to the City of Oakland General Plan Open Space, Conservation and Recreation (OSCAR) Element[18], West Oakland has 56.70 acres of parkland, including schoolyards and athletic fields, which equates to 2.43 acres of parkland per 1,000 residents, or 60 percent of the General Plan parkland standard. Despite this deficiency, West Oakland has more parkland than any other flatland neighborhood in Oakland.

# Regulatory Background

The Oakland City General Plan establishes goals and policies to assure adequate public services are maintained within the local jurisdiction.

# Significance Criteria

Impacts on public services will be considered significant if the project results in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response time or other performance objectives.

# Discussion of Impacts

**15. a) No Impact.** Implementation of the Community Action Plan would not result in the need for new or physically altered government facilities in order to maintain acceptable service ratios, response times, or other performance objectives. The facilities affected by the proposed project are existing facilities for which public services are already required and no increase in the need for such services is expected. Further, a number of industrial facilities have existing security and fire-fighting capabilities, e.g., port facilities, and are able to respond to fire and security issues independent of public police and fire services. There will be no increase in population as a result of the implementation of the Community Action Plan and, therefore, no need for physically altered government facilities.

[18] The City of Oakland General Plan Open Space, Conservation and Recreation (OSCAR) Element is accessible at: http://www2.oaklandnet.com/government/o/PBN/OurServices/GeneralPlan/DOWD009017 .

As noted in the "Population and Housing" discussion above, the proposed project is not expected to induce population growth because the existing local labor pool (e.g., workforce) is sufficient to accommodate the expected temporary construction work force. No increase in permanent workers is expected to be required to operate the equipment that may be installed at affected facilities. Therefore, there will be no increase in local population and thus no impacts are expected to local schools or parks.

# Conclusion

Based upon the above considerations, no significant population and housing impacts are expected to occur due to implementation of the Community Action Plan strategies and therefore, will not be further evaluated in the Draft EIR.

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XVI. RECREATION.** Would the project: | | | | |
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | ☐ | ☐ | ☐ | ☑ |
| b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? | ☐ | ☐ | ☐ | ☑ |

# Environmental Setting

Parks and recreation services within the City of Oakland are provided by the City of Oakland Department of Parks, Recreation & Youth Development, and the East Bay Regional Park District (EBRPD). Oakland Parks and Recreation manages the City's parks and recreation centers. The EBRPD, although responsible primarily for acquiring and developing regional parks, open spaces, and regional trails throughout the East Bay, also provides open space and recreational facilities within Oakland's city limits.

Oakland Parks and Recreation parks in West Oakland include Brush Street, Bertha Port, Crescent, Cypress Freeway Memorial, DeFremery, Durant, Fitzgerald, Grove Shafter, Lowell, Marston Campbell, McClymonds, Poplar, Raimondi, South Prescott, Saint Andrews Plaza, Union Plaza, Wade Johnson, Willow Street, Wood Street Pocket Park, and 25th Street. Other nearby parks outside the area also serve West Oakland residents, including Middle Harbor Park and Portview Park in the Port of Oakland.

Oakland Parks and Recreation also operates several community recreation centers that offer sports, arts and crafts, culture arts and dance, computer labs, drama, mentoring, general learning, and afterschool activities. Recreation centers in West Oakland include DeFremery Recreation Center, West Oakland Senior Center, and Willie Keyes Community Center.

The City of Oakland General Plan establishes a parkland standard of four acres per 1,000 residents (for parks that meet the active recreational needs of the community as opposed to passive recreational open space). Oakland provides 1.33 acres of local serving park acreage per 1,000 residents, which falls short of the General Plan parkland standard.

According to the City of Oakland General Plan Open Space, Conservation and Recreation (OSCAR) Element, West Oakland has 56.70 acres of parkland, including schoolyards and athletic fields, which equates to 2.43 acres of parkland per 1,000 residents, or 60 percent of the General Plan parkland standard. Despite this deficiency, West Oakland has more parkland than any other flatland neighborhood in Oakland (City of Oakland, 2014).

The creation of the new Gateway Park is proposed at the foot of the east span of the San Francisco-Oakland Bay Bridge (Bay Bridge) in West Oakland. The project would provide safe access to the bicycle/pedestrian path on the east span of the Bay Bridge, as well as access to existing and planned segments of the regional San Francisco Bay Trail. The new park would include recreation opportunities and features to showcase the natural, maritime, industrial, and transportation history of the East Bay. The project would also provide safe, multimodal access to the shoreline and could be a unique waterfront amenity. Furthermore, it would be designed to meet mitigation commitments for the Bay Bridge East Span Seismic Safety Project, reuse of the Oakland Army Base, and demolition and reconstruction of I-880. Outside the park boundaries, the project could also include installing landscaping near I-880.[19]

Due to funding constraints and the varying timelines for the availability of different sections of land, Gateway Park likely will be developed in phases. Portions will open to the public as they are completed, with remaining segments constructed as funding allows and as land becomes available. The project could include private sector and philanthropic participation.[20]

# Regulatory Background

Recreational areas are protected and regulated by the City of Oakland's Open Space, Conservation and Recreation Element of the General Plan and through land use and zoning requirements. Some parks and recreation areas are designated and protected by state and federal regulations.

