VOLUME IV

RESPONSES TO COMMENTS

AND TEXT REVISIONS

TO THE

CITY OF EMERYVILLE
KAISER PERMANENTE MEDICAL CENTER

DRAFT ENVIRONMENTAL IMPACT REPORT

OCTOBER, 1994

STATE CLEARINGHOUSE NO. 93082063

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SECTION I

INTRODUCTION

SECTION I

INTRODUCTION

A. CALIFORNIA ENVIRONMENTAL QUALITY ACT PROCESS

The City of Emeryville released a Draft Environmental Impact Report (Draft EIR) for the Kaiser Permanente Medical Center Project (SCH #93082063) for public review on May 5, 1994. The public review and comment period for the Draft EIR began on May 5, 1994 and ended on June 20, 1994. During this initial review period, the City of Emeryville received several requests to extend the public review period to allow the public additional time to review and comment on the Draft EIR. In response to these requests the City decided to extend the public review and comment period an additional 45 days, to August 4, 1994.

The Draft EIR for the Kaiser Permanente Medical Center and this document entitled Responses to Comments, together constitute the Final EIR for the proposed project. The Final EIR is an informational document prepared by the Lead Agency (the City of Emeryville) that must be considered by the decision-making bodies of the Lead Agency before approving or denying the proposed project. The Lead Agency must certify that the Final EIR adequately discloses the environmental effects of the proposed project and has been completed in conformance with CEQA, and that the decision-making bodies independently reviewed and considered the information contained in the EIR. The Final EIR must also be considered by "Responsible Agencies", which are public agencies that have discretionary approval authority over the project. A Responsible Agency must consider the environmental effects of the project as shown in the EIR, prior to approving any portion of the project over which it has authority.

California Environmental Quality Act (CEQA) Guidelines (Section 15132) specify the following:

> "The Final EIR shall consist of:
>
> (a) The Draft EIR or a revision of that draft.
> (b) Comments and recommendations received on the Draft EIR.
> (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
> (d) The response of the Lead Agency to significant environmental points raised in the review and consultation process.
> (e) Any other information added by the Lead Agency."

This Response to Comments document contains comments from public agencies and the general public, and contains appropriate responses by the Lead Agency to those comments.

B. ORGANIZATION/HOW TO USE THE RESPONSES TO COMMENTS DOCUMENT

This Responses to Comments document contains information in response to the issues raised during the public comment period. The Draft EIR document, consisting of Volumes, I, II, and III, should be considered together with this Responses to Comments document. The Responses to Comments document, Volume IV, is organized as follows:

Section I introduces the reader to the requirements of a Final EIR and to the organization of this Responses to Comments document.

Section II contains the summary of the process for accepting public comments and for responding to the comments that were raised during the public review period. Additionally, the summary describes the types of responses to comments that are contained in this document and the revisions to the text of the Draft EIR that will be incorporated into the Final EIR.

Section III identifies the major topics raised during the comment period and provides master responses for each of these major topics. For the purposes of this Responses to Comments document, major topics are defined as those categories of issues, such as the Fox Theater site alternative, that were raised by numerous commenters. The organization of this section generally follows the order in which these issues are discussed in the Draft EIR. The master responses are intended to address the common concerns raised by commenters. However, each specific comment raised nonetheless also received a specific response as described below.

Section IV contains a numerical list of all of the individuals, organizations, and agencies that submitted letters in writing during the comment period. Each comment letter that was submitted in writing is reproduced in this section. In order to assist the commenter in locating the responses to the comments raised, each letter is organized alphabetically by the date received by the City of Emeryville, and assigned the same number used in the list of individuals. Each comment raised in each numbered letter is then assigned a letter of the alphabet.

The responses are provided after the letter in the order in which the comments were assigned in the alpha-numerical process. For example, the responses to Comment Letter 1 follow directly after the comment letter. Two comments were raised in Comment Letter 1 and they were assigned the numbers 1A and 1B. The responses to Comment Letter 1 are found immediately after the letter and are listed as *Response to Comment 1A* and *Response to Comment 1B*. To assist the reader, please note the following: those comment letters consisting of only one page have the corresponding response printed adjacent to them, while those comment letters consisting of more than one page have the corresponding response immediately following the end of the letter.

As indicated above, specific responses were provided for each comment raised in the letters submitted during the public review period. However, in some cases the response merely acknowledge's the commenter's remarks, as "comment noted." The reasons that such responses are provided are as follows:

- the comment raised is a project issue, not an EIR issue;
- the comment raised expresses the commenter's opposition or support of the project;
- the comment is a commentary on the benefits/adversities of the project;

- the comment represents a global policy issue that is outside the scope of this EIR; or
- the comment is not directly relevant to the analysis or scope of issues addressed in the EIR.

Section V contains a list of the commenters who spoke at the June 2, 1994 public hearing and the public hearing transcript. Responses are only provided to the comments made by members of the public, and do not respond to the introductory remarks made by City Staff, consultants, or the Planning Commission.

Section VI contains a list of the revisions to the text of the EIR that were noted in the responses to comments. In addition, Section VI includes corrections to minor errors, and minor refinements to the project site plan. Upon certification of the Final EIR, these text revisions will be directly incorporated into the text of Volumes I and II of the EIR, as necessary.

SECTION II

SUMMARY

SECTION II

SUMMARY

A. History of Public Comment Period

The City of Emeryville circulated the Draft EIR for the Kaiser Permanente Medical Center project from May 5, 1994 to June 20, 1994. During this period, members of the public were invited to submit written comments on the Draft EIR. Additionally, the City Planning Commission held a public hearing on June 2, 1994 to provide members of the public an opportunity to also give oral testimony regarding the Draft EIR.

By the end of the initial review period the City of Emeryville had received several requests to extend the public review period to allow the public additional time to review and comment on the Draft EIR. At that time the City decided to extend the public review and comment period an additional 45 days, to August 4, 1994 which was 15 days longer than the 30 days requested by most commenters.

B. Responses to Comments

In conformance with CEQA Guidelines §15132(d), the City of Emeryville has responded to each of the environmental issues raised in the review and consultation process. Each comment letter that was submitted in writing has been reproduced in its entirety, followed by the responses to each of the comments raised in the letter.

The City of Emeryville has made a good faith effort to address each of the issues raised that are relevant to the environmental review process and that pertain to the environmental document. In order to provide a complete, consistent set of responses, two response sections are provided: Section III contains the Master Responses for those issues that were repeatedly raised in the comment letters, and Section IV consists of specific responses to each specific comment in each letter. In many cases, the specific response refers the commenter to the Master Response, and then provides additional information specific to a given comment.

With regard to the transcript of the public hearing, most of the comments stated orally were then submitted in writing by the same commenter or by others. As a result, the majority of the responses to the oral comments refer the reader to the Master Responses or specific responses contained in Section IV. New responses are provided only to those comments that were not also submitted in writing.

The City of Emeryville has provided its proposed written responses to public agencies who commented on the Draft EIR for a minimum of 10 days prior to any action by the Emeryville City Council in accordance with Public Resources Code §21092.5(a) which states that:

> "at least 10 days prior to certifying an EIR, the Lead Agency shall provide a written proposed response to a public agency on comments made by that agency which conform with the requirements of this division. Proposed responses shall conform with the legal standards established for responses to comments on draft EIRs. Copies of responses or the environmental document in which they are contained, prepared in conformance with other requirements of this

division and the guidelines adopted pursuant to Section 21083, may be used to meet the requirements imposed by this section."

This Responses to Comments document has been available for a minimum 10-day public review. Copies of the Responses to Comments document were provided to public agencies that commented on the Draft EIR, as well as to interested individuals and organizations that requested that copies of the document be made available to them.

C. Text Revisions

This Responses to Comments document contains a section identifying the proposed revisions to the text of the EIR. These text revisions generally include minor technical corrections to the text of Volumes I and II that were noted by City Staff or raised by commenters. Minor modifications to the project description associated with revisions to the site plan that occurred during the Preliminary Development Plan process are also identified. These latter revisions consist of the relocation of the proposed central utility plant from the location shown in Figures 3 and 4 in the Draft EIR, at the northwestern corner of the hospital, to a new location on the project site near the center of the western side of the proposed parking garage at San Pablo Avenue and 45th Street. This change in the site plan reduces potential environmental effects, and would therefore, not constitute a significant change in the project.

SECTION III

MAJOR TOPICS RAISED DURING THE COMMENT PERIOD

AND

AGENCY RESPONSES

SECTION III

MAJOR TOPICS AND MASTER RESPONSES

A. COMMENT PERIOD AND NOTICING ISSUES

Master Response A1: Extension of the Draft Environmental Impact Report Public Review and Comment Period

The following master response addresses comments received concerning the need to extend the public review and comment period for the Draft Environmental Impact Report (Draft EIR) for the Kaiser Medical Center project.

The City of Emeryville published the Draft EIR for the Kaiser Permanente Medical Center project on May 5, 1994. At that time copies of the Draft EIR were delivered to the State Clearinghouse, a notice of availability of the Draft EIR was published in the Oakland Tribune, notices were sent by direct mail to persons on the Emeryville mailing list who had indicated an interest in the project, and notices were posted at the project site. All of these notices indicated that the Draft EIR was available for review and comment. The notices indicated that comments on the Draft EIR were due to the City of Emeryville by June 20, 1994. During this initial review period the City of Emeryville had received several requests to extend the public review period to allow the public additional time to review and comment on the Draft EIR. In response to these requests, the City decided to extend the public review and comment period an additional 45 days, to August 4, 1994 which was 15 days longer than the 30 days requested by most commenters.

Master Response A2: Noticing and Availability of the Draft EIR

The following master response addresses comments received concerning the noticing of the availability of the Draft EIR for public review. Several comments were received that suggested that insufficient public noticing of the availability of the Draft EIR had occurred. Others have commented that the Draft EIR was not made available or accessible for people to review.

Section 15087 (a) of the *CEQA Guidelines* states the following regarding the noticing of the availability of Draft EIRs for public review:

> *The Lead Agency shall provide public notice of the availability of a draft EIR. . . . . Notice shall be given to all organizations and individuals who have previously requested such notice and shall also be given by at least one of the following procedures:*
>
> *(1) Publication at least one time by the public agency in a newspaper of general circulation in the area affected by the proposed project.*
>
> *(2) Posting of notice by the public agency on and off the site in the area where the project is to be located.*

(3) *Direct mailing to owners of property contiguous to the parcel or parcels on which the project is located as those owners are shown on the latest equalized assessment roll.*

The *CEQA Guidelines* also state that "Lead Agencies should furnish copies of draft EIRs to public library systems serving the area involved. Copies should also be available in the offices of the Lead Agency" (Section 15087 (e)). The City's noticing procedures were intended to allow for the greatest possible involvement of the public and interested agencies in the Draft EIR review process. The City's noticing procedures exceed the noticing requirements for Draft EIRs as set forth in the *CEQA Guidelines*.

The City of Emeryville noticed the availability of the Draft EIR in several ways including: 1) publication of a notice in the Oakland Tribune on May 7, 1994 which is a newspaper of general circulation in the area where the project is located; 2) posting notices at the project site and at four locations in Emeryville (Emeryville Fire Department, Police Department, Administrative Offices, and the Emeryville Senior Center); and, 3) providing notices via direct mail on May 6, 1994 to all persons indicating an interest in the Kaiser project. The City's direct mailing consisted of the City's standard mailing list of Planning Commission meetings, persons who provided comments in response to the Notice of Preparation of the Draft EIR, and persons who had submitted letters or cards to the City of Emeryville requesting they receive such notice. The City's direct mailing went to approximately 180 persons.

The notification of the Draft EIR's availability indicated that the Draft EIR was available for review at the City of Emeryville Planning Department, located at 2200 Powell Street, the Golden Gate Library, located at 5606 San Pablo Avenue, and the Emeryville Fire Station, located at 2333 Powell Street. The notice also indicated that the Draft EIR could be purchased at Rapid Repro Copy Center and Access Print for a reproduction fee. The City of Emeryville also printed approximately 200 copies of the Draft EIR for public distribution.

The City of Emeryville also provided public notification of the extension of the public review period, in a manner consistent with the *CEQA Guidelines*. On June 20, 1994, the City mailed notices to all persons previously noticed on May 4, 1994, as well as all persons who had submitted comments by that date, or otherwise expressed interest in the Kaiser project. This mailing included approximately 360 persons. The City also issued a press release to ten local newspapers including the Oakland Tribune, and posted notices on the project site as well as at four locations in Emeryville (Emeryville Fire Department, Police Department, Administrative Offices, and the Emeryville Senior Center).

Unfortunately during the public review period, Rapid Repro Copy Center moved its location which caused some confusion for people trying to obtain additional copies of the Draft EIR. The Draft EIR and its appendices were, however, available throughout the comment period from the City of Emeryville Planning Department.

B. PROJECT DESCRIPTION

Master Response B1: Existing Oakland Facility

A number of commentors have requested that the Draft EIR discuss the project's possible impacts on Kaiser's existing operations in Oakland and any impacts that might result to the City of Oakland generally. In particular, commentors have requested that additional information be provided regarding the project's impacts on employment in Oakland and that mitigation measures be provided to mitigate any loss of employment. Commentors have also asked that corresponding economic and social impacts to Oakland's economy be assessed, including impacts to businesses surrounding the Oakland Kaiser facility.

The Draft EIR identifies and analyzes the reasonably foreseeable environmental effects of the project. Consistent with CEQA, the Draft EIR does not attempt to analyze impacts that are too remote or speculative for reasonable analysis. Because Kaiser's plans for the Oakland facility have not yet been determined, the Draft EIR does not attempt to analyze the impacts of those changes on Oakland. Such an analysis would be too speculative to provide meaningful information.

As explained in a letter dated August 9, 1994 from Kip Edwards, Kaiser's Director of Facilities Design & Construction to Gaye Quinn, Emeryville Planning Director (the "Kaiser Letter"), there are two significant factors that have delayed Kaiser's planning decisions for the Oakland facility. First, as with other health care enterprises, Kaiser's plans depend in large part on the ultimate outcome of national health care reform, which is currently being negotiated in Congress. For example, if universal employer mandated medical coverage is realized, Kaiser could have millions of new Kaiser members nationwide, which could result in the need for expansion of Kaiser facilities. On the other hand, if universal coverage is not adopted, Kaiser may require less expansion.

Second, Kaiser Permanente currently is undergoing organizational restructuring that involves decentralizing certain planning functions to new sub-regional Customer Service Areas. The Oakland and Emeryville medical centers are part of the new Oakland/Richmond Customer Service Area, although the transition from the previous organizational structure to the new CSA structure will not be completed until 1995. As a result, Kaiser's planning decisions for the Oakland medical center cannot be finally determined at this time.

Faced with these uncertainties, Kaiser has made no definite plans for the existing Oakland facility. As indicated in the Draft EIR and the Kaiser Letter, however, Kaiser does know that a number of uses at the existing site are expected to continue notwithstanding development of the Emeryville project. For example, Kaiser expects that a substantial out-patient presence will remain at the existing Oakland site, but the specific services that will be provided at that site are not known. In this regard, it is anticipated that Eye Services and Outpatient Psychiatry Services will continue at the existing facility, however. In addition, the Fabiola office building at 3801 Howe Street, Buildings 1 and 2 at 2900 Broadway, the Howe Street Medical Office Building at 3772 Howe Street, and the Piedmont Medical Office Building at 3779 Piedmont Avenue are expected to remain operational, as are the Central Utility Plant at 280 West MacArthur and the parking garages at 3780 and 3800 Howe Street.

Kaiser has also indicated that it is likely that the in-patient services at the existing Oakland Medical Center will be moved to the project site. However, Kaiser does not know and has not determined the

future uses of the existing in-patient buildings. There is a broad range of possible future uses for the existing Oakland in-patient buildings at the corner of Broadway and MacArthur. For example, the buildings could be sold to another health services provider, retrofitted and used for out-patient care, remodeled and used for administrative or general office purposes.

Because Kaiser's plans for the existing Oakland facility operations remain speculative, analysis of the effects on Oakland of any changes in those operations would require the EIR to make a host of assumptions. Not only would the EIR have to speculate about Kaiser's future plans, it would also have to guess about future policy decisions of the City of Oakland regarding any proposed uses on the site. Such an analysis could not be expected to yield meaningful information about the project's social and economic impacts on Oakland, much less any resulting physical changes to the environment. Rather, a more appropriate time to conduct environmental review for any reuse of the Oakland Medical Center buildings would be when final decisions have been made regarding Kaiser's reuse plans. Indeed, Kaiser will have to satisfy any applicable permitting and environmental review requirements prior to implementing any such reuse plans.

Although the future operations of the Oakland facility are largely unknown, for purposes of its overall impacts analysis, the Draft EIR assumes that there will continue to be an operational facility at the existing Oakland site. This was necessary in order that the Draft EIR could provide a conservative analysis regarding potential traffic and related impacts. For example, the Draft EIR traffic model assumed that a medical center would remain in Oakland so that it evaluated the traffic generated by the Emeryville medical center as new traffic (in addition to the Oakland medical center traffic), not as replacement traffic. Because the regional air quality and noise analyses were based upon the traffic model, these analyses also accounted for traffic generated at the Oakland facility. As a result, the EIR evaluates worst case physical effects on the environment by treating the proposed Emeryville medical center as a new facility, with the Oakland facility continuing to operate.

Similarly, the Draft EIR presents a very conservative analysis with respect to housing impacts. In this regard, the Draft EIR indicates that the number of workers that would relocate to Emeryville has not been determined, and remains speculative. The Draft EIR also points out that, given that the existing Oakland medical facility is only 1.5 miles from the project site, it is reasonable to assume that most employees that relocate to the new facility will not relocate to a new residence. Nonetheless, to insure that the Draft EIR contains information regarding all possible environmental impacts of the project on housing, the Draft EIR analyzes a range of possible housing demand. For additional discussion of this analysis, please see Master Response C4.

C. EMPLOYMENT AND HOUSING

Master Response C1: Kaiser Housing Program

Several commenters requested that the Draft EIR provide additional information regarding the implementation and funding of the proposed Kaiser Housing Program. Specifically, commenters have requested that the Draft EIR identify how much money would be invested in the program; the parties responsible for designing and administering the program; and the number of units that would be constructed. In addition, a few commenters indicated that this program was not a mitigation measure because no actions will be taken and because this program would not mitigate for the loss of 400 potential housing units. Finally, various commenters have requested that the locations of future housing

sites be identified and that the City of Emeryville and Kaiser substantiate their ability and commitment to replacing low-income units.

In accordance with CEQA Guidelines Section 15126(c), the Draft EIR describes the process in which the Kaiser Housing Program would be implemented. This analysis is also consistent with the approach outlined in CEQA Guidelines §15131, which states that an EIR may trace the physical changes to the environment associated with economic and social changes.

Section II, B. of the Draft EIR contains a detailed description of Kaiser's proposed Housing Program. Commenters are referred to pages 73 through 75, as amended by Section VI of this Responses to Comments document, for a discussion of the method in which Kaiser proposes to lend to the city up to $15,000,000 over a 15-year-period in order to provide new housing, including affordable housing, in the City of Emeryville. A summary of this program is also provided below.

Kaiser Housing Program (Kaiser-Emeryville Housing Fund)

In order to provide the Agency with a flexible source of funding to construct additional housing in Emeryville, Kaiser would lend up to $15,000,000 to the Agency, at a below market interest rate over a term of 15 years, to fund the development of new affordable and market rate housing within Emeryville. Funds from the Kaiser-Emeryville Housing Fund will be made available during the Housing Fund Term in increments of $3,000,000 at one time, which may be borrowed and repaid up to five times, for a maximum of $15,000,000. The Agency will be able to combine the funds from the Kaiser-Emeryville Housing Fund with other sources of funds. The Agency would use these funds in cooperation with private for-profit or non-profit developers to develop housing developments in Emeryville.

Housing Development Criteria. The Agency would have the discretion to determine the types and sizes of the housing developments, with the goal of providing the maximum number of affordable housing units as reasonably possible, consistent with the General Plan Housing Element.

Funding Mechanism. The Agency and Kaiser would execute a loan agreement prior to the first advance of funds from the Housing Program. The Agency will notify Kaiser of the housing development that it selected to obtain funds from the Housing Program. Funding would then be disbursed in accordance with the terms of the loan agreement. Kaiser would only be obligated to advance funds for purposes related to development (including, but not limited to, land acquisition, site preparation, hazardous substance remediation, engineering, architecture and planning, other customary soft costs, and hard construction costs) of the identified housing development.

The $15,000,000 would finance the construction of additional housing units at locations which have not been determined at this time. Although the Housing Program would finance the future construction of additional dwelling units in Emeryville, the growth-inducing implications of this program would not be considered significant, because these units would compensate for the loss of future housing opportunities on the Phase I site. Therefore, the units funded by the Housing Program would be within the citywide growth projections as reflected in the City's adopted Housing Element and evaluated in the environmental document for the Emeryville General Plan. The development of these new units would be subject to further environmental review at the time such projects are proposed.

The replacement of the existing low to moderate income housing units that would be displaced by the project would be accomplished through the City's replacement housing obligations under State Redevelopment Law which are described in the Disposition and Development Agreement (Participation Agreement). As stated on page 77 of the Draft EIR, the implementation of the Kaiser Housing Program in Phase I would help compensate for the lost opportunity of possibly constructing 80 potential moderate income units on the Del Monte portion of the Phase I site. To offset the loss of the 80 potential moderate income units, the Kaiser Housing Program could provide up to $15,000,000 to construct additional housing in Emeryville.

Adequacy of the Kaiser Housing Program as Mitigation

Pursuant to CEQA Guidelines §15370, to be adequate, a mitigation measure must be capable of: (1) avoiding the impact altogether by not taking the action or parts thereof; (2) minimizing the impacts by limiting the degree of the action and its implementation; (3) rectifying the impact of the action by repairing, rehabilitating, or restoring the impacted environment; (4) reducing or eliminating the impact of the action over time by preservation and maintenance operations during the life of the action; and (5) compensating for the impact by replacing or providing substitute resources or environments. As required by California Public Resources Code § 21061.1, mitigation measures must also be feasible or "capable of being accomplished within a reasonable period of time, taking into account economic, environmental, social, and technological factors."

The City of Emeryville considers the loss of 80 potential moderate income units to be a significant impact because the retention of affordable housing is encouraged by the Emeryville General Plan Housing Opportunities, Policy #7, as described in Master Response C3. The proposed Housing Program meets the test for adequacy of a mitigation measure since it compensates for this impact by providing substitute resources. These resources include the provision of a reliable funding mechanism for the acquisition and development of housing at other locations in Emeryville. Additionally, the Housing Program is feasible and capable of being accomplished in a reasonable period of time.

Recent examples of housing projects that are feasible and capable of being accomplished within a reasonable period of time include three projects implemented by the Emeryville Redevelopment Agency. For example, the Redevelopment Agency leveraged about $1.1 million of Agency-raised funds with approximately $3.4 million of the funds from other sources to build the Emery Villa project, consisting of 50 units which are affordable to senior citizens with very low incomes. A second project is the 260-unit mixed income Emery Bay Club and Apartments II, in which the Agency leveraged $4 million of the proceeds from an Agency bond offering with $21 million from other sources. In addition, the Agency provided housing increment bond offering, in addition to the federal HOME program and private financing to fund the reconstruction of the 20-unit very low and low income Triangle Court apartment complex.

Funding mechanisms, such as assessment districts, fee benefit areas, and development impact fees, are commonly treated as mitigation measures under CEQA. The proposed Housing Program resembles these types of feasible mitigation measures. In addition to compensating for the loss of actual housing on the project site, the proposed Housing Program would be considered a feasible mitigation measure because it provides an opportunity to fund new housing to offset the loss of the potential housing that could be constructed on the site under the existing General Plan designation. For example, by using funds from the Housing Program to finance the construction of 38 units of housing that the Emeryville

General Plan indicates could be developed on vacant, underutilized in-fill lots in East Emeryville (Table 10 in the Housing Element), or by using these funds for residential development on the 25 sites that have the potential for future housing opportunities, the Housing Program would again compensate for the impacts by providing substitute resources.

Therefore, providing funding through the Disposition and Development Agreement to assist the Redevelopment Agency in meeting its replacement housing obligations would adequately mitigate for residential displacement impacts. In addition, the Kaiser Housing Program would adequately mitigate for the loss of potential housing opportunities.

Emeryville's Commitment to Encouraging Residential Development

Various programs and policies implemented by the City of Emeryville and the Emeryville Redevelopment Agency demonstrate that the City is committed to encouraging the construction of new residential development, preserving existing affordable housing and providing affordable housing opportunities in a variety of ways. For example, housing programs implemented by the Emeryville Redevelopment Agency include:

- the *Housing Rehabilitation Program* which provides a variety of low interest loans, deferred payment loans and grants for the rehabilitation of owner- occupied and rental housing. All assisted rental units must be reserved for lower income households. This program is funded with a combination of tax increment and Community Development Block Grant funds. In the past 3 years, 16, owner-occupied loans, 27 paint grants, and rental loans for eleven units were made.

- the *First Time Homebuyers Program* provides downpayment assistance to low- to moderate-income first time homebuyers purchasing a home in Emeryville. The loans are deferred payment, second mortgages which match the buyer's downpayment, up to a maximum of 10% of the purchase price of the home. The program provides loans to single family detached, condominiums, townhomes, live/work units, limited equity cooperatives and cohousing units. This program is funded exclusively with tax increment dollars. Since its inception 3 years ago, over 50 loans have been made.

- a *Vacant Housing Program* in which the Redevelopment Agency seeks to acquire vacant in-fill lots or properties with boarded up units to develop affordable, ownership housing. Units are made affordable to lower and median income households and are deed restricted to maintain affordability for a term of at least 30 years. The Agency to utilizes the First Time Homebuyers Program in conjunction with these sales, and funding consists of tax increment monies and housing increment bond proceeds. Six affordable condominium units have been constructed and sold to low and median income families to date. An additional two units are planned for 1994/1995.

Examples of housing projects constructed with City of Emeryville Redevelopment Agency funding assistance include:

- *Emery Villa* - a 50 unit senior citizens rental housing project for very low income senior citizens.

- *Emery Bay Club and Apartments II* - a 260 unit mixed income rental project, of which 20% of the units are very low income and 20% are low income.

- *Triangle Court* - a substandard and dilapidated 14-unit project which was reconstructed to produce 20 units of very low and low income, quality family rental housing.

- *Ocean Avenue Preservation Project* six units of very low to median income family rental housing.

- *4300 San Pablo Avenue* - Agency owned property which is planned for development of 25 - 30 affordable rental units.

- *4800 - 5300 San Pablo Avenue* - Joint venture with City of Oakland to develop 25 units of affordable rental housing, of which seven would be located in Emeryville.

Other City of Emeryville and Redevelopment Agency policies that pertain to the development of affordable housing include:

- the *Affordable Housing Set-Aside Ordinance* which requires that all housing developments over 30 units (both ownership and rental) set aside 20% of the units as affordable to low to moderate income households for the duration of 25 years. To date, one housing development, a 40-unit live/work project has been approved and subject to the ordinance;

- conformance to Redevelopment Law requirements that 20% of the tax increment in both project areas be used towards low to moderate income housing units; and

- the adoption of a Zoning Ordinance which includes permitting second units and manufactured housing in single-family neighborhoods, creating a mixed-use zoning category in which medium density housing (30 units per acre) is allowed, permitting higher residential densities than dictated by zoning that are consistent with land use policies, allowing replacement of residential units, and permitting live/work projects in all zoning districts in the City with the exception of the Public Use district, Outdoor Recreation district, and Shoreline Management district, with a Conditional Use Permit.

These programs demonstrate that the City of Emeryville and Emeryville Redevelopment Agency are committed to continuing to encourage residential development throughout the City. Although no application was filed, this commitment is further demonstrated by the fact that the City of Emeryville has approved or is currently considering a total of 26 very low income and 26 low income units as shown in the table below. These housing units were processed after the adoption of the Housing Element.

Commenters are referred to Master Response C5. for a discussion of the potential for future residential development on the 25 potential housing sites.

	Very Low Income	Low Income
COMPLETED		
•Triangle Court	9	11
IN PLANNING PROCESS		
•4300 San Pablo Avenue	10	15
•4800 San Pablo Avenue	7	
SUBTOTAL	26	26
ABAG Fair Share Housing Standing	(34)	+ 7

Master Response C2: Existing Housing Conditions on the Project Site

Several commenters requested that the Final EIR include a discussion of the potential housing that could be developed on the project site under the current General Plan and zoning designations. Other commenters stated that the actual number of units located on the site should be identified. Finally, a few commenters asked that the EIR address the potential for supportive changes in zoning and General Plan designations to encourage additional housing.

The Draft EIR adequately addresses the existing housing conditions on the project site. In order to respond to the commenters' requests, the following discussion reiterates the information contained in the Draft EIR.

The Draft EIR states on page 27 that the 1993 Emeryville General Plan designates the majority of the Phase I site *Medium Density Residential* with *Mixed-Use* on the portion of the site along Park Avenue and *Commercial* on the eastern portion along San Pablo Avenue, as shown in Figure 8. The Future Expansion site is designated *Mixed-Use*. Page 27 also indicates that the City of Emeryville's Zoning Ordinance zones the project site *Medium Density Residential* (R-M), *Neighborhood Commercial* (C-N), *General Commercial* (C-G), *Custom Manufacturing* (I-C), and *Mixed-Use* (M-U). As stated on page 75 of the Draft EIR, these General Plan and Zoning designations would allow the development of up to 400 potential housing units, including 80 moderate income units, on the Del Monte portion of the Phase I site. No dwelling units are planned under the existing General Plan and Zoning designations for the Future Expansion site.

Page 58 of the Draft EIR states that under existing conditions, there are 32 residential units located on the project site, including 21 residences on the Phase I site and 11 live/work units on the Future Expansion site. To update this information, this section has been revised to clarify that there are 12 live/work units on the Future Expansion site, all of which are occupied at this time.

Although the General Plan designates the Del Monte portion of the Phase I site *Medium Density Residential*, the City of Emeryville has encountered difficulty in developing the site with residential uses. During the past four years, the City of Emeryville aggressively marketed the site to residential or mixed use developers. However, none of the attempts to construct housing on the site materialized. Recognizing the previous attempts to develop housing on the project site, the City of Emeryville and Kaiser established the Kaiser Housing Program in an effort to encourage residential development at other locations in Emeryville.

The impacts of development on the Phase I site, associated with the loss of the existing 21 dwelling units and the potential loss of the total 400 units, including 80 potential moderate income units allowed under the General Plan for the Del Monte portion of the Phase I site are addressed on pages 72 through 81. To offset the potential loss of the 80 future moderate income units, which the City considers to be a significant impact (see Master Response C1.), the project proposes to implement the mitigation measures described on pages 73 through 80, as revised by Section VI of this Responses to Comments document. The City of Emeryville Redevelopment Agency has an obligation under Redevelopment Law to replace the existing dwelling units. The provisions for replacement of these units are contained in the Disposition and Development Agreement (Participation Agreement). In addition, to further offset the loss of the 80 potential moderate income units, the Kaiser Housing Program (through the Development Agreement) could provide up to $15,000,000 to construct additional housing, including affordable housing, in Emeryville.

The implementation of the Kaiser Housing Program represents Kaiser's and the City of Emeryville's commitment to provide future opportunities for potential housing. Additionally, the City has initiated the pursuit of other housing opportunities by identifying 25 potential housing sites that were not included in the Housing Element (see Master Response C6). Live/work units can be developed without requiring rezoning, subject to approval of a Conditional Use Permit in all zoning districts with the exception of the Public Use district, Outdoor Recreation district, and the Shoreline Management district. It is intended that funding from the Kaiser Housing Program, as described in Master Response C1, would be used to facilitate residential development on these additional housing sites.

Master Response C3: Impacts to Fair Share Housing

Many commenters raised the issue regarding the provision of affordable housing in Emeryville. These commenters requested a discussion on the availability of affordable housing; Emeryville's obligation to meet its fair share housing requirements; the suitability of the proposed medical center site for fair share housing; and the estimated demand for new fair share housing generated by the proposed medical center employment.

The Draft EIR contains a discussion of fair share housing in Emeryville based upon available data. The level of detail contained in this analysis is sufficient for the purposes of evaluating the potential impacts associated with the development of a new medical center in Emeryville. CEQA Guidelines §15144 recognizes that there is some degree of forecasting involved in the preparation of an EIR. Consistent with this section, the Draft EIR contains a reasonably foreseeable analysis of the future employment and housing conditions within Emeryville and Alameda County. However, the actual employment and housing conditions within Emeryville, and the corresponding demand for fair share housing units resulting from the proposed medical center are speculative, because, as described in Master Response

B1., Kaiser's plans for the existing Oakland medical facility are uncertain and the number of employees that would choose to move to Emeryville is unknown.

The discussion of fair share housing in Emeryville is provided in Volume I of the Draft EIR on pages 75-77. As noted on page 77 of the Draft EIR, the project would result in the loss of future affordable housing opportunities. Because the City's Housing Element reflects a deficiency in meeting the city's goals for 19 low and 60 very low income housing units, the City concluded that the loss of potential affordable housing units is a significant impact. However, as described in Master Response C1., the City is actively pursuing the development of affordable housing throughout Emeryville. Specifically, *Housing Opportunities Policy #7* in the 1993 Emeryville General Plan encourages the provision of housing opportunities for all economic groups. Policy #7 also states that the City shall explore strategies to retain some low and moderate income housing whenever actions are proposed that may displace these units. Although the 80 moderate income units that could be developed on the Phase I site do not currently exist, because they represent potential moderate income housing units, the City considers the loss of these units to be a significant impact. As previously indicated in Master Response C2., the significant impact can also be mitigated by the City's efforts to provide affordable housing.

The Draft EIR states that as a result of this project, Emeryville will be 37 units short of meeting its affordable fair share housing requirements. This number was obtained by adding potential very low, low, and moderate income housing units, and comparing the total to ABAG's requirements for very low, low, and moderate income units. (See Table 4 on page 76 of the Draft EIR.) However, as indicated above, the actual impact associated with the project is the loss of 80 potential moderate income housing units.

The project itself will not cause Emeryville to fall below ABAG's housing requirements. While it is true that the project would eliminate an opportunity to build up to 400 units on the proposed project site, the Housing Element of Emeryville's General Plan projected that 320 of those units would be above moderate income and that 80 would be moderate income. Even without these 400 potential units, Emeryville will continue to meet its regional fair share housing requirements for both moderate and above moderate income units. This is because, as explained in Table 4 on page 76 of the Draft EIR, ABAG requires that Emeryville identify sites for 168 moderate and 260 above moderate income units. Even without the 400 potential Del Monte site units, Emeryville's existing General Plan has identified sites for 210 moderate and 640 above moderate income units, more than enough to satisfy ABAG's requirements.

In addition to the sites identified in the Housing Element as meeting ABAG's goals, Emeryville staff has identified numerous additional sites for potential housing units as indicated in Master Response C5. Examples of some of those additional sites include the potential for 100 to 200 dwelling units on the Westinghouse site, 28-38 dwelling units at Adeline and 40th Street, and 49 to 66 dwelling units at 4549 Horton Street. Indeed, housing on some of these sites, including, for example, the 10-unit project at 1250 Powell Street and the 40-dwelling unit Concept Acceleration project on Christie Avenue, already have planning approval. Additionally, 20 units of very low and low income housing have already been developed on 45th Street, and another six are soon to be constructed on Ocean Avenue.

In addition, to offset the lost opportunity of 80 potential moderate income units, the Kaiser Housing Program could provide up to $15,000,000 to construct additional housing, including affordable housing, in Emeryville as described in Master Response C1.

Other mitigation measures are identified on page 78 of the Draft EIR. These measures demonstrate that Emeryville is committed to encouraging the construction of new affordable housing projects. This commitment is evidenced by Emeryville's record of developing affordable housing. Emeryville's record is 1 affordable unit for every 23 persons, while Berkeley's record is only 1 affordable unit for every 102 persons, and Oakland's record is 1 affordable unit for every 38 persons.[1]

The proposed project would not impose significant additional housing burdens on Emeryville. Although the exact number of new employees relocating from Oakland to Emeryville is not clear, most employees who are relocated will not purchase new units because the existing Oakland site is only 1.5 miles from the proposed site. In addition, new employees at the proposed facility could come from the existing job pool in the Emeryville/Oakland/Berkeley area and therefore, would not be new residents or require new housing units. Moreover, most persons employed at the proposed medical center together, with a second income earner, would earn enough to be designated moderate or above moderate income households (the definition generally assumes 2-person income household) as indicated in Master Response C4. Finally, an employee's choice of where to work and reside has to do with many factors in addition to traffic commute times, including community character, housing costs, schools and family size. Given the broad spectrum of salaries of Kaiser employees, the decisions about where to reside will necessarily depend on many factors and provide many choices. As a result, although the EIR has made conservative assumptions, the project's impact on the city remains unclear. Nevertheless, as noted above, Emeryville has already identified adequate sites to satisfy ABAG's fair share requirements for the construction of moderate and above moderate income housing.

Finally, although the Del Monte portion of the project site is currently identified as a site for 400 potential housing units, it should not be assumed that 400 units will be constructed on this site at any time in the near future if the proposed project is not built. During the past four years, the City of Emeryville aggressively marketed the site to numerous residential or mixed use developers. Staff worked with at least four different developers, including Shea Homes, to pursue housing on this site. The proposed project was pursued by Emeryville only after each of the proposed housing projects failed to materialize.

For clarity, Impact EH-6 on page 77 of the Draft EIR is hereby revised as follows: "The project would result in the loss of 80 potential moderate income units on the Phase I site, which would be considered a significant impact. The loss of 80 moderate income units would result in a significant impact because the retention of affordable housing is encouraged by Emeryville General Plan Housing Opportunities, Policy #7."

Master Response C4: Jobs/Housing Balance and Regional ABAG Issues

Several commenters requested that the Draft EIR include an expanded discussion of the jobs/housing balance.

The Draft EIR contains an analysis of employment and housing conditions, as well as the jobs/housing balance, based upon available data. The level of detail contained in this analysis is sufficient for the purposes of evaluating the potential impacts associated with the development of a new medical center

[1] Memorandum from Maryann Leshin to Kofi Bonner, City of Emeryville Redevelopment Agency, October 5, 1993.

in Emeryville. CEQA Guidelines §15144 recognizes that there is some degree of forecasting involved in the preparation of an EIR. Consistent with this section, the Draft EIR contains a reasonably foreseeable analysis of the future employment and housing conditions within Emeryville and Alameda County. The Draft EIR evaluates the increase in employment associated with the proposed medical center both from a local perspective as it affects Emeryville, and from a regional perspective within the Alameda County context. As described on pages 58-59 and 81-85 of the Draft EIR, this analysis also considered the employment and housing implications of developing a regional medical center within the overall framework of the Alameda County Congestion Management Agency's efforts to coordinate land use planning and transportation.

Housing and Employment Projections

The Draft EIR contains a discussion of the jobs/housing balance for Emeryville and Alameda County for 1995, 2000 and 2010 based upon available projections on pages 56 and 57 and 81 through 85. Specifically, the Draft EIR projects employment growth in Emeryville and Alameda County for 1995, 2000, and 2010 on pages 56, 57, 67 and 71, and also indicates future housing growth in 1995, 2000, and 2010 on pages 56, 57, and 81 through 85. Information regarding the housing conditions in Northern Alameda County is also provided on pages 83 and 84 of the Draft EIR. To substantiate this discussion, the actual projections contained in ABAG Projections '92 and ABAG Projections '94 have been added in Section VI, Text Revisions of this Responses to Comments document.

The projections for Emeryville were based upon data collected by Recht Hausrath Associates as described in Appendix C of Volume II. As stated on page A-2 of Appendix C, the citywide ABAG totals were modified in order to accommodate all of the projected growth in Emeryville. The existing conditions represent population and household estimates developed from the 1990 Census block data that were updated to 1993, based on the City's record of residential projects constructed from 1990 to 1993, and 1993 California Department of Finance estimates for Emeryville. Employment estimates were based on a survey of 1990 business license holders by the City that was updated to 1993, based on the City's record of commercial and industrial projects constructed from 1990 to 1993, a phone survey of owners or property managers of large office, manufacturing, and retail centers, and estimates of employment for non-responses. The growth scenario was based upon the ABAG projections which were then modified to reflect approved, proposed, and potential development projects, plus project descriptions for the Kaiser and Chiron projects. These modified projections, which were submitted to and approved by ABAG were used to determine the projected employment and housing impacts associated with the project, as well as other physical effects on the environment, and cumulative impacts. While ABAG concurred with the modified projections for Emeryville, it did not believe it was necessary to make a corresponding modification in the projects for Alameda County as a whole. The modified employment projections were used to determine the housing demand associated with the medical center. Similarly, the modified housing supply figures were used to determine the amount of housing available to offset the increase in employment.

The Draft EIR used the modified ABAG projections to determine the local effects on the jobs/ housing imbalance and the regional implications on pages 82 and 83 for Phase I, and on pages 84 and 85 for Future Expansion. It is important to note that this analysis is cumulative in nature because the modified ABAG projections account for the growth projected by ABAG for Alameda County as updated by the approved and pending projects anticipated in Emeryville. As shown in Table 2 in Appendix C, the projected non-residential development included a variety of approved and pending projects including

the East Baybridge (Catellus) project (Number 10 in Table 2), Kaiser (Number 20 in Table 2), Chiron (Number 19 in Table 2), and the Bayfront development (Number 22 in Table 2), as well as other growth.

The projected demand for housing was based on the following range of conservative assumptions:

- that 100% of the Oakland Medical Center employees relocated to Emeryville, and the Emeryville medical center generated all new jobs and 100% of them required new housing units;
- that 100% of the Oakland Medical Center employees relocated to Emeryville and 50% of them required new housing units; and
- that 100% of the Oakland Medical Center employees relocated to Emeryville and all of them continued to reside in their existing housing.

This analysis concluded that Phase I of the medical center could generate a demand for between 357 and 2,428 dwelling units depending upon the number of employees that would relocate from the existing Oakland facility to the Emeryville medical center, and the number of relocated employees that actually choose to move to a new housing location. The Future Expansion phase was determined to result in a worst case demand for up to 870 additional new housing units, assuming that all of the 975 new employees were to move to a new location. It should be noted that even the low range of projected housing demand is conservative, given that many of the 400 new employees would already reside in existing housing in Emeryville or surrounding communities.

In addition, based upon the current trend in residential locations selected by Kaiser employees, many of both the new units required by new employees and the new housing units required by relocated employees could be supplied at locations other than Emeryville, including locations throughout Alameda County, Contra Costa County, San Francisco County, and the Peninsula.

Many existing Kaiser employees currently reside at locations outside of the Oakland, Emeryville, and Berkeley area. Furthermore, many existing Emeryville employees currently reside at locations other than Emeryville, Oakland, and Berkeley as indicated in the May, 1994, Alameda County Congestion Management Agency *Analysis of the Alameda County Employee Transportation Survey*. According to this survey, approximately 59 percent of the 4,029 Emeryville employees that participated in the survey lived at locations other than Emeryville, Oakland, San Francisco, Berkeley, and Alameda, with the average distance to work of about 17.0 miles. This survey also revealed that on a countywide basis, the five cities where the greatest number of the 93,129 respondents lived were Oakland, Hayward, Fremont, Livermore, and Pleasanton. Additionally, in all of the jurisdictions, the greatest number of respondents lived in the cities in which they worked or in neighboring cities. Pages 82 through 85 state that housing opportunities would be available in Emeryville, with additional housing also available in Alameda County. As demonstrated above, the existing Kaiser employees could be expected to continue to live at their current locations. As is the case for many existing employees in Alameda County, it is also likely that the relocated Kaiser employees and new Kaiser employees would choose to live in Hayward, Fremont, Livermore, and Pleasanton, and not only in Northern Alameda County.

Housing and Rental Prices

Other commenters requested that additional information be provided regarding ownership and rental units, price, and rent ranges and the total number of units. In response, the Draft EIR describes the trends in housing construction in Emeryville on page 58 of Volume I. The 1993 Emeryville General Plan Housing Element contains a discussion of the trends in housing projection, housing stock characteristics, and prices and rent levels for each of four major housing types in the City. Additionally, information regarding neighborhood profiles, housing conditions, and the potential land available for housing is also described in the Housing Element.

According to the Housing Element, the average sales price for a single family residence in 1989 was about $131,000, which compared to average resale prices ranging from $244,389 to $301,954 in Berkeley, Albany, and Kensington.[2] Recent sales prices for one- and two-bedroom condominiums ranged from $105,000 to $150,000.[3] Apartment prices ranged from $665 for a studio, to $765-$1,025 for a one-bedroom unit, and $1,010 to $1,040 for two-bedroom units. Another housing type, live/work units, sell for approximately $8,000 to $30,000 depending on the site and location in the Artists Co-op, while other live/work units are rentals with rents of about $0.70 to $0.80 cents per square foot. The Emeryville Business Center live/work units rent for $900 to $1,800 per month. New live/work units recently completed sell for $175,000 - $258,000. These prices and rents indicate that Emeryville offers housing opportunities at an affordable level, when compared to other locations in Alameda County. In fact, Emeryville's record of developing affordable housing is 1 affordable unit for every 23 persons, while Berkeley's record is only 1 affordable unit for every 102 persons and Oakland's record is 1 affordable unit for every 38 residents.[4]

Existing Kaiser Employee's Residential Locations

Several commenters suggested that the jobs/housing balance analysis required additional information regarding the place of residence and jobs held by current Kaiser employees that might relocate to Emeryville. Commenters also requested that the expected income ranges of the employees be analyzed.

Kaiser conducted a survey to determine residential locations for their existing employees at the Oakland facility in February, 1990 (42% sample), which was updated in August, 1994, and is included in Appendix A of this Responses to Comments document.[5] This survey indicated that the residences of medical center staff were primarily concentrated in the East Bay area with 62% of the total residents residing in Oakland, Emeryville, Alameda, Berkeley, Kensington, Albany, El Cerrito, and the Richmond area. Roughly 38.5% of the 62.0% reside in the Oakland and Emeryville area. In addition,

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[2] Table 6, Annual Average Home Prices Selected Alameda Communities and Bay Area, page 14 of the Emeryville General Plan Housing Element.

[3] 1993 Emeryville General Plan Housing Element, page 13.

[4] Memorandum from Maryann Leshin to Kofi Bonner, City of Emeryville Redevelopment Agency, October 5, 1993.

[5] Inter-Office Memorandum from Peg Peterson to Lubor Mrazek, August 24, 1994 containing the Oakland Medical Center - August, 1994 - Table 1 Analysis of Employee Residence by Zip Code.

14.2% of the residents reside in the southern portion of the East Bay, and 3.0% reside in the northern portion of the East Bay. A total of 4.1% live in San Francisco and 1.8% live in the North Bay Area. Other Kaiser employees (8.9%) reside at locations along the I-680 Corridor (East Contra Costa County) and 4.1% live along the North I-80 Corridor (Solano County). Finally, 0.7% of the employees reside in the San Francisco Bay Peninsula area, 0.2% live in the South Bay, and 1.0% reside at other locations (i.e., Tracy, Stockton, Manteca, etc.). A total of 20.8% lived in locations outside of Alameda County. Given the current locations of the Oakland Kaiser employees, the Draft EIR reasonably assumes that should these employees be relocated to the Emeryville facility, many of them may choose to continue to reside at their current locations. Therefore, the demand for housing within Emeryville and Alameda County could reasonably not be expected to significantly increase as described in the Draft EIR on page 82.

Salary information is not available for Kaiser physicians and managers. However, 1994 salaries for other medical center union staff range from $25,000 for clerical staff to $31,800 for a medical secretary. Various technician positions range from $27,000 to $48,000. Nursing staff salaries range from $33,000 for a Licensed Vocational Nurse to $54,400 for a Registered Nurse. The salary ranges indicate that with a second employed resident in the household, many Kaiser employees would be considered to meet the moderate income household threshold (120% of the area median income per the City's set-aside ordinance, as established by the State Housing and County Development Department). Moderate income for a family of four is currently $66,350, and generally assumes a 2-person income household. Kaiser does not maintain information on the status of home ownership or rentals for Kaiser employees. Although the correlation between salaries and rents/home prices is not considered an environmental issue, it is anticipated that a household consisting of two-employed residents, one of which is a Kaiser employee, would be able to afford moderate income and above-moderate income housing.

Conclusions Regarding the Jobs/Housing Balance

As many commenters have noted, the proposed Kaiser medical center is a regional project. In fact, many existing Kaiser employees reside at locations throughout the Bay Area, as described above. The City of Berkeley has suggested that because San Francisco is a regional jobs center and a transit center, Alameda County must count on providing a certain surplus of housing over jobs since San Francisco will continue to have a surplus of jobs over housing for the foreseeable future, and that the EIR is inaccurate for failing to consider this in the jobs/housing balance discussion. However, this same argument can also be applied to the jobs/housing balance conditions *within* Alameda County: within Alameda County, Emeryville is a job center; it has historically been a job center and will continue to be a job center as projected by ABAG. Emeryville is surrounded by areas of large housing supply (Berkeley, Albany, Oakland, etc.). For this reason, continued job growth in Emeryville would not result in increased polarity between jobs and housing as described by the David W. Jones study cited in the Draft EIR (page 59). In other words, within Alameda County, there are areas of residential uses and areas of employment, and these areas would not change as a result of the proposed medical center. The residential areas within the county would continue to provide housing for the employment areas within the county, just as Alameda County provides housing for San Francisco.

Furthermore, as the Draft EIR indicates, the actual number of workers that would relocate to Emeryville has not been determined, and remains speculative. It is unlikely that all Oakland medical center employees would relocate to Emeryville for the reasons described in Master Response B1., which

addresses comments pertaining to the existing Oakland facility. Even if all existing employees relocated to the Emeryville facility, it is unlikely that they would all move to a new residential location because their new place of employment is only 1.5 miles away from their old place of employment. In addition, the existing workforce in Emeryville, Berkeley, and Oakland would fill many jobs. These people would not require new or additional housing. Therefore, it is likely that most of the current residential locations would continue to house Kaiser employees regardless of whether these employees work in Oakland or in Emeryville.

Master Response C5: Alternative Housing Sites In Emeryville

Several commenters requested that the locations of the 25 potential housing sites be identified, and that additional information be provided regarding the development of these sites.

CEQA Guidelines §15144 recognizes that there is some degree of forecasting involved in the preparation of an EIR. In accordance with this section, the City of Emeryville has used its best efforts to find out and disclose all that it reasonably can with regard to the 25 housing sites.

The Draft EIR states on pages 77 and 78 that the 25 housing sites identified by the Emeryville Redevelopment Agency are in addition to the sites considered in the Housing Element as having potential for new residential development. These 25 sites consist of two categories: 1) housing projects in the pipeline which either have planning approval or are awaiting approval (sites 1-10 on the attached map); and 2) other potential housing/mixed use development (sites 11-25 on the attached map). To illustrate the development potential for the 25 sites, a map showing the locations of the 25 sites is included in this Responses to Comments document.

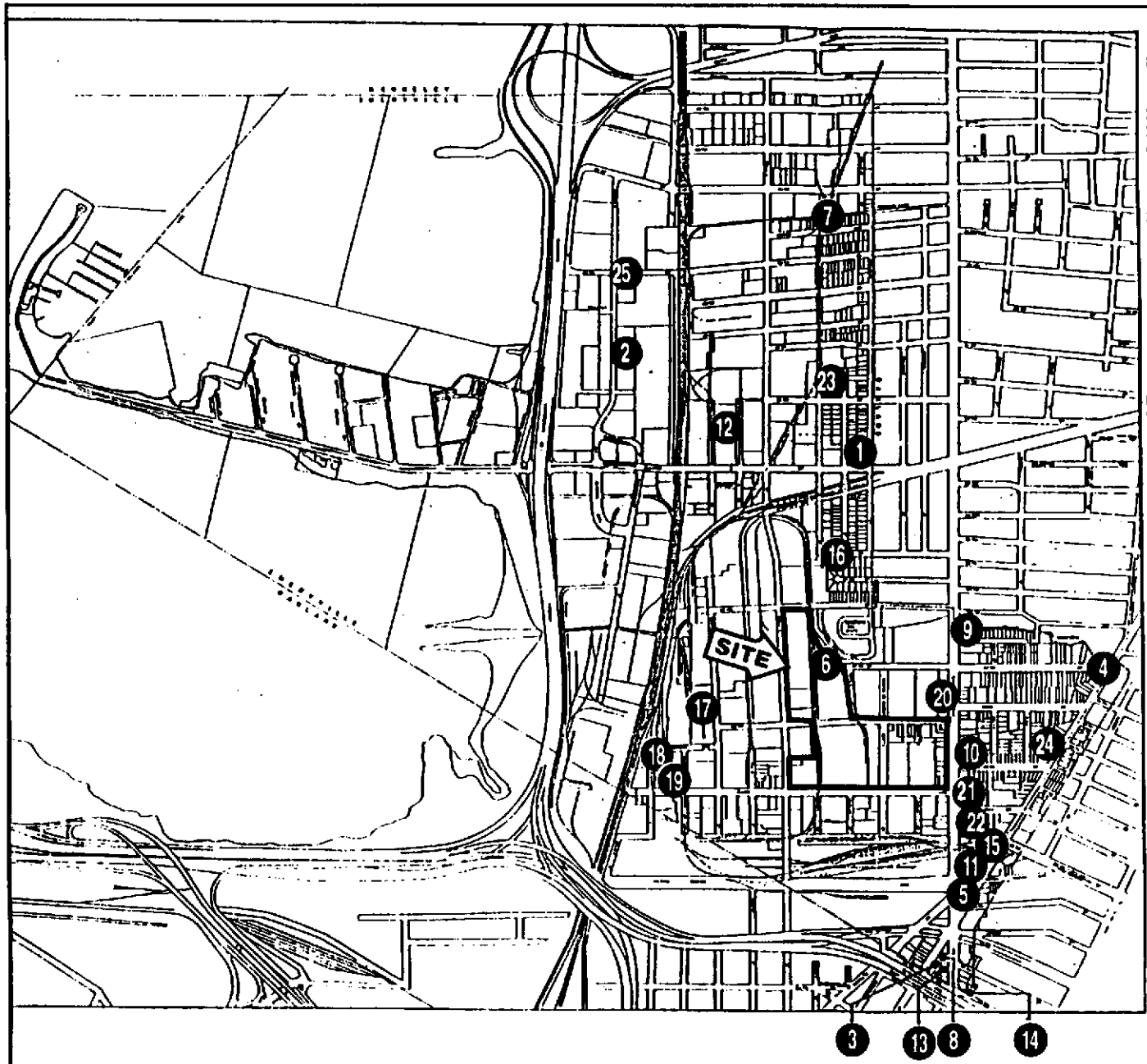
<u>Housing Projects in the Pipeline (Sites 1-10)</u>

A total of 10 sites have planning approval or are pending approval. These sites (Sites 1-10) could result in the development of up to 128 units. Four sites have planning approval for a total of 56 dwelling units. Approval for up to 72 dwelling units is pending for the remaining six sites.

<u>Other Potential Housing/Mixed Use (Sites 11-25)</u>

The remaining 15 sites (Sites 11-25) could result in the development of up to 403 to 634 dwelling units by rezoning the sites from non-residential to residential uses or by increasing the density, subject to subsequent development applications and environmental review. Because the development of these 25 sites is not included as part of the proposed Kaiser Permanente Medical Center project and there are no pending residential development applications for most of these sites, it is too speculative to estimate the exact number of dwelling units, timing of development, and development characteristics at this time for all 25 sites.

Ten of the 15 sites would involve rezoning from commercial or light industrial uses to residential, and three sites would involve rezoning to increase the residential densities. However, the development of live/work units on these sites would not require rezoning, but would involve approval of a Conditional Use Permit. Two of the 15 sites currently allow mixed use development and could accommodate increases in residential densities.



HOUSING PROJECTS IN THE PIPELINE

Have Planning Approval

1)	1250 Powell Street	10u
2)	Concept Accelerator	40u
3)	3614-3622 Adeline Street	2u
4)	1001 - 47th Street	4u
	Subtotal	56u

No Planning Approval

5)	Sands Club - 3850 San Pablo Avenue	4u
6)	Emeryville Business Center	6u
7)	Ocean / Doyle Street Corner	4u
8)	3631-3637 San Pablo Avenue	5u
9)	4800-5300 San Pablo Avenue	28u
10)	4300 San Pablo Avenue	25u
	Subtotal	72u

OTHER POTENTIAL HOUSING/MIXED USE

Multifamily/Mixed Use Sites

11)	Key Hotel	12u - 31u	CC
12)	Westinghouse	100u - 200u	MU
	(As part of a mixed use development)		
13)	3629 San Pablo Avenue	2u	CC
14)	1034-1046 36th Street	4u - 6u	CC
15)	Adeline & 40th Street	28u - 38u	CC
16)	1299 - 55th Street	19u - 25u	RM
	Subtotal	165u - 300u	

Live/Work Sites

17)	4549 Horton Street	49u - 66u	IL
18)	4226 Halleck Street	8u - 11u	IL
19)	Emeryville Warehouse	28u - 37u	IL
	Subtotal	85u - 114u	

Sites Presently In Use that Have Housing Potential

20)	Berkeley Farms	87u - 114u	CC
21)	Oaks Parking Lot - No. Corner	16u - 21u	CC
22)	Oaks Parking Lot - So. Corner	5u - 7u	CC
23)	1290 - 59th Street	11u - 26u	MU
24)	4373-4377 Adeline Street	2u - 5u	RM
25)	6190 Christie Avenue	31u - 45u	MU
	Subtotal	155u - 218u	

TOTAL POTENTIAL HOUSING UNITS 403U - 61

1. None of these sites have been identified in the Housing Element
2. An average unit size of 800 SF has been used to calculate the number of units allowed on a site, with the exception of live/work. An average unit size of 1,500 SF has been used for live/work sites.

POTENTIAL HOUSING SITES

FIGURE FOR MASTER RESPONSE C.5.

As described above in Master Response C1, the Kaiser Housing Program would, in part, be an available source of funding for the construction of residential development on these potential housing sites.

Potential constraints that could affect the development of the 15 additional housing sites may include: land use incompatibility and exposure to hazardous materials, particularly at those locations involving rezoning from industrial to residential uses; traffic impacts; exposure to elevated noise levels; temporary construction impacts; geologic and seismic hazards; drainage and water quality issues; impacts to cultural resources, particularly historic resources; increases in the demand for utilities and services; and visual impacts. As stated in the Draft EIR on page 78, once specific development proposals are submitted for these sites, subsequent environmental review would be conducted to evaluate the above issues and, if necessary, would consider appropriate mitigation measures. Because there are no specific development proposals for the 15 sites at this time, it is too speculative to evaluate the potential impacts that could affect future development.

Master Response C6: Compliance With the State Relocation Assistance Act

Several commenters have stated that the relocation mitigation measures are inadequate under CEQA because they merely propose to comply with what is already legally required. Several commenters also suggested that the relocation mitigation would not adequately prevent significant impacts to low income residents, and specifically, that mitigation should include Section 8 housing certificate or the creation of permanent housing.

CEQA Guidelines do not prevent a project from incorporating certain measures that comply with other laws as mitigation for project impacts. In accordance with CEQA, the Draft EIR identified the significant impacts to housing, including residential displacement impacts and the loss of potential future housing. Once the significant impacts were identified, the Draft EIR provided mitigation measures to reduce these significant impacts to a less than significant level. Implementation of the State Relocation Assistance Act and State Relocation Guidelines are considered suitable mitigation measures where displacement occurs within a Redevelopment Project Area. It is important to note that the Draft EIR first stated that the project would result in a significant impact and then concluded that implementing the State Relocation Assistance Act and State Relocation Guidelines requirements would mitigate the impact to a less than significant impact. In contrast, the Draft EIR did not conclude that the project would not have an impact that didn't require mitigation.

In accordance with Health and Safety Code §33413, the Emeryville Redevelopment Agency will satisfy its obligation to replace each dwelling unit housing persons and families of low and moderate income which is destroyed or removed from the housing market as a result of this project. Kaiser will provide funding to the Agency, subject to the limitations of the Disposition and Development Agreement (Participation Agreement) to assist the Agency in fulfilling its obligation pursuant to Health and Safety Code §33413. The Agency will be responsible for fulfilling the Agency's housing replacement obligations, with Kaiser providing a portion of the funding to construct the replacement units. As stated on page 73 of the Draft EIR, under §33414 of the Health and Safety Code, all dwelling units that house families with very low, low, and moderate incomes must be replaced. However, only 75% of the replacement units must be affordable to families with comparable income levels, and the remaining 25% of such replacement units may be market rate.

The in-kind replacement of low- to moderate-income housing includes Section 8 housing and the creation of permanent affordable housing. Conformance with the State Relocation Assistance Act and State Relocation Guidelines, and implementation of the Community Redevelopment law requirements and the Kaiser Housing Program would achieve the replacement of displaced affordable housing units. Therefore, these mitigation measures would adequately mitigate impacts to low income households.

D. TRANSPORTATION AND CIRCULATION

Master Response D1: Residential Streets

Several commenters requested that the Final EIR evaluate traffic conditions on residential streets in Emeryville and the surrounding areas. The roadway network in the study area includes very few residential streets that would be alternative routes to congested arterials. A review of local east-west streets east of San Pablo Avenue between MacArthur Boulevard and Ashby Avenue indicates that the only continuous linear streets longer than 3/4 mile in length are 56th Street and 63rd Street. The remaining local east-west streets are so short in length that they would not provide any significant travel time savings to congested arterials such as Ashby Avenue, Alcatraz Avenue, Stanford Avenue, and 40th Street, other than to locally-generated residential traffic. Similar roadway configurations exist for the local north-south streets in the study area.

The presence of a limited number of continuous local streets in the study area indicates that there will be little "spillage" or diversion of regional through traffic onto local streets. An indication of the low likelihood for diversion can be established through observation of existing conditions along several of the study arterials that presently operate under congested conditions.

Travel forecasts developed using the city-wide model indicate that the project would not significantly impact local streets in the Golden Gate neighborhood, which is the residential area that is closest to the project site. The only local street that would potentially be impacted by project and cumulative traffic, but to a less-than-significant level, is 59th Street between San Pablo Avenue and Stanford Avenue. The implementation of an undulation or raised median on San Pablo Avenue at 59th Street would reduce impacts due to the eastbound through traffic along 59th Street.

Master Response D2: Study Area Coverage

The transportation section evaluated the impact of project related and cumulative traffic on 47 intersections for the Year 2000 and 2010 scenarios in the cities of Emeryville, Berkeley, and Oakland. This includes the analysis of 20 intersections located within the City of Oakland and three intersections located within the City of Berkeley. The northernmost intersections in the City of Berkeley are located along Ashby Avenue at 7th Streets and San Pablo Avenue, while the easternmost intersection is located along Adeline Street at Martin Luther King Jr. Way.

An evaluation of travel forecasts developed using the city-wide model indicate the following conclusions regarding the impact of the project on north-south and east-west roadways in Berkeley:

- A review of future travel forecasts along north-south streets indicates that the project would have an aggregate impact of increasing volumes by 5.7 percent north of Alcatraz Avenue, 4.1 percent north of Ashby Avenue, and 2.8 percent south of University Avenue.

- A review of future travel forecasts along east-west streets indicates that the project would have an aggregate impact of increasing volumes by 6.8 percent east of Market Street and 2.8 percent east of Shattuck Street.

A rule-of-thumb for determining the extent of the study area is to evaluate those locations where project related traffic results in an increase of five percent or more. Intersections along those roadways where increases in overall traffic volumes are less than five percent are less likely to generate increases in volume/capacity ratio of 0.02 or more, which is the criteria for identifying significant impacts.

Since the project would result in an increase of 4.1 percent in north-south traffic to the north of Ashby Avenue, and the traffic analysis does include intersections along Ashby Avenue, the extent of the study area to the north is adequate to determine whether significant impacts would occur at intersections within the City of Berkeley. The project would result in an average increase of 6.8 percent for east-west streets east of Market Street. The intersections that could be impacted along these east-west streets, which were not previously analyzed, are along Ashby Avenue at Sacramento Street and Alcatraz Avenue at Adeline Street.

In response to requests for additional information, the intersections of Adeline Street/Alcatraz Avenue and Sacramento Street/Ashby Avenue were evaluated. Tables 12a, 13a, 16a, and 17a summarize the results of the analysis. These tables are intended to be reviewed in conjunction with Tables 12, 13, 16, and 17 in the Draft EIR. As the tables indicate, the project would not result in any significant impacts under either the Year 2000 or Year 2010 scenarios. As defined in the Draft EIR, the operational impact on a signalized intersection is considered significant when the project would cause the service level to deteriorate below LOS D, or increase the V/C ratio by 0.02 or more at an intersection operating below LOS D under baseline conditions.

Table 12a

Year 2000 Intersection Level of Service - AM Peak Period

NO.	INTERSECTION	YEAR 2000 BASELINE		YEAR 2000 + KAISER (PHASE I)		YEAR 2000 CUMULATIVE	
		V/C	LOS	V/C	LOS	V/C	LOS
108	Adeline Street/Alcatraz Avenue	0.79	C	0.81	D	0.81	D
123	Sacramento Street/Ashby Avenue	0.65	B	0.66	B	0.67	B

Table 13a
Year 2000 Intersection Level of Service - PM Peak Period

NO.	INTERSECTION	YEAR 2000 BASELINE		YEAR 2000 + KAISER (PHASE I)		YEAR 2000 CUMULATIVE	
		V/C	LOS	V/C	LOS	V/C	LOS
108	Adeline Street/Alcatraz Avenue	1.01	F	1.02	F	1.02	F
123	Sacramento Street/Ashby Avenue	0.69	B	0.75	C	0.75	C

Table 16a

Year 2010 Intersection Level of Service - AM Peak Period

NO.	INTERSECTION	YEAR 2010 BASELINE		YEAR 2010 + KAISER (PHASE I)		YEAR 2010 CUMULATIVE	
		V/C	LOS	V/C	LOS	V/C	LOS
108	Adeline Street/Alcatraz Avenue	0.82	D	0.84	D	0.84	D
123	Sacramento Street/Ashby Avenue	0.72	C	0.74	C	0.75	C

Table 17a

Year 2010 Intersection Level of Service - PM Peak Period

NO.	INTERSECTION	YEAR 2010 BASELINE		YEAR 2010 + KAISER (PHASE I)		YEAR 2010 CUMULATIVE	
		V/C	LOS	V/C	LOS	V/C	LOS
108	Adeline Street/Alcatraz Avenue	1.16	F	1.17	F	1.17	F
123	Sacramento Street/Ashby Avenue	0.78	C	0.86	D	0.86	D

Master Response D3: Major Intersection Mitigations

The following Master Response addresses several comments regarding the intersections identified as unmitigatable in the Draft EIR. As described in the Draft EIR, project traffic or cumulative traffic would result in significant unavoidable impacts at 16 intersections for year 2010 conditions. Through additional analysis, mitigation measures identified as "not feasible" in the Draft EIR have been reduced. These 16 intersections can be separated into the following three categories.

1. Intersections Where Mitigations Would Reduce Project Impacts (i.e., to baseline conditions), but Not to Service Levels of D or Better

2. Intersections Within the City of Emeryville Where Mitigations Require Right-of-Way Acquisition

3. Intersections Outside the City of Emeryville (which cannot be mitigated by the City of Emeryville without the cooperation of another jurisdiction).

The 16 intersections listed in the Draft EIR (p. 151) can be separated into the above three categories as follows:

Intersections Where Mitigation Measures Would Reduce Project Impacts (i.e., to baseline conditions or better), but Not to a Service Level of D or Better:

- Hollis Street/65th Street
- Hollis Street/Powell Street

Intersections Within the City of Emeryville Where Mitigation Measures Require Right-of-Way Acquisition:

- San Pablo Avenue/40th Street
- Hollis Street/40th Street
- Christie Avenue/Powell Street
- I-80 Westbound Hook-Ramp/West Frontage Road

Intersections Outside the City of Emeryville (Which Cannot be Mitigated by the City of Emeryville Without the Cooperation of a Specific Jurisdiction):

- San Pablo Avenue/Ashby Avenue (Berkeley)
- San Pablo Avenue/Alcatraz Avenue (Oakland)
- San Pablo Avenue/Stanford Avenue (Oakland)
- Ashby Avenue/7th Street (Berkeley)
- Adeline Street/Market Street(Oakland)
- Telegraph Avenue/40th Street (Oakland)
- Telegraph Avenue/W. MacArthur Blvd. (Oakland)
- Market Street/40th Street (Oakland)
- Adeline Street/Martin Luther King Jr. Way (Berkeley)
- Market Street/W. MacArthur Blvd. (Oakland)

The following provides an in-depth discussion of the 10 intersections listed above which are located outside the City of Emeryville.

San Pablo Avenue/Ashby Avenue (Berkeley)

See section "Six Major Intersections" below.

San Pablo Avenue/Alcatraz Avenue (Oakland)

See section "Six Major Intersections" below.

San Pablo Avenue/Stanford Avenue (Oakland)

See section "Six Major Intersections" below.

Ashby Avenue/7th Street (Berkeley)

See section "Six Major Intersections" below.

Adeline Street/Market Street (Oakland)

The addition of project-related traffic would result in a significant impact at the intersection of Adeline Street/Market Street. This intersection would operate at LOS E due to the heavy northbound and southbound left-turns from Adeline Street. In order to improve the service level at this intersection from LOS E to LOS D for 2010 conditions, the provision of an additional left-turn lane in the southbound direction on Adeline Street would be required. However, this intersection is located outside the jurisdiction of Emeryville and within the City of Oakland's jurisdiction. Because the City of Emeryville lacks jurisdiction over this intersection, Emeryville would need to enter into a Memorandum of Understanding with the City of Oakland in order to implement the mitigation. Therefore, the significant impact at this intersection cannot be mitigated without the approval of the City of Oakland, and is considered an unavoidable impact of the project. If the City of Oakland proceeds with improvements to this intersection, it should notify the City of Emeryville and enter into a Memorandum of Understanding. Since Kaiser's fair share contribution toward funding these intersection improvements cannot be derived or implemented without input and approval from the City of Oakland, this agreement must be established prior to Emeryville assessing Kaiser for its fair share contribution towards funding the intersection improvements.

Telegraph Avenue/40th Street (Oakland)

The addition of project-related traffic would result in a significant impact at the intersection of Telegraph Avenue/40th Street. This intersection would operate at LOS E due to the heavy eastbound left-turns onto northbound Telegraph Avenue. As described in the Draft EIR, the provision of a second left-turn lane in the eastbound direction on 40th Street would reduce project impacts (i.e., the service level would improve to 2010 baseline conditions). However, in order to improve the intersection operation to service level of D or better, the provision of additional through lanes in both directions of Telegraph Avenue would be required. This intersection is located outside the jurisdiction of Emeryville and within the City of Oakland's jurisdiction. Because the City of Emeryville lacks jurisdiction over this intersection, Emeryville would need to enter into a Memorandum of Understanding with the City of Oakland in order to implement the mitigation. Therefore, the significant impact at this intersection cannot be mitigated without the approval of the City of Oakland, and is considered an unavoidable impact of the project. If the City of Oakland proceeds with improvements to this intersection, it should notify the City of Emeryville, and enter into a Memorandum of Understanding. Since Kaiser's fair share contribution toward funding these intersection improvements cannot be derived or implemented without input and approval from the City of Oakland, this agreement must be established prior to Emeryville assessing Kaiser for its fair share contribution towards funding the intersection improvements.

Telegraph Avenue/W. MacArthur Blvd. (Oakland)

The addition of project-related traffic would result in a significant impact at the intersection of Telegraph Avenue/W. MacArthur Boulevard. This intersection would operate at LOS E due to the heavy left turns from southbound Telegraph Avenue to eastbound W. MacArthur Boulevard. In order to improve the service level at this intersection from LOS E to LOS D in year 2010, the provision of a second southbound left-turn lane on Telegraph Avenue would be required. However, this intersection is located outside the jurisdiction of Emeryville and within the City of Oakland's jurisdiction. Because the City of Emeryville lacks jurisdiction over this intersection, Emeryville would need to enter into a Memorandum of Understanding with the City of Oakland in order to implement the mitigation. The significant unavoidable impact at this intersection cannot be mitigated without the approval of the City of Oakland, and is considered an unavoidable impact of the project. If the City of Oakland proceeds with improvements to this intersection, it should notify the City of Emeryville, and enter into a Memorandum of Understanding. Since Kaiser's fair share contribution toward funding these intersection improvements cannot be derived or implemented without input and approval from the City of Oakland, this agreement must be established prior to Emeryville assessing Kaiser for its fair share contribution towards funding the intersection improvements.

Market Street/40th Street (Oakland)

The addition of project traffic would result in a significant impact at the intersection of Market Street/40th Street. This intersection would operate at LOS F due to the heavy northbound-southbound through traffic utilizing the shared left/through lane in both directions of Market Street. As described in the Draft EIR for 2010 conditions, the provision of exclusive left-turn lanes in the northbound and southbound directions on Market Street would be required to improve the service level at this intersection from LOS F to LOS D. However, this intersection is located outside the jurisdiction of Emeryville and within the City of Oakland's jurisdiction. Because the City of Emeryville lacks jurisdiction over this intersection, Emeryville would need to enter into a Memorandum of Understanding with the City of Oakland in order to implement the mitigation. Therefore, the significant impact at this intersection cannot be mitigated without the approval of the City of Oakland, and is considered an unavoidable impact of the project. If the City of Oakland proceeds with improvements to this intersection, it should notify the City of Emeryville, and enter into a Memorandum of Understanding. Since Kaiser's fair share contribution toward funding these intersection improvements cannot be derived or implemented without input and approval from the City of Oakland, this agreement must be established prior to Emeryville assessing Kaiser for its fair share contribution towards funding the intersection improvements.

Adeline Street/Martin Luther King Jr. Way (Berkeley)

The addition of project-related traffic would result in a significant impact at the intersection of Adeline Street/Martin Luther King Jr. Way. This intersection would operate at LOS E due to the two-phase signal in the north-south direction which causes inefficient operations at this intersection, as well as heavy right-turn traffic from southbound Adeline Street. In order to improve the operation of this intersection to service level of D or better for year 2010 conditions, the provision of an signal phasing modifications would be required to allow for permitted left turns from northbound Martin Luther King Jr. Way to Adeline Street. However, this intersection is located outside the jurisdiction of Emeryville

and within the City of Berkeley's jurisdiction. Because the City of Emeryville lacks jurisdiction over this intersection, Emeryville would need to enter into a Memorandum of Understanding with the City of Berkeley in order to implement the mitigation. Therefore, the significant impact at this intersection cannot be mitigated without approval of the City of Berkeley, and is considered an unavoidable impact of the project. If the City of Berkeley proceeds with signal modifications to this intersection, it should notify the City of Emeryville, and enter into a Memorandum of Understanding. Since Kaiser's fair share contribution toward funding these intersection improvements cannot be derived or implemented without input and approval from the City of Berkeley, this agreement must be established prior to Emeryville assessing Kaiser for its fair share contribution towards funding the intersection improvements.

Market Street/W. MacArthur Blvd. (Oakland)

The addition of project traffic would result in a significant impact at the intersection of Market Street/W. MacArthur Boulevard. This intersection would operate at LOS F due to the heavy northbound-southbound through traffic utilizing the shared left/through lane in both directions of Market Street. The service level at this intersection would improve from LOS F to LOS D in year 2010 with the provision of exclusive left-turn lanes in the northbound and southbound directions of Market Street. This intersection is located outside the jurisdiction of Emeryville. Because the City of Emeryville lacks jurisdiction over this intersection, Emeryville would need to enter into a Memorandum of Understanding with the City of Oakland in order to implement the mitigation. Therefore, the significant impact at this intersection cannot be mitigated without approval from the City of Oakland, and is considered an unavoidable impact of the project. If the City of Oakland proceeds with improvements to this intersection, it should notify the City of Emeryville, and enter into a Memorandum of Understanding. Since Kaiser's fair share contribution toward funding these intersection improvements cannot be derived or implemented without input and approval from the City of Oakland, this agreement must be established prior to Emeryville assessing Kaiser for its fair share contribution towards funding the intersection improvements.

Six Major Intersections

Several comments to the Draft EIR requested an in-depth discussion of six major intersections which are identified in the Draft EIR as unmitigatable. The following section provides such a discussion of the following six major intersections:

- Hollis Street/Powell Street (Emeryville)
- Christie Avenue/Powell Street (Emeryville)
- San Pablo Avenue/Ashby Avenue (Berkeley)
- San Pablo Avenue/Alcatraz Avenue (Oakland)
- San Pablo Avenue/Stanford Avenue (Oakland)
- 7th Street/Ashby Avenue (Berkeley)

It is important to note that the discussions of effective mitigation measures contained in the Draft EIR for the above intersections remain accurate. The improvements identified in the Draft EIR on pages 130-132 and 151-153 are those improvements that would be required to achieve an acceptable level of service (i.e., LOS D or better) in conformance with the City's Level of Service Policy. The City's Level of Service Policy was the threshold used to determine whether or not the project fully mitigated

a significant intersection impact to a less than significant level. In response to comments regarding the significant unavoidable traffic impacts associated with the project, other mitigation measures were considered for the six intersections. Upon further evaluation of these six intersections, additional improvements were identified, as described below, that improved the levels of service, but not to an acceptable level. As a result, although the following improvements lessen the significant impact, they do not fully mitigate the impact to a less than significant level. Furthermore, four of these six intersections are located outside of Emeryville's jurisdiction. Because Emeryville lacks jurisdiction over these intersections, the City cannot control the implementation of the identified improvements. As a result, the project was found to result in a significant unavoidable impact to these intersections. Because the City of Emeryville lacks jurisdiction over the four intersections, Emeryville would need to enter into a Memorandum of Understanding with the City of Oakland or City of Berkeley in order to implement the mitigation.

Hollis Street/Powell Street

The intersection of Hollis Street/Powell Street is categorized as an "Intersection Where Mitigations Would Reduce Project Impacts (i.e., to 2010 baseline conditions), but Not to a Service Level of D or Better".

The addition of project-related traffic would result in a significant impact at the intersection of Hollis Street/Powell Street. This intersection would operate at LOS F due to the heavy through volumes on the northbound approach of Hollis Street. As described in the Draft EIR (p. 147), the addition of an exclusive left turn lane in the southbound direction on Hollis Street and a shared left/through lane in the northbound direction would be required to improve the service level at this intersection. While these mitigation measures would not improve the intersection operations to a less than significant level of LOS D or better, they would, however, mitigate project impacts (i.e., the service level would improve to 2010 baseline conditions). Implementation of these mitigations would involve the widening of Hollis Street which would require the acquisition of additional right-of-way along Hollis Street, north and south of Powell Street. The improvements at this intersection are identified in the City's Capital Improvement Program (CIP). The traffic mitigation fees paid by this project may be used to fund these improvements.

Christie Avenue/Powell Street

The intersection of Christie Avenue/Powell Street is categorized as an "Intersection Within the City of Emeryville Where Mitigations Require Right-of-Way Acquisition".

The addition of project-related traffic would result in a significant impact at the intersection of Christie Avenue/Powell Street. This intersection would operate at LOS F due to the heavy traffic destined to the I-80 on-ramps (i.e., the southbound right-turns from Christie Avenue to westbound Powell Street and the westbound through traffic on Powell Street). In order to improve the service level at this intersection from LOS F to LOS E, an additional through lane on the westbound approach of Powell Street, as well as a second exclusive left turn lane in the northbound direction on Christie Avenue would be required. In addition, this mitigation would also require the extension of the southbound right turn lane on Christie Avenue by approximately 250 feet and modification of the existing traffic signal. These mitigation measures would require the acquisition of additional right-of-way along the west side of Christie Avenue and along the north side of Powell Street.

These mitigation measures would reduce project impacts (i.e., the service level would improve to better than year 2010 baseline conditions), but not to a less than significant level. The improvements at this intersection are identified in the City's Capital Improvement Program (CIP). The traffic mitigation fees paid by this project may be used to fund these improvements.

San Pablo Avenue/Ashby Avenue

The intersection of San Pablo Avenue/Ashby Avenue is categorized as an "Intersection Outside the City of Emeryville". The addition of project-related traffic would result in a significant impact at the intersection of San Pablo Avenue/Ashby Avenue. This intersection would operate at LOS F because of the heavy north-south traffic volumes, as well as the lack of an exclusive westbound left-turn lane on Ashby Avenue. Based on the City of Berkeley's Comment 91.S, Berkeley staff suggest possible mitigation measures for this intersection. Ashby Avenue, immediately east of San Pablo Avenue, could be widened to provide an additional westbound left turn lane on Ashby Avenue. Although the provision of a westbound left-turn lane, as well as modifications to the signal timing, would not improve the intersection operations to a less than significant level of LOS D or better, these mitigations would, however, reduce project-related impacts (i.e., the service level would improve to better than year 2010 baseline conditions). A left-turn lane on Ashby Avenue would require a reduced sidewalk width and removal of existing landscaping in front of Walgreens and the Shell gas station. In order to further improve the service level at this intersection, an additional through lane is needed in both directions on San Pablo Avenue. The additional through lanes would require re-striping San Pablo Avenue from four to six lanes and prohibiting peak period parking. In addition, prohibiting parking along San Pablo Avenue may affect businesses along this roadway as these businesses rely on this on-street parking for their patrons. This mitigation measure is within the City of Berkeley's jurisdiction and requires Berkeley's approval.

San Pablo Avenue/Alcatraz Avenue

The intersection of San Pablo Avenue/Alcatraz Avenue is categorized as an "Intersection Outside the City of Emeryville". The addition of project-related traffic would result in a significant impact at the intersection of San Pablo Avenue/Alcatraz Avenue. This intersection would operate at LOS F due to the traffic conflicts between the heavy northbound through movement and the southbound left turn movement from San Pablo Avenue to eastbound Alcatraz Avenue, as well as the heavy right turn traffic from westbound Alcatraz Avenue to northbound San Pablo Avenue. In order to improve the service levels at this intersection in year 2010, the provision of additional through lanes in both directions of San Pablo Avenue and an exclusive westbound right turn lane on Alcatraz Avenue would be required. The additional through lanes on San Pablo Avenue would require re-striping San Pablo Avenue from four to six lanes and prohibiting peak period parking. Prohibiting parking along San Pablo Avenue may affect businesses along this roadway as these businesses rely on this on-street parking for their patrons. An exclusive westbound right turn lane on Alcatraz Avenue would require re-striping Alcatraz Avenue and prohibiting peak period parking. This mitigation measure is within the City of Oakland's jurisdiction and requires Oakland's approval.

San Pablo Avenue/Stanford Avenue

The intersection of San Pablo Avenue/Stanford Avenue is categorized as an "Intersection Outside the City of Emeryville". The addition of project traffic would result in a significant impact at the

intersection of San Pablo Avenue/Stanford Avenue. This intersection would operate at LOS F due to the heavy north-south traffic on San Pablo Avenue. The two-phase signal in the north-south direction causes inefficient operations at this intersection. In order to improve the service level at this intersection in year 2010, the provision of additional through lanes in both directions on San Pablo Avenue, as well as an additional eastbound right-turn lane on Stanford Avenue, would be required. This mitigation would require re-striping San Pablo Avenue from four to six lanes and prohibiting peak period parking. It would also require restriping and peak period parking restrictions on the south side of Stanford Avenue. Although this mitigation measure would not improve the intersection operations to a less than significant level of service D or better, the mitigation would, however, reduce project-related impacts (i.e., the service level would improve to year 2010 baseline conditions). This mitigation measure is within the City of Oakland's jurisdiction and requires Oakland's approval.

7th Street/Ashby Avenue

The intersection of 7th Street/Ashby Avenue is categorized as an "Intersection Outside the City of Emeryville". The addition of project traffic would result in a significant impact at the intersection of 7th Street/Ashby Avenue. This intersection would operate at LOS F due to the split-phasing in the north-south approaches. Southbound traffic backs up into the adjacent downstream intersections. Based on the City of Berkeley's Comment 91.S, Berkeley staff suggest possible mitigation measures for this intersection. The northbound approach on 7th Street, between Folger Avenue and Ashby Avenue, could be widened to provide an additional through lane. The southbound approach on 7th Street, between Anthony Street and Ashby Avenue, could also be widened to provide an additional through lane. These mitigation measures would require the acquisition of additional right-of-way along 7th Street. The above mitigations, in conjunction with signal phasing modifications, would reduce project impacts to a less than significant level under year 2010 conditions. This mitigation measure is within the City of Berkeley's jurisdiction and requires Berkeley's approval. Because the City of Emeryville lacks jurisdiction over this intersection, Emeryville would need to enter into a Memorandum of Understanding with the City of Berkeley in order to implement the mitigation. Therefore, the significant impact at this intersection cannot be mitigated without acquisition of right-of-way and the approval of the City of Berkeley, and is considered an unavoidable impact of the project.

Conclusion

The mitigation measures proposed for streets within the City of Emeryville that are approved by the Emeryville City Council would be constructed based on firm local funding commitments. For those mitigation measures proposed for streets outside the City of Emeryville for which the City of Emeryville lacks jurisdiction, Emeryville would need to enter into a Memorandum of Understanding with the affected jurisdiction in order to implement the mitigation. If the affected jurisdiction decides to proceed with improvements to this intersection, it should notify the City of Emeryville, and enter into a Memorandum of Understanding. Since Kaiser's fair share contribution toward funding these intersection improvements cannot be derived or implemented without input and approval from the Cities of Oakland and Berkeley, these agreements must be established prior to Emeryville assessing Kaiser for its fair share contribution towards funding the intersection improvements.

Master Response D4: Congestion Management Program (CMP) Analysis

The following master response addresses several comments regarding the identification of significant impacts on the Congestion Management Program (CMP) designated roadway system. The Alameda County Congestion Management Agency (CMA) has also requested analysis for additional roadway segments in order that all CMP roadways within the vicinity of the project are included in the Final EIR.

The CMP designated roadways within the vicinity of the project include I-80, I-580, SR-24, San Pablo Avenue (SR-123), and Ashby Avenue (SR-13).

As stated in the *1993 Congestion Management Program*, by the CMA, the CMP roadway Level of Service (LOS) standard is LOS E for roadways on the CMP designated system. However, those roadway segments that exceeded LOS E at the time the initial CMP was adopted (October 24, 1991), are "grandfathered in" at the existing LOS.

The "grandfathered" freeway segments in the vicinity of the project are:

westbound I-80, between University Avenue and the Bay Bridge Toll Plaza;
eastbound I-80, between I-580 and the Contra Costa County line;
eastbound I-580, between I-80 and SR-24; and
eastbound SR-24, between I-580 and the Contra Costa County line.

The "grandfathered" arterial segments in the vicinity of the project are:

southbound San Pablo Avenue, between Park Avenue and 35th Street; and
westbound Ashby Avenue, between Telegraph and Martin Luther King Jr. Way.

The CMP requires that all segments not listed above are subject to deficiency plan requirements if and when LOS F conditions develop as a result of the project. Caltrans is responsible for preparing deficiency plans for San Pablo Avenue and Ashby Avenue, with input from affected local jurisdictions as they are both state routes. As described in the Draft EIR, a deficiency plan recognizes that the impact can not be directly addressed, thus, alternative actions are developed in order to improve the overall transportation system.

Additional Analysis

In response to the CMA's request for additional analysis, Tables 20a and 22a present the service levels for the additional freeway and arterial segments, respectively.

Freeway Analysis

For the additional freeway analysis, service levels were based on the congested travel speeds as projected by the Emeryville city-wide travel demand model. The study freeway segments operate under unstable conditions due to bottlenecks that occur in adjacent segments. As such, the resultant LOS based on congested travel speeds provides a better representation of traffic conditions than the LOS based on freeway volumes. The difference in results is due to the congestion created by upstream

bottlenecks, such as the Bay Bridge toll plaza. Under these conditions, the average travel speeds are a more valid form of defining LOS, and therefore used in the following analysis for freeways.

Table 20a shows that the addition of project traffic to the Year 2010 Baseline conditions would not result in significant impacts on SR-24, north of I-580. The eastbound direction of this freeway segment would remain operating at the same service level (LOS F) as the Year 2010 baseline PM peak period conditions. Based on the list above, this directional segment of SR-24 is "grandfathered in" at the existing level of service. The westbound direction would operate at an acceptable service level of LOS D during the PM peak period. Since the addition of project traffic would not result in any significant impacts, no mitigation measures are required of the project.

CMP Arterial Analysis

Table 22a shows service levels at 10 additional CMP arterial segments (20 directional segments) for the Year 2010 PM Baseline and Year 2010 Baseline Plus Kaiser PM peak period scenarios. The table indicates that 12 of the directional segments would operate at LOS F under both the Year 2010 Baseline (without Kaiser) and Year 2010 Baseline With Kaiser scenarios. No significant project impacts would occur. As such, there are no mitigation measures required of the project. The addition of project-related traffic would cause a significant impact along two segments of San Pablo Avenue (i.e., NB and SB San Pablo Avenue at 45th Street and San Pablo Avenue at Park Avenue). These impacts are identified in the Draft EIR and mitigated at the intersections along these segments. Such mitigations would reduce project impacts to a less than significant level along these arterial segment.

Previous Analysis in the Draft EIR

In response to several comments regarding the inaccuracies in the Freeway Impacts and Alameda County Congestion Management Program Roadway Impacts sections of the Draft EIR (pp. 158-163), the following clarifies the analyses.

Freeway Analysis

Based on the threshold of significance defined in the Draft EIR, a project impact to a freeway is considered significant when the addition of project traffic causes a one-half change in Level of Service for segments operating at LOS E or LOS F conditions (i.e., a change in volume equivalent to five percent of the segment capacity).

Table 20 in the Draft EIR indicates that five directional freeway segments would operate at unacceptable service levels of LOS E or F under Year 2010 With Kaiser conditions. However, based on the threshold of significance, these impacts would not be considered significant project impacts.

Two of the five directional segments (i.e., EB & WB I-80 at Ashby Avenue) have the "grandfathered" status, as listed above. However, CEQA guidelines require mitigation measures at these segments, where feasible. Mitigation measures were not considered physically feasible along these segments due to right-of-way constraints in the vicinity of this freeway.

Three of the five directional segments (i.e., EB I-80 at Bay Bridge and EB & WB I-580 at Harrison Street) would operate at unacceptable service levels under Year 2010 Baseline conditions. With the addition of the project traffic, unacceptable levels of service would remain in the Year 2010 With Kaiser conditions. These three segments are not "grandfathered in" at the existing levels of service. Therefore, these segments are subject to a CMP deficiency plan under the CMP analysis, if and when these conditions occur, as these impacts cannot be directly addressed.

Table 20a
Freeway PM Peak Period Service Levels Year 2010 Conditions

FREEWAY SEGMENT	EXISTING YEAR 1993[1]		YEAR 2010 BASELINE[2]		YEAR 2010 PLUS KAISER[2]	
	LOS	SPEED	LOS	SPEED	LOS	SPEED
SR-24 West of I-580 (EB)	F	29	F	29	F	29
SR-24 West of I-580 (WB)	C	52	D	51	D	48

NOTE: 1. Source: Alameda County Congestion Management Agency (CMA). The Level of Service (LOS) definitions used by the CMA are adjusted versions of the freeway LOS definitions in the *1985 Highway Capacity Manual*. Speeds shown are actual average travel speeds measured in the field.

2. LOS for future conditions is based on the methodology from the *1985 Highway Capacity Manual, Special Report 209, Chapter 3: Basic Freeways Segments*.

LOS: LOS is a qualitative measure to describe the operational conditions of the freeway segment.

SPEED: This refers to average travel speeds (miles per hour). Under future conditions, these speeds were developed using the Emeryville city-wide travel model.

The gray-shaded areas indicate service levels of LOS F.

Table 22a

Congestion Management Program Roadways - PM Peak Period Service Levels Year 2010 Conditions

ARTERIAL SEGMENT	DIRECTION	EXISTING YEAR 1993[1]		YEAR 2010 BASELINE		YEAR 2010 PLUS KAISER	
		VOLUME	LOS	VOLUME	LOS	VOLUME	LOS
San Pablo Avenue at University Avenue	NB	n/a	D	1,925	F	2,475	F
	SB	n/a	D	1,575	F	2,025	F
San Pablo Avenue at Dwight Way	NB	n/a	B	2,060	F	2,670	F
	SB	n/a	C	1,690	F	2,180	F
San Pablo Avenue at 45th Street	NB	n/a	C	1,880	C	2,130	F
	SB	n/a	B	2,290	C	2,610	F
San Pablo Avenue at Park Avenue	NB	n/a	C	1,900	B	2,150	F
	SB	n/a	D	2,330	B	2,620	F
San Pablo Avenue at W. MacArthur Boulevard	NB	n/a	C	1,715	F	1,670	F
	SB	n/a	D	2,095	F	2,040	F
Ashby Avenue at 7th Street	EB	n/a	C	1,440	F	1,550	F
	WB	n/a	C	1,760	F	1,890	F
Ashby Avenue at San Pablo Avenue	EB	n/a	C	1,200	F	1,165	F
	WB	n/a	C	1,470	F	1,425	F
Ashby Avenue at Sacramento Street	EB	n/a	B	905	C	1,090	D
	WB	n/a	B	1,105	C	1,330	D
Ashby Avenue at Martin Luther King Jr. Way	EB	n/a	B	870	C	980	C
	WB	n/a	B	1,060	C	1,200	C
Ashby Avenue at Shattuck Avenue	EB	n/a	C	1,015	F	1,085	F
	WB	n/a	D	1,240	F	1,330	F

NOTE: 1. Source: Alameda County Congestion Management Agency (CMA).

The gray-shaded areas indicate a significant project impact.

Master Response D5: Revised Chiron Project Description

Subsequent to the traffic analysis conducted for the Kaiser EIR, Chiron increased its project from 1.5 million square feet to 2.2 million square feet, as described in the Kaiser Draft EIR (pp. 338-339). Several commenters expressed concern about the potential changes in cumulative traffic impacts that were already described in the Draft EIR. The following provides a discussion of the differences in cumulative impacts which would occur with the increase in the level of development of the Chiron project.

Hereafter, the following discussion will refer to the reduced Chiron project as Chiron-Version 1, and the increased Chiron project will be referred to as Chiron-Version 2.

Year 2010 trip generation for Chiron-Version 1 was estimated using preliminary data collected at the existing site. At the time the cumulative analyses were conducted for the Draft EIR, there was a lack of detailed information about Year 2000 level of employment; therefore, Year 2000 Chiron trip generation estimates were derived from the Year 2010 estimates using a straight-line growth rate (i.e., approximately 80 percent of Year 2010 trips).

Trip generation estimates for Chiron-Version 2 were calculated using updated trip rates derived from the existing Chiron site using more complete data than was available earlier. Levels of employment for all phases are now available, and thus used to estimate Year 2000 and Year 2010 peak period Chiron trips based on the revised trip rates.

The following table summarizes the trip generation estimates used in the cumulative analyses with Chiron-Version 1 and -Version 2.

As the table indicates, Year 2000 AM peak period Chiron trips were overstated in the Draft EIR by 247 trips, thus resulting in a more conservative estimate of impacts. For the other three scenarios, the trip generation for Chiron-Version 2 would generate more traffic than the Chiron-Version 1 project.

Tables 12a, 13a, 16a, and 17a present comparisons of the service levels between the cumulative conditions with Chiron-Version 1 and Chiron-Version 2. Tables 12a and 13a present the service levels for the Year 2000 AM and PM peak period scenarios, respectively. These tables are intended to be reviewed in conjunction with Tables 12, 13, 16, and 17 in the Draft EIR. As the tables indicate, cumulative conditions with Chiron-Version 2 would not result in any new significant impacts from those already identified in the Draft EIR under Year 2000 Cumulative conditions.

Table 16a and 17a present the service levels for the Year 2010 AM and PM peak period scenarios, respectively. As the tables indicate, cumulative conditions with Chiron-Version 2 would not result in any new significant impacts from those already identified in the Draft EIR under Year 2010 Cumulative conditions.

The Draft EIR estimated that a larger Chiron project might impact up to seven additional intersections. Based on the above analysis, no additional intersection (i.e., additional to those already identified and discussed in the Draft EIR would be significantly impacted with the increase in Chiron development.

Trip Generation Comparison Between Chiron-Version 1 and Chiron-Version 2

	VERSION 1 TRIPS	VERSION 2 TRIPS	DIFFERENCE
YEAR 2000:			
AM Peak Period	1,118	871	-247
PM Peak Period	816	916	100
YEAR 2010:			
AM Peak Period	1,394	1,418	24
PM Peak Period	1,009	1,473	464

Table 12a Year 2000 Intersection Level of Service - AM Peak Period

NO.	INTERSECTION	YEAR 2000 CUMULATIVE			
		KAISER + CHIRON- VERSION 1		KAISER + CHIRON- VERSION 2	
		V/C	LOS	V/C	LOS
1	San Pablo Avenue/Ashby Avenue	1.06	F	1.06	F
2	San Pablo Avenue/Alcatraz Avenue	0.85	D	0.85	D
3	San Pablo Avenue/Stanford Avenue	0.74	C	0.74	C
4	San Pablo Avenue/45th Street	0.71	C	0.70	C
5	San Pablo Avenue/Park Avenue	0.90	E	0.88	D
6	San Pablo Avenue/Yerba Buena Avenue	(a)	n/a	(a)	n/a
7	San Pablo Avenue/Adeline Street/W. MacArthur Boulevard	0.76	C	0.75	C
8	San Pablo Avenue/36th Street	0.85	D	0.84	D
9	San Pablo Avenue/35th Street	0.51	A	0.50	A
10	7th Street/Ashby Avenue	0.77	C	0.77	C
11	Hollis Street/65th Street	0.56	A	0.55	A
12	Hollis Street/Powell Street	0.83	D	0.82	D
13	Hollis Street/45th Street	(c)	A/F	(c)	A/F
14	Hollis Street/Park Avenue	0.74	C	0.72	C
15	Hollis Street/Yerba Buena Avenue/Mandela Parkway (new)	(c)	A/E	(c)	A/E
16	Hollis Street/W. MacArthur Boulevard extension	(c)	A/B	(c)	A/B
17	Hollis Street/Peralta Street	0.52	A	0.51	A
18	Bay Street/65th Street	(d)	B	(d)	B
19	Shellmound Street/Christie Avenue - North	(c)	A/D	(c)	A/D
20	Shellmound Street/Christie Avenue - South	0.42	A	0.39	A
21	Christie Avenue/Powell Street	0.62	B	0.62	B
22	I-80 eastbound ramps/Powell Street	0.62	B	0.62	B
23	I-80 westbound ramps/Powell Street	(b)		(b)	
24	I-80 westbound On-ramp to SF only at West Frontage Road/Powell	0.45	A	0.44	A
25	Cypress Street southbound/32nd Street	(c)	A/C	(c)	A/C
26	Cypress Street southbound/West Grand Avenue	0.45	A	0.45	A
27	Cypress Street northbound/32nd Street	(c)	A/E	(c)	A/E

Table 12a Year 2000 Intersection Level of Service - AM Peak Period (continued)

NO.	INTERSECTION	YEAR 2000 CUMULATIVE			
		KAISER + CHIRON- VERSION 1		KAISER + CHIRON- VERSION 2	
28	Cypress Street northbound/West Grand Avenue	0.54	A	0.53	A
29	Adeline Street/Martin Luther King Jr. Way	0.57	A	0.57	A
30	Adeline Street/Market Street	0.29	A	0.29	A
31	Adeline Street/40th Street	0.38	A	0.38	A
32	Adeline Street/36th Street	(d)	F	(d)	F
33	Adeline Street/35th Street	(d)	A	(d)	A
34	Peralta Street/36th Street	(c)	A/E	(c)	A/E
36	Market Street/40th Street	0.50	A	0.49	A
37	Market Street/W. MacArthur Boulevard	0.40	A	0.40	A
38	Market Street/36th Street	0.56	A	0.55	A
39	Market Street/35th Street	0.27	A	0.27	A
40	Martin Luther King Jr. Way/40th Street	0.39	A	0.39	A
41	Martin Luther King Jr. Way/W. MacArthur Boulevard	0.27	A	0.27	A
42	Telegraph Avenue/40th Street	0.49	A	0.49	A
43	Telegraph Avenue/W. MacArthur Boulevard	0.48	A	0.48	A
45	Broadway Avenue/W. MacArthur Boulevard	0.46	A	0.46	A
46	San Pablo Avenue/40th Street (new)	0.86	D	0.86	D
47	Hollis Street /40th Street (new)	0.53	A	0.53	A
49	Emery Street/40th Street (new)	0.19	A	0.19	A
164	I-80 westbound Hook-Ramp relocated from Powell Street	0.69	B	0.68	B

Notes:
(a) - Intersection eliminated since this intersection primarily serves the Catellus project.
(b) - Intersection relocated, replaced by #164.
(c) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.
(d) - Indicates an All-Way STOP controlled intersection for which LOS is based on delay.

The gray-shaded areas indicate service levels of LOS E or F.

Table 13a Year 2000 Intersection Level of Service - PM Peak Period

NO.	INTERSECTION	YEAR 2000 CUMULATIVE			
		KAISER + CHIRON- VERSION 1		KAISER + CHIRON- VERSION 2	
		V/C	LOS	V/C	LOS
1	San Pablo Avenue/Ashby Avenue	1.26	F	1.26	F
2	San Pablo Avenue/Alcatraz Avenue	1.14	F	1.14	F
3	San Pablo Avenue/Stanford Avenue	1.03	F	1.03	F
4	San Pablo Avenue/45th Street	1.14	F	1.14	F
5	San Pablo Avenue/Park Avenue	1.10	F	1.10	F
6	San Pablo Avenue/Yerba Buena Avenue	(a)	n/a	(a)	n/a
7	San Pablo Avenue/Adeline Street/W. MacArthur Boulevard	1.26	F	1.27	F
8	San Pablo Avenue/36th Street	0.70	C	0.71	C
9	San Pablo Avenue/35th Street	1.00	F	1.00	F
10	7th Street/Ashby Avenue	1.31	F	1.31	F
11	Hollis Street/65th Street	0.85	D	0.85	D
12	Hollis Street/Powell Street	1.16	F	1.16	F
13	Hollis Street/45th Street	(c)	C/F	(c)	C/F
14	Hollis Street/Park Avenue	0.89	D	0.89	D
15	Hollis Street/Yerba Buena Avenue/Mandela Parkway (new)	(c)	A/F	(c)	A/F
16	Hollis Street/W. MacArthur Boulevard extension	(c)	A/C	(c)	A/C
17	Hollis Street/Peralta Street	0.57	A	0.57	A
18	Bay Street/65th Street	(d)	C	(d)	C
19	Shellmound Street/Christie Avenue - North	(c)	A/F	(c)	A/F
20	Shellmound Street/Christie Avenue - South	0.64	B	0.64	B
21	Christie Avenue/Powell Street	1.09	F	1.09	F
22	I-80 eastbound ramps/Powell Street	0.80	D	0.80	D
23	I-80 westbound ramps/Powell Street	(b)		(b)	
24	I-80 westbound On-ramp to SF only at West Frontage Road/Powell	0.68	B	0.68	B
25	Cypress Street southbound/32nd Street	(c)	A/C	(c)	A/C
26	Cypress Street southbound/West Grand Avenue	0.57	A	0.57	A
27	Cypress Street northbound/32nd Street	(c)	B/E	(c)	B/E

Table 13a Year 2000 Intersection Level of Service - PM Peak Period (continued)

NO.	INTERSECTION	YEAR 2000 CUMULATIVE			
		KAISER + CHIRON- VERSION 1		KAISER + CHIRON- VERSION 2	
28	Cypress Street northbound/West Grand Avenue	0.67	B	0.67	B
29	Adeline Street/Martin Luther King Jr. Way	0.76	C	0.76	C
30	Adeline Street/Market Street	0.57	A	0.57	A
31	Adeline Street/40th Street	0.64	B	0.65	B
32	Adeline Street/36th Street	(d)	C	(d)	C
33	Adeline Street/35th Street	(d)	C	(d)	C
34	Peralta Street/36th Street	(c)	A/A	(c)	A/A
36	Market Street/40th Street	0.71	C	0.72	C
37	Market Street/W. MacArthur Boulevard	0.77	C	0.77	C
38	Market Street/36th Street	0.44	A	0.44	A
39	Market Street/35th Street	0.73	C	0.73	C
40	Martin Luther King Jr. Way/40th Street	0.60	B	0.60	B
41	Martin Luther King Jr. Way/W. MacArthur Boulevard	0.46	A	0.47	A
42	Telegraph Avenue/40th Street	0.72	C	0.72	C
43	Telegraph Avenue/W. MacArthur Boulevard	0.77	C	0.77	C
45	Broadway Avenue/W. MacArthur Boulevard	0.63	B	0.63	B
46	San Pablo Avenue/40th Street (new)	1.00	F	1.01	F
47	Hollis Street /40th Street (new)	0.70	C	0.71	C
49	Emery Street/40th Street (new)	0.55	A	0.55	A
164	I-80 westbound Hook-Ramp relocated from Powell Street	0.83	D	0.83	D

Notes:
(a) - Intersection eliminated since this intersection primarily serves the Catellus project.
(b) - Intersection relocated, replaced by #164.
(c) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.
(d) - Indicates an All-Way STOP controlled intersection for which LOS is based on delay.

The gray-shaded areas indicate service levels of LOS E or F.

Table 16a Year 2010 Intersection Level of Service - AM Peak Period

NO.	INTERSECTION	YEAR 2010 CUMULATIVE			
		KAISER + CHIRON- VERSION 1		KAISER + CHIRON- VERSION 2	
		V/C	LOS	V/C	LOS
1	San Pablo Avenue/Ashby Avenue	1.32	F	1.32	F
2	San Pablo Avenue/Alcatraz Avenue	1.23	F	1.23	F
3	San Pablo Avenue/Stanford Avenue	1.00	F	1.00	F
4	San Pablo Avenue/45th Street	0.90	E	0.90	E
5	San Pablo Avenue/Park Avenue	1.09	F	1.09	F
6	San Pablo Avenue/Yerba Buena Avenue	(a)	n/a	(a)	n/a
7	San Pablo Avenue/Adeline Street/W. MacArthur Boulevard	0.92	E	0.93	E
8	San Pablo Avenue/36th Street	1.01	F	1.01	F
9	San Pablo Avenue/35th Street	0.62	B	0.62	B
10	7th Street/Ashby Avenue	0.84	D	0.84	D
11	Hollis Street/65th Street	0.74	C	0.74	C
12	Hollis Street/Powell Street	1.02	F	1.04	F
13	Hollis Street/45th Street	(c)	B/F	(c)	B/F
14	Hollis Street/Park Avenue	0.91	E	0.91	E
15	Hollis Street/Yerba Buena Avenue/Mandela Parkway (new)	(c)	B/F	(c)	B/F
16	Hollis Street/W. MacArthur Boulevard extension	(c)	A/D	(c)	A/D
17	Hollis Street/Peralta Street	0.68	B	0.68	B
18	Bay Street/65th Street	(d)	B	(d)	B
19	Shellmound Street/Christie Avenue - North	(c)	A/E	(c)	A/E
20	Shellmound Street/Christie Avenue - South	0.74	C	0.74	C
21	Christie Avenue/Powell Street	0.68	B	0.68	B
22	I-80 eastbound ramps/Powell Street	0.65	B	0.65	B
23	I-80 westbound ramps/Powell Street	(b)		(b)	
24	I-80 westbound On-ramp to SF only at West Frontage Road/Powell (new)	0.61	B	0.61	B
25	Cypress Street southbound/32nd Street	(c)	A/C	(c)	A/C
26	Cypress Street southbound/West Grand Avenue	0.48	A	0.48	A
27	Cypress Street northbound/32nd Street	(c)	A/F	(c)	A/F

Table 16a Year 2010 Intersection Level of Service - AM Peak Period (continued)

NO.	INTERSECTION	YEAR 2010 CUMULATIVE			
		KAISER + CHIRON-VERSION 1		KAISER + CHIRON-VERSION 2	
28	Cypress Street northbound/West Grand Avenue	0.62	B	0.62	B
29	Adeline Street/Martin Luther King Jr. Way	0.61	B	0.61	B
30	Adeline Street/Market Street	0.39	A	0.39	A
31	Adeline Street/40th Street	0.59	A	0.59	A
32	Adeline Street/36th Street	(d)	F	(d)	F
33	Adeline Street/35th Street	(d)	A	(d)	A
34	Peralta Street/36th Street	(c)	A/E	(c)	A/E
36	Market Street/40th Street	0.75	C	0.75	C
37	Market Street/W. MacArthur Boulevard	0.50	A	0.50	A
38	Market Street/36th Street	0.61	B	0.61	B
39	Market Street/35th Street	0.36	A	0.36	A
40	Martin Luther King Jr. Way/40th Street	0.51	A	0.51	A
41	Martin Luther King Jr. Way/W. MacArthur Boulevard	0.28	A	0.28	A
42	Telegraph Avenue/40th Street	0.69	B	0.69	B
43	Telegraph Avenue/W. MacArthur Boulevard	0.61	B	0.61	B
45	Broadway Avenue/W. MacArthur Boulevard	0.56	A	0.56	A
46	San Pablo Avenue/40th Street (new)	1.22	F	1.23	F
47	Hollis Street /40th Street (new)	0.80	D	0.81	D
49	Emery Street/40th Street (new)	0.26	A	0.26	A
164	I-80 westbound Hook-Ramp relocated from Powell Street	0.96	E	0.96	E

Notes:
(a) - Intersection eliminated since this intersection primarily serves the Catellus project.
(b) - Intersection relocated, replaced by #164.
(c) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.
(d) - Indicates an All-Way STOP controlled intersection for which LOS is based on delay.

The gray-shaded areas indicate service levels of LOS E or F.

Table 17a Year 2010 Intersection Level of Service - PM Peak Period

NO.	INTERSECTION	YEAR 2010 CUMULATIVE			
		KAISER + CHIRON- VERSION 1		KAISER + CHIRON- VERSION 2	
		V/C	LOS	V/C	LOS
1	San Pablo Avenue/Ashby Avenue	1.44	F	1.45	F
2	San Pablo Avenue/Alcatraz Avenue	1.38	F	1.39	F
3	San Pablo Avenue/Stanford Avenue	1.33	F	1.35	F
4	San Pablo Avenue/45th Street	1.30	F	1.32	F
5	San Pablo Avenue/Park Avenue	1.16	F	1.19	F
6	San Pablo Avenue/Yerba Buena Avenue	(a)	n/a	(a)	n/a
7	San Pablo Avenue/Adeline Street/W. MacArthur Boulevard	1.34	F	1.39	F
8	San Pablo Avenue/36th Street	0.78	C	0.80	D
9	San Pablo Avenue/35th Street	1.05	F	1.07	F
10	7th Street/Ashby Avenue	1.12	F	1.12	F
11	Hollis Street/65th Street	1.25	F	1.26	F
12	Hollis Street/Powell Street	1.89	F	1.85	F
13	Hollis Street/45th Street	(c)	F/F	(c)	F/F
14	Hollis Street/Park Avenue	1.25	F	1.28	F
15	Hollis Street/Yerba Buena Avenue/Mandela Parkway (new)	(c)	C/F	(c)	C/F
16	Hollis Street/W. MacArthur Boulevard extension	(c)	A/D	(c)	A/D
17	Hollis Street/Peralta Street	0.70	C	0.70	C
18	Bay Street/65th Street	(d)	F	(d)	F
19	Shellmound Street/Christie Avenue - North	(c)	A/F	(c)	A/F
20	Shellmound Street/Christie Avenue - South	1.31	F	1.35	F
21	Christie Avenue/Powell Street	1.33	F	1.36	F
22	I-80 eastbound ramps/Powell Street	0.95	E	0.96	E
23	I-80 westbound ramps/Powell Street	(b)		(b)	
24	I-80 westbound On-ramp to SF only at West Frontage Road/Powell (new)	0.75	C	0.76	C
25	Cypress Street southbound/32nd Street	(c)	A/D	(c)	A/D
26	Cypress Street southbound/West Grand Avenue	0.65	B	0.66	B
27	Cypress Street northbound/32nd Street	(c)	B/F	(c)	B/F

Table 17a Year 2010 Intersection Level of Service - PM Peak Period (continued)

NO.	INTERSECTION	YEAR 2010 CUMULATIVE			
		KAISER + CHIRON- VERSION 1		KAISER + CHIRON- VERSION 2	
28	Cypress Street northbound/West Grand Avenue	0.75	C	0.75	C
29	Adeline Street/Martin Luther King Jr. Way	0.92	E	0.93	E
30	Adeline Street/Market Street	0.96	E	0.96	E
31	Adeline Street/40th Street	1.15	F	1.15	F
32	Adeline Street/36th Street	(d)	F	(d)	F
33	Adeline Street/35th Street	(d)	E	(d)	E
34	Peralta Street/36th Street	(c)	A/A	(c)	A/A
36	Market Street/40th Street	1.12	F	1.12	F
37	Market Street/W. MacArthur Boulevard.	1.11	F	1.11	F
38	Market Street/36th Street	0.66	B	0.66	B
39	Market Street/35th Street	0.89	D	0.89	D
40	Martin Luther King Jr. Way/40th Street	0.80	D	0.80	D
41	Martin Luther King Jr. Way/W. MacArthur Boulevard	0.57	A	0.57	A
42	Telegraph Avenue/40th Street	0.99	E	1.00	F
43	Telegraph Avenue/W. MacArthur Boulevard	0.95	E	0.95	E
45	Broadway Avenue/W. MacArthur Boulevard	0.77	C	0.77	C
46	San Pablo Avenue/40th Street (new)	1.35	F	1.37	F
47	Hollis Street /40th Street (new)	1.08	F	1.11	F
49	Emery Street/40th Street (new)	0.81	D	0.83	D
164	I-80 westbound Hook-Ramp relocated from Powell Street	1.24	F	1.25	F

Notes:
(a) - Intersection eliminated since this intersection primarily serves the Catellus project.
(b) - Intersection relocated, replaced by #164.
(c) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.
(d) - Indicates an All-Way STOP controlled intersection for which LOS is based on delay.

The gray-shaded areas indicate service levels of LOS E or F.

Master Response D6: Transit Assumptions

The transportation analysis in the Draft EIR assumes that two percent of the future trips made to the Kaiser facility would use transit. This assumption is based on regional projections that are incorporated into the city-wide model from the regional Metropolitan Transportation Commission (MTC) model. Because the model forecasts form the basis for evaluating impacts on freeways, roadways, and local intersections as well as the transit system, this conservative level of transit use was assumed in the base analysis in order to maintain consistency across the various analysis areas. The development of a transit analysis using a higher base ridership share, such as the current share of approximately eight percent achieved at the MacArthur site, would require adjustments to the city-wide model which would not have been consistent with the regional MTC model. As such, the achievement of a 15 percent alternative mode share by the project through the implementation of a Transportation System Management Program (TSMP) was recommended as a project mitigation measure. The associated increase in transit usage and reduction in vehicle trip generation and intersection service level impacts are also described.

A review of the travel characteristics of hospital employees and patients throughout the United States, as well as within the San Francisco Bay Area, indicates that the achievement of a 15 percent alternative mode share is very reasonable. National surveys conducted by the Eno Foundation for Transportation[6] of 15 general hospitals indicate the percentage of auto drivers for all trips ranges from 48 percent to 83 percent. A similar survey of 15 medical centers indicated the percentage of auto drivers for all trips ranged from 48 percent to 89 percent.

Surveys conducted at San Francisco General Hospital Medical Center[7] indicated the drive alone share for employees and visitors were 72 and 45 percent, respectively. Transit mode shares for employees and visitors were 11.7 and 35 percent, respectively. Carpool/vanpool mode shares for employees and visitors were 10.2 and 5 percent, respectively. San Francisco General Hospital has a total daily employee population of approximately 3,300 persons and a total daily visitor population of approximately 3,000 persons. Located on Potrero at 23rd Street, the hospital is approximately 3/4 miles away from the closest BART station (24th Street) and Caltrain station (22nd Street). The facility is also located approximately 1/2 mile away from the US 101/Army Street interchange. The hospital is directly served by three MUNI routes.

Finally, it should be noted that the Emeryville site will have equivalent, if not better, access to transit service than the present MacArthur site. The Emeryville site will be accessible to the MacArthur BART station, located 3/4 miles away, via a private Kaiser shuttle and via the Emeryville-BART shuttle. This is very similar to the service from the existing MacArthur site to the MacArthur BART station located 1/2 mile away from the hospital. Both sites are presently served by three AC Transit lines. The Emeryville site will be accessible to the Emeryville AMTRAK station, located 1/2 mile away, via a private shuttle.

The 15 percent auto trip reduction assumed for the TSMP accounts for mode splits to transit, carpool, shuttle, etc. A transportation survey was conducted by Kaiser in August 1994. The results of the survey indicate a

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[6] "Parking for Institutions and Special Events", Appendix A, Eno Foundation for Transportation, Westport, Connecticut, 1982.

[7] "San Francisco General Hospital Medical Center Institutional Master Plan", DKS Associates, November, 1987.

6.8 percent transit use to/from the proposed project site in Emeryville, which is closer to the 9 percent figure for mass transit at the existing Oakland site. The analysis in the Draft EIR assumes a 2 percent transit use. However, as described in the Draft EIR, the increase in transit use from 2 percent to 6.8 percent would result in significant transit impacts to the AC Transit Routes 57 and 72. The daily load factors for Route 57 and Route 72 are 1.41 and 1.27, respectively (Table 10 in the Draft EIR). The peak period load factors for Route 57 and Route 72 are 1.53 and 1.49, respectively. It should be noted that these load factors are taken at the maximum load point of the route, during the peak period. The increase of 6.8 percent transit use would increase these peak load factors to 1.72 on Route 57 and 1.65 on Route 72. As identified in the Draft EIR, this significant transit impact would be reduced to a less than significant level with the provision of additional transit capacity through the provision of Kaiser's private shuttle, Emeryville-BART shuttle, the mass transit program and Kaiser's annual transit fee of $100,000 for 25 years, AMTRAK, and the provision of commuter rail services on the Southern Pacific Railroad Line. These transit mitigation measures would also result in a benefit to other potentially adverse impacts.

Although the peak load factors presented above indicate optimal ridership levels at the route's maximum load point, the peak period load factors at the project site indicate excess capacity. To determine the peak period load factors in the vicinity of the project site, for the Route 57 and Route 72, ridership data were obtained at the bus stop located at the intersection of San Pablo Avenue/45th Street. For Route 57, the peak period load factor is 0.41. For Route 72, the peak load factor is also 0.41. These load factors indicate that these routes operate at excess capacity within the vicinity of the project. Therefore, the addition of project-related transit trips would not result in a significant transit impact at the project site.

Master Response D7. Transit Funding

Kaiser would be required to contribute $100,000 per year for the next 25 years to the City of Emeryville's Mass Transit Program. This program has not been specifically created for Kaiser but is an existing City program. The City will allocate these funds to specific projects for design, right-of-way acquisition, construction, operations/maintenance, or other purposes for furthering mass transit service within and to Emeryville. The City would allocate these resources at their discretion. Possible uses of the mass transit fees generated by Kaiser and other existing and proposed projects within the City of Emeryville are for the Amtrak station and service, the Emeryville-BART shuttle, AC Transit service improvements, or other transit services.

Master Response D8: Trip Reduction Ordinance

The City of Emeryville has adopted a Trip Reduction Ordinance (TRO). Through the adoption of the TRO, the City has accepted responsibility in the delegation of authority from the Bay Area Air Quality Management District (BAAQMD) to implement and enforce trip reduction measures. This ordinance applies to all public and private employers with 50 or more employees at a work site. Employers of 100 or more employees, such as Kaiser, are required to conduct an Employer Trip Reduction Program. This program must meet objectives in Average Vehicle Ridership (AVR) and Vehicle Employee Ratio (VER). An Employee Transportation Coordinator and Employer Program Manager would prepare and coordinate the TRO for Kaiser. The TRO requires Kaiser to conduct an Employee Transportation Survey and to conduct an Employer Trip Reduction Program. The Employer Trip Reduction Program may include the following measures:

- Rideshare, matching and preferential parking;
- Public transit subsidies and information;
- Trip elimination through compressed work weeks or telecommuting;

- Parking management requiring fee parking with reductions in cost to carpools;
- Bicycle and pedestrian facilities on-site;
- On-site facilities/services, such as cleaners, cafeterias, ATMs, etc; and,
- Promotional materials to encourage alternative mode travel.

E. DOYLE-HAVEN

Master Response E1: Transportation and Circulation

The Doyle Street Extension is identified in the City of Emeryville's General Plan (1993) as a future north-south collector roadway. As described in the General Plan, this roadway would extend Haven Street, at Park Avenue, north to Doyle Street, at Stanford Avenue. Further north, Doyle Street would extend from Ocean Avenue to 67th Street. In addition, construction of the Doyle-Haven Extension would require the acquisition of a portion of the drop-off area and playground from the school located on Stanford Avenue. The Doyle-Haven Extension is identified in the City's Capital Improvement Program (CIP). Kaiser's contribution to traffic fees could help fund this improvement. Additional north-south roadways, such as the Horton-Landregan Extension, were included in the General Plan to provide additional capacity to relieve such routes as Hollis Street. The Doyle-Haven Extension is primarily projected to be utilized by private automobiles. It is not intended to be either a truck route or the standard ambulance route to the hospital.

The project would result in the abandonment of the Doyle-Haven Extension south of 47th Street. Implementation of the segment of the Doyle-Haven Extension, between 47th Street and Powell Street, is identified in the Draft EIR as a mitigation measure (Mitigation Cir-26). It should be noted that this segment is a mitigation measure to reduce project impacts along Hollis Street. This segment of the Doyle-Haven Extension is not required for project access. In order to reduce project impacts along Hollis Street, the project would be required to relocate its driveway access points to this Doyle-Haven Extension. By doing so, project traffic would thus utilize this roadway rather than Hollis Street. This segment of the Doyle-Haven Extension would need to be in place by the time the Future Expansion phase is completed.

The Doyle-Haven Extension is expected to serve a range of 110 to 340 vehicles per hour on the segment between Powell Street and 47th Street in the PM peak period under the cumulative scenario by the Year 2010. This level of traffic is similar to that expected on a low to moderately active local residential street. Future PM peak hour traffic volumes on 53rd Street between Hollis Street and San Pablo Avenue range from 260 to 500 vehicles per hour, with the higher volumes occurring on the segment between Hollis Street and the Doyle-Haven Extension. The future traffic volumes on the Doyle-Haven Extension would therefore be similar to those projected along 53rd Street.

The Doyle-Haven Extension is projected to have little change in traffic volumes on 53rd Street between Hollis Street and San Pablo Avenue. With the implementation of a traffic signal and left turn pockets in the east-west direction at the intersection of Powell Street/Doyle Street, the primary access point for the Doyle/Haven Extension is projected to be via Powell Street.

The majority of the Doyle-Haven Extension would be designed as a two lane facility, with three lanes provided only as needed at the junctions with major cross streets such as Powell Street and 47th Street. The Draft EIR also identifies the installation of a Class I bicycle facility on the Doyle-Haven Extension between Powell Street and 47th Street as a project-related mitigation measure. The intersections of the Doyle Street Extension with 53rd Street and 55th Street would be controlled by stop signs. The Doyle Street Extension/53rd Street

Extension would have stop sign control on the north-south Doyle Street Extension approaches, while the Doyle Street Extension/55th Street Extension would have stop sign control on the east-west 55th Street approach.

The cross-section of the Doyle-Haven Extension is proposed to be a total of 43 feet, which would include a six-foot sidewalk, a six-foot bicycle lane, two 12-foot travel lanes, a six-foot bicycle lane, and a one-foot curb. This width would need to be expanded by nine to ten feet at the intersections at Powell Street and 47th Street. The Doyle-Haven Extension would serve as a local circulation route and would also provide a corridor for pedestrians and bicycles. As noted by the dimensions above, 18 feet of the total width of 43 feet would be dedicated for pedestrian and bicycle movement.

The Doyle-Haven Street Extension is not expected to have any direct traffic impacts on the Emery Bay Village. Future traffic volumes on the Haven Street Extension are projected to be lower than future volumes along 53rd Street as noted above, which provides the primary access to the Emery Bay Village. The construction of the Doyle-Haven Extension, in conjunction with the Horton-Landregan Extension, would provide a more balanced distribution of north-south traffic in the study area, thereby reducing overall levels of congestion that would be otherwise created by cumulative traffic.

Master Response E2: Land Use

Several commenters requested additional information on land use impacts associated with the Doyle-Haven extension. Specific issues raised pertained to land use impacts to the Emery Bay Villages.

As indicated in Master Response E1, the Doyle Street Extension is identified in the City of Emeryville's General Plan (1993) as a future north-south collector roadway. The General Plan would also extend Haven Street, at Park Avenue, north to Doyle Street, at Stanford Avenue. Therefore, the proposed mitigation measure is consistent with the General Plan. The land use effects associated with this alignment were evaluated in the environmental document for the 1993 Emeryville General Plan.

The Doyle-Haven Extension would require the acquisition of a portion of the drop-off area and playground from the school located on Stanford Avenue. However, this right-of-way acquisition would not involve the removal of existing structures. The Doyle-Haven Extension would not require right-of-way acquisition from any other adjacent properties, nor would it result in direct land use impacts to the Emery Bay Villages.

Master Response E3: Air Quality

Several commenters requested additional information on impacts to air quality associated with the Doyle-Haven extension. Specific issues raised pertained to long-term air quality impacts associated with the Doyle-Haven and construction-related air quality impacts.

In conformance with CEQA Guidelines §15126, the EIR adequately describes the construction impacts associated with the project. Air quality impacts occurring during construction are described on page 189 of the Draft EIR. This discussion is revised to clarify that the potential impacts are associated with both the on-site construction activities for the medical center and the off-site construction activities related to the Doyle-Haven extension. As with the medical center construction activities, construction of the Doyle-Haven extension would primarily affect downwind locations such as the Emery Bay Villages, as well as the residences and the City of Emeryville Child Development Center along the western border of the extension.

The local air quality analysis did not assume construction of the Doyle-Haven extension. Since the effect of the construction of the Doyle-Haven extension would be to redirect approximately 150 to 200 vehicles onto Doyle from other parallel streets, the construction of the Doyle-Haven extension on local air quality would be to increase concentrations of carbon monoxide along Doyle Street while decreasing them along parallel streets such as Hollis Street and San Pablo Avenue. Total traffic volumes and congestion levels along the extended Doyle Street would be substantially below those along either Hollis Street or San Pablo Avenue. Since predicted concentrations of carbon monoxide at major intersections along Hollis Street and San Pablo Avenue in the years 2000 and 2010 are well below the ambient standards, concentrations along the extended Doyle Street corridor and intersections along Doyle Street would be below the ambient standards. Therefore, this mitigation measure does not result in new significant air quality impacts.

Master Response E4: Noise

Several commenters requested additional information on noise impacts associated with the Doyle-Haven extension. Specific issues raised pertained to noise impacts to the Emery Bay Villages.

Since the effect of the construction of the Doyle-Haven extension would be to redirect approximately 150 to 200 vehicles onto Doyle from other parallel streets, the construction of the Doyle-Haven extension on local noise would be to result in slight increases in noise levels along Doyle Street while decreasing them along parallel streets such as Hollis Street and San Pablo Avenue. Total traffic volumes and congestion levels along the extended Doyle Street would be below those along either Hollis Street or San Pablo Avenue. The construction of a sound wall adjacent to the Emery Bay Villages along Doyle Street would further ensure that the residences are not impacted. Therefore, this mitigation measure does not result in new significant noise impacts.

F. URBAN DESIGN AND VISUAL CHARACTERISTICS

Master Response F1: Shadow/Lighting/Wind Impacts

Several commenters requested that lighting, wind, and shadow analyses be included in the EIR to support the conclusions contained in the EIR that the project would not result in such impacts.

Shadow

The Draft EIR states on page 45 that the proposed medical center has been designed to avoid the potential for shadow impacts on the adjacent residential properties. The technical data for the discussion of shadow effects are included in Section VI, Text Revisions to the EIR to substantiate the conclusions contained in the Draft EIR. The technical data reflect shadow impacts for 10:00 a.m. and 3:00 p.m. on the winter solstice (December 21), on the summer solstice (June 21), and the spring and fall equinoxes (March 21 and September 21). Additional information on shadow impacts occurring at 7:00.p.m. on the summer solstice has also been provided.

With the exception of the 7:00 p.m. shadows for both the Phase I site and Future Expansion site for June 21st, and the 10:00 a.m. shadows for the Phase I site for June 21st, the shadows on the Phase I and Future Expansion sites would not extend to adjacent properties. The 7:00 p.m. shadows would extend to the properties along the western edge of San Pablo Avenue and into the AC Transit site. With regard to the AC Transit site alternative, 7:00 p.m. shadows on June 21st would extend along San Pablo to the north of 45th Street. In addition, the

construction of the medical office buildings and parking structure on the AC Transit site would create December 21st morning and afternoon shadows which would slightly extend into southern edge of the Emery Bay Villages.

Lighting

With regard to lighting, all lighting would be standard street lighting in conformance with the City of Emeryville lighting conditions. Specifically, a site lighting plan would be prepared that would include calculations which shall provide for no less than 0.6 foot candles of illumination on the entire surface of parking and pedestrian paths. Additionally, all outside area lighting will be energy conserving and shall be designed and located so as not to interfere with traffic on adjacent streets, and to avoid shining on adjacent properties. No reflective glass will be used for medical center windows; all windows will be tinted, high performance glass.

Wind

The Draft EIR contains a discussion of the wind conditions in Section II, D, Air Quality. The Draft EIR states that the prevailing wind direction in Emeryville is from the west, reflecting the direction to the Golden Gate Bridge. Wind speeds are moderate, averaging about 7.3 miles per hour annually. With development of the proposed medical center, localized wind conditions would not be expected to significantly change when compared to existing conditions.

Master Response F2: Project Design

Several commenters expressed concern about the large scale and massing of the proposed medical center. Additionally, commenters requested that more visual aids, such as photosimulations, maps, and drawings reflecting the project design be included in the EIR to assist in their understanding of the project.

Project Characteristics

Section I of the Draft EIR contains a description of the proposed medical center in terms of the types of land uses, size of the buildings, and height of the structures. Figures 3 and 4 depict the medical center layout, and accompany the description of the medical center features. Additionally, Figures 5 and 6 offer oblique perspectives of the height and scale of the medical center for Phase I and Future Expansion.

Section II, A. contains a description of the land use compatibility impacts resulting from the medical center. These impacts were assessed in terms of the project's compatibility with the surrounding land uses. In addition, Section II, A. evaluates the scale, mass, and height of the proposed medical center in terms of the project's conformity with the adopted City of Emeryville General Plan and Zoning Ordinance (see pages 49 through 52). As indicated on page 50, although development on the Phase I site would substantially increase the land use intensity over existing conditions and result in corresponding changes to the character of the project site, the proposed building intensity in Phase I would be within the allowable FAR for 75 percent of the site.

For the Future Expansion site, the Draft EIR notes that the proposed floor area ratios would be within the range of allowable intensities established by the General Plan Building Intensity Diagram. Overall, the Draft EIR states that Future Expansion of the medical center would result in an increase in land use intensity compared to existing development intensities. Because the proposed 1.4 FAR on the Phase I site represents a slight increase over the 1.3 FAR allowed on 75 percent of the site, and because the project locates the parking garages

and "liner" buildings where the General Plan currently allows a 0.7 FAR, the proposed amendment to the Building Intensity Diagram would not result in a significant land use impact.

Based upon the City's adopted method of determining floor area ratios and with the incorporation of the Kaiser Permanente Medical Center Urban Design Guidelines (described below), the proposed medical center was determined to result in significant land use impacts that could be mitigated to a less than significant level.

Urban Design and Visual Characteristics

Using the thresholds of significance contained in Appendix G of the CEQA Guidelines, Section II, L. evaluates the potential impacts of the medical center from a visual and urban design perspective.

Section II, L. in the Draft EIR describes the height and scale of the Phase I structures on pages 285 through 287, and then evaluates the visual compatibility between the proposed structures and existing buildings. Recognizing that the building mass and scale of the medical center would not be compatible with the older, smaller scale commercial buildings along San Pablo Avenue, for example, the Draft EIR states that the Urban Design Guidelines were incorporated into the project to reduce the visual impacts. The EIR also evaluated the potential for obstruction to views because the height of the medical center structures would exceed the height of the surrounding buildings. As noted on page 286, the obstruction to views would not be significant because the existing views are, in most cases, limited to views of other urban development within the immediate vicinity of these land uses, and because there are no significant scenic features visible within the project area under existing conditions.

The Draft EIR conducted a similar analysis for the Future Expansion phase structures. The Draft EIR states on page 289 that the building heights on the Future Expansion site would range from 50 feet to 52 feet, which would alter views of the project site for adjacent land uses. The Draft EIR acknowledges that within the context of the surrounding area, most of the existing buildings are one and two stories in height; consequently, the construction of three story buildings and a five floor parking garage would noticeably alter the scale of the area for the surrounding land uses. The Draft EIR further notes on page 290 that the parking garage and medical office buildings on this site would obstruct views from the Emery Bay Villages and residences along Doyle Street. However, the Draft EIR notes that the obstruction to views would not be considered significant because views of scenic features would not be impacted, and because the proposed urban intensities of development would not result in a substantial demonstrable negative aesthetic effect.

Kaiser Permanente Medical Center Urban Design Guidelines

The Kaiser Permanente Medical Center Urban Design Guidelines approved by the Planning Commission have been incorporated into the project design to ensure that the scale of the medical center is acceptable to the neighboring community. These guidelines were developed through a series of monthly design workshops with members of the community to obtain input from and provide updates to the residents and businesses in the area with respect to the design of the building.

One of the most significant features of the Urban Design Guidelines is the incorporation of lower- intensity pedestrian-oriented uses into "liner" buildings that would extend along the street frontages of the parking garages and medical office buildings. These buildings would have heights similar to those in the surrounding areas (one to two-stories), so that the street level view of the medical center would be one of the "liner" buildings, as opposed to the parking garages (see attached perspectives). In addition, pedestrian paths and

public access entryways would be provided to the central park and public plazas that would occupy the interior of the site.

Visual Aids

In conformance with CEQA Guidelines §15124, the EIR includes sufficient visual aids that demonstrate the size and scale of the building. For example, Section I includes figures of the Phase I and Future Expansion site plans, and photos of the model of Phase I and the model of Future Expansion. However, in response to these requests, additional perspective drawings along Park Avenue and San Pablo are included in the Final EIR to supplement the photos contained in Section I (Figures 5 and 6). The perspective drawings are intended to provide eye-level views of the project street frontages.

G. ALTERNATIVES TO THE PROPOSED PROJECT

Master Response G1: Fox Theater Site in Downtown Oakland

A number of commenters on the Draft EIR have suggested that the City should analyze an additional alternative that would contemplate development of the project on a site in downtown Oakland in the vicinity of the Fox Theater site.

In preparing a Draft EIR, a lead agency is not required to analyze every conceivable alternative that is raised in public comments. Instead, a Draft EIR must analyze a reasonable range of alternatives that could feasibly attain the basic objectives of the project and also might reduce the project's significant environmental effects. To be feasible, an alternative must be capable of being accomplished within a reasonable time period.

The Draft EIR for the Kaiser/Emeryville project considers a reasonable range of alternatives. To develop a list of possible alternatives for analysis in the Draft EIR, the City considered information that it had on various possible sites, as well as information received from the EIR consultant and Kaiser. In addition, the City considered comments received on the Notice of Preparation of the Draft EIR, which was issued on July 13, 1993, and distributed to local and state agencies, interested residents and residents within 500 feet of the project site. The City received comments on the Notice of Preparation both in writing and in a meeting held on July 21, 1993 at the City of Emeryville Council Chambers. (Such a meeting is not legally required.) Comments on the Notice of Preparation were accepted until September 16, 1993.

In evaluating the various possible sites for more detailed study in the Draft EIR, the City applied the legal criteria for selection of alternatives, i.e. whether a site would enable Kaiser to achieve the basic objectives of the project, and whether it would be able to reduce significant environmental effects of the project. The City chose six project alternatives for further analysis. These included the no-project alternative; two off-site alternatives, the MacArthur/Broadway site in downtown Oakland and the Bayfront site (a portion of which is located in Oakland); a partial off-site alternative that contemplated development of the future expansion phase on the AC Transit Site; an existing General Plan alternative; and a reduced scale alternative.

As explained on page 292 of the Draft EIR, the City also considered two other off-site alternatives, Ryerson and Laney College, but rejected them for further consideration because of their infeasibility. The City rejected the Laney College site because Kaiser had already spent considerable time trying to locate the project there, and had been ultimately rejected by the Laney College Board of Trustees. The City rejected the Ryerson site due to its geographic location, size, poor site configuration and other factors. For example, the site totaled

approximately 76 ± acres which is only about half the amount of land needed for the medical center. In addition, the site's proximity to the railroad tracks presented noise issues and raised concerns regarding exposure of the medical center to potential chemical spills associated with accidents resulting from transporting hazardous materials by railcar. In addition, the streets surrounding the Ryerson site provide inadequate access.

Although the public was given substantial opportunity to comment on the scope of the alternatives analysis, no one, including the City of Oakland, suggested that the Fox Theater site be analyzed. The City of Oakland,in fact, requested analysis of the MacArthur/Broadway site. The City concurred with Oakland that this site should be further analyzed because it could meet at least some of the basic project objectives and could reduce some of the significant effects of the project. Moreover, because Kaiser already operates existing facilities on a portion of the site, it would only be required to acquire seven additional acres to assemble the site.

Nearly six months after the close of the public comment period, and after the six alternatives had been selected for review, the City learned that an additional potential alternative (the Fox Theater alternative in downtown Oakland) had been suggested by the City of Oakland, although no proposal was ever transmitted to the City of Emeryville. The City concluded that this alternative would not be considered in the Draft EIR because the City was already reviewing a reasonable range of project alternatives, including an alternative site in downtown Oakland.

Given that the Draft EIR already satisfies CEQA's requirement for analyzing a reasonable range of alternatives and no party requested that the Draft EIR analyze the Fox Theater site, the City's decision not to include that site was reasonable. The Draft EIR's analysis of the MacArthur/ Broadway site, which is located less than one mile from the Fox Theater site, provides the public and the decisionmakers a basis for informed comparison of the impacts associated with developing the project in an urbanized area of Oakland.

Moreover, further consideration of the Fox Theater site indicates that it is not a feasible alternative because it does not meet some of the basic objectives of the project. As stated on page 4 of the Draft EIR, one of Kaiser's basic objectives is to "provide appropriate flexibility for future expansion... to accommodate future membership growth and changes in medical practice and technology". This objective reflects the fact that, because of the changing national health care situation, Kaiser cannot at this point determine the extent of its need for future facilities, and needs a project site with enough acreage to allow Kaiser to build a medical facility in phases. Having studied the MacArthur/ Broadway site, it is now clear that the Fox Theater site, which contains only 14 acres, would limit such phased development. Rather, the first phase of the medical facility would have to be constructed on most of the site, and a large portion of any additional construction would likely have to be added on top of the existing construction. Because foundation and structural requirements change with the height of the building, this would require that Kaiser either design the initial structures so that they could accommodate future vertical additions, or that they retrofit the initial structures at the time the additions are required. Either solution would entail enormous costs and inefficiency.

Other project objectives would not be met at the Fox Theater site, including (1) the objective of constructing parking structures/surface parking areas and utilities to provide adequate capacity and support for the medical facility, and (2) to the objective of creating secure public open space and park areas on the project site. Information from Kaiser and the EIR consultants indicate that the Fox Theater site may not have sufficient parking. Kaiser would probably be required to acquire the Emporium parking garage, which could leave Emporium with inadequate customer parking. Alternatively, Kaiser would have to share parking with Emporium, creating operational complications for both entities, especially during busy holidays. The 14 acre

size of the Fox Theater site would also prevent Kaiser from being able to provide public open space and park areas.

In addition to the inability of the site to meet basic project objectives, there are a number of other constraints to developing the project on the Fox Theater site within a reasonable time period. These include:

(1) The site would be extremely difficult to assemble, because it would require Kaiser to negotiate with up to 32 title holders, countless easement holders, holders of reversionary interests and many residential and commercial tenants. (In contrast, Kaiser owns a large portion of the MacArthur/Broadway site, so site acquisition for that alternative would be relatively easy.);

(2) The site would require numerous actions by another public body (the Oakland City Council), including General Plan amendments, rezoning, and potentially the condemnation of existing homes and businesses;

(3) Because this site consists of less than 14 acres, it would require more vertical construction of the project which would limit the ability to build the proposed project in phases and which would require Kaiser to spend millions of unbudgeted dollars in construction costs at the outset of the project;

(4) The site would require the displacement of over 50 existing structures;

(5) The site is adjacent to a PG&E substation, which results in additional exposure to potential hazards, including the accidental release of natural gas or exposure to electromagnetic radiation;

(6) The alternative would require the closure of several key arteries (including Telegraph Avenue) and the reversal of one-way traffic flow on 17th Street, which is the existing freeway exit ramp from both directions on Interstate 980 into Oakland; and

(7) The site is located adjacent to the historic Fox Theater (listed on the National Register in 1979), which could result in potential impacts to the integrity of the Theater's structure.

Some of the commenters on the Draft EIR have suggested that the Fox Theater site's proximity to the BART station would reduce traffic impacts. As discussed in the Draft EIR, however, the project will provide significant transit opportunities. As indicated in Master Response D3., the Emeryville site will have equivalent, if not better, access to transit service than the present MacArthur/Broadway site. The Emeryville site will be accessible to the MacArthur BART station, located 3/4 miles away, via a private Kaiser shuttle and via the city-wide Emeryville-BART shuttle. In addition, the Emeryville site is presently served by three AC Transit lines. The Emeryville site will also be accessible to the Emeryville AMTRAK station, located 1/2 mile away, via a private shuttle.

Finally, a concise analysis of the Fox Theater site indicates that it would not reduce the five significant unavoidable impacts of the project, and would, in fact, potentially result in new significant impacts. The Fox Theater site alternative would result in significant unavoidable traffic circulation impacts to Oakland intersections; the loss of on-street parking due to the transportation mitigation measures an exacerbation of project and cumulative regional air quality impacts; impacts to the historic Fox Theater; and short-term project and cumulative construction impacts.

For these reasons, further analysis of the Fox Theater site is neither appropriate nor legally required.

H. STATUTORILY REQUIRED SECTIONS

Master Response H1: Regional Impacts

Several commenters have questioned the Draft EIR's analysis of regional impacts. Commenters are especially concerned that the Draft EIR does not adequately consider the impacts of the Project on the cities of Oakland and Berkeley. Commenters were also concerned that the analysis of alternatives needs to consider alternatives from a regional perspective.

CEQA requires that an EIR describe the environment in the vicinity of the project, from both a local and regional perspective. According to CEQA Guidelines, knowledge of the regional setting is critical to the assessment of environmental impacts including impacts that might occur outside the borders of the particular jurisdiction where the project is to be located. On the other hand, the EIR is not required to consider impacts that are remote and speculative. The EIR must discuss any inconsistencies between the proposed project and applicable general plans and regional plans.

The Draft EIR meets the requirements for analyzing regional impacts. To insure that the Draft EIR analyzed the project from a regional perspective, the City used regional data and information from agencies including the Association of Bay Area Governments (ABAG), the Alameda County Congestion Management Agency, the Metropolitan Transportation Commission (MTC) and the Bay Area Air Quality Management District (BAAQMD). At the City's direction, the EIR consultants met with those agencies on several occasions to confirm the validity of the regional baseline numbers in the Draft EIR. Both MTC and the Congestion Management Agency rely on ABAG to develop their projections.

The projections for Emeryville were based upon data collected by Recht Hausrath Associates as described in Appendix C of Volume II of the Draft EIR. As stated on page A-2 of Appendix C, the citywide ABAG totals were modified in order to accommodate all of the projected growth in Emeryville, as described in Master Response F. regarding the jobs/housing balance. Although the ABAG projections for Emeryville were adjusted at ABAG's direction, ABAG requested that the ABAG projections for Alameda County, as a whole, not be modified. As a result, the county-wide growth projections contained in the Draft EIR are consistent with other regional planning efforts, which rely on ABAG data.

Using these regional projections, the Draft EIR employs a regional perspective in analyzing the environmental effects of the project. For example, with respect to transportation and circulation, as described on page 86 of the Draft EIR, the transportation and circulation analysis studies how the traffic generated by the medical center would affect the local and regional roadway network, public transit systems and bicycle and pedestrian facilities. In conducting the analysis of the local and regional roadway network, as explained on page 111 of the Draft EIR, the consultants used the City of Emeryville traffic model, which was developed from the MTC regional model network, and adjusted the model to assure that it correctly represented the future roadway network and changes to land uses. The analysis then studies the impacts of the project on 47 intersections, 12 of which that were impacted are located outside the City of Emeryville, including:

- San Pablo Avenue/Stanford Avenue
- San Pablo Avenue/35th Street
- Cypress Street NB/32nd Street
- San Pablo Avenue/Ashby Avenue

- San Pablo Avenue/Alcatraz
- Adeline Street/Market Street
- Telegraph Avenue/W. MacArthur Blvd.
- Market Street/40th Street
- Seventh Street/Ashby Avenue
- Telegraph Avenue/40th Street
- Adeline/Martin Luther King Jr. Way
- Market Street/W. MacArthur Blvd.

Very few EIRs for regional projects analyze this many intersections to determine regional impacts. The analysis also studies the project's effects on six freeway segments, regional transit providers, BART and AC Transit.

With respect to air quality, as described on page 188 of the Draft EIR, the air quality analysis considers both the local and the regional air quality impacts of the project. The regional air quality analysis employed the methodology established by the BAAQMD for assessing regional air quality impacts. This analysis predicts regional emissions generated by project traffic using URBEMIS-3, a program that estimates the emissions that would result from various land use development projects. Trip lengths used in this analysis were taken from the Metropolitan Transportation Commission, Bay Area Travel Forecasts, Congestion Management Program Databook #1: Regional Summary, 1991.

With respect to housing and employment, the analysis considers the project's effects on employment and housing supply both for Alameda County and for the City of Emeryville. In conducting this analysis, the Draft EIR uses information on housing and employment compiled by ABAG. On pages 82 and 83 of the Draft EIR, the analysis explains that, on a regional level, Alameda County is predicted to have more employed residents than jobs, and that employment opportunities would increase in the County as a result of the project.

A number of commenters appear to have confused the requirements for analyzing regional impacts with the requirements for analyzing off-site alternatives. With respect to alternatives, the EIR must consider a reasonable range of feasible alternatives to the project. However, the test for determining this reasonable range is different from the test for determining the appropriateness of a regional impacts analysis. Further information on the Draft EIR's alternatives analysis is provided in the Master Response on Alternatives.

Master Response H2: Cumulative Impacts

Several commenters have questioned the methodology used in the Draft EIR to evaluate cumulative impacts. In particular, commenters have questioned the appropriateness of using ABAG projections, combined with a list of foreseeable projects in Emeryville, Oakland and Berkeley, to establish the cumulative analysis of the project. Commenters have also questioned the use of Oakland Planning Commission minutes and Berkeley Zoning Adjustments Board minutes, rather than the General Plans of those cities, to determine the list of foreseeable projects in Oakland and Berkeley. Commenters are concerned that this process does not result in the analysis of a worst case scenario for cumulative impacts.

CEQA requires that the cumulative impacts analysis be guided by the standards of practicality and reasonableness. To perform the cumulative impacts analysis, the EIR may use either (i) a list of past, present and reasonably anticipated future projects, or (ii) a summary of projections in planning documents. The analysis need not discuss specific future action that is merely contemplated or a gleam in a planner's eye. The analysis must use only reasonable efforts to discover, disclose, and discuss projects under review by the Lead Agency and other relevant public agencies.

The cumulative impacts analysis conforms to CEQA's requirements. As described in Appendix C, Page A-1 of the Draft EIR, the cumulative growth scenario used as a base the citywide projections developed by the Association of Bay Area Governments (ABAG) and published as Projections '92 (the "ABAG Projections"). The ABAG Projections are based on certain assumptions regarding buildout of the General Plans of the cities and the counties for which the projections are developed and are commonly used in EIRs to determine growth projections. Both the Metropolitan Transportation Commission (MTC) and the Alameda County Congestion Management Agency use the ABAG Projections to develop their transportation models. Further, no court case interpreting CEQA has ever invalidated the use of ABAG Projections in cumulative impacts analyses. As described on Pages A-1 and A-2 of Appendix C, the Draft EIR used the ABAG Projections because (1) they are the best available projections at the city level, in part because they are derived from regional economic factors and trends, and (2) they are approved for use in the transportation analysis by the Alameda County Congestion Management Agency.

The EIR consultant then modified the ABAG Projections as appropriate to reflect any additional projects that might not have been contemplated at the time the ABAG Projections were developed. For the City of Emeryville, the projections were modified at ABAG's direction to include this project, a major retail development at the Bayfront site in Emeryville and reduced residential square footage as a result of the proposed project. Adding these projects resulted in even more conservative assumptions about cumulative growth, since the square footage contemplated by the Bayfront site was, in part, already included in the ABAG Projections. The following provides a description of the methodology used in modifying the ABAG projections.

Forecast-Based Approach

An economic growth model was used for the cumulative growth scenario. The scenario was not based on a list of anticipated development projects assumed to be occupied when completed. The methodology used to develop the scenario is explained in Appendix C of the Draft EIR in a memorandum with attachment from Bob Spencer and Linda Hausrath of Recht Hausrath & Associates dated February 1, 1994. Key components of that methodology are re-stated and expanded upon below in response to comments received on the Draft EIR.

The cumulative growth scenario was developed using a forecast-based approach, i.e., an approach based on regional forecasts of economic activity and demographic trends. The forecast used for the scenario was based on projections of population and employment for Emeryville and Alameda County developed by the Association of Bay Area Governments (ABAG).[8] As stated in Appendix C, these projections were used because "they are the best available projections at the city level, in part because they are derived from regional economic factors and trends" and because "they are approved for use in transportation analysis by the Alameda County Congestion Management Agency."[9] As stated in ABAG's *Projections '92*, these projections represent "the expected or most likely growth scenario for the Bay Area."[10]

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[8] *Projections '92*, Association of Bay Area Governments, July 1992, pp 98-121, and *Projections '92 Recession Update*, Association of Bay Area Governments, December 1992, pp 19-28.

[9] Appendix C, pp A-1 to A-2.

[10] ABAG, July 1992, p 11.

Approach Considers List of Future Projects in Emeryville

The cumulative growth scenario, though based on the ABAG projections, considered specific anticipated future development projects in Emeryville (the list of cumulative projects). This list was provided by the City and included projects that were expected to be constructed by the year 2010 based on approved, pending, and potential development applications. To consider the growth that could be accommodated by these projects within the context of the ABAG projections, each project's dwelling units or building space was converted into the amount of population or employment growth that could be accommodated based on:

- Assumed vacancy rates of six percent for residential projects and ten percent for commercial and industrial projects, if the project was not owner-occupied; and
- Assumed residential densities of between 1.6 and 2.5 persons per occupied dwelling unit, depending on the type of unit such as multi-family, live/work, or single family; or
- Assumed commercial and industrial densities of 300 square feet per employee for occupied office space, 800 square feet per employee for occupied industrial space, and 1,000 square feet per employee for occupied warehouse space.

The population and employment growth represented by the list of cumulative projects was evaluated based on the ABAG projections for two reasons. First, the cumulative growth scenario had to allocate the ABAG projection of citywide growth to 40 traffic analysis zones (TAZ) for the transportation and circulation analysis. The list of cumulative development projects provided guidance for the location by TAZ of projected citywide growth.

Second, the cumulative growth scenario had to consider whether the amount and type of economic activity represented by projects on the cumulative list "fit" into the ABAG projections for Emeryville. In other words, "supply" represented by the cumulative projects list had to be balanced with "demand" represented by the ABAG projections. This comparison and discussions with ABAG indicated that the ABAG projections for Emeryville did not anticipate that the demand for the type of economic activity represented by two projects on the list, the Kaiser hospital and medical center project and the Bayfront regional retail project, would be met in Emeryville.[11] Essentially, the ABAG projections assume that much of the demand for these projects, demand generated by regional economic activity and demographic trends, would be allocated to other communities in Alameda County besides Emeryville.

The transportation and circulation analysis was not only based on the cumulative scenario for Emeryville, but also on the ABAG projections for the rest of Alameda County and the Bay Area region. Thus, for this analysis, the demand over and above the ABAG projections for employment growth in Emeryville represented by the Kaiser and Bayfront projects was reallocated to Emeryville from other communities in Alameda County. As a result, the cumulative growth scenario for employment in Emeryville is higher than the ABAG projections, projections for other communities are lower, and the countywide ABAG projections are unchanged.

Also for the transportation and circulation analysis, the cumulative growth scenario had to reallocate a portion of countywide residential demand. The Kaiser project would change the zoning on the Phase I portion of the

[11] Raymond J. Brady, Research Director, Association of Bay Area Governments, meeting, September 8, 1993.

project site from residential to commercial. The ABAG projections were based on this land remaining in a residential zone. Furthermore, the site is relatively large, and there is limited availability of land in the city for residential development. As a result, the cumulative growth scenario for population in Emeryville is lower than the ABAG projections, projections for other communities are higher, and the countywide ABAG projections are unchanged.

Approach Considers Other Changes In Population and Employment in Emeryville

The cumulative projects, excluding Kaiser and Bayfront, did not sum up to the ABAG projections for Emeryville. Thus, additional changes in population and employment had to be allocated by TAZ throughout the City to achieve the ABAG projections (again excluding the Kaiser and Bayfront projects). These additional changes in population and employment are summarized in Tables 2 and 3 of Appendix C as "All Other New Construction and Demolition".

The "All Other New Construction and Demolition" category is a catch-all for a range of additions and reductions to population and employment so as to achieve the ABAG projections. Additions include occupancy of newly constructed buildings, reduction in vacancies in existing buildings, and intensification of uses in existing buildings. Reductions include displacement of existing population and employment by projects on the cumulative list and movement of businesses out of town due to increasing land costs and other market factors. Thus, some of the changes included in this category would not be considered "projects".

Benefits of the Methodology

The benefit of this methodology is that projects on the cumulative list may be deleted or changed, and new projects may be added, without affecting the citywide cumulative growth scenario. It is likely that some projects on the cumulative list will not be built and that others will take their place. The scenario remains controlled to the ABAG projections of countywide population and employment.

To contrast with an alternative approach, simply adding up potential projects ("supply") without considering forecasts of regional economic activity ("demand") would be committing the same folly that many developers committed during the 1980's by overbuilding commercial space. By the end of that decade, commercial vacancy rates were high and buildings were unoccupied. This unoccupied space did not represent additional economic growth at the time. Nor would adding projects to the cumulative list necessarily represent additional economic growth in the future for Emeryville. It is economic growth and the growth of employment, not the development of buildings per se, that has implications for transportation and circulation and other cumulative impacts.

To summarize, the list of cumulative projects had no effect on the cumulative growth scenario except for the two considerations explained above, (1) allocation of citywide growth by TAZ, and (2) addition of demand for economic activity not included in the ABAG projections for Emeryville as represented by the Kaiser and Bayfront projects.

Oakland and Berkeley Development

ABAG did not provide the consultants with any information regarding additional projects in Oakland and Berkeley that might not be included in the ABAG Projections. Therefore, prior to circulation of the Draft EIR, the EIR consultants made repeated attempts to obtain the most current information regarding pending

development in Oakland and Berkeley. The EIR consultant reviewed the responses to the Notice of Preparation to locate any references to approved or pending projects in Oakland and Berkeley that should be considered in the cumulative analysis.

In addition, on March 3, 1994, the EIR consultant contacted the Environmental Review Coordinator for the City of Oakland, Anu Raud, to obtain a list of pending and approved projects anticipated to be approved, under construction, completed, occupied, or pending by 2000 and 2010. Ms. Raud identified a new state building and a new city hall as possible projects to be completed by the year 2000; however, those projects were not considered to be new growth because they would replace existing facilities. Ms. Raud then suggested that the EIR consultant contact another staff person to obtain further information. The consultant then contacted Karen Howard, another Oakland planner, who then referred the consultant to Maria Banico in the Planning Department.

Ms. Banico was contacted on March 25, 1994. Ms. Banico stated that the EIR consultant should review the Planning Commission meeting minutes to obtain information on pending or approved projects, since the Planning Department did not maintain such a list for the purposes of conducting cumulative impact analyses. With respect to any new growth that might not be included in the ABAG Projections, Ms. Banico identified (1) a Super K-Mart project, (2) additional retail development under consideration by the Office of Economic Development and Employment, and (3) a possible mixed-use project involving the reuse of the existing Montgomery Ward store. She also stated that the ABAG Projections for Oakland might be high to begin with, because the projections account for employment generated by several downtown office buildings that have been closed since the 1989 earthquake.

The consultant did not adjust the ABAG projections to reflect the Super K-Mart project because it was determined that the project likely was already included in the ABAG Projections. With respect to the other possible projects identified by Ms. Banico, the consultant determined that they were too remote and speculative to require adjustments to the ABAG Projections, since there were no applications on file.

As suggested by the Planning Department, and in order to obtain a more comprehensive list of pending projects, the EIR consultant also reviewed the Oakland Planning Commission meeting minutes for hearings occurring from December, 1990 through April, 1994. Despite this review, the EIR consultant could find no information regarding the possible projects which Ms. Banico referred to, or any other pending or approved projects.

To obtain information from the City of Berkeley, the EIR consultant first contacted Susie Sanderson in early March, who then referred the EIR consultant to Karen Haney-Owens of the Berkeley Planning Department. Ms. Haney-Owens stated that the Planning Department did not keep a list of pending and approved projects, and suggested that the EIR consultant make arrangements to visit the zoning counter to obtain the list of approved and pending projects for use in the cumulative impacts analysis. The EIR consultant called the zoning counter to arrange an appointment. The individual at the counter then suggested that the EIR consultant speak with Lois Jones of the City's zoning office. On April 4, 1994, the EIR consultant contacted Ms. Jones, who stated that she did not have any information, and that the EIR consultant should review the meeting minutes for projects that have gone to the Zoning Adjustments Board. Ms. Jones also stated that the City of Berkeley was currently in the process of initiating their General Plan update. However, she indicated that a list of approved or pending projects was not available. The only project she mentioned was the Miles Development Pharmaceutical project which was being developed in phases, but this was determined to be included in the ABAG Projections.

As suggested by the Planning Department, and in order to obtain a more comprehensive list of pending projects, the EIR consultant also reviewed the Zoning Adjustment Board meeting minutes for hearings occurring from December, 1990 through April, 1994. The consultant found no other pending or approved projects that would require adjustment of the ABAG Projections for Berkeley. As a result, the cumulative analysis appropriately relied on the ABAG figures for projected buildout in Oakland and Berkeley. However, the Draft EIR at Appendix C also provides the lists of foreseeable projects in Oakland and Berkeley in order to show the reader the projects that are anticipated to be generally within the projected growth provided for in the ABAG Projections. As the reader will note, of the projects indicated in Appendix C, most of them involve redevelopment of existing developed properties.

I. RECIRCULATION

Master Response I1: Recirculation of the Draft EIR

The following master response addresses comments received requesting that the Draft EIR be recirculated.

After reviewing the comments on the Draft EIR, and responding to those comments in good faith, and with reasoned analysis, the City determined that recirculation of the Draft EIR was not necessary. By definition, the Final EIR will contain information that was not included in the Draft EIR because it includes many detailed responses to public comments. However, as is clearly stated in Laurel Heights Improvement Assn. v. Regents of University of California 6 Cal.4th 1112, 1120 (1993) ("Laurel Heights II"), "...recirculation is only required when the information added to the EIR changes the EIR in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible project alternative or mitigation measure that would clearly reduce such an effect and that the project's proponents have declined to implement.

The Responses to Comments and Text Revisions clarify or amplify, at the public's request, the information found in the Draft EIR. In some cases, the document provides additional information and analysis related to specific project impacts, or in the case of the Oakland/Fox Theater site, the reasons why that proposed alternative was not selected for analysis. However, this analysis and additional information does not require recirculation of the EIR because it does not describe (1) a new substantial environmental impact resulting from the project or from a new mitigation measure; (2) a substantial increase in an environmental impact; or (3) a feasible project alternative or mitigation measure that clearly would lessen the environmental impacts of the project, but which the project's proponents decline to adopt.

The City based its determination not to recirculate the Draft EIR on substantial evidence, including the Draft EIR, and the Responses to Comments and Text Revisions.

SECTION IV

WRITTEN COMMENTS RECEIVED ON THE DRAFT EIR

SECTION IV

WRITTEN COMMENTS RECEIVED ON THE DRAFT EIR

A. PERSONS AND ORGANIZATIONS COMMENTING IN WRITING

Comments Received From		Date Comment Received	Page
1.	Florence Hackel	May 11, 1994	IV-7
2.	Brian Donahue	May 12, 1994	IV-9
3.	Aara Amidi-Nouri	June 2, 1994	IV-11
4.	Joan Braun	June 2, 1994	IV-13
5.	Gil Kelley City of Berkeley	June 2, 1994	IV-16
6.	Greg Lassonde	June 2, 1994	IV-18
7.	Katie McCamant	June 2, 1994	IV-20
8.	Barbara L. Craig	June 6, 1994	IV-22
9.	Emma Lue Kopp The League of Women Voters of Berkeley	June 6, 1994	IV-24
10.	C. Gary Kalian	June 7, 1994	IV-26
11.	Kimberly Stubbs	June 7, 1994	IV-29
12.	Joan Talbot	June 7, 1994	IV-31
13.	Stephanie Clarke	June 9, 1994	IV-36
14.	Grace Chauven	June 9, 1994	IV-38
15.	Robert Pisani	June 9, 1994	IV-41
16.	Steve Skaar	June 9, 1994	IV-46

17.	Helena Brykarz	June 10, 1994	IV-49
18.	Jim Golden Emery Bay Village	June 14, 1994	IV-51
19.	Susan Majors	June 14, 1994	IV-53
20.	Robin Lassonde	June 15, 1994	IV-55
21.	William D. Manley	June 15, 1994	IV-57
22.	Brian S. Pometta	June 15, 1994	IV-64
23.	Keith Carson Board of Supervisors	June 16, 1994	IV-66
24.	Sheila Jordan City of Oakland	June 16, 1994	IV-68
25.	Susan Pultz MTC	June 16, 1994	IV-70
26.	Ruth Atkin	June 17, 1994	IV-74
27.	Tom Bates, Assemblyman State Capitol Office	June 17, 1994	IV-76
28.	Joan C. Bossart	June 17, 1994	IV-78
29.	Helena Brykarz	June 17, 1994	IV-82
30.	Timothy Galvanek	June 17, 1994	IV-85
31.	Jean Hart, Deputy Director Alameda County CMA	June 17, 1994	IV-87
32.	John B. Lampe East Bay MUD	June 17, 1994	IV-94
33.	Alan Spatcher Pacific Gas & Electric Company	June 17, 1994	IV-98
34.	Carl Anderson Sierra Club	June 20, 1994	IV-100
35.	Ruth Atkin	June 20, 1994	IV-112

36.	Natalie Bayton City of Oakland	June 20, 1994	IV-122
37.	Edmund G. Brown Jr. We the People	June 20, 1994	IV-124
38.	Helena Brykarz	June 20, 1994	IV-127
39.	Phyllis Buell	June 20, 1994	IV-135
40.	Sile Convery	June 20, 1994	IV-137
41.	Scott Donahue	June 20, 1994	IV-162
42.	Carolyn E. Douthat	June 20, 1994	IV-164
43.	Frederick M. Etzel Henn, Etzel & Weiss	June 20, 1994	IV-167
44.	Paul Germain Emeryville Planning Commision	June 20, 1994	IV-172
45.	Don Gravestock	June 20, 1994	IV-180
46.	Carol R. Handelman	June 15, 1994 June 20, 1994	IV-182 IV-184
47.	Karen Haney-Owens	June 20, 1994	IV-190
48.	Miriam Hawley, Ora Huth The League of Women Voters of Berkeley	June 20, 1994	IV-194
49.	Sue C. Hestor	June 20, 1994	IV-208
50.	Janice L. Jackson	June 20, 1994	IV-233
51.	Richard E. Keane Eagle Properties	June 20, 1994	IV-237
52.	Gil Kelley City of Berkeley	June 20, 1994	IV-239
53.	Tina B. Konvalinka AC Transit	June 20, 1994	IV-300

54.	Stephen Lowe Urbanspace Development	June 20, 1994	IV-306
55.	Susan Majors	June 20, 1994	IV-309
56.	Tova Marks	June 20, 1994	IV-314
57.	Bill Marx	June 20, 1994	IV-317
58.	Kay Maston	June 20, 1994	IV-319
59.	Gregory A. Meyer	June 20, 1994	IV-321
60.	Michele Molineaux	June 20, 1994	IV-324
61.	Suzanne R. Oliver	June 20, 1994	IV-329
62.	Larry Orman Greenbelt Alliance	June 20, 1994	IV-333
63.	Brad Paul	June 20, 1994	IV-337
64.	H.E. Christian Peeples PANIL	June 20, 1994	IV-345
65.	Donna Peers S.P.A.G.G.I.A.	June 20, 1994	IV-354
66.	Mark Perniconi B.A.N.D.	June 20, 1994	IV-374
67.	Lee Rink, Director Oakland Housing Organizations	June 20, 1994	IV-376
68.	Judith & Boyd Rubin	June 20, 1994	IV-379
69.	Naomi Schiff	June 20, 1994	IV-381
70.	Ronald J. Silberman Fordham Properties, Inc.	June 20, 1994	IV-385
71.	Peter E. Sitkin SYDA Foundation	June 20, 1994	IV-387
72.	Steve Skaar	June 20, 1994	IV-389

73.	Milton Feldstein Bay Area Air Quality Management District	June 20, 1994	IV-403
74.	Frank S. Stern Stern Property Company	June 20, 1994	IV-406
75.	Frances Ternus	June 20, 1994	IV-415
76.	Katy Webb	June 20, 1994	IV-417
77.	Wilson F. Wendt Miller Starr & Regalia	June 20, 1994	IV-419
78.	Kay Winer Director of Planning & Building City of Oakland	June 20, 1994	IV-439
79.	Carl Anderson Sierra Club	June 21, 1994	IV-476
80.	Steve Skaar	June 21, 1994	IV-478
81.	Thad Shaffer Temescal Neighbors Together	July 15, 1994	IV-480
82.	Patricia West	July 22, 1994	IV-482
83.	Helena Brykarz	August 1, 1994	IV-484
84.	Ellen Wyrick-Parkinson Oak Center Neighborhood Assoc.	August 1, 1994	IV-486
85.	Brian E. Schuck	August 2, 1994	IV-488
86.	Gary Binger Planning Director, ABAG	August 3, 1994	IV-490
87.	Brian Conery	August 3, 1994	IV-495
88.	Mary E. MacDonald, Esq. Chair, Board of Directors Rockridge Community Planning	August 4, 1994	IV-499
89.	Michael D. Schafer Board of Directors Urban Ecology Inc.	August 4, 1994	IV-503

90.	Robert Perry and Jenny Zentner The Zentner Collection	August 3, 1994	IV-508
91.	Gil Kelley Planning Director City of Berkeley	August 4, 1994	IV-513
92.	Sue Hestor, Attorney for Bay Area Coaliton on Kaiser San Franciscans For Reasonable Growth Save Emeryville Neighborhood	August 4, 1994	IV-527
93.	Sue Hestor, Attorney for Bay Area Coalition on Kaiser San Franciscans for Reasonable Growth Save Our Emeryville Neighborhood	August 4, 1994	IV-548
94.	Lynette Jung Lee Executive Director, East Bay Asian Local Development Corporation	August 4, 1994	IV-560
95.	Lubor Mrazek, Project Director Kaiser Permanente	August 4, 1994	IV-564
96.	Brad Paul	August 4, 1994	IV-590
97.	Margaret K. Pryor President, Board of Directors Bay Area Rapid Transit District	August 4, 1994	IV-594
98.	Steve Skaar	August 4, 1994	IV-597
99.	Joe Browne, District Director Department of Transportation	August 4, 1994	IV-611
100.	Natalie Bayton Councilmember, District 3	August 4, 1994	IV-621
101.	Michael Chiriatti, Jr. Chief, State Clearinghouse	August 4, 1994	IV-624
102.	David Robinson, Attorney for Hollis Bay Associates	August 11, 1994	IV-632

1004 94608

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5-11-94

Dear Mr. Coyle Irwin,

I am disappointed that we continue to "stew with Kaiser's plan." I believe it is most socially responsible, for Kaiser to build in Oakland. Oakland has many decent site, and a multitude of unemployed & underemployed. Oakland need the tax money & the economic boost Kaiser would provide.

1A

We do not need to be so greedy here in Emeryville, we should be content with our portion of the V/B development.

We also need to temper our growth & allow it to flower more naturally — so that people & projects mesh together more harmoniously.

