

Introduction

This chapter addresses the impacts on public service and utilities associated with implementation of the proposed project. Topics analyzed in this chapter include police and fire protection services, emergency medical response services, solid waste, water, wastewater services, energy, public schools, and parks. The ability of the City and other service providers to effectively deliver each of these services to the proposed project is discussed, as well as mitigation measures recommended to reduce impacts to less-than-significant levels.

Environmental Setting

Police Services

The City of Oakland's Police Services Agency provides protection services to the City. The Police Services Agency is currently headquartered in an eight-story facility at 7th and Broadway in downtown Oakland, adjacent to a courthouse and jail. City staff are currently reviewing whether the agency will remain in this location. The building will require major seismic renovation or could be moved to another location on the periphery of the downtown area. The agency could also be reorganized to a decentralized model that includes substations (Stewart 2001). This main police station will service the proposed project site. This station currently employs 150 police officers and maintains a fleet of 500 police vehicles.

The City is divided into three geographic areas, with a captain responsible for his or her area 24 hours a day, 7 days a week. Each area is subdivided into six districts, and each district area is subdivided into 57 community policing areas of 5,000 to 7,000 residents. Each community-policing beat has a dedicated community policing officer (CO) assigned to work with residents, businesses, schools, and other institutions to set priorities and develop strategies to improve public safety and reduce crime. All other police officers, including parole officers, are also considered community policing officers, and each division, section, and unit within the agency is organized to support the community-

policing concept. All assignments, with the exception of some specialized units, are made by area, and data is collected by area.

The Police Services Agency also employs Neighborhood Services Coordinators (NSCs), who acts as community liaisons and organizers. The NSCs actively work to help each community-policing beat establish a Neighborhood Crime Prevention Council (NCPC). The NSCs also work with the NCPC and the dedicated CO to address general and specific crime-related issues on the beat. Members of the NCPC can include residents, merchants, employees, church members, school officials, and other members of the community who meet monthly to identify, prioritize, and develop strategies to reduce crime on the beat, as well as to monitor the effectiveness of their work.

Fire Services

Fire protection services in the City are provided by the Oakland Fire Services Agency. The fire station serving the project site is Station 2, located at 100 Jack London Square. The hydrants, streets, and water supply are adequate for firefighting and emergency medical response with-project conditions (McWhorter pers. comm.). Station 2 is a “single house” comprising four staff members and equipped with one engine and assorted fire-fighting equipment. Oakland’s citywide fire emergency response time goal is 5 minutes. Because Station 2 is located 5 blocks from the project site, it is anticipated that response times to an emergency at the site would be less than 5 minutes.

The administrative headquarters of the Fire Services Agency are located at 150 Frank Ogawa Plaza in Oakland. The agency employs approximately 500 firefighters and administrative staff. The agency maintains a mutual aid agreement with the Cities of Emeryville and Alameda.

Fire Divisions and Battalions

The Fire Services Agency is organized into four divisions and three battalions. The agency’s divisions are centered on different functions: training, operations (fire-fighting activities), administrative services, and emergency services and fire prevention bureau (major emergencies and hazardous materials and code inspections).

The Fire Services Agency’s battalions are organized into geographical districts, with 26 fire stations divided among the three battalions; each battalion consists of seven to ten stations. Battalion 2 serves West Oakland and Battalion 4 serves central Oakland. Five of the stations are “double houses,” meaning that they house 1–12 staff members, a fire engine, and a fire truck, along with assorted other fire-fighting equipment. The remaining 19 stations are “single houses” with four staff members, one engine, and assorted fire-fighting equipment. In addition to fire fighting and first-response medical response capabilities, the Oakland Fire Services Agency also has Hazardous Materials Unit that operates

out of Station 3 (1445 14th Street) and responses to emergencies involving hazardous materials.

Ambulance Service

The Fire Service Agency provides the first response to critical medical emergencies (Code 3) in Oakland. Ambulance service in the City of Oakland is provided by American Medical Response through its contract with the Alameda County Health Care Services Agency for service to most cities in Alameda County. When a medical emergency is Code 2, or non-critical, the Fire Services Agency leaves the response solely to American Medical Response. American Medical Response's average response time is 5.4 minutes.

