

VI. CEQA REQUIRED ASSESSMENT CONCLUSIONS

As required by the California Environmental Quality Act (CEQA), this chapter discusses the following types of impacts that could result from implementation of the proposed MacArthur Transit Village project: growth-inducing impacts; significant irreversible changes; significant unavoidable environmental impacts; cumulative impacts; and effects found not to be significant.

A. GROWTH-INDUCING IMPACTS

A project is considered growth inducing if it would directly or indirectly foster economic or population growth or the construction of additional housing.¹ Examples of projects likely to have significant growth-inducing impacts include extensions or expansions of infrastructure systems beyond what is needed to serve project-specific demand, and development of new residential subdivisions or industrial parks in areas that are currently only sparsely developed or are undeveloped. Typically, redevelopment projects on infill sites that are surrounded by existing urban uses are not considered growth-inducing because redevelopment by itself usually does not facilitate development intensification on adjacent sites.

The proposed project would not have any growth inducement effects. The project site is in a developed area fully served by public utilities. There are no significant areas that are undeveloped adjacent to the project site. Additionally, the project would not remove any obstacles that would help facilitate growth that could significantly affect the physical environment.

Indirect population growth associated with the proposed project could also occur in association with job creation. The economic stimulus generated by construction of the proposed project could result in the creation of new construction-related jobs. In addition, commercial square footage that would be built as part of the project could generate approximately 125 employees. However, the jobs created during both the construction and operation phases of the project would not be substantial in the context of job growth in Oakland and the region in the next 10 years. Although some of the employees generated by the proposed project may decide to live in Oakland, the migration of these employees into the City would not result in a substantial population increase.

¹ *CEQA Guidelines*, 2005, Section 15162.2(d).

Implementation of the proposed project would result in an estimated residential population of 1,845 people, based on a projected 2005 household size of 2.66 residents per household. According to ABAG,² the population of Oakland is expected to increase by 35,100 residents between the years 2005 and 2015. The proposed project's associated increase in population would account for approximately 5 percent of this increase. This residential growth is well within the anticipated population growth for the City of Oakland and would not be considered substantial.

In addition, the proposed project would occur on an infill site in an existing urbanized neighborhood in Oakland. It would not result in the extension of utilities or roads into exurban areas, and would not directly or indirectly lead to the development of greenfield sites in the East Bay. Because the project site is located within an existing urbanized area, and is immediately adjacent to a major transit station, anticipated growth would benefit the existing transit system and could reduce adverse impacts associated with automobile use, such as air pollution and noise. In addition, the provision of additional housing in Oakland would allow more people to live in an existing urbanized area and could reduce development pressures on farmland and open space in the greater Bay Area. Therefore, the population growth that would occur as a result of project implementation would be largely beneficial and not considered substantial and adverse.

B. SIGNIFICANT IRREVERSIBLE CHANGES

An EIR must identify any significant irreversible environmental changes that could result from implementation of a proposed project. These may include current or future uses of non-renewable resources, and secondary or growth-inducing impacts that commit future generations to similar uses. CEQA dictates that irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.³ The *CEQA Guidelines* describe three distinct categories of significant irreversible changes: (1) changes in land use that would commit future generations; (2) irreversible changes from environmental actions; and (3) consumption of non-renewable resources.

1. Changes in Land Use Which Would Commit Future Generations

The proposed project would allow for the redevelopment of approximately 8.2 acres of land immediately adjacent to the MacArthur BART station. The project site, which is surrounded by urban development on all sides, is designated for additional growth, especially housing, commercial and mixed-use development in the plans and policies of the City of Oakland, including the General Plan and Planning Code. Because the proposed project would occur on

² Association of Bay Area Governments, 2007. *Projections 2007, Forecasts for the San Francisco Bay Area to the Year 2035*.

³ *CEQA Guidelines*, 2003. § 15126.2(c).

an infill site on land designated for a mixture of land uses, it would not commit future generations to a significant change in land use.

2. Irreversible Changes from Environmental Accidents

No significant irreversible environmental damage, such as what could occur as a result of an accidental spill or explosion of hazardous materials, is anticipated due to implementation of the proposed project. Furthermore, compliance with federal, State and local regulations, the City of Oakland's Standard Conditions of Approval, and the implementation of mitigation measures identified in Chapter IV.H, Public Health and Hazards, would reduce to a less-than-significant level the possibility that hazardous substances within the project site would cause significant environmental damage.