Traffic & congestion will be bad enough with the V/Bventen. There also are fears & those of the crime element that always becomes attracted near Hospitals. Currently we have many single women living on our safe streets, Hospitals attract rapists, rapists are attracted to nurses & death markers, who work "odd hours" & are vulnerable on the quiet night streets near to Hospitals.

1B

IV-7

Florence Heskel

B. RESPONSES TO SPECIFIC COMMENTS

1. RESPONSES TO COMMENTS FROM FLORENCE HACKEL RECEIVED MAY 11, 1994.

RESPONSE TO COMMENT 1.A.: The commenter's remarks are noted. Please refer to Master Response G1. for a discussion of the Fox theater alternative site.

RESPONSE TO COMMENT 1.B.: In conformance with CEQA Guidelines §15126, the EIR adequately evaluates impacts to police services and addresses the potential increases in emergency calls as a result of the proposed project.

The Draft EIR states on page 253 that development of the project would result in an increased demand for police and fire protection services. The potential impacts to police services and increase in the number of emergency calls were determined in consultation with the City of Emeryville Police Chief. As stated in the EIR, the proposed medical center would annually generate a total of 74 calls for Phase I and 38 calls with Future Expansion. It is important to note that by replacing an existing vacant complex (i.e., the Del Monte cannery) with a 24-hour medical facility, the actual number of emergency calls could decrease, because an occupied facility with 24-hour security personnel and patrols would be expected to create a safer environment when compared to the existing vacant building without security.

In order to offset the need for additional police protection services, Kaiser would contribute $400,000 to the Public Safety Fund. In addition, Kaiser would administer several crime-prevention programs that would mitigate the demand on the local police department. These programs are described on page 254 of the EIR.

BRIAN DONAHUE

4333 Holden Street, Emeryville, CA 94608, Telephone: (~~415~~ 510) 654-0166

5/12/94

Dear Ms. Quinn,

Please define for me "community" from a planning perspective vis a vis the Kaiser D E I. R. page 38 "Impacts to surrounding Land Uses", Phase I. I would like to use this information in my response to the D.E.I.R.. 2A

Thank you for your time

Brian Donahue

RECEIVED
MAY 16 1994
PLANNING DEPARTMENT

2. RESPONSES TO COMMENTS FROM BRIAN DONAHUE RECEIVED MAY 12, 1994.

RESPONSE TO COMMENT 2.A.: For the purposes of this EIR "an established community from a planning perspective" is defined as a composite of land uses that have formed a neighborhood, are compatible with each other, and have occupied a given location for a reasonable period of time.

EMERYVILLE PLANNING COMMISSION

KAISER PERMANENTE MEDICAL CENTER
DRAFT ENVIRONMENTAL IMPACT REPORT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

Name: AARA AMIDI-NOURI **Affiliation:** Individual

Address: 6401 Bay St. #7315, Emeryville, CA 94608.

COMMENTS:

I believe that the benefits of Kaiser in Emeryville are tremendous. I am an Emeryville resident and a nursing student. Apart from the economic gain, such as money to the city, clearing up of toxic land at the building site, but also medical services to our community that are convenient and affordable. The benefits outweigh the negatives and Kaiser has shown willingness to work with Emeryville and sort problems out and offer viable solutions. I hope that these efforts can come to fruition & that there will be a Kaiser in Emeryville. 3A

Use back if necessary

3. **RESPONSES TO COMMENTS FROM AARA AMIDI-NOURI RECEIVED JUNE 2, 1994.**

RESPONSE TO COMMENT 3.A.: The commenter's remarks regarding her support for the proposed medical center are noted.

RECEIVED JUN - 1 1994 PLANNING DEPARTMENT

EMERYVILLE PLANNING COMMISSION

KAISER PERMANENTE MEDICAL CENTER DRAFT ENVIRONMENTAL IMPACT REPORT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

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Name: Joan Catherine Braun **Affiliation:** Kaiser Employee Homeowner – Emeryville Resident

Address: 5514 Doyle St #7, Emeryville, CA 94608

COMMENTS: The Draft EIR suggests that even without Kaiser Phase being built the Hollis Street/45th intersection & the Hollis Street 65th intersection will be at an unacceptable level of service by the year 2010. (Grade F). If Kaiser is built & expands to its future project site and all traffic mitigation measures outlined in the draft EIR – including the Hollis/Landregan extension, the Doyle St extension, the Stanford Avenue extension to Hollis-Landregan – both of these intersections continue to have unacceptable levels of service. So... as I see it, 53rd & 55th Streets become subsidiary project accesses from San Pablo, Doyle & become a major project access from the North while also providing primary parking structure access. An entire neighborhood (San Pablo to Hollis between Stanford/Forest and 53rd) is destroyed by becoming a series of driveways & the intersections in question remain at an unacceptable level of service. What exactly have we achieved? 4A

I would like the final EIR to give much more consideration to the impact of the Doyle St extension. As I read the draft EIR the only attention given to this extension is that it would entail "right of way acquisition & installation of a traffic signal". What about the effect on 53rd, 55th & Doyle traffic & ~~Residential~~ quality of life? 4B

Use back if necessary

Additionally, I am wondering why the fact that the level of service at Hollis/Powell is unacceptable even in the baseline scenario is not considered as a rather startling reality that needs to be addressed before Kansas planning can go forward.

4C

4. RESPONSES TO COMMENTS FROM JOAN CATHERINE BRAUN RECEIVED JUNE 2, 1994.

RESPONSE TO COMMENT 4.A.: As indicated in the Draft EIR, Table 19, the intersections of Hollis Street/45th Street and Hollis Street/65th Street would operate at LOS F under Year 2010 Baseline without Project conditions. Implementation of all the mitigations described in the Draft EIR, including the intersection mitigations, the Horton-Landregan Connection, Doyle-Haven Extension, the Stanford Street Extension, and the widening of Hollis Street, would improve the service level at the intersection of Hollis Street/45th Street to LOS B under Year 2010 plus Project conditions.

Since widening of Hollis Street north of Powell Street would not be feasible, the conditions at the intersection of Hollis Street/65th Street would not improve to an acceptable service level with the implementation of all other mitigations. However, the mitigation measure for this intersection described in the Draft EIR (p. 146) would improve project-related impacts. In other words, the mitigation would cause the intersection to operate better than Year 2010 Baseline without Project conditions, but the intersection would continue to operate at an unacceptable level of service.

In terms of the project area becoming a series of driveways, the project site would have fewer driveways with development of the medical center because the existing multiple land uses would be replaced with a single medical center complex.

RESPONSE TO COMMENT 4.B.: Please refer to Master Response E. for a discussion of the Doyle-Haven Extension. The intersections of the Doyle Street Extension with 53rd Street and 55th Street would be controlled by stop signs. The Doyle Street Extension/53rd Street Extension would have stop sign control on the north-south Doyle Street Extension approaches, while the Doyle Street Extension/55th Street Extension would have stop sign control on the east-west 55th Street approach. As noted in the Draft EIR on page 156, approximately 150 vehicles per hour would be projected to use this segment of Doyle Street in the p.m. peak hour by the year 2010. This level of traffic is similar to that expected on a moderately active local residential street. The majority of the Doyle Street Extension would be designed as a two lane facility, with three lanes provided only as needed at the junctions with major cross streets such as Powell Street and 45th Street.

RESPONSE TO COMMENT 4.C.: The Draft EIR evaluated mitigation measures for the Hollis/Powell Street intersection on page 131. The Draft EIR notes that the mitigation measures would involve the restriction of movements at the intersection and the provision of additional lanes on Hollis Street, and the restriction of left turn movements in the eastbound and westbound directions on Powell. These restricted movements were not considered feasible due to the impacts related to the accessibility of parcels, the movement of goods to commercial and industrial uses in the vicinity, and the impacts of added traffic on parallel facilities. In addition, providing additional through lanes on Hollis was not considered a feasible short-term mitigation because it would require the acquisition of right-of-way and the demolition of buildings in the immediate vicinity of the intersection. Please refer to Master Response C3. for a discussion of other improvements which would lessen the impact to this intersection, but not to a less than significant level.

5

City of Berkeley

City Planning Department
Martin Luther King Jr.
Civic Center Building
2180 Milvia Street
Berkeley, California 94704

TEL: (510) 644 6534
FAX: (510) 644 8678

RECEIVED
JUN - 2 1994
PLANNING DEPARTMENT

June 2, 1994

City of Emeryville Planning Commission
Gaye Quinn, Planning Director, City of Emeryville
Planning Department
City of Emeryville
Emeryville, CA 94608

Subject: KAISER MEDICAL CENTER DRAFT ENVIRONMENTAL IMPACT REPORT

The City of Berkeley is in the process of reviewing the Draft Environmental Impact Report (DEIR) in order to submit extensive written comments to you on or before June 20, 1994. However, the DEIR raises such serious concern about transportation and other impacts on the City of Berkeley that we feel a longer comment period is called for. The scope of the project, and the potential for impact in the City of Berkeley, also warrants review by a number of our Commissions. Our Planning Commission, Transportation Commission, Commission on Disability, and Commission on Aging want the opportunity to review this DEIR once the staff analysis is complete. 5A

We believe that the City of Emeryville should consider itself under special obligation to allow a generous comment period in light of the fact that this project would result in significant negative impacts on the transportation systems of the City of Berkeley and the City of Oakland, as well as on a number of regional facilities. For example, the DEIR identifies three critical intersections in Berkeley, San Pablo/Ashby, 7th/Ashby, and Adeline/Martin Luther King, which would be significantly negatively impacted and for which no effective mitigations are proposed. In addition, our staff has found a number of errors and omissions in the technical analysis which may mean that the transportation impacts are even worse than those identified in the DEIR. We are also concerned that the Alternatives Section fails to consider a downtown Oakland site where superior transit and pedestrian access would realistically reduce the impacts of this regional medical facility. 5B 5C

Sincerely,

Gil Kelley by DR

Gil Kelley, Planning Director

5. RESPONSES TO COMMENTS FROM GIL KELLEY, CITY OF BERKELEY RECEIVED JUNE 2, 1994.

RESPONSE TO COMMENT 5.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

RESPONSE TO COMMENT 5.B.: The Draft EIR adequately evaluates the traffic impacts associated with the proposed project. Please refer to Master Response G. and the specific responses to the City of Berkeley's comments contained in their subsequent letter of June 20, 1994.

The Draft EIR discusses the significant unavoidable impacts at the intersections of San Pablo Avenue/Ashby Avenue (p. 130), 7th Street/Ashby Avenue (p. 131), and Adeline Street/Martin Luther King Jr. Way (p. 152). The discussions include the reasons mitigation measures are considered infeasible at these particular intersections. For additional information, please refer to Master Response D3. for a discussion of the major intersections. Mitigation measures for some of these locations have been identified and could be implemented by the jurisdiction controlling the intersection.

RESPONSE TO COMMENT 5.C.: The commenter is referred to Master Response G1. pertaining to the Fox Theater site alternative and to the specific responses to the City of Berkeley's comments contained in their subsequent letter of June 20, 1994.

EMERYVILLE PLANNING COMMISSION

KAISER PERMANENTE MEDICAL CENTER
DRAFT ENVIRONMENTAL IMPACT REPORT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

Name: Greg Lassonde **Affiliation:** resident

Address: 78 Emery Bay Drive, Emeryville

COMMENTS: As a resident of Emery Bay Village I am opposed to the 3 lane roadway called the "Doyle-Haven Extension". I am not opposed in principle to Kaiser locating in Emeryville. However, if the traffic needs require the "Doyle-Haven Extension" to be built then I completely am against the Kaiser project.

6

Use back if necessary

6. RESPONSES TO COMMENTS FROM GREG LASSONDE RECEIVED JUNE 2, 1994

RESPONSE TO COMMENT 6.A.: The commenter's comments indicating his opposition to the Doyle-Haven Extension are noted. Please refer to Master Response E. for a discussion of this mitigation measure.

EMERYVILLE PLANNING COMMISSION

RECEIVED JUN - 6 1994 PLANNING DEPARTMENT

KAISER PERMANENTE MEDICAL CENTER
DRAFT ENVIRONMENTAL IMPACT REPORT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

Name: Katie McCamant Affiliation: Resident / homeowner.

Address: 5514 Doyle St. #11 Emville.

COMMENTS:

Question whether this is best location for Kaiser. 7A
given the incredible traffic mitigations required.

I am particularly concerned about the combined 7B
impact of the Kaiser Project along with the Chiron
Expansion, and the two new retail projects.

I am very concerned about the interface btw. 7C
these projects and the adjacent residential areas.
We do not live in a tower or a
"enclave" - our community faces Doyle St. and
would be heavily impacted by any significant increase
in traffic on Doyle.

The Doyle St extension proposal is a real "slap in 7
the face" to our community! If the extension goes thru -
it will no longer be a place I want to live & raise
my family.

Use back if necessary

7. RESPONSES TO COMMENTS FROM KATIE MCCAMANT RECEIVED JUNE 2, 1994

RESPONSE TO COMMENT 7.A.: The Draft EIR identifies the mitigation measures required to reduce traffic impacts associated with the project and cumulative development. The City of Emeryville decision-makers will use this information in deciding whether or not to approve the proposed medical center.

RESPONSE TO COMMENT 7.B.: As explained on pages 330 and 331 of the Draft EIR and Appendix C, the cumulative impacts analysis takes into account past, present and probable future projects which are reasonably anticipated. These include the proposed Chiron project, as well as the two new retail projects, East Baybridge (480,000 square feet) and the Bayfront Site (1.2 million square feet). Additional information regarding the cumulative impact analysis is contained in Master Response H2.

RESPONSE TO COMMENT 7.C.: The Draft EIR evaluates land use compatibility on pages 38 through 46 in Section II, A. The Kaiser Permanente Medical Center Urban Design Guidelines approved by the Planning Commission have been incorporated into the project to reduce significant impacts to adjacent residential areas. Please refer to Master Response E. for a discussion of the Doyle-Haven Extension and to the responses to Comments 4.B. and 7.D.

RESPONSE TO COMMENT 7.D.: Please refer to Master Response E. for a discussion of the Doyle-Haven Extension and to the response to Comment 4.B. The Doyle-Haven Extension is identified in the City of Emeryville's General Plan as a key future north-south roadway. Additional north-south roadways were included in the General Plan to provide additional capacity to relieve routes such as Hollis Street. This roadway would also accommodate pedestrian and bicycle travel.

EMERYVILLE PLANNING COMMISSION

KAISER PERMANENTE MEDICAL CENTER
DRAFT ENVIRONMENTAL IMPACT REPORT

RECEIVED
JUN - 6 1994
PLANNING DEPARTMENT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

Name: Barbara L. Craig **Affiliation:**

Address: 5 Admiral Dr. #201 Emeryville 94608

COMMENTS: After attending the Public Hearing may I urge you to approve the Kaiser Project.

Your Commission has an enormous responsibility to review detailed reports to public concerns. However your primary consideration should be for the greatest benefit to the Citizens of Emeryville.

The Environmental and Regional Impacts are significant. Still I ask this question. Do they outway the important contribution Kaiser will make to our City? There are creative mitigations which can alleviate many anxieties because of this Health Trust's willingness to work with the Community. 8

I am a native and owner of property in Oakland. Yet after living 20 years in Emeryville believe this dynamic development will enhance the future quality of living here and improve the future.

Use back if necessary

8. RESPONSES TO COMMENTS FROM BARBARA L. CRAIG RECEIVED JUNE 6, 1994

RESPONSE TO COMMENT 8.A. The commenter's remarks regarding the project's contributions to the City of Emeryville are noted.

9

THE LEAGUE OF WOMEN VOTERS OF BERKELEY
Serving Albany and Emeryville
1414 University Avenue, Suite D, Berkeley, CA 94702
(510) 843-8824 Fax (510) 843-8828

Distributed to Commissioners
Copy to: J. Flores
T. Quinn

June 6, 1994

RECEIVED
JUN - 6 1994
PLANNING DEPARTMENT

TO: Honorable Mayor and Members of the Emeryville City Council

FROM: League of Women Voters of Berkeley, Albany, and Emeryville

SUBJECT: Deadline for Public Comments on the Kaiser Project EIR

The League of Women Voters of Berkeley, Albany, and Emeryville urges that you extend the deadline for public comments on the Kaiser Project EIR to the full 90-day period allowed under the CEQA process. We make this request for the following reasons:

-- The CEQA requirements specify that 30-90 days be allowed for public comment on a draft EIR, with consideration given in setting the deadline to the complexity of the EIR. The proposed Kaiser project is extremely complex, with major impacts in a number of areas, including transportation, air quality, and the delivery of health services to Bay Area residents. The public deserves the full amount of time allowed under CEQA to study and analyze the EIR and to give full and fair input to the Planning Commission. 9A

-- The proposed project has important regional impacts. We urge that an extended public comment period be used for consultations between staff and elected officials of the neighboring cities that will be affected by this project.

Sincerely,

Miriam Hawley
President

Emma Lue Kopp
Emeryville Representative to the Board of Directors

Copies to:
Chair and Members of the Emeryville Planning Commission
Mayor Jeff Leiter, City of Berkeley
Mayor Mike Brodsky, City of Albany

9. RESPONSES TO COMMENTS FROM EMMA LUE KOPP, THE LEAGUE OF WOMEN VOTERS OF BERKELEY RECEIVED JUNE 6, 1994

Response to Comment 9.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

10

RECEIVED

JUN - 7 1994

PLANNING DEPARTMENT

June 6, 1994

REGISTERED MAIL

Ms. Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Dear Ms. Quinn

Thank you for the notice regarding the Public Hearing regarding the Kaiser Project. You may recall that I am the owner of the residential property at 1228 53rd Street in Emeryville. It was my residence for nearly 10 years.

I was unable to attend the public hearing, but I have obtained a copy of the Draft EIR. I am disappointed to see that the concern that I expressed in my July 26, 1993, letter to you, a copy of which is attached, regarding traffic on 53rd Street has not been addressed.

It is a concern to me that the Draft EIR describes mitigation measures to reduce traffic impacts to a "less than significant level" on streets and intersections around the entire project. This condition suggests that 53rd Street will be used as an alternate path especially during peak periods. This will have an impact on my tenants, residents of Emery Bay and the Child Development Center located near my property. 10A

As a result of this observation you may consider this letter as my documented written comment regarding the Draft EIR. It is submitted prior to the June 20, 1994, deadline described in the Notice of Public Hearing. I expect that traffic on 53rd Street will be addressed in the Final EIR.

Thank you for the opportunity to be heard.

Sincerely yours,

C. Gary Kalian

C. Gary Kalian
633 Belvedere Drive
Benicia, CA 94510

copy: Korve Engineering

THIS LETTER WAS SUBMITTED ON THE NOP.

July 26, 1993

Ms. Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Dear Ms. Quinn

Thank you for the notice regarding the Public Scoping session regarding the Kaiser Project. I am the owner of the residential property at 1228 53rd Street in Emeryville. It was my residence for nearly 10 years.

While in attendance at the session last week I noticed public concern regarding the impact of the project most notably traffic and lack of conformity to the General Plan. I am sure that all of the issues raised will be addressed during the next few months. However, I want to be sure that the traffic studies INCLUDE 53rd street. 10B

Additionally I wish to be notified of each and every hearing/study session regarding the project. I did place my name on the mailing list circulated last Wednesday evening but wanted to notify you directly of my desire to be informed.

Thank you for the opportunity to be heard.

Sincerely yours,

C. Gary Kalian
633 Belvedere Drive
Benicia, CA 94510

10. RESPONSES TO COMMENTS FROM C. GARY KALIAN RECEIVED JUNE 7, 1994

RESPONSE TO COMMENT 10.A. 53rd Street was not evaluated because it is not projected to be a major access route to the proposed medical center, and would therefore not be impacted.

RESPONSE TO COMMENT 10.B.: It is noted that the commenter requested that the traffic analysis evaluate 53rd Street in response to the Notice of Preparation. Please refer to Master Response D1. for a discussion of residential streets which addresses the commenter's concerns.

EMERYVILLE PLANNING COMMISSION

KAISER PERMANENTE MEDICAL CENTER
DRAFT ENVIRONMENTAL IMPACT REPORT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

Name: Kimberly Stubbs Affiliation: Folkmanis Employee

Address: 1219 Park Ave., Emeryville, CA 94608

COMMENTS: I am very concerned about the future of parking in the area around the Folkmanis building. We have limited parking in our lot and I am one of the unfortunates who is relegated to street parking. I would be extremely upset to have to pay to park on the street in front of my office building when this has not been an expense I have had to deal with previously. 11A

In your plans for developing this area I hope you will consider the welfare of those of us who must still exist here through increased traffic and the disruption of construction and make places for us to park free as we always have.

Kimberly L. Stubbs

Use back if necessary

11. RESPONSES TO COMMENTS FROM KIMBERLY STUBBS RECEIVED JUNE 7, 1994

RESPONSE TO COMMENT 11.A.: The project includes sufficient on-site parking for Kaiser employees and members to avoid the demand for off-site parking. The project does not include paid on-street parking for other uses. As stated in the Draft EIR on page 180, construction employees are expected to park on-site. With demolition of the existing structures, sufficient area would be available on-site for construction employee parking. Additionally, the mitigation section states that the parking garage should be constructed first to ensure that sufficient on-site parking is provided during construction of the hospital and medical office buildings for both Phase I and Future Expansion. With the provision of on-site parking, the project would not result in a demand for on-street parking during construction. Therefore, the on-street parking would remain available for the existing businesses.

The loss of on-street parking was identified as a significant unavoidable impact in the Draft EIR. The installation of on-street meters is not proposed as part of the project or as a mitigation measure.

Miss Gail Quinn
Director of Planning
Emeryville City Hall
Emeryville, CA 94608

Dear Miss Quinn:

In response to your suggestion at the Kaiser Draft ERI public hearing on June 2nd, I994, I address those issues, which are of concern to me as a homeowner and resident in Emeryville.

I live in Watergate. The only access to my home is along the east/west artery, Powell Street. In my home I am fortunate to have not only sweeping bay views and bay water access, but I also have the advantage of using a boardwalk, marina and park. They are all at close proximity to my condominium and the Watergate complex 12A

The Draft EIR, did not include any reference to the effect of increased vehicular traffic, to this most westerly boundary of Emeryville. Nor did it contain a study on what conditions will result from a change in configuration at the Frontage Road and Powell Street intersections.

I am very much a proponent of having Kaiser in Emeryville. I have been from the beginning of proposals to welcome it here, in the first place.

My concerns and questions are these:

1. How will emergency vehicles proceed through heavy trafftic, from Kaiser, to reach Watergate? 12B

2. Are there projections about use of Land's End Park by visitors, which can ensue, should it become more popular to Kaiser patients and their families? 12C

3. Should a ferry from San Francisco, proposed after the last earthquake, become a reality in the not too distant future, how will traffic from that site, effect Powell Street at the freeway area and beyond, to San Pablo Ave.? 12D

4. What other sites are being considered to give the Watergate pennisula another, besides Powell Street, west to east accessibility? 12E

While reading the EIR Draft, I noticed the intersection I've been talking about, was designated as possibly unmitigible in I993.

Needless to say, but necessary to include in a letter of concern, if it was considered so in l993, what will it be considered in 2001, after Kaiser is in place, together with the projects of Chiron and Sybase and the Bridge Development. 12F

Thank you for your considerations and perusal of my remarks. I sincerely believe, given the city staff and city council Emeryville has now, these reflections will find creative solutions in the collected brainwork assembled on them, in these bodies..

Sincerely yours,

Joan Talbot

Joan Talbot
5 Admiral Drive, F218
Emeryville, CA 94608

12. RESPONSES TO COMMENTS FROM JOAN TALBOT RECEIVED JUNE 7, 1994

RESPONSE TO COMMENT 12.A.: Based on the trip distribution patterns indicated on Figure 19, approximately one percent of project traffic would be added to Powell Street, west of I-80, during the PM peak period. Under Year 2010 Cumulative conditions, there would be an increase in traffic of approximately 3 percent (or 85 trips) from Year 2010 Baseline conditions during the PM peak period. This slight increase in vehicular traffic would not result in significant impacts to this segment of Powell Street. In addition, the intersection of West Frontage Road/Powell Street would operate at an acceptable service level in the Year 2010 Cumulative during the PM peak period.

As discussed in the Existing Setting section of the Draft EIR, the I-80 westbound on- and off-ramp at the Powell Street interchange would be redesigned and relocated from it current location to a point north of Powell Street on the frontage road. The existing westbound on-ramp would remain, but would only provide access to the Bay Bridge and could only be accessed by vehicles turning right from eastbound Powell Street. The new configuration of ramps is not part of the project, but it is part of the setting, since it is a programmed improvement. This would improve local traffic operations along Powell Street, since vehicles destined to the Bay Bridge travelling southbound on the frontage road would use the relocated ramps north of Powell Street. Traffic levels and congestion would be reduced at the Powell Street/West Frontage Road intersection.

RESPONSE TO COMMENT 12.B.: In conformance with CEQA Guidelines §15126, the EIR adequately evaluates impacts to emergency services, including police and fire protection services.

As described on pages 254 and 255 of the Draft EIR, the proposed medical center would generate 16 annual calls for service in Phase I and eight additional annual calls for service with Future Expansion. Since, the Fire Department indicated that they could provide services for these additional calls, it is expected that they would continue to respond within acceptable response times. It is anticipated that response times within Emeryville will actually improve with development of the proposed medical center, because under existing conditions, ambulances currently transport patients from Emeryville to Oakland or Berkeley, since there is no hospital in Emeryville. With development of the project, ambulances will be able to drive a shorter distance to a hospital in Emeryville, thereby improving response times. It is important to note that emergency vehicle trips do not originate from Kaiser; rather, they originate from the contracting ambulance company locations.

The existing Kaiser medical center in Oakland generates about 18 ambulances per day, of which five ambulances are Code 3 (lights and sirens). Ambulances arrive from various locations, depending upon the location of the emergency incident. This phenomenon would not change with the development of the Emeryville medical center, nor would the number of ambulances be expected to significantly increase with the project.

Currently, the Kaiser Oakland Medical Center contracts with five ambulance companies for service. These ambulance companies include Acme Western, American Medical Response (AMR), King-America, Bay Star, and Patient Care. Each of these ambulance companies either provide emergency or non-emergency transport service. The non-emergency service includes

critical care and basic life support. In addition to these ambulance companies, the Berkeley Fire Department and Oakland Fire Department also transport patients to the Oakland facility.

The ambulance's response time does not depend upon the location of the medical facility; rather it depends upon the distance between the ambulance's origin to the emergency incident.[1] In other words, the response time to the home or accident is critical, and is independent of the distance to the hospital. Once the ambulance responds to the call (from a location other than the hospital), then the condition of the patient determines whether or not the ambulance uses lights and sirens. If the patient's condition does not warrant lights and sirens, then the ambulance sits in traffic. This situation would occur where traffic congestion exists, whether or not a new hospital is constructed in Emeryville. It is also important to note that the ambulance driver's decision is regulated by the California Highway Patrol. Furthermore, Hollis and Powell Streets are on the Optigon system of locking lights. As a result, the ambulance drivers can time the signals to allow free passage down these major arteries.

In terms of trauma care, each county has an established trauma response system. Most of the ambulances that respond to emergency calls (911) go to Eden and Highland Hospitals in Alameda County and to John Muir Hospital in Contra Costa County. Kaiser gets only a small percentage of the trauma calls. With development of the proposed medical center in Emeryville, Kaiser's role in the provision of trauma care would not change. Therefore, the number of ambulances responding to trauma calls would not be expected to increase. Since the number of ambulances responding to trauma calls would not increase, the ability of the ambulance companies to provide emergency response services would not be affected by the proposed medical center in Emeryville.

RESPONSE TO COMMENT 12.C.: Lands End Park is assumed to be located at the Emeryville Marina, at the end of Powell Street on the west side of I-80. The proposed medical center would be located some distance from this park, and on the east side of I-80. Because of the distance, Kaiser employees, patients and visitors would not be expected to frequent this park.

RESPONSE TO COMMENT 12.D.: The *Regional Ferry Plan San Francisco Bay Area*, prepared for the Metropolitan Transportation Commission (MTC) in September 1992, did not identify ferry service between San Francisco and Emeryville. This ferry service is not a cumulative project since it is not funded. In addition, the City of Emeryville has no plans to provide ferry service.

RESPONSE TO COMMENT 12.E.: Caltrans plans to construct an east-west connection in conjunction with the Interstate 80 westbound hook-ramp improvements. This east-west vehicular route would link the Watergate peninsula to the I-80 frontage road.

RESPONSE TO COMMENT 12.F.: Please refer to Master Response H2. for a discussion of cumulative impacts. The traffic analysis considered the cumulative effects of the proposed medical center, Chiron expansion, and future growth pending at the time the traffic analysis was prepared including East Baybridge. As indicated in the *City of Emeryville Planning Department Memorandum to Recipients of the Kaiser Medical Center Draft EIR* dated June 20, 1994,

[1] Jerry Souza, American Medical Response, telephone communications, August 12, 1994.

Sybase's plans for development in Emeryville are speculative. A portion of the Sybase employment growth is accounted for in the assumed employment growth factor for Emeryville which was used in the transportation modeling. Based upon the preliminary information submitted by Sybase after the circulation of the Draft EIR, cumulative traffic impacts associated with this possible project could be expected to increase primarily within the Hollis Street traffic zone, where the development would be located.

The intersection of Powell Street/Frontage Road currently operates at service level A during the AM peak hour and service level E during the PM peak hour. The intersection will operate at service level A during the AM and PM peak hour in the Year 2000 with the identified projects. This is due to the Powell Street interchange project, which would relocate the westbound on- and off-ramp from its current location to a point north of Powell Street on the frontage road.

EMERYVILLE PLANNING COMMISSION

KAISER PERMANENTE MEDICAL CENTER DRAFT ENVIRONMENTAL IMPACT REPORT

RECEIVED
JUN - 9 1994
PLANNING DEPARTMENT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

Name: STEPHANIE CLARICE **Affiliation:** —

Address: 5514 DOYLE ST #12 EMERYVILLE, CA 94608

COMMENTS: As a resident and taxpayer of Emeryville, I object to the proposed Kaiser Medical Facility. The traffic and air quality problems identified in the draft EIR are not remediable. I particularly object to the proposed Haven/Doyle Street extension, since it would remove a significant and important existing neighborhood in favor of a defacto driveway into the Kaiser facility. The draft EIR fails to take into account the impact such an extension would have on the quality of life in the city of Emeryville. I urge you to either reject the proposed Kaiser development, or to take all means necessary to preserve the existing surrounding neighborhoods, especially Doyle Street and its immediate vicinity. 13A

Use back if necessary

13. RESPONSES TO COMMENTS FROM STEPHANIE CLARKE RECEIVED JUNE 9, 1994

RESPONSE TO COMMENT 13.A.: The commenter's opposition to the project is noted. Please refer to Master Response E. regarding the Doyle-Haven Extension and to the responses to Comments 4.B. and 7.D. Master Response E. also contains a discussion of the land use effects associated with this mitigation measure.

14

EMERYVILLE PLANNING COMMISSION

KAISER PERMANENTE MEDICAL CENTER DRAFT ENVIRONMENTAL IMPACT REPORT

RECEIVED
JUN - 6 1994
PLANNING DEPARTMENT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

Name: Mrs. Grace Chauvin **Affiliation:**

Address: 4718 Salem St. #4 Emeryville, CA. 94608

COMMENTS: I do have a Comment Concerning the Kaiser permanente despite, Building there in Emeryville. I feel that we need Kaiser, as a whole and Kaiser will also benefit in the long run from Emeryville Also. Very much so this project, it will be needed for many reasons. Not as a Senior Citizen we need Kaiser here in Emeryville because it will be in reach for us myself and other Seniors here in Emeryville and also Kaiser will bring revenue to Emeryville, plus jobs and At the same time it will also help the growth of Emeryville which is progress. Of Course it will get some Congestion, but sometimes it comes with the territory. And yes it will also seem Crowded At first because we're so used to emptyness without progress that's why there is so much of a stir some people against the Project but in all I do know that it has to bring many dollars to this City and we certainly can use it. Some pro

14A

Use back if necessary

14. RESPONSES TO COMMENTS FROM GRACE CHAUVEN RECEIVED JUNE 9, 1994

RESPONSE TO COMMENT 14.A.: The commenter's support for the proposed medical center is noted.

EMERYVILLE PLANNING COMMISSION

KAISER PERMANENTE MEDICAL CENTER
DRAFT ENVIRONMENTAL IMPACT REPORT

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Name: ROBERT PISANI Affiliation:

Address: 1442A WALNUT ST, BERKELEY (MAIL)

COMMENTS:

SEE ATTACHED

Use back if necessary

To: The Emeryville Planning Commission

I would like to make the following points about the EIR:

1 - Many of those who are speaking against this project are not the neighbors of the project, or even residents of Emeryville. They are outsiders who are tryng to exploit every possible angle in order to force Kaiser to locate in Oakland, at a site that Kaiser has already rejected. I would ask you to listen their arguments, but also listen to their motives, which have nothing to do with the welfare of Emeryville. 15A

2 - In regard to the three unavoidable impacts noted in the EIR, these three impacts will exist whatever project goes onto this land. I'll discuss them one by one:

AIR POLLUTION

Everyone knows what smells in West Oakland. You can ask anyone who lives there -- it's EBMUD. Their Wake Avenue sewage processing plant produces the predominant and overwhelming odor in West Oakland. The City of Oakland has done nothing to control this pollution. Further, Oakland allows factories in the area to burn rubber insulation off copper wire, and this is done continuously, 24 hours a day. I note that the board of EBMUD and the city councils of Berkeley and Oakland and the Air Quality Control Board, which regulate EBMUD and these factories, are in fact controlled by the political friends of the opponents of this Kaiser project. These people would do well to clean up their own backyard before complaining about ours. 15B

I would argue also that the presence of a high quality hospital on this site, with its many doctors, health and other professionals, would in fact actually be beneficial to the air quality of the area, because these professionals would form a potent constituency to complain loudly and effectively about the kind of pollution that is at this very minute coming across the border from Oakland.

15

Any project that goes onto this land will produce some impact on air quality. Kaiser is financially and technically more able and willing to control this impact, and this impact will be smaller with Kaiser, than almost any other conceivable developer. 15B

DEL MONTE BUILDING #35 and ARCHEOLOGICAL SITES

Again, Kaiser is more sensitive to this than any other developer one might find for this site. Given that the site will be developed, one cannot find a more suitable developer than Kaiser in regard to these matters. 15C

TRAFFIC

Kaiser, with its centralized authority, is again more able to implement design, transportation and rideshare facilities to minimize the effect of the increased population using this land. I would ask you to compare the impact that Kaiser's project may have with that that would result from the uncoordinated development of the individual parcels of land comprising this piece, and to note that even with Kaiser, the traffic ratios at 45th and San Pablo are still in a range that is extremely favorable. 15D

3 - Finally, the vast majority of the residents of the area immediately adjacent to the proposed site are not artists, not students, not real estate brokers, not activists, not ex-governors seeking to build a new political base, not Sierra club members, not young, and not newcomers to this city. The vast majority of residents in this area are older, they have lived in Emeryville for twenty and thirty and forty years, they have jobs to go to tomorrow morning, or they are retired and living out their last years in this languishing backwater, and they do not have the energy to come down here and tell you what they think. I would like to speak for them about the impact this project will have on their environment. 15E

15

The Kaiser project will cause an overnight renaissance in this entire blighted area. It will bring new life to a neighborhood of Emeryville that has been tragically neglected for over 40 years. This project could bring low-cost KaiserPlan health care to all of Emeryville's residents and in particular to a population of people who have lived outside the health care system for all of their lives. It will bring spending of over $10 million a year to this immediate area, meaning new jobs, new income, new opportunities and new hope to the local residents. It will bring well-lit streets, lowered crime-rates, a richer environment for families, children, and working people, and a general physical improvement of the whole area along San Pablo Avenue. It will rid this area of acres of vast unused wasteland and it will replace this wasteland with a first rate medical facility, which will benefit all residents of Emeryville and the surrounding areas.

The presence of this hospital will spawn medical centers, stores, shopping opportunities and services for a population of working class, elderly and minority citizens who have for years sat on the sidelines in their dusty apartments on their aged fraying couches and watched helplessly while the train passed them by, who have lived outside the mainstream of progress for all too long, who have been ignored by city agencies, abandoned by government programs, and totally bypassed by the extraordinary blossoming business climate which, by virtue of its unique geographic location, is this area's birthright. 15E

These residents and these neighborhoods need this project, and they need it desperately. The Kaiser project will bring into the mainstream neighborhoods and a population of patient good residents who have for years watched development and commercial revitalization, which they and this area so sorely need, take place all around them but tantalizingly just beyond their reach. It is now within their reach, and this project will bring it to them.

15

In regard to tax revenues and financial assistance from elsewhere, it is now well known that the state will not be able to provide the support to cities that it has in the past. Cities will have to help themselves. With the closing of the Alameda and Oakland naval bases, the economic predicament of this area is utterly desperate, and the need for an infusion of funds, energy, rebuilding and tax revenues, which the Kaiser project will bring, is absolutely urgent if this area is ever to recover.

This site will be developed, one way or another, sooner or later. The choice is whether to do it now or wait perhaps another ten years until another development comes along, and to let this valuable land lie fallow and let the residents of this area suffer even longer. Any development is going to have some environmental impact. Only the rare developer, as financially strong and politically sensitive as Kaiser, and the rare project with powerful benefits and widespread , such as this one has, will be able to minimize this impact and make the negatives worthwhile. 15E

This area is in the enviable position of having a first rate organization wanting to improve it. Any other city would drool for such a project, in fact Oakland is drooling right now for being so stupid as to have lost it, and Oakland is trying to stop it from happening here in order to get it back there. The Emeryville Planning Commission has an absolute duty to encourage Kaiser in every possible way. I suggest that you ask Kaiser to make the project changes necessary to address the legitimate concerns voiced tonight, and then I urge you to go forward with this project immediately. To do anything else would be immoral.

15. RESPONSES TO COMMENTS FROM ROBERT PISANI RECEIVED JUNE 9, 1994

RESPONSE TO COMMENT 15.A.: The commenter's comments regarding the motives of project opponents are noted.

RESPONSE TO COMMENT 15.B.: The commenter's remarks are noted.

RESPONSE TO COMMENT 15.C.: The commenter's remarks are noted.

RESPONSE TO COMMENT 15.D.: The commenter's remarks are noted. The traffic analysis accounts for cumulative traffic anticipated from approved, proposed, and pending projects anticipated during the buildout of the proposed medical center.

The comment that a larger facility has a much higher probability of achieving higher levels of transportation system management alternatives such as ridesharing, higher transit use, etc., than a series of smaller projects is accurate, because there are more opportunities for coordinating employee carpools/vanpools and other similar programs. The comment regarding the fact that the intersection of San Pablo Avenue/45th Street would operate at service level D or better conditions under the Year 2010 cumulative scenario, with mitigations, is noted.

RESPONSE TO COMMENT 15.E.: The commenter's remarks regarding the benefits of the project are noted.

16

Ms. Gaye Quinn
Planning Director
City of Emeryville

09-June-1994

Dear Gaye:

As I indicated to you in my voicemail message of this morning I would like to request that the deadline for comments on the Kaiser Hospital Draft E.I.R. be extended by at least 30 days so that I and other interested parties can more thoroughly analyze its findings.

There are at least two reasons why this extension is justified:

1. The draft E.I.R. is a particularly complex document about a very major project. It deserves scrutiny. In addition, the present document is very poorly organized in comparison to the Catellus Draft E.I.R. on which it is loosely modelled.

2. I personally feel that the notification procedures for comment on the draft E.I.R. have been inadequate. As a submitter of written comment to the Scope of Services for the Draft E.I.R., I think it is entirely reasonable that I should have been notified of its issuance. I was not. I became aware of its release only a week ago. I should have been sent a copy of the report. Instead, I was required to take a day off work to obtain a copy. I really feel that the minimal, letter-of-the-law approach our planning staff has taken with regard to noticing the progress of a project that will revamp the entire city of Emeryville is inappropriate. 16A

I'll be arriving at the city offices tomorrow morning to pick up the three volumes of the Draft E.I.R. Would you please pass this request for comment deadline extension to the appropriate persons and agencies who would rule on it? When that ruling is made, would you please ensure that I am notified by mail? My mailing address is 3616 Peralta St., Emeryville, CA 94608.

Thanks in advance, STEVE SKAAR

16. RESPONSES TO COMMENTS FROM STEVE SKAAR RECEIVED JUNE 9, 1994

RESPONSE TO COMMENT 16.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

The City of Emeryville provided sufficient noticing of the Draft EIR's availability pursuant to the CEQA Guidelines. Please see Master Response A2. for additional discussion regarding this topic.

17

1064B 45th Street
Emeryville, CA 94608
June 10, 1994

Gaye Quinn
Planning Director
2200 Powell Street
12th Floor
Emeryville, CA 94608

Dear Ms. Quinn:

Recently I have been reviewing the Draft EIR for the Kaiser Medical Center. When I picked up the document at the Planning Department, I only received Volume I. Since then I have discovered that there are two additional volumes with information I would like to review. It has been difficult for me to get to the office, since I work in San Francisco during the weekdays.

I called the Planning Department yesterday to find out whether Volumes II and II were available. I was told they were, so I left work an hour early. At the Planning Counter I discovered that only volumes III was available. I was told that I could get Volume II from one the copy centers. I discovered, however, Rapid Repro closed at 5pm. I asked at the Planning Counter for their location and was told they were on 3617 San Pablo (this is also the address given in the "Notice of Availability of DEIR"). Since it was already 5pm, I decided to go to Access Print in Powell Street Plaza. There I was told that they only had Volume I and they never had Volumes II and III. I was also informed that many people have been coming there asking for these volumes but the city had never sent them these documents.

17 A

Today I called Rapid Repro to find out if they had these volumes. They said they did. I wanted to verify the cross street on San Pablo and was told that they were no longer on San Pablo and that they moved to 2326 Powell Street. I also double checked their closing hours and found out that they close at 7pm! Additionally, they are closed on Saturdays (and I assume Sunday). I hope that I will be able to purchase a copy of Volume II today, since I'll have to wait until Monday to make another attempt and there is very little time left to review this. Given the amount of material to review it is impractical to sit in the library (with limited hours of operation) or the fire station, where I assume they have these documents.

This has been a frustrating process for me. I am not clear as to why there was no mention "Notice of Availability of DEIR" that there were three volumes available. I would have asked for them when I initially took the time to go to the Planning Department. Given that these complex documents have not been readily available, is there any way that an extension can be made for this public comment period?

Thank You,

Helena Brykarz

cc: Sanjiv Handa

17. RESPONSES TO COMMENTS FROM HELENA BRYKARZ RECEIVED JUNE 10, 1994

RESPONSE TO COMMENT 17.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

The City of Emeryville provided sufficient noticing of the Draft EIR's availability pursuant to the CEQA Guidelines. Please see Master Response A2. for additional discussion regarding this topic.

June 14, 1994

Gay Quinn
Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville CA 94608

Dear Gay:

Please do not consider this letter to either support or oppose the application of Kaiser Permanente to build a medical center in Emeryville, but only to address the D.E.I.R.

The Emery Bay Village Homeowners Association strongly opposes the traffic mitigation measure as shown in Figure 22 (page 141) and as outlined on pages 156 and 157.

We have historically opposed any use for the Haven/Doyle Street corridor other than as a greenbelt and pedestrian/cycling path. And we have repeatedly worked with our neighboring property owners and the City of Emeryville as property uses have changed to insure that the greenbelt concept remains part of our future.

To now consider subjecting the owners of our Association's 112 units to increased noise and pollution levels by constructing a new roadway is outrageous. We opposed the roadway concept in 1987, again in 1989, and we do so once again in 1994. 18A

We request that Korve Engineering address our opposition to their mitigation measure of three lanes of traffic along Haven/Doyle Street. We also request that MO'C Physics address the increased noise levels at Emery Bay Village that would result if these same three lanes of traffic were to occur. And we request that Don Ballanti address the air quality issues at Emery Bay Village including the effect on our extensive landscaping, the effect to our exterior surfaces (both paint and shingle) and the overall effect to the quality of life in our neighborhood.

Upon receipt, please provide us with copies of the responses from the above named companies.

For the Board of Directors

Jim Golden
President

18. RESPONSES TO COMMENTS FROM JIM GOLDEN, EMERY BAY VILLAGE RECEIVED JUNE 14, 1994

RESPONSE TO COMMENT 18.A.: Please refer to Master Response E. for a discussion of the Doyle-Haven Extension and to the responses to Comments 4.B. and 7.D. The commenter's preference for using the Doyle-Haven corridor as a pedestrian/bike path is noted. Master Response E. describes the land use, traffic, noise, and air quality effects associated within this mitigation measure. As indicated in Master Response E1., this street is intended to be utilized by private automobiles with volumes ranging from 110 to 500 vehicles per hour, depending upon the roadway segment. In addition, the extension would include a bike facility and sidewalks which would separate the traffic from the adjacent residences. The effects of traffic from the Doyle-Haven Extension on the landscaping and exterior surfaces of adjacent buildings would not differ from the air quality conditions that exist along any local road lined with structures, sidewalks, and landscaping.

19

Susan Majors
72 Emery Bay Drive
Emeryville, CA 94608
Home (510) 420-0718
Work (415) 952-2880

June 14, 1994

Gaye Quinn
Emeryville Planning Department
2200 Powell Street
Emeryville, CA 94608

RE: EXTENSION OF EMERYVILLE KAISER PROJECT DRAFT EIR COMMENT PERIOD

Dear Gaye:

I am writing to request that the comment period for the Kaiser Draft EIR be extended 30 days beyond the current June 20, 1994 deadline. I feel more time is needed for me and other interested parties to study the three volumes of the EIR. At first glance, enough issues of concern to me have arisen which I would like to investigate further before I submit my comments. 19A

Please inform me of your decision as soon as possible.

Respectfully submitted,

Susan Majors

cc Michael Chiriatti, State Clearing House

19. RESPONSE TO COMMENTS FROM SUSAN MAJORS RECEIVED JUNE 14, 1994

RESPONSE TO COMMENT 19.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

EMERYVILLE PLANNING COMMISSION

KAISER PERMANENTE MEDICAL CENTER
DRAFT ENVIRONMENTAL IMPACT REPORT

JUL 1 5

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

Name: Robin Lassonde **Affiliation:** resident

Address: 78 Emery Bay Drive, Emeryville

COMMENTS:

I am against the building of Kaiser in Emeryville because there would be too much traffic and because I would have to rush to get to my third grade classroom. 20A

Use back if necessary

20. RESPONSE TO COMMENTS FROM ROBIN LASSONDE RECEIVED JUNE 15, 1994

RESPONSE TO COMMENT 20.A.: The commenter's opposition to the project is noted.

William D. Manley
4132 Gilbert St.
Oakland, CA 94611

Planning Department
City of Emeryville
Emeryville, CA 94608

June 15, 1994

Re: Comments on Emeryville Draft EIR of Kaiser Permanente Medical Center

General Comments

By far the biggest impact of the project will be on circulation, affecting not only Emeryville, but Oakland and Berkeley. This is a suburban-style, auto-oriented facility in an urban setting. 21A

In an era where transportation is seen as the number one problem in the Bay Area, this project shows no sensitivity to the issue. It takes as a premise the transit mode split of only 2%, following an outdated Emeryville guideline. Mode split at Oakland location is 9% transit. Rather than regress to more wasteful, enviromentally hostile means of access, new facilities should be designed to minimize automotive use.

The very provision of such enormous parking facilities -- nearly 4000 spaces with Phase 2 buildout -- serves as encouragement to single occupancy vehicles, reducing demand and ultimately availability of effective public transit to the site. Once parking structures are built, it is difficult to convert them to other uses. If and when the public makes greater use of transit facilities, when nearby housing supply can accommodate a larger number of employees and visitors, large structures will be a wasted resource. 21B

The design should aggressively encourage use of transit, pedestrian and bicycle facilities. A target of 50% non-single occupancy should be set. I suggest reducing parking supply to 1500 for Phase One of project. Surrounding businesses, concerned with overflow from Kaiser using free parking spaces they've provided for their customers, can implement simple validation systems.

The plan not only has a negative impact on current use of transit, but will discourage future use. The large number of vehicles placed on the road by employees, customers and visitors to the site will degrade access to planned light rail system, which will presumably be in the center of San Pablo Avenue. 21C

The project must reduce its auto trip generation, which is directly proportional to its parking supply, or reduce its overall scale, to be acceptable to the neighboring community. 21D

Specifics

SECTION I

Under Objectives, surrounding cities go virtually unmentioned, though negative impacts will affect Oakland and Berkeley to a great degree, with no substantial mitigations to those cities. 21E

SECTION II

Though sponsors would like to characterize project as mixed-use, there is no residential component on the project site, and the project rezones a large medium residential area. 21F

B. Employment and Housing

Little mention is made of the employment impacts to Oakland facility 21G

Pages 55-59 point to huge imbalance between jobs and employed residents. This is an argument for reducing the employee demand in Emeryville and shifting that job surplus to an area which has a larger supply of employees and better transportation to the jobsite. 21H

Page 68 discusses relocation from Oakland facility, and in the same sentence touts "new employment opportunities in the region." What exactly is the net increase "in the region" (which presumably includes the Oakland facility less than two miles away)? 21I

Page 81. Employment will continue to outpace housing in Emeryville for foreseeable future: greater argument for reducing size or relocating project. 21J

Page 83. Housing program provides funds for Emeryville but none for Oakland, which has arguably more space for housing closer to the facility. 21K

C. Transportation and Circulation

p. 102 Bicycle and Pedestrian Facilities

Emeryville is planning Class 2 bicycle paths on short extension of 40th. Suggest Emeryville General Plan be ammended to allow only bicycles or shuttles on 40th between San Pablo and Adeline. Suggest path be upgraded to Class 1 and Oakland cooperate on extension. Along the same lines, Oakland should consider extending Class 1 on 40th to Broadway, by perhaps eliminating an auto lane. 21L

p. 106 AC Transit light rail system could greatly improve access to the site. This should be promoted by reducing size of parking facility. 21M

p. 107 Emeryville-BART shuttle service. Will it really handle no more than the 55 visitors/employees projected in this plan? 21N

p. 114 The bulk of the traffic impact is to city of Oakland. Shouldn't Oakland be heavily considered in the approval process? 21O

General comment on mitigation measures for increased traffic.

Many mitigations suggested require street widening: this would tend to make the streets more difficult to cross for pedestrians and bicycles, because of their slower speed. Other measures are addition of turn lanes (and presumably turn phases for signals). The addition of new turn phases will greatly slow traffic on the thoroughfares such as Powell and San Pablo. 21P

The elimination of on-street parking on, which is proposed for some intersections, tends to increase speeds, and reduce viability of business that front the streets.

p. 132. The TSMP should ensure that parking fees for single-occupancy vehicles are priced high enough to encourage carpooling or transit usage. Suggest stipulating fees of $10 for all day parking for single-occupancy and indexing as required by cost of living. 2-person vehicle fees should be reduced, but not free. Incomes derived from high parking fees should be contributed to transit programs. 21Q

p. 151 The high number of intersections for which no mitigation can be provided argue for much more severe traffic-reduction measures in the design, such as some suggested above. 21R

p.158 Freeway impacts could be very severe, but because the problems are already severe, the plan does not take responsibility for worsening the situation. 21S

p. 164 Transit design for Oakland facility was based on a 1960's approach, which was biased towards auto transportation. Rather than depend on ITE demand models, plan should look at more modern and transit-based demand models. Codes should reflect a more transit-oriented approach. 21T

p. 174 Bicycle impacts would indeed be great along thoroughfares such as 40th Street, Adeline, Powell and San Pablo, where they must already compete with substantial automobile traffic. While the provision of Class 1 bicycle paths in Emeryville is commendable, the mitigations don't go beyond Emeryville itself. 21U

William D. Manley

cc: Sheila Jordan
PANIL files

21. RESPONSES TO COMMENTS FROM WILLIAM D. MANLEY RECEIVED JUNE 15, 1994

RESPONSE TO COMMENT 21.A.: Please refer to Master Response D6. for a discussion of the transit assumptions.

RESPONSE TO COMMENT 21.B.: The project is designed to provide sufficient parking for Kaiser employees, Kaiser members, and visitors to the pedestrian-oriented, neighborhood commercial ("liner") buildings. As described on pages 132 and 133 of the Draft EIR, the project includes an aggressive Transportation Systems Management Program (TSMP) which is currently being implemented by Kaiser at its Oakland facility. This program would be applied to the proposed medical center at the Emeryville site. As described in Appendix A to the Mitigation Monitoring and Reporting Program, the TSMP includes numerous incentives to encourage employees and Kaiser members to use alternative modes of transportation.

The TSMP will encourage the use of modes other than single occupant vehicles. The effectiveness of alternative modes of travel can be reconsidered prior to the construction of the Future Expansion phase, and at that time a reduction in the ultimate amount of parking could be made. Provisions of the Trip Reduction Ordinance will discourage single-occupant vehicles.

RESPONSE TO COMMENT 21.C.: As described in the Draft EIR, the implementation of a TSMP would result in a significant increase in transit use over the baseline assumptions. Several TSMP measures would include subsidizing transit passes; working with AC Transit to promote expanded service along San Pablo Avenue; working with the City of Emeryville to encourage transportation agencies to plan for increased transit service to Emeryville; and establishing transit information centers on-site.

RESPONSE TO COMMENT 21.D.: As described in the response to Comment 21.B., above, the project is designed to ensure that there is sufficient parking for Kaiser members; therefore, the project does not propose to reduce its parking supply. As described in the Draft EIR, a TSMP is suggested as a mitigation measure to reduce the number of auto trips. The implementation of a TSMP at the existing Oakland facility in June 1992 resulted in a decrease in the percentage of employees that drive to work (i.e., approximately 8 percent). It is anticipated that the proposed Emeryville facility would implement a more aggressive TSMP to reduce its auto trip generation.

RESPONSE TO COMMENT 21.E.: The commenter suggests that the project does not include any objectives that benefit surrounding cities such as Oakland and Berkeley, although they will be subject to negative effects. With regard to impacts on Oakland and Berkeley, please see Master Response H1., which describes the regional impacts associated with the project. With respect to the comment regarding project objectives, the comment is noted. The proposed medical center will provide regional health care that would benefit Kaiser members residing in Oakland and Berkeley, as well as in other communities.

RESPONSE TO COMMENT 21.F.: The *Mixed-Use* designation allows combinations of residential, commercial, and industrial activities within the same area, and possibly within the same building. This designation does not mandate that all of these uses must be combined on one site. The proposed medical center includes a hospital facility which constitutes a public/

quasi-public use; commercial/retail uses; opportunities for possible temporary housing for interns, hospital visitors, and other medical center personnel (which constitutes residential uses); and open space and public plaza areas on one site. This mix of uses satisfies the definition of mixed use.

RESPONSE TO COMMENT 21.G.: Please refer to Master Response B1. for a discussion of employment impacts to the Oakland facility.

RESPONSE TO COMMENT 21.H.: The commenter's comments are noted regarding the growth in employment.

RESPONSE TO COMMENT 21.I.: Section II, B of the Draft EIR contains a detailed evaluation of the new employment opportunities that would be afforded with the development of the proposed medical center. Due to the uncertainty with Kaiser's plans for the existing Oakland facility, it is difficult to predict the net increase in employment resulting from the proposed project. The commenter is referred to the discussion of new employment and the jobs/housing balance in Master Response C4. and to the discussion of the plans for the existing Oakland facility in Master Response B1.

RESPONSE TO COMMENT 21.J.: The commenter's comments are noted regarding the growth in employment. Please refer to Master Response C4. for a discussion of the jobs/ housing balance.

RESPONSE TO COMMENT 21.K.: Providing housing in Oakland is not proposed as part of the project.

RESPONSE TO COMMENT 21.L.: The comment is noted.

RESPONSE TO COMMENT 21.M.: The project does not preclude the potential installation of the future AC Transit LRT. The project does not propose to reduce the size of the parking facilities as described above in the response to Comment 21.B.

Funding for AC Transit's LRT corridor on San Pablo Avenue has not been identified. The timeline for this project has not been determined. The Kaiser project is proposed to be constructed in phases. It is possible that the proposed level of parking for Future Expansion will not be necessary if improved transit facilities are provided prior to Future Expansion. A decision could be made at that time to reduce the level of parking for the project, if it is demonstrated that transit access has increased.

RESPONSE TO COMMENT 21.N.: The projected transit ridership for the Kaiser project in Year 2000 is 55 total daily passengers. This is estimated based on a very conservative transit mode split of two percent, as projected by the city-wide Emeryville model. This percentage is an average for the Bay Area transit share and applies to all transit modes. Consistent with the city-wide model assumptions, the traffic analysis contained in the Draft EIR employed this conservative transit mode assumption so as not to underestimate traffic impacts.

Two shuttles would be available to serve the medical center. The first shuttle is Kaiser's own private shuttle which will depart every seven minutes from the medical center and can accommodate the 55 total daily passengers expected to use transit. In addition, a second shuttle

would be provided, the Emeryville-BART Shuttle, which is projected to handle 463 daily passengers on an average, according to current projections. Therefore, shuttle service will be available to accommodate over 500 passengers on a daily basis.

RESPONSE TO COMMENT 21.O.: The Draft EIR contains a discussion of the traffic impacts occurring in Oakland. The City of Oakland would be a Responsible Agency with regard to the approval of the mitigation measures for impacts to roadway facilities in Oakland. The Draft EIR notes that the implementation of the mitigation measures would be at the City of Oakland's discretion. Please refer to page 129 of the Draft EIR for an example of this discussion. Please note that the City of Oakland has been provided an opportunity to review and comment on the Notice of Preparation and Draft EIR, and to participate in the public hearings held on the project.

The City of Emeryville has discretion to eliminate on-street parking, independent of the proposed medical center project. The elimination of on-street parking would improve traffic flow conditions. The Draft EIR discusses the impacts to the existing businesses associated with the loss of on-street parking.

RESPONSE TO COMMENT 21.P.: The secondary impacts of the mitigation measures referred to in the comment are discussed in the Draft EIR. Although mitigations proposed in the Draft EIR require widening of specific streets, such as Hollis Street, signal timing plans would be modified accordingly to allow for the safe crossing of pedestrians or bicyclists. Signal times are dependent upon street widths.

The addition of new turn phases on minor streets would not significantly slow traffic on thoroughfares such as Powell Street and San Pablo Avenue. San Pablo Avenue and Powell Street are interconnected and coordinated with other intersections along the corridor. Although new turn phases would be added to the minor street, priority would continue to be given to the major street.

The elimination of on-street parking, as proposed in the Draft EIR for some intersections, would not increase speeds. Speed is more affected by the level of congestion, the roadway geometrics (i.e., lane widths), and the signal progression.

RESPONSE TO COMMENT 21.Q.: Kaiser is in the process of raising the parking prices for employees at its existing Oakland facility. It is anticipated that similar measures would be practiced at the Emeryville medical center, should the project be approved. Kaiser will charge for parking in their garage. As part of the TSMP, Kaiser can subsidize carpooling by providing a more convenient parking space or by reducing the cost of parking for carpoolers.

RESPONSE TO COMMENT 21.R.: The Draft EIR identifies feasible mitigation measures for project-related and cumulative traffic impacts. The City of Emeryville will be required to adopt a Statement of Overriding Considerations for those traffic impacts which cannot be feasibly mitigated, should the project be approved.

RESPONSE TO COMMENT 21.S.: The analysis of freeway impacts was conducted in accordance with the Alameda Congestion Management Agency Guidelines. The Draft EIR indicates that the adjacent freeway facilities would operate at congested conditions. The Draft EIR discloses the effects of the project on freeway conditions on pages 158 through 163. The

Draft EIR indicates that the adjacent freeway facilities would operate at congested conditions. Using the threshold of significance stated on page 158, the project does not result in a significant impact to freeway facilities, and therefore, is not required to implement any mitigation. Based on the requirements of the Congestion Management Program, deficiency plans should be prepared by Caltrans on these state facilities, given that no feasible mitigation measures are available beyond those improvements that are currently programmed.

RESPONSE TO COMMENT 21.T.: Refer to Master Response for D6. for a discussion of the transit assumptions used in the traffic analysis.

RESPONSE TO COMMENT 21.U.: The project would not result in a significant impact to major off-site bicycle facilities. As such, the construction of bicycle facilities outside the immediate project area are not the responsibility of this project. Certain site frontage improvements are necessitated by this project and as a part of those improvements bicycle facilities would be added.

Mon, Jun 13, 1994

State Clearing House
C/O Government Office of Planning & Recreation
1400 10th Street, Suite 121
Sacramento California, 95814

Attn: Michael Chiratti
Re: Kaiser Permanente Medical Center - Emeryville California

Dear Mr. Chiratti

After reviewing the draft EIR for the above referenced project, I would like to request a extension in the amount of time allotted for public review and comment. Having been involved in projects of similar complexity and scope, I feel the public, many of whom are elderly, will need additional time to review the substantial documentation produced for this report, (three volumes). This project in conjunction with other large projects that are either under construction or in the planning stage, will have a substantial impact on the surrounding neighborhoods. I would like to see that the residents of this area be given sufficient time to make a rational decision about something that will have a lasting effect on the quality life in this neighborhood. 22A

Sincerely,

Brian S. Pometta - Architect
980 Aileen Street
Oakland, CA 94608

xc: Gaye Quinn

22. RESPONSES TO COMMENTS FROM BRIAN S. POMETTA RECEIVED JUNE 15, 1994

RESPONSE TO COMMENT 22.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

BOARD OF SUPERVISORS

KEITH CARSON
SUPERVISOR, FIFTH DISTRICT

June 16, 1994

J-
Please sign.
AE

Ms. Gaye Quinn
Director, Planning Department
City of Emeryville
2200 Powell, 12th Floor
Emeryville, CA 94608

Dear Ms. Quinn:

I am writing to make you aware that I have received a number of calls from Emeryville constituents who are requesting an extension of the Public Comment Period for the Kaiser Relocation Environmental Impact Report. These constituents assert that they have been unable to review the documents completely, due to the lack of regular access to all three volumes and the complex nature of the material.

Unfortunately, when they attempted to pick up copies of the documents, they received Volume I, but were not informed of Volumes II or III. When these volumes were unavailable from the printer, they attempted to use the materials kept at the Golden Gate Branch Library, but found the limited hours prohibitive. 23A

The ability to comment on public decisions is central to the democratic process. Therefore, adequate access is crucial. I hope you will consider their request to extend the Public Comment Period on this EIR by 30 days.

Sincerely,

Keith Carson

Keith Carson
Supervisor, 5th District

KC/ate

cc: Mayor Ken Bukowski
Members, Emeryville City Council
Christine Kinne, Governor's Office of Planning & Research

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06/17 '94 15:57

23. RESPONSES TO COMMENTS FROM KEITH CARSON, BOARD OF SUPERVISORS RECEIVED JUNE 16, 1994

RESPONSE TO COMMENT 23.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1 for additional discussion regarding this topic.

The City of Emeryville made the Draft EIR (volumes I, II and III) available to the public pursuant to the CEQA Guidelines. Please see Master Response A2. for additional discussion regarding this topic.

24

CITY OF OAKLAND

CITY HALL • ONE CITY HALL PLAZA • OAKLAND, CALIFORNIA 94612

City Council

415 273-3266
TTY 839-6451

June 16, 1994

Michael Chiriatti
Governor's Office of Planning & Research
Sacramento, California

via facsimile

Dear Mr. Chiriatti:

I am requesting that the public comment on the Kaiser Environmental Impact Report be extended for at least another 30 days. I have heard from a number of organizations in my district, including several whose members live very close to Emeryville, who feel they need more time to adequately review and discuss the EIR and the possible impacts of the project and make informed comments. 24A

Thank you for your anticipated cooperation.

Sincerely,

SHEILA JORDAN
Councilmember, District 1

cc: Gaye Quinn, Emeryville Planning Director

24. RESPONSES TO COMMENTS FROM SHEILA JORDAN, CITY OF OAKLAND RECEIVED JUNE 16, 1994

RESPONSE TO COMMENT 24.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

25

MTC
METROPOLITAN TRANSPORTATION COMMISSION

Alameda County
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WILLIAM P. DUPLISSEA

U.S. Department of Housing and Urban Development
GORDON H. MCKAY

Executive Director
LAWRENCE D. DAHMS

Deputy Executive Director
WILLIAM F. HEIN

Gaye Quinn, Planning Director
City of Emeryville
Planning Department
2200 Powell, 12th Floor
Emeryville, CA 94608

June 16, 1994

Dear Ms. Quinn:

This letter includes Metropolitan Transportation Commission (MTC) staff comments on the transportation impact analysis in the Draft EIR for the Kaiser Permanente Medical Center Project. This two-phased, mixed use project would include 1.56 million square feet of development and 1.16 million square feet in parking structures. Uses would include a hospital, medical office buildings, and general retail and office uses.

The project is located in Emeryville, just west of one of the most heavily traveled freeway interchanges in the Bay Area- the I-980/I-580/ Rte. 24 interchange. It is also just east of the approach to the Bay Bridge, where I-580 veers off to the east and I-80 veers west towards bridge.

1. **Freeway Impact Analysis.** Our main concern with this EIR is with the freeway system impact analysis. The Alameda County 1993 Congestion Management Program indicates that level of service is currently F on freeway segments near the project.. The project will generate an estimated 3000 additional peak hour trips. It appears that level of service in 2010 at project buildout would be considerably worse than the current level of service and that freeway impact mitigations should be included in the EIR. However, the EIR states that project freeway system impacts would be insignificant, so no mitigation measures are included. 25A

2. **Impact Analysis Assumptions.** The EIR states that trip generation rates developed by ITE for mixed use developments were used. However, it notes that trip generation rates for retail uses were reduced by another 50% due to trip linking. This additional 50% reduction should not have been taken off as the mixed use trip generation rates have already taken trip linking into account. 25B

The EIR states that the trip distribution assumptions were based on the existing trip distribution for Kaiser in Oakland. This assumption may not be an accurate one as the Emeryville site is quite distant from Oakland and Emeryville is far less accessible to transit trips. The analysis should be revised to use trip distribution data from Emeryville. 25C

JOSEPH P. BORT METROCENTER • 101 EIGHTH STREET • OAKLAND, CA 94607-4700
510/464-7700 • TDD/TTY 510/464-7769 • FAX 510/464-7848

25

3. **Mitigation Measures.** The EIR notes that one of the recommended mitigation measures is to implement a Transportation System Management (TSM) program to encourage the use of alternatives to driving alone to the facility. The EIR states that local intersection impacts will be greatly reduced by this measure in combination with others, but does not state how effective they assume the TSM program will be. It states that the Kaiser Oakland TSM program increased the use of commute alternatives by 7.9%. This assumption would not be an appropriate choice for Kaiser in Emeryville, however, where there is less transit access. 25D

The EIR should state what the mode split is expected to be under mitigated conditions. It should also indicate clearly what measures would be implemented to reach this mode split level, the cost of these measures and who would pay. 25E

Thank you for the opportunity to comment on this EIR. We look forward to reviewing the final document.

Sincerely,

Susan Pultz
Environmental Review

25. RESPONSES TO COMMENTS FROM SUSAN PULTZ, MTC RECEIVED JUNE 16,1994

RESPONSE TO COMMENT 25.A.: The comment that freeway segments near the project are at LOS F is noted. See response to Comment 78.D. regarding the level of project traffic using the freeway system. See response to Comment 21.S. regarding the analysis of freeway impacts and mitigations.

RESPONSE TO COMMENT 25.B.: As discussed in the Project Trip Generation section of the Draft EIR (pp. 111-113), the proposed project would be characterized as a mixed-use project; however, the 50% reduction due to trip linking was only applied to the retail use. This reduction represents six percent of the total PM peak project trips. The trip generation rates applied to the other project uses (i.e., hospital, medical office building, and office) were not mixed-use rates, but rather stand-alone rates. No trip reduction factor was applied to these trip generation rates, thus resulting in a more conservative trip generation estimate.

RESPONSE TO COMMENT 25.C.: Trip distribution assumptions were based on information provided by the Facilities Planning Department for the Oakland Medical Center. A summary of patient and visitor home zipcode information (August 1989) was provided to determine the location of patient and visitor origins. Similarly, the results of medical center staff and physician home zipcode surveys (February 1990) were provided in order to determine the location of Kaiser employee origins. Since the existing Oakland facility is approximately 1.5 miles from the proposed project site, the combined results from the Oakland facility were used to obtain the general direction of project trips. The place of residence of existing Oakland Kaiser patients and visitors would likely remain the same. Moreover, given that the proposed project is only about 1.5 miles from the existing facility, any transferring employees would likely retain the same residence. Therefore, the only differences in travel patterns between the two facilities would be the assignment of trips to specific routes within the immediate vicinity of the project sites.

Please refer to Master Response D6. for a discussion of transit assumptions.

RESPONSE TO COMMENT 25.D.: The TSMP is expected to be very effective in reducing the number of single occupant vehicles accessing the site. The difference between the transit access between the existing site and the proposed site is not very great. There are six AC Transit routes serving the existing site and seven routes serving the proposed site. The six AC Transit routes that serve the Oakland MacArthur/Broadway site include:

- Route 6 - Caldecott Lane (Rockridge) to 41st Street & Piedmont Avenue (Oakland),
- Route 16 - Highland & Oakland Avenues (Oakland) to Rockridge BART Station,
- Route 51 - Berkeley Marina to Broadway & Branding (Alameda),
- Route 57 - Bayfair BART (San Leandro) to Emeryville Marina,
- Route 59 - Jack London Square (Oakland) to Montclair Transit Center (Moraga Avenue & Medau Place), and
- Route CB - San Francisco Transbay Terminal to Broadway Terrace (Oakland)

In fact, both sites are not within convenient walking distance of less than one-half mile to the MacArthur BART station. The proposed site in Emeryville will have access to the BART station via the Emeryville-BART shuttle and Kaiser's own private shuttle which would provide comparable access to the present hospital site.

In addition to access to BART, the medical center would have access to Amtrak. Effective August 15, 1994, Amtrak began providing service to the Emeryville Amtrak Station on Route 57. Amtrak service would be a transit provider for employee trips to the medical center. This transit service would primarily serve longer-distance trips to and from cities such as Antioch, Pittsburg, Martinez, and San Jose.

At this time, bus stop locations have not been determined for the Emeryville-BART Shuttle service. However, as Kaiser contributes funding to the shuttle operations, Kaiser would have direct input for stop locations for a safe "front door" loading area. Therefore, service between the project vicinity and the Emeryville Amtrak Station could be included in the TSMP.

By Year 1999, the Trip Reduction Ordinance guidelines call for an Average Vehicle Ridership of 1.35 and a Vehicle Employee Ratio of 0.74.

RESPONSE TO COMMENT 25.E.: The mode split for the mitigated conditions is 15 percent for non-auto drivers. The current Kaiser site in Oakland meets or exceeds this percentage. Refer to Master Response D6. for a discussion of the transit assumptions for the project and Master Response D8. for a summary of the Trip Reduction Ordinance. The cost of these measures is primarily accounted for by the economic disincentives of driving alone. Kaiser's TSMP subsidizes transit passes at $10.00 per month and provides discounted and preferential parking for carpools.

RUTH ATKIN, M.S.W.

53 Emery Bay Drive
Emeryville, CA 94608
(415) 652-7107

June 15, 1995

Mr. Michael Chirialti
State Clearinghouse
c/o Governor's Office of Planning and Research
1400 - 10th St., Rm 121
Sacramento, CA 95814

Dear Mr. Chirialti:

I am writing to request an extension of the comment period on the draft environmental impact report for Kaiser Permanente's proposed medical center in Emeryville from 45 to 75 days. The draft EIR states there would be significant unavoidable impacts which concern me since I am a resident of Emeryville and would be directly affected by the project. 26A

Please do all you can to ensure an extension on the comment period. This project has significant local and regional ramifications. It merits a comprehensive and thoughtful review.

Sincerely,

Ruth Atkin

Ruth Atkin

cc: Gaye Quinn
Planning Director
City of Emeryville
2200 Powell St., 12th floor
Emeryville, CA 94608

26. RESPONSES TO COMMENTS FROM RUTH ATKIN RECEIVED JUNE 17, 1994

RESPONSE TO COMMENT 26.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

STATE CAPITOL OFFICE
P.O. BOX 942849
SACRAMENTO, CA 94249-0001
(916) 445-7554
FAX: (916) 445-6434

DISTRICT OFFICES
3923 GRAND AVENUE
OAKLAND, CA 94610
(510) 428-1423
FAX: (510) 428-1599

RICHMOND OFFICE
1108 BISSELL AVENUE
ROOM 202
RICHMOND, CA 94801
(510) 234-0211
FAX: 234-0213

Assembly
California Legislature

TOM BATES
MEMBER OF THE ASSEMBLY
FOURTEENTH DISTRICT

CHAIR
STANDING COMMITTEE ON
HUMAN SERVICES

COMMITTEES
NATURAL RESOURCES
ENVIRONMENTAL SAFETY &
TOXIC MATERIALS
PUBLIC SAFETY

June 15, 1994

Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street 12th Floor
Emeryville, CA 94608

Dear Ms. Quinn:

I am writing to urge the City of Emeryville to extend by 30 days the comment period on the Kaiser Permanente Medical Center Environmental Impact Report, State Clearinghouse No. 93082063.

My office has been contacted by community and environmental groups from Emeryville, Oakland and Berkeley who have expressed concern that the current comment period is not adequate for a review of a project of this complexity. In addition, I understand that there were other concerns regarding the lengthiness of the Draft EIR and the fact that initially there were some difficulties in obtaining copies. 27A

Thank you for your cooperation on this matter.

Sincerely,

Tom Bates
Assemblyman

TB:jd

cc: Michael Chiriatti, Chief, State Clearinghouse

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27. **RESPONSES TO COMMENTS FROM TOM BATES, ASSEMBLYMAN, STATE CAPITOL OFFICE RECEIVED JUNE 17, 1994**

RESPONSE TO COMMENT 27.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

The City of Emeryville made the Draft EIR (volumes I, II and III) available to the public pursuant to the CEQA Guidelines. Please see Master Response A2. for additional discussion regarding this topic.

RECEIVED
JUN 17 1994
PLANNING DEPARTMENT

June 19, 1994

Ms. Gaye Quinn
Planning Commission
City of Emeryville

Re: Draft E.I.R. Report for the Proposed Kaiser Hospital and Medical Center

Dear Ms. Quinn:

This letter concerns, among other things, some unmitigatable aspects listed in the Draft E.I.R. Report, in particular the problem of traffic. Traffic will become a problem affecting the residents of Berkeley, Oakland and beyond, not just the citizens of Emeryville..

1. Parking and Additional Traffic Congestion

As far as I could make out from the Draft E.I.R., there has been no comparison made between existing traffic levels and those we can expect when the East Bay Bridge complex, Kaiser, the Chiron expansion and the proposed upscale "fashion" mall on the Bayfront property have been completed. All the residents of Emeryville should be made aware just what they can expect when the parking lots for 2,500 cars at East Bay Bridge, over 3,000 at Kaiser and 3,000 at Chiron and X number at the Bayfront Mall are filled with vehicles that may spend anywhere from 15 minutes to eight hours in the various complexes. 28A

I would like to see figures based on estimated highest use of roadways on weekdays and weekends and at various times of day: the weekday "rush hour" periods of 7-10 a.m. and 4-6 p.m. and the mid-day period from 12-2 p.m. and weekend hours from 10 a.m. to 6 p.m. using the following configurations:

- Existing traffic
- Plus East Bay Bridge
- Plus Kaiser
- Plus Chiron
- Plus Fashion Center next to I-80.

28B

Also,

- What are the estimates for lengths of stay in the various parking areas? 28C

Despite my support of increased public transit (see below), I am not convinced that it will solve the overall traffic problem. Nearly all the current and proposed development *requires* the use of automobiles; i.e., Kaiser will be a *regional* center and many of its patients will be coming from relatively long distances, and the box stores at East Bay Bridge are for people to buy things in quantity, not in small amounts easily transportable by public transit. How are these problems being addressed? 28D

2. Mass Transit

The idea that a state of gridlock will result inevitably in expanded public transit is ingenious but I fear misguided. Now is the time to execute major improvements in mass transit, not later when traffic has become intolerably snarled and construction of light rail or whatever other solutions are available will be more difficult to install. Now is the time 28E

to do it, while the city has the clout to demand that developers pay their fair share. Once all the developers have had their way, are they or the merchants going to be interested in paying for an afterthought? (The planning of the parking lot at East Bay Bridge is only one example: the city could have insisted that it be configured to allow many more trees. What we have ended up with is acres of asphalt with a few token trees.)

Development in Emeryville is currently based on almost exclusive use of automobiles, and because of this the proposed expansions may very well backfire. If people coming to East Bay Bridge and the other shopping centers are greeted by nothing but gridlock, they may very well turn around and go to other areas where such problems do not exist. Emeryville will then be left with empty stores and a shrunken tax base — not unlike downtown Oakland which Emeryville at the moment happily is not but could very well become. Consumer-oriented businesses have proven to be somewhat problematic in Emeryville: Look at the turnover in the Emeryville Public Market from its inception to today; consider the turnover in a number of the stores in Powell Street Plaza. 28E

- What specific proposals are being considered in the E.I.R. Report regarding mass transit?
- If no proposals are being considered, why not?

3. Making Harlan Street a Major Connector between Powell Street and Kaiser.

This proposed scheme will make Harlan St. a major access route for Kaiser. (According to the General Plan that was approved a few years ago by the citizens of Emeryville, this land, at present taken up by a railroad right of way, was eventually to be turned into a bike path/pedestrian walkway.) The questions I wish the E.I.R. report to address in this respect are:

- Who will use the street?
- What is the estimated usage? How many vehicles per hour? per day? 28F
- How much will such a street alleviate the overall traffic problem?
- How much land will be required for the road?
- If land is to be condemned in order to build the three lane road, will it mean condemnation of Emery Bay Village property? If so, justify. (Why should Emery Bay Village be forced to give up land with mature trees and its own parking structures when Kaiser can surely spare the space?)

4. Housing

The city is due to glean $30 million in funds from Kaiser during the construction phase. These monies are purportedly to be used to fund housing. (The figure of $60 million for similar use has been suggested for the Chiron project).

- What specific housing projects are being contemplated?
- What land would they occupy? 28G

How committed is Emeryville anyway to providing affordable, *purchasable* housing for low to moderate income citizens? What does the inability to sustain interest in housing on the Del Monte site indicate? Or did Kaiser come along just in time to save the city fathers/

mothers from having to deal really imaginatively and creatively with the problem? Is Emeryville merely paying lip service to affordable housing? 28G

5. Taxes

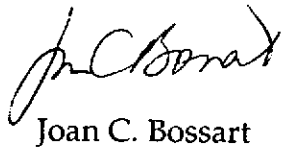
Although the city will receive monies from Kaiser during its building period, my understanding is that in the future Kaiser will pay no taxes. But there are facilities in the city that Kaiser will be using that are supported by taxes.

- Who will pay for upkeep of that percentage of roadways that deteriorate due to traffic from Kaiser?
- Who will help pay for additional police and fire protection? 28H
- Will taxes be increased on businesses?
- Will they be increased on residents so that the businesses won't be frightened away by higher taxes?
- Or will we all be paying substantially more in taxes to subsidize the presence of a non-taxpaying entity that occupies a massive section of the city?

I live in Emery Bay Village and will feel the impact of Kaiser severely. I acknowledge there are benefits to having Kaiser in the city. But I wonder how many residents who avidly support Kaiser realize that there may be a downside to having it as a neighbor. Do they have any idea of what the increased traffic congestion and accompanying decrease in air quality will be, what their taxes may look like in 15 or 20 years, or what the residential makeup of the city will be? 28I

I look forward to seeing these questions and problems addressed in the final Environmental Impact Report for the Kaiser Hospital and Medical Complex.

Sincerely yours,



Joan C. Bossart
36 Emery Bay Drive
Emeryville, CA 94608

28. **RESPONSES TO COMMENTS FROM JOAN C. BOSSART RECEIVED JUNE 17,1994**

RESPONSE TO COMMENT 28.A.: The Draft EIR cumulative impacts analysis addresses all local and regional development currently contemplated in the year 2000 and 2010. All of the projects mentioned in this comment are included in the analysis and are listed in Table 3 of Appendix C in Volume II. The traffic analysis accounted for traffic associated with approved and pending projects within the City of Emeryville, including the traffic generated by the East Baybridge project, the proposed mall on the Bayfront site, and the Chiron project.

RESPONSE TO COMMENT 28.B.: Standard traffic analyses are conducted for the peak hour during the AM and PM peak periods. In an urban setting, the peak hour of traffic flow on the surrounding street network occurs from 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM on weekdays. During these AM and PM peak periods, the greatest amount of traffic is found on the street system. Traffic analyses for individual projects then examine the amount of traffic they would add during these peak periods. The peak period for an individual project is not considered because because if the peak for the project occurs at a different time than the peak of the adjacent street traffic, additional capacity is generally available to accommodate the project's traffic volumes. For office development, the peak hour of the generation coincides with the peak hour of the adjacent street traffic. For a shopping center, the peak hour of the generator occurs between 5:00 PM and 6:00 PM, which is also the same as the PM peak hour of adjacent street traffic.

RESPONSE TO COMMENT 28.C.: Data provided by Kaiser indicates that the estimated lengths of stay for employees/staff are approximately 8.33 hours and 1.5 hours for patients/visitors.

RESPONSE TO COMMENT 28.D.: Please refer to Master Response D6. for a discussion of the transit assumptions. The traffic analysis does not suggest that increased transit would solve the overall traffic problem. The traffic analysis is based upon the assumption that, because of the regional nature of the medical center, many Kaiser members would travel long distances by automobile. Mitigation measures are identified in Section II, C, of the Draft EIR to address the impacts resulting from increased traffic associated with the project. Even with mitigation, however, significant unavoidable traffic impacts would occur at certain locations.

Kaiser will implement a TSMP which encourages the use of alternative modes of travel such as transit, carpooling, and bicycling. The connection of the Kaiser project to the regional transit carriers (BART) via the Emeryville-BART shuttle and Kaiser's own private shuttle is one of the ways that this project will encourage the use of non-automobile modes. In addition, as stated in the response to Comment 25.D., the medical center would have access to Amtrak. Amtrak service would primarily be a transit provider for employee trips to the medical center.

RESPONSE TO COMMENT 28.E.: The project includes the implementation of a Transportation Systems Management Program to encourage Kaiser employees and members to use alternative modes of transit. Shuttle service to mass transit facilities would be provided by Kaiser's own private shuttle and by the Emeryville-BART shuttle. In addition, as part of the Development Agreement entered into between Kaiser and the City of Emeryville, Kaiser has proposed to contribute $100,000 per year for 25 years

to the Mass Transit Program which would be used, in part, to fund the Emeryville-BART shuttle service.

RESPONSE TO COMMENT 28.F.: Figure 2 of the City of Emeryville's General Plan shows Haven Street as a potential future bike path/pedestrian corridor, not Harlan Street. For a discussion of the Doyle-Haven Extension, refer to the Draft EIR (pp. 156-157).

RESPONSE TO COMMENT 28.G.: Please refer to Master Response C1. for a discussion of the Kaiser Housing Program and Master Response C5. for a description of the 25 sites identified for additional housing. These responses also provide evidence of the City of Emeryville's commitment to providing new housing opportunities within the community.

RESPONSE TO COMMENT 28.H.: The Cost Revenue Analysis contained in Appendix I states that the fiscal consequences of the Kaiser Permanente Medical Center are estimated at $1.04 million in annual revenues to the City of Emeryville's General Fund, compared to annual costs of $238,500, resulting in a net revenue to the City of $803,500. This net revenue does not account for the estimated $1.92 million in one-time benefits Kaiser would pay to the City.

The Cost Revenue Analysis indicates the net costs associated with the provision of public works, fire protection, police protection, and general administrative services. These costs were deducted from the annual revenues resulting from the medical center, which means that the annual project revenues would be used to offset the annual costs associated with the project. While Kaiser's non-profit status exempts Kaiser from paying property taxes on the hospital and medical service uses, the pedestrian-oriented, neighborhood commercial "liner" buildings and other non-Kaiser uses would be subject to property taxes. The annual revenues include the property taxes generated by these non-Kaiser uses, as well as the payment of business license fees, sales tax, and utility user tax. In addition, as described on pages 17 and 18 of the Draft EIR, Kaiser would contribute development fees through the Development Agreement, including a $500,000 annual Emergency Services Fee, even though the project would not result in a significant impact to the provision of fire and police protection services. Therefore, Emeryville residents and businesses would not pay more in taxes to support the proposed medical center.

RESPONSE TO COMMENT 28.I.: The commenter's remarks are noted. The Draft EIR contains an analysis of the traffic and air quality impacts, housing impacts, and economic costs and benefits that would result from the proposed medical center. This information is available to assist decision-makers and the public in assessing the consequences of approving the proposed Kaiser Permanente Medical Center.

1064B 45th Street
Emeryville, CA 94608
June 15, 1994

Michael Chiriatti
Chief of the State Clearinghouse
Governor's Office of Planning and Research
1410 10th Street
Room 121
Sacramento, CA 95814

Dear Mr. Chiriatti:

As a resident of Emeryville, living next to a proposed Kaiser Medical Center, I would like to request an extension to the Draft Environmental Impact Report (State Clearinghouse No. 93082063). An inadequate amount of time was given to review all the complex documentation. Additionally, the complete set of the report (all three volumes) was not readily available for the public. 29A

I understand that the Emeryville Planning Department may consider an extension to the public comment period. I hope that you would support an extension of 30 days, which would allow the community to adequately respond.

Sincerely,

Helena Brykarz

cc: Gaye Quinn, Emeryville Planning Director

29. **RESPONSES TO COMMENTS FROM HELENA BRYKARZ RECEIVED JUNE 17, 1994**

RESPONSE TO COMMENT 29.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

The City of Emeryville made the Draft EIR (volumes I, II and III) available to the public pursuant to the CEQA Guidelines. Please see Master Response A2. for additional discussion regarding this topic.

6-13-94

Dear Ms Quinn,

I reside on 47th ST. off of San Pablo and have been watching and listening to the Kaiser Hospital proposal with great interest. Due to the complexity and implications of such a large project and the long term implications it seems appropriate to ask for a time extension to further study the Environmental Impact Report. 30A

Please consider this request.

Sincerely,

Timothy Galarek
1074 47th ST. #2
Emeryville, CA 94608-3332
510-652-8846

JUN 17 19[illegible]

[illegible] DEPARTMENT

30. **RESPONSES TO COMMENTS FROM TIMOTHY GALVANEK RECEIVED JUNE 17, 1994**

RESPONSE TO COMMENT 30.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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To Gaye Quinn | From Jean Hart
Co. | Co.
Dept. | Phone #
Fax # 658 8095 | Fax #

County of Alameda
Supervisor
Edward R. Campbell

City of Alameda
Chairperson
Mayor
S. William Withrow

City of Albany
Councilmember
Bill Cain

City of Berkeley
Councilmember
Fred Calligman

City of Dublin
Mayor
Peter W. Snyder

City of Emeryville
Vice Mayor
Nora Davis

City of Fremont
Councilmember
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City of Hayward
Councilmember
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Councilmember
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Ben Tarver

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Howard Kerr

City of Union City
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Mark Green

BART
Director
Margaret K. Pryor

AC Transit
Director
Alice Creason

Executive Director
Dennis R. Fay

June 17, 1994

Gaye Quinn, Planning Director
City of Emeryville
2200 Powell Street , 12th Floor
Emeryville, CA 94608

Re: **Comments on Draft EIR for Kaiser Permanente Medical Center**

Dear Gaye:

Thank you for the opportunity to comment on the Draft EIR for the proposed Kaiser Permanente Medical Center on San Pablo Avenue in Emeryville. The boundaries of the 30-acre project site are San Pablo Avenue, Park Avenue, Hollis Street, and 53rd Street. The site is approximately one mile northwest of the MacArthur BART station.

The proposed project would involve development of a new Kaiser Permanente Medical Center, including a 450-bed hospital, medical office buildings, general retail and office uses. Phase I consists of nearly 1.2 million square feet of development. Buildout of the project, expected by the year 2010, would add another 400,000 square feet of development.

31A

Existing uses on the site include a variety of vacant and occupied commercial and industrial buildings plus 32 residential units. The existing general plan land use designations include Medium Density Residential (25 to 45 dwelling units per acre) and Mixed Use. An assumed Existing General Plan scenario considered in the DEIR shows existing occupied uses plus an additional 400 housing units, 120,000 square feet of retail, and 25,000 square feet of office uses.

Other alternatives considered in the DEIR include expansion of the existing Kaiser Medical Center at Broadway/MacArthur Boulevard in Oakland, two alternate sites in Emeryville, No Project, and a reduced project on the proposed site.

1333 BROADWAY, SUITE 220 · OAKLAND, CA 94612 · PHONE: (510) 836-2560 · FAX: (510) 836-2185

Roadway Impacts

The proposed project will generate 31,000 new daily vehicle trips, of which 2,400 will occur during the morning peak hour and 3,600 during the afternoon peak hour. The percentage of traffic using public transportation is expected to drop from nine percent at the existing Kaiser Medical Center in Oakland to two percent at the proposed site. 31B

In 1993, the Alameda County CMA determined afternoon peak period levels of service on the Congestion Management Program system, which is a network that includes the following major roadways in the site vicinity: I-80, I-580, State Highway 24, State Route 123 (San Pablo Avenue), State Route 13 (Ashby Avenue), and Adeline Street from Martin Luther King, Jr.Way to Derby Street. 31C

The 1993 LOS Monitoring study indicates that, in the site vicinity, both directions of I-80 and I-580 and eastbound Route 24 operate at Level of Service F. Based on the DEIR, the expected increase in vehicle travel will worsen existing level of service problems on these roadways and add to heavy traffic flows on San Pablo Avenue.

The DEIR is based on assumptions that certain transportation improvements will be funded. Funded improvements are identified in the *1993 Congestion Management Program (CMP)* Capital Improvement Program (CIP) and the *Transportation Vision 2010: Long-Range Transportation Plan* Tier 1 program. The improvements assumed in the DEIR that have committed (CIP) or likely (Tier 1) funding include adding HOV lanes to I-80, replacing the Cypress Freeway, and constructing a new arterial roadway connecting Mandela Parkway in Oakland with Hollis Street in Emeryville. 31D

The following are concerns of the CMA regarding the project that should be addressed in the Final EIR:

1. Potential impacts of the project on the CMP designated roadway system. (See 1993 CMP, Chapter 2). The CMP designated roadways in the vicinity of the project are I-80, I-580, State Route 24, State Route 123 (San Pablo Avenue), State Route 13 (Ashby Avenue), and Adeline Street. *Although most of these roadways are identified in the DEIR, it would be helpful to note in the FEIR that all of these roadways are part of the CMP designated roadway system and are potentially impacted, based on Figure 19 and Tables 18-22 in the DEIR.* 31E

2. The DEIR reports the impacts of the Kaiser Medical Center on CMP designated roadways. The CMP roadway level of service standard is **LOS E for roadways on the CMP system,** except those segments that exceeded LOS E at the time the initial CMP was adopted (October 24, 1991) - these roadways are "grandfathered in" at the existing LOS. The "grandfathered" segments in the vicinity of the project are:

Westbound I-80 from University Avenue to the Bay Bridge Toll Plaza
Eastbound I-80 from I-580 to the Contra Costa County line
Eastbound I-580 from I-80 to Route 24
Eastbound Route 24 from I-580 to Contra Costa County line
Southbound San Pablo Avenue from Park Avenue to 35th Street
Westbound Ashby Avenue from Telegraph to Martin Luther King Jr Way

31F

Some inaccuracies exist in the DEIR traffic section concerning which route segments are "grandfathered". Segments not listed above are not "grandfathered" and will be subject to deficiency plan requirements if LOS F conditions develop. *The Final EIR should identify impacts as significant, regardless of "grandfathered" status. Some of these impacts may be mitigatable to be less than significant.*

The Draft EIR analyzes the change in LOS at several intersections on the CMP system. *The analysis should be expanded to include intersections and roadway segments on all CMP routes in the site vicinity. Specifically, Table 20 should include State Highway 24. Tables 21 and 22 should include San Pablo Avenue from Park Avenue to Ashby Avenue, Adeline Street from Martin Luther King, Jr. Way to Ashby Avenue, and Ashby Avenue from Martin Luther King, Jr. Way to I-80.*

31G

The DEIR traffic analysis indicates the project will generate traffic volumes at several intersections (shown in Table 19) that will exceed the LOS standard unless mitigations are implemented. As shown in Table 19, even with mitigation and the proposed Kaiser TSM program, LOS F conditions are forecasted at four intersections on CMP route segments that have not been "grandfathered". Some of these intersections are within the City of Berkeley. These impacts will be significant and will require adoption of a deficiency plan if and when these conditions actually exist.

31H

Contrary to the description of "Thresholds of Significance" on page 160 in the DEIR, traffic added to roadway segments that operate at LOS F are significant,

even those segments that have been "grandfathered" from deficiency plan requirements. *The CMA requests additional analyses of the "grandfathered" segments to identify the project impact on these facilities if interregional traffic were excluded, as authorized in Government Code Section 65089.3 (c). Specifically, the CMA requests such analyses for I-80 and I-580.* 31H

The DEIR indicates the Project will result in significant impacts to the City of Emeryville's planned Class I bicycle path along the Doyle-Haven Street extension and the planned Class II bicycle lane along 47th Street. *The proposed Project should incorporate these planned bicycle facilities into the design, as recommended in the DEIR.* 31I

3. Adequacy of project mitigation measures. On February 25, 1993, the CMA Board adopted three criteria for evaluating the adequacy of EIR project mitigation measures. They are:

- Project mitigation measures must be adequate to sustain CMP service standards for roadways and transit;
- Project mitigation measures must be fully funded in order to be considered adequate;
- Project mitigation measures that rely on state or federal funds directed by or influenced by the CMA must be consistent with the project funding priorities established in the Capital Improvement Program (CIP) section of the *1993 CMP* or Tier 1 of the *Long-Range Transportation Plan*. 31J

The DEIR indicates (pages 17-18) that Kaiser Permanente has offered to pay $420,000 in traffic impact fees and $100,000 per year for 25 years for a Mass Transit Program. *The Final EIR should identify whether these amounts are sufficient to mitigate the project's share of the required mitigation measures, how the City of Emeryville plans to fund the remaining portions of the unfunded mitigation measures, and what portion of the Mass Transit Program will be given to AC Transit to mitigate the project's impacts on Bus Routes 57 and 72 (see Table 10).*

4. Feasibility of funding roadway and transit improvements. The CMP establishes a Capital Improvement Program (see 1993 CMP Chapter 7) that assigns priorities for funding roadway and transit projects throughout Alameda County. The transportation improvements called for in the proposed project should be 31K

consistent with the *CMP* CIP or the *Transportation Vision 2010: Long-Range Transportation Plan* Tier 1. *If so, this should be stated in the Final EIR.* The CMA is concerned about the limited amount of State and Federal resources to fund these and other improvements in Alameda County. *Projects assumed in the DEIR that are not included in either one of these funding programs should have firm local commitments for funding or the CMA Board members representing Planning Area 1 (North County) must agree to substitute the project for another improvement already included in an existing funding program.* 31K

We appreciate the opportunity to review and comment on this project. If you have any questions, please feel free to call Roger Henderson or me at 836-2560.

Regards,

Jean Hart

Jean Hart
Deputy Director

cc: Roger Henderson
CMA file\1994 Environmental Review Opinions

31. **RESPONSES TO COMMENTS FROM JEAN HART, DEPUTY DIRECTOR ALAMEDA COUNTY CMA RECEIVED JUNE 17, 1994**

RESPONSE TO COMMENT 31.A.: The commenter's remarks regarding the proposed project are noted.

RESPONSE TO COMMENT 31.B.: Refer to Master Response for D6. for a discussion of the transit assumptions.

RESPONSE TO COMMENT 31.C.: Refer to Master Response D4. for a discussion of the CMP analysis.

RESPONSE TO COMMENT 31.D.: The comment is noted. Please refer to the response to Comment 31.K.

RESPONSE TO COMMENT 31.E.: Refer to Master Response D4. for a discussion of the CMP analysis.

RESPONSE TO COMMENT 31.F.: Refer to Master Response D4. for a discussion of the CMP analysis.

RESPONSE TO COMMENT 31.G.: Refer to Master Response D4. for a discussion of the CMP analysis.

RESPONSE TO COMMENT 31.H.: Refer to Master Response D4. for a discussion of the CMP analysis.

RESPONSE TO COMMENT 31.I.: The comment regarding the inclusion of the identified planned bicycle facilities into the design of the project is noted. The City of Emeryville decision-makers will consider the CMP's input at the time they consider the approval of the project and mitigation measures.

These improvements are part of the project's mitigation and will ultimately be incorporated into the construction plans for the project. At the time that the site plans were developed, the mitigations for the project had not been adopted by the City Council.

RESPONSE TO COMMENT 31.J.: In conformance with CEQA Guidelines §15126(d), the EIR describes the measures which could minimize significant adverse traffic impacts resulting from the development of the proposed medical center. CEQA does not require that the costs of each of these mitigation measures be projected and included in an EIR. Kaiser, however, will be responsible for funding its share of those mitigation measures required to reduce or avoid significant impacts associated with the project. With regard to cumulative mitigation measures, as stated on pages 134 and 154 in the EIR, Kaiser would be responsible for funding its share of the cumulative improvements, and other cumulative projects would be responsible for contributing their fair share.

The City of Emeryville used its own criteria for determining significant impacts. Mitigation measures are suggested to reduce levels of congestion on CMP facilities. To the extent that mitigation measures are not feasible to sustain CMP service standards, deficiency plans should be prepared by the responsible agencies per CMP guidelines.

The Draft EIR indicated that there were no impacts to transit facilities and therefore no mitigation measures were required. As a provision of the Development Agreement, however, the Kaiser project would contribute $100,000 to the Mass Transit Program per year for 25 years. In addition, the Mitigation Monitoring and Reporting Program, adopted as part of the findings, will contain measures to ensure the implementation of the identified traffic and transit mitigation.

The payment of the $420,000 in traffic impact fees is not directly related to the impacts identified in the Draft EIR, but is intended to meet the traffic impact fee requirements that all projects must pay in Emeryville. The fees, however, would be credited towards the improvements at intersections impacted by Kaiser traffic. The use of the Mass Transit Program funds would be at the City of Emeryville's discretion. As stated in the response to Comment 53.A., AC Transit would not be required to provide additional service as a result of the medical center. Therefore, AC Transit would not receive funds from the Mass Transit Program.

RESPONSE TO COMMENT 31.K.: All of the planned roadway and transit improvements described in the setting section have commitments for funding, with the exception of the eastbound HOV lane on I-80 and the San Pablo Avenue LRT project. The mitigation measures proposed for streets within the City of Emeryville that are approved by the Emeryville City Council will be constructed based on firm local funding commitments. For those mitigation measures proposed for streets outside Emeryville, as part of the Mitigation Monitoring and Reporting Program, the City of Emeryville will identify the fair share contribution toward that mitigation based upon the project's contribution to the impact. The timing, fair share contribution to the improvements, and notification of affected jurisdictions is addressed through the Mitigation Monitoring and Reporting Program for the project that will be adopted as part of the findings.

EAST BAY
MUNICIPAL UTILITY DISTRICT

JOHN B. LAMPE
DIRECTOR OF WATER PLANNING

June 14, 1994

Ms. Gaye Quinn, Planning Director
City of Emeryville Planning Department
2200 Powell Street, 12th Floor
Emeryville, CA 94608

SUBJECT: Kaiser Permanente Medical Center,Emeryville
Draft Environmental Impact Report

Dear Ms. Quinn:

Thank you for the opportunity to review the subject environmental document. The District has the following comments regarding water service and wastewater services for the proposed project.

WATER SERVICE

On page S-22, Impact Cir-27 identifies closure of Watts Street. The District has a water pipeline in Watts Street. This pipeline may require relocation or other improvements at the project sponsor's expense to maintain existing hydraulic capacity. This comment is also applicable to the street closures or abandonment referred under various sections of the DEIR on pages 10,18,156, and 157. 32A

On page S-38, Impact Soil-1 and Impact Soil-2 refers to the proposed soil and groundwater contamination cleanup at the project site. For any project with on-site contamination, the District requires a certification from the appropriate regulatory health agency, such as Alameda County Environmental Health Department that the site provides a safe and clean work environment for both installation and subsequent operation and maintenance of underground water pipelines and services, prior to initial installation. 32B

On page S-40 and on page 250, impact of increased water demand and proposed mitigation measure 3.1 are identified. The District water conservation staff is available to identify specific water conservation measures applicable to this project. Water conservation is important in all projects and a project of this magnitude focuses the need. Further, the project site should be plumbed to use reclaimed wastewater, where the use is appropriate. Use of reclaimed wastewater will reduce the impact of this project on the District's finite water supply. Reclaimed wastewater is not presently available, but may become available in the future. The quantity and location of possible reclaimed water use should identified. The District recommends that the 32C

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JOHN M. GIOIA . KATHERINE McKENNEY . NANCY J. NADEL . KENNETH H. SIMMONS

above water conservation measures be required as a standard condition of approval of the project. 32C

On page S-41 and page 250, impact of improved water distribution network needed for this project, and proposed mitigation measure 3.2 are identified. The water main extensions are to be designed to the EBMUD standards only. Reference to the City of Emeryville pipeline design standards is an error and should be deleted on page 250. The location, extent and cost of the pipeline improvements necessary to provide water service to this project will be determined when the project sponsor applies for the water service. The project sponsor should contact the District's New Business Office to initiate a water service estimate when development plans are finalized. As the engineering and installation of water mains and other improvements often requires substantial lead time, the project sponsor should provide adequate time for this work in the project schedule. 32D

WASTEWATER

On page 241 in first paragraph, incorrect references are made to relation between sanitary and storm sewer systems. The East Bay Infiltration/Inflow (I/I) Correction Program (ICP) is a plan that the District assisted the City of Emeryville in developing. The ICP is designed to reduce the amount of stormwater infiltrating into the sanitary sewer collection system. The ICP does not address stormwater as surface runoff. In addition, the District does not allow stormwater to be "directed" to the sanitary sewer. In order to prevent confusion on this issue, first paragraph should be replaced with the following:

" Although there are separate sanitary and storm sewer systems, stormwater can infiltrate into the sanitary sewer lines during periods of wet weather, and increase the flow of sewage to the EBMUD treatment plant by 15 times the average (dry weather) flow. In an effort to reduce the amount of rainwater entering the sanitary sewer system, and to prevent raw sewage overflows during wet weather, the City of Emeryville is participating in the East Bay I/I Correction Program. Through sewer rehabilitation and capacity improvements, wet weather overflows will be eliminated from the City's collection system. These sanitary sewer improvements allow for a specific increase in the base sanitary flow rate from each sub-basin due to areal development. These improvements can accommodate predetermined increases in base flow without exceeding either the dry or wet weather capacities of downstream conveyance and treatment facilities. " 32E

On page 246, first paragraph under "Sanitary Sewer Service," and Table 38 on page 247, the impact to the wastewater system should include a discussion of the reduction due to the closure of the Del Monte Cannery and other facilities. The net impact of the project to the wastewater system can then be determined. The City of Emeryville's Infiltration/Inflow (I/I) Correction Program allowed for a minimum 20 percent increase in the base wastewater flow for each sub-basin due to changes in land use or population. The projected maximum daily flow for both phases of this project at 299,882 gallons per day is less than the estimated base flow increase allowance of approximately 380,000 gpd for the three subbasins influenced by this project. The project sponsor should verify availability of this allowance with the City of Emeryville. 32F

On page 248, Mitigation Util-2 should be enhanced to include sewer rehabilitation or replacement along Hollis Street between 45th and 53rd Streets and the northern boundary along 53rd Street. A major development such as this should address the replacement or rehabilitation of the existing peripheral sanitary sewer collection system to prevent an increase in I/I. This development which currently proposes only partial sanitary sewer improvements should include needs of the entire site. 32G

If you have any questions, or if the District can be of further assistance, please telephone William W. McGowan, Jr., Associate Civil Engineer, Water Service Planning, at (510) 287-1031.

Very truly yours,

for John B. Lampe
Director of Water Planning

JBL:WWMcG:dd
9426.wp6

32. **RESPONSES TO COMMENTS FROM JOHN B.LAMPE, EAST BAY MUD RECEIVED JUNE 17, 1994**

RESPONSE TO COMMENT 32.A.: The commenter's remarks are noted regarding the relocation of the water pipeline. This information has been added to pages S-22, 10, 18, 156, and 157 of the Draft EIR. Kaiser would coordinate with EBMUD to determine the party that would be responsible for replacing or rehabilitating water lines to serve the project.

RESPONSE TO COMMENT 32.B.: The comment is noted. The site is being remediated under the oversight of the Department of Toxic Substances Control, Alameda County Environmental Health Department, and the Regional Water Quality Control Board for the San Francisco Bay Region.

RESPONSE TO COMMENT 32.C.: The comments are noted. Water conservation measures will be incorporated into the project as described on page 250 of Volume I. The use of reclaimed wastewater for landscaping purposes has been added as another mitigation measure that would be implemented if available.

RESPONSE TO COMMENT 32.D.: The comments are noted regarding the water distribution network. Page 250 of the Draft EIR is revised to clarify that all water main extensions would be designed to EBMUD standards.

RESPONSE TO COMMENT 32.E.: The commenter's comments regarding the sanitary and storm sewer systems are noted. The first paragraph on page 241 is accordingly replaced with EBMUD's suggested language.

RESPONSE TO COMMENT 32.F.: The Draft EIR includes a discussion of the reduction in wastewater due to the closure of the Del Monte Cannery and other facilities. The Draft EIR concluded that the project would not result in a significant impact to sanitary sewer services on page 246 of the Draft EIR. Additional information regarding the wastewater generated by the former Del Monte Cannery is included in Section VI of this Responses to Comments document.

RESPONSE TO COMMENT 32.G.: The Draft EIR concluded that the project would not result in a significant impact to sanitary sewer services on page 246 of the Draft EIR. Additional information regarding the replacement or rehabilitation of the sanitary sewer collection system is included in Section VI of this Responses to Comments document. Kaiser would coordinate with EBMUD to determine the party that would be responsible for replacing or rehabilitating sanitary sewer lines to serve the project.

Pacific Gas and Electric Company

Diablo Division
1030 Detroit Avenue
Concord, CA 94518-2487

June 10, 1994

Ms. Gaye Quinn
City of Emeryville
Planning Department
2200 Powell, 12th Floor
Emeryville, CA 94068

Dear Ms. Quinn:

Re: Draft Environmental Impact Report for the Kaiser Medical Center Project

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the Kaiser Medical Center Project.

Based on the information provided in the DEIR, it appears that the project will not have direct impacts on our gas and electric facilities. However, since Pacific Gas & Electric Company (PG&E) has an obligation to provide the public with a reliable and safe energy supply as mandated by the California Public Utilities Commission (CPUC) and to comply with the guidelines outlined in General Orders 95 and 112, PG&E should be consulted during the development of the project plans to ensure that the operational and maintenance requirements for its gas and electric facilities are taken into consideration prior to approval of the final plans.

Early involvement will allow us to assess cumulative impacts to our systems and to identify facilities which may need to be relocated and or realigned as a result of the proposed project. Because relocations require long lead times and are not always feasible due to engineering and operational constraints, we encourage you to consult with us during the initial stages of your planning process. If relocations of gas and electric facilities are required, the project developer is responsible for those costs. Sufficient lead time should also be allowed for utility engineering and construction. 33A

We would like to note that expansion of utility facilities is a necessary consequence of growth and development. As development occurs, the cumulative impacts of new energy load growth use up available capacity in the utility system. In addition to adding new distribution feeders, the range of electric system improvements needed to accommodate growth may include upgrading existing substations and building new substations and interconnecting transmission line. Comparable upgrades or additions would be required for our gas system as well. Environmental impacts associated with new and or relocated gas or electric facilities as a result of the proposed project should be fully addressed in the Final EIR and, if appropriate, mitigation measures to minimize or eliminate such impacts should be incorporated into the document as well.

If you have any questions regarding our comments, please don't hesitate to call me at (510)674-6451.

Sincerely,

Alan R. Spatcher
Land Agent

33. RESPONSES TO COMMENTS FROM ALAN SPATCHER, PACIFIC GAS & ELECTRIC COMPANY RECEIVED JUNE 17, 1994

RESPONSE TO COMMENT 33.A.: PG&E's comments are noted regarding the adequate provision of gas and electricity. Based upon information provided by PG&E to the project engineers (1993), the project was determined to not require upgrades to PG&E's system. Should the gas and electrical system require improvements, Kaiser would coordinate with PG&E to determine the party that would be responsible for replacing or rehabilitating gas and electrical lines to serve the project.

SIERRA CLUB San Francisco Bay Chapter

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JUN 20 1994
PLANNING DEPARTMENT

June 17, 1994

Emeryville Planning Commission
Emeryville, CA

Dear Commissioners:

On behalf of the Northern Alameda County Group of the San Francisco Bay Chapter of the Sierra Club we would like to thank you for the opportunity to comment on the Draft Environmental Impact Report, hereafter referred to as the DEIR, for the proposed Kaiser Permanente Medical Center, hereafter referred to as the project, dated May, 1994, State Clearinghouse No. 93082063.

The Sierra Club is concerned that the DEIR is not adequate in its analysis of Land use, Employment and Housing, Air Quality, Noise, Historic and Cultural resources, and Urban and Visual Characteristics. We are also concerned that the DEIR does not address Wildlife or Shadows (sunlight) in its text. The DEIR also does not do an adequate job of evaluating Alternative E, the Existing General Plan Alternative. Most importantly the DEIR fails to address the alternative site available in downtown Oakland. 34A

With these shortcomings the DEIR cannot possibly address the environmental concerns raised for the proposed project. We therefore request that a new Draft Environmental Impact Report be written addressing the concerns contained in this letter and that a new comment period be opened prior to issuing the final Environmental Impact Report. The following points address the questions and concerns we wish to raise concerning the DEIR:

1. Page 36 the DEIR states "The project would not conflict with the City of Emeryville's adopted environmental plans and goals as stated in the 1993 Emeryville General Plan (as amended by the project)" -- Please comment on whether the project would conflict with the City of Emeryville's adopted environmental plans and goals if the 1993 Emeryville General Plan is <u>not</u> amended. 34B

Recycled

2. Please comment on Impact LU-2 on the Housing Element of the 1993 Emeryville General Plan. 34B

3. Page 40 the DEIR states "The Emery Villa apartments and other multi-family residences on the east side of San Pablo Avenue are approximately 400 to 500 feet or more from the Phase I site... Parking intrusion in these areas would not be expected to occur, since mandatory peak hour parking restrictions would be enforced along San Pablo in order to implement the roadway improvements described in Section II, C." Please compare the above statement with the current parking situation facing residences 400 to 500 feet from the current Kaiser Oakland site on MacArthur Boulevard that are west of Broadway and north of 40th Street. 34C

4. Please compare Impact LU-4 with impacts that would occur if the area was developed under criteria set forth by the existing Emeryville General Plan. 34D

5. Please compare the number of auto trips Impact LU-6 would generate compared to development under the existing General Plan. 34E

6. Page 54 the DEIR states " In addition, the proposed medical center is designed as a cohesive mixed-use project that would be sensitive to the existing character of the surrounding neighborhood." Since "sensitive" is a subjective term, please explain the criteria used to determine that the project is "sensitive" and please apply these criteria to the "sensitivity" of the current General Plan. 34F

7. The third paragraph on page 59 makes an assumption that "balancing jobs and housing would not produce a noticeable reduction in traffic congestions or air pollution." Three factors are used to make this assumption. Please comment on 1) how extreme are the polarities between jobs and housing in Emeryville compared to other cities in northern Alameda County and how would this project impact that polarity; 2) how would this project impact the availability of land for infill housing in Emeryville; and 3) would commute trips by auto of Kaiser workers lengthen or shorten if Kaiser relocates in Emeryville. 34G

8. Page 74 states that "$15,000,000 would finance the construction of additional units at locations which have not been determined at 34H

this time." Please list possible sites and any possible conflicts that exist that would interfere with acquisition. What is the probability that sites will be able to be obtained in a timely manner. 34H

9. Table 4 on page 76 lists projects that are not currently projected to be built. Please redo this table with accurate data. 34I

10. Mitigation EH-6.2 does not appear to be a mitigation unless there is financing and a plan for development. Please explain how these units will be developed. 34J

11. Given Emeryville's recent record in developing affordable housing, mitigations EH-6.5 and EH-6.6 cannot be included as mitigations without concrete goals and sources of financing. 34K

12. Impact EH-9 does not appear to be an accurate statement. Please explain in detail how adding jobs at the project and subtracting land zoned for housing from Emeryville does not constitute a significant impact to the jobs/housing balance. Please provide mitigations for Impact EH-9. 34L

13. Impact EH-10 does not appear to be an accurate statement. Please explain in detail how adding jobs at the project and subtracting land zoned for housing from Emeryville does not constitute a significant impact to the jobs/housing balance. Please provide mitigations for Impact EH-10. 34M

14. Please provide data for I-580 Weaving Segment between highway 24 and the Powell Street on-ramp both east and west bound. 34N

15. Table 8 on page 95 lists only major intersections. What spillage will occcur onto residential streets from traffic overflow from the major arterials? Please provide data on traffic overflow on all residential streets within 1/4 mile of all major intersections operating at a LOS of E or F listed in table 8. Please list what mitigations are possible to prevent speeding on residential streets in the overflow area and possible sources of funding. 34O

16. Table 11 on page 112 lists project trip generation on weekdays and AM peak periods and PM peak periods. Please list project trip 34P

generation for weekends and list project trip generation for the Catellus project on weekends. 34P

17. Figure 21 does not show intersection mitigation measures for all intersections that will be negatively impacted by the project. Please show intersection mitigation measures for the following intersections: Ashby and 7th Street; Ashby and San Pablo Avenue; Alcatraz and San Pablo Avenue; Alcatraz and Adeline; Adeline and Market; Market and 40th Street; Telegraph Avenue and 40th Street; Telegraph Avenue and MacArthur Boulevard; MacArthur Boulevard and Market Street. Please explain how any intersection mitigation measures for the above intersections would be paid for. 34Q

18. Please compare the data in Table 23 with the downtown Oakland alternative site. 34R

19. Please compare the data in Table 24 with the downtown Oakland alternative site. 34S

20. Please compare Impact Cir-45 with the downtown Oakland alternative site. 34T

21. Please compare the impact of Cir-48 with the downtown Oakland alternative site. 34U

22. Page 184 of the DEIR states "The pollution potential of Emeryville is relatively low compared to other portions of the Bay Area. Ventilation is relatively good, and there is little transport of pollutants into Emeryville from upwind urban areas." What is the transport of pollutants <u>out</u> of Emeryville? How will the negative air quality impacts of the project impact neighboring communities? 34V

23. On page 186 in the section Local Air Pollution Sources, only major stationary sources of criteria air pollutants are reviewed. Please review sources of air pollution from highways I-80, I-580, San Pablo Avenue and Powell Street. 34W

24. Table 25 only collects data from sites in Oakand and Richmond. Please collect data at the project site. 34X

25. No practical mitigations are offered for impacts AQ-5 and AQ-7. Air quality is of great concern to the Sierra Club and area residents. Please investigate new possibilities for mitigating the negative impacts of the project on air quality. One mitigation that has not been discussed is the planting of trees to offset carbon monixide emissions. What would be the impact of planting trees on the 35 acre Bayfront site? What other sites exist in Emeryville for tree planting? How many trees are projected to be planted on the project site? Can that number be increased? 34Y

The Sierra Club is unfortunately unable to comment on the following areas because of the complexity of the DEIR and the short comment period. The areas are: Noise; Geology and Seismicity; Flooding, Drainage, and Water Quality; Soil and Groundwater Contamination Cleanup; Hazardous Materials Storage, Use and Disposal; Utilities and Urban Services; Historic and Cultural Resources; and Urban Design and Visual Charecteristics. We again request that the comment period be extended for 30 days so that full public participation in the comment period is possible. 34Z

Again, thank you for the opportunity to comment on the Draft Environmental Impact Report for Kaiser Permanente Medical Center, State Clearinghouse No. 93082063.

For the Northern Alameda County Group of the SF Bay Chapter,

Carl Anderson, Chair
Urban Growth Policy Committee

Kriss Worthington, Chair
Conservation Committee

34. RESPONSES TO COMMENTS FROM CARL ANDERSON, SIERRA CLUB RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 34.A.: The response to the commenter's remarks regarding the Draft EIR's analysis of Land Use, Employment and Housing, Air Quality, Noise, Historic and Cultural Resources, and Urban and Visual Characteristics are provided in the responses to Comments 34.B. through 34.M. and Comments 34.V. through 34.Y.

With regard to the comment regarding the Draft EIR's analysis of wildlife, the Draft EIR states on page 344 that the proposed project would not result in a significant impact to vegetation and wildlife, due to the previous and existing urban uses present on the site, and the very limited vegetation that currently exists.

With regard to the comment regarding a shadow analysis, please see Master Response F.1. on lighting, shadow and wind impacts.

The analysis of the Existing General Plan Alternative is contained on pages 324 through 327 of the Draft EIR. It is not clear from this comment why the Sierra Club believes that the Draft EIR does not conduct an adequate analysis of this alternative.

With regard to the comment pertaining to the analysis of the Fox theater site located in downtown Oakland, please see Master Response G1.

The comment requesting that a new Draft EIR be written represents the opinion of the commenters. The City of Emeryville has carefully evaluated the comments received and determined that the revisions to the EIR do not warrant recirculation of the Draft EIR. City staff believes that the document satisfies CEQA's legal requirements and does not need to be rewritten or recirculated as indicated in Master Response I1. Due to the many requests to extend the comment period on the Draft EIR, the comment period was extended to provide an additional 45 days to allow the public additional time to comment.

RESPONSE TO COMMENT 34.B.: Appendix G of the CEQA Guidelines states that "[a] project will normally have a significant effect on the environment if it will: (a) [c]onflict with adopted environmental plans and goals of the community where it is located...." The proposed medical center, as defined in the Draft EIR, includes amendments to the Emeryville General Plan, the Redevelopment Plan for the Shellmound Park Redevelopment Project Area, and the project site zoning. Therefore, if the project is approved as described in the Draft EIR with mitigation, no conflict with environmental plans and goals would result and the project would not result in a significant land use effect. The project is incorporating the mitigation of the General Plan amendments, Redevelopment Plan amendments, and zoning into the project to ensure that the project is consistent with these documents.

To further clarify this concept, the text of the EIR on pages 36 and 37 are revised to indicate that without the proposed amendments to the Emeryville General Plan, the Redevelopment Plan, and the project site zoning, the project would conflict with certain policies, goals, and requirements contained therein. In addition, the text is revised to state that because the project includes the amendments, it would not result in a conflict with the Emeryville General Plan, Redevelopment Plan, or the project site zoning, and therefore, would not result in a significant land use impact. Finally, Appendix B is

revised to add the adopted General Plan language to the proposed text amendments which are already listed in this appendix.

The Draft EIR contains an adequate analysis of the physical effects on the environment resulting from the proposed General Plan amendments. For example, pages 46 and 47 in Section II, A, describe the land use effects of changing the General Plan policies in the manner requested by the applicant. Pages 49 through 52 describe the impacts associated with the proposed General Plan amendments as they relate to building intensities for the site.

Please refer to the response to Comment 21.F. for a discussion of *Mixed-Use*. As described on page 81 of the Draft EIR, the Future Expansion of the medical center would not result in the loss of planned housing on the Future Expansion site. In contrast to the Phase I site, the Future Expansion site is not currently designated in the General Plan for residential uses. Therefore, Future Expansion would not be expected to conflict with the Housing Element.

RESPONSE TO COMMENT 34.C.: The existing Oakland facility charges employees and physicians for monthly parking. In addition, the existing facility offers 30 minutes of free parking, and then charges $0.50 for each half hour after that to a maximum of $9.50. Residential permit parking was installed in neighborhoods surrounding the existing facility to limit parking intrusion that occurred as a result of people parking at off-site locations to avoid paying fees.[2] Kaiser has indicated that the parking fees at the proposed Emeryville facility would be set to the rate in effect at the Oakland facility at the time the Emeryville facility is ready for occupancy, or to nearby market rates.

RESPONSE TO COMMENT 34.D.: Please refer to Section III, E. in the Draft EIR, for a description of the impacts associated with the development of the project site under the existing General Plan designation.

RESPONSE TO COMMENT 34.E.: The commenter is referred to page 325 in Section III, E, of the Draft EIR for a percentage comparison between development under the existing General Plan and the proposed project.

RESPONSE TO COMMENT 34.F.: The criteria used in determining that the project would complement and enhance the surrounding land uses takes into consideration the project design process implemented by the City for the proposed project. The project incorporates the Kaiser Permanente Medical Center Urban Design Guidelines which were approved by the Planning Commission after extensive input from members of the community. Local citizens were given an opportunity to identify their concerns regarding the development intensity, architecture, and need for pedestrian-scaled development during this process. As part of the public input process, members of the public were given an opportunity to contribute to the development of the design guidelines which were intended to address their concerns. For example, the medical center design incorporated pedestrian-scale neighborhood commercial "liner" buildings to stimulate street life along the project perimeters and to address the neighborhood's concerns about the views of the medical center parking garages. Therefore, with implementation of the Urban Design Guidelines, it was concluded that the project would be sensitive to the surrounding neighborhoods. Please refer to page 325 in Section III, E of the Draft EIR for a discussion of development under the Existing General Plan

[2] Kaiser Permanente, Kathy Gerwig, August 30, 1994.

alternative and its compatibility with the surrounding area. The Draft EIR notes that the Existing General Plan Alternative would be more compatible with the existing architecture in the surrounding area than would the proposed project.

RESPONSE TO COMMENT 34.G.: Please refer to Master Response C4. for a discussion of the jobs/housing balance, and specifically for information on the employment and housing projections for Northern Alameda County. In addition, the text of the Draft EIR is revised to provide the projected figures for Northern Alameda County that were used in the jobs/housing balance discussion.

With regard to the first comment, page 56 of the Draft EIR states that there were about 14,190 jobs in Emeryville, and 3,712 housing units (page 58 of the Draft EIR). Emeryville is a job center; it has historically been a job center and will continue to be a job center as projected by ABAG. As stated in Master Response F, Emeryville is surrounded on three sides by areas of large housing supply. Therefore, continued job growth in Emeryville, as a result of this project, would not result in increased polarity between jobs and housing. In other words, within Alameda County, there are areas of residential uses and areas of employment, and these areas would not change as a result of the medical center. Due to the uncertainty of Kaiser's plans for the Oakland facility, it is difficult to accurately estimate the total number of new jobs that would ultimately be created by the proposed medical center. However, the Draft EIR states on page 71 that buildout of the medical center would contribute a total of approximately 4,140 jobs.

With regard to the second comment, as described on pages 75 through 77 of the Draft EIR, the project would preclude the option for future housing development on the Phase I site. However, additional locations for future residential development have been identified by the City as described in Master Response H, that could offset the loss of potential housing on the project site. The Kaiser Housing Program will assist in funding the development of housing at these locations.

Please refer to Master Response C4. regarding the discussion of the existing Kaiser employee's residential locations. For those Kaiser employees and members who reside in Emeryville and to the north of Emeryville, commute trip lengths would be reduced if Kaiser relocated to Emeryville. Most of the Kaiser staff currently reside at locations within the East Bay area (62%). Roughly 38.5% of the 62% reside in the Oakland and Emeryville area.

RESPONSE TO COMMENT 34.H.: Please refer to Master Response C1. for a discussion of the Kaiser Housing Program and Master Response C5. for a description of the 25 sites identified for additional housing.

RESPONSE TO COMMENT 34.I.: Table 4 is taken from the State Housing and Community Development-approved Emeryville Housing Element. This table represents potential units that the Housing Element identified for possible development within the City. Table 4 is accurate and contains projects that the City Staff anticipates developers may still construct.

RESPONSE TO COMMENT 34.J.: Please refer to Master Response C5. which outlines the future development of the 25 additional potential housing sites.

RESPONSE TO COMMENT 34.K.: Please refer to Master Response C5. regarding the development of the 25 additional potential housing sites.

RESPONSE TO COMMENT 34.L.: Please refer to Master Response C5. regarding the location of the 25 sites identified for additional housing and to Master Response C4. regarding a discussion of the jobs/housing balance, which includes new housing in Emeryville and the City's commitment to providing new housing opportunities. Master Response C4. contains a detailed discussion of the jobs/housing balance analysis included in the EIR. When considered in conjunction with other approved, pending, and possible future residential projects in Emeryville and projected in the ABAG *Projections '92*, the medical center would not result in impacts to the jobs/housing balance.

RESPONSE TO COMMENT 34.M.: Please refer to the response to Comment 34.L.

RESPONSE TO COMMENT 34.N.: The freeway segment on I-580 in this area would operate at service level E/F conditions during the PM peak hour under all Year 2010 scenarios. The weaving segment on this portion of I-580 is a complex weave between freeway-to-freeway interchanges at the SR-24 junction and the I-80 junction. Since this weaving section is currently at LOS F during the PM peak hour, and the freeway segments would be at LOS F under all Year 2010 scenarios, the weaving section would operate at LOS F conditions. This, however, is an impact of cumulative development on these freeways, and is not directly related to the proposed Kaiser medical center.

RESPONSE TO COMMENT 34.O.: Please refer to Master Response D1. for a discussion of residential streets.

RESPONSE TO COMMENT 34.P.: Refer to the attached table for the weekend project trip generation. For East Baybridge trip generation, refer to the East Baybridge Project EIR, October 1991.

RESPONSE TO COMMENT 34.Q.: Refer to Master Response D.7 for a discussion of the major intersection mitigation measures.

RESPONSE TO COMMENT 34.R.: Please refer to Master Response G1. for a discussion of the Fox Theater site.

RESPONSE TO COMMENT 34.S.: Please refer to Master Response G1. for a discussion of the Fox Theater site.

RESPONSE TO COMMENT 34.T.: Please refer to Master Response G1. for a discussion of the Fox Theater site.

RESPONSE TO COMMENT 34.U.: Please refer to Master Response G1. for a discussion of the Fox Theater site.

RESPONSE TO COMMENT 34.V.: Pollutants released in Emeryville would normally be carried downwind. Depending on the wind conditions on a given day, this could either be to the east, the north, or to the south. In general, emissions released from Emeryville would affect the eastern portion of the Bay Area, and are eventually carried into the Sacramento Valley or San Joaquin Valley air basins.

RESPONSE TO COMMENT 34.W.: Sources of air pollutants from traffic traveling on I-80, I-580, San Pablo Avenue, and Powell Street were included in the ambient air pollutant levels. Since the project site is surrounded by local roadway facilities, the project's impacts were measured in terms of elevated levels of localized carbon monoxide concentrations.

Table 11a Weekend Project Trip Generation

YEAR	LAND USE	SIZE	SATURDAY		SUNDAY	
			RATE	TRIPS	RATE	TRIPS
2000	Hospital	375 beds	9.4 per bed	3,525	7.2 per bed	2,700
	Medical Office Building	415,000 GSF	9.0 per 1,000 SF	3,735	1.6 per 1,000 SF	665
	Retail[1]	50,000 GSF	59.2 per 1,000 SF	2,960	70.0 per 1,000 SF	3,500
	Office	25,000 GSF	2.9 per 1,000 SF	70	0.9 per 1,000 SF	20
	TOTAL			10,290		6,885
2010	Hospital	450 beds	9.4 per bed	4,230	7.2 per bed	3,240
	Medical Office Building	675,000 GSF	9.0 per 1,000 SF	6,075	1.6 per 1,000 SF	1,080
	Retail[1]	57,500 GSF	59.2 per 1,000 SF	3,400	70.0 per 1,000 SF	4,025
	Office	25,000 GSF	2.9 per 1,000 SF	70	0.9 per 1,000 SF	20
	TOTAL			13,775		8,365

Note: 1. The retail trip generation rates shown here are reduced by 50% from standard ITE rates to account for trips generated by the project's other uses as noted in the text.

TABLE FOR RESPONSE TO COMMENT 34.P.

RESPONSE TO COMMENT 34.X.: Air quality monitoring is not a normal part of the environmental review process for a project. The cost of monitoring is expensive, not only because of the technology involved, but because air pollutant levels vary dramatically seasonally and spatially. In order to provide representative data, a monitoring program must continuously measure pollutants over a period of a year or so. For local pollutants, multiple monitoring sites are required. For these reasons, air quality monitoring can only be justified for the largest of projects that would be significant sources of air pollutant emissions such as freeways and large industrial developments. The vast majority of environmental analyses utilize information from the Bay Area Air Quality Management District's (BAAQMD) network of monitoring sites across the Bay Area, and/or utilize computer simulation programs designed to predict pollutant concentrations.

In conformance with accepted BAAQMD air quality analysis methodology, the Draft EIR adequately describes the air quality impacts associated with the project. The air quality analysis was conducted pursuant to the established procedures for measuring existing air quality conditions as a baseline for determining potential impacts.

The monitoring stations in Oakland and Richmond are the only permanent monitoring sites operated by the BAAQMD in the vicinity of the project site. The closest monitoring station to the project site is located in downtown Oakland on Alice Street, about three miles southeast of the project site. Another monitoring site is located about six miles north of the project site in Richmond. These monitoring stations continually measure criteria pollutant levels and the number of exceedances of the established air quality conditions.

The CALINE-4 model was used to measure air quality conditions in the vicinity of the project site for carbon monoxide levels. The CALINE-4 model calculates the local contribution of nearby roads to the total concentration. In addition, background levels attributed to more distant traffic also contribute to the total concentration. The assumed 1-hour background level was 6.4 PPM in 1993, 4.9 PPM in 2000 and 4.1 in 2010. These background carbon monoxide concentrations were developed according to the BAAQMD's methodology.

To generate estimates of 8-hour concentration from the 1-hour CALINE results, a persistence factor of 0.73 was employed. This is a three-year average of the ratio of the annual maximum 8-hour and 1-hour concentrations measured at the Oakland monitoring site during the period of 1990 to 1992.

Tables 27 and 28 indicate the existing, background, and project carbon monoxide conditions for the project site according to this methodology. In order to account for the localized conditions, the intersection mode of the CALINE-4 model was used. This mode distributes emissions along each leg of the intersection for free-flow traffic, idling traffic and accelerating and decelerating traffic. The intersection model extended 500 meters in all directions. Receptors (where the model calculated the concentrations) were located at distance of 20 feet from the roadway edge for all four corners of the intersection and at locations of 50 feet in either direction, resulting in a total of 12 receptors as shown in Figure 1 of Appendix E. By using this methodology, the air quality analysis also considered the local air quality conditions for the project vicinity.

RESPONSE TO COMMENT 34.Y.: The mitigation measures stated in AQ-5.1 are consistent with the Bay Area Air Quality Management District's (BAAQMD) *Deficiency List: Programs, Actions and Improvements for Inclusion in Congestion Management*

Program Deficiency Plans. This list includes items that "...(1) measurably improve the level of service of the system..., and (ii) contribute to significant improvements in air quality, such as improved public transit service and facilities, other rideshare programs and promotions, improved non-motorized transportation facilities, high occupancy vehicle facilities, and transportation control items."[3] The Transportation Systems Management Program (TSMP) currently implemented by Kaiser is proposed to be extended to include the proposed medical center. The elements contained in the TSMP are similar to the program measures identified in the BAAQMD's Deficiency List, and are specific to the medical center operations.

Mitigation measure AQ-5.2 states that physical roadway and intersection improvements for mitigating traffic impacts would provide some reduction in emissions. These mitigation measures would relieve congestion at local area intersections, thereby reducing the idling time at these intersections, which would result in a minor reduction in exhaust emissions.

Furthermore, the City of Emeryville completed an extensive landscaping program, *Greening of Emeryville Phases I, II, and III* in 1988 which provided for the installation of more than 500 landscaping trees throughout the city. The proposed medical center does include open space and landscaping throughout the site. For example, landscaping (including tree plantings) would surround the perimeter of the site, particularly along the eastern boundary of the Future Expansion site, between the medical office buildings and the existing residences. It is acknowledged that this landscaping could provide some reduction in air pollutant emissions. Planting 35 acres of trees on the Bayfront site would not be expected to have a noticeable effect on air quality because the Bayfront site is at a lower elevation than the surrounding freeways which contribute to the regional air pollutant emissions. Trees on the the Bayfront site would not be tall enough to screen the adjacent freeways.

RESPONSE TO COMMENT 34.Z.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

[3] Bay Area Air Quality Management District, Deficiency List, November 4, 1992 (Final), page 1.

Ruth Atkin
53 Emery Bay Drive
Emeryville, CA 94608

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June 17, 1994

RECEIVED
JUN 23 1994
PLANNING DEPARTMENT

Ms. Gaye Quinn
Planning Director
City of Emeryville
2200 Powell St., 12th Floor
Emeryville, CA 94608

Dear Ms. Quinn:

Although I presented some questions and comments at the June 2, 1994 public meeting on the Kaiser draft EIR; I wasn't able to finish my comments. Therefore, I am submitting further questions and requests for clarification in writing. These questions vary in scope and I hope they will be addressed in the final EIR.

Clarification Requests, Further Definition of Terms

1. P. 5, vol. 1 lists an objective that Kaiser would enhance "community identity by providing the only hospital" within city limits. A hospital such as Kaiser is not a community hospital, like Alameda Hospital is for the island of Alameda for example. It is a members-only health care provider. The erection of Kaiser in Emeryville only furthers Kaiser's identity as it expands. In fact Emeryville has already been referred to as Kaiserville. This indicates an erosion of community identity. Please explain and define "community identity": for whom, residents, hospital personnel, city officials, or other interested parties. Why does Emeryville "need" a hospital? I live five minutes from Summit Medical Center and six from Alta Bates. 35A

2. P. 16 How will the project be "integrated and cohesive" in relation to its surroundings? The plan is to demolish existing "surroundings" and to dominate that portion of the city. In fact it will overpower its surroundings by its sheer magnitude and height and because its purpose is singular and distinct from any other use, project, or residence in the targetted area. Please explain the terms "integrated and cohesive." What are the criteria of what compatible or conflicting abutting and adjacent uses may be? 35B

3. What will the environmental impact be on the current MacArthur-Broadway site once the hospital leaves that area? Isn't an EIR supposed to cover the impact on the area where a project leaves? A 35C

related question I have is to elucidate the kinds of links that will be established between the proposed project and other Kaiser locations in Alameda County. 35C

Jobs/Housing Balance

4. The draft EIR addresses the jobs/households ratio that ABAG apparently studies. The medical center will only increase the imbalance in Emeryville by having even more jobs than households available. What detriment or advantage will this have to Emeryville's "community identity" so stated under the project's objectives? 35D

5. What will the impact on surrounding employment and housing in Northern Alameda county be up to the year 2010 (pp. 56-59)? 35E

6. What is the projected jobs/housing (im)balance for the Berkeley-Emeryville-Oakland area up to year 2010? What are ABAG's projections for Emeryville in the jobs/housing balance based on the cumulative impact for all of Emeryville's planned developments? 35F

7. Kaiser admits service jobs will be the primary openings at their new medical center. They will bring skilled personnel with them from Oakland. What impact will increased service-related employment have in the city? One ramification I see is the increased need for affordable housing. Service jobs will replace higher paid manufacturing jobs. Is there an optimum balance of diversity in types of employment in a city overall? If so, what is it? 35G

8. What will the cumulative impact be on the community social structure if Emeryville has an imbalance in residents' income levels and housing costs? 35H

9. What is Kaiser's or the City's responsibility to exacerbating a housing/jobs imbalance in the county as a whole and Northern Alameda county specifically (p. 83)? Will the City be excluded from certain funding sources in the future if an imbalance is found to exist? 35I

Employment

10. What will the cumulative impact on employment be in Emeryville considering Catellus, Kaiser, Chiron, and Bayfront developments? This includes types of jobs, income ranges, skill levels. 35J

11. What are the projected trends in employed residents as compared to retired or unemployed Emeryville residents up to the year 2010? Will the city anticipate an aging population and if so, what will be the impact to the social structure to respond to an aging population's needs? Will 35K

residents on a fixed income be unable to afford housing in Emeryville? 35K

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Housing Impact

12. How many units of housing does the City anticipate constructing from Kaiser's offer of a $15,000,000 revolving fund for that purpose under its Disposition and Development Agreement? It seems to me that setting up a fund is not a mitigation measure because there is no action taken. 35L

13. Where will these units be located? 35M

14. Will the costs to rent or pay mortgages on new housing in Emeryville match the range of incomes of Kaiser employees who may wish to move here and avoid a commute? 35N

15. Will this Disposition and Development Agreement include replacement of Section 8 rental housing that would be lost under Phase 1 implementation? What is Emeryville's commitment to housing these renters and to low income, affordable housing in general? 35O

Traffic and Transportation

16. How would the Doyle-Haven street extension impact Emery Bay Village? What mitigation efforts would be made concerning traffic for the areas surrounding Kaiser, specifically the adverse effect on EBV? 35P

17. What would monetary contributions to a mass transit fund as recommended in mitigation measures accomplish? As it currently is written the establishment of a fund is not a mitigation measure. 35Q

18. Are there measures that the project will take to enhance non-vehicular movement as much as possible, such as walkways, bicycle paths or even light rail both on the Kaiser campus and throughout the city leading to Kaiser to mitigate the traffic impact? 35R

19. Chiron plans to close off Horton street for its own use. The Kaiser draft EIR calls for using Horton street as a mitigation measure for the traffic generated on Hollis. How will this conflict be resolved? What will the cumulative impact of traffic be with all the development planned for Emeryville, including Catellus, Chiron, Bayfront, and Kaiser? 35S

20. What are the projected commute habits of employed Emeryville residents up to the year 2010? Will lower paid workers commute to Emeryville and Kaiser specifically, while higher-income residents commute out of Emeryville? (p. 83) Won't this add to overall traffic congestion and poorer air quality in Northern Alameda county? 35T

Noise

21. Outdoor noise mitigation simply calls for the construction of wooden walls and monitoring. What action would be taken for noise reduction? What would happen if monitoring revealed an unacceptable level of noise? By whose standards is noise considered unacceptable? Would the residents' threshold be considered? 35U

Geology and Seismicity

22. Is there a displacement effect on the groundwater by building subsurface or is the surrounding soil disturbed in any way during construction? If so, what effect will this have on the foundations of surrounding buildings outside of the construction zone? 35V

Hazardous Materials

23. This section refers to materials produced by a medical center's operations. What precautions would be taken around contaminants already on site? 35W

Utilities and Urban Services

24. Who would pay for improving storm lines on city streets? Would the utility users tax cover this? 35X

Police Services Impact

25. The DEIR states there would be no significant impact in this area. What procedures does Kaiser have to manage disruptive and potentially violent patients? Does Kaiser have its own security, if so, do they have arrest capability? Will psychiatry be offered at the site, including psych beds for people held involuntarily (5150'd)? Would Kaiser contact the police in the cases of people being held involuntarily under a 5150? What is their past rate of involuntary holds? 35Y

26. Has Kaiser ever had a violent fatality as a result of criminal activity at its Oakland facility? What types of crime have occurred at the Oakland facility? What is Kaiser's record of past crimes on site?

Visual Character and Obstruction of Views

27. The DEIR states only minor impact since the views of scenic features would not be affected. Both alternatives for the future expansion site call for 5-6 story structures which would be visible outside my window. These structures are higher than the buildings currently there and would decrease my view. What would the impact of available light be on any 35Z

surrounding residents or businesses? What surrounding buildings would fall into Kaiser's shadows? 35Z

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Thank you for your attention to my questions. I await a response in the final environmental impact report.

Sincerely,

Ruth Atkin

Ruth Atkin

35. RESPONSES TO COMMENTS FROM RUTH ATKIN RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 35.A.: The proposed project is expected to enhance Emeryville's community identity because it will provide significant benefits not only to the East Bay as a whole but also to Emeryville residents in particular. These benefits include the Kaiser Housing Program and the development fees listed on pages 17 and 18, emergency services and community health programs. In terms of Emeryville's community identity, Kaiser expects that the City will be recognized for the fact that a major regional health care facility is located within its jurisdiction.

RESPONSE TO COMMENT 35.B.: The criteria used in determining that the project would be integrated and cohesive in relation to the surrounding land uses was derived from the project design process implemented by the City for the proposed project. As described above in the response to Comment 34.F., the project incorporates the Kaiser Permanente Medical Center Urban Design Guidelines approved by the Planning Commission after extensive input from members of the community. Local citizens were given an opportunity to identify their concerns regarding the development intensity, architecture, and need for pedestrian-scaled development during this process. As part of the public input process, members of the public were given an opportunity to contribute to the development of the design guidelines which were intended to address their concerns. As a result of this process, Kaiser has agreed to incorporate "liner" buildings into the project which would extend around much of the perimeter of the site to provide an interface with the surrounding neighborhood. Additionally, a public plaza would be located on the site with an entry from Park Avenue, and a park would be situated in the center of the Phase I site. Therefore, with the inclusion of the Urban Design Guidelines, it was concluded that the project would be integrated into the surrounding neighborhood.

RESPONSE TO COMMENT 35.C.: Please see Master Response B1. for a discussion of the existing Oakland facility and the response to Comment 52.K.

RESPONSE TO COMMENT 35.D.: The proposed project would create additional employment opportunities for the Emeryville community, as well as for surrounding locations which would further strengthen Emeryville's community identity and contribute to the Emeryville Redevelopment Agency's efforts to revitalize San Pablo Avenue. Emeryville is acknowledged as a center for biotechnology and biomedical/engineering and research, as well as for its artistic community. It is anticipated that establishing Kaiser's largest hospital in Emeryville would further contribute to Emeryville's economic stability and identity as a center for the arts and sciences. In addition, through the Kaiser Housing Program, funds would be available for providing additional housing opportunities in Emeryville.

RESPONSE TO COMMENT 35.E.: Please refer to Master Response C4. for a discussion of the jobs/housing balance, and specifically for information on the employment and housing projections for Northern Alameda County. The text of the Draft EIR has been revised to include the actual projections for Northern Alameda County, as reported in the *ABAG Projections '92* and *ABAG Projections '94* to substantiate the conclusion contained in the EIR.

RESPONSE TO COMMENT 35.F.: Please refer to Master Response C4. regarding a discussion of the jobs/housing balance.

RESPONSE TO COMMENT 35.G.: The proposed project would create additional employment opportunities in the service industry for the Emeryville community, which is consistent with the trend in employment growth projected by ABAG for Alameda County. Appendix C in the Draft EIR notes that approximately 32 of the 274 manufacturing jobs currently occupying the project site are expected to relocate to other locations in Emeryville. As stated above, the Kaiser Housing Program would provide funds for the development of additional housing, including affordable housing opportunities, in Emeryville. Please refer to Master Responses C3, C4, and C5. for a discussion of Emeryville's commitment to provide affordable housing. Each city has a different balance of employment categories that are primarily driven by economic and market factors. The 1993 Emeryville General Plan represents the City of Emeryville's guiding policy for the types of employment opportunities that Emeryville seeks to provide from a long-range planning perspective.

RESPONSE TO COMMENT 35.H.: The request for information regarding the impact to the community social structure due to an imbalance in resident's income levels and housing costs cannot be accurately projected due to the uncertainty in Kaiser's plans for the Oakland facility which would affect the number and type of jobs that relocate to Emeryville. According to CEQA Guidelines §15131(a), the Draft EIR is not required to treat social effects of a project as significant effects on the environment. The Draft EIR adequately describes the physical effects on the environment of people moving to Emeryville or staying where they currently reside in conformance with Section 15131.

RESPONSE TO COMMENT 35.I.: Please refer to Master Response C4. regarding a discussion of the jobs/housing balance. The City is not aware of any funding that is linked to the Emeryville's jobs/housing balance or fair-share housing goals.

RESPONSE TO COMMENT 35.J.: Please refer to Master Response C4. regarding a discussion of the jobs/housing balance, and Master Response H2. for a summary of the cumulative effects of these projects.

RESPONSE TO COMMENT 35.K.: According to the 1993 Emeryville General Plan Housing Element, an analysis of the dependent population (non-working adults above the age of 65 and youths younger than 18) compared to the working age population indicates that the size of the dependent population has decreased in Emeryville and the size of the working-aged population has increased. In 1970, the dependent groups represented more than 40 percent of the total population; in 1980, less than 35 percent.[4] As stated on page 10 of the Housing Element, 8.5% of Emeryville's population was 65 or over, based upon available information from 1980.

According to CEQA Guidelines §15131(a), the Draft EIR is not required to treat social effects of a project as significant effects on the environment. The Draft EIR is therefore, not required to evaluate the impact to the social structure of an aging population.

RESPONSE TO COMMENT 35.L.: Please refer to Master Response C1. regarding a discussion of the adequacy of the Kaiser Housing Program as a mitigation measure for significant housing impacts.

[4] September, 1992 Housing Element of the Emeryville General Plan, page 7.

RESPONSE TO COMMENT 35.M.: Please refer to Master Response C5. regarding the location of the 25 sites identified for additional housing.

RESPONSE TO COMMENT 35.N.: Please refer to Master Response C4. for a discussion the existing Kaiser employee's salaries. These salaries are comparable to those anticipated for the Emeryville medical center. The salary ranges indicate that many Kaiser employees would be considered moderate income households and would be expected to afford rents and home prices in Emeryville as described in Master Response C3.

RESPONSE TO COMMENT 35.O.: Please refer to Master Responses C3. and C5. for a discussion of Emeryville's commitment to encouraging residential development, specifically affordable housing, in the City.

RESPONSE TO COMMENT 35.P.: See Master Response E. for a discussion of the Doyle-Haven Extension and responses to Comments 4.B. and 7.D. The Doyle-Haven Street Extension is not expected to have any direct traffic impacts on the Emery Bay Village. Future traffic volumes on the Haven Street Extension are projected to be lower than existing volumes along 53rd Street, which provides the primary access to the Emery Bay Village. The construction of the Doyle-Haven Extension, in conjunction with the Horton-Landregan Extension, would provide a more balanced distribution of north-south traffic in the study area, thereby reducing overall levels of congestion that would be otherwise created by cumulative traffic. Also, pedestrians and bicycles would be accommodated.

RESPONSE TO COMMENT 35.Q.: The City of Emeryville is in the process of establishing the Mass Transit Program in order to provide a mechanism for funding transit improvements. Kaiser's contribution to the Mass Transit Program would be used at the City's discretion. A monetary contribution to transit would help support the Emeryville-BART shuttle which would provide a direct transit link to the regional rail system. In particular, as part of the Development Agreement entered into between Kaiser and the City of Emeryville, Kaiser has proposed to contribute $100,000 per year for 25 years to the Mass Transit Program.

RESPONSE TO COMMENT 35.R.: The proposed project includes an extensive Transportation Systems Management Program, as described on pages 132 and 133 of the Draft EIR. In addition, the project includes pedestrian paths and bike paths to encourage alternative modes of transportation.

The Draft EIR identifies a Transportation System Management Program which will reduce single-occupant vehicles from accessing the site. The programs contained in the TSMP include carpooling/vanpooling; participation in the City's Mass Transit Program; which will in part, fund the Emeryville-BART Shuttle; providing subsidized transit passes; providing transit information at key locations; and promoting bicycle use. In addition to the Emeryville-BART Shuttle service, service to mass transit facilities would also be provided by Kaiser's own private shuttle through the TSMP. Also, refer to response to Comment 40.I. The City will also require compliance with the Trip Reduction Ordinance. Refer to Master Response D8. for a discussion of this ordinance.

RESPONSE TO COMMENT 35.S.: The most recent Chiron project plans call for the construction of a Horton Street "bypass" around their project that will allow for a continuous Horton-Landregan route. The cumulative impact of traffic generated by the

described projects is identified in the Year 2000 and 2010 cumulative scenarios described in the Draft EIR.

RESPONSE TO COMMENT 35.T.: There is no evidence that the project would only attract lower paid workers commuting to Emeryville. The project is expected to attract a substantial number of high paid workers from Emeryville, as well as the surrounding Bay Area communities. Please refer to Master Response to C4. for a discussion of the range of salaries for Kaiser employees.

RESPONSE TO COMMENT 35.U.: Page 212 of the EIR states that if monitoring indicates that the noise levels in the open space area continue to exceed the 55 dB threshold, then one or more of the mitigation measures listed on page 212 would be implemented. The 55 dB threshold is the U.S. Environmental Protection Agency's accepted guideline for determining a noise impact to outdoor activity areas on hospital grounds, as well as the City of Emeryville's standard for determining normally acceptable outdoor noise levels for specified uses, including hospitals.

RESPONSE TO COMMENT 35.V.: Groundwater impacts are described on pages 217 and 218 of the Draft EIR. During construction, the shallow groundwater could potentially fill excavated project areas. Dewatering and other appropriate subsurface drainage and waterproofing systems would control the effects of shallow groundwater on subsurface construction. There will be no displacement effect on the groundwater by the building or the construction. The elevation of the lowest level of each building on the site is designed to be above the groundwater. There will be some dewatering on the site for pile caps and pits, but these will be small areas which will not affect foundations or surrounding buildings outside the construction zone.[5]

RESPONSE TO COMMENT 35.W.: Soil and ground water will be remediated to the extent practicable prior to the construction of the medical center. Residual soil contamination, if any, will be evaluated to determine whether protective equipment for workers is required. Residual ground water contamination will continue to be remediated as long as necessary, as determined by the environmental regulatory agencies that are overseeing the site. If there are significant amounts of residual volatile solvents in ground water or soil, an evaluation will be conducted prior to construction to determine if a vapor barrier should be installed into the medical center foundation to prevent the movement of volatile solvents in a vapor phase into the medical center.

RESPONSE TO COMMENT 35.X.: Kaiser would be responsible for funding any improvements to the storm drainage system that are required in order to adequately serve project impacts. The utility user tax, on the other hand, is applied to electrical, gas, and phone services. The funding for the storm drainage system improvements would be in addition to the utility user tax.

RESPONSE TO COMMENT 35.Y.: The commenter is referred to the response to Comment 1.B. which addresses potential crime issues, as discussed in the Draft EIR on pages 253 and 254. As stated in the Draft EIR, Kaiser provides its own security personnel. Kaiser would provide limited psychiatric treatment at the facility.

There are no inpatient/hospital facilities for psychiatric treatment at the current Oakland Medical Center and none are planned for the proposed Emeryville Medical Center. If

[5] Ed Banks, Turner Inc., September 13, 1994.

a patient is a danger to himself/herself or others, the Oakland Police Department is contacted. The patient is held in a treatment room that is supervised by staff and a Security officer, until the police arrive to complete an evaluation for a "5150-Involuntary Hold". The patient is then transported to either a certified psychiatrict holding facility in Alameda County (i.e., Highland General Hospital) or into police custody. The same practice would be employed at the proposed Emeryville medical center.

Kaiser contracts with American Protective Services for security services including patrols of the campus property and response to assistance calls and emergencies. On-site security staffing varies per day of week and shift - from a maximum of 10 officers on the day shift during the business week to three officers on the weekend night shift. The contract security offices are trained to perform a citizen's arrest with handcuffs for misdemeanors and felonies. Arrested individuals are detained in the Security Command Center until the Oakland Police arrive.

In addition, Oakland Medical Center has a campus-wide electronic security system that includes closed circuit cameras (CCTV), card readers, alarm contacts, emergency telephones, help buttons and intercoms.

Kaiser does not have any record of violent fatalities due to criminal activity at the Oakland facility. There are an average of 20 calls per month to the Oakland Police Department. Oakland Police respond to Kaiser Medical Center requests for simple incidents (i.e., parking citations, traffic issues, etc.), filing police reports when Kaiser staff or members are victims of a crime (i.e., burglary, theft, or vandalism), or taking custody of individuals arrested by the Kaiser security staff. Security Department statistics for 1993 indicate that the primary criminal activity consists of assault/battery, threats/harassment, vandalism, theft, burglary and forged prescriptions. There were approximately 30 citizen arrests by security personnel on site in 1993.

Oakland Medical Center has implemented a crime prevention program that includes formal education and promotion.

RESPONSE TO COMMENT 35.Z.: The Draft EIR states on page 289 that the building heights on the Future Expansion site would range from 50 feet to 52 feet, which would alter views of the project site for adjacent land uses. The Draft EIR acknowledges that within the context of the surrounding area, most of the existing buildings are one and two stories in height; consequently, the construction of three story buildings and a five floor parking garage would noticeably alter the scale of the area for the surrounding land uses. The Draft EIR further notes on page 290 that the parking garage and medical office buildings on this site would obstruct views from the Emery Bay Villages and residences along Doyle Street. However, the Draft EIR notes that the obstruction to views would not be considered significant because views of scenic features would not be impacted, and because the proposed urban intensities of development would not result in a substantial demonstrable negative aesthetic effect.

The commenter is referred to the discussion of lighting and shadow impacts contained in Master Response F1. Based upon the data included in Section VI, Text Revisions, the proposed medical center would not result in shadow impacts to surrounding structures.

36

CITY OF OAKLAND

CITY HALL · ONE CITY HALL PLAZA · OAKLAND, CALIFORNIA 94612

Natalie Bayton
Councilmember

510/238-3266
FAX/238-6129

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

June 16, 1994

Ms. Gaye Quinn, Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, California 94608

Dear Ms. Quinn:

I would like to request an extension of the Draft EIR comment period on the Kaiser Permanente Medica Center, State Clearinghouse No. 93082063. The project is a complex one with many and varied impacts on surrounding cities especially in the realm of traffic and air quality.

As Councilmember of the Oakland area that will be the most impacted, I had difficulty in getting a copy of the lengthy Draft EIR. Staffers who requested extra copies were evidently told that only one copy was being provided per agency. As a result, I did not receive a copy of the document until the beginning of June. 36A

I appreciate the time sensitivity of this matter. However, a project of this size necessitates careful review and planning for mitigation. Your consideration of an extension of the comment period would be greatly appreciated.

Sincerely yours,

Natalie Bayton

NATALIE BAYTON
Councilmember - District 3

cc: Michael Chiriatti, Chief of State Clearinghouse
Kay Winer, Director - Oakland Office of Planning & Building

36. RESPONSES TO COMMENTS FROM NATALIE BAYTON, CITY OF OAKLAND RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 36.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

The City of Emeryville made the Draft EIR (volumes I, II and III) available to the public pursuant to the requirements of the CEQA Guidelines. Please see Master Response A2. for additional discussion regarding this topic.

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JUN 2 0 1994
PLANNING DEPARTMENT

We the People

295 Third Street, Oakland, CA 94607
Ph: 510-836-DARE, Fax: 510-836-8797, TDD: 510-836-0927

Gaye Quinn, Planning Director
City of Emeryville Planning Department
Emeryville, California 94608

June 20,1994

Subject: Draft EIR, Proposed Kaiser Permanente Medical Center - SCH No. 93082063

On behalf of *We the People*, a non-profit organization located in Oakland, California, I have reviewed the Draft Environmental Report (EIR) for this project and submit the following comments for your response.

First of all, the EIR fails to evaluate the alternative site at the 19th Street BART station in Oakland, which Mayor Harris presented to Kaiser in December, 1993. Such an omission renders the EIR legally inadequate under the California Environmental Quality Act since this alternative site is perfectly suitable for Kaiser's project.

Uprooting Kaiser from Oakland, where it has been since World War II, will further devastate the surrounding neighborhoods and increase automobile driving and congestion in the general area. The EIR needs to carefully quantify the amount of additional congestion, private travel and pollution which will be caused by the proposed Emeryville site. To do this, the EIR must analyze what alternate commute patterns would emerge if Kaiser were to choose the downtown Oakland site. Such an analysis needs to include the effects of Kaiser leaving for Emeryville vs the economic stimulation of Kaiser expanding in downtown Oakland. Jobs, housing, air pollution, urban density vs suburban sprawl, more efficient use of existing infrastructure--all must be precisely stated. Otherwise, decision-makers will have a totally distorted view of the true environmental impact. 37A

Specifically, by moving the Kaiser facility out of Oakland to Emeryville, how many employees and Kaiser members will have to commute longer distances? How many individuals will shift from public transit to private cars? What is the inconvenience to the elderly and to those who do not own cars?

The downtown Oakland site is not only located at the center of the Bay Area's BART system but also is at the hub of the AC Transit's radiating system of East Bay bus lines. The alternative site would have a positive impact on these systems and its absence a negative impact. The EIR should explicitly deal with this issue.

We the People is a membership organization dedicated to political reform and social justice. Our commitment is to speak truth to power and work change through citizen action and community organizing.

With respect to the balance between housing and jobs, more detail is needed in the EIR regarding the lost opportunities for linking jobs and housing more closely together. The further deterioration of the downtown Oakland core--caused by the loss of Kaiser--will push more citizens out of the area and therefore increase both commute miles and air pollution. Detailed information is needed on these specific impacts.

37B

As governor of California, I approved the Grove-Shafter Freeway extension to stimulate downtown Oakland development. Years before, my father helped create BART. These represent public policies that are frustrated unless adjoining local governments work together for the common good. We know the principles of an intelligent Urban Strategy. Now we are called upon to exercise the courage to make them a reality.

Sincerely,

Edmund G Brown Jr

37. **RESPONSES TO COMMENTS FROM EDMUND G. BROWN JR., WE THE PEOPLE RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 37.A.: Please refer to Master Response B1. for a discussion of social impacts on Oakland. Also, refer to Master Response G1. for a discussion of the Fox Theater site.

With regard to the comment on the need to analyze alternate commute patterns that may emerge as a result of the project, the Draft EIR explains project trip distribution on page 113. Due to the close proximity of the Emeryville and Oakland Kaiser facilities, the Draft EIR reasonably assumed that trip distribution patterns would remain similar to those of the existing Oakland facility.

With regard to the comment on the need to analyze the potential of increased automobile use as a result of the project, see response to Comment 52.R. As explained in response to Comment 52.R., the Draft EIR traffic analysis presents a worst-case analysis of trip generation for the project by including existing Oakland facility trips and new trips that may be generated as a result of the project. In addition, although Kaiser has had excellent success with its Transportation System Management Program, the Draft EIR explains on page 132 that the traffic model used to study project impacts on traffic incorporates only a 2% factor in its baseline for potential transit use. As indicated in the Draft EIR on page 113, the project is located in an urban area with good public transit (existing and planned). As explained in the Draft EIR on page 100, the project is 3/4 mile from the MacArthur BART Station. It is also located on AC Transit's San Pablo Avenue bus route which is being studied for its attractiveness for a light rail system. These factors should result in an actual transit usage much greater than the 2% assumed for the EIR analysis purposes.

Finally, it is important to note that Emeryville is characterized as an urban area with its 750 acres almost entirely developed with a combination of residential, industrial, office, and mixed use development. Development of the proposed medical center would be at an urban density compatible with existing and planned urban development in the city.

Finally, as explained in the Draft EIR on page 163, the Draft EIR traffic model assumes a future mode split of 95% auto, 3% other and 2% transit. The existing Oakland facility currently achieves a transit mode split of approximately 9%. In actuality, the Emeryville facility would be expected to achieve a similar, if not better, transit mode split based on a TSM Plan and City-sponsored shuttle service.

RESPONSE TO COMMENT 37.B.: Please refer to Master Response B1. regarding the existing Oakland facility and Master Response G1, for a discussion of the Fox Theater site.

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JUN 20 '94
PLANNING DEPARTMENT

Response to Draft Environmental Impact Report

City of Emeryville

Kaiser Permanente Medical Center

State Clearinghouse No. 93082063

June 20, 1994

Some general comments about the Triangle Area

The Triangle neighborhood is an entire residential community adjacent to this project that will be directly affected by this project and it is virtually ignored in this report. The description of the triangle at the top of page 23 diminishes the residential character of this neighborhood. It is referred to an area that "consists of medium scale commercial development in addition to low density housing." The triangle is primarily a residential area, with commercial development along San Pablo. 38A

The maps for this area are all inadequate, as they do not include 45th, 43rd and 41st Streets between San Pablo and Adeline. Note that the vehicle trip distribution map (Figure 19) indicate that this portion of 45th Street will be a major pathway for vehicles, however, the street is not even labeled on that map and is not referred to at all on the other maps. These streets will certainly be impacted by cars coming from Berkeley along Adeline. Often it is currently difficult to take a left onto Adeline from 45th Street, especially when parked vehicles obstruct the view. No traffic analysis was done for these streets/intersections. Consideration must also be given to the children who will be crossing these streets to go to school. These concerns need to be addressed. 38B

I am also very concerned about parking along 45th Street where I live. When I go to Alta Bates (I do not use Kaiser), I always park on the street to avoid the parking garage. I imagine Kaiser patients will do the same, unless the parking garage is free. There should be an opportunity to maintain parking for both residents and non-residents on 45th street between San Pablo and Adeline.

Another omission in the DEIR is that 45th Street and San Pablo is treated as a single intersection, when in fact there are two separate intersections. Where San Pablo intersects with 45th on the eastern side (towards Adeline) is not at all analyzed. At the moment it is often very difficult to make a left turn or even a right turn onto San Pablo from 45th. What will happen after this project will be built? This must be addressed. What about pedestrian impacts at this intersection? Especially since there will be many seniors in Emery Villa who will be crossing San Pablo in this vicinity, as well as children going to the nearby schools. Please address this issue. 38C

I am particularly concerned about traffic created by accessing the "1,800 stall parking garage on San Pablo," which the EIR acknowledges will have significant traffic impacts. Figures 3, 4 and 5 indicate that there will be two parking structures on San Pablo. Please clarify this. Will each structure on San Pablo contain 1,800 parking stalls, or is that the total for both garages? On page 10, it is mentioned that there will be 3,845 parking spaces - how will these be divided at the different locations? Could you clarify what are the 2,585 parking spaces referred to on page 5? Most importantly, in Figures 3 and 4, the entrances are not indicated for the two proposed parking structures along San Pablo Avenue. Please correct this and indicate the entrances to the garages. 38D

Page 26 and Table 7 reference to the "vacant 2 story office buildings" on San Pablo near 45th Street. I walk by this area twice a day. I am aware that one unit is indeed vacant, however, I see many activities in the other units. In these few buildings there are residences, offices, a busy store, and even a place where musicians practice. Please verify and correct. There is no vacant two story building where it is indicated on Table 7. 38E

Similarly, I see no fast food establishment on the eastern side of San Pablo between 45th and Park Avenue," as was indicated on Page 26. 38F

Page 30 - I question whether increasing the height of building to 55 feet would indeed be "compatible with the surrounding area." 38G

Emeryville Shellmound Redevelopment Plan (page 32).

I object to the comment referring to the elimination of "economic blight." While there are vacancies, this project will remove residences and some operating business. There are other portions of San Pablo where the term "economic blight" may be more appropriate. How is the project addressing the "provision of affordable housing" and the "facilitation of community participation." These seem to be inadequately addressed. I object to the statement about the "development of a more efficient circulation system." How can it become more efficient when traffic volume will increase? This appears to be a contradiction. 38H

San Pablo Revitalization Design Plan

Page 35 - Given high volume of traffic in the area, how "pedestrian friendly" will the liner buildings be? Will the community from the triangle area be able to easily cross the street? Will these businesses reflect the needs of the community, or will they be geared to support the hospital services? Where will visitors to these stores park, if they cannot walk? 38I

Page 35 - A statement reads "the proposed project would change the allowable height and scale of future buildings." Please clarify this. What future buildings are being referred to here? 38J

Page 35-36 - The project would certainly disrupt the arrangement of communities. There are definite communities in this area, that the DEIR has ignored, and this project will certainly disrupt these communities. As a resident of the triangle, increased traffic, and street parking problems will be very disruptive. Note that there are many children in the area who play near and in the streets. 38K

Page 40 - Emery Villa appears to be much less than "400 to 500 feet or more from the Phase I site." I am concerned about air quality in this area, especially since Emeryville apparently has plans for additional senior housing adjacent to Emery Villa. As indicated in the DEIR, "the elderly are particularly sensitive to air pollutants," however, Emery Villa was no included in the brief list of "sensitive receptors in close proximity to the project" on page 188. Additionally of concern, is the impact on future senior housing that is apparently being proposed for the site of the post office. 38L

Page 82 - Where will new housing be built? The information on this is inadequate and I would like further clarification on this. 38M

Open Space

Further clarification of what is considered "open space" at the project site is requested. It is hard to imagine that an area bounded by four and five story buildings would indeed qualify as open space. Children in the Triangle often play ball and bicycle in the streets. How accessible will this site actually be for these activities? What kind of recreational activities will be allowed? What restrictions will there be (hours, etc). What about landscaping? Also, isn't this the site of a nearby UST? If the site is found to be contaminated, would it be safe to put a park here? Please describe the plans for this area further - is it going to be a park with grass or a concreted plaza? 38N

East Baybridge

Maps throughout the DEIR are inadequate for many reasons. One reason is that they do not take into account 38O

the changes in the areas due to the East Baybridge Project, which has already been built. For example, they consistently show Yerba Buena Avenue where it no longer exists. Also, given that East Bay Bridge will be attracting the greatest numbers of customers on the weekends (as indicated in the EIR for that project), it would be important to evaluate future traffic impacts on weekends by both Kaiser and East Baybridge projects. Please show how traffic to the proposed project will vary according to time of day and week. 38O

Misc. Other

I am concerned about traffic congestion all long this project as is indicated in the DEIR. In another area, I would like to address the intersection of San Pablo and Stanford. Hundreds of pedestrians use this intersection daily. It is already difficult to cross at times. Similarly the south side of Stanford is an important area for dropping off goods and passengers at the meditation ashram at this intersection. Creating an extra lane here and eliminating parking would inhibit operations. 38P

The tables in Volume III do not have adequate explanations of the traffic analysis. At the very least, the abbreviations could be clarified and definitions should be given for the more technical terms. 38Q

Figure 5 does not show the height variation of the project well. This image appears as though all the structures in this area are close to the same height. 38R

Couldn't the Elks Lodge be considered a cultural resource? Many people use this facility and it would be a shame if it were lost. On what basis was it determined that this building has no historical significance? 38S

I am also concerned about the impacts of noise in the Triangle due to the project. It did not seem to be adequately addressed in the DEIR. On what basis is it determined that only five ambulances a day will go to the medical center? Also, how will the ambulance get to the hospital when the traffic is jammed? 38T

Page 75 - I object to changing the zoning of this area to commercial. Were alternatives for residential development at this site adequately considered? 38U

I also question the promises of jobs to people in the community. How realistic are these assumptions? 38V

I have many more comments to make, but due to the limited public comment period, I must end here. In sum, the huge increase of traffic in the area is a major concern. This location is not well suited for a development of this scale, especially when it is combined with all the other developments that are taking place in the area. 38W

Helena Brykarz

Helena Brykarz
1064B 45th Street
Emeryville, CA 94608

38. **RESPONSES TO COMMENTS FROM HELENA BRYKARZ RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 38.A.: The commenter's remarks are noted. The discussion of the Triangle neighborhood contained on page 23 was based upon the description provided in the 1990 Emeryville General Plan.

RESPONSE TO COMMENT 38.B.: Please refer to Figures 8, 9, 10, and 11 in Section II, A. of the Draft EIR for maps showing these roadway facilities. No new analysis is necessary for the intersection of Adeline Street/45th Street since less than 5 percent of the project traffic is projected to use 45th Street as an access route.

As identified in the Draft EIR, there is a high school located on San Pablo Avenue/47th Street. Children destined to the high school from the east side of Adeline Street would cross Adeline Street near the school. The signal timing plans for each intersection are set by Caltrans for state highways or by the cities in which they are located. Therefore, adequate signal times for pedestrian crossing may be incorporated to account for special generators, such as schools.

With regard to the commenter's concerns regarding parking on 45th Street, please refer to response to Comment 34.C.

RESPONSE TO COMMENT 38.C.: Due to the offset of 45th Street at San Pablo Avenue, this intersection was analyzed as a T-intersection. The traffic signal at the intersection of San Pablo Avenue/45th Street will have to be modified in conjunction with proposed mitigation measures; these improvements will include the maintenance of access on the east leg of 45th Street.

RESPONSE TO COMMENT 38.D.: The Draft EIR evaluates the traffic impacts created by the parking garage on San Pablo Avenue. The project includes three parking structures, two of which would be constructed in Phase I including one on San Pablo Avenue, and one in the southwestern corner of the Phase I site at Hollis and Park Avenue. The San Pablo structure would contain 1,800 parking spaces. The second parking garage at Park and Hollis would contain 750 parking spaces. In addition, a third 1,110 space garage would be constructed in the Future Expansion phase at Hollis and 53rd Street. The 2,585 parking spaces include the 1,800 spaces on San Pablo, the 750 spaces at the Hollis/Park garage, and about 50 surface street parking spaces.

Access to the San Pablo Avenue parking garage would be provided by two primary driveways at 45th Street and Park Avenue. Section VI of this document contains a text revision to indicate that these driveways are added to Figures 3 and 4.