# Significance Criteria

The proposed project impacts on recreation will be considered significant if:

- The project results in an increased demand for neighborhood or regional parks or other recreational facilities.
- The project adversely affects existing recreational opportunities.

(1) [19]State Clearinghouse (https://ceqanet.opr.ca.gov/2013112003/2)

(2) [20] Metropolitan Transportation Commission (https://mtc.ca.gov/our-work/plans-projects/recreation-open-space/gateway-park)

# Discussion of Impacts

**16. a and b) No Impact.** As discussed under "Land Use" above, there are no provisions in the Community Action Plan that would affect land use plans, policies, or regulations. Land use and other planning considerations are determined by local governments; no land use or planning requirements will be altered by the control strategies that the District would implement. Of the strategies that the District would implement, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing breweries or wineries, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power for ships. Implementation of these types of control measures would occur within existing developed facilities and would not impact recreational facilities. Further, no increase in permanent workers is expected at the affected facilities; thus, there would be no increase in population that would result in more frequent use of recreational facilities.

# Conclusion

Based upon the above considerations, no significant impacts on recreation facilities are expected to occur due to implementation of the Community Action Plan strategies and therefore, will not be further evaluated in the Draft EIR.

| | | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|---|
| **XVII.** | **TRANSPORTATION.** Would the project: | | | | |
| a) | Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | ☐ | ☐ | ☑ | ☐ |
| b) | Would the project conflict or be inconsistent with CEQA Guidelines § 15064.3 subdivision(b)? | ☐ | ☐ | ☑ | ☐ |
| c) | Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? | ☐ | ☐ | ☐ | ☑ |
| d) | Result in inadequate emergency access? | ☐ | ☐ | ☐ | ☑ |

# Environmental Setting

West Oakland is a major regional transportation hub for the greater Bay Area. Regional vehicular access to and within West Oakland is provided by a freeway system that includes Interstate 80, Interstate 580, Interstate 880, Interstate 980, and State Route 24. These freeways, all five of which run through West Oakland, and other key roadways in West Oakland are described below and summarized in the West Oakland Specific Plan (City of Oakland, 2014). The Port of Oakland, which is in West Oakland, is the nation's 5th and the West Coast's 3rd biggest container port.

**Interstate 80** is a major transcontinental freeway spanning between California and New Jersey. In the Bay Area, it serves San Francisco and East Bay destinations in Alameda, Contra Costa and Solano counties. Interstate 80 is connected to West Oakland by freeway ramps that terminate at the West Grand Avenue/Interstate 880 Frontage Road intersection. Interstate 80 carries approximately 242,000 vehicles daily to San Francisco.

**Interstate 580** is a major east-west freeway connecting the Bay Area and the Central Valley. From West Oakland, the freeway extends northwest to U.S. 101 to San Rafael in Marin County via a joint segment with Interstate 80 between Emeryville and Richmond. It also extends southeast to Interstate 5 in San Joaquin County south of Tracy through Bay Area cities such as San Leandro, Pleasanton, and Livermore. Access to/from the West Oakland is provided via the West Grand

Avenue/Interstate 80 ramps, West Street/San Pablo Avenue ramps, and Interstate 980. Interstate 580 carries approximately 118,000 vehicles daily in the vicinity of West Oakland.

**Interstate 880** serves west Alameda County and Santa Clara County connecting Interstate 80 in Oakland to Interstate 280 in San Jose through cities such as Hayward, Fremont, and Milpitas. In San Jose, it continues as State Route 17 south of the Interstate 280 junction. Access to/from West Oakland is provided by ramps at 5th, 6th, and 7th Streets. Interstate 880 connects to west Interstate 80 at the Bay Bridge Toll Plaza. Interchange ramps connect Interstate 880 to Union, Adeline, and Market Streets. A connection to Interstate 80 east is provided at the north end of Frontage Road. Interstate 880 carries approximately 123,000 vehicles daily west of the 7th Street junction.

**Interstate 980** runs between Interstate 580 and Interstate 880 to the immediate east of West Oakland. North of Interstate 580, it continues as State Route 24 to Contra Costa County via the Caldecott Tunnel. Interstate 980 carries approximately 113,000 vehicles daily just south of Interstate 580.

**State Route 24** is an eight-lane freeway that connects the East Bay area with central and east Contra Costa County. State Route 24 extends from Interstate 980 to Interstate 680 through the Caldecott tunnel and carries approximately 150,000 vehicles daily just west of the Caldecott Tunnel.

**7th Street** is a four-lane east-west roadway between Parkview Park to the west and Fallon Street in downtown Oakland to the east. East of Fallon Street, it continues as 8th Street. 7th Street operates in a one-way eastbound direction east of Martin Luther King Jr. Way and serves local and cross-town traffic for West Oakland traffic. It also provides freeway access to Interstate 880 south.