Solid Waste

Nonhazardous waste in the City is collected by Waste Management, Inc. Trucks owned by Waste Management, Inc., provide curbside pickup for residential, commercial, and industrial nonhazardous waste and transport it to Waste Management's Davis Street Transfer Station in the City of San Leandro. The company currently transports approximately 389,500 tons of solid waste per year, or an estimated 1,490 tons per day, in Oakland.

Altamont Landfill and Resource Facility

Transfer trucks haul waste to the Altamont Landfill and Resource Facility (ALRF), also owned by Waste Management, Inc., and located approximately 35 miles east of Oakland, near Livermore. At the end of 2000, the landfill had 48,890,000 tons of capacity, sufficient to satisfy anticipated demand until 2024 (Clarke pers. comm.).

Construction Solid Waste

Construction and demolition debris in the City is generally hauled by contractors and local construction companies to either asphalt and concrete recycling facilities in the East Bay or the Vasco Road Landfill, located in the City of Livermore. Unless expanded, the Vasco Road Landfill, owned by Browning-Ferris Industries (BFI) is projected to close in 2015.

Water Services

East Bay Municipal Utility District (EBMUD), a publicly owned utility, supplies water to City residents via a distribution system that it owns, operates, and

maintains. The EBMUD service areas covers an estimated 325 square miles, and serves approximately 1.2 million people. The City represents slightly less than one-third of EBMUD's customers. Approximately 95% of EBMUD's water supply originates from the melting snow pack of the Sierra Nevada and is stored in reservoirs in the Sierra Nevada foothills. EBMUD has water rights to 325 million gallons per day (mgd), although the supply may be curtailed during drought conditions. EBMUD supplied approximately 40 mgd to the City in 1996; this figure represents approximately 20% of the water delivered within the utility's service area.

In 1994, EBMUD adopted a comprehensive Water Conservation Master Plan that uses free water audits, rebates, and other incentives, regulations, and education and support activities to reduce water consumption. The agency's goal is to reduce consumption by 33 mgd in 2020. EBMUD projects a 250 mgd service area demand by 2020, assuming that water conservation efforts are successful, that there are no droughts, and that the City grows at an average annual rate of 0.4%. EBMUD does not currently have the capacity to meet the projected demand. According to EBMUD's Urban Water Management Plan, as much as 131 mgd of additional supply will be needed during the next 25 years. Most of the anticipated growth would occur in the eastern part of the service area, which includes areas in Contra Costa County. Assembly Bill (AB) 2673 (1994) assures that water services to the City will not be compromised as a result of growth in the outlying parts of the service area by prioritizing existing uses. The City currently has three water services in the project area: 1-inch water lines off 3rd Street, a 5/8-inch water line and a 1.5-inch fire hydrant line off 2nd Street, and a 1-inch water line off Broadway. Additional water service to the project site can be provided from the existing water mains on 3rd Street, Broadway, and 2nd Street. Some pipelines may need to be replaced, depending on the fire-hydrant water-flow requirements of the local fire agency and the project's new water service requirement. Engineering and installation of water mains require substantial lead-time and careful construction coordination with other subsurface infrastructure work.

Wastewater and Stormwater Services

The City's sanitary sewer collection system for wastewater covers approximately 39 square miles and includes 4.5 million linear feet of pipe. City sewer pipes range from 6 to 72 inches in diameter, with most lines predating 1938, and with some parts of the systems more than 100 years old. Most of the system is gravity-fed, with approximately five pumping stations. Some areas of the City do not have sewer service. These areas consist primarily of former military bases, cemeteries, large parks, and some hillside areas. Over 90% of users of the wastewater system are residential users.

EBMUD's wastewater treatment plant is located southwest of the I-580/I-80 interchange. Wastewater is collected by 29 miles of interceptor lines, which move wastewater to the treatment plant. In 1997, the plant had a dry-weather capacity of 120 mgd and an annual dry-weather flow of approximately 80 mgd.

