

## CHAPTER 4

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# Responses to Comments at the Public Hearing on the Draft EIR

The public hearings on the Draft EIR were held on September 9 and 25, 2013. The following is a summary of comments received at the public hearings, followed by responses that address those topics. Some of the topics raised have been previously responded to in Chapter 3 (Written Comments on the Draft EIR and Responses to Comment).

### A. Responses to Comments from September 9, 2013 Hearing

The following comments were made at the Planning Board public hearing on the Draft EIR on September 9, 2013:

#### Ethan Clifton

The commenter stated that the Draft EIR proposes to change the timing of the traffic lights and restripe the street; and that Oakland's Chinatown will be heavily impacted by the project.

**Response:** This comment appears to refer to proposed mitigation measures that require specific improvements at intersections including optimization of signal timing and restriping of lanes. As discussed in Section 4.C, *Transportation and Circulation* of the Draft EIR, the proposed project would alter travel patterns in Alameda and in Oakland's Chinatown. The Draft EIR identifies implementation of a Transportation Demand Management (TDM) program as the primary and initial mitigation measure, which would be implemented prior to any physical improvements. The TDM program is part of the proposed project, as described starting on page 3-22, under the Circulation Framework. The Draft EIR further requires the TDM program to be implemented pursuant to Mitigation Measure 4.C-2a under Impact 4.C-2, Chapter 4.C, *Transportation and Circulation*, to mitigate the impacts of the proposed project on the local roadway network. As required by Mitigation Measure 4.C-2b, a monitoring program would be established to regularly assess the success of the TDM program.

#### Doug deHaan

The commenter stated that the City has completed many EIRs and traffic studies regarding Alameda Point in the past; that the EIR talks about the ferry service which only goes to San Francisco which is not where the bulk of residents work; that BART is far too cost prohibitive;

and that he is worried about the flood plain. The commenter urged the board members to look at the past studies.

**Response:** Under CEQA, analysis of a project's environmental impacts should be performed based on the physical environmental conditions as they exist at the time the notice of preparation (NOP) was published (CEQA *Guidelines* § 15125). In accordance with these guidelines, the Draft EIR relied on current data and information to develop the CEQA baseline. For discussion regarding the traffic model that was used for the proposed project, please refer to response to Comment 7-9 in Chapter 3 of this Final EIR regarding the travel demand model. The proposed project would be accessible from both BART and the existing and future ferry terminal, using existing transit service, and future service options developed as part of the TDM program.

The Draft EIR includes an extensive analysis of the flood hazards at Alameda Point in Sections 4.H, I, and M. The Master Infrastructure Plan is specifically designed to address existing flooding issues and potential future flooding issues related to sea level rise.

## Karen Bey

The commenter stated that she is looking forward to the completion of the TDM plan. She mentioned that she rides the ferry and has noticed a huge increase in ridership recently. She feels the City needs more ferry terminals, since it is surrounded by water, and feels the developers should help pay for them.

**Response:** The commenter's support of the TDM plan and proposed ferry services is acknowledged. As described in Draft EIR Chapter 3, *Project Description*, starting on page 3-22, developers would be required to comply with the proposed TDM plan and provide an annual financial contribution to fund TDM services. Further, the proposed project does not require the removal of the existing ferry terminal if the service moves to the Seaplane Lagoon.

## B. Responses to Comments from September 25, 2013 Hearing

The following comments were made at the joint City Council-Planning Board public hearing on the Draft EIR on September 25, 2013:

### Dorothy Kamimoto

The commenter stated when streets were adversely affected, that there would be hearing ahead of time. She also stated her concern that Bayview Drive has been previously identified as the second most traffic-impacted street in the City, and is particularly still used as a shortcut for large trucks. Concern that traffic calming measures have not yet been finished, and additional concerns that the development overall will degrade quality of life.