**West Grand Avenue** provides access to Interstate 80 to/from the West Oakland area. It spans between the Interstate 80 Junction/Maritime Street and Broadway in downtown Oakland, where it continues as Grand Avenue eastward. West Grand Avenue has two travel lanes in each direction with the exception of the segment between Mandela Parkway and market Street, which has three lanes per direction.

**Frontage Road** extends between West Grand Avenue and 7th Street along Interstate 880 and serves as the western boundary of West Oakland. The four-lane, north-south roadway provides access from West Oakland to/from Interstate 80 and Interstate 880.

**Mandela Parkway** spans between 3rd Street and Hollis Street providing access to Emeryville to the north. It has two travel lanes in each direction between 7th Street and Hollis Street and one lane per direction south of 7th Street. Between 8th and 32nd Streets, a landscaped linear park serves as a wide median island along Mandela Parkway.

**Adeline Avenue** extends from Shattuck Avenue in Berkeley south through the middle of West Oakland to continue as Middle Harbor road south of 3rd Street. In West Oakland, Adeline Avenue has two travel lanes in each direction.

**Market Street** is a north-south roadway that spans between Alcatraz Avenue in Berkeley and just south of 1st Street in the Port of Oakland. Landscaped median is provided south of 19th Street and painted median is provided along most of the roadway north of Mead Avenue (City of Oakland, 2014).

A Level of Service analysis completed at major intersections in West Oakland indicated under weekday morning and evening peak hours, all intersections currently operate at acceptable levels of service during peak hours (level of service D or better) (City of Oakland, 2014).

Transit service is provided by the Alameda-Contra Costa Transit district (AC Transit) and BART. AC Transit provides an extensive network of fixed route bus services in Alameda and Contra Costa counties. It also offers Transbay service to destinations in San Francisco, San Mateo and north Santa Clara counties. AC Transit service is comprised of 10 transit routes throughout West Oakland.

# Regulatory Background

Transportation planning is usually conducted at the state and county level. California Department of Transportation Caltrans (District 4) has jurisdiction over and constructs and maintains state highways. Caltrans District 4 serves Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, San Francisco, Santa Clara, Solano, and Sonoma counties.

The Metropolitan Transportation Commission (MTC) is the state designated metropolitan planning organization for the nine-county San Francisco Bay Area; it has authority for regional planning, distributing and administering federal and state funds for all modes of transportation, and assuring that projects are consistent with the Regional Transportation Plan.

MTC updated its Regional Transportation Plan in 2017. The Plan Bay Area 2040 forecasts transportation needs through 2040, while providing more housing and transportation choices and reducing pollution caused by transportation.

The Alameda County Transportation Commission (Alameda CTC) coordinates transportation planning efforts through Alameda County and allocates local, regional, state and federal funding for projects Alameda CTC develops a Countywide Transportation Plan, a long-range policy document that guides transportation funding decisions. The Alameda CTC also acts as the Congestion Management Agency for Alameda County which is mandated to develop a Congestion Management Program. The City of Oakland is the primary local agency for transportation in the West Oakland area. The Oakland

General Plan outlines the goals for future sustainable growth and the City of Oakland Municipal codes enforce the rules and regulations.

The Port of Oakland is governed by a Board of 7 Port Commissioners under the City of Oakland Charter.

# Significance Criteria

The proposed project impacts on transportation and traffic will be considered significant if:

- The project would conflict with a program, plan, ordinance, or policy addressing the circulation system
- The project conflicts with project conflict or be inconsistent with CEQA Guidelines § 15064.3 subdivision(b).
- There is an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.
- The demand for parking facilities is substantially increased.
- Water borne, rail car or air traffic is substantially altered.
- Traffic hazards to motor vehicles, bicyclists or pedestrians are substantially increased due to geometric design features or incompatible uses.
- The project would result in inadequate emergency access.

# Discussion of Impacts

**17. a and b) Less Than Significant.** Of the strategies that the District would implement as part of the Community Action Plan, a number of them would apply to existing sources and could include replacing diesel engines, move truck related businesses to other locations, enforce truck routes, create transit, bike, pedestrian improvements, controlling emissions from existing facilities, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), and provide shore power or bonnet systems for ships at or near the Port of Oakland. Implementation of strategies such as replacing diesel engines, adding filtration systems to existing buildings, the use of zero emission sources, producing alternative fuels and generating additional electricity would not be expected to result in a substantial increase in traffic. Additional trucks would be required to deliver new equipment, e.g., new diesel engines or new air pollution control equipment. This would be a one-time delivery of equipment with no increase in peak hour truck traffic. Temporary construction workers would be required to install new equipment (e.g., air pollution control equipment, filtration systems, bonnet system, etc.). However, construction activities are not expected to be extensive or require a substantial increase in workers or related traffic. Further, construction workers would be temporary, and the traffic would cease once construction activities are complete.