The plant is expanding its dry-weather capacity to meet projected demand increases in the City. Inflow and infiltration of stormwater into the wastewater system has been a continuing problem. The inflow and infiltration of stormwater into EBMUD and City sewer lines has resulted in high-flow levels and overflow of untreated wastewater. Most of the stormwater enters sewer systems by infiltration throughout the EBMUD collection system. As a result of this stormwater overflow problem, EBMUD developed the Wet Weather Program, which includes design and construction of four new treatment plants, two storage basins, 7.5 miles of new interceptors, and expansion of the main wastewater treatment plant to 760 mgd. The Cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont are participants in this program.

In addition to EBMUD's program, the City has a 25-year inflow and infiltration collection, maintenance, and rehabilitation program to add capacity where needed and to rehabilitate the existing wastewater system to accommodate climate-generated overflows. The capacity of the system could be increased if growth were to exceed projections. The program can accommodate a maximum citywide growth rate of 20%. However, the projected flow increase anticipated for the proposed project must be below the base-flow increase allowance for each affected sub-basin.

Currently, the stormwater and wastewater infrastructure of the City is in need of upgrading. The City is proposing to fund over \$35 million in storm and sanitary sewer improvements throughout the City over the next five years. This level of funding will continue the City's efforts to complete the sanitary sewer replacement program and comply with federal and state mandates regarding the discharge of untreated sewage into area creeks and lakes and the San Francisco Bay. While funding critical program improvements in many areas of the City, the City is also setting aside funding for emergency sewer and storm drain repairs, pending the completion of the Storm Drain Master Plan which will guide future capital decisions regarding the City's storm facilities.

Energy

Natural gas and electrical service in the City are currently provided by the Pacific Gas and Electric Company (PG&E). PG&E owns the natural gas and electrical utility lines in Oakland. Natural gas is distributed throughout the City via underground pipelines located within local roadways, and electrical power is transmitted to residential and non-residential development via overhead transmission lines.

Public Schools

The Oakland Unified School District (OUSD) operates the City's public school system. OUSD includes 40 childcare centers, 51 elementary schools, 20 junior high/middle schools, 3 permanent adult school sites, 6 alternative schools, 9 charter schools, and 4 special education schools. As of October 2000, the total

enrollment for kindergarten through 12th grade was 54,795 students, a 4% increase over the past 10 years.

As a result of the State Class Size Reduction Program (ABs 1777 and 1789), OUSD is working to reconfigure all of its schools to reduce classroom sizes, beginning with kindergarten through 3rd grade. In order to accommodate mandatory class size reductions at the elementary school level, elementary schools will consist of kindergarten through 5th grade, middle schools will include grades 6 through 8, and high schools will include grades 9 through 12.

OUSD's elementary schools are currently estimated to be over capacity by more than 3,000 students. However, students are not equally distributed throughout the district; some elementary schools in the district are below capacity. Similarly, although middle schools and high schools are estimated to have a cumulative surplus capacity, some middle schools and Fremont High School are at capacity. OUSD estimates that new, privately financed, single-family development would add 0.34 school-age children per unit.

The public schools that serve the project area are: Lincoln Elementary, Westlake Middle School, and Oakland Technical High School. Lincoln Elementary (K–5) is located on 225 11th Street and currently serves a student population of 671. Lincoln is currently over capacity (Lee pers. comm.). Westlake Middle School (6–8) is located on 2629 Harrison Street and serves 672 students. Westlake is at capacity (Rosenberg pers. comm.). Oakland Technical High School is located on 4351 Broadway, and student enrollment is approximately 1,964. The high school is at capacity (Catacutak pers. comm.).

Parks

The Office of Parks, Recreation, and Cultural Affairs manages parks and recreational services for the City. The City's Open Space, Conservation, and Recreation Element (OSCAR) provides the goal of establishing 10 acres of total park acreage for each 1,000 residents, with 4 acres of that total being in local-serving parks. As identified in the OSCAR, the existing Citywide total park acreage average is 8.26 acres and the local-serving average is 1.33 acres per 1,000 residents. The Central area (including the Jack London District) has a higher than average existing local-serving park acreage of 1.65 acres per 1,000 residents. Public open spaces in the project vicinity include Estuary Park, Meadow Green, the Broadway Plaza, and the waterfront along Jack London Square for a total of fifteen acres.