RESPONSE TO COMMENT 38.E.: The commenter's remarks are noted. Figure 7 is revised accordingly in Section VI of this Responses to Comments document.

RESPONSE TO COMMENT 38.F.: The commenter's remarks are noted. Page 26 is revised accordingly in Section VI of this Responses to Comments document.

RESPONSE TO COMMENT 38.G.: The statement on page 30 refers to the existing procedure for allowing an increase in the height of buildings on the project site under the Zoning Ordinance. Page 30 states that the maximum height may be increased to 55

feet upon approval of a Conditional Use Permit, provided that the increased height is compatible with the surrounding area and does not create any significant additional burden upon public services and facilities. As described in the land use impacts section on pages 50 through 52, the heights of the proposed structures would be compatible with the surrounding buildings, with the incorporation of the Kaiser Permanente Medical Center Urban Design Guidelines.

RESPONSE TO COMMENT 38.H.: As the Draft EIR indicates at page 32, the elimination of blight is a stated goal of the Redevelopment Plan. Section 33031(a)(3) of the Health and Safety Code defines blight as including incompatible adjacent or near land uses. Health and Safety Code Section 33031(b)(1) also defines blight as areas containing hazardous waste which requires use of the Agency's authority under §33459 in the Polanco Bill. Section 33030 of the Health and Safety Code includes inadequate public improvements in parking facilities as also constituting blighted conditions. Blight is also characterized by the lack of public facilities and an inadequate circulation system.

According to the Draft EIR and the Shellmound Park Redevelopment Plan EIR, buildings on the project site are deteriorating because of age and lack of adequate maintenance, and several of the older industrial buildings lack adequate ventilation and light. In addition, many of the properties on the project site lack open space and adequate recreational facilities. Small and/or irregularly shaped parcels exist and present an obstacle to comprehensive planning. The Del Monte Cannery, through closure, was an incompatible use with adjacent residences. The Pepsi-Cola plant is an incompatible use. The AC Transit site alternative also contains an incompatible use, as are the trucking operations on the Future Expansion site (i.e., Westvaco). As the Draft EIR indicates on page 36, development of the project will assist in removing these elements of blight from the project site. Therefore, the proposed medical center would eliminate these incompatible uses and eliminate an element of blight.

In addition, under Community Redevelopment Law, the Redevelopment Agency would be required to replace in kind all housing units occupied by low- to moderate-income households. Kaiser is also proposing to establish a Housing Program which would involve Kaiser's lending of up to $15,000,000 at a below market interest rate to provide new housing in Emeryville. Kaiser's Development Agreement would establish the provisions of the Housing Program which would be used for funding affordable housing.

With respect to the Redevelopment Plan goal of facilitation of community participation, the environmental review, design review, and project approval processes related to the project have been structured to assure public participation. For example, on June 2, 1994, a public hearing was held to consider the Draft EIR. As the Draft EIR indicates, beginning in June 1993, Kaiser and its principal architectural consultant, SMP/DMJM, sponsored a series of draft workshops with members of the community to obtain input from and to provide information to the community with respect to the urban design characteristics of the project. The agenda for the Planning Commission meetings regularly includes an item, "Kaiser Update" to keep the public informed of the status of this project. In addition, public hearings will be held to consider certification of the Final EIR, and approval of the various entitlements required for the project.

The project includes improvements to the circulation system to accommodate the increase in traffic from the proposed project, as well as, cumulative traffic on Emeryville streets which comes from Oakland, Berkeley, and other surrounding communities. The increases in cumulative traffic from areas outside Emeryville would occur with or without the Kaiser project; thereby affecting the efficiency of Emeryville's

streets. The Kaiser project and the proposed mitigation measures would provide a way to address these cumulative impacts. Additionally, the mitigation measures identified for circulation impacts are consistent with the Circulation Element Map. For example, the Doyle-Haven Street extension and Horton-Landregan connection have been designated in the City's General Plan since 1987. The proposed medical center would contribute to the funding and construction of these circulation system improvements, thereby eliminating a blighted condition. In addition, the project will provide one of the missing links of joint pedestrian/bike corridors designated in the General Plan. Finally, the project will contribute a contingent assessment for the Bay-Shellmound Project. The objective of improving the circulation system is just one of several objectives contained in the Redevelopment Plan. The project would be consistent with other objectives such as the elimination of blight within the Shellmound Park Redevelopment Project Area and stimulating economic development in Emeryville.

RESPONSE TO COMMENT 38.I.: Please refer to the description of the neighborhood commercial "liner" buildings and their pedestrian orientation which is contained in the Draft EIR on pages 42 and 43. Perspectives depicting the street frontages associated with the "liner" buildings have been added in Section VI of this document to conceptually represent the visual character of the street frontage. Parking in the project parking garages would be made available for visitors to the "liner" buildings.

RESPONSE TO COMMENT 38.J.: Page 35 describes the effects of constructing the proposed buildings when compared to the existing structures on the site. Construction of the proposed medical center in accordance with the proposed General Plan amendment and rezoning would result in taller, larger buildings as compared to the existing one and two story structures that presently exist on the site.

RESPONSE TO COMMENT 38.K: The Draft EIR evaluated the potential for disruption of an established community and concluded that the project would neither disrupt, nor divide, the physical arrangement of the community for the reasons described on pages 38 through 46. In addition, the EIR has evaluated the physical effects on the environment associated with the medical center, such as traffic, noise and air quality.

RESPONSE TO COMMENT 38.L.: The text of the EIR is revised to add Emery Villa to the list of sensitive receptors on page 188 of Volume I and on page 6 of Appendix E in Volume II.

The air quality analysis modeled localized carbon monoxide levels at intersections in the vicinity of the Emery Villa apartments at 45th and San Pablo and at Park and San Pablo Avenues. The model results indicate that carbon monoxide levels would not exceed acceptable standards with development of the project. Therefore, the proposed medical center would not result in a significant long-term air quality impact to Emery Villa or to future residential development on the post office site. As described on page 189, construction of the proposed medical center would result in temporary air quality impacts to residences along the east side of San Pablo Avenue.

RESPONSE TO COMMENT 38.M.: Please refer to Master Response C5. regarding the location of the 25 sites identified for additional housing and to Master Response C4. regarding a discussion of the jobs/housing balance, which includes new housing in Emeryville.

RESPONSE TO COMMENT 38.N.: As stated on page 288 of the Draft EIR, although the project is designed to intensify the urban development within the area, Phase I of the project would include an open space plaza/park area in the center of the four office buildings. In addition, the Future Expansion phase would incorporate an open space buffer area where children could play, characterized with extensive landscaping, into the eastern boundary of the Future Expansion site. In conformance with the Urban Design Guidelines contained in Appendix G of the Draft EIR (Volume II), public pedestrian access into the open spaces which are available to the public within the medical center would be required from San Pablo, Park, Hollis and 45th Streets.

RESPONSE TO COMMENT 38.O.: The most recent maps available at the time of the preparation of the Draft EIR were used in the document. The Draft EIR attempted to provide up to date information; for example, Figure 7 indicates the location of the East Baybridge project, even though no aerial was available which showed that the project was under construction.

The maps prepared to identify existing conditions were completed prior to the initiation of construction on the East Baybridge Project. Maps for the future Year 2000 and 2010 scenarios do correctly show the future roadway conditions in the vicinity of this cumulative project. Trip generation for the Kaiser project would be very low on weekends, in comparison to weekday conditions, due to the fact that there would be relatively little outpatient activity at the medical office buildings. As such, project impacts are not evaluated for the weekend scenario.

RESPONSE TO COMMENT 38.P.: Pedestrian access at the San Pablo Avenue/ Stanford Street intersection would not be negatively impacted by the proposed mitigations.

RESPONSE TO COMMENT 38.Q.: The data contained in Volume III is intended to accompany the conclusions reported in the traffic report in Volume II. The terms may seem confusing. However, they are basic and easily understood with a few key points. Level of Service (LOS) or the general ease of traffic flow is assigned a rating of LOS A through LOS F. LOS A means very good, LOS C means average, and LOS F means poor. The Level of Service is based on a Volume-to-Capacity ratio (V/C). The Volume-to-Capacity ratio is simply the conflicting volume through an intersection divided by the established capacity for those movements. A V/C of 0.20 is very good, i.e., only 20 percent of the capacity is used, and a V/C of 1.00 represents congestion, i.e., all of the capacity is being used. Table 5 of the Draft EIR provides extensive definitions of Level of Service and Volume-to-Capacity ratios for freeways. Most of the subsequent tables can be understood by referring back to Table 5 or Table 7 for the LOS rating and definition associated with a specific V/C ratio. Table 7 provides the same information for signalized intersections. Table 11 discusses trip generation. In this table, GSF means gross square feet of building area. SF means square feet or gross square feet. The number of trips generated by a specific land use is calculated on the number of trips per size unit. Square feet is many times used as the size of the facility. For hospitals, the number of beds is also used.

RESPONSE TO COMMENT 38.R.: Please refer to Master Response F1. which states that additional perspectives have been incorporated into the EIR to assist the reader in understanding the design of the project.

RESPONSE TO COMMENT 38.S.: The Masonic Lodge located at 4309-4313 San Pablo Avenue is a two-story Modern style building with a rectangular plan and was

constructed of reinforced concrete in 1940. For about 15 years, this building was the site of "Angelo's" restaurant. Six years after the restaurant closed, the Masonic Lodge bought the building in 1962. Although Angelo's was a popular restaurant, it only operated for about 15 years, and was therefore not considered to be of any particular historic significance.[6] The architectural historian also determined that the building was not a distinguished example of the Modern style locally. In addition, the recent aluminum frame windows on the front facade and the removal of the original restaurant from the first floor compromised the building's design integrity. As a result, this building does not appear to be eligible for the National Register individually or as part of a historic district.[7]

RESPONSE TO COMMENT 38.T.: The existing Oakland facility generates a total of 18 ambulances per day, of which five are considered Code 3 ambulances. Code 3 ambulances are those that generate siren noise and flashing lights. As described below, Kaiser is not considered one of the trauma response centers; consequently, it receives fewer Code 3 ambulances. Kaiser's status is not anticipated to change with construction of the medical center in Emeryville. For those Code 3 ambulances that transport patients to the proposed medical center, when they enter the "hospital zone" all sirens and flashing lights would be turned off to reduce the noise levels within this protected area. Therefore, in the immediate vicinity of the hospital entrances (at Hollis, Park, and 45th) siren noise would not be a source of elevated noise levels.

With regard to the impacts to the Triangle Area, it takes a doubling in traffic volumes to generate a three decibel or greater increase in noise levels which would be considered significant. Project volumes along local roadways in the Triangle Area would be less than double the existing roadway volumes and future background roadway volumes. Therefore, the project would not result in significant noise impacts.

RESPONSE TO COMMENT 38.U.: Please refer to the Existing General Plan Alternative contained in the Draft EIR for a discussion of residential development on the project site. Also refer to Master Response C2. which addresses the City's efforts to promote housing on the Phase I site.

RESPONSE TO COMMENT 38.V.: The Draft EIR discusses projected employment growth related to the project on pages 67-72. The City believes these assumptions are realistic.

RESPONSE TO COMMENT 38.W.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

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[6] Historic Architecture Assessment, Kaiser Permanente Medical Center, City of Emeryville, Alameda County, California, September 13, 1993, page 24.

[7] Historic Architecture Assessment, Kaiser Permanente Medical Center, City of Emeryville, Alameda County, California, September 13, 1993, page 24.

EMERYVILLE PLANNING COMMISSION

KAISER PERMANENTE MEDICAL CENTER
DRAFT ENVIRONMENTAL IMPACT REPORT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

Name: Phyllis Buell Affiliation: Home Owner

Address: 1161 Stanford Ave
Oakland, Calif 94608

COMMENTS:

Is San Pablo ave also a state controlled ?
Have engineers check with engineers of Tel Co at 3.F. 140 new Montgomery to find out how they fixed problem of putting in their building to make it safe as it presented big problem 39A 39B
Is Chilton part of the V.N.A. which started in 1906? Visiting Nurses Assn 39C
Many people are afraid of increased taxes thats why they are afraid. 39D

Use back if necessary

39. **RESPONSES TO COMMENTS FROM PHYLLIS BUELL RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 39.A.: San Pablo Avenue (State Route 123) is a state controlled roadway.

RESPONSE TO COMMENT 39.B.: With regard to the reference to engineers checking with engineers of the Telephone Company in San Francisco at 140 Montgomery Street, after reasonable inquiry, we have been unable to identify the relevance of this request, and thus, are unable to respond to this comment.

RESPONSE TO COMMENT 39.C.: With regard to the comment about Chilton being part of the Visiting Nurses Association, after reasonable inquiry, we have been unable to identify the reference to Chilton, and thus, are unable to respond to this comment.

RESPONSE TO COMMENT 39.D.: The comment stating that many people are afraid of increased taxes is noted.

RECEIVED
JUN 2 0 1994
PLANNING DEPARTMENT

4, Emery Bay Dr.
Emeryville CA 94608

June 20th, '94

To the Planning Commission,

Please find enclosed a list of questions on the D.E.I.R. for the proposed Kaiser Emeryville project.

Sincerely,

Sil Convery

① "1,414 dwelling units are expected to be constructed in Emeryville". Where exactly would these units be built? 40A

② What will the break-down of the units be in terms of cost?

③ What will the balance between houses and income level be? 40B

④ How much open space is being planned for the proposed new residents? 40C

⑤ What incentives are being offered to Kaiser employees to relocate in Emeryville? 40D

⑥ What will the social impacts be of having an essentially "bedroom commuting city" in which most of the 40E

(P. 02 cont.)

workers do not reside in the city? 40E

—

P. 84

—

(1) What studies are being conducted to get a more accurate figure of how many Kaiser employees might move to Emeryville "demand for housing may range from 1,227 to 2,260." 40F

(2) If the figure is more like 2,260 then where will housing be built?

—

P. 85

—

(1) Please expand on the Kaiser Housing Program. How much? Who designs? Who administers? 40G

—

Questions on the D.E.I.R.

Pages 130 — 131

① How long will it take to get from 53rd and Hollis to:

(a) Powell (at peak periods it takes 7 minutes now)

(a) 7th and Ashby (at peak periods it takes 12 mins. now)

40H

(c) San Pablo and Stanford

(d) Christie & Powell (at peak periods = 15 minutes now)

(e) Marina (peak periods = 17 mins. now

Page 132

(1) What is the city of Emeryville's current policy to provide public transp? (Give lived here for 5½ years and have never been made aware of a city program to reduce single-occupant vehicles).

401

(2) How specifically will the city of Emeryville conduct a public program to encourage use of public transportation? Advertisements? Free passes? Door to door education? etc.?

P. 133

(1) What programs will the city institute to encourage people to use bicycles? What incentives will be given to the residents to use bicycles? 40J

(2) How will the guaranteed-ride-home program be "guaranteed"? 40K

P. 134

(1) Where would those who currently park on the West side of Christie park? 40L

(1) What measures are being taken to mitigate the air quality in Emery Bay Village with the construction of the Doyle-Haven extension?

(2) How will the noise generated by the Doyle Haven ext. be mitigated?

40M

(3) How many a.m. and p.m. peak hour trips are expected on the Doyle/Haven extension?

(4) What is the exact increase of noise to the residents of Emery Bay Village expected to be?

Page 141 (cont.)

(5) How will the residents of Emery Bay Village and Doyle Street be compensated for the change in quality of life because of the Doyle / Haven Ext.?

40M

(6) What rezoning laws will have to be changed in order for the Doyle / Haven ext. to come into being?

(7) Who exactly will pay for the Doyle / Haven Extension?

(8) What pedestrian access will be provided? Where will the access be? How wide will the side walk be? What greenery & plantings are planned?

40N

P. 141 cont.

9) What plans are being made for the harm the Doyle/Haven extension will cause to the existing green belt in Emery Bay Village? 40O

10) What recreational facilities are being planned to compensate for the loss of this strip of Open Space?

11) Who will pay for the restriping of Hollis? 40P

12) How much will the restriping cost?

13) What will the impact of the Doyle Haven Extension have on air quality for Emery Bay Village? 40Q

(14) Why will there be no road access through the Kaiser project! 40R

(15) What studies have been conducted on Making Hollis Street one way in one direction and Landregan / Horton one way in another direction? 40S

(16) What pedestrian access will be provided from Emery Bay Village to Chiron? 40T

(17) How long (in minutes) will it take to get from Emery Bay Village (after the construction of The Doyle Haven Extension) to: 40U

(a) Chiron
(b) Powell & Hollis
(c) Powell Street Plaza

(18) What architectural mitigations are being planned for the Doyle/Haven extension so that Emery Bay Village will not be cut off from the rest of the city?

(19) What effects will the Doyle/Haven Extension have on traffic on 53rd St. between Hollis and San Pablo? 40U

(20) What effects will the Doyle/Haven Ext. have on the quality of life of the residents on Doyle St. & Emery Bay Village?

P. 142

40

(1) Who will pay for the intersection mitigation measures? (Fig. 23)

(2) From what fund will the $ come? 40V

(3) How much will it cost?

P. 151

① Who would pay for the widening of Market Street?

P. 152

② Who would pay for the widening of 40th street?

40V

③ Who would pay for:

(a) the widening of Frontage Rd.?

(b) Adeline St. widening

P. 197

40

(1) What precise mitigations are proposed for the increase in air pollution. "Regional air quality would remain significant." How would the residents of Emery Bay Village be compensated for the bad air quality? What plans are being made for the treatment of children and old people with respiratory problems. Are indoor recreational facilities being planned for the residents who will be unable to be outdoors?

40W

P. 211

① How exactly will the parking structure be designed to reduce noise exposure? 40X

② Would the houses in Emery Bay Village be retro-fitted to decrease noise pollution?

P. 212

① How did the city of Emeryville arrive at "conditionally acceptable" noise levels? Who exactly was party to this decision? At what point were the residents consulted? 40Y

P. 213

① What mitigation measures are being considered to reduce noise levels in the ~~used~~ vicinity of the hospital? 53rd, ? Horton? Park 40Z

① What kind of fences are to be constructed?

② Who will make sure that the machinery has adequate muffling devices?

③ Who will ensure that the equipment is in good mechanical condition? 40A2

④ How will the residents of the area be compensated for the "unavoidable short-term noise impact"?

⑤ What kind of medical care will be provided for noise sensitive people?

① What are the dates by which the soil & ground water contamination ~~will~~ remediation will be complete?

② What hazards will be posed to local area residents when the "remediation" is taking place? 40B2

③ What routes will removal tanks take? How will the residents know when transportation is occuring?

General

(1) What studies are being proposed to look at the impact of the Kaiser project on the sun / shadow the neighborhood receives? I'd like an exact measurement of shadow to be done in the early a.m., at noon, and in the early evening? 40C2

(2) What impact will the project have on the lived life in the area? 40D2

(3) I'd like many more drawings and visual aids, so that as a resident I would have an idea of what the finished product would look like. We need pictures of models from many different angles 40E2

(4) I'd like the E.I.R. to address the issue of street life. What street life will be present with this project? 40F2

(5) I'd like a comparison with similar projects e.g. Alta Bates, S.F General and commentary on the positive and negative neighborhood impacts. 40G2

(6) I request that the final E.I.R. be more "user friendly" — it is difficult to check references or to find information. Volume 2 should include a checklist of what's required in an E.I.R. 40H2

40. **RESPONSES TO COMMENTS FROM SILE CONVERY RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 40.A.: Please refer to Master Response C4. for a discussion of the housing projections for Emeryville. CEQA Guidelines §15144 recognizes that there is some degree of forecasting involved in the preparation of an EIR. Consistent with this section, the Draft EIR reflects the City's reasonable efforts to identify the locations of the 1,414 dwelling units expected to be constructed in Emeryville. Please refer to Table 3 in Appendix C (Volume II) of the Draft EIR for a list of the projected residential development in Emeryville and to the corresponding figure for a map showing the locations of these new projects. A total of 505 units are expected to be constructed by 1996 and 909 units are expected to be constructed between 1996 and 2000 for a total of 1,414. It is too speculative to anticipate the costs of each of these units. However, as noted in Table 3, many of the units would be live/work lofts and subsidized apartments which are considered affordable housing.

RESPONSE TO COMMENT 40.B.: Please refer to Master Response C4. for a discussion of the housing units expected to be constructed in Emeryville. Also refer to Master Response C4. for a discussion the existing Kaiser employee's salaries. These salaries are comparable to those anticipated for the Emeryville medical center. The salary ranges indicate that many Kaiser employees would be considered moderate income households and would be expected to afford rents and home prices in Emeryville as described in Master Response C3.

RESPONSE TO COMMENT 40.C.: It is too speculative to project the amount of open space being planned for new residents in Emeryville. In addition, the provision of open space for new residents associated with residential projects being planned independent of the proposed project is not relevant to the proposed medical center and is addressed in the Emeryville General Plan Open Space/Recreation Element.

RESPONSE TO COMMENT 40.D.: Kaiser is not proposing to provide incentives to Kaiser employees to relocate to Emeryville.

RESPONSE TO COMMENT 40.E.: The request for information regarding the social impacts due to being a "bedroom community" cannot be accurately projected due to the uncertainty in Kaiser's plans for the Oakland facility which would affect the number and type of jobs that relocate to Emeryville. According to CEQA Guidelines §15131(a), the Draft EIR is not required to treat social effects of a project as significant effects on the environment. The Draft EIR adequately describes the physical effects on the environment of people moving to Emeryville or staying where they currently reside in conformance with 15131.

RESPONSE TO COMMENT 40.F.: Please refer to Master Response C4. regarding the jobs/housing balance and number of Kaiser employees that would relocate to Emeryville. Also, please refer to the response to Comment 40.A., above.

RESPONSE TO COMMENT 40.G.: Please refer to Master Response C1. for a discussion of the Kaiser Housing Program.

RESPONSE TO COMMENT 40.H.: Please refer to response to Comment 65.G. Travel times for short trips are highly variable (i.e., Emery Bay Village to Chiron project, Powell/Hollis intersection, and Powell Street Plaza). The time a trip arrives at

the Powell Street/I-80 interchange, with respect to the signal phasing at this location, would greatly affect the travel times.

RESPONSE TO COMMENT 40.I.: The project includes the implementation of a Transportation Systems Management Program to encourage Kaiser employees and members to use alternative modes of transit. Additionally, the project would contribute $100,000 to the establishment of a Mass Transit Fund which would be used to finance transit improvements within Emeryville at the City's discretion.

As described in the Transit section of the City's General Plan, the City of Emeryville will cooperate with AC Transit to promote expanded service and new passenger amenities in Emeryville; the City will place emphasis on public transit alternatives to the private passenger vehicle; and the City will encourage other transportation agencies, including Amtrak and BART, to plan for increased service to Emeryville. The City also administers a regional Trip Reduction Ordinance. Refer to the "Trip Reduction Ordinance" Master Response D8.

The City is in the process of implementing a Emeryville-BART shuttle system in conjunction with surrounding employers and merchants, which is expected to be operational no later than January, 1995. This shuttle will connect large trip generators in Emeryville with the MacArthur BART station which in turn provides a connection to the greater Bay Area. The headways during the peak hours for both BART and the Emeryville-BART shuttle will be short enough to encourage transit use despite the need to transfer between BART and the shuttle. As described in the response to Comment 25.D., in addition to access to BART, the Emeryville-BART shuttle and Kaiser's own private shuttle will also provide access to Amtrak. Amtrak service would primarily serve longer-distance trips to Solano, Contra Costa, Alameda, and Santa Clara Counties.

RESPONSE TO COMMENT 40.J.: The proposed project includes an extensive Transportation Systems Management Program (TSMP), as described on pages 132 and 133 of the Draft EIR. In addition, the project includes pedestrian paths and bike paths to encourage alternative modes of transportation.

The incentives for bicycle use would include the provision of new Class I bicycle facilities, as well as showers and lockers for use by employees who bicycle to work. Bike racks will also be provided on site for safe bicycle storage. As part of the TSMP the benefits of using bicycles, such as cost savings and personal health will also be stressed.

RESPONSE TO COMMENT 40.K.: Please refer to the description of the TSMP on pages 132 and 133 of the Draft EIR. Kaiser has prepared a TSMP which is incorporated by reference into the Mitigation Monitoring and Reporting Program. The Mitigation Monitoring and Reporting Program will be adopted as part of the findings for the EIR.

One of the most common reasons for not carpooling or using transit to commute to work is the fear that a ride will not be available if case of an emergency at home or at school. Kaiser will ensure that all individuals who participate in alternative modes of access will have a direct ride home, either via taxi or private vehicle in case of an emergency. For example, carpool drivers could be assigned on a rotating basis to serve as guarantee drivers and would be allowed to leave work to drive a carpool rider home in an emergency situation.

RESPONSE TO COMMENT 40.L.: Those vehicles will have to find other on-street parking or alternative off-street parking. These people may ultimately walk a greater distance to their final destination.

RESPONSE TO COMMENT 40.M.: Please refer to Master Response E. for a discussion about the effects of the Doyle-Haven mitigation measures and to responses to Comments 4.B., 7.D., and 35.P. which describe the traffic, noise, air quality, and land use issues associated with this improvement.

RESPONSE TO COMMENT 40.N.: Pedestrian access would be provided throughout the medical center facility as described in Section II, C. of the Draft EIR. Along the Doyle-Haven Extension, street landscaping would be installed.

RESPONSE TO COMMENT 40.O.: See Master Response E. for a discussion of the Doyle-Haven Extension and responses to Comments 4.B., 7.D., and 35.P. There would be no loss of a green belt in Emery Bay Village as a result of the proposed extension.

As described in Section I, the Future Expansion phase includes an extensive landscaped open space buffer along the eastern boundary of the Future Expansion site, adjacent to the Emery Bay Village. In addition, a pedestrian/bicycle path would traverse the Phase I and Future Expansion sites along the alignment of Haven Street between Park Avenue to 53rd Street. Additionally, Phase I includes a central park and plaza with public access.

RESPONSE TO COMMENT 40.P.: The restriping of Hollis Street is identified as a project mitigation measure for impacts occurring in the year 2000. Therefore, the project would be responsible for funding the cost of this mitigation measure. At this time the cost of restriping has not been determined. The funding responsibility for the mitigation measures will be identified in the Mitigation Monitoring and Reporting Program.

RESPONSE TO COMMENT 40.Q.: Please refer to Master Response E. for a discussion of the air quality impacts from Doyle-Haven on Emery Bay Village. Also, refer to the response to Comments 4.B. and 40.U. for a discussion of the effects on traffic along 53rd Street.

RESPONSE TO COMMENT 40.R.: Refer to the Draft EIR (pp. 156-157) which discusses the impacts of road closures proposed by the project.

RESPONSE TO COMMENT 40.S.: No studies have been conducted on making Hollis Street and the Horton-Landregan Connection a one-way circulation due to the lack of a direct connection of Landregan at Powell Street. Landregan Street is currently grade-separated at Powell Street. Therefore, assuming that the Horton-Landregan Connection would run southbound and Hollis Street would run northbound, traffic destined to the project site from westbound Powell Street would access the southbound Horton-Landregan Connection via a right-turn on Hollis Street, a left-turn at 59th Street, and then a left at Landregan. Traffic destined to the project site from eastbound Powell Street would access the Horton-Landregan Connection via a left-turn at Hollis Street, a left at 59th Street, and finally a left-turn at Landregan. These indirect circulation patterns would thus limit the capacity of the southbound Horton-Landregan Connection roadway.

RESPONSE TO COMMENT 40.T.: No change in pedestrian access between Emery Bay Village and the intersection of Hollis/53rd Street is expected due to the development of the Chiron project. Any changes in pedestrian access within the Chiron project site will be addressed directly in the Chiron EIR.

RESPONSE TO COMMENT 40.U.: The effects of the Doyle-Haven Extension on the quality of life of surrounding land uses was addressed in the environmental document for the 1993 Emeryville General Plan. The proposed Doyle-Haven Extension would not involve right-of-way acquisition as described in Master Response E. Adequate landscaping would be installed along the joint pedestrian/bicycle corridor that would extend along the proposed extension.

The Doyle-Haven Extension is projected to have little change in traffic volumes on 53rd Street between Hollis Street and San Pablo Avenue. With the implementation of a traffic signal and left turn pockets in the east-west direction at the intersection of Powell Street/Doyle Street, the primary access point for the Doyle/Haven Extension is projected to be via Powell Street.

RESPONSE TO COMMENT 40.V.: The mitigation measures identified in Figure 23 apply to the proposed project. Therefore, if the City conditions the approval of the proposed medical center to the implementation of the identified improvements, then Kaiser would be responsible for funding the cost of the improvements. The cost of these improvements will be determined based upon the precise roadway geometrics for the proposed improvements.

Funding responsibility for the mitigation measures are identified in the Mitigation Monitoring and Reporting Program.

RESPONSE TO COMMENT 40.W.: The specific roadway and intersection improvements include the Phase I project improvements described on pages 120 through 130 and the cumulative Phase I improvements described on pages 133 through 139. Specific roadway and intersection improvements for the Future Expansion phase are described on pages 146 through 150, and cumulative improvements are discussed on pages 153 through 157.

The applicant is not proposing to monetarily or otherwise compensate nearby residents for air quality impacts. Once the construction of the hospital is completed, medical services would be available on-site for the treatment of medical ailments for Kaiser members and on a fee-for-service basis.

RESPONSE TO COMMENT 40.X.: The Draft EIR states on page 211 that closing the interior facades (off the street) of the three proposed parking structures would enhance their potential to block intrusive noise from the adjacent streets and would also reduce the transmission of noise generated by vehicles operating within the structure. Noise impacts occurring during construction are discussed in Section II, E, pages 213 and 214.

The proposed project would not result in significant noise impacts to the Emery Bay Village residences that would require retrofitting the existing structures.

RESPONSE TO COMMENT 40.Y.: As stated on page 201 of the Draft EIR, the City of Emeryville General Plan contains guidelines for determining the compatibility of acoustic environments which are used in the evaluation of new land development. For

noise sensitive uses, the guidelines establish normally acceptable levels of 55 decibels, without special building construction. Higher noise levels (65 to 75 decibels) are considered "conditionally acceptable," which means that mitigation measures must be implemented to reduce the noise to acceptable levels. These guidelines are consistent with the State of California and U.S. EPA's standards for determining significant noise impacts. Residents and the public had an opportunity to comment on noise levels and standards when the General Plan was adopted in 1987 and reorganized in 1993.

RESPONSE TO COMMENT 40.Z.: Mitigation measures identified on pages 211 through 213 would reduce significant interior noise impacts and noise impacts to the outdoor hospital grounds. As described on page 207, the proposed medical center would not result in significant noise impacts to 53rd, because the 200 peak hour trips accessing the parking garage would generate less than a three decibel increase in noise levels. The project does not result in significant noise impacts to Horton and Park because the increase in noise levels would be less than three decibels which is the threshold of significance.

RESPONSE TO COMMENT 40.A.2.: With regard to the first item, the Draft EIR states on page 214 that temporary wooden noise barrier walls should be constructed to shield residents at the Emery Bay Village from the noise emissions of stationary construction equipment.

In response to the second and third items, it would be the construction contractor's responsibility to ensure that the construction equipment has adequate muffling devices and operates in good mechanical condition. This requirement would be incorporated into the construction contract with Kaiser, as specified in the Mitigation Monitoring and Reporting Program included in this Final EIR.

Mitigation measures are included in the project to reduce the short-term noise impacts to the greatest extent feasible. The applicant is not proposing to monetarily or otherwise compensate nearby residents for short-term noise impacts. Once the construction of the hospital is completed, medical services would be available on-site for the treatment of medical ailments.

RESPONSE TO COMMENT 40.B.2.: Soil remediation will largely or entirely be completed before construction, approximately mid-1995. Ground water pumping and treatment is a long-term remediation process, and the length of time that may be required is not known at this point.

For a discussion of the effects of remediation on people in the project vicinity, please see response to Comment 60.B.

With regard to the routes of removal tanks, most tanks already have been removed from the project site. To the extent any remain, the routes which trucks would take to remove the tanks would occur in conformance with regulations regarding the disposal and transport of hazardous materials. It is important to note that remediation has been occurring on the Pepsi site for years with no reported citizen complaints regarding the removal of hazardous substances.

The Alameda County Environmental Health Department is one of the regulatory agencies overseeing the investigation and remediation of hazardous substances at the project site. Required protections and certifications will be implemented and obtained prior to construction of underground facilities.

RESPONSE TO COMMENT 40.C.2.: The commenter is referred to the discussion of lighting and shadow impacts contained in Master Response F1.

RESPONSE TO COMMENT 40.D.2.: As described in Section IV, G. (page 344) of the Draft EIR, the proposed medical center would not result in a significant impact to vegetation and wildlife habitat. Under existing conditions, the impervious surfaces and lack of vegetation on the site afford little habitat for birds and other animal species. With development of the proposed medical center, open space, plazas, and landscaping would be provided on the site to improve habitat conditions and potentially support increased bird life.

RESPONSE TO COMMENT 40.E.2.: The commenter is referred to Master Response F2. which addresses the requests for additional visual aids.

RESPONSE TO COMMENT 40.F.2.: The quality of "street-life" is not considered to be an environmental issue. The Draft EIR addresses the existing "street life" within the context of the existing land uses surrounding the project site in Section II, A, and the visual character of the project area as described in Section II, I. Pages 25 and 26 contain a discussion of the existing land uses along the streets bordering the site, and page 34 focuses on the San Pablo Avenue street frontage. The Draft EIR evaluates the impacts to the surrounding land uses that would result from the development of the proposed medical center on page 39. In order to ensure that the proposed medical center does not impact the existing land uses along the street frontage ("street life"), the project incorporates street-level and upper floor commercial retail uses in "liner" buildings, with the intention of invigorating the pedestrian-oriented activities in the project area. These "liner" buildings would extend around the perimeter of the garages on Hollis Street, Park Avenue, and San Pablo Avenue on the Phase I site, and along the Hollis Street and 53rd Street frontage of the parking garage and the Hollis Street frontage of the medical office buildings on the Future Expansion site. A detailed description of the "liner" buildings and street frontage is provided on pages 39, 42, 46, and 286 through 291.

RESPONSE TO COMMENT 40.G.2.: A comparison of the Emeryville Kaiser Permanente Medical Center project and the Alta Bates or San Francisco General hospitals is beyond the scope of this Draft EIR and not required by CEQA. In addition, any such comparison would not provide useful information because of the different operations of the facilities, as well as the different geographical locations in which they operate. Kaiser is a comprehensive health maintenance organization (HMO) providing both inpatient and outpatient services on a prepaid basis to members. Alta Bates is a fee-for-service non-profit community hospital providing inpatient and limited outpatient services. San Francisco General is a city and county facility operated in collaboration with the University of California, San Francisco that provides inpatient and clinic services, as well as research. Furthermore, neighborhood impacts are particular to each neighborhood. Impacts in San Francisco, for example, would not be directly applicable to Emeryville or elsewhere. The EIR evaluates the project's compatibility with surrounding neighborhoods from a land use perspective in Section II, A.

RESPONSE TO COMMENT 40.H.2.: The Draft EIR contains all of the required elements of an EIR pursuant to CEQA Guidelines Sections 15121-15131.

45TH STREET ARTISTS' COOPERATIVE
1420 45TH STREET
EMERYVILLE, CA 94608-2906

(510) 655-2880

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

20 June 1994

Gaye Quinn, Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Dear Ms. Quinn,

Our Community of 100 plus people, living and working adjacent to the proposed Kaiser and Chiron Projects is very concerned about the air quality and traffic impacts to our neighborhood. The Kaiser D.E.I.R. does not sufficiently address the traffic problems of our neighborhood. When Horton Street connects through from Mandela Parkway, we believe, that the traffic on our streets will dramatically increase. If the Kaiser and Chiron Projects are approved, we would like the last block of 45th Street between Hollis and Horton made one way heading west. Additionally, we would like the on-street parking during peak hours on 45th Street between Hollis and Horton, on Horton Street between Park and our driveway on Horton Street serving the 1420 45th Street building, and on Holden Street between Park and 45th Streets to be unaffected by any modifications made to the roads surrounding our neighborhood. 41A

Sincerely,

Scott Donahue
for the 45th Street Artists' Cooperative Board of Directors

rpg/sd

41. **RESPONSES TO COMMENTS FROM SCOTT DONAHUE RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 41.A.: Mitigation measures suggested for the intersection of Hollis Street/45th Street (pp. 126-127) include the provision of an exclusive left turn lane in the westbound direction on 45th Street. The installation of the "no parking" zone on 45th Street would only affect 45th Street east of Hollis Street. Therefore, this mitigation measure would not require the elimination of any on-street parking on 45th Street, between Horton and Hollis Streets. No mitigation measures are required for the segment of 45th Street, between Hollis Street and Horton Street as the Kaiser project would not result in a significant impact at this location. In addition, there are no mitigation measures in the Draft EIR that suggest the elimination of on-street parking on Horton Street, between 45th Street and Park Avenue, nor on Holden Street, between 45th Street and Park Avenue.

Conversion of only one block of 45th Street to a one-way link would not provide sufficient circulation in the area. One-way circulation is accomplished through pairs of streets and needs to extend through a complete travel corridor in order to be effective.

42

CAROLYN E. DOUTHAT
ATTORNEY AT LAW
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POST OFFICE BOX 245
OAKLAND, CALIFORNIA 94604
TELEPHONE (510) 763-5370
FAX (510) 835-5335

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

June 20, 1994

Ms. Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street, 15th Floor
Emeryville, CA 94608

Re: Draft EIR/Kaiser Medical Facility

Dear Ms. Quinn,

I am writing to comment on the above referenced draft EIR, in particular with respect to traffic impacts, and the effect on emergency services and quality of health care.

Public Services & Emergency Response Because of the regional impact of the proposed project, the EIR needs to evaluate the impacts on fire protection and emergency response which would result from the significant traffic impacts identified in Berkeley, and Oakland. American Medical Response, the ambulance company currently operating under contract with Alameda County and Oakland, has recently requested and been granted an increase in allowable response time because of an inability under current traffic conditions to meet the time specific by contract. Given the traffic impacts set out in the draft EIR, the Kaiser project is very likely to exacerbate the problem and lead to further delays in emergency services. 42A

Further, the EIR should include an analysis of the effect of the project on response time from the location of an emergency to Kaiser hospital itself, including the number of ambulances currently servicing Kaiser, the locations from which they come and changes in those numbers which are likely to result by relocation of the hospital to the proposed site. The traffic conditions set out in the draft EIR will certainly impact the ability of emergency vehicles to deliver patients to the hospital and may compromise the care received.

Traffic Impacts Common sense would predict a traffic nightmare resulting from this project. Not only will the effectiveness of the proposed BART shuttle be affected by the projected gridlock along its route, sidestreets around all of the intersections will experience greatly increased traffic problems. 42B Adjacent residential areas in Berkeley, Emeryville and Oakland will be disrupted and the current route from Oakland to Berkeley avoided or circumvented. These secondary effects of the traffic impacts should be analyzed.

Traffic Mitigations The draft EIR fails to address the cost of proposed mitigations, who will fund them, when the funds will be available, and how effective monitoring and additional mitigations, as necessary, would be implemented. 42C

Socio-economic Impacts Providing decent health care can certainly be said to be a goal of all of the affected communities. Adequate health care involves not only the availability of service at a particular site, but also the accessibility of that site for the patient, family and visitors. As a Kaiser member I am convinced that if this project is implemented, the level of service will decline, a significant impact in conflict with the goals of the local communities. 42D

Thank you for the opportunity to comment.

Very truly yours,

Carolyn Douthat

42. **RESPONSES TO COMMENTS FROM CAROLYN E. DOUTHAT RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 42.A.: The Draft EIR evaluated the impacts to fire protection and emergency response in Section II, J. Please see the response to Comment 12.B. which describes the response times for the provision of emergency services associated with the proposed project.

RESPONSE TO COMMENT 42.B.: See Master Response D1. for a discussion of residential streets.

RESPONSE TO COMMENT 42.C.: In conformance with CEQA Guidelines §15126(d), the EIR describes the measures which could minimize significant adverse traffic impacts resulting from the development of the proposed medical center. CEQA does not require that the costs of each of these mitigation measures be projected and included in an EIR. Kaiser, however, will be responsible for funding its share of those mitigation measures required to reduce or avoid significant impacts associated with the project. With regard to cumulative mitigation measures, as stated on pages 134 and 154 in the EIR, Kaiser would be responsible for funding its share of the cumulative improvements, and other cumulative projects would be responsible for contributing their fair share.

All of the transportation and circulation mitigation measures identified in the EIR are considered feasible, with the exception of the traffic mitigation measures that were determined to be infeasible due to right-of-way acquisition and the location of roadways outside of Emeryville's jurisdiction. Therefore, in conformance with CEQA Guidelines §15126(c), the Draft EIR provides an adequate discussion of mitigation measures which could reasonably be expected to reduce significant adverse impacts.

In addition, a Mitigation Monitoring and Reporting Program will be adopted with the findings to ensure that the mitigation measures are implemented in accordance with Public Resources Code §21081.6.

RESPONSE TO COMMENT 42.D.: According to Kaiser, in planning for the new medical center, maintaining or exceeding the current level of service was a key criteria. Kaiser expects that both hospital and outpatient services will be enhanced by the new medical center in Emeryville, because the current Oakland campus is physically constrained, and there is no space available for future expansion for new services or technology. The new hospital has been planned and designed for member service and optimal operational efficiency with flexibility for future expansion. As well, outpatient services will be provided at Oakland and Emeryville with appropriate facilities to provide quality care.

43

HENN, ETZEL & WEISS

ROBERT L. HENN
FREDERICK M. ETZEL
PAUL A. WEISS

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June 20, 1994

VIA U. S. MAIL AND FAX NO. 510-658-8095

Ms. Gaye Quinn
Planning Director
City of Emeryville
Planning Department
2200 Powell Street, 12th Floor
Emeryville, California 94608-1806

Dear Ms. Quinn:

On behalf of Sherwin-Williams, I recently reviewed the three volume Draft EIR for the Kaiser Permanente Medical Center, and I have the following comments.

1. Roadway Mitigation Measures - Year 2000 Conditions

Figure 20 at page 121 of Volume I shows Roadway Mitigation Measures - Year 2000, which includes the construction of a 4 lane Stanford Extension, stopping at 53rd Street. This Mitigation Measure is also textually described on page 128 as Cir-7.1, which provides for three, not four, lanes. We understand from our prior discussions with City staff and Chiron's proposal to expand its Chiron Campus project that this mitigation measure has much broader implications for the Chiron project and Sherwin-Williams. 43A

In the responses to comments portion of the Final EIR, would you please explain what is planned for Horton Street south of 53rd Street. Please also see Comments 3 and 4, below.

2. Emeryville Historic Industrial District

Figure 27 at page 263 of Volume I delineates the boundary of a proposed Emeryville Historic Industrial District which apparently has been reviewed and acknowledged by the California State Office of Historic Preservation. Figure 27 indicates "Buildings contributing to the Emeryville Historic Industrial District," and it appears that the Sherwin-Williams plant is designated as #50 on Figure 27. 43B

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21/61/02

It seems that this proposed District was taken from the EIR prepared by CALTRANS for the reconstruction of the Cypress Structure, and that the City does not intend to make this proposed District a part of its planning and regulatory system. Materials which your office was kind enough to provide to me included Continuation Sheet 20, which presented information on the Sherwin-Williams building. Please note that the original entry door and the three dimensional company logo described in Sheet 20 were removed from the building some time ago. It appears that the architectural features which may have caused the building to be designated as contributing to the Emeryville Historic Industrial District are no longer present. In the responses to comments portion of the Final EIR, would you please comment on the foregoing. 43B

3. Cumulative Traffic Impacts

The discussion of Potential Additional Cumulative Impacts at pages 338-342 discusses the City's efforts to coordinate the environmental review processes for the Kaiser and Chiron projects, which has caused the City on several occasions to delay the release of the Kaiser EIR. The recent decision by Chiron to expand its Campus Plan from 1.5 to 2.2 million square feet exacerbates this coordination problem, and further complicates the City's duty under CEQA to discuss cumulative impacts.

The discussion at pages 338-342 of the additional cumulative impacts resulting from the expansion of the Chiron project from 1.5 to 2.2 million square feet is helpful. In particular, at page 339 it is noted:

> "Depending upon access points and other details of Chiron's site plan which are currently not available, the City estimates that the additional trips would be likely to cause the need for an additional north-south lane on either Horton Street, Hollis Street, Haven Street or San Pablo Avenue in addition to the 2010 mitigation measures depicted on Figure 22." 43C

In the responses to comments portion of the Final EIR, could you please amplify this discussion based on any additional details of Chiron's site plan which have or will become available since the publication of the Draft EIR. Would you please specifically comment on the possibility for an additional north-south lane on Horton Street.

I make this comment understanding that the Chiron EIR will contain an exhaustive treatment of cumulative traffic impacts, but this document will not be available until October, 1994 at the earliest. Any information on this subject which can be provided in the Response to Comments document would be appreciated. 43C

4. Year 2000 Project Trip Distribution

Figure 9 at page 36 of Volume II of the EIR depicts Year 2000 Project Trip Distribution. This figure appears not to include Mitigation Measure Cir-7.1, the construction of a 4 lane Stanford Extension and a Horton-Landregan Connection, as shown in Figure 20 at page 121 of Volume I depicting Roadway Mitigation Measures - Year 2000. It seems logical that some portion of the Year 2000 Project Trip Distribution should be assigned to Horton Street and the Stanford Extension and a Horton-Landregan Connection. 43D

On the other hand, I may be missing the reason why no portion of the Year 2000 Project Trip Distribution was assigned to Horton Street. In the responses to comments portion of the Final EIR, would you please discuss this.

5. Mitigation Monitoring and Reporting Program

In the responses to comments portion of the Final EIR, would you please discuss when the Mitigation Monitoring and Reporting Program for the Kaiser EIR will be available for public review, and how the public may obtain a copy of and comment on this document. 43E

In closing, thank you very much for your attention to this letter and the opportunity to comment on this EIR. I would also like to again thank you for the assistance provided to me by your staff related to this EIR.

Very truly yours,

Frederick M. Etzel

FME:
CC: Allen J. Danzig
Senior Corporate Counsel

SH060101.72
21/61/02

43. RESPONSES TO COMMENTS FROM FREDERICK M. ETZEL, HENN, ETZEL & WEISS RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 43.A.: Mitigation Cir-7 on page 128 is amended to read as follows: "Construct a two-lane Horton-Landregan Connection, with turn lanes into the Chiron project, and a two-lane Stanford Avenue Extension between Horton-Landregan and Hollis Street with left and right turn lanes at the Hollis Street intersection." As such, the section of Horton Street south of 53rd Street and the section of Stanford Avenue east of Hollis Street would be two lane streets. No further widening of these streets is anticipated unless it is needed to support future new development projects along the street frontage. Please note that Figure 20 is revised to indicate the correct intersection and roadway configuration for Horton-Landregan.

RESPONSE TO COMMENT 43.B.: The commenter correctly notes that the map of the Emeryville Historic Industrial District was taken from the EIR prepared by CALTRANS for the reconstruction of the Cypress Structure. It is also correct that the City of Emeryville has not initiated any actions to establish this area as a Historic District. The status of this structure, however, is not relevant to the proposed medical center because the subject building is not located on the project site. In order for the Sherwin-Williams building to be deleted from the eligible Emeryville Industrial Historic District, the building would require a complete re-evaluation by an architectural historian which is outside the scope of this EIR. If the architectural historian determined that the historic integrity of the structure was sufficiently compromised as to warrant its deletion from the historic district, then the structure could be officially withdrawn from the State Office of Historic Preservation's list.

RESPONSE TO COMMENT 43.C.: Please refer to Master Response D5. for a discussion of the expanded Chiron project. Chiron informed the City of its plans to expand just before the Draft EIR was released for public review. As a result, the City delayed the release of the Kaiser EIR in order to incorporate this new information into the cumulative impact analysis. Please refer to pages 338 to 342 of the Draft EIR for a discussion of the potential impacts. Additional information made available by Chiron after the Draft EIR was released indicates that the discussion of cumulative impacts in the Draft EIR presented a worst-case evaluation of the anticipated impacts associated with the Chiron expansion.

Pursuant to Public Resources Code §21110(d), the City of Emeryville relied on previously approved land use documents and a list of approved, pending, and proposed projects that were known at the time the Draft EIR was under preparation.

RESPONSE TO COMMENT 43.D.: The project trip distribution does not show the assignment of trips from the Kaiser project for two reasons. First, the Horton-Landregan Connection and the Stanford Extension are mitigation measures and the graphic illustrates the distribution of project traffic onto the future baseline roadway network without the mitigation measures. Second, it is anticipated that only a negligible level of traffic generated by the Kaiser project would actually use these new street extensions. These streets provide a significant benefit as mitigation measures for the Kaiser project, however, as the provision of a new north-south collector street results in a shift of approximately 1,000 PM peak hour vehicles from San Pablo Avenue and Hollis Street to the Horton-Landregan Connection, thereby reducing congestion at intersections along these streets. As such, even though a significant level of traffic from

the Kaiser project would not use these new facilities, the roadways would allow for significant relief of congestion at other intersections impacted by the Kaiser project.

RESPONSE TO COMMENT 43.E.: Pursuant to Public Resources Code §21081.6, a Mitigation Monitoring and Reporting Program will be adopted as part of the findings for the EIR. A copy of the Mitigation Monitoring and Reporting Program may be obtained from the City of Emeryville Planning Department upon request.

PAUL GERMAIN
EMERYVILLE PLANNING COMMISSION
EMERYVILLE CA 94608
(510) 652 4947

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

CITY OF EMERYVILLE
GAYE QUINN, PLANNING DIRECTOR
2200 POWELL STREET, 12TH FLOOR
EMERYVILLE CA 94608

June 13th, 1994

RE: Draft Environmental Impact Report, Kaiser Permanente Center

I have limited my current comments to Volume I, Section II, Sub-section 'C' of the DEIR---the transportation and circulation section. It is my belief that the impacts and their mitigations in this section will have the most profound effects on the quality of life in Emeryville.

The comments are based on a premise formed after reviewing Environmental Impact Reports during my six years as a planning commissioner--**Environmental Impact reports typically under-estimate the traffic impacts of their projects.** This EIR, I feel, will be no different. Unfortunately, these under-estimated impacts are not perceived until after the project has been built and the traffic is upon us. To compound the problem, the traffic mitigation measures presented by the typical EIR don't do enough to solve the impacts as understated in the EIR. 44A

The above premise is the basis for comments below and results in a demand for more traffic mitigation measures during this phase, and, installation of the Phase II mitigation measures during the first phase. **(Do not wait until the year 2010--the traffic will be here after the first phase is built.)** If this is done, we may realize valid traffic and circulation mitigation measures when the project is built and the traffic chickens come home to roost.

The comments below are referenced by page and the traffic impact. They should be considered as additional mitigation for the traffic impact described. 44B

Page 120, Mitigation Measure Cir-1.1
The widening and re-striping as stated in Cir-1.1 should extend to Horton Street with appropriate turn lanes on Horton and 45th.

Page 125, Mitigation Measure Cir-2.1
Turn lanes should be provided on southbound Park Street at the intersection of Horton and Park and a provision for signalization should be made at this intersection. 44C

Page 125, Mitigation Measure Cir-3.1
The loss of 35 on-street parking spaces at this intersection may be unavoidable but future mitigation may be possible through the off-street parking fund. Suggest Kaiser donate to the fund in an amount equal to "in-lieu" parking fees similar to fees paid by developers without adequate parking. 44D

Page 126, Mitigation Measure Cir-4.1
Donate "in-lieu" parking fees for loss of on-street parking. Install turn lanes and signalization on Southbound 45th Street at Horton Street. 44E

Page 128, Mitigation Measure Cir-7.1
This intersection should be signalized at the wye-intersection and should be increased to 4 lanes. 44F

Page 129, Mitigation Measure Cir-8.1
Kaiser should obtain permission from the City of Oakland and pay for this mitigation measure regardless of who installs it. 44G

Page 129, Mitigation Measure Cir-8.2
Kaiser should implement The Transportation System Management Program. 44H

Page 129, Mitigation Measure Cir-9.1
Kaiser should obtain required permission from the City of Oakland and pay for this mitigation measure regardless of who installs it. 44I

Page 130, Mitigation Measure Cir-10.1
This intersection should have signalization installed and appropriate striping and turn lanes installed. 44J

II. Page 130, MITIGATION MEASURES DEIR FOUND NOT TO BE FEASIBLE
The comments in this section should be considered additional mitigation to be added to the Final EIR.

Intersection of Christie-Powell: This intersection will have a V/C ratio of 1.38 and more traffic is being funneled into it. Kaiser should be required to pay for a portion of future improvements to this intersection because Kaiser will definitely be contributing additional traffic to the intersection. 44K

Intersection of Hollis-Powell: This intersection will have a V/C ratio of 1.16--Kaiser should purchase property on the West side of Powell to accommodate another turn lane. New signalization and re-striping should be done accordingly. 44L

III. Page 134, CUMULATIVE MITIGATION MEASURES
The DEIR states that the following mitigation measures should be installed to mitigate "cumulative" traffic generated from the Kaiser project and other projects. The following mitigation measures should be installed by Kaiser during the first phase and Kaiser should be reimbursed proportionally as future projects add traffic to these intersections. 44M

Page 134, Mitigation Measure Cir-11.1
Page 134, Mitigation Measure Cir-12.1
Page 135, Mitigation Measure Cir-13.1
Page 135, Mitigation Measure Cir-14.1

IV. Page 146, YEAR 2010--ROADWAY AND INTERSECTION IMPROVEMENTS

The DEIR states that the following mitigation measures should be installed during Phase II, including the Doyle Street-Haven Street connection. As stated in the opening comments above, these Roadway and Intersection Improvements should be installed in the first phase. In addition, the Doyle Street-Haven Street connection must connect to 40th Street in order to benefit the entire city, not only Kaiser. This road should not dead-end into Kaiser's Project, it will only benefit the city if it passes through Kaiser. In addition, Kaiser should mitigate the noise impacts such a road would produce for the residents of Emery Bay Village. Options such as sound-walls, landscaping, and "white noise" generators such as fountains should be considered. 44N

Page 146, Mitigation Measure Cir-15.1
Pay "in Lieu" fees to the off-street parking fund for the on-street parking that is lost due to this mitigation measure. 44O

Page 147, Mitigation Measure Cir-16.1
Kaiser should acquire property to widen Hollis for an extra through-lane each way. Pay "in lieu" fees for lost on-street parking. 44P

Page 147, Mitigation Measure Cir-17.1
Kaiser should acquire property on the west side of Hollis, re-stripe and re-signalize. 44Q

Page 148, Mitigation Measure Cir-18.1
Delete parking between Park and 45th Streets and re-stripe. Pay "in-lieu" fees for the lost on-street parking. 44R

Page 149, Mitigation Measure Cir-19.1
Install as written 44S

Page 149, Mitigation Measure Cir-20.1
Pay "in-lieu" fees for lost on-street parking. 44T

Page 150, Mitigation Measure Cir-21.1
Extend the no-parking zone up to 41st Street, pay "in-lieu" fees into the off-street parking fund to allow the city to build future structured parking to offset the lost on-street parking. 44U

Page 150, Mitigation measure Cir-22.1
Kaiser should pay a proportionate share of future costs incurred for widening of the off-ramp. 44V

V. Page 154, YEAR 2010--CUMULATIVE MITIGATION MEASURES

The DEIR states that the following mitigation measures should be installed during the second phase to mitigate "cumulative" traffic generated from the Kaiser project and other projects. The following mitigation measures should be installed by Kaiser during the first phase and Kaiser should be reimbursed proportionally as future projects add traffic to these intersections. The comments beneath 44W

each mitigation measure should be considered as additional mitigation.

Page 154, Mitigation Measure Cir-23.1 44W
Re-stripe and re-signalize, pay "in-lieu" fees for lost on-street parking.

Page 155, Mitigation Measure Cir-24.1

Page 155, Mitigation Measure Cir-25.1

VI. Page 156, ROAD CLOSURE IMPACTS AND MITIGATIONS

The DEIR states that the abandonment of the Haven Street extension would be a part of the Kaiser project and that this will result in significant impact to roadway conditions along Hollis Street. Kaiser is boldly thumbing its nose here, saying that it is fine to move the traffic over to Hollis Street and create significant unavoidable impacts--but--Kaiser doesn't want the traffic to run through its own "campus". 44X

The obvious mitigation here is to follow the Emeryville General plan, create the Haven-Doyle extension and extend it through to 40th Street.

The following mitigation measures should be installed during the first phase and the comments considered as additional mitigation.

Page 157, Mitigation Measure Cir-26.1 44Y
Connect through to 40th Street with striping, signalization, etc; to create an alternate North-South artery.

Page 157, Mitigation Measure Cir-27.1 -or- Cir-27.2
Install either as written.

////////////////////////////////**END**////////////////////////////////////

44. RESPONSES TO COMMENTS FROM PAUL GERMAIN, EMERYVILLE PLANNING COMMISSION RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 44.A.: The City of Emeryville made its best efforts to obtain a complete list of approved, pending, and proposed projects that would contribute to cumulative traffic. The standard methodology used for traffic impact studies actually typically presents a very conservative analysis of the impact of project and cumulative traffic. The use of the city-wide travel model was intended to allow for a more realistic assessment of impacts. When compared with travel forecasts prepared by the Alameda County CMA for this project, the forecasts used in the Draft EIR for this analysis to determine impacts were more conservative in all cases.

For comment regarding the acceleration of Year 2010 mitigation measures, see response to Comment 44.N.

RESPONSE TO COMMENT 44.B.: Mitigation measures to widen 45th Street, between San Pablo Avenue and Hollis Street, were suggested in order to reduce project access impacts. Therefore, there is no need to extend the widening and re-striping of 45th Street to Horton Street, since such mitigation would not address project access impacts.

RESPONSE TO COMMENT 44.C.: The intersection of Horton Street/Park Avenue was not a study intersection. Since Horton Street does not provide extensive north-south circulation, and since Park Avenue does not extend over the railroad tracks to the west, traffic through this intersection would not readily serve the project site.

RESPONSE TO COMMENT 44.D.: Because Kaiser is providing sufficient parking, it is not required to pay in-lieu parking fees. The City does not have an ordinance to require Kaiser to provide in-lieu fees for removing on-street parking to provide for additional traffic lanes. The Draft EIR identified the loss of on-street parking during peak traffic periods to be a significant unavoidable impact. This impact would be offset to some extent by the establishment of the Emeryville-BART shuttle which will be expected to reduce the need for on-street parking on a city-wide basis.

Residents and employees of businesses within the City are not legally entitled to on-street parking. The City can eliminate on-street parking spaces at its discretion, independent of the proposed project.

RESPONSE TO COMMENT 44.E.: Please refer to the response to Comment 44.D. The roadway improvements and signalization suggested by this comment are included in the proposed mitigation for the project. The City does not have an ordinance to require Kaiser to provide in-lieu fees for removing on-street parking to provide for additional traffic lanes.

RESPONSE TO COMMENT 44.F: The specific design of the wye-intersection at the junction of the Horton-Landregan Connection and the Stanford Extension should be designed in conjunction with the Chiron project. The four lane section on the Stanford Extension was recommended to provide to two through lanes and turning lanes and one lane for access into parking garages on the west end of the Chiron project. The intersection of the Horton-Landregan Connection/Stanford Extension was not evaluated for the Kaiser project and volumes are therefore not available to determine whether a traffic signal is warranted at this location.

RESPONSE TO COMMENT 44.G.: As the Draft EIR notes, this intersection is within the City of Oakland's jurisdiction. The implementation of this mitigation measure depends upon whether or not Oakland chooses to approve the mitigation.

RESPONSE TO COMMENT 44.H.: The commenter's remarks are noted. Kaiser will implement the TSMP which has been incorporated into the Mitigation Monitoring and Reporting Program for the project. The City of Emeryville will require that they develop a TSMP and update it on a regular basis. Kaiser has had considerable success at other Kaiser campuses in implementing a TSMP. Refer to the "Trip Reduction Ordinance" Master Response D8.

RESPONSE TO COMMENT 44.I.: Please see response to Comment 44.G.

RESPONSE TO COMMENT 44.J.: Please see response to Comment 44.G. A traffic signal at the intersection of Cypress Street/32nd Street is not warranted until Year 2010. The installation of turn lanes is not needed to improve the service levels at this intersection.

RESPONSE TO COMMENT 44.K.: The improvements at Christie Avenue and Powell Street were determined to be infeasible due to the impacts related to the accessibility of parcels and the movement of goods to commercial uses in the immediate vicinity. Should the project be approved, the Emeryville decision-makers would need to consider the infeasibility of implementing this mitigation prior to conditioning the approval of this project to the implementation of the identified improvements.

RESPONSE TO COMMENT 44.L.: The improvements at Hollis Street and Powell Street were also determined to be infeasible. Kaiser is not proposing to acquire additional right-of-way to provide for this improvement. Should the project be approved, the Emeryville decision-makers would need to consider the infeasibility of implementing this mitigation prior to conditioning the approval of this project to the implementation of the identified improvements.

RESPONSE TO COMMENT 44.M.: Should the project be approved, the Emeryville decision-makers would need to consider the timing of implementing this mitigation prior to conditioning the approval of this project to funding the costs of the identified improvements. This mitigation would be negotiated through the Development Agreement. It is important to note that the need for some of these improvements is contingent upon cumulative development occurring.

RESPONSE TO COMMENT 44.N.: The traffic analysis did not demonstrate a need to connect Doyle/Haven Street to 40th Street as a result of the proposed project. The City of Emeryville cannot legally require Kaiser to fund improvements to benefit the entire City beyond the impacts which the project creates; however, this measure could be included as an element of the Development Agreement.

The Year 2010 roadway mitigation measures illustrated in Figure 22 of the Draft EIR are not proposed for Year 2000 since traffic projections for Year 2000 do not show a demand for the improvements until Year 2010, such as the Doyle-Haven Extension. A similar rationale was used for determining the Year 2010 intersection mitigation measures illustrated in Figure 23.

Travel forecasts developed by the city-wide model indicate that there would not be a measurable demand for the segment of Haven Street, between 45th and 40th Streets. As such, this segment is not included as a mitigation measure for the project.

Please refer to Master Response E. for a discussion of the noise mitigation associated with the Doyle-Haven Extension.

RESPONSE TO COMMENT 44.O.: Please refer to the response to Comment 44.D. above.

RESPONSE TO COMMENT 44.P.: The response to Comment 44. L. also applies to acquiring right-of-way along Hollis Street in Cir-16.1 for an additional through lane. The provision of an additional through lane was not identified as a mitigation measure for project impacts as stated on page 147 of the Draft EIR. Also refer to the response to Comment 44.D. for the response regarding "in-lieu" parking fees.

RESPONSE TO COMMENT 44.Q.: The Emeryville decision-makers would need to consider whether or not they will require that Kaiser purchase the additional right-of-way needed to implement this mitigation measure prior to conditioning the approval of this project to the implementation of the identified improvements.

RESPONSE TO COMMENT 44.R.: This mitigation identifies mandatory peak period parking restrictions on both sides of Hollis Street, not the complete elimination of on-street parking. Please refer to the response to Comment 44.D. for a discussion of "in-lieu" parking fees.

RESPONSE TO COMMENT 44.S.: The commenter's remarks are noted. Mitigation Cir-20 requires the elimination of parking and restriping along Hollis Street, between Park Avenue and 53rd Street. Please refer to the response to Comment 44.D. for a discussion of "in-lieu" parking fees.

RESPONSE TO COMMENT 44.T.: Please refer to the response to Comment 44.D.

RESPONSE TO COMMENT 44.U.: The need for a no-parking zone up to 41st Street was not demonstrated by the results of the traffic analysis. Please refer to the response to Comment 44.D. regarding "in-lieu" parking fees.

RESPONSE TO COMMENT 44.V.: The Emeryville decision-makers would need to consider the whether or not they will require that Kaiser contribute to the funding of additional right-of-way needed to implement this mitigation measure prior to conditioning the approval of this project.

RESPONSE TO COMMENT 44.W.: Mitigation measures Cir-23.1, Cir-24.1, and Cir-25.1 identify the measures described in the commenter's remarks on pages 154 and 155 of the Draft EIR, with the exception of the payment of "in-lieu" parking fees. However, the traffic analysis did not demonstrate the need for implementing these improvements in the first phase of the project.

RESPONSE TO COMMENT 44.X.: The Draft EIR does recommend the implementation of a mitigation measure that would require the installation of the Doyle-Haven Extension between 45th Street and Powell Street.

RESPONSE TO COMMENT 44.Y.: Year 2000 travel forecasts developed by the city-wide model indicate that there would not be a measurable demand for the segment of Haven Street, between 47th and 40th Streets. As such, this segment is not included as a mitigation measure for the project.

As described in the Road Closure Impacts and Mitigation section of the Draft EIR (p. 157), the closure of Watts Street would result in a project impact. The mitigation measures suggested for this roadway impact would be implemented in Phase I of the project.

RECEIVED
JUN 2 0 1994
PLANNING DEPARTMENT

TO... Gaye Quinn, Planning Director
CITY OF EMERYVILLE
2200 Powell Street, 12th Floor
Emeryville, CA 94608

FROM... Don Gravestock
FOXWATER GROUP

DATE... 20 June 1994

RE... Draft Environmental Impact Report
Kaiser Permanente Medical Center

This project would have the effect of eliminating almost all the parking anywhere near our building at 3807 - 3823 San Pablo Avenue, the triangular building with 16 apartments over antique stores on the ground floor.

Specifically, our quarrel is with proposed mitigation Cir-3 on page 125, and mitigation measure Cir-5 on page 127, which state that since we have no other parking available, eliminating our parking will have a significant unavoidable impact. Specifically, *"Because this project does not propose to provide replacement parking and because there are no available convenient vacant lots for constructing additional parking, the loss of the existing on-street spaces would be a significant unavoidable impact."*

We agree, the impact would be significant, it amounts to taking a significant portion of the value of our property. We are currently experiencing an almost total loss of parking as a result of the Catellus construction. We have lost all street parking. Renting a portion of the lot next door has not helped as much as expected. Our spaces are often taken up by contractors vehicles and materials. We have not been able to rent a single apartment since we lost all the street parking and retail sales have been slow. 45A

Ours seems to be the only property on the West side of San Pablo seriously affected by the proposed mitigation. The other owner, Catellus, has 1200 spaces. One of the reasons we withdrew our objections to their project was that our lost parking would be replaced by parking on San Pablo Avenue.

The mitigation measures we object to are not considered feasible for the intersection of Ashby and San Pablo or Alcatraz and San Pablo, because of *"...the impacts that would occur to the adjacent commercial businesses."* We should not be treated worse than the owners of businesses in adjacent cities.

It may be currently fashionable to encourage transit oriented land use, but it seems unfair to impose this experiment on us so that Catellus and now Kaiser can have better automobile access.

We do not think that this mitigation measure is acceptable unless we are provided with alternate parking or unless we are compensated for the damage to our property.

Don Gravestock

3807 San Pablo Avenue
Emeryville, CA 94608

FAX 510/428-1947
Phone 510/428-2332

45. **RESPONSES TO COMMENTS FROM DON GRAVESTOCK RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 45.A.: The commenter's remarks are noted. The Draft EIR describes the loss of on-street parking as a significant unavoidable impact. Adequate parking would be provided at the project site for Kaiser employees, members, and visitors.

The City has the right to remove parking from the street for safety (sight distance or fire hydrant) or traffic capacity reasons (additional turning lanes).

The City's criteria for determining whether a mitigation measure was infeasible was based upon the need to acquire right-of-way or the need to demolish existing structures in order to facilitate the roadway improvements. The loss of on-street parking, however, was not a criterion for establishing that a mitigation measure was infeasible.

46

CAROL R. HANDELMAN
1059 48TH STREET
EMERYVILLE, CA 94608
654-0844

City of Emeryville
Gaye Quinn, planning director
2200 Powell Street
Emeryville, CA 94608

RECEIVED
JUL 2 8 1994
PLANNING DEPARTMENT

Dear Ms. Quinn:

I am a homeowner in Emeryville who is very concerned about the proposed Kaiser project. Here are my questions on the draft EIR. Please notify me when the final EIR, which will address these questions, is complete.

Regarding the rezoning required for the proposed project (page 15 &16 of vol.1 draft EIR), there are specific points that need to be addressed in a Planned Unit Development. The first is consistency with the general plan. In appendix A of vol. 1, there are 15 draft recommended changes to the Emeryville General Plan and 2 recommended changes to the Shellmound Park Redevelopment Plan. I would like you to address the following recommended changes: 46A

Recommended change to Page 5, first paragraph: This project requires the demolition of existing housing in good condition. The general plan strictly discourages this. Please explain in detail why the phrase "unless necessary or desirable for public health and welfare purposes" should be added to the general plan. Please also explain why a members-only health facility fulfills "public health and welfare purposes". Can the three other hospitals (with emergency rooms open to the public) within a five-mile radius provide those services? Please also explain how this project would benefit "public health and welfare" more than the medium-density housing and mixed-use zoning currently in the general plan.

Recommended change to Page 6, policy 2 and Housing Element Page 55 policies 2 and 3: Please define both "public" and "quasi-public" purposes. Please define both those terms as they relate to housing and to a members-only health facility. 46B

Recommended change to Page 6, policy 3: Please explain in detail why the phrase "are not needed for other public or quasi-public purposes" should be added to the general plan. Please assess the environmental impacts on communities within 1000 feet if the envisioned residential units were developed on the Del Monte site as opposed to the proposed Kaiser development. 46C

Recommended change to Page 25, policy 5: How will destroying the historical buildings on the north side of Park Avenue "preserve and enhance" the historical value of the buildings on the south side? What negative impacts might such destruction have? How does the project conform with Page 24, Policy 1? How does the project conform with Page 24, Policy 3? How does the project conform with Page 26, policy 16? 46D

Page 34, new section: How will construction of a members-only facility "provide adequate health services and facilities for Emeryville residents."? Are these requirements already being met by Alta Bates, Herrick, Children's and the current Kaiser facilities in Oakland? 46E

Page 35, Figure 1: Please explain how Emeryville will be able to maintain its state-mandated 46F

jobs-housing balance with the change of such a large area currently designated for medium-density residential use to commercial use? 46F

Proposed change to Page 41, Figure 7: If the Draft EIR is based on the Kaiser project being built out at a FAR of 2.1 (the proposed change), please evaluate the environmental impacts of the Kaiser project if it were to be built at the currently mandated FAR of 1.3 for the area. How does the project conform with Page 21, policy 2 of the general plan, which states: "New development projects shall be at an appropriate density based upon locational considerations, accessibility, and the prevailing character and density of the surrounding development."? 46G

Re page 23, policy 12: How does the proposed project conform with this requirement? 46H

Housing element

Please explain in detail how taking the Del Monte site from the list of potential land available for housing will impact the general plan's housing element in light of the fact that there are no longer realistic expectations of housing being built on the Catellus site, the site adjacent to the Holiday Inn, and the Christie Avenue property. Where does the city propose to make up this potential housing loss? 46I

Shellmound Park Redevelopment Plan

Please discuss in detail whether the impacts on the housing stock of Emeryville caused by changing the zoning of the proposed Kaiser Del Monte site from residential and mixed use to commercial can be adequately mitigated by leaving the zoning as it stands and developing the Kaiser project on the Shellmound Park site. 46J

Please assess the wind, shadow and public open space impacts of the project. 46K

It appears in recent weeks that the city of Oakland has become eager to work with Kaiser to locate its new facility in downtown Oakland. This makes the downtown Oakland site a reasonable alternative to the Emeryville site. Please evaluate environmental impacts of locating the project at the proposed downtown Oakland site as an alternative to the proposed Emeryville site. 46L

Yours truly,

Carol R. Handelman

Carol R. Handelman

CAROL R. HANDELMAN
1059 48th Street
Emeryville, CA 94608

RECEIVED
JUN 15 1994
PLANNING DEPARTMENT

June 14, 1994

Mr. Michael Chiratti
Chief of the Clearinghouse
State Clearinghouse
c/o Governor's Office of Planning and Research
1400 10th Street, Room 121
Sacramento, CA 95814

Dear Mr. Chiratti:

I respectfully request that you require an extension on the comment period for the Draft EIR for the proposed Kaiser Hospital project in Emeryville. As of now, that period ends on Monday, June 20, 1994. The project is enormous — over two million square feet of buildings — with regional impacts. The city has allowed only the minimum required time for comment, and the complexity of the EIR and the project itself require more time. 46M

The State Clearinghouse number for the project is 93082063.

Thank you for your consideration of this request.

Yours truly,

Carol R Handelman

Carol R. Handelman

cc: Gaye Quinn, planning director, City of Emeryville

46. RESPONSES TO COMMENTS FROM CAROL R. HANDELMAN RECEIVED JUNE 15, 1994 AND JUNE 20, 1994

RESPONSE TO COMMENT 46.A.: As the Draft EIR and the commenter indicate, the project would require the demolition of existing housing. As part of the project, Kaiser has requested a General Plan amendment that would permit the demolition of housing if necessary for public health and welfare purposes. Although the project would result in the development of a "members-only" health facility, it would provide fee for service health care and other significant benefits that would be available to the greater Emeryville community. In addition, Kaiser is proposing to provide immunization programs for local school children, health education programs, and other community services available to all age groups. Therefore, the project would constitute a significant public health and welfare purpose.

As described on pages 4-5 in the Draft EIR, project objectives include the provision of a wide variety of high quality employment opportunities that may be available to Emeryville residents, significant economic benefits to the city, improvement of public safety on the project site and in the surrounding neighborhoods, and creation of secure open space and park space. Moreover, as part of the project, the Kaiser Housing Program would facilitate the development of housing opportunities in Emeryville. The project also would include space for non-Kaiser commercial and retail uses that would be available for use by the public at large. While the commenter notes that other hospitals are located within relatively close proximity to the project site and provide emergency room services that are open to the public, without the project, the benefits to the Emeryville community at large described above would not be obtained.

As noted in the response to Comment 38.H., the project would eliminate conditions of blight in the project area as set forth in the Shellmound Redevelopment Plan. For example, the project would result in the construction of segments of the City's Circulation Element Map (Doyle-Haven Extension and Horton-Landregan Connection) thereby eliminating inadequate public improvements. In addition, the project would contribute to the Bay-Shellmound Assessment District.

With respect to the request for information comparing the benefits of the project with those that would result from development of the project in accordance with the land uses currently permitted at the project site, please refer to the Draft EIR's discussion of the Existing General Plan Alternative at pages 324-327. As the Draft EIR indicates at page 325, the City has faced repeated failures in attempting to develop residential uses on the Phase I site in accordance with the existing General Plan land use designation.

RESPONSE TO COMMENT 46.B.: Public purposes and quasi-public purposes consist of those uses described as a Civic Use Type in the Zoning Ordinance Use Classification System (see Article 9-4.4). Quasi-public uses are those utility, educational, cultural, medical protection and other uses which are strongly vested with public or social importance.

RESPONSE TO COMMENT 46.C.: With respect to the comment related to the proposed amendment to the Emeryville General Plan, Kaiser has proposed the amendment in order that the project would be interpreted to fit the exception as being a public or quasi-public purpose. Should the amendment be approved, the City Council will decide whether the project serves a "public or quasi-public purpose" sufficient to justify approval in spite of this policy. The purpose of the EIR is to evaluate the

environmental effects of the project and not to determine whether the project would be a "public or quasi-public purpose."

With respect to the request for information related to the impacts due to the development of residential units on the project site, please refer to the Draft EIR's discussion of the Existing General Plan Alternative on pages 324-327. As the Draft EIR indicates at page 325, the City has faced repeated failures in attempting to develop residential uses on the Phase I site in accordance with the existing General Plan land use designation.

RESPONSE TO COMMENT 46.D.: The commenter requests information regarding the project's conformance with Community Design Policy No. 5 at page 25 of the General Plan as proposed to be amended by the project. If amended, Policy No. 5 would provide that: "[t]he existing brick buildings along the south side of Park Avenue should be retained and restored to preserve and enhance the historic value of the street. The existing continuous street facade should be preserved." Please refer to pages 272-273 of the Draft EIR for a discussion of the effects of destruction of the historical buildings located on the project site.

The commenter also inquires as to the project's conformance with Community Design Policy 1 at page 24 of the General Plan, which states that: "[b]uildings and the cumulative image they create should reinforce the character and level of activity appropriate to different areas of the city. New buildings should be visually harmonious with the existing development scale and style." As discussed in the Draft EIR on pages 38-46, the project would result in a less than significant land use compatibility impact. The Draft EIR indicates on page 39, for example, that the character and scale of development on the Phase I site would not differ significantly from the large industrial facilities in the surrounding neighborhood. Moreover, as the Draft EIR indicates on page 39, the project would include the construction of commercial retail uses in "liner" buildings along San Pablo Avenue. Such uses would be developed at an intensity and scale intended to be consistent with the San Pablo Urban Design Plan and the newer uses along San Pablo Avenue.

In addition, as the Draft EIR indicates on pages 41-46, as mitigation measures incorporated into the project, the project would involve the implementation of Urban Design Guidelines to ensure that it is compatible with surrounding land uses. As the Draft EIR indicates on page 42, beginning in June 1993, Kaiser and its principal design consultant, SMP/DMJM, sponsored a series of design workshops with members of the community to obtain input from residents and businesses in the area with respect to urban design characteristics of the project. In addition, at that time, the Planning Department began meeting with its design consultant, Pyatok Associates, to discuss the development of urban design guidelines for the project. In July 22, 1993, Kaiser presented to the Emeryville Planning Commission its current design plans for the project and Pyatok Associates presented key features of the City's preliminary design guidelines for the project site. On August 26, 1993, the Emeryville Planning Commission approved the Urban Design guidelines for the project. As the Draft EIR indicates on pages 43 and 46, implementation of these guidelines would ensure that the potential for land use incompatibility with surrounding land uses would be avoided by creating a cohesive pattern of mixed-use development on the site.

The commenter also inquires as to consistency of the project with Community Design Policy No. 3 at page 24 of the General Plan, which states that "[d]evelopment between 47th Street and Park Avenue should have a continuous street facade, uniform setbacks and interior open spaces. Its visual relationship to the existing brick buildings along

Park Avenue should be strengthened through the use of similar building materials and structures of similar height." As the Draft EIR indicates on pages 273-274, the visual setting of the historic buildings along the south side of Park Avenue, is characterized by red brick, and one and two story buildings with classical ornamental details. The buildings typically consist of a three part composition of a central block with lower side dependencies, and the front facades are adjacent to the sidewalk. The Draft EIR on page 273 recommends incorporation of Mitigation Measure CR-4 which states that "[t]he design of the massing and materials of the 'liner' buildings on the Phase I site should be compatible with the design and materials that characterize the surrounding historic structures." As the Draft EIR indicates on page 275, the design of smaller scale "liner" buildings closest to the street would be compatible with the visual character of the district by reflecting the classical three-part massing of the historic buildings, and by using red brick for an exterior finish material.

The commenter also inquires as to the consistency of the project with Community Design Policy 16 at page 26 of the General Plan, which provides that "[t]he historic industrial-warehouse image found in many parts of Emeryville should be preserved and enhanced through the retention of architecturally significant structures and the addition of architecturally compatible new construction." As the Draft EIR notes on page 272, Phase I of the project would result in a significant unavoidable impact to one historic resource, the Del Monte Plant #35. The Draft EIR recommends on page 273 that mitigation measures be incorporated into the project requiring the preservation of some or all of the Del Monte Plant #35 front elevation on Park Avenue, which would proportionally reduce the project's effects depending on how much of the front elevation is preserved. The Draft EIR also recommends that the City of Emeryville limit the application of the text change to Land Use Element Community Design Policy #5 to the Del Monte site only, so as to ensure the preservation of the remaining existing historic industrial buildings along Park Avenue.

RESPONSE TO COMMENT 46.E.: Please refer to the response to Comment 42.D. describing the difficulty in expanding the Oakland facility to enhance the provision of health care services to Kaiser members. Kaiser facilities are available for the community at large, even non-members, on a fee-for-service basis. Kaiser is currently working with the City of Emeryville to provide health plan membership to Emeryville residents at a group rate. Emeryville residents would have a choice to utilize the health care services at the proposed medical center through health plan membership or billing to other health care insurers or privately. In addition, Kaiser provides health education programs (i.e., classes, blood pressure screenings, pharmacy counseling sessions) to both members and the community at large either free of charge or for a nominal fee. Therefore, Emeryville residents would have the choice to seek care at the proposed medical center, convenient to their home or business, or at another facility in the Oakland/Berkeley area (i.e., Alta Bates, Herrick, Children's, and Kaiser Oakland). Additionally, Kaiser in Emeryville would also be geographically more convenient for some Berkeley and Oakland residents than Alta Bates, Herrick, Children's, and Kaiser Oakland.

RESPONSE TO COMMENT 46.F.: Please refer to Master Response C4. for a discussion of the jobs/housing balance and to Master Response C3. for a discussion of fair share housing opportunities.

RESPONSE FOR COMMENT 46.G.: The commenter is incorrect in stating that the Draft EIR evaluates buildout of the Kaiser project at a floor area ratio of 2.1. As the Draft EIR indicates on page 51, the project would have an average FAR of 1.4 and

includes an amendment to the Building Intensity Diagram of the General Plan to allow a floor area ratio of 1.4 for the Phase I site.

As the commenter suggests, Land Use Policy No. 2 of the General Plan indicates that "[n]ew development shall be at an appropriate density based upon locational considerations, accessibility, and the prevailing character and density of the surrounding development." As the Draft EIR states on pages 49-50, the General Plan permits a floor area ratio of 1.3 for approximately 75% of the Phase I site. The remaining 25% of the Phase I site, including the southwest corner of the Del Monte property and the frontage along Park and San Pablo Avenues, would be subject to a floor area ratio of 0.7. Development of Phase I of the project would result in a floor area ratio of approximately 1.4. This intensity of development slightly exceeds the floor area ratio of 1.3, which is permitted on approximately 75% of the site and the floor area ratio of 0.7, which is permitted along Park and San Pablo Avenues. Because the proposed 1.4 FAR represents a slight increase over the 1.3 FAR allowed on 75 percent of the site, and because the project sites the parking garages and "liner" buildings where the General Plan currently allows a 0.7 FAR, the Draft EIR concludes on page 50 that there would be a less than significant increase in development intensity.

With respect to the Future Expansion site, as the Draft EIR indicates on pages 51-52, the proposed development of the project would result in a floor area ratio of 0.55, which is well within the floor area ratios of 1.0 and 1.3 that are applicable to approximately 90% of the Future Expansion site. The floor area ratio of the development would exceed the currently permitted floor area ratio of 0.5, which is applicable to the remainder at the Future Expansion site. At buildout, the project would result in a floor area ratio of approximately 1.10, which is within the floor area ratio of 1.3 that is applicable to most of the project site, but exceeds the floor area ratios applicable to the northeastern portion of the Future Expansion site and the Phase I site frontages along Park and San Pablo Avenues. Therefore, the Draft EIR concludes on page 52 that there would be a less than significant increase in development intensity.

With respect to the comment requesting that the Draft EIR evaluate the environmental impacts of the project if it were built at a floor area ratio of 1.3, please refer to the Existing General Plan Alternative, discussed in the Draft EIR on pages 324-327, which analyzes development of between 0.5 and 1.3 FAR. A smaller project alternative is also discussed in the Draft EIR on pages 328-329.

RESPONSE TO COMMENT 46.H.: The commenter requests information regarding the project's conformance with the General Plan Land Use Policy No. 12, which requires that "[m]uch of the land susceptible to re-use or redevelopment in Emeryville should be developed in such a fashion that a variety of compatible uses will be established on the same site. In the largest of such projects (in excess of 200,000 square feet) residential uses should be required where feasible." Land Use Policy 12 at page 23 of the General Plan is applicable to property designated for Mixed-Use development.

The project, as described in the Draft EIR, contemplates a General Plan amendment that would change the land use designation of the site to *Commercial*, which would allow the development of a medical center. Although the project has characteristics of a *mixed-use* development as described in the response to Comment 34.B, the requirement to include housing, as specified in Land Use Policy 12, only applies to the *Mixed-Use* designation. As a result, Land Use Policy 12 would not be applicable to the project and further response is not necessary.

RESPONSE TO COMMENT 46.I.: Please refer to Master Response C3. for a discussion of fair share housing. The Preliminary Development Plan for the East Baybridge project (Catellus) includes four acres for future housing. There are two projects located on Christie Avenue. One is a 22-unit live/work project which is currently under construction. The second is a 44-unit live/work project which went to the Emeryville Planning Commission on August 25, 1994. The application for the St. Albans project is not active at this time. The St. Albans project site, however, is zoned Mixed-Use and therefore, could support housing.

RESPONSE TO COMMENT 46.J.: Please refer to the discussion of the Existing General Plan Alternative contained in Section III, E, pages 324 to 329.

Assuming that the Shellmound Park site refers to the Bayfront Site described in Section III, C. of the Draft EIR, this alternative would also result in a demand for housing of about 3,570 units (refer to page 319). If the Phase I site were developed with housing, then an additional 400 units of housing would be available to meet the demand for housing associated with this project. However, the addition of these 400 housing units would not significantly affect Emeryville's jobs/housing balance because Emeryville still exceeds its fair share housing requirements without the 400 units.

RESPONSE TO COMMENT 46.K.: Please refer to Master Response F1. for a summary discussion of the wind and shadow effects of the project. Pages 256 and 257 of the Draft EIR describe the project's effects on the demand for parks. The project includes a public plaza and open space areas on the Phase I and Future Expansion site to offset this demand for park facilities.

RESPONSE TO COMMENT 46.L.: Please refer to Master Response G1. for a discussion of the Fox Theater alternative site.

RESPONSE TO COMMENT 46.M.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

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June 19, 1994

RECEIVED
JUN 20 1994
PLANNING DEPT

Gaye Quinn, Planning Director
City of Emeryville
2200 Powell St., 12th Floor
Emeryville, CA 94608

Re: KAISER DRAFT EIR

Dear Ms. Quinn:

The following comments and questions supplement those which I made at the June 2, 1994 public hearing on the Kaiser Draft EIR. Due to the limited review period, I have restricted my comments to housing impacts and the jobs/housing balance.

The EIR acknowledges that Emeryville has a very poor jobs/housing balance. Yet this project would further upset this balance by rededicating land zoned for multi-family housing to a commercial use, thereby losing the potential for 400 units on the site and generating over 4,000 new jobs, the net effect of which will be to import more workers to the community.

What is the impact of the proposed project on the jobs/housing balance, taking into account the cumulative impact of all of the proposed Emeryville projects, and using ABAG projected fair share housing requirements for Emeryville through the year 2010? How do ABAG's Emeryville fair share housing requirements through the year 2010 break out by the categories: very low income, low income, moderate income and above moderate income? Using these same ABAG income categories, how is the projected demand for new housing generated by the over 4,000 new jobs allocated between these income categories and for which Bay Area communities? 47A

The EIR incorporates two major mitigations for the projected housing impacts: the City's intention to comply with the Relocation Assistance Act and Guidelines, and the implementation of the Kaiser Housing Program. How do you respond to the following critique of these two housing mitigations: a mitigation is inadequate under CEQA law if it merely proposes to comply with what is already legally required (as in the case of the Relocation Assistance Act), and under CEQA law, a mitigation is unacceptable if it does not produce a measurable result which is known at the time of the project's approval to be implementable (as is the case with respect to the Kaiser Housing Program which may offer housing monies but does not incorporate clearly identified sites which are already committed for development for housing? Which specific 25 sites mentioned in the EIR would be considered for housing under this mitigation, and what zoning changes and other conditions would have to be implemented 47B

(purchase of the property, hazardous materials remediation, road and infrastructure improvements) before these new units could become a reality? 47B

In closing, I would like to say that many of us who live in Emeryville have watched the Planning Department and the Planning Commission approve a series of projects which are not in scale with the community -- the Catellus project being the most recent example. However, by comparison, the Kaiser project is a nightmare. For this reason, many of us have chosen to fight this project: the bottom line is that we will not accept the destruction of our City and will take whatever procedural and legal steps are within our power to stop the project. 47C

Sincerely,

Karen Haney-Owens

Karen Haney-Owens
62 Emery Bay Drive
Emeryville, CA 94608

48

THE LEAGUE OF WOMEN VOTERS OF BERKELEY
Serving Albany and Emeryville
1414 University Avenue, Suite D, Berkeley, CA 94702
(510) 843-8824 Fax (510) 843-8828

June 20, 1994

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

Ms. Gaye Quinn, Planning Director
City of Emeryville Planning Department
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Subject: Draft Environmental Impact Report on the City of Emeryville Kaiser Permanente Medical Center

Dear Ms. Quinn:

The proposed project is a massive undertaking with a potential for positive impacts in the region if it results in more readily accessible medical services for Bay Area residents. At the same time, the project has the potential for major adverse impacts in areas such as traffic circulation, access to health care, and seismic safety. For this reason, it is important that the purposes of the California Environmental Quality Act (CEQA) be reflected in the DEIR.

Our comments on the process and the substance of information in the DEIR are based on National, State, Bay Area, and local League positions. 48A

CEQA was conceived primarily as a means to force public agency decision-makers to document and consider the environmental implications of their actions. (Pub. Res. Code Sections 21000, 21001). "[A] paramount consideration is the right of the public to be informed in such a way that it can intelligently weigh the environmental consequences of any contemplated action and have an appropriate voice in the formulation of any decision." (Environmental Planning and Information Council *vs.* County of El Dorado (3rd Dist. 1982) 1312 Cal.App.3d 350, 354 [182 Cal.Rptr. 317]). This DEIR fails to meet these guidelines and goals in a number of ways. For example:

- The 45-day review and comment period for the DEIR was too short in view of the size, the amount of technical material, and difficulty the document poses to reviewers due, in part, to its lack of clear organization. The comment period should have begun when a sufficient number of copies of the DEIR were available for public review and extended for the full 90-day period allowed under CEQA. Public meetings on the scoping process and on the Urban Design Guidelines cannot be considered as substitutes for public input on the DEIR itself. 48B

- Since the City of Emeryville took the lead in preparing the DEIR, and since the City's position in favor of development in general is well known, we question whether the DEIR can be relied upon as an unbiased document. 48C

- The Summary should be a primary way for non-technical general readers to learn about the major issues and findings discussed in the DEIR. The Summary for this DEIR fails to provide information to the general public that will aid them to make informed choices. For example: (1) acronyms are used without definitions; e.g., there are no keys to terms used in the four pages of charts of intersection impacts; (2), the data on impacts is out of order and confusing; (3), the Summary appears to be designed as a referent to the three DEIR volumes, rather than as a stand-alone document. Considerable further reading is required to understand the summarized material, and (4), the Summary lacks graphics and summarizing charts to clarify information for the non-technical reader. 48D

The Planning and Zoning Amendment

1. CEQA requires that a project conform to the general plan of the jurisdiction in which it is proposed to be located. Contrary to the CEQA requirement, this DEIR states that the city will conform the general plan and zoning ordinances to this project. The citizen input to the general plan process and related zoning ordinance approvals would have to be set aside to approve the EIR and the project. As mitigation for a number of environmental and land use policy changes, Kaiser is requesting that the general plan policies and related zoning requirements be amended in the following categories: Land Use; Land Use Element Commercial Design Policy #5; Height limits; Housing; the separately-adopted Housing Element; and Circulation. 48E

2. The permitting from the Office of Statewide Health Planning and Development that allocates building permits for hospitals should include a close look at the location problems for this project. The DEIR indicates that this agency probably will not look at the EIR. The city staff should request that the agency examine the EIR closely, particularly the sections on groundwater and seismic safety. 48F

Information Included in the DEIR

Following are our concerns about the insufficiency of information in the DEIR which we hope you will address.

1. The DEIR gives insufficient serious consideration to alternate sites. Information about the Oakland-MacArthur Broadway site alternative was scattered and incomplete, and no information was provided about the Oakland-downtown site alternative. 48G

2. The DEIR offers grossly insufficient consideration of the problems with the site and the character of the ground under proposed building foundations.

-- The test borings to explore the danger of liquefaction at the time of an earthquake should have been done early on -- probably before the EIR was produced.

-- The report of consultants Woodward and Clyde describes options to mitigate liquefaction potential such as stone columns "to dissipate high pore pressure" and/or "putting the structures on piles extending a sufficient depth below the base of any liquefiable layers." 48H

--The DEIR however, downgrades the likelihood of liquefaction under the 450-bed hospital without back-up evidence or any indication of the costs to lessen the hazards. On page 218, the DEIR states, "Building foundations would be constructed to withstand potential impacts from liquefaction during the maximum credible event." The mitigation listed indicate that the building design and review specified in the Hospital Seismic Safety Act "would ensure that the hospital is designed to withstand anticipated seismic loads, and remain functional during and after an earthquake." This is insufficient information to address such a major problem.

--The groundwater that would underly the building foundations is an additional problem with the site. Woodward and Clyde noted that: 1) in one of the past 17-foot borings at the site, groundwater rose to within 11 feet of the ground surface, and 2) in another test about 350 feet west of the site, groundwater was 3' 4" to 11' 1" of the ground surface. The EIR gives no indication of the costs for subsurface drainage, waterproofing, and "dewatering" that would be required during construction to solve this problem. Moreover, the groundwater and liquefaction potential together in a major earthquake compound the problem. 48I

3. Throughout the DEIR, the information on "future expansion" is generally confusing and unclear. One reason is that the correct term probably should have been "Phase II," the name customarily used in EIRs for projected future development. Calling Phase II "future expansion" should not preclude further environmental analysis for the second phase. Considerable confusion is caused because the DEIR provides little information about the site described as the most likely and feasible for Phase II expansion, the property to the west of the Phase I site, while providing much greater detail on the proposed development of the AC Transit property. 48J

4. The potential for increased crime at the site area was mentioned as an issue of major concern on page S-56, B. Yet in Vol. I, pp. 253-54, police services are described with no indication of the kinds of crime problems that might be encountered at the facility. The EIR states that no mitigation is required because "the proposed project would not have a significant impact upon police protection services." This is insufficient information on the crime potential. The DEIR should provide a more complete discussion of this potential problem and should include the possible impacts of crime on transit, bicycle, and pedestrian access to the site as well as the impacts in the city as a whole. 48K

5. More information about the height of the medical center's structures is needed, especially in the Summary, where this subject is ignored. The 55' hospital and 5-story garages can be expected to have significant impacts. Discussion is lacking about where shadows will fall at various times during daylight hours. 48L

Exactions and Fees

A number of the "development" fees to be paid by Kaiser for permission to build on the site and for amending the city's zoning ordinances and general plan do not have a nexus to the project and should not be called "mitigation" for environmental impacts. For example:

- The Senior Center fee ($50,000 per year) would have a nexus only if it had a connection to the project.
- The Low-income After-school Care fee ($40,000/year) also has no apparent connection to the project
- The School Contribution fee ($20,000/year) would have a nexus if it were to be used to train workers for jobs at Kaiser facilities.

48M

The city can exact fees of any kind for the privilege of doing business in the city, but these exactions cannot be applied as mitigation unless they are closely linked to the project.

Transportation

We have a number of comments about the transportation sections of the DEIR that we respectfully request you to address.

1. Mitigation measures are deemed infeasible for at least 16 intersections that will be impacted significantly (i.e., LOS E or F--gridlock or near-gridlock) by traffic caused by the Kaiser project and other projects in progress or in the planning stages. Over half of these intersections are outside Emeryville's boundaries. The reason given for the lack of consideration of proposed mitigation in Berkeley is that "Berkeley has established a policy against widening any major arterials," and in Oakland because that city "has no plans to provide additional through lanes on either San Pablo Avenue or Stanford." In fact, Berkeley has no policy against widening arterials. In any event, the policies of neighboring cities are insufficient reason for failure to consult with them to clarify the impacts in these cities and to discuss possible mitigation.

48N

2. The assertion is incorrect that Congestion Management Agency (CMA) policies allow mitigation to be omitted where the project will cause increased traffic congestion, but LOS F conditions will exist even without the project. In fact, at these intersections the increased traffic attributable to the project would intensify the congestion and lengthen the amount of time required to get through the intersection. CMA guidelines allowed for grandfathering in LOS F intersections when the policies were first formulated, but future additions to traffic congestion must be mitigated. Moreover, CEQA guidelines that require mitigation for traffic congestion take precedence over any CMA policies.

48O

3. The current Kaiser Oakland facility generates a 9% transit mode split, while the DEIR projects only a 2% transit mode split for the proposed facility. Even this figure is questionable, given some of the assumptions that appear to be behind it:

48P

-- The majority of transit trips to the facility are expected to be on AC Transit lines 14, 57, and 72. Lines 57 and 72 run along San Pablo Avenue, with the nearest stop about 4 blocks from the main entrance to the facility. Line 14 appears to stop at Adeline and Yerba Buena, which is

several blocks from the entrance. People who are ill or in any way mobility-impaired, including those with heart or respiratory problems as well as with physical disabilities, would find it difficult to access the project by transit. 48P

-- Buses on lines 57 and 72 are overcrowded on an all-day basis, with day-long load factors considerably higher than AC Transit's goal of 1.25. The DEIR fails to give load factors for peak periods of travel on any bus lines. All available evidence suggests that the buses serving the project could offer standing-room only during rush hours and at some other times of the day. Such conditions discourage transit use. 48Q

-- The DEIR fails to give information about bus headways during daytime or evening off-peak periods. Both staff and clients of the proposed project will need to get to and from the facility at various hours during the day and night. Without frequent, convenient bus service, persons who have the alternative of a personal automobile can be expected to use it. Nothing in the DEIR suggests that frequent and convenient bus services will be available. 48R

-- Provision of 3,600 parking spaces at the project site will discourage transit use. Since regional goals call for getting people out of their cars, and since issues of air quality and congestion can best be addressed by encouraging transit use, it would be far more advantageous to provide attractive, convenient, and frequent transit services than to build the large numbers of parking spaces anticipated. 48S

-- As a mitigation, the city and Kaiser suggest "cooperating" with AC Transit to improve transit access to the project site. It is widely recognized that AC Transit is chronically short of operating funds, and major new sources of operating funds for transit are not on the horizon. It is unlikely that "cooperation" without a significant infusion of funds will produce any meaningful improvement in bus services.

-- Kaiser also proposes paying $100,000 per year for 25 years to a mass transit fund to which other projects to be built in Emeryville would also be expected to contribute. Presumably, the funds would be used to operate a private shuttle between the MacArthur BART station and the project. Such a shuttle could enhance transit use, but only if the shuttle were scheduled for frequent all-day and evening service. Travelers are reluctant to use transit services that require transfers, particularly when the wait may be long. Unfortunately, the proposed mitigation offers no assurances that the shuttle service would ever be implemented, given the necessity for other project sponsors to buy into the plan. Nor is there any indication of the time-table for implementation if the shuttle should become a reality. Moreover, no mention is made of the schedule of operation proposed for such a shuttle, including headways and hours or operation, nor is the fare for passengers discussed. With such striking lack of information, the proposal cannot be considered a mitigation. 48T

4. The Transportation Management System (TSM) mitigations proposed in the DEIR are assumed to be effective in reducing traffic. No empirical evidence is offered for this assumption 48U

5. Efforts to promote bicycling to the project are offered as a TSM, with the "promotion" described as providing some Class I and Class II bike lanes within the area of the project, and the provision of shower facilities and bicycle storage. To be effective, bike lanes should be provided throughout Emeryville, particularly between the MacArthur BART station and the project. The impediments to bicycling in Emeryville, listed on page 21 of Vol. II of the DEIR, indicate a number of obstacles, including railroad tracks embedded in the pavement, broken glass on streets, and diagonal street parking. How are these impediments being addressed? 48V

Thank you for the opportunity to comment on the DEIR

Sincerely,

Miriam Hawley
President

Ora Huth
EIR Consultant

Emma Lue Kopp
Emeryville Consultant to the LWV Board

48. **RESPONSES TO COMMENTS FROM MIRIAM HAWLEY AND ORA HUTH, THE LEAGUE OF WOMEN VOTERS OF BERKELEY RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 48.A.: The commenter's remarks pertaining to the proposed project are noted. The Draft EIR contains sufficient information regarding the impacts of the proposed project in order to assist decision-makers and the public in assessing the consequences of approving the proposed Kaiser Permanente Medical Center. Specific responses are provided below for each of the specific comments raised by the commenter.

RESPONSE TO COMMENT 48.B.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

The City of Emeryville provided sufficient notice of the Draft EIR's availability, and made copies of the Draft EIR (volumes I, II, and III) available to the public pursuant to the CEQA Guidelines. Please see Master Response A2. for additional discussion regarding this topic.

RESPONSE TO COMMENT 48.C.: The Draft EIR was prepared by David J. Powers and Associates, an independent EIR consulting firm. The City believes it represents an unbiased, thorough analysis of the project. In addition, if it decides to grant the project approvals, pursuant to CEQA, the City Council will have to make a finding that the document represents the City's independent judgment.

RESPONSE TO COMMENT 48.D.: Due to the complexity of the environmental impact analyses contained in the text of the EIR, the summary was also complicated. Pursuant to CEQA Guidelines §15123, the summary identifies each significant effect with proposed mitigation measures and alternatives. Specific responses to each of the comments raised regarding the adequacy of the summary are provided below.

With regard to the use of acronyms, the Summary (see Section VI of this Responses to Comments document) has been revised to clarify the acronyms used in this section. As described below, the data on impacts is not out of order when compared to the corresponding impacts in the text of Volume I of the Draft EIR. As described in the Summary on page S-6, several impacts and mitigation measures are numerically out of order to preserve the same numbering system contained in the body of the EIR. The commenter's third comment regarding the relationship between the summary and the three volumes does not appear to be accurate: the Summary is intended to summarize the discussion of impacts, mitigation measures, and alternatives contained in the Volume I, the EIR text. The EIR text, on the other hand, references the technical data contained in Volumes II and III in order to arrive at the conclusions stated in Volume I. Finally, the Summary contains a matrix in order to provide a comparison of the project impacts with the alternatives. Graphics are not provided in the Summary but are contained in the text of Volume I to help explain complicated information.

RESPONSE TO COMMENT 48.E.: With respect to the initial comment, the commenter misstates the requirements of CEQA. CEQA does not require a project to conform to the jurisdiction's General Plan. Rather, CEQA requires that the Draft EIR "discuss any inconsistencies between the proposed project and the applicable general plans and regional plans." The EIR analyzes the environmental effects of the proposed

General Plan amendments. This information will be used by the City Council in determining whether or not to approve changes to the City's General Plan to allow this project to be constructed.

The City of Emeryville has not yet approved the project. Prior to determining whether to certify the Final EIR and grant any project approvals, the City is legally required to hold public hearings and to provide all interested parties with an opportunity to provide comments at that time. Furthermore, as stated on page 53 of the Draft EIR, in order to approve the proposed Planned Unit Development (PUD), the Emeryville City Council must make findings that the project is consistent with each of seven provisions contained in the PUD Ordinance, including one which states that the project conforms with the adopted General Plan of the City and with any applicable specific plans.

The comment related to the various land use approvals sought by Kaiser in connection with the project relates to the project itself and does not require further response.

RESPONSE TO COMMENT 48.F.: The commenter suggests that the Office of Statewide Health Planning and Development review the Draft EIR, particularly the discussion related to groundwater and seismic safety. As the Draft EIR indicates at page 21, the Office of Statewide Health and Planning may use the information in the Draft EIR when considering building permits for the hospital, although such review is not required. The City of Emeryville sent a Notice of Availability of the Draft EIR directly to the Office of Statewide Health and Planning at the beginning of the Draft EIR review period. The City of Emeryville cannot dictate the manner in which the Office of Statewide Health Planning and Development conducts its approval process.

RESPONSE TO COMMENT 48.G.: The discussion of the Oakland MacArthur Broadway Site Alternative found on pages 310 to 316 conforms to CEQA Guidelines §15126(d) which specifies the level of detail required for an alternatives analysis. The City of Emeryville made reasonable efforts to disclose the environmental effects resulting from expansion of the existing medical center on this site.

With regard to the Fox Theater alternative site, please refer to Master Response G1.

RESPONSES TO COMMENT 48.H. The EIR discussion of the soils, geologic, and seismic conditions affecting development of the site is based upon the Woodward-Clyde *Geologic/Seismic and Geotechnical Review, Kaiser Emeryville Medical Center* and the information contained in ENVIRON's *Environmental Assessment Report, Proposed Emeryville Medical Center*. Woodward-Clyde Consultants prepared a supplemental geotechnical report in August, 1994 entitled, Geologic/Seismic Hazards Evaluation and Geotechnical Engineering Study New Hospital Building Kaiser Permanente Medical Center. The supplemental geotechnical report confirms the findings in the previous geotechnical reports. This report is on file and available for public review at the City of Emeryville Planning Department.

The Draft EIR notes that most of the project site has a low potential for liquefaction, with the exception of the surficial sandy and gravely fill soils that could liquefy. The purpose of the exploratory borings is to define the depth and extent of this potential contamination. In addition, mitigation measures are identified for liquefaction-related impacts. These mitigation measures are the same ones identified in Woodward-Clyde's report. The reader is referred to the mitigation measures described on page 219 of the Draft EIR. Mitigation measures Geo-3.1, Geo-3.2, Geo-3.3, and Geo 3.4, in addition

to Geo 3.5 (Hospital Seismic Safety Act) would reduce potentially significant seismic related impacts and liquefaction impacts to a less than significant level.

RESPONSE TO COMMENT 48.I.: Groundwater impacts are described on pages 217 and 218 of the Draft EIR. During construction, the shallow groundwater could potentially fill excavated project areas. Dewatering and other appropriate subsurface drainage and waterproofing systems would control the effects of shallow groundwater on subsurface construction. Based upon information contained in the Woodward-Clyde report, the Draft EIR notes that although groundwater is present at shallow depths, most of the soils at the site are sufficiently clayey to make seismically-induced liquefaction unlikely.

In conformance with the CEQA Guidelines, the Draft EIR indicates the mitigation measures required to reduce significant groundwater and liquefaction impacts. CEQA does not require an EIR to provide costs for all mitigation measures.

RESPONSE TO COMMENT 48.J.: Kaiser intentionally selected the term "future expansion" to describe the future buildout of the medical center. Since the rate, timing, and level of development may be influenced by Kaiser membership demands and other market factors, future expansion of the medical center could occur in one or more phases as stated on page 13 of the Draft EIR. Therefore, it would have been misleading to state that all future expansion would occur in only one phase, Phase II. Referring to the buildout of the medical center as "future expansion" does not preclude further environmental analysis, should such analysis be required at a later date. The Draft EIR also states on page 5 that this EIR analyzes the maximum level of development to provide full review at the earliest possible stage which is consistent with CEQA's requirement that an EIR address the whole of the project action (see CEQA Guidelines §15378(a)).

The commenter is incorrect in stating that the Draft EIR provides much greater detail for the proposed development of the AC Transit property when compared to the analysis of the Future Expansion site. Phase I and the Future Expansion site are covered to an equal level of detail, so that no additional environmental review would be necessary unless the plans change substantially from those evaluated in this EIR. The AC Transit Site Alternative was analyzed at a similar level of detail to allow development of Future Expansion phase on that site without additional environmental review, if and when the AC Transit Site becomes available. For example, the Future Expansion site is equally treated in the same manner as the Phase I site throughout Section II (refer to pages 22 through 291 of the Draft EIR), as compared to the 18 page description about the AC Transit Site Alternative (refer to pages 292 to 310 of the Draft EIR).

RESPONSE TO COMMENT 48.K.: The commenter is referred to the response to Comment 1.B. which addresses potential crime issues, as discussed in the Draft EIR on pages 253 and 254.

The fiscal consultant contacted the Emeryville Police Chief to determine the potential impacts to police protection services resulting from the proposed medical center. The resulting projections considered the impact on the city as a whole, and the ability of the Police Department to continue to provide adequate services. Crimes occurring on transit facilities, bicycle facilities, and pedestrian pathways could happen with or without the proposed medical center. A medical center would tend to provide a safer environment in areas immediately adjacent to the facility because a medical center operates on a 24-hour basis with continuous security patrols.

RESPONSE TO COMMENT 48.L.: Section II, I contains a discussion of the anticipated heights of the proposed structures on pages 286 and 289 of the Draft EIR. The Draft EIR evaluates the potential for obstruction of views and the alteration to the visual setting of the project area associated with the construction of buildings achieving heights of 50 to 125 feet on the Phase I site and buildings with heights of 50 to 52 feet on the Future Expansion site. In order to be consistent with the text of Section II, I of the Draft EIR, the summary has been revised to add a brief statement of height-related issues. The commentator is referred to the discussion of lighting and shadow impacts contained in Master Response F1. and to the text revision included in Section VI, below.

RESPONSE TO COMMENT 48.M.: The payment of the School Contribution Fee is considered mitigation because it would offset impacts to schools due to medical center employees whose children attend local schools that are currently at capacity. The Senior Center fee and Low-Income After-School Care Fee are part of the Development Agreement terms between the City and Kaiser are not considered mitigation measures. Page 17 of the Draft EIR is revised to state that these fees are incorporated into the project.

RESPONSE TO COMMENT 48.N.: Please refer to page 128 of the Draft EIR which states that implementation of the identified mitigation measures in Oakland and Berkeley would be dependent upon the approval of these other jurisdictions. This statement is consistent with the findings that a public agency must make prior to approving a project for which an EIR has been completed which identifies one or more significant environmental effects. As stated in CEQA Guidelines §15091(2), one possible finding is that "such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency."

At the time the Draft EIR was prepared, Berkeley Staff indicated that Berkeley had a policy against widening arterials. This information was consequently incorporated into the Draft EIR. The policies of the local jurisdictions were noted for reference purposes. The discussion of the mitigation measures for impacted Berkeley intersections has been updated in Master Response D3.

RESPONSE TO COMMENT 48.O.: The Draft EIR offered statistics on daily transit ridership by bus route and also indicated the daily load factor (the number of riders per day divided by the total number of seats). Both the load factors for Route 57 and 72 were over 1.25 on a daily basis. This transit ridership is highest during the peak hours, but the number of seats per vehicle remains constant, load factors during peak hours are undoubtedly higher than when measured on a daily basis. Transit use is encouraged by uncrowded conditions. Additional transit service appears to be warranted along San Pablo Avenue with or without this project.

Please refer to the attached table which presents non-peak ridership information as described in the response to Comment 48.Q.

RESPONSE TO COMMENT 48.P.: Please refer to Master Response D6. for a discussion of transit assumptions. Three transit route directly serve the site, the Emeryville-BART shuttle will directly serve the site, and three other AC Transit routes cross San Pablo Avenue at Yerba Buena. Many of these transit riders would be transit dependent (i.e., would not have a car available for the trip).

RESPONSE TO COMMENT 48.Q.: Please refer to Master Response D4. for a discussion of the CMP analysis.

The Draft EIR offered statistics on daily transit ridership by bus route and also indicated the daily load factor (the number of riders per day divided by the total number of seats). Both the load factors for Route 57 and 72 were over 1.25 on a daily basis. This transit ridership is highest during the peak hours, but the number of seats per vehicle remains constant, load factors during peak hours are undoubtedly higher than when measured on a daily basis. Transit use is encouraged by uncrowded conditions. Additional transit service appears to be warranted along San Pablo Avenue with or without this project.

The attached table presents non-peak ridership information for Routes 57 and 72, as provided by AC Transit, Traffic & Schedules Department. The table indicates that load factors during weekday, non-peak periods have excess capacity.

RESPONSE TO COMMENT 48.R.: Over the next three to four years modifications to bus routing, frequency, and scheduling may occur. As part of the TSMP (included in the Mitigation Monitoring and Reporting Program), prior to opening, Kaiser will prepare a pamphlet indicating how access to their facility occurs best for transit.

See the attached table for existing off-peak hour headway information for the AC Transit routes listed in Table 9 of the Draft EIR.

Off-peak shuttle routes are illustrated in Figure 18 of the Draft EIR. Off-peak weekday service proposed for the Emeryville-BART Shuttle Service would be provided between approximately 11:30 AM to 2:00 PM, with 60-minute headways to BART and 30-minute headways along the office-retail segments of the run.

RESPONSE TO COMMENT 48.S.: The project includes the implementation of a Transportation Systems Management Program to encourage Kaiser employees and members to use alternative modes of transit. Additionally, the project would contribute $100,000 to the establishment of a Mass Transit Fund which would be used to finance transit improvements within Emeryville at the City's discretion. Please note that Kaiser is proposing to provide adequate parking for its employees and members.

The amount of parking proposed for the project compares favorably with both national standards and with the City's zoning ordinance. However, the project is being constructed in phases, and if ridesharing and transit for Phase I is high enough, the proposed parking supply in support of Future Expansion could possibly be reduced. Refer to response to Comment 21.M.

RESPONSE TO COMMENT 48.T.: Please refer to responses to Comment 48.S. and 28.S. for a discussion of the Mass Transit Fund. In addition to coordination with AC Transit, the project is also required to provide subsidized bus passes to employees. A detailed analysis of the Emeryville-BART shuttle is contained in the report, *Emeryville-BART Shuttle Service Implementation Plan*, September 5, 1993 which is available from the Emervyille Planning Department upon request.

RESPONSE TO COMMENT 48.U.: The Draft EIR states on page 132 that the proposed TSMP for the Emeryville facility would be an expansion of the Oakland TSMP currently implemented by Kaiser. As stated on page 132, since implementation of the TSMP at the Oakland facility, the percent of Kaiser's Oakland employees that drive to work has decreased by about 7.9 percent. This conclusion was based upon before-and-

AC Transit Non-Peak Period Ridership Levels

ROUTE	LOAD FACTOR	
	9:00 AM - 12:00 NOON	12:00 NOON-4:00 PM
57	0.44	0.62
72	0.73	0.78

Source: AC Transit - Traffic & Schedules Department

Note: Load Factor is the number of passengers divided by the number of seats.

TABLE FOR RESPONSE TO COMMENT 48.9.

Table 9a AC Transit Routes - Off-Peak Service

BUS LINE	ROUTE DESCRIPTION	OFF-PEAK SERVICE FREQUENCY (minutes)		
		WEEKDAY	SATURDAY	SUNDAY
6	Caldecott Lane (Rockridge) to 41st St. and Piedmont Ave. (Oakland)	15[1] 15[2]	30	30
14	MacArthur BART to 35th Ave. and Brookdale Ave. (Oakland)	30[1] 45[2]	30	45
57	Bayfair BART (San Leandro) to Emeryville Marina	17[1] 20-30[2]	20	20
72	Hilltop Mall (Richmond) to Downtown Oakland	15[1] 20-60[2]	20	20
72L	El Cerrito Del Norte BART to Downtown Oakland	no service	no service	no service
C	Highland Way (Piedmont) to S.F. Transbay Terminal	no service	no service	no service
F	Hearst St. & Oxford (Berkeley) to S.F. Transbay Terminal	30[1] 30[2]	30	30

Note: 1 - Weekday service between 9:00 AM - 4:00 PM
2 - Weeknight service between 7:00 PM - Midnight

TABLE FOR RESPONSE TO COMMENT 48.R.

after surveys of employees and visitors, which provides the empirical evidence the commenter suggests is lacking. These surveys are on file with the Emeryville Planning Department and are available upon request.

RESPONSE TO COMMENT 48.V.: The traffic analysis did not demonstrate the project requires the implementation of bike lanes throughout Emeryville. The City of Emeryville cannot legally require Kaiser to fund improvements to benefit the entire City beyond the impacts which the project creates. The bikeway system is identified as part of the City's General Plan and will be implemented by the City over time as development occurs within the City. The City's policy has been to require large development projects to implement portions of the bikeway plan adjacent to and serving the specific project. Overall, maintenance of the City's bikeways are the responsibility of the Emeryville Public Works Department. The bike lanes identified as mitigation measures for the project impacts are consistent with, and connect to, the overall bicycle paths included in the Emeryville General Plan. Therefore, the project mitigation would contribute to the overall bikeways system in the City.

The obstacles identified in the Draft EIR are considered maintenance and operational issues, beyond the control of the proposed project.

The project will make bicycle path and bicycle lane improvements along their frontage as required by the City's General Plan. The removal of other impediments to bicycle travel will be the responsibility of other projects or may be implemented by the City of Emeryville as funds become available.

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RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

June 20, 1994

Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street, 12th fl
Emeryville CA 94608

RE: State Clearinghouse No. 93-082063 - Kaiser Permanente Medical Center Draft EIR

Dear Ms. Quinn:

I am submitting the following comments on the above Draft EIR on behalf of Save Our Neighborhoods and San Franciscans for Reasonable Growth.

(1) The Draft EIR is poorly indexed such that it makes it difficult for the reader to find her way. The summary, which is the only real "index" to subtopics, should have added page references to the main text, not for the entire chapter (which is how it is set out) but by each heading and impact. As it stands now the only headings for "transportation" are for "existing setting," which covers 42 pages and "impacts and mitigation measures" which covers 78 pages. There easily could have been subheadings such that it would have been easy to locate sections dealing with, for example, pedestrian impacts. Instead, it is very difficult to find such topics without going through every page. The "footers" at the bottom of each page could easily have been used to provide chapter headings (at a minimum) or sub-topics. The footers used are a total waste since they merely repeat what is already on the cover. Also make the List of Figures more helpful, e.g. figures 28 - 32. 49A

(2) Neither the Draft EIR nor the "Notice of Availability" provided with it include the date of release. May includes 31 days. That basic information should have been provided on both documents, along with the date of the comment period in the EIR itself. 49B

(3) Despite the practice throughout the EIR of referring to other sections, by caption such as II.E, those headings are disregarded in the summary. They should be included. Additionally, it would be courteous to refer to specific page numbers on references, rather than general section numbers. 49C

(4) Page S-7 - EH-2 is out of order 49D

(5) Page S-8 - EH-7 is out of order

(6) Page S-31 - AQ-2 - instead of "local air quality impact" should read "local carbon monoxide impact" 49E

(7) Page 1 and cover - the title of this project should be "Relocation of Kaiser Permanente Medical Center from Oakland to Emeryville." With expansion added in title if you wish. This EIR is very misleading because it does not say up front, and you must read very many pages, to find out that this is not the construction of a new Kaiser Hospital, but the relocation of an existing facility from another location. There is absolutely no description of whether Kaiser is also changing the service area for this facility, whether there are modifications in the medical practice associated with this construction of this facility and other information that would help understand what is behind Kaiser's motivation to build here rather than on or near its existing site. Particularly evasive and misleading is the first "goal" set out on page 4 - a new hospital for "current and prospective Kaiser members." Explain Kaiser's projections of its growth and the need for an expanded facility. Make it very clear whether this project also involves the demolition of its Oakland campus, whether there will be any direct services provided at that location after relocation, and what other medical or cost reasons are driving this project. 49F

(8) If this project also involves demolition of the existing facility, that should be included as part of this project and Oakland should be treated as a "responsible agency" under CEQA.

(9) There should be a map up front showing the existing Kaiser facility in relation to the proposed location.

(10) Page 3 - this map must include Oakland, Emeryville and Berkeley (legible) city boundaries - how else is it a "vicinity map."

(11) Pages 6,7, and throughout DEIR - extremely difficult, and often impossible, to read street names. Provide more readable graphics. 49G

(12) There is no "existing" map which directly provides information comparable to pages 6 and 7.

(13) There must be a rendering which either on drawing or on notes on page shows exactly how tall and how many square feet in each building - not provided on pages 6 - 9. Only birds eye views in this document. We are not birds. 49H

(14) Page 10 - how many "providers" in current facility? 49I

(15) Page 10, para. 2 - show on map before and after closure of streets, and planned street extensions which would be barred. This information is totally obscured in the DEIR. 3 maps could show: existing condition, what's planned in circulation element, how this would change - especially important for Doyle-Haven which is incompletely explained. 49J

(16) Page 10, para. 2 - there should be a single list provided in the EIR of all properties to be demolished - by Phase 1, Phase 2, or mitigation measures. One single list. 49K

(17) Page 12 - which Kaiser uses likely to go in "liner" buildings? Will their entrances face San Pablo? 49L

(18) Page 13, Table 2 - are square footages gross building square footages (as perceived by the eye), net square footage (excluding building wall and circulation), usable square footage, or some other calculation? Is the same calculation used throughout the EIR for all references to square footage? 49M

(19) Page 14, General Plan - there should be a simple, explicit list of all of the ways in which this project is not in conforming with the existing General Plan and its elements. The proposal to amend the General Plan to conform to this project is not what CEQA sets out. 49N

(20) Redevelopment Plan Amendment - is there any County role in approving an amendment to the Redevelopment Plan? 49O

(21) Page 16 - is the application for a final development plan for Phase I submitted as of circulation of the DEIR? If not, what assurance do you have that the DEIR covers all aspects of the proposal? 49P

(22) Page 16 - DDA - how much of the project site (Phase 1, Phase 2) is under the Exclusive Right to Negotiate? Does this bar existing property owners from coming in with applications to alter or construct on their own property? If less than the entire site, please provide a map showing boundaries. 49Q

(23) Page 17 - the Development Agreement sets out a list of 49R

June 20, 1994 - page 4

fees to be paid. Please delineate all financial obligations Kaiser will have for mitigations, for payment of relocation benefits, and which will be absorbed by Emeryville, Oakland, Berkeley, Caltrans, or other government entities. 49R

June 20, 1994 - page 2

(24) Page 19 - Uses of EIR - this is not complete. This project involves major revisions of the Emeryville zoning law, Emeryville General Plan, Shellmound Redevelopment Plan and possibly other laws. This is the EIR for those amendments as well. They must be set out. There should be some explanation here of how long this EIR is supposed to "last" - is all buildout to occur prior to a certain date, with an analysis of all of those impacts projected to that date? As it stands now this project clearly does not fit within the 4th category listed -- projects consistent with a redevelopment plan. The project as proposed violates the the existing redevelopment plan -- clearly what the regulations contemplate for "projects consistent with a redevelopment plan." 49S

(25) Page 20 - (d) - This is ambiguous. Does this EIR cover all of the mitigations set out in the EIR which also appear in the Capital Improvement Program? If you contend so, or if some of them are covered, please provide a specific list of those which are intended to be covered, along with a specific analysis of their impacts. If some of the mitigations are not intended to be covered by this EIR, there will be no environmental evaluation of their impact and they cannot be construed to have the effect of mitigating the impact set out in the EIR, i.e. they are not real mitigations. 49T

(26) Page 22, last para - description of areas - show this on map (also, please always include boundaries indicating Emeryville, Oakland, Berkeley) 49U

(27) Page 23, 4th para - there has been recent construction and alteration activity on this project site. Please provide copies of any findings, resolutions, etc. approving these projects and addressing the issue of (a) the need for or desirability of those projects [this should also be done for such projects in the immediate area north of the East Bay Bridge project], (b) how these projects conformed to the zoning, Shellmound Redevelopment Plan, Housing Element, General Plan, (c) any investment of Emeryville, or other 49V

in the project, either directly or indirectly. Do similarly for Future Expansion site. 49V

(28) Page 24 - This aerial photo is helpful, but needs more information. Please label all streets. All buildings that are referred to by either street address or building/housing complex name (e.g. Emery Bay Village) in the main text should appear on this figure with those identities set out here. 49W

(29) Supplement page 24 with a clear map showing existing site (and immediately surrounding properties) with each building, its use and occupants designated. Date of construction or last major remodelling would also be helpful.

(30) Page 25, para 2 - this is only indication that two of the buildings to be torn down are Section 8 housing. Please provide information on subsidies attached to that housing, federal constraints on that housing, and exactly how that Section 8 housing will be replaced. Section 8 housing is a <u>crucial</u> housing resource. 49X

(31) Page 25 - Westvaco - surely you can do better than it "appears to have been constructed within the last 20 years." What is the permit history for this building. See comment 27 above - for this and other recently constructed or altered buildings. 49Y

(32) Page 25, last para - "industrial nature of this area" is too narrow. The general plan has designated this for neighborhood serving commercial, mixed use and residential and recent alterations and construction has been consistent with that shift. 49Z

(33) Page 26 - this page slides over the residences in this area, both on site and across the street. They are being minimized. 49A2

(34) Page 26 - one of the major land uses, which is also a major constraint on this site is totally ignored -- the freeway system. Both 580 and 80 are major physical barriers, which restrict transportation movement and alternative routes to this site. Please discuss in this section the circulation context of this site -- a context which is problematic to say the least, including the adjacent residential areas. 49B2

(35) Page 27 - It is improper to ignore describing General Plan and zoning issues for nearby portions of Oakland when they are so near to this site (closer in fact than many parts 49C2

of Emeryville which are discussed). Amend to include. 49C2

(36) Page 27, General Plan - please describe percentage of site in each classification. 49D2

(37) Page 27, Zoning - please describe percentage of site in each classification.

(38) Page 27, last para - inclusion of "medical" in list - doesn't this generally mean normal sized neighborhood serving physician's, dentist's and other health care professionals' offices, rather than a massive hospital complex. These are not neighborhood-serving health care offices, but a massive regional hospital complex. 49E2

(39) Pages 28 and 29 - impossible to read street names on these maps. Please amend.

(40) Page 28 - this should be paired with an "after" map to see what change in general plan will occur. 49F2

(41) Page 29 - this should be paired with an "after"map - to see what change in zoning will occur.

(42) Page 30, 4th full para - does Emeryville exclude an unlimited amount of parking from <u>all</u> FAR calculations, permitting a site to have lot line to lot line parking garages up to the maximum height limit? 49G2

(43) Page 32, second para - goal in Plan, "more efficient circulation system" - please describe in detail the goals, including avoidance of congestion, breaking through streets to give alternatives to otherwise overburdened streets, etc. 49H2

(44) Page 32, last para - This ignores recent activity -- in implementation of the Plan - to renovate buildings, bring in live-work (which is considered compatible with industrial uses) and establish new businesses on both this site and the surrounding sites. No illustrations or references to what you contend illustrates this situation. 49I2

(45) Page 33 - figure is not helpful for an understanding of how the Redevelopment Plan has been implemented, i.e. specific projects which have been constructed, their location, what is currently under consideration, what has been approved but not built. Cannot read street names. Need more readable Emeryville city boundary. 49J2

(46) Page 34 - what similar plans for Oakland portions of San Pablo area? This plan will obliterate the current proposal to have a retail center <u>for the local community</u> (not regional retail center a la East Bay Bridge). Didn't your approval of the East Bay Bridge project undermine the San Pablo Avenue Revitalization Plan? This project will further adversely affect that Plan. When examined together the two projects appear to be an obliteration of a neighborhood serving plan by continuing down a long stretch of San Pablo major regional facilities, rather than ones which serve the local residential community. Please analyze. 49K2

(47) Page 34, para 3 - where are the "design guidelines, public improvements and building form/design recommendations" set out in this EIR so this project can be measured against this adopted plan? 49L2

(48) Page 35, para 3 - please add that the live-work units are brand new 49M2

(49) Page 35, para 4 - "substantially increase" and "change allowable height and scale" - please quantify. Also, since people see buildings as built, not as FAR is calculated under zoning rules, please provide information on density (bulk) by setting out the entire building mass, whether or not it counts as FAR. 49N2

(50) Page 35, last para - "replace" should be "demolish" 49O2

(51) Page 36, first full para - standard for CEQA is not how this project, after you have changed all plans to make them conform to this project, meets the new plans, but how does it conform to the <u>existing</u> plans. See, among other places, definition of "significant effects" in CEQA Guidelines, Appendix G: 49P2

> "A project will normally have a significant effect on the environment if it will ... (a) conflict with <u>adopted</u> environmental plans and goals of the community where it is located."

(52) Page 36 - please set out the policies which led in the first place to the designation of this area for residential and mixed use activity in the Shellmound Redevelopment Plan. 49Q2

(53) Page 36, Impact LU-1 - see above. This must be changed to the project <u>will have</u> a significant land use impact. That is evident by the review of the impact of the 49R2

revision on the Residence Element and the displacement of a major housing opportunity site. 49R2

(54) Page 37, Mitigation LU-1 - add "no mitigation is possible if this project is adopted as proposed." 49S2

(55) Page 37, first full para - how much of an increase in building intensity? (See above comment on including all of garage mass, not merely what counts as FAR) 49T2

(56) Page 38, second para - you downplay residents' and others attempts to establish a cohesive community by constructing live-work units, upgrading property on Park Street, adding recreational facilities, establishing small businesses, and construction Emery Bay Village. Those efforts would appear to be of a cohesive community. Please set out the dollar amount of investment (and sweat equity) that activity has involved. This project will undermine and reverse those efforts. Please modify text. 49U2

(57) Page 39, third para - "from a planning perspective" this area has been <u>planned</u> for residential, mixed use and neighborhood serving retail. That is being implemented bit by bit. This project obliterates that plan and those efforts. "As amended by this project" is not the <u>legal</u> standard that is to be applied to define whether a conflict. See above. 49V2

(58) Page 39, Impact LU-2. This must be changed to the project <u>will have</u> a significant land use impact. That is evident by the review of the impact of the revision on the Residence Element and the displacement of existing housing and viable small businesses. 49W2

(54) Page 37, Mitigation LU-2 - add "no mitigation is possible if this project is adopted as proposed."

(55) Page 38, first two paragraphs - CEQA does not permit you to stop your analysis at Emeryville's borders. Please set out Oakland impacts. 49X2

(56) Page 38, thresholds - here you set out the Appendix G language. Please note that an EIR is a precursor to approval of any revisions to the General Plan, et al. You may not approve any revisions prior to the certification of the EIR. That is basic CEQA law. Therefore it is absolutely clear that "adopted environmental plans" are those <u>adopted prior to the EIR</u>, in this case the Draft EIR consideration. 49Y2

(57) Page 39, second para - this project would not help to achieve the goals of a balanced community and the project would obliterate the goals set out, not "help to achieve those objectives." Emeryville could have identified a site already designated for intense commercial activity and substituted this project for that activity. Instead, you are proposing to ignore the language on pp. 38-39 "and new housing of all types" and "create and living and working environment which protects and enhances existing development, while providing new amenities and facilities for an expanded work force and residential population. 49Z2

(58) Page 39, 3rd & 4th para - Please discuss the wall of buildings that will be visible to residents and businesses to the east, north, west and south. There are no visuals that show how this project will be seen to pedestrians from different directions, how it will be viewed driving east on Powell, how seniors in the project across San Pablo will lose their views. Please provide before and after visuals. 49A3

(59) Page 39, same paras - describe how heavy traffic and level "F" intersections will isolate pedestrians trying to cross streets near this project. This traffic can disrupt and isolate this surrounding area. 49B3

(60) Page 40, top partial para - There is insufficient info provided to conclude this project would be of similar character and scale as AC Transit and Berkeley Farms or that this project would have no visual impact. They are not blocks long massive walled complexes. The proposed facility is 2.7 million square feet, including 1.1 million square feet of garages. Since there are no perspective renderings (please provide) it is impossible to tell from the information in this EIR the mass of this complex compared to what already exists in the area. The limited visuals in Figures 28 - 32 show there is a lot of openness in this area and that this project would not be of a similar scale at all. 49C3

(61) Page 40, third para - see immediately above. It is not true that this is compatible with uses north of 47th Street. What about how it would be seen from Emery Bay Village. Limited photos in EIR show this project to be of dramatically different scale.

(62) Page 40, last para - seniors with any mobility problems facing a street with even more heavy traffic and congestion could very well be isolated from the west side of San Pablo. 49D3

(63) Page 40, last para - what parking restrictions on San Pablo - what page, what exact mitigation? These generic references are not helpful. Who pays the cost of the mitigations proposed (including those who get ticketed)? 49E3

(64) Page 41, first para - the businesses described may be traffic sensitive. Have they been talked to about what may happen if traffic increases to the level projected in the EIR. Will they be forced to locate? Will they go out of business? In other words, how will the traffic affect them. (Sometime the effect on people is that they change their travel patterns, others abandon a location. This paragraph does not deal with effects as it applies to a situation, and is very superficial.) 49F3

(65) Page 41, second para - shadow impacts. Was this tested, or just assumed? What effects on the on-site open space, will it be in shadow and wind? 49G3

(66) Page 41, third para - who are the occupants (esp. live-work) of these buildings? What type business? What access requirements? What time sensitivity (e.g. must be able to respond to an emergency call within 15 minutes). 49H3

(67) Page 41, Mitigation LU-3 - this is not a mitigation, but a condition of approval, since they are a necessary prerequisite and already factored into the design in the EIR. 49I3

(68) Page 42, last para - will the "liner buildings" bring Kaiser visitors/staff to the San Pablo frontage, or will they be able to access from rear? Will Kaiser visitors come to these buildings independent of other trips to MOBs and hospital? Since Kaiser will dominate the street frontage and displace other small retail businesses, what reason will the average resident of the area have to go to this somewhat pedestrian hostile stretch (between AC yard and Catellus auto-oriented project) to keep the level of street activity high. Residential uses on the west side of San Pablo would help provide that level of pedestrian activity to keep businesses viable. Would the businesses be pretty much oriented to regular Kaiser MOB hours (e.g. dispensing opticians)? This "resolution" appears to be hostile to creating, let alone, preserving, any sense of a residential community with neighborhood-serving retail. 49J3

(69) Page 43, first full para - This is a very vague description of the appearance of these buildings, exacerbated 49K3

by the failure to include any informative renderings. Please provide renderings and lot more than generalities. 49K3

(70) Page 43, second full para - An area where 95% of the visitors/workers take cars, and which is surrounded by heavily trafficked streets with Level F congestion is not a pedestrian oriented area for businesses, no matter what it may be called. Cars will clearly dominate this setting. It is ridiculous to displace a housing priority area with a massive medical complex and then call it a "cohesive pattern of mixed-use development on the site." This will be a massive, monolithic land use with no housing. 49L3

(71) Page 43, LU-3.2 - What traffic, what noise, what visual mitigation measures - only general references, no specific references to exact measures which are expected to mitigate. What "additional measures" not currently included in the project? This is so general as to be impossible to sustain. Similarly for page 46, LU-4.2 49M3

(72) Page 43 - unlabeled conclusion - it is impossible to conclude, based on criticisms of page 38-43, that there is a less than significant land use compatibility impact. To the contrary, the evidence is that adding this project to the already approved East Baybridge project changes this stretch of San Pablo (East Baybridge, the Oaks, Kaiser monolith, AC transit yard, Emery High School) to a auto-oriented environment hostile to pedestrians and a sense of community with the surrounding residential areas. 49N3

(73) Page 44, first para - It is outrageous to say that there is no impact on residents of the live-work units because those units would be eliminated. There is a direct loss of housing impact here.

(74) Page 44, second para - it is a perversion of the "mixed-use" development term to imply that this is a "mixed-use" project. The intention of that designation is to allow residential, commercial and industrial activities on the same or adjacent parcels. This parcel is surrounded on three sides with residentially zoned parcels and is a transition to the more industrially zoned parcels. This is not a project of "the same type of commercial uses." This is a monolithic, basically one employer, multi-block, huge scale project. It is putting all the economic eggs in one basket (a la Del Monte), rather than diversifying the economy as occurs in the surrounding area. 49O3

(75) Page 44, third para - no renderings of project, therefore impossible to conclude that the buildings along San Pablo and MOBs would resemble nearby buildings. 49P3

(76) Page 44, 4th para - which noise attenuation measures - reference to an entire chapter is not helpful. Would the noise levels from AC yard cut down on utilization of open space? 49Q3

(77) Page 44, last para - give rendering of what residents of Emery Bay Village would see from their homes and sidewalks. 49R3

(78) Page 44 - when Emery Bay Village approved, what findings were made, implicitly or explicitly, about the type of area the residents would be moving into? How did it conform to Emeryville plans in place at the time. 49S3

(79) Page 45, Impact LU-4 - challenge "generally compatible with surrounding land uses" - see comments immediately above. 49T3

(80) Page 45, Mitigation LU-4 - this is not a mitigation, but a condition of approval, since they are a necessary prerequisite and already factored into the design in the EIR.

(81) Page 46 - unlabeled conclusion - it is impossible to conclude, based on criticisms of page 43-45, that there is a less than significant land use compatibility impact from second phase development. To the contrary, the evidence is that this phase will directly affect nearby residences and businesses which will be faced with a massive, out of scale project, its traffic and its monolithic character. 49U3

(82) Page 46 - please discuss Berkeley and Oakland's general plan goals, especially as they relate to circulation on San Pablo, Adeline, and other streets which will be faced with Level F intersections, their plans for transit improvements (light rail down San Pablo, etc.), as well as their commercial plans for San Pablo and Oakland's plans (and any for Berkeley) for the residential areas near the Emeryville boundary. 49V3

(83) Page 46, last sentence - there is no list of amendments in Appendix A. There should be a simple list of <u>all</u> changes in the main text. The standard in CEQA is not that you change your zoning to make it compatible with the project, despite all you may want it to be so. This EIR must 49W3

be certified as accurate prior to even considering the rezoning. 49W3

There are additional comments on the way.

Sincerely,

Sue C. Hestor

cc: Save Our Neighborhoods
SFRG

49. RESPONSES TO COMMENTS FROM SUE C. HESTOR RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 49.A.: The comments regarding the Draft EIR indexing of topics are noted. Please note that CEQA Guidelines §15122 states that "an EIR shall contain at least a table of contents *or* an index to assist readers..." The Draft EIR contains a table of contents. Additionally, indices are included in this document to assist the reader in locating the names of individuals commenting on the Draft EIR, and in locating the categories of comments received on the Draft EIR.

RESPONSE TO COMMENT 49.B.: The City of Emeryville commenced circulation of the Draft EIR on May 6, 1994 as described in Master Response A1. Public Resources Code §21092 specifies that the information requested by Ms. Hestor (i.e., the date of release) is required for inclusion in the public notice. This section does not state that it must also be included in the EIR itself. The City of Emeryville prepared the Notice of Availability in conformance with Public Resources Code §21092 and mailed in the appropriate manner.

RESPONSE TO COMMENT 49.C.: In response to the commenter's comments, the Summary has been revised to include additional cross-references where relevant, and to reference specific page numbers. In addition, the same impact and mitigation numbers are used in the Summary that are used in the text to assist the reader in cross-referencing each impact and mitigation measure conclusion.

RESPONSE TO COMMENT 49.D.: As described in the Summary on page S-6, several impacts and mitigation measures are numerically out of order to preserve the same numbering system contained in the body of the EIR, which would assist the reader in correlating each impact and mitigation measure contained in the summary with the corresponding impact and mitigation measure found in the text of the EIR.

RESPONSE TO COMMENT 49.E.: Ms. Hestor's comment is noted. The text has been revised accordingly.

RESPONSE TO COMMENT 49.F.: With respect to the comments regarding the project title and the relationship of the Project to the existing Oakland facility, see Master Response B1. The master response also addresses the possibility of alterations to the service area which are independent of the proposed project.

Regarding Comment 49F(8), the project does not include demolition of any facility at the existing Oakland Medical Center. As explained in Master Response R, Kaiser's plans for the existing Oakland facility have not been fully determined, and many of the existing uses would remain in operation even with construction of the Emeryville Medical Center.

Regarding Comment 49F(9), the Draft EIR provides a regional map on page 2, and a map of the Oakland MacArthur Broadway site on page 311. The existing Kaiser facility is located in the City of Oakland, 1.5 miles from the project site.

RESPONSE TO COMMENT 49.G.: The commenter is referred to Figure 13 which shows the city limits four Berkeley, Oakland, and Emeryville in the vicinity of the project site.

The figures included on pages six and seven were based upon available graphics from the project applicant. The City of Emeryville will attempt to provide better reproductions of these maps when the entire Final EIR is printed.

Figure 7, Surrounding Land Use Map, on page 24 depicts the existing structures that presently occupy the project site. This aerial photo provides an accurate representation of the existing conditions of the project site and surrounding area.

RESPONSE TO COMMENT 49.H.: Please refer to Master Response F1. for a discussion of the visual aids that have been added to this Final EIR. Additional perspectives indicating street-level views have been provided at the commenter's request.

RESPONSE TO COMMENT 49.I.: The request for the number of "providers" in the existing facility is not an EIR issue and is not relevant to determining the environmental impacts associated with the proposed project.

RESPONSE TO COMMENT 49.J.: The following figures contained in the Draft EIR depict the existing and future conditions with the proposed roadway closures and extensions: Figure 7 (page 24), Figures 3 and 4 (pages 6 and 7), and Figure 22 (page 141).

RESPONSE TO COMMENT 49.K.: A single list of all properties to be acquired and structures to be demolished is provided for Phase I and the Future Expansion phase in Table 3 on page 61. This table has been updated and included in Section VI of this Final EIR to reflect the change in status of acquisition since the time that the Draft EIR was circulated.

RESPONSE TO COMMENT 49.L.: Retail and office uses are proposed to be included in the "liner" buildings as stated on page 12 of the Draft EIR. The proposed retail and general business uses could include small food markets, restaurants, apparel stores, specialty stores and other small businesses, civic offices, and retail shops as described on page 12. As stated on page 12, it is anticipated that approximately 32,500 square feet of medically-related retail uses could also be located in the "liner" buildings. Access to the neighborhood-commercial, pedestrian-oriented uses in the "liner" buildings would be provided by typical storefront entrances along Park Avenue, San Pablo Avenue, Hollis Street, and portions of 45th Street and San Pablo Avenue.

RESPONSE TO COMMENT 49.M.: The square footages are gross building square footages which are used consistently throughout the Draft EIR.

RESPONSE TO COMMENT 49.N.: Please refer to Appendix B for a list of the proposed General Plan amendments. The Draft EIR adequately analyzes the proposed project's consistency with Emeryville's environmental goals and plans as required by CEQA. Appendix B of the Draft EIR lists the proposed amendments to the Emeryville General Plan and the Redevelopment Plan for the Shellmound Park Redevelopment Project Area requested by Kaiser. In addition, pages 14 and 15 of the Draft EIR generally describe the proposed amendments that were requested, and pages 46-52 and 54-55 analyze the impacts associated with the proposed amendments. Moreover, impacts associated with development in accordance with the existing General Plan land use designations are analyzed on pages 324 to 327 of the Draft EIR in the discussion of the Existing General Plan Alternative. By comparing the analysis of this alternative with the analysis of the project, the reader can understand the differences between the impacts

of development under the existing General Plan and the impacts of development under the proposed amendments.

Nevertheless, for clarification, additional language has been incorporated into the discussion of the General Plan amendments on pages 14 and 15 of the Draft EIR. Please refer to Section VI of this Responses to Comments document for the additional language.

RESPONSE TO COMMENT 49.O.: Amending the Shellmound Park Redevelopment Plan is a discretionary approval taken by the City of Emeryville. The Redevelopment Plan is amended by an ordinance adopted by the Emeryville City Council. No corresponding approvals would be required from Alameda County.

RESPONSE TO COMMENT 49.P.: A Final Development Plan for Phase I was not submitted as of the circulation of the Draft EIR. As stated in Section 9-4.85.11(c) of the *City of Emeryville Municipal Code Regarding the Procedure for the Review of Planned Unit Developments (Ordinance No. 94-_)*, "the Final Development Plan shall substantially conform to the approved preliminary development plan." The City of Emeryville determined that sufficient information was submitted by Kaiser for the EIR's evaluation of the environmental impacts associated with the project. The Final Development Plan essentially contains refinements to the preliminarily development plan. Therefore, there should not be any significant changes to the project between the time the preliminary development plan and final development plan are prepared that would affect the analysis of environmental effects. If any such change is included in the Final Development Plan, the City would have to review the Final EIR and determine if any corrections or additional environmental analysis is necessary.

RESPONSE TO COMMENT 49.Q.: The entire project site is under the Exclusive Right to Negotiate. Existing property owners are not barred from coming in with applications to alter or construct on their own property.

RESPONSE TO COMMENT 49.R.: The Draft EIR sets forth all of Kaiser's financial obligations on pages 17 and 18. Financial obligations for mitigation measures are contingent upon the City of Emeryville decision-makers decisions to condition the project to the approval of the mitigation measures identified in the Draft EIR. Pages 63 through 67 describe the types of relocation payments that the applicant may be required to fund.

RESPONSE TO COMMENT 49.S.: On page 21, the Draft EIR identifies the approvals for which the Draft EIR will be used.

The Draft EIR indicates on page 19 that the analysis of the Draft EIR is intended to address effects of Phase I and Future Expansion phases of the project. As explained on page 20 of the Draft EIR, the Draft EIR analyzes Phase I of the project at a "project-level." Phase I and Future Expansion were analyzed equally. Horizon years have been assigned to each of these phases based upon available information regarding Kaiser's plans for development. As stated on page 13, Phase I is scheduled for completion by 1999 and Future Expansion is scheduled in to occur in one more phases after the year 2003 (with an analysis horizon year of buildout by 2010). The Draft EIR indicates on page 20 that additional environmental review may be required with respect to Future Expansion phases after Kaiser submits an application for a final development plan for those phases, only if the final development plan substantially differs from the preliminary development plan. Such environmental review may be conducted in accordance with CEQA's provisions relating to the use of Master EIRs or to a tiering approach.

With respect to the commenter's suggestion that the project is not consistent with the Redevelopment Plan and therefore not suited for use of a Master EIR, as discussed in the Draft EIR at page 54 and in the Redevelopment Plan, the Agency is authorized to permit semi-public institutions and non-profit uses, including hospitals, in any area within the Shellmound Park Redevelopment Project Area. The amendments to the Redevelopment Plan are for the purpose of conforming the land use designations in the Redevelopment Plan with those in the General Plan, and confirming that the broad range of medical uses contemplated by the project would be permitted. Therefore, the project would be considered a "project consistent with a Redevelopment Plan."

RESPONSE TO COMMENT 49.T.: Some of the roadway improvements are contained in the Capital Improvement Program. This EIR covers all mitigation measures for impacts identified in this EIR, regardless of whether a given roadway improvement is included in the City's CIP or not.

RESPONSE TO COMMENT 49.U.: Please refer to the 1987 Emeryville General Plan for a map showing the City of Emeryville's planning areas. This map has been added as a text revision in Section VI of this Responses to Comments document.

RESPONSE TO COMMENT 49.V.: The commenter is invited to review the findings, resolutions, and other publicly available information regarding the projects on the Phase I and Future Expansion sites, and for the East Baybridge project. The desirability of those projects is not the subject of the EIR for the proposed Kaiser medical center. In order to be approved, these projects would have had to conform to the zoning, Redevelopment Plan, Housing Element, and General Plan at the time of their approval. Government funding for construction of existing developments is not related to the environmental effects associated with the proposed medical center.

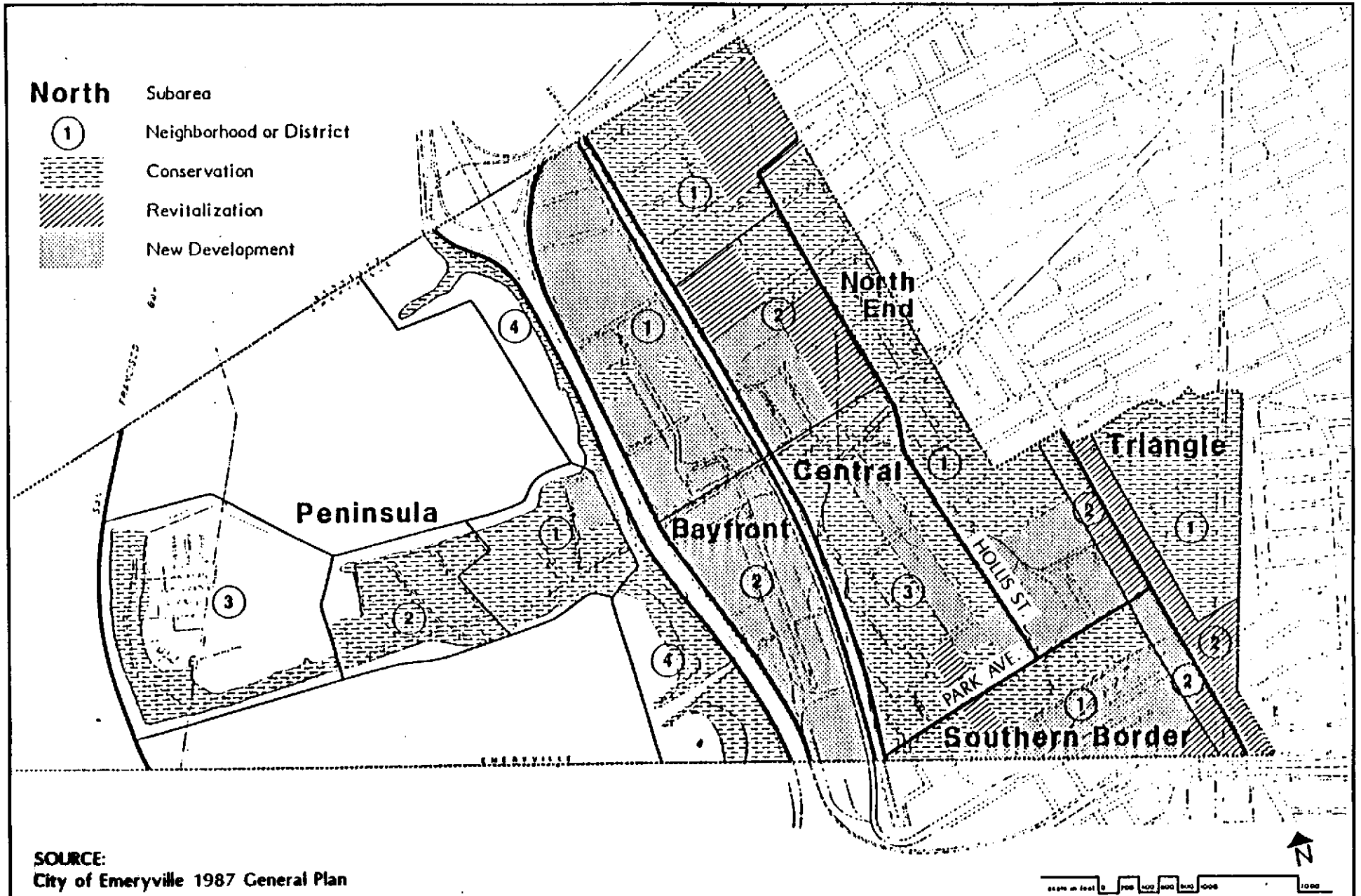
RESPONSE TO COMMENT 49.W.: Figure 7 provides sufficient information to orient the reader to the project site and to the surrounding land uses. In response to the commenter's request, however, additional labeling has been provided where references to the land uses are indicated in the text.

RESPONSE TO COMMENT 49.X.: Please refer to Master Responses C1. and C2. regarding a discussion of the replacement of affordable housing units. Detailed information regarding Section 8 housing is included in the Relocation Plan prepared for the project, and is not an EIR issue. The Relocation Plan is available from the City of Emeryville Redevelopment Agency.

RESPONSE TO COMMENT 49.Y.: Based upon information available from the Emeryville Building Department, the existing Westvaco warehouse was constructed around 1946.

RESPONSE TO COMMENT 49.Z.: The commenter appears to have taken this phrase out of context. The complete sentence states, "Furthermore, the industrial and warehouse/distribution facilities surrounding the Kaiser Permanente Medical Center site along the northern, western, and southern project boundaries, also reflect the industrial nature of this area of Emeryville, where approximately 240 acres of this city are dedicated to such uses." Following this discussion, the Draft EIR also describes the local and regional commercial uses within the area, as well as the residential uses.

RESPONSE TO COMMENT 49.A.2.: Residential uses are noted in the third, fourth, and fifth paragraphs on page 26. Residential areas are also shown in Figure 7.



SOURCE:
City of Emeryville 1987 General Plan

EMERYVILLE'S NEIGHBORHOODS & DISTRICTS & GENERALIZED DEVELOPMENT STRATEGY (PLANNING AREAS MAP)

FIGURE FOR RESPONSE TO COMMENTS

Furthermore, impacts to these areas are included in the discussion of impacts to surrounding land uses on pages 38 to 45.

RESPONSE TO COMMENT 49.B.2.: The regional land use setting is described within the context of the major transportation facilities on page 22 of the Draft EIR. Additionally, a discussion of the regional and local roadway system and access to the project site and surrounding area is provided on pages 86 through 92 of the Draft EIR.

RESPONSE TO COMMENT 49.C.2.: Construction of a medical center in Emeryville is not required to be consistent with the Oakland and Berkeley General Plans and Zoning Ordinances. Therefore, no analysis of the proposed project's consistency with these plans was conducted as part of this EIR.

RESPONSE TO COMMENT 49.D.2.: Please refer to Figures 8 and 9 for the General Plan and Zoning designations that apply to the project site. Also refer to the attached updated General Plan maps which were recently adopted by the City in October, 1994. The updated maps merely reflect minor corrections and do not represent changes in land use designations.

RESPONSE TO COMMENT 49.E.2.: The Emeryville Zoning Ordinance does not distinguish between hospitals and doctor's offices. The project is proposing to be rezoned *Planned Unit Development/Commercial (PUD)*, not *Neighborhood Commercial* (C-N).

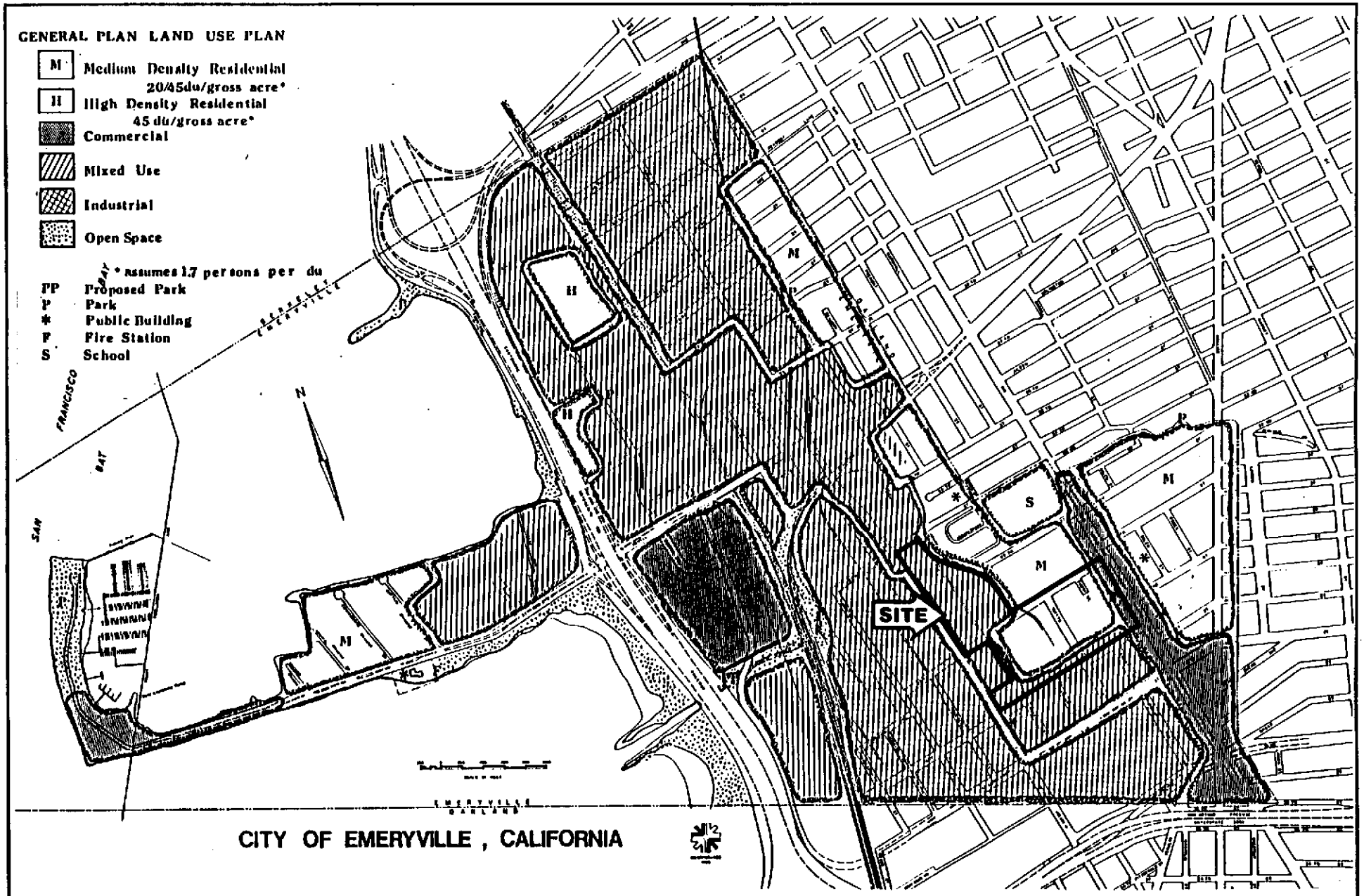
RESPONSE TO COMMENT 49.F.2.: Figures 8 and 9 in the Draft EIR use the City of Emeryville's base map to accurately represent the roadway network in the project area. The City of Emeryville will attempt to provide better reproductions of these maps when the entire Final EIR is printed. Major streets have been labeled on these figures in order to orient the reader.

The only changes to Figure 8 as a result of the proposed project would be the replacement of the existing *Mixed-Use*, *Medium Density Residential (20-45 du/ac)*, *Commercial*, and *Public Building* designations with one designation, *Commercial*. The changes to Figure 9 as a result of the proposed project would be the replacement of the C-N, M-U, I-C, R-M, and C-N designations with one designation, PUD.

RESPONSE TO COMMENT 49.G.2.: Section 9-4.3.10(f) of the Emeryville Zoning Ordinance states that Emeryville excludes parking facilities from its FAR calculations. The amount of off-street parking, however, is limited by the City's off-street parking regulations contained in Article 9-4.55.

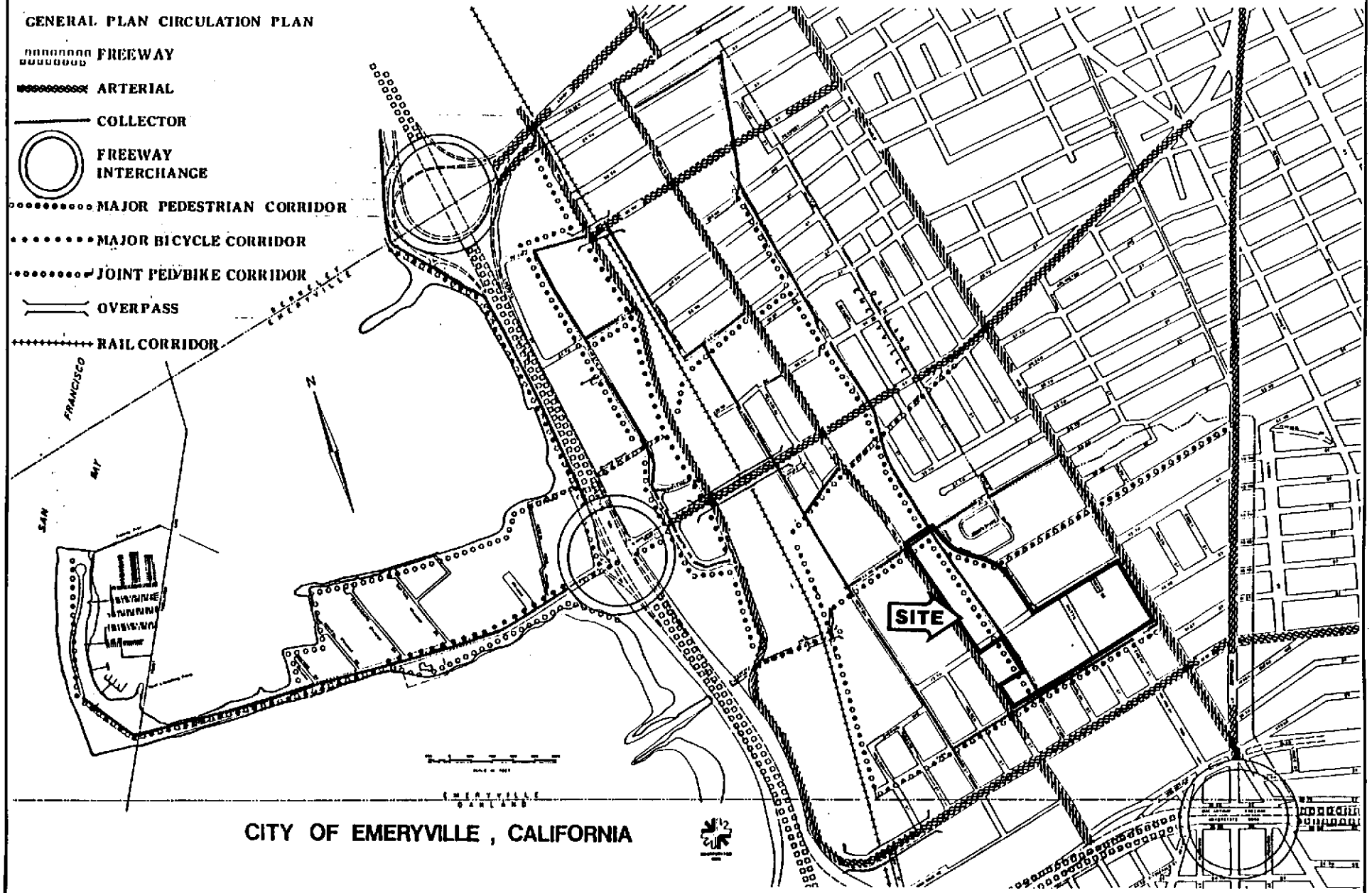
RESPONSE TO COMMENT 49.H.2.: The statement regarding a "more efficient circulation system" was taken from the Shellmound Park Redevelopment Plan. The reader is referred to the Redevelopment Plan for a discussion of the Redevelopment Plan's efforts to improve circulation in Emeryville. The mitigation measures outlined in Section II, C with regard to traffic impacts, are intended to provide a more efficient circulation system to adequately accommodate the project-generated traffic, while being consistent with the Circulation Element policies contained in the General Plan, as amended, and shown on Figure 12.

RESPONSE TO COMMENT 49.I.2.: The commenter states that the Draft EIR on page 32 ignores recent activity to implement the Redevelopment Plan. The Draft EIR on page 32 discusses the various elements of blight that are located within the project



GENERAL PLAN LAND USE PLAN

FIGURE FOR RESPONSE TO COMMENT 49.D.2.



GENERAL PLAN CIRCULATION PLAN

FIGURE FOR RESPONSE TO COMMENT 49.D.2.

IV.D-77

site. While recent efforts have been implemented to eliminate blight on the project site, including construction of the live/work units on Emery Street, these elements still exist on the project site, as evidenced by the vacant Del Monte cannery building, and several older, vacant commercial structures on San Pablo Avenue.

RESPONSE TO COMMENT 49.I.2.: Figure 11 is the map contained in the Shellmound Park Redevelopment Plan. In order to be consistent, the Draft EIR used the same map. To further assist the reader, the map was slightly modified to clearly label several streets that would orient the reader to the project site. The purpose of this map was to show the Redevelopment Project Area, only, not all of the new development occurring within the area.

RESPONSE TO COMMENT 49.K.2.: On page 42, the Draft EIR states that the Urban Design Guidelines incorporated into the project are intended to be consistent with the relevant design guidelines contained in the San Pablo Avenue Revitalization Urban Design Plan. In addition, the proposed medical center incorporates neighborhood commercial, pedestrian-oriented "liner" buildings to stimulate local economic conditions along San Pablo Avenue, which is consistent with the objectives of the San Pablo Avenue Revitalization Urban Design Plan. Furthermore, this plan envisioned a large, mixed-use development on the Del Monte site as a catalyst to new revitalization along San Pablo. The proposed medical center is consistent with these objectives.

RESPONSE TO COMMENT 49.L.2.: The City of Emeryville Recommended Urban Design Guidelines are set out in Appendix G of the Draft EIR (Volume II).

RESPONSE TO COMMENT 49.M.2.: Please note that the third full paragraph states that the live/work units were "recently constructed."

RESPONSE TO COMMENT 49.N.2: Information regarding the changes in density and height at the project site is provided on pages 49-52 of the Draft EIR. Please refer to Figures 5, 6, and 35 in the Draft EIR for drawings showing building massing.

RESPONSE TO COMMENT 49.O.2.: The commenter's wording preferences are noted. "Replace" accurately conveys the idea that the existing land uses would no longer remain on the site. Please note that pages 72 and 79 refer to the "demolition" of the existing structures which is consistent with the commenter's preferences.

RESPONSE TO COMMENT 49.P.2: Please refer to the response to Comment 34.B.

RESPONSE TO COMMENT 49.Q.2: The commenter requests information regarding the policies which led the designation in the Redevelopment Plan for the Shellmound Park Redevelopment Project (the "Redevelopment Plan") of the project site for residential and mixed uses.

The Redevelopment Plan was adopted by the Emeryville City Council in 1987 to grant to the Emeryville Redevelopment Agency the authority to provide for the redevelopment and revitalization of the Shellmound Park Redevelopment Project Area (the "Project Area"). The Redevelopment Plan specifically states that it does not establish a specific plan or establish specific projects for the Project Area, or present specific proposals to alleviate concerns of the community relating to the Project Area. Rather, the Redevelopment Plan states that it presents a process and framework to enable the establishment of specific plans, projects and solutions.

The Redevelopment Plan designations are intended to conform to the General Plan. Therefore, the intention behind the Redevelopment Plan designations is found within the General Plan.

RESPONSE TO COMMENT 49.R.2.: Please refer to the response to Comment 34.B.

RESPONSE TO COMMENT 49.S.2: As stated in the response to Comment 34.B., the Draft EIR concluded that the project would not result in a significant impact.

RESPONSE TO COMMENT 49.T.2.: Information regarding the increase in building intensity is provided on pages 51 and 52 of the Draft EIR.

RESPONSE TO COMMENT 49.U.2.: The Draft EIR characterizes the project site and surrounding area as being occupied by a variety of land uses and recognizes on page 35 that the combination of existing incompatible land uses, condition of many of the existing structures, and underutilized nature of several large parcels of land contribute to the lack of a cohesive established community. However, as the Draft EIR notes for the project site, residents in this area have chosen to reside within a predominantly industrial area and share certain characteristics of a community, and as a result may perceive that the project would disrupt their community. For the purposes of this EIR, "an established community" is defined as a composite of land uses that have formed a neighborhood, are compatible with each other, and have occupied a given location for a reasonable period of time.

Furthermore, as explained in the Draft EIR at page 38, the City of Emeryville does not define the project site and the surrounding area as an established community because the surrounding properties are occupied by a variety of older and newer residential, commercial and industrial facilities, and on a local scale do not exhibit characteristics of an established community. However, the Draft EIR on pages 41 and 45 acknowledges that the residents in the area may perceive the proposed project as resulting in an adverse charge to the land use character of the area, and, as a result, concludes that both Phase I and Future Expansion of the project will result in a potentially significant land use compatibility impact.

With respect to the comment requesting the amount of investment and "sweat equity" involved in efforts in Emeryville, this information is not readily available and is not within the scope of CEQA as it does not relate to environmental effects of the project.

RESPONSE TO COMMENT 49.V.2.: The comments related to the effect of the project on the implementation of plans for the project site go to the project itself and do not require further response. As to the comment related to the legal standard required for review under CEQA, please see the response to Comment 34.B.

RESPONSE TO COMMENT 49.W.2.: Please refer to the response to Comment 49.R.2.

RESPONSE TO COMMENT 49.X.2.: For a discussion of the impacts of the project on Oakland, please see Master Response B1.

RESPONSE TO COMMENT 49.Y.2.: With respect to the comment related to certification of the Draft EIR, the commenter is correct that a Final EIR must be certified by the Emeryville City Council prior to consideration of any of the project

approvals. With respect to the comment related to CEQA's standard for evaluation of effects, please see response to Comment 34.B.

RESPONSE TO COMMENT 49.Z.2.: The Draft EIR, on pages 292-329, discusses alternatives to the project, including alternative sites. In addition, for further discussion of alternatives to the proposed project, please see Master Response G1.

As the Draft EIR indicates on page 39, the project would help further the above-referenced goals of the Emeryville General Plan. As the Draft EIR states on pages 4-5, objectives of the project include the facilitation of the development of new housing in Emeryville, thereby furthering the General Plan goal of creating "new housing of all types." The Kaiser Housing Program, which is discussed at pages 73-75, would help achieve this goal of the General Plan. In addition, the objectives of the project include (1) providing a wide variety of employment opportunities in the City of Emeryville, (2) improving public safety on the project site by stimulating investment in the area, and (3) creating secure open public space and park areas on the project site. Attainment of these objectives would benefit the entire Emeryville community by enhancing existing development and by providing new facilities and amenities for Emeryville residents.

RESPONSE TO COMMENT 49.A.3.: Please refer to Master Response F2. regarding additional perspectives depicting the views along San Pablo and Powell Street that have been added in Section VI of this Responses to Comments document.

RESPONSE TO COMMENT 49.B.3.: Pedestrian impacts are described in Section II, C on pages 171 to 174.