Following construction activities, the control strategies would not be expected to generate a substantial increase in traffic, either workers or trucks. As discussed in XIV - Population and Housing, it is not expected that the affected facilities would need to hire additional personnel to operate new air pollution control equipment at existing facilities or add filtration systems to existing buildings, so no increase in permanent worker traffic would be expected. On an operational basis, trucks may be required to deliver supplies on an occasional basis. For example, the use of a Selective Catalytic Reduction unit to control NOx emission as part as the bonnet system for control of ship emissions would require delivery of ammonia or urea on a regular basis. The frequency of truck trips would depend on the SCR system installed and the size of the ammonia storage equipment but would be expected to require 1-2 trucks per week. An increase of a few trucks per week would not result in any substantial increase in traffic in the Oakland area, and would not result in a conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

**17. c and d) No Impact.** The proposed project would not increase traffic hazards or create incompatible uses. The proposed project does not involve construction of any roadways or other transportation design features, so no changes to current roadway designs that would increase traffic hazards are expected. Since changes to the roadway system are not expected, no impacts on emergency access would be expected. Emergency access at industrial facilities affected by the proposed project is not expected to be impacted, as no modifications that effect traffic or access are expected to be required. The proposed project is not expected to increase vehicle trips or to alter the existing long-term circulation patterns, thus creating traffic hazards or impacting emergency access.

# Conclusion

Based upon the above considerations, transportation impacts may potentially occur due to the implementation of the Community Action Plan strategies, and will be further evaluated in the Draft EIR

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XVIII. TRIBAL CULTURAL RESOURCES.** | | | | |
| a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | | | | |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resourced Code section 5020.1(k), or | ☐ | ☐ | ☑ | ☐ |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | ☐ | ☐ | ☑ | ☐ |

# Environmental Setting

The Carquinez Strait represents the entry point for the Sacramento and San Joaquin Rivers into the San Francisco Bay. Dense concentrations of Native American archaeological sites occur along the historic margins of San Francisco and San Pablo Bays. In addition, archaeological sites have also been identified in the following environmental settings in all Bay Area counties: near water sources, such as vernal pools and springs; along ridgetops and on midslope terraces; and at the base of hills and on alluvial flats. Native American archaeological sites have also been identified in the inland valleys of all Bay Area counties. Remains associated with a Native American archaeological site may include chert or obsidian flakes, projective points, mortars and pestles, and dark friable soil contain shell and bone dietary debris, heat-affected rock, or human burials (ABAG, 2017).

As discussed in Cultural Resources above, the Bay Area, including Oakland, has a rich cultural history with evidence of human activity in prehistoric times, i.e., prior to 5,000

B.C, likely due to natural resources provided by the rivers, marshes and ocean. West Oakland lies within the region occupied at the time of historic contact by the Ohlone or Costanoan group of Native Americans. Coastanon designates a family of eight languages spoken by tribal groups occupying the area from the Pacific Coast to the Diablo Range, and from San Francisco to Point Sur. Modern descendants of the Costanoan prefer to be known as Ohlone. It has been suggested that the ancestors of the Ohlone arrived in the San Francisco Bay area about 800 A.D.

There was a prehistoric Native American shell mound and Ohlone burial ground in and around the Bay Street Shopping Center at Shellmound Street, Emeryville, one mile from West Oakland. Dating from 800 B.C., this shellmound, the largest of over 425 shellmounds that surrounded San Francisco Bay, is now a California Historical Landmark, #335.[21]

The arrival of the Spanish in the San Francisco Bay Area in 1775 led to a rapid reduction in native California populations. Diseases, declining birth rates, and the effects of the mission system served to eradicate aboriginal life. Brought into the missions, the surviving Native Americans were transformed from hunters and gatherers to agricultural laborers. With abandonment of the mission system and the Mexican takeover in the 1840s, numerous ranchos were established. Today descendants of the Ohlone lie throughout the Bay Area and some are active in reviving and preserving elements of their traditional culture such as dance, basketry, and song (City of Oakland, 2014).

# Regulatory Background

The State CEQA Guidelines were amended effective January 1, 2015 to include evaluation of impacts on tribal cultural resources. Tribal cultural resources include sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe (Public Resources Code §21074).

# Significance Criteria

The proposed project impacts to tribal resources will be considered significant if:

- The project results in the disturbance of a significant prehistoric or historic archaeological site or a property of tribal cultural significance to a community or ethnic or social group or a California Native American tribe.
- Unique objects with cultural value to a California Native American tribe are present that could be disturbed by construction of the proposed project.

# Discussion of Impacts

The State CEQA Guidelines were amended to include evaluation of impacts on tribal cultural resources. Tribal cultural resources include sites, features, places, cultural

[21] See https://en.wikipedia.org/wiki/Emeryville_Shellmound .

landscapes, sacred places, and objects with cultural value to a California Native American tribe (Public Resources Code § 21074). Assembly Bill (AB) 52, Native Americans: CEQA (Gatto 2014) specifies that a project that may cause a substantial adverse change to a tribal cultural resource may have a significant effect on the environment. AB 52 requires tribes interested in development projects within a traditionally and culturally affiliated geographic area to notify a lead agency of such interest and to request notification of future projects subject to CEQA prior to determining if a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. The lead agency is then required to notify the tribe within 14 days of deeming a development application subject to CEQA complete to notify the requesting tribe as an invitation to consult on the project. AB 52 identifies examples of mitigation measures that will avoid or minimize impacts to a tribal cultural resource and applies to projects that have a notice of preparation or a notice of intent to adopt a negative declaration/mitigated negative declaration .