Regulatory Setting

State of California

Electric Utility Industry Restructuring Act (Assembly Bill 1890)

Assembly Bill 1890, was enacted on September 6, 1996. This bill made the generation of electricity competitive in California. Before restructuring, customers were provided generation, transmission, distribution, and metering and billing by a single utility. As of March 31, 1998, the new structure allows customers in a majority of the existing utility service areas to choose their electric generation supplier. Restructuring also brought changes to the transmission of electricity as previously restricted transmission facilities were opened up to power generators on a fair and equitable basis. The Independent System Operator (ISO) has the responsibility for assuring reliability of the high voltage transmission system, while the local utilities continue to distribute electricity (Energy Information Administration 2001).

The new wholesale market, which resulted from the restructuring worked fairly well for about 1.5 years. However, starting in summer 2000, retail electricity prices in southern California reached all time highs, and generation capacity shortages forced temporary power outages in northern California. This incident sparked the now well-known energy crisis in the State of California. The complex issues that comprise the energy crisis can be generally categorized into three major problems including (1) major increase in wholesale electricity prices, (2) intermittent power shortages during peak demand periods, and (3) the deterioration of the financial stability of California's three major investor-owned utilities—PG&E, Southern California Edison, and San Diego Gas and Electric. As a result, conservation has become a priority in legislative efforts to help curb future situations similar to the current energy shortage crisis (Energy Information Administration 2001).

Title 24 Building Energy Efficiency Standards (Assembly Bill 970)

Assembly Bill 970, was signed into law on September 6, 2000. The bill was enacted in response to growth trends in the electricity peak demand that placed strains on the adequacy and reliability of California's electricity system. The purpose of the law is to "provide a balanced response to the electricity problems facing the state," including "making significant new investments in conservation...programs in order to meet the energy needs of the state for the next several years." The bill provided direction to the California Energy Commission (CEC) related to Building Energy Efficiency Standards which required the CEC to "adopt and implement updated and cost effective standards...to ensure the maximum feasible reductions in wasteful, uneconomic,

inefficient or unnecessary consumption of electricity.” As a result Title 24 Part 6 Energy Efficiency Standards for Residential and Non-Residential Buildings (Title 24) implements substantial energy conservation measures with all new construction or major renovations (California Energy Commission 2001). Compliance with Title 24 requirements (as amended, June 2001) would increase energy conservation and would contribute to state-wide efforts toward maximizing energy efficiency. However, given recent developments in California’s energy market, the incorporation of energy conservation measures above and beyond those required under Title 24 is necessary to optimize opportunities for energy savings (San Francisco Planning and Urban Research Association 2001).

California Integrated Waste Management Act (Assembly Bill 939)

In 1989, the California legislature enacted the California Integrated Waste Management Act (AB 939) requiring all cities and counties in California to divert 50% of their solid waste from landfills by the end of 2000. To further encourage waste diversion, the Source Reduction and Recycling Element (SRRE) for the City requires proposed development projects to undergo, as part of the required environmental review, assessment of project impacts on the City’s ability to achieve the mandated 50% waste diversion rates. Projects that would have an adverse effect on the City’s waste diversion goals are required to include waste diversion mitigation measures to assist in reducing these impacts to less-than-significant levels.

General Plan Policy and Actions

The General Plan contains the following policies relating to public services and utilities:

Policy N12.1 Developing Public Service Facilities

The development of public facilities and staffing of safety-related services, such as a fire station, should be sequenced and timed to provide a balance between land use and population growth, and public services at all times.

Policy N12.2 Making Schools Available

Adequate public school capacity should be available to meet the needs of the City’s growing community. The City and OUSD should work together to establish a continuing procedure for coordinating residential and commercial development. As well as exploring residential, commercial development, exploring the imposition of mutually agreed upon reasonable and feasible

strategies to provide for adequate school capacity. The City and OUSD should jointly consider where feasible and appropriate finding mechanisms such as assessment districts, Redevelopment Agency funding (AB 1290), use of surplus, City-owned land, bond issues, and adjacent or shared use of land for school facilities with recreation, libraries, child care and other public uses.