RESPONSE TO COMMENT 49.C.3.: Please refer to the response to Comment 49.A.3. above. Figures 28 and 32 are not representative of all of the structures surrounding the project site. Many of the industrial and warehouse facilities located within the project site boundaries and on adjacent streets have solid walls that extend along the street frontage, with little articulation. For example, the Westvaco buildings, Rainin building, and the Westinghouse buildings to the west are industrial buildings with limited architectural characteristics aimed at providing a pedestrian street frontage. Land use conflicts to the Emery Bay Village development are described on pages 40 and 44.

As described in Master Response F2., the project includes neighborhood commercial, pedestrian-oriented "liner" buildings to reflect the Urban Design Guidelines' requirement that buildings be scaled down or stepped down to the surrounding street levels.

RESPONSE TO COMMENT 49.D.3.: The commenter's remarks are noted. Pedestrian facilities and proper signage would be provided as described in Section II, C, pages 172 and 173 to ensure mobility for project area residents.

RESPONSE TO COMMENT 49.E.3.: The statement on page 40 refers to the discussion of parking impacts resulting from mitigation measures Cir-2.1 (page 125), Cir-3.1 (page 126), Cir-5.1 (page 127), Cir-9.1 (page 129), and Cir-15.1 (page 146).

RESPONSE TO COMMENT 49.F.3: It is outside of the scope of this EIR to speculate on whether increased traffic will cause businesses to go out of business. Such a phenomenon does not necessarily occur where a project generates additional traffic.

RESPONSE TO COMMENT 49.G.3.: The conclusion contained in the Draft EIR reflects the medical center siting and design features. The actual shadow length

calculations are included in Section VI, Revisions to the Text of the EIR. The commenter is referred to the discussion of lighting and shadow impacts contained in Master Response F1.

RESPONSE TO COMMENT 49.H.3.: The Draft EIR states that live/work residents may be affected by the project due to traffic and pedestrian/automobile conflicts. Mitigation measures are proposed (LU-3.1 and LU-3.2). The occupants of the live/work units are those that have both businesses and residences within the building, and these residents and businesses don't have any special access requirements that differ from other live/work units.

RESPONSE TO COMMENT 49.I.3.: The commenter correctly notes that the mitigation measures identified in LU-3 are included in the project. These measures were included in the project to avoid land use incompatibility impacts.

RESPONSE TO COMMENT 49.J.3.: Kaiser visitors and staff will be able to access the liner buildings from both the streets and the courtyard. As explained in the Draft EIR on page 12, the retail uses in the liner buildings are expected to include small food markets, restaurants, apparel stores, specialty stores, other small businesses, civic offices and retail shops. While Kaiser members would be expected to patronize these uses, they would also be expected to attract other non-Kaiser users from the surrounding neighborhoods.

Small retail businesses located on San Pablo Avenue, which will be displaced by the project, may relocate into retail space in the new liner buildings. In addition, it is anticipated that businesses similar to those along San Pablo Avenue will be attracted to this location by the increased pedestrian activity. The business hours of the liner buildings will not be tied to the operating hours of the medical center.

RESPONSE TO COMMENT 49.K.3.: Please refer to Master Response F2. for a discussion of the additional renderings which have been included in this Final EIR.

RESPONSE TO COMMENT 49.L.3.: The commenter's remarks are noted.

RESPONSE TO COMMENT 49.M.3.: The traffic mitigation measures include Cir-1.1 to 58. which would be required to establish an adequate circulation and transportation system to accommodate the proposed project. These mitigation measures are described on pages 120 to 183, along with their corresponding impact. The noise mitigation measures include No-1.1 to No-1.5, and 2.1-3.1 for reducing impacts to the proposed project. In addition, mitigation measures No-4.1-4.5 apply to mitigating noise impacts to adjacent land uses as described on page 214. The mitigation measures described on pages 287 to 288 and 291 detail the Urban Design Guidelines which are also described in Section II, A.

RESPONSE TO COMMENT 49.N.3.: Cumulative land use impacts are described on pages 334 which account for the approved, pending and proposed levels of development within the existing Emeryville context. Page 334 states that the proposed project and the other approved and pending projects within Emeryville may, together, result in perceived land use conflicts where development intensification occurs adjacent to existing low-scale residential uses.

RESPONSE TO COMMENT 49.O.3.: The commenter's remarks regarding the proposed project are noted. Please refer to the response to Comment 21.D.

RESPONSE TO COMMENT 49.P.3: Please refer to Master Response F2. for a discussion of the renderings which have been added to the Responses to Comments document.

RESPONSE TO COMMENT 49.Q.3.: The discussion on page 44 that addresses AC Transit's impacts to the medical center and the medical center's impacts to AC Transit with regard to noise levels is revised to clarify that the reference to the noise attenuation measures on pages 209 and 211 would reduce the noise impacts from the AC Transit activities on the medical center.

Mitigation measures No-2 and No-3 would reduce significant noise impacts to outdoor activity areas to a less than significant level. These mitigation measures involve monitoring of noise levels in the open space area. If noise levels continue to exceed the 55 decibel threshold, then either a solid fence would be constructed around the perimeter of the open space area; park benches and seating areas would be located away from the noise source; and/or additional landscaping would be installed around the perimeter of the open space area.

RESPONSE TO COMMENT 49.R.3.: Please refer to the street perspectives that have been added in Section VI to provide additional views of the proposed project.

RESPONSE TO COMMENT 49.S.3.: The commenter is invited to review the findings, resolutions, and other publicly available information regarding the approval of the Emery Bay Village. In order to be approved, this project would have had to conform to the zoning, Redevelopment Plan, Housing Element, and General Plan at the time of its approval. It is not clear what the relevance of that project's conformance to the General Plan is to the proposed project. The EIR evaluated the impacts on residents of Emery Bay Village and determined that, with mitigation, the project would not result in significant impacts to these residents.

RESPONSE TO COMMENT 49.T.3.: Please refer to the response to Comment 49.I.3.

RESPONSE TO COMMENT 49.U.3.: Please refer to the response to Comment 49.N.3. The project was determined to not result in a significant land use compatibility impact for the reasons described on pages 43 through 46.

RESPONSE TO COMMENT 49.V.3.: Section II, C. of the Draft EIR identified the City of Oakland's and the City of Berkeley's policies that pertained to the implementation of roadway widening as mitigation for intersection impacts within the respective jurisdictions. The reader is referred to pages 130 and 131 of the Draft EIR for examples.

RESPONSE TO COMMENT 49.W.3: The list of proposed amendments to the General Plan is contained in Appendix B to the Draft EIR rather than Appendix A. The text on pages 14 and 47 of the Draft EIR is revised accordingly. The commenter is correct that the City Council must certify the Final EIR as adequate and complete prior to considering the rezoning.

With respect to the comment related to the legal standard for evaluation of significant effects, please see the response to Comment 34.B.

Via: Fax

Janice L. Jackson
1047 59th Street Oakland, CA 94608 (510) 658-9355

June 20, 1994

Emeryville Planning Department
2200 Powell Street
Emeryville, CA 94608

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

RE: Kaiser Permanente Medical Center

Dear Planning Department;

I am writing you as a concerned citizen and neighbor to Emeryville to ask you not to approve the proposed Kaiser Project, and to extend the time to respond to Kaiser's EIR report.

I would like to begin by saying I appreciate the City of Emeryville's effort to improve Emeryville making it a nice community to live. I have lived in the San Pablo Golden Gate neighborhood for more than five years. I have owned property on 59th street for the past three years. Although I am not an Emeryville resident, I am directly effected by planning decisions made in Emeryville. 50A

One example is the recent addition of Trader Joes to the Powell Street shopping center. The traffic on Powell street has become terribly congested, which causes me to question decisions made by the planning department.

In my brief review of the Kaiser EIR there are several glaring un-answered questions. The most important being traffic congestion. Already the traffic on San Pablo is very heavy during part of the day. It is difficult for me to make a left-hand turn onto San Pablo from my street during peak times. In addition, many people use the block of 59th street I live on to avoid the light at Stanford and San Pablo. Between the hours of 7:30 a.m. and 8:30 a.m. cars drive past my street in approximately 10 second intervals. Adding Kaiser to the neighborhood will only exacerbate this problem. 50B

In my review of the maps in Kaiser's EIR report I did not even see my street listed nor did I read any comments concerning its impact on my street. This needs to be addressed.

The second issue is with the proposal of eliminating street parking on San Pablo north of Stanford to add another lane of traffic. I strongly oppose this proposal for several reasons. First, several of the store fronts along this area are vacant and we hope that business will be 50C

50

encouraged to move into this area and help create a viable area where we can shop. The business which are currently there need these parking spaces. Currently the parking spots which are there are frequently used and are often times inadequate for the numbers of cars which need to park. If these spaces are eliminated current business will suffer, and new business will be discouraged from coming into the area. Also parking will spill over to the residential side streets. This is not a good idea. 50C

My second concern comes from a flyer I read written by your mayor concerning a proposed shuttle bus service. I am assuming this is listed in the EIR or the Mayor would not talk about it. I strongly oppose any shuttle bus service because it undermines our public transportation system and diverts badly needed funds from public transportation to the private sector benefiting a sub-group of the general population. Emeryville, and Kaiser need to work with AC Transit and Bart to help these agencies serve the public transportation needs. I have talked to Paul Keener in the planning department of AC Transit about this trend Emeryville has of encouraging private shuttle services.

Kaiser needs to consider a site for its proposed facility which takes advantage of current public transportation links rather than creating private bus service. The proposed Emeryville facility is far from Bart and will not only encourage people to drive and cause traffic congestion, but will also inconveniences Kaiser's patrons by adding additional parking fees and eliminates the freedom to choose Bart or the Bus. Frankly, I am quite surprised that a forward looking and progressive company such as Kaiser would make such an environmentally harmful decission. Kaiser needs to be located closer to an existing Bart Station. 50D

My last concern is the cost of the many proposals in the EIR. I do not believe the cost of the numerous proposals are adequately addressed. Who will pay for what and exactly when? I would like to see a list of all of the additional costs which will be incurred by adding stop lights changing parking and other changes which are proposed by adding Kaiser to our neighborhood. I am concerned that city governments will have to bear the brunt of these expenses. Please explain what these changes will cost, who will pay for them and when the changes will occur. 50E

I would like to again ask you to please extend the public comment time for responding to the EIR. More time is needed to fully understand all the proposals presented in this report. Thank you for your consideration. 50F

Sincerely,

Janice Jackson

50. **RESPONSES TO COMMENTS FROM JANICE L. JACKSON RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 50.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1 for additional discussion regarding this topic.

RESPONSE TO COMMENT 50.B.: Refer to response to Comment 65.L.

RESPONSE TO COMMENT 50.C.: The Draft EIR describes the significant unavoidable impacts that would occur to the existing businesses on San Pablo Avenue as a result of the mitigation measures involving the elimination of on-street parking. The commenter's remarks are consistent with the reasons stated in Section II, B. of the Draft EIR for finding the elimination of on-street parking a significant unavoidable impact.

RESPONSE TO COMMENT 50.D.: The commenter's opposition to the Emeryville-BART shuttle service is noted. The provision of this service is independent of the proposed medical center. In addition, the traffic analysis has evaluated the project site's access to existing transportation facilities.

The Emeryville-BART Shuttle service is not proposed in conjunction with the Kaiser project. This shuttle is proposed by the City of Emeryville to link its major employment and retail areas with the MacArthur BART station. The shuttle is proposed as a joint public/private partnership. The City of Emeryville has issued an RFP to any private or public agency (including AC Transit) who wishes to provide the City's shuttle service. The City will select the provider that is the most cost effective and best serves Emeryville residents and employees. The City will also consider connectivity of the service with AC Transit routes, the Berkeley shuttle, and other transit services The benefits will be improved mobility within the city, reductions of vehicle use, traffic congestion, and parking demand. The shuttle service will improve the attractiveness of BART as a mode of access to Emeryville.

Kaiser considered a number of factors in selecting the proposed site, including access to transit. The proposed medical center would have adequate shuttle service from both the Emeryville-BART Shuttle and Kaiser's own shuttle service, and would be adjacent to a major AC Transit line. Furthermore, Kaiser's shuttle will transport employees and members to the Emeryville Amtrak Station. However, in order to provide a worst case analysis of the project's traffic impacts, the traffic analysis employs conservative assumptions regarding transit use, as described in Master Response D3. Finally, the project site is also near major freeways which also provides regional access.

RESPONSE TO COMMENT 50.E.: Please refer to the response to Comment 28.H. In conformance with CEQA Guidelines §15126(d), the EIR describes the measures which could minimize significant adverse traffic impacts resulting from the development of the proposed medical center. CEQA does not require that the costs of each of these mitigation measures be projected and included in an EIR. Kaiser, however, will be responsible for funding its share of those mitigation measures required to reduce or avoid significant impacts associated with the project. With regard to cumulative mitigation measures, as stated on pages 134 and 154 in the EIR, Kaiser would be responsible for funding its share of the cumulative improvements, and other cumulative projects would be responsible for contributing their fair share.

RESPONSE TO COMMENT 50.F.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

June 17, 1994

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

Ms. Gaye Quinn, Planning Director
CITY OF EMERYVILLE
2200 Powell Street, 12th Floor
Emeryville, CA 94608

RE: DRAFT ENVIRONMENTAL IMPACT REPORT
KAISER PERMANENTE MEDICAL CENTER DATED MAY, 1994

Dear Gaye:

On behalf of Eagle Properties, the owners of the building located at 1290-1266 45th Street, Emeryville, I would like to make the following comments regarding subject EIR:

1. The address of our property and tenants is incorrect. It should be:

1290-1266 - 45th Street 51A

Acrylic Art
Trader Vic's
Calista Imports & Exports
Fourth Street Woodworking

2. Parking for the building is street parking. Therefore, our tenants need to be assured of adequate parking and truck access during the construction period. 51B

3. 45th today is heavily traveled and congested. All construction traffic should have to use other streets. 51C

4. If Haven Street is extended, required property setbacks and landscape buffers need to be maintained. 51D

5. Impact of dust and noise on existing tenants in our building is the responsibility of Kaiser regarding the operation and the continuance of their businesses. 51E

6. Impact of groundwater quality under our building caused by possible remediation on Del Monte property and construction activity on subject property.. 51F

I would appreciate your response to these comments.

Sincerely,

R Keane

Richard E. Keane

REK165-4:rm

51. RESPONSES TO COMMENTS FROM RICHARD E. KEANE, EAGLE PROPERTIES, RECEIVE JUNE 20, 1994

RESPONSE TO COMMENT 51.A.: The commenter's remarks are noted. The text of Table 3 in the Draft EIR is accordingly revised to note the correct addresses.

RESPONSE TO COMMENT 51.B.: The commenter's remarks are noted. Please refer to the response to Comment 11.A. regarding construction-related impacts. In addition, see response to Comment 45.A. The City of Emeryville would require Kaiser to prepare a construction staging and traffic handling plan that would address construction-related impacts to adjacent properties and businesses.

RESPONSE TO COMMENT 51.C.: The primary construction route will be Hollis Street, with a secondary access via San Pablo Avenue for lighter loads and small trucks. Construction impacts to 45th Street are expected to be limited to the segment between San Pablo Avenue and Hollis Street, along the project's frontage. Also, 45th Street is proposed to remain open during construction. Access on 45th Street between Hollis and San Pablo Avenue will be necessary to access the northern portion of the site. However, access into the site can be gained directly from Hollis Street to minimize the use of 45th Street.

RESPONSE TO COMMENT 51.D.: The commenter's remarks are noted. The City would consider property setbacks and landscape buffers at the time Haven Street is extended.

RESPONSE TO COMMENT 51.E.: The commenter is referred to the response to Comment 11.A. regarding the City's process for handling complaints associated with construction activities, and to the Mitigation Monitoring and Reporting Program which will be adopted as part of the findings.

RESPONSE TO COMMENT 51.F.: Remedial activities on the Del Monte property will not adversely affect ground water quality. Specifically, ground water contamination is expected to be reduced in concentration and area by the remediation. Construction activity is not anticipated to affect ground water quality.

CITY OF BERKELEY

City Planning Department
Martin Luther King, Jr. Civic Center Building
2180 Milvia Street - 2nd Floor
Berkeley, California 94704

(510) 644-6534 •(510) 644-6490 • TDD (510) 644-6915 • FAX (510) 644-8678

52

RECEIVED

JUN 2 0 1994

PLANNING DEPARTMENT

June 20, 1994

Gaye Quinn
Planning Director
City of Emeryville
2200 Powell St., 12th fl.
Emeryville, Ca. 94608

BY HAND

Subject: KAISER PERMANENTE DRAFT ENVIRONMENTAL IMPACT REPORT

The City of Berkeley has prepared extensive and detailed comments on the Draft Environmental Impact Report (EIR) on the Kaiser Permanente proposal. Those detailed comments are attached. We would also like to take the opportunity to emphasize the most important of those points in this letter and to explain some of the reasons why we have taken this issue so seriously. Both this letter and the detailed comments are parts of our formal comments on the EIR which we are asking the City of Emeryville to respond to.

In the past few years it has become apparent to policy makers, citizens, and planners that the Bay Area's future economic and social health depends on cooperative planning to ensure that local gain is not made at the expense of regional interests. This principle is particularly true in the realms of housing, transportation, and social services. The people and governments of the Bay Area have supported this concept in a number of ways. The passage of Proposition 111 and the establishment of county-wide Congestion Management Agencies is one example, in the area of both transportation and jobs/housing balance. However, the scope and potential impact of this project suggest that additional mechanisms of regional cooperation are critically needed. 52A

The Kaiser Permanente Medical Center is a regionally important health care facility. Kaiser has stated that the users of the Oakland center live all the way from El Cerrito to northern Hayward. The DEIR clearly states that the new center will have regional scale impacts. Because of its importance we have tried to make our comments as thorough as possible, raising points large and small. The DEIR on such a facility must be an accurate and thorough document to inform both the local policy makers and citizens and policy makers of adjacent jurisdictions who will be affected by the project. Our analysis has revealed a number of significant omissions, errors, and unsubstantiated assertions which make this DEIR fall short of that goal.

Gaye Quinn
June 20, 1994

The following is a summary of some of the most significant inadequacies with this DEIR:

- Failure to address questions raised by cities and others who responded to the Notice of Preparation. 52B
- Failure to provide an adequate description of the project, because of not including the intended use for the current Kaiser Permanente site in Oakland in the analysis and not discussing the potential impact on other nearby Kaiser sites such as in West Berkeley. 52C
- Failure to analyze an alternative which differs enough from the proposed site to make a significant difference in the potential impacts of the project. In particular, there is a failure to discuss any site with good access to good regional transit service. The Downtown Oakland site, adjacent to 2 BART stations, which the City of Oakland has offered for use by Kaiser, is an ideal candidate for such a transit-oriented site. The Downtown Oakland site should be substantively analyzed in the EIR. If there are other potential sites with strong regional transit access, these should be analyzed also. 52D
- Failure to assure that there will in fact be replacement for the hundreds of desperately needed housing units which could have been built on the site. 52E
- The assertion that traffic impacts on several intersections in Berkeley and Oakland are unmitigatable without any specific or quantitative information to back up this claim. In addition, the EIR makes the incorrect assertion that City of Berkeley policies completely prohibit any street widening. 52F
- The use of erroneous and questionable assumptions in the traffic analysis which lead to a significant underestimation of the traffic which will be generated by this project.
- The geographic area within the traffic analysis is too small, as evidenced by the fact that the project demonstrates significant impacts on all the northernmost intersections analyzed. The area of the analysis should be enlarged to the point at which the project impacts are not significant. 52G
- Land use projections for cumulative impacts are not based on adopted General or area Plans of the two cities and underestimates development which is likely to occur there. 52H

In sum, we agree with the Draft Environmental Impact that this project will have significant impacts on the region, especially in the key areas of housing, jobs, air quality, and transportation. We have found sufficient errors, omissions, and fallacious assumptions in the DEIR to indicate the problems are even worse than those pointed out in the text. In light of the importance of Kaiser Permanente to the regional community we ask that the City of 52I

Gaye Quinn
June 20, 1994

Emeryville take the following steps:

1. Extend the comment period at least 30 days to allow for a more thorough review of this DEIR to make sure that all areas needing correction are uncovered;
2. Revise and recirculate the DEIR allowing for public comment on a corrected document;
3. Include in the revised DEIR an alternative at a location with superior transportation access and with a state of the art transportation demand management program including parking control and programs for clients and other visitors as well as employees.

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The City of Berkeley City Council met on June 14, 1994 and voted to request an extension of the comment period for this DEIR for an additional 30 days. This letter constitutes their request as well as the staff request for that extension.

We look forward to your response on the questions we have raised.

Sincerely,

Gil Kelley
Planning Director

cc: Weldon Rucker, Acting City Manager
Sherry Kelly, City Clerk

City of Berkeley Staff Comments
Kaiser Permanente EIR

June 20, 1994

INTRODUCTION

The following comments have been prepared by the staff of the City of Berkeley in the interests of improving the DEIR to a level of accuracy and completeness appropriate to such an important regional project with significant regional impacts. Several specialists from the City of Berkeley staff have worked on these comments so the format is not entirely uniform. We have attempted to provide page numbers and topic headings in order to make preparing responses easier.

In addition to the following comments, we request response to the comments included in the cover letter to the document.

COMMENTS ON SPECIFIC SECTION OF THE EIR

Notice of Preparation Responses

Many issues cited in letters responding to the NOP were not addressed. All listed issues should be thoroughly responded to.

Stuart Flashman lr. 52J

Paragraphs 3, 4 and 5 discuss the need to do epidemiological analysis of potential cancer/disease clusters in Emeryville, based on the possibility of non-site specific impacts. Kaiser brings in many ill people who could be exposed. No such analysis done.

City of Berkeley lr.

Comment 2--Asks if Kaiser sites in Oakland and Richmond will remain open. Comment not addressed.

Comment 5--Asks that the DEIR analyze the intersection of Adeline/Alcatraz. Comment not addressed.

Comment 8--Asks whether the Berkeley Kaiser operations will be affected by the Emeryville project. Comment not addressed. 52K

Comment 10--Asks for evaluation of procedures for handling and transporting hazardous materials and waste both during construction process as well as during day to day operations. Comment about handling hazardous materials and waste during construction process not addressed at all. Comment about operations period inadequately addressed by saying Kaiser will develop Hazardous Materials Business Plan. Among the issues not discussed are: What

office at Kaiser will develop and implement the Plan? What agency will be responsible for monitoring of Kaiser's compliance with the Plan? Will this agency be able to monitor a Plan for such a large facility? Does Kaiser have a Hazardous Materials Business Plan at its existing facility? If it has such a Plan or its functional equivalent, who has monitored compliance with that Plan? Has Kaiser complied with the Plan?

Comment 12--Asks that the EIR discuss the potential impact of the project on the Berkeley Fire Department. This comment is not adequately responded to. The document notes that the Berkeley Fire Department is part of a mutual response system for Emeryville. However, the document does not address the likelihood of the Berkeley Fire Department being called upon, and thus no information on the potential impact on the Berkeley Fire Department. The EIR states that the project sponsor would negotiate a Memorandum of Understanding with the City of Emeryville that would include appropriate fire safety mitigations. However, there is no indication that this document would mitigate any potential impacts on the Berkeley Fire Department.

Comment 13--Asks if Berkeley Fire Department responds, what hazardous materials will be found on site. This comment is not addressed in any way. 52K

Comment 14--Asks if there will be economic or service delivery impacts on Alta Bates or Herrick from the new facility. This comment is not addressed in any way.

Comment 15--Notes that the project should have a housing mitigation component to promote jobs/housing balance. This comment is not adequately addressed, as is indicated in our comments on the employment and housing section.

Comment 16--Notes that the project should include affordable child care provisions. This comment is not addressed in any way.

Comment 17--Notes that the project should have local hiring provisions. This comment is not addressed, either with regard to Emeryville residents, or with regard to adjacent cities such as Oakland and Berkeley.

Comment 18--Asks if the facility will have an incinerator and what the impacts of this incinerator would be. It is not clear if this comment is answered. The EIR discusses emission impacts from "ethylene oxide sterilizers." It is not clear if these devices are what are commonly called incinerators. Either the EIR

does not address the comment, or it is does not address it in a way which is clear and understandable to the general reader, as it should.

Comment 19--Asks what hazardous waste facilities will be used and what roads will be used to transport waste. The EIR indicates what facilities will be used for biohazardous waste and chemical waste, but not for radioactive waste. Nor does the document indicate what routes will be used, and whether, as asked in Comment 20, any of these routes pass through Berkeley. 52K

Comment 21 asks if Emeryville has competent hazardous waste emergency response staff or resources, and if not what agency will provide these services. This comment is not addressed in any way.

City of Oakland letter

Paragraph 3 of the Oakland letter asks what functions and uses would be located at the existing Oakland Hospital Campus should the new Medical Center be located in Emeryville. It further asks what adverse environmental impacts there might be on the area around the Oakland campus, and specifically on the residential neighborhood and commercial uses around Piedmont Ave. None of these issues are addressed. 52L

Paragraph 4 asks for similar analysis of impacts in Oakland under the EIR alternatives. The EIR addresses this issue only for the Oakland Macarthur Broadway site alternative. It does not do so for any of the other site alternatives.

Greg Harper letter

Comment F of this letter, particularly parts 2-4, asks for analysis of the impact the creation of major medical center (specific examples cited) has had on the business and housing and other characteristics of areas around such centers. This comment is not addressed. 52M

San Pablo and Golden Gate Improvement Association (SPAGGIA)

Paragraph 4 of this letter notes the high unemployment in the SPAGGIA area near the Kaiser site and asks that a certain number of positions be designated for community residents. This comment is not addressed. 52N

Paragraph 5 discusses the need for an education program linked to Kaiser. This comment is not addressed.

Paragraph 6 discusses the pressure that the Kaiser project will put on

housing prices and rents in the area, and the possibility that these increases will cause displacement and make some home purchases impossible. This comment is not addressed. 52N

AC Transit Letter

Page 3 of this letter comments on the cost of parking at the new facility but the DEIR does not address this issue. 52O

Caltrans Letter

The DEIR failed to consider the 24/580 freeway to freeway interchange. 52P

Comments at Scoping Meeting

Comment 1 on Page 2 requests examination of the impact on historic buildings in the area, specifically noting incompatibility between a major parking structure and the old City Hall. This comment has not been addressed.

Comment 7 on Page 2 asks for an alternative requiring no changes to the General Plan. This comment has not been addressed.

Comment 11 on Page 3 asks for a survey of neighbors around the Oakland Kaiser site to see about affects of the complex on their quality of life. This comment has not been addressed. 52Q

Comment 5 asks that the EIR consider the noise impacts associated with ambulance sirens. While the EIR does list the typical noise level from sirens, it does not provide any information about the likely occurrence of ambulance siren noise at the site.

<u>Project Description</u>

•The EIR does not contain a complete or adequate description of the Project that would allow evaluation of employment, housing, traffic and other impacts, particularly for adjacent jurisdictions

The EIR is unclear and equivocal about the relationship between the proposed Kaiser Permanente Medical Center in Emeryville and the existing Kaiser Oakland Medical Center on MacArthur Boulevard. At various places (e.g., p. 82) the EIR implies that the new facility in Emeryville would completely replace the existing facility and that the existing 2,320 full-time equivalent employees at the Oakland Medical Center would be relocated to the Emeryville facility. On the other hand, 52R

the same paragraph states that "...the number of workers that would relocate to Emeryville has not determined and remains speculative." A Kaiser spokesperson, "Kip" Edwards, told the Berkeley City Council on June 14 that major "outpatient" facilities would remain in Oakland at the existing site-- a fact which is nowhere discussed or even mentioned in the EIR.

The EIR therefore does not provide an adequate description of the "Project", as is required by CEQA because it is unclear about whether it is a complete or partial replacement for the existing Oakland Medical Center, and whether the 2,310 full-time equivalent employees predicted for the Emeryville site in Phase I will wholly or partially replace existing employees in Oakland. This has major implications for understanding the growth-inducing impacts of the project, housing demands and other matters. The EIR therefore does not provide an adequate basis for judging the impact of the project either in Emervyille, Oakland or the region as a whole. Retention of major facilities in Oakland might, for example, reduce some of the traffic impacts of the Emervyille project or it might generate additional linkage traffic between the Oakland and Emeryville facilities. We simply do not know because the EIR does not provide information that would allow us to understand this question. 52R

The Project Trip Distribution was"... based on data provided by the project applicant of employees and patients at the existing Oakland facility..." and the EIR assumes that "...trip distribution characteristics of the project would be similar to those of the existing facility." That might be true if the facility in Emeryville simply replaced the existing facility. However, if Kaiser retains major outpatient facilities at the existing Oakland site, many of the existing employees and patients will continue to go to that site, particularly if they live closer to it than to the new facility in Emeryville. The trip distribution characteristics of the new facility would be different from that of the existing facility, which contradicts the assumptions of the EIR.

•The EIR does not say whether Kaiser facilities and employees presently located in Berkeley would be consolidated at the Emeryville site or, if the Berkeley facilities are to remain open, explain linkages between the two sites

52S

Considered as one entity, Kaiser Foundation Hospitals, Inc. and the Permanente Medical Group are the third largest private employer in Berkeley after Alta Bates Medical Center and Miles, Inc. Kaiser has approximately 860 employees in Berkeley at these facilities:

Central Construction Services

Kaiser Foundation Hospitals, Inc.
1780 2nd Street
Berkeley, CA 94710 344 employees

Regional Laboratory
Permanente Medical Group
1725 Eastshore Highway
Berkeley, CA 94710 340 employees

Biomedical Engineering
Kaiser Foundation Hospitals, Inc.
1705 Eastshore Highway
Berkeley, CA 94710 173 employees

Optical Laboratory
Permanente Medical Group
1750 Eastshore Highway
Berkeley, CA 9410 103 employees

52S

Central Records
1795 2nd Street
Berkeley, CA 94710 ? employees

The Draft EIR does not discuss the relationship of the Emeryville project to these Berkeley-based operations even though these major facilities are located a short distance away in the I-80 corridor. (In fact, the EIR never mentions the Berkeley facilities.) The listing of functions and services proposed for the Emeryville project (DEIR, p. 11) is too general and unspecific to determine which of them Kaiser will relocate from Berkeley, and which, if any, will be retained in Berkeley. Given the organizational and operational advantages of consolidating at one large 30-acre site, it is likely that Kaiser would eventually decide to relocate the Berkeley facilities to Emeryville. Since existing Kaiser employment is important to Berkeley, the EIR needs to be clear and explicit about relocation and its effects in Berkeley. If Kaiser plans to retain the facilities in Berkeley, the EIR should explain in detail the vehicular and other linkages between the two sites.

Project Objectives

Many of the Project Objectives stated are not permissible objectives of the project. Project Objectives may not, under CEQA, be stated in such a way as to make only a single site or single type of site (such as sites in only city) acceptable. Such

52T

statement of Objectives improperly limits the range of Alternatives which can be examined. Thus Objectives 7-10 beginning with "To provide a wide variety of high quality employment opportunities in the City of Emeryville. ..." are impermissible. Objectives 11 ("To improve public safety ...") and 12 on page 5 are permissible only if they apply to all possible project sites, not simply the one selected for review. Objective 12 seems impermissible in that it refers to the environment of the City of Emeryville. Similarly, Objective 13 assumes a contaminated site, and therefore a specific site. Objectives 14-16 also improperly refer to a specific site or City. 52T

The EIR should include a revised, legally appropriate statement of Project Objectives.

The Project Description fails to fully disclose the location (by maps or schematic drawings) or capacity of stormwater, sewer, or water lines to be extended to the project. From where will lines to the project be extended? What are the phasing plans for these lines? 52U

Land Use section

General Comment--The EIR should state the date of construction of all buildings discussed. 52V

P.22

2nd paragraph--The EIR should include a map showing the different planning areas of Emeryville 52W

p.25

2nd paragraph--What income level (very low, low, moderate, etc.) are the rents/ sales prices of residential units in the project area affordable to? Here or later in the document the income levels of people to be displaced should be clarified. 52X

p. 38 Thresholds of Significance

There should be an additional threshold of significance for land use impacts. The threshold should read that "Projects of regional scale, such as the Kaiser facility, should be in locations where all types of regional infrastructure--including bus access, rapid transit access, vehicular access, water and sewer lines, and other necessary infrastructure--are best suited to such regional uses." This threshold of significance is supported by a policy in the ABAG Land Use Policy Framework to "Direct Growth where regional infrastructure such as freeway access, transit, water and sewer ... is available." The impact of the project on regional 52Y

transportation and development patterns is one of the project's most important categories of impact. What significant impacts would application of this critical Threshold of Significance indicate? 52Y

P. 39 2nd full paragraph--Land Use Compatibility

The EIR asserts that the hospital buildings would be compatible with adjacent industrial uses. What is the factual basis for this assertion? The assertion appears to be based on the notion that the primary incompatibility would be one of building design. However, there are many other types of possible incompatibilities. The EIR should answer the following questions: Could not the large volume of hospital traffic cause congestion for auto and especially truck movement out of adjacent industrial sites, especially on Hollis St.? Could not parking by users of the Kaiser complex spill over into areas next to and on industrial sites adjacent to the Kaiser site? Could not the Kaiser operation be noise-sensitive and demand changes in the truck movement or equipment operation of neighboring industrial sites? In addition, would not the placement of a massive regional facility adjacent to these industrial uses probably lead to a change in the market demand for space in the area, which could displace industrial uses, particularly those which are renting their space? 52Z

p.40--1st paragraph (partial)

The EIR states that "With the exception of the proposed hospital, the medical center would not be adversely affected by the noise generated by the bus operations occurring at the AC Transit site, nor by the activities at the Berkeley Farms plant." However, there is no discussion, in this section, in the Noise section or anywhere else which discusses the impacts of noise from AC Transit or Berkeley Farms on the inside of the hospital building. Why is this impact not discussed? 52A2

p.45--1st paragraph (partial)

The EIR states that the site design of the project will avoid shadow impacts. What is the factual basis for this assertion? The EIR does not provide any evidence to prove or disprove this assertion, because it does not include the shadow analyses which are a standard part of EIRs for major projects. 52B2

p.47--3rd full paragraph

This asserts that the Kaiser project encourages the provision of adequate health services and facilities for Emeryville residents. What is the factual basis for this assertion? It appears to be incorrect, because Kaiser is not a community hospital, but a membership health maintenance organization, whose facilities are 52C2

only available to Kaiser members. How specifically would Kaiser alter its membership policies to provide services to non-Kaiser member Emeryville residents? 52C2

p.49--Impact LU-5

What is proposed here is pure sophistry. The project will result in the demolition of admittedly historic brick buildings. However, the EIR asserts that because the General Plan change which will allow this demolition is limited to this site only, there is no significant impact! There is still the significant impact of demolishing the building. How will the impact of demolishing the building be addressed? 52D2

Last full paragraph on p.49 and p.50--This paragraph correctly notes that the existing land uses are not as tall as the hospital and therefore the scale and building mass of the existing structures would not be compatible to that of the proposed project. But the following page attempts to explain away this conflict by saying that Floor Area Ratios (FARs) will generally be within permitted levels (and, of course, that the General Plan will be modified to eliminate conflicts where FARs are not. It is then argued that the project will not have a significant visual impact. However, the hospital may rise as high as 125 feet, the equivalent of a 9 to 10 story building. This will--as admitted earlier-- have a great visual impact, which should be addressed, in an area where most buildings are two stories, and appear no taller than thirty feet. Given these conflicts, on what basis does the EIR come to the conclusion that there is no detrimental visual impact? The mere fact that most of the building is permitted under existing regulation and the supposition that conflicting regulations will be amended to allow the building does not eliminate the visual impact. If there is a detrimental visual impact, how will it be addressed? 52E2

p.53--Findings Required for PUD approval

This section asserts, but in no way demonstrates, that the Kaiser project would meet the requirements of Emeryville's PUD Ordinance. What evidence is available suggests that many of the Findings could not be met, an issue which should be addressed for each Finding. Specific comments and questions on various findings follow.

The second finding requires that the medical center would "contribute to the general well being of the surrounding neighborhood or community." What evidence is there that the project could meet this finding? The information the EIR provides appears to contradict this assertion. The medical center would be vastly out of scale with the surrounding neighborhood, would cause major traffic congestion, and, as a membership based health maintenance organization, would not provide health services to most Emeryville residences. The welfare of the surrounding 52F2

regional community would be detrimentally impacted by establishing a region-wide use in an inferior, inappropriate location (our other comments address why this location is inferior and inappropriate) The documentation in the EIR does not support a finding of contribution to the general well-being of the surrounding neighborhood or community."

p.53

The 3rd finding requires that the similarity of the project to surrounding uses in terms of access, size of parcel, and relationship to similar or related uses. What evidence is there that the project could meet this finding? The information the EIR provides appears to contradiction this assertion. The Kaiser parcel would be much larger than the generally small scale industrial and residential parcels which surround most of the Phase I site. There are no medically related uses in the area. There are no other similar uses. The EIR asserts an "institutional" similarity to Emery High School. In what way is the scale or functioning of Emery High School similar to that of Kaiser? Emery High School serves a much smaller, Emeryville based population of adolescents primarily during the morning and early afternoon. Emery High School is not "similar" to the massive 24 hour a day Kaiser use. The documentation in the EIR does not support a finding of similarity of parcel size or relationship to similar or related uses. 52F2

The 4th finding asserts that the "proposed medical center will be substantially compatible with and will not be materially detrimental to the neighborhood character." What evidence is there that the project could meet this finding? The information the EIR provides appears to contradict this assertion. The definition of neighborhood character being used is not set forth in the EIR, but typically neighborhood character is described in terms of land use and building form. As the discussion in our comments of p. 39 indicates how the project could be incompatible with industrial use. The discussion of pp.49-50 indicates that there are substantial incompatibilities--admitted by the EIR--in terms of scale and building mass of buildings in the neighborhood. The documentation in the EIR does not support a finding of compatibility with or non-detriment to neighborhood character.

The fact that these findings are not adequately supported invalidates the conclusion under Impact LU-8 that the proposed zoning changes would not result in significant land use impacts. What would be done to mitigate the significant impact which would then result?

Employment & Housing Section

B.1. Existing Setting

pp. 56-59 This section should include an analysis of both employment and hous- 52G2

ing in Northern Alameda County (Albany, Berkeley, Emeryville, Oakland, Piedmont, City of Alameda) because the proposed facility will have its impacts predominantly in that area. Since the impacts of this major facility go beyond the boundaries of Emeryville it is essential to look at a broader area, but Alameda County is too large an area to study project impacts and should rather serve as a very broad context. In analyzing impacts it is important not to pick an area so broad that the impacts are simply lost in the size and population of the County as a whole. Examining too large an area makes it impossible to pick out the specific impact of a particular project and serves as a way to hide significant impacts. In the case of this facility, since there are other Kaiser Hospitals in Alameda County, it is most reasonable to focus on the area that this hospital will serve and from which it will draw the largest number of its employees. The DEIR tacitly recognizes this when it discusses certain aspects of housing need for Northern Alameda County on pages 83 and 85. Data on these cities is readily available and it is not at all difficult to do such an analysis. It will be impossible for citizens to adequately understand the impacts of this project without looking at an appropriate impact area, and this would make the entire EIR inadequate for its stated purposes. 52G2

This section should project out Northern Alameda County employment, population and housing units to the year 2010, just as it does Emeryville employment. In addition to the Emeryville population, Emeryville housing units should be projected out to 2010.

Housing analysis should include at least current data on ownership and rental units and price and rent ranges as well as total numbers of units. This data is readily available from the 1990 Census.

This section should include data on the place of residence and jobs held by current Kaiser employees who might have their work shifted to this site.

Housing Conditions on the Project Site

p. 58 This section should review the potential housing under current zoning and General Plan designations, as well as the actual number of units currently on the site and the potential for supportive changes in zoning and General Plan designations to encourage additional housing beyond what was previously contemplated. 52H2

Jobs/Housing Balance

pp. 58-59 This section should review projected jobs/housing imbalance for Alameda County out to the year 2010, and do the same for Northern Alameda County, since Northern Alameda County is the most appropriate subregional planning area for examination of project impacts for the reasons described above.

Since the discussion of jobs-housing balance relies on the Association of Bay Area Governments (ABAG) published "Projections" data, which in turn is based on data provided by the cities themselves, it is essential to compare the ABAG projections for Emeryville with the actual expected increases in employment in Emeryville based on the projected, cumulative development that Emeryville is planning for. If Emeryville is currently planning for more development than is reported in the ABAG "Projections" series, then this should be explained and jobs-housing balance figures corrected to take the Emeryville plans fully into account.

The discussion of jobs-housing balance is entirely inadequate, suggesting that jobs-housing balance is a simple matter of having equal number of jobs and employed residents and that the impacts are solely on traffic congestion and air pollution, presumably from the congestion. Jobs-housing balance also has important impacts on the housing market and thus on home prices and rents and on the rate at which people are forced to choose between shelter poverty (too little income remaining after paying for shelter) and long commutes that leave too little time to spend with their families, leave children unsupervised, and have destructive effects on community social structure. Jobs-housing balance requires balancing incomes and housing costs. An apparently "balanced" community that is unbalanced in matching incomes and costs can exacerbate traffic and housing cost problems, for example, by having large number of low-income people commuting in and large numbers of high-income residents who commute out. 5212

An appropriate analysis of jobs-housing balance in Alameda County must take into account the Bay Area's enormous investment in BART. San Francisco is a regional jobs center and a transit center, with many jobs within walking distance of BART and SAMTRANS. Thus surrounding counties such as Alameda County must count on a certain surplus of housing over jobs, since San Francisco will continue

to have a surplus of jobs over housing for the forseeable future. This is a physical infrastructure reality created by the decision of the voters of Alameda County when the approved construction of the BART system and must be respected in any planning analysis. For this reason, jobs-housing balance in Alameda County in fact requires a moderate surplus of housing over jobs to cover the normal surplus of Alameda County workers who commute to San Francisco over San Francisco residents who commute to Alameda County. This is especially true for Emeryville, which has ready freeway access to San Francisco, and for Berkeley, Albany and Oakland in Northern Alameda County, which have both ready freeway access and BART access to San Francisco.

A full analysis of jobs-housing balance requires the following:

a. Analysis of the total number of housing units required in order to meet demand generated by a given number of jobs.

This requires not only an average number of workers per household, but careful examination of expected changes in the number of workers per household over time in light of any increases in the numbers of unemployed, retired or disabled residents. A predominantly young group of residents in a relatively new community, for example, may have very few elderly residents now but can be expected to have substantially more over time and thus a declining number of employed residents per household over time. 5212

b. Analysis of the expected income ranges of the employees and the range of rents and home prices that will be affordable to these employees, noting in addition the expected incomes of the steady stream of employees who will retire or become disabled.

This requires obtaining data from the employer. In dealing with a large, single employer like Kaiser it should not be difficult to obtain information on the rate of retirement and permanent disabilities.

c. Projection of the number of rental and ownership units needed in different rent ranges and price ranges. Note that since the U.S. Department of Housing & Urban Development definition of "moderate income" extended to $50,300 in 1993, it is reasonable to assume that a very substantial number of Kaiser employees will not be able to afford housing falls within the "moderate income" category, let alone "market rate"

housing for those with "above moderate income".

p.59 It is simply wrong to claim that because the David Jones study found little reduction in countywide congestion from increased jobs-housing balance there would be no such effect in Emeryville. This is an example of losing actual impacts by putting them in a context that is too large, so that virtually no action will appear to have any impact. Emeryville is the most extreme case of imbalance in Alameda County, the place where "polarities between jobs and housing" ARE "extreme" and thus an area in which Jones conclusions are not applicable. Any housing construction in Emeryville will reduce this imbalance, and thus reduce auto use and reduce pressure on the housing market caused by surplus demand, helping to stabilize prices and rents in Emeryville and the surrounding communities. 52I2

B.2. Impacts and Mitigation Measures

pp. 60-85 It is unacceptable for an impact analysis of moving a hospital from one location to another to look only at the impacts on the community into which the hospital will move and to ignore the impacts of the move on the community from which the hospital will move. This evasion is particularly unacceptable since the hospital will move from a community that is in majority African-American and Hispanic and to a community whose population is predominantly White and Asian. While disparate racial impacts are not in and of themselves environmental impacts under CEQA, they are environmental impacts that require consideration if the differential impact leads to other physical changes and impacts. In this case they will have physical impacts which we will discuss shortly. 52J2

African-Americans, and to a lesser extent other minorities, suffer particular difficulties due to discrimination in housing and employment. As a result, any move of this facility that makes it more difficult for African-Americans or other minorities to reach and to apply for jobs will reduce African-American and minority employment and increase poverty and homelessness in Oakland and Northern Alameda County. In Alameda County, as in the United States as a whole, employment and housing discrimination has resulted in creation of areas that are predominantly occupied by low-income minorities and suffer from deteriorated housing and high crime rates. The loss of jobs by minority employees will result in further deterioration of these areas to the extent that current Kaiser workers come

from these areas and suffer from lowered economic resources and will result in displacement of minority Kaiser workers who live outside of these areas when they are unable to obtain comparable employment. The EIR should include a thorough analysis of the ethnic breakdown of the current Kaiser hospital staff, their places of residence and how they reach their current workplace and an analysis of the effects of the move on these employees by income and ethnic group.

In general, minorities and low-income people are more transit-dependent than Whites and high-income people. Most minority employees are likely concentrated in the lower-wage jobs and are more likely to reach their current jobs by transit. The lessened transit accessibility of this site, particularly compared with an alternative site in downtown Oakland near the center of both BART and AC Transit bus lines, will make job access far more difficult for these employees, resulting in greater tardiness and job loss for some current employees and in fewer new minority applicants for employment, particularly among those who are poor. Job loss to minorities could be mitigated by a strengthened affirmative action hiring program, by creation of a training and employment partnership between Kaiser and local High schools and Community Colleges with high minority enrollment and by creation of extensive and permanent shuttle-bus services between appropriate areas and the new hospital site. Job loss could also be reduced by a "First Source" agreement with Kaiser in which Kaiser agreed to give first opportunity at new jobs to people living in Emeryville and nearby cities. 52J2

The move will weaken the economy of Oakland, particularly around the current site, and there should be a thorough analysis of the potential jobs lost to the area of Oakland surrounding the current hospital. For example, this area includes a marginal shopping mall and grocery store for which the loss of Kaiser employee patronage may be decisive. Grocery stores are frequently unavailable in low-income inner-city neighborhoods, so that the loss of this store would likely result in far more traffic and air pollution in Oakland, as local residents are forced to drive out of the neighborhood in order to shop. It is likely to lead to more boarded-up storefronts in the area, and physical deterioration of commercial property. The presence of an empty hospital building, virtually unusable for any other purpose, will have a severe blighting effect on the entire surrounding neighborhood. Vacant and unused buildings are almost the basic definition of

blight. The old Kaiser building will be visible from the entire surrounding area, including the freeway, where it will send a message that Oakland is deteriorating and discourage investment in the area. This is a particularly cruel and ironic use of redevelopment to "eliminate blight". It promises to do substantial damage to the people of a neighboring City, their quality of life and their physical environment. By failing to even discuss these physical impacts resulting from social impacts that would be caused by the proposed project, the report entirely fails to discuss potential mitigations of many of the most serious effects of the proposed project.

The severe traffic congestion that will result from this project will have economic impacts on neighboring cities, and these impacts require study. Since the cumulative impact of the other projects planned for Emeryville will result in increases in traffic congestion in alternative routes and freeway exits, this will make use of retail and wholesale establishments in South and West Berkeley less attractive and drive off customers. It will make it more difficult for manufacturers to receive supplies and send out products and thus encourage businesses to leave the area. All of these impacts could be avoided if the proposed medical center were placed near a BART station or other rail transit station. These impacts and the potential for alternative locations that would avoid these impacts require careful attention. Some of these impacts, those that will make it more difficult for employees at other work places to reach their jobs, could be mitigated by providing shuttle services from BART and major bus lines. Such mitigations should be explored in the transportation section. 52J2

Kaiser is a major employer in both Oakland and Berkeley. The linkages between this proposed project and other Kaiser employment in neighboring cities must be explained and any impacts on other Kaiser employment in neighboring cities must be explained.

Employment Growth

p. 71 The DEIR notes that this move will "stimulate economic growth and would strengthen the tax base." Whose economic growth and whose tax base will it strengthen? What will the effects be on Oakland and Berkeley? What will the impacts be on the financial situation of the various School Districts in northern Alameda County? What will the 52K2

financial impacts be on BART from reducing the number of people who ride it? 52K2

Impact EH-4

p.72 This fails to note the loss of jobs in Oakland and thus fails to discuss any mitigation plans for the decrease in employment opportunities there. As a result, the mitigation finding EH-4 is incorrect and unacceptable. 52L2

Mitigation EH-5.1, EH-7.1

pp. 73, 79 Legally required relocation assistance is inadequate to prevent significant impacts on low-income people. Rental assistance is temporary, lasting a maximum of 42 months, after which low-income people who are unable to find affordable housing are left to fend for themselves. The EIR should include data on the incomes of all residents of the project area to determine if any residents are low-income and may have difficulty finding affordable housing nearby. Adequate mitigation for low-income tenants would require providing these residents with a Section 8 housing certificate, if they are eligible for such assistance, or creation of permanently affordable housing for them within Emeryville. 52M2

Mitigation EH-5.2, EH-7.2

pp. 73, 80 The claim of replacement of all low-income units can not be linked to Kaiser's Housing Program, which would at most provide some moderate-income units. Substantiation is needed for capacity to and commitment to replace low-income units.

Mitigation EH-5.3, EH-7.2

pp. 73-75, 79 A detailed breakdown of rents and housing costs for the units removed is needed in order to enable the public to determine whether the proposed program could in any way mitigate the loss of the existing units. 52N2

There is no evidence provided that the Kaiser Housing Program will actually result in construction of more housing than will be created without it. The program proposes that Kaiser will act as a lender. While housing development loans have been difficult to obtain during the recent recession, it is unlikely that loans will be as difficult to obtain as the California economy moves out of the recession, so that by the time the program becomes operational it is likely to be

unnecessary. For units to be built at prices affordable to low-income people, financing is currently available from a variety of sources specializing in Community Reinvestment. Funds can be more difficult to obtain for market-rate projects, and that is what is proposed. Even the so-called "moderate-income" units could be affordable only to households with relatively high incomes, as high as $50,300 for a two-person household, and thus cost as much as $1,258 monthly. This seems clearly within the range of market-rate. In other words, both moderate and above moderate-income housing fall into the category of market rate and are likely to be built by the private market if it is given the opportunity. 52N2

p.75 Housing is a highly cyclical industry, which requires patience on the part of those interested in land development. If the demand for such costly units is there, the market will respond. Since that is the case, the Kaiser Housing Program can not be considered a mitigation for the loss of existing units and the conclusion that impacts would be reduced to a less than significant level is erroneous.

Loss of Future Housing Opportunities

p.75 As noted above, housing is a cyclical industry. The EIR claims that "the City has experienced difficulty developing housing" in the project area, implying that such housing is unlikely to be built. The site was designated for housing in 1989, shortly before the onset of California's worst recession since the Great Depression. The fact that it has not yet been developed is scarcely evidence that it would not be developed in the reasonably near future. Given the structural demand for housing in the Bay Area, especially in central locations with access to jobs, it is more reasonable to judge that the site would be developed for housing in the forseeable future if left at its current zoning. 52O2

p. 77 The ABAG housing need figures are legally required minimums. Failure to supply this housing will have harmful impacts throughout the northern Alameda County housing market. The references to rezoning to replace lost housing potential from this site are vague. What is the concrete plan by which Emeryville will ensure adequate sites for housing if this site is no longer available? 52P2

p.77 Even if Emeryville is able to meet the ABAG requirements without use of this site for housing, this does not mean that there are no significant impacts from the loss of this site to housing use. Housing 52Q2

needs will be set again after 1997, so that Emeryville will again need sites on which it can build, and the discussion should so note. How will Emeryville meet its future requirements and where will the needed future housing be constructed?

p.77 ABAG housing needs were set based on figures supplied by the City of Emeryville, with no allowance for correction of jobs-housing imbalance because Emeryville did not project creation of more jobs during 1988 to 1995 than its increase in employed residents. This will clearly not be the case after 1995, a period in which ABAG projections show more jobs being created than housing built. 52Q2
Emeryville will need to plan for major increases in its housing supply to reduce this jobs-housing imbalance? What plans does Emeryville have to match its jobs growth with housing growth?

p.77 Even though ABAG does not account for an already existing imbalance in setting minimum goals for needed housing, such an existing imbalances still must be taken into account in looking at the impact of a proposed project, just as existing levels of air pollution must be taken into account in examining the impacts of a project that will add air pollution. Why does Emeryville not plan to reduce its existing jobs-housing balance?

p. 77 It is erroneous to state that the development will "likely reduce the demand for very low and low-income housing units". Hospitals employ large numbers of low-wage workers and they will need housing. Indeed, since it is harder for these workers to afford to purchase and maintain an automobile, jobs within walking distance or easy bus rides of work are even more important than for high-wage workers. The EIR should contain a detailed analysis of the wage structure of the current hospital and of any projected changes in the labor force after the move.

52R2

The EIR should contain a detailed analysis of the housing affordable to low-wage workers in Emeryville and a full set of mitigations for this demand. Such mitigations could potentially include assistance in the construction of affordable housing in neighboring communities as well as in Emeryville if there are insufficient sites in Emeryville, and should consider the need for such housing to be permanently affordable so that it will not be lost to rent increases due to the shortage of housing Emeryville is helping to generate in Northern

Alameda County. As stated in San Francisco Bay Area Housing Needs Determinations, "The problem of housing affordability is the most intractable housing problem facing the region. Housing values have grown at much faster rates than incomes. Because housing production remains low, existing lower income residents of the region are more adversely affected than in normal markets. California law requires local governments to do what they can to meet the housing needs of all economic segments of the community. The word 'community' in a large urban region means more than the corporate limits of an individual jurisdiction." (ABAG, 1989, p.102) 52R2

Mitigation EH-6.1

p. 77 Since, as discussed above, the loss of the potential 400 units is indeed real and development of market-rate units would take place without the Kaiser Housing Program, the loss of units is in no way mitigated by the Kaiser Housing Program. 52S2

Mitigation EH-6.2

p. 77 Due to its enormous jobs-housing imbalance, all current and potential sites in Emeryville that can be used for housing should be used as housing unless there are clear and compelling planning reasons for another use. As noted above, ABAG will add to housing need figures for the period after 1995 and sites will be needed to meet this requirement. For both of these reasons, the location of additional sites to designate for housing can not be considered a mitigation for the loss of any current site. They are all needed in order to improve the severe Emeryville jobs-housing imbalance and any loss of housing potential worsens an already unacceptable situation. 52T2

p.78 For the reasons given above, it is erroneous and unacceptable to state that the impact of loss of this site for housing can be reduced to "a less than significant level".

Loss of Future Housing Opportunities

p. 81 The potential for this land to be redesignated for housing in the future as an alternative to the proposed use should be examined here. If the site has such potential then the no impact conclusion is wrong. 52U2

Jobs/Housing Balance

pp. 81-85 The discussion of jobs-housing balance has entirely failed to analyze the actual income structure of the jobs to be created. The proposed housing units involved in the mitigation program and in the City of Emeryville's current plans are high cost housing projects that will do nothing to mitigate demand resulting from addition of $20,000 a year orderlies and the many other lower-paid jobs created by any hospital. As discussed earlier, it is essential, if jobs-housing balance is to be a useful analytical tool in looking at a major project such as this, to do a full analysis of the range of incomes and occupations of the future employees and to look at the housing resources that will be available to these employees in price ranges they can afford.

52V2

It should be noted that the demand for housing units at high prices such as this DEIR projects for Emeryville may well be primarily from people commuting to San Francisco or other locations, rather than working in Emeryville. In that case additional housing would be needed to provide for Kaiser employees. Any available data should be examined to determine the commute patterns of those living in current high-cost housing projects in Emeryville. For a project of this magnitude, it would not be unreasonable to do a special survey if the data is not already available.

p. 82 For the reasons given earlier, this section should include a full analysis of Northern Alameda County as well as Emeryville and the County as a whole.

p. 83 It is incorrect to say that the increase in jobs "would improve" the jobs-housing balance in Alameda County and that additional housing demand "would not adversely affect the regional jobs/housing balance". In the context of the ABAG projections, by the time these jobs are added the County will be moving into a period of job surplus, especially since it is necessary to take into account the permanent San Francisco job surplus described earlier and recognized in the DEIR in the next paragraph as "the current and future export of Alameda County workers" and thus the need for a slight surplus of employed residents over jobs in Alameda County. The anticipated new construction of housing in Emeryville is inadequate to meet existing demand, let alone the demand added by this project. In addition, we would ask whether Emeryville has also counted its projected new housing in the environmental analysis of other projects

52W2

and plans to do so in the future. How many times has Emeryville counted and does Emeryville plan to count the same units as mitigation for different jobs? As noted above the export of workers exacerbates, rather than mitigates the jobs/housing imbalance. Finally, the appropriate "region" for analysis of this project is northern Alameda County, not the County as a whole.

p. 83 Alameda County is improperly described as having "a surplus of 5,650 units". ABAG's Projections '94 projects that the County will have a shortage of units from the standpoint of jobs-housing balance, even though it has the potential to produce more housing units than jobs over the next fifteen years. The surplus is entirely a matter of what may be added over the next fifteen years, and will not be enough to compensate the County's housing shortage.

Impact EH-9

p. 83 Since, as the DEIR notes, there will be a shortage of housing in northern Alameda County, it is wrong to say there will not be a significant impact on the jobs-housing balance. As described above, Alameda County as a whole will NOT have a surplus of housing. Even if other areas of the County did have such a surplus, this would be irrelevant unless it can be shown that this housing has easy transit access to the project site so that it will not result in increases in auto use in order for people to commute from far-flung areas to the project site, thus creating traffic congestion and air pollution. 52W2

Not only will there be a significant impact on jobs-housing balance, but there will be a significant impact on housing affordability in the surrounding area, particularly on the scarce lower-rent units. It is likely that rents and condominium prices will go up faster for the lower-rent and lower-priced units due to the failure of Emeryville to make any provision for housing affordable to the lower-paid employees at the site.

The further impact of this pressure on the housing market will be that these employees will then move into North Oakland and Berkeley, adding to the pressure on the housing markets in these cities, increasing overcrowding in these areas, increasing the number of cars and traffic on these cities' streets. The 1980-1990 Census already shows a trend to greater overcrowding in most of the Bay Area, at the same time that there has been an increase in vacant

units. This is because many people can not afford the more expensive units that are provided by most new apartment construction, and as a result must settle for increasingly crowded conditions within the existing rental housing stock. There are statistical models that estimate the increase in homelessness that results from given levels of rent increases that can be used to help estimate some of the severe physical impacts of economic impacts such as increased rents. In addition, the availability of the 1980 and 1990 Census data means that it would not be difficult to make projections based on recent Bay Area experience, for increases in overcrowding resulting from rent increases, another important physical impact. 52W2

The proposed medical center would clearly exacerbate an already unacceptable jobs/housing imbalance in Emeryville and in northern Alameda County. This imbalance has severe negative effects on traffic congestion, air pollution and the housing market, resulting in increasing rents and home prices, overcrowding, shelter poverty and homelessness. —

Future Expansion —

pp. 83-85 This section is subject to the same problems as the previous section. It has the same need to take into account the income range of future employees and the availability of housing affordable to them, and to focus on the situation of northern Alameda County as the appropriate subregional area, rather than the County as a whole. The earlier critique of the Kaiser Housing Program applies here as well as the comments on incorrect characterization of Alameda County as having a housing surplus. Even the current characterization suggests that workers will have to commute from remote areas of the County, thus adding to traffic and air pollution problems. 52X2

Impact EH-10

p. 85 This is clearly incorrect. Future expansion will add to an already unacceptable jobs/housing imbalance problem in Emeryville, with accompanying problems of traffic, air pollution, housing price inflation, overcrowding and increased homelessness. —

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Transportation and Circulation

52Y2

General Comments:

Specify the period of congestion within the peak periods analyzed in this DEIR. Where project or cumulative impacts are expected to result in LOS F or a worsening of LOS F, discuss the potential increase in the duration of congestion at the intersection or on the road segment. 52Y2

Existing Conditions:

Page

87 The DEIR should distinguish traffic destined for the Bay Street eastbound off-ramp at Ashby Ave. from traffic destined for Ashby. Also, Bay Street eastbound on-ramp traffic should be distinguished from Ashby Ave. eastbound on-ramp traffic. In both cases traffic to and from Emeryville has a potential impact in the City of Berkeley; these impacts must be analyzed. 52Z2

97 Only three of the bus lines cited actually have stops on street adjacent to the site: the 57, 72, and 6. The others F, 14, and C come no nearer that Yerba Buena and San Pablo. Cite the walking distance from the Yerba Buena stop to both the nearest and further medical buildings in the project. The lines 72 and 72L should be considered one bus line, not two. 52A3

100 Given the Kaiser service area, information on Amtrak services seems to be irrelevant. Explain how Amtrak contributes to transit service to the health care facility. 52B3

102 The DEIR states that off-street parking lots "generally provide sufficient capacity to meet existing parking demands" and elsewhere states that on-street parking has a 100% occupancy rate. These facts seem to contradict each other. If there is sufficient off-street capacity, on-street vacancies would be expected. Please explain. 52C3

Approved Roadway and Transit Improvements:

106 DEIR states that roadway improvements cited are all "approved with secured funding." This is incorrect and the DEIR should make which improvements are only planned and which are actually programmed. For example, the northbound HOV on I-80 between the Bridge and Powell does not have secured funding. The improvements to the now closed West MacArthur on-ramp to I-580 do not have funding, and the existing ramp may not be able to handle project traffic. 52D3

106 Study should make clear that Light Rail Transit Improvements described in this section are incompatible with mitigations to San Pablo Ave. that involve restriping for 6 lanes; also, EIR should make clear that this project has no programmed funding for capital improvements and in fact it has been determined that it cannot be funded with existing transit revenues. 52E3

What are the headways and hours of operation planned for the Emeryville Shuttle both during the peak hour and during the off-peak. What are the hours planned in 2000 and 2010? 52F3

Impacts and Mitigation Measures

108 As discussed later in these comments, the DEIR inadequately analyzes cumulative traffic impacts since the Chiron project is currently proposed to include at least 700,000 more square feet and more employees than is analyzed in this transportation section. 52G3

113ff This project involves relocation of an existing facility , the study should use trip generation rates developed from the existing Kaiser Hospital. If developing rates based on Kaiser proves impossible, the rates used should be validated by comparing such factors as employee/square foot, rate of appointments compared to other medical office buildings, rate of usage of hospital. The concern is that a managed care facility like Kaiser may actually operate more efficiently, with a greater density of employment and use than the few (6 in 1987) medical office buildings listed in ITE. This issue was raised by the City of Berkeley in responding to the Notice of Preparation, but has not been addressed by the DEIR. What is the current density of employment at Kaiser, Oakland? What is the rate of patients/hour in the medical office buildings? 52H3

In addition, the DEIR should include information which distinguishes between employee trips and client trips since they differ in their time of day, the possibility of influencing travel patterns, and other characteristics. Because Kaiser is an existing facility serving a well-defined membership, this data should be relatively easy to obtain. The DEIR mentions "Section III" as the source of data on the existing Oakland facility but there does not appear to be any data relevant to trip generation or distribution in Section III.

The DEIR should make an attempt to present an accurate but conservative scenario. The close correlation between the ITE Rates and model output

mentioned in the DEIR does not validate either, unless the inputs are completely unrelated. Using ITE rates based on floor area does not guarantee a "conservative" estimate unless Kaiser's current density of employment is lower than average. Since Kaiser is an existing facility which is relocating, the number of employees/square foot in the new facility can be estimated with some accuracy and the DEIR is inadequate if it does not contain such data. 52H3

The DEIR should not limit itself to discussion of only two peak periods of traffic, either for the adjacent street or the project. This project will produce substantial amounts of traffic all day long and some through the night. In order to make an informed decision possible, as CEQA requires, the EIR should include information on daily traffic patterns, and at critical intersections should analyze operation at the peak for the generator as well as the peak for the street. In addition, since the DEIR states that the project will worsen conditions on intersections, freeway segments, freeway ramps, and street segments which are projected to be at or above capacity, the DEIR should analyze the increase in the duration of congestion for all of the above which are projected to be at LOSF. 52I3

The DEIR states that trip generation rates from retail were reduced by 50% to account for interaction with the medical center. This reduction is higher than is commonly used. The DEIR should document data on existing retail to demonstrate the likelihood of achieving this level of traffic reduction. If it cannot be documented, the reduction should be less. 52J3

115 Many of the intersections which show unmitigated significant impacts in this DEIR are at the outer edge of the area studied. For example, the three northern-most intersections studied, all in Berkeley, are projected to suffered significant unmitigated impacts. In order to be adequate, the DEIR should analyze intersections even further from the project. What are the limits to significant impacts of this project in Berkeley? In Oakland? Without that analysis is impossible to tell how far project related congestion extends. 52K3

In addition, the DEIR should analyze and discuss all intersections which might be effected by traffic diverted from the impacted intersections. Where the DEIR shows significant impacts on a particular intersection or road segment, intersections and segments which might be expected to experience spill-over traffic should be identified and the impact on that facility analyzed. For example, if Ashby/7th and San Pablo/Ashby are both 52L3

functioning at LOS F, what will be the impact of project traffic on Ashby/Sacramento? 52L3

115 The vehicle trip distribution map needs to distinguish between northbound I-80 traffic entering from Bay Street on-ramp and that entering at Powell St. What is the % of the traffic expected to use Bay Street north of Powell? 52M3

120 Add City names to each intersection in the text in order to clarify that this project is having significant unmitigated impacts outside the boundaries of the City of Emeryville. 52N3

121ff Mitigations proposed for San Pablo Ave. (i.e. re-stripe to 6 lanes, prohibit parking) would preclude the opportunity for installation of LRT. AC Transit alternative modes study identifies a need for 22-26 foot exclusive ROW for LRT on San Pablo, requiring the removal of turn lanes and parking on one side. 52O3

In addition, the EIR should provide cross-sections demonstrating the feasibility of restriping for additional lanes. During the development of I-80 HOV construction mitigations, Caltrans found that the actual street ROW and strength of structural cross section was not sufficient to allow restriping for additional through lanes in most areas. 52P3

123 Although it is not explained in the text, based on an examination of Vol. III we have determined that the DEIR has applied a 15% reduction across all types of trips (Hospital, medical office, retail, employee, customer, and client) accounted for by the "Transportation System Management Program" mitigation. There is no data to support this level of reduction. The only data mentioned is that Kaiser achieved a 7.9% reduction in employee trips at the current location after instituting an aggressive TDM program. DEIR should reduce the tsm rate to 7.9% for hospital employees and 0 for other types of trips unless a higher rate can be justified based on experience. In addition, the retail trips have already been reduced by 50% from ITE to account for "linked trips." This shouldn't be reduced further. The strategies listed on Page 46 are all acceptable strategies but they by no means are innovative and strong enough to result in an across the board reduction of 15%. 52Q3

In order to justify a higher level of success with transportation demand, the project might propose more stringent strategies such as:

- increase in Emeryville BART shuttle to meet all trains at

MacArthur BART

- route AC Transit buses into the central area of the development, with offsetting subsidies to AC to maintain headways on the routes affected 52Q3
- reduction in the number of parking spaces provided, increase transit subsidies for clients as well as employees, and Kaiser subsidy of a permit parking system for Emeryville residents and business to decrease spill-over parking.

126 The DEIR proposes eliminating on street parking in a number of locations, without replacement. The DEIR names this a significant unavoidable impact, but does not demonstrate why it is unavoidable. Since the project proposes two parking garages in any case, it would be feasible to replace the parking by increasing the size of the garages. 52R3

130 The intersection of San Pablo/Ashby is within the City of Berkeley and a decision on whether to implement mitigations will rest with the City of Berkeley and Caltrans. The DEIR should define the mitigations possible for project impacts. The information in the DEIR presents no information which would support the assertion that mitigation is infeasible. Exactly what impacts would there be on adjacent commercial businesses? The addition of parking elsewhere or the relocation of businesses in order to improve intersections may be possible. Improvements at other intersections may be used to relieve this one.

For information, the City of Berkeley does not have policies prohibiting arterial widenings. The City of Berkeley has policies calling for widening as a last resort, after other alternatives are proved not to work. 52S3

The DEIR should illustrate impacts by movement for intersections where the project proposes no mitigation in order to allow decisionmakers and analysts to truly understand the impact of the project.

These comments are also applicable to the intersections of Ashby/7th and Adeline/M.L.K. Jr., Way which are also in Berkeley and which also are projected to experience significant unmitigated impacts either in 2000 or 2010.

132 As noted above there is no evidence that the TSMP program cited would be of sufficient stringency to achieve a 15% reduction in all project traffic. This is especially true in that the program mentioned is based on a Kaiser 52T3

program which has achieved a less than 8% reduction in employee traffic. In addition, the effectiveness of any TSMP program in Emeryville would be ultimately reduced if mitigation measures prevented the building of LRT on San Pablo. 52T3

The DEIR incorrectly states that the TSMP program would have a less than significant impact on transit on the San Pablo Corridor. However, the existing conditions section, page 97, states that Lines 57 and 72/72L are already above AC Transit's daily load factor. Therefore, any increase will significantly impact these lines. Also, the DEIR states that the Future Expansion Phase would require LRT or additional buses. The DEIR should make it clear that mitigations proposed for San Pablo Ave. are incompatible with the establishment of LRT on that corridor. 52U3

158 DEIR states that the Emeryville computer model forecasts for Freeways is within 10-20% of the Alameda County Congestion Management model. The DEIR should list the specific differences and explain the reason behind the difference. 20% seems to be a significant difference. It would be the equivalent of two lanes on a ten lane freeway, or in terms used by the DEIR, one or two Levels of Service. 52V3

158 Include a map showing the points at which the volumes indicated were taken. Does "at Ashby" mean before or after the ramps, for example. 52W3

159 What do notes 1 and 2 mean? 52X3

158 The use of a 5% addition of traffic to the baseline is an inappropriate measure of significance for facilities operating at LOS F in the light of the fact that F indicates unstable flow and any additional traffic can significantly increase the duration of congestion. 52Y3

For intersections and freeways projected to be at LOS F in the years of analysis, the DEIR should estimate the increase in the hours of congested flow caused by the addition of project and cumulative traffic.

DEIR should analyze project impacts on Route 24, on the 580/24 Interchange, and on the 80, 880, 580 Distribution Structure. The DEIR should include freeway impacts in 2000 or justify their exclusion. 52Z3

The DEIR should suggest ramp metering to mitigate project impacts on the Freeways.

The quantitative impact of the project to the Ashby Ave. and Bay Street freeway ramps in Berkeley should be included.

52Z3

Since the DEIR projects I-80 to be operating at LOS F in 2010, what are the projected impacts on local streets in Berkeley (such as 7th Street, San Pablo, West Frontage Road) from overflow traffic. What assumptions did the DEIR make about the use of the HOV lane on I-80 in the year 2010.

160 The cumulative traffic analysis and the year 2000 baseline and 2010 analysis must be revised in the light of the fact that an outdated description of the Chiron project was used. The City of Emeryville is currently circulating a notice of preparation for a much larger Chiron project. Although the possibility of this larger project is discussed in the Cumulative impacts section of the DEIR, it is not analyzed quantitatively. All the intersection analysis should be redone. 52A4

168 The DEIR makes a number of errors and incorrect statements when discussing the Congestion Management Program network. First, San Pablo is not the only CMP route--Ashby is one also. Second, and more importantly the DEIR confuses the CMP definitions of acceptable level of service and "conformity" with the CEQA concept of significant impact. Even though a roadway may be "excluded from conformity" with the CMP level of service standards and the need for a deficiency plan, CEQA still requires that significant impacts be analyzed and mitigated where feasible. 52B4

The DEIR has asserted that there is no significant impact on San Pablo at Park from the project, when Table 21 shows that project traffic will cause the speed on San Pablo to fall to 1 mile per hour. This is a significant impact which must be mitigated. Likewise, specific impacts to San Pablo Ave. shown on Table 22 must be mitigated.

165 The DEIR incorrectly states here that there will be no impact on transit when in an early section it was stated that two AC routes are already above the maximum load factors. In addition, the DEIR needs to explain how AC Transit will function in year 2000 and 2010 if San Pablo Ave. peak hour traffic is actually flowing at only 1 mile per hour as shown on Table 21. This problem must be discussed in the light of the fact that many of AC Transit's bus lines are based out of the yard next to the project. 52C4

168 The DEIR must demonstrate why the elimination without replacement of 140 on-street parking spaces is an unavoidable impact. Since the project is 52D4

building two (ultimately 3) parking garages, it would be feasible to replace this parking with additional structured parking as part of the project mitigations. 52D4

Air Quality Section

P. 186 identifies a substantial amount of criteria pollutants generated by the AC Transit bus yard. The land use section appropriately identifies hospitals as a sensitive receptor for air quality purposes. The Air Quality section and/or the land use section should discuss the following questions: 1) What are the state law criteria for siting sensitive receptors with regard to sources of pollution? 2) How well does the Kaiser facility meet them? 3) What, if any, such siting criteria does the City of Emeryville have? 4) What will the impact of AC Transit bus yard and other pollutant sources on medical center and hospital visitors and patients be? and 5) How, if at all, does Kaiser propose to mitigate these impacts? 52E4

In addition Table 29 states that the project would result in significant unavoidable impacts to regional air quality in the form of exceedances of the BAAQMD standard for ROG or NOX. We agree that the TSMP measures suggested would result in an unavoidable impact. However, the project should propose stronger measures as discussed in the comments on the Transportation section. 52F4

The City of Emeryville should provide in its findings for certifying this EIR that Mitigation Measures Air Quality 1.2 through 1.6 should be included as construction standards that are written into its construction contracts to reduce dust generation during the construction period. 52G4

Flooding, Drainage and Water Quality.

1) Mitigation Measure Hydro 3.1 is not a mitigation measure, because CEQA case law has repeatedly found that studies, or information collection, are not mitigation activities. This measure is an important step in having correct information for appropriate mitigation of impacts to the existing culvert under the Future Expansion site. However, as written this measure does nothing to compel the project proponent to avoid, reduce or otherwise limit the impact identified. 52H4

2) We also believe that the project proponent should commit to repair and/or replacement of the culvert in the event it is found during construction to be in poor condition, or is damaged by construction activities. 52I4

Utilities and Urban Services.

Setting sections should include descriptions of baseline utilization of existing land uses on the project sites. For example, what is the current rate of water usage, solid waste, and energy usage from the existing uses at the project site? Only with that information can reasonably accurate approximations be made for the net incremental impacts of the proposed medical center on urban utilities systems in Emeryville. Please provide these data in the Final EIR. Following such a presentation of existing conditions, we request that a discussion of how the proposed medical center will change usage of these utility systems. 52J4

Until such analyses for each of the utilities and urban services are made, we consider this section of the EIR to be inadequate and its conclusions on less than significant impacts of the project are considered unsupported.

Alternatives

A draft EIR must describe a range of reasonable alternative to the proposed project, or its location, that could feasibly attain the project's basic objectives, and must evaluate the comparative merits of each alternative. The discussion must focus on alternatives capable of either eliminating any significant adverse environmental effects or reducing them to a level of insignificance, even if such alternative would be more costly or to some degree would impede the project's objectives. (Section 15126 CEQA Guidelines.)

Section III: Alternatives to the Proposed Project should include the following changes and additions:

1. Each alternative must be evaluated against all legitimate project objectives listed in Section I. C Project Objectives. The evaluation should make specific references to which specific project objectives are or are not being met by the alternative and which environmental impacts are or are not being mitigated by the alternative. Those evaluations should be made explicit in the conclusion of each alternative so that informed comparisons can be made by decision makers and the general public. 52K4

Analysis of the alternatives must be in sufficient depth to determine what the impacts will be. Only two of the alternatives (AC Transit site, smaller project) go into sufficient detail about transportation impacts. This is especially vital in that the project has significant impacts outside the boundaries of the City of Emeryville and the alternatives might to. The transportation and circulation

analysis needs to be improved in all the alternatives.

2. The alternative section must focus on alternatives that would serve to reduce the significant environmental impacts caused by the project. The range of alternatives included in the section is not currently broad enough to adequately evaluate whether an alternative site would result in fewer significant traffic impacts. An alternative that would reduce the significant traffic impacts associated with the proposed project location must be included in the analysis of alternatives. The section must include an alternative site located adjacent to the the Bay Area Rapid Transit (BART) facility, such as the site being proposed by Oakland at 19th street. Without such an analysis, the lead agency and the public will be unable to determine whether CEQA's substantive mandate to mitigate or avoid significant impacts is feasible in this case.

3. The evaluation (page 316) of the alternative site in Oakland states that the alternative would result in fewer environmental impacts then the proposed project, but would not meet the project objectives of "providing health care education and services to the Emeryville Community" yet it would "providing health care services to Kaiser Foundation Hospital members thoughout the Bay Area". We have commented above that this project objective is not legitimate. However, there is no evidence that an Oakland location would not serve Emeryville in any case. There is a great deal of evidence in the DEIR that an Emeryville locaton would serve the Bay Area. Any explanation of this issue should include the reasoning behind giving a higher priority to the provision of services to Emeryville vs. the Kaiser Foundation members throughout the Bay Area. The explanation should also include a breakdown of patient visits showing the percentage of visits by Emeryville residents compared to percentage of visits by Bay Area members. 52K4

4. The evaluation of the Oakland alternative (page 316) should also explain why "improving blighted conditions on the project site," "related objectives", and "benefits associated with the Development Agreement" are relevant environmental concerns given that the Oakland alternative would result in fewer environmental impacts then the proposed project. If these benefits are not environmental concerns, then they should be expressly stated as such and the document should state clearly that the jurisdiction of Emeryville will gain certain financial and other benefits at the expense of the region's environment.

5. A visual display of the proposed "buffer between the medical center and the Emery Bay Village devlopment located to the north" must be included to justify the statement that "The buffer would asure a compatible land use interface

between the Every Bay Village and the medical center." (Page 297)

6. The conclusion regarding the AC Transit alternative (Page 298) is unjustified without a comprehensive light and shade analysis depicting the impact on light and shade to the adjacent land uses as a result of the alternative.

7. On page 304, the EIR states that based upon a "recent investigation" the Lake Temestcal dam is in sound condition and therefore failure of the dam does not pose a signficant threat to the AC Transit sit or the Future Expansion Site. The EIR must provide a specific reference to the "investigation" or study so that the conclusion can be verified. That "investigation" or study should include an analysis of the dam itself and the likely effect of a seismic event on the Hayward fault to the dam and the proposed prject. 52K4

8. On page 307, the EIR states that the alternative would not constitute a a significant visual impact because it would not substantially deteriorate the visual character of the area or obstruct scenic scenic views from areas surrounding the site. A view study from areas east of the site in the Oakland and Berkeley hills must be provided in order to make this conclusion. Without such a study, the public is unable to make reach its own conclusions about whether the AC Transit site would have a less then significant visual impact.

9. Explain why the MacArthur Broadway alternative is found to have a significant visual impact whereas the AC transit alternative is not found to have a significant visual impact on views from surrounding land uses. Neither assuption is possible without a view shed analysis of each alternative.

CUMULATIVE IMPACTS

General Comments

The potentially significant cumulative impact of this project, on the region- wide natural environment and economy, is based on projected land use build-out. However, in order to do an adequate cumulative projection analysis of the project, a comprehensive and realistic set of assumptions is needed that extend beyond the next six years, as present in this document.

In other words, an adequate cumulative impact assessment must look at worst case scenarios. This test of adequacy has clearly not been met in the May 1994 draft EIR. To establish the full built-out potential of the adjacent cities, a through review of all existing General Plan and related documents is needed. Without a comprehensive set of land use assumptions a cumulative impact assessment, as 52L4

presented in this document, is neither meaningful nor legally adequate. 52L4

The following comments are specific to the City of Berkeley, although in principle apply to Oakland and Albany.

Specific Comments

Cumulate Impacts (p. 331, paragraph two)
A regional worst case scenario is not limited to selected "reasonably foreseeable projects" as identified by a Planning Commission or a Zoning Adjustments Board. Rather, a worst case cumulative impact should be based on a City's primer document for growth and development, the General Plan. In the case of Berkeley, the recently adopted West Berkeley Area Plan (a 1994 amendment to the General Plan) alone identifies 1,500,000 square feet in projected non-residential development between 1992 and 2005. This type of worst case level of development must be factored in to the cumulative analysis.

Berkeley Projects (p.333 paragraph one) 52M4
Again, worst case scenarios should be assessed around projected development as permitted under the General Plan and related Area Plan documents. Selecting a timeline such as "additional projects expected by the year 2,000" is simply arbitrary. Existing, adopted policy documents which clearly state future land use projection must be consulted for an adequate assessment of future cumulate impacts.

Berkeley Projects (p. 334, paragraph two)
Again, the Berkeley Zoning Adjustment Board Meeting Minutes are not the appropriate basis for land use projections. See above.

Cumulative Impacts
Land Use (p.334, paragraph six)
The conclusion that: *"Cumulative development within the City of Emeryville would result in significant land use impacts that would be mitigated to less than a significant level by the implementation of each of the cumulative project's mitigation measure"* is an inadequate response. The cumulative impact assessment should also factor in the regional land use build-out context. This is especially relevant here in relation to the regional transportation systems and the air quality basin. Again, the assumptions must be broadened to include the worst case scenarios. 52N4

Population and Housing (p.335, paragraph five) 52O4

The conclusion is made that: *"Cumulative development within the City of Emeryville would result in a potentially significant housing impact that could be mitigated by implementing the mitigation measures described in Section II, B for other projects in Emeryville, Oakland and Berkeley."* Does this imply that Oakland and Berkeley should be responsible for mitigating the housing impact of a project in Emeryville? 52O4

Utilities and Urban Services (p. 337, paragraph seven)
If the assumption used to calculate land use build out are significantly understated (see above) utility and urban services needs will also not reflect a worst case scenario. Of particular concern here is sanitary sewer capacity at the EBMUD treatment center: 1) What percentage of urban growth is EBMUD planning for within the next 15 years? and 2) what is the added increment this project will produce when seen in the context of a worst case build-out scenario? 52P4

52. RESPONSES TO COMMENTS FROM GIL KELLEY, CITY OF BERKELEY RECEIVED JUNE 20, 1994

The City of Emeryville provided a direct response to the City of Berkeley's comments in the form of a letter addressing issues raised in the June 20, 1994 letter that were also raised in a meeting between the City of Berkeley and City of Emervyille staffs on July 26, 1994. The City of Emeryville's letter is attached at the end of the responses to Comment Letter 52.

RESPONSE TO COMMENT 52.A.: Certain of the comments refer to issues related to regional planning and are not regarding the contents or adequacy of the Draft EIR. The comments also refer to detailed comments on the content and adequacy of the Draft EIR which are responded to below.

RESPONSE TO COMMENT 52.B.: Please refer to the specific responses for the comments pertaining to the Notice of Preparation below.

RESPONSE TO COMMENT 52.C.: Please refer to Master Response B1. for a discussion of the existing Oakland facility. With respect to Kaiser's facilities in Berkeley, please see response to Comment 52.S.

RESPONSE TO COMMENT 52.D.: Please see Master Response G1. for a discussion of the Fox Theater alternative site and response to Comment 37.A.

RESPONSE TO COMMENT 52.E.: Please refer to Master Response C5. regarding the location of the 25 sites identified for additional housing.

RESPONSE TO COMMENT 52.F.: Refer to Master Response D3. for a discussion of major intersection mitigation measures.

RESPONSE TO COMMENT 52.G.: The standard methodology used for traffic impact studies typically overestimates the impact of project and cumulative traffic. For the Kaiser project, the citywide travel demand model was used to allow for a more realistic assessment of impacts. When compared with travel forecasts prepared by the Alameda County Congestion Management Agency for this project, the forecasts used in the Draft EIR for the Kaiser project to determine impacts were more conservative in all cases. As described in the Draft EIR, the trip generation values used are conservative and would tend to overestimate access to the site by automobiles.

In response to the comment regarding an expanded analysis area, the commenter is referred to Master Response D2.

RESPONSE TO COMMENT 52.H.: Please refer to Master Response H2. for a discussion of cumulative impacts. As described in that response, the statement that the land use projections are not based on adopted General Plans or Area Plans is incorrect.

RESPONSE TO COMMENT 52.I.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1 for additional discussion regarding this topic.

The City of Emeryville after reviewing the comments on the Draft EIR determined that revision and recirculation of the Draft EIR was not necessary, as indicated in Master Response I1.

Please see Master Response G1. which discusses in more detail the proposed Fox Theater alternative.

RESPONSE TO COMMENT 52.J. The City is not obligated to include in the EIR every issues that was raised during the Notice of Preparation comment period. The City reviewed all NOP letters and responded to those comments that raised issues that may have a physical effect on the environment.

The Draft EIR contains a screening level health risk assessment for ethylene oxide emissions in Appendix E and on pages 197 to 198. The results of this analysis indicated that the project would not result in increased cancer risks for surrounding residents. Therefore, an epidemiological analysis of cancer/disease clusters was not required.

RESPONSE TO COMMENT 52.K.: Please refer to Master Response B1. for a discussion of the Oakland Kaiser facility, and Kaiser's other existing facilities in the area. With respect to the Richmond and Berkeley sites, according to Kaiser, the existing Berkeley and Richmond facilities, which consist of regional laboratories, are not expected to be affected by the project.

The intersection of Adeline/Alcatraz would not be impacted by the proposed project based upon a review of the link volumes approaching this intersection as described in Master Response D2.

Please refer to the response to Comment 40.B.2. for a discussion of the handling and transporting of hazardous wastes during construction. Kaiser currently implements a Hazardous Materials Business Plan at its existing facility. Kaiser's Director of the Environmental Health and Safety (EH&S) Department would ensure the development, maintenance and implementation of the Hazardous Materials Business Plan for the proposed medical center. A copy of the Plan is on file with the EH&S Department and includes the following sections: general information about the medical center, the Hazardous Materials Inventory, Emergency Response Equipment, Emergency Response Training, Evacuation Information, Emergency Notifications, and Facility Maps. The Plan was submitted to Alameda County Department of Environmental Health, Hazardous Materials Division, as required.[8]

Under existing conditions, the City of Emeryville Fire Department maintains a mutual aid agreement with the Alameda County Fire Mutual Aid System which includes the cities of Oakland and Berkeley. As described on page 243, mutual aid cities provide assistance to the Emeryville Fire Department, as needed. In the event that additional resources are required, a request is made to the Oakland Fire Department which serves as the North Zone Coordinator for the Mutual Aid System. The proposed project would not be expected to result in additional impacts to the Berkeley Fire Department, beyond those which occur under existing conditions, since the Emeryville Fire Department has indicated that it can accommodate the nominal increase in service calls (24 calls of 971 annual calls) generated by the medical center (see page 254 of the Draft EIR). Furthermore, because of the nominal increase in calls, it is a very remote possibility that the demand for fire services from the Berkeley Fire Department would significantly increase.

[8] Kaiser Permanente, Shari A. Samuels, Director of Environmental Health and Safety, September 12, 1994.

Please refer to the response to Comment 40.G.2. with regard to the economic or service delivery impacts to Alta Bates or Herrick. These issues are not considered physical effects on the environment.

As described in Sections I and II, B. of the Draft EIR, and in Master Response C1., the project includes the Kaiser Housing Program which is considered an adequate mitigation measure for providing housing opportunities.

As described in Section I, on page 17 of the Draft EIR, the project applicant would pay a Low Income After School Care Fee of $40,000 per year which is considered a contribution to the provision of affordable child care.

The provision of a local hiring program is not considered to be tied to a physical effect on the environment, and therefore, is not addressed in the EIR.

The facility will not have an incinerator. An incinerator is used to burn noninfectious waste and has no relation to ethylene oxide (ETO) sterilizers. ETO sterilizers are used to sterilize heat sensitive medical instruments. ETO emissions into the air are not allowed and are strictly regulated by the BAAQMD and OSHA. Kaiser hospitals do not and will not discharge any ETO into the atmosphere. Kaiser facilities utilize equipment which either reclaims the ETO or removes it after sterilization. This, coupled with a strict monitoring program, which is frequently inspected, ensures that ETO is not discharged.

RESPONSE TO COMMENT 52.L.: Please refer to Master Responses B1. and G1. for discussions of the existing Oakland Kaiser facility and the Fox Theater site.

RESPONSE TO COMMENT 52.M.: Please refer to the response to Comment 40.G.2. CEQA Guidelines §15131 states that *economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.* Therefore, evaluating the impacts to businesses in the area around other medical centers is outside the scope of this EIR.

RESPONSE TO COMMENT 52.N.: The provision of a local hiring program is not considered to be tied to a physical effect on the environment, and therefore, is not addressed in the EIR. Please note that the project proposes to pay a School Contribution Fee of $20,000 per year, as stated on page 17 of the Draft EIR.

Please refer to Section II, B, for a discussion of the project's demand for housing. In addition, please refer to Master Response C. for a discussion of housing opportunities, including affordable housing, within the area.

RESPONSE TO COMMENT 52.O.: The project is currently in the design phases; therefore, it is too early to estimate the cost of new parking at this time.

RESPONSE TO COMMENT 52.P.: Please refer to the response to Comment 52.Z.3.

RESPONSE TO COMMENT 52.Q.: The impacts to historic resources in the project area are described in Section II, K of the Draft EIR, pages 272 to 277. Page 274

contains a description of the potential visual impacts to the historic resources on the south side of Park Avenue where the Town Hall is located. The text of the EIR is revised to specifically call out this structure.

Quality of life is a subjective issue which depends on an individual's interpretation of what is important to them. The EIR indirectly addresses this issue by evaluating factors that affect quality of life such as traffic, visual/aesthetic quality, noise, and air quality. It will be up to each individual to determine, based on this information, how the project would affect their own quality of life. Addressing the quality of life around the existing Oakland Kaiser facility is outside the scope of this EIR. Given the difference in neighborhoods between the Oakland location and Emeryville location, the relevance of such an analysis is not clear. Such an analysis would not provide useful information regarding substantial environmental effects.

Please refer to response to Comment for 12.B. for a discussion of the likelihood of siren noise. Also note that the Draft EIR states on page 207 that approximately five ambulances per day would generate loud noise. This statement refers to ambulances which generate siren noise.

RESPONSE TO COMMENT 52.R.: With regard to the comment about the relationship of the project with the existing Kaiser Oakland facility, please see Master Response B1. As explained in that Master Response, Kaiser's plans for its existing operations in Oakland are uncertain. The Draft EIR does not attempt to analyze impacts that are too remote or speculative for reasonable analysis. Nonetheless, to provide a conservative analysis regarding potential traffic, housing, employment and related impacts, the Draft EIR assumes the continued use of a Kaiser facility at the existing Oakland site. In this regard, with respect to the analysis of traffic impacts, the Draft EIR traffic model includes trips generated by both the existing Oakland facility and by the proposed project. As a result, the Draft EIR presents a conservative or worst-case analysis of the project impacts.

Likewise, if the proposed project is adopted, the number of existing Oakland employees who might relocate to Emeryville is unknown, and the number of relocated employees that might want to establish new residences is also speculative. As stated on page 82 of the Draft EIR, it is unlikely that Oakland Kaiser employees who might relocate their jobs to the Emeryville facility would need to relocate their residences. Nonetheless, the Draft EIR housing analysis considers several scenarios, including a very conservative scenario which assumes that all of the Oakland Medical Center employees would be relocated to Emeryville, and 50% of them would require new housing units.

RESPONSE TO COMMENT 52.S.: Please refer to the response to Comment 52.K.

RESPONSE TO COMMENT 52.T.: The commenter suggests that many of the project objectives stated in the Draft EIR are legally improper under CEQA because they are stated in such a way as to make only a single site or type of site acceptable. CEQA does not impose any requirements with respect to the statement of the project's objectives. The Draft EIR, in evaluating the five alternatives to the project, discusses the project's objectives that would be achieved under each alternative. The project objectives are not stated in a way to make a single site or single type of site the only site that can be selected. There are nearly 20 objectives stated in Section I, many of which are general and many of which are specific.

RESPONSE TO COMMENT 52.U.: The Draft EIR describes the locations and capacity of proposed storm drainage lines on page 240 and 245, sanitary sewer lines on pages 240 and 246, and water lines on page 246 and page 250. These facilities are under the jurisdiction of other agencies such as EBMUD who will be responsible for providing services. Please refer to the responses to the comments contained in Letter 32.

RESPONSE TO COMMENT 52.V.: The dates of construction of the buildings on the Phase I and Future Expansion sites are contained in the Historic Architecture Assessment Kaiser Permanente Medical Center (September, 1993) which is on file and available for public review at the City of Emeryville Planning Department. In addition, the age of the structure is stated in Section II, K, where this information is important for identifying the building as a potential historic resource.

RESPONSE TO COMMENT 52.W.: Comment noted.

RESPONSE TO COMMENT 52.X.: The incomes of the residents on the Kaiser project site are available from the Relocation Plan. The Relocation Plan identifies the categories of income for these residents. In addition, it would not be appropriate for the City to disclose the residents' incomes.

RESPONSE TO COMMENT 52.Y.: The City of Berkeley has requested that an additional threshold of significance be added to the EIR. The Draft EIR includes those thresholds of significance listed in Appendix G of the CEQA Guidelines for determining significant impacts. If this threshold were added, the project would conform to the threshold because regional infrastructure is available to the project site. Bus access is directly provided to the site as described in Section II, C of the Draft EIR. Access to transit would be provided from the site to the Emeryville Amtrak Station and with the Emeryville-Bart shuttle, as described in Section II, C. In addition, adequate water and sewer lines can be extended to serve development of the medical center on the project site, just as they could be extended to serve other land uses on the site. Furthermore, there is no requirement in CEQA that the project be located in an area where it is best suited to such regional uses.

RESPONSE TO COMMENT 52.Z.: The traffic analysis considered the traffic generated by the hospital within the context of the existing traffic generated by the surrounding land uses. Sufficient public parking would be made available for Kaiser employees and visitors as described in Section II, C to ensure that employees and visitors would not park at adjacent businesses. The effects on the market due to the development of a medical center are speculative, and not considered physical effects on the environment.

RESPONSE TO COMMENT 52.A.2.: The Draft EIR described the noise effects generated by the AC Transit activities on pages 204 and 205, and on pages seven through 10 in Appendix F. Noise emissions generated by Berkeley Farms are a result of truck traffic which are discussed on page 204. As indicated in Figure 26 on page 203, the medical office buildings and the hospital would not be located directly adjacent to or opposite from the Berkeley Farms facility. In addition, the estimates in Tables 33 and 34 incorporate data on existing and future heavy truck traffic generated by Berkeley Farms and Kaiser. Mitigation No-1.2, No-1.3 and No-1.5 would reduce noise impacts associated with the AC Transit facility. Mitigation No-1.2 and No-1.5 would mitigate noise impacts due to heavy truck operations from Berkeley Farms.

RESPONSE TO COMMENT 52.B.2: The commenter is referred to the discussion of lighting and shadow impacts contained in Master Response F2.

RESPONSE TO COMMENT 52.C.2.: Kaiser facilities are available to the community at large, even non-members, on a fee-for-service basis. Kaiser also provides health information programs that are open to members and the community at large. In addition, Kaiser is working with the City of Emeryville to provide health plan membership to residents at a group rate.

RESPONSE TO COMMENT 52.D.2.: The Draft EIR describes the significant impacts that would occur to the historic resources on the project site. The impact of demolishing the building is described on pages 272 and 273 of the Draft EIR.

The proposed amendments to Land Use Element *Community Design* Policy #5, which pertains to the preservation of brick buildings on Park Avenue, would allow the removal of the brick buildings on the north side of Park Avenue. The change to Policy #5, as proposed by the project applicant, could be interpreted to allow the removal of other brick buildings along the north side of Park Avenue that do not occupy the project site. To limit the scope of the General Plan amendment, a mitigation measure is proposed to limit the application of the text change to Land Use Element Policy #5 to the Del Monte site (Mitigation Measure LU-5.1). Demolition of the Del Monte building is considered a significant impact and the EIR proposes mitigation to address this impact (Mitigation Measures CR-3.1 and CR-3.2). The EIR finds that with the application of these mitigation measures, the impact of the project on historic resources would be less than significant.

RESPONSE TO COMMENT 52.E.2: Please refer to the response to Comment 46.G. The project is not proposing to alter the floor area ratios beyond those already established for the project site. Therefore, when compared to the conditions which could occur under the existing General Plan designation, the proposed medical center would not significantly differ in terms of height and scale, with the exception of the 125 foot tall structure. The impacts to views associated with the heights of the proposed buildings are described on pages 284 to 291. These impacts due to the height and scale of the structures were evaluated in terms of the thresholds stated on page 284 of the Draft EIR which are based on those included in Appendix G of the CEQA Guidelines.

RESPONSE TO COMMENT 52.F.2: The City of Emeryville City Council will be required to make these findings prior to approving the proposed project.

With regard to the second finding, the proposed medical center would revitalize the project site and would establish opportunities for the development of neighborhood-serving retail and commercial uses on the site, thereby contributing to the neighborhood. Additionally, a medical center would offer regional health care services to members and non-members, alike, which is a benefit to the community and surrounding areas.

To achieve a similar scale and relationship between the project and surrounding land uses and to establish compatibility with the neighborhood (third and fourth findings), the project design has incorporated the Urban Design Guidelines that were developed with extensive community input. "Liner" buildings containing pedestrian-oriented uses would be installed along the perimeter of the site, separating the medical center hospital and medical office buildings from the surrounding land uses. The surrounding neighborhood consists of a mix of uses, and the proposed project is a mix of uses including retail,

office uses, medical offices, and the hospital. Additionally, schools are generally considered institutions, just as a hospital is considered an institution.

RESPONSE TO COMMENT 52.G.2.: Please refer to Master Response C4. for a detailed discussion of the jobs/housing balance that addresses the items raised in this comment.

RESPONSE TO COMMENT 52.H.2.: Please refer to pages 27 and 28 of the Draft EIR and Master Response C2. for a discussion of the current zoning and General Plan designations and other information pertaining to the development of housing on the project site.

RESPONSE TO COMMENT 52.I.2.: Please refer to Master Response C4. for a discussion of the jobs/housing balance which is modeled after the commenter's remarks. The discussion of the jobs/housing balance is adequate for the purposes of describing the physical effects on the environment associated with the proposed project. With regard to the request for information on retired or disabled residents, please also refer to the response to Comment 35.K. which describes the dependent population in Emeryville.

RESPONSE TO COMMENT 52.J.2: Please refer to Master Response B1. for a discussion of the existing Oakland facility. As described in Master Response B1., the impacts in Oakland are speculative, and it is anticipated that some employment would remain. Master Response B1. addresses the status of the existing Kaiser facility in Oakland and the implications of opening the proposed hospital in Emeryville. As stated in that master response, some of Kaiser's operations would remain at the existing Oakland facility; therefore, the site would not be completely vacant.

Please note that the 1993 Emeryville General Plan indicates that in 1980, ethnic minorities represented 46.3% of the Emeryville population, with a slight increase to 47.7% of the population in 1990. Thus, a substantial number of people of color would benefit from the project. Moreover, CEQA Guideline §15141 states that economic and social effects of a project shall not be treated as significant effects on the environment. Therefore, it is inappropriate for this EIR to address the effects of the project on the ethnic character of Oakland.

RESPONSE TO COMMENT 52.K.2.: The fiscal effects of the proposed project were evaluated. The project is not the relocation of the Oakland Medical Center to Emeryville. Please see Master Response B1. The statement on page 71 of the Draft EIR that the Future Expansion phase would stimulate economic growth and strengthen the tax base is referring to the 1993 Emeryville General Plan Citywide Goals and is thus referring to economic growth and the tax base in the City of Emeryville.

With regard to the economic effects of the project on Oakland and Berkeley, such an analysis is beyond the scope of the Draft EIR, and too speculative to provide a meaningful analysis.

With regard to the impacts on the financial situation of the various School Districts in northern Alameda County, the Draft EIR analyzes the effects of the project on the Emeryville School District on pages 255 and 256. The Draft EIR states on page 255 and 256 that the project is expected to result in a potentially significant impact on school facility capacity due to (1) implementation of Kaiser's Housing Program, which would generate new residential units in Emeryville, and (2) the possible move to Emeryville

of medical center employees, which would result in students transferring to schools in the Emeryville School District.

Impacts of the project on other school districts in Alameda County are considered too speculative to quantify because there is no way to determine the number of employees that might move to Emeryville or other locations in Alameda County as a result of the project.

With regard to the financial impacts of the project on BART, the project sponsor has stated that the project is not expected to result in fewer people using BART, because Kaiser will have a shuttle running to and from BART every 7 minutes. Any analysis of the financial impacts of the project on BART is beyond the scope of the Draft EIR.

RESPONSE TO COMMENT 52.L.2.: Please refer to Master Response B1. which addresses the existing Oakland facility.

RESPONSE TO COMMENT 52.M.2.: Please refer to Master Response C6. which addresses the adequacy of the Relocation Assistance mitigation measures.

RESPONSE TO COMMENT 52.N.2.: Please refer to Master Response C1. regarding a discussion of the Kaiser Housing Program.

RESPONSE TO COMMENT 52.O.2.: The commenter's remarks are noted. A discussion of the Existing General Plan Alternative is provided in Section III, E which addresses the development of housing under the existing General Plan and zoning designations.

RESPONSE TO COMMENT 52.P.2.: Please refer to Master Response C5. regarding the location of the 25 sites identified for additional housing. Live/work units would be possible on all of these sites without rezoning. Under the City's Zoning Ordinance, live/work units are allowed under all zoning districts with a Conditional Use Permit, with the exception of the Public Use district, Outdoor Recreation district, and Shoreline Management district.

RESPONSE TO COMMENT 52.Q.2.: Please refer to Master Response C5. regarding the location of the 25 sites identified for additional housing. Housing that could be developed after year 2000 was identified in Appendix C of the Draft EIR and used in the analysis of the jobs/housing balance. Please refer to Master Response C5. for a discussion of the City's commitment to providing additional affordable housing opportunities in Emeryville. Emeryville has made every reasonable effort to promote further housing opportunities in the City.

RESPONSE TO COMMENT 52.R.2.: Please refer to Master Response C5. for a discussion of the jobs/housing balance which references the range of salaries of current Oakland employees. Also, please refer to Master Response C5. for a discussion of the impacts to fair share housing, and for an explanation of why the project will likely not result in an increased demand for very low and low income housing units.

RESPONSE TO COMMENT 52.S.2.: Please refer to Master Response C1. regarding a discussion of the Kaiser Housing Program.

RESPONSE TO COMMENT 52.T.2.: Please refer to Master Response C5. regarding the location of the 25 sites identified for additional housing, and the City's efforts to

promote new housing at these locations. Funds from Kaiser's Housing Program would be available to contribute to the funding of housing at these alternative locations.

RESPONSE TO COMMENT 52.U.2.: A discussion of the Existing General Plan Alternative is provided in Section III, E which addresses the development of housing under the existing General Plan and zoning designations. Please note that the General Plan did not identify the Future Expansion site as a location for future housing. Housing could be developed on the Future Expansion site under the current *Mixed-Use* designation, subject to a Conditional Use Permit.

RESPONSE TO COMMENT 52.V.2.: Please refer to Master Response C3. for a discussion of the expected range of incomes expected to be created. The City of Emeryville has continued to maintain a strong commitment to the development of new housing opportunities within the City. Since 1990, housing production in the City has been more than 350 units, of which 180 units were affordable. This was accomplished during a period of limited residential development throughout the Bay Area. City programs such as the Housing Rehabilitation Program, First Time Homebuyer Program, Vacant Housing Program, Affordable Housing Set Aside Ordinance, and Redevelopment Agency assistance in several specific housing developments demonstrate substantial commitment by the City toward housing development.

The existing residential locations of Kaiser employees and members were considered in the traffic analysis. Therefore, commute patterns from all existing residential locations were evaluated.

RESPONSE TO COMMENT 52.W.2.: Please refer to Master Response C4. for a discussion of the jobs/housing balance, and specifically for information on the employment and housing projections for Northern Alameda County. In addition, please refer to Master Response C4. regarding Berkeley's conclusion that Alameda County should continue to provide housing for San Francisco.

Please note that the comments stated with regard to the conclusions in ABAG's Projections '94 can be applied to all projections contained in this document. Just as the surplus in housing may be added over the next 15 years, so may the increase in jobs occur over 15 years, particularly in light of the fact that ABAG projects Alameda County to have a negative job growth between 1990 and 1995, and in some cases, beyond that time frame. The text of the Draft EIR is revised to clarify that the surplus of 5,650 units stated on page 83 reflects the construction of the housing unit potential that could occur in Alameda County between 1990 and 2010.

There is no evidence that future Kaiser employees at the Emeryville site would all choose to move into North Oakland and Berkeley, or cause the homeless problem to worsen, particularly given the likelihood that many of the relocated employees would reside at their current locations, as described on page 82 and reiterated in Master Response C4. In addition, it is likely that in some cases, employees may choose to relocate to Emeryville, since housing in this community is more affordable than housing in some parts of North Oakland and Berkeley. Should employees decide to move to Emeryville, this may create a desirable market for making the development of housing even more feasible.

Kaiser, nor any other employer, can dictate where their employees choose to reside. This decision is an individual's based on a multitude of factors as is shown by Kaiser's current distribution of employees. The project, be it in Emeryville or any other location

in Alameda County, would result in the same effect on the County's jobs/housing balance. The Emeryville site has some advantages, however, because of its central location and access to transportation facilities.

RESPONSE TO COMMENT 52.X.2.: Please refer to the response to Comment 52.W.2.

RESPONSE TO COMMENT 52.Y.2.: Traffic counts were conducted for two hours during the AM and PM peak periods. The peak hour within this period was then identified for each intersection and used in the analysis. Additional traffic increases to already congested roadways would tend to extend the peak hour to two to three consecutive hours.

RESPONSE TO COMMENT 52.Z.2.: There would not be any inbound project traffic using the eastbound I-80-off-ramp at Ashby Avenue or Bay Street. Inbound project traffic using I-80 eastbound would use the Powell Street off-ramp. Of the 7 percent outbound traffic using I-80 eastbound, approximately 5.5 percent would use the Powell Street on-ramp, one percent would use the Ashby Avenue on-ramp, and the remaining 0.5 percent would use the Bay Street on-ramp.

RESPONSE TO COMMENT 52.A.3: The distance from the intersection of Yerba Buena/San Pablo Avenue to the intersection of Park Avenue/San Pablo Avenue is approximately 900 feet. The distance to other portions of the site would range from approximately 1,800 feet to 2,700 feet. Transit riders on Routes C, F, and 14 would have to walk, possibly over one-quarter mile, or transfer to one of the routes which directly access the site. AC Transit may consider modifying their lines/stops to serve the proposed project.

Although bus stop locations have not been determined at this time for the Emeryville-BART Shuttle Service, specific criteria would be used to determine potential locations. For example, all developments making a specific contribution to shuttle operations should have direct input for stop locations for a safe "front door" loading area. Other stops would be located convenient to AC Transit services, where possible, to ensure support of the AC Transit system.

Routes 72 and 72L are listed as one route in Table 10 with one ridership and one load factor statistic. Table 9 describes them separately because of different origin/ destination points and different headways.

RESPONSE TO COMMENT 52.B.3.: Refer to response to Comment 53.C.

RESPONSE TO COMMENT 52.C.3: The off-street spaces within the study area bounded by San Pablo Avenue, Park Avenue, Horton Street, and 53rd Street included only private lots, which are not available for general public use. These private lots contained vacancies throughout the day indicating that sufficient capacity is provided for the observed demand. On-street parking also indicated vacancies for the entire study area, although there are street segments which were observed to have 100 percent occupancy. The land uses which generated the on-street demand do not provide off-street parking for their employees or customers.

RESPONSE TO COMMENT 52.D.3.: See response to Comment 31.K. Caltrans has made a commitment to the City of Emeryville to rebuild the West MacArthur on-ramp to I-580 which was closed as a result of damage created by the Loma Prieta Earthquake.

This commitment is stated in the Memorandum of Agreement between the City of Emeryville and the State of California, January 14, 1992. This agreement states, "The STATE agrees to actively pursue funding for the design and construction of an on-ramp facility from MacArthur Boulevard to I-580 westbound. Caltrans will use its best effort to construct this facility prior to the end of 1996."

RESPONSE TO COMMENT 52.E.3: The proposed widening for additional through lanes on San Pablo Avenue is limited to the southern portion of the corridor between the project site and I-580. The addition of LRT to San Pablo Avenue within the existing right-of-way would not allow the expansion of the corridor from four lanes to six lane without the acquisition of more right-of-way. The inclusion of LRT within the existing curb-to-curb width of San Pablo Avenue is not recommended by this project, but rather has been proposed by the Alameda-Contra Costa Transit District. The funding for construction and operation of this service has not been identified by AC Transit. In addition, should funding become available, the through lanes initially constructed along San Pablo Avenue could be replaced by LRT. Since a funding mechanism is not available for LRT along this corridor, the roadway improvements should be made as a near-term transportation improvement. If LRT funding is secured, additional right-of-way will be needed along the southern part of the corridor, or the roadway improvements initially constructed will need to be replaced by transit.

Many years ago, San Pablo Avenue was a six-lane arterial. Modifying San Pablo Avenue back to a six-lane roadway would not physically preclude the opportunity for LRT implementation in the future. If LRT is implemented in the future, the roadway improvements initially constructed could be replaced by transit. The feasibility of installing LRT on the San Pablo Avenue corridor versus other alternative modes would be conducted by AC Transit. The Alternative Modes Analysis indicated 18,200 riders per day with the No Build Option and 24,800 riders per day with the LRT option along San Pablo Avenue. This level of ridership does not indicate that LRT service would justify removing one travel lane in each direction and acquisition of additional right-of-way appears to be the best solution. It should be the responsibility of AC Transit to determine the feasibility of LRT along the San Pablo Avenue corridor.

RESPONSE TO COMMENT 52.F.3: The peak period headways for the Emeryville-BART shuttle are currently planned to be 15 minutes and 7.5 minutes at overlapping stops[9]. The hours of operation would be 6:00 AM to 10:00 AM and 3:00 PM to 7:00 PM.

Off-peak shuttle routes are illustrated in Figure 18 of the Draft EIR. Off-peak weekday service proposed for the Emeryville-BART Shuttle Service would be provided between approximately 11:30 AM to 2:00 PM, with 60-minute headways to BART and 30-minute headways along the office-retail segments of the run.

At this time, these headways and hours of operation are not projected to change in the future.

RESPONSE TO COMMENT 52.G.3.: The Draft EIR contains an adequate discussion of the potential cumulative impacts of the project plus the expanded Chiron development

[9] Overlapping stops represent peak hour conditions where two buses run in different directions. However, along certain segments of the route, the paths are the same. Along such segments, the service frequency is 7.5 minutes.

(see pages 338-341 of the Draft EIR). Please refer to Master Response D5. for a discussion of the revised Chiron project description.

RESPONSE TO COMMENT 52.H.3.: For comments regarding employee travel patterns versus patient/visitor travel patterns, see response to Comment 28.B.

RESPONSE TO COMMENT 52.I.3.: Please refer to response to Comment 28.B.

RESPONSE TO COMMENT 52.J.3.: Refer to response to Comment 53.E.

RESPONSE TO COMMENT 52.K.3.: Please refer to Master Response D2. for study area coverage comments.

RESPONSE TO COMMENT 52.L.3.: Please refer to Master Response D1. for a discussion of residential streets.

RESPONSE TO COMMENT 52.M.3.: The trip distribution Figure 19 in the Draft EIR illustrates a total of 7 percent of the project trips destined to eastbound I-80. Of this 7 percent, approximately 5.5 percent would use the Powell Street on-ramps, one percent would use the Ashby Avenue on-ramp, and the remaining 0.5 percent would use the Bay Street on-ramp. The only project trips assigned to Bay Street, north of Powell Street, were those trips destined to eastbound I-80 via the Bay Street on-ramp.

RESPONSE TO COMMENT 52.N.3.: For those intersections outside of the City of Emeryville that experience significant unmitigated impacts, the affected jurisdiction is listed in the mitigations sections on pages 130-131 (year 2000) and 151-153 (year 2010).

RESPONSE TO COMMENT 52.O.3.: See response to Comment 52.E.3.

RESPONSE TO COMMENT 52.P.3.: See Response to Comment 31.K. Caltrans has made a commitment to the City of Emeryville to rebuild the West MacArthur on-ramp to I-580 closed as a result of damage created by the Loma Prieta earthquake, as stated in the Memorandum of Agreement between the City of Emeryville and the State of California, January 14, 1992.

San Pablo Avenue has been operated as a six-lane facility by Caltrans in previous years. A review of the original street cross-sections provided by Caltrans and more recent plans provided by the City of Emeryville indicate that it is feasible to operate San Pablo Avenue as a six-lane facility today as described in the mitigation measure.

RESPONSE TO COMMENT 52.Q.3.: Please refer to Master Response D6. and Comment 21.N. for a discussion of the assumed mode split percentages. Kaiser will implement a more aggressive TSMP at the facility in Emeryville, modelled after their successful programs at other Kaiser facilities. The 15 percent TSMP reduction is applied for the future Year 2000 and Year 2010 scenarios, when increased TSMP levels are anticipated as requirements due to air quality mandates. Also, the Emeryville-BART shuttle will make BART and regional transit access much more attractive than the existing site which achieves a 7.9 percent shift to other modes. The goals of the Trip Reduction Ordinance (TRO) are for an Average Vehicle Ridership (AVR) of 1.35 and a Vehicle Employee Ratio (VER) of 0.74 by the Year 1999. To reduce 100 inbound peak hour trips to 85 trips (a 15 percent reduction), would require 30 people to be in two-car pools. This would be an AVR of 1.18 (i.e., 100/85) and a VER of 0.85 (i.e., 85/100), which does not meet the goals of the TRO. Therefore, a TSMP of 15 percent

is very realistic given the requirements of the TRO. Also, refer to Master Response D8. for a discussion of the "Trip Reduction Ordinance."

The strategies identified by the commenter are acknowledged. Please refer to the TSMP included in the Mitigation Monitoring and Reporting Program (Section VII) for a discussion of the transportation demand management strategies included in the project.

RESPONSE TO COMMENT 52.R.3.: The loss of on-street parking adjacent to existing businesses is listed as an unavoidable impact because of the amount of parking will be lost. Please refer to the response to Comment 11.D.

RESPONSE TO COMMENT 52.S.3.: Refer to response to Comment 48.N. City of Berkeley staff have indicated that the widening of the Ashby Avenue approaches of the San Pablo Avenue/Ashby Avenue intersection may be feasible based on the City's ownership of a strip of land through the intersection. The widening of the westbound approach of the San Pablo Avenue/Ashby Avenue intersection to provide an exclusive westbound left turn lane, as well as modifying the signal timing, would improve the year 2010 cumulative PM peak hour conditions from LOS F to LOS E.

The widening of approaches of the intersections of Ashby Avenue/7th Street and Adeline Street/Martin Luther King Jr. Way may require the demolition of existing buildings because of the close proximity of buildings on the affected approaches. For those mitigation measures proposed for streets outside the City of Emeryville, if desired by the affected jurisdiction, that are approved by the Emeryville City Council, the City of Emeryville will identify the fair share contribution for individual improvements and notify the affected jurisdiction that funds will be set aside and allocated if that jurisdiction decides to implement the improvement within a specified period of time.

RESPONSE TO COMMENT 52.T.3.: See response to Comment 52.Q.3. for evidence of a 15 percent reduction in auto trips. The provision of LRT in San Pablo Avenue is questionable from a funding, physical, and ridership standpoint. Improving the roadway capacity of San Pablo and using articulated buses along this corridor would achieve as great a level of transit access at less cost and less physical disruption.

RESPONSE TO COMMENT 52.U.3.: Refer to Master Response D6. for a discussion of transit assumptions. The comment is incorrect. As described in the Draft EIR (p. 133), the implementation of a successful TSM program would result in a significant increase in transit ridership along San Pablo Avenue. As such, significant transit impacts would occur on Route 57, and potentially Route 72, under future conditions.

RESPONSE TO COMMENT 52.V.3.: See attached table for comparison of Year 2010 PM peak hour link volumes between Alameda County CMP model runs and the Emeryville citywide travel model. Also refer to the response to Comment 91.P.

RESPONSE TO COMMENT 52.W.3.: The freeway segment analysis conducted for I-80 at Ashby Avenue evaluates the segment between Ashby Street and Powell Street.

RESPONSE TO COMMENT 52.X.3.: Notes 1 and 2 refer to the fact that the travel forecast volumes for the "Year 2010 with Kaiser" scenario that form the basis for the freeway segment analysis were adjusted upward on the I-80 at Bay Bridge (EB) and the I-80 at Ashby Avenue (EB & WB) segments. This was done in order to account for a slight variation in the relative assignment to the Grand Avenue Viaduct and the West Frontage Road, respectively, between the No Project and Project scenarios.

YEAR 2010 PM PEAK HOUR LINK VOLUMES FROM MODEL RUNS
Comparison between Alameda County CMP model runs and Emeryville model
For Kaiser Permanente Medical Center

LOCATIONS	Alameda CMP model			Emeryville model			
	BASE (I)	BASE w/ Kaiser (II)	Change from I to II	BASE (I)	BASE w/ Kaiser (III)	Change from I to III	Change from II to III
I–80 @ Powell Street	18,682	18,674	–8	20,902	21,346	444	2672
BAY BRIDGE	18,338	18,398	60	26,828	28,591	1763	10193
I–580 @ San Pablo Avenue	17,752	17,747	–5	18,848	19,397	549	1650
I–880 @ 7th Street	4,924	5,052	128	7,783	10,312	2529	5260
SR 24 @ College Avenue	12,773	12,652	–121	n.a.	n.a.	n.a.	n.a.
TOTAL	72,469	72,523	54	74,361	79,646	5285	19775

Source: Alameda CMA and Korve Engineering, Inc. – July 1994

TABLE FOR RESPONSE TO COMMENT 52.V.3.

RESPONSE TO COMMENT 52.Y.3.: See the attached table for a comparison of the Alameda County CMP model runs and the Emeryville citywide travel model results.

RESPONSE TO COMMENT 52.Z.3.: A freeway segment analysis for SR-24 indicates that the project would have no impact under the Year 2010 PM peak hour scenario. For the service levels, refer to Table 20a in the master response for "CMP" comments.

The analysis of project impacts for the I-580/SR-24 interchange and the I-80/I-880/I-580 interchange was not conducted because the relevant freeway segments approaching these interchanges would operate at service level F conditions during the PM peak hour under all Year 2010 scenarios.

An additional analysis for the Year 2000 freeway segments was not conducted because travel forecasts prepared by the Alameda CMA showed that the project would have no significant impact on traffic volumes. A summary of those results is provided in the attached table.

Please refer to Master Response D2. for a discussion of the study area coverage and specifically local intersections in Berkeley.

RESPONSE TO COMMENT 52.A.4.: The Draft EIR contains an adequate discussion of the potential cumulative impacts of the project plus the expanded Chiron development. Please refer to the response to Comment 43.C. The results of the traffic model runs for the revised Chiron project description are on file with the City of Emeryville Department of Public Works and are available upon request.

RESPONSE TO COMMENT 52.B.4.: Refer to Master Response D4. for a discussion of the CMP.

RESPONSE TO COMMENT 52.C.4.: The definition of a significant transit impact is as follows: "Increase in the daily load factor of 0.02 or greater when the base load factor is 1.5 or greater." The project would result in an increase in load factor of less than 0.01, therefore, this would be considered a less-than-significant impact. The addition of a small amount of traffic or transit ridership to an existing congested facility, does not necessarily suggest a significant impact.

In the immediate vicinity of the project site, San Pablo Avenue at 45th Street (where the buses exit the maintenance yard), the San Pablo Avenue corridor is estimated to operate at Level of Service F either with or without the Kaiser project. This represents a congested traffic condition. The analysis procedures note very low average speeds which also include stopped time at signals.

RESPONSE TO COMMENT 52.D.4.: See response to Comment 52.R.3. The Draft EIR provides adequate reasons why this impact is considered significant and unavoidable on page 140.

RESPONSE TO COMMENT 52.E.4.: With regard to laws regulating hospitals and medical facilities requires that when a significant disposal of hazardous waste is located on or within 2,000 feet of the site of a planned hospital, the owners of the planned hospital must notify the Department of Toxic Substances Control (DTSC) so that it can evaluate whether the disposal poses a significant threat to the health or safety to the future occupants of the hospital. The law does not require a hospital or medical facility

Year 2000 Alameda CMP Model Runs – Selected PM Peak Hour Link Volume Comparison
Kaiser–Permanente Medical Center EIR

LOCATIONS	YEAR 2000		
	BASE (I)	BASE w/ Kaiser (III)	Change from I to III
40TH STREET @ San Pablo Avenue	684	774	90
SAN PABLO AVENUE @ Stanford Street	1,904	2,058	154
SAN PABLO AVENUE @ 32nd Street	1,177	1,289	112
STANFORD STREET @ San Pablo Avenue	1,352	1,449	97
POWELL STREET @ Shellmound	1,582	1,786	204
ASHBY AVENUE @ I–80	1,907	1,979	72
ASHBY AVENUE @ San Pablo Avenue	1,102	1,110	8
I–80 @ Powell Street	18,276	18,303	27
BAY BRIDGE	19,187	19,183	–4
I–580 @ San Pablo Avenue	17,694	17,608	–86
I–880 @ 7th Street	4,997	5,049	52
SR 24 @ College Avenue	12,823	12,814	–9
TOTAL	82,685	83,402	717

Source: Alameda CMA and Korve Engineering, Inc. – July 1994

TABLE FOR RESPONSE TO COMMENT 52.Z.3.

to clean up the pollution caused by a prior owner, but, where an environmental agency determines that a polluted site needs to be cleaned up, it may, under some circumstances, require both the current owner and the parties responsible for the pollution to undertake cleanup activities. In 1993, Kaiser notified DTSC of its planned medical center development so that a "border zone" analysis can be performed by the agency pursuant to California Health & Safety Code §25220 et seq.

The City of Emeryville does not have any local siting criteria, and instead, relies upon the state agencies for guidance in such matters. As stated on page 29 of the 1993 Emeryville General Plan, the City's overall objective related to air quality is as follows: Minimize public health hazards due to air pollution and reduce generation of air pollutants.

As the future owner of the project site, Kaiser may incur potential liability for past pollution. Thus, it is in Kaiser's interest to make sure that current owners remediate past releases of hazardous substances. Kaiser has obtained preliminary clearance from DTSC with respect to the border zone issue and expects to obtain final clearance prior to construction. Additionally, Kaiser has been working with the current owners, the Alameda County Environmental Health Department and the Regional Board to ensure that remediation plans are developed by the parties and approved by the agencies. This work is well underway already, and any person may inspect the records of these agencies to assure himself or herself that the remediation is proceeding appropriately.

In terms of the proposed medical center's role in being a source of toxic air contaminants, the Draft EIR contains a screening-level health risk assessment for ethylene oxide emissions. This assessment determined that the Reference Exposure Level for the proposed project would not be approached for ethylene oxide. Therefore, the proposed medical center would conform to siting criteria regarding the placement of facilities that involve the creation of toxic air contaminants.

AC Transit and the 4th Street Woodworking Company were the only two sources of toxic air contaminants within the vicinity of the project site. As stated on page 187, neither of these sources was identified as a priority source of toxic air contaminants, and neither has been required to prepare health risk assessments. Therefore, neither source was determined to result in a significant air quality impact that would affect the siting of the hospital facility, and no mitigation was required.

RESPONSE TO COMMENT 52.F.4.: Please see response to Comment 34.Y.

RESPONSE TO COMMENT 52.G.4.: The City of Berkeley's comments are noted. Mitigation measures AQ-1.2 through AQ-1.6 are included in the project.

RESPONSE TO COMMENT 52.H.4.: The Draft EIR states that the existing culvert crosses the Future Expansion site. The purpose of conducting field observations is to verify the precise location of the culvert. The reason that the field observations have not been conducted at this time is that the Future Expansion site is currently owned by other property owners and covered with impervious surfaces, including buildings. As a result, field observations at this time would not reveal subsurface drainage conditions and infrastructure, nor is the applicant of the proposed medical center in a position to conduct subsurface testing of properties the applicant doesn't own.

Consistent with the Court's holding in Sacramento Old City Association v. City Council of Sacramento (280 Cal.Rptr. 478), the City of Emeryville has identified the potential

drainage impacts of the project; identified appropriate mitigation to reduce the impact to acceptable levels; required exploratory borings, and stated that the project would be designed to avoid impacts to this culvert. Therefore, Hydro-3.1 and Hydro-3.2 would mitigate the potential impact to a less than significant level.

RESPONSE TO COMMENT 52.I.4.: The City of Berkeley's comments requesting that the applicant commit to repair and/or replace the culvert is noted. The Draft EIR states, as a mitigation measure, that the medical center would be designed to avoid impacts to the existing culvert that crosses under the Future Expansion site.

RESPONSE TO COMMENT 52.J.4.: EBMUD and PG&E did not indicate that there were capacity constraints that would affect development of the proposed medical center. Please refer to the responses to Comment Letter 32.

RESPONSE TO COMMENT 52.K.4. (Nos. 2,3): With respect to paragraphs 1 and 2 of this comment, please see Master Response G1. for a discussion of alternatives, including the Fox Theater alternative.

With respect to paragraph 3 of this comment, the Draft EIR at page 316 does not give a higher priority to the project objective of providing health care services to the Emeryville community than the project objective of providing health care services to Kaiser members throughout the Bay Area. The conclusion that the project would not meet the objective of providing health care services and health education services to Emeryville is legitimate because the project includes many benefits specific to the Emeryville community, including funds for the Kaiser Housing Program and various development fees described on pages 17 and 18 of the Draft EIR. These would not be available to Emeryville if the project were located in Oakland. Information regarding the numbers of patient visits from Emeryville residents compared to other Bay Area members is therefore not relevant to the conclusion reached on page 316 of the Draft EIR.

For paragraph 4 of this comment, the reference to improving blighted conditions on the project site, related objectives, and benefits associated with the Development Agreement are relevant because these objectives would not be met at the Emeryville site if the Oakland site were developed. Whether or not the Oakland alternative results in fewer impacts when compared to the project, the EIR must still provide the decision-makers with information regarding whether the project objectives would be met.

Please refer to Figure 6 for a perspective on the buffer between the medical center and Emery Bay Village. In addition, the calculations for shadow lengths associated with buildings on the AC Transit site have also been included in Section VI of this Responses to Comments document.

The reference to the Temescal dam is provided on pages 218 and 219 of the Draft EIR. This report was based upon an adequate assessment of the dam and is available from the City of Emeryville Planning Department.

A view analysis of the AC Transit site from the Oakland and Berkeley Hills is not required because the tallest building on this site would be 55 feet, as compared to the 35 foot tall AC Transit facility, which would not significantly alter views for residents at that distance from the site.

The analysis of visual impacts at the MacArthur Broadway Alternative site was based upon the assumption that the acreage constraints of this site would require two 10-story office buildings and one 13-level parking garage, as well as an eight-story hospital, all of which would be taller than the proposed structures on the project site. Because these buildings were taller, the potential for obstructions to views was expected to be greater.

RESPONSE TO COMMENT 52.L.4.: See Master Response H2. regarding cumulative impacts, as well as responses to Comments 52.M.4. through 52.P.4.

RESPONSE TO COMMENT 52.M.4.: See Master Response H2. ABAG Projections '92 forecasts were used to project cumulative conditions. These forecasts contain the most reliable projections for cumulative development and are used for cumulative analyses by Emeryville and other jurisdictions throughout the Bay Area for EIR purposes.

With respect to the comment regarding the timeline of additional projects expected by the year 2000, the cumulative impacts analysis analyzes the project impacts together with the impacts of other reasonably foreseeable projects for Phase I (Year 2000) and Future Expansion (Year 2010). Therefore, it is reasonable to make determinations about the foreseeable growth that would be expected to occur by those years.

The Berkeley Zoning Adjustment Board minutes were used to develop a list of foreseeable projects in Berkeley to provide the reader with additional information about the projects that would be expected to be included in the cumulative impacts analysis which is based on the ABAG projections. The EIR consultant was told by the City of Berkeley Planning Department that these minutes were the best source for developing such a list, as described in Master Response H2.

RESPONSE TO COMMENT 52.N.4.: See Master Response H2. for a discussion of cumulative impacts. As explained in the Master Response, the cumulative impacts analysis factors in the regional land use build-out context by using the 1992 ABAG projections, which is consistent with regional transportation and air quality modeling efforts.

RESPONSE TO COMMENT 52.O.4.: The mitigation measures provided in Section II, B. are all within the jurisdiction and control of the City of Emeryville and do not require implementation by the Cities of Oakland or Berkeley. For clarity, the quoted sentence is hereby revised as follows: "Cumulative development within the City of Emeryville would result in a potentially significant housing impact that could be mitigated by implementing the mitigation measures described in Section II, B."

RESPONSE TO COMMENT 52.P.4.: See Master Response H2. As explained in the Master Response, the cumulative impacts analysis factors in the regional land use build-out context by using the 1992 ABAG projections. As a result, the assumptions used to calculate land use buildout out are not understated, and the analysis of utility and urban services does assume regional land use build-out based on local jurisdiction's General Plans.

With regard to the East Bay Municipal Utilities District treatment center, the Draft EIR at pages 246 through 250 provides information on consultations with EBMUD regarding its ability to serve the project. EBMUD has indicated that it has adequate water treatment facility capacity to serve the project, provided that this wastewater meets the standards of EBMUD's Source Control Division. EBMUD has also indicated that it has

CITY OF EMERYVILLE
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August 4, 1994

Mr. Gil Kelley, Planning Director
City of Berkeley
2180 Milvia Street, 2nd Floor
Berkeley, CA 94704

SENT VIA FAX AND U.S. MAIL

Dear Gil,

Thank you for faxing your comments from our meeting on July 26, 1994. We very much appreciate your willingness to write up the results of the meeting, however, our understanding of the meeting differs significantly from your account. Given our understanding of the direction that came from our mayors on Monday, July 25, 1994, we were somewhat taken aback by your conclusions. I am sending this letter to provide you with the Emeryville staff's understanding of that meeting.

The Emeryville staff understood that our two mayors were interested in having their staffs meet for several reasons. The first, and most important reason was to initiate a dialogue on important planning and environmental issues affecting both cities. Secondly, while the Emeryville staff strongly believes that the issues you raised are analyzed in the Kaiser DEIR, we wanted to be available to directly respond to your questions. Thirdly, our mayors directed us to meet to determine if there are reasonable and feasible mitigation measures that can be implemented in Berkeley as part of the Kaiser DEIR.

While we agree that we did discuss the items listed in your fax, we strongly disagree with many of the conclusions you have drawn. We saw the meeting as an exchange of information and an opportunity for the Emeryville staff to respond to the concerns listed in your 36 page comment letter on the Kaiser DEIR. We felt that we did not reach agreement on many of the issues you raised.

As you will recall, Harry Hecht, Emeryville Public Works Director, introduced the meeting with the suggestion that we use the meeting to discuss feasible mitigations or agreements that could be incorporated into a Memorandum of Understanding (MOU) between our two cities. As you know, you strongly objected to that suggestion and said that it was too early for the City of Berkeley to commit to a course of action that would result in an MOU. You then stated that the objective of the meeting was to discuss your city's concerns with the Kaiser DEIR. However, our understanding of your letter indicates that we continue to disagree on many of the technical aspects of the DEIR.

Traffic Impacts and Mitigations:
You indicated that acquiring right of way for the widening of Berkeley intersections, although not encouraged, or frequently required of Berkeley projects, may be possible in this case. As we understand it, the City of Berkeley has no official traffic model data, plan lines, intersection designs or signal analyses to support any specific mitigation. Therefore, the Final EIR will clarify that the traffic analysis is based upon the City of Emeryville model and will include a comparison of the that traffic data to data from the Alameda County Congestion Management Agency model run. Further, the EIR will continue to assert that the Berkeley City Council has the ultimate decision as to whether specific mitigations are appropriate for the City of Berkeley. Therefore, unless there is an agreement between Berkeley and Emeryville to be considered as part of the project, we would not be able to guarantee the construction of improvements at these intersections and therefore, those mitigations will be considered infeasible.

Housing Impacts:
The DEIR analyzes the impacts of the project on affordable housing on a county-wide basis. We believe that Emeryville has demonstrated a rare commitment to affordable housing both politically and financially. As a result, 180 affordable housing units have been built in the last 3 years. We continue to dedicate our resources to the provision of affordable housing and we're proud of our achievements. The ratio of affordable housing units to total housing units is 1: 23 housing units in Emeryville as opposed to Berkeley's ratio of 1: 101 units. Consequently, our staff seriously doubts that the Emeryville City Council would agree to use Berkeley's ordinances or policies for any purpose at this time.

In conclusion, we are disappointed that the disagreements over the Kaiser EIR continue. Nevertheless, we thank you for your input on the Kaiser project and EIR and want to assure you that we will respond to all of your comments in the Kaiser Final EIR. As always, we look forward to working with you and your staff on matters of common interest.

Sincerely,

Gaye Quinn
Planning Director

c: The Honorable Ken Bukowski, Mayor, Emeryville
The Honorable Jeff Leiter, Mayor, Berkeley

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AC Transit
Alameda-Contra Costa Transit District

1600 Franklin Street, Oakland, California 94612 ☐ (510) 891-4777

June 18, 1994

Ms Gaye Quinn
Planning Director
City of Emeryville
Planning Department
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Re: Draft Environmental Impact Report for the Kaiser Permanente Medical Center.

Dear Ms. Quinn:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the proposed Kaiser Permanente Medical Center to be located on San Pablo Avenue and Park Street in Emeryville.

While we have reviewed the entire document, we have limited our comments to the site represented on pages 6 through 9. The following comments are listed in page number order:

Page 17:

The DEIR states that Kaiser Permanente will contribute approximately $420,000 in traffic impact fees and $100,000 per year for 25 years for a Mass Transit Program. However, there is no mention as to the portion of the program which will be used to fund programs such as enhanced AC Transit service or subsidized transit passes described on page 132. This Mass Transit Fund is again mentioned on page 165 without clarification regarding allocation or programming. If AC Transit is intended to provide additional service through this fund, it should be clearly stated. 53A

Page 97:

While the study identifies Watts Street as being the central access for AC Transit buses into our maintenance facility, it is not clearly stated that our buses will be unable to utilize that route if the project is built as proposed until page 157. This fact should be made prior to the impact mitigation section. 53B

DEIR--KAISER
PAGE 2

Page 100:

The DEIR lists Amtrak service as a transit provider for the project site. While Amtrak recently has begun serving the new Emeryville station, it does not operate as commute service but rather as a regional carrier and, as such would not have significance to this project. 53C

page 106:

This study recognizes that the District has identified San Pablo Avenue as a candidate for future electrification through our Alternatives Modes Analysis (AMA) conducted in 1992. However, some of the mitigation listed for the project (p. 121) include the restriping of San Pablo Avenue, precluding the opportunity for LRT implementation. The AMA has preliminarily identified a need for approximately 22-26 feet of exclusive right-of-way for LRT on San Pablo, in addition to the removal of some on-street parking and turning pockets.

Additionally, even though LRT on San Pablo is listed as a planned transit improvement, the DEIR states that LRT, due to its unfunded nature, was not included in the 2010 traffic analysis (p. 166) in the transit impact section. Further, the study agrees (page 13)3 that impacts of the project would "require the provision of additional transit capacity, either through the addition of more buses or the implementation of a fixed guideway system, such as the light rail system discussed earlier." 53D

The DEIR should state that mitigations proposed for San Pablo Avenue are incompatible with the establishment of an LRT for that corridor, recommended on page 133.

Page 112:

Due to the mixed-use aspect of the project (hospital facilities combined with retail uses), the retail trip generation figures have been reduced by 50% to reflect predicted linked-trips resulting from internal trips between uses in the project site. While we agree that there will be some trip linking within the site, we feel that a 50% reduction is not justified for the type of retail uses that most probably will occur. We suggest that this issue be revisited in the attempt to find a more reasonable figure for projected linked trips. 53E

DEIR--KAISER
PAGE 3

page 132:

The Transportation System Management Program suggests several strategies to reduce the number of single occupancy vehicle trips which involve coordination with AC Transit. While we welcome coordination in providing bus service to the proposed project site, we will not guarantee that additional service requested under TSMP strategies can be implemented unless long-term supplemental funding can be secured. 53F

Further, the DEIR states that if the TSMP program is successful, the project will result in a significant increase in transit use along San Pablo. This would require additional transit capacity on lines 57 and 72 through either more buses or a fixed-guideway system. Once again, however, roadway mitigation measures on San Pablo would preclude the implementation of LRT.

page 157:

The DEIR identifies that the Watts street closure will have a significant impact on bus access to our maintenance facility on San Pablo. While the mitigation measures reflect thoughtful alternatives to the closure, it is important to note that community opposition to bus operation on 45th Street--suggested as a mitigation strategy--would need to be handled by the project sponsor and not AC Transit District. 53G

page 162:

Table 21 represents the LOS projections for the Kaiser project in the year 2000 and 2010. San Pablo is projected to operate at 1 mile per hour in the year 2000 at several intersection and will operate at LOS F through all of the intersections listed by the year 2010. This is an insupportable LOS for that corridor, on which one of the District's major routes operates. If mobility is valued on that corridor, a light rail facility operating in an exclusive right-of-way with preempted signalization would offer more benefit to congestion than any one individual signal improvement near the site. 53H

In general, the DEIR lacked the clarity necessary to review the document with facility. There was a lack of cross-referencing between various chapters or sections within a chapter which created confusion or error. In some instances, specific mitigation measures appeared to be in contradiction to others listed in the same chapter. We would recommend a more easily reviewed format in the future. 53I

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DEIR--KAISER
PAGE 4

We appreciate the opportunity to review and comment on this project. If you have any questions, please call me at 891-4754.

Sincerely,

Tina B Konvalinka
Senior Planner

cc. Sharon Banks
Joan Martin
Ken Scheidig
ref:tk6:emry
Kay Van Sickel
Ronnie Goldsmith

53. **RESPONSES TO COMMENTS FROM TINA B. KONVALINKA, AC TRANSIT RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 53.A.: The project would contribute to the establishment of a Mass Transit Program and would pay traffic impact fees. The Mass Transit Program would be used to fund a citywide shuttle service. In addition, Kaiser would provide its own private shuttle service. Therefore, AC Transit will not be required to provide additional service. The City of Emeryville decision-makers would, at their discretion, choose the manner in which these funds are spent, with the condition that a nexus is established between the use of these funds and the impacts of the project.

RESPONSE TO COMMENT 53.B.: The closure of Watts Street is described as an element of the project description in Section I of the Draft EIR (pp.1-21). As indicated on page 157 of the Draft EIR, AC Transit buses would no longer be able to use Watts Street to access their facility. Mitigation measures are proposed (Cir-27.1 or Cir-27.2) to allow continued access for AC Transit buses to the maintenance yard.

RESPONSE TO COMMENT 53.C.: As described in the Draft EIR (p. 100), Amtrak provides two services within the vicinity of the project, the *San Joaquin* and the *Capitols*. At the Emeryville Amtrak station, there are currently four departures in each direction for the *San Joaquin* and three departures in each direction for the *Capitols*.

Effective August 15, 1994, AC Transit began providing service to the Emeryville Amtrak station on Route 57. Weekday headways are approximately 30 minutes between 5:30 AM and 9:30 PM. Saturday headways are approximately 60 minutes between 6:30 AM and 9:30 AM and approximately 40 minutes between 9:30 AM and 7:00 PM. Sunday and Holiday headways are approximately 60 minutes between 7:00 AM and 12:00 NOON and approximately 40 minutes between 12:00 NOON and 7:00 PM.

Amtrak service would be a transit provider for employee project trips. This transit service would primarily serve longer-distance trips to and from cities such as, Antioch, Pittsburg, Martinez, and San Jose. As such, Amtrak could have a significance to this project.

At this time, bus stop locations have not been determined for the Emeryville-BART Shuttle service. However, as a private development making specific contributions to shuttle operations, Kaiser would have direct input for stop locations for a safe "front door" loading area. As such, service between the project vicinity and the Emeryville Amtrak station could be proposed by Kaiser.

RESPONSE TO COMMENT 53.D.: Please refer to the response to Comment 52.E.3.

RESPONSE TO COMMENT 53.E.: The trip generation for the project's retail component was reduced by 50% to account for linked trips between the project's other uses. This 50% reduction was not applied to other uses within the proposed project. This percentage was based on surveys of similar uses conducted in downtown Oakland, as well as data from national surveys of retail facilities.

RESPONSE TO COMMENT 53.F.: No mechanism currently exists for requiring private development to fund public transportation improvements. If a benefit assessment district or developer impact fee were established, Kaiser would be required to participate in helping fund transit improvements. The roadway improvements are proposed on San

Pablo Avenue because funding for LRT improvements has not been identified. If LRT funding becomes available, the additional lanes on San Pablo will need to be removed, or right-of-way will need to be acquired on San Pablo Avenue between the project and I-580. As part of the Development Agreement entered into between Kaiser and the City of Emeryville, Kaiser has proposed to contribute $100,000 per year for 25 years to the Mass Transit Program, which would go toward funding the Emeryville/BART shuttle or other City-sponsored transit related improvements.

RESPONSE TO COMMENT 53.G.: The comment is noted. Kaiser and the City of Emeryville should take the lead in switching transit access to the maintenance facility from Watts Street to 45th Street. However, with construction of the project any conflict with residences affected by bus traffic would be avoided because those residences would be removed by the project. Persons displaced by the removal of these residences would be entitled to relocation assistance as set forth on pages 63 through 67 of the Draft EIR.

RESPONSE TO COMMENT 53.H.: LRT would have the potential to serve more people. When funding is secured for construction and operation of LRT along San Pablo, a decision to remove the roadway improvements and replace them with LRT, or acquire additional right-of-way will need to be made.

RESPONSE TO COMMENT 53.I.: AC Transit's comments are noted. The Draft EIR contained cross-referencing between chapters. The only example of mitigation measures which appear to be in contradiction to others is that of the improvements to San Pablo Avenue versus the installation of LRT. As noted in the responses above, widening and restriping San Pablo Avenue would not preclude construction of LRT facilities along San Pablo. Therefore, these mitigation measures are not contradictory.

URBANSPACE DEVELOPMENT 424 2nd St • Oakland CA 94607 • 510 835 8424
Alexandra Smith
Stephen Lowe
Charles Crowder

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

June 20, 1994

Gaye Quinn
Planning Director
City of Emeryville
Twelfth Floor
2200 Powell Street
Emeryville CA 94608

Re: Proposed Kaiser Medical Center in Emeryville

Dear Gaye:

We are confused as to the rationale for an Emeryville site on which the subject Medical Center might be built. Has it not already been established that the access from public transit, particularly Bay Area Rapid Transit, is so limited and/or difficult for the bulk of Kaiser patients/visitors/workforce that any discussion of it's potential contribution to the plan is all but inconsequential? It seems hardly in the best interests of the most congested traffic corridor in the country to create even more of a bottleneck by constructing there a facility that, by virtue of its almost hostile rejection of public accessibility, will prompt more and more automobiles. 54A

Certainly, we're are all anticipating the day when automotive emissions will be decreased through the introduction of new efficiencies and better traffic management. However, the people of West Oakland today have one of the highest cancer rates in the country, and their geographical location as the transportation hub of the Bay Area would seem the most likely contributing factor. The introduction of still more filth and toxicity into their already densely polluted air is a particularly ghastly consideration for siting a hospital, and the question remains: how does this proposal successfully mitigate increases in regional automotive exhaust levels? 54B

There are other questions as well:

- Have Oakland view easements, if any, been taken into consideration? 54C
- Does your Emeryville site contribute to, or make more difficult, the travel time(s) of any of the Medical Center's users? 54D

URBANSPACE DEVELOPMENT *424 2nd St • Oakland CA 94607 • 510 835 8424*
Alexandra Smith
Stephen Lowe
Charles Crowder

- Have the membership of Kaiser Plan been accurately apprised of the situation, and will they be allowed to vote or otherwise given a real chance to voice their opinions and concerns? What kind of notification process was, or will be, used to poll this most important group, for whom all this is ostensibly being done? 54E

- Why are so many environmental groups opposed to the Emeryville site, and are their concerns valid? If so, how much consideration is being given to the alternatives they propose, and if not, what provision will be, or have been, made to factor in the additional cost that such a project will surely have to bear? And how will those additional costs impact the bottom line for Kaiser users? Is that a fair burden for those users to bear? 54F

I have enclosed a return-addressed and stamped envelope for your convenience.

Cordially,

Stephen Lowe

54. RESPONSES TO COMMENTS FROM STEPHEN LOWE, URBANSPACE DEVELOPMENT RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 54.A.: The comment is noted.

RESPONSE TO COMMENT 54.B.: The commenter is referred to the responses to Comments 34.Y., 40.W., and 52.E.4. above.

RESPONSE TO COMMENT 54.C.: The Draft EIR evaluates obstructions to views from the south facing north, as described on page 286. Views from Oakland, south of the project site would resemble the views of the site from the future East Bay Bridge project. In addition, impacts to views of the project site from San Pablo Avenue would be greater for those land uses closer to the medical center, than those within Oakland. It is anticipated that the obstructions to views would not result in significant visual impacts because the existing urban development and roadway infrastructure currently blocks views of the scenic resources. Additional street perspectives are included in Section VI of this Responses to Comments document.

RESPONSE TO COMMENT 54.D.: Please refer to response to Comment 65.G.

RESPONSE TO COMMENT 54.E.: Kaiser members have been apprised of the plans for the replacement Emeryville Medical Center through member publications. Opinions and concerns of members are regularly solicited through telephone and mail surveys and all recommendations for service improvements are evaluated and implemented on an ongoing basis.

RESPONSE TO COMMENT 54.F.: In response to the first sentence, it is not appropriate to speculate on why any group would be in support or opposition of this project. Please refer to Master Response G1. for a discussion of the Fox Theater alternative. In the highly competitive health care market, Kaiser believes that on an overall basis, the Emeryville site provides the most value to the Kaiser member. Please note that the purpose of an EIR is not to speculate on the cost to Kaiser's members.

Susan Majors
72 Emery Bay Drive
Emeryville, CA 94608

June 20, 1994

Gaye Quinn
Emeryville Planning Department
2200 Powell Street, 12th Floor
Emeryville, CA 94608

QUESTIONS REGARDING THE KAISER DRAFT ENVIRONMENTAL IMPACT REPORT

Doyle-Haven Road Extension

1. When will the road be built? It is listed as a mitigation for the year 2010. Will it be built in the beginning phase of development or in 2010 when traffic conditions warrant construction? 55A

2. Produce a map showing exactly where the road will go. The Draft EIR map of this road is not adequate. Show the width of the road as a three lane road and as a four lane road. Indicate if it will have sidewalks on one or both sides or not at all. Indicate whether or not there will be on-street parking, on one or both sides. Indicate if there will be a bike lane. 55B

3. What businesses and residences wil be destroyed in order to build this road? Give the names and addresses of each residence and business that will be destroyed. Describe the nature of each of the businesses affected. 55C

4. What is the cost of acquiring the property needed to build the road? What will be the estimated cost of litigation if owners contest this road? What will be the construction costs of the road?

5. Who will pay for building the road and all of its related costs? 55D

6. What will be the noise impact of the road to the residents adjacent to the road? Do a noise analysis of cars, trucks, and ambulances using this road. 55E

7. What will the traffic impact be on the residents of Emery Bay Village, Doyle Street Co-Housing, Pacific Rim School and others in close proximity to this road? 55F

8. The road is characterized as a major access road to the Kaiser project. Analyze and describe what percentage of traffic going to Kaiser will use this road. What kinds of usage other than cars will there be---trucks, ambulances?

9. Do an analysis of air quality degradation in the immediate area as a result of traffic on this road. 55G

10. Describe in detail the mitigations required for noise, traffic, and air quality impacts that this road will produce. What will be the cost of these mitigations? Who will pay for these mitigations? 55H

Parking Garage on 53rd Street and Hollis Street

1. Do a shadow analysis of this garage as it may impact on the nearby residences of Emery Bay Village. 55I

2. What will the noise impact be of the parking garage next to a residential community? 55J

3. How will air quality in the immediate vicinity be degraded and to what degree by the emissions produced by cars starting their engines in this concentrated area? 55K

4. What will be the affect of this five story building on views from the neighboring two story residences in Emery Bay Village? 55L

Air Quality

1. Where are the air quality measuring devices in relation to the Kaiser project? How far are they from the proposed site? From what distances are measurements considered valid? Do the devices used meet these criteria? 55M

2. The Draft EIR makes assumptions that cleaner emission cars will be a reality in the future and bases its air quality projections on these assumptions. Discuss the air quality impact if these assumptions regarding car emissions prove false. 55N

General Questions

1. How will the mitigations described in the Draft EIR be monitored? Describe in detail. 55O

2. Produce a detailed map showing the boundaries of the Kaiser project, East Baybridge Shopping Center, Bayfront Mall, Chiron current and proposed buildout, and any other proposed projects in the area. 55P

3. Produce a chart of each mitigation, what its costs will be, who will pay for it, and when it will be implemented. 55Q

4. Besides the Emeryville General Plan, study other regional plans from Alameda County, Berkeley, Oakland, North Oakland, West Oakland, etc. Describe all instances where the Kaiser project is inconsistent with these plans. 55R

5. According to the Draft EIR, traffic is an impact that cannot be successfully mitigated. To avoid traffic, people will be using side streets. Describe in detail how this will affect each side street east and west of San Pablo Avenue from 40th Street to Ashby Avenue and east and west of Hollis Street from 40th Street to Ashby Avenue. 55S

6. Do an in-depth study of the downtown Oakland site as an alternative to the Emeryville site. 55T

Susan Mayors

55. **RESPONSES TO COMMENTS FROM SUSAN MAJORS RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 55.A.: The Doyle-Haven extension would be required to be constructed prior to completion of Future Expansion development as traffic conditions warrant.

RESPONSE TO COMMENT 55.B.: Figure 22 in the Draft EIR indicates the location of the proposed extension. Please refer to Master Response E. for a discussion of the Doyle-Haven Extension. Please refer to the diagram in Master Response E1.

RESPONSE TO COMMENT 55.C.: Please refer to Master Response E. for a discussion of the Doyle-Haven Extension.

RESPONSE TO COMMENT 55.D.: The Kaiser project would be required to pay its fair-share toward the construction of the Doyle-Haven Extension during the Future Expansion phase.

RESPONSE TO COMMENT 55.E.: Please refer to Master Response E. for a discussion of the noise effects associated with the Doyle-Haven Extension.

RESPONSE TO COMMENT 55.F.: See responses to Comments 4.B. and 40.U. The Doyle-Haven Extension is primarily projected to be utilized by private automobiles. It is not intended to be either a truck route or the standard ambulance route to the hospital. As proposed, it would not provide direct access to the hospital because it would not extend to 45th Street.

RESPONSE TO COMMENT 55.G.: The commenter is referred to Master Response E3. for a description of the air quality impacts associated with the Doyle-Haven extension.

RESPONSE TO COMMENT 55.H.: See response to Comment 40.U. No traffic mitigations are required for the Doyle-Haven Extension as there would be no impacts to local traffic conditions with its implementation.

RESPONSE TO COMMENT 55.I.: The commenter is referred to the discussion of lighting and shadow impacts contained in Master Response F1. The shadow analysis was conducted for those structures which would have the greatest potential for impacting adjacent residences in the Emery Bay Village.

RESPONSE TO COMMENT 55.J.: The parking garage at 53rd and Hollis Street was determined to generate 200 peak hour trips which would result in a less than three decibel increase in noise levels. A less than three decibel increase is not audible to the human ear. Given that the garage would be located approximately 200 feet from the nearest residence and would be separated by an open space buffer zone, the parking garage would not result in a significant noise impact.

RESPONSE TO COMMENT 55.K.: The air quality analysis evaluated emissions in the parking garage and at local intersections near the parking garage. Because all vehicles, regardless of where they park, must enter or exist from the ground floor, carbon monoxide emissions would be the greatest on this level of the garage. Calculations of worst-case concentrations within the garage would be below the threshold

for indoor carbon monoxide concentrations. Although carbon monoxide concentrations near the intersection of 53rd Street at Hollis were not predicted for 2000 and 2010, concentrations were predicted at intersections with much higher traffic volumes and levels of congestion. Concentrations at the intersection of 53rd Street at Hollis Street would be expected to be less than the concentrations shown for the other intersections in the Draft EIR, and the addition of worst-case garage impacts (6.2 ppm for the 1-hour averaging period and 2.3 ppm for the 8-hour averaging period) would not result in a violation of the ambient air quality standards. Therefore, the incremental increase in concentrations related to the parking garage would not result in significant air quality impacts.

RESPONSE TO COMMENT 55.L.: Section II, I of the Draft EIR describes the impacts to views associated with the proposed parking garage on the Future Expansion site (at 53rd and Hollis Street). As stated on page 289, the scale of the five floor parking garage would be noticeably different than the surrounding land uses, and the height of the structure would be up to two times as tall as the existing structures within the surrounding area, thereby dominating the adjacent residences (including those in Emery Bay Village). The Draft EIR further states on page 290, that southern views of older industrial uses and institutional buildings from the Emery Bay Village, however, would be obstructed by the parking garage and medical office buildings, particularly for those residences along Doyle Street. However, since the existing views are generally limited to views of other urban development within the immediate vicinity of these land uses, and because there are no significant scenic features visible within the project area under existing conditions, the obstruction to views was not considered significant.

RESPONSE TO COMMENT 55.M.: The commenter is referred to the response to Comment 34.X. for a discussion of the air quality monitoring stations and methodology for measuring air quality impacts.

RESPONSE TO COMMENT 55.N.: The air quality analysis utilized auto emission estimates recommended by both the local air quality agency (Bay Area Air Quality Management District) and the state air quality agency (California Air Resources Board). The California Air Resources Board is responsible for setting, enforcing and monitoring emission rates from motor vehicles in California. The Draft EIR utilized the EMFAC7F computer program, developed by the California Air Resources Board (CARB) for forecasting future emission rates from vehicles. The EMFAC7F is the latest in a long series of computer models. The model reflects two major sources of data:

1. information from testing of a sampling of automobiles currently on the road to determine the effectiveness of emission controls at various stages of vehicle life, and

2. future emissions standards as implemented by the CARB.

The EMFAC7F program is the best available tool for forecasting future emission rates for vehicles. It is utilized both in the impact analysis of individual projects and in the development of regional air quality plans. If the projected reductions in vehicle emissions predicted by EMFAC7F are found to not occur, the regional strategies for attaining the air quality standards would have to be revised. Additional control measures may have to be adopted on mobile, stationary and area sources, and more stringent controls placed on industry.

Because knowledge about emissions from automobiles is constantly evolving, the EMFAC program is regularly updated to reflect the latest conditions and knowledge regarding vehicle emissions, and regional air quality plans are updated every few years to reflect the latest air quality data and latest emission factors.

RESPONSE TO COMMENT 55.O.: Pursuant to Public Resources Code §21081.6, a Mitigation Monitoring and Reporting Program would be adopted as part of the findings. This Mitigation Monitoring and Reporting Program describes the implementation and monitoring mechanisms for each of the mitigation measures identified in the EIR. The City of Emeryville, as the Lead Agency for the project, would have ultimate responsibility in ensuring that mitigation measures are implemented.

RESPONSE TO COMMENT 55.P.: Please refer to the map contained in Appendix C which accompanies Tables 3 and 4 of Recht Hausrath Associates' report. This map shows the location of the approved and pending projects included in the cumulative analysis for Emeryville.

RESPONSE TO COMMENT 55.Q.: Please see the response to 42.C. for a discussion of the costs of mitigation measures identified in the EIR. In addition, please see response to Comment 55.O. which states that a Mitigation Monitoring and Reporting Program is included in this Final EIR.

RESPONSE TO COMMENT 55.R.: Whether or not the project conforms to the Oakland and Berkeley General Plans does not control whether or not the City of Emeryville can approve the proposed project if it conforms to the Emeryville General Plan and Zoning Ordinance. In addition, the Draft EIR considered the policies in other jurisdictions that pertained to the implementation of mitigation under the control of another agency. For example, as indicated on pages 130 and 131 of the Draft EIR, several policies pertaining to the implementation of mitigation measures for traffic impacts were identified where impacts occurred within the Cities of Oakland and Berkeley.

RESPONSE TO COMMENT 55.S.: Please refer to Master Response D1. for a discussion of residential streets.

RESPONSE TO COMMENT 55.T.: The commenter is referred to Master Response G1. for a discussion of the Fox Theater alternative.

EMERYVILLE PLANNING COMMISSION

56

KAISER PERMANENTE MEDICAL CENTER
DRAFT ENVIRONMENTAL IMPACT REPORT

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

Name: Tova Marks Affiliation: Home Owner Pacific Park Plaza

Address: 6363 Christie Ave. Emeryville, CA 94608

COMMENTS: It was indeed refreshing to hear so many citizens of Emeryville expressing their support for the Kaiser Permanente project. Obviously their clear majority mitigates the objections of the minority who had to resort to outside opinions; Oakland and San Francisco for instance.

Some of the remarks of outside activists who came to Emeryville to complain of inadequate E.I.R. reports were ludicrous in the face of 3 humongous and detailed volumes that were explained, displayed, and accessible to all. 56A

Bringing Jerry Brown to put pressure on our small city was yet another desperate attempt to woo Kaiser to Oakland where it was originally turned down.

Hang in there Emeryville Developers and recall the words of Jonathan E. Marks when he said; "There are places one can live where there is no traffic, they are ghost towns." His attitude does not mean we look

Use back if necessary

forward to "grid-lock". Our understanding is that Kaiser has agreed to the widening of some streets to mitigate that potential problem.

Worst of all - I think it was unconscionable and really absurd of Mr. Brown to accuse our city of racism. Does he think we want Kaiser here to keep people of color out? How? Doesn't he Know that Emeryville is proud of its racial mixture and a large number of black citizens of Emeryville are happy to contemplate having a hospital in their midst? 56A

I am very enthusiastically and unequivocally in favor of Kaiser's move to Emeryville and I commend our ~~city~~ city Planners for their hard work, forsight, and courage, The rest is sour grapes.

Sincerely,

Tova Marks

56. **RESPONSES TO COMMENTS FROM TOVA MARKS RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 56.A.: The commenter's support for the proposed medical center is noted.

EMERYVILLE PLANNING COMMISSION

KAISER PERMANENTE MEDICAL CENTER
DRAFT ENVIRONMENTAL IMPACT REPORT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

Name: Bill MARX Affiliation: SPAGGIA

Address: 5532 FREMONT ST.

COMMENTS: (1) WHAT ARE TRANSPORTATION MITIGATION COSTS AND WHO IS GOING TO PAY FOR EACH OF THEM. 57A

(2) WHO IS GOING TO PAY FOR STEET CHANGES

(3) WHAT ARE TRAFFIC PATTERNS FOR EACH STREET IN AREA. 57B

Use back if necessary

57. **RESPONSES TO COMMENTS FROM BILL MARZ RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 57.A.: Please see the response to Comment 42.C. for a discussion of the costs of mitigation measures identified in the EIR. Funding responsibility for the mitigation measures are identified in the Mitigation Monitoring and Reporting Program which will be adopted as part of the findings.

RESPONSE TO COMMENT 57.B.: The traffic patterns for each significant roadway facility in the vicinity of the project site are described throughout Section II, C, for existing conditions, project conditions, and cumulative conditions for the years 1993, 2000, and 2010. Figure 19 in the Draft EIR specifically depicts the traffic patterns for the proposed project.

June 20, 1994

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

Ms. Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street
Emeryville, CA 94608

Dear Ms. Quinn:

After reading Draft One of the EIR relative to the building of a Kaiser Permanente facility in Emeryville, I am concerned that the city of Emeryville has not adequately addressed the impact of a car dependant hospital in our community. 58A

I urge your to grant an extention to the review process so that the following questions can be addressed:

1. The impact to surface streets brought about by the new Home Depot Shopping Center (and other shopping centers/developments in the pipeline). 58B

2. A realistic appraisal of AC Transit during off-peak hours. 58C

3. An in-depth look at the six major intersections listed in the EIR for which no mitigation measures have been devised (Christie and Powell, Hollis and Powell, San Pablo and Ashby, San Pablo and Alcatraz, San Pablo and Stanford, and 7th And Ashby). 58D

Please listen to the concerns of the Berkeley City Counsil, the former Governor of the State of California, and a homeowner and resident of this community. The decision to build Kaiser in Emeryville must include its effects on the quaility of life in this neighborhood, not simply the revenue it promises. 58E

Sincerely,

Kmaston

Kay Maston
5912 Fremont Street
Oakland, California 94608
(510) 652-2473

58. RESPONSES TO COMMENTS FROM KAY MASTON RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 58.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

RESPONSE TO COMMENT 58.B.: The traffic analysis considered the impact to surface streets associated with approved and pending projects, including the East Baybridge development, where Home Depot is located.

RESPONSE TO COMMENT 58.C.: Please refer to the response to Comment 8.Q. and to Master Response D6. The significant transit impact would be reduced to a less than significant level with the provision of additional transit capacity through the provision of Kaiser's private shuttle, Emeryville-BART shuttle, the Mass Transit Program and Kaiser's annual transit fee of $100,000 for 25 years, AMTRAK, and the provision of commuter rail services on the Southern Pacific Railroad line.

RESPONSE TO COMMENT 58.D.: Refer to response to Comment 52.F.

RESPONSE TO COMMENT 58.E.: The commenter's concerns about the project are noted.

6/20/94

RECEIVED
JUN 2 0 1994
PLANNING DEPARTMENT

Gaye Quinn, Planning Director
Emeryville Planning Department
2200 Powell Street
Emeryville, CA 94608

Re: Proposed Kaiser Permanente Medical Center
Draft Environmental Impact Report

Ms. Quinn:

Below I have listed some omissions and concerns I would like to see addressed in the Final Environmental Impact Report for the proposed Kaiser Permanente Hospital but I would first like to register my request that the comment period for the report be extended for the following reasons:

• Many of Emeryville's citizens were unable to adequately review the draft EIR due to the unavailability of the report.

59A

• The way the report was published left important information out of the most widely distributed copy (Volume I). The premises behind important cost and traffic calculations was in volume two which callers to the city (myself included) were discouraged to obtain.

• Other municipalities in Alameda County will be impacted by the proposed development and they have requested adequate time for review of the EIR. Since this project will have a significant impact on the resident of the entire county, it would behoove Emeryville to cooperate with its neighbors.

My Comments to the draft EIR are as follows:

1. RE: EMS and Fire Services: I'd like to see projections of first responder medical response time given the increased demand on the Emeryville Fire Dept. and the dollar figure required for personnel, equipment and facilities to maintain the state mandated time limits for rapid response to medical emergencies. Other municipalities have collected data on medical response per capita. Given that Kaiser, like other hospitals does not provide EMS response outside the hospital portion of the complex, I would like the figures of projected usage based on a daytime population model, not based on the method in the draft EIR which uses only the calls coming from one Kaiser facility without considering the number of persons on all parts in all phases of the campus.

59B

I'd like to see rush hour EMS usage estimates for the entire city with response times factoring in all proposed development in the city (Catellus, Chiron and Sybase) as well as the Powell Street Plaza after Trader Joe's.

2. TRAFFIC: The method used to calculate trips to the Kaiser facility seem to account for only 1/3 of the actual traffic to the area. It assumes that Kaiser Members would be using the hospital and their doctors offices in the same trip that they would then go shopping at the Catellus Mall without moving their car. This gives an inadequate picture of the total traffic picture and slants all subsequent

59C

traffic calculations. Please recalculate the traffic numbers based on this and please factor in the Sybase, Powell Street Plaza (Trader Joe's) traffic to make those numbers current. Also, the proposed Chiron expansion has increased half a million square feet and there is a proposed mall on the shellmound site since the draft EIR numbers were calculated, please figure in the increased usage and construction traffic. 59C

In addition to the above, I would like to see traffic estimates from Powell street to 64th West of San Pablo and along Hollis along to Ashby given that Kaiser employees and members will also be taking advantage of services on the North Side of town (i.e. the new post office and restaurants as well as the 64th street corridor to the Public Market) as well as the restaurants and cafes in the fifth street area of Berkeley. 59D

3. EMISSIONS: What are the current actual particle counts for the site? The DEIR estimates based on data collected in Richmond and downtown Oakland are not adequate, misrepresent the current air quality in Emeryville and do not afford an adequate baseline for assessing traffic and facility operating emissions. 59E

Also: Please include projections for air quality around Emeryville using the current automobile emissions rather than projections using the proposed scaledown. In order to make an informed decision, the city needs to see what the air quality will be - given that many of the drivers to, from, through and around Emeryville will be driving cars that are not zero emissions vehicles. 59F

4. GENERAL PLAN: What alternate sites exist for a downtown Emeryville if the General Plan is amended to allow Kaiser to dominate the aesthetics and character of that half of the city? 59G

Respectfully Submitted,

Gregory A. Meyer
1271 62nd St.
Emeryville, CA 94608

cc: Mike Chiriatti
Governors Office of Planning and Research
State Clearing House

59. RESPONSES TO COMMENTS FROM GREGORY A. MEYER RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 59.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

The City of Emeryville provided sufficient notice of the Draft EIR's availability, and made copies of the Draft EIR (volumes I, II, and III) available to the public pursuant to the CEQA Guidelines. Please see Master Response A2. for additional discussion regarding this topic.

RESPONSE TO COMMENT 59.B.: Please see the response to Comment 12.B. which describes the response times for the provision of emergency services associated with the proposed project.

RESPONSE TO COMMENT 59.C.: Refer to response to Comment 25.B.

Future baseline volumes used in the analysis for the Kaiser project were based on ABAGs build-out land use projections, which includes the Powell Street Plaza as a cumulative project. However, at the time the analysis was conducted for the Kaiser project, Sybase had not informed the City of their intentions to develop new facilities and Chiron had not informed the City of their revisions to their project. In fact, Sybase did not contact the City until sometime after the Draft EIR for the Kaiser facility was released for public review. Chiron, however, informed the City informally of their desires to expand, but provided insufficient land use data to conduct a traffic analysis at the level of detail included in the Draft EIR cumulative analysis. As a result, the City delayed the release of the Draft EIR in order to incorporate as much information as was available for the revised Chiron expansion. As described in Master Response D5., the actual land use data for the expanded Chiron facility revealed that the Draft EIR contains a worst-case evaluation of the anticipated impacts from the Chiron facility.

RESPONSE TO COMMENT 59.D.: The trip distribution patterns are provided for those locations where Kaiser employees and members would have the most direct traffic impacts. Project traffic volumes would decrease along Hollis Street from Powell Street to 64th Street. The roadway volume along this segment of Hollis Street would be approximately 2,100 vehicles during the year 2010 PM peak hour. Along Ashby Avenue, between I-80 and San Pablo Avenue, the year 2010 PM peak hour roadway volume would be approximately 3,100 vehicles.

RESPONSE TO COMMENT 59.E. The commenter is referred to the response to Comment 34.X. for a discussion of the air quality monitoring stations and methodology for measuring air quality impacts.

RESPONSE TO COMMENT 59.F.: The commenter is referred to the response to Comment 55.N. above for a discussion of the methodology for measuring air quality impacts. The air quality analysis was conducted in accordance with the BAAQMD's procedures and used accepted assumptions.

RESPONSE TO COMMENT 59.G.: The project site is not designated in the Emeryville General Plan as the City's downtown. The City's old Town Hall, which is the historical center of Emeryville, would not be affected by the proposed project. The commenter's remarks are noted.

June 20, 1994

City of Emeryville
Ms. Gaye Quinn, planning director
2200 Powell Street
Emeryville, CA 94608

Dear Ms. Quinn:

I live at 4701 Doyle Street . My husband and I are attempting to build a small business there.

I want the EIR to state exactly what type of toxins are present in the soil and the buildings of the Del Monte site and all of the Phase One area of the proposed Kaiser medical facility. 60A

I would also like the following questions to be addressed in relationship to the information about the present toxicity of the ground / buildings / air / water and its effects to a distance of 1,000 feet from the Phase One area, including the surrounding communities of Emeryville, Berkeley and Oakland.

1) Exactly how will the toxics be dealt with before and during the construction process?

2) How will the examination, stirring up and/or removal of the soil and toxics affect the surrounding area in terms of air quality within 1,000 feet and water quality as it relates to the long term water table of the area and the quality of water in the East Bay? 60B

3) Will there be any short or long term effects on the people working and living within the surrounding 1,000 feet from the toxics on the site? Please address all the impacts the toxics and construction itself might have on those of us who spend at least 33% of every day in the area.

The EIR states that the toxics will be dealt with to the letter of the law. 60C

1) What Law specifically does this statement refer to?