**Response:** With respect to the commenter's concern about public notification of potential effects on street, the purpose of the public hearings held on September 9 and September 25,

2013 were to receive public comments about the Draft EIR for the Alameda Point project, which includes a transportation analysis of impacts on Alameda streets in Section 4.C. Please refer to responses to Comments 12-1, 20-1 and 24-1 that address the commenter's concerns about traffic levels and mitigation measures along Bayview Drive.

## Susan Galleymore

The commenter stated that there has not been enough emphasis on environmental health impacts. In particular, she is concerned about how certain contaminants (e.g. VOCs) will impact the surrounding environment, including potential unknown synergistic effects that are hard to study.

**Response:** Draft EIR Section 4.J, *Hazards and Hazardous Materials*, addresses the potential for exposure to the public of contaminants including volatile organic compounds encountered during excavation or other ground disturbing activities (see discussion under Impact 4.J-7 of Draft EIR on page 4.J-42).

## Helen Sause

The commenter stated her concerns about utilities limiting density; concerns about limited housing limiting the job growth desired; concerns about a better jobs/housing balance; concerns about increasing public amenities; and concerns about streets following grid patterns.

**Response:** Draft EIR Chapter 3, *Project Description*, describes that the majority of the existing utility systems (including wastewater, stormwater, potable water, electrical, natural gas and telecommunications) are beyond their useful service lives and cannot support redevelopment of Alameda Point without replacement or rehabilitation. Therefore, as part of the project, a proposed Master Infrastructure Plan (MIP) was prepared for the infrastructure necessary to support the redevelopment and reuse of Alameda Point. It is anticipated that new utility infrastructure would be installed in a manner designed to support the proposed uses within both the development areas and the reuse areas. The MIP is designed to be adaptable to changing land use intensities and densities in the event that the City changes the land use program in the future.

The Alameda Point project would create housing for approximately 2,779 residents and would also create approximately 7,900 job opportunities. As stated on page 4.B-2 of the Draft EIR, the City of Alameda currently has more employed residents than jobs. It is estimated that the City has approximately 26,970 jobs and 37,799 employed persons, which indicates that many of Alameda's employed residents commute to work outside of the City. The ratio of jobs to employed residents within the City of Alameda is 0.71. A major cause of the existing imbalance is that Alameda lost 18,000 jobs when the U.S. Navy closed NAS Alameda. The addition of jobs to Alameda Point would improve the jobs-housing balance in Alameda and help reduce off-island commute traffic in conformance with the policies of the General Plan.

The street network within the Adaptive Reuse Sub-area would be determined by the existing street patterns, which is a contributing characteristic of the NAS Alameda Historic District. Within the Town Center and Waterfront Sub-area, the NAS Alameda Historic District grid of streets would be extended into this area, and would generally follow grid patterns. The street network within the Enterprise Sub-area and Main Street Sub-area also

would follow a grid pattern, while preserving the historic “beehive” street network in the historic residential sub-area.

Regarding public amenities, as stated starting on page 4.L-11 of the Draft EIR, the project would have a less-than-significant impact on public services such as libraries and recreational space. Specifically, the proposed project would provide for development of approximately 1,158 net new housing units that are anticipated to result in a population of approximately 2,215 new residents in the project site by 2035. These additional residents would use the 258 acres of new park and recreation facilities that are proposed as part of the project because they are located near the residential uses. The proposed parks and open space areas include a waterfront promenade, a bay trail, historic open spaces, parade grounds, neighborhood parks, walking and bike trails, sidewalks, and bike paths.

## Chuck Kapelky

The commenter stated that future technology may even further alleviate community concerns.

**Response:** This comment is acknowledged.

## Bill Smith

The commenter stated that the project does not provide enough housing. Statement that the Alameda Point development overall will be good.