**18. a) Less than Significant.** As discussed under Cultural Resources above, the West Oakland area is located on the San Francisco Bay shoreline and near locations of former intermittent and perennial watercourses, that were historically used by Native Americans. Thus, there is the potential for the presence of unrecorded tribal cultural resources to be buried in West Oakland. Of the strategies that the District would implement, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing facilities, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives). Implementation of these types of control measures would not be expected to require extensive construction or grading that could impact archaeological resources. In areas where there are sensitive resources, the City of Oakland requires pre-construction surveys and the use of qualified archaeological and tribal monitors during grading operations to identify historic resources. These standard requirements, along with the fact that the control strategies in the West Oakland Community Action Plan are not expected to require extensive construction or grading activities, are expected to limit impacts on historic cultural resources to less than significant.

# Conclusion

Based upon the above considerations, no significant impacts on tribal cultural resources are expected to occur due to implementation of the Community Action Plan strategies and therefore, will not be further evaluated in the Draft EIR.

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less-than-Significant Impact | No Impact |
|---|---|---|---|---|
| **XIX. UTILITIES AND SERVICE SYSTEMS.** Would the project: | | | | |
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☑ |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | ☐ | ☐ | ☑ | ☐ |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | ☐ | ☐ | ☐ | ☑ |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | ☑ | ☐ | ☐ | ☐ |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | ☑ | ☐ | ☐ | ☐ |

# Environmental Setting

## Water Demand

The East Bay Municipal Utility District serves all of Oakland (including West Oakland) with potable water and with recycled water. East Bay Municipal Utility District uses its Water Supply Management Program 2040 (WSMP 2040) to assess water supply and demand over a 30-year planning period. The following water supply information was

derived primarily from the East Bay Municipal Utility District Water Supply Management Program 2040.

The East Bay Municipal Utility District (EBMUD) obtains approximately 90 percent of its water supply from the Mokelumne River watershed, and transports it through pipe aqueducts primarily to temporary storage reservoirs in the East Bay Hills. The East Bay Municipal Utility District generally has water rights and facilities to divert up to a daily maximum of 325 million gallons per day (mgd) from the Mokelumne River. However, this allocation may be constrained by the rights of other users of Mokelumne River water, East Bay Municipal Utility District's ability to store water, and the amount of Mokelumne River runoff. The remaining 10 percent of East Bay Municipal Utility District's water supply originates as runoff from protected watershed lands in the East Bay Hills, and is approximately 15 to 25 mgd during normal years, but is reduced to near zero during drought conditions (City of Oakland, 2014).

Briones, San Pablo and Upper San Leandro reservoirs supply water to East Bay Municipal Utility District throughout the year; Chabot and Lafayette reservoirs serve mostly as emergency sources of supply. Seismic upgrades have been performed throughout East Bay Municipal Utility District's system, most notably at the Claremont Water Tunnel through which nearly all EBMUD's potable water travels from the east to west of the Hills, and at San Pablo Dam, the largest and most vital of that District's local water storage reservoirs.

According to the Water Supply Management Program 2040, the 2010 average daily water demand within the East Bay Municipal Utility District service area was estimated to be 251 mgd. Adjusting that number to account for conservation and recycled water program savings results in an adjusted 2010 demand estimate of approximately 216 mgd (City of Oakland, 2014).

The Water Supply Management Program 2040 includes projections of potable water demands through 2040. These future year water demands were calculated using existing and future demands for various land use categories and future changes in land use as described in the respective general plans of communities within the East Bay Municipal Utility District service area. Based on information for residential and non-residential land use categories, East Bay Municipal Utility District forecasts that unadjusted water demands would be 304 mgd by 2030, but with conservation measures and recycled water use the adjusted water demand would be approximately 229 mgd. By 2040, unadjusted water demand is projected to be 312 mgd and adjusted demand would be 230 mgd (City of Oakland, 2014).

Recycled water has been used by East Bay Municipal Utility District since the 1960s. This water is drawn from wastewater treatment plants or untreated water reservoirs and used for landscape irrigation, and industrial and commercial applications. East Bay Municipal Utility District projects use of 14 mgd of recycled water by 2020 and 20 mgd by 2040. The potential supply of East Bay Municipal Utility District recycled water from its Main Wastewater Treatment Plant in Oakland far exceeds this projected demand. Recycled

water therefore provides a stable source of non-potable water not subject to rationing for landscape irrigation and other potential uses.

**Wastewater Service**

Wastewater collection service within West Oakland is provided by the City of Oakland's sewage collection system of sewer mains fed by private sewer laterals. The City of Oakland's wastewater collection mains connect to the East Bay Municipal Utility District's wastewater treatment system, through EBMUD's interceptors which transport sewage to EBMUD's Main Wastewater Treatment Plant (MWWTP), located at 2020 Wake Avenue in West Oakland under and immediately southwest of the I-80/I-880/I-580 interchange, better known as the MacArthur Maze. (City of Oakland, 2014).