2) What laws are a hospital and medical facilities required to deal with in terms of construction and toxics removal and what state and city laws must they comply with here? 60D

3) What guarantees do we have that the requirements of the applicable laws will be met?

4) Will the removal process be monitored by any outside agency and if so, which one? Is the toxicity severe enough for the project to be a Superfund site? If so, what federal regulations will it come under? Please enumerate these laws so we can refer to them and know whether or not they are being complied with? 60E

5) If businesses or residents must be removed during the process: who will compensate local residents and businesses for their losses, added expenses and inconvenience? 60F

The draft EIR discusses impacts of the completed project only. Please address the following impacts during construction of the Phase I project: 60G

1) What are the projected noise levels, air quality and traffic impacts on the construction area and the surrounding neighborhoods within 1,000 feet?

2) If negative environmental impacts from the construction result in a loss of business or make it necessary to relocate businesses, how will the business owners be compensated? 60H

Please address the issue of housing in the final EIR. How many residents will be displaced? Where will the people being displaced be relocated? What specific measures will be taken to assure that there will be comparable housing in Emeryville? 60I

Since there is now a proposed downtown Oakland site that has been offered to Kaiser, I feel that this is a viable alternative to the Emeryville site. Please evaluate the environmental impacts of locating the project at the proposed downtown Oakland site as an alternative to the proposed Emeryville site. 60J

An Emeryville citizen,

Michele Molineaux
4701 Doyle Street, Studio 8
Emeryville, CA 94608
601-8071

60. **RESPONSES TO COMMENTS FROM MICHELE MOLINEAUX RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 60.A.: Much of the Phase I area has been used in the past for industrial purposes, and some soil and ground water pollution has resulted from these past operations as described in Section II, H. of the Draft EIR. The largest quantity of pollutants are petroleum hydrocarbons, i.e., oil and grease, diesel fuel residuals and gasoline residuals. Smaller quantities of organic solvents have been found as well. Benzene, ethylbenzene, toluene and xylenes, which are fuel constitutes, have been found in conjunction with some of the areas of petroleum hydrocarbon pollution. Trichloroethylene and perchloroethylene, which are organic solvents commonly used for degreasing, also have been found in ground water and soil at several locations.

The pollutants pose a potential threat to the quality of ground water in the vicinity of the Phase I area, as described on pages 226 and 227 of the Draft EIR. However, because the ground water in the vicinity of the Phase I area is not used for drinking water or other purposes, the ground water that contains pollutants does not pose any threat to public health or safety. Soil that contains pollutants also does not pose a threat to public health or safety because the Phase I area is, and will be once developed with a medical center, paved or landscaped so that there is no potential of direct contact between the public and pollutants.

RESPONSE TO COMMENT 60.B.: Treatment of Soil and Ground Water Pollution During Construction

Soil pollution and ground water pollution will be dealt with differently. Soil pollution can impede construction because of the need to train and protect workers. Consequently, Kaiser is requiring the current owners of properties it is purchasing to remediate soil pollution prior to the construction. Soil remediation generally will be conducted either by removing soils by truck to an offsite location for treatment or by treating the soil on-site. Since the primary soil pollutant is petroleum, on-site remediation for these properties will, for the most part, be similar to gas station cleanups that the public often sees, where the dirt is spread and bacteria that break down petroleum hydrocarbons are provided optimal conditions to naturally degrade the pollutants.

Ground water pollution cannot be remediated as quickly as soil pollution. Ground water pollution will be remediated by "pump and treat", the same way it is remediated at cleanup sites throughout the Bay Area: "Pump and treat" means that the ground water is pumped from the ground into treatment units, which generally are canisters of granulated carbon. Water that passes through the treatment units is cleaned to very high standards, and it can then be discharged to either the storm sewer or the sanitary sewer. If the concentration of pollutants in the ground water is relatively low, sometimes the sewer district will permit the ground water to be discharged directly to the sanitary sewer without going through the treatment units. In this event, the sewer district's treatment plant will remove or biodegrade the pollutants.

Effect of Soil and Ground Water Remediation on Air and Water Quality

In order to protect human health and the environment, the Bay Area Air Quality Management District (BAAQMD) regulates the amount of pollutant emissions from the treatment of soil. If soil is handled on the site, it will be handled in compliance with

BAAQMD, DTSC, and other agency regulations. Thus, no significant impact on air quality is anticipated.

The development of the project site will benefit ground water quality in the vicinity of the site. If Kaiser were not to develop the site, much of the pollution in soil and ground water would remain until the government decided to compel owners and operators of the properties to investigate and remediate the subsurface. Kaiser has accelerated the process by conducting extensive investigations of the subsurface itself, and by requiring, as part of the acquisition process, the current owners to remediate their sites.

Short or Long Term Effects on People

For the reasons discussed above, no adverse health effects, either short-term or long-term, are expected to occur to anyone on or in the vicinity of the site due to the pollutants in the soil and ground water. The construction process will generate dust, but the dust will be suppressed by conventional methods (e.g., watering) in order that BAAQMD regulations for dust control are met.

RESPONSE TO COMMENT 60.C.: The site is being remediated under the oversight of the Alameda County Environmental Health Department and the Regional Water Quality Control Board for the San Francisco Bay Region, and the remediation will meet such standards that are imposed by these agencies. Standards established by these agencies are derived from the authority granted the Board under the Porter Cologne Act, Cal. Water Code 13000 et seq. Onsite soil treatment is regulated by the Bay Area Air Quality Management District and its rules. Additionally, pursuant to Cal. Health & Safety Code 25220 et seq., Cal-EPA's Department of Toxic Substances Control (DTSC) was required to evaluate whether any significant disposal of hazardous waste within 2,000 feet of the project site will pose a significant threat to the health or safety of the future occupants of the medical center. Kaiser has obtained preliminary clearance from DTSC with respect to the border zone issue and expects to obtain final clearance prior to construction.

RESPONSE TO COMMENT 60.D.: Please refer to the response to Comment 52.E.4.

RESPONSE TO COMMENT 60.E.: The site is being remediated under the oversight of the Alameda County Environmental Health Department and the Regional Water Quality Control Board for the San Francisco Bay Region. The conditions of the site do not appear to be so severe that the project site would be determined to be a Superfund site.

RESPONSE TO COMMENT 60.F.: It is highly unlikely that businesses or residents will need to be removed in order to perform the remediation. Please refer to the Mitigation Monitoring and Reporting Program for a discussion of the process for reporting complaints during construction. This discussion would also apply to remediation activities.

RESPONSE TO COMMENT 60.G.: Construction impacts that affect transportation and circulation facilities in Phase I are described on pages 178 through 182 of the Draft EIR for both Phase I in the year 2000 and cumulative conditions (with Phase I in the year 2000). The discussion of noise related construction impacts on pages 213 and 214 applies to construction activities in Phase I and for Future Expansion. Similarly, the construction period impacts on air quality on pages 189 to 191 apply to both the Phase

I and Future Expansion phase because the same types of construction activities would occur on both sites. The impacts that are described in the Draft EIR would be greatest for those land uses that are closest to the construction activity on the Phase I and Future Expansion sites, and would decrease with distance from the site.

RESPONSE TO COMMENT 60.H.: Please refer to the Mitigation Monitoring and Reporting Program for a discussion of the City's process for handling complaints associated with construction activities. Construction activities would not restrict access to adjacent properties to the extent that the loss of business would occur. Adequate access to all adjacent properties would be maintained throughout construction of the project. No businesses or residents at locations other than on the project site would be displaced during construction.

RESPONSE TO COMMENT 60.I.: Section II, B in the Draft EIR addresses housing and employment. Pages 72 through 80 in the Draft EIR describe the impacts to displaced residents occurring in Phase I and Future Expansion. As shown in Table 3 on page 61, Phase I would involve the displacement of 32 dwelling units, and approximately 57 residents on the Phase I site. Future Expansion would involve the displacement of 11 live/work units occupied by approximately 20 residents.

Pages 63-67 in the Draft EIR contain a discussion of the manner for selecting locations for relocation and for measures to ensure that comparable housing is available. Also, please refer to Master Responses C1. through C6. which address the jobs/housing issues associated with the project.

RESPONSE TO COMMENT 60.J.: Please refer to Master Response G1. for a discussion of the Fox Theater site.

61

SUZANNE R. OLIVER

64 EMERY BAY DRIVE
EMERYVILLE, CA 94608
(510) 658-7459

June 20, 1994

Ms. Gaye Quinn, Planning Director
City of Emeryville
2200 Powell Street, Suite 1200
Emeryville, California 94608

RE: Comments Kaiser DEIR

Dear Ms. Quinn:

One of the first areas I visited upon my arrival to the Bay Area four years ago was the Emeryville Marina. I frequently visited the Marina thereafter and began exploring the city as a whole. I loved the mixed-use look and feel of the city. Small, medium and large businesses co-existing alongside artists' lofts and residential housing. It was (and still can be) a very beautiful and peaceful place. I loved the area so much it was my first choice for housing when I decided to purchase a home in the Bay Area. I moved to a wonderful development called Emery Bay Village. Tree-lined, bordered by railroad tracks and quiet streets, I have been very happy in my new home. 61A

However, in the name of money, the city is ready to become like all the other Bay Area cities — overgrown. I feel that the DEIR does not adequately address the environmental impacts associated with the Kaiser project for the following reasons:

Traffic

Projected statistics are just numbers and not an actual representation of the reality that will come. Having worked for five years in Colorado at a 450-bed hospital with two medical office buildings in a heavily-used hospital zone, I know first-hand the effect that hospitals have on neighborhoods. They dominate all that is near and the traffic will become unbearable regardless of the number of roads and alternate transportation methods proposed. 61B

In addition, I object to the proposed roadway behind Emery Bay Village (Haven street extension). The area was slated for a pedestrian and bicycle path; the proposed changes destroy what Emery Bay Village now enjoys - **quiet existence and anonymity.**

Waste

There seems to be a tremendous amount of waste that will occur from the Kaiser project. Newly-developed housing and rehabilitated buildings will be destroyed for one project. Where will these displaced businesses and homes be relocated or will they be lost forever? 61C

Loss of Diversity

With so much development land slated for one project, and the subsequent loss of several homes and businesses, Emeryville will lose the wonderful diversity it now enjoys. Emeryville will become a one-dimensional hospital zone. 61D

Urban Design

The Kaiser plan will place parking garages alongside San Pablo Avenue. Parking garages will not diminish the so-called "blighted state" of the Del Monte Neighborhood and will not add to the beauty of the surrounding area. From a historical perspective the Del Monte Neighborhood is one of the more attractive areas of Emeryville. 61E

Hospitals and medical buildings are not beautiful structures. They never blend into the surrounding neighborhoods. The Kaiser project will forever change the quiet and rustic scenery that I moved to Emeryville to enjoy.

Further considerations for the Planning Commission:

- Emeryville must remember that a city is defined as a community of citizens. What will be the effect of these large developments on the CITIZENS of Emeryville? It appears as if the only consideration being given to new projects is how much money developers offer the city. Money does not always translate into a better quality of life. 61F
- With its well-known accommodating approach to businesses, Emeryville should be able to pick and choose development projects at will. To paraphrase an Indian precept: "Think of the effect of your decisions for all the generations to come." Not just what is needed now. It is best to be wary of those who offer so much so quickly. Whatever happened to the idea of controlled growth? Emeryville, slow down!!! 61G
- As one speaker stated at the last public hearing, the city should look for businesses that go out to their customers, not for businesses with a lot of customer traffic or, at the very least, not at the volume that will be had with the Kaiser project. 61H
- I disagree with the idea of Emeryville becoming the "downtown" of the East Bay. Downtowns are not beautiful places — they are places where outsiders come and go, not where people live. Emeryville has an opportunity to develop into something really wonderful, something different from the rest. 61I
- I repeat the message being sounded — *Regional Cooperation*. It is time to cease the mentality of "our city against all the others." Every city can prosper if each carefully considers the effect of development projects on its neighbors. 61J

Thank you for the opportunity to be heard.

Suzanne R. Oliver

61. **RESPONSES TO COMMENTS FROM SUZANNE R. OLIVER RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 61.A.: The commenter's remarks are noted. Specific responses are provided below for each of the specific comments raised by the commenter regarding the adequacy of the Draft EIR.

RESPONSE TO COMMENT 61.B.: The traffic analysis evaluates the traffic impacts associated with the proposed medical center based upon accepted methodology.

The commenter's objections to the proposed Doyle-Haven Street extension are noted. Please refer to Master Response E. for a discussion of this roadway facility. Also, refer to response to Comment 4.B. The rail corridor for which the Doyle-Haven Street Extension is planned is identified as a roadway facility in the City of Emeryville's General Plan.

RESPONSE TO COMMENT 61.C.: The commenter's remarks are noted. The Draft EIR evaluates solid waste impacts on pages 250 to 252.

As described in Section II, B. of the Draft EIR, the proposed project would relocate the displaced residents and businesses in conformance with the California Relocation Assistance Act. In addition, Kaiser would fund a Housing Program which would provide funding for new housing construction that would replace the existing housing lost on the project site.

RESPONSE TO COMMENT 61.D.: The proposed medical center includes a variety of non-hospital related uses, such as the "liner" buildings which would be occupied by non-Kaiser retail and commercial neighborhood-serving uses, open space and public plaza areas, and possible temporary housing for interns and visitors within the "liner" buildings. Therefore, the proposed project would maintain some diversity in terms of land uses.

RESPONSE TO COMMENT 61.E.: The commenter's comments regarding the aesthetic quality of the proposed medical center are noted. The applicant proposes to construct neighborhood commercial, pedestrian-oriented "liner" buildings along the parking garage facades and street frontage that resemble the height, scale, and character of the structures along San Pablo Avenue and Park Avenue, in order to ensure greater visual compatibility, with surrounding neighborhoods.

RESPONSE TO COMMENT 61.F.: Section 15131(a) states that economic or social effects of a project shall not be treated as significant effects on the environment. Therefore, the Draft EIR addresses quality of life issues by evaluating the physical effects on the environment.

The project site is surrounded by a variety of commercial, residential, public and industrial uses (e.g. the Emeryville Business Center, Emery Bay Village, and the AC Transit maintenance yard). The Draft EIR on pages 25 through 27 describes the existing uses in the surrounding area in more detail. The Draft EIR sets forth two *Thresholds of Significance* on page 38 to determine if the project would result in a significant impact on surrounding uses. These thresholds included:

- *The project would disrupt or divide the physical arrangement of an established community; and,*

- *The project would conflict with the City of Emeryville's adopted environmental plans and goals.*

The Draft EIR concluded that the project would result in a change in land use which would be generally compatible with the surrounding land uses in the immediate vicinity of the project. The Draft EIR, however, indicates that local residents may perceive that the project would physically disrupt or divide the area. Because of this potential impact the Draft EIR includes mitigation measure LU-3 which requires the project to implement the *Kaiser Permanente Medical Center Urban Design Guidelines* as adopted by the Emeryville Planning Commission. The *Design Guidelines* are described in detail in the Draft EIR on pages 42 and 43. To further reduce potential impacts on surrounding areas, the Draft EIR proposes that traffic, noise and visual mitigation measures included in the Draft EIR (mitigation measures LU-3.2 and LU-4.2) be implemented.

RESPONSE TO COMMENT 61.G.: This comment is related to the project itself and comments on the City of Emeryville's approach to businesses. It is not a comment on the Draft EIR and thus does not require further response.

RESPONSE TO COMMENT 61.H.: Please refer to the response to Comment 61.G., above.

RESPONSE TO COMMENT 61.I.: The commenter's remarks are noted and pertain to the project, not the adequacy of the analysis contained in the Draft EIR.

RESPONSE TO COMMENT 61.J.: The comment is related to a policy issue and is acknowledged here for decision-makers to consider.

62

Greenbelt Alliance

PEOPLE FOR OPEN SPACE

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June 17, 1994

Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street 12th Floor
Emeryville CA 94608

RECEIVED
JUN
PLANNING DEPARTMENT

Dear Ms. Quinn:

The following are our comments on the DEIR for the proposed Kaiser Medical Center Project.

1. The DEIR fails to consider the full range of feasible alternatives and is therefore inadequate.

As the Bay Area's citizen land conservation organization, Greenbelt Alliance's primary concerns are with the relationship of the project to the Bay region generally. We are therefore extremely concerned that the DEIR's analysis of alternatives fails to examine: a) the overall regional context of any decision to site the medical facility; and b) the option for a site in downtown Oakland, near the 19th Street BART station, as proposed by the City of Oakland.

CEQA requires alternatives that address a full range of choices. Of the six alternatives in the DEIR, two are essentially on-site modifications (AC site, smaller project), one (Bayfront) is within Emeryville but is clearly not a viable choice for the project, one is the required No-build, another is a variant of that (General Plan), and one is a very appropriate alternative (MacArthur). Given the regional importance of this facility, it is crucial that a more expansive analysis be done of alternative locations outside of Emeryville -- the purpose of an EIR and the requirement of law, after all, are to evaluate real location choices, not just variants within the proposed community. This is particularly true when the project's impacts are likely to be so enormous on a wide area. 62A

The DEIR's approach is to indicate that Kaiser has looked at many sites and that the alternatives cited are the only important ones (page 292). This is not adequate, as it foregoes the responsibility for the EIR to make independent decisions about the project's impact and alternatives.

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In addition, and more importantly, the DEIR's approach completely ignores the very visible public and private discussions and analysis that have occurred around the proposed 19th Street Oakland site. This site has been under discussion for many months now, and should be included in the DEIR if it is to withstand legal scrutiny and serve the public interests prescribed by CEQA. It should also be given a very full comparative analysis, not just a cursory once-over, as is the case with all of the currently cited alternatives. 62B

We would like to underscore this point: the purpose of CEQA alternative analysis is to consider real choices, not to simply legitimize the weight of analysis give a project as proposed by its proponent and the jurisdiction to whom its benefits will accrue. The City of Emeryville has a real responsibility to provide such a fair-minded analysis of alternative locations (particularly from an environmental point of view) for the Kaiser project.

We therefore request that the proposal developed by the Oakland Office of Economic Development (February 1994) be analyzed as an alternative site, prior to the adoption of the Final EIR. Failing this, the environmental review process will, we believe, be fatally flawed.

2. The traffic impacts of the proposed project are immense and cannot be mitigated; because of these regionally significant impacts, the DEIR should propose a regional public planning process to resolve these issues prior to the approval of a Final EIR.

The DEIR's analysis of the huge increases in traffic congestion due to the Kaiser project and other projects in the area is cause for alarm for the entire central East Bay. Prior to concluding the environmental analysis, the City of Emeryville should convene a subregional public planning process involving communities in the I-80 corridor, to: a) confirm the adequacy of the cumulative impact projections; b) reach agreement on projected levels of impact, given any proposed mitigations which are deemed financially and functionally feasible; and c) develop agreement on an overall strategy for development in the corridor, with particular attention to the location of the Kaiser facility in the best possible location. 62C

In a number of instances throughout the region in the past two decades, relatively modest-sized communities have made approvals of huge non-residential projects which have subsequently resulted in enormous burdens on neighboring communities and on the workability of the overall subregion of which they are a part (e.g., Pleasanton with Hacienda, Santa Clara with a variety of business parks, Rohnert Park with a major business park, Vacaville with outlet malls and business parks, etc.). The massive traffic congestion and the dysfunctional patterns of investment that result are testimony to the folly of not considering large projects from the point of view of the regional best interest. We urge the City of Emeryville to acknowledge the potential importance of its decision around Kaiser and to engage in a collaborative effort to make a decision that is right for the entire Bay Area, before it completes its environmental analysis of this project.

We thank the City for the opportunity to comment on the DEIR and we request that we receive copies of the City's response to these and other comments, and be informed of relevant decisions concerning them. Thank you for your attention.

Sincerely,

Larry Orman
Executive Director

cc: City of Berkeley
City of Oakland

62. **RESPONSES TO COMMENTS FROM LARRY ORMAN, GREENBELT ALLIANCE RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 62.A.: The commenter is referred to Master Responses G1 and H1. for a discussion of the Fox Theater site and for the Draft EIR's evaluation of regional impacts, respectively.

RESPONSE TO COMMENT 62.B.: With regard to the comments raised pertaining to regional traffic impacts, the traffic analysis contained in the Draft EIR indicates that there would not be significant differences in regional traffic impacts between the No Project and Project alternatives for the year 2000 and year 2010. This conclusion was based upon an analysis of the Congestion Management Program (CMP) roadway segments, which was conducted in accordance with the Alameda County Congestion Management Agency guidelines. This CMP process was established by the State legislature to serve as a means to evaluate the regional implications of major new developments.

The City of Emeryville has made a reasonable effort to invite adjacent communities, including those along the I-80 corridor, to participate in the public comment process for the proposed medical center. The City of Emeryville believes that the cumulative impact projections are adequate because the methodology used was reviewed by ABAG and is consistent with regional transportation and air quality modeling efforts employed by the Congestion Management Agency and MTC. Furthermore, as demonstrated in this Final EIR, the traffic analysis was based upon more conservative growth projections when compared to the CMA's models; therefore, the cumulative traffic volumes disclosed in the EIR were greater than the projections from the CMA model. The City of Emeryville made a reasonable effort to obtain current information about cumulative projects available at the time the Draft EIR was prepared.

The City of Emeryville is willing to work with nearby communities to reach agreement on suitable mitigation measures for impacted roadway facilities, as well as to develop a strategy for developing within the I-80 corridor. The City of Emeryville has worked with the City of Oakland, for example, on other projects such as the East Baybridge project and the Bay-Shellmound Project. In the case of the East Baybridge project, the City of Emeryville and the City of Oakland adopted ordinances to establish a Joint Planning Authority to exercise all planning powers of each City in relation to the development of that project. With regard to the Bay-Shellmound project, the City of Emeryville entered into an extra-territorial agreement with Oakland for applying assessments to properties in Oakland.

Please refer to Master Response H2. regarding the cumulative impacts analysis. That master response discusses the City of Emeryville's and the EIR consultant's efforts to obtain information from affected jurisdictions for inclusion in the cumulative analysis. In addition, the City of Emeryville staff met with the City of Berkeley staff at the direction of the Emeryville and Berkeley Mayors. As stated in the letter from Gaye Quinn, Planning Director to Mr. Gil Kelley, Planning Director, dated August 4, 1994, which is attached to the response to Comment Letter 52, the Emeryville staff met with the Berkeley staff "to initiate a dialogue on important planning and environmental issues affecting both cities" and to "be available to directly respond" to questions raised by the Berkeley staff. Furthermore, Emeryville staff met with the Berkeley staff with the intention of determining "whether there were reasonable and feasible mitigation measures that can be implemented in Berkeley as part of the Kaiser EIR." This further demonstrates Emeryville's commitment to collaborate with other jurisdictions.

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Comments and Questions Regarding Draft EIR
KAISER PERMANENTE MEDICAL CENTER
MAY 1994

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

Gaye Quinn
Planning Director
City of Emeryville
2400 Powell Street
Emeryville, CA

Dear Ms. Quinn,

What follows are my written comments regarding the May 1994 Draft EIR for the KAISER PERMANENTE MEDICAL CENTER. Overall I found the DRAFT EIR to be insufficient in literally hundreds of aspects, large and small. As you know, and is stated on page ii of the DRAFT EIR;

> **15151 Standards for Adequacy of an EIR.** An EIR should be prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision, which intelligently considers environmental consequences.... the sufficiency of an EIR is to be reviewed in light of what is reasonable and feasible. Disagreement among experts does not make and EIR inadequate, the EIR should summarize the main points of disagreement among the experts. 63A

I will try to relate my comments and questions on the DRAFT EIR to the significant lack of information and analysis available to decisionmakers (and the general public reading this document), information that is reasonable and feasible to obtain and include and to the lack of discussion of disagreement among experts.

For the most part, the comments that follow appear in approximately the order of presentation in the EIR. If you or members of your staff have any questions regarding these comments please feel free to call me at any time for clarification. My telephone number is (415) 554-0240.

PREFACE, page i, paragraph 2. ***"An alternative to the 10 acre expansion site, would be to use the adjacent AC Transit maintenance facility for future expansion, if this property were to become available".***

63B

COMMENT: Although a great deal of space is devoted to discussion of this "alternative" expansion site, there are two pieces of information that I did not find in the EIR that cast considerable doubt on the likelihood of this ever happening:

a. It is my understanding that AC Transit officials have placed a number of conditions on acceptance of any alternative site for replacing their maintenance facilities, including:

1. Any replacement site must be made available at no cost to AC Transit, this includes the cost of acquisition, moving and annual operating costs.

2. Any replacement site must be capable of accommodating both current bus maintenance facilities and future light rail maintenance needs.

b. Given these conditions, it is my understanding that only one such potential replacement site exists in the vicinity and it is at the Oakland Supply Depot. Furthermore, it is my understanding that such a move would need either the support of the the Port of Oakland, the City of Oakland or both. I have also heard that the commander of the supply depot has stated publicly that his base is not currently scheduled to close and not likely to close within the time fame necessary to serve as a alternative expansion site. 63B

If the above is correct and the federal government's top representative at the Supply Depot has said it isn't available and given the certainty that neither the Port of Oakland nor the City of Oakland would cooperate in any way to insure the loss of a major economic development opportunity in its own downtown, **why is this alternative still being discussed in the EIR as if there were a real likelihood of it ever happening. My information, summarized above, needs to be researched to confirm or deny its accuracy and presented in the final EIR otherwise it will not contain a sufficient degree of information and analysis needed to provide decision makers with sufficient information to make a reasoned and intelligent decision [CEQA, 15151 Standards for Adequacy].**

SUMMARY, page S-1, paragraphs 2 & 3. ***Listing of significant unavoidable impact and of those potential impacts that can be reduced to less than significant levels through mitigation.***

63C

I do not believe that the DRAFT EIR supports the conclusion that, in the areas of LAND USE, EMPLOYMENT AND HOUSING, GEOLOGY AND SEISMICITY, SOIL AND GROUNDWATER CONTAMINATION CLEANUP, HAZARDOUS MATERIALS STORAGE, USAGE AND DISPOSAL and URBAN DESIGN, "the EIR has

identified that adequate mitigation measures are available and feasible to reduce project's potential impacts to a less that significant level". My comments which follow will elaborate on each of these areas. The fact that I do not comment on NOISE or UTILITIES AND URBAN SERVICES should not be taken as support for the conclusion that they meet the less than significant test. 63C

C. PROJECT OBJECTIVES, page 4. *"To accommodate demand created by health care reform".* It is not clear how increased demand created by health care reform is going to effect this project. Everything I have read of late regarding the anticipated impact of health care reform speaks to the need to use preventive care (something Kaiser is known for) but to decentralize it... too bring it closer to the consumers through smaller, less costly clinic located in neighborhoods, particularly minority and low income neighborhoods. **How does proposing a large, centralized facility that is less accessible to low income consumers who do not own cars (80% less accessible than the current site at Broadway/MacArthur [see EIR page 163, Transit Impacts] square with everything the public has been told about the objectives of health care reform.** 63D

2. Approval Requirements, General Plan Amendments, *Land Use Element*, page 14. *"The allowed uses within the Commercial land use designation would be modified to add hospitals, medical office buildings, and related facilities".* It is important to be precise in this and subsequent sections of the discussion of approval requirements when discussing **proposed** amendments or modification to existing plans, zoning, etc. If **current** law (land use designation, zoning etc.) prohibits or does not allow uses, such as hospitals, medical offices buildings, etc., that has to be stated. This is necessary so that the reader understands that the **proposed** project **does not comply with (i.e. conflicts with, violates, etc.)** many of the City of Emeryville's adopted environmental plans, goals and officially adopted policies. To state later, on page 36, paragraph 2, "The project would not conflict with the City of Emeryville's adopted environmental plans and goals as stated in the 1993 Emeryville General Plan **(as amended by this project)**" is language worthy of George Orwell's Ministry of Truth in 1984. **If the proposed project did not violate with the current environmental plans and goals as stated in the 1993 Emeryville General Plan and other documents adopted and in force in the City of Emeryville then the project applicant wouldn't be asking for 8 major changes to the 1993 General Plan, 7 major changes to the 1992 Housing Element and 2 major revisions to the Shellmound Park Redevelopment Plan to legalize their preferred project.** The doublespeak contained in the language on page 36 of the EIR conveys none of this. **The EIR must address whether a proposed project conflicts with current environmental plans and goals of a jurisdiction, not whether is conforms to a set of amendments proposed by the project sponsor.** 63E

3. Other Permits and Approvals. U.S. Army Corps of Engineers, Section 404 Permit, page 19, top of page. On page 262 of the Draft EIR, Historic Structures, there is a brief discussion of protections that National Register eligible properties receive under Section 106 of the National Historic Preservation Act. It concludes with, *"However, Section 106 protections only apply where the projects are federally funded or licensed".*

I am fairly familiar with Section 106 review. I worked for the National Trust for Historic Preservation in the Western Regional Office in San Francisco from 1975 to 1981, served on the Board of the Foundation for San Francisco's Architectural Heritage in the late 1980's and am currently on the Board of the California Preservation Foundation. It is my recollection that the issuance of any Army Corps of Engineers permit in a project area triggers full Section 106 review.

Furthermore, as was recently demonstrated in the case of the Williams Building in San Francisco's Yerba Buena Redevelopment District, the use of either program related income in the project area or FEMA money can also trigger 106 review. The San Francisco argued, unsuccessfully, that their were no direct federal funds involved in the purchase of the Williams Building and, therefore, no trigger for Sec. 106. The Denver office of the President's Advisory Council on Historic Preservation, the federal agency charged with carrying out enforcement of section 106 ruled that the fact that program related income was involved and FEMA funds were involved qualified as sufficient federal involvement. 63F

I will be sending off a memo to the Advisory Council summarizing the facts in the case and asking whether the Army Corp of Engineers Permit alone triggers 106 review. I will call you as soon as I hear and let you know the answer. In the meantime, the City of Emeryville should review its files to determine what federal funds may have been expended in the Shellmound Redevelopment Area in recent years and what, if any FEMA funds were or are being spent in the area and contact the Advisory Council's Denver office for a ruling.

A. LAND USE, pps. 22-55.

Throughout this section there are repeated references to the project site being "surrounded by a variety of land uses that do not from a planning perspective, reflect an established community". This relates directly to the 'disrupt the physical arrange- ment of an established community' **threshold of significance** described on page 38. Ironically, there are many references throughout this section to this being a community of mixed industrial and residential uses which is, in fact, the definition of a type of established community commonly known as industrial/residential similar to 63G

San Francisco's South of Market neighborhood which contains the exact same mix of industrial, commerical, scattered site traditional residential and loft, live/work that is found here.

In fact, on page 39, paragraph 3, in trying to downplay the impact of increased noise and traffic on the 11 live/work units on the future Expansion site, the EIR states:

This incompatibility is not anticipated to significantly differ from the existing incompatibility between live/work units and the commercial/industrial activities and the AC Transit yard operations. <u>Further, live/work units are typically located near and considered to be compatible with commercial/industrial areas.</u> 63G

Not only is this a typical, established industrial/residential/live-work community in the tradition of a South of Market or a SOHO, according to one of the artists who testified at the DRAFT EIR hearing, about 600 people (10% of Emeryville's population) live in and immediately adjacent to the project area.

Both the 1993 General Plan and the Shellmound Redevelopment Plan (**before being amended for this project**) specifically call for reinforcing this mix with primarily residential and mixed use development on this site.

<u>B. EMPLOYMENT AND HOUSING, pp. 56-85.</u>

Data referred to from both the ABAG Projections (Recession Update, December 1992) and the Recht Hausrath and Associates (October 1993) (Appendix C) is badly out of date. For instance, both the ABAG and Recht Hausrath Employment and Housing Projections were done without the most recent 500,000 sq. ft. of Chiron which was just announced. What other newly revised figures on employment were not included? Furthermore, the bulk of the units referred to as meeting Emeryville's 1995 ABAG requirements, Table 4, page 76, (1,200 of the Emeryville's 1,508 Potential Housing Units) are either Catellus (I understand they are neither required or inclined to go forward), St. Albans (I understand they have withdrawn the project do to local opposition and weak market acceptance of a similar project in San Francisco) and the Del Monte site, which the Kaiser Medical Complex replaces. **If my understanding of each of these alleged housing development sites is correct, Emeryville cannot possibly meet its ABAG 1995 requirements, and approval of this project contributes significantly to the City's inability to comply.** 63H

Mitigation EH-6, page 77. Where are the 25 sites identified for additional housing, what kind of zoning changes are required, how long will it take, how will it be funded, when will it be funded. Without this information one cannot make the determination that it would be consistent with the Housing Element, that is speculation not supported by fact. 63I

Jobs/Housing Balance, pp. 81-85. The underlying assumption is erroneous... that "there will be a shortage of 4,340 units in the northern portion of the county, overall, Alameda County will have a surplus of 5,650 units which could accommodate the demand for 870 units associated with the future Expansion phase, and the total 1,227 units to 2,260 units associated with Phase I and the Future Expansion phase"[page 85]. For this to be true, among other things, Kaiser alone would have to lay claim to 2,100-3,100 of those units throughout the county. Chiron, Bayfront and other Emeryville development would more that account for all of the rest of the County's surplus. It is hard to image that either ABAG or every other city in the county would stand for that interpretation of how Kaiser and Emeryville can meet their jobs/housing fair share. 63J

Cumulative impact analysis is undercounting commercial development we currently know is in the pipeline and overcounting residential development (see above). **BART shuttle** will travel a route that includes a number of level F intersections. The map showing the route should also show the level E and F intersections on it. 63K

Historic Preservation and Cultural Resources, pp. 258-277. Just before leaving to deliver these comments to you a member of the Army Corps of Engineers staff in Sacramento returned my call and confirmed that a Section 404 Permit from the Army Corps of Engineers triggers a Section 106 review. 63L

These, together with my Testimony at the June 2 DRAFT EIR hearing should cover my comments on the EIR.

Sincerely,

Brad Paul

Brad Paul
35 Hartford Street
San Francisco, CA 94114

P.S. I would also request that you attach recent press clippings regarding this project to demonstrate to the reader and decisionmakers the breadth and depth of public controversy surrounding this project.

63. **RESPONSES TO COMMENTS FROM BRAD PAUL RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 63.A.: Responses to the issues raised in this introductory section are provided in the responses to Comments 63.B. through 63.L.

RESPONSE TO COMMENT 63.B.: As noted in the Draft EIR, AC Transit is presently evaluating the feasibility of relocating their maintenance and yard operation to another site. AC Transit officials have never informed the EIR consultant or City staff of the conditions on acceptance of any alternative site for replacing their maintenance facilities. However, the Draft EIR carefully notes on page 296, that the AC Transit site is not identified in this EIR as the proposed project due to the uncertainties regarding the availability of the AC Transit site. Since the relocation of AC Transit's facilities is not proposed as a part of this project, AC Transit's reasons for choosing one site over another for a new location are not relevant to the Draft EIR's analysis of the physical effects on the environment that are related to developing a medical center on this alternative site.

The City of Emeryville is still pursuing alternative sites for relocating the AC Transit bus maintenance yard. The City considers the AC Transit bus maintenance yard a preferable expansion site for the Kaiser Permanente Medical center project, if a suitable site for the AC Transit bus maintenance yard can be located.

RESPONSE TO COMMENT 63.C.: With respect to the Draft EIR's analysis of Land Use and Employment and Housing, responses to the commenters specific comments are provided in the responses to Comments 63.E. through 63.J. With respect to the comment regarding the mitigation of impacts in the areas of Geology and Seismicity, Soil and Groundwater Contamination Cleanup, Hazardous Materials Storage, Usage and Disposal and Urban Design, mitigation measures that reduce or avoid significant impacts for each of these areas are provided in the Draft EIR. The comment does not provide enough specificity with regard to which mitigation measures are being questioned to allow further response to this comment.

RESPONSE TO COMMENT 63.D.: The project is expected to accommodate demand created by health care reform by providing additional medical facilities for current and future Kaiser members. The commenter is incorrect in stating that the facility would be 80% less accessible to low income consumers. The Draft EIR on page 163 states that the existing facility achieves a transit mode split of 9%, and that the traffic model for the proposed project assumes that 2% of the users would use public transit. (Note: The 2% assumption was used to provide a worst-case analysis.) Page 132 of the Draft EIR states that the number of Kaiser's existing Oakland facility employees that drive to work has decreased by about 7.9%. Similar reductions would be expected at the Emeryville facility with implementation of an aggressive program.

RESPONSE TO COMMENT 63.E.: Please refer to the response to Comment 34.B.

RESPONSE TO COMMENT 63.F.: Please refer to response to Comment 63.L.

RESPONSE TO COMMENT 63.G.: With respect to the comment related to the "community" of Emeryville, please refer to the response to Comment 49.U.2. The commenter's additional comments are noted. The proposed medical center includes a mix of commercial, health care-related uses, and open space and public plaza areas on the site, and therefore, is considered mixed use. In addition, the commercial uses

located in the "liner" buildings would include pedestrian-oriented, neighborhood-serving retail establishments with the possibility of providing temporary housing for interns and visitors. Therefore, by revitalizing the project site and providing mixed-use development, the project would reinforce the land uses within the area.

RESPONSE TO COMMENT 63.H.: Please refer to Master Response H2. for a discussion of cumulative impacts and to Master Response C4. for a discussion of the jobs/housing balance. Also, please refer to the responses to Comment 34.I. and 43.C. As indicated in these responses, the data contained in Appendix C and Projections '92 were based upon the most recent projections available at the time the cumulative analysis was prepared. In fact, the City delayed the release of the Draft EIR in order to make a reasonable effort to incorporate information about the potential Chiron expansion prior to circulation of the Draft EIR.

RESPONSE TO COMMENT 63.I.: Please refer to Master Response C5. regarding the location of the 25 sites identified for additional housing.

RESPONSE TO COMMENT 63.J.: Please refer to Master Response C4. regarding a discussion of the jobs/housing balance.

RESPONSE TO COMMENT 63.K.: The commenter is referred to Master Response H2. for a discussion of cumulative impacts. The cumulative impacts analysis does not undercount commercial development because it is based on the 1992 ABAG projections as adjusted. The analysis also does not overestimate residential development because, as explained in Appendix C, pages A-1 and A-2, the ABAG projections are adjusted to reflect reduced residential development as a result of the proposed project.

With regard to the request that the BART shuttle map (Figure 17, page 109 of the Draft EIR) show the intersections that are expected to operate at LOS E and F, the BART shuttle map has not been revised as requested. The figure is intended to show the route of the shuttle, and the requested revision would confuse the reader. The reader can determine the intersections on the shuttle route that would operate at LOS E or F by referring to Tables 8, 12 and 13 of the Draft EIR.

RESPONSE TO COMMENT 63.L.: The commenter correctly notes that issuance of a Section 404 Permit by the Army Corps of Engineers would trigger review of the project under Section 106 of the National Historic Preservation Act.

However, upon further review and consultation with Kaiser, a Section 404 Permit would not be required because the expansion of the medical center on the Future Expansion site would be designed to avoid impacts to the portion of Temescal Creek and the culvert that could potentially be under the U.S. Army Corps of Engineers' jurisdiction. Since a Section 404 permit would not be required, and no federal funds would be used to develop the proposed project, a Section 106 review is not required. Please refer to the text revisions to page 19 as indicated in Section VI of this Response to Comments document.

6

PANIL

PIEDMONT AVENUE
NEIGHBORHOOD IMPROVEMENT LEAGUE

PLEASE REPLY TO:

P. O. Box 20375
Oakland, CA 94620
(510) 655-4438

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

20 June 1994

TELEFAXED TO: (510) 658-8095
AND MAILED FIRST CLASS TO:

Gaye Quinn, Planning Director
Emeryville Planning Department
2200 Powell Street
Emeryville, California 94608

Re: Kaiser Permanente Medical Center EIR -- State Clearinghouse No. 93082063 -- PANIL Comments On Medical Center DEIR

Dear Ms. Quinn:

Thank you for the opportunity to comment on Kaiser Permanente's proposal for a Medical Center in your city. As noted in our letter to you of 18 July 1993*/ our interest as an organization in this project is limited to its impacts on our neighborhood and its residents. Given that limited interest this letter will address Transportation and Circulation, The Oakland MacArthur Broadway Site alternative and the future of the existing hospital at MacArthur and Broadway if the Emeryville site is chosen.

A. Transportation And Circulation

1. Are We Spinning Our Wheels

Our first concern regarding Transportation and Circulation is tineliness of the data. We understand from press reports that the proposed Chiron project is considerably larger than anticipated. Will this render the cumulative data invalid? Are we going to have to review and comment on a new Transportation and Circulation portion of the DEIR with the new Chiron data? The comments below are made without prejudice to PANIL making further comments to a revised DEIR with more up-to-date data. 64A

*. A copy of that letter is included in Volume II of the DEIR as an unnumbered page in Appendix J -- Notice of Preparation/Initial Study And Responses To Notice Of Preparation.

The possibility of new data from the proposed Chiron project raises another issue. It appears to us that the impacts that this neighborhood is beginning to feel and will feel in the future are the result of the extraordinary growth of Emeryville over the last few years. In particular, the cumulative impacts from the Kaiser, Chiron and Catellus projects seem projected to cause most of the problems. It does not seem to us to be fair to put all of the mitigation burden on Kaiser. Emeryville should find some way to do a joint review of the three projects and impose joint responsibility for mitigations on all three organizations. 64B

2. Traffic Impacts On Piedmont Avenue Neighborhood

We are concerned about the amount of traffic that seems to be heading toward the Piedmont Avenue Neighborhood. Figure 19 on page 115 indicates that 9% of the traffic from the project goes onto highway 34 at or about the MacArthur BART station, 10% goes down 40th Street, 7% goes down West MacArthur Boulevard and 20% goes down 580. 64C

i. Upstream Impacts On MacArthur

We note with some concern that the cumulative impacts are going to put Broadway and MacArthur at a "C" condition in the PM peak in 2010 (Table 17, No. 45 at p. 139). The logical implication is that that "C" condition will cause impacts at Howe Street, Piedmont Avenue and Moss street at the onramp to 580. The EIR should study those impacts and see if there is some possible mitigation. There is a great deal of information about those intersections in the EIR for the Kaiser Permanente Medical Office Building (State Clearinghouse No. 90030072). 64D

ii. Further Study Of 40th Street

There is anecdotal evidence of an existing great increase in traffic on 40th Street. The DEIR at 105 describes a 40th Street extension connecting with the Bay/Shellmound Extension. This would seem to us to produce much greater impacts on 40th Street between Telegraph and Howe street than those described in the DEIR. We would request further study of those impacts and possible mitigations to 40th Street from Telegraph to Howe. 64E

iii. How Does The 20% Get Onto 580

As the freeways are currently configured the only practical way to get from the project to 580 would be to go down MacArthur to the southbound 580 onramp at Moss. It would be possible to get on 80 at Powell, but no one would do that because, as noted by the DEIR, that section of 80 is at condition "F" already. The EIR should deal with how the 20% would get onto 580. 64F

3. Circulation To And From Howe Street MOB

In the February 8, 1991 Final Addendum To The Draft EIR for the Kaiser Permanente Medical Office Building ("MOB") Kaiser indicated that there would be very close contact between the Howe Street MOB and the Medical Center. They said:

> "[I]n order for the outpatient medical programs proposed to be accommodated by the project, the proposed MOB would be required to be a physically integral part of the Medical Center, and therefore situated in close proximity to existing facilities (see DEIR Section II.G, pages 40 and 41). Even the properties at 3505 Broadway [across Broadway from the Medical Center] and 3451 Piedmont [a short block from the Medical Center] are considered by Kaiser to be too distant from the existing Medical Center ... ." 64G

(Id. at 83.) Despite the fact that Kaiser appears to have changed its position regarding the required proximity between the MOB and the Medical Center, there will never-the-less need to be a great deal of contact and circulation between the Howe Street MOB and the new Emeryville Medical Center. That circulation does not seem to have been discussed or accounted for in the DEIR.

It would seem logical for any shuttle that served the Medical Center to have at least some of its runs serve the Howe Street MOB, yet the maps of the proposed shuttle service at pages 108 and 109 of the DEIR all terminate at MacArthur BART.

4. Impact On Bicycles In Oakland

Many people who live in this neighborhood do so because of the wonderful access to transit. A number of people in this neighborhood (including the chair of our traffic committee) ride their bicycles to BART as part of their commute to San Francisco.

We note with some concern that in table 17 at page 139 of the DEIR that the intersections of Telegraph Avenue and 40th Street and Telegraph Avenue and West MacArthur Boulevard will be at condition "B" during the AM peak and "E" during the PM peak. As noted above, we are confused about the difference -- people who go home from work need to get there in the morning -- but more importantly, we are concerned about the impact that level of traffic and congestion will have on bicycle usage. 64H

Appendix D -- Traffic Analysis in Volume II of the DEIR has a discussion at pages 21, 94 - 96 of bicycle facilities (both existing and as proposed mitigations). There is, however, no discussion of the impacts of the project on bicycle usage in Oakland. We would request that the final EIR study the impacts of the traffic congestion caused by this project on bicycle usage in Oakland, in particular bicycle access to the MacArthur BART station.

B. Future Use Of Existing Hospital At MacArthur & Broadway

In our letter of 18 July 1993 we requested that the future use of the existing Kaiser hospital at MacArthur and Broadway be studied as part of the EIR for this project. As noted in that letter we were concerned because a number of press reports has said that the existing hospital was to become an outpatient facility. That would, of course, greatly increase the traffic and parking impacts of that building. 64I

Since that letter and the scopeing meeting both Mr. Ron Treleven and Mr. Kip Edwards from Kaiser have spoken with the undersigned and assured PANIL that Kaiser does not intend to use the existing hospital as an outpatient. We were pleased to hear that. In addition we note with appreciation that press stories after the scopeing meeting (either through education by Mr. Treleven or otherwise) have been very careful to distinguish between continued use of the Howe Street MOB as an outpatient facility and any

proposed use of the existing hospital.

We never-the-less believe that the EIR should contain some discussion of the existing facility. In discussion of employment and jobs-housing balance at pages 68 and 82 there is discussion of all of the jobs at the Oakland Medical Center being relocated to the Emeryville facility. If that is the case, the future use of the existing buildings is an impact of the Emeryville facility and should be discussed in the EIR. 64I

C. Support For The Oakland MacArthur Broadway Site Alternative

Since the Howe Street MOB was first discussed over ten years ago, PANIL has supported the expansion of Kaiser into the MacArthur Broadway site. We have continually proposed that south west expansion as an alternative to expansion into the residential areas to the north and east of the existing Kaiser Medical Center.

The existing shopping center is a disaster for the neighborhood and, we understand, for its owners as well. There are few projects where the best improvement is to tear it down. MacArthur Broadway is one.

A new medical center at the MacArthur Broadway site offers a number of possibilities. The site is bordered by two large streets and has good bus service. Any design would need to take advantage of those strengths. We would be glad to participate in a discussion regarding that design. 64J

While PANIL has supported and continues to support a Kaiser take-over of the MacArthur Broadway site, we recognize that the proposed downtown site proposed by Mayor Harris and others is a superior location, particularly as it relates to transit access. In this regard we note with some concern that the proposed Emeryville site would have a significantly worse transit mode split than does the existing location (2% in Emeryville, 7% existing (DEIR at 163)). In this day of increased concern about the negative effects of the automobile we should be doing everything possible to increase the use of transit.

Thank you for this opportunity to comment on this EIR. We look forward to your consultants' responses.

Very truly yours,

Piedmont Avenue Neighborhood
Improvement League (PANIL)

by: _____
H. E. Christian Peeples, its
Vice-Chair

cc: Elihu Harris, Oakland Mayor
Sheila Jordan, Oakland Councilmember, District 1
Alvin D. James, Oakland Planning Director
Anu Raud, Oakland Environmental Review Coordinator
Kip Edwards, Kaiser Permanente
Ron Treleven, Kaiser Permanente
Valerie Winemiller, PANIL Chair
PANIL Kaiser Committee
PANIL Traffic Committee

HECP/kpr

64. **RESPONSES TO COMMENTS FROM H.E. CHRISTIAN PEEPLES, PANIL RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 64.A.: Please refer to Master Response H2. for a discussion of cumulative impacts. Also, please refer to the responses to Comment 34.I., 43.C., and 63.H. As indicated in these responses, the data contained in Appendix C and Projections '92 were based upon the most recent growth projections available at the time the cumulative traffic analysis was prepared. In fact, the City delayed the release of the Draft EIR in order to make a reasonable effort to incorporate information about the potential Chiron expansion prior to circulation of the Draft EIR (see pages 338 to 342 of the Draft EIR).

RESPONSE TO COMMENT 64.B.: The Catellus project is responsible for the implementation of several mitigation measures in order to reduce project impacts, as required under this project's Conditions of Approval/Mitigation Monitoring Plan. The following summarizes some of the roadway and intersection improvements the Catellus project is implementing as part of that project (City of Emeryville, Department of Public Works, 8/94).

- Construct 40th Street, between San Pablo Avenue to Halleck Street
- Construction of Emery Street, between Park Avenue and Peralta Street
- Intersection improvements at San Pablo Avenue/Adeline Street/W. MacArthur Boulevard
- Install a traffic signal at the intersection of San Pablo Avenue/40th Street
- Install a traffic signal at 40th Street/Emery Street
- Install a traffic signal at 40th Street/Adeline
- Install a traffic signal at the intersection of Peralta Street/Emery Street
- Install an All-Way stop control at the intersection of Adeline Street/35th Street
- Extend Yerba Buena Street west to Horton Street

The Draft EIR evaluates cumulative impacts of all three projects (Kaiser, Chiron, and Catellus) and suggests all feasible mitigation measures for Kaiser, as well as other cumulative development.

The Draft EIR recognizes that the Kaiser project would not be the only contributor to cumulative transportation impacts. As described in the introduction of the Cumulative Intersection Impacts and Mitigation sections for Year 2000 and Year 2010 in the Draft EIR, Kaiser would be responsible for funding its fair share of the mitigations required to reduce impacts resulting from the addition of cumulative traffic. The other cumulative project sponsors would also be responsible for contributing their share to the funding of the cumulative improvements.

RESPONSE TO COMMENT 64.C.: As illustrated in Figure 19 in the Draft EIR, the only traffic which could potentially affect the Piedmont Avenue Neighborhood is the 10

percent traffic using 40th Street and the 7 percent using W. MacArthur Boulevard. The traffic using SR-24 and I-580 would access the freeways at 35th Street, near Market Street. Project traffic along W. MacArthur Boulevard would have a smaller impact east of Broadway. As indicated in Table 17, the intersection of Broadway Avenue/W. MacArthur Boulevard would operate at LOS C under Year 2010 Cumulative conditions during the PM peak period. Travel forecasts developed by the city-wide model indicate that there would not be a measurable change in demand due to the project on 40th Street, east of Broadway Avenue. As such, the project traffic assigned to this segment of 40th Street would not result in a significant impact to the Piedmont Avenue Neighborhood.

RESPONSE TO COMMENT 64.D.: Based on the trip distribution patterns illustrated in Figure 19, the proposed project would cause an increase in traffic of only 7 percent along W. MacArthur Boulevard, east of Telegraph Avenue. Travel forecasts developed by the city-wide model indicate that there would not be a significant amount of traffic using Piedmont Avenue (approximately 1,000 total vehicles during the PM peak hour in Year 2010). As such, the addition of project traffic in this area would not result in a significant impact.

RESPONSE TO COMMENT 64.E.: An evaluation of future year 2010 PM peak period traffic volumes were developed using the Emeryville city-wide travel demand model. A review of future travel forecasts along 40th Street indicates that the project would increase volumes along this roadway by 37.6 percent east of San Pablo Avenue, 10.0 percent east of SR-24, 2.3 percent east of Telegraph Avenue, and 0.8 percent east of Broadway Street.

A rule of thumb for determining the appropriate boundary of the study area is to evaluate those locations where project traffic results in an increase of five percent or more. Intersections along these roadways where increases in overall traffic volumes are less than five percent are less likely to generate increases in Volume-to-Capacity ratio of 0.02 or more, which is the criteria for determining a significant impact.

Since the project would result in an increase of 2.3 percent east of Telegraph Avenue and 0.8 percent east of Broadway Street, the extent of the study area to the east is adequate to determine whether or not significant impacts would occur. Therefore, it is not necessary to analyze intersections along 40th Street, east of Telegraph Avenue.

RESPONSE TO COMMENT 64.F.: As illustrated in Figure 19 of the Draft EIR, outbound project trips would access I-580 eastbound via San Pablo Avenue to the 35th Street on-ramp.

RESPONSE TO COMMENT 64.G.: It is not clear what level of interaction would occur between the Howe Street MOB and the Emeryville Medical Center. The traffic analysis does account for a substantial level of travel to Oakland destinations, such as the Howe Street MOB.

Currently, there is a local shuttle bus that provides service to and from the existing Kaiser in Oakland (MacArthur Boulevard/Broadway) to the MacArthur BART station. This is a privately funded service and is not subsidized by BART. Hours of service are from 6:00 AM to 12:00 midnight, Monday through Friday only, and run every 10 to 15 minutes. This shuttle also stops at Children's Hospital and Summit Medical Center in Oakland.

The Emeryville-BART shuttle would link several public and private buildings in Emeryville to major transportation facilities, such as BART and Amtrak. Extension of this service to other private buildings outside Emeryville would reduce its effectiveness.

RESPONSE TO COMMENT 64.H.: The project would not result in the removal of any existing bicycle routes. Bicyclists generally ride outside the lanes of travel and increases in traffic volumes would not inhibit the ability of cyclists to access the MacArthur BART station.

RESPONSE TO COMMENT 64.I.: Please refer to Master Response B1. for a discussion of the existing Oakland Kaiser facility and the relocation of the existing Kaiser employees.

RESPONSE TO COMMENT 64.J.: Please refer to Master Response G1. for a discussion of the MacArthur Broadway site.

With regard to the comment about the transit mode splits of Kaiser's existing Oakland location compared to the proposed Emeryville site, the Draft EIR uses a conservative transit factor of 2% to provide a worst-case analysis. The Draft EIR also analyzes the potential effect of Kaiser's TSMP program on pages 132 and 153 of the Draft EIR. The Draft EIR states on page 132 that the proposed TSMP for the Emeryville facility would be an expansion of the Oakland TSMP currently implemented by Kaiser. As stated on page 132, since implementation of the TSMP at the Oakland facility, the percentage of Kaiser's Oakland employees that drive to work has decreased by about 7.9 percent. This conclusion was based upon before-and-after surveys of employees and visitors. It is anticipated that a similarly effective TSMP can also be implemented in Emeryville.

S. P. A. G. G. I. A.

San Pablo Avenue-Golden Gate Improvement Association
5606 San Pablo Avenue, Oakland, California 94608

HAND DELIVERED

June 19, 1994

Planning Department
City of Emeryville
2200 Powell Street
Emeryville, California 94608

re: Comments on Kaiser draft EIR

Ladies and Gentlemen:

The San Pablo Avenue - Golden Gate Improvement Association (SPAGGIA) is an umbrella organization formed by residents of the Golden Gate area over 15 years ago to address and improve quality of life in the neighborhood. The Golden Gate neighborhood takes in several blocks on either side of San Pablo Avenue in North Oakland, roughly bounded by Emeryville to the west and south (53rd St. and Vallejo), the Berkeley border to the north (67th St.) and Adeline to the east.

Our residents have strong concerns about the current and anticipated development in this area, and have voiced a strong desire to control the change to insure that it benefits current residents and makes a more livable neighborhood. In comparison with many parts of North Oakland and Emeryville, the Golden Gate has suffered from higher crime rates, higher unemployment and a lack of services available in the immediate area.

65A

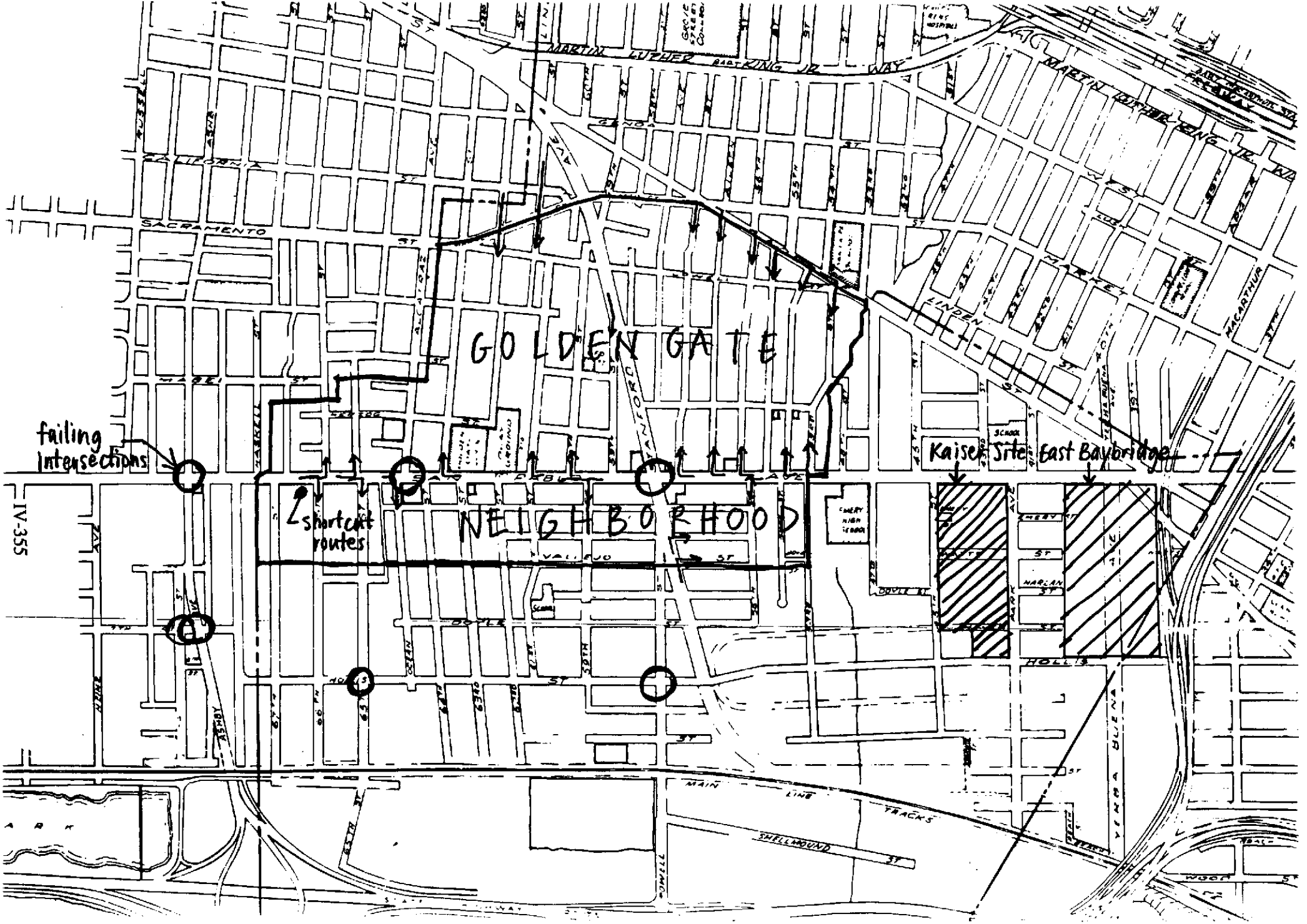
Our neighborhood has recently been designated a Neighborhood Commercial Revitalization (NCR) area by the City of Oakland. The Golden Gate NCR Report (attached) completed in February of this year, provides a detailed look at many of the issues facing our neighborhood and contains community-identified action steps as part of the revitalization process.

The proposed Kaiser project would have both positive and negative affects on the Golden Gate neighborhood. We feel it is important for us to comment on the draft EIR and make recommendations for additional mitigation efforts that are of concern to us. The following impacts of the Kaiser project are of immediate concern to us as we plan for the revitalization of our neighborhood. Please keep us informed of all meetings and developments concerning this and related issues.

Sincerely,

Donna Peers

Donna Peers, for the Steering Committee
1082 - 56th Street, Oakland 94608


GOLDEN GATE
NEIGHBORHOOD
failing intersections
2 shortcut routes
Kaiser Site
East Baybridge
IV-355
MARTIN LUTHER KING JR WAY
SACRAMENTO
CALIFORNIA
MARKET
LINDEN
MACARTHUR
HOLLIS
HARLAN ST
MAIN LINE TRACKS
SHELLMOUND ST
ALAMEDA

INTRODUCTION

The Kaiser facility is being proposed for a location in the City of Emeryville just three blocks away from the City of Oakland. While the Draft EIR for the project considers and mitigates many of the identified problems caused by the project in Emeryville, it does not thoroughly plan for impact beyond the city limits. The Kaiser project is a regional facility and thus should be planned through a regional process. The surrounding neighborhoods nearby the Kaiser facility, outside of Emeryville, were not consulted during this process. The following concerns are discussed to demonstrate the broader impacts of the Kaiser project that we feel were not adequately addressed in the Draft EIR Document. 65B

The Golden Gate Neighborhood lies three blocks to the north of the proposed Kaiser facility, in North Oakland. The neighborhood is shown on the attached map. The proposed Kaiser facility will have great impacts on the Golden Gate Neighborhood, some potentially positive, other quite negative. Proposals for additional mitigation are made with the hope that the Final EIR will consider them as part of the recommended mitigations.

ISSUE AREAS

NEIGHBORHOOD QUALITY

The Kaiser Project should be evaluated as to how it impacts and enhances the quality of life in the neighborhoods surrounding the project. While some of the surrounding area is industrial, much of it is residential, including many single family homes. We question the changing of the zoning on this piece of property, originally intended for housing, to accommodate a large medical facility. The EIR fails to adequately examine the compatibility of a large medical facility and the surrounding uses. 65C

While the project lies in Emeryville, much of the area surrounding the project lies in the City of Oakland. The planning efforts for revitalization that are occurring in the Golden Gate Neighborhood have not been included in the analysis of compatible uses, proposed projects, and projected traffic levels.

TRAFFIC

The traffic in the area around the Kaiser Project is already heavy. With the addition of the East Baybridge Retail Facility the traffic will increase substantially (the EIR states that there will be an estimated 21,255 weekday trips to the facility in the year 2000). The other development projects completed in Emeryville in the past ten years have brought extensive traffic to and through Emeryville and the adjacent neighborhoods. San Pablo Avenue has been a well-travelled road over the last century, but has recently seen an increase in traffic, especially during morning and afternoon rush hours. 65D

65

San Pablo Avenue, Alcatraz and Adeline are the main arterials in the Golden Gate Neighborhood, providing access to most roads in the neighborhood. When these roads are congested with traffic, it is difficult for residents and business owners to get to and from their place of residence/work. In addition the congestion causes drivers in stopped at intersections to find short cuts through the neighborhood.

FAILING INTERSECTIONS

The EIR states that some of the intersections impacted by the Kaiser project will not be able to be mitigated to acceptable levels by physical intersection improvements and thus will remain with an F level of service. The majority of these intersections lie outside of Emeryville. According to the EIR, a signalized intersection with an F level of service "represents a jammed condition. Back-ups from locations downstream or on the cross street may restrict or prevent movement of vehicles out of the approach under consideration." (p. 94, Volume I) 65D

In the year 2000 during the p.m. peak period, the mitigated intersection level service shows that 4 out of the 7 failing intersections that are unmitigable lie outside of Emeryville. In the year 2010, the EIR states that 16 of the impacted intersections cannot be mitigated to acceptable levels using physical intersection improvements. Of those, the following ten are located out of Emeryville. This demonstrates the need to include local neighborhood in the planning of the mitigation for this project.

San Pablo Avenue & Ashby	San Pablo Avenue & Alcatraz
San Pablo Avenue & Stanford	Ashby & 7th Street
Adeline & Market	Telegraph & 40th Street
Telegraph & W. MacArthur Blvd.	Market & 40th Street
Adeline & Martin Luther King Way	Market & W. MacArthur Blvd.

What compensation will be made in place of mitigation for these intersections?

In addition the Draft EIR has only considered the impact on major intersections; many other intersections, particularly those without signals will also be severely affected. When the traffic is backed up on San Pablo Avenue, for instance, it will be difficult for pedestrians and drivers to cross the street or to turn onto San Pablo. We would like the final EIR to address the non-signaled intersections and the safety of pedestrians and drivers at these intersections. 65E

As several of the failing intersections are shown with a baseline level of service of F already in 2000 and 2010, the proposed project is shown to maintain the F level of services. Yet clearly the traffic will worsen and have greater impact on these intersections. Should the fact that they were projected to be at an F level without Kaiser mean that the addition of Kaiser will not substantially impact these intersections? We feel this need to be quantified in some way. 65F

TRAVEL TIME

The time of travel on San Pablo Avenue will be impacted by the Kaiser project. While the traffic data shows the levels of service for key intersections, the Draft EIR has not indicated how travel times will be altered for major streets in the area. Residents living in the surrounding neighborhoods often have no choice but to travel along San Pablo Avenue to reach their houses. We would like to see projections for travelling times along San Pablo Avenue, Adeline, and Alcatraz, during peak weekday hours as well as other times. 65G

AMBULANCES

The hospital will undoubtedly have ambulances travelling to it at all hours. When San Pablo Avenue or Powell Street or Adeline is blocked up with traffic, how will the ambulances get to the hospital? Will the ambulances travel on residential side streets to avoid traffic-blocked arterials? 65H

SIDE STREET TRAFFIC

The EIR has also not considered the potential additional traffic on neighborhood side streets. The street maps included in the Transportation and Circulation Section of the EIR do not even show the side streets (Figures 13 - 21). The description of the Local Roadway System on page 90 of volume I of the EIR only discusses the streets in Emeryville; outside of Emeryville only collectors and arterials are discussed. Because the Emeryville border lies just three blocks away from the proposed project, the local streets outside of Emeryville need to be addressed. The side streets (especially those outside Emeryville along collectors and arterials) need to be shown in figures in the final EIR. When traffic backs up at the following intersections (all projected to fail despite mitigation efforts), what alternatives will drivers consider? Most likely many cars will turn off of the main streets onto neighborhood side streets in the Golden Gate Neighborhood and other surrounding neighborhoods. At present, with current traffic levels, traffic noticeably increases on most residential side streets off of San Pablo Avenue during rush hours and times of congestion on San Pablo. Without adequate traffic mitigation, these residential streets will change dramatically in character. The EIR needs provide more analysis of traffic on surrounding side streets to address the impact on the quality of life for residents in the Golden Gate Neighborhood. 65I

Traffic at the following failing intersections will impact surrounding neighborhoods in the Golden Gate:

San Pablo Avenue & Alcatraz
San Pablo Avenue & Ashby
Hollis Street & 65th Street
San Pablo Avenue & Stanford
Hollis Street & Powell

The following side streets, located outside the city of Emeryville, will likely become reliever routes when San Pablo Avenue, Stanford, Powell Street, Alcatraz, and Adeline become overly congested:

53rd Street (east and west of San Pablo Avenue)
54th Street (east of San Pablo Avenue)
55th Street (east and west of San Pablo Avenue)
56th Street
(east of San Pablo Avenue)
Aileen Street (east of San Pablo Avenue)
57th Street (east of San Pablo Avenue)
59th Street (east and west of San Pablo Avenue)
60th Street (east of San Pablo Avenue)
61st Street (east and west of San Pablo Avenue)
62nd Street (west of San Pablo Avenue)
63rd Street (east and west of San Pablo Avenue) 65I
64th Street (west of San Pablo Avenue)
Ocean (west of San Pablo Avenue)
65th Street (east and west of San Pablo Avenue)
66th Street (east and west of San Pablo Avenue)
67th Street (west of San Pablo Avenue)
Herzog (north and south of Alcatraz)
Marshall Street (north of Stanford)
Fremont Street (north and south of Stanford)
Vallejo Street (north and south of Stanford)
41st Street (east of Adeline)
42nd Street (east of Adeline)
43rd Street (east of Adeline)
44th Street (east of Adeline)
45th Street (east of Adeline)
46th Street (east of Adeline)

The primary concerns regarding the information contained in the EIR regarding traffic mitigation are as follows:

- Intermediate intersections are not considered
- No mitigation is identified for San Pablo Avenue & Alcatraz
- Only minor mitigation is proposed for San Pablo & Stanford
- Traffic impacts on the neighborhood side streets are not considered
- The Traffic Impact Fee (estimated at $420,000) is paid to the City of Emeryville, even though the majority of unmitigable traffic impacts are outside the city)
- Alternative mitigation or compensation proposals are not considered 65J

In order to address their traffic concerns, the Transportation and Physical Appearance Committee of SPAGGIA have prepared a comprehensive traffic plan. The plan makes recommendations for traffic barriers, diverters, traffic circles, stop signs and speed humps in needed locations to promote traffic safety on streets in the Golden Gate Neighborhood. The plan and corresponding recommendations, presented at a North Oakland traffic meeting in January 1994, are located as an attachment. The Traffic

Engineering Department in the City of Oakland is currently working with community groups to implement a portion of the proposed traffic control plans. 65J

LIGHT RAIL

The proposed Light Rail Transit Line is included in the analysis, but is still only a distant possibility. If it is to be considered a possible provider of public transit, part of the mitigation for the project should include a payment towards the implementation of the light rail line. 65K

PROPOSAL:

Additional mitigation proposals need to be considered to address the increased traffic caused by the new Kaiser facility. While street widening and intersection improvements are standard mitigation measures, our group would like to suggest some alternative mitigations that will help to offset the large traffic impact along San Pablo Avenue and neighborhood side streets.

65L

- Fund the implementation of a portion of the Neighborhood Traffic Management Plan; including speed humps, traffic circles, and traffic diverters on neighborhood side streets to prevent shortcuts (detailed budget can be provided)

- Contribute to the Public Improvements Project planned for San Pablo Avenue in the Golden Gate Neighborhood; including median with street trees, lighting and sidewalk improvements (detailed budget can be provided)

- Contribute to a fund for bringing light rail to San Pablo Avenue

AIR QUALITY

The additional number of cars travelling to the new Kaiser facility will definitely have an effect on the air quality in the surrounding neighborhoods. The EIR projects a substantial reductions in carbon monoxide emissions in the Years 2000 and 2010 due to "anticipated reductions in per-mile emission rates from vehicles that are attributed to current emission control standards for cars and trucks." It is difficult to believe, however, that the estimated 21,255 daily trips in the area generated by the facility will not have adverse impacts on local air quality, whether the levels of vehicle emissions are improved or not. The traffic which is backed up at a standstill on San Pablo Avenue will generate substantial additional emissions, which, due to the prevailing winds, will travel into the Golden Gate Neighborhood. 65M

The EIR states that "regional air quality would remain a significant unavoidable impact even after implementation of all mitigation measures." (Draft EIR, p. 197) How will the persons which will be affected by the poorer air quality be compensated?

PROPOSAL:

- Contribute to street tree planting efforts in surrounding neighborhoods

NEIGHBORHOOD BENEFITS

As the proposed facility is located only three blocks away from Oakland, it seems important for the facility to benefit all surrounding neighborhoods, whether in Emeryville or in Oakland.

The neighborhood benefits which are provided by Kaiser include:

-Housing Program
-BART Shuttle
-Emeryville Shuttle
-Development Fees

Utility User Tax
School Contribution Fee
Low Income After School Care Fee
Property and Sales Taxes
Planning and Building Permit Fees
Small Business Retention Fee
Bay Shellmound Assessment
Emergency Services
Senior Center Fee
Mass Transit Program
Public Safety Fund
Traffic Impact Fee
Art Fund

These benefits are nearly exclusively intended for the City of Emeryville and its residents. Little compensation has been made to the residents, property and business owners outside of Emeryville, but just blocks away from the proposed project. 65N

Nearly all of the proposed mitigations for transportation affects are offered only in Emeryville. The improvements to local roadways and intersections, public transit, parking and bicycle and pedestrian facilities are proposed for residents living in and employees working in Emeryville.

The proposed BART Shuttle Service and Emeryville Shuttle service primarily Emeryville residents, and only would operate during certain hours. While this might help control congestion in parts of Emeryville, it offers little direct benefit to anyone else in the area.

PROPOSAL:

- BART Shuttle Service for selected stops in the Golden Gate Neighborhood to connect to MacArthur BART Station, including along San Pablo Avenue and Adeline

- Kaiser should work with the Golden Gate to create a Community Health Clinic in Oakland, adjacent to the Golden Gate Elementary School on San Pablo Avenue

GROWTH IMPACTS

The Kaiser project will help the revitalization of San Pablo Avenue; the addition of 50,000 GSF of new retail space will provide more street life and an improved retail climate. However, this extra amount of retail may hinder the viability of retail in nearby areas of San Pablo Avenue. Our efforts at revitalizing the commercial center on San Pablo, especially near the Stanford intersection will be affected by the new retail space. 65O

Emeryville and Oakland need to work in conjunction with the planning of retail along San Pablo. The Kaiser project should take into account the revitalization plans currently being developed to the north.

65O

The Small Business Retention Fee of $300,000 has been determined as an appropriate mitigation in this area. However, this fee will go to Emeryville.

PROPOSAL:
- Help to fund a local Business Retention workshop in the Golden Gate Neighborhood

EMPLOYMENT

The Draft EIR states that Phase I of the Kaiser project will result in the loss of 122 manufacturing jobs, but will create 2,895 new jobs. Will the persons currently employed in manufacturing that will be losing their jobs have any insurance that they will be given a new job. These employees may need special training in order to be suitable for other types of jobs. While the replacement of manufacturing jobs with higher skill services jobs reflects the current employment trends in the Bay Area, the need for job training in order to facilitate the employability of displaced workers should be addressed.

The surrounding neighborhoods have no assurance that they will benefit from the additional jobs, and thus there is no ensured beneficial effect in the employment opportunities provided by Kaiser at this site. Perhaps because the resident population of Emeryville is small, a local hiring program was not considered. However, the surrounding areas in the City of Oakland does have a large population of underemployed persons. The Golden Gate Neighborhood has a need for jobs. Since the neighborhood is being impacted adversely by the Kaiser project (traffic, quality of life, air quality), residents should be compensated. In order to provide employment opportunities for these persons in the community, some type of local hiring program should be included. A local hiring programs would help to ensure that the residents in the neighborhoods in which the project is built can benefit from the new employment opportunities.

65P

PROPOSAL:

As part of the Final EIR, assessment of a local hiring program for the areas within several miles of the project should be made. Local hiring for the construction and new hiring for the facility should become part of the proposed project.

Construction Phase
- Community Outreach
- Job Training

New Hiring:
- Community Outreach
- Job Training

San Pablo Avenue Golden Gate Improvement Association
TRAFFIC COMMITTEE PROPOSAL
January 27, 1994

GENERAL DESCRIPTION OF TRAFFIC CONDITIONS

The SPAGGIA traffic committee is comprised of a core group of 10 concerned citizens who have met regularly over the past 10 months to discuss traffic and physical appearance issues in our neighborhood. We have discussed our problems at numerous neighborhood meetings where 50 to 100 neighbors have attended. We have visited the City Traffic Engineering offices to collect cumulative accident data, speeding records, and volume counts.

Our neighborhood includes three traffic sections: 7, 8 and 12. It is divided by two arteries, San Pablo Avenue and Stanford Avenue. The neighborhood is bounded by other large streets: Alcatraz, Market, Adeline, and Hollis across in Emeryville. Increased volume on the arteries has created high traffic pressures on the side streets. We expect that conditions will severely worsen in the coming years from the Cattelus shopping center now being built nearby, the future construction of the Kaiser Regional Hospital on San Pablo Avenue, and the constricting of I-80 during highway construction. In addition, there are several crime hot spots which generate dangerous traffic.

We have prepared a comprehensive traffic management plan for our neighborhood. We have presented this plan to our neighborhood at several open meetings, and it has received solid support from *everyone*. We submit this plan to the City Traffic Commission for consideration. We understand that this will require a lot of hard work gathering signatures and working with the city's traffic engineers. However, the quality of life in our neighborhoods are being severely degraded and we are committed to take on this challenge. Many of our neighbors have already gathered signatures independantly, garnishing support for traffic controls on their own streets. We have incorporated their work into our proposal.

SPECIFIC PROBLEMS

Streets crossing San Pablo suffer from accidents, speed and high volume. The trend is to use these as short cuts and collector streets. In particular are the following streets: all of 59th, 53rd below San Pablo, 66th, 65th, 63rd and 60th above San Pablo, and 55th.

Streets crossing Stanford are also used as collectors and short cuts. These include Baker, Lowell, Gaskill, and to a lesser extent Marshall and Fremont.

High accident rates, speeding and joy-riding may also be associated with drug and other crime activity. These include the area around Los Angeles and 57th, the length of Gaskill, the south end of Lowell, the area around 53rd and Gaskill, 55th between Gaskill and Lowell, 53rd below San Pablo, Marshall and 62nd, and Vallejo and 63rd.

While there is only scattered speeding information for the neighborhood, every street that was studied shows a small but pronounced presence of high speed driving (over 50mph). In addition, several of the studied streets show high speeds in general (85th percentile > 31mph): 54th, 55th and 56th between Lowell and Gaskill, and along Lowell.

Some accident hot spots appear to be caused by awkward intersections where there are several streets converging. These would include Market at 63rd and 62nd Streets, the little splinter of east-bound Stanford onto 59th for right turns on to Market, Adeline at 53rd, 54th, and Aileen Streets, 60th at Stanford and 59th at Stanford.

To resist these pressures, traffic restrictions should discourage thoroughfare traffic on the side streets, and slow down the traffic that does remain on the side streets. Many Stop Signs have been installed in recent years, but in many cases these are ignored or only partially effective. Physical barriers are the next logical response. The simplest solution would be to introduce many undulations and islands. Alternatively, diverters could be used to actually block certain traffic flows, where there are suitable alternate thoroughfares.

Our recommendations are a start. We know that traffic control is a very complicated job. Every solution must consider the impacts on other streets. We have not even considered some devices, such as One-Way streets, more Stop Signs, and "Slow Streets". We would be happy to work with the City to consider these options as well. Perhaps traffic circles and barricades could be simple trees planted in the street.

We understand that these devices are often costly, and that the City cannot pay for all of them at this time. However, because of the impact on traffic caused by the work on Highway 80 in the coming years, the Catellus shopping center now being built, and the new Kaiser hospital, our problems will only become worse in the future, and perhaps these outside developments will help pay to mitigate these problems.

2

Accident Trouble Spots

Lowell	at 55th, 54th, 53rd & Adeline; btw 63rd & 61st
55th	along its length above San Pablo; at Fremont
53rd	at Gaskill and at Adeline
Los Angeles	at Grace & 57th; whole length in general
Aileen	at Market, at Gaskill
59th	at Stanford, along its length to Market
60th	between San Pablo & Herzog
Marshall	at Ocean, and around 61st & 62nd
63rd	along its length
Baker	at all intersections
Market	Whole length

Speeding (many streets are missing data)
All streets show at least 3 cars @ 50mph+ per day

54th	above San Pablo
55th	above San Pablo
56th	Gaskill - Lowell
Lowell	57th - Aileen
63rd	Vallejo to San Pablo
66th	Sacramento to San Pablo

Volume (descending amounts, to 1000 cars/day)(many streets missing)

59th	below San Pablo, above San Pablo
53rd	below San Pablo
63rd	above San Pablo
Lowell	btw Stanford & 53rd
55th	btw Gaskill & Lowell
62nd	btw Marshall & San Pablo
60th	btw San Pablo & Herzog

Crime incidents

Lowell	btw Aileen & 54th
San Pablo	at 60th (liquor store); at 53rd (liquor store); at 54th (motel & ¼ Pounder)
57th	at Lowell
55th	btw Gaskill & Lowell
53rd	below San Pablo
Los Angeles	& 57th area
63rd	at Vallejo
62nd	at Marshall

3

RECOMMENDATIONS

The following lists are proposed in order of priority.

Aileen-Gaskill Section (Sector 12)

1. Discourage/control short-cutting flow between Adeline and San Pablo along all streets, 53rd to Arlington. Discourage/control flow along Gaskill Street and Lowell Streets.

   Install Circles on alternate intersections of Lowell and Gaskill Streets (9), (11), (13), (15), (17), (19), (42), and (43). Also install Undulations on the long blocks of 53rd, 54th, 55th, 56th, Aileen, 57th, and Arlington Streets (44 - 53)

   Alternatively, it would be even more effective to erect diagonal barricades across intersections of Gaskill with these streets, preventing all cross-cutting traffic. All traffic would be local.

2. Make safer intersections at 53rd Street and Adeline, 54th Street and Adeline, Aileen Street and Adeline, and at the intersection of Stanford, 59th Street and Market. These are regularly the sites of major traffic accidents.

   Install "Right Turn Only" at Lowell and Adeline, blocking turns off of Adeline altogether (5). Block off the end of 54th street at Adeline (18). Block off the small triangle short-cut on Aileen between Market and Adeline (4). Install and undulation at 59th Street above Occidental, off of Stanford (3).

3. Control traffic in high-crime areas around Gaskill and 53rd Street, San Pablo and 53rd Street, and around 57th Street and Los Angeles.

   This is partially accomplished through the controls described in #2. However, diagonal barricades across Lowell and Arlington (9), Lowell and Aileen (11), and 57th and Los Angeles (43). This would funnel more traffic onto 57th Street, which has a traffic light controlling the intersection at Adeline.

4

West of San Pablo and North of Alcatraz (Sector 8)

1. Stop/control flow on cross-cutting west from San Pablo on 59th Street and 53rd Street. The residents of this area have developed a plan that is widely supported by the neighbors.

   A partial barricade across 59th Street at San Pablo (7) would stop the enormous volume of west-bound traffic here. A Right-Turn Only from 59th onto San Pablo would also make this intersection safer. A second barricade will be required across 59th near Vallejo (22) to stop East-bound short-cutting. These barricades might create additional pressures on Fremont and Marshall Streets, requiring mid-block barricades (64 and 66).

   53rd Street should have Undulations (54) & (55) at the very least. A stop sign or even a partial barricade near the Emeryville border stopping west-bound traffic might be necessary to control the high volume. 54th Street might become more of a thoroughfare, so it should also have undulations (65) & (67).

2. Stop/control flow on cross-cutting west from Sacramento to San Pablo on 66th Street and 65th Street. The area borders Berkeley which has installed barricades, a one-way street, and undulations in the streets just over the border to control its traffic; we need corresponding controls in our areas.

   A solid barrier at the Berkeley border across 65th Street (63) would stop the cross-cutting. A second barrier diagonal across 65th Street would protect the area from cars short-cutting the light at Alcatraz and San Pablo. In the neighboring streets across the Berkeley border there are already undulations, One-Way streets to control these same kinds of problems.

3. Discourage/control flow on cross-cutting west from San Pablo on 55th, 61st, 62nd and 63rd Streets. 62nd and 63rd Streets are also high crime areas.

   Undulations on 55th Street (56) & (57) would regulate traffic flow. Fremont Street also needs undulations as part of this short-cut (58) & (59). A combination of Circles, Undulations, and a Barrier on 61st, 62nd and 63rd Streets are needed to regulate or reduce the traffic that tears around these areas (24 - 28) and (68 - 71).

Baker, Herzog & 61st Street Section (Sector 7)

1. 59th Street: reduce/control short-cutting and speeding on 59th Street. Make safer intersections at Stanford and 59th Street, and at San Pablo and 59th Street.

   A partial Barricade across 59th Street near Stanford (6) would stop speeding short-cuts peeling off Stanford. A Right-Turn-Only from 59th would reduce the high amount of accidents here. A partial or complete barricade across 59th just above the Gateway Supermarket (72) would help stop East-bound short-cutting. Alternatively, creating an Island in the San Pablo median strip (72A) would reduce this short-cutting. An additional Undulation on 59th Street (41) might be necessary.

2. Reduce/control traffic and speeding between San Pablo and Market on 60th, 61st, 62nd and 63rd Streets.

   A pair of Undulations have already been installed on 63rd Street near Market (60) & (61). It appears to be successful for that area, but the remainder of the street continues to suffer from noisy and fast traffic. A diagonal barrier on 63rd at Herzog (74) would reduce much of the cross-cutting in this area and would restrict the drug traffic here too.

   Several series of Undulations on 60th, 61st, 62nd, and 63rd Streets (33 - 40) and (60) would reduce speeding on the long blocks and discourage cross cutting.

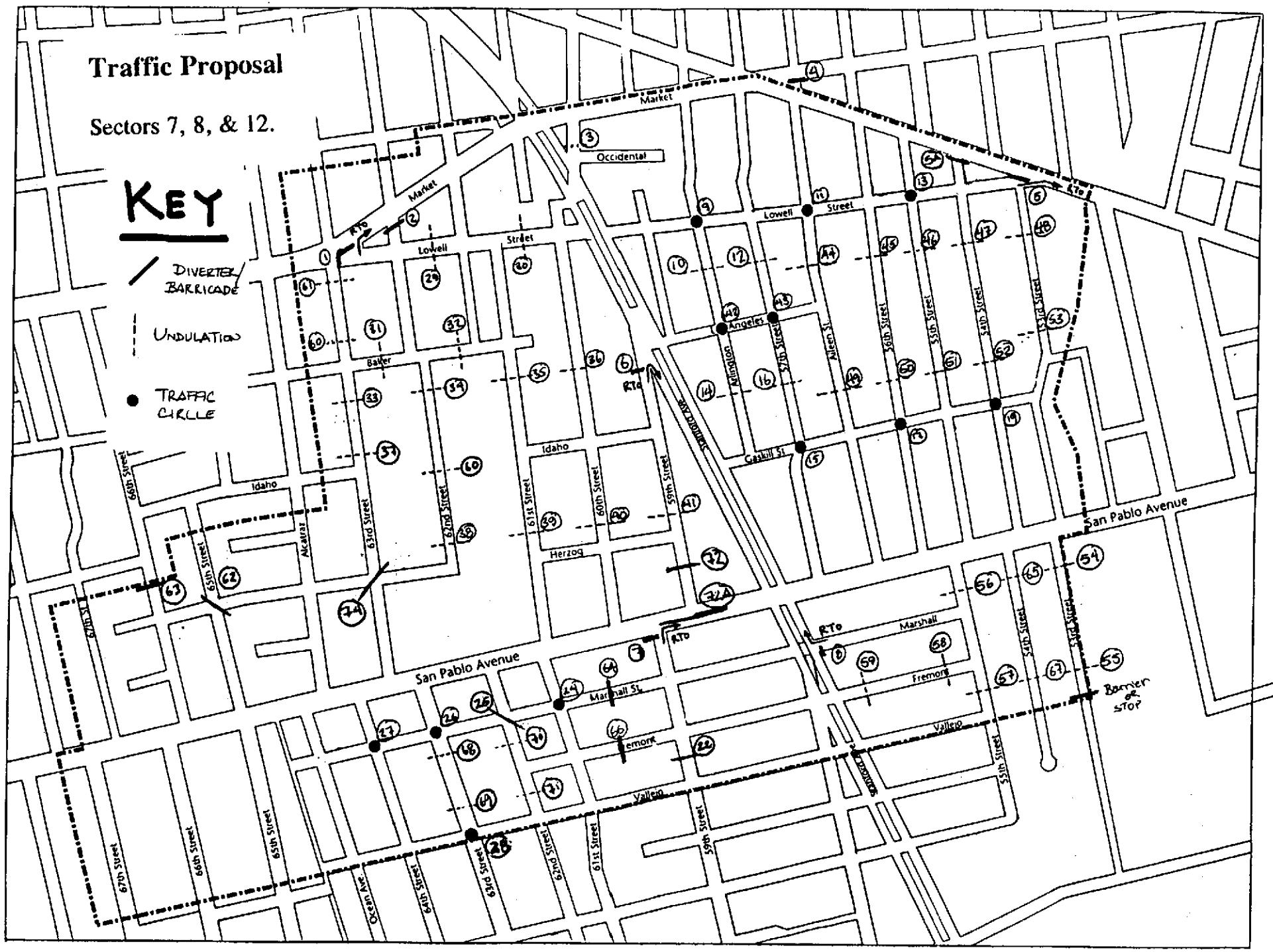
3. Make safer intersections at 63rd Street, 62nd Street, Lowell and Market.

   These intersections are irregular and suffer many bad accidents. Block off access to Lowell from South-bound Market with a partial Barricade (1) and create a Right Turn Only from Lowell onto Market. 63rd Street would be unrestricted but would enter Market without conflicting side traffic. Install a Barricade across 62nd Street at Market (2). This is a short spur and the small amount of commercial traffic in the area could enter Lowell via 61st Street.

4. Reduce/control traffic on Lowell Street and on Baker Street.

   Install pairs of Undulations (29 - 32) on these cross-streets to reduce speed and reduce the high incidence of accidents at their intersections.

6


Traffic Proposal
Sectors 7, 8, & 12.
KEY
DIVERTER/ BARRICADE
UNDULATION
TRAFFIC CIRCLE
Market
Occidental
Lowell
Street
Angelos
Gaskill St
Idaho
Herzog
Marshall
Fremont
Vallejo
San Pablo Avenue
Baker
Alcatraz
Ocean Ave.
Barrier or stop
RTo
66th Street
65th Street
63rd Street
62nd Street
61st Street
60th Street
59th Street
57th Street
56th Street
55th Street
54th Street
53rd Street
Allen St.
Arlington
Cypress Line

65. RESPONSES TO COMMENTS FROM DONNA PEERS, S.P.A.G.G.I.A. RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 65.A.: Comments are introductory in nature and provide background information regarding the San Pablo Avenue - Golden Gate Improvement Association. SPAGGIA submitted the February, 1994 Golden Gate Neighborhood Commercial Revitalization Report with their comments on the Draft EIR. This 70+ page report provides community information, identifies available community resources, and contains specific recommendations for revitalizing this area. Due to the length of this attachment, it has been placed on file with the City of Emeryville Planning Department and is available for review upon request. No specific response is necessary.

RESPONSE TO COMMENT 65.B.: See Master Response H1. regarding the manner in which the Draft EIR evaluates regional impacts. All neighboring communities, including cities had an opportunity to comment on the Draft EIR. Additional specific responses are provided in Responses 65.C. through 65.P.

RESPONSE TO COMMENT 65.C.: The comment refers to the proposed project's potential effects on the quality of life in neighborhoods surrounding the project site and the compatibility of the proposed project with surrounding uses. Please see the response to Comment 61.F.

RESPONSE TO COMMENT 65.D.: Please refer to Master Response D1. for a discussion of residential streets. In conformance with CEQA Guidelines §15126(d), the EIR describes the measures which could minimize significant adverse traffic impacts resulting from the development of the proposed medical center. CEQA does not require that the costs of each of these mitigation measures be projected and included in an EIR. Kaiser, however, will be responsible for funding its share of those mitigation measures required to reduce or avoid significant impacts associated with the project. With regard to cumulative mitigation measures, as stated on pages 134 and 154 in the EIR, Kaiser would be responsible for funding its share of the cumulative improvements, and other cumulative projects would be responsible for contributing their fair share. The mechanism for collecting these funds will be in place at the time of project approval.

In addition, as described on page 17 of the Draft EIR, Kaiser would contribute $420,000 in traffic impact fees and $100,000 to the Mass Transit Program fund per year for 25 years. The payment of traffic impact fees would be used to fund a portion of the improvements at intersections throughout the city for which mitigation measures have been identified.

RESPONSE TO COMMENT 65.E.: The existing and projected traffic volumes on San Pablo Avenue would make turning left from minor unsignalized intersections difficult with or without the proposed project. However, right turns to and from these streets can be easily made, while left turns from San Pablo Avenue to these minor streets can be accomplished through breaks in traffic created by downstream intersections. In addition, crosswalks are provided at most of the minor streets to facilitate pedestrian crossings.

RESPONSE TO COMMENT 65.F.: The Draft EIR describes Kaiser's contribution to the traffic impacts at Level of Service "F" intersections, by indicating the volume/ capacity ratio at each of these intersections. Please refer to Tables 12 through 17 of the Draft EIR for this evaluation.

As described in the Draft EIR (p. 114), the threshold of significance for intersection impacts operating at LOS E or F without Kaiser is as follows:

- If a signalized intersection is operating at LOS E or F conditions without the project, an impact would be considered significant if the addition of project traffic causes the Volume-to-Capacity ratio to increase by 0.02.

Mitigation measures, where feasible, have been suggested for the project for intersections which meet this criteria.

RESPONSE TO COMMENT 65.G.: The attached table summarizes the PM peak period travel times between four origins and destinations under year 2010 Baseline and year 2010 Cumulative conditions. In order to make an assessment of travel times along roadways in the general vicinity of the project, two major east-west facilities were selected: Powell and 40th Street; and two major north-south facilities were selected: San Pablo Avenue and I-880/I-80. As the table indicates, cumulative traffic results in increases in PM peak period travel times along San Pablo Avenue by approximately 30 percent in the southbound direction, and by approximately 24 percent in the eastbound direction. Along I-880/I-80, the volumes increase by 10 percent in both the northbound and southbound directions, while along 40th Street, it increases by approximately 42 percent in the eastbound direction. The travel times presented in the table were projected by the Emeryville city-wide travel demand model.

RESPONSE TO COMMENT 65.H.: Please refer to the response to Comments 12.B. and 78.C.2.

RESPONSE TO COMMENT 65.I.: Please refer to Master Response D1. for a discussion of residential streets and also refer to the response to Comment 65.L.

RESPONSE TO COMMENT 65.J.: The traffic control plan currently being developed for the Golden Gate Neighborhood is not directly affected by the Kaiser project.

RESPONSE TO COMMENT 65.K.: The project includes the payment of a $100,000 annual contribution over 25 years to the Mass Transit Fund. This fund will be expended at the City of Emeryville's discretion and could be applied towards funds for the implementation of the future LRT.

RESPONSE TO COMMENT 65.L.: The traffic analysis did not demonstrate a need to implement SPAGGIA's Neighborhood Traffic Management Plan as a result of the proposed project. The City of Emeryville cannot legally require Kaiser to fund improvements beyond the impacts which the project creates.

Travel forecasts developed using the city-wide model indicate that the project would not significantly impact local streets in the Golden Gate neighborhood where mitigations are suggested. The only local street that would be impacted by the project, but not to a significant level, is 59th Street between San Pablo Avenue and Stanford Avenue. In order to reduce eastbound through traffic along 59th Street, the implementation of an undulation or raised median on San Pablo Avenue at 59th Street would reduce these impacts. This is not proposed as a mitigation measure since a significant impact has not been defined, but is presented for informational purposes.

RESPONSE TO COMMENT 65.M. The commenter is referred to the response to Comment 34.Y. and to the response to Comment 40.W. With regard to street tree

Travel Times in Project Vicinity
PM Peak Period
Kaiser EIR

ORIGIN	DESTINATION	YEAR 2010 BASELINE	YEAR 2010 CUMULATIVE	PERCENT CHANGE
SAN PABLO AVENUE CORRIDOR				
University Avenue	Downtown Oakland	17.9	23.4	30.7%
Downtown Oakland	University Avenue	17.8	19.9	12.8%
POWELL STREET/STANFORD AVENUE/ADELINE STREET				
Watergate	Ashby Avenue/Telegraph Avenue	13.8	17.1	23.9%
Ashby Avenue/Telegraph Avenue	Watergate	14.2	15.3	7.7%
I-880/I-80				
Port of Oakland	Albany	29.4	32.4	10.2%
Albany	Port of Oakland	21.0	23.2	10.5%
40TH STREET				
Catellus	Piedmont Avenue	6.7	9.5	41.8%
Piedmont Avenue	Catellus	5.6	6.8	21.4%

Note: Travel times are projected by the Emeryville city-wide travel demand model. Travel times are presented in minutes.

TABLE FOR RESPONSE TO COMMENT 65.G.

planting, as indicated in the response to Comment 65.L., the City of Emeryville cannot legally require Kaiser to fund improvements beyond the impacts which the project created.

RESPONSE TO COMMENT 65.N.: The comments relating to the project benefits go to the project itself, rather than to the Draft EIR, and therefore do not require further response. Additionally, the project would provide regional health care services which would benefit the entire region, not Emeryville alone.

With respect to the comments relating to mitigation of transportation impacts in other jurisdictions, please see Master Response D3. As described on page 340 of the Draft EIR, the Emeryville-BART Shuttle would provide shuttle service linking major employment, retail, and residential areas throughout the city with the MacArthur BART and Emeryville Amtrak Stations. The provision of this shuttle service is expected to encourage residents outside of Emeryville to choose to take transit to retail and employment areas in Emeryville, instead of driving to Emeryville, because they will be able to take the shuttle from the MacArthur BART Station or Emeryville Amtrak Station to their destination within Emeryville.

RESPONSE TO COMMENT 65.O.: The comment refers to the proposed project's effect on revitalization of San Pablo Avenue. Please see the response to Comment 49.K.2.

RESPONSE TO COMMENT 65.P.: The Draft EIR notes that the project would result in a loss of manufacturing jobs which is similar to the trend occurring throughout Alameda County. Some of the new jobs that are provided by the proposed project include neighborhood-retail and commercial jobs and service jobs which would require limited job training. The implementation of a local hiring program is not considered to be tied to a physical effect on the environment, and therefore, is not addressed in the EIR. These comments are acknowledged, however, for the consideration of the decision-makers.

B.A.N.D.
Business Alliance for North Downtown
2101 Webster Street
Suite 1575
Oakland, CA 94612
(510) 208-4340
FAX (510) 208-4342

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

June 17, 1994

Emeryville Planning Department
2200 Powell Street
Emeryville, California 94608

RE: Draft Environmental Impact Report
Kaiser Permanente Medical Center

Dear Sir/Madam:

This letter is our written comments on the Draft Environmental Impact Report for the proposed Kaiser Permanente Medical Center in Emeryville.

The proposed Kaiser Permanente Medical Center is a regional facility and as such, the EIR should assess regional issues including alternate sites. The draft EIR does not include the very best alternative site - the site in downtown Oakland. 66A

The Oakland site is one of the very few new projects that has been endorsed by environmental groups, preservationists, developers and businesses throughout the entire Bay Area. The reason for this consensus is simple, it makes sense to locate a regionally important facility near a regional transit hub. This is not the case in Emeryville where traffic would be adversely impacted in Emeryville and Oakland as well as on interstate freeways. 66B

We request that the EIR include a rational and fair assessment of this alternative site. The East Bay has an opportunity to do something right for a change by locating the Kaiser Permanente Medical Center in a location that best serves the East Bay - Downtown Oakland.

Very truly yours,
BUSINESS ALLIANCE FOR NORTH DOWNTOWN (BAND)

Mark J. Perniconi

66. **RESPONSES TO COMMENTS FROM MARK PERNICONI, B.A.N.D. RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 66.A.: For discussions of regional impacts and the Fox Theater site, please see Master Responses G1. and H1., respectively.

RESPONSE TO COMMENT 66.B.: With regard to a downtown Oakland site alternative, please see Master Response G1.

With regard to locating the facility near transit, the project is served by several transit opportunities which are explained on page 97 of the Draft EIR. They include: (1) the AC Transit line on San Pablo Avenue adjacent to the project site; (2) the MacArthur BART station, which is less than 3/4 of a mile from the proposed project site. As explained on page 340 of the Draft EIR, Kaiser will provide its own shuttles to this station every seven (7) minutes. In addition, the City of Emeryville is implementing a citywide BART shuttle.

OHO

OAKLAND HOUSING ORGANIZATIONS

June 20, 1994

TRANSMITTED BY FAX

Ms. Gaye Quinn, Planning Director
City of Emeryville
2200 Powell Street
Emeryville, CA 94608

Re: Environmental Impact Report on Proposal for Kaiser Hospital and Medical Center

Dear Ms. Quinn and Commissioners:

We are writing to ask that the City of Emeryville do further study of the environmental impact of this proposal now before you prior to any consideration of approval of the Environmental Impact Report. We believe that there are a number of issues whose impact has not yet been sufficiently addressed.

Oakland Housing Organizations (OHO) is the largest affordable housing coalition in Alameda County, with members in Oakland, Emeryville, Berkeley, Hayward, and other localities. We are writing to you as an organization dedicated to preserving and expanding the supply of decent, affordable housing in the area and to supporting development and maintenance of the environment and infrastructure to assure that this housing is part of liveable and economically viable communities. OHO's membership of more than 120 organizations and advocates includes non-profit housing developers, fair housing and tenant rights advocates, affordable housing consumers, service providers, architects, contractors, and other housing advocates. OHO accomplishes its goals through networking, advocacy on local and statewide housing policy and legislation, and collaboration on housing-related special projects. 67A

We want to call the following issues, in particular to your attention.

HOUSING: Given the severe deficit of affordable housing in Emeryville, in the region, and in the state of California, we ask that the E.I.R. further address the impact of this proposal on the need for affordable housing in Emeryville and on Emeryville's obligation under state law to meet its fair share of regional needs. We understand that the proposed Kaiser site has been identified as a viable site for development of affordable housing. In that case, we ask that the E.I.R. also address how (a) replacement site(s) would be designated and acquired. 67B

IMPACT ON SURROUNDING NEIGHBORHOODS AND JURISDICTIONS: With no East-West through streets near to the proposed site and with minimal public transportation available, we ask also that you further evaluate the impact of this proposal on the residential neighborhoods to the east of San Pablo Avenue. If additional traffic on these streets is to diminish the residential viability of these neighborhoods, we ask that the E.I.R. address how this will be mitigated. 67C

1330 BROADWAY SUITE 1030 OAKLAND CALIFORNIA 94612 TELE: (510) 839-2446 FAX: 510-268-9065

Given that 70% of Kaiser subscribers who use this facility live in Oakland, we ask that the E.I.R. further address the maximum availability and accessibility of health care services to the greatest number of Kaiser members, potential Kaiser members, and those who might use it under emergency or disaster circumstances. 67D

We are concerned that insufficient attention was given in the Environmental Impact Report to an evaluation of the downtown Oakland site alternative. An architectural firm specializing in health care investigated for the City of Oakland the potential for locating the proposed hospital in downtown Oakland. It was determined that the downtown site could support the Kaiser program (and had many additional positive environmental impacts). Additionally, the City of Oakland is currently in the process of updating its General Plan, and the E.I.R. needs to be evaluated against this process for several relevant Elements. 67E

ADDITIONAL CONCERNS:

Traffic: In addressing concerns, as on the previous page, about the impact of increased traffic from Kaiser patients, staff, and vendors on the neighborhoods east of San Pablo Avenue, we ask that the E.I.R. address how these impacts will be mitigated, funded, and implemented. The implementation process should also describe how neighborhood acceptance will be accomplished. 67F

Transit: Placing a major employer and regional destination off of the primary transit network (as well as away from a majority of the other transit trunk and feeder lines that would be expected to generate a significant portion of travel to a Kaiser facility) when a site is available at a major intersection for that network and for other local and regional transit is both an immediate transit problem and a significant lost opportunity for the region to emphasize transit and land uses surrounding transit. If Kaiser were located in downtown Oakland, it could provide critical mass and significant impetus to strengthen regional transit. Can the transit problem be addressed? Can this lost opportunity be mitigated? 67G

Economic Development: The downtown Oakland site is the site in the East Bay where a new development could maximally leverage new development activity, and is critical to this historic and centrally located employment center. With Kaiser seeking to undertake development and construction in the near future, we believe that Kaiser would also have the highest possible impact of any user of the "downtown Oakland alternative" site in preventing the loss or closure of existing downtown Oakland retail and commercial activities. 67H

Thank you for this opportunity for comment. We appreciate your consideration of these issues, and would be glad to answer any questions.

Sincerely,

Lee Rink

Lee Rink
Director

67. RESPONSES TO COMMENTS FROM LEE RINK, OAKLAND HOUSING ORGANIZATIONS RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 67.A.: Oakland Housing Organizations (OHO)'s status as the largest affordable housing coalition in Alameda County is acknowledged. In response to the commenter's request that the City of Emeryville conduct further analyses, the Draft EIR contains adequate analyses of the environmental impacts associated with the proposed medical center. Please refer to Master Response I1. for a discussion of the adequacy of the EIR. Specific responses are provided below for each of the specific comments raised by the commenter regarding the adequacy of the Draft EIR.

RESPONSE TO COMMENT 67.B.: Please refer to Master Response C3. regarding a discussion of fair share housing opportunities in Emeryville.

RESPONSE TO COMMENT 67.C.: The proposed project would not result in a direct significant impact to residential neighborhoods east of San Pablo Avenue. See Master Response D1. for a discussion of residential streets.

RESPONSE TO COMMENT 67.D.: According to Kaiser, health care services to Oakland Kaiser members would not be compromised with the relocation of the hospital to Emeryville, since the site is located only 1.5 miles away from the existing Oakland facility. Further, access to Emeryville is comparable to Oakland by automobile, bus and BART/van shuttle. As well, services to Kaiser members are expected to be enhanced because outpatient services will be provided at both the Emeryville and Oakland campuses. Funding responsibility for the mitigation measures are identified in the Mitigation Monitoring and Reporting Program will be adopted as part of the findings for the EIR.

RESPONSE TO COMMENT 67.E.: Please refer to Master Response G1. regarding the Fox Theater site. With regard to the comment about the need to evaluate the City of Oakland's General Plan Update, please refer to Master Response H1. for a discussion of the manner in which the EIR consultant attempted to obtain a list of pending projects from the City of Oakland. At the time the Draft EIR was under preparation, the City of Oakland did not provide information regarding its General Plan update to the City of Emeryville.

RESPONSE TO COMMENT 67.F.: The traffic analysis did not demonstrate a need to implement a neighborhood traffic plan for neighborhoods east of San Pablo Avenue as a result of the proposed project. The City of Emeryville cannot legally require Kaiser to fund improvements beyond the impacts which the project creates.

RESPONSE TO COMMENT 67.G.: The existing site, on MacArthur Boulevard, is served by six AC Transit routes and is within one-half mile of the MacArthur BART station. Please refer to Master Response D6. for a discussion of the transit assumptions.

RESPONSE TO COMMENT 67.H.: With regard to analysis of the Fox Theater site in downtown Oakland, please see Master Response G1.

EMERYVILLE PLANNING COMMISSION

KAISER PERMANENTE MEDICAL CENTER DRAFT ENVIRONMENTAL IMPACT REPORT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

Name: Judith & Boyd Rubin **Affiliation:** Residents of North Oakland; members of SPACE14

Address: 1043-54th st Oakland 94608

COMMENTS: We oppose Kaiser's bid for a new development in Emeryville. We believe it will adversely affect the quality of life in the surrounding community, including our area. It will bring in too much traffic, worsening air quality, endangering pedestrians and flooding side streets with overflow traffic. It will eat up small businesses and residential developments in the area, impairing the diversity of the area and further diminishing options for shopping and living. We already have commuters using our streets in residential areas to reach Emeryville businesses. Parking in nearby residential streets will be taken up by people unwilling to pay parking at Kaiser. The result will be ill will between Kaiser and area residents. We think Kaiser should take the suggested downtown Oakland site instead - it is an accessible, available, commercial area ripe for this sort of project. Kaiser will, in Emeryville, flatten the character and diversity and interest of our neighborhood.

68A 68B 68C

Use back if necessary

68. **RESPONSES TO COMMENTS FROM JUDITH AND BOYD RUBIN RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 68.A.: The comment refers to the proposed project's potential effects on the quality of life in surrounding neighborhoods including impacts to traffic, air quality and pedestrian safety. Please see response to Comment 61.F. which addresses these issues.

The proposed project would increase traffic in the immediate vicinity of the project on streets such as San Pablo Avenue, Hollis Street, 45th Street, and Park Avenue and result in significant impacts at a number of intersections in Emeryville as well as Oakland and Berkeley as described in the DEIR beginning on page 107. Traffic going to and from the proposed project would typically travel on the primary street network, or main roads, such as San Pablo Avenue and Hollis Street since these streets lead to connections with the regional transportation systems (i.e. I-80, I-580). Mitigation measures proposed in the EIR, such as restriping San Pablo Avenue to provide an additional through lane, restriping Hollis Street to 4 through lanes and construction of the Horton-Landregan connection, are intended to improve the main roads leading to and from the project site to reduce the amount of traffic that would be diverted to local streets and into residential neighborhoods. By focusing the traffic onto these main streets, pedestrian safety within residential neighborhoods would not be adversely affected. Where pedestrian crossings are needed at main streets and intersections, such as along 45th Street and Park Avenue, pavement markings, signing and other related traffic control devices are proposed to allow safe pedestrian access (see DEIR mitigation measures Cir-45.1, Cir-45.2, Cir-46.1, Cir-46.2, and Cir-47.1).

With regard to the potential impacts to small businesses and residential development, the proposed project is expected to have a beneficial impact on small businesses in the area, especially revitalization efforts along San Pablo Avenue. This is because the proposed project includes retail and office uses at the perimeter of the site along Hollis Street, Park Avenue, portions of 45th Street and San Pablo Avenue. These pedestrian oriented uses could include small food markets, restaurants, apparel stores, specialty stores and other small businesses intended to revitalize these areas. The Kaiser Medical Center would also provide a large employee base along San Pablo Avenue which is generally considered a critical element in the revitalization and stability of small businesses.

RESPONSE TO COMMENT 68.B.: Kaiser is proposing to provide sufficient public parking for its employees, members, and visitors to ensure that the project does not result in additional parking demands to nearby neighborhoods. Sufficient on-site parking is provided to meet City Code requirements during all project phases. For example, Phase I consists of 2,585 spaces which is 14 spaces more than the 2,571 spaces required by the City Code. The Future Expansion phase would consist of 3,845 parking spaces which is 109 spaces more than the 3,736 spaces required by the City Code.

RESPONSE TO COMMENT 68.C.: Please refer to Master Response G1. for a discussion of the Fox Theater site. In addition, the Draft EIR analyzed the project's compatibility with surrounding land uses in the vicinity of the project site. As indicated in the Draft EIR on page 91, with the implementation of Urban Design Guidelines that have been incorporated into the project design, the project would result in a less than significant land use compatibility impact. The Kaiser Permanente Medical Center would be accessible at the proposed location due to its proximity to local and regional transportation facilities.

SEVENTEENTH STREET STUDIOS

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

June 16, 1994

City of Emeryville
Gaye Quinn
Planning Director
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Dear Ms. Quinn,

We are writing to comment on the Draft EIR for the proposed Kaiser hospital. Our interests in this project are several: We have lived, worked, and occasionally used hospitals in the East Bay since 1971, have been Kaiser members for many years, and have purchased a Kaiser health plan for the company we own. We patronize Emeryville businesses and have friends who reside in Emeryville.

It seems outrageous to consider moving the Kaiser hospital to a freeway intersection which is already overcrowded much of each day, far away from BART and not served by many bus lines. Emeryville is an area we have now begun to circumnavigate. Driving, we almost never take 880 to or through that area, finding it preferable to take Telegraph or Martin Luther King Way despite signals and cross traffic, because the freeway is so clogged. One wonders how Kaiser employees, visitors, patients, delivery drivers and vendors would manage to negotiate the crowded streets. (In Manhattan one occasionally hears of people dying in ambulances due to traffic congestion.) At what point will Emeryville become a permanent traffic jam? 69A

We believe serious consideration should be given to an alternative in downtown Oakland, where using public transportation is much more practical, in order to reduce overall car trips generated by the new facility, and where the street grid is more directly connected to that of surrounding areas. 69B

Some issues that come to mind include:

1) Emergency service in case of earthquake or other disaster. Would access to the proposed site exist at all? What if bridge approaches were flooded or otherwise destroyed in a 69C

455 17TH STREET, OAKLAND, CA 94612 · 510.835.1717 · FAX 835.1820

major tremor, as has been suggested is likely in some seismic studies? Wouldn't the freeway (assuming it is still standing) be clogged beyond use? On one occasion this year a single truck spill and the concomitant hazardous materials team closed the Bay Bridge down for hours, causing enormous backups all around the Emeryville area. 69C

2) Air quality. (a) Hospital patients would be inhaling rather poisonous air within blocks of 880, wouldn't they? There is an enormous decline in air quality with close proximity to such a major freeway intersection. When one of us asked a doctor at the Kaiser allergy clinic about whether car exhaust was considered an allergen, she answered that it was simply toxic; that is, it isn't considered an allergen because it is really bad for *everyone* to breathe it. (b) It appears contradictory for a hospital which treats environmentally-caused illnesses, such as respiratory diseases, among others, to be a contributory cause of more environmentally-caused illness. Is this progress? 69D

3) Emergency room. On several occasions we have needed the Kaiser Emergency Room for what one might call "less-than-ambulance-level-but-still-serious" emergencies. It is hard to envision Emeryville as a convenient destination. At night there is not much bus service, and what there is is slow and requires transfers from most locations where there are heavy population centers. During the day, car access is difficult. One wonders whether ambulances will go careening through residential streets in order to reach the hospital. 69E

4) Downtown Oakland. If Kaiser were to come into downtown Oakland we might have to move our place of business due to construction noise, dirt, and commotion. However, it makes a much more sensible location in so many ways that we can't help noting the apparently whimsical elimination of an Oakland alternative. As noted above, the transit access is far better, and it would thus be possible to increase transit use above the current level at the present hospital location. We use BART almost exclusively for trips to downtown Berkeley, for example, and we know that a large pool of UC employees are Kaiser patrons. It is much faster to come to downtown Oakland from Berkeley by BART than it is to drive, as our University clients know. It is a shorter walk from BART to the potential site downtown than it is from the MacArthur Station to the present hospital. Both Telegraph and Broadway bus lines serve the potential Oakland site. 69F

5) The Present Hospital. What is Kaiser planning to do with the current hospital? They just built a new clinic building nearby. Is the old building going to be used in some way? Is it within the purview of the EIR to consider the future of this building? Surely it will also have some impact, one way or another, to move out of it and either reuse it or abandon it. 69G

We have read here and there that the Kaiser Administration is "mad at Oakland" or "fed up with Oakland" but we assume that this is nothing more than media silliness. These 69H

would not be good reasons for a large businesslike organization to eliminate a viable alternative. We wonder whether anyone at Kaiser or anyone working on the EIR has done any kind of patient census to find out what members would find most convenient? Certainly no one has contacted our company to ask where we, regular users of Kaiser's services, would feel was best. Has anyone considered speaking to the staff members? Several doctors we mentioned it to seemed to think the Emeryville location was not a good idea.

69H

We are looking forward to seeing a much-amended final EIR. Thank you for the opportunity to comment.

Sincerely,

Naomi Schiff

Naomi Schiff
Partner

69. **RESPONSES TO COMMENTS FROM NAOMI SCHIFF RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 69.A.: Refer to response to Comment 78.L.

RESPONSE TO COMMENT 69.B.: Please refer to Master Response G1. for a discussion of the Fox Theater site.

RESPONSE TO COMMENT 69.C.: Refer to response to Comment 78.C.2.

The Draft EIR states on page 218 that the project site is sufficiently far inland from the shoreline and at a sufficiently high elevation that potential damage from tsunamis in the Bay is very remote, but that the dam at Lake Temescal could fail, causing the project area to be inundated with approximately one inch of water. It is important to note, however, that the dam at Lake Temescal was inspected in 1993 and determined to be in sound condition.

RESPONSE TO COMMENT 69.D.: The air quality analysis concluded that the carbon monoxide levels would not exceed acceptable standards within the vicinity of the project, for both Phase I and the Future Expansion phase. The background air quality levels account for emissions associated with traffic on regional facilities, including Interstate 880.

RESPONSE TO COMMENT 69.E.: Please see the response to Comment 12.B. which describes the response times for the provision of emergency services associated with the proposed project. Emeryville is centrally located within Kaiser's service area and is well-served by the regional transportation network.

RESPONSE TO COMMENT 69.F.: Please refer to Master Response G1. which describes the Fox Theater alternative.

RESPONSE TO COMMENT 69.G.: Please refer to Master Response B1. for a discussion of the existing Oakland Kaiser facility.

RESPONSE TO COMMENT 69.H.: Please refer to the responses to Comments 54.E. and 54.F.

70

RECEIVED

JUN 2 0 1994

PLANNING DEPARTMENT

17 June 1994

Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Re: Responsibility to the Draft EIR as presented by Kaiser

Dear Gaye,

The items listed below are my concerns as the administrator and Landlord of the Emeryville Business Center, located at 1250 45th Street, Emeryville, California. Please address the following issues:

1. Noise, dust, debris, and traffic control related to construction. — 70A

2. Environmental impact to my property regarding any potential spreading of contaminants due to clean-up at the Phase I site. — 70B

3. What will be the recourse if my tenants are not able to function and/or conduct normal business due to the impact of construction? There should be financial remuneration if that is the case. — 70C

Awaiting your response,

Ronald J. Silberman
General Partner

Fordham Properties Inc.
5743 Landregan St.
Emeryville, CA 94608
510 547-7177
FAX 547-8842

70. RESPONSES TO COMMENTS FROM RONALD J. SILBERMAN, FORDHAM PROPERTIES, INC. RECEIVED 20, 1994

RESPONSE TO COMMENT 70.A.: The Draft EIR addresses construction impacts that would affect transportation and circulation facilities on pages 177 through 183 for Phase I and Future Expansion. Additionally, the traffic analysis contained in Appendix C (Volume II) addresses construction-related traffic impacts on pages 97 to 102. Dust and debris impacts due to project construction are addressed on pages 189 to 191 of Volume I of the Draft EIR and on pages 9 through 11 in Appendix E of Volume II. Noise impacts associated with construction activities are addressed on pages 213 and 214 of Volume I and on pages 17 and 18 of Appendix F in Volume II.

RESPONSE TO COMMENT 70.B.: Please see response to Comment 60.B.

RESPONSE TO COMMENT 70.C.: A Mitigation Monitoring and Reporting Program will be adopted as part of the findings for the EIR that specifies the manner in which construction impact mitigation will be implemented and monitored. Local residents and businesses affected by construction activities would be able to report their complaints to the City of Emeryville Planning Department who will, in turn, ensure that the contractor implements corrective measures as specified in the Mitigation Monitoring and Reporting Program.

SYDA FOUNDATION

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

June 19, 1994

Gaye Quinn, Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Dear Ms. Quinn:

I am writing to you on behalf of SYDA Foundation, located at the corner of San Pablo and Stanford Avenues. Our Siddha Yoga Meditation Ashram serves people who live all over the Bay Area as well as many local residents.

We have received and reviewed a copy of the EIR for the proposed new Kaiser Medical Center Project to be consructed in Emeryville near our facility. In our opinion, the proposed project will be a vital improvemnt to the area and an asset to the community. However the EIR establishes that traffic at the Stanford/San Pablo intersection, will increase to "E" and "F" levels. This traffic condition would be unacceptable. 71A

Although we generally support the project, we want to insure that the mitigation plan for traffic be adequate and acceptable. We would like to have input into the proposed mitigation measures if the project goes forward.

Sincerely,

Peter E. Sitkin

Peter E. Sitkin

Siddha Meditation Ashram Community Management Committee

1107 Stanford Avenue Oakland California 94608 415/655-8677 FAX 415/547-3514

71. **RESPONSES TO COMMENTS FROM PETER E. SITKIN, SYDA FOUNDATION RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 71.A.: The commenter's concerns are noted. The Draft EIR identifies feasible mitigation measures for traffic impacts where such measures are available. In the case of the San Pablo/Stanford Avenue intersection, the only mitigation that would reduce the impacts would be to provide additional through lanes on San Pablo Avenue. However, these improvements would be subject to the City of Oakland and Caltrans approval, and therefore, is outside the jurisdiction of the City of Emeryville. If the City of Oakland and Caltrans approve widening of San Pablo Avenue within a reasonable period of time, the project applicant should be required to pay their fair share toward these improvements.

Planning Department,
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

Attention: Gaye Quinn, Planning Director

20-June-1994

The following constitutes notice to the City of Emeryville, to Kaiser Permanente, and to the EIR Consultant of insufficiencies and omissions identified in the Draft Environmental Impact Report for the Kaiser Medical Center Project, document SCH# 93082063.

General Issues:

1. EIR Consultant not identified in Draft Report. 72A

The EIR Consultant shall present its name and address in a preface to all volumes of the Final EIR.

2. EIR fails to present ground-level views of proposed project.

The Draft EIR is notably lacking in providing pictures and diagrams that will give citizens and planners a groundlevel view of the proposed project. The EIR consultant is required to provide architectural elevations of the proposed medical center that will indicate the height and size of the buildings from all major directions. 72B

Traffic Issues:

3. Peak AM and PM methodology may not be appropriate for Hospital project.

The Final EIR should discuss the applicability of the AM/PM "Peak Period" methodology to the Kaiser project, given that hourly volumes for the "non-peak" hours are shown in Table 3 on Page 34 to average more than the AM peak volume.

Given a 24-hour day, and the stated project trip generation total of 21,255, a simple calculation shows that removing the AM and PM totals of 1,635 and 2,440 respectively will result in over 17,000 project generated trips during the remaining 20 hours. 17,000 / 20 = 850 / hour, 1,700 in two hours, or a flow greater than the AM "peak period" during all except the AM hours. 72C

Realistically, heavy hospital and office visit traffic can be expected to diminish between 9 pm and 6 am, suggesting that the average non-peak trip generation should be closer to 17,000 / 15, or 1,100 trips per hour, at 2,200 fairly close to the PM peak value.

In addition to acknowleging "non-peak" volumes, the EIR Consultant should undertake a more in depth analysis of what the actual peak travel times for the Kaiser hospital can be expected to be. 72C

4. Traffic analysis requested for Scope of Services not performed.

In previous inputs to the Scope of Services for the Kaiser EIR, a requirement for the EIR consultant to evaluate the results of their traffic analysis with respect to the previously performed traffic analysis done for the East BayBridge project was recommended. This comparison, if performed, was not published. The Final EIR should explicitly discuss why this suggestion was not followed.

Even given some methodological justification for not comparing the present traffic analysis with the prior one, it is notable that the Draft EIR never mentions the East BayBridge project. 72D

From a public policy point of view alone, this is unacceptable. The Final EIR must explicitly discuss the methodology used to calculate probable traffic levels for this major retail project, particularly since the calculations performed establish a year 2000 baseline that in many major intersections in the study area indicates substantially less traffic than the 1995 with project/mitigated figures prepared by Barton-Aschman.

A significant discrepancy was noted regarding projected volumes at San Pablo/W. Macarthur/Adeline. While generally agreeing with Barton-Aschman's projections for Peak AM, Korve suggests a 30% vehicle difference during the peak PM hour. Since the EIR regards this intersection as an important project access requiring significant and expensive mitigation, the Final EIR should provide clear drawing showing present and future volumes and lane configurations.

5. Approaches to project not clearly indicated.

The Draft EIR dealt insufficiently with approach volumes for the Kaiser project. Most of the information and assumptions provided come from Figure 19 on Page 115 of Volume I of the Draft EIR. 72E

A more thorough breakdown of the assumptions made for the service area of the project is called for. Arrows at the perimeter of an area map are insufficient. The following are a few specific examples that require elaboration:

> Roadway constraints of the area make many trips assymetrical;that is, many arrivals and departures do not follow the same route. This applies particularly to 35th, 36th, Adeline, and MacArthur Boulevard traffic. Freeway access at Ashby, Powell, and MacArthur is similarly assymetrical.

What justification is there for the assumption that SF access to and from the project will not traverse the MacArthur off-ramp? Has Caltrans made plans to eliminate this movement?

72E

What justification is there for indicating Poplar St. as a preferred southbound route over Peralta?

A more in-depth analysis of the service components of the project in relation to projected traffic volumes is called for. Where do the main body of employees come from, and is this the same mix as for patients, emergency vehicles, delivery vehicles, and so on.

6. Significant Intersections not studied.

At least five important project intersections were not treated in the Korve traffic analysis. These were:

West street at 35th
West street at 36th

Both of these intersections present unique freeway access issues with regard to the Kaiser hospital project. To some degree also the intersections of West at MacArthur and 40th are important.

72F

Peralta/MacArthur

As a collector for a regional off-freeway ramp which can be expected to service at least a portion of the 4% Bay Bridge project trip generation, there can be no justification for the ommission of this intersection. See also the separate comments relating to the under-representation of traffic at the adjacent intersection of 36th/Peralta. See also the separate comments relating to the proposed elimination of right turn Southbound San Pablo and Adeline movements onto MacArthur.

The EIR Consultant must provide data for these intersections omitted from its study. This data should be provided for public scrutiny for a reasonable period before publication of the Final EIR.

7. Methodology not understood.

The EIR Consultant should discuss the degree to which the installation of roadway traffic sensing loops is projected to increase vehicle capacities at the studied intersections.

72G

8. Impacts of Mitigation measures not fully discussed.

It is noted that the greatest of the proposed mitigations for the Kaiser hospital project is the effective widening of San Pablo Avenue between 35th and 40th. This mitigation is presented as essentially a re-striping of San Pablo Avenue, but it represents a major use change for this regional thoroughfare. In particular:

The restriction on Peak PM parking on San Pablo proposed constitutes a strong restriction on future retail development along the street.

Limiting the restriction to peak hours is unrealistic.

Elimination of southbound left-turns from San Pablo to MacArthur is a major curtailment of area traffic access.

72H

Elimination of southbound right-turns from San Pablo to MacArthur is a significant departure from expected traffic flow proposed in previous studies. Would a right turn from Adeline onto MacArthur be permitted?

Noting a persistant repesentation of the San Pablo/Adeline/MacArthur instersection as a simple NSEW crossroads, The EIR Consultant shall provide clear drawings of this "star intersection", showing all major movements and prohibitions. The EIR Consultant shall also provide an expanded drawing of the San Pablo widening mitigation as part of the main portion of the Final EIR. The drawing will show all current and proposed traffic movements and parking restrictions.

The EIR Consultant should present itemized rough magnitude costs of mitigation measures and, if possible, discuss budgetary responsibility for these.

9. Alternative congestion routes not fully accounted for.

Specifically, the Draft EIR indicates very few (73) Peak PM project trips through the 40th/Emery intersection. The EIR Consultant should comment on the degree to which level F congested conditions on San Pablo could be expected to increase this number. A similar scenario should also be presented for impassable conditions at San Pablo/Park, as well as for Hollis/Powell, and San Pablo/Ashby and probably others. 72I

10. Assumptions concerning possible reopening of MacArthur on-ramp.

The Draft EIR indicates a suggestion by Caltrans that the MacArthur on-ramp to I-580/80 would be re-opened to northbound traffic in the 2010 timeframe. If this 72J

assertation is repeated in the Final EIR, it should be supported by references. The degree to which it affects future Medical Center traffic should be more fully discussed. 72J

11. Points of Origin/Departure not clearly delinated.

The EIR consultant has presented few clues as to the assumptions made concerning hospital traffic origins and destinations. The Final EIR should more clearly present the location entrances to the proposed parking structures within the project, so that the traffic outflow can be more clearly analysed. For the intersections immediately bordering the project the percentages of project-generated traffic shall be presented. 72K

12. Unrealistic modeling of traffic.

The Draft EIR traffic model is unrealistic in its treatment of the 35th and 36th approaches and departures for the project. These routes are particularly susceptible to analysis because they are one-way streets without important local drop-offs and add-ons. The attached worksheets illustrate that the Korve traffic analysis overstates the projected volumes on 35th street in the 2000 Peak PM Kaiser with mitigation plus TDM scenario, while significantly understating traffic effects down the 36th street corridor. 72L

The relevance of this observation is that impacts at 35th/Peralta (one of the intersections requiring mitigation) are under-represented, while volumes at 36th/Peralta are diminished by more than 50%.

The EIR consultant must address in the Final EIR both these specific issues and the larger question of whether a usable traffic model should pass a reasonability test for consistant volumes between adjacant intersections. A spot check of the Korve data shows numerous situations where this does not occur.

Please note that the extremely short review period allowed for analysis of the traffic data for the Draft EIR has prevented me from doing a more thorough examination of the data. However I saw enough errors and ommissions in it to justify the EIR consultant revisiting it extensively before publication of the Final EIR. Please be on notice that I will continue to call out these inadequacies in the future despite official closing of the comment period. 72M

Summary:

Finally, I would like to indicate my general impression of the Draft EIR with respect to traffic and request that it as well as the above critique be included as part of the text of the Final Report. It is, of course, my personal opinion. 72N

The Draft EIR presents an extremely negative view of the Kaiser Medical Center in terms of traffic impacts. I was frankly rather surprised by the degree to which it does

so. It requires extensive and costly mitigations to achieve minimal improvements in traffic flow. These proposed mitigations do, however, have major impacts themselves on the surrounding communities, whether they be a new major through street near the Emery Bay Village, massive widening projects for San Pablo and Hollis, or questionable restriping efforts at San Pablo and Stanford.

I am disturbed by what I sense is an optimistic baseline scenario used for the Kaiser study. In a number of cases there are strong disagreements between the present (Korve) study and the one prepared by Barton-Aschman for the East BayBridge project. I found Korve's assumptions about the Catellus project traffic to be uniformly optimistic, and I found a tendency to assume that Kaiser traffic and East BayBridge traffic would proceed in different directions without intermingling. 72N

I think that it is extremely fortunate that the East BayBridge project is scheduled to open in the months preceding release of the Final EIR for the Kaiser Medical Center. This will provide a real taste of what congested conditions on San Pablo can be expected to bring to the three cities of Emeryville, Oakland, and Berkeley.

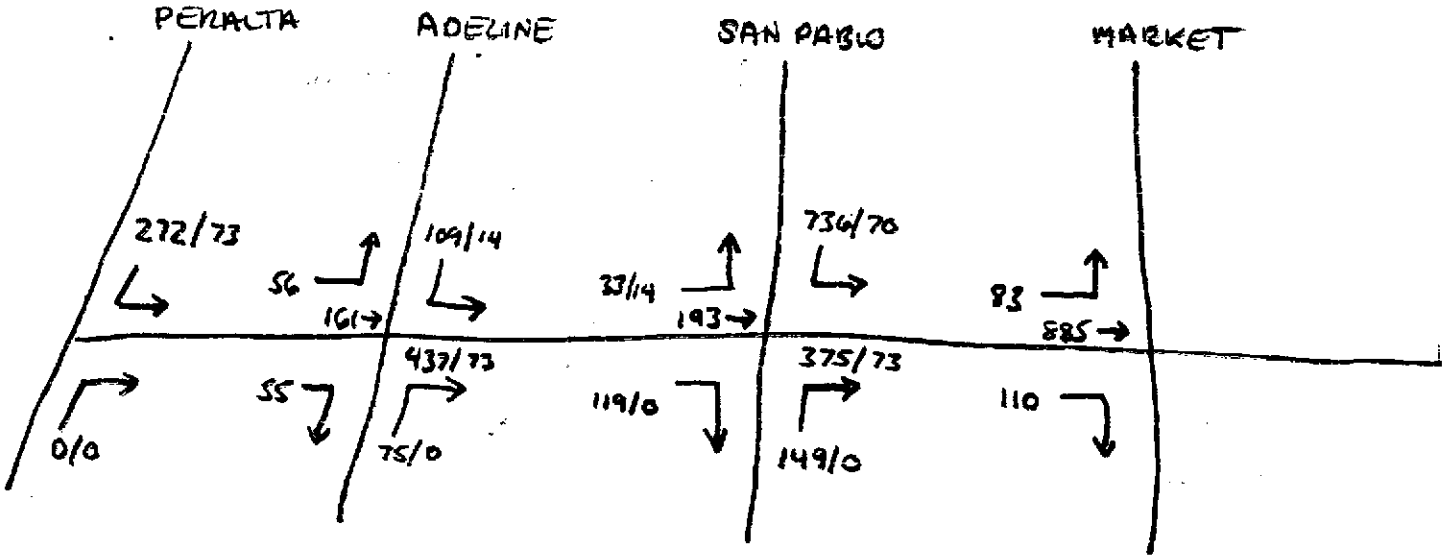
Those of us who over the past year have opposed the Kaiser development have up to now focused primarily on the philosophical issues involved. The project seems like a bad land use, for a number of reasons. The present study, however, gives ample basis for rejecting the project on practical, can't-drive-home grounds.

Thank you for the opportunity to respond to this Draft EIR.

Sincerely,

Steve Skaar
3616 Peralta St.
Emeryville, CA 94608

PM PEAK 2000 PLUS KAISER WITH TDM



USING THE TYPICAL FORMULA FOR THROUGH MOVEMENTS EASTBOUND

INT 1 (THROUGH EB) + INT 1 (LEFT SB) + INT 1 (RIGHT NB)

MINUS

INT 2 (LEFT EB) + INT 2 (RIGHT EB)

EQUALS

TOTAL VEHICLES CONTINUING EAST THROUGH INT 2

(WITH NOMINAL ALLOWANCES FOR LOCAL DROPS + ADDS)

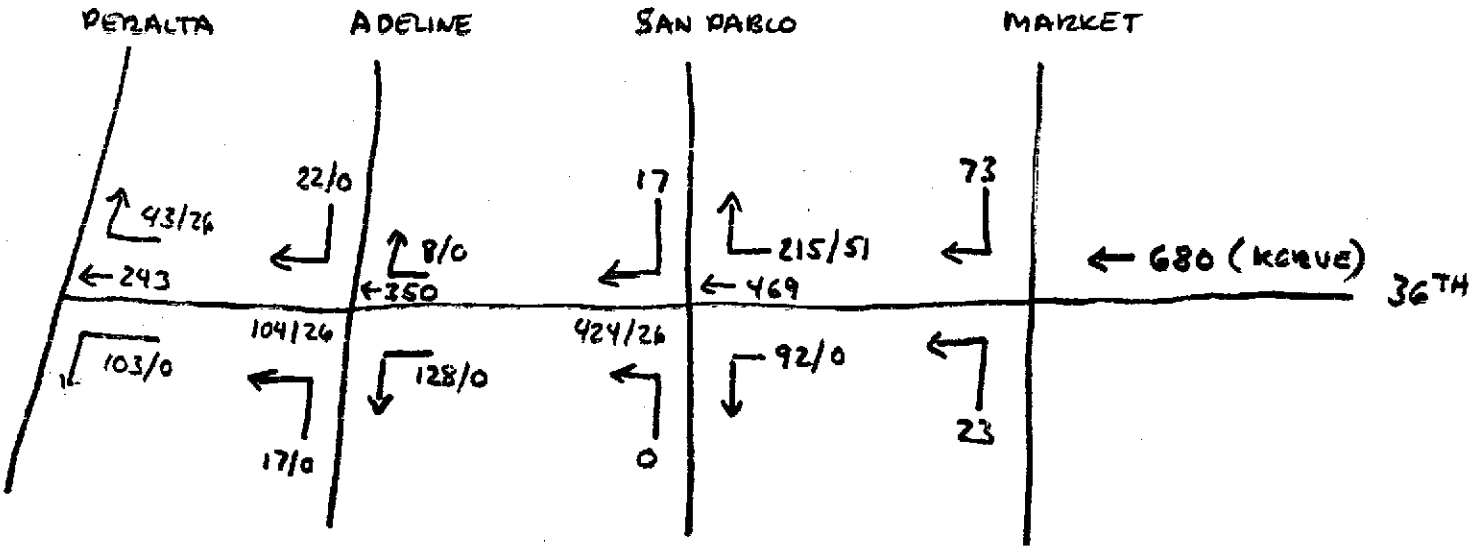
THE PRESENTATION OF KONVE FAILS

THROUGH EB AT 35TH/ADELINE SHOULD BE 161 KONVE = 437

35TH/PERALTA SHOULD BE 193 KONVE = 375

35TH/MARKET SHOULD BE 885 KONVE = 1001

PM PEAK 2000 PLUS KAISER WITH TOM



THE KORVE PRESENTATION FAILS

THROUGH WB AT 36TH/SAN PABLO SHOULD BE 469 KORVE = 424

36TH/ADELINE SHOULD BE 350 KORVE = 104

36TH/PERALTA SHOULD BE 243 KORVE = 0

WHILE SHOWING 424 WESTBOUND VEHICLES PASSING THROUGH 36TH SAN PABLO INTERSECTION AND AN ADDITIONAL 17 TURNING WEST ONTO 36TH FROM SAN PABLO, KORVE SHOWS ONLY 136 OF THESE TURNING RIGHT OR LEFT AT ADELINE. THIS SHOULD RESULT IN 350 WEST BOUND THROUGH AT THE ADELINE INTERSECTIO

INSTEAD, KORVE INDICATES ONLY 104 WESTBOUND VEHICLES THERE.

~~KORVE BUG~~
~~EVEN BETWEEN ADELINE + PERALTA THE KORVE NUMBERS DON'T ADD. KORVE SHOWS 446~~

72. **RESPONSES TO COMMENTS FROM STEVE SKAAR RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 72.A.: The EIR Consultant's name is listed in Section VI, page 347. Please note that CEQA Guidelines §15129 only requires an EIR to identify the persons, firm, or agency preparing the Draft EIR.

RESPONSE TO COMMENT 72.B.: The commenter is referred to Master Response F2. which addresses the request for additional graphics.

RESPONSE TO COMMENT 72.C.: Please refer to the response to Comment 28.B. The traffic analysis used the standard accepted methodology for evaluating the project impacts and for assessing worst case impacts. Peak travel times for the hospital. The project trip generation cited on Table 11 of the Draft EIR is for a one-hour peak during the AM and PM periods. These one-hour AM and PM peak volumes represent 7.7 percent and 11.5 percent, respectively, of the total daily trip generation. The comments are incorrect in assuming that the trip generation is for a two-hour period. As such, the average calculated "off-peak" generation values of 850/hour and 1,100/hour cited in the comment are actually substantially lower than the one-hour AM and PM trip generation levels of 1,635 and 2,440, respectively. As such, the peak hour analysis conducted in the Draft EIR reflects the evaluation of traffic levels that are significantly higher than those that would occur during mid-day "off-peak" periods.

RESPONSE TO COMMENT 72.D.: Future baseline volumes used in the analysis for the Kaiser project included ABAGs buildout projections, which includes the East BayBridge project as a cumulative project.

In addition, projected intersection turning movement volumes used in the Kaiser analysis were compared closely to the intersections analyzed for the East Baybridge EIR in order to ensure that traffic volumes were reasonably consistent between the two projects. The traffic analysis for the proposed project contains updated and refined information when compared to the East Baybridge traffic analysis. In addition, Kaiser used the City's traffic model and the East Baybridge analysis was based upon manual calculations.

RESPONSE TO COMMENT 72.E.: Figure 19 of the Draft EIR indicates the travel patterns for outbound project trips for the Year 2000 roadway conditions. It is assumed that the inbound project trips would generally follow the same patterns as the outbound trips, except where one-way streets or turn prohibitions mandate other routes. In particular, outbound trips destined for I-80 eastbound would use the patterns indicated in the figure; however, inbound trips from I-80 westbound would use either Ashby Avenue, Powell Street, or MacArthur Boulevard. Outbound trips destined for I-580 eastbound would use the patterns indicated in the figure, while inbound trips from I-580 westbound would use 36th Street. Outbound trips destined for the Bay Bridge would use the patterns indicated in the figure, while inbound trips from San Francisco would use either Powell Street or MacArthur Boulevard.

As described in the Draft EIR (p. 106), the MacArthur Boulevard on-ramp to I-580 is a Year 2010 roadway improvement. The on-ramp would only provide access to I-80 eastbound, not to San Francisco. In addition, since Figure 19 illustrates Year 2000 travel patterns, there is no MacArthur Boulevard on-ramp at I-580 under Year 2000 conditions.

Poplar Street was assumed to be the preferred southbound route over Peralta Street because Poplar Street offers a more direct link between the project site and West Grand Avenue since there are fewer traffic control devices. Poplar Street is characterized by industrial uses, while Peralta Street is characterized by residential uses. The low industrial activity along Poplar Street, as opposed to the higher pedestrian activity along Peralta Street, is assumed to be a factor in determining the preferred Poplar Street route. However, south of West Grand Avenue, traffic could use either Poplar Street or Peralta Street. Poplar Street dead-ends at a playground near 16th Street. Trip distribution patterns were not continued to these areas. Streets south of West Grand Avenue are not represented in Figure 19.

Refer to Response to Comment 25.C. For the patient/visitor component of the project, approximately 18% are destined to the north, 78% to the south and east, and 4% to the west. For the employees, approximately 27% are destined to the north, 66% to the south and east, and 7% to the west. For the outpatient component, approximately 21% are destined to the north, 78% to the south and north, and 1% to the west.

RESPONSE TO COMMENT 72.F.: The Draft EIR analyzes the intersections of San Pablo Avenue/35th Street, San Pablo Avenue/40th Street, Market Street/36th Street, and Market Street/35th Street. Traffic volumes at intersections along West Street would be less than the traffic volumes at the intersections listed above. This is because West Street is a local street which does not attract high traffic volumes which tend to travel on arterials. Therefore, there was no need to analyze intersections along West Street.

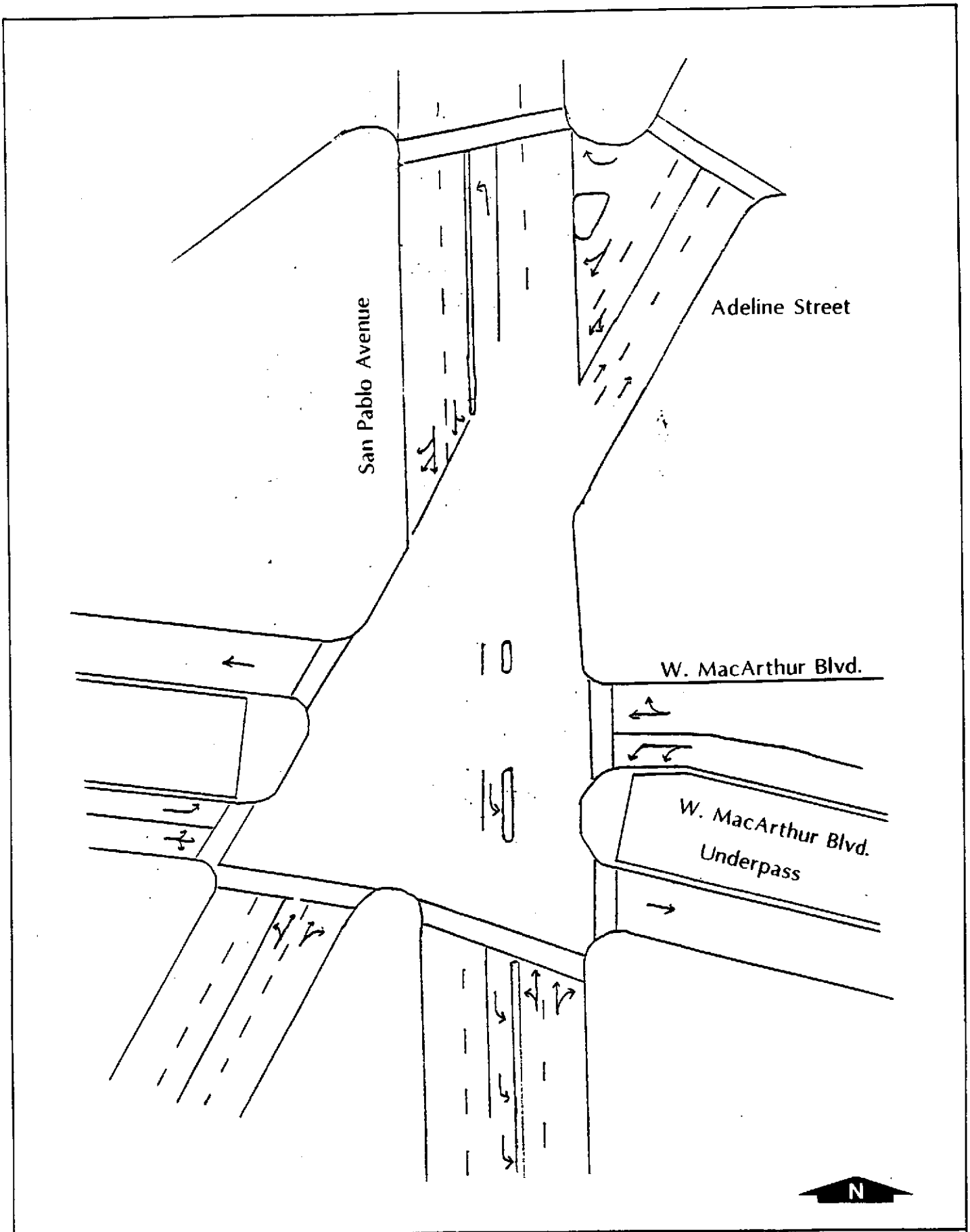
The intersection of Peralta Street/W. MacArthur Boulevard was analyzed in the East Baybridge Project EIR. Mitigation measures for this intersection were described in that EIR. Since baseline volumes projected in that EIR for this intersection were relatively low, and the Kaiser project traffic would contribute only 4% along Peralta Street under year 2010 PM peak period conditions, no analysis of this intersection was necessary.

RESPONSE TO COMMENT 72.G: The installation of "roadway traffic sensing loops" is not projected to result in any increase in intersection capacity for the purposes of this environmental document.

RESPONSE TO COMMENT 72.H.: The northbound and southbound left turn prohibitions proposed for the intersection of San Pablo Avenue/Adeline Street/W. MacArthur Boulevard would be necessary to fully mitigate the impacts at this intersection. Southbound vehicles prohibited from turning left onto W. MacArthur Boulevard would access W. MacArthur Boulevard by turning right onto Adeline Street and left onto W. MacArthur Boulevard, with little inconvenience. Also, new roadway links in the area, such as the extensions of 40th Street and Emery Street, which were constructed as part of the Catellus project have provided redundancy to the network which then allows the removal of an existing left turn lane without reducing mobility through the area.

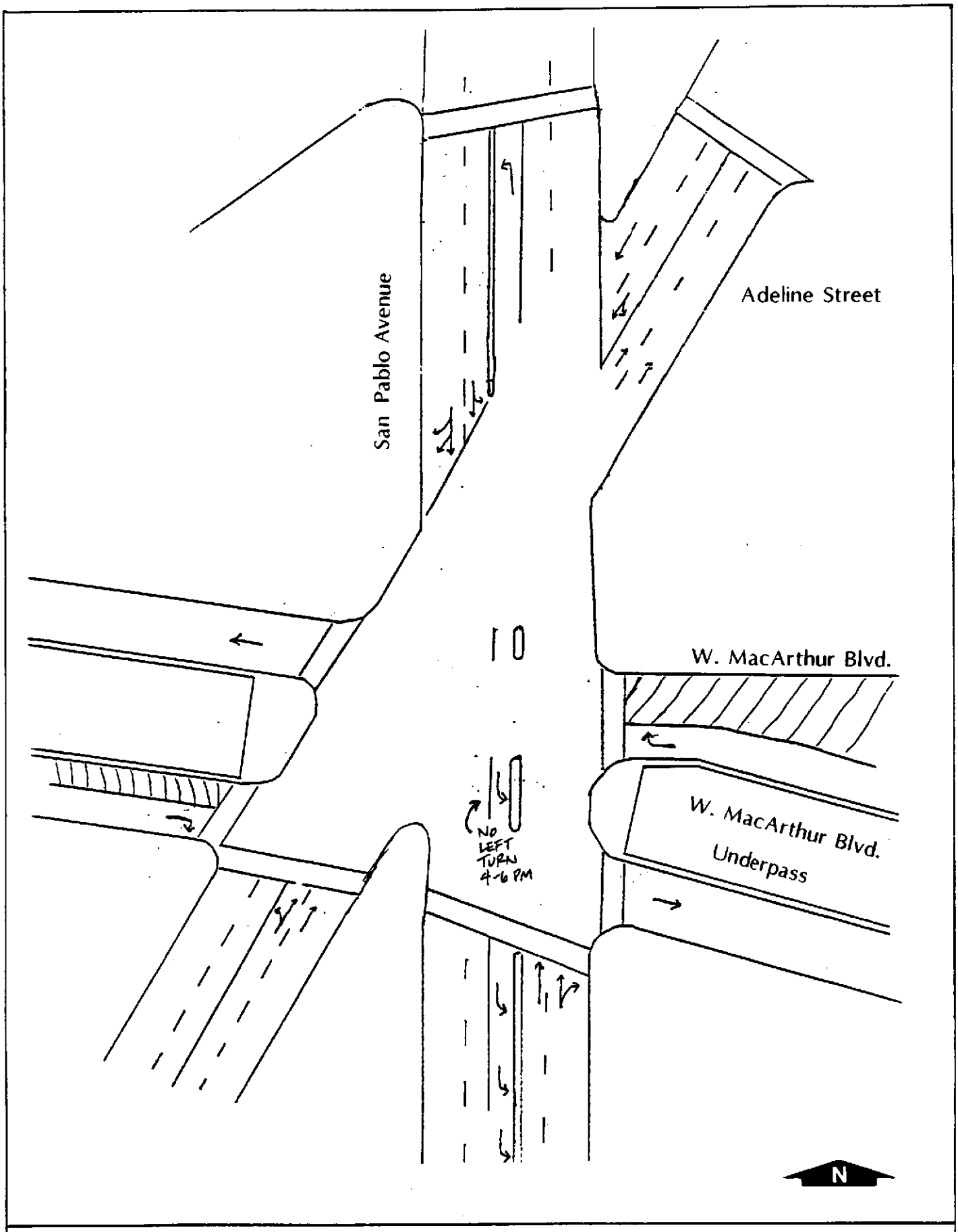
As described in the Draft EIR (p. 125), the mitigation measures proposed for the intersection of San Pablo Avenue/Adeline Street/W. MacArthur Boulevard do not include the elimination of southbound right turns from San Pablo Avenue to W. MacArthur Boulevard.

See attached sketches for existing and proposed traffic movements and parking restrictions under peak period conditions.



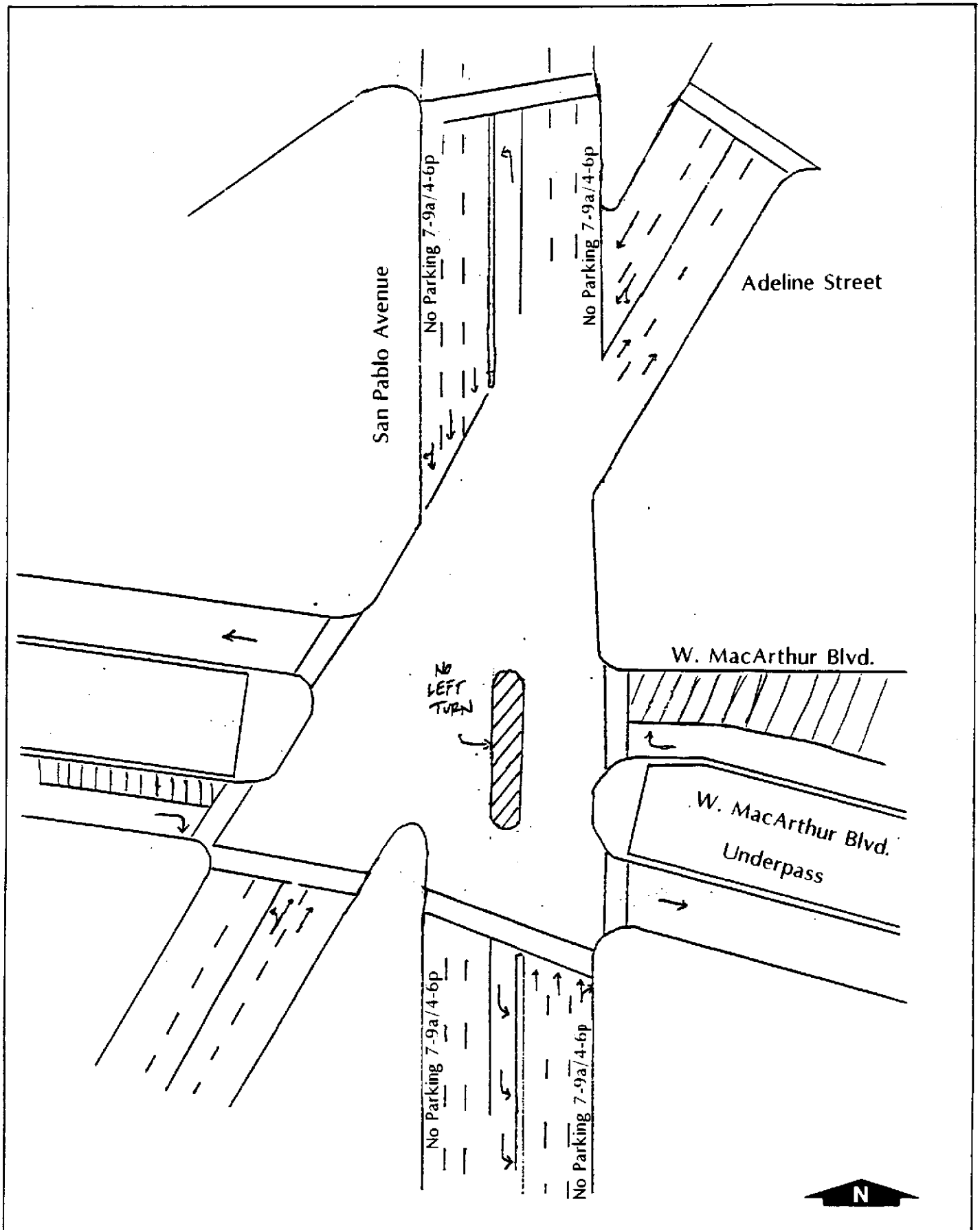
EXISTING (1993) CONDITIONS - TURNING MOVEMENTS

FIGURE FOR RESPONSE TO COMMENT 72.H.



EXISTING (1994) CONDITIONS - TURNING MOVEMENTS

FIGURE FOR RESPONSE TO COMMENT 72.H.



YEAR 2010 CONDITIONS -
TURNING MOVEMENTS & PARKING RESTRICTIONS

FIGURE FOR RESPONSE TO COMMENT 72.H.

With regard to the costs of mitigation measures and budgetary responsibility, please refer to the response to Comment 40.V.

RESPONSE TO COMMENT 72.I.: The travel forecasts derived from the city-wide travel demand model that form the turn movements take into account the effects of congestion, as noted.

RESPONSE TO COMMENT 72.J.: Caltrans has made a commitment to the City of Emeryville to rebuild the West MacArthur on-ramp to I-580 closed as a result of damage created by the Loma Prieta earthquake. This agreement is stated in the Memorandum of Agreement between the City of Emeryville and the State of California, January 14, 1992.

RESPONSE TO COMMENT 72.K.: See response to Comment 77.G.

RESPONSE TO COMMENT 72.L.: The Emeryville city-wide travel demand model was used to derive intersection turning movement volumes for future conditions. As a result, the model's projection of future traffic volumes along 35th Street were overstated, while the projection of volumes along 36th Street were understated. The differences in projected volumes along these roadways, however, are not significant.

RESPONSE TO COMMENT 72.M.: Due to the many requests to extend the comment period on the Draft EIR, the comment period was extended an additional 45 days to allow the public additional time to comment. With regard to any errors or omissions in the Draft EIR, these responses to comments provide corrections to errors and omissions in the document that were identified either by the public or by the EIR consultant.

RESPONSE TO COMMENT 72.N.: The commenter's concerns about the project are noted. The Draft EIR contains an assessment of the traffic impacts associated with the proposed medical center and the various roadway and other improvements that would be necessary to mitigate these impacts. It is acknowledged that some of the mitigation measures would result in impacts to the surrounding area, where this is the case, these impacts were discussed in the Draft EIR.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

ALAMEDA COUNTY
Edward Campbell
Greg Harper
Don Perata
Ben C. Tarver

CONTRA COSTA COUNTY
Paul L. Cooper
Gayle Bishop
Tom Powers

MARIN COUNTY
Harold C. Brown, Jr.

NAPA COUNTY
Paul Battisti
(Vice-Chairperson)

SAN FRANCISCO COUNTY
Susan Leal

SAN MATEO COUNTY
Janet Fogarty
Michael D. Nevin

SANTA CLARA COUNTY
Marye Bruno
(Secretary)
Rod Diridon
Joe Head
Barbara Koppel

SOLANO COUNTY
Sam Caddle

SONOMA COUNTY
Jim Harberson
Patricia Hilligoss
(Chairperson)

June 20, 1994

Ms. Gaye Quinn, Planning Director
Planning Department
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Subject: City of Emeryville Kaiser Permanente Medical Center Draft Environmental Impact Report (DEIR)

Dear Ms. Quinn:

Bay Area Air Quality Management District (District) staff have reviewed the Emeryville Kaiser DEIR that proposes to construct a 2.7 million square foot mixed-use complex on 30 acres in the City of Emeryville. The proposed project consists of a 450 bed hospital, medical and general offices, retail and an 1,800 stall parking garage. The DEIR finds that ozone precursor emissions from traffic generated by the proposed project would result in significant air quality impacts. In the year 2000 (Phase I) the proposed project would generate 257 pounds per day (lbs/day) of reactive organic gases (ROG) and 433 lbs/day of oxides of nitrogen (NOx). Emissions would increase in the year 2010 (Phase II) to 319 lbs/day of ROG and 624 lbs/day of NOx. 73A

To mitigate these impacts, the DEIR proposes a Transportation Systems Management (TSM) Program that is estimated to reduce emissions by five to 15 percent. The DEIR should reflect that the TSM Program would only reduce emissions associated with employee commutes and would not reduce emissions from traffic generated by the public and office/retail workers accessing the site. The Final EIR should quantify the potential emission reductions that would be achieved by applying the TSM program to the hospital employees only.

In addition to the TSM Program, the EIR should assess the potential for mitigation measures to reduce automobile emissions generated by the public and office/retail workers. Parking pricing should be considered to provide an incentive for people to use transit. This measure is currently being employed at other existing Kaiser facilities and should be considered for all of the proposed hospital alternatives reviewed in the DEIR, as well as for an alternative recommended below. The EIR should also consider implementing some of the hospital employee TSM mitigation measures for the public and office/retail workers. Such measures would include bicycle parking and transit amenities/information. Based on the effectiveness of the mitigation measures in reducing travel to the project by single occupant vehicles, the EIR should propose a reduction in code-required parking. 73B

939 ELLIS STREET • SAN FRANCISCO, CALIFORNIA 94109 (415) 771-6000

The DEIR fails to provide mitigation measures to reduce automobile-related emissions by the public and office/retail workers accessing the site. The DEIR indicates that during the PM peak commute period 95 percent of the trips generated by the project would be by automobile and two percent by public transit. The DEIR indicates that transit access to the site via AC Transit and BART is "good." Good transit access would be able to significantly increase the two percent public transit mode share projected in the DEIR. Because the proposed hospital would serve a large region, it should be accessible by regional transit. The District requests that the EIR analyze an alternative site with better local and regional transit accessibility. 73C

If there are any questions regarding our comments, please contact Joseph Steinberger, Planner, at (415) 749-5018.

Sincerely,

Milton Feldstein
Air Pollution Control Officer

MF:jes

cc: BAAQMD Director Edward Campbell
BAAQMD Director Greg Harper
BAAQMD Director Don Perata
BAAQMD Director Ben C. Tarver

73. RESPONSES TO COMMENTS FROM MILTON FELDSTEIN, BAY AREA AIR QUALITY MANAGEMENT DISTRICT RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 73.A.: The Draft EIR intended that Kaiser's Transportation Systems Management Program would be expanded so that all other businesses on the project site that are developed as part of the PUD zoning, would be able to participate in the TSMP. This approach is consistent with the City of Emeryville's policies which require that one Transportation Systems Management Program be developed to apply to all of the uses allowed under a given PUD zoning, and not individual TSMPs for individual employers. Therefore, the estimated five to 15 percent reduction in traffic described in the Draft EIR would remain accurate.

RESPONSE TO COMMENT 73.B.: Kaiser currently requires employees to pay for parking at the existing Oakland facility, and is expected to extend this requirement to the Emeryville site. The commenter is referred to the response to Comment 73.A., above regarding the expansion of the TSMP to include the other non-Kaiser uses. Kaiser is proposing to provide sufficient parking for its employees, members, and visitors, and is not considering a reduction in parking at this time. Furthermore, reducing on-site parking could result in potential parking impacts to the surrounding neighborhoods which would be undesirable.

RESPONSE TO COMMENT 73.C.: The 2% transit assumption was used to provide a worst-case assessment of traffic impacts. It is expected that the transit mode split for the site will be much greater and closer to the existing mode split at the Oakland Medical Center (7.9%) with implementation of the Kaiser and Emeryville-BART shuttle, and because of the proposed site's good access to AC Transit lines. The commenter is referred to Master Response D3. regarding transit access to the site, and to Master Response G1. for a discussion of the Fox Theater site.

STERN PROPERTY COMPANY
2030 FRANKLIN STREET, SUITE 200
OAKLAND, CALIFORNIA 94612

TELEPHONE 832-0700
AREA CODE 510

FACSIMILE 832-0727
AREA CODE 510

June 17, 1994

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

Ms. Gaye Quinn
Planning Director
City of Emeryville
2200 Powell St., 12th Floor
Emeryville, CA 94608

RE: Draft Environmental Impact Report
Kaiser Permanente Medical Center, Emeryville

Dear Ms. Quinn,

The purpose of this letter is to provide an additional written response to the Draft Environmental Impact Report (DEIR) for the Kaiser Permanente Medical Center, Emeryville. This letter supplements my presentation at the public hearing on June 2, 1994. As the owner of several properties which may be impacted by this project, I wish to bring a number of items to your attention. Specifically, I am concerned by the "Significant Unavoidable Adverse Impacts" and "Significant Unavoidable Cumulative Loss of Peak Period Parking" on two specific properties which I own, namely 1335 Stanford Avenue and 6440-6490 Bay Street, Emeryville.

74A

The DEIR makes extensive reference to "Significant Unavoidable Adverse Impacts". Several of the significant adverse traffic and parking impacts can be mitigated, but will require a significant financial expenditure by the applicant. I suggest that the applicant not only open its mind to the potential of mitigating many of the adverse impacts, but also its checkbook to resolve the enormous traffic and parking problems which this project will create. If a relatively modest percentage (for example 5%) of the overall $250 million project cost, is set aside for implementing traffic mitigation measures, then significant traffic and parking mitigation can be accomplished.

There are several areas of concern which I wish to bring to your attention. They are:

74B

1. The project appears to have a significant deficiency in the number of parking spaces provided;

2. Insufficient traffic mitigation measures are implemented by this project;

74C

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JUN 20 1994
PLANNING DEPARTMENT

3. The elimination of on-street parking on the southern side of Stanford Avenue and the conversion of Stanford Avenue to two way traffic will cause a significant loss of value to our property as well as create serious pedestrian safety, parking and traffic problems at this location; and

74D

4. The elimination of on-street parking at Bay Street, near 65th Street, will cause a considerable loss of value to our adjacent commercial building.

The Parking Impacts and Mitigation are discussed in a relatively brief section on pages 85-88 of Appendix D of Volume 2 of the DEIR. I note, with some interest, that the project is initially being designed with 91 parking spaces less than required by City Zoning Code requirements. It is totally inexplicable why a project of this magnitude would be deficient in providing the correct number of parking spaces, pursuant to the City of Emeryville Zoning Ordinance, in its initial design. Furthermore, I request that a more detailed and thoughtful analysis of the project's parking requirements be undertaken based on the actual number of people working at the project and the actual number of visitors which will be coming to the project on a daily basis. According to the off-site parking regulations found in the City of Emeryville's Zoning Ordinance, Section 9-4.55.5(e), (Hospital Services), 1 3/4 parking spaces are to be provided per hospital bed and 4 parking spaces are to be provided per thousand square feet for medical office buildings. This computation indicates that approximately 2,600 parking stalls are to be provided for the project during its first phase. Page 67 of Volume 1 of the DEIR states that the project will generate approximately 2,900 jobs. Assuming that these jobs are spread out evenly over three - eight hour shifts, then approximately 1,000 workers will need parking at the project. Since 98% of these people will be commuting by car, this means that approximately 1,000 of the 2,500 parking stalls in the first phase will be occupied by workers at the project. This leaves roughly 1,500 stalls available for the approximately 7,000 visitors per day to the project. In all probability, more than one third of the work force will be present during the day-time shift. This will result in even fewer parking stalls being available for visitors. I anticipate that most of these visitors will be concentrated during the daytime hours. This means that approximately 7,000 visitor's cars are to be parked in 1,500 stalls. Clearly, a more detailed analysis of the actual usage of the parking stalls over a typical 24 hour day needs to be provided.

74E

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I note that as an owner of a commercial building within two blocks of the existing Kaiser Medical Complex, located at Howe and MacArthur Boulevard, Oakland, that there is a significant shortfall in the parking provided for the present Kaiser Complex in Oakland. I suggest that either the City of Emeryville planning staff or their environmental consultants meet with their planning staff counterparts in the City of Oakland to review the experience of residents and businesses located in close proximity to the existing Kaiser facility in Oakland. Kaiser Hospital employees and visitors are parking in adjacent parking facilities in Oakland. Should this occur in Emeryville, this will have an extremely adverse impact on those retail businesses with surface parking lots which provide free parking in close proximity to the Kaiser project in Emeryville. Examples of businesses which will be adversely affected are East Bay Bridge Shopping Center, Oaks Club and Bank of America to name a few. Because of the parking problems created by the Kaiser hospital in Oakland, a residential parking permit system has been implemented to alleviate the parking congestion. A further mitigation measure required by the City of Oakland has been to require that the monthly parking fee be set at a fairly high level to discourage the Kaiser employees from using private cars to commute to their facility. The object of this program is to encourage the employees of the Kaiser facility to use public transit and/or carpooling. I suggest a similar mitigation program be instituted at the Emeryville facility. A further parking mitigation is for the Kaiser Medical Complex to construct, either at their location or elsewhere, additional off-street parking spaces to pick-up the approximately 140 on-street parking stalls which will be removed around the City of Emeryville due to their project. 74E

On page 71 of Appendix D of Volume 2, the DEIR states, "The mandatory Peak Period parking restriction on Bay Street would not have a significant effect on adjacent residential uses which provide adequate off-street parking." The DEIR does not consider the adverse impact on the commercial building at 6440-6490 Bay Street. While this building will have an off-street parking lot, to be acquired from the City of Emeryville, on-street parking is contemplated to be used as visitor/customer parking for the tenants of the property. The loss of this customer parking will create a significant adverse economic impact on the building. Should this impact not be mitigated, then compensation should be provided by Kaiser for the loss of value in the building. 74F

On page 87 of Appendix D of Volume 2 of the DEIR under the heading "On-Street Parking", the report states, "The elimination of on-street parking along several roadways in conjunction with the mitigation measures required for roadway segments or intersections within the City of Emeryville would result in a less than significant impact." Pursuant to this comment, page 88 of Appendix

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D of Volume 2 of the DEIR, states that 14 vehicles will be removed from the south side of Stanford Avenue between Hollis and Doyle Streets. On page 50 of the same report, the following is stated, "The mandatory parking restriction on the south side of Stanford Avenue would affect approximately 14 vehicles along Stanford Avenue during the peak period. This on-street parking serves three businesses. The loss of on-street parking in the peak period would be considered a significant unavoidable impact, since these businesses rely on these spaces for patron parking." Clearly, these two comments are inconsistent with each other. 74F

Figure 10 on page 42 of Volume 2 in Appendix D of the DEIR shows the roadway mitigation measures for year 2000 conditions. This figure shows that Stanford Avenue is to be constructed as a four lane road west of Hollis Street. Furthermore, the road is shown as being restriped east of Hollis Street, and converted to a two-way operation with parking being prohibited. The DEIR report does not consider the fact that the City of Emeryville Planning Commission has approved the operation of a school at the southwest corner of the intersection of Doyle Street and Stanford Avenue. The Planning Commission granted the school the right to have a passenger loading zone (marked white on the curb) along a portion of the south side of Stanford Avenue. The purpose of this passenger loading zone is to provide a supplemental drop-off zone for the approximately 100 children who will be dropped-off during a two hour period in the morning and picked up during a two hour period in the afternoon. Should the street be striped red, this drop-off zone will be eliminated. This will create utter traffic chaos at this location, during the peak traffic periods.