3. Consumption of Nonrenewable Resources

Consumption of nonrenewable resources includes conversion of agricultural lands, loss of access to mining reserves, and use of non-renewable energy sources. The project site is located within an urban area of Oakland; no agricultural land would be converted to non-agricultural uses. The project site does not contain known mineral resources and does not serve as a mining reserve.

Construction of the proposed project would require the use of energy, including energy produced from non-renewable resources. Energy consumption would also occur during the operational period of the proposed project due to the use of automobiles and appliances. However, the proposed project would incorporate energy-conserving features, as required by the Uniform Building Code and CA Energy Code Title 24. The proposed project would also be a sustainable development that meets the LEED ND Program over the long-term, resulting in a more energy efficient development and reduced consumption using local materials and labor. Additionally, the placement of the project site immediately adjacent to the MacArthur BART station would facilitate the increased use of public transit, further reducing non-renewable energy consumption associated with the single-occupant vehicles.

C. SIGNIFICANT UNAVOIDABLE AND CUMULATIVE IMPACTS

As discussed at the end of each topical section in Chapter IV, Setting, Impacts and Mitigation Measures, the project would not significantly contribute to any significant cumulative impacts for any topics other than transportation. The project would significantly contribute to cumulative impacts at the following intersections:

- Telegraph Avenue/52nd Street and Claremont Avenue intersection (#2)
- Telegraph Avenue/51st Street intersection (#3)
- West Street/40th Street intersection (#8)
- the Telegraph Avenue/40th Street intersection (#13)

- Market Street/MacArthur Boulevard intersection (#16)
- Telegraph Avenue/MacArthur Boulevard intersection (#20)
- Broadway/MacArthur Boulevard intersection (#22)

The project's contribution to the cumulative impact at each of the above intersections can be mitigated to a less-than-significant level except for intersection #3 and intersection #22, which will remain significant unavoidable. No other significant and unavoidable impacts would result.

D. EFFECTS FOUND NOT TO BE SIGNIFICANT

Meetings with representatives of the City of Oakland departments involved in the planning and review of development projects, and consultants for the City were held to determine the preliminary scope of the MacArthur BART Transit Project EIR. In addition to these meetings, Notices of Preparation (NOPs) were circulated on February 15, 2006 and June 13, 2007, and a public scoping meeting was held on March 15, 2006 to solicit comments from the public about the scope of this EIR. Written comments received on the NOP were considered in the preparation of the final scope for this document and in the evaluation of the proposed project.

The environmental topics analyzed in Chapter IV, Setting, Impacts and Mitigation Measures, represent those topics which generated the greatest potential controversy and expectation of adverse impacts among the project team and members of the public. The following topics were excluded from discussion in the EIR because it was determined during the scoping phase that these impacts would be less-than-significant: Agricultural Resources; Biological Resources; Energy; Mineral Resources; and Population and Housing.

1. Agricultural Resources

The project site is currently developed with a BART parking lot and commercial buildings. No agriculture uses or farmland are present within or adjacent to the project site.

2. Biological Resources

The project site is located within a developed area, the majority of which is covered with impervious surfaces. Wildlife and botanical resources present within the project site are adapted to disturbed, urban conditions and would not be adversely affected by implementation of the proposed project.

3. Mineral Resources

No known mineral resources are located within or near the project site. Mineral resource extraction activities have not taken place within or around the project site during recent history.

4. Population and Housing

Implementation of the proposed project would result in an estimated residential population of 1,845 people, based on a projected 2005 household size of 2.66 residents per household. According to ABAG,⁴ the population of Oakland is expected to increase 35,100 residents between the years 2005 and 2015. The proposed project's associated increase in population would account for approximately 5 percent of this increase. This residential growth is well within the anticipated population growth for the City of Oakland and would not be considered substantial.

The proposed project would result in the construction of 675 residential and 18 live-work units. According to ABAG,⁵ the number of households within the City of Oakland is expected to increase from 154,580 to 168,910 between 2005 and 2015. The proposed project would account for approximately 5 percent of the increase in households. This household growth is within the anticipated household growth for the City of Oakland and would not be considered substantial.

⁴ Association of Bay Area Governments, 2007. *Projections 2007, Forecasts for the San Francisco Bay Area to the Year 2035*.

⁵ Ibid.