Policy N12.4 Underground Utility Lines

Electrical, telephone, and related distribution should be underground in commercial and residential areas, except where special local conditions such as limited visibility of the poles and wires make this unneeded. They should also be underground in appropriate institutional, industrial, and other areas, and generally along freeways, scenic routes, and heavily traveled streets. Programs should lead systematically toward the eventual undergrounding of all existing lines in such places. Where significant utility extensions are taking place in these areas, such as in new subdivisions, utilities should be installed underground from the start.

City Requirements

17.30.180 Minimum Usable Open Space

On each lot containing residential facilities with a total of two or more living units, group-usable open space shall be provided for such facilities in the minimum amount of one hundred and fifty (150) sf per regular dwelling unit. Private usable open space may be substituted for such group space in the ratio prescribed in Section 17.126.020. All required space should conform to the standards for required usable open space in Chapter 17.126.

Impacts and Mitigation Measures

Methodology

In order to identify the proposed project's potential public service and utilities impacts, qualitative methods were employed to analyze existing conditions and proposed demands on fire services, police services, wastewater, and solid waste. Quantitative methods were used to calculate with-project demand for water use, student enrollment, and open space requirements. These methods are detailed under the respective impact discussion. The significance criteria below were then used to determine whether the proposed project would have a significant effect on public services and utilities.

Thresholds of Significance

According to the State CEQA Guidelines, a project would normally be considered to have a significant impact on the environment if it would:

- result in substantial adverse physical impacts associated with the provision of 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 police protection services;
- lead to a substantial adverse physical impacts associated with the provision of 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 fire protection services;
- be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs; or fail to comply with federal, state, and local statutes and regulations related to solid waste;
- require or result in insufficient water supplies available to serve the project from existing entitlements and resources; or require new or expanded entitlements;
- require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board;
- result in the need for new or substantial alterations to existing facilities such as gas facilities or pipelines and electrical transmission/distribution lines or substations;
- lead to a substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to provide school services; or
- lead to a substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable park service ratios;

Impacts of the Proposed Project

Impact 3D-1: Increase in demand for police services because of increased residents and employees (Less than Significant)

The proposed project would not likely cause an increase in demand for police services. The proposed project would incorporate security features such as a 24-hour guard and secured parking facilities. No new facility would be required in order for police to respond effectively to the potential increase in criminal activity that would result from the proposed project. Therefore, while the proposed project may increase the need for police response to crimes in the project area, this impact is considered less than significant. No mitigation is required.

Impact 3D-2: Increase in demand for fire protection services (Less than Significant)

The proposed project could result in an increase in calls for fire protection services because of the increased population resulting from the proposed project. Calls for services would require dispatch of vehicles and Fire Services Agency personnel to the project site. However, the potential increased demand for fire protection would be offset by the improved fire safety construction of the proposed project. Specifically, the proposed project would incorporate up-to-date fire protection features in its design and construction. The building also has adequate access along Broadway, 2nd, and 3rd Streets for fire fighting crews to approach and enter the proposed building during an emergency. This impact is considered less-than-significant. No mitigation is required.

Impact 3D-3: Increase in solid waste generation (Potentially Significant)

The project would generate solid waste and may impede attainment of AB 939 goals. Thus, the project may have potentially significant impacts to solid waste generation. The project would be served by the Altamont Landfill, which has sufficient capacity to serve the proposed project. Assembly Bill 939 requires that all cities divert 50% of their solid waste from landfills by end of year 2000. The current waste diversion rate (calendar year 2000) in the City is about 51% (Katche pers. comm.). Implementation of the following two mitigation measures would reduce both the potential short-term and long-term impacts of the proposed project on solid waste disposal to a less-than-significant level.

Mitigation Measure 3D-1: Prepare construction waste diversion plan.

Prior to issuance of building permits, the project applicant will submit a diversion plan for review and approval by the Public Works Agency. The plan will specify the methods by which the development will make a good faith effort to divert

50% of the construction waste generated by the proposed project from landfill disposal. After approval of the plan, the project applicant will implement the plan.

Mitigation Measure 3D-2: Prepare operational waste diversion plan.