We are extremely concerned as to the impact of a four lane road (Stanford Avenue west of Hollis Street) feeding into a two lane road (Stanford Avenue east of Hollis Street) together with the adverse impacts of the elimination of the school drop-off zone, and the two mid-block left hand turns into the combination public and private parking lot. Stanford Avenue east of Hollis Street is only 27'-3" wide curb to curb. Clearly, this street was not designed for two way traffic. With the added traffic conflicts of a school drop-off zone and two parking lot entrances, we request that the DEIR consider the loss of economic value to our property as a result of the Kaiser project. Furthermore, we request that as a further mitigation Stanford Avenue, east of Hollis Street, be widened to a four lane road by reducing the size of the Stanford Avenue Park. With this modification, the on-street parking and passenger waiting zone can be retained, while Stanford Avenue is widened to four lanes. Additionally, we own a private parking lot on the opposite side of Stanford Avenue from our building. Traffic on Stanford Avenue will increase to a Level of Service "F". It will be extremely hazardous for our tenants and their visitors to cross a busy Level of Service "F" street (either two or four lanes) 74G

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at mid-block. We therefore request the installation of a pedestrian operated signal light crosswalk at mid-block between Hollis and Doyle Streets to allow for the safe crossing of Stanford Avenue by the tenants and visitors to the building. 74G

The recently unveiled Chiron project disclosed that the Stanford Avenue west of Hollis Street will be one of only two main access points to the 2.2 million square feet Chiron Campus and its related parking structures. To alleviate congestion at this intersection, an additional mitigation to be considered is the installation of a traffic signal at the future four way intersection of Stanford Avenue and Hollis Street. 74H

Page 53 of Appendix D of Volume 2 of the DEIR states, "The provision of additional through lanes on Hollis Street would not be a feasible short term mitigation because it would require the acquisition of right of way and the demolition of buildings in the immediate vicinity of the intersection." It appears that a significant mitigation to the adverse traffic impacts will be accomplished by the widening of Hollis Street to match the four lane road, with an additional median turn lane, that presently exists from the southern boundary of the City of Emeryville up to 40th Street. Hollis Street is 67'-6" wide from curb to curb at this location. This widening of Hollis Street was undertaken by the Catellus Corporation with the development of the East Bay Bridge Shopping Center. Hollis Street is 44'-0" wide from curb to curb north of 40th Street. The widening of Hollis Street should be continued from 40th Street all the way north to Powell Street. At the present time, most of Hollis Street between 40th Street and Powell Street, has vacant land (or soon to be vacant land) adjacent to the street frontage. The Chiron Corporation project abuts the west side of Hollis Street from Stanford Avenue south to 53rd Street. With the redevelopment of this entire frontage, the opportunity exists for the City of Emeryville to require a dedication for street widening purposes from the project sponsors, Chiron Corporation. The Kaiser Permanente Medical Center Project abuts the east side of Hollis Street from Park Avenue to 53rd Street. Therefore, the City of Emeryville could require the dedication of the necessary frontage for the widening of Hollis Street from this project sponsor, Kaiser Permanente, to facilitate the widening of Hollis Street. This would then leave relatively small distances to be acquired, through a partial taking, to ensure the widening of Hollis Street. This option should not be excluded on the basis that it is expensive, but rather it should be included on the basis of the positive impact it will have to mitigate the traffic congestion along Hollis Street. 74I

Figure 12 on page 59 of Appendix D of Volume 2 of the DEIR provides roadway mitigation measures for year 2010 conditions. This provides for the construction of a three lane Doyle-Haven 74J

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Street extension from the project to Powell street. This extension should definitely be implemented, but extended so that the Doyle-Haven Street extension is continued all the way from Powell through to 40th Street, as is provided for in the City of Emeryville general plan. This will provide a significant mitigation to the restriping of Hollis Street and prohibiting peak period parking. 74J
The traffic section of the DEIR should contain an alternative analysis of this mitigation measure and its impact on the Level of Service. Once again, this is a matter that may cost money, but should be analyzed on the basis of what it will do to relieve traffic congestion.

In summary, the DEIR makes many references in the traffic and parking section to "Significant Unavoidable Adverse Impacts". Unfortunately, the Kaiser report does not address the cumulative impact of possible mitigation measures, which, while financially expensive, may significantly improve the traffic level of services. 74K
The final EIR should be expanded to properly evaluate the practical mitigation measures described in this letter.

Thank you for your consideration of my response to the DEIR. I look forward to the environmental consultant's response to these comments.

Sincerely yours,

Frank S. Stern

FSST2161/blb

74. **RESPONSES TO COMMENTS FROM FRANK S. STERN, STERN PROPERTY COMPANY RECEIVED JUNE 20, 1994**

RESPONSE TO COMMENT 74.A.: The commenter's remarks are noted. Those mitigation measures that were identified as infeasible, were so identified because of the significant right-of-way constraints, policy issues, and jurisdictional matters that affected the City's ability to condition Kaiser to implementing the improvements.

RESPONSE TO COMMENT 74.B.: The proposed project exceeds the City's parking requirements, and as proposed, is not deficient in the number of parking spaces provided at the site.

RESPONSE TO COMMENT 74.C.: The comment is noted. There were numerous mitigation measures described in the Draft EIR (pp. 114-183) to reduce project and cumulative traffic impacts. The following summarizes the number of mitigations to be implemented by the project.

For the Year 2000 Baseline plus Project impacts, there were a total of ten intersection mitigation measures described to reduce significant intersection impacts, one mitigation measure proposed for Phase I to reduce road closure impacts, five mitigation measures proposed to reduce site access impacts, two mitigations proposed to reduce significant pedestrian impacts, two mitigation measures proposed to reduce bicycle impacts, and seven mitigations proposed to reduce significant Year 2000 construction impacts.

For the Year 2000 Cumulative impacts, there were a total of four intersection mitigation measures described in the Draft EIR to reduce significant intersection impacts, one mitigation proposed for significant transits, and one mitigation measure proposed to reduce significant cumulative bicycle impacts.

For the Year 2010 Baseline plus Project impacts, there were a total of eight intersection mitigation measures proposed to reduce significant intersection impacts, in addition to those described for the Year 2000 conditions, one mitigation measure proposed for the Future Expansion phase to reduce road closure impacts, one mitigation measure proposed to reduce site access impacts, two mitigations proposed to reduce significant pedestrian impacts, and two mitigation measures proposed to reduce the Future Expansion phase bicycle impacts.

For the Year 2010 Cumulative conditions, there were a total of three intersection mitigation measures proposed to reduce significant impacts, in addition to those previously described under all other scenarios, one mitigation proposed for Year 2010 cumulative transit impacts, one mitigation measure proposed to reduce cumulative pedestrian impacts, and one mitigation proposed to reduce cumulative bicycle impacts. Refer to Master Response D3. for a discussion of the major intersection mitigation measures.

RESPONSE TO COMMENT 74.D.: The commenter's concerns are noted and are consistent with the impacts described in Section II, C, of the Draft EIR that would occur as a result of the loss of parking with the implementation of several roadway improvements. The loss of parking on the south side of Stanford Avenue will not cause pedestrian impacts and may improve pedestrian and traffic safety by removing on-street parking interference. The loss of parking adjacent to local land use has been identified

as a significant impact. The implementation of the mitigation measure to remove parking and restripe Stanford Avenue is at the discretion of the City of Oakland.

RESPONSE TO COMMENT 74.E.: The project would provide more spaces than required by City Code in Phase I.

RESPONSE TO COMMENT 74.F.: The commenter's concerns are noted. It is acknowledged that the loss of parking for the existing business would be considered significant as it was for other businesses identified in the EIR that depend on on-street parking. A statement has been added at the end of the first paragraph on page 155 of Volume I clarifying that the businesses would be impacted by the loss of customer parking.

The elimination of on-street parking for the construction of roadway improvements which are necessary for turn lanes are considered significant and unavoidable. This is because these improvements need to be in place for all travel periods. The elimination of on-street parking during peak hour, peak direction periods only to provide an additional travel is not considered a significant, unavoidable impact.

With regard to the inconsistent statements on pages 87 and 88, the text of page 87 of Appendix D of Volume II is revised to clarify that the loss of parking would result in a significant unavoidable impact.

RESPONSE TO COMMENT 74.G.: See Response 43.A. regarding the design of the Stanford Avenue Extension. As noted, two lanes on the Stanford Avenue Extension between Hollis Street and the Horton-Landregan Connection would be turning lanes provided at the intersection. The existing section of Stanford Avenue will remain as two lanes and widening to four lanes would not be necessary. The travel forecasts developed using the City-wide model do not indicate that there would be service level F conditions along this segment of Stanford Avenue. As such, the installation of a mid-block pedestrian operated traffic signal along Stanford Avenue between Hollis Street and Doyle Street is therefore not warranted.

Limited widening (approximately 12 feet) of this block of Stanford Avenue may be warranted in order to maintain the school's passenger loading zone along a portion of the south side of Stanford Avenue. This measure will be addressed through the conceptual design and engineering process for this roadway improvement.

RESPONSE TO COMMENT 74.H.: The comment regarding the Chiron project is noted. The need for installation of a traffic signal at the intersection of Hollis Street/Stanford Avenue will be evaluated in the Draft EIR for the Chiron project.

RESPONSE TO COMMENT 74.I.: The comments regarding the widening of Hollis Street are acknowledged for consideration by the decision-makers.

widening of Hollis Street along its entire frontage is not proposed because the existing buildings which front onto Hollis Street are built on the lot line. During the traffic analysis for the Draft EIR, this improvement was considered and rejected because of the impact it would have on the existing businesses. Along the portion of Hollis Street through the Kaiser and Chiron project area, spot widening of Hollis Street would occur.

RESPONSE TO COMMENT 74.J.: Under the proposed project, the Doyle-Haven Extension would extend to 47th Street. The construction of the Doyle-Haven Street Extension was not recommended between 40th and 47th Street because future traffic volumes generated using the City-wide model do not indicate a significant demand for the facility in this area. The construction of this segment would not reduce the need for the identified mitigation measures along Hollis Street. The mitigation measure would not result in any significant improvement in service levels at the study intersections.

Because the traffic analysis did not demonstrate a need to connect Doyle/Haven Street to 40th Street as a result of the proposed project, the City of Emeryville cannot legally require Kaiser to fund improvements to benefit the entire City beyond the impacts which the project creates.

RESPONSE TO COMMENT 74.K.: The Draft EIR evaluates the cumulative traffic impacts associated with future development in 2000 and 2010 and then evaluates the mitigation measures necessary to reduce these impacts.

Impacts of mitigation measures are discussed, evaluated, and identified as either significant or less than significant. The mitigation measures suggested are not warranted as there are no demonstrated project impacts to justify their implementation.

75

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June 20, 1994

BY FAX

Gaye Quinn, Director
Planning Department
City of Emeryville
Emeryville, CA

Re: Comments on the Draft Kaiser EIR

Dear Ms. Quinn:

Regarding Kaiser's draft EIR, I am especially concerned about the lack of specifics in the traffic study. There is no mention in the report of exactly where the proposed three lane Doyle Street Extension would go, what buildings would have to be destroyed to do so and who would be paying for this acquisition of land. 75A

I am also opposed to the abandonment of the Haven Street extension. Traffic should be allowed to go through the Kaiser project. 75B

I am also concerned about the unmitigable traffic intersections. Emeryille should not be building something that would have such an impact with no way of lessening it. 75C

The cumulative impacts of the East Bay Bridge project and all proposed projects must be considered in the final EIR. 75D

I also would like to request an extension of time to further respond to the draft. It is too large and technical to respond in such a short time. 75E

Sincerely,

FRAN TERNUS

75. RESPONSES TO COMMENTS FROM FRANCES TERNUS RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 75.A.: The alignment of the Doyle Street Extension is shown in Figure 22. This alignment is consistent with the one identified in the City of Emeryville's General Plan.

RESPONSE TO COMMENT 75.B.: The commenter's preferences about traffic being directed through the project site are noted. Please refer to response to Comment 74.J.

RESPONSE TO COMMENT 75.C.: The commenter's concerns are noted. The City of Emeryville decision-makers will consider which mitigation measures should be required, in addition to those included in the project. See response to Comment 52.F.

RESPONSE TO COMMENT 75.D.: Please refer to Master Response H2. for a discussion of the cumulative analysis. As explained on pages 330 and 331 and Appendix C of the Draft EIR, the cumulative impacts analysis takes into account past, present and probably future projects which are reasonably anticipated. The East Baybridge project is included in the analysis.

RESPONSE TO COMMENT 75.E.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

EMERYVILLE PLANNING COMMISSION

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KAISER PERMANENTE MEDICAL CENTER
DRAFT ENVIRONMENTAL IMPACT REPORT

PUBLIC HEARING COMMENT SHEET

JUNE 2, 1994, 6:30 P.M.

This comment sheet can be submitted this evening or mailed to the Emeryville Planning Department at 2200 Powell Street. In addition to accepting oral testimony on the agenda item, written comments shall be received by the Planning Department until 5:00 p.m. on June 20, 1994.

KAISER MEMBER
SPAGGIA MEMBER

Name: KATY WEBB Affiliation: STRAW INTO GOLD EMPLOYEE (ASHBY + SAN PABLO)

Address: 1219 + 1215 62nd St Oakland (Emeryville border) AT Vallejo

COMMENTS: I support the Kaiser project, but, sorry to say I think our community is not ready for it.

If there was a MAJOR MAJOR improvement in public transportation NOW, I'd support the Kaiser project. 76A

But, since we don't have the public transportation that should accompany such development already underway, I do not support the Kaiser project.

Use back if necessary

76. RESPONSES TO COMMENTS FROM KATY WEBB RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 76.A.: The commenter's support for the project if a major improvement in public transportation occurred is noted. This project will be served by existing AC Transit route, including direct service by Routes 57 and 72. Future transit service will include the Emeryville-BART shuttle and the Kaiser-BART shuttle. The San Pablo/Yerba Buena center is currently under construction by Catellus. In addition, Amtrak currently provides service to the new station in Emeryville (located on approximately three-quarters of a mile north of the project site). As described on page 100 in the Draft EIR, there are four trains in each direction between Oakland and Antioch, and three trains in each direction between Martinez and San Jose. AC Transit has expanded its service to the Emeryville Amtrak station on Route 57 (effective August 15, 1994). These improvements will greatly enhance the transit accessibility of this area. In the comments from AC Transit and others, a transitway along San Pablo Avenue, possibly by LRT, is currently being assessed. Although the physical accommodation of this improvement is questionable, it would provide another transit link to the Kaiser facility.

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WILSON F. WENDT

RECEIVED
JUN 20 1994
PLANNING DEPARTMENT

VIA HAND DELIVERY

Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Re: Comments on Draft Environmental Impact Report for Kaiser Medical Center Project

Dear Ms. Quinn:

Our office represents HFH, Ltd., the owners of real property within the City of Emeryville constituting certain industrial buildings at 1260-53rd Street (the "HFH Property"). HFH, Ltd. ("HFH") is a family owned investment partnership whose property is located immediately across 53rd Street from the proposed second phase of the Kaiser Permanente Medical Center Project ("the Project"). The HFH Property will be significantly impacted by site specific impacts of the Project as well as the cumulative impacts of development of other properties within the City. We appreciate the opportunity to comment upon the Draft Environmental Impact Report for the Project (the "DEIR") and hope that our comments and the information and evidence submitted with this comment letter and later will be of assistance to the Planning Commission and the City Council in their review and determination of the impacts of the Project. We were aided in the preparation of this letter by Mr. Charles Abrams, a noted traffic engineer with wide experience in the Emeryville area. 77A

In general, we feel that the DEIR is an honest and accurate attempt to analyze the impacts of the Project and projected development. However, we have serious and significant concerns as set forth below:

A. Failure to Adequately Analyze Cumulative Impacts: The California Environmental Quality Act ("CEQA") requires an identification and discussion of significant cumulative impacts. Guidelines section 15130 requires either an analysis of a list of 77B

past, present and reasonably anticipated future projects, producing related or cumulative impacts, or an analysis of a summary of projects contained in an adopted plan or related planning document. The DEIR adopts a melded approach and utilizes both methods to an unsatisfactory result. In our view, the cumulative impacts of the Project are grossly underestimated. The result is a failure to adequately identify and discuss significant impacts which cannot help but be created as part of the development of the Project and other developments and a failure to identify and require appropriate and necessary mitigation measures to address the impacts.

The DEIR utilizes an analysis of projections produced by the Association of Bay Area Governments as a partial source for a "list of projects" approach prepared by Recht Hausrath & Associates (the "Recht Hausrath Analysis") and contained as Table 2 of Appendix C in the DEIR. This analysis substantially underestimates likely cumulative business growth and development for the period reviewed. The underlying assumption of the analysis is that the Emeryville component of the A.B.A.G. regional projection can be adequately and accurately adjusted with the inclusion of the proposed Project, and additional proposed development by Chiron, East Bay Bridge, South Bay Front Shopping Center, Westinghouse site and five other small developments projected between 1993 and 2000. This approach is incorrect and ignores the implications of Emeryville's experienced spectacular transformation from warehouse and industrial buildings to more dense residential, office and retail use. The rather general projections contained in the Recht Hausrath Analysis do not take into account the reality of the development situation in Emeryville. Substantially greater and more intense development not only can be "reasonably anticipated" but is a virtual certainty. 77B

Our clients, who are extremely familiar with the development climate and situation in Emeryville, have prepared the table entitled "Potential Development in Emeryville" (the "HFH Analysis"), a copy of which is enclosed as Exhibit "A". This analysis has been prepared after extensive discussions and review with property owners, commercial brokers, and others familiar with the potential and probability of development in Emeryville in the near future. Our clients hope to develop additional background information and evidence supporting the validity of the HFH Analysis to present to the City at a later date. However, they have not been able to finish this formal preparation of evidence at this time.

As part of Exhibit "A", we are also enclosing a comparison of the HFH Analysis and the Recht Hausrath Analysis which projects 32% more employment under the former than the latter by the year 2000 and 34% more by the year 2010. You will note that areas of very dramatic disparity between the two analyses exist along the Hollis Street corridor. The HFH Analysis indicates substantially greater employment development and related traffic generation than does the Recht Hausrath Analysis. Even though they are crucial to an understanding of the Recht Hausrath Analysis, the Recht Hausrath existing and projected residential and employment growth tables and the MTC Traffic Analysis Zone Maps were not included in the DEIR. They are necessary to evaluate our client's alternative development and traffic projections. We are enclosing them as Exhibit "B" for your review. 77B

The importance of the understatement of the cumulative impacts is evident in all areas of environmental impacts analyzed. However, it is most important in the analysis of traffic and circulation impacts. Not only does the DEIR fail to adequately identify all of the cumulative impacts on traffic circulation caused by the Project and other development, but also it fails to adequately identify mitigation measures and, most importantly, describe appropriate times for the implementation of mitigation measures.

We hereby respectfully request that the DEIR be revised to adequately identify cumulative impacts of development as required by CEQA.

B. Failure to Adequately Analyze Traffic and Circulation Impacts of the Project: During community workshops and public hearings on the adoption of the City of Emeryville "Recommended Urban Design Guidelines for Kaiser Permanente Medical Center in Emeryville" (the "Kaiser Design Guidelines"), reprinted in Appendix G of the DEIR, there was considerable discussion about the specific neighborhood benefits of parking structure "liner buildings." It was determined that neighborhoods surrounding the Project would fail to benefit from a symbiotic development (as is the case with private and municipal medical facilities) because Kaiser's hospitals provide all employee and patient services "in-house." Thus, surrounding neighborhoods are not benefitted by florist shops, pharmacies, medical support offices and similar retail and service uses. 77C

The discussions over adoption of the Kaiser Design Guidelines resulted in a determination that liner buildings were necessary and that their primary purpose was to contribute

retail, office or residential activity to the immediate neighborhoods. Section 2 of the Kaiser Design Guidelines describes continuous 35-foot deep buildings with frequent sidewalk access, along the entirety of the Hollis Street and San Pablo Avenue frontages and on any other parking structure street frontages (of which there are approximately 400 linear feet in the Project). This assumes that medical office buildings on all other street frontages will provide the sidewalk access desired. It was our client's understanding that the result of the implementation of the Kaiser Design Guidelines was that roughly 50,000 square feet of ground floor, sidewalk-accessed retail development would be constructed with an additional approximately 100,000 square feet of office or residential development located above this ground floor development. The design guidelines require an average of three-story buildings comprised of mixed size, varying in height from 2 to 4 stories in Phase I of the Project. 77C

The traffic analysis contained in the DEIR is based upon 57,500 square feet of retail use and 25,000 square feet of business office use (Volume 1, page 12) for both Phase I and Phase II. Thus, the DEIR traffic analysis includes the appropriate 57,500 square feet of retail use (50,000 square feet in Phase I and 7,500 square feet in Phase II) but neglects to analyze the projected traffic from the 115,000 square feet of upstairs office or residential non-medical use.

We respectfully request that the DEIR be revised to take into account the definitely significant traffic and circulation impacts stemming from this portion of the Project which has apparently been ignored.

C. Inclusion of Requirement to Build "Liner Buildings" as a Mitigation Measure: The DEIR, in its analysis of land use impacts, indicates that the Project includes a proposal to construct "liner buildings" containing commercial and retail space around the perimeter of the garages on Hollis Street, Park Avenue and San Pablo Avenue (DEIR Volume 1, page 42). The DEIR accurately identifies the potential impact upon the established neighborhood community of physically disrupting or dividing an established community. The mitigation measures include the implementation of the Kaiser Design Guidelines as having been implemented into the Project design. However, the DEIR should state that as a mitigation measure, the construction and establishment of "liner buildings" in accordance with the Kaiser Design Guidelines is a requirement and that the Project description cannot be amended to delete this element. Unless the DEIR adequately requires the construction of the liner buildings 77D

as a mitigation measure, it is uncertain that the Project, as finally constructed, will include such.

77D

We respectfully request that you modify the DEIR to include the construction of liner buildings, both as an element of the proposed Project and as a mitigation measure.

D. Failure to Discuss Inconsistencies With Circulation Element General Plan: CEQA Guideline section 15125 requires the DEIR to discuss and analyze any inconsistencies between the Project and applicable General Plan provisions. The Circulation Element of the Emeryville General Plan provides for an interrelated series of arterial streets and collector streets to provide adequate circulation throughout and across the City. Enclosed as Exhibit "C" is a copy of Figure III-7 from the General Plan which shows that a number of collector street extensions are proposed and deemed an integral part of the Circulation Element. One of the most important of these collector streets is the Doyle-Haven Street extension between Park Avenue and 47th Street.

The Project, as proposed, would result in the elimination of the Doyle-Haven Street extension as required under the General Plan. This creates a significant inconsistency with the General Plan which is not adequately discussed, analyzed nor mitigated. The General Plan shows the Doyle-Haven Street collector road as a continuous artery from 40th Street north beyond Powell Street. To delete this extension and close this important public street will severely impact the circulation element of the General Plan and is an important policy change which has not been adequately analyzed in the DEIR analysis.

77E

Charles Abrams, our client's traffic engineer who has analyzed the traffic section of the DEIR, indicates that the elimination of the Doyle-Haven Street extension will have a significant effect on both San Pablo Avenue and Hollis Street traffic flow. His calculations of screenline volumes show that this link cannot be removed without the replacement of north-south traffic capacity elsewhere between 40th and 47th Street. In the estimation of Mr. Abrams, the displaced trips will either use San Pablo Avenue or Hollis Street, both of which are projected to be at capacity and cannot handle any additional traffic.

The proposed mitigation in the DEIR (Cir.-26.1) is inadequate. While it acknowledges the elimination of the Doyle-Haven Street collector link between 47th Street and Powell Street, it does nothing to replace the lost capacity between 47th

Street and 40th Street, which is a very critical element. Doyle-Haven Street is planned to be a continuous three-lane street with turn lanes at intersections from 40th Street to north of Powell Street. If it must be eliminated through the Project site, then additional north-south capacity must be constructed somewhere else. Additional traffic lanes might be constructed on Hollis Street between 47th and 40th Street or a new north-south street could be constructed on the east side of the Kaiser Project. The DEIR must analyze this issue and recommend mitigation measures that will deal with the lost north-south circulation capacity if Doyle-Haven Street is eliminated. We are enclosing as Exhibit "D" a roadway sketch which illustrates the circulation plan of the City's General Plan and should be utilized to form the basis for the traffic analysis. 77E

E. Failure to Adequately Mitigate Site Specific Traffic Impacts and to Require Those Mitigation Measures in a Timely Fashion and Guarantee Completion Thereof: The mitigation measures proposed in the DEIR do not come close to mitigating the traffic impacts caused by the Project. A number of traffic problems are left in the Project's wake and will need to be solved by subsequent development. Additional mitigation measures are needed and many of the mitigation measures scheduled for Phase II need to be accelerated into Phase I. 77F

1. Failure to Analyze Traffic Volume for Road Links Surrounding the Project: Nowhere is this information provided. No drawing or site plan shows the locations of parking ingress and egress which makes it impossible to determine and analyze traffic circulation constraints upon the Project frontages. The detailed projections contained in Volume 3 of the DEIR excluded any roadway volume projections for the proposed new road links on Horton-Landregan-Stanford and on Doyle-Haven Street. Without these projections, the Planning Commission, City Council and the citizens of the City of Emeryville have no way of determining the importance of road improvements and their effect on their immediate neighbors. More information must be provided on lanes, alignment, access to parking areas and similar subjects in the immediate road system on the periphery of the Project and link volume maps for the Project's surrounding streets, the City's collector streets and other streets in the area. 77G

2. Virtually all of the Proposed Mitigation Measures Should be Required in the First Phase of Development and Should Not be Delayed Until Phase II: The review which our traffic consultant has done of the DEIR indicates that virtually all of the mitigation measures proposed for Phase II of the Project should actually be required and implemented in Phase I. 77H

This is a result of a failure to adequately analyze and identify cumulative traffic impacts and site-specific impacts. To attempt to put off many of the costly mitigation measures until Phase II of the Project is a disservice to the residents of the City and the area. Some method of metering need for mitigation and coordinating the time for construction must be identified which is more accurate than that set out in the DEIR. In addition, no overall analysis of area wide mitigation measures is included. 77H
The Project will account for about one-third of the new traffic that will ultimately be generated in the "south of Powell, west of San Pablo" area of the City. Kaiser should be responsible for one-third of the traffic mitigation. However, there is no indication in the DEIR of whether this is the case. An overall plan for this area, including the level of financial commitments needed must be a part of the DEIR otherwise the subsequent projects, such as the Chiron Development will be prejudiced.

We respectfully request that the DEIR be modified to address the concerns set out above.

77I

Conclusion: The DEIR provides a beginning for an analysis of the many and varied impacts that will be caused by the Project. However, much additional work is necessary in order to satisfy the requirements of CEQA. We urge the City to be thorough and forthright in its analysis of these impacts.

Respectfully submitted,

MILLER, STARR & REGALIA

Wilson F. Wendt

HFH_____

quinn1.ltr

Potential Development in Emeryville, three periods:
by 1996, 1997—2000, 2000—2010

M.T.C. T.A.Z.	Project Name	Location	Use During 1993	Project Type	Building Square Feet	added employ-ees
4	Weatherford BMW	btw PPP & Penn Mutual	1/4 ofc.	office	30,000	45
5	old Rainin	1719 64th St.	warehouse	Office	9,300	22
5	pole climbing lot	SW corner Christie & 64th	almost vacant	office/retail	45,000	106
6	Wolfman rehab	SE corner 64th & Christie	warehouse	office/warehouse	11,000	26
6	Lerer Bros.	E side Christie So. of 64th	machine shop	office/retail	15,000	35
6	Stern/Concept Accel.	E side Christie @ Pub.Mkt.	vacant	office/retail	13,000	20
8	Stern	SE corner 65th & Bay	wholesale	office/warehouse	13,000	20
9	Sybase "B-trium"	6601 Bay St.	warehouse	office	40,000	94
9	Sybase/Musallem	6601 Bay St.?	warehouse	office	40,000	94
10	Ryerson	SW corner Hollis & 65th	steel fab.	office	332,000	781
11	Sybase/Coussan	65th & Hollis	deisel repair	shipping & office	50,000	118
12	Breuner/Lowenberg	NW corner 64th & Hollis	warehouse	office	158,000	372
23	AMTRAK Station	N of Powell St. along railroad	vacant	Public Train Station	9,600	20
23	Post Office	62nd St. by AMTRAK station	vacant lot	Public	20,000	50
25	Chiron Phase I	Horton St. & 53rd St.	PG&E yard	Industrial	401,700	450
28	Gerow flex/incubator	Park at Halleck	vacant	retail	39,000	92
28	Steve Miller	Park btw Horton & Hollis	shop	office	7,500	18
30	Pacific Rim School	SW corner Doyle & Stanford	const.equip.	Private School	7,000	16
31	Jason Products	53rd to 55th E of SP spur	mfg.	office/retail	86,000	202
36	Gerow	Park btw. Haven & Harlan	lt. mfg.	office	45,000	106
36	American Rubber	Watts/Emery/40th/Park	1/2 mixed	intensification/fill	100,000	50
36	Besler	40th btw Haven & Harlan	lv/wk+ofc.	convert to retail...	60,000	125
37	East Baybridge	San Pablo Ave. & 40th St.	vacant lot	Regional Retail	480,000	588
	Subtotal 1994 To 1996				2,012,100	3,450

EXHIBIT A

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June 9, 1994
(Andy Getz analysis)

Potential Development in Emeryville, three periods:
by 1996, 1997—2000, 2000—2010

M.T.C. T.A.Z.	Project Name	Location	Use During 1993	Project Type	Building Square Feet	added employ-ees
6	"hotel site"/Pritzker	SE corner Pub Mkt park lot	vacant lot	office/retail	87,000	205
10	McGrath Steel	SW corner 66th & Hollis	mfg	office	30000	71
11	Richter	SE corner 66th & Hollis	lt.mfg.	office/retail	12,000	28
15	Westinghouse Site	Powell btw. Hollis & Christie	vacant	Office/Commercial	407,600	732
15	Banker & Marks	NW corner Powell & Hollis	gas sta+serv.	office/retail	35,000	82
16	Const. Services	NW corner Powell & Doyle	const.equip.	office/retail	12,000	28
16	Electro Batteries	NE corner Hollis & Powell	const.equip.	office/retail	8,000	19
16	Dutro	Hollis/Doyle/59th/61st	mfg.	office	40,000	94
20	shop center/Bayfront	South Bayfront, Shellmound St.	vacant	Regional Retail & Entertainment	800,000	1,090
22	Bogart/Zentner	W side Landregan S of Apex	mixed	office/retail	70,000	45
22	Whitney Research &	W side Landregan S of Fordham	mixed	office	40,000	15
22	Schwabacker/Fry	E side Peladeau	whs/mfg	office	40,000	94
23	Wareham Mayan Pyram	S of AMTRAK Station	vacant	office/retail	50,000	118
25	Chiron Phase II	Horton/53rd/Hollis	PG&E yard	office/lab	411,800	1,000
26	Chiron extra	Horton/53rd/Hollis	labs/office	office/lab	749,000	1,620
28	Publishers Group West	W side Hollis btw Park & 40th	warehouse	office/retail	30,000	71
28	Trader Vic	Park at Halleck	wareh./ofc.	retail	26,000	61
28	Buttner trust	SW corner Park x Hubbard	warehouse	retail	15,000	35
28	Modine/Union Bnk Tr	1461 Park	wholesale	office	16,000	38
28	Neptune	E side Horton S of Park	industrial	ofc/retail	12,500	29
28	Electro-Coatings	SW corner Park & Horton	wholesale	office	25,000	59
28	Bon Motif	4045 Horton	warehouse	ofc/retail	59,000	139
28	P.A.L.S.	4050 Horton	lumber yd.	ofc/retail	6,000	14
33	Kaiser Phase I	San Pablo/Park/Hollis/45th	mostly vacant	Hospital, Office, Retail	777,200	1,895
35	Kaiser liner bldgs extra	San Pablo, 45th, Park	partial retail	retail, office, residential?	125,000	294
35	Kaiser Phase I	San Pablo/Park/Hollis/45th	mostly vacant	Hospital, Office, Retail	382,800	825
36	United Stamping	E side Hollis btw Park & 40th	wholesale	office/retail	33,000	78
36	Jackson/Mandabach/etc.	40th btw Harlan & Watts	warehouse	warehouse	44,000	104
37	Catellus "residential"	S side 40th btw Hollis & Emery	vacant lot	retail	65,000	153
	Subtotal 1997 To 2000				4,408,900	9,035

CITY OF EMERYVILLE **1996 BASELINE SCENARIO WITH KAISER & CHIRON**

Traffic	RESIDENTS		EMPLOYMENT						
Zone	Population	Hshlds	Total	Retail	Service	Manufact.	Wholesale	Other	Agriculture
1	9	4	75	68	1	0	0	6	0
2	1,639	1,138	189	77	40	0	0	72	0
3			2,909	195	1,523	75	0	1,116	0
4	38	21	245	50	90	23	18	64	0
5	820	519	49	4	42	0	0	3	0
6	68	38	610	184	389	22	0	15	0
7			1,280	7	1,007	240	0	26	0
8	947	615	35	2	1	0	12	20	0
9			544	0	450	80	12	2	0
10			288	0	24	158	106	0	0
11	3	2	567	17	5	458	87	0	0
12			327	18	72	128	13	96	0
13	1	1	477	13	125	190	113	36	0
14	432	154	4	1	3	0	0	0	0
15			288	141	82	7	8	50	0
16	32	17	536	66	253	34	62	121	0
17	344	140	173	25	127	0	21	0	0
18			543	536	0	0	0	7	0
19			0	0	0	0	0	0	0
20			0	0	0	0	0	0	0
21			112	0	14	77	2	19	0
22			243	24	36	63	40	80	0
23			20	0	0	0	0	20	0
24	161	94	647	5	27	570	45	0	0
25			608	0	0	608	0	0	0
26	45	33	390	0	12	378	0	0	0
27	46	36	145	0	58	2	0	85	0
28			282	17	128	50	82	5	0
29			236	18	19	167	0	32	0
30	179	83	125	20	20	24	30	31	0
31	194	87	113	2	1	51	0	59	0
32	152	74	929	1	118	190	20	600	0
33			111	24	9	50	6	22	0
34	1	1	56	0	10	46	0	0	0
35	33	20	175	53	0	122	0	0	0
36	63	37	542	65	240	62	154	21	0
37	21	15	602	591	3	0	0	8	0
38	1,422	586	284	2	11	188	0	83	0
39	245	108	278	54	142	58	0	24	0
40	59	34	25	19	3	3	0	0	0
Total	6,954	3,857	15,062	2,299	5,085	4,124	831	2,723	0

CITY OF EMERYVILLE **2000 BASELINE SCENARIO WITH KAISER & CHIRON**

Traffic Zone	RESIDENTS		EMPLOYMENT						
	Population	Hshlds	Total	Retail	Service	Manufact.	Wholesale	Other	Agriculture
1	9	4	75	68	1	0	0	6	0
2	1,613	1,152	189	77	40	0	0	72	0
3	432	270	2,959	195	1,523	75	0	1,166	0
4	37	21	245	50	90	23	18	64	0
5	809	525	49	4	42	0	0	3	0
6	143	80	664	212	415	22	0	15	0
7			1,280	7	1,007	240	0	26	0
8	932	621	35	2	1	0	12	20	0
9			638	0	600	24	12	2	0
10			115	0	24	35	56	0	0
11	3	2	567	17	5	458	87	0	0
12			327	18	72	128	13	96	0
13	1	1	477	13	125	190	113	36	0
14	498	184	4	1	3	0	0	0	0
15			692	141	486	7	8	50	0
16	31	17	536	66	253	34	62	121	0
17	338	141	173	25	127	0	21	0	0
18			543	536	0	0	0	7	0
19			167	0	167	0	0	0	0
20			0	0	0	0	0	0	0
21			923	923	0	0	0	0	0
22			243	24	36	63	40	80	0
23			314	0	38	0	0	276	0
24	244	142	647	5	27	570	45	0	0
25			1,075	0	0	1,075	0	0	0
26	44	33	923	0	12	911	0	0	0
27	45	36	145	0	58	2	0	85	0
28			207	17	128	50	7	5	0
29			236	18	19	167	0	32	0
30	240	116	125	20	20	24	30	31	0
31	189	87	113	2	1	51	0	59	0
32	148	74	767	1	118	28	20	600	0
33			2,006	24	1,904	50	6	22	0
34	1	1	56	0	10	46	0	0	0
35			1,000	100	900	0	0	0	0
36	61	37	417	65	240	62	29	21	0
37	881	391	602	591	3	0	0	8	0
38	1,401	591	284	2	11	188	0	83	0
39	358	174	278	54	142	58	0	24	0
40	94	48	25	19	3	3	0	0	0
Total	8,552	4,748	20,121	3,297	8,651	4,584	579	3,010	0

Employment Growth in Emeryville
by M.T.C. Traffic Analysis Zone

T.A. Zone	Recht Total 1993	Recht Total 1996	Andy Total 1996	Diff.	Recht Total 2000	Andy Total 2000	Diff.	Recht Total 2010	Andy Total 2010	Diff.
1	75	75	75	0.0%	75	75	0.0%	75	75	0.0%
2	189	189	189	0.0%	189	189	0.0%	189	189	0.0%
3	2,859	2,909	2,859	-1.7%	2,959	2,859	-3.4%	3,061	2,859	-6.6%
4	245	245	290	18.4%	245	290	18.4%	420	290	-31.0%
5	49	49	177	261.2%	49	177	261.2%	199	177	-11.1%
6	597	610	678	11.1%	664	883	33.0%	669	883	32.0%
7	1,280	1,280	1,280	0.0%	1,280	1,280	0.0%	1,280	1,280	0.0%
8	35	35	55	57.1%	35	55	57.1%	35	55	57.1%
9	544	544	732	34.6%	638	732	14.7%	638	1,073	68.2%
10	549	288	1,330	361.8%	115	1,401	1118.3%	115	1,455	1165.2%
11	567	567	685	20.8%	567	713	25.7%	567	863	52.2%
12	327	327	699	113.8%	327	699	113.8%	327	784	139.8%
13	477	477	477	0.0%	477	477	0.0%	477	971	103.6%
14	4	4	4	0.0%	4	4	0.0%	4	4	0.0%
15	238	288	238	-17.4%	692	1,052	52.0%	1,138	927	-18.5%
16	536	536	536	0.0%	536	677	26.3%	686	879	28.1%
17	173	173	187	8.1%	173	187	8.1%	173	187	8.1%
18	523	543	523	-3.7%	543	523	-3.7%	543	523	-3.7%
19	0	0	0	0.0%	167	0	-100.0%	167	0	-100.0%
20	0	0	0	0.0%	0	1,090	0.0%	615	1,705	177.2%
21	112	112	112	0.0%	923	112	-87.9%	1,223	404	-67.0%
22	243	243	243	0.0%	243	397	63.4%	410	397	-3.2%
23	0	20	70	250.0%	314	188	-40.1%	314	188	-40.1%
24	412	647	412	-36.3%	647	412	-36.3%	1,088	1,344	23.5%
25	358	608	808	32.9%	1,075	1,808	68.2%	1,234	2,408	95.1%
26	390	390	390	0.0%	923	2,010	117.8%	923	2,010	117.8%
27	145	145	145	0.0%	145	145	0.0%	145	304	109.7%
28	282	282	392	39.0%	207	838	304.8%	332	838	152.4%
29	236	236	236	0.0%	236	236	0.0%	316	576	82.3%
30	105	125	121	-3.2%	125	121	-3.2%	125	121	-3.2%
31	113	113	315	178.8%	113	315	178.8%	113	315	178.8%
32	929	929	929	0.0%	767	929	21.1%	413	1,138	175.5%
33	111	111	111	0.0%	2,006	2,006	0.0%	2,006	2,006	0.0%
34	56	56	56	0.0%	56	56	0.0%	855	623	-27.1%
35	175	175	175	0.0%	1,000	1,294	29.4%	1,000	1,294	29.4%
36	542	542	823	51.8%	417	1,005	141.0%	813	1,148	41.2%
37	77	602	665	10.5%	602	818	35.9%	602	1,107	83.9%
38	334	284	334	17.6%	284	334	17.6%	243	334	37.4%
39	278	278	278	0.0%	278	278	0.0%	278	278	0.0%
40	25	25	25	0.0%	25	25	0.0%	25	25	0.0%
Total	14,190	15,062	17,654	17.2%	20,121	26,690	32.6%	23,836	32,037	34.4%

June 9, 1994
(Recht Hausrath analysis compared with Andy Getz analysis)

CITY OF EMERYVILLE **1993 SETTING**

Traffic Zone	RESIDENTS		EMPLOYMENT						
	Population	Hshlds	Total	Retail	Service	Manufact.	Wholesale	Other	Agriculture
1	9	4	75	68	1	0	0	6	0
2	1,696	1,123	189	77	40	0	0	72	0
3			2,859	195	1,523	75	0	1,066	0
4			245	50	90	23	18	64	0
5	850	512	49	4	42	0	0	3	0
6			597	184	376	22	0	15	0
7			1,280	7	1,007	240	0	26	0
8	527	366	35	2	1	0	12	20	0
9			544	0	450	80	12	2	0
10			549	0	24	419	106	0	0
11	3	2	567	17	5	458	87	0	0
12			327	18	72	128	13	96	0
13	1	1	477	13	125	190	113	36	0
14	440	148	4	1	3	0	0	0	0
15			238	141	82	7	8	0	0
16	34	17	536	66	253	34	62	121	0
17	339	129	173	25	127	0	21	0	0
18			523	516	0	0	0	7	0
19			0	0	0	0	0	0	0
20			0	0	0	0	0	0	0
21			112	0	14	77	2	19	0
22			243	24	36	63	40	80	0
23			0	0	0	0	0	0	0
24	33	22	412	13	34	320	45	0	0
25			358	0	0	358	0	0	0
26	47	33	390	0	12	378	0	0	0
27	54	36	145	0	58	2	0	85	0
28			282	17	128	50	82	5	0
29			236	18	19	167	0	32	0
30	180	82	105	20	20	24	30	11	0
31	200	86	113	2	1	51	0	59	0
32	158	73	929	1	118	190	20	600	0
33			111	24	9	50	6	22	0
34	1	1	56	0	10	46	0	0	0
35	35	20	175	53	0	122	0	0	0
36	66	37	542	65	240	62	154	21	0
37	22	15	77	3	3	12	0	59	0
38	1,233	500	334	2	11	188	0	133	0
39	244	103	278	54	142	58	0	24	0
40	48	29	25	19	3	3	0	0	0
Total	6,220	3,339	14,190	1,699	5,079	3,897	831	2,684	0

Potential Development in Emeryville, three periods:
by 1996, 1997—2000, 2000—2010

M.T.C. T.A.Z.	Project Name	Location	Use During 1993	Project Type	Building Square Feet	added employ-ees
9	Public Storage	NW corner Bay & 65th	warehouse	office	75,000	176
9	Mike Roberts/Nady	NW corner Emeryville	office/whs	office	70,000	165
10	Grove Valve	W side Hollis bte 65th & 66th	mfg.	office	220,000	0
10	Walt Corder	W of Hollis btw 66th & 67th	mfg.	office	80,000	54
11	Geo. Martin family	67th St. E of Hollis	mfg.	office	80,000	150
12	Hollis St. Complex	W side Hollis btw 62nd & 63rd	mixed	office/retail	173,000	85
13	Gasket Specialties	6200 Hollis	wholesale	office/retail	10,000	24
13	whse/Oakland Paper	Hollis/Doyle/62nd/63rd	mostly wareh.	office	80,000	188
13	warehouse/Lynch	Hollis/Doyle/63rd/64th	mostly wholes	office	80,000	188
13	Plant Insulation	NW corner 64th & Doyle	construction	office	40,000	94
15	Westinghouse Site	Powell btw. Hollis & Christie	vacant	Office/Commercial	288,900	-125
16	Cutter Trust	SE corner 59th & Hollis	warehouse	office/retail	60,000	141
16	Airco/Balaam	NE corner Powell & Hollis	retail	office	26,000	61
20	shopping ctr/Bayfront	South bayfront, Shellmound St.	vacant	Regional Retail & Entertainment	400,000	615
21	Harcros	Shellmound	mfg.	convert to retail...	120,000	282
21	McKinley/caboose	Shellmound	mixed	convert to retail	30,000	10
24	Banker/Marks	Park/Hubbard/Sherwin/Horton	warehouse	mix/wholes./office/	90,500	150
24	"Emeryville Warehouse"	1500 Park	mixed	office/live work?	125,000	100
24	Pellegrini Refrig.	NW corner Park & Halleck	wholes./mfg.	office	40,000	94
24	Sherwin Williams	NW corner Sherwin & Horton	mfg	office/retail	250,000	588
25	Chiron Phase III	Horton St. and 53rd St.	PG&E yard	office/lab.	157,500	600
27	Morehouse Mustard	btw Hollis & Horton N of Park	mfg.	office	35,000	65
27	Charles Lowe	N side Park btw Horton & Holden	office/whs	office/retail	40,000	94
29	Don Jones/Papermill	SE corner Hollis & Powell	1/2 vacant	office/retail	150,000	150
29	Westvaco	E side Hollis N of 53rd	3/4 wareh.	office/retail	70,000	165
29	Rainin	NE corner Hollis x 53rd	wholesale	office/retail	70,000	25
32	Kaiser Phase II	Haven btw. 45th & Emery Bay V.	mixed	Medical Office & Retail	133,750	209
34	Kaiser Phase II	Hollis btw. 45th and 53rd	mixed	Medical Office & Retail	133,750	567
36	MacPherson's	SW corner Haven & Park	wholesale	office/retail	40,000	94
36	Folkmanis	SE corner Harlan & Park	lt.mfg.	office/wholesale	21,000	49
37	Markstein	W side Hollis @ Home Depot	wholesale	retail	123,000	289
125	O. Term. Railway	S of K-Mart	vacant	retail	364,000	856
	Subtotal 2000 To 2010				3,676,400	6,206
	Total Commercial & Industrial Projects 1993 To 2010				10,097,400	18,690

IV-432

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June 9, 1994
(Andy Getz analysis)

CITY OF EMERYVILLE **2010 BASELINE SCENARIO WITH KAISER & CHIRON**

Traffic Zone	RESIDENTS		EMPLOYMENT						
	Population	Hshlds	Total	Retail	Service	Manufact.	Wholesale	Other	Agriculture
1	9	4	75	68	1	0	0	6	0
2	1,610	1,175	189	77	40	0	0	72	0
3	426	273	3,061	195	1,523	75	0	1,268	0
4	36	21	420	50	265	23	18	64	0
5	804	536	199	4	192	0	0	3	0
6	565	316	669	217	415	22	0	15	0
7			1,280	7	1,007	240	0	26	0
8	921	631	35	2	1	0	12	20	0
9			638	0	600	24	12	2	0
10			115	0	24	35	56	0	0
11	3	2	567	17	5	458	87	0	0
12			327	18	72	128	13	96	0
13	1	1	477	13	125	190	113	36	0
14	491	186	4	1	3	0	0	0	0
15			1,138	141	544	7	8	438	0
16	30	17	686	66	403	34	62	121	0
17	463	215	173	25	127	0	21	0	0
18			543	536	0	0	0	7	0
19			167	0	167	0	0	0	0
20			615	615	0	0	0	0	0
21			1,223	923	300	0	0	0	0
22			410	24	203	63	40	80	0
23			314	0	38	0	0	276	0
24	242	144	1,088	5	27	1,011	45	0	0
25			1,234	0	0	1,234	0	0	0
26	44	34	923	0	12	911	0	0	0
27	45	37	145	0	58	2	0	85	0
28			332	17	128	175	7	5	0
29			316	18	137	129	0	32	0
30	236	117	125	20	20	24	30	31	0
31	187	88	113	2	1	51	0	59	0
32	827	454	413	1	400	12	0	0	0
33			2,006	24	1,904	50	6	22	0
34	1	1	855	15	840	0	0	0	0
35			1,000	100	900	0	0	0	0
36	61	38	813	65	573	125	29	21	0
37	867	396	602	591	3	0	0	8	0
38	1,389	601	243	2	11	147	0	83	0
39	401	202	278	54	142	58	0	24	0
40	92	48	25	19	3	3	0	0	0
Total	9,751	5,537	23,836	3,932	11,214	5,231	559	2,900	0

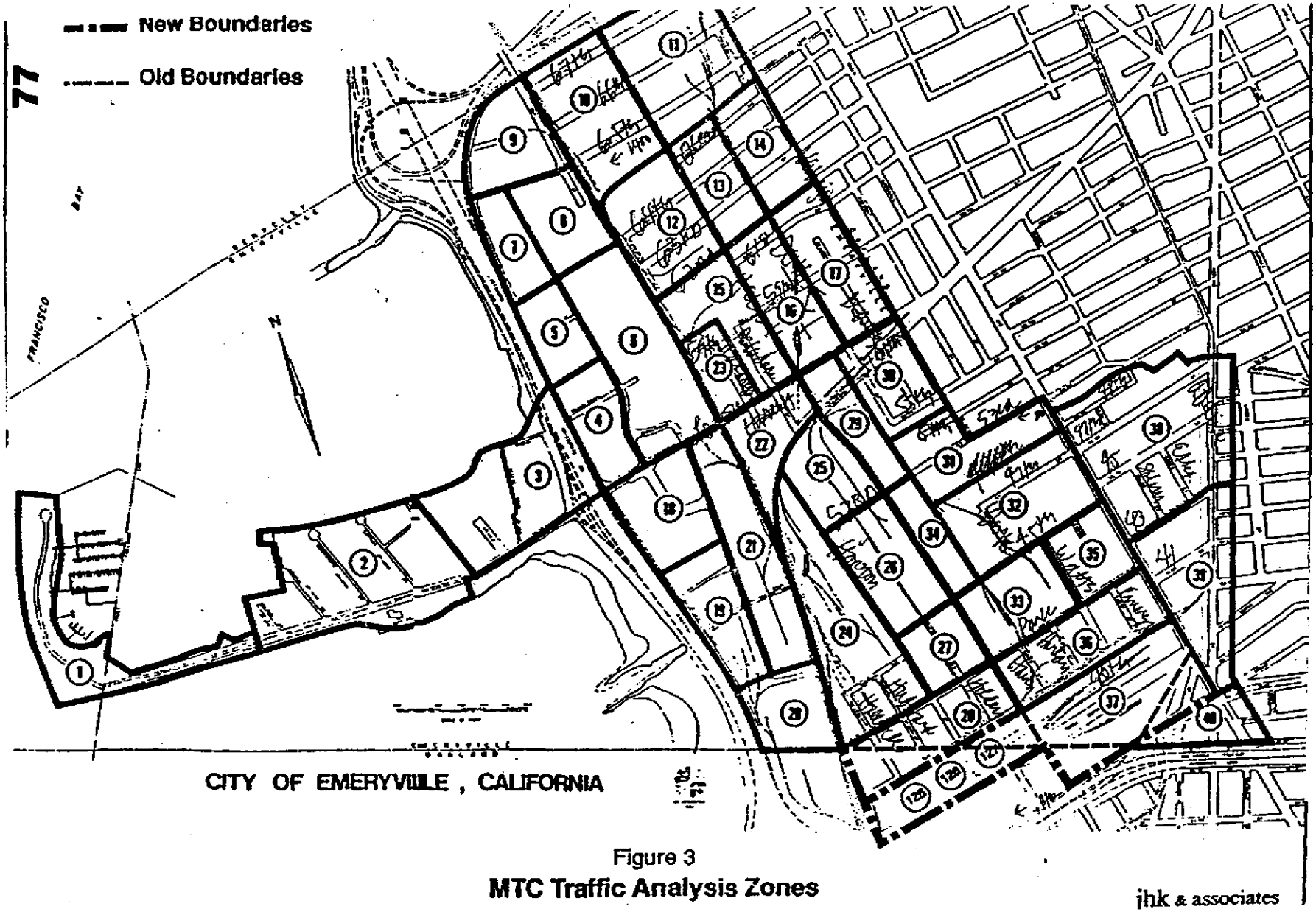

Figure 3
MTC Traffic Analysis Zones

jhk & associates

05/24 '94 10:12 ID:CITY OF EMERYVILLE FAX:510-658-8095 PAGE 1

Even - North
Odd - South

~~Odd West~~
Even East &
Odd went Up

IV-434

Post-it™ brand fax transmittal memo 7671 | # of pages ▸ 1

To Kathy Cleary | From Faye Chiu

Co. | Co.

Dept. | Phone #

Fax # 652-9041 | Fax # 658-8095

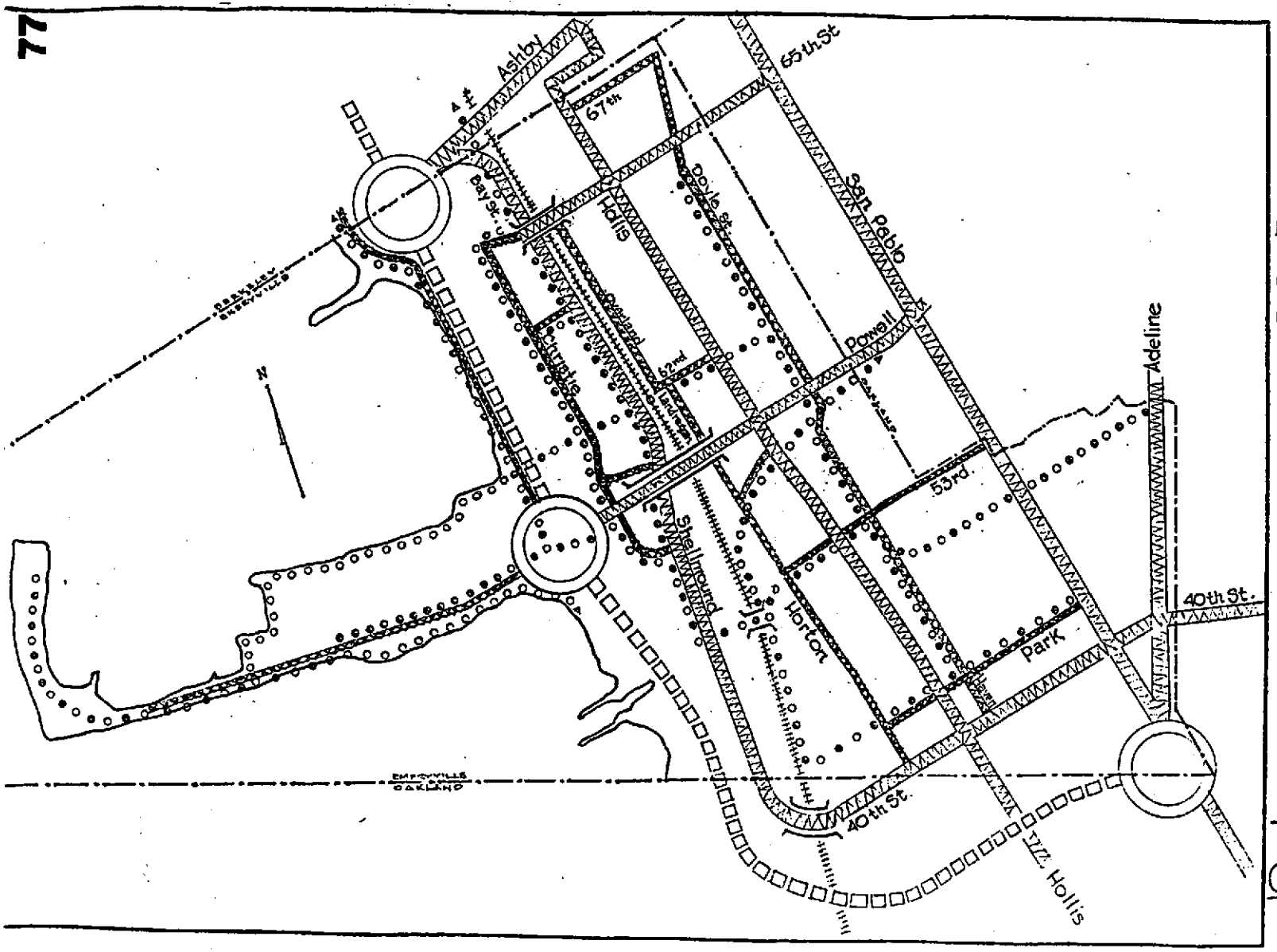

FIGURE 2:

CIRCULATION PLAN

- FREEWAY
- ARTERIAL
- COLLECTOR
- FREEWAY INTERCHANGE
- MAJOR PEDESTRIAN CORRIDOR
- MAJOR BICYCLE CORRIDOR
- JOINT PED/BIKE CORRIDOR
- OVERPASS
- RAIL CORRIDOR

0 200 400 800

N

EMERYVILLE GENERAL PLAN

IV-435

EXHIBIT C

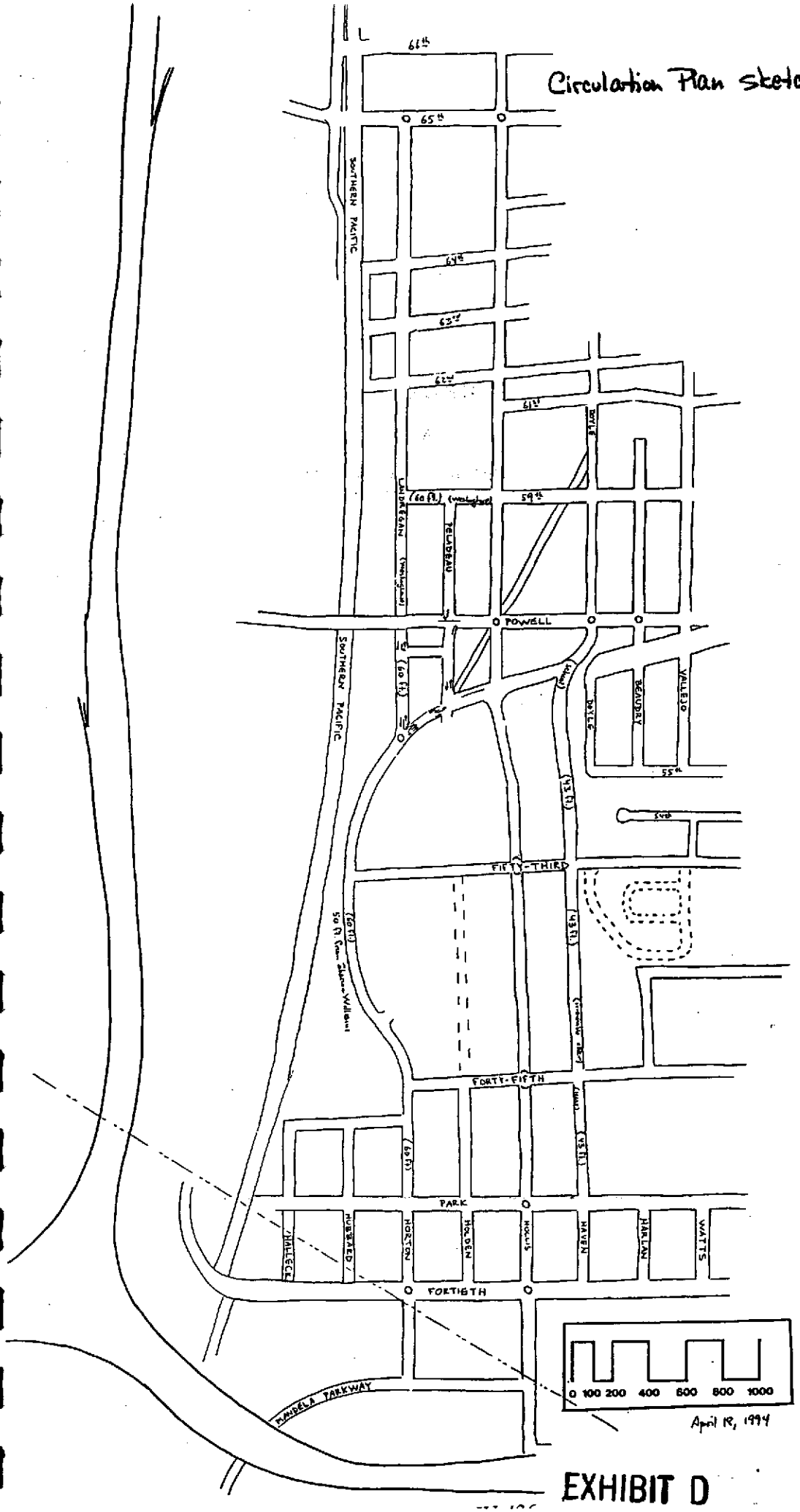
Circulation Plan sketch
65th
64th
63rd
62nd
61st
59th
SOUTHERN PACIFIC
LANDREGAN
TELEGRAPH
POWELL
BEAUDRY
VALLEJO
55th
FIFTY-THIRD
FORTY-FIFTH
PARK
FORTIETH
HALLETT
HUBBARD
NORTON
NELSON
HOLMES
MAYBEN
HARLAN
WATTS
MANDELA PARKWAY
0 100 200 400 600 800 1000
April 19, 1994

EXHIBIT D

77. RESPONSES TO COMMENTS FROM WILSON F. WENDT, MILLER STARR & REGALIA RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 77.A.: Miller Starr & Regalia's comments are noted. Specific responses are provided below for each of the specific comments regarding the adequacy of the Draft EIR.

RESPONSE TO COMMENT 77.B.: The Draft EIR evaluated cumulative impacts based upon available information at the time of the preparation of the EIR. Pursuant to Public Resources Code §21100(d), the City of Emeryville relied on previously approved land use documents and a list of approved, pending, and proposed projects that were known at the time the Draft EIR was under preparation. It would be misleading for the cumulative impacts analysis to speculate on levels of development for all properties within Emeryville, and to report that this level of development would occur, without having evidence of known or likely projects on file at the Planning Department.

The list of cumulative projects compiled in the Recht Hausrath Associates analysis consisted of those projects that were approved, proposed, or foreseeable pending projects that were not already included in the ABAG Projections '92 figures and were of sufficient size that they would contribute to a demonstrable cumulative impact. Many of the projects listed in the table attached to the commenter's letter represent redevelopment and new development throughout Emeryville for which there are no applications on file. Furthermore, no applications were on file for these projects at the time the Draft EIR circulated.

RESPONSE TO COMMENT 77.C.: The traffic analysis evaluated the trips generated by all of the uses identified in Table 2 of the Draft EIR that are included in the proposed project.

RESPONSE TO COMMENT 77.D.: The Draft EIR clearly states in the discussions of the Kaiser Permanente Medical Center Urban Design Guidelines, that these guidelines are included in the project. Kaiser has agreed to incorporate the neighborhood commercial, pedestrian-oriented "liner" buildings into the project, as required by the Urban Design Guidelines. If the project description were amended to exclude the "liner" buildings, additional or subsequent environmental review could be necessary.

RESPONSE TO COMMENT 77.E.: The Draft EIR evaluated the project's consistency with the Circulation Element of the General Plan on page 47 in Section II, A, and in Section II, C.

The circulation portion of the Draft EIR discusses General Plan circulation issues and addresses them in the recommendation of mitigation measures. For example, mitigation measures calling for the construction of segments of the Horton-Landregan Connection and the Doyle-Haven Extension are consistent with circulation objectives voiced in the General Plan. The bikeway impacts section refers to the General Plan bicycle system and resulting mitigation measures are consistent with objectives for future bikeway described in the General Plan. The project would not result in the elimination of the Doyle-Haven Extension. It would construct a new segment of this extension from 47th Street to Powell Street, while eliminating a short segment between 40th and 47th Street. Travel forecasts developed using the City-wide model indicated that future peak hour volumes along the portion of the Doyle-Haven Extension between 40th and 47th Street would be less than 100 vehicles per hour. The abandonment of this segment of the Doyle-Haven Extension would result in a less-than-significant impact based on the implementation of identified mitigation measures. It is noted that additional north-south capacity will be provided as a result of mitigation measures such as the restriping of Hollis Street to provide four through lanes and the provision of the Horton-Landregan Extension.

RESPONSE TO COMMENT 77.F.: The Draft EIR identified feasible mitigation measures to reduce significant traffic impacts. See response to Comment 74.C.

The implementation of all feasible mitigation measures suggested for Year 2000 Baseline Plus Project and Year 2000 Cumulative conditions would reduce significant impacts to less than significant levels at all but one intersection (Cypress Street NB/32nd Street). The installation of a four-way stop sign control at the Cypress Street NB/32nd Street intersection (mitigation measure described in the Draft EIR, p. 130) would reduce impacts, but not to a less than significant level. However, the significant impacts at this intersection were mitigated to a less than significant level with mitigations suggested in the Year 2010 Cumulative scenario (p. 155). This mitigation was not suggested for the Year 2000 conditions since the projected traffic levels at this intersection did not warrant a traffic signal until Year 2010 conditions.

Since all mitigation measures suggested in the Year 2000 scenarios would mitigate impacts to a less than significant level, except at Cypress Street NB/32nd Street (for reasons described above), there is no need to accelerate the Future Expansion phase mitigation measures into Phase I.

RESPONSE TO COMMENT 77.G.: As described in the Project Characteristics section of the Draft EIR (p. 5), three parking structures are proposed to serve the project. Refer to the Site Access Impacts section of the Draft EIR (pp. 168 - 171). The largest parking structure would be located along San Pablo Avenue and would have 1,800 parking spaces. Another parking structure would be located at the southwest corner of the Phase I site and could have 750 parking spaces. The third parking structure would have 1,110 spaces and would be located at the northwest corner of the Future Expansion site. As illustrated in Figure 4 in the Draft EIR, the driveway for the 750-stall garage would be located on Hollis Street, just north of Park Avenue. The driveways for the 1,110-stall garage would be located along Hollis Street, south of 53rd Street, along 53rd Street, just east of Hollis Street, and along 47th Street. The driveways for the 1,800-stall parking structure, however, are not illustrated in Figure 4. The driveways would be located on Park Avenue, between San Pablo Avenue and the Emery Street alignment, and on 45th Street, between San Pablo Avenue and the Emery Street alignment.

Refer to Master Response E. for a discussion of the Doyle-Haven Extension.

RESPONSE TO COMMENT 77.H.: For comment regarding acceleration of Year 2010 mitigations, see response to Comments 44.N. and 77.F.

For comment regarding Kaiser's financial responsibility of the proposed mitigation measures, see response to Comment 64.B.

RESPONSE TO COMMENT 77.I.: The City of Emeryville staff believes that the Draft EIR contains a thorough and forthright analysis of the impacts associated with the proposed medical center. Refer to Master Response I1. for a discussion of the adequacy of the EIR.

78

CITY OF OAKLAND

OFFICE OF PLANNING & BUILDING • 1330 BROADWAY • OAKLAND, CALIFORNIA 94612

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PLANNING DEPARTMENT

June 20, 1994

Ms. Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, California 94608

RE: Comments on the Draft Environmental Impact Report for the Kaiser Permanente Medical Center

Dear Ms. Quinn:

This letter summarizes the key issues that have not been adequately addressed in the DEIR, and that the City of Oakland believes should be addressed in the environmental document. The DEIR is deficient in its discussion of traffic and circulation, land use effects on the Emeryville-Oakland-Berkeley neighborhood, visual and urban design, historic preservation, project alternatives, and cumulative impacts. Therefore, to ensure the adequacy of the DEIR for both the lead agency and responsible agencies, the DEIR should be significantly revised and recirculated for public comment. 78A

The DEIR outlines mitigation measures that are in areas of Oakland jurisdiction. However, the DEIR fails to provide a full and adequate analysis of the direct and indirect environmental impacts on the adjoining areas of Oakland that will be effected by the implementation of the mitigation measures. According to CEQA Guidelines § 15042 and 15096, as a Responsible Agency, the City of Oakland will need to use this EIR to provide the necessary environmental documentation to approve specific project related mitigation measures. Therefore, there are specific deficiencies in the DEIR that must be corrected prior to Oakland's consideration of this EIR for purposes of considering the necessary steps to adopt and implement the EIR recommended mitigation measures in Oakland to reduce the environmental impacts of this Emeryville project to less than significant levels. As a Responsible Agency, we are also interested in the preparation of an adequate environmental document, and to this end, we would appreciate the development of a consultative process where our mutual environmental concerns may be addressed. 78B

I. DETAILED COMMENTS

Our comments on the DEIR are presented below:

1. General Comments on Traffic Impacts

The DEIR states that the proposed project would generate over 31,000 vehicle trips in a typical day. Over 70 percent of these trips would be destined to or from the City of Oakland. Many Oakland streets would be seriously and irrevocably impacted. Unfortunately, the DEIR traffic analysis (pp. 86-183) leaves many questions unanswered and in need of further analysis or evaluation. We request that the DEIR be revised to provide sufficient information for Oakland City staff to evaluate impacts and then to formulate a response and determine which mitigation measures are most effective and practical. Our understanding of the project impacts and mitigation measures will be important to our decisionmaking process with respect to the implementation of the project mitigation measures within Oakland. 78C

2. Freeway Traffic Impacts

The DEIR traffic analysis (pp. 86-183) indicates that over two-thirds of the project vehicle trips would use Interstate 580 ("I-580"), San Pablo Avenue, the freeway ramps, and local streets for access to, or egress from, the project. Although several of the busiest freeways in the Bay Area are in the project vicinity, these major transportation routes bypass the proposed Kaiser site. Consequently, up to two-thirds of the project traffic would be forced to use one on-ramp and one off-ramp from I-580. This is a major concern of Oakland during typical traffic days, especially during heavily congested days when access to the site would be critically impaired. Furthermore, on such days, traffic headed for the Emergency Entrance would be impeded to a life-threatening extent. 78D

3. Inadequate Traffic Analysis

The DEIR (pp. 86-183) provides an inadequate analysis of project traffic impacts. As discussed in detail in other comments below, the range of incomplete elements include the following: 78E

- The assumptions used in the DEIR for project trip distribution are inconsistent with the source from which they were taken; the DEIR should be revised to correct this inconsistency.
- The DEIR intersection analytical methodology used is, for the complexity of this Project, simplistic, lacks the necessary sophistication, and should be used only with extreme caution. 78F
- The mitigation measures offered in the DEIR are questionable because of the intersection analytical methodology used. Moreover, many mitigations are incongruous when considered with other mitigations or, in some cases, simply not fully analyzed as to whether or not they are realistic. 78G

- The DEIR does not differentiate street segments according to whether they are major arterials, with critical requirements for signal coordination; or residential streets, for which a "livability" analysis is needed. 78H
- The DEIR presents an inadequate evaluation of site access; consequently, the proposed mitigations merely shift the problems rather than mitigate them. 78I
- The DEIR glosses over the fact that local area transit access is extremely poor especially for a project that would generate over 31,000 vehicle trips per day. 78J

4. Traffic Modeling Methodology

The Traffic Analysis Methodology Section (DEIR, Volume II, Appendix D) discusses in some detail the computer modeling and "adjustments" used in the EIR. The application of the modeling process with the specified adjustments needs to be discussed in more detail so that readers can understand why this method, which is briefly explained below, was performed. It appears the Emeryville City model was used as a starting point to help develop turn movements for the base Year 2000 and base Year 2010 scenarios; the Kaiser trips were then added to this network with the trips being distributed according to the distribution pattern at the Oakland Kaiser facility; subsequently, the resulting intersection volumes were "adjusted" to provide "similar results as the citywide forecasts at major study area cordon points." This procedure gives a much stronger emphasis to the city model, which is best used for general purpose analyses and comparison of alternative city-wide plans, rather than professional judgment that would best take into account project specific garage access points and specific points of congestion. 78K

5. Trip Generation

The future years analysis of intersection operations indicates severe congestion which in turn indicates that the PM peak period would lengthen and start earlier. This extended peak period would most likely occur during the peak vehicle generating hour of the hospital facility, and therefore, the impact of the proposed project on the roadways would be substantially greater than that analyzed. Also, a Transportation Systems Management (TSM) plan to reduce drive alone autos and to increase transit use would not be very effective at the proposed site because the bus routes that serve the project site are very limited in their service area. Additionally, because of its distance from the project, BART would continue to serve only an extremely small percentage of project employees or visitors. 78L

The DEIR (Volume II, Appendix D pp. 31-35) presents trip generation rates only for the proposed Kaiser project. The DEIR fails to disclose the sources for other trip generation rates. What are projected the trip rates for the various land uses, especially the Chiron Corporation site? The DEIR (p. 331) describes the Chiron Corporation proposal to build a 1.5 million square foot of bio-technology, research, manufacturing, and administrative campus between Hollis and Horton streets, centered along 53rd Street. The discussion of the proposed Chiron project (DEIR, p. 338) indicates that this project would generate an additional 600 vehicle trips during the PM peak hour; this generation translates into a rate of .86 vehicle trips per PM peak hour. The DEIR should be revised 78M

to provide the details of the derivation of this rate in order to satisfactorily demonstrate its validity. If this proposal increases to 2.2 million square feet (as indicated at the recent meetings held by the City of Emeryville and Chiron), the impact that this project would have on traffic operations and air quality would increase significantly. If the Chiron development scenario of 2.2 million square feet is preferred or becomes likely, the EIR must re-analyze its assumptions for the cumulative scenario, and be recirculated. 78M

6. Trip Distribution

The DEIR (Volume II, Appendix D, p. 35) indicates that the project trip distribution was based on the existing Kaiser facility located in Oakland near the corner of Broadway and West MacArthur; however, the percentages shown in Figure 9 (Appendix D p. 36) do not come close to matching the trip distribution of the Oakland Kaiser facility. For example, the DEIR indicates that approximately 22 percent of trips would use local streets destined to points immediately south of the site (and presumably, are not headed for the freeway over one mile away). The *Kaiser Medical Office Building EIR* (City of Oakland, August 21, 1990, Appendix C), however, indicates a maximum of 5.8 percent of the trips would use these local streets. Therefore, roughly 15 percent of the total project trips that have been assigned to local streets would more likely use a different route. Specifically, vehicles could enter or exit I-580 via San Pablo Avenue. During the PM peak hour this would add approximately 250 vehicle trips to southbound left turn from San Pablo Avenue to 35th Street. Consequently, there is a distinct and major difference of traffic assumptions that needs to be examined adequately in the EIR, since the effects of these assumptions on street operations, Level of Service (LOS), and mitigation measures would be significant. 78N

Also, the DEIR (pp. 113 & 114) indicates that 70 percent of the project trips would "be destined to the south and east (primarily into the City of Oakland);" however, Figure 19, Year 2000 Project Vehicle Trip Distribution (DEIR p. 115) indicates that only 62 percent of project trips would head in this direction. This eight percent discrepancy accounts for approximately 130 vehicle trips. If these trips are loaded on the already overcrowded and congested intersections, then substantially greater degradation would occur at these locations. Furthermore, new significant and unavoidable impacts would occur at additional intersections. The DEIR needs to be revised in detail to address these discrepancies, before the DEIR can adequately address the traffic and circulation impacts of the project. Given that the requested analysis will provide new substantial information on project impacts and necessary mitigation measures, we respectfully submit that the DEIR must be recirculated for additional public comments.

Regarding the incomplete cumulative scenarios, there are significant questions that the DEIR needs to address: What are the trip distribution assumptions of the Chiron project? This information is necessary to adequately determine whether or not the cumulative impact analysis accurately assesses traffic impacts on various local streets.

7. Transit Access

The proposed project would have an existing transit mode split of two percent and future transit mode split of six percent. A detailed review of the *AC Transit Street & Route Map* (AC Transit, 1994) clearly shows that the transit routes that presently serve the project site would provide only limited transit access and service to the East Bay population. Given this project location, what is the AC Transit service area (in square miles)? What is the service area (in square miles) that transit would provide at alternative locations? How much would be provided by "direct" service; i.e., service without any transfers? We note that most of Oakland west of I-580 would not have direct transit service to the project site. The entire City of San Leandro would not have direct service to this location. The cities of Berkeley and Albany would have limited direct service to this location.

Mitigations CIR-35 and CIR-37 (DEIR, pp. 165 & 166) discuss contributions from the project sponsor, and from other projects, to a "mass transit fund for use in developing local and regional transit capacity." These mitigations are inadequate because they are too vague and do not provide a sufficient level of detail. Furthermore, the mitigations may be infeasible or could result in new significant impacts due to a substantial increase in transit ridership for which the transit existing potentially may not be able to accommodate. Because there is very limited transit service to the project site, the DEIR must include a discussion detailing the two mitigations, and explaining how the existing service route frequencies would be increased and how the service network would be expanded. We note that these expansions can be very expensive to implement and maintain, and that the expected benefits would be limited, and therefore, may not be cost effective. In such a situation, the project sponsor may not want to continue its participation in transit funding. Moreover, from the regional perspective (which is appropriate because Kaiser Permanente is a regional health care provider), since the project is projected to generate over 31,000 vehicle trips per day, the least environmentally damaging solution is called for, particularly a solution that resolves the dilemma of how subscribers from every part of the Kaiser service area can conveniently get to the hospital location by a means of transportation other than single occupancy vehicles (i.e., by public transit). 78O

8. MacArthur BART Shuttle Service

The DEIR (p. 107) briefly discusses a proposed shuttle service between Emeryville and the MacArthur BART station in Oakland. This discussion raises more questions than it answers, including: Does the shuttle serve Emeryville residents and workers only? Or, is it dedicated for Kaiser subscribers and employees only? If so, how will ridership be controlled? Where does the shuttle stop to load and unload passengers? Figures 17 and 18 (DEIR, pp. 109 & 110), shows the shuttle routes but not the stops. Will there be any shuttle stops in Oakland? How will Oakland residents, who may use the shuttle, be accommodated? Will there be parking adjacent to the shuttle stops? What are the environmental impacts along the proposed routes? Will there be any impacts on the Oakland streets? Will there be any impacts at the MacArthur BART station? Who will fund this shuttle service? Emeryville? Kaiser? BART? If BART funds are involved, do the benefits fall out to all BART patrons? Is there any federal funding (e.g., UMTA funds) involved? If federal funds are involved, in light of the identified Industrial Historic District (see p. 16 of this letter), then NEPA as well as the regulations of 36 CFR Part 800 ("Section 106") would apply to this project. 78P

9. Proposed Traffic Mitigations

The DEIR (pp. 86-183) includes inadequate traffic mitigation measures. The DEIR needs to be revised to include adequate, reasonable, and feasible traffic mitigation measures for the City of Oakland. The DEIR also needs to be revised so as to include an evaluation of what would be the most likely direct and indirect impacts of the proposed project on traffic operations in Oakland, so that Oakland City staff can determine which measures are not only feasible, but also appropriate and desirable for Oakland's decisionmaking purposes.

The mitigations offered are inconsistent with each other (i.e., conflicting improvements proposed at adjacent intersections), or infeasible in its present form. For example, the improvements proposed for Year 2000 Conditions on Figure 20 (DEIR p. 121) indicate that the intersection of San Pablo Avenue and 35th Street should have an additional southbound left turn lane. Part of the proposed improvement requires the removal of on-street parking during the peak period; however, with the proposed lane addition, the curb to curb width of San Pablo Avenue would not allow for parking at any time. This improvement would also require that on-street parking be removed on San Pablo Avenue upstream and downstream of the intersection to allow for the transition of the through lanes. Significantly, this parking loss was not incorporated into the "improvement." We note that elsewhere in the DEIR, parking loss consistently has been considered to be an indication of the infeasibility of an improvement (see p. 130 regarding parking loss at the intersection of San Pablo Avenue and Alcatraz Avenue). Wouldn't the loss of on-street parking as a result of the mitigative southbound left turn lane at San Pablo Avenue and 35th Street make this mitigation measure unfeasible? 78Q

Also at the San Pablo Avenue/35th Street intersection, the EIR assumes that the Year 2010 Base Conditions require improvements to the adjacent intersection of San Pablo Avenue and 36th Street; however, the 36th Street intersection improvements would seriously affect the operations of the intersection at 35th Street. The improvements proposed on San Pablo Avenue at 36th Street assume three through lanes southbound that would feed into two lanes southbound at 35th Street. This would require either a through lane to be dropped immediately south of 36th Street or a through lane becoming a left-turn-only lane immediately upon crossing 36th Street (an undesirable situation). The problem is compounded by the additional improvement proposed at 36th Street of a northbound left turn lane. (We note that since there is an existing northbound "No Left Turn" prohibition at this intersection, it is unlikely this will be part of the intersection "improvement.")

The combination of all EIR-recommended improvements for both intersections is infeasible in that it would require that San Pablo Avenue, between 35th and 36th Streets, be a minimum of six lanes and possibly up to 8 lanes wide. Due to the existing width of 74 feet (curb-to-curb), provision of the additional lanes would require all on-street parking to be removed, including on-street parking upstream and downstream of both intersections and insufficient turn bay lengths. At a minimum, the short 100 feet left turn lanes, and their spillover effect on through lanes, require re-analysis and recirculation of the DEIR .

Other problems with proposed intersection mitigations include, but are not necessarily limited to, the following: 78R

- The proposed improvements for left turn lanes on Powell Street at Doyle Street do not account for the parking loss associated with these improvements. How significant is this parking loss? 78R

- Proposed mitigation measures to relieve access problems to the garage at the corner of Hollis and Park Avenue (Cir-42, DEIR p. 170) shifts the traffic burden to the intersection of Hollis and 45th Street. 78S

- The proposed mitigation measure that assumes the restriping of Hollis Street to four through lanes (Cir-20, DEIR p. 149) would cause significant capacity problems that require adequate additional mitigation. 78T

10. Level of Service Methodology

The DEIR (pp. 86-183) does not adequately explain the level of service methodology.

Regarding Circular 212 Methodology, we note that the use of the Circular 212 Planning Methodology to analyze the signalized intersections and to determine mitigation measures requires extreme caution. The Circular 212 method is not sophisticated enough to analyze properly the impacts of pedestrians, coordinated operation, cycle length, overlap phasing, etc. It can only give a "feeling" of what the intersection Level of Service (LOS) would be whereas other more sophisticated models can give a much clearer and more accurate analysis of signalized operations, and therefore, the LOS.

For example, the DEIR analyzed the two intersections of San Pablo Avenue at 36th and 35 Streets. During the Year 2000 Base, PM Peak scenario, the calculated LOS indicates a 101 second optimum cycle length for the 35th Street intersection and 33 second optimum cycle length for the 36th Street intersection. This indicates the cycle lengths would be radically different if implemented independently. In reality, these two closely spaced intersections would be coordinated, and therefore, both would operate with the same background cycle. Therefore, the intersection at 36th Street would have a much higher cycle, and the delay for the side street would be much worse than calculated. Also, with different cycle lengths, queues would be different and the probability of one intersection's operations backing into an upstream intersection is more likely. Since the above Circular 212 method can not analyze this occurrence and can only evaluate how an intersection operates independently of another, the actual LOS and effectiveness of the proposed mitigation measures cannot be clearly determined. 78U

It is our opinion that the more sophisticated method to evaluate the intersections studied in the EIR would be to use the HCM operations methodology and TRANSYT 7F or PASSER II to determine how these intersections and the entire corridor would operate. As the following discussion shows, the use of the Circular 212 methodology in the DEIR is clearly recognized as being inferior to the more sophisticated TRANSYT 7F model in estimating LOS in a Corridor Analysis.

Regarding Corridor Analysis, corridors require special attention and analysis to properly evaluate levels of service, and therefore, proposed mitigation measures. Analysis of intersections without serious consideration of the impact on the corridor or adjacent intersections is inconclusive at best. A

Caltrans funded study conducted in 1990 (*I-880 TSM Study*) evaluated existing corridors in the East Bay, including San Pablo Avenue. The Caltrans analysis used the TRANSYT 7F model to evaluate existing timing and to recommend new timing along the San Pablo Avenue corridor. The levels of service resulting from this analysis differ substantially from the DEIR's estimates of LOS. The differences in the two studies are presented on the following page.

SAN PABLO AVENUE CORRIDOR LOS COMPARISON				
SAN PABLO AVENUE INTERSECTION	I-880 TSM STUDY (1990)		KAISER EMERYVILLE DEIR STUDY (1994)	
	PM HR	AM HR	PM HR	AM HR
@ MACARTHUR	E	D-E	B	A
@ ASHBY	C	C	F	E
@ STANFORD	D-E	C	D	A
@ ALCATRAZ	B	A	E	A

78U

This table shows how the DEIR analysis may not be accurate, leaving open to serious question the LOS and the attendant measures upon which the DEIR bases mitigations for project impacts. A corridor analysis is necessary for San Pablo Avenue, Powell Street, Ashby Avenue, and Hollis Street, and the DEIR should be revised to include these analyses so that Oakland City staff is provided with adequate information to properly evaluate the impacts this proposed project would have on intersection and street operations. We believe that the re-analysis would render significantly more accurate data that should be recirculated for further public review of the DEIR.

11. Saturation Flows

The assumed saturation flows are different for signals adjacent to each other. For example, although the intersections of San Pablo Avenue at 35th and 36th Streets during the Year 2000 Base and Year 2000 Base + Kaiser + Chiron Scenarios operate at similar LOS, the saturation flows are substantially different. The DEIR fails to address this difference, even though it is evident that use of different flow rates would affect the LOS results. Accordingly, the EIR needs to be revised so as to be consistent.

78V

In another situation involving saturation flows, double right turn lanes are proposed at several locations (eg., San Pablo Avenue at 36th Street; San Pablo Avenue at Powell Street). However, the impact of pedestrians on the ability of vehicles to freely make right turns was not adequately addressed and saturation flows were not adjusted downwards. The necessary adjustment would either make the proposed mitigation completely unworkable or severely reduce the effectiveness of the proposed improvements. Also, even in the absence of pedestrians, double right turn lanes do not have the same capacity or saturation flows as through movements or single turn lanes. This is especially true with right turn lanes with sharp radii.

12. Street Segment Analysis -- Livability

Significantly, the level of congestion at critical intersections in Oakland indicates that project vehicle trips would be diverted to adjacent, local residential streets. Therefore, these streets would be severely impacted and their livability jeopardized. What would be the impact to these streets? What would be the mitigations proposed to alleviate or eliminate these impacts?

For example, the DEIR inadequately addresses the impacts of project traffic on 35th and 36th streets, both of which are residential streets. The EIR needs to be revised to include an analysis of "livability," especially in light of the doubling of traffic on affected streets. 78W

As another example, 40th Street is a primarily residential street that would have an additional 3,000 to 4,000 ADT with the proposed project. What is the impact to residents and on the street's "livability"?

13. Parking Analysis

The parking analysis presented in the DEIR is inadequate and needs to be revised. The deficiencies of the analysis include the following:

- The DEIR compares ITE parking space demand rates to Emeryville City Code requirements only, and omits a comparison to existing Kaiser facilities presently in use in the Bay Area, as well as to the existing Kaiser Permanente Project Standards Manual, to ensure the application of the most representative parking space demand rates. Only after a thorough comparison of all these data sources can a reliable rate be determined.
- The DEIR (p. 167) assumes a parking demand based on square footage, rather than on number of employees. The resultant parking demand estimate is not reliable. Generally, an office would be full to or beyond capacity for a number of years before an expansion occurs. As the number of employees per 1000 gross square feet increases, there would be a corresponding increase in parking demand. 78X
- The DEIR (p. 167) cites a survey conducted in the City of Oakland; however, the source (who, when, where) is not identified. This survey resulted in a 50 percent reduction factor for parking demand for retail uses due to proximity to other land uses.
- The DEIR (p. 167) analyzes the parking impact for the Year 2000 and indicates that 24 private lots were surveyed, containing a total of 401 parking spaces. All of these facilities would be displaced by the project. Where would these vehicles park? Would the associated businesses, and therefore, the parking demand be eliminated? Did this survey cover all parking spaces or affected businesses or homes in the vicinity, or just the 24 lots?

14. Site Access Impacts

The analysis of site access in the DEIR is inadequate and needs to be revised. The deficiencies of the analysis include the following:

- The proposed location of the project parking garages at the corners of the site require Kaiser subscribers and employees to walk more than two blocks to reach their destination. Accordingly, we note that these the parking garages would not be as attractive to users as those situated closer to the hospital and medical offices. Generally, parking garages that are not centrally located will be less attractive to users.

- The location of the garage driveways creates significant impacts. For example, the 1800 stall garage (DEIR, p. 168) would have its two primary driveways on 45th Street and Park Avenue; however, there would be a significant impact caused by the heavy southbound left turn movement from Emery Street to Park Avenue. After reading the DEIR (p. 168), one is led to conclude that the garage driveway is actually on Emery Street.

78Y

- The new garage proposed for Hollis at Park Avenue has a proposed mitigation measure (Mitigation Cir-42, DEIR p. 170) that indicates that access should be via a driveway connecting to Emery Street. Is this correct? Should it be Haven Street?

- This same mitigation (Cir-42) restricts access to the garage to a driveway on Haven Street. The DEIR (p. 170) states that the reason for this reason for this is to reduce the identified significant impact on Hollis Street. However, the same vehicles that would have turned left into the garage from Hollis Street would now turn left onto 45th Street before turning onto Haven Street where the new garage entrance would be. This mitigation would conflict with the mitigation measure for impact Cir-20 (DEIR, p. 149) that would restripe Hollis from two lanes to four lanes. It appears that this restriping mitigation measure is to increase through capacity on Hollis Street; but any heavy turn movement, whether it is into a garage or onto 45th Street, would have the same capacity-reducing effect. These two mitigation measures, Cir-20 and Cir-42, do are not based accurately on the actual system-wide project and fail to account for how various mitigation measures affect each other.

- The DEIR discussion fails to adequately address potential queuing problems. Actual queuing and mitigated queuing lengths are never presented. What are the lengths? Are the queues substantially reduced by the proposed mitigations? If so, by how much?

- Mitigation Cir-40.2 (DEIR, p. 169) calls for the installation of a traffic signal at the intersection of Park Avenue at Emery Street. Would this signal be coordinated with the signal at San Pablo Avenue and Park Avenue? If so, long cycle lengths could result in periodic long queues on Park Avenue that preclude movements from the parking garage and could affect the intersection of San Pablo Avenue and Park Avenue.

78Z

15. Traffic on Hollis Street

As indicated by the Future Expansion Phase Site Plan (DEIR, p. 7), there will be substantial traffic loading onto Hollis Street. This decision will ultimately force the City of Oakland to redesign the

78A2

Hollis Street/Peralta Street intersection. This indirect impact on the City of Oakland is not addressed in the DEIR. 78A2

16. Project-Related Street Closures

The DEIR (p. 10) discusses the closure of certain streets; however, a major effect of this street closure is not mentioned; i.e., that project-related street closures will place burdens on the remaining open thoroughfares, including but not limited to, 53rd Street, San Pablo Avenue, Park Avenue, and Hollis Street. As traffic conditions on these streets approach unmanageable levels, the burden will shift to other north-south and east-west connectors. There are no alternative north-south connectors, particularly for traffic flowing between West Oakland and Southwest Berkeley. Also, there are a limited number of potential alternative east-west connectors that flow through the project vicinity. 78B2

The DEIR must explicitly evaluate the direct and indirect impacts of the street closures on the remaining open thoroughfares, as well as on the expected overflow and diversion of area traffic onto other north-south and east-west connector streets. These other connector streets will presumably, be in the jurisdictions of Oakland and Berkeley.

17. Access to the Emergency Entrance

The site plans (DEIR, pp. 6 & 7) show the Emergency Entrance to be on 45th Street. Ambulances and other emergency service traffic will have to access 45th Street primarily from either San Pablo Avenue or Hollis Street. The project as currently designed poses severe, unanswered concerns regarding the effective emergency response times for the hospital. What will happen during those times when San Pablo or Hollis are at gridlock? What will happen during those times when both San Pablo and Hollis are blocked? What are the implications for emergency response times? What about traffic safety on San Pablo and Hollis when an ambulance is trying to get to the Emergency Entrance? What about traffic safety on the side streets? How much traffic will use 45th Street west of Hollis and 45th Street east of San Pablo? 78C2

Impacts Cir-1 and Cir-4 (DEIR pp. 120 & 126) identify significant impacts occurring at the San Pablo Avenue/45th Street and Hollis Street/45th Street intersections, respectively. Mitigations are recommended that involve the addition of left turn and/or right turn lanes, and associated intersection improvements. What remains unclear at these locations are the effects of both the impacts and the mitigations on ambulances and other vehicular traffic headed for the Emergency Entrance. Because the provision of emergency services is a vital part of Kaiser Medical Center functions, the EIR traffic analysis should include disclosure of the effects of project and cumulative traffic on accessibility along the routes to the Emergency Entrance.

Impact Cir-46 (DEIR p. 173) identifies significant pedestrian impacts at 45th Street between the Phase I site and the Future Expansion site. Given that the Emergency Entrance is on 45th Street, the EIR understates the magnitude of this impact. Further, the mitigations recommended in the EIR (Mitigation Cir-46, p. 173) would not be adequate to assure pedestrian safety on 45th Street; and therefore, the significant impact would remain unmitigated. A pedestrian bridge over 45th Street, 78D2

similar to the one proposed for the AC Transit Expansion Site Alternative (DEIR p. 301), could be one possible way to mitigate the significant impact caused by this location for the Emergency Entrance. The DEIR must consider and evaluate the potentially unmitigated pedestrian impacts with respect to the understated effects of the emergency entrance on 45th Street. 78D2

If the project were to be redesigned so that the Emergency Entrance is along Park Avenue, similar concerns would arise. Impact Cir-2 (DEIR p. 125) identifies a significant impact occurring at the San Pablo Avenue/Park Avenue intersection. It is unclear what the effects would be of both the impact and the mitigation on ambulances and other vehicular traffic headed for a Park Avenue Emergency Entrance. The DEIR should clarify this point.

18. Pedestrian Impact

Mitigation Cir-46 (DEIR, p. 173) is unclear. Both 45th and 47th Streets are discussed as impacted locations, but only the necessary improvements for 45th Street are included in the mitigation. The EIR needs to be revised to include appropriate mitigations for the 47th Street location. 78E2

Mitigation Cir-47 (DEIR, p. 174) proposes improvements that are in violation of the Caltrans standards. It is not permissible to install "SLOW SCHOOL XING" legends on the pavement in advance of traffic signals or stop signs. The EIR should be revised to include realistic mitigations.

19. Bicycle Impact

Mitigation Cir-48 (DEIR pp. 174 & 175) provides a Class I bicycle facility through the project site. This mitigation would create conflicts with pedestrians crossing the facility to go from the garage to the hospital. It would also require the crossing of 45th Street (within the project site) and Park Avenue (at Haven Street) at unsignalized locations. The intersection at Park Avenue at Haven Street would also be expected to have heavy turn movements, because it provides access to the garage and a pick-up/drop-off area. This makes the proposed bicycle crossing even more hazardous. The EIR needs to include alternative locations for the bicycle facility. If there are no other feasible locations, the EIR needs to include a rationale for retaining the Class I facility where it is proposed. 78F2

20. Construction Impacts

The analysis of construction impacts presented in the DEIR is inadequate and needs to be revised. The deficiencies of the analysis include the following:

- The DEIR (p. 178) discusses how the final locations of haul routes, loading and storage areas, and construction employee parking would be determined during the construction bid process. Resolution of these important items needs to be made during the development of the project specifications so the contractor has these items clearly specified in the PS & E. Only then would the contractor be able to bid properly for the various items. To do otherwise would force the contractor to make assumptions during the estimation process and very likely lead 78G2

to major change orders and delay, thus extending the duration of the impacts. Also, Oakland City staff require that their concerns be addressed before a "final" determination is made and before it is too difficult to change a plan that has proceeded too far. That is the purpose of the EIR.

- Mitigation Cir-56 (DEIR p. 181) discusses the need to maintain pedestrian facilities, but states that it would be acceptable to direct pedestrians to other parallel facilities. This is not a reasonable mitigation. Pedestrians should only be directed to use the same street but the other side. All streets should always have a pedestrian walkway on at least one side of the street. 78G2

- Construction Impacts, Year 2010 (DEIR, pp. 181 & 182) indicate that construction worker parking would be supplied in Phase I parking structures. Where will the existing visitors and employees park, if parking will be set aside for the construction workers?

21. Effects on Regional Kaiser Facilities and Services

A comprehensive discussion of the regional network of Kaiser's medical functions and health services is omitted from the DEIR. Table 1 (DEIR p. 11) lists the various functions and services that will be available at the proposed project. However, what the DEIR neglects to disclose is where these functions and services will come from and what significant adverse environmental effects will result from the relocations of these functions and services. Currently, these functions and services are located elsewhere in Kaiser's service area, with the majority located in Oakland. Consequently, there are remaining issues that this EIR has not yet addressed, such as: What happens at existing Kaiser locations in Oakland, Berkeley, and elsewhere? What will be left behind at these locations? What will be the future linkages between the many facilities in the Central East Bay Kaiser system? Until this EIR directly addresses these issues, one cannot state with any degree of certainty that there will not be any significant adverse environmental impacts associated with the relocation of existing Kaiser functions and services. 78H2

22. Incomplete Land Use Analysis

The land use analysis (DEIR, pp. 22-55) is incomplete in that the effects of the proposed project on existing land uses beyond the Emeryville city boundary are not evaluated, and yet, Oakland is less than a quarter-mile (0.16 mile or 825 feet, as shown on p. 28) from the project site. The EIR traffic analysis discloses that there are significant impacts that occur beyond the Emeryville city boundary. Since traffic and land uses are interdependent, this oversight could have resulted in the omission of significant land use impacts in Oakland, as well as in Berkeley. 78I2

Of particular concern are those unaddressed, potentially significant land use impacts that are associated with the identified significant, unavoidable traffic impacts. The DEIR, on pp. 128-131 and 152 & 153, discloses significant and unmitigable adverse environmental impacts at intersections within Oakland, including San Pablo Avenue/Stanford Avenue, San Pablo Avenue/Alcatraz Avenue, Telegraph Avenue/40th Street, Telegraph Avenue/W. MacArthur Boulevard, Market Street/40th Street, and market Street/W. MacArthur Boulevard.

Given that the City of Oakland will need to consider the traffic impacts and approve mitigation measures to be located in the City of Oakland, it is crucial that the EIR provide the necessary environmental documentation for the City of Oakland to make decisions on the recommended mitigation measures in the DEIR. 78I2

23. Oakland-Berkeley-Emeryville "Neighborhood" as an Established Community

Impacts LU-3 and LU-4 (DEIR, pp. 41 & 45) states that the land uses surrounding the project site "do not from a planning perspective, reflect an established community." From a physical land use as well as a socioeconomic perspective, this is an incorrect statement. In fact, the Oakland-Berkeley-Emeryville "neighborhood" that exists in the project vicinity is a relatively stable community that will face tremendous growth inducement pressures because of this proposed project. Furthermore, Mitigations LU-3.1, LU-3.2, LU-4.1, and LU-4.2 (DEIR, pp. 41-46) will do little or nothing for the Oakland and Berkeley components of this neighborhood. Therefore, with implementation of the EIR-identified mitigations for Emeryville, the potentially significant land use impacts (LU-3 and LU-4) remain significant and adverse, and will not be mitigated. As a Responsible Agency, who must approve specific recommended mitigation measures in the DEIR, we request that Emeryville consider providing responsible agencies some means of input into this project. For example, a sub-regional planning authority could be formed to deal with the important overlapping land use, growth inducing, and traffic effects that this proposal will have in the Oakland-Berkeley-Emeryville project area, a neighborhood that crosses municipal boundaries. 78J2

24. Growth Inducing Impacts

The DEIR (p. 343) discusses a number of growth inducing impacts, yet fails to acknowledge the effects of the proposed project on the immediately surrounding Oakland-Berkeley-Emeryville "neighborhood." Also neglected in the DEIR are the growth inducing impacts on the health services industry. The DEIR should be revised to consider the growth inducing impact of the project. The growth inducing impacts will likely have significant effects on North Oakland neighborhoods which the City of Oakland must consider when considering project related mitigation measures to be implemented in Oakland. Also, due to the proximity of the project site to Oakland and Berkeley, the induced growth could force Oakland and Berkeley to adopt general plan amendments that are compatible with the proposed general plan amendments in Emeryville (DEIR, pp. 14 & 15) in order to ensure compatible development in the local area. 78K2

25. Long-Term Productivity

The DEIR (p. 344) fails to address the long-term effects of the Kaiser Medical Center from the perspective of a regional health care provider not only for the City of Emeryville, but also serving the Central East Bay from Albany to San Leandro. In what respects will the proposed project effect the service levels of medical and health services at the other Kaiser facilities in the Central East Bay Region, and Oakland Broadway and MacArthur facility, in particular? 78L2

26. Provision of Public Open Space

The Project Description describes the public open space to be provided by the project; however, the location of the major open space area, shown on the Phase I Site Plan (DEIR p. 6), is in the interior of the project, and thereby, has limited potential for use as a truly "public" area. In effect, this area is essentially "reserved" for use by Kaiser subscribers and employees only. A preferable location for this public open space area would be along the San Pablo Avenue frontage, to give that frontage some visual relief from the essentially monolithic presentation of the proposed parking structures and "liner" buildings. This concept is demonstrated on the site plan by the placement of the other large open space area--the public plaza--along Park Avenue. 78M2

27. Massing and Bulk Effects

The DEIR (pp. 8, 9, 10, & 12) describes and illustrates the massing and overall bulk of the hospital, medical office buildings, and parking structures. Yet, the DEIR fails to evaluate the massing and bulk effects of this project. What is apparent from this EIR discussion is that the proposed project is a radical departure from the existing urban fabric of this neighborhood which encompasses areas of Emeryville-Oakland-Berkeley. To the extent that the medical center facility is not compatible with its surroundings, this could have resulted in the omission of a significant adverse environmental impact. The "liner" buildings, containing retail and general office uses, that are proposed in front of the parking structures are only token elements of the proposal. In spite of the inclusion of the "liner" buildings, the overall mass, bulk, and scale of the hospital complex will still be adversely imposing on the existing urban setting. 78N2

28. Urban Design and Visual Resources Analysis

The Urban Design and Visual Resources analysis (DEIR, pp. 278-291) does not include any visual simulations. For a project of this size (1.17 million square feet of development with building heights up to 125 feet, and 0.77 million square feet of parking in Phase I; 1.56 million total square feet of development and 1.16 million total square feet of parking in Phase II), the extent of the visual impact of the project needs to be adequately disclosed. Without the visual simulations, the reader cannot grasp the true massing and bulk effects of the project. Further, there is no text discussion of these effects, and thereby, the text fails to address the first of the two stated Thresholds of Significance (DEIR, p. 284): "the project would have a substantial, demonstrable negative aesthetic effect..." In fact, the impacts discussion only addresses how the project could "conflict with Emeryville's adopted environmental plans and goals" (DEIR, p. 284). 78O2

In addition, the location of the multi-story parking structures along San Pablo Avenue in Phase I could have potentially adverse visual impacts on the streetscape. Visual simulations along San Pablo Avenue would provide valuable information that should be evaluated in the DEIR.

29. Emeryville Industrial Historic District

It would appear that the project would create two significant, unavoidable adverse environmental impacts, rather than one (demolition of the Del Monte plant) as stated in the DEIR (p. 272). Impacts CR-4 and CR-6 (DEIR pp. 274 & 277) substantially understate the magnitude of the impacts of the proposed project on the Emeryville Industrial Historic District. Project impacts on this District are assessed merely as "visual impacts" that can be mitigated to a less than significant level by using "compatible" design and materials in the new construction. In this manner, the EIR fails to adequately address a significant and potentially unavoidable adverse impact: the Emeryville Industrial Historic District will lose one-third of its buildings and its two major streetscapes (along Hollis Street and along Park Avenue), leaving as doubtful its continued National Register eligibility.

The EIR fails to assess the historic resources that are manifest as the Emeryville Industrial Historic District in terms of what a historic district is. A district, as defined by the National Park Service, consists of a significant concentration, linkage, or continuity of associated historical resources. It must possess integrity of location, design, setting, materials, workmanship, feeling, and association. In practice, integrity for a district usually means two-sided streetscapes creating a "sense of time and place" over an extended area. 78P2

Therefore, with the demolition of the Del Monte plant in Phase I, and of additional buildings along Hollis Street in Phase II, the significant concentration, linkage, or continuity of the north half of the Emeryville Industrial Historic District will be destroyed. The Del Monte plant is the heart of the District, occupying 20 to 25 percent of the total District area, and linking the four upper Park Avenue buildings with the rest of the District. Its removal will leave 1175-1255 Park Avenue as an isolated small group along the south side of the street. Although this building group is attractive and interesting, they will not have the integrity to form a National Register quality district on its own.

In addition, Phase I will turn Hollis Street from Park Avenue to 45th Street into a one-sided streetscape, and Phase II will complete the destruction of the east side of Hollis Street. Four of the five buildings slated for removal are of the brick, classically-inspired, tripartite type that is the hallmark of the District. Four other buildings of this type, the upper Park Avenue group, will be excluded from the district by the removal of the Del Monte plant, as stated above. The DEIR does not adequately address the irrevocable effect that the demolition of supporting buildings will have on the eligibility of the historic district as a whole, for the National Register.

30. Employment and Housing Analysis

The employment and housing analysis (DEIR, pp. 56-85) assumes that all displaced businesses and residents will choose to relocate within Emeryville. We note that reality does not necessarily correspond with relocation plans and that some businesses and residents will choose not to relocate within Emeryville. To the extent that displaced businesses and residents relocate within Oakland and other surrounding jurisdictions, the analysis fails to address these possibilities. 78Q2

The DEIR must evaluate and consider that the displacement and relocation of Emeryville businesses and residents will likely result in some degree of effect on Oakland and other surrounding communities. 78Q2

31. Incomplete Utilities and Urban Services Analysis

The Utilities and Urban Services Analysis fails to include an assessment of Emergency Medical Service, particularly ambulance service to and from the hospital facility. Please note that we have flagged the omissions in the EIR related to the location of the Emergency Entrance on 45th Street in other comments; the remaining issue related to Kaiser emergency medical functions--ambulance service--should be covered in this section of the EIR: Who provides this service? How is the service provided? Where would the ambulances come from? Given the current network of hospitals in the Central East Bay Area (i.e., Alta Bates, Kaiser Oakland, Summit, etc.) are the existing ambulance service providers able to accommodate the proposed project? The DEIR is silent on these issues. 78R2

32. Water Quality Impacts

The DEIR (pp. 224 & 225) discusses project-related water quality impacts. We note that the mitigation for the identified long-term water quality impacts (Hydro-4.3, p. 225) limits the post-construction control measures to the three listed. Additional control measures should be referenced. The mitigation should be reworded so as to not place a limit on the available mitigation measures. 78S2

33. Sanitary Sewer Service

The DEIR (pp. 240 & 241) discusses the existing sanitary sewer network. This analysis omits an important element: the southerly boundary of the project site (Park Avenue frontage) is within sewage subbasin 23-001, which also covers part of Oakland. The trunk sewer in Park Avenue travels westerly to Beach Street in Oakland, then ties into the EBMUD interceptor line. The design flow for this subbasin allows a 20 percent increase in the existing sewage flow in anticipation of future development; however, this allowance allocated to the East BayBridge Project. Therefore, no additional sewage can be discharged to this subbasin without analyzing the effects on the total allowable flow in Basin 23. 78T2

34. Laney College Alternative Site

The DEIR (p. 292) dismisses the Laney College site as a viable Alternative to the Proposed Project because of "its unavailability;" however, the EIR fails to substantiate this claim. We note that this is not a conclusive statement and that development at the Laney College site could be revisited. 78U2

35. AC Transit Expansion Site Alternative

The DEIR (p. 309) states that "when compared to the proposed project, the AC Transit Expansion Site Alternative would result in the development of a land use that is more compatible...than the existing AC Transit facilities." This conclusion is questionable because the development of Phase II facilities on the AC Transit alternative site clearly impacts surrounding residences in Oakland and Berkeley. The DEIR (p. 306) discusses the 7,500 square foot reduction in pedestrian retail uses as being "the only difference between the AC Transit Expansion Site Alternative and the proposed project." The DEIR (p. 307) draws the conclusion that "development of the medical center uses on the AC Transit site would have a less than significant visual impact." Without the inclusion of visual simulations for the AC Transit alternative, this conclusion cannot be substantiated. Moreover, with the Phase II development now being much closer to San Pablo Avenue than would be the case for the proposed Expansion Site, the 31,500 square feet of development and 39,000 square feet of parking that would be added to the project on the AC Transit alternative site would be expected to have similar, if not greater, massing and bulk impacts than would the proposed project. As is true for the proposed project, the "liner" buildings that are proposed in front of the parking structures are token only, in that the overall mass, bulk, and scale of the hospital complex will still be evident.

The DEIR (p. 298) states that "the proposed medical center uses on the AC Transit Expansion Site Alternative Site would be compatible with the surrounding land uses." Again, as with the proposed project, from a physical land use as well as a socioeconomic perspective, the statement is incorrect. The Oakland-Berkeley-Emeryville "neighborhood" that exists in the project vicinity is a relatively stable community that faces tremendous growth inducement pressures because of this proposed project, and from this alternative. To say that "this alternative would not disrupt the physical arrangement of the surrounding neighborhood" (DEIR, p. 298) is to ignore the potentially significant effects for the Oakland and Berkeley components of the "neighborhood." Therefore, with the AC Transit alternative site, there are potentially significant land use impacts that are significant and adverse, and that have not been mitigated. As a Responsible Agency, who must approve specific recommended mitigation measures in the DEIR, we request that Emeryville consider providing responsible agencies some means of input into the AC Transit Alternative project. For example, a sub-regional planning authority could be formed to deal with the important overlapping land use, growth inducing, and traffic effects that this proposal will have in the Oakland-Berkeley-Emeryville "multijurisdictional" neighborhood. 78V2

Regarding the accessibility of the Emergency Entrance, the EIR identifies potentially significant impacts resulting from the "location of the entrances of the parking garage on 45th Street..." (DEIR, p. 301). What remains unclear at these locations are the impacts on ambulances and other vehicular traffic headed for the Emergency Entrance.

Regarding Public Services and Utilities, the DEIR (p. 305) fails to discuss the effects of using the AC Transit alternative site on Emergency Medical Services.

Regarding impacts to the Emeryville Industrial Historic District, the DEIR (p. 306) cites that "two contributing structures on the Future Expansion site" would not be demolished as part of Phase II; however, as with the proposed project, the DEIR fails to discuss the remaining significant impacts on

78V2

the District, and does not disclose whether or not the significant impact on the District remains unavoidable.

36. Oakland MacArthur Broadway Alternative Site

We note that the DEIR (p. 316) states that "this alternative would result in fewer environmental impacts than the proposed project." The impacts are actually less than what was assessed in the DEIR, because the visual impact of development at the MacArthur Broadway alternative site is substantially overstated. The DEIR assessment (p. 315) is flawed, because it doesn't account for the existing mid-rise structures in the immediate vicinity and because it neglects the fact that Interstate 580 is an elevated infrastructure element that dominates most views of MacArthur Broadway alternative site. Consequently, the massing and bulk impacts resulting from medical center development at the MacArthur Broadway alternative site are less than what is described in the DEIR (p. 315). Further, because of the differences in surrounding land uses between the MacArthur Broadway alternative site in Oakland and the Del Monte project site, it would be expected that massing and bulk impacts would be significantly greater at the Del Monte site.

The DEIR (p. 316) states that medical center development at the MacArthur Broadway alternative site would not achieve several project objectives. We note that of the 17 listed project objectives, 29 percent (5 of the objectives--#7, 8, and 10 on DEIR p. 4, and #15 and 17 on DEIR, p. 5), provide benefits to the City of Emeryville only, while 71 percent (the remaining 12 objectives on DEIR pp. 4 & 5) provide health care benefits that would be forthcoming at any of several alternative locations of this hospital, including the MacArthur Broadway alternative site. Furthermore, the objective "to provide space for health education and the promotion of health for both Kaiser members and the greater Emeryville community" (DEIR p. 4), is not a responsible objective. Because the Kaiser Medical Center is a regional facility which serves a large geographic area extending from Albany to San Leandro, the responsibility for provision of health education and the promotion of health is to the entire service area, rather than to a small portion of it. Therefore, regardless of the location, the objective of providing health care education and health care services should be for the entire Central East Bay, rather than just for the "Emeryville community."

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Therefore, having clarified the project objectives and the regional emphasis of the project, one must question why this alternative was not selected as the environmentally superior alternative? The DEIR should consider and evaluate this question.

37. Bayfront Alternative Site

The DEIR (p. 321) states that development of the hospital facility on the Bayfront alternative site "would result in similar environmental impacts when compared to the proposed project." This statement is incorrect, because when visual impacts are considered, the impacts associated with development at the Bayfront site are significantly less than at the Del Monte site. Because the Urban Design and Visual Resources analysis (DEIR pp. 278-291) did not include any visual simulations, the massing and bulk impacts of the proposed project has been substantially understated. Notwithstanding this lack of adequate analysis, it is evident that the medical center would be less visually intrusive at

78X2

the Bayfront alternative site than at the Del Monte site, because at the Bayfront site, the massing and bulk of the hospital facility would not be so dissimilar to its surrounding land uses. Also, the elevated section of the Interstate 880 flyover would be expected to be the dominant visual element in the Bayfront vicinity, with or without an adjacent medical center. 78X2

38. Smaller Project Alternative

We note that the DEIR (p. 329) states that the Smaller Project alternative would "partially achieve the project objective of providing health care education and health care services" while reducing "some environmental impacts associated with the proposed project." While this project has not been identified in the EIR as "the environmentally superior alternative," the Smaller Project as described in the EIR appears to meets project objectives better than the Existing General Plan alternative. However, of the range of alternatives discussed in the DEIR, it would appear on the basis of the analysis in the DEIR that the "environmentally superior alternative" is the Oakland site project alternative. 78Y2

39. Existing General Plan Alternative Versus Oakland Project Alternatives

The DEIR (p. 327) states that the Existing General Plan alternative is "the environmentally superior alternative." We disagree with this contention because the DEIR previously stated that the MacArthur Broadway alternative "would result in fewer environmental impacts that the proposed project" (p. 316). Moreover, there is an alternative site in Oakland, the Retail Center alternative site, that is clearly superior to the MacArthur Broadway site, and either of the alternatives (proposed project and Existing General Plan Alternative) in Emeryville. The DEIR (p. 330) discusses those significant and unavoidable adverse environmental impacts associated with the project, including traffic impacts at many local intersections, degradation of regional air quality, demolition of historic resources, and construction related impacts. It is likely that most, if not all, of these significant unavoidable project-related impacts could be precluded in developing the medical center at the Retail Center site in downtown Oakland. The Retail Center site has the following advantages: 78Z2

- The Retail Center site has excellent access to public transit, being directly adjacent to a BART station. We note that while an evaluation of potential sites for the Kaiser Medical Center, conducted by BPA Economics in February 1993, concluded that access to public transit from the Retail Center site was only "satisfactory" as was the Del Monte site, the Retail Center site is directly adjacent to the 19th Street BART station, and is even closer to the BART system than the Laney College site which was evaluated as having "excellent" public transit access.
- The site has good access to local freeways, including Interstates 980, 880, and 580, with high visibility off- and on-ramps.
- The site is at the center of the Central East Bay surface (radial) street system; i.e., San Pablo Avenue, Telegraph Avenue, Broadway, Grand Avenue, etc.
- The Retail Center site is situated between the two largest employment centers in the inner East Bay, Kaiser Center and City Center, with more than 60,000 daytime employees. It is estimated that one-third of these employees are Kaiser subscribers.

- The majority of the site needed to accommodate the Phase I Kaiser program is owned by the Oakland Redevelopment Agency and Carter Hawley Hale.
- The site contains few residential units which need to be removed.
- The site is extremely soft and flexible. The primary site of 20.1 acres can accommodate Phase I and II of the Kaiser program. An additional 12 acres of land could be assembled by the Agency in a number of different future expansion options. No one property or parcel can curtail future expansion plans, since many underutilized and underdeveloped properties surround the primary site.
- The Retail Center site is centrally located and accessible to Oakland's 150,000 Kaiser subscribers, 50,000 of whom rely on public transit to access health care. 78Z2
- The 19th Street BART station is directly adjacent to the site and would readily link the site to clinics and area hospitals for outpatient and preventative care programs.

The significant and unavoidable adverse environmental impacts that the DEIR indicates will occur outside the Emeryville city boundary points out the need to examine a viable alternative location to the preferred Del Monte site in Emeryville. The Oakland Retail Center site is a viable alternative that should not be dismissed. This alternative is superior in terms of transit access and freeway access; it is centrally located for the majority of Kaiser's Central East Bay Region subscribers; and, this alternative would have fewer adverse impacts on residential and commercial displacement. The location of this large project, 1,942,000 square feet in Phase I alone, and 2,718,500 square feet at buildout, would be more consistent in a high density downtown setting where the economy of scale and regional access will best serve the regional medical and health service needs.

40. Cumulative Impacts

The DEIR (pp. 331 & 338) includes a 1.5 million square foot Chiron Corporation facility in its assessment of cumulative impacts. However, the cumulative discussion does not fully explain nor illustrate the combined impacts of all of the identified projects with respect to the conclusions the DEIR reaches. Certainly such an analysis would be important to disclose to the decisionmaking bodies who will use this EIR for their decision making purposes. 78A3

It is important to emphasize, though, that the DEIR concludes that the cumulative impacts would be significant unavoidable for traffic and circulation, air quality, and cultural resources. The inclusion of the large-scale Chiron project will only exacerbate these adverse unavoidable impacts.

41. Project Objectives

We note that of the 17 listed project objectives, 29 percent (5 of the objectives--#7, 8, and 10 on DEIR, p. 4, and #15 and 17 on DEIR, p. 5), provide benefits to the City of Emeryville, while 71 percent (the remaining 12 objectives on DEIR, pp. 4 & 5) provide health care benefits that would be forthcoming at any of several alternative locations of this hospital. 78B3

Of note is the objective "to provide space for health education and the promotion of health for both Kaiser members and the greater Emeryville community" (DEIR, p. 4), which as stated, is a rather narrow project objective. In actuality, the Kaiser Medical Center is a regional facility which serves a large geographic area extending from Albany to San Leandro. The purpose of the proposed project will be for the provision of health education and the promotion of health, and the project will serve the entire service area, rather than only to a small geographic portion of it.

The objective "to stimulate economic development in the City and the neighborhood, as outlined in the City's cost-revenue analysis contained in Appendix I of this EIR" (DEIR, Volume II, p. 4), as provided for by the proposed project, is incomplete. The "neighborhood" of the proposed hospital is that wider geographic area that encompasses portions of the cities of Oakland and Berkeley, as well as Emeryville. The reality of the "neighborhood" is that for the most part, city boundaries are not germane to day-to-day life. Rather, in this particular instance, the actions of business and residents have both direct and indirect effects that transcend municipal boundaries. This is particularly true in the project area where jurisdictional boundaries for Emeryville, Oakland and Berkeley abut one another. The validity of this statement will become manifest to the extent that the project induces economic development in Oakland and Berkeley in the project vicinity, that are counterposed by potentially adversely significant environmental effects of traffic, historic resources, etc., that are identified in the DEIR. What becomes apparent when examining this impeding future scenario is the need for interjurisdictional cooperation between the three cities (Oakland, Berkeley, and Emeryville) for this "multijurisdictional neighborhood." 78B3

The objective "to improve public safety on the project site and the surrounding area by stimulating investment and providing a secure, well-lighted medical center environment" (DEIR, p. 5), as provided for by the proposed project, is incomplete. Rather than limiting the setting strictly to within development impacts on Emeryville boundaries. The spatial setting for the "surrounding area" is that wider geographic area that encompasses portions of the cities of Oakland and Berkeley, as well as Emeryville. The day-to-day impact on this "surrounding area" is the intrusion of project-related traffic. Again, this impeding future scenario points out the need for interjurisdictional cooperation between the three cities (Oakland, Berkeley, and Emeryville) for this "surrounding area," particularly since Oakland, as a Responsible Agency, must approve mitigatory projects as a result of this proposal.

The objective "to create secure public open space and park areas on the project site" (DEIR p. 5) is not fulfilled by this project. The large open space area shown on the Phase I Site Plan (DEIR p. 6) is in the interior of the project, and thereby, has limited potential for use as a truly "public" area. In effect, this area is essentially "reserved" for use by Kaiser subscribers and employees only, and will provide very little if any relief for the larger neighborhood encompassing areas of Emeryville, Oakland and Berkeley.

42. Significant and Unavoidable Adverse Environmental Effects

The DEIR (p.330) lists the general categories of identified significant unavoidable impacts that would occur as a result of the proposed project. The EIR discussion is incomplete in that it does not explain the magnitude of these unavoidable project consequences. Also, the identification of the "loss of on-street parking due to mandatory peak period parking restrictions" is not correct, because the effect is 78C3

caused by Lead Agency policy decisions. Similarly, identification of the "short-term project and cumulative construction impacts" is not correct because the identified significant unavoidable construction noise impacts are temporary in nature rather than an on-going feature of the project, and would be mitigated to the extent feasibly through use of best available control technology.

Regarding the bulk of the other identified significant unavoidable impacts, there are six identified intersection impacts resulting from the project only. Two of these intersections are in Oakland, two are in Berkeley, and two are in Emeryville. Therefore, one-third (33.33 percent) of the significant unavoidable impacts would occur in each city; two-thirds (66.66 percent) of the project's significant unavoidable impacts would occur outside the City of Emeryville. 78C3

Under the cumulative project scenario, there are 16 identified intersection impacts. Seven of these intersections are in Oakland, three are in Berkeley, and six are in Emeryville. Thus, 44 percent of these significant unavoidable impacts would occur in Oakland, 19 percent would occur in Berkeley, and 37 percent would occur in Emeryville; 63 percent of the cumulative significant unavoidable impacts would occur outside the City of Emeryville.

Given that approximately two-thirds of the identified significant unavoidable impacts that would occur as a result of the proposed project occur outside the City of Emeryville's jurisdiction, and given that the City of Oakland is a Responsible Agency who must approve specific recommended mitigation measures in the DEIR, we request (as stated previously in this letter) that Emeryville consider providing responsible agencies some means of input into this project.

III. FINDINGS

We believe that the detailed comments that we have raised in this letter indicates that the DEIR has not adequately addressed significant areas of environmental impact. Questions arise regarding potentially significant adverse impacts that are not included in the DEIR, as well as the adequacy of the DEIR in addressing some impacts that would be more significant than assessed given an adequate and complete assessment of the impacts as pointed out in our comments above. Moreover, the logical nexus between the environmental analysis and many of the proposed mitigation measures is flawed. 78D3
In some cases, the discussion of mitigation measures do not take into account the potential direct and indirect impact on Oakland should some mitigation measures require Oakland approvals. Oakland's consideration of project-related mitigation measures in Oakland will require that we utilize the EIR that you as the Lead Agency are preparing. It is important that the EIR address the direct and indirect environmental effects resulting from our approvals of mitigatory projects.

Therefore, we believe that the substantial issues we have raised should be considered in a revised DEIR, and the revised DEIR should be recirculated for public comment.

We would be pleased to expand and elaborate on the comments that we have raised in this comment letter. To coordinate our efforts with your environmental review, please contact Anu Raud, Environmental Review Coordinator, at 238-6346. In accordance with § 15096 of the CEQA Guidelines, Anu Raud will serve as our contact person with respect to EIR coordination between Oakland and Emeryville.

Very truly yours,

Kay Winer

KAY WINER
Director of Planning and Building

KW:SIM:nl

cc: Ezra Rapport, City Manager's Office
James Rinehart, Office of Economic Development and Employment
John Soderling, Office of Public Works
Michael Pickering, City Traffic Engineer
Mark Wald, City Attorney's Office

78. RESPONSES TO COMMENTS FROM KAY WINER, DIRECTOR OF PLANNING & BUILDING, CITY OF OAKLAND RECEIVED JUNE 20, 1994

RESPONSE TO COMMENT 78.A.: Responses to the individual comments in this introductory paragraph are provided in the responses to Comments 78.B. through 78.C.3.

With regard to the request that the Draft EIR be revised and recirculated, recirculation is not required where new information merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The information provided in the responses to comments does not require recirculation of the Draft EIR, because it does not describe any new environmental effect or suggest new mitigation measures to mitigate environmental effects already identified in the Draft EIR.

RESPONSE TO COMMENT 78.B.: Refer to Master Response B1. for a discussion of the existing Oakland facility. As indicated in Master Response I1., the City of Emeryville believes that the EIR adequately evaluates the impacts associated with the project and does not contain deficiencies as noted in the following responses.

In addition, the Draft EIR traffic analysis identifies certain mitigation measures on pages 128-130 and pages 150-151 to reduce the project's traffic impacts on Oakland and Berkeley. Prior to each mitigation measure, the analysis identifies the project impact on Oakland or Berkeley that the mitigation measure is intended to mitigate. The City of Oakland can use this information in considering any mitigation measures within its jurisdiction. It is not clear what additional information the City of Oakland would want to have included in the Draft EIR.

RESPONSE TO COMMENT 78.C.: The Draft EIR evaluates the impacts of the project on 20 intersections in the City of Oakland. Mitigation measures are recommended at four of these intersections. Additional analysis of Oakland intersections would not provide any new information on project impacts given that the existing Kaiser facility is located approximately 1.5 miles from the proposed project site. Beyond this distance, there would be no change in impacts to local Oakland streets.

RESPONSE TO COMMENT 78.D.: The presumption that up to two-thirds of the project traffic would use the I-580 ramps accessing 35th/36th Streets is not correct. The project distribution is documented in Figure 9 on page 36 of Volumes II of the Draft EIR. Figure 9 shows that approximately 20 percent are expected to access the freeway at this location, while nine percent would access eastbound I-80 via the Powell and Ashby interchanges, four percent would access westbound I-80 via the Powell interchange and the Grand Avenue Viaduct, and three percent would access southbound I-880. The remaining project traffic generated during peak hours would use arterial streets to access the hospital. This reflects the fact that patients typically served by the hospital either work or reside within a focused geographic area around the project site. Also, refer to response to Comment 52.D.3.

RESPONSE TO COMMENT 78.E.: This comment is a summary of Comment 78.N.

RESPONSE TO COMMENT 78.F.: The intersection analytical methodology used for the Draft EIR is the planning method described in Transportation Research Board Circular 212 with updated capacities based on measurements conducted in the study area. This is the methodology selected for use by the City of Emeryville in all of its environmental documents. Similar methods are appropriately used by jurisdictions for environmental and planning documents throughout the San Francisco Bay Area.

RESPONSE TO COMMENT 78.G.: Refer to Master Response D3. for a discussion of the major intersection mitigations measures. The mitigation measures are designed to address the impacts of project and cumulative traffic on roadway segments, as well as local intersections.

The comment regarding the incongruity of some mitigation measures is noted. The mitigation measures identified in the Draft EIR have been revised along San Pablo Avenue to reflect better system operations when considered with other mitigation measures. Please refer to the text revisions to mitigation measures Cir-1.1, Cir-2.1, Cir-5.1, and Cir-15.1.

RESPONSE TO COMMENT 78.H.: The Draft EIR describes the local street system in the vicinity of the project site. Specific streets are described to include information such as, roadway classification, number of lanes, parking prohibitions, or accessibility to freeways.

RESPONSE TO COMMENT 78.I.: Please refer to the response to Comment 78.Y.

RESPONSE TO COMMENT 78.J.: Transit access to the site is provided by AC Transit, with three routes directly serving the site and three other routes located within a quarter-mile of at least a portion of the site. A major BART transfer station, the MacArthur BART station, is located approximately three-quarters of a mile from the site, with access to this station provided by the Emeryville-BART shuttle. This compares to the existing site in Oakland which is approximately one-half mile from the nearest BART station (MacArthur BART station). In addition to the Emeryville-BART shuttle, Kaiser is proposing to provide its own shuttle service which would run every seven minutes from the medical center to BART.

RESPONSE TO COMMENT 78.K.: The City-wide travel model was used as the basis to identify adjustments to existing and future regional through traffic levels that would result from the Kaiser project and other cumulative projects both in Emeryville and in adjacent cities. This was necessary in order to avoid overstating the impacts of cumulative and project traffic that would occur through the manual assignment of project traffic. This process provided the basis for establishing future turning movement volumes that were generally consistent with those generated by the City-wide travel model while providing detailed intersection volumes that reflect the actual access characteristics of the Kaiser project. The consultant also used professional judgment in evaluating site access issues.

RESPONSE TO COMMENT 78.L.: The peak vehicle generating hour of the hospital facility would occur during the evening commute period, between 4:00 PM and 6:00 PM. Peak hour congestion is expected to lengthen in duration on adjacent freeway facilities based on the service level analysis described in the Draft EIR. The project would not result in a significant impact to these facilities based on the Alameda CMA threshold guidelines.

As described in the transit section of the Draft EIR, there are seven AC Transit routes which serve the project site. These routes provide service to/from cities such as, Oakland, San Leandro, Richmond, El Cerrito, Berkeley, and San Francisco.

The MacArthur BART station is approximately three-quarters of a mile from the project site. However, as described in the Draft EIR (p. 107), the proposed Emeryville-BART shuttle would link the City's major employment and retail areas with connections to the MacArthur BART station. In addition, Kaiser would provide its own shuttle service which would also link the medical center to the MacArthur BART station.

Although bus stop locations have not been determined at this time for the Emeryville-BART Shuttle Service, specific criteria would be used to determine potential locations. For example, all developments making a specific contribution to shuttle operations should have direct input

for stop locations for a safe "front door" loading area. With the implementation of this shuttle service, BART would be able to serve more project employees and visitors.

RESPONSE TO COMMENT 78.M.: Refer to Master Response H2. for a discussion of cumulative impacts. The Draft EIR evaluated cumulative impacts based upon available information at the time of the preparation of the EIR. Pursuant to Public Resources Code §21100(d), the City of Emeryville relied on previously approved land use documents and a list of approved, pending, and proposed projects that were known at the time the Draft EIR was under preparation. It would be misleading for the cumulative impacts analysis to speculate on levels of development for all properties within Emeryville, and to report that this level of development would occur, without having evidence of known or likely projects on file at the Planning Department.

Additional information made available by Chiron after the Draft EIR was released indicates that the discussion of impacts in the Draft EIR remains accurate for the Chiron expansion. In fact, the potential additional cumulative impacts identified in the Draft EIR on pages 338 to 342 are greater than those which would actually occur with Chiron's latest version of their project. Please refer to Master Response D5. for a discussion of these cumulative effects.

Project trip generation for the manufacturing, research and design, and administrative uses combined is shown in the attached table. This is based on trips rates developed from traffic counts at the existing Chiron site. The count data was taken over five days (Monday through Friday) in November, 1993, at the existing entrances and exits to the project site. An estimate was made for additional trips that parked off-site, along the immediately adjacent streets. The estimate was derived from parking counts and employee peak hour arrival and departure rates.

Trip generation for the retail portion of the Chiron project was based on standard Institute of Transportation Engineers (ITE) trips rates. The trip generation rates were used to estimate the number of vehicle trips generated by the project during the peak period for adjacent street traffic.

RESPONSE TO COMMENT 78.N.: See response to Comment 25.C., paragraph 1. As illustrated in the Year 2000 Project Trip Distribution Figure 19 of the Draft EIR, 71 percent of project trips would be destined to the south and east. Of this 71 percent, nine percent would be destined to State Route 24 (eastbound) via 35th Street, as illustrated in Figure 19.

With regard to the differences in trip distribution between the 1990 Kaiser Medical Office Building EIR (City of Oakland) and the 1994 Kaiser Permanente Medical Center EIR (City of Emeryville), generally, the overall travel patterns to the north, south, east, and west are similar. However, different methodologies were utilized in the documents which accounts for minor differences between the travel patterns. Although both analyses relied on July 1989 Kaiser visitor survey and February, 1990 employee survey data to determine the trip distribution patterns, the Emeryville analysis incorporated outpatient data into the trip distribution, while the Oakland analysis did not. Furthermore, the data used in the Emeryville analysis was based upon a combination of the Kaiser trip generation and distribution patterns as adjusted to be consistent with Emeryville's City-wide traffic model output, whereas the Oakland analysis was not calibrated to Emeryville's traffic model.

The trip distribution and assignment of Chiron traffic over the roadway network was based on data provided by the project application (Chiron) for employees at the existing Chiron facility. The data indicates that approximately 30 percent of the trips would be destined to the north (15 percent via I-80 and 15 percent via Berkeley north-south arterials), six percent to the south via

I-880, 33 percent to the east (18 percent via SR-24 and 15 percent via I-580), 12 percent to the west via the Bay Bridge, and 19 percent to the local areas via local arterials and streets.

RESPONSE TO COMMENT 78.O.: Refer to Master Response D6. for a discussion of the transit assumptions.

With respect to transit funding, the City of Emeryville has established a fund which will receive contributions from existing and future development within the city. This fund will be used to operate the City's Emeryville-BART shuttle. The Emeryville-BART shuttle will provide a direct link from employment and high activity centers in Emeryville to the MacArthur BART station. An RFP was issued in September 1994 for private operation of the shuttle. Upon operation, this shuttle will connect directly to BART which in turn connects to the greater Bay Area.

RESPONSE TO COMMENT 78.P.: The Emeryville-BART shuttle would serve anyone within the City of Emeryville, either resident, worker, shopper, visitor, etc, who board the vehicle at one of the scheduled stops. The Emeryville-BART shuttle is being implemented as a separate City-wide program from the proposed Kaiser project. In fact, Kaiser is providing its own separate shuttle service. There is no intended control on ridership. If ridership is found to exceed the capacity of the vehicles, it is expected that additional vehicles would be put into service.

Please refer to the *Emeryville-BART Shuttle Service Implementation Plan* prepared by Nelson/Nygaard Associates for location of the shuttle stops. The only shuttle stop in Oakland would be at the MacArthur BART station. Oakland residents can board the shuttle at any of the scheduled stops. Proof of residency would not be required to board the shuttle. No parking would be provided in conjunction with the shuttle. Parking may be adjacent to shuttle stops, but it would be in conjunction with a separate use. This DEIR is not intended to provide environmental clearance for the Emeryville-BART shuttle. Environmental impacts of the shuttle would be addressed separately by that project. The project would be funded by private employers and merchants in Emeryville and the City of Emeryville. No federal funds are involved.

RESPONSE TO COMMENT 78.Q.: The comment correctly notes that provision of a second southbound left turn lane at San Pablo Avenue/35th Street would require a permanent loss of parking under the I-580 structure. A small number of parking spaces would also be removed upstream and downstream of this intersection. This impact is considered less-than-significant in a similar fashion to the impacts for the loss of parking to provide additional lanes on Hollis Street.

Mitigation Cir-15 (for San Pablo Avenue/36th Street) is hereby amended to replace the last sentence of the mitigation measure to read as follows: "Restripe San Pablo Avenue to provide a third through lane in the southbound direction". This amendment omits reference to the addition of an exclusive left turn lane in the northbound direction. Figure 23 correctly shows the planned mitigations at this intersection.

RESPONSE TO COMMENT 78.R.: No loss of parking is projected to occur for this added left turn lane.

RESPONSE TO COMMENT 78.S.: Mitigation Measure Cir-42 would result in a shift of traffic generated by the garage on Hollis Street from Hollis Street to 45th Street. This would not result in a change in impact to the intersection of Hollis Street/45th Street. Although there would be an increase in garage-related traffic using the east approach of this intersection, the

location of the primary garage access on 45th Street would allow traffic destined for San Pablo Avenue to travel directly east without travelling through the intersection of Hollis Street/45th Street at all. This would result in a decrease in garage-related traffic using the Hollis Street approaches of the intersection, offsetting any increase in traffic on the 45th Street approaches.

RESPONSE TO COMMENT 78.T.: The restriping of Hollis Street from two to four lanes, as described in Mitigation Cir-20.1 (which has now been incorporated in Cir-4.1 as described in Section VI), in conjunction with other identified mitigation measures would substantially increase capacity along the Hollis Street corridor. Other significant roadway mitigation measures include the construction of the Horton-Landregan Connection and the Doyle-Haven Extension, which would provide new north-south connections through Emeryville. In addition, mitigation measures are described for intersections along Hollis Street at Powell Street, 65th Street, 45th Street, and Park Avenue.

RESPONSE TO COMMENT 78.U.: Please refer to response to Comment 78.F.

RESPONSE TO COMMENT 78.V.: The intersection capacities used in the analysis vary depending upon the number of signal phases that would occur at each individual location, as described in the TRB Circular 212 planning methodology. Existing pedestrian volumes were observed to be very light during the peak periods at both intersections along San Pablo Avenue where double right turn lanes are proposed.

RESPONSE TO COMMENT 78.W.: Refer to Master Response D1. for a discussion of residential streets. Both 35th and 36th Streets are classified as local streets, while 40th Street is classified as a collector street.

RESPONSE TO COMMENT 78.X.: Parking data from existing sites is affected by the local access patterns. The use of ITE rates and City of the Emeryville Zoning Ordinance is sufficient to project parking demand. Also, the use of square footage to calculate parking spaces for the medical office building is used since this is the only independent variable in the ITE manual for medical office buildings.

Please refer to the response to Comment 53.E. The 50 percent reduction for the retail component of the proposed project, in order to account for linked trips, was based on information obtained from the *Kaiser Center Draft EIR*, City of Oakland, June 1982.

Since the land uses within the project site boundaries that generate the demand for the 401 existing spaces are located on the project site and would be displaced, the parking demand for existing uses would be shifted to the new location of the affected businesses and residences.

RESPONSE TO COMMENT 78.Y.: The parking garages are located adjacent to all of the major components of the project. Parking will occur in the structure which is closest to the final destination. Also, internal pedestrian circulation facilities will be provided to link medical facilities to the parking garages. Therefore, it is anticipated that parking garages will be used by Kaiser members and employees.

With regard to access to the garage driveways, the parking garage access for the Phase I site is located opposite Emery Street. The description of the southbound movement from the parking garage onto Park Avenue is from an extension of the alignment of Emery Street.

The access for the Hollis Street garage was noted as being from Emery Street. This should be changed to be from Park Avenue at a point opposite Haven Street. Mitigation Cir-20 and Cir-46 do not conflict with one another. Mitigation Cir-20 suggests four through lanes on Hollis Street

to provide sufficient capacity to reduce project impacts. Mitigation Cir-46 removes a mid-block, unsignalized left-turn from Hollis Street into the project driveway, which could have queuing problems due to the proximity of adjacent intersections. This movement is not shifted to 45th Street, as suggested by the comment, but is shifted to the signalized intersection of Hollis Street/Park Avenue.

RESPONSE TO COMMENT 78.Z.: Mitigation Cir-40 through Mitigation Cir-44 in the Draft EIR address queuing issues related to project site access.

The traffic signal at the intersection of Park Avenue/Emery Street would be coordinated with the traffic signal at the intersection of San Pablo Avenue/Park Avenue. Signal timing plans would be implemented at Park Avenue/Emery Street that would avoid the queuing problems described in the commenter's remarks.

RESPONSE TO COMMENT 78.A.2.: The intersection of Hollis Street/Peralta Street (intersection #17) is evaluated in the Draft EIR. The Draft EIR concludes that there would be no significant impacts to this intersection by either project-related or cumulative development.

RESPONSE TO COMMENT 78.B.2.: The Road Closure Impacts and Mitigation section of the Draft EIR (pp. 156-157) describes the impacts that would result with the closure of Watts Street and a segment of Emery Street, between Park Avenue and 45th Street, and the abandonment of the planned Haven Street extension.

In particular, the elimination of the planned Haven Street extension would result in significant impacts along Hollis Street under Year 2010 conditions. However, these impacts would be reduced to a less than significant level with a Haven Street extension from 47th Street to Powell Street. As described in the Draft EIR, this mitigation would provide project access directly to the north via Haven Street, rather than along Hollis Street.

The closure of a portion of Emery Street would not result in a significant impacts since the live/work units located on this roadway currently generate a small number of trips. In addition, the city-wide travel demand model does not indicate a measurable demand for this roadway segment.

The closure of Watts Street would not result in a significant amount of traffic shifting to other roadways. Most of the traffic currently using Watts Street is locally-generated residential traffic that would be displaced by the project. However, Phase I of the project would displace this neighborhood, and thus there would not be much demand for this roadway. As described in the Draft EIR, AC Transit bus access would be impacted, since buses currently use Watts Street to access the maintenance facility. With the implementation of the mitigation measures described in the Draft EIR, this impact would be reduced to a less than significant level.

RESPONSE TO COMMENT 78.C.2.: The Kaiser facility is not intended to be a trauma center and the need for emergency access for life and death situations will be rare. However, occasional emergency access may be necessary. The ambulance will use its lights and siren to warn motorists that emergency access is required. Unless the emergency is during the peak hour, the ambulance should be able to maneuver through traffic. During the peak hours, ambulances will maneuver around queued traffic either by using the median of arterial streets or by using parallel facilities. Only five ambulances per day on average will be true emergencies with lights and sirens in use. The remaining ambulances will be transporting ambulatory patients and would not need to passby regular traffic.

RESPONSE TO COMMENT 78.D.2.: A pedestrian over-crossing is not necessary for access across 45th Street. Pavement markings, similar to those at the existing MacArthur site, will sufficiently protect pedestrians. Access to the hospital by emergency vehicles will not occur frequently, possible 10 to 12 times per day. Only 1 or 2 of the ambulances access the site will constitute an emergency situation with lights and sirens in use.

RESPONSE TO COMMENT 78.E.2: This mitigation measure is intended to provide safe mid-block crossings along 45th Street, between the Phase I and Future Expansion sites for pedestrians. A pedestrian over-crossing is not necessary for crossing of 45th Street.

Mitigation Cir-47 provides the mitigation for potential pedestrian impacts at 47th Street. This mitigation measure is hereby amended to delete reference to the installation of pavement striping on San Pablo Avenue, in accordance with the commenter's remarks.

RESPONSE TO COMMENT 78.F.2: The comment is in error. The mitigation measure referenced in the comment is for a Class I bike path along Doyle-Haven Street Extension between Park Avenue and 45th Street. This bike path is recommended in the City's General Plan, and Kaiser is being required to implement it.

RESPONSE TO COMMENT 78.G.2: The Draft EIR identifies proposed haul routes on pages 178 and 179. The specifics of the construction process can be designated by the project architect and engineer during final design (PS&E). The construction contractor will bid on the project from the PS&E sheets and will be fully aware of the conditions of construction.

The closure of pedestrian paths during construction would only affect sidewalks along the project frontage. Project frontage only occurs on one side of Park Avenue, San Pablo Avenue, 45th Street, Hollis, and 53rd Street. The intent of Mitigation Cir-56 is to ensure that all streets would always have a pedestrian walkway on at least one side of the street throughout the construction period.

The existing visitors and employees would be able to also park in the Phase I parking structures.

RESPONSE TO COMMENT 78.H.2: With regard to the comment concerning the existing Oakland facility, see Master Response B1. With regard to the commenter's concern about the impact of the project on facilities in Berkeley, please see response to Comment 52.S.

A description of the linkages between The Emeryville Medical Center and the regional network of Kaiser's medical functions and health services is provided below for Berkeley, Livermore, Oakland, and Walnut Creek.

- Berkeley - Kaiser-Permanente Medical Center has linkages with Kaiser regional facilities in Berkeley that offer administrative and clinical support services. These regional facilities will also provide the identical services to the proposed Kaiser-Permanente Medical Center, Emeryville.

  Regional Laboratory provides routine laboratory, histology and cytology tests and specialized procedures for all Northern California Region hospitals and medical office buildings. A Regional Lab Courier picks up packaged specimens and delivers completed procedures a minimum of twice daily. Results reporting is completed through a computerized integrated lab results reporting system to the requested location.

Regional Biomedical Engineering provides centralized repair and maintenance for all medical and office equipment that can be transported in the Northern California Region. These services are decentralized to the local facilities (ie. hospitals and medical office buildings) for equipment that must be serviced or repaired on-site. There is intermittent travel of regional staff to the Oakland Medical Center and local staff to the Regional Department.

Regional Central Record Depository provides long-term central record storage (eg. patient medical record, radiology films, administrative files) for Northern California Region facilities. Records are picked up by request from the local facility and occasionally records are delivered to the local facility if needed on an intermittent basis.

Regional Optical Services provides centralized fabrication of all optical appliances (eg. contact lens, eyeglasses) for medical office building facilities in the Northern California Region. Completed prescription appliances are delivered on a daily bases.

Regional Construction Services provides centralized support for administration and pre-fabricated construction (eg. cabinetry) for maintenance and renovation projects for the Northern California Region. Travel of staff is intermittent, as required by the project requirements.

- Oakland

Central Office consists of administrative support/offices in the Ordway Building for all Kaiser-Permanente regions nationwide (includes the Northern California Region).

Regional Office provides administrative support/offices for the Northern California Region (Greater Bay Area, Sacramento and Fresno).

Oakland Medical Center currently, is the centralized location for all hospital and medical office building services for the Oakland Service area.

Oakland Medical Center Chemical Dependency Recovery Program will have leasehold improvements completed at 929 Broadway in Spring, 1995 for provider offices and group room facilities for day treatment and ongoing support for clients with chemical dependency problems.

- Walnut Creek

Data Center provides support and hardware for Northern California Region computer systems for medical center and medical office building operations.

These facilities are linked by telephone, on-line computer systems, courier vans, delivery van, truck, automobile, public transportation (eg. BART and AC Transit bus) and by shuttle.

RESPONSE TO COMMENT 78.I.2.: Please refer to the response to Comment 55.R.

RESPONSE TO COMMENT 78.J.2.: As explained in the Draft EIR on page 38, the City of Emeryville does not define immediate uses surrounding the project site as an established community because these areas are occupied by a variety of older and newer residential, commercial and industrial facilities, and on a local scale do not exhibit characteristics of an established community from a planning perspective, as defined in the response to Comment 2.A. However, the Draft EIR on pages 41 and 45 acknowledges that the residents in the area

may perceive the proposed project as resulting in an adverse change to the land use character of the area, and, as a result, concludes that both Phase I and Future Expansion of the project will result in a potentially significant land use compatibility impacts.

With regard to the comment regarding Mitigation Measures LU-3.1 and LU-3.2, these mitigation measures are expected to reduce the potentially significant land use compatibility impacts to a less than significant level. It is not clear from the comment what additional mitigation measures the commenter would like to include in the Draft EIR to mitigation the significant land use compatibility impacts.

Responsible agencies are provided an opportunity for input into the proposed project as afforded by the EIR process.

RESPONSE TO COMMENT 78.K.2.: The growth inducing impacts identified on pages 342-343 of the Draft EIR are indeed expected to occur partly in Oakland and Berkeley. The Draft EIR has evaluated the physical effects on the environment associated with increased traffic through Oakland and Berkeley, and the corresponding air quality and noise impacts. Please refer to Master Response H1. for a discussion of regional impacts.

The comment regarding the potential that Oakland and Berkeley may adopt General Plan amendments is noted.

RESPONSE TO COMMENT 78.L.2.: According to Kaiser, service levels at the other Kaiser East Bay facilities are not expected to be adversely affected by the relocation of the hospital to Emeryville.

RESPONSE TO COMMENT 78.M.2.: The Draft EIR states on page 256 that the project would include a public plaza and open space areas on the Phase I and Future Expansion sites that would be accessible to the general public. As required by the Urban Design Guidelines, public pedestrian access into the open spaces which are available to the public within the medical center would be provided from San Pablo, Park, Hollis, and 45th Streets.
Please note that the neighborhood-commercial "liner" buildings are intended to be pedestrian-scaled structures with heights similar to those in the area (two to four floors). The "liner" buildings are intended to provide pedestrian activity along San Pablo Avenue in conformance with the "Urban Design Plan, San Pablo Avenue Revitalization."

RESPONSE TO COMMENT 78.N.2.: The Draft EIR evaluates the massing and bulk of the proposed medical center in the discussion of building intensity on pages 49 through 52 and in Section L. on pages 284 to 291. Throughout the land use impacts discussion and visual impacts discussion, the Draft EIR notes that the building mass and scale of the medical center would be greater than the mass and scale of the some of the surrounding land uses (i.e., page 289).

Please refer to the response to Comment 78.M.2. The "liner" buildings concept was developed through extensive public participation and with guidance from the City's architectural consultant.

RESPONSE TO COMMENT 78.0.2.: Photographs of the model of the proposed medical center are provided in Volume I of the Draft EIR on pages 8 and 9. Section VI, Text Revisions includes additional perspective drawings which provide a street level views of the proposed medical center.

The Draft EIR adequately evaluates the visual impacts of the proposed medical center based upon the design and architectural information provided at this time. The Draft EIR states the

thresholds of significance on pages 284 and discusses the ability of the project to meet these thresholds on pages 284 through 291. The Draft EIR concludes on pages 286 and 289 that the project, with the incorporation of the City's Urban Design Guidelines, would not result in a substantial, demonstrable negative aesthetic effect within the context of the urban industrial area surrounding the project site. Additionally, the Draft EIR states on pages 286 and 289 that the obstruction to views resulting from the proposed medical center would not be considered significant because there are no views of scenic resources that would be impacted. The project also includes "liner" buildings along the perimeter of the medical center in order to ensure that the pedestrian context of the surrounding street frontages would not be adversely impacted from a visual perspective.

RESPONSE TO COMMENT 78.P.2.: The Draft EIR states on pages 274 and 277 that the proposed project would result in one significant unavoidable adverse impact for Phase I and two additional significant unavoidable adverse impacts for Future Expansion. The Draft EIR does not substantially understate the magnitude of the impacts as suggested by the commenter. Rather, the Draft EIR describes the loss of the contributing structures to the potentially eligible Emeryville Industrial Historic District, as well as the visual impacts to the existing contributing structures.

Construction of the project would result in the loss of up to three contributing structures out of a total of 27 structures. The project proposes to remove only the Del Monte Cannery building on Park Avenue; it does not include the removal of the other contributing structures on Park Avenue. Two contributing structures, the machine shop and laboratory (Buildings 17 and 19 on Figure 27), that once occupied the Del Monte site were already removed in 1993, prior to the preparation of the Historic Resources Assessment. Additionally, only two contributing structures on the Future Expansion site are proposed to be removed on Hollis Street. There are no other historic structures on the Phase I site that are located on Hollis Street. It appears that the commenter may have incorrectly assumed that Buildings 17 and 19 are still located on the site and would be removed as part of the project, in determining their estimate that 20 to 25% of the Emeryville Industrial Historic District would be lost. Furthermore, given that several structures were already removed from the district after the 1990 assessment was conducted by Caltrans, and the fact that there are a large number of buildings still standing on Hollis Street to the west of the project site, the district is still probably eligible for the National Register.[10] The demolition of the two buildings on Park Avenue may have already resulted in the separation of Park Avenue from the Hollis Street portion of the district. However, any determination that the district is no longer intact, and therefore ineligible for the National Register would need to be made by the State Office of Historic Preservation.

The Draft EIR evaluates the impacts of removing structures contributing to a eligible historic district on pages 262 through 266 and 272 through 277. Specifically, the Draft EIR states on pages 273 and 274 that the development of the medical center would result in potential impacts to the Emeryville Industrial Historic District from two perspectives: first, the greatest potential for visual impacts would occur to the area along Park Avenue from Emery to Hollis Street; and secondly along Hollis Street. Additionally, the Draft EIR concludes that the medical center design may diminish the integrity of the historic district, because the project would not resemble the existing buildings along Park Avenue. The Draft EIR also concludes that the loss of the contributing structures would constitute a significant unavoidable impact to the historic district.

[10] Ward Hill, Architectural Historian, telephone communications, September, 1994.

The Draft EIR states that designing the proposed medical center buildings along Park Avenue and Hollis Street to be compatible with the design and materials that characterize the surrounding historic structures on Hollis Street would mitigate the visual impacts to the eligible historic district to a less than significant level. However, the Draft EIR also states that even with the mitigation measures included in the project, the proposed medical center would result in significant unavoidable impacts associated with the removal of the historic resources that contribute to the Emeryville Industrial Historic District. Therefore, the Draft EIR adequately discloses the impacts to historic resources.

RESPONSE TO COMMENT 78.Q.2.: Please refer to pages 82-83 and 84-85 in the Draft EIR for a discussion of the regional implications of Kaiser employees moving to new locations (outside of Emeryville) as a result of their job relocation. In terms of jobs moving out of Oakland, please refer to Master Response C4. for a discussion of the Jobs/Housing Balance and Master Response B1. for a discussion of the loss of jobs in Oakland.

With regard to the existing displaced residents in Emeryville moving to Oakland, the Recht Hausrath Associates analysis contained in Appendix C assumed that all residents would stay in Emeryville because the project includes payment of relocation assistance for all households, and under redevelopment law, the Redevelopment Agency is obligated to replace all units affordable to low income families. The Recht Hausrath Analysis also assumed that 122 manufacturing/ wholesale jobs would move out of Emeryville between 1996 and 2000, and 120 manufacturing/ wholesale jobs would move out of the City between 2000 and 2010. Given that the future locations for the potentially displaced businesses are determined through the Relocation Plan process, it is too speculative at this time to predict that these establishments will all choose to move from Emeryville to Oakland. In terms of the regional implications associated with these jobs, at ABAG's direction, the employment and housing projections were not modified on a county-wide basis for Alameda County to reflect the loss of existing jobs and dwelling units and the new employment and housing growth within Emeryville. Therefore, the jobs that move out of Emeryville to other locations within Alameda County are still included in the regional growth projections and traffic model.

RESPONSE TO COMMENT 78.R.2.: Please see the response to Comment 12.B. which describes the provision of emergency services associated with the proposed project.

RESPONSE TO COMMENT 78.S.2.: The comments regarding the post-construction control measures for water quality impacts are noted. The text of the EIR is revised to clarify that the project would not be limited to the mitigation measures listed on page 225.

RESPONSE TO COMMENT 78.T.2.: The City of Oakland's comments are noted regarding the trunk sewer in Park Avenue. EBMUD has indicated that adequate capacity is available in the sanitary sewer system to accommodate project-generated wastewater.

RESPONSE TO COMMENT 78.U.2.: The Laney College site was not considered a viable alternative for the reasons described in Master Response G1.

RESPONSE TO COMMENT 78.V.2.: A photograph of the model of the AC Transit site alternative medical center is provided on page 295 of the Draft EIR. The placement of office buildings and open space on the AC Transit site would be more compatible with the surrounding residences and school in terms of the type of land use than is a bus maintenance facility. Additionally, the parking structure, while closer to San Pablo, would be setback behind the Berkeley Farms building. Please refer to the responses above regarding the nature of the "liner" buildings.

The City of Emeryville has made a reasonable effort to invite adjacent communities, including the City of Oakland, to participate in the environmental and public review process for the proposed medical center. The City of Emeryville is also willing to continue to work with nearby communities, including Oakland, to reach agreement on suitable mitigation measures for impacted roadway facilities.

Please refer to the response to Comment 78.C.2. above.

Please refer to Master Response 12.B. above. This discussion would apply to the AC Transit site, as well.

It is anticipated that construction of the medical center on the AC Transit site would further reduce the significant visual impacts to the Hollis Street portion of the historic district, because the AC Transit site is located a greater distance from the historic district.

RESPONSE TO COMMENT 78.W.2.: The analysis of visual impacts at the MacArthur Broadway Alternative site was based upon the assumption that the acreage constraints of this site would require two 10-story office buildings and one 13-level parking garage, as well as an eight-story hospital, all of which would be taller than the proposed structures on the project site. Because these buildings were taller, the potential for obstructions to views was expected to be greater. In addition, because the two-story shopping center would be replaced by the 10-story medical office building and 13-story parking structure, this was deemed a more significant visual change than the proposed project which would replace the existing two-story buildings with five-story structures.

With regard to the project objectives, please refer to Master Response G1. One of the more significant objectives of the project is to allow Kaiser the flexibility to construct its medical center in phases. Construction of the medical center at the MacArthur/Broadway location would require vertical construction. If the hospital were constructed vertically, Kaiser would have to select between one of two options. Either Kaiser would have to construct all of the medical center in one phase up front or Kaiser would only be able to construct one phase of the project and forego the opportunity to expand the medical center.

This site was not determined to be the environmentally preferable alternative due to the fact that the project would not meet many of the project objectives and the benefits associated with the proposed medical center, with the exception of the provision of regional health care, would not be afforded under this alternative.

RESPONSE TO COMMENT 78.X.2.: While it is true that development of the medical center on the Bayfront Alternative site would result in an improvement to the area from a visual perspective and the I-80 flyover would visually dominate the site, because this site is currently vacant, some surrounding properties have views across the site of the bay. Therefore, construction of the medical center on this site would have the potential for obstructing views of a scenic resource.

RESPONSE TO COMMENT 78.Y.2: The City of Oakland correctly notes that the Existing General Plan Alternative is the environmentally preferable alternative, instead of the Smaller Project Alternative. This is because the Smaller Project Alternative, while reducing the size of the project, would nonetheless require a General Plan amendment that would eliminate the fair share housing opportunities on the Phase I site, as well as result in all of the other impacts associated with Phase I. Please refer to Master Response G1. for a discussion of the Fox Theater site.

RESPONSE TO COMMENT 78.Z.2: Please refer to Master Response G1. for a discussion of the Fox Theater site. If the City of Emeryville decides to adopt the AC Transit alternative, then the City of Oakland will have an opportunity to comment during the approval process.

RESPONSE TO COMMENT 78.A.3.: Please refer to Master Response H1. for a discussion of cumulative impacts. As explained in the Master Response, the cumulative impacts analysis factors in the regional land use build-out context by using the 1992 ABAG projections adjusted to account for the Bayfront retail project, a major medical facility and reduced housing. As a result the analysis does describe the combined impacts of all of the identified projects, because they are included within the ABAG projections as adjusted.

RESPONSE TO COMMENT 78.B.3.: With respect to the comments regarding the project objectives, the comments are noted. These objectives were provided by Kaiser as the project applicant for use in the Draft EIR.

With regard to the project objective of creating public open space and park areas in the project site, as described in the Draft EIR at page 10, a public plaza would be located on the project site, which would have an entrance from Park Avenue. A central park would be provided in the center of the Phase I site.

The City of Emeryville has made a reasonable effort to invite adjacent communities, including the City of Oakland, to participate in the environmental and public review process for the proposed medical center. The City of Emeryville is also willing to continue to work with nearby communities, including Oakland, to reach agreement on suitable mitigation measures for impacted roadway facilities.

RESPONSE TO COMMENT 78.C.3.: With regard to the comment regarding the discussion on Page 330 of the Draft EIR of significant unavoidable adverse effects, the Draft EIR describes the magnitude of these significant unavoidable impacts in each specific topic area in Section II of the Draft EIR. For clarity, the following sentence is added after the first sentence following the bullets on page 330: "The magnitude of the unavoidable impacts is discussed in each specific topic area in Section II of the Draft EIR."

With regard to the identification of loss of on-street parking as an unavoidable significant impact, the City continues to identify this as such regardless of the fact that it may be caused by policy decisions. Further, the City continues to identify short-term project and cumulative construction impacts as significant and unavoidable because they cannot be mitigated to a less than significant level.

Regarding the comment that approximately 2/3 of the project's significant unavoidable impacts occur outside Emeryville, the comment is noted. As stated previously, responsible agencies have been able to participate in the environmental and public review process.

RESPONSE TO COMMENT 78.D.3.: Responses to the individual comments that are summarized in this paragraph are provided in the responses to Comments 78.B. through 78.C.3. With respect to the request for recirculation, please see the response to Comment 78.A and Master Response I1.

SIERRA CLUB San Francisco Bay Chapter

Alameda County • Contra Costa • Marin • San Francisco

Conservation Offices 5237 College Avenue, Oakland, CA 94618 (510) 653-6127

Bookstore 6014 College Avenue, Oakland, CA 94618 (510) 658-7470

RECEIVED
JUN 21 1994
PLANNING DEPARTMENT

June 15, 1994

FAX: 1-916-322-3785

1 Page total

Michael Chiriatti
Chief of Clearinghouse
State Clearinghouse
Governor's Office of Planning and Research

Dear Mr. Chiriatti:

I am writing to request an extension of the comment period for 30 days on Kaiser Permanente Medical Center, State Clearinghouse Number 93082063, because of the length of the draft EIR and complexity of the project. 79A

Thank you for your consideration.

Carl Anderson

Carl Anderson
Sierra Club SF Bay Chapter
Northern Alameda County Group

cc: Gayle Quinn

79. RESPONSES TO COMMENTS FROM CARL ANDERSON, SIERRA CLUB RECEIVED JUNE 21, 1994

RESPONSE TO COMMENT 79.A.: The City of Emeryville extended the public review and comment period an additional 45 days. Please see Master Response A1. for additional discussion regarding this topic.

80

Planning Department,
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Attention: Gaye Quinn, Planning Director 21-June-1994

Per your letter to me of last week indicating that you would accept additional comments from me on the Kaiser Draft EIR after the 20-June deadline, the following is a supplement to my comments submitted yesterday on document SCH# 93082063.

80A

The EIR Consultant shall discuss the method used to derive the Peak Hour volumes presented in their Table 5, Page 34 of Volume II of the Draft EIR. The Consultant should indicate that these volumes are calculated for a 2 hour peak period rather than for a single hour. The discussion should directly comment on the comparison presented below:

To establish Trip Generation figures for the proposed project a simple box method was used, with volumes for the four main surrounding intersections totalled. The four intersections selected were:

San Pablo and Powell	San Pablo and 40th
Hollis and 40th	Hollis and Powell

By totalling the projected Peak Hour 2000 with Kaiser and TDM volumes presented in Volume III of the Draft EIR for these four intersections a picture of most of the projected traffic can be obtained. This was done, and the totals obtained are presented below:

80B

San Pablo/Powell		San Pablo/40th			
AM	PM	AM	PM		
318	681	734	849	AM Total:	1381
				PM Total:	1985

Hollis/40th		Hollis/Powell	
AM	PM	AM	PM
207	209	122	246

Since the figures presented in Table 5 of Volume II are based on 2 hour Peak Periods, the resulting totals were multiplied by 2, resulting in 2762 trips in the AM Peak and 3970 PM Peak.

These totals are approximately 9% higher than those shown in the mentioned table. In addition they do not capture project traffic that might be reasonably expected to arrive and depart via 41st and other local streets to Adeline and through the Catellus project on Emery Street.

Steve Skaar

80. RESPONSES TO COMMENTS FROM STEVE SKAAR RECEIVED JUNE 21, 1994

RESPONSE TO COMMENT 80.A.: The volumes shown in the trip generation table are based on trip rates identified in the ITE Trip Generation Manual and represent one hour, not two hour, volume totals.

RESPONSE TO COMMENT 80.B.: The comment attempts to conduct a cordon analysis of project traffic surrounding the site. A total AM peak hour volume of 1,381 and PM peak hour volume of 1,985 are indicated. However, adjusting the project trip generation to account for the 15 percent TSMP reduction results in a total AM peak hour volume of 1,389 and PM peak hour volume of 2,074. The difference between these volumes and the volumes presented in the comment are attributed to rounding-off and are very minor. In addition, the commenter is incorrect in its suggestion that peak hour traffic is for a two-hour period. Please refer to the response to Comment 80.A., above.

Temescal Neighbors Together

4826 Webster
Oakland, CA 94609

12 July 1994

Gaye Quinn, Planning Director
City of Emeryville Planning Department
2200 Powell Street
Emeryville, CA 94608

Re: DRAFT EIR
Kaiser Permanente Expansion
SCH 93082063

RECEIVED
JUL 15 1994
PLANNING DEPARTMENT

Dear Ms. Quinn:

On behalf of the Board of Directors of TNT (Temescal Neighbors Together), a North Oakland neighborhood organization, I am writing to express our concerns about conclusions reached in the Draft EIR for the Kaiser Medical Center expansion proposed for Emeryville. We feel that the impacts of the proposed project on the East Bay's regional traffic congestion and on the economic health of Oakland are very significant. So significant that the relative merits of another site deserve consideration.

TNT agrees with the Sierra Club's Bay Area Chapter that a project of this size, which serves the public, should be located adjacent to mass transit. An alternate site proposed for the Kaiser expansion but not examined in the EIR is the 19th Street and Telegraph Avenue area of Oakland. At this location both BART and AC Transit would provide convenient access to the facility. We believe that this adjacency would significantly cut down the number of automobile trips generated, especially when compared to the Emeryville site, reducing pollution and congestion simultaneously. 81A

We also are interested in the economic health of Oakland. The new jobs added first by the Kaiser project itself and then by the new support services--restaurants, shops, etc. to serve the Kaiser employees and visitors--would be an enormous shot in the arm for this underutilized part of the East Bay.

Emeryville's burgeoning growth, on the other hand, which we know will continue with or without the Kaiser project, threatens to choke our whole region by drawing even more cars into the I-80/580/880 bottleneck.

We would ask you to reconsider the Emeryville location before it's too late. We feel that the same project at the 19th and Telegraph site could be a wonderful stimulus to the healthy growth of the entire East Bay.

Sincerely,

Thad Shaffer
Board Member/Temescal Neighbors Together

cc. Mayor Elihu Harris
Councilperson Sheila Jordan

81. RESPONSES TO COMMENTS FROM THAD SHAFFER, TEMESCAL NEIGHBORS TOGETHER RECEIVED JULY 15, 1994

RESPONSE TO COMMENT 81.A.: Please refer to Master Response G1. which addresses the Fox Theater alternative.

July 22, 1994

RECEIVED
JUL 22 1994
PLANNING DEPARTMENT

Kaiser Foundation Health Plan
Facilities Design & Construction
P.O. Box 12916
Oakland, CA 94604-2998

Dear Kaiser Foundation:

I'm glad to see that you are expanding your much-needed facility. However, the choice of Emeryville for a site seems inappropriate. As a old-time Oakland business, you have, I believe, an obligation to try a little harder to stay in the City. The proposed downtown site would appear to be ideal for patient accessibility and mass transit access. Besides, Kaiser could really be a "good guy" in leading the way to revitalize Oakland's downtown.

82A

Even though negotiations are progressing with Emeryville, I feel is incumbent upon you to at least study the downtown site more carefully. Since that site was omitted from the DEIR, Oaklanders really wonder at the accuracy of your allegations that it is unsuitable.

Although this is the main point I wish to make, I also want to mention that I am concerned about the potential traffic situation at the Emeryville site. We all need to wise up and get out of our cars so congestion and pollution don't do us in.

Thank you for your attention.

Sincerely,

Patricia West
6050 Ocean View Drive
Oakland, CA 94618
510.652.6560

copies to:
Councilmember Sheila Jordan

Emeryvile Planning Department

The Montclarion

82. RESPONSES TO COMMENTS FROM PATRICIA WEST RECEIVED JULY 22, 1994

RESPONSE TO COMMENT 82.A.: Please refer to Master Response G1. which addresses the Fox Theater alternative. The comment regarding the potential traffic situation is noted.

August 1, 1994

To: Emeryville Planning Dept.

From: Helena Brykarz

Re: Kaiser DEIR - Comments

In addition to my previously submitted comments, I wanted to address bicycle traffic on San Pablo Avenue. The DEIR understates the amount of bike traffic on this road, saying that "glass" and other obstacles on San Pablo discourage bicyclists from using it. I couldn't disagree more. If you look at San Pablo, especially during rush hour, you'd see that it is a major thoroughfare for many bicyclists. As a matter of fact, on July 15 while I was waiting for a bus on San Pablo between 7:50 am and 8:00 am, I counted 7 bicyclists during this period! Therefore when creating bike paths, consideration should be given to the major paths, such as San Pablo, which are already used by bicyclists! This would be much better than creating other alternative bike routes, as indicated in the DEIR, which may not follow the route people normally take! 83A

Helena Brykarz
1064B-45th St
Emeryville CA 94608

83. RESPONSES TO COMMENTS FROM HELENA BRYKARZ RECEIVED AUGUST 1, 1994

RESPONSE TO COMMENT 83.A.: The bicycle facilities proposed to be implemented as part of the Kaiser project are those which have been identified in the City of Emeryville's General Plan. The traffic analysis did not conclude that additional bike paths were warranted along San Pablo Avenue or anywhere else as a result of this project.

Aug 1, 1994

84

Oak Center Neighborhood Association
1420 Magnolia Street • Oakland, CA 94607 • (510) 835-2290

Ellen Wyrick-Parkinson
President

First Vice President

James Haufler
Second Vice President

Theon C. King
Secretary

Truvesta A. Maddox

Chairman of the Board

Vivian Bowie

L.K. Wallace

Adeline Sweeney

Director Quinn,

The Oak Center Neighborhood Association is not in favor of Kaiser Hospital building an addition in Emeryville. This project would have major negative traffic impacts on several West Oakland neighborhoods. I implore you to put this project in downtown Oakland.

84A

Sincerely,
Ellen Wyrick-Parkinson
President

C.C. Councilwoman Natalie Dayton

84. RESPONSES TO COMMENTS FROM ELLEN WYRICK-PARKINSON, OAK CENTER NEIGHBORHOOD ASSOC. RECEIVED AUGUST 1,1994

RESPONSE TO COMMENT 84.A.: The commenter's opposition to the project is noted. Please refer to Master Response G1. which addresses the Fox Theater site.

August 2, 1994

Gaye Quinn, Planning Director
City of Emeryville
2200 Powell St., 12th Floor
Emeryville, CA 94608

Dear Gaye,

I recently received a letter from Natalie Bayton, alerting me to the planned Kaiser Permanente project along San Pablo Avenue in Emeryville. I have several concerns that I would like to have a response to. I usually support growth. I use Kaiser Permanente in Martinez and am aware of the services they provide. However, I own a duplex at 963 35th Street in Oakland. I understand that the Draft Environmental Impact Report (EIR) estimates that an additional 6,000 cars will use the 35th and 36th Street freeway exits and entrances each day. I use these same entrances and exits each time I visit my property, (about twice monthly). I find it very difficult and dangerous to back my truck from the tenant's driveway into the 900 block of 35th Street with the existing flow of traffic. Putting an additional 6,000 cars on that block, each day will make it virtually impossible for my tenants to use their cars. 85A

Currently, the exhausts from the freeway traffic and higher speeds cause both oil and trash to be blown against the south side of 35th street. It has been almost impossible to maintain the carpet and vinyl in the duplex. The additional traffic will increase the amount of oil tracked into the homes on that street.

The families in my duplex have children and there are several families on that block with young children. The increased traffic will influence their desire to remain living in my duplex. Both families have been with me for some time. Naturally, I believe that I will find it difficult to attract good tenants if the EIR report is true. 85B

I would appreciate a response to the above concerns. I am currently swayed to oppose the project. If the above concerns are true, I would expect that I will lose my investment in the property and find it impossible to continue. A phone call would be appreciated or an appointment to meet and discuss these concerns.