**Response:** Please refer to the response to Helen Sause’s comment regarding the jobs/housing imbalance.

## John Spangler

The commenter stated that it is essential that the sea level rise berm is raised to at least the median of a projection; that a high density option is preferable, in that it will be financially more advantageous; that the 51A bus should have a headway of 8-15 minutes, to reduce traffic congestion; that a smart grid should be installed, with simple, universal plug and play pre-wiring; that building codes should be stricter than State code; that Risk Assessment Health Values should be consulted for toxics; that the infrastructure cost of 575 million is an underestimate if SunCal estimated the cost to be 700 million.

**Response:** The Draft EIR includes an extensive analysis of the sea level rise issue. See Section 4.I, *Hydrology and Water Quality* starting on page 4.I-25 of the Draft EIR.

The City of Alameda prepared a Master Infrastructure Plan which documents the improvements required by development to minimize risks from sea level rise and seismic events. As stated on page 4.H-19 of the Draft EIR, the entire project site is located in an area that is already considered to have a high potential for liquefaction. In fact, the project site is located within an area identified by the California Geological Survey to be in a liquefaction hazard zone where any new development or redevelopment must meet the requirements of Special Publication 117A to demonstrate adequate mitigation of any identified liquefaction hazards. The report referenced in the comment describes an

increased risk of liquefaction for existing structures in areas where a rising groundwater level from sea level rise might begin to saturate currently dry sandy soils. However, for improvements associated with the proposed project, groundwater levels are already relatively shallow and preliminary geotechnical evaluations of the site have identified liquefaction hazards that would require substantive measures such as deep dynamic compaction of soils, vibratory compaction of soils, and soil/cement mixing such that a rising groundwater table would not reduce the stability of these improvements.

The Draft EIR is required to evaluate the various options, but the Draft EIR is not responsible for selecting a preferred option.

The City of Alameda is working actively with AC Transit to increase transit services to Alameda Point to support a transit oriented development.

The comment regarding the importance of a smart grid system and building codes that are stricter than the California Building Code is acknowledged. As stated on page 4.F-23 of the Draft EIR, in the analysis of Air Quality and Greenhouse Gases, the state's green building standards (adopted by the City as the Alameda Green Building Standards Code) contain standards for planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality, and these standards would apply to development at Alameda Point. The standards are revised every three years, and new provisions will take effect in January 2014. Among these are non-residential provisions applying stormwater pollution prevention best management practices and water efficiency requirements to building additions, not just new buildings; updated bicycle parking requirements for additions and alternations; and new requirements to reduce waste from construction demolition. For residential construction, new and updated provisions include application of green building requirements to building additions and alterations; revised energy efficiency requirements; new water conservation requirements; and a new provision requiring reduced generation of construction and demolition waste. Given recent trends, it can be anticipated that such building code provisions will continue to become more stringent with the passage of time, meaning that construction that begins at Alameda Point several years from now will likely be required to meet even higher standards.

Risks from toxic materials that remain following the Navy's use of the property are discussed in detail in Section 4.J, *Hazards and Hazardous Materials*. As stated on page 4.J-30 of the Draft EIR, the land-use restrictions for affected property will be identified in the automated permit-tracking system that the City uses for its permitting activities, and that review of the City Program will be incorporated into the permitting process to ensure review of any potential restrictions on site use. The City's Land-Use Tracking Program and Site Management Plan (City Program) is described in detail beginning on page 4.J-28 of the Draft EIR. The City Program will address both closed sites where no further action is required because investigations have determined that there is no threat or minimal threat to human health, and open petroleum sites where additional investigation and/or cleanup work is necessary. Restrictions such as prohibitions on the use of underlying groundwater is not likely to affect future residents, because the natural brackish conditions of the groundwater combined with the available high quality water supply service should preclude any reasonable desire to use site groundwater.

The estimated costs of the infrastructure improvements are not relevant to the adequacy of the environmental analysis included in the Draft EIR.

## Karen Bey

The commenter stated that there should be high density alternatives and that low density should not be limited; that she believes the development can and should make Alameda a highly visible, highly sought-after destination, and that a ferry terminal is preferable, so that visitors can visit more freely.