Prior to issuance of building permits, the project applicant will submit a diversion plan for review and approval by the Public Works Agency. The plan will specify the methods by which the development will make a good faith effort to divert 50% of the solid waste generated by operation of the proposed project from landfill disposal. After approval of the plan, the project applicant will implement the plan.

Impact 3D-4: Increase in water use (Less than Significant)

The increase in water demand associated with the proposed project can be estimated by applying multipliers to the growth increments for each type of proposed building use. Based on professional judgment, the following figures were used:

- 150 gallons per day (gpd) for each new residential unit
- 0.12 gpd per sf of retail space
- 0.15 gpd per sf of commercial space

Applying these multipliers to the proposed project, the corresponding increase in water demand equals 32,310 gpd, which is approximately 7% of the increased demand anticipated for development under the LUTE of the General Plan.¹ Therefore, the impact associated with increased water consumption has been anticipated and mitigated to a less-than-significant level by the adoption of policies and other measures outlined in the LUTE EIR (City of Oakland Community and Economic Development Agency 1998b). No mitigation is required.

Impact 3D-5: Increase in wastewater use and disposal (Potentially Significant)

The increase in wastewater resulting from the proposed project can be estimated based on typical wastewater generation figures, or approximately 80% of the water used would enter the wastewater system. (See Appendix A for discussion of no net stormwater effect from project development.) Assuming a daily demand of 32,310 gpd, the project would result in 25,848 gpd of wastewater. EBMUD's main wastewater treatment plant is anticipated to have adequate dry-weather capacity to treat the proposed wastewater flow from the proposed project (Kirkpatrick. pers. comm.).

¹ Water Demand of 32,310 gpd = (109 residential units * 150 gpd per unit) + (8,000 SF retail space * 0.12 gpd/SF) + (100,000 SF commercial space * 0.15 gpd/SF)

The increase in wastewater generation within the Estuary Planning Area was part of the overall increase described in the LUTE EIR, which is incorporated herein by reference. Because development in the City would be within EBMUD's projected increases in wastewater generation, any increase from the Estuary Planning Area would also be within EBMUD's projections. However, wet-weather capacity should be confirmed when final design plans are submitted to the City prior to the issuance of a building permit. Therefore, this impact is considered potentially significant. The following mitigation measure would reduce this impact to less than significant.

Mitigation Measure 3D-3: Prior to completing the final design for the project's sewer service, confirmation of the City's surrounding stormwater and sanitary sewer system capacity and state of repair shall be completed by a qualified civil engineer. The project sponsor may be required to pay mitigation fees to improve stormwater and sanitary sewer infrastructure. Additionally, the project sponsor shall be responsible for payment of the required installation or hook-up fees to the affected service providers.

Impact 3D-6: Increased demand for electricity and natural gas supplies (Potentially Significant)

The proposed project has the potential to increase demand for electrical and natural gas service. Operation of the building would require lighting, elevator service, heating and cooling, etc. These increases in demand for energy supply and any associated infrastructure will be met by current gas and electric service provided to the City. In addition, the increased demand is not considered substantial relative to Downtown development. However, the current energy situation in California requires a more proactive approach on the part of cities to encourage energy efficient development. This impact is potentially significant and could be reduced to less than significant with the implementation of the following mitigation measure.

Mitigation Measure 3D-4: The project developer will be required to utilize "Green Building" practices in constructing the project. Before the issuance of building permits, the project developer shall submit to City staff the green building provisions that would be incorporated into the proposed project's construction. The project developer shall then meet with City staff to review these provisions. The project developer shall modify the proposed measures, if, following this review, there are other, more cost effective measures which can feasibly be done for comparable cost as those initially proposed. Prior to construction, the final list of green building measures shall be provided to the City for information. Proposed measure will include the following elements:

1. The project developer shall implement the following measures with the construction of the structures covered by this approval so that the owners can install roof-mounted photovoltaic systems in the future:
 - a. Electrical conduit and cable shall be installed from the roof/attic areas to the buildings' main electrical panels.

