



250 FRANK H. OGAWA PLAZA, SUITE 3330 • OAKLAND, CALIFORNIA 94612-2032

Community and Economic Development Agency  
Planning & Zoning Services Division

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## NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

The City of Oakland, Community and Economic Development Agency, Planning Division, is preparing a Draft Environmental Impact Report (EIR) for the project identified below. Your comments on the scope and content of the EIR are requested. An Initial Study (IS) has been prepared that identifies areas of probable environmental effects. These probable environmental effects are summarized below. The IS is available at the Planning Division office or at <http://www.oaklandnet.com/government/ceda/revised/planningzoning/MajorProjectsSection/environmentaldocuments.html>. The City of Oakland is the Lead Agency for this project and is the public agency with the greatest responsibility for either approving or carrying out the project. This notice is being sent to Responsible Agencies and other interested parties. Responsible Agencies are those public agencies, besides the City of Oakland, that also have a role in approving or carrying out the project. Responsible Agencies will need to use the EIR that the City prepares when considering approvals related to the project. When the Draft EIR is published, it will be sent to all Responsible Agencies and to others who respond to this Notice of Preparation or who otherwise indicate that they would like to receive a copy.

Written comments on the Notice of Preparation must be received by **5:00 p.m. on June 30, 2004**. Your response and any questions or comments should be directed to Margaret Stanzione, Project Planner, at the address listed below.

**The Planning Commission will hold a Scoping Session on Wednesday, June 16, 2004 at 6:30 pm at City Hall, Hearing Room 1, One City Hall Plaza, Oakland.**

**PROJECT TITLE:** Oak to 9th Mixed Use Development (Residential/Commercial/Open Space) Project

**PROJECT LOCATION:** Approximately Sixty-two acres bounded by Embarcadero Road, the Oakland Estuary, Fallon Street, and 10<sup>th</sup> Avenue (see attached location map).

**PROJECT SPONSOR:** Oakland Harbor Partners, LLC

**PROJECT DESCRIPTION:** The entire project site is approximately 62 acres of waterfront property owned by the Port of Oakland. The proposed project includes up to 3,100 residential units, 200,000 square feet of ground-floor commercial space, 3,500 structured parking spaces, approximately 27 acres of public open space, two renovated marinas, and a wetlands restoration area. The project is proposed to be constructed in phases over approximately ten years. The site is currently occupied by a combination of commercial, warehouse and light industrial services. The existing buildings on the site will be demolished, with the exception of a portion of the Ninth Avenue Terminal shed building, Estuary Park, and the Jack London Aquatic Center. The site is primarily zoned M-40 Heavy Industrial with a small portion zoned S-2/S-4 Civic Center/Design Review. The General Plan land use designation is the Estuary Policy Plan's Planned Waterfront District (PWD-1). As it pertains to the project area, construction of the proposed project will require consideration of amendments to the City of Oakland Estuary Policy Plan, a rezoning of the property because it is not currently designated for residential or commercial uses, approval of a subdivision map, design review approval, a development agreement, and possibly other City approvals/actions. In addition, approvals or permits may also be required from other agencies for activities such as modifications to the shoreline, demolition of structures, site remediation, wetlands restoration, local and regional access, and possibly other activities. One or more parcels in the project area may be listed on the "Cortese List" of hazardous waste sites (Government Code Section 65962.5).

**PROBABLE ENVIRONMENTAL EFFECTS:** It is anticipated that the proposed project may result in the following potentially significant environmental impacts which will be analyzed in the EIR: aesthetics, air quality, cultural/historic resources, hazards/hazardous materials, noise, transportation/traffic, biological resources, geology/soils, hydrology/water quality, land use/planning population/housing, public services, recreation, and utilities/service systems. The following

environmental effects were analyzed in the IS and determined to result in less-than-significant impacts and thus will not be further studied in the EIR: agricultural resources and mineral resources.

**CONTACT INFORMATION:** Margaret Stanzione, Project Planner, City of Oakland, Community and Economic Development Department, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612. Phone: (510) 238-4932, Fax: (510) 238-6538, email: [mstanzione@oaklandnet.com](mailto:mstanzione@oaklandnet.com)

Date: May 28, 2004  
Case File No.: ER 04-0009

CLAUDIA CAPPIO  
Director of Development and Environmental Review Officer