Sincerely,

Brian E. Schuck
Property Owner, 963 35th Street, Oakland

cc: Natalie Bayton, Councilmember - District 3

85. RESPONSES TO COMMENTS FROM BRIAN E. SCHUCK RECEIVED AUGUST 2, 1994

RESPONSE TO COMMENT 85.A.: The 6,000 additional vehicles projected to use the 35th Street and 36th Street ramps represents a daily estimate for Year 2010. The number of vehicles using the freeway ramps during the peak periods would be approximately 450 vehicles (AM peak) and 700 vehicles (PM peak). Of the 450 AM peak vehicles, approximately 100 would use the 35th Street on-ramp. Of the 700 PM peak vehicles, approximately 500 vehicles would use 35th Street to access the freeway. This increase in traffic during the peak periods translates into a 10 percent increase in the AM peak period and a 20 percent increase in the PM peak period over Year 2010 Baseline (without the project) conditions. With the addition of the above traffic volumes, the intersection of Market Street/35th Street would operate at LOS D under Year 2010 Plus Project conditions.

Both 35th and 36th Streets are classified as local streets, and 40th Street is classified as a collector street, in the *1980 Oakland Policy Plan*. However, the Oakland Policy Plan is currently being updated, at which time 35th and 36th Streets would be classified as collector streets due to their use as freeway access routes to I-580.[11] Both 35th and 36th Streets have served as freeway access routes for the past 40 years.

RESPONSE TO COMMENT 85.B.: The commenter's concerns are noted. However, it is outside the scope of this EIR to speculate that because traffic volumes increase, the current residents of Mr. Schuck's duplex would move. Please refer to the response to Comment 61.F. which addresses quality of life issues.

[11] Telephone communications, City of Oakland Traffic Engineering Department, August, 1994.

ABAG
ASSOCIATION OF BAY AREA GOVERNMENTS
Mailing Address: ■ P.O. Box 2050 ■ Oakland, CA 94604-2050

August 3, 1994

Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, California 94608

Subject: Draft EIR, Kaiser Medical Center Project

Dear Ms. Quinn:

Thank you for the opportunity to comment on this project. Our comments discuss the document's cumulative and housing sections and question whether the project's significant impacts have been adequately mitigated.

Adequacy of Cumulative Analysis

ABAG's *Regionwide Planning: A Collaborative Approach* and ABAG's *Regional Plan 1980* comment that it is essential for cities to achieve balanced community growth. With less money available for government spending, it is becoming even more imperative that cities consider the regional and subregional impacts of the development they approve. To do any less burdens surrounding communities and strains the region's infrastructure. In the 1980s, Emeryville built housing and this improved the balance between jobs and employed residents within its community. In the 1990s, however, the City appears to have shifted to a policy of job creation which underemphasizes the necessary link between housing production and job creation. 86A

According to Appendix C, Emeryville may add over 5,900 jobs between 1993 and 2000, including the 2,895 jobs projected for this project. Despite this, only 1,414 new housing units are projected which, if current trends hold, will accommodate less than 1,500 workers, or 1/4 of the expected new workers. Given the fact that Emeryville already has many more jobs than residents, Emeryville should not conclude that the cumulative development within Emeryville can be mitigated so as to be not significant.

86

The Northern Alameda County and the Western Contra Costa subregions do not have excess land available to house Emeryville workers. (See *Projections 94*, pages 115 and 141.) Cities in these subregions as well as other subregions are planning their own development projects and, in most cases, are striving for their own balanced growth. Therefore, the unbalanced growth being planned by Emeryville will of necessity impact regional infrastructure. Any project which worsens subregional job-housing balances, in a community that has not zoned adequate sites for housing to accommodate job growth, is not consistent with ABAG policies. 86A

Adequacy of Employment and Housing Analysis

Although the project includes a $15,000,000 housing fund, the document does not explain why this is needed to augment market demand, particularly since 20 percent of the units will be moderate and 80 percent will be market rate. Without documenting this linkage, ABAG does not find the mitigation measure to be adequate.

While the fund is an interesting approach, it does not solve the underlying problem. The market usually provides enough housing if developers can get their projects approved. The main stumbling block for developers is usually public opposition to rezoning requests, etc. What ABAG requests is that mitigation measures include a definite commitment on the city's part about when the city will act to rezone more land for housing. Merely stating that 25 additional sites have been identified does not commit these sites to housing. Besides, these 25 sites can, according to the EIR accommodate only 403 to 634 units, barely more than what is being lost, and far short of accommodating 4,500 new workers. 86B

On pages 81 and 82, the DEIR concludes that the project will not impact future housing opportunities. As evidence for this conclusion (page 82), the document states that a project-related demand for 1,390 units can be accommodated within the expected city-wide production of 1,414 units. This conclusion ignores that fact that Emeryville expects another 2,950 jobs within the same period, 1993 to 2000. How will the demand generated by those projects be mitigated if the City's potential housing growth is absorbed almost completely by this one project? 86C

Other Comments

ABAG also requests that the EIR include a table which summarizes the information in Appendix C, Table 1. Also, we believe a correction is needed to the statement on page 335, first paragraph, that cumulative development is expected to add 5,059 new jobs by 2000 "in addition to the jobs generated by the 86D

86

proposed project." Appendix C, Table 1 shows that the number 5,059 includes the Kaiser project. 86D

Again, thank you for the opportunity to comment. If you have any questions please contact Patricia Perry, of our staff. Her phone number is 510-464-7957.

Sincerely,

Patricia R. Perry

for Gary Binger
Planning Director

86. RESPONSES TO COMMENTS FROM GARY BINGER, ABAG RECEIVED AUGUST 3, 1994

RESPONSE TO COMMENT 86.A.: The comment addresses the proposed project's effect on the jobs/housing balance in Emeryville which is discussed in the Draft EIR on pages 81-85 (Volume I). Please refer to the responses contained in Master Response C. which describe the jobs/housing balance, the anticipated number of jobs created by the project, and the City of Emeryville's commitment to providing new housing within the community. As demonstrated in the Draft EIR and reiterated in the Master Responses, the significant impact on housing can be reduced to a less than significant level.

With regard to the inconsistency noted with ABAG policies, the City of Emeryville has zoned adequate sites for housing to accommodate job growth in accordance with ABAG's fair share housing requirements. Please refer to Master Response C4. for a discussion of the jobs/housing balance.

The City of Emeryville has continued to maintain a strong commitment to the development of new housing opportunities within the City. Since 1990, housing production in the City has been more than 350 units, of which 180 were affordable housing units. This was accomplished during a period of minimal residential development throughout the Bay Area. City programs such as the Housing Rehabilitation Program, First Time Homebuyer Program, Vacant Housing Program, Affordable Housing Set Aside Ordinance, and Redevelopment Agency assistance in several specific housing developments have shown substantial commitment by the City toward housing development.

As indicated in the Draft EIR, it is assumed based on information from the project applicant, that a number of the employees at the existing Oakland Medical Center would be relocated to the proposed Emeryville Medical Center. These employees would not be expected to relocate their housing to Emeryville because the proposed Emeryville Medical Center would be in relatively close proximity to the existing Oakland Medical Center. Please refer to Master Response C4. for a discussion of the jobs/housing balance.

Currently Alameda County has more employed residents than jobs which results in a net out-commuting of residents to jobs in other counties. The proposed project will address this out-commuting, by providing additional employment in a central location in Alameda County thereby reducing the amount of commuting which currently occurs to jobs outside Alameda County.

RESPONSE TO COMMENT 86.B.: Please refer to Master Responses C1. and C5. which describe the Kaiser Housing Program and elaborate upon the reasons stated in the Draft EIR for finding this program adequate mitigation. Also refer to Master Response C5. which describes the City's commitment to providing housing opportunities.

RESPONSE TO COMMENT 86.C.: Please refer to Master Response C4. for a discussion of the jobs/housing balance. In addition, please refer to Master Responses C1. and C5. which describe the Kaiser Housing Program and alternative housing sites, respectively.

RESPONSE TO COMMENT 86.D.: Please note that Table 1 in Appendix C summarizes the data contained in Tables 2 and 3 in terms of population, number of dwelling units, and number of households.

Kaiser DEIR comments
8/3/94

The focus of my comments will be regarding concerns surrounding the issues of seismic safety of the complex and it's contents.

1. I would like to see an expansion of explanations relating to the placement of this medical facility on such risky ground as is detailed on pg. 216 (DEIR) and whether this was at all a consideration when choosing this site over many others in the area. Of course the entire bay area is at some risk from earthquakes but there are areas which show greater geologic stability than others. Also it must be noted that the seismic disaster of the cypress structure from the 1989 loma prieta quake is just a short distance (ref. pg. 121) from the proposed site. It must be noted that this damage and other considerable damage in the "neighborhood" including foundations of buildings near the site on Hollis St. was caused by a quake many miles south from this area. 87A

2. As stated on pg. 216 "The proposed medical center, as an emergency facility, would not remain functional after an earthquake." I would like expansion on this thinking considering the size of the facility and the area which it would serve that it would be 'sacrificed' in a major quake. I question the wisdom of building at this location for this reason. Because of the risk for the whole bay area it would seem that as many hospitals as possible should be built in areas that would not render them useless in a disaster of this magnitude. 87B

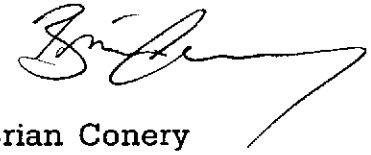
3. In the event that the facility was not completely damaged in an earthquake or that needed equipment and supplies was needed to be removed from the facility what consideration has been given to the dangers imposed on access to the facility by surrounding industry in the neighborhood which could pose major threats in the form of toxic releases and spills and fires. 87C

4. I would like expansion on the term "less than significant level" pg. 217 referring to the mitigation of geologic hazards. 87D

5. On pg. 217 under Impact Geo-2 it mentions that there is potentially significant impact regarding problems with design relating to basements and elevators. I am requesting a more thorough look at the major ramifications that this will have on the design and functioning of the facility. 87E

6. There should be further investigation and explanation of the concerns regarding the building of any multi-level parking structures and if there is any way to insure seismic safety in the event of a major earthquake event. Given the extensive problems of raised freeways and parking structures locally during the 1989 quake. 87F

7. I would like to see the question of toxics and other storage more thoroughly addressed a with these concerns: a. in the event of seismic activity what consideration has been given to the storage of radioactive and other toxics. What dangers could this pose to the immediate area especially residences and the nearby school. b. the storage of blood supplies and other important drugs and supplies that could be vital to emergency efforts after a major disaster. 87G



Brian Conery
1524 62nd St
Emeryville

87. RESPONSES TO COMMENTS FROM BRIAN CONERY RECEIVED AUGUST 3, 1994

RESPONSE TO COMMENT 87.A.: As stated in the Draft EIR on page 218, the project site is located within a seismically active region, typical of much of the Bay Area. The proposed medical center would be designed and constructed to remain in full operational condition following the maximum credible earthquake.[12]

Structural damage due to the Loma Prieta earthquake reflected the soil conditions in conjunction with the building foundations, building structures, and building materials. The project site has a low potential for liquefaction of the clayey soils, and the potential for liquefaction of the surficial sandy and gravelly soils. The medical center foundations would be constructed to withstand liquefaction during a maximum credible event, as described on page 219. Furthermore, the hospital would have to be designed to meet seismic codes for hospitals which are more stringent than for other structures.

The geotechnical investigation estimates that the seismically-induced settlements at the top of the liquefiable sand layers would be about 3/4 to 1-inch. Since these layers occur at relatively great depths, the ground surface settlements would likely be smaller due to the bridging effects. In addition, the hospital would be supported on pile foundations extended below the liquefiable soils. As a result, the seismically-induced settlements would not result in additional building settlements. Because of the reserve capacity typically included in the pile foundation design, the geotechnical investigation concluded that failure of the driven pile foundations, which penetrate through the liquefiable layers, would not occur. Therefore, soil liquefaction at the site will not be expected to significantly affect the proposed hospital.[13]

RESPONSE TO COMMENT 87.B.: The statement on page 216 refers to the threshold of significance for determining whether or not the project would result in a significant geologic impact. As stated on page 219 of the Draft EIR, the medical center would be designed and constructed to remain in full operational condition following the maximum credible earthquake. The geotechnical investigation also concluded that there is no risk of damage to the medical center as a result of ground surface fault rupture.

RESPONSE TO COMMENT 87.C.: As stated on page 239 of the Draft EIR, Kaiser would develop and implement a Hazardous Materials Business Plan which includes an Emergency Response Plan and Procedures element. This element identifies the procedures for reporting hazardous materials incidents and for notifying the appropriate party in the event of an accidental spill, release, or threatened release which could occur during a seismic event. In addition, this section would contain measures for containing and remediation hazardous materials spills or releases, evacuation measures, emergency response assistance and medical assistance.

RESPONSE TO COMMENT 87.D.: As defined by Public Resources Code §21068, the term "significant effect on the environment" means a *substantial, or potentially substantial, adverse change in the environment*. Therefore, "less than significant" level means as applied on page 217, means that the mitigation measures described on this page would reduce the *substantial,*

---

[12] The maximum credible earthquake is the maximum earthquake that appears capable of occurring under the presently known framework.

[13] Geologic/Seismic Hazards evaluation for the Kaiser Permanente Medical Center, Emeryville, California, prepared by Woodward-Clyde Consultants, August 10, 1994, page 16.

or potentially substantial, adverse change in the environment, as it pertains to geologic and seismic conditions, to a level that no longer adversely affects the environment.

RESPONSE TO COMMENT 87.E.: Impact Geo-2 states that shallow groundwater conditions may affect the building design options for basements, elevator shafts, and other subsurface structures, which would result in a potentially significant impact. This means that in order to install subsurface structures, methods to prevent groundwater from spilling into the basements, subterranean parking garage levels, and elevator shafts would need to be employed, as described on page 218. This phenomenon is encountered at numerous locations throughout the Bay Area, due to the high groundwater table, and it can be addressed through standard engineering and design methods.

RESPONSE TO COMMENT 87.F.: As with the other medical center structures, multi-level parking garages would also be required to conform to Uniform Building Codes and seismic safety codes.

RESPONSE TO COMMENT 87.G.: Please refer to the response to Comment 87.C. above.

RCPC

ROCKRIDGE COMMUNITY PLANNING COUNCIL • 5856 COLLEGE AVENUE #130 • OAKLAND, CALIFORNIA 94618

August 3, 1994

RECEIVED
AUG 0 4 1994
PLANNING DEPARTMENT

Gaye Quinn, Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Re: Draft Environmental Impact Report for Kaiser Medical Center Project

Dear Ms. Quinn:

The Rockridge Community Planning Council (RCPC) has reviewed the Draft Environmental Impact Report (DEIR) for the proposed Kaiser Medical Center Project and hereby submits the following comments on the DEIR.

1. SECTION I, PROJECT DESCRIPTION

A basic problem with the project objectives as listed in section C, PROJECT OBJECTIVES, is the lack of objectives specific to communities outside Emeryville and specific to Kaiser members. While some of the objectives address Kaiser's need for greater and more appropriate space for medical facilities, the majority of the objectives address benefits to the City of Emeryville. No objectives mention any benefits to neighboring communities or to Kaiser members themselves. Since Kaiser provided the project objectives, Kaiser should be required to formulate objectives that address more than a generic objective for more and updated space and more than objectives which benefit Emeryville alone. As a regional health care provider, Kaiser should be required to have more regional objectives. 88A

2. SECTION II, ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES.

a. A. LAND USE

This section, as well as other sections of the DEIR, fails to address the cumulative impacts of the proposed project. Phase I of the project would be erected on land which is designated in the Emeryville General Plan as Medium Density Residential with some Mixed-Use and some Commercial Use. Phase II of the project would be built on land designated as Mixed-Use. The DEIR fails to adequately address the impacts (1) on Emeryville of 88B

removing a significant portion of land that could be used to increase Emeryville's residential population and (2) on the regional geographical area of withdrawing the possibility of affordable housing in a medium density urban area which could help decrease, even in some small measure, suburban sprawl and its attendant transportation and air pollution problems. 88B

The DEIR also fails to adequately address the project's land use impacts in relation to the existing large developments in Emeryville, specifically, the Catellus development and the Public Market/Powell Street Plaza area, and the impacts on adjacent communities. As a regional health care facility, the land use impacts beyond the City of Emeryville borders must be assessed. 88C

b. C. TRANSPORTATION AND CIRCULATION

The DEIR fails to address the cumulative impacts of the project on freeway traffic and feeder streets in Emeryville. The I-80 and I-580 interchange is currently a traffic bottleneck of significant proportions. Even with completion of the Cypress freeway and an HOV on I-80, work on which has been halted, the high concentration of regional-draw developments in the same area, i.e., Kaiser, the Catellus development, and the Powell Street Plaza/Public Market shopping area, will undoubtedly have an impact of major proportions not contemplated by CALTRANS. The DEIR must address the true regional impacts on transportation and traffic circulation. 88D

3. D. AIR QUALITY

The project's impact on regional air quality will be significant because the site is not served well by public transportation, thus resulting in more automobile trips than are taken to the current site or would be taken to the downtown Oakland site. The proposed mitigations, such as a shuttle from BART to the medical facility, may successfully reduce some auto trips but would probably not have a net mitigation of any significance because the likely users of such mitigations would be individuals without cars. The DEIR fails to address whether there will be a net increase in automobile trips among Kaiser members and employees. 88E

4. SECTION III, ALTERNATIVES TO THE PROPOSED SITE 88F

The DEIR is seriously deficient because it fails to consider the quite viable downtown Oakland site. In order for this section to be meaningful, that Oakland site must be a considered alternative. 88F

* * *

The basic deficiency of the DEIR is its failure to address cumulative impacts and impacts of the project on neighboring communities and the geographic region as a whole. Given the regional nature of the project, i.e., health care delivery, it is essential that the DEIR address these regional concerns. 88G

We look forward to the response to our above comments.

Sincerely yours,

Mary E. MacDonald, Esq.
Chair, Board of Directors
ROCKRIDGE COMMUNITY PLANNING COUNCIL

cc: Oakland City Council Member Sheila Jordan

88. RESPONSES TO COMMENTS FROM MARY E. MACDONALD, ESQ., ROCKRIDGE COMMUNITY PLANNING RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 88.A.: The comment is noted. There is no legal requirement that a project applicant formulate project objectives as requested by the commenter. Please refer to the responses to Comment 63.D., 21.E., and 52.T.

RESPONSE TO COMMENT 88.B.: Please refer to Master Response C2. which reiterates the discussion contained in the Draft EIR regarding the existing General Plan designation on the site and corresponding implications to the provision of housing from a local and regional perspective. The Draft EIR evaluated the physical effects on the environment associated with the proposed General Plan amendments, including the land use, transportation and circulation, and air quality impacts.

RESPONSE TO COMMENT 88.C.: Please refer to Master Response H2. which addresses the cumulative impacts described in the Draft EIR and to Master Response H1. which addresses regional impacts. Local employment and housing impacts are addressed in Section II, A, of the Draft EIR and further described in Master Responses C2. through C4.

RESPONSE TO COMMENT 88.D.: In Section II, C, the Draft EIR includes an evaluation of freeway impacts and impacts to CMP facilities which are considered regional roadways. Please refer to Master Response D4. for a discussion of the Congestion Management Program analysis and to the response to Comment 99.N. for a discussion about the I-80/I-580 interchange.

RESPONSE TO COMMENT 88.E.: Please refer to the response to Comments 55.M. and 55.N. discussion of the methodology used in assessing regional air quality impacts. The Draft EIR evaluates the traffic generated by Kaiser members and employees at the proposed site. This traffic would represent an increase over the trips generated by the existing land uses on the site, and a small increase over the trips generated by the existing Oakland facility. However, the traffic model assumptions were based upon the fact that a similar type of land use could continue to occupy the Oakland medical facility. Therefore, the traffic analysis employs worst case assumptions by treating the trips generated by the entire Emeryville facility as new trips, to be added to those generated by the existing facility.

RESPONSE TO COMMENT 88.F.: Please refer to Master Response G1. regarding the Fox Theater site.

RESPONSE TO COMMENT 88.G.: Please see Master Responses H2. and H1. for discussions of the cumulative impacts and regional impacts, respectively, that are described in the EIR.

URBAN ECOLOGY

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Isabel Wade, President
Urban Resource Systems

Organizations listed for identification purposes only.

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RECEIVED
AUG 0 4 1994
PLANNING DEPARTMENT

3 August 1994

Ms. Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

VIA HAND DELIVERY

RE: Kaiser Emeryville Draft Environmental Report

Dear Ms Quinn:

Urban Ecology supports development of new Kaiser Foundation medical facilities in existing urban centers that are well served by transit and have high concentrations of surrounding employment and residences.

89A

Development of new Kaiser facilities in dense, central city areas would have less adverse environmental impacts, and we are concerned that the Draft EIR does not adequately address the environmental consequences of developing Kaiser facilities in Emeryville as compared to Oakland locations.

Our specific comments are as follows:

89B

The Project Objectives stated in the EIR are clearly crafted to preclude consideration of alternatives outside of Emeryville. The objective of serving residents of Emeryville with better Kaiser facilities is arbitrary, considering Emeryville's very small population compared to other East Bay cities such as Oakland and Berkeley. If Kaiser's objective were strictly to meet the needs of Emeryville's residents, then a small clinic would suffice. However, Kaiser does not appear to have this objective in other neighborhoods or localities. The EIR should explain why Emeryville residents are

URBAN ECOLOGY, INC
405 14th Street, Suite 701
Oakland, CA 94612 USA

entitled to special treatment by Kaiser, or why Kaiser does not operate local facilities in other similarly sized neighborhoods in Oakland and Berkeley. If no adequate explanations are available, this spurious objective should be dropped. 89B

The EIR does not define the scope of the Housing Element Amendment that would be necessary to allow the project while maintaining the Housing Element's certification from the State Department of Housing and Community Development. On page 73, the EIR acknowledges that additional housing sites would have to be identified in the Housing Element Amendment, but it does not say where those sites would be. Since the Housing Element Amendment is needed to approve the project, it is a part of the project, and it must be addressed in the EIR on the project. The EIR is not legally adequate since it fails to disclose this part of the project, and therefore also fails to assess the environmental impacts of the designation of new housing sites. 89C

The Draft EIR does not address an adequate range of off-site alternatives. Page 310 of the EIR lists several alternative sites in Oakland, and then dismisses a number of them because they are "not available" or "do not meet the project objectives." Both of these findings are legally inadequate:

* Goleta II, the California Supreme Court stated that project EIRs must consider "regional and cumulative impacts" in its alternatives analysis, and that "the mere fact that an alternative may require a legislative enactment does not necessarily justify its exclusion from the EIR." Alternative sites such as the Laney College site could be made available through a legislative enactment of the Peralta Community Community College Board, so they should be considered in the EIR. 89D

* The finding regarding the Oakland sites' inability to meet the project objectives is arbitrary and should be eliminated from the EIR, as described in Item 1, above.

The Draft EIR does not even mention the Downtown Oakland site in its listing of alternatives that were excluded. The City of Emeryville

has already published a letter purporting to show that the Downtown Oakland site is not feasible and should also be excluded from consideration for "other reasons." However, the City of Oakland has prepared plans showing that the Downtown Oakland site is feasible, and there has been no clear statement of what the "other reasons" are. The EIR must assess the Downtown Oakland site, in addition to including assessments of the other previously rejected alternative sites.

Even the alternatives analysis that is included in the EIR is conclusory, in that it does not show the basis for its findings. For example, the alternatives analysis states that traffic impacts at the MacArthur site would be similar to those at the proposed Emeryville site, but no analysis has been conducted to justify this claim. Clearly, traffic impacts at the alternative sites could potentially be different, since the alternative sites offer access by transit, walking, and more developed roadway networks. The City of Oakland has estimated that there are 60,000 employees in Downtown Oakland, roughly one-third of whom are Kaiser members. If all these Kaiser members could walk to Kaiser facilities, traffic impacts would be significantly different. Therefore, the EIR must include a full quantitative analysis of traffic impacts of each of the alternative sites, with separate trip generation and mode split estimates for each site. Similar detailed analyses for employment and housing and air quality should also be completed. 89D

The Draft EIR is inadequate because it does not address the impacts that will occur at the existing Kaiser facilities in Oakland. In fact, it is not yet clear what the ultimate use or disposition of these facilities would be. In order to be legally adequate, the EIR must tell what uses the project foresees for the existing facilities, and it must disclose any impacts of these uses. 89E

Given these issues, it is clear that the Draft EIR as currently written is inadequate, and it must be re-drafted. The inadequacies are so severe that a new Draft EIR or Supplement should be prepared, and this document should be recirculated for a new public review period. Only a new public review period can meet CEQA's mandate for a full public disclosure of the comparative impacts of the project and its alternatives. 89F

Thank you for your consideration of our response to the draft EIR. We look forward to reviewing the response of your consultant to this comments.

Respectfully Submitted,

Urban Ecology, Inc.

Michael D. Schafer
Board of Directors

89. RESPONSES TO COMMENTS FROM MICHAEL D. SCHAFER, URBAN ECOLOGY INC. RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 89.A.: Please refer to Master Response G1. regarding the Fox Theater site.

RESPONSE TO COMMENT 89.B.: With respect to the comments regarding the project objectives, the comments are noted. These objectives were provided by Kaiser as the project applicant for use in the Draft EIR.

RESPONSE TO COMMENT 89.C.: Please refer to Master Response C3. for a discussion of the impacts to fair share housing opportunities. In addition, please see Master Response C5. which addresses the alternative housing sites.

RESPONSE TO COMMENT 89.D.: Please refer to Master Response G1. for a discussion of the Fox Theater site.

The Oakland MacArthur Broadway alternative has been evaluated at a level of detail sufficient for an alternatives analysis. The conclusion contained in the EIR about similar traffic impacts occurring at this alternative site was based upon the fact that both the project and this alternative would have similar trip generation rates. It is acknowledged that the MacArthur/Broadway site is close to transit and pedestrian facilities. However, it is also true that the project site is proximate to transit and pedestrian facilities.

RESPONSE TO COMMENT 89.E.: Please refer to Master Response B1. for a discussion of the existing Kaiser facilities in Oakland and for a discussion of the potential loss of jobs in Oakland which would occur with the project.

RESPONSE TO COMMENT 89.F.: The Draft EIR evaluates the project's physical effects on the environment. Please refer to the response to Comment 34.A.

90

RECEIVED
AUG 03 1994
PLANNING DEPARTMENT

THE ZENTNER COLLECTION

5757 Landregan Street, Emeryville CA 94608 • Tel 510-653-5181 Fax 510-653-0275

July 30, 1994

Director
Planning Department
City of Emeryville
Emeryville, CA 94608

Dear Director:

This letter regards the August 4, 1994 deadline to respond to the proposed Kaiser Permanente Medical Center.

Our concern is the proposed construction of connecting Landregan Street to Horton Street. What we observed in reading the Enviromental Impact Report is that several maps show the connection (see enclosed maps), however there is no mention of the connection anywhere in any of the volumes of the report. The Enviromental Impact Report sites innumerable streets, including freeway interchanges, with a discussion of their impact and mitigation. Why is the Landregan-Horton connection not discussed? 90A

It has also come to our attention that the Chiron project proposes to create a Horton Street Bypass (see enclosed map) which will extend Horton one block west yet still retain the connection of Stanford and Horton to Landregan.

When was the proposed Landregan-Horton connection created? Was it created by the City of Emeryville in their General Plan or is the Kaiser project the first to mention it? If the initial proposal occured with the City of Emeryville, why were we not notified of the proposal and why were we not given the opportunity to respond to the proposal? 90B

---

1) Since 1984,the Zentner Collection has been in Emeryville located at the warehouse at 5757 Landregan. In 1992 we purchased the warehouse. Since we have moved to this location we have grown to become the largest importers of Japanese antiques in the United States. We are well known all over the United States and have a large amount of traffic visit our showroom daily. Our sales 4 times a year bring about 2,000 people per sale. Our business has brought a lot of trade to Emeryville! 90C

2) A large number of parking spaces have already been removed when the Amtrak station was built. "No Parking" zones were established across from of our warehouse on Landregan and on both sides of Haruff. To widen the street and to remove any more of our parking would destroy our business and the other businesses located at our warehouse and destroy the value of our building.

3) In addition to our customers, we have large trucks deliver and pick up merchandise from our warehouse. They need to park next to the warehouse. In addition we have 40' containers that back up to our recessed loading dock. We do not want any development of the street to restrict this business that essential for our survival.

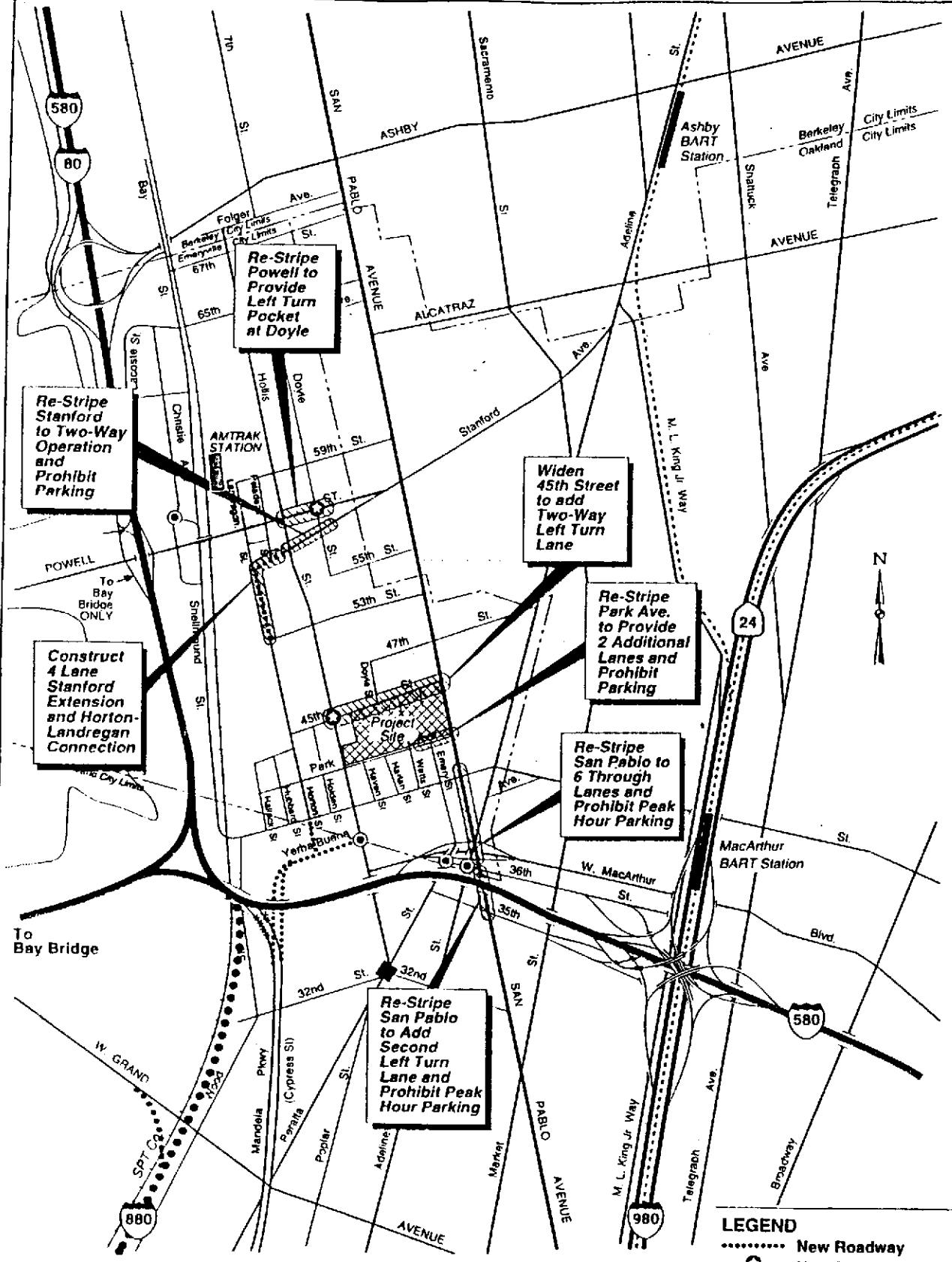
If the proposed Kaiser project does not impact or cause the creation of the proposed Landregan-Horton connection, then please let us know immediately the proper forum to express these views. 90D

Sincerely,
Robert Perry and Jenny Zentner
Owners, The Zentner Collection.

Robert R. Zentner & Jenny Zentner (LMT)

FROM LAIDER ENVIRONMENTAL IMPACT REPORT

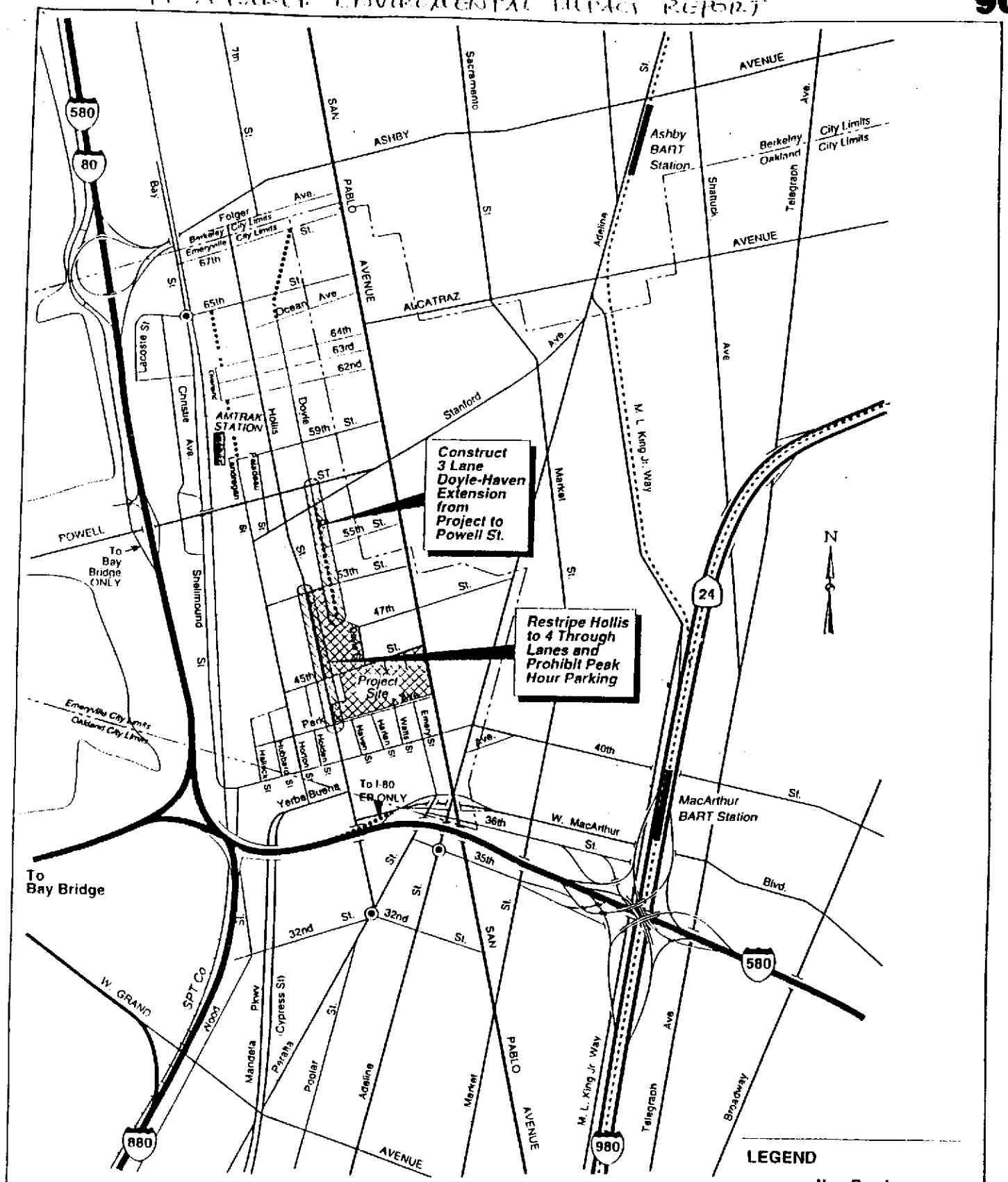
90



SOURCE: Korve Engineering, March 1994.

ROADWAY MITIGATION MEASURES - YEAR 2000 CONDITIONS

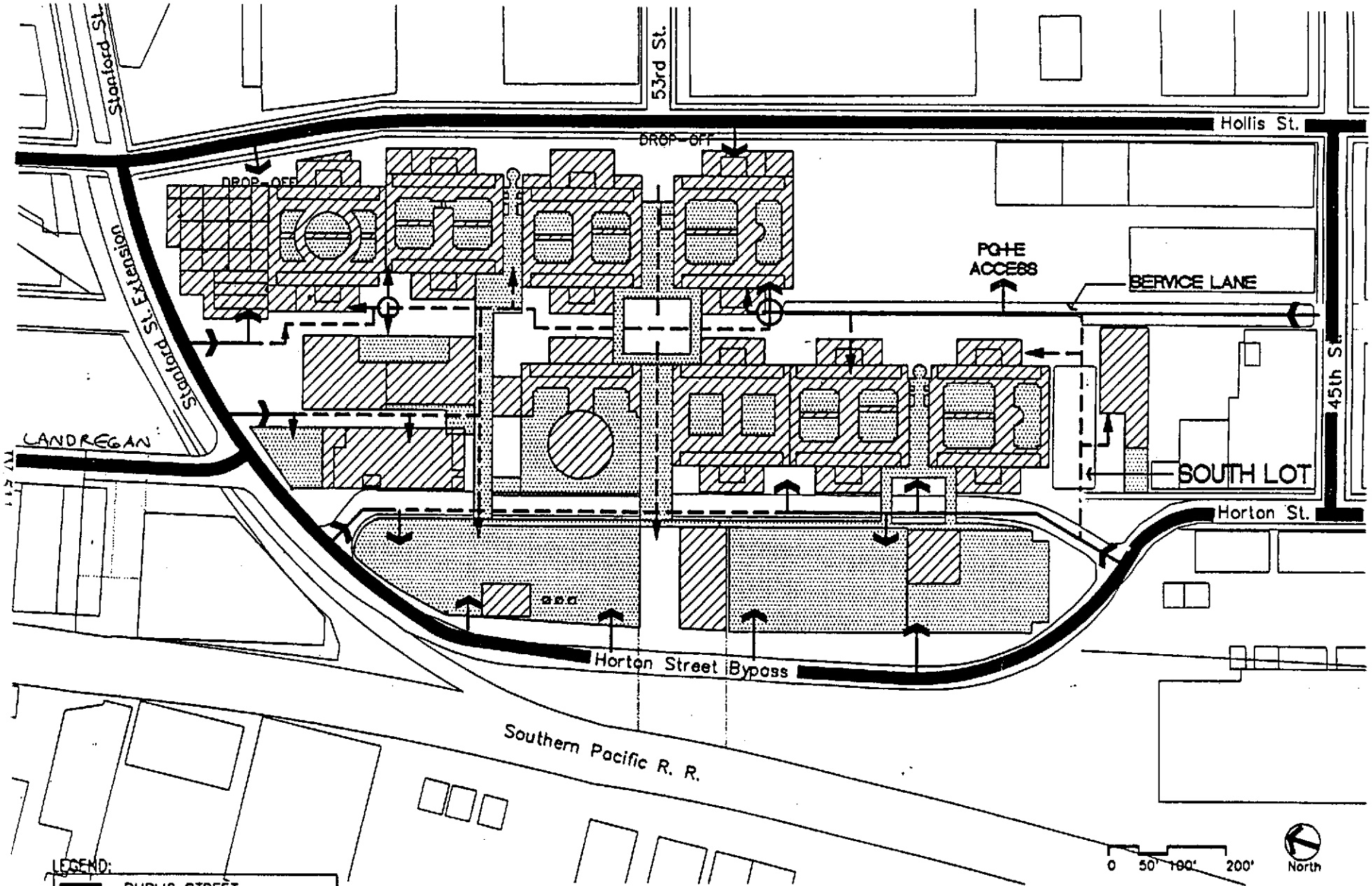
FIGURE 20



SOURCE: Korve Engineering, March 1994.

ROADWAY MITIGATION MEASURES - YEAR 2010 CONDITIONS

FIGURE 22



SITE VEHICULAR CIRCULATION, 2010 - PHASE 3

FROM CHIRON, JULY 1994

20 June 1994

06

90. RESPONSES TO COMMENTS FROM ROBERT PERRY AND JENNY ZENTNER, THE ZENTNER COLLECTION RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 90.A.: Please refer to response to Comment 43.A. Construction of the Horton-Landregan Connection as a mitigation measure (Cir-7.1) for the Kaiser Medical Center project is referenced on page 128 of the Draft EIR (Volume I). This mitigation measure would require right-of-way acquisition along the railroad corridor as well as approval for a crossing of the railroad spur from the Public Utilities Commission.

The Horton-Landregan Connection is described as Mitigation Cir-7 on page 128 of the Draft EIR. As noted, it is also shown on Figure 20, as revised in Section VI.

RESPONSE TO COMMENT 90.B.: The comment regarding the Horton Street bypass being proposed by the Chiron project is correct. The City of Emeryville General Plan, dated 1992, depicts the extension of Horton Street through to Landregan Street, under Powell Street and connecting to 62nd Street at the north (see Figure 2 of the Emeryville General Plan).

RESPONSE TO COMMENT 90.C.: The comment regarding concerns over the impact of widening Landregan Street establishing additional parking prohibitions on local businesses is noted. The Draft EIR does not include any mitigation measures that would involve widening Landregan Street or the establishment of parking provisions.

RESPONSE TO COMMENT 90.D.: The Horton-Landregan connection was established as part of the City's future circulation system as part of the City's General Plan which was the subject of numerous public hearings in 1992. The Horton-Landregan Connection is also identified as a mitigation measure for the Kaiser project.

CITY OF BERKELEY

91

City Planning Department
Martin Luther King, Jr. Civic Center Building
2180 Milvia Street - 2nd Floor
Berkeley, California 94704

(510) 644-6534 •(510) 644-6490 • TDD (510) 644-6915 • FAX (510) 644-8678

August 4, 1994

Gaye Quinn
Planning Director
City of Emeryville
Emeryville, Calif.

Subject: COMMENTS ON KAISER DRAFT EIR

Dear Ms. Quinn:

On June 14, 1994 the Berkeley City Council requested that Emeryville extend the comment period on the Draft EIR so that the City's Commissions and Boards would have a chance to review the Draft EIR and comment on it. We appreciate your cooperation in granting that request. Several Commissions and Boards did review the Draft EIR and sent comments to our City Council for their consideration. 91A

On July 26, 1994, the Council unanimously adopted recommendations on an appropriate response to the Draft EIR from the Planning Commission. Council has directed that we request that you respond to the following comments from the Council and Commissions in addition to the staff comments on the Draft EIR sent to you previously: 91B

•The Council of the City of Berkeley requests the City of Emeryville to prepare a revised Draft EIR for the Kaiser Permanente development proposal which includes an evaluation of the downtown Oakland site as an alternative and expansion of traffic analysis and mitigations, and which provide 45-day comment period on the revised Draft EIR and a Public Hearing on the project itself.

•The specific details of this comment are as follow: 91C

The Draft EIR should include the adequate consideration of:

1) All cumulative impacts upon Berkeley, Emeryville and the entire Bay Area region;

2) Impacts to the percentage of Kaiser staff and visitors who currently use cars and public transit; and 91D

3) Impacts to Kaiser's Richmond facility. 91E

4) A full evaluation of the Oakland site at 20th Street and Broadway as a viable alternative including re-evaluating the low-intensity design criteria that Kaiser Permanente is currently using with the goal of making the Oakland site viable; 91F

5) An expansion of the traffic analysis to identify all available techniques to fully mitigate any impacts. 91G

Gaye Quinn
August 4, 1994

July 26, 1994

The City Council has expressed their strong concern about the negative impacts this proposed project would have not only in Berkeley, but throughout the region. The Draft EIR has uncovered significant negative traffic impacts both on local streets and on our regional freeway system. We understand that the City of Oakland has proposed an alternative site for the medical center in the Downtown. This site is adjacent to BART as well as being well service by AC Transit bus lines. The superior transit access to this site offers a strong probability of mitigating many of the negative impacts of the current Emeryville proposal. Council was also concerned about the negative impacts the Emeryville site would have on housing and felt an alternative site might mitigate these impacts. 91H

I also want to take this opportunity to confirm the staff discussion we had with you on July 26, 1994. I have attached my record of our meeting. Most of the discussion consists of expansion or clarification of our comments on the Draft EIR submitted in June. Any duplication notwithstanding, all the statements of Berkeley's position and requests in the record of meeting are to be considered as comments on the Draft EIR, which require response under CEQA; nothing is to be construed as limiting or withdrawing any earlier comment. We also wish to emphasize that nothing is being waived by participating in discussions or by submitting the record of meeting. 91I

Thank you very much for your attention to all of the City of Berkeley's comments on the Draft EIR. We appreciate your willingness to work with us to make the Draft EIR a useful and accurate tool for the decision-making process.

Sincerely,

Gil Kelley
Planning Director

Attach.: Record of Joint Staff Meeting, July 26, 1994
cc: Weldon Rucker, Acting City Manager
Sherry Kelly, City Clerk
Oakland City Council
Oakland Planning Commission

RECORD OF MEETING--JULY 26, 1994

Staff-level Agreements re: Kaiser Emeryville Draft EIR

Record of meeting of July 26, 1994, 2-6 p.m, between City of Berkeley and City of Emeryville staffs regarding the Draft EIR for this project. This record of meeting is to be treated as additional comments by the City of Berkeley. Present: (Berkeley:) Kelley, Cowan, Sanderson, DeLeuw, Barton; (Emeryville:) Quinn, Hecht, Steinwert.

Overall:

1. Emeryville continues to reserve decision on whether or not recirculate EIR as a revised Draft EIR (or to next prepare response to comments as a Final EIR). The City of Berkeley continues to call for recirculation of revised draft EIR for the time being. 91J

2. Emeryville continues to reserve the decision on whether or not to include a new alternative for a transit-oriented site (e.g., downtown Oakland near BART). Berkeley continues to assert the necessity of including a transit-based alternative. 91K

3. Emeryville will address all City of Berkeley comments in EIR, including all previously submitted comments and the concerns articulated below. Nothing is being waived by participating in discussions or by submitting memo. 91L

4. The staffs will meet again between now and August 4 to continue to articulate these concerns.

Traffic Impacts:

1. EIR will examine and explain the TDM assumption for the proposed Kaiser project, for all trips and all uses, and will reconcile the text and tables. (Berkeley construes the current document to assume an across-the-board trip reduction of 15% for the mitigated alternative.) 91M

2. Berkeley will attempt to reconcile the development projections assumed in the EIR (ABAG '94) with the development projections in the recently adopted West Berkeley Plan & EIR and to confer with ABAG on any discrepancies. Emeryville will then consider using the higher number in the cumulative growth projections in the EIR. 91N

3. The EIR will account for the recent change in the proposed Chiron expansion project (700,000 square feet) to the extent that it results in a net change in the total development assumed in Table 2 of Volume 2 in the DEIR. (Emeryville will not yet include a rumored SyBase development at 750,000 square feet, as it is not yet a real application.) 91O

4. The EIR will explain the gap in projections between the regional CMA model and the EIR, which are stated in the DEIR to be up to 20%. 91P

5. Intersections. Emeryville staff will examine the street links associated with the following nine intersections not analyzed in the draft EIR. If the project (Kaiser) will add 2% or more to existing traffic levels to any of these links then those associated intersections will be analyzed in full detail in the EIR as to the impacts associated with the project and with the cumulative projections:

    7th/Dwight
    6th/University
    San Pablo/Dwight
    San Pablo/University
    Dwight/Sacramento
    Ashby/Sacramento
    Ashby/MLK
    Ashby/Shattuck
    Adeline/Alcatraz

    91Q

    Furthermore, the EIR will clarify what is meant by the intersection of MLK/Adeline.

Traffic Mitigations:

1. The EIR will remove the automatic conclusion of infeasibility of mitigation of Berkeley intersections where right-of-way acquisition may be required. Acceptable level of service for purpose of determining the feasibility of mitigations shall be LOS 'D'.

    91R

2. The EIR will examine the efficacy and general feasibility of the following mitigations for those intersections and links already determined to be affected in the DEIR:

    - San Pablo/Ashby - Widen Ashby for some distance immediately east of San Pablo to get an additional westbound lane on Ashby, modify signal as necessary; adjust signal timing.
    - 7th/Ashby - Add 1 northbound lane on 7th between Folger and Ashby; add 1 southbound lane on 7th between Anthony and Ashby;

    91S

    - 9th/Ashby -Add signal and make appropriate modifications to 9th Street between Ashby and Anthony
    - 7th/Heinz - Add signal.

- 7th/Anthony - Add signal.

3. Berkeley will provide a conceptual diagram and known funding sources for these improvements. 91S

4. Mitigations for other intersections to be studied will be included. 91T

5. Provide or fund enhancement of existing shuttle service in West Berkeley in order to create more capacity at peak hours in West Berkeley, in addition to the improvements made to intersections. Berkeley will furnish documentation on the existing employers shuttle including the schedule for employer support (per rider fee). 91U

6. Increase frequency of Emeryville shuttle to get closer headways throughout the day between the Kaiser project and BART. 91V

7. Extend AC Transit bus route into the site to enhance the probabilities of bus ridership and fund additional route miles necessitated by this change. Redesign site plan as necessary to accommodate this. 91W

Housing Impacts

1. The EIR will quantify the impacts on Berkeley's supply of affordable housing. Berkeley will furnish its housing and childcare mitigation ordinances and supporting documentation, and will further provide a preliminary calculation of what would be required of the project under these ordinances were it to be located in Berkeley, as a starting point for Emeryville's assessment of impacts. 91X

2. Two additional comments, as requested at meeting: The DEIR states that the rezoning/redesignation of the Kaiser site from residential to employment-generating uses will not prevent the City of Emeryville from meeting its ABAG housing needs projections. It is our understanding, however, that these projections assumed that this area would be devoted to housing rather than employment generation. Is this the case? If not, how would the employment generated at this site under the current proposal affect projected housing demand? Stated another way, is the employment that would be generated at this site by the Kaiser proposal consistent with the ABAG projections which form the basis of Emeryville's identified housing need? If not, please describe the demographic, traffic, land use, and other impacts of this inconsistency. 91Y

   Also, please identify specifically the alternative sites in Emeryville which can be used to absorb the existing and planned units that will be displaced by the Kaiser project.

Housing Mitigations

1. The EIR will examine the efficacy and feasibility of mitigating adverse impacts on Berkeley housing through either or both of the following:

   -Contribution to Berkeley's Housing Trust Fund

   -Loans/grants by Kaiser directly to housing providers for affordable housing projects in Berkeley

91Z

Training/Employment

Berkeley has proposed reducing traffic and housing impacts by optimizing the number of jobs in the new facility held by local (Emeryville, Berkeley, North and West Oakland) workers by requiring meaningful programs for education/training/and job placement for the youth and workers of these communities. Emeryville is reserving the decision about whether to include such considerations in the EIR, but expresses an interest including such provisions in the Development Agreement for the Kaiser project. Berkeley will provide documents related to the implementation of the Miles Development Agreement on these topics including the Bio-Tech Academy which was conceived of as expandable to Kaiser and other public and private entities in the medical and health care industry. Berkeley will also provide other documents and suggestions on local hiring programs. Berkeley continues to assert that these are legitimate mitigations for traffic and housing impacts.

91A2

7/29/94

City of Berkeley

Housing Advisory Commission
Martin Luther King Jr. Civic Center Building
2180 Milvia Street, 2nd Floor
Berkeley, California 94704

(510) 644 6002 • Fax (510) 644 8678

FOR COUNCIL INFORMATION
July 26, 1994

To: Honorable Mayor and
Members of the City Council

From: Housing Advisory Commission

Subject: EMERYVILLE EIR HOUSING SECTION

Background

On June 21, 1994 the Housing Advisory Commission discussed the housing portion of the Environmental Impact Report (EIR) for Kaiser Hospital in Emeryville. Of particular concern to the Commission is the section on Housing/Jobs Balance and the proposed mitigation measures. The proposed site, if used for the hospital facility, will be removed as a site available for the development of housing. The EIR claims that the City of Emeryville has experienced difficulty developing housing. Other bay area cities experience the same difficulty but have devoted considerable resources to develop affordable housing and community services.

Status

At its meeting of July 7, 1994 the Housing Advisory Commission took the following action.

M/S/C Lewis/Sanford.

That the Housing Advisory Commission:

Support the City of Berkeley's comments on the Emeryville EIR as well as efforts to join with other northern Alameda County cities to urge Emeryville to develop a concrete plan for housing that would include identification of adequate sites and provision of available resources for the development of

EMERYVILLE EIR HOUSING SECTION

FOR COUNCIL INFORMATION
July 26, 1994

affordable housing and supportive social services for low and moderate income families who work in Emeryville.

Yes: Jordan, Lewis, Sanford, Timmons, Weinryb; No: Edlin. Abstain: Fong; Absent: Barnes, Read.

Discussion

City staff concurs with this recommendation. The City of Emeryville has been successful in developing jobs, but has not paid as much attention to the development of housing affordable to the people who work there. The surrounding cities (Oakland and Berkeley) have provided these resources.

Approved by:

Calvin Fong

Calvin Fong, Chairperson
Housing Advisory Commission

Ref: G:\CD-PPMB\Housadv\cc

PK 1 HC 1 Peggy 1

CITY OF BERKELEY
CONSENT CALENDAR INFORMATION

Deadline for Council Action: July 26, 1994

Council Meeting Date: July 26, 1994

From: PLANNING COMMISSION

IT IS RECOMMENDED THAT THE CITY COUNCIL: 1) REQUEST THE CITY OF EMERYVILLE PREPARE A REVISED DEIR FOR THE KAISER PERMANENTE DEVELOPMENT PROPOSAL WHICH INCLUDES: EVALUATION OF THE DOWNTOWN OAKLAND SITE AS AN ALTERNATIVE, EXPANSION OF TRAFFIC ANALYSIS AND MITIGATIONS, AND PROVIDE 45-DAY COMMENT PERIOD ON THE REVISED DEIR AND A PUBLIC HEARING ON PROJECT ITSELF. 2) FORWARD ALL PLANNING COMMISSION COMMENTS TO THE CITY OF OAKLAND AND KAISER PERMANENTE.

1. COMMENTS, CITY ATTORNEY:

2. BACKGROUND AND NEED FOR AUTHORITY BOARD ACTION:

At its June 22, 1994 meeting, the Planning Commission conducted a public hearing on the City of Emeryville's Kaiser Permanente Development Proposal and Draft Environmental Impact Report (DEIR). The Planning Commission's intent was to gather as much information and public comment as possible regarding the project itself and the environmental review process for inclusion as additional comments to the City of Emeryville before the deadline, which was extended to August 4th.

The Commission heard six speakers including former Governor Jerry Brown, Kip Edwards (Kaiser Permanente), Larry Orman (Greenbelt Alliance), a former Emeryville Planning Commissioner, and representatives from the Sierra Club and League of Women Voters. All six speakers, except for the Kaiser representative, spoke in opposition to the proposed site, primarily due to the regional impacts and traffic impacts from the development.

The major issues of concern discussed by the Commission included the DEIR's lack of a realistic alternative to the proposed site with fewer impacts and better access, such as the site in Downtown Oakland at 20th Street and Broadway. Second, the Commission questioned the adequacy of the traffic analysis. In particular, the Commission was concerned whether the traffic impacts to all affected intersections in Berkeley and all feasible mitigation techniques were studied in the DEIR. Third, the need for an additional review period and public comment opportunities were cited as another major concern.

07/22 '94 09:19

Other concerns that the Commission requests the City Council forward to the City of Emeryville include the adequate consideration of:

1) All cumulative impacts upon Berkeley, Emeryville and the entire Bay Area region;
2) Impacts to the percentage of Kaiser Staff and visitors who currently use cars and public transit; and
3) Impacts to Kaiser's Richmond facility.

It was moved to recommend to the City Council that the City of Emeryville include the following in the Kaiser Permanente proposal's revised Draft EIR:

1) Fully evaluate the Oakland site at 20th Street and Broadway as a viable alternative including reevaluating the low-intensity design criteria that Kaiser Permanente is currently using with the goal of making the Oakland site viable;
2) Expand the traffic analysis to identify all available techniques to fully mitigate any impacts; and
3) Request that the City of Emeryville allow for a 45-day comment period on the revised Draft EIR and that Emeryville hold a public hearing on the project itself after the release of the revised Draft EIR (Travis/Fred).

It was also moved that:

4) All commissioners' comments that are relevant to EIR issues be included, and
5) All comments made tonight be forwarded to the Oakland City Council, Oakland Planning Commission, and Kaiser Permanente.

Ayes: Anderson, Fred, Latimer, Peterson, Resnet, Travis, Wengraf. Noes: None. Abstain: Horowitz. (7-0-1). Note: Chairman Horowitz recused himself from the discussion and vote.

3. FINANCIAL IMPLICATIONS (include any dollar amount, in-kind services, multi-year commitment) AND SOURCE OF FUNDS (for both cash and in-kind services; indicate if amount is currently budgeted and requirement for budget code). IF SUBMITTAL, AUTHORIZATION OR EXECUTION OF GRANTS IS INVOLVED (includes new grants or modification) AN FN006 (budget modification form) SHOULD BE SUBMITTED WITH ITEM. ITEM WILL NOT BE PROCESSED UNLESS FN006 IS INCLUDED.

NONE.

4. COUNCIL POLICY AND LEGISLATIVE HISTORY, IF ANY:

On June 14, 1994, the City Council sent a letter to Kaiser Permanente urging consideration of an alternative site with less impact on Berkeley and with close proximity to public transit.

5. COMMUNITY GROUPS AFFECTED:

ALL.

6. NAME, TITLE AND TELEPHONE NUMBER OF PERSON(S), DEPARTMENT(S), BOARD(S), COMMISSION(S), COMMITTEE(S) TO CONTACT FOR ADDITIONAL INFORMATION:

Gil Kelley, Planning Director, 644-6534.
Susan Wengraf, Planning Commission Vice-Chair, 644-6399

91. RESPONSES TO COMMENTS FROM GIL KELLEY, CITY OF BERKELEY RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 91.A.: The commenter's remarks are noted.

RESPONSE TO COMMENT 91.B.: The Draft EIR evaluates the project's physical effects on the environment. Please refer to the response to Comment 34.A.

RESPONSE TO COMMENT 91.C.: Please refer to Master Response H2. regarding the discussion of cumulative impacts contained in the Draft EIR.

RESPONSE TO COMMENT 91.D.: Please refer to Master Response D6. regarding transit assumptions and impacts.

RESPONSE TO COMMENT 91.E.: Kaiser does not anticipate that the proposed Emeryville medical center would affect the Richmond facility.

RESPONSE TO COMMENT 91.F.: Please refer to Master Response G1. for a discussion of the Fox Theater site.

RESPONSE TO COMMENT 91.G.: Please refer to Master Response D2. for a discussion of the study area coverage and Berkeley intersections.

RESPONSE TO COMMENT 91.H.: Please refer to Master Response G1. for a discussion of the Fox Theater site.

RESPONSE TO COMMENT 91.I.: The City of Emeryville concurs that a staff meeting occurred on July 26, 1994, but does not concur with the City of Berkeley's record of the staff meeting. Please refer to the attached letter from Gaye Quinn, Planning Director to Mr. Gil Kelley, Planning Director dated August 4, 1994 which is attached to the responses to Comment Letter 52. to this Responses to Comments document. This letter reiterates the City of Emeryville's position regarding the meeting with City of Berkeley staff.

RESPONSE TO COMMENT 91.J.: The City of Emeryville believes the EIR is adequate in conformance with CEQA. The City of Emeryville City Council will ultimately decide whether or not to certify the Draft EIR as complete and in conformance with CEQA.

RESPONSE TO COMMENT 91.K.: Please refer to Master Response G1. regarding the Fox Theater site.

RESPONSE TO COMMENT 91.L.: Please refer to the responses contained in Comment Letter 52. which was submitted by the City of Berkeley during the first public review period.

Comment noted. Please refer to the letter attached to the responses to Comment Letter 52. in this Responses to Comments document.

RESPONSE TO COMMENT 91.M.: Please refer to Master Response D6. for a discussion of the transit assumptions used in the traffic analysis.

RESPONSE TO COMMENT 91.N.: Please note that the City of Berkeley has not provided any development projections to the City of Emeryville since July 26, 1994. Emeryville has

used very conservative growth assumptions that were developed through extensive coordination with ABAG as described in Master Response H2.

RESPONSE TO COMMENT 91.O.: The Draft EIR accounted for the potential change in the Chiron expansion project, as described on pages 338 to 342. Please refer to Master Response D5. for a discussion of the revised Chiron project description and the response to Comment 43.C.

RESPONSE TO COMMENT 91.P.: The Emeryville city-wide model and the CMP county-wide model are each designed for different purposes. The CMP county-wide model projects volumes on a regional level, while the city-wide model concentrates on a more local level. The two model networks are, therefore, different. In addition, land use data used in the two models differ. The city-wide model assumes a measurably higher level of employment in the City of Emeryville. As such, the baseline forecasts for the year 2010 scenario differ by 10 to 20 percent.

RESPONSE TO COMMENT 91.Q.: Please refer to Master Response D2. for a discussion of the study area coverage and Berkeley intersections.

RESPONSE TO COMMENT 91.R.: Please refer to Master Response D3. for a discussion of major intersection mitigation measures.

RESPONSE TO COMMENT 91.S.: Please refer to Master Response D3. for a discussion of major intersection mitigation measures.

RESPONSE TO COMMENT 91.T.: Mitigation measures are not required for other intersections because the project would not result in a significant traffic impact. Please refer to Master Response D2. for a discussion of the study area coverage and Berkeley intersections.

RESPONSE TO COMMENT 91.U.: The traffic analysis did not demonstrate a need to require Kaiser to fund shuttle service in Berkeley, in addition to other intersection improvements, as a result of the proposed project. The City of Emeryville cannot legally require Kaiser to fund improvements to benefit the City of Berkeley beyond the impacts which the project creates.

RESPONSE TO COMMENT 91.V.: The peak period headways for the Emeryville-BART shuttle are currently planned to be 15 minutes and 7.5 minutes at overlapping stops. The hours of operation would be 6:00 AM to 10:00 AM and 3:00 PM to 7:00 PM. Off-peak weekday service proposed for the Emeryville-BART Shuttle would be provided between approximately 11:30 AM to 2:00 PM, with 60-minute headways to BART and 30-minute headways along the office-retail segments of the run. Although these frequencies are proposed at this time, large developments contributing to the shuttle operations would have input for increased service frequencies.

RESPONSE TO COMMENT 91.W.: Figure 14 in the Draft EIR illustrates the bus stop locations within the vicinity of the project. As the figure indicates, there is an adequate number of bus stops located all along the project's perimeter. Generally transit operators do not deviate bus routes into specific project sites since this would cause impacts to transit travel times.

RESPONSE TO COMMENT 91.X.: Please refer to Master Responses C1. through C6. for a discussion of the project's impacts to housing. Also, please refer to the letter attached to the responses to Comment Letter 52. in this Response to Comments document.

RESPONSE TO COMMENT 91.Y.: Refer to the response to Comment 91.X. above. Also, specifically refer to Master Response C5. regarding the alternative locations for future housing in Emeryville.

RESPONSE TO COMMENT 91.Z.: The jobs/housing analysis did not demonstrate a need to require Kaiser to contribute to Berkeley's Housing Trust Fund or to provide loans to housing projects in Berkeley. The City of Emeryville cannot legally require Kaiser to fund improvements to benefit the City of Berkeley beyond the impacts which the project creates.

RESPONSE TO COMMENT 91.A.2: The provision of a jobs training program is not tied to a physical effect on the environment. Therefore, Emeryville cannot legally require Kaiser to fund such a program to benefit the City of Berkeley beyond the environmental impacts which the project creates.

SUE C. HESTOR
Attorney at Law
870 Market Street, Suite 1121
San Francisco, CA 94102
(415) 362-2778

August 4, 1994

Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street 12th fl
Emeryville CA 94608

RE: State Clearinghouse No. 93-082063 - Kaiser Permanente Medical Center Draft EIR

Dear Ms. Quinn:

Continuing my comments on the Draft EIR.

(84) General comment on amendment of General Plan and Redevelopment Plan. Because this project is inconsistent with the General Plan and with the Shellmound Redevelopment Plan, you propose to amend the General Plan and Shellmound Plan to make it consistent with the proposal. The EIR is thus an EIR for a major revision of the General Plan, in particular the Land Use Plan and Map, the Circulation Plan and Map and the Housing Element Plan and maps. This is <u>not</u> set out up front in the Description of the Project where it should be included so as to give notice to the public and to other agencies which received this EIR that they must pay attention to the EIR in that regard. There is no figure, there is no setting out the proposed changes in language, "before and after" maps showing the proposed amendments which are an integral part of this project and for which this EIR purports to be adequate. This must be included at the beginning of the plan, not buried piecemeal and inadequately in an Appendix. 92A

For example, the "before" and "after" maps and text must be, and are not, included. There must also be a delineation of how the proposed changes affect other parts of the plan and where inconsistencies must be resolved, e.g. the Housing Element.

(85) Page 46/47 - there is a general lack of discussion of how a jobs-housing imbalance affects the General Plan. Obliterating a housing opportunity site, with no specific proposal to provide an equivalent site identified and set out in the EIR, means that at the same time Emeryville is adding a substantial new block of employment it is reducing its ability to house that work force. The necessary conclusion will be additional traffic problems on the surrounding streets and on 92B

regional roads which will then bring people to and disperse them from this site. That traffic, along with resulting congestion and air quality problems, as well as the declining quality of life for those who live and work in that area, is the inevitable consequence of trying to fit a massive traffic generating project onto a site designated mostly for housing and other less intensive uses. 92B

(86) Pages 47/48 - what CEQA requires is that you set out every inconsistency between this project and both the General Plan and Zoning. Explicitly. Clearly. Not just how you want to tidy them up. 92C

(87) Page 47, second para - what is the General Plan intention underlying the extension of Doyle Street to Park Avenue? Is it not to relieve the burden on Hollis Street and San Pablo Avenue, which are the only two existing Emeryville Streets which go north-south east of the railroad tracks? The underlying rationale must be included in the EIR to understand impact of proposed change. 92D

(88) Page 47, third para - similarly for Housing Element designation of this site for housing. What is the intention of the Plan underlying that designation? What assumptions on the ability to produce infill housing on other locations were made in conjunction with that designation? How was designation of this site related to the ABAG allocation to Emeryville of its Fair Share Housing Requirement? 92E

(89) Page 47, third para - attempt to shift housing onto another site. Since this project involves amendment of the Housing Element of the General Plan, this is an EIR for an amendment of the General Plan. To comply with State General Plan Law, particularly those sections requiring adoption of a Housing Element, you must specify the sites now and analyze the impact of that shift in this EIR. The Del Monte site is a key parcel in keeping your Residence Element consistent with the rest of the General Plan. You can not simply take a major Fair Share housing site out of the Residence Element without substituting another site in Emeryville. You already assume a substantial amount of infill housing to meet your Fair Share per table 4 on page 76. 92F

(90) Page 47, last para - this project is subject to the federal Section 104 process because it involves federal funds and because of the Del Monte building. You cannot merely amend the plan to make the issue of demolition in violation of Federal guidelines go away. Discuss how federal guidelines 92G

apply to this facility and this project. "Could be interpreted to allow the removal of this building" is outrageously weak. This change is being proposed so that the building can be demolished. Revise this section. 92G

(91) Page 48 - This map purports to be the "General Plan Circulation Map" and claims as its "source" City of Emeryville. I cannot find this exact map in either the printed 1993 General Plan or in its Appendices. This is the document available to the general public. The map on page 36 of the 1993 Plan does not include any Doyle Street portion from 45th to 47th, nor does it include 45th Street from Doyle to to San Pablo. Please provide detailed and accurate "source" information for this map, and correct it. 92H

(92) Please also note that the Map in the General Plan discusses "local streets" without mapping them out. The policy of the General Plan is that "local streets ... should be designed to provide access to immediately adjacent areas. Their design should discourage through traffic." Both in the 1993 General Plan and in the sections of the 1987 General Plan attached to and included by reference in the 1993 version, no map shows "local streets" per se, except by inference that any street not otherwise designated must be such.

(93) Is the map at III-51 of the 1987 General Plan, a copy of which is not included in the 1993 General Plan sold to the public, the underlying map purporting to designate "local streets?" That map, which unfortunately continues the Emeryville habit of failing to have legible names on all streets shown, actually has a fairly comprehensive categorization of Emeryville streets. Is the EIR map a combination of this map, the 1993 map and some other map? You must adequately explain the <u>real source</u> for the map in the EIR (that means someone should be able to find exactly as it is set out, only making adjustments for shading or other mechanical means of distinguishing categories), because it is impossible to otherwise figure it out. Please review that map, provide adequate source information and verify that it is in all respects accurate. <u>It does not seem so.</u> 92I

(94) Page 49 - Mitigation LU-5 - see above (93) - this is an improper "mitigation." 92J

(95) Page 49, unlabeled conclusion - for reasons set out immediately above, changing Policy 5 to avoid the provisions of federal law by definition is a <u>significant impact</u>.

(96) Page 50, first and second para - building intensity is more than FAR. It is how a building is "seen." The garages planned for this site will not be transparent. Please provide specific information on what the "built FAR" is to human observers, i.e. the ratio of building mass to lot if all of the built garage space was counted in the FAR, for each separate zoned "building intensity" area of the entire project (use the subdivisions on Figure 10, page 31 for the sub-areas). Because over 1 million square feet of garage space is not counted in the FAR calculations, the proposed increase in FAR will have a much greater overall effect than that which is set out in the DEIR. Please perform "real space" calculations for each specific sub-area of the project site which has its own FAR limit, i.e. don't average the entire site. Again, the EIR provides no perspectives from pedestrian or human level, so it is impossible to visualize the consequences of the proposed change but they appear to be a substantial change from that contemplated in the General Plan assumptions on Building Intensity. Please also provide a rendering showing what structures complying with the zoning, the height limits and FAR limits would look like. 92K

(97) Page 50, third para - no information in renderings showing how this would be perceived from nearby properties and residences. Please provide.

(98) Page 50, LU-6 - a CEQA evaluation is not restricted to the quirks of local zoning codes. Even if Emeryville allows full lot coverage up to the height limit and still calls that a "0" FAR, you must evaluate the impacts a change in density limits and height limits will have in the real world. Given the absurd position that 1.1 million square feet will have no "bulk" or visual impact, a modification which adds more height and mass to non-parking structures has a more extreme result than that which is set out in the text. The only conclusion warranted is that this change (coupled with Kaiser's specific plans for this site) would have a significant increase in development intensity. Did the General Plan contemplate that San Pablo and Park Avenues would be lined with garages? That usage is generally considered hostile to an active pedestrian or human environment. 92L

(99) Page 50, Mitigation LU-6 - mitigation is required, specifically reducing the amount of parking to reduce bulk around the edges would be warranted.

(100) Page 51, first para - the discussion indicates that the FAR limit for the parcels along San Pablo and Park is 0.7 92M

and therefore parking garages have been placed on those sites "to reduce the perceived development intensity at those locations." Just because parking garages of whatever size may not "count" in Emeryville's FAR calculations does not change the perception of their size to human beings. This sentence sets out a cynical manipulation of the environmental and zoning processes. The absurd elimination of that space from the FAR calculations does not drive this down into "no impact." To the contrary, the extreme amount of parking space volume because of that manipulation makes any increase in non-parking development an exacerbation of an already terrible situation. The proposed amendment will have a significant land use impact. 92M

(101) Please set out the underlying General Plan rationale for the original determination when the General Plan was adopted to set some areas at 0.7 FAR and others at 1.0 or 1.3. Why is this distinction being overridden here? Go back to original approval documents if necessary. Eliminating that distinction and increasing the overall FAR to 1.4 undermines the distinction apparent in the original delineation of lower buffers around the perimeter of this site near residential property. 92N

(102) Page 52, third para - conclusion that no adverse visual impacts is unfounded. No renderings to show what 50' high garage would look like from this housing. The narrative states that they would be twice as high as existing structures. This is a substantial increase in height, especially from residential areas. The City had no power to make a previous determination that the project would not result in a significant land use impact in a draft EIR. That sentence must be eliminated. 92O

(103) Page 52, Impact LU-7 - evidence does not support this finding. Because of the manipulation around not counting parking garages, this substantial increase in FAR would have a significant impact on its neighbors, particularly residential areas. There are two different issues - what does the zoning permit, and what are the environmental consequences. It doesn't matter that the zoning code can be stretched, you must look on real world consequences in the EIR. 92P

(104) Page 53 - You must specify where this this project doesn't conform to existing zoning. It must be explicit. Why were these sites designated C-N, C-G, I-C, R-M, M-U in the first place? What type of development was hoped for and why? 92Q

Take the list of standards the Council must use to evaluate a PUD and apply to this project prior to any amendment of the General Plan and zoning. That is the CEQA standard for information. With regard to "originality" in design, there is not the slightest evidence in this EIR to find that this project meets that standard. This is also an EIR for the PUD. There is no information in the EIR delineating the variations to the zoning that are being requested in the PUD. Supply that information. 92Q

(105) Page 54, first para - How can there be "sufficient access" to the facilities if the streets are gridlocked, especially for a hospital with emergency facilities? 92R

(106) Page 54, second para - what is this item about relocating City offices? Is this part of the project? If not, why is it here? Delete it because legally irrelevant. 92S

(107) Page 54, last para - no cite to Shellmound Plan provision on hospitals. Please provide. 92T

(108) Page 55, LU-10 - there is a major shift in circulation in the General Plan and in Shellmound Plan. This involves abandoning the proposed extension of Doyle Street to Park Avenue and involves taking housing to accommodate the re-routing. This is a significant impact on the General Plan Circulation proposal and must be analyzed independently of the Kaiser project. 92U

(109) Appendix C - Did Recht-Hausrath assume that all of the space built on these lists would be occupied? If a portion vacant, what portion? Was any economic growth model used as a substitute for a straight out projection that space built equals space occupied when available? If any such, please explain in simple lay terms. 92V

(110) Appendix C, Table 1 - what already approved, but not yet occupied buildings, are in "1993 setting?" Where does the Catellus site (East Baybridge) fit into this table? What about the other projects which show up on table 2 as 14 through 18 and Table 3 as 1 through 8 and "all other new construction and demolition, 1993 to 1996)?" 92W

(111) Appendix C - Chiron has recently increased the size of its project by about 500,000 square feet. Please adjust the projections related to this project in this Appendix and in related main text references on both the size of the project and the impacts which flow from the size of that project. 92X

(112) Appendix C, Table 2 - please update status of each project (last column). 92Y

(113) Appendix C, Table 3 - please reevaluate how "real" each of these project is. Saint Albans' (#9) has been abandoned. Emeryville relieved Catellus of any obligation to construct housing on its side in exchange for the entitlement to add the massive retail complex on that site. Does Emeryville plan to take over this site and build the housing with its own money? Apparently Catellus wants to sell that land to Emeryville, which could then find another developer for the site. Given the softness of the financing market for that housing, if Catellus does not believe the project a "winner" for it, it is hard to imagine another developer finding that project at that difficult site a "winner" for it. We question whether this housing project will go forward. Is the housing component of the Catellus site already factored into the assumptions in this EIR? If yes, when is it assumed to be on line? 92Z

(114) Appendix C, Table 3 - please update status of each project (last column). Verify with City of Emeryville amount of "all other new construction and demolition" change for 1993 to 1996.

(115) Appendix C - lists for Oakland and Berkeley only include projects which are already approved. Are no other projects reasonable prior to the year 2000, or 2010 (the year for final build out impacts used in this EIR)? 92A2

(116) Appendix C, Table 4, fn (1) - since this EIR does not provide specific information on where and how replacement units will be constructed prior to demolition of these residences, it is unreasonable to assume that the residents will not move out of Emeryville. Also, the housing is largely live-work, and there is no evidence in the record that it meets the standards of Redevelopment law which requires replacement of housing affordable to low-income residents. There is no evidence that the residents meet that standard. 92B2

(117) Appendix C - how did you deal with projects that were not completely occupied in 1993 (and therefore would not have been caught in 1993 measurements and estimates) and which are not on any of the 3 city lists of projects, e.g. the federal building in downtown Oakland, and relocated state facilities? 92C2

(118) Appendix C, A-2 - the note that Bayfront must be added to employment projections is only part of that project. It 92D2

will also increase the demand for housing, particularly in or near Emeryville. 92D2

(119) Appendix C - from reading this appendix, we would conclude that the following amounts of cumulative growth are projected for Berkeley, Emeryville and Oakland. Is that correct?

	Berkeley	Emeryville		Oakland
		1996	2010	
Dwelling units	180	505	2,177	1,592
Single Room Occ	199 rms			
Resid Care Fac				78 rms
Hotels				300 rms
Offices				17 stories
Commercial sq ft	624,087	699,800	4,115,900	415,623

92E2

Other commenters on the DEIR indicate that the Emeryville estimate of commercial space is too low. This would indicate that the major growth which is driving congestion problems in the San Pablo corridor is related to approvals of Emeryville projects. Please respond.

(120) Appendix C, Table A-1 - with the abandonment of the Del Monte site (#12), the Saint Albans' site (#9), the East Baybridge site (#10) for housing, per Table 3 there will be a loss of around 1,100 housing units for Table A-1 calculations. If that occurs the percentage increase in new Emeryville households from 1993 to 2000 would appear to go down to around by about 1/2, and the increase from 1993 would also appear to go down about 1/2. This would result in only a 18% increase in housing supply (vs. 42% projected) for 1993 - 2000 and only a 33% increase in housing supply (vs. 66% projected) for 1993 - 2010. This is contrasted to the projected employment increase of 42% to the year 2000 and an increase of 68% to 2010. This will dramatically worsen the jobs-housing balance in Emeryville and cause increased traffic and congestion. 92F2

(121) Appendix C - Table 1 (Berkeley projects) and Table 2 (Oakland projects) appear to include a lot of projects that will have impacts rather far away from this site. It would seem logical that projects in East Oakland will only have a peripheral effect on this project. Please asterisk or 92G2

otherwise indicate which projects are within a 1 or 2 mile radius (e.g. expected to have localized traffic impacts). 92G2

(122) Appendix C, page after Table 2 - indicates Redevelopment parcel in downtown Oakland. That project has been abandoned, but is now being offered as an alternative location for this Kaiser project.

(123) Page 56 - none of this analysis appears to be based on an actual survey of the Kaiser facility which is to be relocated. Assumptions based on other general models are not appropriate when there is a definite data base that could be readily surveyed. Kaiser must have zip-code information on its employees by facility, if not more fine tuned information. Please provide that information so it is possible to see where they live at this point. It should also be the basis for transportation analysis. 92H2

(124) Page 57, paragraph 2 - what are the factors that account for the estimate of an increase in employed residents in Emeryville of 600 employees in a 2 year period? Given the small number of residents, this appears to be quite high. This project would also, if approve, result in an quick dislocation of residents and jobs from the project site, with a longer period for occupancy. 92I2

(125) Page 58, second para - See above comments (113) and (120). Projected increases in Emeryville housing units are undermined by deletion of Del Monte site for this project, abandonment of St. Albans and Catellus being allowed to not construct housing on its site. Housing on those sites now seems much less likely. Therefore, assumptions on the increase in housing supply and population growth are too high. 92J2

(126) Page 58, 4th para - please do a survey of the actual use and occupancy of the residences on this block. It is unreasonable to just use regular formulas when you have a small number of residences and the residences are themselves unusual, i.e. live-work. In this section certain assumptions are also made that these units are all low or moderate income housing and therefore under certain requirements. Is this actually true based on a survey? 92K2

(127) Page 59, second para - you are using ABAG formulas, but it is evident that Emeryville plans on outstripping those projections in its consideration of both Chiron and this project. Please set out how those projects affect the ABAG 92L2

92L2

assumptions.

(128) Page 59, third para - please explain maximum distances between north and south Alameda county. It appears to be unreasonable to assert that job growth can happen in north county because so much more housing will be constructed in the south county. Please explain commute patterns, transportation modes, and the incremental congestion that happens when people commute, for instance, 25 miles each way vs. 2 or 3 miles. If a "Congestion Management Agency" is encouraging long commutes just because they are in the same county, they need to do a reality check on what exactly they are doing. Longer trips, especially by auto, mean more congestion, in fact unnecessary congestion if the roads people are coming in to use are already at or exceeding capacity. 92M2

(129) In the assumptions of problems created by projected growth in this EIR, there appears to be no differentiation between projects already approved (and for which impacts will necessarily occur), those which will be constructed outside Emeryville which are projected to have a "flow through" effect on Emeryville, and those over which Emeryville has control, including this project. To the extent possible projects over which this decision-maker, i.e. Emeryville, has control should be give heightened scrutiny in this EIR, because only Emeryville has the ability to AVOID, by denial, approving projects in Emeryville that will create unmitigatable impacts. This is particularly important in the transportation analysis. CEQA mandates that unmitigatable impacts be avoided if at all possible. If approval of this project plus Chiron plus others currently proposed push cumulative impact levels into unmitigatable states, possibly only approving one (or two) of those projects could avoid some of those adverse impacts. The information in this EIR provides no information that would allow an informed decision. If Chiron alone is approved, and Kaiser and other Emeryville commercial projects are not, would the intersections set out in the EIR still be at level "F"? What if only Chiron is approved and not Kaiser? What if Kaiser, but not Chiron or other additional projects? If a decision has to be made between Chiron and Kaiser on the basis of which causes the fewer unmitigatable impacts, which of those projects has the fewest adverse transportation impacts? 92N2

(130) Pages 87, 101, 103 - these figures have inappropriately put the "project site" legend right in the middle of the site in such a manner that it is impossible to "read" the street system underneath the label. Don't obliterate part of the information on these renderings. 92O2

Please label the "project site" somewhere else on the page where it doesn't obliterate information. Please redo these and similar pages so that the reader can understand the existing street pattern on this site. 92O2

(131) It is difficult to determine the source information for the statements made in this EIR. The source references via footnotes are sparse and the "References" at pp. 348-351 sparse. For example on page 57 at footnote 11 a document from Sedway is referenced, but that document is not listed on pages 348-351. Similarly on page 67, footnote 23 references a Recht Hausrath document which is not set out on page 351. The notice on the DEIR did not include the statutorily required statement that referenced documents were available and their location. Additionally, it is unreasonable that they were not explicitly made available in Emeryville instead of, upon inquiry and a three weeks later, being informed that they could be examined in San Jose. This clearly violates the spirit as well as the letter of CEQA. 92P2

(132) Page 63, Mitigation EH-1 - It is not a mitigation measure under CEQA to have to comply with the law. Please remove. 92Q2

Additional comments are being submitted in another letter.

Sincerely,

Sue C. Hestor

Attorney for
Bay Area Coalition on Kaiser (BACK)
San Our Emeryville Neighborhood (SON)
San Franciscans for Reasonable Growth (SFRG)

92. RESPONSES TO COMMENTS FROM SUE HESTOR, ATTORNEY FOR GROUPS BACK, SON & SFRG RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 92.A.: The commenter's remarks are noted. In addition, it is acknowledged that the commenter submitted the February, 1994 Kaiser Permanente Downtown Oakland Health Zone report with the comments on the Draft EIR. This 11x17-sized report contains the City of Oakland Office of Economic Development and Employment's proposal to Kaiser for the development of a medical center on the Fox Theater site. Due to the size of this attachment, it has been placed on file with the City of Emeryville Planning Department and is available for review upon request. Please refer to the response to Comment 34.B.

RESPONSE TO COMMENT 92.B.: Please refer to Master Responses C1. through C5. which address the jobs/housing balance and effects on the project's consistency with the General Plan.

RESPONSE TO COMMENT 92.C.: Please refer to the response to Comment 34.B.

RESPONSE TO COMMENT 92.D.: The Doyle Street Extension is shown on the Circulation Plan of the City as a "collector" street. The guiding policy for collector streets is "local streets designated in the Circulation Plan should be designed to provide access to immediately adjacent areas. Their design should discourage through traffic." (policy 6)

RESPONSE TO COMMENT 92.E.: Please refer to Master Responses C2., C3., and C4. which address the jobs/housing balance and effects on the project's consistency with the General Plan. The intention of that designation is to provide for the development of Medium Density Residential uses. At the time a portion of the Phase I site was designated for housing uses, the Housing Element also identified infill housing opportunities throughout the City (refer to Table 10 of the Housing Element). Please refer to Master Response C1. regarding the Kaiser Housing Program and for a discussion of Emeryville's commitment to encouraging residential development by implementing the Housing Element policies.

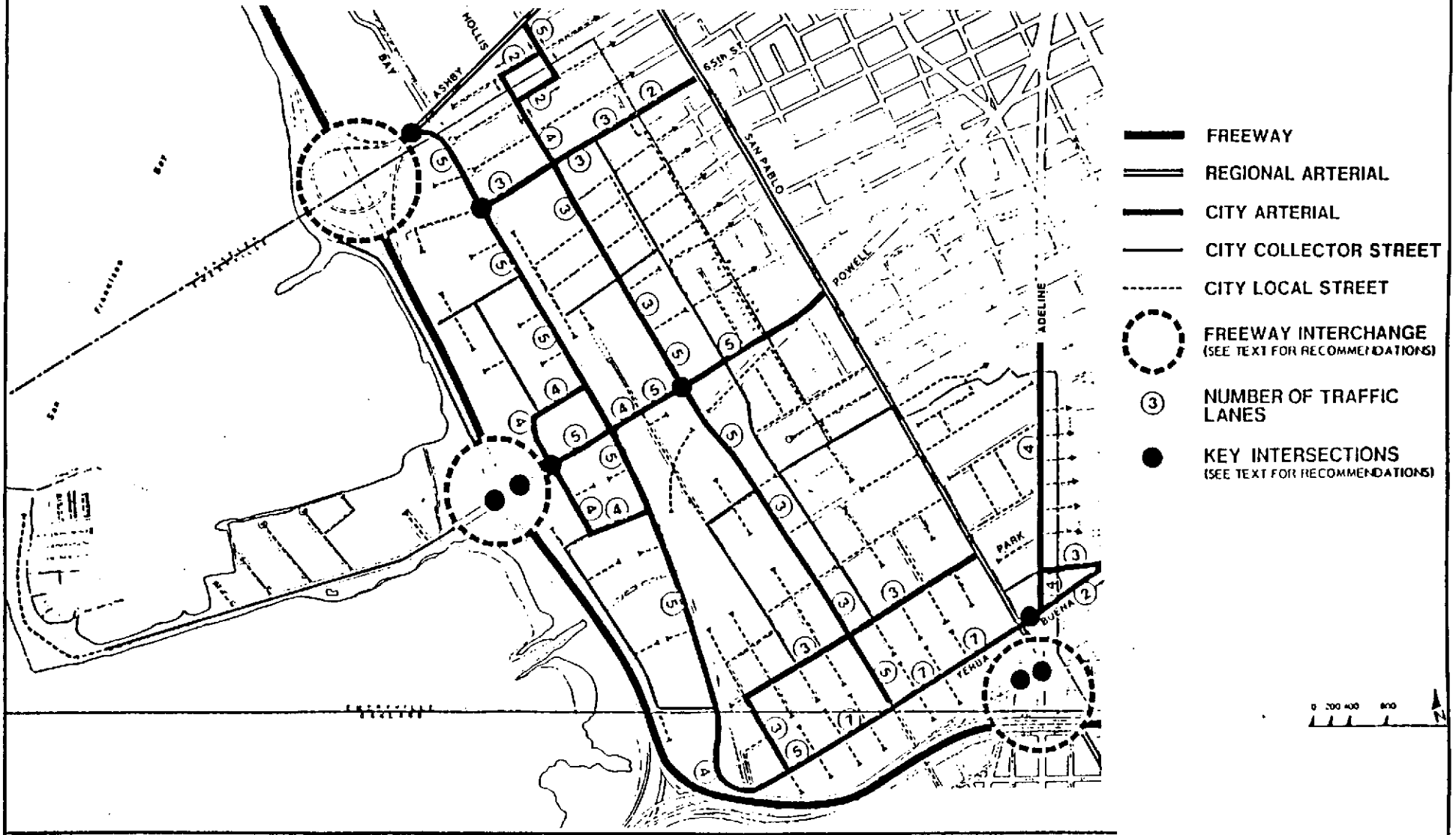
RESPONSE TO COMMENT 92.F.: Please refer to Master Response C4. regarding impacts to fair share housing, and Master Response C5. which pertains to the alternative housing sites.

RESPONSE TO COMMENT 92.G.: Please refer to the response to Comment 63.L.

RESPONSE TO COMMENT 92.H.: The map on page 48 is based on the "General Plan Circulation Map" which is contained in the 1993 General Plan as Figure 2. The EIR consultant used an enlarged version of the base map which is used throughout the EIR in order to be consistent with the other maps in the EIR, and then transferred the information from the City's Circulation Element map to the EIR map. CEQA allows information to be transferred from the original source to maps that are used in an EIR.

RESPONSE TO COMMENT 92.I.: Please refer to the response to Comment 92.H.

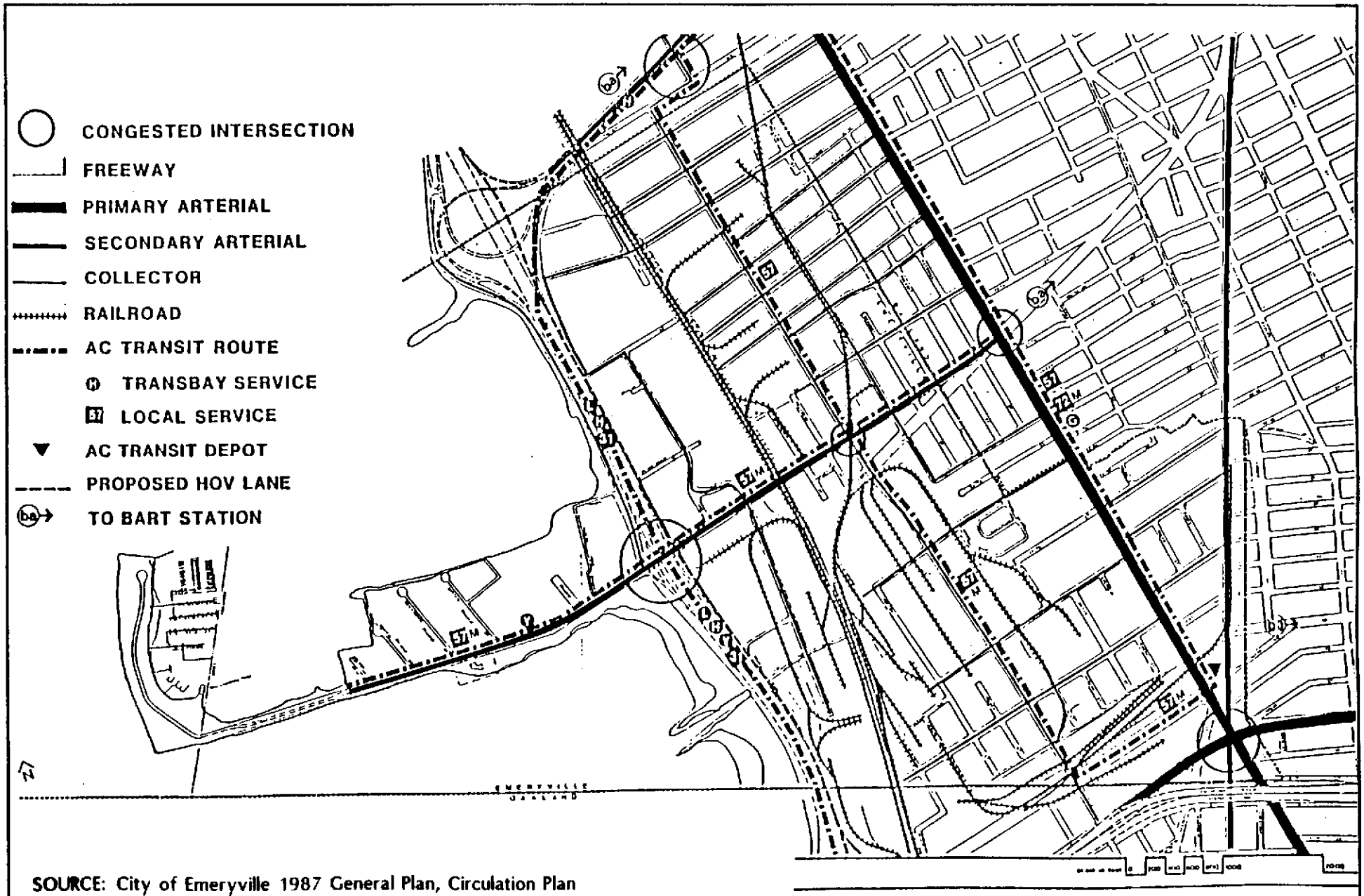
RESPONSE TO COMMENT 92.J.: It is not clear how the mitigation measure stated on page 49 is improper. Restricting the language of the proposed General Plan amendment to only apply to the project site and not other properties avoids impacts to those other properties. With respect to the page 49 - "unlabeled conclusion", we assume that the commenter is referring to the involvement of federal agencies through the Section 404 process which would ultimately trigger Section 106 review. Please refer to the response to Comment 63.L. which addresses this issue.



SOURCE: City of Emeryville 1987 General Plan, Circulation Plan

CIRCULATION PLAN: ROADWAYS

FIGURE FOR RESPONSE TO COMMENTS



SOURCE: City of Emeryville 1987 General Plan, Circulation Plan

EXISTING CIRCULATION SYSTEM

FIGURE FOR RESPONSE TO COMMENTS

RESPONSE TO COMMENT 92.K.: The comment asks for additional FAR calculations by sub-areas. Since the project applicant has requested a Planned Unit Development, the City of Emeryville policy has been to calculate an overall FAR for the site. The FAR calculations in the Draft EIR are based on the City of Emeryville Zoning Ordinance definition of floor area (Section 9-4.3.10(f), p. 9-4.3.8.). The General Plan Building Intensity map (Figure 7, p. 41) is also based on this definition of floor area. Therefore, comparison of the proposed project's floor area to the floor area ratios is appropriate.

For the Kaiser Permanente Medical Center project, the City adopted specific Design Guidelines for the project which provide specific guidelines related to scale and appears of the project from street edges. The guidelines require the use of neighborhood-commercial, pedestrian-oriented "liner" buildings around parking garages to reduce the perceived scale of the garages as suggested in the comment. Please refer to the street perspectives attached in Section VI of this document.

RESPONSE TO COMMENT 92.L.: The comment represents personal opinion regarding the visual impacts of the project. The project does not propose to line San Pablo Avenue with parking garages. "Liner" buildings, as discussed on page 12 of the Draft EIR (Volume I) would line the San Pablo Avenue frontage. The "liner" buildings would include pedestrian-oriented uses as required by the project Design Guidelines.

RESPONSE TO COMMENT 92.M.: "Liner" buildings would be constructed around parking garages to reduce their scale and to provide pedestrian oriented uses at street level. This is discussed in detail on pages 284-291 of the Draft EIR (Volume I).

RESPONSE TO COMMENT 92.N.: Please refer to response to Comment 92.M.

RESPONSE TO COMMENT 92.O.: Please refer to Master Response F2. and the additional perspectives of the project site that are included in Section VI of this Responses to Comments document. Please refer to pages 285 to 291 for a discussion of the visual impacts to the surrounding neighborhoods.

RESPONSE TO COMMENT 92.P.: Please see response to Comment 92.O.

RESPONSE TO COMMENT 92.Q.: The Draft EIR states up front in the project description that the project is proposing rezoning from the existing zoning designation to PUD/Commercial zoning. The Draft EIR also describes the existing zoning designations on pages 27 and 28, which define the types of development that could occur under the existing designations. It is irrelevant to apply the PUD findings to the project without the General Plan amendment and zoning change, because the PUD findings don't apply to the existing zoning designations.

RESPONSE TO COMMENT 92.R.: Please refer to Section II, C. of the Draft EIR for a discussion of the traffic impacts and mitigation measures.

RESPONSE TO COMMENT 92.S.: This item is included because this type of use could be incorporated into the medical center.

RESPONSE TO COMMENT 92.T.: The reference to hospitals is noted on page 2-5.5 of the Shellmound Park Redevelopment Plan, under Section 500.26, Property Devoted to Public Purposes and the Nature of Such Public Purpose, in item 3, Other Semi-public, Institutional and Nonprofit Uses.

RESPONSE TO COMMENT 92.U.: The street closures references on page 55 of the Draft EIR would occur only in response to the Kaiser Permanente Medical Center and are therefore evaluated in the Draft EIR. None of these street closures would cause a major shift in circulation since they are minor streets. Those changes are being proposed by Kaiser and were evaluated as part of the project. These road closures result in a significant impact because of the Kaiser project.

RESPONSE TO COMMENT 92.V.: Forecast-Based Approach

An economic growth model was used for the cumulative growth scenario. The scenario was not based on a list of anticipated development projects assumed to be occupied when completed. The methodology used to develop the scenario is explained in Appendix C of the Draft EIR in a memorandum with attachment from Bob Spencer and Linda Hausrath of Recht Hausrath & Associates dated February 1, 1994. Key components of that methodology are re-stated and expanded upon below in response to this comment.

The cumulative growth scenario was developed using a forecast-based approach, i.e., an approach based on regional forecasts of economic activity and demographic trends. The forecast used for the scenario was based on projections of population and employment for Emeryville and Alameda County developed by the Association of Bay Area Governments (ABAG).[14] As stated in Appendix C, these projections were used because "they are the best available projections at the city level, in part because they are derived from regional economic factors and trends" and because "they are approved for use in transportation analysis by the Alameda County Congestion Management Agency."[15] As stated in ABAG's *Projections '92*, these projections represent "the expected or most likely growth scenario for the Bay Area."[16]

Approach Considers List of Future Projects in Emeryville

The cumulative growth scenario, though based on the ABAG projections, did consider specific anticipated future development projects in Emeryville (the list of cumulative projects). This list was provided by the City and included projects that were expected to be constructed by the year 2010 based on approved, pending, and potential development applications. To consider the growth that could be accommodated by these projects within the context of the ABAG projections, each project's dwelling units or building space was converted into the amount of population or employment growth that could be accommodated based on:

- Assumed vacancy rates of six percent for residential projects and ten percent for commercial and industrial projects, if the project was not owner-occupied; and
- Assumed residential densities of between 1.6 and 2.5 persons per occupied dwelling unit, depending on the type of unit (i.e., multi-family, live/work, or single family); or
- Assumed commercial and industrial densities of 300 square feet per employee for occupied office space, 800 square feet per employee for occupied industrial space, and 1,000 square feet per employee for occupied warehouse space.

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[14] *Projections '92*, Association of Bay Area Governments, July 1992, pp 98-121, and *Projections '92 Recession Update*, Association of Bay Area Governments, December 1992, pp 19-28.

[15] Appendix C, pp A-1 to A-2.

[16] ABAG, July 1992, p 11.

The population and employment growth represented by the list of cumulative projects was evaluated based on the ABAG projections for two reasons. First, the cumulative growth scenario had to allocate the ABAG projection of citywide growth to 40 traffic analysis zones (TAZ) for the transportation and circulation analysis. The list of cumulative development projects provided guidance for the location by TAZ of projected citywide growth.

Second, the cumulative growth scenario had to consider whether the amount and type of economic activity represented by projects on the cumulative list "fit" into the ABAG projections for Emeryville. In other words, "supply" represented by the cumulative projects list had to be balanced with "demand" represented by the ABAG projections. This comparison and discussions with ABAG indicated that the ABAG projections for Emeryville did not anticipate that the demand for the type of economic activity represented by two projects on the list, the Kaiser hospital and medical center project and the Bayfront regional retail project, would be met in Emeryville.[17] Essentially, the ABAG projections assume that much of the demand for these projects, demand generated by regional economic activity and demographic trends, would be allocated to other communities in Alameda County besides Emeryville.

The transportation and circulation analysis was not only based on the cumulative scenario for Emeryville, but also on the ABAG projections for the rest of Alameda County and the Bay Area region. Thus, for this analysis, the demand over and above the ABAG projections for employment growth in Emeryville represented by the Kaiser and Bayfront projects was reallocated to Emeryville from other communities in Alameda County. As a result, the cumulative growth scenario for employment in Emeryville is higher than the ABAG projections, projections for other communities are lower, and the countywide ABAG projections are unchanged.

Also for the transportation and circulation analysis, the cumulative growth scenario had to reallocate a portion of countywide residential demand. The Kaiser project would change the zoning on the Phase I portion of the project site from residential to commercial. The ABAG projections were based on this land remaining in a residential zone. Furthermore, the site is relatively large, and there is limited availability of land in the city for residential development. As a result, the cumulative growth scenario for population in Emeryville is lower than the ABAG projections, projections for other communities are higher, and the countywide ABAG projections are unchanged.

Approach Considers Other Changes In Population and Employment in Emeryville

The cumulative projects, excluding Kaiser and Bayfront, did not sum up to the ABAG projections for Emeryville. Thus, additional changes in population and employment had to be allocated by TAZ throughout the City to achieve the ABAG projections (again excluding the Kaiser and Bayfront projects). These additional changes in population and employment are summarized in Tables 2 and 3 of Appendix C as "All Other New Construction and Demolition".

The "All Other New Construction and Demolition" category is a catch-all for a range of additions and reductions to population and employment so as to achieve the ABAG projections. Additions include occupancy of newly constructed buildings, reduction in vacancies in existing buildings, and intensification of uses in existing buildings. Reductions include displacement of existing population and employment by projects on the cumulative list and movement of

[17] Raymond J. Brady, Research Director, Association of Bay Area Governments, meeting, September 8, 1993.

businesses out of town due to increasing land costs and other market factors. Thus, some of the changes included in this category would not be considered "projects".

Benefits of the Methodology

The benefit of this methodology is that projects on the cumulative list may be deleted or changed, and new projects may be added, without affecting the citywide cumulative growth scenario. Indeed, it is likely that some projects on the cumulative list will not be built and that others will take their place. The scenario remains controlled to the ABAG projections of countywide population and employment.

To contrast with an alternative approach, simply adding up potential projects ("supply") without considering forecasts of regional economic activity ("demand") would be committing the same folly that many developers committed during the 1980's by overbuilding commercial space. By the end of that decade, commercial vacancy rates were high and buildings were unoccupied. This unoccupied space did not represent additional economic growth at the time. Nor would adding projects to the cumulative list necessarily represent additional economic growth in the future for Emeryville. It is economic growth and the growth of employment, not the development of buildings per se, that has implications for transportation and circulation and other cumulative impacts.

To summarize, the list of cumulative projects had no effect on the cumulative growth scenario except for the two considerations explained above, (1) allocation of citywide growth by TAZ, and (2) addition of demand for economic activity not included in the ABAG projections for Emeryville as represented by the Kaiser and Bayfront projects.

With regard to whether "all of the space built on these lists would be occupied", as explained above, after deducting for assumed vacancy rates, the cumulative growth scenario is large enough to accommodate occupancy of all projects on the cumulative list within the time frames indicated.

RESPONSE TO COMMENT 92.W: The 1993 Setting in Table 1 of Appendix C does not includes any "approved but not yet occupied buildings". The 1993 setting is an estimate of current population and employment in Emeryville at that time. Population and employment that eventually could occupy vacant or newly constructed buildings, whether approved or not, is not included.

The Catellus (East Baybridge) project, projects 14 through 18 on Table 2, and the line "All Other New Construction and Demolition 1993 to 1996" in Table 2 are included in Table 1. All these projects are shown in Table 2 as being occupied between 1993 and 1996 (Catellus is shown as number 10 "East Baybridge"). As a result, the employment accommodated by these projects is included in the sections of Table 1 called "Growth 1993 To 1996", "Year 1996", "Year 2000", and "Year 2010". Likewise, the population growth accommodated by projects 1 through 8 and the line "All Other New Construction and Demolition 1993 to 1996" in Table 3 are represented in the same sections of Table 1.

Please refer to Master Response H2. and the response to Comment 92.V. for additional explanation of how the cumulative projects list was used in developing the cumulative growth scenario, and of the meaning of the "All Other New Construction and Demolition" category.

RESPONSE TO COMMENT 92.X: The cumulative growth scenario was adjusted to reflect the revised Chiron project when the information became available from Chiron. To conduct the transportation and circulation analysis for the revised Chiron project (see Section IV.C), a

revised cumulative growth scenario was developed incorporating the changes in this project. The revised cumulative growth scenario incorporated the following three types of changes to projected employment growth (population growth was not changed):

- The 1993 setting was increased by 128 manufacturing jobs to reflect more accurate estimates of Chiron's employment at that time;
- Employment associated with the Chiron project was increased by 1,179 through 2010 to reflect the revised project; and
- Employment associated with the Westinghouse project was reduced by 544 to reflect updated projections by the City of that site's capacity for redevelopment.

The revised cumulative growth scenario is summarized in Table 5 and 6 on file within the Emeryville Planning Department.

RESPONSE TO COMMENT 92.Y: Except for the Kaiser and Bayfront projects, for the reasons explained in Master Response H2. and the response to Comment 92.V., the status of all other projects is not particularly relevant to the cumulative growth scenario. If a project on the list is not constructed, another project will take its place to accommodate demand for economic activity or residential growth forecast by ABAG for Emeryville. For this reason there is no need to update the status of projects on the cumulative list.

RESPONSE TO COMMENT 92.Z: As explained in Master Response H2. and the response to Comment 92.Y., the status of projects on the list is not particularly relevant to the cumulative growth scenario, and for this reason there is no need to update that status.

The comment specifically asks for a review of the status of the Saint Alban's project (project number 9 in Table 3) and the Catellus project (East Baybridge, project number 10). The Saint Alban's project is currently a non-active application. The site is zoned for mixed uses and the City still considers housing a viable option. The status of the East Baybridge project has not changed. The East Baybridge development plan allocates four acres of the site for residential uses, subject to review and approval by the Emeryville Planning Department. As shown in Table 3, this development is included in the cumulative growth scenario with occupancy assumed in the 1996 to 2000 period.

With regard to verification by the City of the amounts noted under "All Other New Construction and Demolition", as explained in the response to Comment 92.V., many of the changes included here are not "projects", but include changes in existing buildings related to vacancy rates, types of uses, and population densities (persons per dwelling unit). Thus, the City cannot verify this change based on approved development applications and building permits.

RESPONSE TO COMMENT 92.A.2: The cumulative growth scenario was not developed using, and is not dependent on, lists of approved, pending, or potential projects in Berkeley and Oakland. As explained in Master Response H2. and the response to Comment 92.V., only projects in Emeryville were examined in comparison to the ABAG projections for Emeryville. As further explained in the response to that comment, the analysis of transportation and circulation impacts was based on the cumulative scenario for Emeryville, and ABAG projections for Alameda County and the region. Thus, employment and population growth in projects in Berkeley, Oakland, and all other Alameda County communities outside of Emeryville are assumed to be included in the ABAG projections. To the extent that these projects could represent supply that is less than the demand projected by ABAG, additional projects would be

built and occupied. To the extent that these projects could represent supply that is greater than the demand projected by ABAG, some would not be built, or if built would remain unoccupied during the time frame of this analysis. See the response to Comment 92.V. for greater explanation of the role of cumulative project lists in development of the cumulative growth scenario.

RESPONSE TO COMMENT 92.B.2: It is reasonable to assume that residents displaced by the Kaiser project would stay in Emeryville for two reasons. First, Kaiser would pay for relocation costs. Second, there are other housing options in the city where displaced residents could likely be able to find housing comparable to their existing units. Thus, displaced residents are likely to remain in Emeryville whether or not they meet the income requirements of redevelopment law mandating replacement units.

Population that would be displaced by the Kaiser project, and that likely would move out of Emeryville, is accounted for in the scenario. To control scenario totals to those based on the ABAG projections, population losses of this type are offset by an equivalent amount of population that is added to the scenario as either a specific project, or as part of the "All Other New Construction and Demolition" category, shown in Tables 2 and 3 of Appendix C. The only difference between the deduction and offsetting addition may be the traffic analysis zone within which each occurs. See the response to Comment 92.V. for a greater explanation of the methodology used to develop the cumulative growth scenario.

Given this approach, the effect of assumptions regarding displacement of population and employment by the Kaiser project and summarized in Table 4 are not critical to the cumulative growth scenario. This is why the first statement in footnote 1 to Table 4 says "[w]e did not examine closely the possibility that displaced residents would move out of the city." Given the magnitude of the potential displaced residents, 43 according to Table 4 in Appendix C, compared to a population of 9,751 projected for 2010, it is clear that whether all or none of the displaced residents were assumed to move out of the city, the projected population would not have been very different.

RESPONSE TO COMMENT 92.C.2: For the City of Emeryville, the portions of completed projects that were unoccupied in 1993 are listed under "All Other New Construction and Demolition" in Tables 2 and 3 of Appendix C. Consequently, the population and employment that would occupy these projects are part of the cumulative growth scenario from 1993 to 2010 and not part of the 1993 setting. A 1993 setting specific to the cities of Berkeley and Oakland was not developed for the cumulative growth scenario so consideration of completed but not fully occupied projects in those cities is irrelevant to the scenario's results. See the response to Comment 92.V. for a greater explanation of the methodology used to develop the cumulative growth scenario.

RESPONSE TO COMMENT 92.D.2: The cumulative growth scenario already includes the estimated employment for the Bayfront regional retail project.

At a countywide and regional level, the housing demand associated with the Bayfront regional retail project is already included in the cumulative growth scenario and therefore does not have to be added to it. Compared to the ABAG projections, incorporating the Bayfront project into the cumulative growth scenario shifts demand for retail uses from other communities in Alameda County to Emeryville. For purposes of the transportation and circulation analysis, retail employment growth in other Alameda County communities was reduced by an amount equal in total to Emeryville's increase above the ABAG projections. As a result, the ABAG projections for countywide retail employment growth remained constant. Furthermore, the ABAG projections already incorporate housing demand associated with that employment

growth. Thus, at a countywide level, housing demand associated with retail employment growth remained unchanged by the Bayfront project. See the response to Comment 92.V. for a more detailed explanation of how projects such as Bayfront were incorporated into the cumulative growth scenario, and of how adjustments were made for the transportation and circulation analysis.

Even though the cumulative growth scenario estimates employment growth in Emeryville above the ABAG projections, in part because of the Bayfront project, this is unlikely to have a measurable effect on the city's population and housing projections. The commute shed for employees at Emeryville businesses extends throughout most of Alameda County and into other nearby counties. Shifting the Bayfront project geographically within the county would make little or no difference on the demand for housing in Emeryville. Thus, adding additional employment growth to Emeryville in the cumulative growth scenario to reflect the Bayfront project does not require adding additional population to Emeryville.

RESPONSE TO COMMENT 92.E.2: The data shown in the comment for Emeryville is correct and this data does represent the cumulative growth in dwelling units and commercial building square feet projected for the city. However, the related data for population and employment growth from Tables 2 and 3 of Appendix C more accurately depict cumulative growth because the scenario is based on the ABAG projections, which are presented in terms of population and employment.

With regards to the comment's summary of Berkeley and Oakland projects listed in Appendix C, this data does not represent the cumulative growth for those cities. The lists in Appendix C only include approved projects, resulting in a total amount of growth significantly less than projected by ABAG. As explained in Master Response H2. and the response to Comment 92.V., the ABAG projections were used for analysis of transportation and circulation impacts that needed a growth scenario for an area larger than Emeryville. To the extent that the Emeryville scenario was greater than the ABAG projections for the city, demand was shifted from other communities in Alameda County so the countywide ABAG projections remained unchanged. Thus, projects in Berkeley, Oakland, and all other Alameda County communities are included in the ABAG projections for Alameda County, and the ABAG projections should be consulted for estimates of cumulative growth.

With regards to the cause of congestion in the San Pablo corridor, because the data shown in the comment is incomplete for Berkeley and Oakland, it is incorrect to assume that Emeryville projects are primarily responsible for that congestion. Refer to the analysis of transportation and circulation in Section III.C of the draft Environment Impact Report for a description of impacts based on the cumulative growth scenario for Emeryville and the ABAG projections for Alameda County and the rest of the region.

RESPONSE TO COMMENT 92.F.2.: The comment erroneously assumes that the site of the project in Table 3 of Appendix C labeled number 12 "San Pablo Avenue area, north of 43rd Street" is the Del Monte site. This is incorrect. This project does not include the Del Monte site because that site is included in the Kaiser project. Rather, the project labeled number 10 represents other potential for housing north of 43rd Street.

Furthermore, the comment suggests that the Saint Alban's and East Baybridge sites have been abandoned for housing. On the contrary, as explained in the response to Comment 92.Z., both of these sites represent viable options for residential development in Emeryville.

Because all three of the sites referred to in the comment are viable options for residential development, the comment is not correct in concluding that the jobs-housing balance would "dramatically worsen" or that traffic and congestion would increase.

Finally, the calculations presented in the comment are incorrect. Deducting the Saint Alban's and East Baybridge projects from the list of cumulative projects through the year 2000 results in a 20 percent increase in dwelling units compared to a 38 percent increase if the projects are included. Deducting the Saint Alban's, East Baybridge, and San Pablo Area North of 43rd Street projects from the list of cumulative projects through the year 2010 results in a 29 percent increase in dwelling units compared to a 59 percent increase if the projects are included.

RESPONSE TO COMMENT 92.G.2: The purpose of these tables is to indicate all of the projects that were recently approved or pending within Oakland and Berkeley, prior to circulating the Draft EIR.

RESPONSE TO COMMENT 92.H.2: Please refer to Master Response C4.

RESPONSE TO COMMENT 92.I.2: Please refer to Master Responses C3. and C4. regarding the fair share housing requirements and jobs/housing balance.

RESPONSE TO COMMENT 92.J.2: Please refer to the response to Comment 92.F.2. and to Master Response C4. above.

RESPONSE TO COMMENT 92.K.2: The information requested by the commenter will be available through the Relocation Plan process.

RESPONSE TO COMMENT 92.L.2: Please refer to Tables 2 and 3 in Appendix C for this information.

RESPONSE TO COMMENT 92.M.2: It is not clear what the relevance of establishing the maximum distances between north and south Alameda County is to the provision of jobs and housing within Alameda County as a whole. The Draft EIR does not assert that job growth can happen in the northern part of the county because so much more housing will be constructed in the southern part of the county. Instead, the Draft EIR indicates that there will be housing opportunities available throughout the county for new Kaiser employees. This conclusion is consistent with ABAG's approach of evaluating jobs/housing on a county-wide basis.

The traffic analysis used a regional model which accounts for commuting from Emeryville to other locations in the County.

RESPONSE TO COMMENT 92.N.2: This EIR discusses reasonably foreseeable traffic impacts resulting from Kaiser's project in conjunction with other planned or reasonably foreseeable projects. The commenter misquotes CEQA. CEQA Guidelines §15021(a) provides that public agencies have a duty to "avoid or minimize environmental damage where feasible." "Feasibility" is determined by the particular goals and policies of a project. Therefore, each project must be evaluated independently to weigh the anticipated benefits against the environmental impacts. As stated in Citizens of Goleta Valley v. Board of Supervisors (Goleta II) (1990) 52 Cal.3d 553, 576 [276 Cal.Rptr. 410], "the wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions."

RESPONSE TO COMMENT 92.O.2: The commenter's remarks are noted. Sufficient information is provided on these maps to orient the reader to the street pattern in the vicinity of the site. For a more detailed representation of the existing street system at the project site, refer to Figure 9 or Figure 10 in the Draft EIR (p. 29 or p. 31).

RESPONSE TO COMMENT 92.P.2: All referenced documents have been made available at the City of Emeryville Planning Department. The Notice of Availability indicated the locations from which copies of the Draft EIR could be obtained. The Draft EIR identified the location for obtaining copies of the referenced documents.

RESPONSE TO COMMENT 92.Q.2: Please refer to Master Response C6. regarding the adequacy of the employment and housing mitigation measures.

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August 4, 1994

Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street 12th fl
Emeryville CA 94608

RE: State Clearinghouse No. 93-082063 - Kaiser Permanente Medical Center Draft EIR - Alternatives to Project

Dear Ms. Quinn:

The following comments are submitted on behalf of the Bay Area Coalition on Kaiser (BACK), Save Our Emeryville Neighborhood (SON), and San Franciscans for Reasonable Growth (SFRG). They ask that two additional alternatives be included in the EIR.

IMPROVED CIRCULATION ALTERNATIVE

The project proposed includes eliminating the major planned "connector" street in the Circulation Plan -- the Doyle Street extension to Park Avenue. That connector was put into the plan at a time when the land use designation for most of this site was residential and mixed use, uses which makes less demands on the circulation system that the proposed project.

According to DEIR p. 325, development under the Existing General Plan would add only 1/3 of the increase in additional average daily traffic compared to the amount that the Kaiser facility would generate. That means Kaiser's proposal would generate 3 times the amount of new average daily traffic compared to developing this site as residential and mixed use. 93A During peak hour, development under the Existing General Plan would add only 1/4 of the additional traffic compared to the amount that Kaiser would generate. That means Kaiser's proposal would generate 4 times the amount of peak hour traffic compared to developing this site as residential and mixed use under the current General Plan.

In summary, This project proposes to vastly increase the on-site population and traffic from current conditions, or from conditions under build out pursuant to the existing General Plan. Kaiser proposes to make Emeryville's existing poor circulation system even worse. First, it eliminates Watts Street and thus any north/south street connecting Park to 45th Street in the area from San Pablo to Hollis Street. Second, it eliminates the

proposal in the General Plan to add a "collector" street completing Doyle Street from 65th Street to Park Street. Third, it fails to provide additional circulation capacity to account for the dramatically increased density on this site.

Extension of 47th Street through to Hollis would allow some relief to the current pattern which does not allow 47th Street traffic to flow onto Hollis. This was in July 1993 proposal from Pyatok Associates on the Urban Design Guidelines. Why was it abandoned? What improvement in circulation would that make.

In light of the severe circulation impacts identified in the EIR, please develop an alternative that (a) continues Watts Street as a route between Park and 45th, (b) completes Doyle through the project site to Park Ave, and (c) extends 47th Street to Hollis. This will, of course, result in less acreage available for Kaiser, but building siting can be adjusted at this point in the project. As things currently stand existing streets are being closed and a major circulation improvement is being abandoned to allow Kaiser to have a large "unobstructed" site at the cost of substantial unmitigatable traffic impacts.

One goal of Kaiser is to maximize the amount of land available for its future expansion. That goal was been elevated to a higher position that the goals of the Emeryville General Plan, and the region, to improve circulation. CEQA mandates that the project be developed in a way that it avoids environmental harm. State law mandates that the project comply with the General Plan and its overall goals. Emeryville has an extremely difficult current circulation path because of its historic development pattern. Other large owners were allowed to plunk down their facilities in a manner that obstructed through circulation. This will further that pattern, which is definitely the wrong way for Emeryville to head. The current poor circulation pattern has encouraged blight. This impediment to internal circulation, and exacerbation of circulation problems in the Emeryville/Berkeley/Oakland San Pablo corridor could very well result in future blight, especially if at some time in the future Kaiser abandons this site. What is the projected life of this facility? When was the current MacArthur Avenue site, which is to be mostly abandoned, built? 93A

We believe that while that improved circulation alternative may improve somewhat the circulation around the proposed site, Kaiser is still trying to fit into an inappropriate location which will result in significant adverse impacts to the surrounding community, as well as to its members and staff. We therefore

demand the inclusion of an alternative at a much more appropriate site for a regional health care facility, downtown Oakland. 93A

DOWNTOWN OAKLAND ALTERNATIVE

The July 20 memo extending the comment period attempts to dismiss any downtown Oakland alternative. It claimed that "Kaiser considered a wide range of possible sites for its proposed medical center prior to selecting the project site (see Draft EIR at page 292)." The purported "criteria" used for that consideration were size, accessibility, location in the service area, proximity to transit, environmental constraints, availability and other factors." There is no reference to any document in the EIR that supports that bald allegation. Particularly the "other factors."

Several months before the release of the Draft EIR, the City of Oakland presented another alternative site to Kaiser, in its report "Kaiser Permanente Downtown Oakland Health Zone." I am transmitting a copy of that report with these comments. That report describes a downtown site generally bounded by by San Pablo Avenue, 17th Street, Telegraph Avenue and 21st Street. (Some additional expansion parcels have been identified since the date of that report and information can be obtained on them from the City of Oakland.) The site is in the downtown Oakland redevelopment area. A BART station is on that site so that Kaiser could have a direct connection to the BART system. It has significant local and regional transit service. The site is designated for commercial development, and no housing opportunity sites would be displaced as the result of that location. The street circulation system is well developed and lacks Emeryville's hodge podge of short streets which fails to provide an adequate through traffic pattern. It is in an area where Kaiser could play a significant role in revitalizing the community, instead of squeezing into a community which will be overloaded with its impacts. 93B

The Oakland street pattern and regional roadway network literally radiate from this site, making both transit and auto transportation much easier compared to the Emeryville site which has extremely limited access to already congested arterials, difficult freeway access (due to congestion and physical barriers) and few collector streets.

Finally, the downtown Oakland site is within a very short walking distance of existing Kaiser administrative facilities and readily accessible from the MacArthur site.

A draft EIR was done for the Oakland-East Bay Galleria project at the downtown Oakland site in May 1991. According to the EIR Distribution list, at page 195, a copy of that document was sent to Gaye Quinn. It is therefore available in the files of the Emeryville Planning Department. If it cannot be easily located it can be obtained through the EIR consultant ESA, through the Oakland Planning Department, or I will give you my copy.

The amount of development contemplated in that EIR was 1.12 million square feet of retail space, 600,000 square feet of office space and 3-4,000 parking spaces. That is comparable to the amount planned by Kaiser.

The transportation analysis in that EIR showed that in 1991 25 nearby intersections affected by this project were generally operating at Level A, B, or C during the p.m. peak hour. Two operated at Level D and 1 at Level E. No intersections operated at Level F. The level of development projected for downtown Oakland combined with the well developed arterial pattern is not likely to force those intersections in Level F conditions.

That this site is surrounded by transit service is evident from Figure IV.E.4 at page 95. It shows a BART station located on the Broadway side of this site and extensive AC Transit bus service. (Map page 95 and Table IV.E.3 at page 96) Those transit lines radiate throughout the Bay Area, directly connecting all the communities on the BART system and those in San Francisco, North Oakland, West Oakland, Berkeley, Piedmont, Oakland Hills, East Oakland, San Leandro, Hayward, and Alameda accessed by bus lines. We believe this to be the "service area" of the proposed Kaiser facility. 93B

I am sure that the Oakland Planning Department would be glad to provide whatever current data are necessary to provide an up-to-date profile on circulation for this site.

Please compare and analyze the differing impacts of construction at the two sites against the already understated impacts of the project if it is located in Emeryville.

GENERAL PLAN CONSISTENCY

Emeryville - definitely not. The General Plan has to have massive revisions in the Land Use Plan, Circulation Element and Housing Element (among others) to allow this project to go forward. The site is one of the largest housing opportunity sites in the Emeryville General Plan.

Oakland - consistent. This area is designated for significant commercial development, including health care. None of it is designated for housing. See EIR pages 51-56, particularly the maps.

I believe this to be an accurate comparison. Please discuss this topic.

ZONING CONSISTENCY

Emeryville - not consistent. Have to amend the zoning to permit this project. Also had to amend PUD legislation to permit this project. A very large portion zoned for housing and much of remainder for mixed use, low density commercial. Have to change FAR limits.

Oakland - consistent with zoning which has highest level of commercial zoning at site. Would be clearly within FAR.

I believe this to be an accurate comparison of the difference. Please discuss this topic because Emeryville's current zoning is not compatible with this project.

93B

TRANSPORTATION CIRCULATION

Emeryville - attempting to squash an oversize facility into an area that already has significant circulation problems because of the historic layout of the town. The transportation circuits will be "overloaded" by this project. To create space for proposed Kaiser facility, Emeryville must abandon plans to improve its circulation which are set out in its Circulation Plan. Because of poor regional transit to the site, the project will pour huge amounts of new traffic onto a street system already over capacity. Traffic will disperse through residential neighborhoods trying to get out of gridlocked San Pablo and Hollis Streets. Only arterials are Hollis, San Pablo and Powell, all of which would be put into Level F by this project. Very few circulation alternatives.

Oakland - site is in the middle of the circulation system for Oakland and gives access to much of the region. The following arterials are adjacent to or within a quarter mile of and easily accessible from the site: San Pablo, Telegraph, Martin Luther King, Market Street, Broadway, 14th Street, Franklin Street, Webster Street, Harrison Street and Grand Avenue.

In addition there is direct and convenient access to I-980 and various routes to I-580 and the Bay Bridge approach.

I believe this to be an accurate comparison of the difference. Please discuss this topic because the DEIR identifies circulation as the major unmitigated impact of this project.

DISRUPTION OF ESTABLISHED COMMUNITY

Emeryville - already identified as potentially significant impact in DEIR, even prior to comments, because nearby residents may (do) perceive project as adverse change to land use character. Site currently designated for residential. There has been substantial investment in new residential construction in this area, some of which projects will be razed for this project or its mitigations. Addition of substantial new traffic through residential areas because of overloaded San Pablo Avenue.

Oakland - this is intense commercial area with very little existing housing and no plans for major new housing developments. No such disruption.

I believe this to be an accurate comparison of the difference. Please discuss this topic because disruption of the existing community is a major controversial aspect of this proposal.

93B

AVAILABILITY OF HOUSING OPPORTUNITY SITES

Emeryville - site is currently designated in Housing Element as opportunity site for 414 new housing units and is the largest single identified site for new housing in Emeryville. The St. Albans' site is no longer being pursued -- it was to provide 287 units. Emeryville has taken Catellus off the hook to build 400 units on its site and it is unlikely housing will be built there within the time frame set out in the Housing Element. This site is crucial for housing if Emeryville is to provide its fair share of housing pursuant to its ABAG allocation. No replacement site is identified in this EIR. This EIR is an EIR not only for the Kaiser facility but for the revisions to the General Plan, zoning and Shellmound Redevelopment Plan. Therefore information detailing the changes in those plans, the impacts these changes would have on the rest of those plans, the environmental impacts of the changes in the plan and what mitigation measures are necessary if those changes are adopted, must be clearly provided in this EIR. In particular, since this is an EIR for an amendment of the Housing Element, replacement sites must be identified in the DEIR and the impacts of those new sites analyzed. The public is entitled to comment on that analysis. The DEIR must therefore be rewritten to incorporate those changes and it must be recirculated. Since that information has not been

included or analyzed, the General Plan will be incomplete and inconsistent if this project is approved.

Oakland - site is designated for commercial, not for housing. Use of this site for Kaiser will not affect Oakland's ability to provide adequate sites for construction of additional housing to meet its fair share pursuant to its Housing Element. There are ample housing opportunity sites without this parcel.

I believe this to be an accurate comparison of the difference. Please discuss this topic because the Housing Element is a mandatory element of the General Plan and inclusion of sufficient opportunity sites for housing is a state mandate.

NEEDED CIRCULATION IMPROVEMENTS

Emeryville - the DEIR identifies a myriad of circulation improvements that are needed because of deteriorated Levels of Service. Many of the intersection and roadway improvements are located outside the Emeryville City Limits, and thus the responsibility falls on Oakland and Berkeley to make necessary roadway improvements. Some of the proposed "mitigations," including widening or substantial modifications to San Pablo violate the Berkeley General Plan or Caltrans' plans for San Pablo, which is a state highway. The cost of those improvements and exactly who will pay and out of what funds was not identified in the Draft EIR. 93B

Oakland - none identified at present. Given the varying routes to get to and from this site and given the width of the arterials, it would be highly unlikely that anywhere near the number of mitigations would be required. In addition this site is much more conducive to transit usage, which would reduce automobile usage.

I believe this to be an accurate comparison of the difference. Please discuss this topic because of the magnitude of changes in circulation proposed in DEIR in an attempt to mitigate circulation problems which ultimately cannot be mitigated. CEQA requires avoidance, not merely mitigation of environmental harm.

CONSISTENCY WITH REGIONAL TRANSIT POLICIES

Emeryville - This is a regional medical facility which will be located at a site with very little direct access to regional transit. Kaiser would be relocating from its current MacArthur Blvd. site to a site with much worse transit service. The EIR gives evidence of this in its dramatic downward projection of the

percentage of persons coming to this site who would use transit. It is difficult to get persons to use BART if they will then have to transfer on a shuttle, which will be trapped in gridlock traffic much of the afternoon, to get to Kaiser. The busses themselves will be in that traffic.

Oakland - this location is much more consistent with overall regional transit plans. A regional health care facility will be surrounded by regional transit lines, with ready access to local and regional traffic.

I believe this to be an accurate comparison of the difference. Please discuss this topic because of the significant transportation impacts of the current site, which shifts more employees and visitors into their cars when compared to the existing Kaiser MacArthur site. Regional policy, for both air quality as well as congestion and quality of life reasons, wants regional facilities to be located at sites with the best possible transit access. A downtown Oakland site, along with a transit education program for Kaiser members and employees, should result in a substantial shift to transit usage because of its convenience.

VISUAL CHARACTER 93B

Emeryville - in the context of its neighborhood, this project will be visually out of character. It will be "seen" as a massive, bulky building, dominating the nearby area.

Oakland - this site is already developed with tall and substantial buildings. It will fit into that context and could even improve it.

I believe this to be an accurate comparison of the difference. The DEIR provides virtually no information on the massing of the buildings or how they will be seen. Please discuss this topic because there is a significant possibility that what would be out of character in a setting near residential buildings would be seen as appropriate in the context of the Oakland site.

If this is to be a legally adequate EIR, both of this alternatives must be included so that the decision maker can have a project before it that will allow the avoidance of environmental harm, not merely partial and inadequate mitigation. A Downtown Oakland alternative must be included and evaluated without bias toward the Emeryville site. If it is not, the EIR will be legally defective.

INADEQUATE INFORMATION FROM KAISER ON ITS GOALS FOR THIS PROJECT

As is set out at the beginning of this letter, alternatives to this site are rejected in the DEIR because they did not meet Kaiser's "goals." I have searched Emeryville's files looking for documents in which Kaiser explicitly set out those goals and how the project should be analyzed to see if it attained those goals. That information is just not available because the language used seems terribly soft and elusive. There is no citation to any document in the "Objectives" section on pages 4 and 5 of the DEIR. If Kaiser has documents somewhere which set out there goals in a way which can be "measured," they are not available in the DEIR. <u>What is the written source document for the "project objectives" set out on page 4 of the DEIR?</u> 93C

Going down pages 4 and 5 -

What is "adequate space?" Is the 1.56 million square feet realistic or an "outside estimate" of need? At what point (square footage) does Kaiser determine that a medical facility becomes too unwieldy and that another should be brought on line to help serve some of the population? 93D

What is the "service area?" Kaiser is uniquely able to track its clients and staff. They should do a computer run to determine by zip code the residence (if not work) locations of its members and staff at the current MacArthur site, to inform us where they are coming from for their appointments. Perform such a run for an average month so we can see the "service area," including staff residences. This should also be done to provide an adequate transportation analysis. 93E

What is "appropriate space for changes in medical practices and technology?" 93F

What is "adequate [parking] capacity and support for the hospital and medical office buildings?" Does Kaiser want to build the absolute maximum amount of parking possible (is it a revenue generator?) or might it be possible to construct less parking (and thus reduce construction costs and free up land for other uses) if superior transit access is available to the site. Does "adequate parking" mean that parking rates will go down or be free so that users do not attempt to park on nearby residential streets? 93G

How much additional demand will be created by health care reform? Is is not possible that demand for Kaiser services will in 93H

fact decrease if other opportunities are opened up for those who are currently "tracked" into Kaiser? 93H

What is the "projected future membership growth?" 93I

Why does Kaiser care about providing a wide variety of high quality employment opportunities in the City of Emeryville? Does it provide a similar range of opportunities at its current MacArthur Blvd. site? If yes, are they unconcerned about eliminating those opportunities from Oakland? If no, why not?

Why does Kaiser want to provide significant economic benefits to Emeryville through fees, taxes and other provisions? Does it provide those in Oakland currently? If yes, why does it want to abandon Oakland and eliminate those benefits to Oakland? If no, why not?

Why shouldn't we believe that, contrary to the assertion in the DEIR, Kaiser really wants to <u>minimize</u> its payments of "economic benefits" to Emeryville, by getting the lowest price possible for the package of its approvals and conditions of approval? Does Kaiser have an altruistic motive towards Emeryville so that it has decided to assist Emeryville financially? Why? If not, and if Kaiser is really attempting to get the best possible financial terms from Emeryville, this is not a legitimate "objective" for Kaiser. 93J

Why does Kaiser want to stimulate economic development in <u>Emeryville</u> as opposed to Oakland or any other location? Is Emeryville particularly in need of that stimulation. The cumulative development numbers in the EIR would argue to the contrary. Does Kaiser want to help Emeryville at the cost of abandoning Oakland?

Why does Kaiser have as its objective construction of housing in <u>Emeryville</u>? Is this part of Kaiser's mission, or merely a condition of approval given the dislocation of existing housing and housing opportunities on its site. If the latter, it is not an objective of Kaiser.

Improving public safety and public open space on its site do not appear to be specific to this particular site, as stated in the objectives, but would apply to all potential sites. Please correct. 93K

Similarly, the "well-designed medical center" objective. 93L

Please provide the Kaiser document that states that it is a corporate Kaiser objective to "enhance the community identity of Emeryville by providing the only hospital facility in the City of Emeryville." Please explain why corporate Kaiser adopted that as a goal instead of having as a goal the revitalization of the community a few blocks from its current corporate headquarters in downtown Oakland. Would it not be a more reasonable goal for corporate Kaiser to want to make the area nearby economically healthy and vital and to help the "community identity" near the Emporium Capwell site? 93M

Given the multiplicity of goals, why is there no goal of locating the site so it provides convenient, healthy, transit access to for Kaiser's members throughout its service area (which itself is not defined)? How many Kaiser members are dependent on transit for access to their medical care? Will the quality of their care be reduced if they cannot get that transit access? (Based on 8 years on governmental health planning boards, I firmly believe that to be the case, particularly for seniors and low income persons. If medical appointments become difficult, patients skip appointments and do not follow appropriate treatment protocols.) 93N

Does Kaiser have as a goal making it as easy as possible for its workers (including its physicians) to use transit? If yes, why is that not stated as a goal. If no, does Kaiser feel that it is a good corporate citizen given regional policies emphasizing transit?

Finally, I would note that not only did Kaiser omit to have access to transit as a goal, the only goal related to transportation at all is for **PARKING**. For a regional health care facility, it seems strange that there is no explicit concern about making it as convenient as possible for its members and employees to access their site. The Emeryville site will be in an island of gridlock for much of the afternoon. Is this not a concern to Kaiser? At mid to late afternoon when shifts are changing, the highest number of people are on site and the highest level of traffic surrounding this project, an emergency vehicle, or a member just trying to get through to the emergency room or to deliver a baby, will have a hard time getting through. Is this decent medical care? 93O

I have separately submitted other comments along with this letter.

Sincerely,

Sue C. Hestor

Attorney for
Bay Area Coalition on Kaiser (BACK)
San Our Emeryville Neighborhood (SON)
San Franciscans for Reasonable Growth (SFRG)

encl - Kaiser Permanente Downtown Oakland Health Zone, 2/94

93. RESPONSES TO COMMENTS FROM SUE HESTOR, ATTORNEY FOR GROUPS BACK, SON & SFRG RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 93.A.: The Draft EIR already considers a reasonable range of alternatives to the proposed project. Please refer to Master Response G1. for a discussion of the Fox Theater alternative. In addition, the project site includes adequate access to transit facilities as described in the responses to Comments 28.E., 78.J., and 78.P. This site is approximately one-half mile from the MacArthur BART station. Due to the provision of the Emeryville-BART shuttle and Kaiser's own proposed shuttle, the proposed site in Emeryville has a high level of access to BART and Amtrak.

RESPONSE TO COMMENT 93.B.: Please refer to Master Response G1. which contains a discussion of the Fox Theater alternative.

RESPONSE TO COMMENT 93.C.: The project objectives were provided by Kaiser, and it is not the City's role to question the assumptions or motivations behind the applicant's objectives.

RESPONSE TO COMMENT 93.D.: In planning for ultimate buildout of the proposed Phase I and Future Expansion sites for the Emeryville medical center, Kaiser considered a broad range of possible options with the goal of serving the member service needs in the long-term (i.e., 30 years). Consideration was given to possible future membership growth due to implementation of Health Care Reform, changing needs of our current members (i.e., aging of the population) and provision of adequate site flexibility for incremental additions to the hospital and medical office buildings due to changes in medical practice or technology. The 1.56 million square foot estimate is the maximum building density for final buildout after 2003.

RESPONSE TO COMMENT 93.E.: Please refer to Master Response B1. for a discussion of "service area."

RESPONSE TO COMMENT 93.F.: Significant changes have occurred in the health care environment that have radically altered the provision of care over the past 10 years. An example of a change that impacts space requirements is the introduction of videotechnology to perform surgical procedures, which is less invasive and allows the patient to return home the day of surgery. Previously, these patients remained in the hospital for a week or more for post-operative care. As well, equipment technology has revolutionized diagnostic services, for example - magnetic resonance imaging (MRI) and computerized tomography (CT) have been implemented which require special space and mechanical support. Advances in chemotherapy treatment for cancer allow patients to be treated in outpatient infusion centers. Kaiser's intent is to be prepared to respond proactively to these changes in practice and technology in order to provide quality care to our members through incremental additions or new buildings on the proposed site.

RESPONSE TO COMMENT 93.G.: Please refer to Master Response B1. for a discussion of the customer service area.

RESPONSE TO COMMENT 93.H.: Please refer to Master Response B1. for a discussion of the relationship between health care reform and Kaiser's future plans.

RESPONSE TO COMMENT 93.I.: Kaiser's project is designed to provide sufficient parking to serve its employees, members, and visitors. Please refer to the response to Comment 11.A.

RESPONSE TO COMMENT 93.J.: Please refer to Master Response B1. for a discussion of future membership and health care reform.

RESPONSE TO COMMENT 93.K.: Please refer to Master Response B1. regarding the existing Oakland facility. CEQA does not require that a project applicant furnish the reasons behind its project objectives. The City cannot speculate about Kaiser's motivations.

RESPONSE TO COMMENT 93.L.: Kaiser has indicated that it would incorporate public open space into the medical center at the proposed project location. This is not the case for all other sites under evaluation. For example, the Fox Theater and MacArthur/Broadway sites are too small to allow sufficient area for any significant open space.

RESPONSE TO COMMENT 93.M.: The City cannot speculate about what may have motivated Kaiser to adopt certain goals instead of others.

RESPONSE TO COMMENT 93.N.: The project objectives are identified on pages 4 and 5 of the EIR. In analyzing potential locations for the proposed medical center, Kaiser and subsequently the City, considered a number of factors, including accessibility to Kaiser patients. To assist Kaiser patients in receiving treatment at the proposed facility, access to transit would be made available through the citywide Emeryville-BART shuttle and by Kaiser's own private shuttle. In addition, objectives for encouraging transit ridership and improving access to transit facilities have been incorporated into the Transportation Systems Management Program which is included in the Mitigation Monitoring and Reporting Program that will be adopted as part of the findings on the EIR.

RESPONSE TO COMMENT 93.O. As described in Master Responses D6. and G1., the project site is conveniently located to local and regional transportation facilities. In addition, the Emeryville-BART shuttle and Kaiser's own private shuttles would provide access to transit facilities in the area. Kaiser considered such convenient access in determining a location for their proposed medical center.

RECEIVED
AUG 04 1994
PLANNING DEPARTMENT

August 4, 1944.

Ms. Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Dear Ms. Quinn;

EBALDC
East Bay
Asian Local
Development
Corporation

Board of Directors
Neal Izumi Taniguchi
President
Lydia Noreen Tan
Vice-President
Francis SamSotha
Secretary
Jack W. Chu
Treasurer
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Michael Joseph Cassidy
Ted Dang
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Victor Jin
Victor Mar
Sherri Pugh
Vincent B. Reyes, Jr.
Wilson Riles, Jr.
L. Thomas Surh
Rosalyn M. Tonai

The East Bay Asian Local Development Corporation (EBALDC) is a nonprofit community development corporation which is involved in developing affordable housing and community facilities, and planning and advocacy activities. I am writing to express our concerns in response to the Draft Environmental Impact Report (DEIR) for the Kaiser Permanente Medical Center. I feel that locating the Kaiser Medical Center at this Emeryville site creates many problems from a regional perspective. 94A

1) Jobs/Housing Imbalance. The DEIR lists the many retail and commercial projects that have either been approved or are in the planning stages for Emeryville. These projects, including the Chiron expansion and the Kaiser Medical Center, will mean many thousands of jobs which will be located in Emeryville. There is not a corresponding number of housing units being approved or planned. The City of Emeryville is already the city most lacking in housing as compared to jobs. The Kaiser move will exacerbate an already unbalanced situation. Those Kaiser employees who earn lower wages may have great need for affordable housing development. In addition, many of the retail jobs being created by the "big box" centers, because they are not high paying jobs, will also create a need for affordable housing. I understand that many of the larger affordable housing developments planned for Emeryville have fallen by the wayside. Such an imbalance will put great pressure on affordable housing in surrounding cities, such as Oakland and Berkeley. It will not be fair for these cities to shoulder the burden of housing need created by Emeryville development. 94B

The Kaiser Center will eliminate a major site already zoned for mixed use/residential development. Given that Emeryville is a very small city, how would the loss of a major potential housing site be substituted in another part

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94B

of Emeryville? The Kaiser move could help to throw Emeryville's Housing Element out of compliance.

2) Traffic Concerns. EBALDC employees are members of the Kaiser Health Plan. We have great concern that, in times of emergency, Kaiser members may have difficulty getting through Interstate Highway 80, which is often backed up both ways. We are also worried that the closest exit from 580 going West, which would be the 36th Street/West Oakland exit, also is impacted during heavy traffic hours because of the backup to enter onto 80. Locating the Kaiser Medical Center at this site will create much traffic on local Oakland streets nearby, from drivers seeking to avoid snarled traffic on the freeways mentioned above. This again creates undue burden on Oakland streets for an Emeryville project.

94C

3) Public Transportation Access and Safety. Many lower income and elderly Kaiser members and employees rely on public transportation. Locating the Kaiser Center at this site, with a few buslines and no BART station within walking distance will create undue hardship for these members and employees. In addition, the entrance to the hospital would be four blocks from the busline. Has violent crime increased in Emeryville? Would it be helpful to examine crime statistics for the project area, especially given that those taking public transportation may have to walk several blocks?

94D

4) Historic District Impact. The site for the Kaiser Medical Center is part of the Historic Industrial District of Emeryville. Kaiser's move will require the demolition of one third of the buildings in this historic district.

94E

5) Scale, Design, and Incompatibility with Surrounding Neighborhood Uses. Kaiser's design of a mid rise facility is incompatible with neighboring buildings which are one and two stories high and primarily industrial in use. In addition, the project's design is not "street friendly," with the buildings extending out to the sidewalk and open space sequestered inside. The design should be stepped back, with more landscaping at the street frontage, to present a friendlier face to neighboring buildings.

94F

6) Downtown Oakland as an Alternative Site. Downtown Oakland is not mentioned as an alternative site in the DEIR and should be studied and included in the Final EIR. Downtown Oakland is attractive for many reasons. It is an excellent site from a public transportation perspective, with immediate

94G

access to BART, and the frequency of many buslines passing by. There is also good access and linkage to the 880, 24, and 580 freeways. The Kaiser Medical Center would be compatible in scale and magnitude with many downtown buildings, such as Emporium, and government administrative buildings downtown, as well as in the Kaiser Center area. Kaiser's location in Downtown Oakland will help to fill the gap between the two downtown nodes of the Kaiser Center and the City Center. The City of Oakland has been committeed to the development of affordable housing, both in the downtown area and in the surrounding neighborhoods. 94G

7) Future Uses of Kaiser Facilities in Berkeley and Oakland. The DEIR does not state what will happen to existing Kaiser facilities in Berkeley and Oakland. Should Kaiser consolidate programs and functions in Emeryville, both Berkeley and Oakland will be significantly and negatively impacted. Kaiser is a major employer in both cities. Such a move will have negative impacts on especially the lower wage earning employees who will 1) have more difficulty getting to work because of insufficient public transportation and 2) who will have difficulty finding affordable housing in Emeryville if they feel a need to move closer to work. Such a move will also have a devastating impact on businesses and neighborhoods which are left behind. 94H

Because of the concerns we have stated above, we feel that much needs to be developed in terms of better mitigation measures before the Final EIR is produced. We also strongly believe that Downtown Oakland must be mentioned as an alternative site in the Final EIR. 94I

Sincerely,

Lynette Jung Lee

Lynette Jung Lee,
Executive Director

94. RESPONSES TO COMMENTS FROM LYNETTE JUNE LEE, EAST BAY ASIAN LOCAL DEVELOPMENT CORP. RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 94.A.: Please refer to Master Response H1. for a discussion of regional impacts.

RESPONSE TO COMMENT 94.B.: Please refer to Master Responses C1. through C6. for a discussion of the jobs/housing balance, the existing housing conditions on the site, the Kaiser Housing Program, and other related employment and housing issues.

RESPONSE TO COMMENT 94.C.: The commenter's concerns are noted. Please refer to the response to Comment 78.D. regarding freeway access.

RESPONSE TO COMMENT 94.D.: The project site is within close proximity to transit facilities. In addition, the city-wide Emeryville-BART shuttle would and Kaiser's own private shuttle be available to transport patients and employees from the site to nearby transit facilities. Please refer to the response to Comment 1.B. for a discussion of the potential for crime and impacts to police protection services that were addressed in the Draft EIR.

RESPONSE TO COMMENT 94.E.: The commenter's remarks are noted. Please refer to the response to Comment 78.P.2.

RESPONSE TO COMMENT 94.F.: The project includes "liner" buildings in accordance with the Urban Design Guidelines for the medical center which would be neighborhood-oriented and pedestrian in scale. Sufficient access would be provided to open space and other public plazas on the site. In addition, landscaping would be installed around the perimeter of the site.

RESPONSE TO COMMENT 94.G.: Please refer to Master Response G1. for a discussion of the Fox Theater alternative. While affordable housing may have been developed in downtown Oakland, the City of Oakland Planning Department staff indicated that there were no large residential projects expected to be constructed by the year 2000, and that most residential development occurs as small infill projects.

RESPONSE TO COMMENT 94.H.: Please refer to Master Response B1. for a discussion of the existing Kaiser facilities in Oakland and to the response to Comment 52.K. for a discussion of the existing Kaiser facilities in Berkeley.

RESPONSE TO COMMENT 94.I.: Sufficient feasible mitigation measures have been identified in the EIR. Please refer to the response to Comment 94.G. above.

Kaiser Foundation Health Plan, Inc.
Facilities Design & Construction
1950 Franklin Street, 12th Floor
Oakland, California 94612-2998
(510) 987-4109

Mailing Address:
P.O. Box 12916
Oakland, California 94604-3021

KAISER PERMANENTE

August 4, 1994

VIA FACSIMILE & FIRST CLASS MAIL

Gaye Quinn
Planning Director
City of Emeryville
2200 Powell Street
12th Floor
Emeryville, CA 94608

Re: Comments of Kaiser on Draft Environmental Impact Report for the Emeryville Medical Center

Dear Ms. Quinn:

Thank you for giving Kaiser the opportunity to review the Draft Environmental Impact Report ("Draft EIR") for the Kaiser Emeryville Medical Center. In general, Kaiser believes that the Draft EIR presents an accurate and complete description of the Medical Center project and contains an appropriate and legally sufficient analysis of the project under the California Environmental Quality Act ("CEQA"). The comments in this letter are offered primarily to suggest certain clarifications or corrections to the document. 95A

We have also asked our traffic consultant, DKS, to review the Draft EIR with regard to the transportation section of the Draft EIR. Attached is the comment letter from DKS.

Kaiser's specific comments on the Draft EIR are as follows:

SUMMARY

95B

1. Page S-1, first paragraph, second line. To address a typographical error, please change "central utility plan" to "central utility plant."

2. Page S-2, third paragraph, second line. To address a typographical error, please change "July 13, 1994" to "July 13, 1993." 95C

3. Page S-2. To accord with CEQA's requirements, after "Issues of Community Interest," please add "and Controversy". 95D

4. Page S-4, Mitigation LU-5.2. While Kaiser is willing to consider this measure, we believe it may have significant cost and structural ramifications. Accordingly, we request that a phrase be added at the end of this measure as follows: ", to the extent feasible from a design and cost standpoint." 95E

5. Page S-20. For accuracy, in the heading "Project Intersection Impacts, Year 2000 (Feasible Outside Emeryville)" the phrase "Year 2000" should be deleted and the phrase "Year 2010" should be inserted in its place. 95F

6. Page S-21, first paragraph, "Cumulative Impacts and Mitigations, Year 2010". To be consistent with the text in the Draft EIR on page 154, we suggest the following language be added: "It should be noted that the project sponsor would be responsible for funding its fair share of the cumulative improvements described below. The other cumulative projects would also be responsible for funding their fair share contribution to the cumulative roadway improvements." 95G

7. Page S-25, Mitigation Cir-40.2. Kaiser believes that the installation of a traffic signal at Park Avenue and Emery Street could slow traffic due to the proximity of the light to Kaiser's parking garage entrance. We request that the traffic consultants reevaluate the appropriateness of this mitigation measure. 95H

8. Page S-25, Mitigation Cir-41.1. Kaiser believes that it should only be responsible for that portion of the cost of this measure that is related to the impacts of the Kaiser project. Specifically, Kaiser believes it should be responsible only for the cost of improving the part of the structural section that extends from Park Avenue to Hollis Street. Therefore, Kaiser requests that the 95I

measure be revised to state: "The structural section, if needed, on Park Avenue, from San Pablo Avenue to Halleck Street, and along the project frontage on 45th Street, shall be overlayed and improved." The Project Applicant shall be responsible for that portion of the structural section that extends from Park Avenue to Hollis Street." 95I

9. Page S-25, Mitigation Cir. 42.1. We believe that the reference to Emery Street should be changed to Haven Street. 95J

10. Page S-39, Utilities and Urban Services, first paragraph. In the last sentence under this section, we suggest that after the phrase "utility services fees", the phrase "and an Emergency Services Fee of $500,000 per year . . . " be added. 95K

11. Page S-40, Mitigations Util-2.2 to 2.5. As with number 8, above, Kaiser is willing to pay its fair share of these improvements. We expect that Kaiser's fair share amount will be covered in the development agreement between Kaiser and the City. 95L

12. Page S-42, after Mitigation Util-9. We suggest that the following sentence be added to this language: "While no mitigation is required, Kaiser is providing an open landscaped area and recreational amenities as part of the Project." 95M

13. Page S-44, Mitigation CR-3.1. Kaiser requests deletion of this measure, because it does not believe that it would be feasible for financial and design reasons to reserve the Del Monte plant elevation along Park Avenue by incorporating it into the Project. 95N

14. Page S-44, Mitigation CR-5.2. For the same reasons stated in 13 above, Kaiser does not believe this mitigation is feasible.

15. Page S-55, third paragraph, second line. For accuracy, please change the date "July 13, 1994" to the date "July 13, 1993." 95O

16. Page 12, first paragraph, last sentence. The references to the cafeteria in the medically-related liner functions should be deleted, because 95P

Kaiser intends to locate the cafeteria in the hospital. Also, for accuracy, the reference to "medical supply stores" should be changed to "medical supply sales." 95P

17. Page 15, Redevelopment Plan Amendment. For accuracy, please change the word "two" in the ninth line to "three." Please add the following language at the end of the paragraph: "(3) changes to clarify that medical center uses are included in the definition of public, semi-public, institutional, or non-profit uses which are permitted within any area of the Shellmound Park Redevelopment Project Area." 95Q

18. Page 16, second complete paragraph. For accuracy, the second sentence of this paragraph should be revised to read: "An application for a final development plan for all or part of Phase I may be submitted prior to certification of the EIR." 95R

19. Page 16, last paragraph. It is Kaiser's understanding that the provision of relocation benefits and assistance and the terms and conditions of Kaiser's Housing Program would be included as requirements of the development agreement for the Project and not as part of the Disposition and Development Agreement. For accuracy, we suggest that references to relocation benefits and assistance and the Kaiser Housing Program be deleted from this discussion. 95S

20. Page 20, second paragraph. For accuracy, the second sentence should be revised to confirm that Kaiser has not yet submitted a Final Development Plan for any portion of the project. 95T

21. Page 23, third paragraph. It is Kaiser's understanding that there are twelve (12) live/work units located in the Emeryville Business Center, and that at least one (1) of those units is vacant. Therefore, for clarity and accuracy, please replace the reference to "11 live/work units" with "and 12 live/work units, 11 of which are occupied at this time." 95U

22. Page 25, fifth paragraph. For clarity and accuracy, please replace the reference to "11 live/work units" with "12 live/work units, 11 of which are occupied at this time."" 95U

ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION

LAND USE

23. Page 35, last paragraph, fourth line. The term "perceive" in this paragraph is ambiguous. The consultant should either conclude that the project will result in adverse impacts on residents or not. See also page 40, page 41- Impact LU-3, and page 44. 95V

24. Page 36, fourth paragraph. For clarity and accuracy please replace the reference to "11 live/work units" with "12 live/work units."

25. Page 39, third paragraph. For clarity and accuracy, please replace the reference to "11 live/work units" with "12 live/work units." 95W

26. Page 58, third paragraph. For clarity and accuracy, please replace the reference to "11 live/work units" with "12 live/work units, 11 of which are currently occupied." In addition, please replace the reference to "32 residential units on the project site" with "33 residential units on the project site."

27. Page 61, Table 3. Certain information contained in Table 3 is incorrect, and several tenants have moved into or from the Future Expansion Site since the preparation of Table 3. Accordingly, the attached chart has been revised to provide current information regarding the properties located within the Project Site as of August 1, 1994. 95X

28. Page 62, fourth line. For accuracy, please delete "at the time the project application was filed." 95Y

29. Page 64. For accuracy, please add the following text after Item No. 9: 95Z

"10. Eligible persons displaced from businesses or nonprofit organizations would be assisted in becoming established in a replacement location. 95Z

11. Other advisory assistance would be provided to eligible displaced persons to minimize their hardships."

30. Page 65, seventh bullet. For clarity, after the phrase "a plan for financing last resort housing" please add the phrase ", if required."

31. Page 65, thirteenth bullet. For clarity, after "comments from the relocation committee" please add ", if any." 95A2

32. Page 65. For clarity, please add "(as described below)" after Item No. 1.

33. Page 66, first complete paragraph. For accuracy and clarity, please replace the sentence beginning with "In addition to the requirements described above . . ." with the following: "As discussed above, an eligible displaced business or nonprofit organization may elect to receive a fixed payment in lieu of payment for actual reasonable moving expenses, in accordance with the following criteria." 95B2

34. Page 66, fourth complete paragraph. For accuracy and clarity, please replace the sentence beginning "In order to receive payment according to the provisions stated above . . ." with the following: "The Redevelopment Agency may provide payment to eligible displaced businesses and nonprofit organizations if it determines that:"

EMPLOYMENT AND HOUSING

35. Page 68, first paragraph, second line. The number of jobs that may be relocated from the Oakland Medical Center to Emeryville is too speculative to know at this time. For accuracy, we request that the word "would" be changed to "could". 95C2

36. Page 68, after Mitigation EH-2. For accuracy, please insert the following sentence: "While no mitigation is required, Kaiser is proposing to contribute a $300,000 Small Business Retention Fee." 95D2

37. Page 69, "Employment Growth", first paragraph, second line. For accuracy, please change the phrase "330 new jobs" to the phrase "430 new jobs". 95E2

38. Page 69, second paragraph. For clarity and accuracy, please replace the reference to "11 live/work units" with "12 live/work units, 11 of which are occupied." 95F2

39. Page 69, third paragraph. Please replace the reference to "19 businesses" with "22 businesses." 95G2

40. Page 69, last paragraph. Because the projections regarding job displacement and/or growth are maximum estimates, for clarity, we suggest that the word "could" replace the word "would" in that paragraph. 95H2

41. Page 70, Impact EH-3. As discussed above several tenants have moved into or from the Future Expansion Site since the preparation of the DEIR. As of August 1, 1994, there are 22 businesses located on the Future Expansion Site. Please replace the reference to "19 businesses" with "22 businesses." 95I2

42. Page 71, first paragraph. For accuracy, please change the phrase "330 jobs" to the phrase "430 jobs" for the hospital and the phrase "915 jobs" to the phrase "815 jobs" for the MOB. We also request that the word "would" be replaced with the word "could." 95J2

43. Page 73, Mitigation Measure EH-5.2. This mitigation measure indicates that Kaiser would be required to provide funding to fulfill the Agency's obligation to replace low- to moderate-income housing that has been removed as a result of the Project. The analysis related to this mitigation measure indicates that the Agency's replacement housing obligation would be linked to Kaiser's Housing Program. Kaiser has not agreed to fund the 95K2

Agency's replacement housing obligations and requests that this requirement be deleted from mitigation measure. In addition, Kaiser requests that the language requiring this obligation to be linked to the Housing Program be deleted. 95K2

44. Page 74, first line. For clarity, we suggest that the words "a relocation assistance program" be deleted. 95L2

45. Page 74, first complete paragraph, fourth line. For accuracy, after the words "joint venture," please add: "(or other legal relationships)."

46. Page 74, first complete paragraph. For accuracy, Kaiser requests that the following sentence be added at the end of this paragraph: "The precise legal form of Kaiser's participation will be conditioned upon receiving a ruling from the Internal Revenue Service that such participation will not jeopardize Kaiser's nonprofit status." 95M2

47. Page 74, third complete paragraph. While Kaiser is willing to consider comments from the Agency on proposed joint venture developers, Kaiser has not agreed that the Agency would establish the criteria for the selection of joint venture developers who participate in the Housing Program. Therefore, Kaiser requests that the words "would establish the general criteria for the selection process, and" be deleted. 95N2

48. Page 78, Mitigations EH-6.3 and EH-6.4. These mitigation measures require the Kaiser Housing Program to fund the construction of 37 affordable fair share housing units and to develop housing on 25 sites identified by the Agency as having potential for future construction. Kaiser has not agreed that the Housing Program would be structured in that manner. In prior discussions with the Redevelopment Agency and the City, Kaiser has indicated a willingness to consider the 25 sites but has requested that it not be required to do so. Therefore, with respect to Measure EH-6.3, please delete the word "should" and insert the word "could." In addition, for accuracy, with respect to Measure EH 6.4, please delete the word "should" and insert the word "could". 95O2

49. Page 78, first complete paragraph. The DEIR indicates that the Kaiser Housing Program should provide funding for at least 80 moderate income units. Kaiser has agreed that the Housing Program, if fully funded, may provide approximately 100 housing units, and that 20% of such units would be moderate income units. Therefore, we request that this discussion be revised accordingly. 95P2

50. Page 79, first paragraph, and Impact EH-7. For clarity and accuracy, please replace the reference to "11 live/work units" with "12 live/work units." 95Q2

51. Page 79, first paragraph. Please replace the reference to "32 households" with "33 households."

52. Page 80, Mitigation EH-7.2. Mitigation Measure EH-7.2 indicates that Kaiser would be required to provide funding to fulfill the Agency's obligation to replace low- to moderate income housing that has been removed as a result of the Project. The analysis related to this mitigation measure indicates that the Agency's replacement housing obligation would be linked to Kaiser's Housing Program. As discussed above, Kaiser has not agreed to fund the Agency's replacement housing obligations and requests that this requirement be deleted from the mitigation measure. In addition, Kaiser requests that the language requiring this obligation to be linked to the Housing Program be deleted. 95R2

53. Page 81, first paragraph. For clarity and accuracy, please replace the reference to "11 live/work units" with "12 live/work units." 95S2

54. Page 82, third paragraph. For accuracy, please change the first sentence to read: "If the proposed medical center is approved, some of the existing employees at the Oakland Medical Center would be relocated to the Emeryville facility." 95T2

55. Page 84, second paragraph. The Draft EIR should clarify that it is too speculative to know at this time the precise number of employees that would be relocated from the Oakland Medical Center.

TRANSPORTATION AND CIRCULATION

56. Attached please find a comment letter from Kaiser's traffic consultant, DKS, regarding the transportation and circulation section. 95U2

57. Page 157, Mitigation Cir.-26. Kaiser questions whether this measure will actually reduce the impacts to traffic circulation that have been identified in the EIR. Moreover, Kaiser acknowledges the significant amount of community opposition to this extension. Therefore, Kaiser requests the deletion of this measure. 95V2

HAZARDOUS MATERIALS STORAGE, USE, AND DISPOSAL

58. General Comment. Throughout this section, the term "contamination" should be changed to "pollution", and the term "contaminants" to "pollutants." 95W2

59. Page 226, last paragraph. After the sentence that discusses the small solvent release in the southwest corner of the property, the following sentences should be added: "Another small solvent release has recently been detected in the vicinity of the 20,000 gallon tank. A supplemental remediation plan addressing this release is being prepared by Del Monte." 95X2

60. Page 227, second paragraph. Pepsi, Standard Brands and the City of Emeryville all have been conducting investigations of pollutants on their properties. Although these investigations are not complete, enough information has been developed to allow Kaiser and those parties to negotiate regarding cleanup responsibilities. Thus, the last sentence of the paragraph, which says that the existence of past releases on these properties "would need to be investigated and remediated as necessary" is somewhat outdated. A more appropriate sentence would be: "Investigations of soil and groundwater are being conducted on these properties, and remedial plans will be developed for polluted soil and groundwater." 95Y2

61. Page 228, second paragraph. Based on current information, the last two sentences can be deleted and replaced by the following: "DTSC has determined that none of these sites poses a significant risk to future occupants of the Kaiser Permanente Medical Center. DTSC has informed Kaiser that it will issue a determination that the project site is not border zone property after exposed soils at a smaller nearby cleanup site (the Lowe/Chromex site) are abated." 95Z2

62. Page 229, fourth paragraph; page 230, fifth paragraph. Contrary to the statements made in these paragraphs, Kaiser cannot be certain that groundwater pollution will be remediated prior to construction. If it cannot, an evaluation will be conducted regarding the potential for volatile pollutants to migrate into the foundations of the buildings. If there is a significant risk posed by volatilization, a vapor barrier will be installed into the foundations to mitigate the risk. 95A3

63. Page 233, second full paragraph. There is some confusion in this paragraph between "hazardous wastes" and "medical wastes", which are regulated under different laws. We suggest that the first sentence be revised to read: "The disposal of hazardous waste is regulated by federal and state law, and the disposal of medical waste is regulated by state law." Also, for accuracy, please replace "biohazardous" with "regulated" in the second to the last sentence, and delete the last sentence of the paragraph entirely. Similarly, the word "Hazardous" in the caption of Table 37 should be changed to "Regulated." 95B3

64. Page 237. For accuracy, please change the "Hazardous Waste" caption to "Regulated Wastes". Just below this caption, please change "biohazardous" to "regulated."

65. Page 238, second paragraph. The term "special wastes" should either be defined or eliminated. 95C3

66. Page 238, fourth paragraph. For accuracy, please replace the term "toxic chemicals" with "hazardous chemicals." 95D3

HISTORIC AND CULTURAL RESOURCES

67. Pages 273-277. For clarity and consistency, the word "eligible" should be inserted before all references to the Emeryville Industrial Historic District ("EIHD") to indicate that, though it is eligible, the EIHD is not a designated historic district and has never been nominated for historic status. 95E3

ALTERNATIVES TO THE PROPOSED PROJECT

68. Page 312. For accuracy, the Draft EIR should note that this alternative would require the purchase of the MacArthur Broadway Center and require the building of additional MOBs off-site in the future since there would not be adequate capacity for all providers at the Oakland-MacArthur site.

69. Page 316, second paragraph. Kaiser does not believe that this conclusion adequately addresses Kaiser's concerns with this alternative. To provide a more complete summary of the issues associated with this alternative, we request that the following sentence be added before the last sentence in this paragraph: "In addition, Kaiser does not favor this alternative for reasons including (1) the site does not involve sufficient land area and would thus require developing the project at a density that creates operational obstacles for the optimal provision of health care services, (2) the configuration of the project, which would require bridging of MacArthur Boulevard, would be awkward and inconvenient for Kaiser employees and users, and (3) the phasing requirements, which would require the hospital and medical office buildings to be operational while the new hospital and medical office buildings are under construction, would have significant cost and timing ramifications." 95F3

70. Page 321, Bayfront Site Alternative, Conclusion. As requested in Kaiser's April 1994 ADEIR comments, the conclusion should explain why this alternative would result in "similar environmental impacts when compared to proposed projects." 95G3

APPENDIX B

71. Appendix B, Page 2. The proposed General Plan amendments submitted by Kaiser as generally set forth in Pages 1-3 in Appendix B of the Draft EIR should be corrected to include the following: "Page 36, Figure 2 should be revised to eliminate the north-south vehicle circulation route connecting Doyle and Haven Streets." 95H3

72. Appendix B, Page 2. The proposed amendments to the Redevelopment Plan for the Shellmound Park Redevelopment Project submitted by Kaiser as generally set forth in Appendix B of the Draft EIR should be corrected to include the following: "Section 500.26, Paragraph 3, entitled "Other Semi-Public, Institutional and Nonprofit Uses" should be revised as follows:

> In any area designated on the map attached hereto, the Agency is authorized to permit the establishment, development or enlargement of public, semi-public, institutional, or non-profit uses, including park and recreational facilities, libraries, medical facilities (including hospitals, medical office buildings, utility buildings, and a broad range of medical related services appropriate for a contemporary medical center), charitable institutions, and facilities of other similar associations or organizations. All such uses shall be developed according to the regulations, requirements, restrictions, and provisions of the Agency and shall conform as far as possible to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose reasonable restrictions consistent with the General Plan as are necessary to protect the development and use of the Project Area."

9513

We look forward to receiving the Final EIR and reviewing the responses to these comments. Thank you for your continued cooperation.

Very truly yours,

Lubor Mrazek
Project Director

cc: Kaiser Coordinating Committee

TABLE 3
Property Acquisitions and Relocations

Property Address	Property Description/ Tenant	Land Use	STATUS (April 1994) August	
			Acquisition Completed	Relocation Required
PHASE I SITE				
4204-4264 Hollis/1200-1250 Park	Del Monte	Former Cannery/Vacant	No	No
1150 Park Avenue	Pepsi Cola	Bottling Facility	No	Yes
4347 San Pablo Avenue	Standard Brands Paints	Retail Paint Store	No	Yes
4331 San Pablo Avenue	City of Emeryville	Former Fire Station/ vacant	No	~~No~~ Yes
~~4011, 4017, 4021, 4019~~, 4309 San Pablo Ave San Pablo Avenue	Silver Shelter Elks La Chalupa Restaurant ~~Building & Holding Co.~~	Masonic Lodge Building & Holding Co. Restaurant/Tavern 3 Residential Units	No No No	Yes Yes Yes
4303 San Pablo Avenue	Broom Bush Coffee Shop	Restaurant	No	Yes
4301 San Pablo Avenue	Kentucky Fried Chicken	Restaurant	No	Yes
4475-4499 Emery Street	8 Residential Units	Residential	No	Yes
1157 45th Street	Single Family Residence	Residential	Yes ~~No~~	Yes
1155 45th Street	Single Family Residence	Residential	Yes ~~No~~	Yes
1153 45th Street	Duplex	Residential	Yes ~~No~~	Yes
4489-4499 Emery Street	6 Live/Work Condos	Residential	Yes ~~No~~	Yes
FUTURE EXPANSION SITE				
~~5000 Hollis Street~~	~~Westvaco Distribution~~	~~Warehouse~~	~~No~~	~~No~~
~~4550 Hollis Street~~	~~Baker Marble & Granite~~	~~Warehouse~~	~~No~~	~~No~~
1290 45th Street 4512-4515 Hollis Street	~~Custom Woodcraft & Plast~~ ~~Beck Electric Supply~~ ~~Acrylic Art~~ ~~Earthquake Safety~~ ~~Calista Imports & Exports~~	~~Warehouse~~	~~No~~	~~No~~
1250 45th Street Emeryville Business Center	Laser Tools Inc. Quasar Engineering Inc. Northwest Computers Inc. Technichem Harmon Publishing Inc. Technicon Rehab Designs of America City Rock Gym Head Over Heals City Beach Volleyball RGA ~~Absolute Heaven~~	12 Live/Work Units[1] Commercial/Residential	No No	Yes Yes ~~(not tenants)~~
	Total Residential Units:	21 - Phase I Site; 12 - Future Expansion Site		
	Total Businesses:	8 Phase I Site; 14 - Future Expansion Site		
	Total Public Facilities:	1 (Former Fire Station)		

Soma Corp. Paula Skene Designs

[1] These Live/Work Units are counted in both residential unit and commercial business totals.