- b. Roof trusses shall be “engineered” to handle an additional load of five pounds (5 lbs.) per sf beyond that anticipated for roofing.
- c. An area shall be provided near the electrical panel for the “inverter” required to convert the direct current output from the photovoltaic panels to alternating current.
- d. A bi-directional electrical meter shall be installed.

These measures shall be shown on the building permit plan set submitted to the Planning Director for review and approval before issuance of the first building permit.

2. The residential units covered by this approval shall be constructed to encourage telecommuting by providing as an option telecommunications infrastructure consistent with state-of-the-art methods, e.g., cabling for DSL service, wiring for total room access, etc. The project developer shall submit with the building permit application those measures included in the residential construction for review and approval by the Planning Director before issuance of the first building permit.
3. Only natural gas burning fireplaces or USEPA-approved wood/pellet burning stoves shall be permitted in the proposed residential units.

Impact 3D-7: Increase in student enrollment (Less than Significant)

The proposed project could result in the enrollment of up to 37 additional students to OUSD schools.² Senate Bill (SB) 50, enacted in February 1999, now prohibits local agencies, such as the City of Oakland, from denying land use approvals on the basis that school facilities are inadequate (SB 50 implements Proposition 1A, approved by voters on November 4, 1998, and preempts existing city fee.). This legislation establishes base school impact mitigation fees, called *Level One* fees, of at least \$1.93 per sf for residential construction. A school district may impose *Level Two* fees if the school district meets certain criteria, such as preparation and adoption of a 5-year school facilities need analysis.

As a result of SB 50, OUSD could impose mitigation fees on the proposed project to assist with providing more education classrooms, supplies, or staff. This impact is considered less than significant. Moreover, due to the design and location of the proposed residential units, the total number of estimated students (37) is generous. No mitigation is required.

² This calculation assumes 109 new market-rate residential units that generate an estimated 0.34 students per unit: 109 units multiplied by 0.34 students per unit equals approximately 37 students.

Impact 3D-8: Increase in need for park services (No Impact)

With regard to City goals for park facilities, the OSCAR recognizes the difficulty in meeting the established goals of total park acreage, especially in built-out urban areas, but states that major gains toward the goal can be made through the expansion of existing parks, improvement of creek and shoreline access, acquisition of vacant parcels, and incorporation of new parks in major redevelopment projects. The proposed project site is located in an urban area of downtown Oakland that is served by a number of parks in the area including nearby Estuary Park located a few blocks to the southeast and Lake Merritt located several blocks to the north of the project site. Implementation of the shoreline access and public space plan identified in the EPP would add to the area's public open space and may include the expansion of Estuary Park, development of a Meadow Green located a few blocks to the southwest of the project site, and development of a Marina Green located a few blocks to the south of the project site. Further, an uninterrupted public access walkway along the estuary shoreline and the future development of the Oak to 9th Avenue District would provide additional public open spaces and recreational facilities for nearby residents, providing a system of open spaces, parks, and walkways along the estuary. The City and the Port of Oakland have committed resources for the initial implementation of this system of public open spaces. A project manager/open space planner has been hired to implement the open space plan. Through grants, State parks bonds, private initiatives, potential local bonds, and other sources the City is actively working toward funding and implementation of the open space goals outlined in the OSCAR and the EPP.

The impacts associated with providing these new parks and public open spaces was analyzed at a programmatic level in the environmental documentation that was prepared for the EPP. Construction of these parks is not part of the proposed project, but rather is a project that will be undertaken by the City and the Port of Oakland. Additional environmental review, as needed, will be done as the specifics of these new parks emerge.

City zoning regulations require that new residential developments must provide a minimum amount of open space within the proposed project for use by the residents. A minimum amount of 150 sf per regular dwelling unit is required. The proposed project includes 109 residential units and therefore is required to provide 16,350 sf of group open space for the residents (private open space may substitute for group space in the ratio prescribed in Section 17.126.020). Because the proposed project includes approximately 5,850 sf of group open space and 10,585 sf of private open space, no impacts would result. No mitigation is required.

In summary, the additional persons generated by the project would represent a small incremental increase to the existing population already served by public parks, recreational facilities and open space already in the general area and as planned for the area. Therefore, there is no impact and no mitigation is required.

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