**Response:** The Draft EIR evaluates high density alternatives to the proposed project. As described in Draft EIR Chapter 5, *Alternatives*, both the High Density Alternative and the Transit Oriented Mixed Use Alternative include higher amounts of development than the proposed project. Specifically, the Transit Oriented Mixed Use Alternative increases the number of residential units to 3,400 units to create a more transit supportive development and maintains the total number of square feet of non-residential uses but changes the mix of non-residential uses. The High Density Alternative includes 4,841 housing units (compared to 1,425 units as proposed) and 3.8 million square feet of non-residential uses. As described in Chapter 5, *Alternatives*, and summarized in Draft EIR Table 5-7, environmental impacts associated with these high density alternatives (e.g., traffic, air quality and GHG emissions, noise, and public services) would likely be more severe than the proposed.

The City is actively working with the Water Emergency Transit Authority to move the ferry service to the Seaplane Lagoon and increase the amount of ferry service provided.

## Diane Lichtenstein

The commenter stated that the development follows the Community Reuse Plan developed 16 years prior. She is concerned that the EIR is not specific about community site and cultural amenities, in particular with regard to school accessibility. She is concerned that the analysis of schools insufficiently takes into account that students will have to travel farther distances to attend charter and other schools, which are predicted to pick up the slack as public schools remain at full capacity. She stated that this will reduce the community character of Alameda, and that the EIR generally follows the goals of the Reuse Plan, but does not see any clear mechanisms for implementation oversight, and that more emphasis should be given to cultural amenity preservation and development.

**Response:** The City of Alameda is committed to working with Alameda Unified School District (AUSD), the State of California, and/or other parties to identify resources for providing educational facilities at Alameda Point. As described starting on page 4.L-5 of the Draft EIR, pursuant to Senate Bill 50, payment of school district impact fees by new development is full mitigation for potential impacts to school facilities from new development. All new development at Alameda Point will be required to pay the AUSD impact fees.

## Adrian Lackadat

The commenter stated that she is impressed by what exists at Alameda Point; that there is a good synergy and co-existence between the open spaces and light industrial property, that she does not see any Light Industrial Zone that meets the water, and that it would be beneficial for businesses if there were such a zone.

**Response:** As described on Draft EIR page 3-31, light industrial uses would be allowed within the Enterprise Sub-area, which is situated just north of the open space area.

## Alex Danenbaum

The commenter stated that traffic would be expected to increase in the Oakland Chinatown area and in the Posey tube, just as the EIR indicates. He expressed his belief that there should be more coordination with the City of Oakland to further resolve this issue.

**Response:** The City of Alameda is committed to working with the City of Oakland and the Chinatown community to make improvements to the regional transportation network to reduce congestion in and around Chinatown, the Webster and Posey Tubes and the I-880 freeway.

## Doug deHann

The commenter stated that sea level rise, retail development, transportation, and earthquake issues should be taken seriously.

**Response:** The Draft EIR includes an extensive analysis of the sea level rise and seismic stability. See Section 4.I. *Hydrology and Water Quality* of the Draft EIR evaluates the proposed project impacts related to flooding due to sea level rise and Section 4.H, *Geology and Seismicity*, addresses seismicity concerns. The City of Alameda prepared a Master Infrastructure Plan which documents the improvements required by the proposed development to minimize risks from sea level rise and seismic events.

As stated on page 4.H-19 of the Draft EIR, the entire project site is located in an area that is already considered to have a high potential for liquefaction. In fact, the project site is located within an area identified by the California Geological Survey to be in a liquefaction hazard zone where any new development or redevelopment must meet the requirements of Special Publication 117A to demonstrate adequate mitigation of any identified liquefaction hazards. The report referenced in the comment describes an increased risk of liquefaction for existing structures in areas where a rising groundwater level from sea level rise might begin to saturate currently dry sandy soils. However, for improvements associated with the proposed project, groundwater levels are already relatively shallow and preliminary geotechnical evaluations of the site have identified liquefaction hazards that would require measures to be implemented during project construction, such as, deep dynamic compaction of soils, vibratory compaction of soils, and soil/cement mixing such that a rising groundwater table would not reduce the stability of these improvements.

