

I. INTRODUCTION

A. PURPOSE OF THE EIR

The purpose of this Environmental Impact Report (EIR) is to inform City of Oakland decision-makers, other responsible agencies, and the general public of the proposed Measure DD Implementation Project components and the potential environmental consequences of the Measure DD Implementation Project. The City of Oakland is the Lead Agency for the environmental review of the proposed project. This EIR will be used by City of Oakland staff, the Planning Commission, the City Council, and several responsible agencies in their review of the proposed project and the various approvals required as described in Chapter III, Project Description.

B. PROPOSED PROJECT

Measure DD is a municipal bond measure passed by Oakland voters in 2002. Measure DD authorizes the City to issue bonds that fund two types of activities or actions: those that would provide improved or new recreational opportunities for Oakland's citizens and those that would improve water quality at Lake Merritt and creeks located throughout the City. The locations of the proposed Measure DD Implementation Project components are identified in Figures I-1, I-2, and I-3.

The activities funded by Measure DD are grouped as follows for the purposes of this EIR:

- Lake Merritt and Lake Merritt Channel Improvements (Group 1)
- Oakland Waterfront Trail and Access Improvements (Group 2)
- North and East Oakland Recreational Facilities (Group 3)
- City-wide Creeks Restoration, Preservation and Acquisition (Group 4)

Details regarding the proposed activities and components within each implementation group are provided in Chapter III, Project Description. The level of detail provided in the project description for each group varies based on current conditions surrounding each proposed group's status and the level of available design detail. For example, many proposed components in the Lake Merritt and Lake Merritt Channel group and the Waterfront Trail group are near or under construction, and as such, detailed design level information is available.¹ In contrast, the proposed components within the Recreational Facilities and City-wide Creeks groups are at widely varied stages of design, with many components at an early stage of design. Thus, the Lake Merritt and Lake Merritt Channel group and the Waterfront Trail group (Groups 1 and 2) are described in the EIR at the project level, while the Recreational Facilities and City-wide Creeks groups (Groups 3 and 4) are described at the program level.

¹ In 2002, the Measure DD Implementation Project was analyzed in an Addendum to earlier environmental documents prior to the City Council's decision to place Measure DD on the ballot. Based on that analysis, the City proceeded to fund, design and construct some Measure DD components. In December 2006, the City initiated the preparation of this environmental analysis for the project in light of more developed project information. In the interim, some Measure DD-funded components had been designed, permitted and constructed in reliance on the previous Addendum, 2006 Lake Merritt Channel Wetlands and Widening Project EIR and related environmental documents.

C. EIR SCOPE

On December 8, 2006, the City circulated a Notice of Preparation (NOP) to help identify the types of impacts that could result from the proposed project, as well as potential areas of controversy. The NOP was mailed to public agencies (including the State Clearinghouse) and neighborhood organizations and individuals considered likely to be interested in the proposed project and its potential impacts. Additionally, a Public Hearing was held before the Oakland City Planning Commission on January 3, 2007 to solicit public comments. The public comment period was extended an additional two weeks (for a total of 44 days) to solicit comments. Comments received by the City on the NOP were taken into account during the preparation of this Draft EIR. The NOP and written comments are included in Appendix C.

Some of the specific issues and concerns identified during the scoping process that are addressed in the EIR include:

- Proposed removal and replacement of trees around Lake Merritt and the Lake Merritt Channel and the potential impact this action would have on visual resources, water quality, air quality and wildlife (including nesting birds and special status species);
- Proposed reconfiguration of El Embarcadero and its potential impacts on nearby Lakeview Library;
- Proposed widening of Lake Merritt Channel and the potential impact to wildlife caused by increasing the Channel's accessibility to recreational users;
- Proposed renovation of buildings and other activities that might affect historic resources including Lake Merritt's status as the nation's first wildlife refuge;
- Proposed reconfiguration of parking at the Municipal Boathouse and the impact on visual resources;
- Proposed reconfiguration of Lakeside Drive, Lakeshore Avenue, 12th Street and other streets and the potential impacts related to traffic, air quality and noise;
- Proposed remediation of contaminated materials at sites along the Waterfront Trail and the potential effects on public health, water quality and air quality;
- Proposed operation of new segments of the Waterfront Trail and other recreational components, such as bike lanes, and their potential impacts related to transportation, including automobile and bus traffic, rail lines and use of the Oakland Tidal Canal;
- Proposed project construction and potential impacts related to transportation (including bus service and railroad operations), air quality, water quality, noise and wildlife; and
- Cumulative impacts resulting from the proposed project.

D. REPORT ORGANIZATION

This EIR is organized into the following chapters:

- *Chapter I – Introduction*: Discusses the overall EIR purpose; provides a summary of the proposed project; identifies potentially significant issues and concerns; and summarizes the organization of the EIR.

- *Chapter II – Summary:* Provides a summary of the impacts that would result from implementation of the proposed project and lists mitigation measures recommended to reduce or avoid significant impacts.
- *Chapter III – Project Description:* Provides background on the project, a description of the project objectives, project site, required approvals, and details of the project itself.
- *Chapter IV – Setting, Impacts and Mitigation Measures:* Describes the following for each environmental technical topic: existing conditions (setting); potential environmental impacts and their level of significance; and mitigation measures recommended to mitigate identified impacts. Potential adverse impacts are identified by levels of significance, as follows: less-than-significant impact (LTS), significant impact (S), and significant and unavoidable impact (SU). The significance of each impact is categorized before and after implementation of any recommended mitigation measure(s).

The following environmental topics are addressed in Chapter IV:

- A. Land Use
- B. Planning Policy
- C. Transportation, Circulation and Parking
- D. Air Quality
- E. Noise
- F. Biological Resources
- G. Cultural Resources
- H. Hydrology and Water Quality
- I. Geology, Soils and Seismicity
- J. Hazards and Hazardous Materials
- K. Public Services and Recreation
- L. Utilities and Infrastructure
- M. Aesthetic Resources

Within each topic area, the environmental setting is described and impacts are analyzed by project group (Groups 1 through 4). Mitigation measures are recommended, as appropriate. The impact analysis is organized around the criteria of significance developed by the City of Oakland. The criteria of significance are identified and then the level of significance of each impact is stated in the text and summarized in a table by project group. The *Impacts and Mitigation Measures Applicable to All Project Groups* are identified first, followed by *Impacts and Mitigation Measures Applicable to Specific Project Groups*.

- *Chapter V – Alternatives:* Provides an evaluation of alternatives to the proposed project which includes the No Project alternative.
- *Chapter VI – CEQA-Required Assessment Conclusions:* Provides the required analysis of growth-inducing impacts; significant irreversible changes; unavoidable significant effects; cumulative impacts; and effects found not to be significant.
- *Chapter VII – Report Preparation:* Identifies preparers of the EIR, references used, and the persons and organizations contacted.
- *Appendices:* The appendices contain the NOP and comments on the NOP, technical calculations, and other documentation prepared in conjunction with this EIR.