The City of Oakland owns, operates, and maintains a local sanitary sewer collection system covering approximately 48 square miles, and includes over 930 miles of sanitary sewer lines, 31,000 structures and seven pump stations, serving a population of about 400,000 people throughout the City. Many of the lines pre-date 1938 (City of Oakland, 2014).

The average annual daily flow into the Main Wastewater Treatment Plant is approximately 80 million gallons per day (mgd). The MWWTP has an average dry weather flow design capacity of 120 mgd. During peak wet weather events, the Main Wastewater Treatment Plant has a primary treatment capacity of up to 320 mgd and a secondary treatment capacity of 168 mgd. Maximum flow can exceed capacity during storms due to infiltration of stormwater into sanitary sewage pipes. The MWWTP can provide capacity for a short-term maximum of 415 mgd through operation of an on-site wet weather storage basin, as well as two wet weather primary treatment facilities in Oakland (the San Antonio Creek wet weather treatment facility and the Oakland wet weather treatment facility). East Bay Municipal Utility District also operates a water recycling facility at the Main Wastewater Treatment Plant that treats wastewater for non-potable uses. There are no current plans to expand wastewater treatment capacity (City of Oakland, 2014).

Treated effluent is discharged from the Main Wastewater Treatment Plant to San Francisco Bay just south of the Bay Bridge approximately one mile from the West Oakland shoreline via a 102-inch diameter deep water outfall pipeline. East Bay Municipal Utility District discharges in compliance with conditions of its permits granted by the San Francisco Bay Regional Water Quality Control Board under the federal National Pollutant Discharge Elimination System (NPDES) program (City of Oakland, 2014).

**Stormwater Drainage**

See Section X – Hydrology and Water Quality, as well as the Wastewater Service section just above, for descriptions of the storm water in the West Oakland area.

**Solid Waste**

Solid waste and yard trimmings within Oakland are collected by Waste Management of Alameda County. These materials are taken to the Davis Street Resource Recovery Complex and Transfer Station in San Leandro. The Davis Street Transfer Station, which has a maximum allowable capacity of 5,600 tons of waste per day, received an average of 3,028 tons per day in 2003. This facility can process up to 320 tons per day of concrete, asphalt, dirt, bricks, wood and metal (City of Oakland, 2014).

In 2009, Oakland disposed of approximately 306,839 tons of solid waste, 264,636 tons of which went to the Altamont Landfill. Most of the remaining solid waste is sent to one of four landfills: Forward Landfill in San Joaquin County; the Keller Canyon Landfill in Contra Costa County, Potrero Hills Landfill in Solano County, and the Vasco Road Landfill in Alameda County (City of Oakland, 2014).

The Altamont Landfill has a permitted maximum daily disposal of 11,500 tons per day. The landfill comprises approximately 2,170 acres (480 acres permitted landfill area) and has a permitted maximum disposal capacity of 11,150 tons per day[22]. The Altamont Landfill is projected to have sufficient capacity to operate until at least 2031, and potential to operate through 2071, depending on waste flows and waste reduction measures (City of Oakland, 2014).

# Regulatory Background

The Oakland City General Plan establishes goals and policies to assure adequate utilities and service systems are maintained within the local jurisdiction.

# Significance Criteria

The proposed project impacts on utilities/service systems will be considered significant if:

- The capacities of existing or proposed wastewater treatment facilities and the sanitary sewer system are not sufficient to meet the needs of the project.
- An increase in demand for utilities impacts the current capacities of the electric utilities.
- The existing water supply does not have the capacity to meet the increased demands of the project, or the project would use a substantial amount of potable water.
- The project increases demand for water by more than 263,000 gallons per day.
- The generation and disposal of hazardous and non-hazardous waste exceeds the capacity of designated landfills.

# Discussion of Impacts

[22] Calrecycle https://www2.calrecycle.ca.gov/swfacilities/Directory/01-AA-0009/

**19. a) No Impact.** As discussed in Section X – Hydrology and Water Quality above, the control strategies that the District would implement as part of the Community Action Plan would not be expected to require the use of additional water, result in the discharge of wastewater, or result in impacts to water quality.

As discussed in Energy above, the potential increase in energy consumption associated with the Community Action Plan will be evaluated in the EIR.

**19. b) Less than Significant.** Of the strategies that the District would implement as part of the Community Action Plan, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing facilities, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives), provide shore power or bonnet systems for ships, and biofilters. Implementation of these strategies would not be expected to require the use of additional water. One of the strategies that the District would implement as part of the Community Action Plan would be the installation of vegetative borders to act as biofilters between Interstate 880 and the Prescott neighborhood in West Oakland. Installation of vegetation would likely require the use of additional water to allow for the growth of health landscape vegetation, especially when vegetation is first planted. However, the use of native vegetation would assure that vegetation that is planted would use minimal water. Nonetheless, the increase in water would be expected to be 50-150 gallons per week, which is well below the CEQA significance threshold for water use. Therefore, the project is not expected to result in significant impacts to water supplies.

