



March 3, 2006

Colland Jang
Chair, Oakland Planning Commission
Community Economic Development Agency
City of Oakland
250 Frank Ogawa Plaza, Suite 3315
Oakland CA 84612

**Re: Analysis of Pedestrian Injuries Resulting from the Oak to Ninth Avenue Project;
Oakland FEIR; Case ER 04-0009**

Dear Chairperson Jang:

At the public hearing on the DEIR of the Oak to Ninth Development Proposal, you raised the important issue of pedestrian safety and requested the City to conduct in the EIR an adequate analysis of project related impacts on pedestrian safety impacts. As a member of the public health community, I appreciate your concern about this issue.

Adverse environmental impacts on humans and public health must be addressed under CEQA, including but are not limited to impacts on pedestrian safety, noise, air quality, and hazardous materials.¹ Several stakeholders identified deficiencies in the DEIR analysis of project effects on pedestrian injuries in the neighborhoods surrounding the proposed Oak to Ninth development. Unfortunately, the FEIR analysis of pedestrian safety remains inadequate; furthermore, I believe, many City of Oakland FEIR responses to comments on the DEIR are not based on evidence.

This letter provides additional evidence and original analysis demonstrating that pedestrian injuries will increase significantly directly due to project-related increases in traffic volume in several neighborhoods of Oakland surrounding the project. The evidence and analysis includes the following key points:

- **The definition and use of the term *pedestrian injury rate* in the DEIR and FEIR is neither accurate nor consistent with definitions used by the Federal Government or those used in epidemiologic investigations.**
- **Oakland has a rate of pedestrian injuries several times higher than Federal public health standards. The neighborhoods surrounding the project have a disproportionate share of pedestrian injuries relative to other neighborhoods in Oakland.**
- **Project-related impacts on pedestrian injuries are significant. Quantitative forecasting of changes to Oakland's pedestrian injury rate based on project related changes in traffic flows and a baseline injury rate of 100 injuries/year in the area of influence estimates that the project's traffic alone will contribute about 5.4 additional injuries per year or 268 pedestrian injuries in the years 2025-2075. The cumulative impact of increased traffic in the area by 2025 forecasts 20 additional injuries per year with a total of 1000 growth related additional injuries in the years 2025-2075.**
- **The DEIR and FEIR have not proposed or evaluated the feasibility of sufficient pedestrian safety improvements including circulation changes and street and intersection facility improvements, available to prevent increases in traffic related injuries.**

¹ Section 15065 of the regulations for the California Environmental Quality Act (CEQA) mandates an environmental impact report (EIR) to analyze any "...environmental effects of a project [that] will cause substantial adverse effects on human beings, either directly or indirectly. CEQA guidelines section 15126.2, subdivision (a) requires an EIR to discuss "health and safety problems caused by the physical changes" that the proposed project will precipitate. Bakersfield Citizens for Local Control vs. the City of Bakersfield reaffirmed the necessity of health analysis in an EIR prepared under CEQA. Environmental Justice also demands a full analysis of the health impacts on low-income and minority populations.