Further, regarding earthquake safety, as explained in the Draft EIR, the City has a Comprehensive Emergency Services Management Plan to protect the safety and welfare of

residents, employees and visitors in Alameda in the event of an emergency such as a flood, tsunami or earthquake. Continuation of existing conditions is not a significant impact for purposes of CEQA; please see pages 4.I-16 to 4.I-17 of the Draft EIR.

The City of Alameda is working actively with AC Transit, BART, and WETA to increase transit services to Alameda Point in order to support a transit oriented development. The required TDM program is designed to provide additional local services to supplement, expand, and connect to the services provided by the regional transit providers

## Bob Sacuria

The commenter stated that sea level rise is viewed simplistically. Statement that there are other factors to be concerned about, including storm surge issues, which would affect people living below sea level.

**Response:** As stated on Page 4.I-4 of the Draft EIR and under Impact 4.I-6 in Section 4.I, *Hydrology and Water Quality* of the Draft EIR, because the project site abuts the tidal canal, the highest tide levels associated with storm surge events can be high enough to cause localized flooding of the lowest lying portions of the site under existing conditions. As also discussed in Chapter 3, *Project Description*, of the Draft EIR, the perimeter coastal areas within Alameda Point will be designed to protect future development from wave/wind run up in coordination with an Adaptive Management Plan to incorporate flood protection measures. The project site would be developed in accordance with FEMA criteria (incorporating the 100-year storm levels) and with additional consideration to sea level rise as further discussed in Impact 4.I-8 in Section 4.I, *Hydrology and Water Quality*. A combination of specific project design features, the storm drainage and flood protection systems onsite, along with City's emergency management plan and its Alert and Warning System, would reduce impacts associated with exposing people to significant flood risks from 100-year storm events.

## Doug Biggs

The commenter stated that that the air pollutants mitigation seems too passive and that ideally there would be more active mitigation. He expressed concern that the EIR does not seem to fully address environmental justice issues, and that there should be more community monitoring.

**Response:** The air quality mitigation measures identified in the EIR were developed consistent with the Bay Area Air Quality Management District's (BAAQMD) *CEQA Air Quality Guidelines*. Regarding community monitoring, please see the responses to Letter 11, stating that the City is willing to develop community monitoring programs with the Collaborative.

## Craig Miott

The commenter made statements about the high quality of the NAS Alameda Historic District. He also made statements about a need for improving BART access.

**Response:** Please see responses to letter 25 from Craig Miott. As described on Draft EIR pages 3-26 and 3-27, portions of the Town Center and Waterfront Sub-area and Main Street

Neighborhood Sub-area include buildings in the NAS Alameda Historic District and the entire Adaptive Reuse Sub-area is situated within the Historic District. Rehabilitation of contributing structures in the NAS Alameda Historic District that overlap with these particular Sub-areas would be reviewed for conformance with the *Guide to Preserving the Character of the NAS Alameda Historic District* and new buildings would be reviewed for conformance with the character defining features of the NAS Alameda Historic District.

Regarding improving access to BART, the Alameda Point project includes proposed shuttle service connecting Alameda Point to the Oakland City Center 12th Street BART Station. As described in Chapter 3 of the Draft EIR (page 3-24), the shuttle service is expected to evolve with each phase of development of Alameda Point, but implementation and operation of the shuttle service would be flexible so that it can adapt to development patterns guided by market forces. Further, existing service is provided by AC Transit.

## Amanda Shepard

The commenter stated that the development may not attract large quantities of people and that the development should ideally be kept dense and small.

**Response:** Comments noted.