**19. c) No Impact.** As discussed in X – Hydrology and Water above, the control strategies that the District would implement as part of the Community Action Plan would not be expected to require the use of additional water or result in the discharge of wastewater. No significant impacts on wastewater treatment facilities are expected and the proposed project would not require construction of additional wastewater treatment facilities.

**19. d and e) Potentially Significant.** Of the strategies that the District would implement as part of the Community Action Plan, a number of them could result in the generation of solid waste. Replacing diesel engines with new engines and encourage the use of zero emissions mobile sources (trucks, buses, and locomotives) could generate additional waste as old equipment would be taken out of service. Some of the equipment would likely be used in other portions of the state or in other states or countries, but equipment would likely be disposed of as waste. Because of metal content of vehicles and other mobile sources, they may also be recycled. Other control strategies that may generate waste would include emission control systems that use filtration (filtration systems on buildings) or other types of control equipment that use catalysts (e.g., SCR catalysts). Because of the limited landfill space and the potential increase in solid waste disposal, the impacts on solid waste disposal will be addressed in the EIR.

# Conclusion

Implementation of the Community Action Plan is expected to reduce diesel particulate matter, fine particulate matter, and toxic air contaminants, and criteria pollutant emissions from facilities in West Oakland. However, implementation of several of the control strategies could result in an increase in solid waste. Therefore, potential adverse secondary impacts associated with solid waste, which could result from implementing certain control strategies, will be evaluated in the Draft EIR. As discussed in Section VI -- Energy above, the potential increase in energy consumption associated with the Community Action Plan will be evaluated in the EIR. No significant impacts were identified on water conveyance facilities, wastewater treatment facilities, or storm water drainage facility and these topics will not be addressed further in the Draft EIR.

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **XX. WILDFIRE.** If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | | | | |
| a) Substantially impair an adopted emergency response plan or emergency evaluation plan? | ☐ | ☐ | ☐ | ☑ |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread or a wildfire? | ☐ | ☐ | ☐ | ☑ |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | ☐ | ☐ | ☐ | ☑ |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | ☐ | ☐ | ☐ | ☑ |

# Environmental Setting

Wildland fires in Oakland are a concern in the Oakland Hills where wildlands abut residential development and steep terrain slows emergency vehicle access. The City has delineated a Wildfire Prevention Assessment District in the Oakland General Plan Safety Element. West Oakland is not located within an area at risk of wildland fires as no wildlands are located within the area, and it is not within the City's Wildfire Prevention Assessment District.

The California Department of Forestry and Fire Protection (CalFire) maps areas to identify significant fire hazard based on fuels, terrain, weather, and other relevant factors. These zones, referred to as a Fire Hazard Severity Zones, then determine the requirements for

special building codes designed to reduce the ignition potential of buildings. West Oakland is not located within a Very High Fire Hazard Severity Zone.

# Regulatory Background

The State of California has passed numerous laws to address wildlife and structural fires. Wildfire-prevention laws regulate activities in areas deemed by the state to be hazardous fire areas; the maintenance of buildings and other structures in areas covered by forest, brush, or other flammable materials; and the setting and burning of fires on open land.

Title 24 of the California Code of Regulations (CCR)[23] is the California Building Standards Code. Title 24 sets forth the fire, life-safety and other building-related regulations applicable to any structure fit for occupancy statewide for which a building permit is sought. CCR, Title 24, Part 9 is the California Fire Code that addresses automatic sprinkler systems, fire-alarm systems, access by fire-fighting equipment, fire hydrants, explosion-hazards safety, hazardous materials storage and use, protection for first responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings.

The City of Oakland Safety Element of the General Plans establishes goals and policies to assure adequate fire services are maintained within the City. The Oakland Fire Department is the agency with primary responsibility for preventing and suppressing fires in Oakland (City of Oakland, 2012). The City has also established building and fire prevention codes which place regulations on the separation of buildings, ventilation criteria, roof materials, landscaping, building access, and the installation of automatic fire-extinguishing systems in public buildings.

# Significance Criteria

The impacts to wildfires will be considered significant if:

The project results in new structures located within or adjacent to lands classified as very high fire hazard severity zones

The project adversely effects emergency response or emergency evacuation plans.

# Discussion of Impacts

**20. a), b), c), and d) No Impact.** The California Department of Forestry and Fire Protection (CalFIRE) maps areas of significant fire hazard based on fuels, terrain, weather, and other relevant factors. These zones, referred to as Fire Hazard Severity Zones, determine the requirements for special building codes designed to reduce the potential

[23] All state regulations in the CCR are accessible at https://govt.westlaw.com/calregs/Search/Index .

impacts of wildland fires on urban structures. West Oakland is located within an existing urbanized area that is surrounded by development. No wildlands are located in the immediate or surrounding area and the site is not within or near lands classified as very high fire hazard severity zones. The area is outside Oakland's Wildfire Prevention Assessment District boundary, which indicates that it is likely not subject to significant wildfire hazard. For these reasons, implementation of the Community Action Plan would not expose people or structures to wild fires, would not impair and adopted emergency response plan or emergency evacuation plan for wild fires, would not expose people to pollutants from a wildfire or the uncontrolled spread of a wildfire and would not expose people or structures to flooding or landslides as a result of post-fire slope or drainage changes. Therefore, no potential significant adverse impacts resulting from wildfires are expected from the proposed project.

# Conclusion

Based upon the above considerations, no significant impacts due to wildfires are expected to occur due to implementation of the Community Action Plan strategies and therefore, will not be further evaluated in the Draft EIR.

| | | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|---|
| **XXI.** | **MANDATORY FINDINGS OF SIGNIFICANCE.** | | | | |
| a) | Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☑ | ☐ | ☐ |
| b) | Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) | ☐ | ☑ | ☐ | ☐ |
| c) | Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☑ | ☐ | ☐ |

## 21. MANDATORY FINDINGS OF SIGNIFICANCE

**21. a) Less than Significant With Mitigations.** Physical modifications associated with implementation of the West Oakland AB 617 Community Action Plan would be limited to changes within an urbanized area that lacks habitat. According to the Open Space, Conservation and Recreation (OSCAR) Element of the City of Oakland General Plan, there are no candidate species, sensitive species, or special status species known to occur within the West Oakland area. The proposed project may require the construction of new equipment or development in the West Oakland area, but those physical changes would occur in already urbanized and developed areas, and therefore no significant impacts on biological resources would be expected.

There are a number of historic properties in the West Oakland area, with 32 designated historic properties and properties rated of the highest importance. The majority of Local Register properties within West Oakland are located within residential neighborhoods. Of the strategies that the District would implement under the Community Action Plan, a number of them would apply to existing sources and could include replacing diesel engines, controlling emissions from existing facilities, and adding filtration systems to existing buildings. Other strategies would encourage the use of alternative fuels and zero emissions mobile sources (trucks, buses, locomotives). Implementation of these types of control measures would not be expected to require the removal of any existing buildings or impact historic resources. In areas where there are sensitive historic resources, the City of Oakland requires pre-construction surveys and the use of qualified archaeological monitors during grading operations to identify historic resources. These standard requirements, along with the fact that the control strategies in the West Oakland Community Action Plan are not expected to impact or require removal of any historic structures, means that the Plan's impacts on historic cultural resources will be less than significant.

**21. b) and c) Less Than Significant With Mitigations.** Implementation of the Community Action Plan is expected to reduce diesel particulate matter, fine particulate matter, and toxic air contaminants, and criteria pollutant emissions from facilities in West Oakland. However, construction and operation of new air pollution control systems have the potential to increase emissions of other criteria pollutants and GHGs, generate localized impacts, increase energy use, increase hazards, and solid waste impacts. CEQA Guidelines indicate that cumulative impacts of a project shall be discussed when the project's incremental effect is cumulatively considerable, as defined in CEQA Guidelines §15065(a)(3). Cumulatively considerable impacts are defined as impacts that exceed project-specific significance thresholds. Therefore, the potential for cumulative air quality and GHG impacts will be evaluated in the Draft EIR.

# REFERENCES

Association of Bay Area Governments (ABAG), 2017. Plan Bay Area 2040. Final Environmental Impact Report. June 2017. SCH#2016052041

Bay Area Air Quality Management District (BAAQMD), 2017a. California Environmental Quality Act, Air Quality Guidelines, May 2017. Available at: http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

BAAQMD, 2017b. FEIR for the Draft 2017 Clean Air Plan: Spare the Air, Cool the Climate: A Blueprint for Clean Air and Climate Protection in the Bay Area. Accessed August 2017. http://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en

California Department of Conservation, Division of Land Resource Protection, Contra Costa County Williamson Act FY 2012/2013. Available at ftp://ftp.consrv.ca.gov/pub/dlrp/wa/

California Department of Fish and Wildlife, California Natural Diversity Database, Available at https://www.wildlife.ca.gov/Data/CNDDB

California Department of Transportation (Caltrans), 2019. California Scenic Highway Mapping System, Alameda, County. Accessed April 4, 2019. Available at: ww.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm

Federal Transit Administration (FTA), 2018. Transit Noise and Vibration Impact Assessment, September 2018. FTA Report No.l 0123. Available at: https://www.transit.dot.gov/regulations-and-guidance/environmental-programs/noise-and-vibration -

National Wetlands Inventory, Available https://www.fws.gov/wetlands/Data/Mapper.html

Oakland, City of, 2012. General Plan Safety Element. http://www2.oaklandnet.com/government/o/PBN/OurServices/GeneralPlan/DOWD009020

Oakland, City of. West Oakland Specific Plan Final Environmental Impact Report. SCH No.2012102047, May 2014. http://www2.oaklandnet.com/Government/o/PBN/OurOrganization/PlanningZoning/OAK028334