TABLE 3

Property Acquisitions and Relocations

Insert A

Property Address	Property Description/ Tenant	Land Use	Acquisition Completed	Relocation Required*
5000 Hollis St.	Westvaco Distribution	Warehouse	No	Maybe
	Baker Marble & Granite	Custom Marble/ Granite	No	Maybe
	Access Electric Supply	Electrical Supply	No	Maybe
4512-4514 Hollis St.	Beck Electric	Electrical Supply	No	Maybe
	Custom Woodcraft	Custom Cabinets	No	Maybe
1266-1290 45th St.	Acrylic Art	Custom Acrylics	No	Maybe
	4th Street Woodworking	Custom Windows/ Doors	No	Maybe
	Trader Vic's	Import/Export	No	Maybe
	Calista Imports	Import/Export	No	Maybe**

* Relocation will not be required if no occupant is displaced by the project (e.g. lease expires).

** Relocation Plan does not list Calista Imports; however, a comment letter received from the owner of 1266-1290 45th Street indicates that this business is located on that property.

DKS Associates

1956 Webster Street, Suite 300
Oakland, CA 94612-2939
(510) 763-2061
Fax: (510) 268-1739

RECEIVED
Facilities Design & Construction
DC4
AUG 03 1994
B G D P
1 2 3 4 6 6 7 8 9 10 X
a b c d e

August 3, 1994

Mr. Lubor Mrazek
Project Director
Kaiser Permanente F, D & C
3505 Broadway, 7th Floor
Oakland, California 94611

Subject: Kaiser Emeryville DEIR - Traffic and Circulation Chapter P93202x2

Dear Lubor:

I have reviewed the traffic and circulation element of the DEIR. This letter is intended to point out wording and other comments that I have regarding the text.

Page 86, line 1 - Please confirm the date that the traffic analysis was conducted. 95J3

Page 91 - Table 6 shows existing service levels for freeway segments, ramps and weaving segments. Table 20 on page 159 shows future service levels only for freeway segments, and the text on page 158 (4th paragraph) notes the future conditions of the ramps and weaving segments. Perhaps Table 20 should also show ramps and weaving segments analyses for consistency with Table 6. 95K3

Page 93, 5th paragraph - On this page and elsewhere in the text, please clarify the number of existing and future intersections studied in the Draft EIR. 95L3

Page 96, intersection 32 - Please clarify that there is a distinction between all-way stop controlled intersections, two-way stop controlled intersections, and signalized intersections with respect to V/C ratios and LOS calculations. 95M3

Page 111, 1st paragraph - Please clarify where a reader of the Draft EIR can find a listing of the cumulative projects (Chiron, etc.), their sizes and their trip generation, so that a comparison can be made with these projects and the proposed Kaiser project. 95N3

Page 151, 1st full paragraph - There are actually 17 intersections listed, and not 16 as noted in the last line of the first paragraph. 95O3

Page 124 - It is noted on page 133 of the Draft EIR that mitigation measures would not be feasible under the year 2000 cumulative scenario for the Hollis Street/45th Street intersection during the weekday P.M. peak hour condition. This is an important finding and should be called out in a separate section in the summary entitled **Cumulative Intersection Impacts, Year 2000 (Infeasible in Emeryville)**. 95P3

the same (for facilities being transferred from Oakland to Emeryville) or very similar (for new facilities in Emeryville), it is reasonable to assume that their trip making habits would be similar. Also, the employees at either the Oakland or the Emeryville facility would be coming from the same areas and would have similar auto and transit use habits. In other words, the demographic characteristics are similar enough to make direct comparisons. (Note that if the proposed facility was to be located in Santa Rosa or Santa Clara, then a more suburban Kaiser facility, without the same amount of transit availability, on-street parking, etc, would be appropriate for comparison) 95S3

New Trips vs. Existing Trips

A large number of the services at the proposed facility are currently provided at the Kaiser Oakland facility, and many of these trips would be moved from one location to the other. Therefore, not all of the vehicle trips would be newly generated trips. Since it has not been formally established which services are to be relocated, it is not yet possible to estimate how many trips are newly created compared to how many already exist on the roadway. The analysis assumed that the proposed project would generate entirely new trips, and as such there is some overestimation built into the calculations. 95T3

Please feel free to call me with any questions you may have.

Sincerely,

DKS ASSOCIATES
A California Corporation

Mark E. Spencer

Mark E. Spencer, P.E.
Project Manager

95. RESPONSES TO COMMENTS FROM LUBOR MRAZEK, KAISER PERMANENTE RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 95.A.: The commenter's remarks are noted. Please see responses to Comments 95.B. through 95.T.3.

RESPONSE TO COMMENT 95.B.: The text revision is noted and the Draft EIR is revised accordingly on page S-1.

RESPONSE TO COMMENT 95.C.: The text revision is noted and the Draft EIR is revised accordingly on page S-2.

RESPONSE TO COMMENT 95.D.: The text revision is noted and the Draft EIR is revised accordingly on page S-2.

RESPONSE TO COMMENT 95.E.: The text revision is noted and the Draft EIR is revised accordingly on page S-4.

RESPONSE TO COMMENT 95.F.: The text revision is noted and the Draft EIR is revised accordingly on page S-20.

RESPONSE TO COMMENT 95.G.: The text revision is noted and the Draft EIR is revised accordingly on page S-21.

RESPONSE TO COMMENT 95.H.: The traffic signal is located at the garage entrance and is intended to facilitate movements to and from the garage.

RESPONSE TO COMMENT 95.I.: The details of funding the identified mitigation measures would be established through the Mitigation Monitoring and Reporting Program which will be adopted as part of the findings.

RESPONSE TO COMMENT 95.J.: The text revision is noted and the Draft EIR is revised accordingly on page S-25.

RESPONSE TO COMMENT 95.K.: The text revision is noted and the Draft EIR is revised accordingly on page S-39.

RESPONSE TO COMMENT 95.L.: The details of funding the identified mitigation measures would be established through the Mitigation Monitoring and Reporting Program which will be adopted as part of the findings.

RESPONSE TO COMMENT 95.M.: The text revision is noted and the Draft EIR is revised accordingly on page S-42.

RESPONSE TO COMMENT 95.N.: This mitigation measure was identified by the EIR architectural historian as a measure to avoid the impact to the Del Monte building. Please refer to the response to Comment 78.P.2. As indicated in the Mitigation Monitoring and Reporting Program, the Preliminary and Final Development Plans for Phase I will reflect the incorporation of any portion of the Del Monte Plant #35 building that can be preserved as part of the medical center.

RESPONSE TO COMMENT 95.O.: The text revision is noted and the Draft EIR is revised accordingly on page S-55.

RESPONSE TO COMMENT 95.P.: The text revision is noted and the Draft EIR is revised accordingly on page 12.

RESPONSE TO COMMENT 95.Q.: The text revision is noted and the Draft EIR is revised accordingly on page 15. Please note that the description contained on page 15 was based upon information provided by the applicant prior to circulation of the Draft EIR. The addition of this third amendment would not be expected to result in new significant impacts, since it apparently clarifies the language in the Redevelopment Plan with regard to medical center uses.

RESPONSE TO COMMENT 95.R.: The text revision is noted and the Draft EIR is revised accordingly on page 16. Please note that the description contained on page 15 was based upon information provided by the applicant prior to circulation of the Draft EIR.

RESPONSE TO COMMENT 95.S.: The City of Emeryville instructed the EIR consultant to reference the inclusion of the Kaiser Housing Program in both the Disposition and Development Agreement (Participation Agreement) and Development Agreement, because at the time the Draft EIR was prepared, the City had not determined which agreement would include the Housing Program and relocation requirements.

RESPONSE TO COMMENT 95.T.: The text revision is noted and the Draft EIR is revised accordingly on page 20.

RESPONSE TO COMMENT 95.U.: The text revision is noted and the Draft EIR is revised accordingly on pages 23 to 25.

RESPONSE TO COMMENT 95.V.: The text revision is noted and the Draft EIR is revised accordingly on page 25.

RESPONSE TO COMMENT 95.W.: The impacts described in this section are subjective and reflect a given resident's views of the proposed development. In order to acknowledge that some residences may believe that the project is incompatible with the surrounding land uses, the term "perceived" land use conflict was applied.

The text revisions are noted and the Draft EIR is revised accordingly on pages 36, 39, and 58.

RESPONSE TO COMMENT 95.X.: The text revision is noted and the Draft EIR is revised accordingly on page 61.

RESPONSE TO COMMENT 95.Y.: The text revision is noted and the Draft EIR is revised accordingly on page 62.

RESPONSE TO COMMENT 95.Z.: The text revision is noted and the Draft EIR is revised accordingly on page 64 to include the additional relocation assistance provisions.

RESPONSE TO COMMENT 95.A.2.: The text revisions are noted and the Draft EIR is revised accordingly on page 65.

RESPONSE TO COMMENT 95.B.2.: The text revisions are noted and the Draft EIR is revised accordingly on page 66 to clarify the relocation assistance procedures and benefits.

RESPONSE TO COMMENT 95.C.2.: The text revision is noted and the Draft EIR is revised accordingly on page 68.

RESPONSE TO COMMENT 95.D.2.: The text revision is noted and the Draft EIR is revised accordingly on page 68.

RESPONSE TO COMMENT 95.E.2.: The text revision is noted and the Draft EIR is revised accordingly on page 69.

RESPONSE TO COMMENT 95.F.2.: The text revision is noted and the Draft EIR is revised accordingly on page 69.

RESPONSE TO COMMENT 95.G.2.: The text revision is noted and the Draft EIR is revised accordingly on page 69.

RESPONSE TO COMMENT 95.H.2.: The text revision is noted and the Draft EIR is revised accordingly on page 69.

RESPONSE TO COMMENT 95.I.2.: The text revision is noted and the Draft EIR is revised accordingly on page 70.

RESPONSE TO COMMENT 95.J.2.: The text revision is noted and the Draft EIR is revised accordingly on page 70.

RESPONSE TO COMMENT 95.K.2.: Please refer to Master Response C3. and to Master Response C5. regarding fair share housing impacts and the Kaiser Housing Program. Also refer to Section VI. for the corresponding text revisions.

RESPONSE TO COMMENT 95.L.2.: The text revision is noted and the Draft EIR is revised accordingly on page 74.

RESPONSE TO COMMENT 95.M.2.: The text revision is noted and the Draft EIR is revised accordingly on page 74.

RESPONSE TO COMMENT 95.N.2.: The language contained in the Draft EIR was based upon Kaiser's description of the proposed Housing Program. Please refer to Master Response C1. and the text revisions contained in Section VI for an updated discussion of the Housing Program.

RESPONSE TO COMMENT 95.O.2.: The mitigation measures listed on page 78 do not require the Kaiser Housing Program to fund the construction of the affordable housing units or to develop housing on the 25 sites. The Draft EIR clearly states on page 78 that the actual development of housing on the 25 sites is not included in the Kaiser project.

Please refer to Master Response C2. and to Master Response C6. regarding the existing housing conditions on the site and alternative housing sites. Also refer to Section VI. for the corresponding text revisions.

RESPONSE TO COMMENT 95.P.2.: Please refer to the text revisions to page 78 that are contained in Section VI of this Responses to Comments document.

RESPONSE TO COMMENT 95.Q.2.: The text revisions are noted and the Draft EIR is revised accordingly on page 79.

RESPONSE TO COMMENT 95.R.2.: Please refer to the response to Comment 95.N.2. above.

RESPONSE TO COMMENT 95.S.2.: The text revision is noted and the Draft EIR is revised accordingly on page 81.

RESPONSE TO COMMENT 95.T.2.: The text revision is noted and the Draft EIR is revised accordingly on page 82.

The text revision is noted and the Draft EIR is revised accordingly on page 84.

RESPONSE TO COMMENT 95.U.2.: Comment noted.

RESPONSE TO COMMENT 95.V.2.: This mitigation measure is necessary to relieve traffic projected along Hollis Street. Therefore, this mitigation measure cannot be eliminated.

RESPONSE TO COMMENT 95.W.2.: Please note that the use of the term "contaminants" is appropriate for the discussion contained in the Draft EIR.

RESPONSE TO COMMENT 95.X.2.: The text revision is noted and the Draft EIR is revised accordingly on page 226.

RESPONSE TO COMMENT 95.Y.2.: The text revision is noted and the Draft EIR is revised accordingly on page 227.

RESPONSE TO COMMENT 95.Z.2.: The text revision is noted and the Draft EIR is revised accordingly on page 228.

RESPONSE TO COMMENT 95.A.3.: The text of the Draft EIR on page 229 is revised to note the status regarding the remediation of groundwater contamination on the site.

RESPONSE TO COMMENT 95.B.3.: The text revisions are noted and the Draft EIR is revised accordingly on pages 233 and 237.

RESPONSE TO COMMENT 95.C.3.: Special wastes has been replaced with chemical wastes on page 238.

RESPONSE TO COMMENT 95.D.3.: The text revision is noted and the Draft EIR is revised accordingly on page 238.

RESPONSE TO COMMENT 95.E.3.: The text revisions are noted and the Draft EIR is revised accordingly on pages 273 through 277.

RESPONSE TO COMMENT 95.F.3.: The text revisions are noted and the Draft EIR is revised accordingly on pages 312 and 316.

RESPONSE TO COMMENT 95.G.3.: The Draft EIR is revised on page 321 to explain the conclusion regarding the Bayfront Site Alternative.

RESPONSE TO COMMENT 95.H.3.: The text revision is noted and the Draft EIR is revised on page 2 of Appendix B.

RESPONSE TO COMMENT 95.I.3.: The text revision is noted and the Draft EIR is revised on page 2 of Appendix B.

RESPONSE TO COMMENT 95.J.3.: As a separate document, Korve Engineering's transportation report was dated March 1994.

RESPONSE TO COMMENT 95.K.3: Refer to response to Comments 34.N. and 52.Z.3.

RESPONSE TO COMMENT 95.L.3: As described in the Draft EIR (p. 93), there were 43 intersections analyzed under existing conditions. The numbers in the first column are node numbers, not intersection numbers. A careful look at Table 8 shows that there are no numbers 35 and 44. As described in the Draft EIR (p. 114), there were 47 intersections studied under future conditions.

RESPONSE TO COMMENT 95.M.3: The comment is correct. The V/C ratios included in Table 8 for the intersection of Adeline Street/36th Street should be replaced with footnote (b), since this intersection is an all-way stop controlled intersection. Level of Service for an all-way stop controlled intersection is based on delay, not V/C ratios.

RESPONSE TO COMMENT 95.N.3: Refer to the attached tables for the trip generation equations in the Emeryville city-wide travel demand model. Also, refer to Tables 2 and 3 in Appendix C for a list of cumulative projects and their size.

RESPONSE TO COMMENT 95.O.3: The last line in the first paragraph on page 151 is correct (i.e., there are impacts at 16 intersections that are considered significant unavoidable impacts). The I-80 Eastbound Ramps/Powell Street intersection should not have been included and the list is hereby amended. This intersection is listed and described on page 155, under Year 2010 cumulative conditions.

RESPONSE TO COMMENT 95.P.3: The comment is noted. The last sentence of the last paragraph is deleted because the mitigation measures identified in 2010 for the Hollis Street/45th Street intersection (Cir-20.1) have been advanced to year 2000 to be combined with mitigation measure Cir-4.1. As revised, mitigation measure Cir-4.1 would reduce significant cumulative impacts at the Hollis/ 45th Street intersection to a less than significant level. Therefore, feasible mitigation is available for this intersection.

RESPONSE TO COMMENT 95.Q.3: The comment is noted.

RESPONSE TO COMMENT 95.R.3: The comment is correct. The trip generation values used in this analysis are conservative in their assumptions regarding vehicular access to the site.

RESPONSE TO COMMENT 95.S.3: The comment is noted. A conservative approach to the analysis was selected to avoid the appearance of not adequately mitigating all project impacts. If anything, the comment is right that the traffic volumes represent a conservative analysis.

Trip Generation Equations

Productions

HBW	1.2239 (households)
HBS	1.4820 (households)
HBSR	0.6942 (households)
NHB	0.5128 (households) + 4.5171 (retail emp) + 0.9323 (service emp) + 0.4400 (manufacture emp) + 0.4775 (other emp)

Attractions

HBW	1.2085 (total emp)
HBS	7.6408 (retail emp) + 0.8018 (service emp)
HBSR	0.0093 (vacant area) + 0.2201 (population) + 1.9521 (retail emp) + 0.1807 (service emp)
NHB	0.6108 (households) + 4.9085 (retail emp) + 0.6928 (service emp) + 0.3296 (manufacture emp) + 0.3511 (other emp)

Person Trip to Vehicle Trip Factors

	Productions	Attractions
HBW	0.6946	0.7756
HBS	0.7546	0.8130
HBSR	0.5782	0.5932
NHB	0.7601	0.7271

- HBW - Home Based Work Trip
- HBS - Home Based Shop Trip
- HBSR - Home Based Social Recreation Trip
- NHB - Non-home Based Trip

TABLE FOR RESPONSE TO COMMENT 95.N.3

RECEIVED
AUG 04 1994
PLANNING DEPARTMENT

Additional Comments and Questions Regarding Draft EIR
KAISER PERMANENTE MEDICAL CENTER
MAY 1994

Gaye Quinn
Planning Director
City of Emeryville
2400 Powell Street
Emeryville, CA

August 4, 1994

Dear Ms. Quinn,

What follows are additional written comments regarding the May 1994 Draft EIR for the KAISER PERMANENTE MEDICAL CENTER. They are to be added to my earlier written comments (June 20, 1994) and my testimony at the June 2nd public hearing. From here on I will be repeating some of my written comments from my June 20th letter to provide a context for my current comments. I will underline my current comments and insertions into my previous questions to clarify or update them. 96A

C. PROJECT OBJECTIVES, page 4. *"To accommodate demand created by health care reform".* It is not clear how increased demand created by health care reform is going to effect this project. Everything I have read of late regarding the anticipated impact of health care reform speaks to the need to use preventive care (something Kaiser is known for) but to decentralize it... too bring it closer to the consumers through smaller, less costly clinic located in neighborhoods, particularly minority and low income neighborhoods. In fact, I have been told that Kaiser representatives at a recent community meeting admitted that their current thinking calls for fewer than 350 hospital beds in Phase I with banking of more land for later Phases. Is this information correct, how many beds does Kaiser now anticipate and how does it effect projections on traffic, air quality, etc. Does it effect square footage in the adjacent MOB (s). This new information just reinforces my earlier question: **How does proposing a large, centralized facility that is less accessible to low income consumers who do not own cars (80%+ less accessible than the current site at Broadway/MacArthur [see EIR page 163, Transit Impacts] square with everything the public has been told about the objectives of health care reform.** 96B

3. Other Permits and Approvals. U.S. Army Corps of Engineers, Section 404 Permit, page 19, top of page. On page 262 of the Draft EIR, Historic Structures, there is a brief discussion of protections that National Register eligible properties receive under Section 106 of the National Historic Preservation Act. It concludes with, "*However, Section 106 protections only apply where the projects are federally funded or licensed*". 96C

Is it still the City's position that Section 106 does not apply to this project? If so, why? 96C

B. EMPLOYMENT AND HOUSING, pp. 56-85.

Data referred to from both the ABAG Projections (Recession Update, December 1992) and the Recht Hausrath and Associates (October 1993) (Appendix C) is badly out of date. For instance, both the ABAG and Recht Hausrath Employment and Housing Projections were done without the most recent 500,000 sq. ft. of Chiron which was just announced. What other newly revised figures on employment were not included? Furthermore, the bulk of the units referred to as meeting Emeryville's 1995 ABAG requirements, Table 4, page 76, (1,200 of the Emeryville's 1,508 Potential Housing Units) are either Catellus (I understand they are neither required or inclined to go forward), St. Albans (I understand they have withdrawn the project do to local opposition and weak market acceptance of a similar project in San Francisco) and the Del Monte site, which the Kaiser Medical Complex replaces. **If my understanding of each of these alleged housing development sites is correct, Emeryville cannot possibly meet its ABAG 1995 requirements, and approval of this project contributes significantly to the City's inability to comply.** 96D

Has ABAG reviewed these figures on employment and housing and do they agree with the city's analysis of them? Has the State Department of Housing and Community Development been apprised of the current status or non-status of the above mentioned 1,200 housing units and were they given an opportunity to comment on this matter? But most importantly, what is the city's response to the Andy Getz "pipeline" list of 10,000,000 sq. ft. of development in... 33% more employment on average than the EIR base documents would indicate and a whopping 70% more employment along the Hollis corridor? If the City agrees with these numbers the EIR will have to be substantially rewritten and recirculated. If the City disagrees with these numbers then the City has the burden to go project by project and demonstrate that these projects could not reasonably be expected to be brought before the City in the timeline Mr. Getz, the former Chair of the Emeryville Planning Commission, has laid out.

Mitigation EH-6, page 77. Where are the 25 sites identified for additional housing, what kind of zoning changes are required, how long will it take, how will it be funded, when will it be funded. Without this information one cannot make the determination that it would be consistent with the Housing Element, that is speculation not supported by fact. What is ABAG and HCD's response to the validity of "unidentified" sites in meeting housing goals? 96E

Jobs/Housing Balance, pp. 81-85. The underlying assumption is erroneous... that "there will be a shortage of 4,340 units in the northern portion of the county, overall, Alameda County will have a surplus of 5,650 units which could accommodate the demand for 870 units associated with the future Expansion phase, and the total 1,227 units to 2,260 units associated with Phase I and the Future Expansion phase"[page 85]. For this to be true, among other things, Kaiser alone would have to lay claim to 2,100-3,100 of those units throughout the county. Chiron, Bayfront and other Emeryville development would more that account for all of the rest of the County's surplus. It is hard to image that either ABAG or every other city in the county would stand for that interpretation of how Kaiser and Emeryville can meet their jobs/housing fair share. Have you discussed your "creative" interpretation of meeting Emeryville's housing/ jobs balance with ABAG and what is there response? I can't imagine they would agree with Emeryville claiming almost all of the housing capacity in Alameda county? Have they (ABAG) seen the Getz cumulative employment list and responded to its impact on their employment projections? This must be included in the EIR. 96F

Cumulative impact analysis is undercounting commercial development we currently know is in the pipeline and overcounting residential development (see above). **BART shuttle** will travel a route that includes a number of level F intersections. The map showing the route should also show the level E and F intersections on it. How does the new Andy Getz "pipeline" list impact San Pablo Avenue and the Hollis corridor (where the EIR undercounts employment by 70%). How many inter sections, arterials and side streets will deteriorate as a result of this additional traffic. How will this effect ambulance response time for the hospital patients and how will it effect the ability of existing small businesses on these commercial streets to continue to operate profitably 96G

TRANSIT ISSUES

Recent articles in the S.F. Chronicle and the San Francisco EXAMINER have spoken of a FREEZE on CALTRANS funding of highway/roadway projects in the Bay Area. How will such a freeze impact projections contained in the EIR regarding CALTRANS funded or partially funded transit improvements that are part of Emeryville's transit capital improvement plan. 96H

Sincerely,

Brad Paul
35 Hartford Street, San Francisco, CA 94114

96. RESPONSES TO COMMENTS FROM BRAD PAUL RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 96.A.: The commenter's remarks are noted.

RESPONSE TO COMMENT 96.B.: Please refer to the response previously provided to the commenter's letter of June 20, 1994. Specifically, refer to response to Comment 63.D. Please refer to the response to Comment 93.D.

RESPONSE TO COMMENT 96.C.: The City's position is that Section 106 would not apply to the project, because the project is designed to avoid the need for a Section 404 Permit. Please refer to the response to Comment 63.L.

RESPONSE TO COMMENT 96.D.: ABAG submitted comments on the Draft EIR (refer to Comment Letter 86). All projections used for Emeryville were developed in coordination with ABAG, prior to preparing the cumulative impact analysis. ABAG did not indicate that the numbers used in the employment and housing analysis were incorrect.

The Draft EIR evaluated cumulative impacts based upon available information at the time of the preparation of the EIR. Pursuant to Public Resources Code §21100(d), the City of Emeryville relied on previously approved land use documents and a list of approved, pending, and proposed projects that were known at the time the Draft EIR was under preparation. It would be misleading for the cumulative impacts analysis to speculate on levels of development for all properties within Emeryville, and to report that this level of development would occur, without having evidence of known or likely projects on file at the Planning Department.

With regard to the list of 10,000,000 square feet of development, it is incorrect to refer to this as "pipeline" projections. This square footage, in many cases, cannot be tied to development permits or pending development applications. Furthermore, in several cases the developers or property owners have not informed the City of their plans to redevelop their properties at greater intensities.

RESPONSE TO COMMENT 96.E.: Please refer to Master Response C4. A letter was sent to the Department of Housing and Community Development in compliance with state law.

RESPONSE TO COMMENT 96.F.: Please refer to Master Response C1. through C6., and to the responses to Comment Letter 86. Also refer to the response to Comment 96.D. The Getz projections were submitted as comments on the Draft EIR, and ABAG will have an opportunity to review them during the 10-day review period on the Final EIR.

RESPONSE TO COMMENT 96.G.: Please refer to Master Response H2. and to the response to Comment 96.D.

RESPONSE TO COMMENT 96.H.: The current freeze is only short-term and due to budgetary constraints. This freeze primarily affects current construction projects and should not affect the future projects identified in the traffic analysis.

BART

BAY AREA RAPID TRANSIT DISTRICT
800 Madison Street - Lake Merritt Station
P.O. Box 12688
Oakland, CA 94604-2688
Telephone (510) 464-6000

August 4, 1994

Gaye Quinn
Planning Director
City of Emeryville Planning Department
2200 Powell St., 12th Floor
Emeryville, CA 94608-1806

Re: Comments on DEIR for the Kaiser Permanente Medical Center Project

MARGARET K. PRYOR
PRESIDENT

MICHAEL BERNICK
VICE-PRESIDENT

RICHARD A. WHITE
GENERAL MANAGER

DIRECTORS

DAN RICHARD
1ST DISTRICT

NELLO BIANCO
2ND DISTRICT

ROY NAKADEGAWA
3RD DISTRICT

MARGARET K. PRYOR
4TH DISTRICT

SHERMAN LEWIS
5TH DISTRICT

JOHN GLENN
6TH DISTRICT

WILFRED T. USSERY
7TH DISTRICT

JAMES FANG
8TH DISTRICT

MICHAEL BERNICK
9TH DISTRICT

Dear Ms. Quinn,

Please accept this letter as the Bay Area Rapid Transit District's written comments on the City of Emeryville Kaiser Permanente Medical Center Project Draft Environmental Impact Report (DEIR) dated May 1994.

As President of the BART Board of Directors, I am deeply concerned that a facility expected to generate more than 31,000 automobile trips per day is located on a site that is not readily accessible to people using BART. Our streets and highways are already choked with traffic and our air fouled with enough emissions. It is paramount that we stimulate the use of public transit by locating heavily used facilities near BART stations.

In addition to reducing auto trips, locating the Kaiser facility near a BART transfer station will make public access more readily accessible to the people who have no alternate means of transportation, particularly the young and the elderly who would frequent a medical facility. 97A

I join with former Gov. Jerry Brown in urging that this facility be located within easy walking distance of a BART transfer station. I am sure my fellow Board members support me in this view.

The attached list of comments on the DEIR center around this concern. We look forward to reviewing the Final EIR. If you have any questions regarding these comments, please feel free to contact Deborah Wetter, Executive Manager, BART External Affairs Department at (510) 464-6425.

Sincerely,

MARGARET K. PRYOR
President, Board of Directors

BART Comments on City of Emeryville Kaiser Permanente Medical Center DEIR

The DEIR estimates that this facility, which is located on a site that is not readily accessible by BART, will generate over 31,000 automobile trips per day. In fact, the DEIR points out that the existing Kaiser facility in Oakland achieves a transit mode split more than four times greater than that expected for a Kaiser facility at this new site.

Although we agree with the conclusion of the Transportation and Circulation section of the DEIR that very few employees and users of this facility are expected to use BART (pages 163 and 165), we would like to point out that this conclusion is based on the statement that the site is ¾ of a mile from the Mac Arthur BART station. As the crow flies, this may be accurate, but the distance that a person would have to travel from the proposed main hospital to the BART station is roughly 1.1 mile. The relevant piece of information is how far a person would have to walk, using pedestrian facilities, from the BART station to the Kaiser hospital facility, not the parking garage. This should be corrected in the DEIR and the resultant estimate of BART use should be adjusted. 97B

It is well documented that most people will consider using mass transit if their destination is within ½ mile and few will walk as far as ¾ mile. We contend that a distance of 1.1 mile virtually precludes the use of BART by walkers to or from the proposed facility and that this fact should be included in the EIR's evaluation of existing public transit.

The BART shuttle service discussed on page 107 would provide an alternative to walking from BART, but it is unclear whether this "planned" transit improvement is real and funded or simply recommended by a consultant's study. This needs to be clarified. 97C

Neither the creation nor the direct provision of funding of this service is identified as a mitigation measure for the traffic impacts of the project. Given the anticipated trip generation from this project, we contend that at a minimum this shuttle service should be required as a mitigation measure and that the frequency and cost of the service be such that there would be a high expectancy for its success in encouraging the use of BART over the private automobile when traveling to Kaiser Permanente. 97D

97. RESPONSES TO COMMENTS FROM MARGARET K. PRYOR, BART RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 97.A.: Please refer to Master Response G1. for a discussion of the Fox Theater site.

The existing MacArthur/Broadway site was considered as a project alternative in the Draft EIR. This site is approximately one-half mile from the MacArthur BART station. Due to the provision of the Emeryville-BART shuttle and Kaiser's own proposed shuttle, the proposed site in Emeryville has a high level of access to BART.

RESPONSE TO COMMENT 97.B: The distance from the corner of San Pablo Avenue and Park Avenue is approximately 0.85 miles after 40th Street is extended to San Pablo Avenue. The extension will be made as part of the East Baybridge project and will be completed by November 1994.

RESPONSE TO COMMENT 97.C.: Page 340 of the Draft EIR notes that Emeryville is working with local developers and major employers to establish a joint public/private city-wide shuttle service to BART and Amtrak by the end of the 1994. Funded by a grant from the BAAQMD, the proposed shuttle service would provide convenient and cost-effective shuttle service linking major employment, retail, and residential areas throughout the city with the MacArthur BART and Emeryville Amtrak Stations. The shuttle service would operate Monday through Friday during the peak commute hours.

The Emeryville-BART shuttle is proposed to be implemented by the City of Emeryville in the near future. An RFP for operations of the planned shuttle was issued in early September 1994. The shuttle will be in operation prior to the opening of the Kaiser medical center. Kaiser will contribute funds to the operations of this shuttle service.

In addition to the Emeryville-BART shuttle, Kaiser would provide its own shuttle service as an element of its Transportation Systems Management Program.

RESPONSE TO COMMENT 97.D.: Please refer to the response to Comment 97.C.

FAX TO: GAME QUINN, CITY OF EMERYVILLE

010 1 510 658 8095

04AUG94

DEAR GAME:

FOLLOWING PLEASE FIND 11 PAGES OF FURTHER COMMENT ON THE KAISER MEDICAL CENTER DRAFT EIR. UNFORTUNATELY, AN EXTENDED BUSINESS TRIP HAS PREVENTED ME FROM RETURNING TO EMERYVILLE BEFORE THE AUGUST 4TH CLOSE OF THE COMMENT PERIOD, SO I AM FORCED TO SUBMIT MY COMMENTS BY FAX. 98A

IT'S MY HOPE THAT SHOULD SOME OF THE FINE PRINT IN MY LETTER + ATTACHMENTS COME ACROSS ILLEGIBLY (OR IF A BETTER COPY IS NEEDED FOR REPRODUCTION) YOU WILL CONTACT ME AND ALLOW ME TO SUBMIT IT AGAIN.

THANKS VERY MUCH,

STEVE SKAAR
(415) 496-6590 (W)
(510) 655-7374 (H)

Planning Department,
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Attention: Gaye Quinn, Planning Director 20-July-1994

The following pages represent a re-evaluation of the issues previously discussed in my comments (dated June 20th, 1994) to the Draft Environmental Impact Report for the Kaiser Medical Center Project, document SCH# 93082063. I have been able to take advantage of the extended comment period to expand my criticism of the DEIR's treatment of proposed mitigation effects for the Kaiser Project.

My previous comments contained an error of understanding in the section numbered "8. Impacts of Mitigation measures not fully discussed."

In that section I suggested that Southbound Right turns from San Pablo (and possibly from Adeline) would be eliminated under the proposed mitigations. In fact, both of these movements would still be permitted under the proposal. Though personally embarassing, this error demonstrates the inadequacy of the DEIR in discussing present and future conditions at the "Star Intersection." If someone such as myself (who lives very close to this location and has studied it in depth for more than three years) can radically misinterpret Korve's treatment, then I suggest that it is not well presented. 98B

One way in which the Korve presentation is especially confusing is in its grouping of Right turn figures from San Pablo onto both Adeline and MacArthur. Another issue is the depiction of Right turns from MacArthur onto Adeline as EastBound Right turns (all other Eastbound movements originate from Adeline). I would like to call again for a full diagrammatic treatment of this important intersection in the Final EIR.

Beyond these issues, however, is the more general question of the role of the proposed mitigation measures in relation to the San Pablo/Adeline/MacArthur crossroads. The following pages and spreadsheets demonstrate

1. **That a primary goal of the proposed mitigations is to alleviate future conditions along San Pablo, especially at the Star intersection** 98C

   Mitigations proposed fall into two basic groups. The Year 2000 group of mitigations are aimed almost entirely at improving the flow of traffic in the south on San Pablo Avenue and along 35th and 36th streets, while the 2010 scenario proposes mitigations to improve conditions in the north along the Powell Street corridor. This is shown clearly in the attached spreadsheets A and B, which compare total traffic volumes for all area intersections under both mitigated and unmitigated conditions.

2. That although the mitigations proposed add two additional through lanes to San Pablo, the Draft EIR unrealistically models total traffic as decreasing along this major thoroughfare.

98D

The data presented suggests decreases in total volumes for most southside San Pablo intersections as a result of mitigations. Given that the nature of these mitigations is a one-third increase in the number of lanes passing through the project area as well as a restriction of parking and off-turns, it might be expected that the total traffic volumes would actually increase due to mitigations, but that the V/C ratio might improve. But the Korve study fails to reflect this basic common-sense conclusion.

3. That in terms of alternate routes proposed to account for decreased San Pablo traffic the Draft EIR is both insufficient (no equivalent increases at other locations are shown to occur) and unrealistic (where increases are indicated they are not adequately justified by the nature of the mitigations).

A look at the traffic volume differences between mitigated and unmitigated scenarios citywide shows substantial across-the-board reductions in traffic. In some traffic study situations internal area circulation issues could be used as an explanation for this discrepancy, but in the current case the affected intersections are few in number and close together. It is not reasonable to model traffic disappearing from one place and not appearing in another.

98E

A detailed look at Korve's LTI model shows an adjustment made in the base volumes for the "Star Intersection" at San Pablo/Adeline/MacArthur in both the 2000 and 2010 mitigation scenarios. This is the only intersection treated in this manner, and clearly indicates an attempt to deal with the conditions at the city's most complicated intersection. However even with this adjustment total mitigated volumes through the Star Intersection are indicated as decreasing. The Final EIR should indicate:

1. A reasonable basis for the increased base totals at Intersection #7,
2. Recalculation of critical ratios for Intersections 4,5,6,8 and 9 with added base volumes.
3. A good explanation of why Star Intersection volumes will decrease with mitigations.

In addition to reducing traffic along San Pablo the proposed mitigations are shown to increase traffic along the 35th and 36th street corridors for both the AM and PM peak periods. This is also counter-intuitive. Given any significant improvement in the San Pablo approach/departure, these alternate routes would be expected to be less attractive.

To the degree that the Korve engineers really expect Hospital traffic to avoid the Star Intersection via 35th and 36th by traversing the East BayBridge shopping center they should more clearly indicate this in the Final Environmental Impact Report. As I have indicated in my previous comments, this underscores the need to comprehensively study the intersection at Peralta/MacArthur, which was not treated in the draft document.

4. That in several other respects the assumptions concerning present and future traffic patterns at the Star Intersection are flawed.

Given the understanding of the Star Intersection as probably the most significant focus of all mitigation measures proposed, a close look at Korve's presentation of this location is indicated. The following spreadsheet/diagrams indicate serious mis-treatment of data for the Star Intersection study that must be corrected for in the Final EIR to provide planners with a reasonable basis on which to proceed. In particular:

1. The Star Intersection is represented as a simple NSEW crossroads, but is really much more complicated. The simplified approach inhibits understanding rather than aiding it.
2. The disappearance of large quantities of Eastbound through traffic unrelated to the proposed projects is presented without justification.
3. The disappearance of Eastbound Left turn traffic is similarly not supported by the nature of the proposed mitigations.
4. The proposed elimination of several hundred Southbound Left turns represents a virtual lockout of West MacArthur from San Pablo, since it reroutes this traffic three blocks in either direction, either to the other side of the I-580 structure or along 40th to the north. It should be noted that under current conditions this movement has been prohibited by signage for many years during the PM peak period, that this prohibition continues in effect under the reconfiguration carried out in support of the Catellus project, and that nevertheless it continues to occur in considerable quantities. This is strong testament to its regional importance. 98F

In summary, I believe that a strong case can be made that the Southside mitigations proposed have less to do with either the Kaiser or Chiron projects than with a desire to "bank" traffic capacity along San Pablo that can later be used to justify large retail development along the Bayfront property. This is not necessarily a bad thing, but it is something that should be understood as a matter of good public policy.

Thank you for the opportunity to expand my remarks concerning the Kaiser Medical Center Draft Environmental Impact Report.

Sincerely yours,

Stephen M. Skaar
3616 Peralta St.,
Emeryville, CA 94608

Attachments: MITI2000.XLS (Citywide mitigation effects, 2000)
MITI2010.XLS (Citywide mitigation effects, 2010)
STARKA.XLS (Kaiser only at Star Intersection, 2000)
STARKA10.XLS (Kaiser only at Star Intersection, 2010)
STARBO.XLS (Both at Star Intersection, 2000)
STARBO10.XLS (Both at Star Intersection, 2010)

2000 Scenarios	Kaiser Unmit		Kaiser Mit		Kaiser Mit-Unmit		Both Unmit		Both Mit		Both Mit-Unmit	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
#1 Ashby & San Pablo	4582	5609	4582	5609	0	0	4683	5682	4683	5682	0	0
#2 Alcatraz/San Pablo	3287	4062	3287	4062	0	0	3387	4135	3387	4135	0	0
#3 Powell/San Pablo	3476	5270	3476	5270	0	0	3612	5368	3612	5368	0	0
#4 45th/San Pablo	2930	4398	2916	4389	-14	-9	3054	4488	3039	4479	-15	-9
#5 Park/San Pablo	3295	4460	3229	4344	-66	-116	3425	4555	3363	4451	-62	-104
#6 Yerba/San Pablo	2798	3571	2722	3413	-76	-158	3033	3743	2948	3559	-85	-184
#7 Adel/San Pab/Mac	3511	5901	3236	5131	-275	-770	3746	6073	3462	5277	-284	-796
#8 36th/San Pablo	3196	3429	3203	3361	7	-68	3386	3568	3393	3499	7	-69
#9 35th/San Pablo	2019	3287	2045	3304	26	17	2102	3404	2128	3421	26	17
#10 Ashby/7th	3431	5118	3431	5118	0	0	3466	5135	3466	5135	0	0
#11 65th/Hollis	1277	2239	1277	2239	0	0	1312	2255	1312	2255	0	0
#12Powell/Hollis	2613	4116	2613	4116	0	0	2723	4192	2723	4192	0	0
#13 45th/Hollis	1531	2223	1531	2223	0	0	1824	2407	1824	2407	0	0
#14 Park/Hollis	1587	1998	1587	1998	0	0	1799	2110	1821	2127	22	17
#15 YB/Mand/Hollis	989	1349	989	1349	0	0	1123	1446	1123	1446	0	0
#16 Mac/Hollis	868	1140	868	1140	0	0	901	1165	901	1165	0	0
#17 Peral/Hollis/32nd	844	1041	844	1041	0	0	877	1066	877	1066	0	0
#18 65th/Bay	787	1540	787	1540	0	0	795	1562	795	1562	0	0
#19 Shell N/Christie	1225	1587	1225	1587	0	0	1228	1597	1228	1597	0	0
#20 Shell S/Christie	683	1525	683	1525	0	0	900	1686	900	1686	0	0
#21 Powell/Christie	3240	5066	3240	5066	0	0	3525	5274	3525	5274	0	0
#22 Powell/I-80 EB	3600	4938	3600	4938	0	0	3881	5136	3881	5136	0	0
#23 Powell/I-80 WB	93	138	93	138	0	0	298	259	298	259	0	0
#24 Powell/Frontage	2220	3962	2220	3962	0	0	2425	4083	2425	4083	0	0
#25 32nd/Cypress SB	752	735	752	735	0	0	800	798	800	798	0	0
#26 Grand/Cypress SB	2242	2440	2242	2440	0	0	2309	2489	2309	2489	0	0
#27 32nd/Cypress NB	1209	1353	1209	1353	0	0	1289	1369	1289	1369	0	0
#28 Grand/ Cypress NB	2545	3115	2545	3115	0	0	2598	3126	2598	3126	0	0
#29 Adeline/MLKing	3223	4574	3223	4574	0	0	3245	4590	3245	4590	0	0
#30 Market/57th + Adeline	1819	3049	1819	3049	0	0	1819	3049	1819	3049	0	0
#31 35th/Watts + Adeline	1606	2954	1616	2997	10	43	1663	2996	1682	3064	19	68
#32 36th/Watts + Adeine	1237	1232	1310	1280	73	48	1237	1232	1310	1280	73	48

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#33 35th + Adeline	746	1507	791	1610		45	103		746	1507	791	1610		45	103
#34 36th/Watts+Peralta	845	442	911	558		66	116		845	442	911	558		66	116
#35 35th/Peralta	848	970	867	1056		19	86		848	970	867	1056		19	86
#36 40th/Market	2016	3060	2026	3103		10	43		2073	3102	2092	3170		19	68
#37 MacArthur/Market	1861	3378	1852	3336		-9	-42		1906	3411	1888	3343		-18	-68
#38 36th/Market	2208	2274	2208	2274		0	0		2315	2296	2315	2296		0	0
#39 35th/Market	1073	2676	1073	2676		0	0		1101	2752	1101	2752		0	0
#40 40th/MLKing	1599	2661	1608	2703		9	42		1656	2702	1674	2770		18	68
#41 MacArthur/MLKing	1631	2568	1631	2568		0	0		1675	2600	1675	2600		0	0
#42 40th/Telegraph	2558	4071	2558	4071		0	0		2615	4112	2615	4112		0	0
#43 MacArthur/Telegraph	2387	3913	2387	3913		0	0		2431	3945	2431	3945		0	0
#44 40th/Broadway	187	183	187	183		0	0		243	224	243	224		0	0
#45 MacArthur/Broadway	3456	4371	3456	4371		0	0		3500	4403	3500	4403		0	0
#46 40th/San Pablo	4081	5674	4015	5558		-66	-116		4373	5887	4307	5770		-66	-117
#47 40th/Hollis	1711	2984	1711	2984		0	0		2007	3200	2002	3188		-5	-12
#49 40th/Emery	774	1996	840	2112		66	116		936	2114	997	2217		61	103
#51 Stanford/Hollis	1229	1862	1229	1862		0	0		1344	1943	1344	1943		0	0
#53 53rd/Hollis	1404	2182	1404	2182		0	0		1524	2266	1524	2266		0	0
#55 Unkown	0	0	0	0		0	0		0	0	0	0		0	0
#115 53rd/San Pablo	373	801	373	801		0	0		508	900	508	900		0	0
#116 45th/San Pablo	2630	3899	2630	3899		0	0		2753	3989	2753	3989		0	0
#164 Frontage/I-80 WB	1696	2243	1696	2243		0	0		1878	2347	1878	2347		0	0
	104028	151134	103853	150469		-175	-665		109742	155150	109582	154485		-160	-665

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2010 Scenarios	Kaiser Unmit		Kaiser Mit		Kaiser Mit-Unmit		Both Unmit		Both Mit		Both Mit-Unmi		Chiron
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM
#1 Ashby & San Pablo	5599	6446	5599	6446	0	0	5724	6537	5724	6537	0	0	125
#2 Alcatraz/San Pablo	4706	4219	4706	4219	0	0	4832	4310	4832	4310	0	0	126
#3 Powell/San Pablo	4658	6021	4658	6021	0	0	4826	6142	4826	6142	0	0	168
#4 45th/San Pablo	3945	4796	3929	4786	-16	-10	4099	4907	4004	4802	-95	-105	75
#5 Park/San Pablo	4236	4644	4161	4516	-75	-128	4398	4761	4329	4649	-69	-112	168
#6 Yerba/San Pablo	3662	3616	3576	3416	-86	-200	3954	3828	3857	3596	-97	-232	281
#7 Adel/San Pab/Mac	4329	6240	4054	5440	-275	-800	4621	6452	4335	5620	-286	-832	281
#8 36th/San Pablo	3757	3616	3771	3543	14	-73	3994	3787	4008	3714	14	-73	237
#9 35th/San Pablo	2469	3272	2505	3294	36	22	2573	3417	2608	3439	35	22	105
#10 Ashby/7th	3804	5040	3804	5040	0	0	3847	5060	3847	5060	0	0	43
#11 65th/Hollis	1725	3331	1666	3239	-59	-92	1768	3351	1710	3259	-58	-92	44
#12Powell/Hollis	3187	5773	3001	5012	-186	-761	3323	5868	3003	5012	-320	-856	2
#13 45th/Hollis	1995	3537	2001	3197	6	-340	2361	3764	2004	3199	-357	-565	3
#14 Park/Hollis	2057	3039	2063	2920	6	-119	2320	3177	2191	3046	-129	-131	26
#15 YB/Mand/Hollis	1632	2087	1632	2087	0	0	1799	2208	1799	2207	0	-1	167
#16 Mac/Hollis	1291	1660	1291	1660	0	0	1332	1690	1332	1690	0	0	41
#17 Peral/Hollis/32nd	1012	1293	1012	1293	0	0	1054	1323	1054	1323	0	0	42
#18 65th/Bay	884	2618	884	2618	0	0	894	2645	894	2645	0	0	10
#19 Shell N/Christie	1286	1976	1286	1976	0	0	1290	1988	1290	1988	0	0	4
#20 Shell S/Christie	1322	3211	1322	3011	0	-200	1592	3409	1327	3026	-265	-383	5
#21 Powell/Christie	3650	6162	3650	6162	0	0	4005	6419	4005	6419	0	0	355
#22 Powell/I-80 EB	4062	6154	4056	6129	-6	-25	4413	6399	4407	6374	-6	-25	351
#23 Powell/I-80 WB	177	222	177	222	0	0	432	371	432	371	0	0	255
#24 Powell/Frontage	3003	5423	3003	5423	0	0	3258	5572	3258	5572	0	0	255
#25 32nd/Cypress SB	773	946	773	946	0	0	832	1024	832	1024	0	0	59
#26 Grand/Cypress SB	2404	2703	2404	2703	0	0	2487	2763	2487	2763	0	0	83
#27 32nd/Cypress NB	1290	1370	1290	1370	0	0	1390	1389	1390	1389	0	0	100
#28 Grand/ Cypress NB	2843	3467	2843	3467	0	0	2910	3480	2910	3480	0	0	67
#29 Adeline/MLKing	3358	5134	3358	5134	0	0	3386	5154	3386	5154	0	0	28
#30 Market/57th+Adel	2394	4191	2394	4191	0	0	2394	4191	2394	4191	0	0	0
#31 35th/Watts+Adeli	2602	5061	2619	5137	17	76	2673	5112	2702	5219	29	107	83
#32 36th/Watts+Adel	1514	1796	1602	1850	88	54	1514	1796	1602	1850	88	54	0

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#33 35th + Adeline	817	2049	874	2166		57	117		817	2049	874	2166		57	117	
#34 36th/Watts+Peralt	897	443	972	571		75	128		897	443	972	571		75	128	
#35 35th/Peralta	848	1276	870	1371		22	95		848	1276	870	1371		22	95	
#36 40th/Market	3062	4564	3079	4640		17	76		3133	4615	3162	4722		29	107	
#37 MacArthur/Market	2271	4753	2254	4677		-17	-76		2327	4793	2298	4685		-29	-108	
#38 36th/Market	2451	3164	2451	3164		0	0		2584	3189	2584	3189		0	0	
#39 35th/Market	1415	3354	1415	3354		0	0		1449	3449	1449	3449		0	0	
#40 40th/MLKing	2087	3529	2104	3605		17	76		2158	3580	2186	3688		28	108	
#41 MacArthur/MLKing	1679	3050	1679	3050		0	0		1735	3090	1735	3090		0	0	
#42 40th/Telegraph	3485	5477	3485	5477		0	0		3556	5528	3556	5528		0	0	
#43 MacArthur/Telegra	2757	4696	2757	4696		0	0		2813	4736	2813	4736		0	0	
#44 40th/Broadway	257	268	257	268		0	0		326	318	326	318		0	0	
#45 MacArthur/Broadw	4038	5177	4038	5177		0	0		4094	5217	4094	5217		0	0	
#46 40th/San Pablo	5543	6930	5474	6806		-69	-124		5907	7193	5838	7069		-69	-124	
#47 40th/Hollis	2648	4804	2654	4807		6	3		3016	5070	3016	5058		0	-12	
#49 40th/Emery	1112	3289	1192	3421		80	132		1313	3435	1388	3551		75	116	
#51 Stanford/Hollis	1708	3208	1442	2256		-264	-952		1849	3308	1483	2354		-366	-954	
#53 53rd/Hollis	1895	3636	1724	2756		-171	-880		2044	3741	1800	2772		-244	-969	
#55 Unkown	0	0	0	0		0	0		0	0	0	0		0	0	
#115 53rd/San Pablo	653	598	653	598		0	0		821	719	728	614		-93	-105	
#116 45th/San Pablo	3596	4249	3596	4249		0	0		3750	4361	3671	4265		-79	-96	
#164 Frontage/I-80 WB	2588	3420	2588	3420		0	0		2815	3549	2815	3549		0	0	
	131431	190998	130648	186997		-783	-4001		138547	195953	138437	191032		-2110	-4921	

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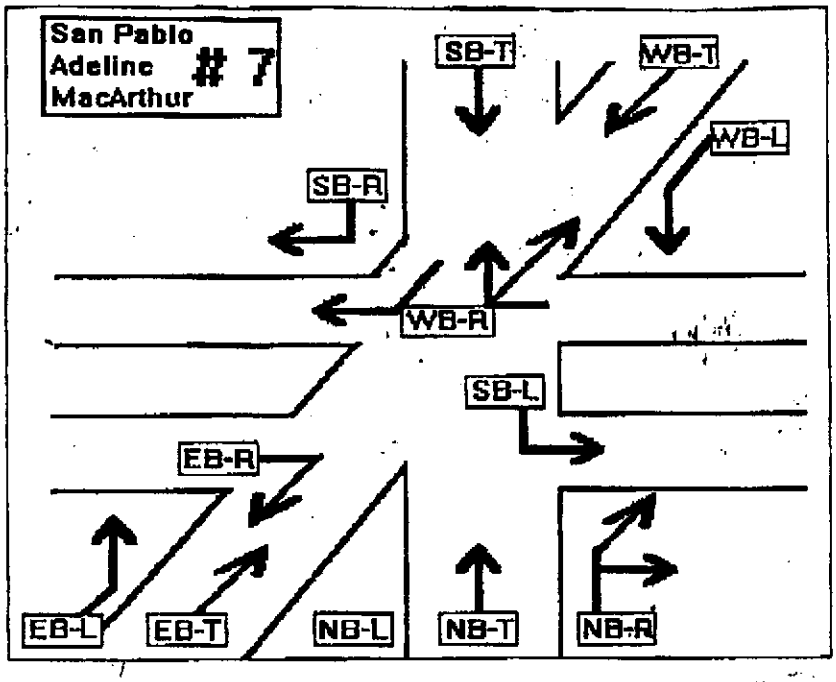

STARKA.XLS

DESPITE A LARGE INCREASE IN CAPACITY, THIS INTERSECTION IS SHOWN TO DECREASE TOTALS FOR NEARLY ALL MOVEMENTS AS A RESULT OF MITIGATIONS.

ELIMINATION OF 92 AM AND 153 PM SOUTHBOUND LEFT TURNS IS NOT ADEQUATELY COMPENSATED FOR BY THE ASSUMPTION THAT THIS TRAFFIC WILL CONTINUE THROUGH SOUTHBOUND TO 35TH.

ELIMINATION OF 114 AM AND 348 PM EASTBOUND THROUGH MOVEMENTS IS NOT JUSTIFIED BY THE NATURE OF THE MITIGATIONS PROPOSED.

		NorthBound			SouthBound			EastBound			WestBound			
		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
2000 AM Kaiser														
Mitigated	Base	0	1085	53	0	1058	62	40	20	10	59	209	116	2712
	Project	0	316	0	0	49	10	60	0	0	0	0	89	524
	Total	0	1401	53	0	1107	72	100	20	10	59	209	205	3236
2000 AM Kaiser														
Unmitigated	Base	3	1082	53	83	896	62	81	134	33	59	209	116	2911
	Project	0	336	0	9	68	10	87	0	0	0	0	89	599
	Total	3	1418	53	92	1064	72	168	134	33	59	209	205	3510
Mitigation	Base	-3	3	0	-83	62	0	-41	-114	-23	0	0	0	-199
Totals	Project	0	-20	0	-9	-19	0	-27	0	0	0	0	0	-75
	Total	-3	-17	0	-92	43	0	-68	-114	-23	0	0	0	-274
2000 PM Kaiser														
Mitigated	Base	0	1095	158	0	1481	93	134	252	68	509	791	17	4576
	Project	0	195	0	0	219	45	39	0	0	0	0	56	554
	Total	0	1290	158	0	1680	138	173	252	68	509	791	73	5130
2000 PM Kaiser														
Unmitigated	Base	1	1094	158	111	1350	93	196	600	92	509	813	171	5188
	Project	0	209	0	42	305	45	56	0	0	0	0	56	713
	Total	1	1303	158	153	1655	138	252	600	92	509	813	227	5901
Mitigation	Base	-1	1	0	-111	111	0	-82	-348	-26	0	-22	-154	-612
Totals	Project	0	-14	0	-42	-86	0	-17	0	0	0	0	0	-159
	Total	-1	-13	0	-153	25	0	-79	-348	-26	0	-22	-154	-771

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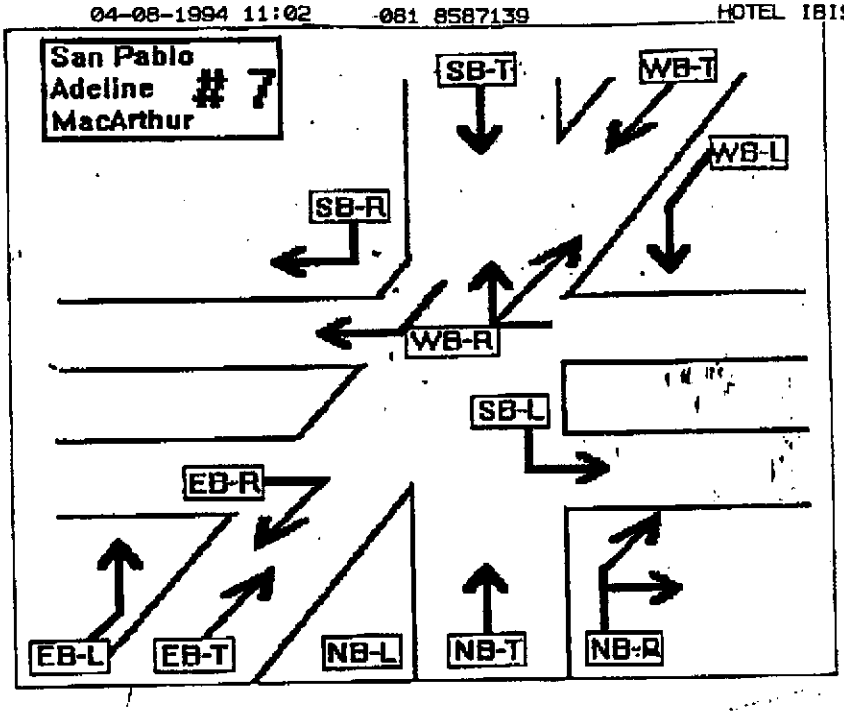

THIS INTERSECTION IS SHOWN TO DECREASE TOTALS FOR MOST MOVEMENTS AS A RESULT OF MITIGATIONS.

ELIMINATION OF 100 AM AND 187 PM SOUTHBOUND LEFT TURNS IS NOT ADEQUATELY COMPENSATED FOR BY ASSUMING THIS TRAFFIC WILL CONTINUE THROUGH SOUTHBOUND TO 35TH.

ELIMINATION OF 114 AM AND 525 EASTBOUND THROUGH MOVEMENTS IS NOT JUSTIFIED BY THE NATURE OF THE MITIGATIONS PROPOSED.

		NorthBound			SouthBound			EastBound			WestBound			
		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
2010 AM Kaiser Mitigated	Base	0	1274	63	0	1414	83	51	20	10	59	269	116	3339
	Project	0	442	0	0	82	14	68	0	0	0	0	110	716
	Total	0	1716	63	0	1496	77	119	20	10	59	269	226	4055
2010 AM Kaiser Unmitigated	Base	7	1267	63	83	1331	83	103	134	33	59	269	116	3528
	Project	0	459	0	17	104	14	97	0	0	0	0	110	801
	Total	7	1726	63	100	1435	77	200	134	33	59	269	226	4329
Mitigation Totals	Base	-7	7	0	-83	83	0	-52	-114	-23	0	0	0	-189
	Project	0	-17	0	-17	-22	0	-29	0	0	0	0	0	-85
	Total	-7	-10	0	-100	61	0	-81	-114	-23	0	0	0	-274
2010 PM Kaiser Mitigated	Base	0	1479	283	0	1461	83	176	379	99	509	791	17	5287
	Project	0	26	0	0	-42	60	42	0	0	0	0	67	153
	Total	0	1505	283	0	1419	153	218	379	99	509	791	84	5440
2010 PM Kaiser Unmitigated	Base	1	1406	179	111	1350	93	258	904	92	509	813	171	5887
	Project	0	37	0	76	53	60	60	0	0	0	0	67	353
	Total	1	1443	179	187	1403	153	318	904	92	508	813	238	6240
Mitigation Totals	Base	-1	73	104	-111	111	0	-82	-525	7	0	-22	-154	-600
	Project	0	-11	0	-76	-95	0	-18	0	0	0	0	0	-200
	Total	-1	62	104	-187	16	0	-100	-525	7	0	-22	-154	-800

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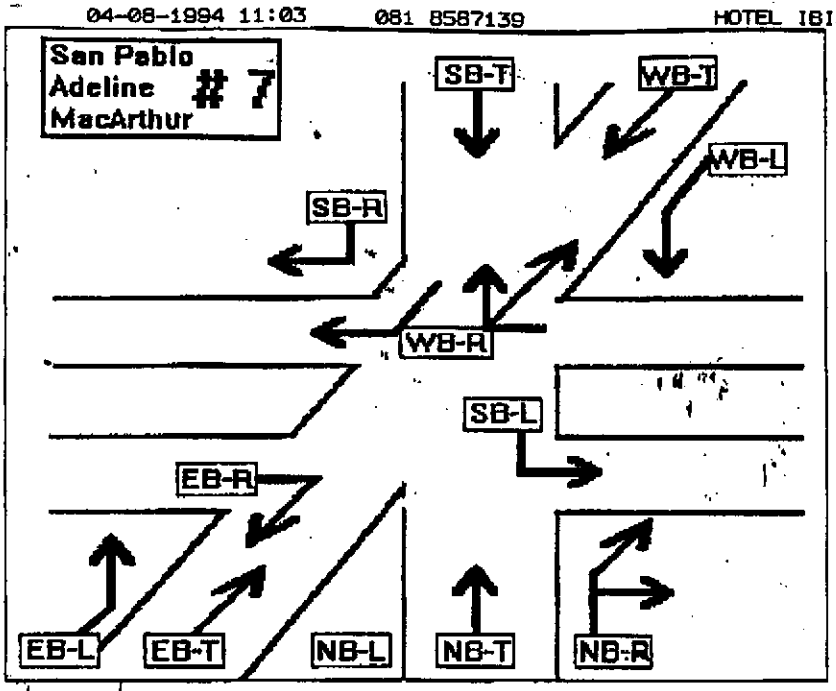

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DESPITE THE LARGE INCREASE IN CAPACITY, THIS INTERSECTION IS SHOWN TO DECREASE TOTALS FOR MOST MOVEMENTS AS A RESULT OF MITIGATIONS.

ELIMINATION OF 102 AM AND 179 PM SOUTHBOUND LEFT TURNS IS NOT COMPENSATED FOR BY THE ASSUMPTION THAT THESE WILL CONTINUE THROUGH SOUTHBOUND TO 35TH.

ELIMINATION OF 114 AM AND 348 PM EASTBOUND THROUGH MOVEMENTS ISN'T JUSTIFIED BY THE MITIGATIONS PROPOSED.

		NorthBound			SouthBound			EastBound			WestBound			
		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
2000 AM Both Mitigated	Base	0	1085	53	0	1058	62	40	20	10	59	209	116	2712
	Project	0	467	0	0	88	10	60	0	0	0	0	124	749
	Total	0	1552	53	0	1146	72	100	20	10	59	209	240	3461
2000 AM Both Unmitigated	Base	3	1082	53	83	996	62	81	134	33	59	209	116	2911
	Project	0	488	0	19	107	10	87	0	0	0	0	124	835
	Total	3	1570	53	102	1103	72	168	134	33	59	209	240	3746
Mitigation Totals	Base	-3	3	0	-83	62	0	-41	-114	-23	0	0	0	-199
	Project	0	-21	0	-19	-19	0	-27	0	0	0	0	0	-86
	Total	-3	-18	0	-102	43	0	-68	-114	-23	0	0	0	-285
2000 PM Both Mitigated	Base	0	1095	158	0	1461	93	134	252	66	509	791	17	4576
	Project	0	225	0	0	328	45	39	0	0	0	0	64	701
	Total	0	1320	158	0	1789	138	173	252	66	509	791	81	5277
2000 PM Both Unmitigated	Base	1	1094	158	111	1350	93	196	600	92	509	813	171	5188
	Project	0	239	0	68	413	45	56	0	0	0	0	64	885
	Total	1	1333	158	179	1763	138	252	600	92	509	813	235	6073
Mitigation Totals	Base	-1	1	0	-111	111	0	-82	-348	-26	0	-22	-154	-812
	Project	0	-14	0	-68	-85	0	-17	0	0	0	0	0	-184
	Total	-1	-13	0	-179	26	0	-79	-348	-26	0	-22	-154	-796

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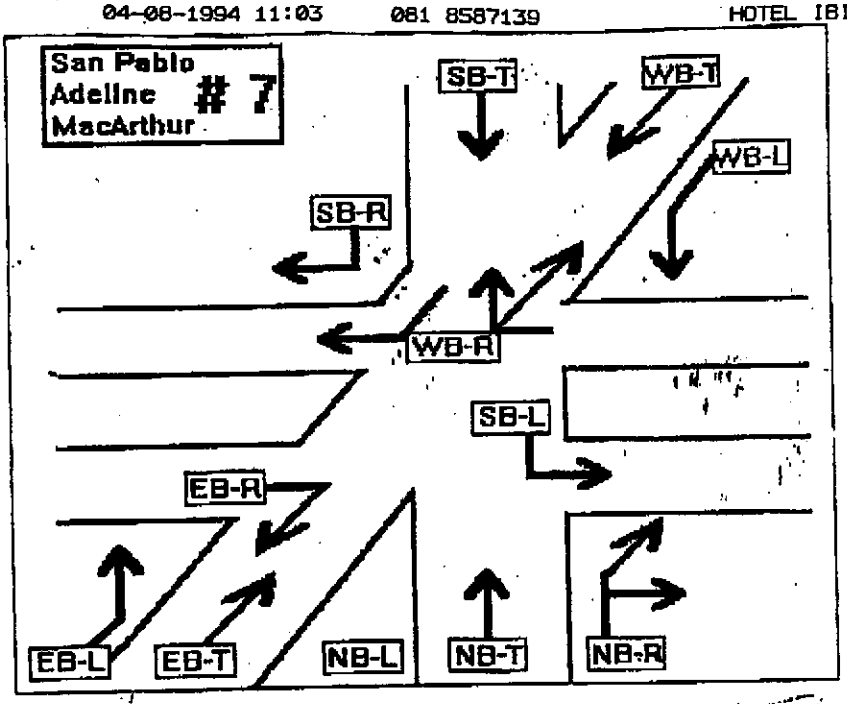

THIS INTERSECTION IS SHOWN WITH DECREASED TOTALS FOR NEARLY ALL MOVEMENTS AS A RESULT OF MITIGATIONS.

ELIMINATION OF 111 AM AND 219 PM SOUTHBOUND LEFT TURNS IS NOT ADEQUATELY COMPENSATED FOR BY ASSUMPTION THAT THIS TRAFFIC WILL CONTINUE THROUGH SOUTHBOUND TO 35TH.

ELIMINATION OF 114 AM AND 525 PM EASTBOUND THROUGH MOVEMENTS IS IN NO WAY JUSTIFIED BY THE MITIGATIONS PROPOSED

		NorthBound			SouthBound			EastBound			WestBound			
		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
2010 AM Both Mitigated	Base	0	1274	63	0	1414	63	51	20	10	59	289	116	3339
	Project	0	631	0	0	130	14	68	0	0	0	0	154	997
	Total	0	1905	63	0	1544	77	119	20	10	59	289	270	4336
2010 AM Both Unmitigated	Base	7	1267	63	83	1331	63	103	134	33	59	289	116	3528
	Project	0	648	0	28	152	14	97	0	0	0	0	154	1093
	Total	7	1915	63	111	1483	77	200	134	33	59	289	270	4621
Mitigation Totals	Base	-7	7	0	-83	83	0	-52	-114	-23	0	0	0	-189
	Project	0	-17	0	-28	-22	0	-29	0	0	0	0	0	-96
	Total	-7	-10	0	-111	61	0	-81	-114	-23	0	0	0	-285
2010 PM Both Mitigated	Base	0	1479	283	0	1461	93	176	379	99	509	791	17	5287
	Project	0	63	0	0	93	60	42	0	0	0	0	76	334
	Total	0	1542	283	0	1554	153	218	379	99	509	791	93	5621
2010 PM Both Unmitigated	Base	1	1406	179	111	1350	93	258	904	92	509	813	171	5887
	Project	0	74	0	108	188	60	60	0	0	0	0	76	566
	Total	1	1480	179	219	1538	153	318	904	92	509	813	247	6453
Mitigation Totals	Base	-1	73	104	-111	111	0	-82	-525	7	0	-22	-154	-600
	Project	0	-11	0	-108	-95	0	-18	0	0	0	0	0	-232
	Total	-1	62	104	-219	16	0	-100	-525	7	0	-22	-154	-832

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98. RESPONSES TO COMMENTS FROM STEVE SKAAR RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 98.A.: The commenter's remarks are noted.

RESPONSE TO COMMENT 98.B.: Please refer to the sketches accompanying the response to Comment 72.H.

RESPONSE TO COMMENT 98.C.: The comment is correct that the mitigation measures improve future traffic conditions on San Pablo Avenue to accommodate both Kaiser traffic and traffic generated by other cumulative development. The mitigation measures have not been separated into those on San Pablo Avenue in year 2000 and those on Powell Street in year 2010. Mitigation measures are required at the locations where impacts occur and are not geographically grouped along specific conditions.

RESPONSE TO COMMENT 98.D.: The comment incorrectly assumes that increases in capacity at a limited number of intersections will increase the traffic carrying capacity of the entire corridor. The increase in intersection capacity is proposed from 35th Street to 40th Street. These mitigations are proposed to provide additional intersection capacity for locally generated traffic and not the through volume capacity for the entire corridor. In fact, the corridor will carry more traffic as a result of the mitigation measure, since the travel model used to assess project traffic is not capacity constrained. Therefore, the only way the corridor can carry the volumes which equate to a V/C ratio of 1.26 at the intersection of San Pablo Avenue/ Adeline Street/W. MacArthur Boulevard is with the mitigations, which then reduces the V/C ratio to a more realistic level.

RESPONSE TO COMMENT 98.E.: Sub-comment #1 is incorrect. The analysis does not indicate any increases in base volumes at the intersection of San Pablo Avenue/Adeline Street/ W. MacArthur Boulevard. Project-generated trips at this intersection would decrease with the proposed mitigations. The trips destined to Oakland toward the east via W. MacArthur Boulevard would be diverted to 40th Street. Every diverted trip may not necessarily reappear at another analysis intersection. These diverted trips could reappear at intersections which were not analyzed in the Draft EIR, but would be minimal and not expected to result in a significant impact. Not every intersection in the City of Emeryville is analyzed in the Draft EIR.

With the implementation of the identified mitigation measures (i.e., traffic signals) at the intersections of Park Avenue/Emery Street and 36th Street/Peralta Street, as well as the signal at Emery Street/40th Street (as part of the Catellus project), it is assumed that a small percentage (approximately four percent in the year 2010 scenario) of all project trips would access the 1,800 stall garage at the Emery Street/ Park Avenue driveway via 36th Street, Peralta Street, to Emery Street. The analysis does not assume that all trips would be diverted to this alternative route. Access via San Pablo Avenue would still be the preferred route, while only a small percentage would use this alternative route under mitigated conditions.

RESPONSE TO COMMENT 98.F.: Sub-comment #1 correctly notes that the San Pablo Avenue/Adeline Street/W. MacArthur Boulevard intersection is represented in the analysis as a four-legged intersection. With the LTI model, an intersection can only be represented orthogonally. Therefore, Adeline Street and W. MacArthur Boulevard traffic volumes were combined to represent the east-west approaches of this intersection. Refer to the sketches accompanying the response to Comment 72.H. for details of the intersection turning movements.

As described above, Adeline Street and W. MacArthur Boulevard were combined in the analysis to represent the east-west approaches. The decrease in eastbound and westbound traffic volumes between unmitigated and mitigated conditions reflects the elimination of the eastbound-westbound movements along W. MacArthur Boulevard. These W. MacArthur Boulevard mitigation measures were implemented as part of the Catellus (East Baybridge) project and are included in the Kaiser mitigation. The eastbound-westbound traffic volumes which appear on the spreadsheets in this comment on the Draft EIR are using Adeline Street only. Refer to the sketches accompanying the response to Comment 72.H. for details of the intersection turning movements, as they occur today, and enhanced through project mitigation.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY
PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

June 20, 1994

SCH#93082063
ALA 580 45.99
ALA580427

Ms. Gaye Quinn
City of Emeryville
Planning Department
2200 Powell Street, 12th Flr.
Emeryville, CA 94608

RE: KAISER MEDICAL CENTER DEIR - Proposed development of a 30 acre site. Phase I (20 acres) will involve approximately 1.94 million square feet of development including a hospital building, four medical office buildings, parking structures, and office and retail uses around the perimeter of the site.

Dear Ms. Quinn:

The California State Department of Transportation (Caltrans) has reviewed the document referred to above and we forward the following comments:

C TRANSPORTATION AND CIRCULATION

EXISTING REGIONAL ROADWAY SYSTEM - (page 86)

Interstate 80 - - Change last sentence to read "The off-ramps are accessible from both westbound and eastbound I-580". These ramps should be included in your analysis of existing and future conditions. 99A

Interstate 580 - The ramp system mentioned at West Street on 35th and 36th streets is the last exit from westbound I-580 before reaching the distribution structure bottleneck. Eastbound access to a major regional facility such as Kaiser would function much better from this point. Future conditions should be thoroughly analyzed. 99B

Interstate 980 - This paragraph again emphasizes the importance of the 35th/36th street ramp system. Direct access is provided to I-580, I-980, SR-24, and indirect access to I-880. The FEIR should more closely analyze the circulation system and signage around this important junction. 99C

State Routes 13 (Ashby Avenue), 24, and 123 (San Pablo Avenue) should be mentioned under this section. They all serve as much more than just local arterials (CMP and MTS network designations). 99D

99

EXISTING OPERATING CONDITIONS ON THE REGIONAL ROADWAY SYSTEM (page 88)
Ramps - Analysis of both I-80/Powell St. ramps and I-580/980/24 ramp system at 35th and 36th street should be included here. 99E

LOCAL ROADWAY SYSTEM (page 90)
San Pablo Avenue - As mentioned, this arterial is signed SR-123 through Emeryville and into Richmond. As such, it serves as a prominent regional parallel reliever route and receives extreme pressure whenever a major incident occurs on I-80. 99F

PUBLIC TRANSIT (page 97)
AC Transit - The AC Transit Transfer Center at San Pablo Avenue/Yerba Buena is mentioned. Increasing the visibility and functionality of this historic transit hub only two blocks from the site should be discussed further. 99G

BICYCLE AND PEDESTRIAN FACILITIES (page 102)
It is mentioned that "new pedestrian and bicycle systems should be integrated into the regional network". The map on page 103 (figure 15) should be supplemented with an East Bay subregion map showing bicycle network connections in Alameda and Contra Costa Counties. 99H

APPROVED ROADWAY IMPROVEMENTS (page 104)
Year 2000 Roadway Improvements - *Cypress Replacement Project* - The statement that "access will be provided at the 7th Street/West Grand Avenue intersection" should be clarified and further discussed. When combined with the Mandela Parkway extension to Hollis, this route will provide a very attractive alternative path to access both I-880 and the Bay Bridge. 99I

PLANNED TRANSIT IMPROVEMENTS (page 106)
AC Transit - *Light Rail Transit on San Pablo Avenue* - As stated, this proposal "would require an exclusive right-of-way in the middle of the street". If this is a "planned improvement" as stated, then all proposed roadway mitigation (turn lanes, road widening, signal timing, etc.) should be coordinated to accommodate this future LRT. 99J

Emeryville-BART Shuttle Service - This option combined with the 40th Street extension appears to be a suitable way to overcome the 1 mile distance from the regional BART hub at MacArthur. The shuttle line also appears to intersect the Interregional AMTRAK connection at Powell, however, the station is not shown on Figures 17/18 (pages 109/110). 99K

99

IMPACTS AND MITIGATION MEASURES

Impact/Mitigation Cir-22 (page 150) - A second exclusive left turn lane has been proposed on the I-80 E/B Powell Street off-ramp to improve the operation. It is unclear how this would improve operation or mitigate the project's impacts, since all of the additional project related traffic would be turning right at this off-ramp. 99L

MITIGATION MEASURES FOUND NOT TO BE FEASIBLE

I-80 Westbound Hook-Ramp/West Frontage Road (page 152) - Please clarify the impacts at this new ramp.

Local Intersections - The DEIR identified negative impacts at four intersections of Route 123 (San Pablo/Alcatraz Ave., San Pablo/Ashby Ave., San Pablo/Stanford Ave. and San Pablo/40th St.) but, does not provide mitigation. These intersections should be included in a deficiency plan for the study area as necessary. 99M

PROJECT FREEWAY IMPACTS

Impacts to the regional freeway system will be significant. We request further analysis of CMP designated freeway segments in the immediate vicinity (I-80 from Ashby to Distribution Structure & I-580 from Harrison to Distribution Structure). Congestion on the transportation system is extremely costly to the region's economy. It is imperative that realistic and fundable mitigation be identified for all impacts to State highway facilities. A deficiency plan should be prepared as necessary if mitigation is deemed unfeasible. 99N

TRANSIT IMPACTS

On page 163, it is stated that "the existing Kaiser facility in Oakland currently achieves a transit mode split of approximately nine percent". However, on page 165, the analysis uses a 2% transit mode share when assessing the impact of future load factors. This should be clarified and analyzed further. Whatever the final percentage, there will definitely be increased pressure on at least two AC Transit bus lines (57 & 72), which are already operating beyond the "optimal peak load factor of 1.25" (page 97). Mitigation measures should be identified for this impact. 99O

Impact/Mitigation Cir-35 - Mass Transit Fund -

Please identify how this is to be collected, what the identified amounts would deliver in terms of project mitigation and when these measures would be initiated. Is this intended to be a specific area assessment district or a broader regional impact fee structure? 99P

99

In order to clearly present information to decision makers and the public, any information from additional environmental documents should be included in the Final EIR and not merely referenced. 99Q

A Caltrans Encroachment Permit will be required for any work within the State right-of-way (SR-123, ramps, etc.). Before an encroachment permit can be issued, a completed application, final environmental documentation and five (5) sets of plans must be submitted to the following contact person:

District Permit Engineer 99R
Maintenance - Permits
Caltrans District 4
P.O. Box 23660
Oakland, CA 94623-0660

We look forward to reviewing the Final EIR. We expect to receive a copy from the State Clearinghouse. However, to expedite the review process please send a copy in advance to the following address:

Kit Curtiss
Transportation Planning Branch
Caltrans District 4
P.O. Box 23660-0660
Oakland, CA. 94623

Should you have any questions regarding these comments, please contact Noreen Rodriguez of my staff at (510) 286-6312. Additional comments may be submitted by close of extended review period.

Sincerely,

JOE BROWNE
District Director

By
Kit Curtiss
KIT CURTISS
Senior Transportation Planner

cc: Mike Chiriatti, State Clearinghouse
Craig Goldblatt, MTC
Patricia Perry, ABAG
Dennis Fay, Alameda CMA

99. RESPONSES TO COMMENTS FROM JOE BROWN, DEPARTMENT OF TRANSPORTATION RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 99.A.: The comment is correct. The 35th and 36th Street ramps are accessible from both eastbound and westbound I-580. The 36th Street ramp is used as the westbound off-ramp and the 35th Street ramp is used as the eastbound on-ramp to I-580. For year 2010 Baseline (without project) scenario, the 35th Street on-ramp is projected to carry approximately 870 vehicles during the AM peak period and approximately 2,000 vehicles during the PM peak period. The 36th Street off-ramp is projected to carry approximately 1,400 vehicles during the AM peak period and approximately 1,300 vehicles during the PM peak period in the Year 2010 Baseline (without project) scenario. For the year 2010 Cumulative scenario, approximately 1,000 vehicles during the AM peak period and 2,700 vehicles during the PM peak period are projected to use the 35th Street on-ramp, and approximately 1,900 vehicles during the AM peak period and 1,600 vehicles during the PM peak period are projected to use the 36th Street off-ramp. The changes in volumes for both on- and off-ramps associated with the Kaiser and Chiron projects are approximately 630 vehicles during the AM peak period and 1,000 vehicles during the PM peak period.

RESPONSE TO COMMENT 99.B.: Refer to response to Comment 99.A.

RESPONSE TO COMMENT 99.C.: The Draft EIR addressed the freeway system surrounding the project site. Level of Service was addressed for several segments of I-80 and I-580. Since direct access is not achieved from I-980, this freeway segment was not analyzed. For an analysis of SR-24, refer to the CMP analysis discussion contained in Master Response D4.

The freeways would be signed for the project using guide sign D9-2 (i.e., the standard H for hospital) with appropriate information. From I-580 and SR-24, signing would direct traffic to use the off-ramp at 36th Street. For I-80 and I-980 traffic, Powell Street would be signed as the access to the project.

RESPONSE TO COMMENT 99.D.: A description of SR-24 was not included in the existing regional roadway system. The Draft EIR is hereby amended to include the following.

"SR-24 is an east-west facility to the east of the project. SR-24 is located between the I-80/I-980/SR-24 directional interchange adjacent to the project area to I-680 in Contra Costa County. Direct access to the project area is not provided by SR-24."

A description of SR-13 (Ashby Avenue) and SR-123 (San Pablo Avenue) are provided in the section of the Draft EIR entitled, "Local Roadway System".

RESPONSE TO COMMENT 99.E.: The Powell Street/I-80 ramp junctions were analyzed as weaving segments between the Distribution Structure and the Powell Street interchange, and between the Powell Street interchange and the Ashby Avenue interchange, because they do not function as isolated on- and off-ramps. The analysis of the I-580/I-980/SR-24 ramps system for the existing condition determined to be unnecessary because without the Cypress Replacement project, the existing condition is not an accurate reflection of what the existing conditions should be. For more information on the effect of traffic in this area with and without the Cypress Replacement project, the reader is encouraged to reference the *I-880/Cypress Replacement Traffic Operations Analysis Report*, September 1991. That document noted that the travel demand forecast by the Alameda County model exceeded the capacity of the freeway system. Adjustments were required to the model output to reflect bottlenecks in the system.

The analysis associated with this project is not for the freeway system and an extensive adjustment to the freeway demand volumes has not been done.

RESPONSE TO COMMENT 99.F.: The comment is correct. San Pablo Avenue is signed as SR-123 through the project area. Also, San Pablo Avenue is parallel to I-80, which is the most congested freeway link in the Bay Area. Whenever an accident occurs on I-80, San Pablo Avenue experiences additional traffic as vehicles divert away from the freeway.

RESPONSE TO COMMENT 99.G.: The AC Transit Center at San Pablo Avenue/ Yerba Buena is being constructed as part of the East Baybridge project. The Draft EIR identifies the bus routes which will traverse through this transfer center. The comment is correct that the proximity of this transfer center to the Kaiser project would help achieve a higher mode split to transit than was conservatively assumed in the traffic analysis.

RESPONSE TO COMMENT 99.H.: The attached graphic illustrates the Alameda County Bay Trail. This bicycle system can be accessed through improvements which would be constructed in the project area.

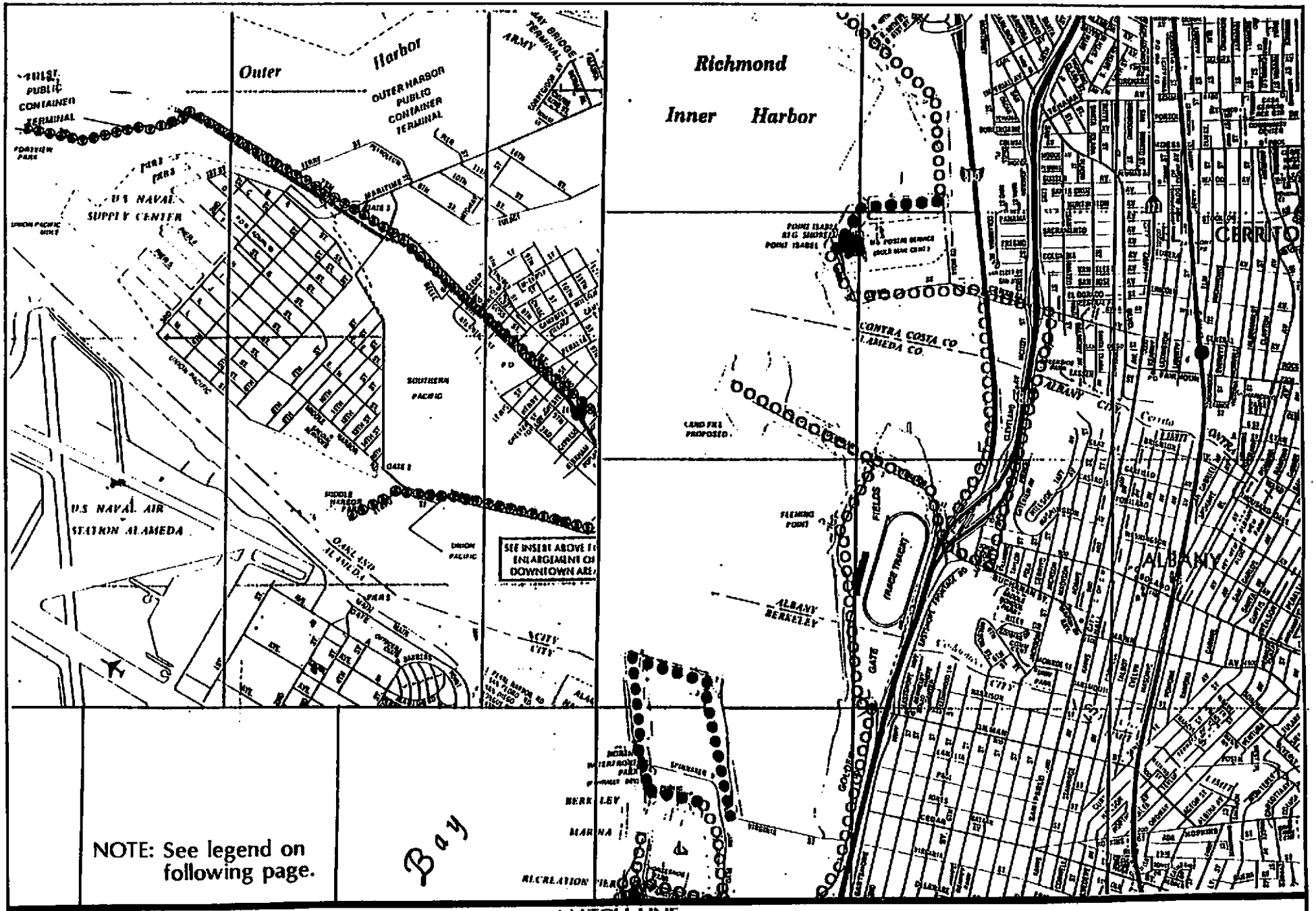
RESPONSE TO COMMENT 99.I.: The Draft EIR noted that the Cypress Replacement project would ease truck and auto traffic on local streets in the area. Also, the trip distribution pattern for the project, as noted on Figure 19, would use Mandela Parkway and Wood Street to access I-880 after reconstruction of the freeway.

RESPONSE TO COMMENT 99.J: LRT along San Pablo Avenue is a long-range plan for general transit improvements in the area. AC Transit has conducted a study which suggests that LRT may be possible within the existing right-of-way of San Pablo Avenue. However, constructing LRT within the median of San Pablo Avenue would be extremely disruptive to existing land uses and may not be physically possible within the 22 to 29 feet noted in AC Transit's analysis. Also, it may be more appropriate to implement some form of commuter rail along the SP tracks which run parallel to San Pablo Avenue. Nevertheless, funding and environmental clearance has not been obtained for LRT within the San Pablo Avenue corridor and the mitigation measures to improve traffic flow on the roadway would be beneficial until such time as other transit improvements are made.

RESPONSE TO COMMENT 99.K.: The Amtrak station is illustrated in Figure 2 in the Draft EIR. The Emeryville-BART shuttle would access the new Emeryville Amtrak station. The locations of the shuttle route for Amtrak station has not been determined at this time, since service would be provided on an as-needed basis.

RESPONSE TO COMMENT 99.L.: The second eastbound left-turn lane proposed for Powell Street at the I-80 off-ramp is necessary to improve overall intersection level of service to an acceptable level. Although project traffic may not use a particular movement, improvements would be beneficial to the overall intersection operations and thus would be an appropriate mitigation measure.

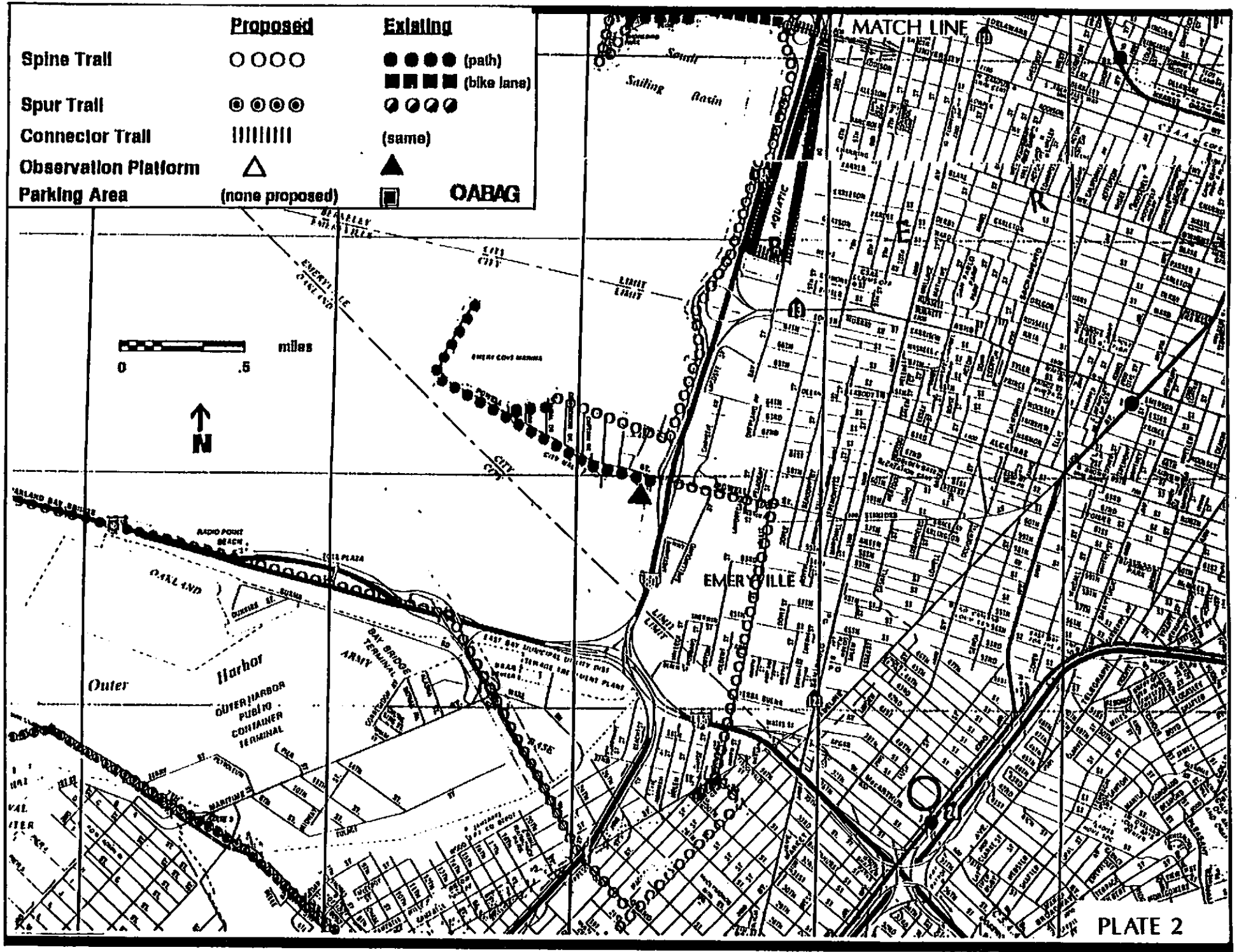
RESPONSE TO COMMENT 99.M.: The I-80 westbound hook-ramps north of Powell Street are projected to operate at service level D for the Year 2010 Baseline conditions, and level of service E for Year 2010 Plus Kaiser and Year 2010 Cumulative scenarios. Additional through lanes would be necessary on the frontage to improve the service levels to better than capacity conditions. Due to the proximity of the bay to the frontage road, these improvements are not recommended for implementation.



BAY TRAIL: ALAMEDA COUNTY

PLATE 1

FIGURE FOR RESPONSE TO COMMENT 99.H.



BAY TRAIL: ALAMEDA COUNTY

FIGURE FOR RESPONSE TO COMMENT 99.H

There are three, not four, intersections along San Pablo Avenue which are projected to operate at LOS F in the Year 2010 With Kaiser and Year 2010 Cumulative scenarios. Due to the existing development at these locations, these intersections can not be mitigated. A deficiency plan should be prepared for all intersections which are CMP designated.

RESPONSE TO COMMENT 99.N.: A portion of the freeway system has been analyzed for the project. This included segments of I-80 and I-580. Additional freeway analysis was determined not to be necessary. The freeway system in this part of the region was extensively analyzed in the *I-880/Cypress Replacement Traffic Operations Analysis Report*, September 1991. For additional information of existing and future freeway operations, the reader is encouraged to refer to that document.

RESPONSE TO COMMENT 99.O.: No impacts are anticipated to occur for the transit system and thus no mitigation measures are required. Kaiser would contribute one-time and annual payments to the City of Emeryville to fund specific transit facilities and transit operations. The two percent mode split to transit is the base assumption contained in the Emeryville city-wide travel demand model. The Draft EIR states that achieving a mode split of nine percent or greater transit mode split would require a TSM program, which has been included as a project mitigation.

RESPONSE TO COMMENT 99.P.: The City of Emeryville is in the process of establishing a Mass Transit Fund into which Kaiser would contribute $100,000 per year over a 25 year period. The City of Emeryville has the discretion to determine which transit-related projects receive funding from this program.

The mass transit fee to be paid by Kaiser would be collected through the Development Agreement which would be executed between Kaiser and the City of Emeryville. This mass transit fee is not a new program which has been created specifically for Kaiser, but has been in place and has received funds from other developments within the City.

RESPONSE TO COMMENT 99.Q.: This document constitutes the Responses to Comments portion of the Final EIR. Responses to the comments raised in this letter have been provided.

RESPONSE TO COMMENT 99.R.: The Draft EIR notes on page 19 that Caltrans approvals may be required for any modification of frontages or intersections along San Pablo Avenue. All permits, applications, and plan reviews would follow Caltrans standards.

100

CITY OF OAKLAND

'Y HALL • ONE CITY HALL PLAZA • OAKLAND, CALIFORNIA 94612

alie Bayton
ncilmember

510/238-3266
FAX/238-6129

August 2, 1994

Gaye Quinn, Planning Director
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, California 94608

Dear Director Quinn:

I appreciate the opportunity to respond to the Draft Environmental Impact Report (DEIR) for the proposed Kaiser Hospital development in Emeryville. In addition to the input you have received from the City of Oakland Planning Department, I would like to make several additional points. 100A

First, the traffic impacts expected from the project would present an enormous burden to the nearby West Oakland community. The closest freeway accesses are located in Oakland, on 35th and 36th Streets. Both are relatively small, residential streets. The DEIR states that the project would add 6,000 cars daily to each of these streets. (DEIR page 115). Possible mitigations identified in the DEIR including new traffic lights and additional lanes could not possibly resolve the impacts of such a scale. These two residential streets would be turned into major thoroughfares, completely unsuitable to families with small children and seniors who make up most the people in the neighborhood. 100B

The project is also expected to add several hundred more cars each day to other West Oakland streets:

San Pablo Avenue	2,550
Market Street	637
Adeline Street	1,062
W. MacArthur	1,487
Wood Street	637
Poplar Street	212

(from DEIR, page 115)

100

This Spring, the City of Oakland embarked on a $3 Million Comprehensive Neighborhood Traffic Control Plan geared toward making our neighborhood streets safer and better suited for community revitalization. The impacts of this proposed project would hinder this initiative and actually lead to a further diminution of community safety for West Oakland. 100B

The DEIR specifically states that many of the traffic issues posed by this project are unmitigable. The burden for this should not be placed on this nearby residential community.

Furthermore, the DEIR does not sufficiently identify or address the cumulative traffic impacts of other development in the same area. I have already received calls from residents along Hollis and 32nd Street who state that they can no longer get out of their driveways since the EastBay Bridge development opened. 100C If the Kaiser development is pursued in the proposed location and the Chiron expansion as well, the traffic impacts will be at least doubled. No amount of stop signs and traffic lights will be sufficient to reverse the change in character of these residential West Oakland neighborhoods.

Finally, the Downtown Oakland/Galleria site, was not included in the study. The alternate sites identified in the DEIR were both rejected as unrealistic given our expected demand for health-care in this region and the potential traffic impacts. By comparison, the Downtown Oakland/Galleria site has ample access to BART, AC Transit, and the 980 Freeway. The costs and potentials of mitigation would be significantly reduced.

I proposed the Downtown Oakland/Galleria site to Kaiser as early as March 1993. A full presentation on this site was presented to Kaiser in December 1993 by Oakland City Staff and Mayor Harris. 100D It is therefore, inappropriate that this alternative was omitted from the study. If the EIR is to be an objective analysis of the best site and possible mitigations, an honest analysis of the Downtown Oakland/Galleria site must be included.

Again, thank you for the opportunity to comment on this matter. The proximity of our two cities makes it impossible for us to take a disinterested posture on issues with such serious ramifications.

Sincerely yours,

Natalie Bayton

NATALIE BAYTON
Councilmember - District 3

cc: Mayor & Councilmembers, Emeryville
Mayor & Councilmembers, Oakland
John Flores, City Manager - Emeryville
Craig Kocian, City Manager - Oakland
Jayne Williams, City Attorney - Oakland

100. RESPONSES TO COMMENTS FROM NATALIE BAYTON, COUNCILMEMBER DISTRICT 3 RECEIVED AUGUST 4, 1994

RESPONSE TO COMMENT 100.A.: The commenter's comment is noted.

RESPONSE TO COMMENT 100.B.: Please refer to Master Responses D1. and D2. for a discussion of residential streets and the study area coverage of the traffic analysis.

RESPONSE TO COMMENT 100.C.: Please refer to Master Response H2. for a discussion of cumulative impacts. The EIR adequately addresses cumulative traffic impacts.

RESPONSE TO COMMENT 100.D.: Please refer to Master Response G1. for a discussion of the Fox Theater site.

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET
SACRAMENTO, CA 95814

August 4, 1994

RECEIVED

AUG 0 8

PLANNING DEPARTMENT

GAYE QUINN
CITY OF EMERYVILLE
2200 POWELL STREET 12TH FLOOR
EMERYVILLE, CA 94608

Subject: KAISER MEDICAL CENTER SCH #: 93082063

Dear GAYE QUINN:

The State Clearinghouse has submitted the above named draft Environmental Impact Report (EIR) to selected state agencies for review. The review period is now closed and the comments from the responding agency(ies) is(are) enclosed. On the enclosed Notice of Completion form you will note that the Clearinghouse has checked the agencies that have commented. Please review the Notice of Completion to ensure that your comment package is complete. If the comment package is not in order, please notify the State Clearinghouse immediately. Remember to refer to the project's eight-digit State Clearinghouse number so that we may respond promptly.

Please note that Section 21104 of the California Public Resources Code required that:

> "a responsible agency or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency." 101A

Commenting agencies are also required by this section to support their comments with specific documentation.

These comments are forwarded for your use in preparing your final EIR. Should you need more information or clarification, we recommend that you contact the commenting agency(ies).

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact Mari Lemos at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Michael Chiriatti, Jr.
Chief, State Clearinghouse

Enclosures
cc: Resources Agency

Notice of Completion *Supplementary Document M*

Mail to: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814 916/445-0613

See NOTE below
SCH # 93082063

101

Project Title: Kaiser Medical Center EIR
Lead Agency: City of Emeryville
Street Address: 2200 Powell Street, 12th Floor
City: Emeryville **Zip:** 94608
Contact Person: Gaye Quinn
Phone: 510-596-4360
County: Alameda

Project Location
County: Alameda **City/Nearest Community:** Emeryville
Cross Streets: San Pablo Ave./Park Ave. **Zip Code:** 94608 **Total Acres:** 30
Assessor's Parcel No.: various **Section:** ____ **Twp.:** ____ **Range:** ____ **Base:** ____
Within 2 Miles: State Hwy #: I-80, 580 **Waterways:** S.F. Bay
Airports: ____ **Railways:** S.P. **Schools:** Emeryville High

Document Type
CEQA: ☐ NOP ☐ Early Cons ☐ Neg Dec ☒ Draft EIR ☐ Supplement/Subsequent EIR (Prior SCH No.) ____ ☐ Other ____
NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI
Other: ☐ Joint Document ☐ Final Document ☐ Other ____

Local Action Type
☐ General Plan Update ☒ General Plan Amendment ☐ General Plan Element ☐ Community Plan
☐ Specific Plan ☐ Master Plan ☒ Planned Unit Development ☐ Site Plan
☒ Rezone ☐ Prezone ☐ Use Permit ☒ Land Division (Subdivision, Parcel Map, Tract Map, etc.)
☒ Annexation ☒ Redevelopment ☒ Coastal Permit ☐ Other ____

RECEIVED MAY 5 1994 STATE CLEARINGHOUSE

Development Type
☐ Residential: Units ____ Acres ____
☒ Office: Sq.ft. 675,000 Acres ____ Employees ____
☐ Commercial: Sq.ft. ____ Acres ____ Employees ____
☐ Industrial: Sq.ft. ____ Acres ____ Employees ____
☐ Educational ____
☐ Recreational ____
☐ Water Facilities: Type ____ MGD ____
☐ Transportation: Type ____
☐ Mining: Mineral ____
☐ Power: Type ____ Watts ____
☐ Waste Treatment: Type ____
☐ Hazardous Waste: Type ____
☒ Other: Hospital, Central Plant, Parking

Project Issues Discussed in Document
☒ Aesthetic/Visual ☐ Agricultural Land ☒ Air Quality ☐ Archeological/Historical ☐ Coastal Zone ☐ Drainage/Absorption ☒ Economic/Jobs ☒ Fiscal
☐ Flood Plain/Flooding ☐ Forest Land/Fire Hazard ☒ Geologic/Seismic ☐ Minerals ☒ Noise ☒ Population/Housing Balance ☒ Public Services/Facilities ☐ Recreation/Parks
☒ Schools/Universities ☐ Septic Systems ☒ Sewer Capacity ☒ Soil Erosion/Compaction/Grading ☒ Solid Waste ☒ Toxic/Hazardous ☒ Traffic/Circulation ☐ Vegetation
☒ Water Quality ☒ Water Supply/Groundwater ☐ Wetland/Riparian ☐ Wildlife ☒ Growth Inducing ☒ Landuse ☒ Cumulative Effects ☐ Other ____

Present Land Use/Zoning/General Plan Use General Plan Land Use Designations include: Mixed Use, Local Commercial, General Commercial, Medium Density Residential

Project Description
New Kaiser Medical Center facility including a hospital, medical office buildings, parking and a central utility plant on approximately 30 acres.

CLEARINGHOUSE CONTACT: MIKE CHIRIATTI (916) 445-0613

STATE REVIEW BEGAN: 5-6-94
DEPT REV TO AGENCY: 6-13
AGENCY REV TO SCH: 6-18
SCH COMPLIANCE: ~~6-17~~ 8-4

PLEASE NOTE SCH NUMBER ON ALL COMMENTS
PLEASE FORWARD LATE COMMENTS DIRECTLY TO THE LEAD AGENCY ONLY

AIR BD/APCD: ____ (Resources: 5, 7)

CMT	SNT		CMT	SNT	
		Resources			State/Consumer Svcs
		Boating			General Services
		Coastal Comm			OLA (Schools)
		Coastal Consv			Cal/EPA
		Colorado Rvr Bd			ARB
		Conservation			CA Waste Mgmt Bd
		Fish & Game 3			SWRCB:--Grants
		Forestry			SWRCB:--Delta
		Parks & Rec/OHP			SWRCB:--Wtr Quality
		Reclamation			SWRCB:--Wtr Rights
5		BCDC			Reg. WQCB # 2
		DWR			DTSC/CTC
		Bus Transp Hous			Yth/Adlt Corrections
		Aeronautics			Corrections
		CHP			Independent Comm
		Caltrans # 4			Energy Comm
		Trans Planning			NAHC
		Housing & Devel			PUC
5		Health & Welfare			Santa Mn Mtns
		Drinking H2O			State Lands Comm
		Medical Waste			Tahoe Rgl Plan
					Other:

"S" = sent by lead / "" = sent by SCH

Please Review the ATTACHED NOTICE AND NOTE THE NEW ENDING REVIEW DATE. THANKS.

CITY OF EMERYVILLE
INCORPORATED 1896
2200 POWELL, 12TH FLOOR
EMERYVILLE, CALIFORNIA 94608

TELEPHONE: (415) 596-4360

MEMORANDUM

DATE: June 20, 1994 **VIA: US MAIL**

TO: Recipients of the Kaiser Medical Center Draft EIR

FROM: City of Emeryville Planning Department

RE: Draft Environmental Impact Report

The Draft Environmental Impact Report (Draft EIR) for the Kaiser Medical Center was completed and made available for public review on May 6, 1994. Since that time, Emeryville Planning Department staff has become aware of several issues regarding the Draft EIR and wishes to provide clarification. These matters are described below.

(1) Page 145, Table 19 (second page of table),a was inadvertently omitted from the Draft EIR. This table provides a summary of the *Mitigated Year 2010 Intersection Levels of Service - PM Peak Period.* This page is attached for insertion in the Draft EIR. While this table was omitted from Volume I of the Draft EIR, the impacts which it summarizes are described in detail in the text of the Draft EIR on pages 140 through 156. Also, this table was available since May 6, 1994 in Draft EIR Volume II Technical Appendices, as Table 13.

(2) The second page of *Traffic Table 4*, which begins in the Summary Section (peach colored pages) on page S-13, was inadvertently omitted from the Draft EIR. This is the same table as described above in item 1. This page, numbered S-13-B, is attached for insertion into the Draft EIR.

(3) Page S-20, the first heading on this page should be revised as follows: *Project Intersection Impacts, Year ~~2000~~ 2010 (Feasible Outside Emeryville).* The second heading on this page should also be revised as follows: *Project Intersection Impacts, Year ~~2000~~ 2010 (Infeasible).* Page S-21, the second heading on this page at the bottom of the page should be revised as follows: *Cumulative Intersection Impacts, Year ~~2000~~ 2010 (Infeasible).* The complete analysis of year 2010 intersection impacts is described correctly in the Draft EIR, Section II.C. on pages 140 through 156.

(4) Possible Cumulative Impacts (Section IV.B and IV.C). After the Draft EIR was completed and provided for public review, Sybase, Inc., an Emeryville-based computer software company, indicated in brief and fairly general letters to the City dated May 26, 1994 and June 13, 1994, that it contemplates applying for City approval of a project at 65th and Hollis Streets, on the properties known as the Breuner and Ryerson sites. Although plans for this potential project are speculative and no formal applications have been submitted, the City believes it is prudent to communicate this information to the public for its consideration. Sybase representatives indicate that they are considering a design capacity of approximately 750,000 square feet of office and common-facilities space. Sybase representatives also indicate their expectation that the proposal would anticipate completion of approximately 500,000 square feet of the project by the end of 1997, with the balance to be completed sometime between 2000 and 2010. Sybase expects that the completed facility would accommodate approximately 2,200 employees, a substantial portion of which would be relocated from other locations in Emeryville. Preliminary estimates by Sybase indicate that from 1,200 to 1,600 "net new" employees (in excess of Sybase's current employment in Emeryville) could be accommodated at buildout of this potential Sybase project.

If the Sybase project ultimately is approved and constructed as contemplated by the Sybase letters, it could be expected to have significant cumulative environmental impacts (such as traffic, air quality, noise and other impacts) in addition to those discussed in the Draft EIR. Based upon preliminary review by City staff and its consultants, the cumulative traffic impacts could be expected to increase largely within the Hollis Street traffic zone within the vicinity of this potential Sybase project.

In an effort to be conservative in the analysis of cumulative impacts, the Draft EIR has analyzed all reasonably foreseeable projects in the City of Emeryville instead of assuming employment growth based on Bay Area cumulative projections. If all projects listed in Section IV.B of the Draft EIR are built, Emeryville's percentage of regional employment would greatly exceed the employment projections prepared by the Association of Bay Area Governments (ABAG) for Emeryville. It should be noted that a portion of Sybase employment growth is accounted for in the assumed employment growth factor for Emeryville.

(5) Appendix B, page 2 (8). The proposed General Plan amendments submitted by Kaiser as generally set forth in pages 1-3 in Appendix B of the Draft EIR should be corrected to state that in the General Plan, page 41, Figure 7 the bracketed text referring to the property Floor Area Ratio (FAR) should be changed from "[2.1]" to "1.4".

(6) As stated in the Draft EIR on page 82, paragraph 3, if the proposed Emeryville medical center is approved, "the number of [Kaiser] workers that would relocate to Emeryville has not been determined, and remains speculative." To be consistent with that statement, the word "would" is deleted and replaced by

the word "could" on page 82 in the second line of paragraph 2 and in any other reference in the Draft EIR to employee relocation that is inconsistent with that statement.

(7) Alternatives (Section III). As required by CEQA, the Draft EIR analyzes a reasonable range of feasible alternatives to the proposed project. Specifically, Section III of the Draft EIR analyzes six project alternatives, including two alternatives which contemplate development of the project on other sites (Oakland McArthur Location Alternative and Bayfront Site Location Alternative) and a third alternative which contemplates development of the future expansion phase on the AC Transit Site. At the June 2, 1994 Planning Commission public hearing on the Draft EIR, a number of commenters suggested that the City consider a second Oakland alternative which would contemplate development of the project on a site referred to as the Emporium Capwell site in downtown Oakland.

As discussed in the Draft EIR, Kaiser considered a wide range of possible sites for its proposed medical center prior to selecting the project site (see Draft EIR at page 292), including several sites located in Oakland. These sites were evaluated in light of project objectives, as required by CEQA, including the need for a site that provided flexibility for future expansion necessary for the ultimate buildout of the project with a hospital and medical center, as described in the Project description. This downtown Oakland site which has been raised for possible consideration would not satisfy this basic site requirement because it does not provide for the necessary acreage for the future expansion of the project identified in the Draft EIR project objectives and for other reasons. The City will address all comments concerning alternatives to the project in the Response to Comments document.

Please make note of this information in your review of the Draft EIR.

If you have any questions regarding the EIR or any project details, please contact Gaye Quinn, Planning Director, City of Emeryville at (510) 596-4360.

Attachments

Mitigated Year 2010 Intersection Level of Service - PM Peak Period (continued)

NO.	INTERSECTION	YEAR 2010 BASELINE	YEAR 2010 + KAISER (BUILDOUT)	MITIGATED YEAR 2010 + KAISER (BUILDOUT)	MITIGATED YEAR 2010 + KAISER WITH TSMP(c)	MITIGATED YEAR 2010 CUMULATIVE
21	Christie Avenue/Powell Street	1.25 F	1.32 F	1.32 F	1.31 F	1.34 F
22	I-80 eastbound ramps/Powell Street	0.90 E	0.93 E	0.88 D	0.87 D	0.90 E
27	Cypress Street northbound/32nd Street	(a) B/E	(a) B/E	0.45 A	0.45 A	0.46 A
29	Adeline Street/Martin Luther King Jr. Way	0.84 D	0.91 E	0.91 E	0.90 E	0.92 E
30	Adeline Street/Market Street	0.90 E	0.96 E	0.96 E	0.95 E	0.96 E
31	Adeline Street/40th Street	1.03 F	1.13 F	0.87 D	0.86 D	0.89 D
32	Adeline Street/36th Street	(b) F	(b) F	0.43 A	0.42 A	0.43 A
33	Adeline Street/35th Street	(b) F	(b) E	0.57 A	0.56 A	0.57 A
36	Market Street/40th Street	0.96 E	1.10 F	1.10 F	1.10 F	1.14 F
37	Market Street/W. MacArthur Boulevard	0.96 E	1.10 F	1.10 F	1.06 F	1.08 F
42	Telegraph Avenue/40th Street	0.95 E	0.99 E	0.99 E	0.98 E	0.99 E
43	Telegraph Avenue/W. MacArthur Boulevard	0.92 E	0.95 E	0.95 E	0.91 E	0.94 E
46	San Pablo Avenue/40th Street (new)	1.06 F	1.30 F	1.19 F	1.16 F	1.23 F
47	Hollis Street /40th Street (new)	0.93 E	1.06 F	1.01 F	0.99 E	1.06 F
164	I-80 westbound Hook-Ramp relocated from Powell Street	1.15 F	1.21 F	1.21 F	1.21 F	1.21 F

Notes: (a) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.
(b) - Indicates an All-Way STOP controlled intersection for which LOS is based on delay of vehicles at the intersection as explained in Appendix D.
(c) - TSMP is a Transportation Systems Management Program instituted by Kaiser to reduce the number of single-occupant-vehicle commute trips.

The gray-shaded areas indicate unacceptable service levels of LOS E and F.

SOURCE: Korve Engineering, March 1994.

TABLE 19 (CONTINUED)

Mitigated Year 2010 Intersection Level of Service - PM Peak Period (continued)

NO.	INTERSECTION	YEAR 2010 BASELINE	YEAR 2010 + KAISER (BUILDOUT)	MITIGATED YEAR 2010 + KAISER (BUILDOUT)	MITIGATED YEAR 2010 + KAISER WITH TSMP [c]	MITIGATED YEAR 2010 CUMULATIVE
21	Christie Avenue/Powell Street	1.25 F	1.32 F	1.32 F	1.31 F	1.39 F
22	I-80 eastbound ramps/Powell Street	0.90 E	0.99 E	0.88 D	0.87 D	0.90 E
27	Cypress Street northbound/32nd Street	(a) B/E	(a) B/E	0.45 A	0.45 A	0.46 A
29	Adeline Street/Martin Luther King Jr. Way	0.84 D	0.91 E	0.81 E	0.80 E	0.93 E
30	Adeline Street/Market Street	0.90 E	0.96 E	0.86 E	0.85 E	0.94 E
31	Adeline Street/40th Street	1.03 F	1.16 F	0.87 D	0.86 D	0.89 D
32	Adeline Street/36th Street	(b) F	(b) F	0.43 A	0.42 A	0.43 A
33	Adeline Street/35th Street	(b) F	(b) F	0.57 A	0.56 A	0.57 A
36	Market Street/40th Street	0.95 E	1.10 F	1.10 F	1.10 F	1.14 F
37	Market Street/W. MacArthur Boulevard	0.98 E	1.10 F	1.10 F	1.09 F	1.08 F
42	Telegraph Avenue/40th Street	0.95 E	0.98 E	0.89 E	0.88 E	0.88 E
43	Telegraph Avenue/W. MacArthur Boulevard	0.82 E	0.93 E	0.95 E	0.91 E	0.93 E
46	San Pablo Avenue/40th Street (new)	1.00 F	1.00 F	1.10 F	1.10 F	1.09 F
47	Hollis Street /40th Street (new)	0.99 E	1.06 F	1.01 F	0.99 E	1.00 F
164	I-80 westbound Hook-Ramp relocated from Powell Street	1.16 F	1.21 F	1.21 F	1.21 F	1.24 F

Notes: (a) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.
(b) - Indicates an All-Way STOP controlled intersection for which LOS is based on delay of vehicles at the intersection as explained in Appendix I).
(c) - TSMP is a Transportation Systems Management Program instituted by Kaiser to reduce the number of single-occupant-vehicle commute trips.

The gray-shaded areas indicate unacceptable service levels of LOS E and F.

SOURCE: Korve Engineering, March 1994.

TRAFFIC TABLE 4 (CONTINUED)

101. **RESPONSES TO COMMENTS FROM MICHAEL CHIRIATTI, JR., STATE CLEARINGHOUSE RECEIVED AUGUST 4, 1994**

RESPONSE TO COMMENT 101.A.: Comment noted.

The Law Offices of

GOLDFARB & LIPMAN

One Montgomery Street
Telesis Tower
Twenty-Third Floor
San Francisco
California 94104

August 11, 1994

Steven H. Goldfarb
M David Kroot
Lee C. Rosenthal
Roger A. Clay, Jr.
John T. Nagle
Polly V. Marshall
Lynn Hutchins
Richard A. Judd
Peter Franklin
Karen M. Tiedemann
Thomas H. Webber
John T. Haygood
Dianne Jackson McLean
Michelle Brewer Byrd
R. Renée Glover
Andrew Z. Shagrin
Lisa L. Lim
David M. Robinson

Of Counsel
Barry R. Lipman

VIA HAND DELIVERY

Michael G. Biddle
City Attorney
City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

Re: Comments Concerning Draft Environmental Impact Report, City of Emeryville, Kaiser Permanente Medical Center, May 1994, State Clearinghouse No. 93082063

Dear Mike:

In accord with our letter to you dated August 1, 1994, we write to provide comments concerning the above-referenced EIR on behalf of Hollis Bay Associates, owners of the commercial building located at 4240 Hollis Street in Emeryville. Hollis Bay Associates is fully aware of the extensive comments received to date by the Agency. Rather than listing these same concerns independently, and in the interest of avoiding unnecessary redundancies, Hollis Bay Associates incorporates all of the comments received by the Agency to date by this reference as if we had set them out in full, and makes the following additional comments: 102A

1. The EIR does not address the environmental impacts that the proposed project would have the availability of open air and available light with regard to the 4240 Hollis Street building. The EIR also does not consider the environmental impacts of the shadows that would be cast from the buildings associated with the proposed project onto the 4240 Hollis Building. 102B

2. The EIR does not address the environmental impact of the proposed project with regard to on-street parking on Hollis Street and adjacent streets. The EIR also does not address the environmental impact that the proposed project would have with regard to the amount of on-site parking available to occupants of the 4240 Hollis Building, which parking would be lost if the project goes forward as 102C

San Francisco
415 788-6336
415 788-0999 FAX

Los Angeles
213 627-6336

proposed. These impacts, if not mitigated, would be detrimental to the viable economic use of the 4240 Hollis Building and would be generally detrimental to the economic vitality of other businesses in the area. 102C

Very truly yours,

GOLDFARB & LIPMAN

STEVEN H. GOLDFARB
DAVID M. ROBINSON

By: _____
DAVID M. ROBINSON
Attorneys for Hollis Bay Associates

SHG:dmr
Our File: 849/01

cc: Craig B. Etlin, Morrison & Foerster (by U.S. Mail)
Jack Bariteau, Hollis Bay Associates (by U.S. Mail)

102. RESPONSES TO COMMENTS FROM DAVID M. ROBINSON ATTORNEY FOR HOLLIS BAY ASSOCIATES RECEIVED AUGUST 11, 1994

RESPONSE TO COMMENT 102.A.: Please refer to all of the Master Responses contained in Section III. and the responses to Comment Letters 1-101 found in Section IV. of this Responses to Comments document. Also please refer to Section V. for the responses to the oral comments raised at the public hearing.

RESPONSE TO COMMENT 102.B.: Please refer to Master Response F1. and to Appendix B. for the shadow analysis diagrams. The EIR evaluated the potential for shadow and lighting impacts as described in F1.

RESPONSE TO COMMENT 102.C.: The Draft EIR describes the impacts associated with the loss of parking during construction and operation of the medical center in Section II, C., pages 166-170 and 177-183. In addition, for each of the intersection and roadway improvement mitigation measures, the Draft EIR indicates whether or not such mitigation would result in the loss of on-street parking. The loss of on-street parking associated with the proposed mitigation measures was determined to be a significant unavoidable impact.

SECTION V

PUBLIC HEARING TRANSCRIPT

SECTION V

PUBLIC HEARING TRANSCRIPT

A. PERSONS AND ORGANIZATIONS COMMENTING AT THE PUBLIC HEARING JUNE 2, 1994

1. Barbara Benton
2. Joan Talbot
3. Anna Coleman
4. Ron Silberman
5. Ana Jurgensen
6. Mark Perniconi
7. Gisele Wolf
8. Bernard Choden
9. Jonathan Martin
10. Governor Jerry Brown
11. Joan Bossart
12. Ira Berkowitz
13. Nancy Humphreys
14. Ruth Atkins
15. Carol Handelman
16. Shari Andrews
17. Sile Convery
18. Kathryn McCamant
19. Robert Pisani
20. Arthur Tam
21. Aara Zand Amidi-Nouri
22. Connie Williams
23. Judy Folkmanis
24. Richard Gietzen
25. Michael Alexander
26. Mary Payne
27. Fran Ternus
28. Nancy Lynn Bardach
29. Ken Schmier
30. Jack Arnold
31. Brad Paul
32. Sue Hestor
33. Joshua Simon
34. Scott Donahue
35. Carl Anderson
36. Gregory Meyer
37. Kenneth Morgan
38. Michele Molineaux

39. Donna Peers
40. John Christopher Burr
41. Andrew Thomas
42. Robert Hughes
43. Joan Braun
44. Karen Haney-Owens
45. Frank Stern
46. Jerry Carnelia

EMERYVILLE PLANNING COMMISSION

SPECIAL MEETING

COPY

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC HEARING - CITY OF EMERYVILLE

Emeryville, California

June 2, 1994

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

V-3

A P P E A R A N C E S

THE PLANNING COMMISSION:	KRIS OWENS - Chairperson RON MOONEY - Vice Chair JOSEPH M. LUTZ PAUL GERMAIN DOROTHY BALANGERO GARY L. CAFFEY
THE CITY STAFF:	GAYE QUINN - Planning Director MICHAEL G. BIDDLE - City Atty HARRY R. HECHT - Publ Works Dir/ City Engineer HOKEY BONNER - Dir of Economics and Housing JOSEPH L. COLLETTI - Police Chief GEORGE WARREN - Fire Department
THE CONSULTANTS:	DAVID POWERS - Powers & Assoc ALICIA GUERRA - Powers & Assoc SCOTT STEWART - Publ Affairs Mgmt KATE WILSON - Public Affairs Mgmt STEVEN APPLETON - Publ Afrs Mgmt HANS KORVE - Korve Engineering/ Traffic Consultant BOB BANDY - Traffic Consultant

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BE IT REMEMBERED that, pursuant to Notice of Taking Deposition, and on June 2, 1994, at the hour of 6:33 p.m., at Emeryville City Hall, Emeryville, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a hearing under the provisions of the City of Emeryville.

---o0o---

BRICKMAN DEPOSITION REPORTING
41 Sutter Street, Suite 703
San Francisco, CA 94104
(415) 788-5095

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CHAIRPERSON OWENS: The June 2nd Special Planning Commission meeting is hereby called to order. I'd like to welcome all of you, and shall we pledge allegiance to the flag.

(Pledged allegiance to the flag.)

CHAIRPERSON OWENS: Could I have a roll call, please?

MS. QUINN: Commissioner Balangero?

COMMISSIONER BALANGERO: Here.

MS. QUINN: Commission Caffey?

COMMISSIONER CAFFEY: Here.

MS. QUINN: Commission Germain?

COMMISSIONER GERMAIN: Here.

MS. QUINN: Commissioner Lutz?

COMMISSIONER LUTZ: Here.

MS. QUINN: Commissioner Mooney?

COMMISSIONER MOONEY: Here.

MS. QUINN: Chair Owens?

CHAIRPERSON OWENS: Here.

MS. QUINN: Chair Owens, I'd like to note for the record that Commissioner Shari Andrews has stepped down to the dais since she's a property owner within 300 feet of the buildout phase of the Kaiser project and therefore has a conflict of interest.

CHAIRPERSON OWENS: Thank you.

We're here tonight to have a public hearing on the Draft Environmental Impact Report for the proposed Kaiser Permanente

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Medical Center.

Kaiser Foundation Hospitals, Inc. proposes to build a medical center on a thirty acre site in the southeastern portion of the City of Emeryville bounded by 53rd Street, Park Avenue, Hollis Street and San Pablo Avenue.

The proposed project would be constructed in two or more phases and it would involve the construction of a new medical center including a hospital and associated support facilities, medical office buildings, commercial and retail spaces at the perimeter of the site, structured parking, public open spaces and a central utility plant.

At completion, the project would include approximately 2,718,000 square feet, included structured parking.

We're doing things a little bit differently tonight because of the attendance that we have and we're looking for speaker cards, so if there is anybody still in the audience who hasn't already filled out one, would you please raise your hand so that we can give them to you?

And if there's anybody else that decides a little later on that they wish to speak, there are speaker cards outside at the table.

We're going to call out five people at a time, so as you get called out, if you would sort of kind of line up over there so that we can expedite the speaking process.

This is a big project for the City, and we appreciate the

turnout and we appreciate that you're all here and we want you to know that we want to hear what everybody has to say, and we're planning on hearing what everybody has to say.

Our police chief, Bill Colletti over there is going to have a -- is going to time it. We're going to start out letting everybody speak for five minutes.

It doesn't mean you have to use up to a full five minutes. If you can say it in a shorter time, please do so, and he will alert you when you have a minute left and he will alert you when your time is up.

If we find a little later on this evening that it is going to be too long and too extended, I may take the liberty to reduce the speaking time to three minutes, but we will try not to do that.

We want everybody to be heard and we want everybody concerned to be taken care of. The only power I'm going to have tonight is I get to pick the speaking order and I am frankly kind of enjoying that.

We are going to take a ten-minute break every -- after every two hours because the court reporter -- every two hours, because we have a court reporter who is going to transcribe this entire meeting, and she needs to take a break.

The entire -- no -- oh, it's a guy?

And it also gives us the opportunity to change the film in the camera.

Okay. Let me see what else we're going to say.

There are also copies of the Draft EIR outside in case anybody wishes to get some more information that you wish to speak about, and I think what I will do now is open the public hearing and turn the gavel over to Staff, who will make a short presentation.

MS. QUINN: Thank you, Madam Chair.

My name is Gaye Quinn. I'm the planning director, and before I get started on my staff report, I would like to make some introductions, if I could.

First of all, I'd like to introduce the staff that has been involved actively in the preparation of the Draft EIR that you will be hearing testimony on this evening.

I'd like to introduce Harry Hecht, our public works director sitting opposite me on the other side of the room. Hokey Bonner, I don't know if -- he's here in the back of the room. He's the director of the economic development and housing.

Joseph Colletti, who's been introduced previously as of police chief. He's the official timer for the evening. Mike Biddle to my right, who's the city attorney, and I believe there's a representative of the Fire Department, but I'm not sure he's here, George Warren in the foyer.

I'd like to introduce the consultants that comprise the team of people who put together the written documents. We have

David Powers of David Powers & Associates across the room. We have Alicia Guerra. Alicia will be presenting the findings of the report to you this evening.

I believe we have representatives from Korve Engineering, the traffic engineering consultant who will be making a brief presentation. Bob Bandy in the back, and I believe we're waiting for Hans Korve, who is probably stuck in traffic.

We also have to my left Scott Stewart of Public Affairs Management, Kate Wilson of Public Affairs Management in the back of the room, and Steven Appleton, who's at the table. I'm not sure where he is now.

My intent this evening is to briefly go through a summary of the staff report that you received. I would note for the audience that there were extra copies of the staff report that were placed on the table outside.

And then I will be turning it over to Alicia and Alicia will be turning it over to Hans Korve for presentation on the traffic impacts, and then it will come back to you as the chair to open the public comment.

I would stress that the purpose of tonight's meeting is to listen, and we intend to do that. We have the court reporter here, we have the video cameras here, and we will be taking copious notes throughout the public testimony.

The intention is to respond to every single comment that we receive, and those comments will be included in the Final

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EIR.

We will not be engaging in a lot of debate or answering questions this evening in order to provide a sufficient time for people to get their comments on the record, but those comments will again be formally answered in the Final EIR and response to comment document.

Very briefly, the staff report that was sent to you included a project description and project location. I think most everybody here is familiar with that. We do have diagrams of the proposal behind me on the easel.

The project is approximately thirty acres and it's bordered by Park Avenue on the south, Hollis Street on the west, San Pablo Avenue on the west and 53rd on the north.

The site is divided into Phase I, which is approximately twenty acres and a buildout phase, which is another ten acres. There are two buildout scenarios that have been reviewed in the Draft EIR. One of those includes the AC Transit site. One of those includes the Emeryville Business Center site.

The chair went through the project description at the beginning. I don't want to repeat that, other than to say that the hospital, the medical center would include hospital, medical office buildings and a combination of retail and office types of uses on the perimeter of the site in what are called minor buildings.

Very briefly, I'd like to go over the process to date.

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In July 1993, the City issued an initial study and that initial study assessed the probable environmental impacts of the project.

The initial study was published and distributed to the public on July 13th, 1993 and included a Notice of Preparation. Responsible agencies received copies of the initial study and the Notice of Preparation via certified mail and a copy was provided to Alameda County for posting, and the initial study and Notice of Preparation are included in Appendix J of Volume II of the Draft EIR.

In addition to that, a public scoping session was held at the City Council chambers on July 23rd, 1993 to present the findings of the initial study and to receive comments on the scope to be set -- of the work to be studied in the Draft EIR.

We sent out advanced notice to a Citywide mailing list and publishing -- public notice in the Oakland Tribune newspaper. The initial study Notice of Preparation indicated that public comment would be received for a thirty-day period.

However, during that period of time, we became advised that a state agency had not received a copy of the Notice of Prep, and therefore, the comment period was extended to sixty-six days.

Appendix J of Volume II of the Draft EIR includes a summary of the comments -- the oral comments that were provided at these public scoping sessions, and copies of all written

comments submitted during that comment period.

Following the close of the comment period, David Powers & Associates began preparation of the Draft EIR pursuant to the requirements of the California Environmental Quality Act and focused on those issues raised during the initial study in the Notice of Prep period and also those issues that were raised during the public scoping session.

Kaiser Permanente began in 1993 in June with their architectural consultants, S&P and DMJM to hold a series of monthly design workshops with members of the community.

These workshops were intended to obtain input early in the process and provide updates to residents and businesses in the area with respect to the urban design characteristics of the project.

Also beginning in June 1993, the Planning Department became -- began to meet with our own urban design consultants Hiatak Associates on urban design guidelines.

Those urban design guidelines were presented to the Planning Commission in a public meeting on August 26, 1993 and that -- those design guidelines were approved by the Planning Commission and they are included in Appendix G of the Draft EIR.

Bringing us to May 6th of this year, the Draft EIR project was published and circulated for public review and comment and notice of its availability was published in May 7th

in the Oakland Tribune. Notices were sent to individuals that had requested such notice and provided to Alameda County clerk for posting.

The Draft EIR was provided to public agencies and persons requesting copies and is on file and available for public review at the Golden Gate Public Library, the Emeryville Fire Station, and additional copies can be obtained through Rapid Repo Copy Center and Access Print.

Following the public hearing tonight and the close of the public comment period on June 12th at 5:00 p.m., the Planning Department and the City's EIR consultant, David Powers & Associates, will prepare responses to all the comments that we receive.

The responses along with any changes necessary to the Draft EIR will be published in a Final EIR which will be brought back to the Planning Commission for review.

Again, the purpose of tonight's public hearing is to receive testimony from the public on the evaluation of the potential impacts that occur in that document.

Again, to state what I've previously stated, the purpose is not to debate the merits of the Kaiser Center Medical -- Kaiser Medical Center project, but only to receive those comments that pertain to the technical analyses contained in the Draft EIR.

Staff would request that persons speaking tonight limit

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their comments to the technical adequacy of the Draft EIR and be as specific as possible in the comments they provide. This will allow us to be very specific in our responses to those -- to that testimony.

Because tonight's hearing is only to receive testimony, Staff and the EIR consultant will not be responding to specific comments or questions about the Draft EIR and all those comments will be -- will be again responded to in the Final EIR.

I would note that there have been some items that have brought to Staff's attention. They're very minor clarifications in the document and I would bring those to your attention now.

One is on page 145 of the document. There is a two-page summary table that the second page was inadvertently omitted during the printing process and that -- that same document appears in Volume II; it does not appear in Volume I.

So the information is there. There's a full discussion of those issues in the text from pages 140 threw 146, but this one summary table was inadvertently omitted.

The same summary table was included in the summary section on page S-13 and the same printing error occurred there.

There is a typo on page S-20 which is a table that talks about the project impact -- impact on intersections in the year

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2000. The year 2000 should be the year 2010, so we would note that for the record.

There's a second heading on that page at the bottom of the page that should be revised to read as follows: "Cumulative intersection impact year 2010 (infeasible)."

And lastly, there was an inadvertent error on page 61, I believe -- 61 of the document regarding the six condominium unit on Emery Street. The Costarelli units.

There's a chart on that page that talks about the acquisition of those units by Kaiser, and it has a yes or no as an answer, and this one says yes, that they have been acquired by Kaiser.

That is not true. Three of the six have been acquired, but there are three that have not been acquired, and those may become the subject of those comments and we wanted to bring those to your attention before the proceedings went further.

And with that, I would turn it over to Alicia Guerra for a summary of the environmental document.

MS. GUERRA: Members of the Planning Commission, I'm Alicia Guerra about David Powers & Associates. We are the environmental consultants hired to prepare the EIR for the Kaiser Permanente Medical Center.

Just briefly, I would like to tell you what's in the EIR. Basically the Draft EIR consists of three volumes. We have Volume I, which has the pink colored or peach colored section

that contains the summary.

Volume II is the technical appendix, and this contains all the support information for the conclusions contained in Volume I;, and finally, Volume III, the larger volume, contains all the traffic analysis data.

I will limit most of my comments to Volume I where the conclusions are contained pertaining to the environmental impacts of this project.

Specifically Volume I contains seven -- seven separate sections in addition to the summary. Section 1 is the project description, and that's already been described to you, so I won't go into much detail about that.

Section 2 contains the environmental setting, impacts and mitigation measures for approximately twelve categories of impacts that have been addressed in this document.

Section 3 looks at the alternatives to the proposed project as mandated by the California Environmental Quality Act.

Section 4 also contains other mandated sections under the California Environmental Quality Act. Section 5 is the fiscal analysis or cost revenue analysis, and Section 6 and 7 just identify the EIR author and references.

Most of these sections are described in detail in the staff report, so I'll limit my remarks to just those -- those issues that are of most importance this evening.

With regard to Section 1 in the project description, I would just like to add that while the EIR addresses the build-out and the development intensities associated with the medical center, it also looks at the whole of the project.

By that, I mean it looks at General Plan Amendments, Redevelopment Plan Amendments, the Disposition and Development Agreement, all the other approvals that are associated with implementing this project.

For any details about that, you can go to page 2 in the staff report, and it lists those for you.

With regard to perhaps the meat of the EIR, that's in Section 2, we've identified twelve categories of impacts. Most of those impacts can be mitigated to a less than significant level. Most of those impacts are also not significant.

There's also a third category of impacts that with mitigation or with mitigation that's perhaps infeasible, those impacts remain significant and unavoidable, and I'll identify those for you.

I would say that about twenty percent of the impacts identified in this EIR are not significant, and we've used the thresholds of significance as defined by the California Environmental Quality Act to reach those conclusions.

For the second category of impacts -- those that are significant, but there are different ways of fixing the impacts, we've identified that roughly sixty-five percent of

those impacts can be mitigated to a less than significant level.

And finally about fifteen percent of the impacts, most of which are transportation related, there are -- is no mitigation available or the mitigation only partially reduces the impact, and those are disclosed in order this document, as well.

The twelve categories of impacts that were looked at include land use impacts, and most of those are not significant or they're significant and can be reduced to a less than significant level, and those include building intensity increases or land use and compatibility.

There are employment and housing impacts, which is the second category that we assessed, and in that, we identified things like increasing employment could have beneficial effects, both locally and countywide, and also we identified significant impacts, like the increased demand for housing, and we've identified mitigation that's included in the project to reduce that to a level of insignificance.

Perhaps the most significant category that was addressed in this EIR is the transportation and circulation impacts, and in that, we looked at something like almost sixty impacts or categories of impacts that could occur, the majority of which are mitigated or not considered significant.

However, there are about seventeen or so that there are intersections involved that require improvements, perhaps

outside of the local jurisdiction, local area, or extensive mitigation that could make it much more difficult to mitigate.

In addition to those three categories, we've also evaluated air quality impacts and noise impacts, soils and geology and seismic hazards related impact, drainage and flooding impacts, all of which can be mitigated to a less than significant level or are not considered significant given their site.

In addition, we've looked at soil and groundwater contamination and the potential exposure to hazards associated with that, as well as the potential use of hospital related hazardous materials, and that could be a concern.

However, there's extensive mitigation mandated by law and also included in the Kaiser Permanente Medical Center that offsets those impacts and reduces it to a level of insignificance.

In addition to those, we evaluated the effects of the medical center on the demand for utilities and services, and most of those result in impacts that can be mitigated to a less than significant level, and many of them were also considered not to be significant given what the project is proposing to provide for services.

In addition to that, we also looked at the potential impacts to archaeological and historic resources. There are two significant unavoidable impacts associated with the impacts

to historic resources.

One involves the Del Monte cannery and the other involves two structures that could potentially be eligible for inclusion in the historical district.

Mitigation has been identified for those, about it doesn't quite offset the impacts that would result from this project.

And finally, we looked at the potential impacts resulting from the project as a whole in terms of urban design and visual resources, and the project includes extensive mitigation that was developed through workshops with the community and involves the implementation of urban design guidelines which reduce those impacts to a less than significant level.

Just briefly, Section 3 of the EIR evaluates the alternatives to the project, and there are about seven of those. Four of those consist of different designs, reduced intensity or reduced building scale.

There's also an additional alternative which Gaye had pointed out to you that involves the AC Transit site, and that is an alternative location for the future expansion site only, and in addition to that, there are two additional alternatives that evaluate the impacts at two alternative locations for both Phase I and future expansion.

Through this analysis, we identified the alternative that would be considered the environmentally superior alternative by

mandated by the California Environmental Quality Act, and that is the existing General Plan alternative. All of these alternatives are described in the staff report if you would like any more detail.

And finally Sections 4, 6 and 7 are statutorily required sections as I identified for you before, and those sections include cumulative impacts, EIR and consultants, et cetera, but I'd like to point out that the cumulative impacts discussion takes a long-term view of the amount of development that could occur in Emeryville, in Oakland, in Berkeley and Alameda County as a whole, and what we've done is identify all the development that's in existing conditions, approved projects, projects that are pending, projects that might have applications on file as of this date, such as the Chiron Corporation development project. All of those got thrown into the pot with Kaiser and we assessed the impacts of that.

And in addition to that, we looked at projects that were approved and likely to be built in Berkeley and Oakland by the time this project, the medical center, would be built. So that's what's in the EIR.

Do you have any questions or would like any more detail, the staff report contains an extensive summary of what's contained in the EIR, and then I would refer you to Volume I of the Draft EIR for the conclusion.

And now I will turn this over to Hans Korve of Korve

Engineering, who is the traffic consultant for this project.

Thank you.

MR. KORVE: I'm Hans Korve of Korve Engineering. We prepared the traffic analysis in support of the environmental document.

What I'd first like to say is that the analysis was one of the more extensive ones that we have been involved in. The analysis looked at both the year 2000 and year 2010 traffic impacts both with and without the project, and used a traffic forecast model that was consistent with the regional models in place to forecast future trip behavior and future traffic impacts.

The project itself, which will generate about 4,200 jobs, represents about one-half of a percentage point of the total employment that's projected for Alameda County, so that to help put the overall impacts in perspective, it represents about fourteen percent of the total employment in Emeryville.

The land use projections we used in the traffic model will work out with ABAG, the regional planning agency, and the -- to make sure that we have consistency, the project trip generation rates were based upon national -- nationally accepted rates, which in the case of Kaiser are conservative, because their particular use generates lower expected trips than the average hospital based on a national survey.

We also assumed a relatively conservative assumption

relative to alternative modes used, that is car pooling, transit, et cetera of about two percent.

By comparison, you know, the average transit use in Oakland, for example, is seven percent, so I think we're conservative there, plus we see in the future things that -- because of the rules of you're EIRs of not being able to include a project that's currently not funded, we see future possibility of commuter rail serving the nearby Emeryville station, and light rail on San Pablo and the full use of the HOV line on I-80, further reducing trip making by a single occupant vehicle.

So the impacts that I'm going to talk about assume that these things are not in place, and that's the most important thing to remember.

We found that in the year 2000, of the forty-three intersections looked at, about eleven are impacted by baseline development; that is, development other than Kaiser.

Kaiser adds five new intersections that are impacted, but all five of those are mitigated and therefore net out, and by the year 2010, twenty-eight of forty-three intersections are impacted again by base development.

Accumulatively we add three more, and Kaiser adds five, of which four are mitigated, So there's one intersection that the Kaiser project would actually not mitigate where it creates an impact pushing an intersection from acceptable to

unacceptable levels. All others are mitigated. And the intersections are not mitigated.

The principal reasons are that either the policy the City has to prevent that mitigation; that is, policies on widths or whatever, and also that there may be significant negative impacts on local businesses, such as taking away frontage, et cetera, or impacting residents that would prevent widening.

So in general, while, you know, there are negative impacts, we feel that the assessment is conservative as it's -- you know, as we're required to be in the EIR, and we feel that they're -- the opportunities that are being looked at in the I-80 corridor are things that are being constructed by Caltrans right now, including a lane, and a track upgrades that is actually funded now since this is being put together, the state will spend about seventy million dollars upgrading the trackage between here and Sacramento to provide much better rail service, which could then be exploited for commuter rail. That would help the overall traffic situation.

With that, any questions?

Thank you.

CHAIRPERSON OWENS: Are we done?

Okay. The public hearing is herewith open. I have thirty-seven speaker cards, so that's something we can handle in the time frame, so we will start out with five minutes and then see how the everything goes.

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So the first five are Will Richards, Joan Talbot, Barbara Benton, Anna Coleman -- is that five? And Ron Silberman.

So if you would sort of please kind of stand in line there and let's get the show rolling.

MS. QUINN: Madam Chair, while they're coming forward, if I could just add, for those of you who are not comfortable speaking in front of large groups, we do have comment sheets out on the table and there's a comment box that you can fold it and place it in before you leave, or you can return it to our office. The address is on the comment sheet itself.

CHAIRPERSON OWENS: Yes. I don't see Ron Silberman. Well, I don't know what happened to Will. I could have sworn I saw him here. Why don't you just go ahead and start.

And when you get out, you do not have to sign in. Just state your name and the city you're from or the business you're affiliated with, please. We have the cards, so we will know how to spell your name.

MS. BENTON: I'm a little nervous being first. Most of you know who I am. I'm Barbara Benton and I'm very active in the City of Emeryville. I'm the finance director for the --

AUDIENCE PARTICIPANT: Microphone.

MS. BENTON: Am I not talking in the microphone? Is that okay? Better?

I'm very active in the City of Emeryville. I am a finance director for the Friends of the Emeryville Child

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Development Center; I'm the finance director for the Emeryville Chamber of Commerce; I'm the vice-president of the Emeryville Business and Professional Women, and I sit on the Board of Trustees for the Emery Unified School District.

I've lived in -- I've worked in Emeryville for a local developer since 1980, and I've lived here at Watergate for about three that have years. 1

I have a 5 and a half year old boy that all to Annie Yates Public School, and I've talked to a lot of people in the business community and in the residential community.

What I've encountered is incredible support for Kaiser, and that's really all I want to say.

Thank you.

MS. TALBOT: I kind of wonder, Kris, about how you get to pick people. I'm not going to have a string of trials that I can give you or tell you things other than the fact that I've been for Kaiser right from the onset. I continue to be that way, but I did want to speak particularly about my concerns.

I live in Watergate. I think we're going to be -- to be impacted there. I happen to live on Admiral Drive, which is 2 fairly close to Trader Vics. Of course it's also part of that whole Marina area.

I didn't see anything -- I happen to have picked up a copy of the EIR report. Needless to say, I did not read it all; I don't think anyone ever could, but -- but I didn't see

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any mention at all about what's going to happen to the community I live in, and I'm quite sure with the change in the conflagration of the freeway, that we are going to be quite 2 impacted further down Powell Street.

Once again, I didn't see anything, you know, that talks or addresses this issue, and I think it's a significant one.

Thank you.

MS. COLEMAN: I'm Anna Coleman. I live on 47th Street; lived here since 1952.

I am on the Commission on Aging; I'm on the San Pablo Revitalization Committee. Also own rental property in Emeryville. 3

And I am In favor of Kaiser. I think it brings in revenue to the city. I think it will be an asset to San Pablo Avenue, and I really am happy to have it there.

If there's an emergency arises, we're very close. 47th Street is almost in their front door, so I am very pleased to see Kaiser coming to Emeryville.

Thank you.

MR. SILBERMAN: Ron Silberman.

After reading the EIR, I found out there were certain aspects of the EIR that seemed to be somewhat inadequate in the 4 sense that there's a lot of talk about mitigation and there's no reference to any impacts on the mitigation, and especially in traffic, and there's a lot of businesses that is going to be

displaced and people will be displaced, residences, and my -- one of my main concerns is some of the street extensions and some of the traffic lights that will go in and some of the widening of the roads, and I wanted to know specifically if the EIR is going to focus on what's going to happen to the various businesses that are displaced along the -- along the corridors where they're going to be widening the streets, and it just talked about what to do about traffic, but it never referenced what's going to happen to the City at large, to the community at large of the businesses that are going to be displaced. 4

There also is no reference in the -- if there's any condemnation proceedings or -- I know there's reference to helping people that are being displaced, but it doesn't talk about businesses that are displaced.

Are businesses going to be getting retributions for their goodwill that they have developed, or are they just going to be helped to find a new location?

I think that existing businesses should be given a preference to any new retail or any kind of industrial facilities that Kaiser's going to put up on the street front along San Pablo and 47th.

I know they have a low lying area adjacent to buffering the garage, putting in new retail areas, and I think somewhere in the -- in the conditions, that preference should be given to existing Emeryville businesses.

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I also noticed that there are certain fees that Kaiser going to be paying. Specifically their real estate tax was approximately 400 or $300,000.00, and it seemed to be a very low property tax fee relative to what a lot of other people are paying in the area.

I want to know if that was based on existing parameters and how property taxes are set, and whether the City realizes or knows what the net effect of the cost is going to be once all these improvements are done, whether the services and the improvements are actually going to cost the City or whether they're going to be borne by Kaiser and the additional developments like Chiron and Catellus, because you also hear about services and infrastructure costing cities more money at the very -- at the very end when all this work is done and they have this concept that they're going to be making money and helping put them in a non-deficit situation, so I think that needs to be addressed. 4

Thank you.

AUDIENCE PARTICIPANT: Madam Chair, could you instruct them to speak into the mike? We cannot hear them in the back.

CHAIRPERSON OWENS: Okay. The next five, Bernard Choden, the gentleman who has a little child with him, Mark Perniconi, Ana Jurgensen, Jonathan Marks, and Gisele Wolf.

MS. JURGENSON: Good evening. My name is Anna Jurgenson and I'm president of the Emeryville Chamber of Commerce as well 5

as being a local resident.

The Chamber believes that planned and controlled growth is essential to the success and survival of any community, especially one such as our own.

The fact that Emeryville comprises only 1.2 square miles provides us with the unique opportunity to replace what was formally heavy industry with cleaner, high-tech industries, shopping and high density housing within a metropolitan setting.

We feel that the City of Emeryville has consistently balanced community and commercial interests and has maintained a responsible planning process and attention to environmental and quality of life issues. 5

The Chamber recognizes that the developments before the City will have a significant impact on the community, primarily in regards to traffic, but we believe that the benefits of this Kaiser project will bring will far outweigh the proposed consequences.

Here are what I perceive to be just a few of the benefits: With the city budget of only twelve to thirteen million dollars for the year, the Kaiser project specifically will bring a one time three million dollar benefit in the first year and provide an ongoing annual contribution of one million dollars to the City's operating budget.

Development will revitalize the blighted semi-isolated

V-17

areas of both Emeryville and West Oakland and will act as a catalyst in further development along San Pablo Avenue.

The EIR outlines the impacts on traffic, and in some cases, it is true, the impacts cannot be mitigated to a quote less than significant level.

What I would like to point out, however, is that in almost all cases, Emeryville will still have significant traffic problems if the development takes place outside of Emeryville.

The proposed developments would provide us with a vehicle in which to fund the mitigations that will lessen the impact of traffic on our streets over the next several years.

Without development, our traffic situation would still be bad and the City would be forced to fund the mitigations themselves. 5

A recent article in the San Francisco Business Times identified those groups opposing further development in our city, and I personally find it extremely interesting that of the eighteen coalitions and community groups listed, only one was from Emeryville.

In closing, I would like to share with you a letter I received from a Sierra Club member who owns property in Emeryville. This letter is addressed to Norman Leforce, who is the San Francisco Bay Chapter president of the Sierra Club.

"Dear Norman, as a Sierra Club member, I'm concerned with

the urban sprawl that continues to encroach our farm lands, wetlands and wildlife habitat. I was surprised to see the Sierra Club heading up a list of organizations opposed to growth and development in a central metropolitan area like Emeryville.

"I moved to Oakland in 1959 and was employed in Emeryville at Patco's offices next to their building materials plant, now the site of office buildings and high density housing.

"Emeryville was a metropolitan industrial community then and it still is, but with the happy difference that most of the heavy industry is left and cleaner high-tech growth industries, shopping and high density housing have moved in. 5

"You must agree we need to create solutions that accommodate the necessarily heavier density of traffic relating to metropolitan growth, not move growth to the countryside. V-18

"We're not talking about filling in the bay. We're talking about getting better use of out of an existing metropolitan industrial area where people can go to the country for recreation and agriculture instead have of to more office buildings and production plants."

I'd like to just note that I spoke on behalf of Barbara Azad and myself, so when you come across her card.

MR. PERNICONI: My name is Mark Perniconi and I represent the Business Alliance of North Downtown, or BAND for 6

short. We represent land owners, employers, businesses and retailers served by the 19th Street BART station in Oakland.

Since we are business people, it is not our mission or our intention to interfere with development. We are, however, concerned with the general environment and traffic situation in the North Oakland and Emeryville area.

In reviewing this Draft EIR, we do find one glaring omission, and that it did not address the alternative put forth by the Oakland Economic Development Employment office in Downtown Oakland. It was not evaluated in the Draft EIR. 6

We'd like to suggest that this be included in the Final EIR because I think this is a very unique alternative presented in Oakland; for no other reason than it's one of the few instances I've ever seen that it's brought together preservationists, environmental, developers, employers and business people to coalesce for one goal, and one goal because this project just makes sense.

So in closing, I appreciate the opportunity to speak, but we would request that you include this alternative in the Final EIR.

Thank you very much.

MS. WOLF: My name is Gisele Wolf. I have lived in Emeryville since '81 and work for the City. I also ran for Council in November. 7

I would like to repeat that I supported Kaiser then and I

support it now. I would like to make my remarks brief.

I agree with what Ana Jurgensen said before me, and I fail to see the Sierra Club's interest in the City of Emeryville since it has nothing to do with wetlands or environment. 7

I'm also amused and amazed by all of the political markers that have been pulled here tonight to see an ex-governor in the City of Emeryville. It's really amazing to me. Elihu must have a lot of debts collected now.

I would like to say that I do object to having a three-lane highway behind Emery Bay Village where I live. We were given to understand that we would have a walkway and bicycle pathway and would still like to see that, and I would pursue that at another time.

Thank you.

MR. CHODEN: I hope I'm next.

My name is Bernard Choden, and Commissioners, Madam President, my interest in this facility is twofold.

I'm a member of Kaiser, my family is, and I have a interest in regional planning that has long precedent in working for the state and as a consultant and so on. 8

And Kaiser is a precedent for our national model for health care, In that respect, it needs to have a regional client centered responsibility. This is not indicated in the EIR. We are addressing administrative needs rather than client

V-19

needs.

Kaiser is a non-profit organization and a hospital organization. As such, you may not be aware of it, but you had better believe that Kaiser's special legal circumstance is that of a public utility with wider responsibilities than the boundary of Emeryville, and I don't know whether this is fully addressed in the EIR or should be, but it is a legal problem I think you need to refer to your legal staff.

Two, Kaiser is a very large regional facility with responsibilities extending beyond the boundary of Emeryville. For example, the impact of Kaiser's location within Emeryville involves access, affordable housing and regional services requiring mitigation measures, but with no indication of how such measures would be made legally implementable, especially with regard to responsibility, accountability means and resources. Having letters of agreement and so forth without putting out money and resources is not acceptable. 8

The proposed project essentially betters Oakland and Berkeley. For example, the proposal does not indicate where employees or patients reside or how existing transportation provides access beyond Emeryville's boundaries.

There is no motor split analysis regarding transit or car access, especially for those people who are transit dependent. There are no statistics, there are no figures.

The same situation applies with regard to air quality.

total trip counts are taken rather than dividing those trips between transit and cars. You can see for yourself it is a significant statistical difference in air quality.

Since we reside in a region that is transient first oriented by public policy by use of federal moneys and state moneys, it behooves us to adhere to the law. Some of which lower income, and older employees, of which there are, maybe unable to afford access to their jobs or maybe unable to relocate in residences to Emeryville because you have no official policies regarding that. This is an effect a gentrified establishment as it has become over twenty years or whatever.

The EIR does not address the cost to Oakland. Neighbors have to abandon public structures and private ancillary services. That's what we mean by remembering your neighbor.

The EIR does not address independent ability of the industrial uses that would be removed. As you know, industries locate next to each other because they need each other for both services and other products. It isn't enough to simply say so much industries are leaving. They need each other.

When you remove an essential element in this mix, you cause the whole to collapse. Of course, you know you've had a policy of industrial removal for the past twenty years. The EIR ignores the regional effects of care quality, as I indicated earlier.

8

V-20

There's an inadequate address of seismic concern. My experience -- and it has been plentiful -- indicates that within the alluvial plain on the bay, you need to test down to fifty and sixty feet.

I'm finding that at about twenty to thirty feet, there are many intermittent layers of quick sand. That is not in the EIR. Given the instability of our region, I think you will want to pay attention to that.

The proposed site, as you know, places where Sherwin Williams and other industries were, are very toxic. Not just on the Pacific joint, but a joined sites. That is not adequately addressed in the EIR, at least down to the levels necessary.

8

Then I'd like to bring up another legal point, and it's ancillary to the EIR and you had best check into it --

CHIEF COLLETTI: Madam Chair, the speaker's time is up.

MR. CHODEN: All right. You need to address whether this site lies on sovereign lands and the land trusts. The land that is perpertually in the ownership in the State of California and is these restrictions that regard land use cannot be abrogated. It is more time that should be spent on dependent sources.

Thank you very much for your time.

AUDIENCE PARTICIPANT: Are you an Emeryville resident?

MR. CHODEN: I'm a San Francisco resident with regional

concerns. I don't think that makes a difference.

AUDIENCE PARTICIPANT: Oh, yes, it does.

MR. MARTIN: My name is Jonathan Martin. I am an Emeryville resident, though I -- I am concerned about San Francisco, but I won't speak about that.

My wife, Tov and I moved to Emeryville some seven years ago, and one of the things that impressed us about the City was its potential. It was a potential that was not yet realized.

We moved into a rather large tower on Christie Avenue, and at that time, one of the advantages was that you could cross Christie Avenue very easily because no one drove down it, and when you got across it, within easy walking distance, you could go to the vivarium, and by all these snakes and lizards you needed, and then you could cross back over and buy all the BMWs that you needed, and that was about it on Christie Avenue. 9

V-21

Since then, there has come development, and we have things like food, books, movies available to us. These are good things. We have traffic on Christie Avenue. It's hard to cross it. This is not such a good thing.

Now, what we have proposed here is further development of the potential of Emeryville. It seems to me that a medical center falls well in the category of good things. A good thing for our community, our city and our region.

I think that this increases the value, the interest of Emeryville. It does bring with it traffic, and that is a

serious problem, and I -- I -- I commend you for your efforts to mitigate the problems that will come along.

However, there's a -- there's a way of looking at this traffic, which is the way we look at it on Christie Avenue. Though it's something that one gets upset about, when one gets stuck in it, it's a sign that people are interested in going to see what you have, to see what you live, to see what there is available in your area. 9

I know I will not persuade everybody. I know that there are people who think that traffic is a paramount problem, and there are places one can go where one does not have this kind of problem, and they're called ghost towns.

Thank you.

CHAIRPERSON OWENS: The next five speakers, the Honorable Jerry Brown, Will Richards, Joan Bossart, Ira Berkowitz and Florence Sample.

GOVERNOR BROWN: Thank you.

CHAIRPERSON OWENS: You can make a little campaign speech for your sister, you know.

GOVERNOR BROWN: I was going to do that, but I first got to think of a disclaimer. I'm not here of the behest of the mayor, because We The People only supports candidates that take no more than one hundred dollars in their campaigns. 10

Actually, what I've -- the reason I'm here, I'm putting up a building in Oakland, so I'm learning all about

Environmental Impact Reports, so I might as well read another one, but I go back to the time when I was governor, and in the consideration of the Grove-Shafter freeway, we said that Oakland will prosper with the link-up through the city, and of course the freeway was built after some controversy and the development didn't happen.

The '80s came along and there was a recession and whatever, the department stores didn't locate, and I notice in the Environmental Impact Report that you have before you, the Draft Report, it doesn't include a consideration of a Downtown Oakland site. 10

Kaiser is a product of Oakland. It has a moral responsibility to the community, and without in any way judging the suitability of Emeryville -- that could be done by others -- I want to say that as a -- as a person new to Oakland, but looking at it and driving through it and being in and about it, you have a pretty dead downtown, and it's been that way for too long. V-22

I remember being taken on a tour in the late '70s and being shown all the vacant buildings and being promised there wouldn't be any more vacant buildings.

A couple weeks ago, I went with the Oakland Police Department to look at the crack houses and found out that there are more vacant buildings now than there were in the late '70s when I took the last tour, so that any opportunity for economic

development for Oakland has to be taken very -- very, very seriously, particularly when you have a long-time business employer, and while it's your job to look at it from the point of view of Emeryville, I think as citizens of the community, of the Bay Area, we also have to be aware of the realities that Oakland has gotten the short end of a lot of economic decisions from many, many years, and I think it is morally incumbent upon us to weigh certainly the traffic, certainly the environmental impact, but as part of that, in accordance with the rules and regulations, the social/economic, community impact, and when I read that there are 4,000 jobs that could be available in Downtown Oakland with the -- with all that that entails, walking traffic and renewed residential and retail vitality, I say as a matter of justice that those who will make this decision have to take that downtown site seriously. 10

As a matter of law, the Environmental Impact Report is legally insufficient until that site is examined with the kind of sensitivity and sophistication that the realities that we're all aware of and face everyday demand, and that is really the point I'm coming here; not as any agent for any politician.

Maybe some of those people are responsible why the thing has gotten to this position in the first place. I'm here more for what I know to be the needs of Oakland itself and the needs of the larger Bay Area which I've lived in all my life, and I think that the -- the abandonment of all those empty buildings

in Oakland is a disgrace, and when you have an opportunity of a long-time employer like Kaiser, there's such a great chance here to link the two needs of a new facility, improving the health of the community, reducing the traffic, reducing the commuting, because there are more people in Oakland taking public transit; there are more people working environment for Kaiser in Oakland that live there than live in this part, even though it's only a few miles away.

And so I just say that rise above the parochialism. You've got lots of projects here that I see. You've got Chiron and Catellus and Bayfront. I don't see that happening in Downtown Oakland.

I believe the riches and abundance of Emeryville are already happening, but it's not happening there, and I think we all have to be good citizens and realize that this opportunity ought to go where it is already, and business is not just about economics.

There is a certain community, family component, and I believe Kaiser ought to think about this, and you as the -- as the people representing Emeryville looking at the impacts in this City, you have to look at as Oakland declines or prospers, Emeryville also is impacted.

So we're all in it together, and as you weigh the different factors, I believe that the Environmental Impact Report has to be modified to take into account what this could

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V-23

mean to Oakland and what it will mean if it comes over here to Emeryville, and I think a decision to yank that facility out of Oakland and move it over here and construct a new facility and put 4,000 jobs here --

CHIEF COLLETTI: The speaker's time is out.

CHAIRPERSON OWENS: That's okay. He's a politician. He doesn't know how to shut up.

GOVERNOR BROWN: There's really nothing to say here other than I think it's a matter of economic and racial justice that Oakland be given every opportunity to come back.

Thirty years ago, there was more activity downtown than there is today. The country, the state and the county are a lot richer. Why is that?

I say there is a racist component here that all people of goodwill have to work to compensate whenever possible, and you can deny it all you want, but just walk down the street and you'll see it.

I'm not saying that about anybody here. I'm just saying --

COMMISSIONER CAFFEY: The speaker's time has expired.

GOVERNOR BROWN: -- you have the chance to overcome it.

AUDIENCE PARTICIPANT: Goodbye, Jerry.

MR. RICHARDS: My name is Will Richards. I live at 1286 61st Street. I've been a resident of Emeryville for about sixteen years, and I think the speaker that came before me is

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11

in for a real education if he's planning on building a building in Oakland.

I'm proud of the fact when I moved to the Bay Area that Oakland was the main city of the East Bay, and I'm still proud of that. I look forward to seeing the Oakland Tribune Building in my windshield when I come back into town.

However, Oakland is and has been a city of promise for years. Emeryville, unlike Oakland, has been a city of projects, and that's no accident, and I think that that's something that we as Emeryvillians should hold some pride for, and I think that the willingness of Emeryville to work with the City of Oakland in developing what they can has shown itself very clear in the latest projects that we've worked with Oakland on. 11

So I think it's our responsibility -- whether it's moral or not is another question, but I think it's our responsibility to look at this project that Kaiser has proposed and act on that alone. V-24

Kaiser has looked to other possibilities, both in Oakland and elsewhere, and they've come to us, and that they've come to us for the project that as a resident, I feel shows real promise.

I think that there is always going to be traffic mitigations. Over the years, I've heard about traffic gridlock and the inevitability of it, and I have yet to see it, although

I have to say there are times when traffic can be pretty bad.

I think we should be proud of the fact that we've been able to make Powell Street and Christie a workable intersection. It's something that engineering can do, and I think that there's always the possibility of improving traffic situations as Kaiser moves into town and moves in its various phases.

From the people I've talked to in my neighborhood, by in large, they support it. They're excited about the possibility of having a hospital in town; not only for the opportunity to work, but the opportunity to perhaps enjoy better health care package. 11

Certainly the convenience of having a hospital close to town, particularly for emergency situations, is something that the older folks in my neighborhood see as something that's very promising for them.

I don't, how far, live a block away. I know it will affect those people that live very close to Kaiser. However, they've been facing what has virtually been an empty lot for at least in my memory four projects that have been proposed for that lot, and nothing's been able to happen there.

This looks like a project that's real, that's well financially backed and would be a real asset to our city.

Thank you very much.

MS. BOSSART: My name is Joan Bossart. I've been living

in Emeryville now for five years, very happily, and the coming of the -- the possibility of Kaiser coming has been of some interest to me.

I have participated in the citizen working group with Kaiser and it's been a fascinating project. I've watched the models develop and -- and with great excitement.

However, with this Environmental Impact Report Draft, I think -- I think the questions it raises are so significant, that I -- I really wonder if all the residents in Emeryville are aware of how significant they will be impacted when Kaiser gets built out, the Chiron extention gets built out and the commercial developments are completely built out. I fear the traffic is going to be virtually gridlocked. 12

I'm also concerned about the ozone and the carbon monoxide pollution levels. Even though we get a really good breeze most of the time coming off of the bay, it's still going to affect all of us.

V-25

In connection with my being on the Kaiser Citizen Board watching their - watching their plans develop, at no time, I'm afraid to say, that while Kaiser was talking about all the -- all the streets, Park and San Pablo and Hollis and 45th, they never mentioned the possibility of a Doyle/Haven extension coming down there.

I feel if the architects were not aware that this was a possibility, then someone didn't inform them, and if they were

informed, then maybe because I would be directly impacted by that street coming down there, maybe it was a little disingenuous on their part that they never did show that street. 12

Anyway, those are my comments. Thank you.

CHAIRPERSON OWENS: Ira?

MR. BERKOWITZ: I'm Ira Berkowitz and I live in Emery Bay Village and I work in Downtown Oakland, and my concern has to do with what this lady just mentioned, the Doyle/Haven extension, which will go right behind where I and a lot of people live. 13

It's quite a nice place there, for those of you who may have seen it, and it's quiet and we have a lot of nice people there, and I hope that everything possible will be done to help us retain what we have, and my idea is that a properly engineered and constructed sound wall be built so as to preclude as much noise pollution as possible from there.

And that's my message. Thank you very much.

CHAIRPERSON OWENS: Florence Hackle.

MS. HACKLE: I ceded my time to the ex-governor.

CHAIRPERSON OWENS: The next five are Nancy Humphreys, Shari Andrews, Carol Handelman, Ruth Atkin and Kai Holme.

MS. HUMPHREYS: My name is Nancy Humphreys. I'm the owner of 30 Emery Bay Drive, and I have two things I wanted to say. 14

The first is that about twenty feet from my front door, there is a abandoned railroad track and a stream in which live skunks, opossums, raccoons and snakes, and while those aren't my favorite animals, I have to side with the Sierra Club in saying I'd rather have them there than a three-lane street that has thousands of cars going into a parking garage.

My question to you is: Would the -- how would the traffic on that street when it's built compare to traffic on any other Emeryville street now?

In other words, how would it compare to what's on Powell Street or Hollis Street right now? I'd like to get an idea on what it would be like.

Looking at this as a non-personal way, trying to be a citizen of Emeryville, my concern obviously -- I think it's almost un-American to be against a hospital; I'm in the health field, but my concern about business in Emeryville is that there are two kinds of businesses: There are businesses which go out to their customers and there are businesses where the customers have to come to the business, and the second type has a lot more traffic.

You know, doctors don't make house calls; they have to come to the hospital, so this is just one example of many projects which seem to be bringing people in rather than having workers go out, and I am personally aware of a computer company which goes out to its customers which couldn't find space in

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V-26

Emeryville, so I feel like the development plan is not reaching all businesses, and I would like to know why it isn't.

Thank you.

MS. ATKIN: My name is Ruth Atkin. I live in Emery Bay Village. I've prepared my comments, so I'll hopefully be more organized and concise than I might otherwise be.

I feel compelled just to say that I live in Emery Bay Village, and so far you've heard from some residents. Every resident of Emery Bay Village has spoken out against converting the railroad spurt to the three-lane road, and I have to add my concern about that as a resident of that complex.

Let's see. I'm -- I'm not trained to read Draft EIRs, but after looking over three volumes, it's been pretty overwhelming for me, and I think I need to address my questions just with what is my own common sense.

15

The first question that I pose is: What can Kaiser do for Emeryville, not what Emeryville can do for Kaiser?

In this document, I see statements acknowledging significant unavoidable impacts that cannot be fully mitigated in such areas as traffic, air quality and implicitly in housing.

I see proposals to widen and restripe existing roads, create new ones, place traffic controls at intersections, et cetera.

These are all accommodations Emeryville must make to

Kaiser. If implemented, they knock out existing buildings, crowd others and impinge on everyday life that is on route to Kaiser.

One -- the traffic has been talked a lot about tonight. This is one example of how the entire fabric of our city will be affected by a medical center the size of which is being proposed.

So my second question leads from that, which is: Does Emeryville have criteria of what conflicting abutting uses may be in a city with a preponderance of mixed use zoning?

As an Emery Bay Village resident, I learned that the City did not have foresight into the conflicting nature of constructing housing next to a twenty-four hour bus yard. 15

I'm concerned that parking structures will be erected next to housing, and I would like the Final EIR to talk about why Kaiser does not conflict with the surrounding area. For example, with 112 unit housing complex that would be across the street from its expansion area. V-27

I also would like the final version to talk about how six stories of a hospital towers can sort of blend in and complement the existing area.

The area in question has seen recent revitalization. Emeryville Business Center, the building housing Noah's, Emery Freddy's and Bisco's, there's some longstanding businesses in that area off of Park, and quite frankly, I feel a need to say

that I really resented the Draft EIR calling that section of town blighted. There's been new housing there, there's been new businesses there, and I think this is preposterous.

Furthermore, Kaiser would destroy some of this new development in both Phase I and the expansion phase. Does it make sense to destroy new development?

Fourth, there's no adequate mitigation outlined for housing. The establishment of a fifteen million dollar revolving housing fund guarantees nothing.

I know Emeryville doesn't meet affordable housing guidelines currently. The provision of money isn't sufficient to build housing. 15

My question is: Where would alternate and additional housing be located? The Draft EIR does not address this issue at all, and I think it needs to in the next version.

It needs to locate where -- identify where additional housing would be to replace the units that will be destroyed.

Fifth, Emeryville has become a haven for the creation of service jobs, primarily through retail and commercial. The Draft EIR states Kaiser would offer many service jobs. The 1980s have showed us that service jobs have increased dramatically while manufacturing jobs have decreased.

The Draft EIR states 125 manufacturing jobs would be lost. These jobs are higher buying by in large than most service jobs.

The Draft EIR talks about a jobs and housing balance that ABAG considers. It states that Emeryville would increase the ratio of jobs to housing. I have two questions related to this.

At what point does the City consider to be unviable when the jobs/housing ratio isn't balanced? How is balance defined? And secondly, the creation of more service jobs increases the need for affordable housing in an area where Emeryville is already admittedly deficient. How will this be addressed? 15

Finally, I guess the last speaker really spoke to this point. There are different kinds of businesses that Kaiser can build, and I also live across the street.

CHIEF COLLETTI: Madam Chair, the speaker's time is up.

MS. ATKIN: All right. I'll finish my comments in written form.

V-28

CHAIRPERSON OWENS: Thank you.

MS. HANDELMAN: I'm Carol Handelman and I live on 48th Street in Emeryville and I hold a Master's Degree in urban planning from UCLA.

Just in the brief time I've had to look at the EIR -- Draft EIR, on page 15, it says: "A PUD zoning designation would allow flexibility and originality in the physical design of the project." 16

It goes on to say that "in order to approve PUD certain findings as may be modified in a development agreement must be

made regarding" and the first one is General Plan consistency.

Now, in the back, there's a draft of the recommended changes to the Emeryville General Plan. There are no fewer than fifteen changes to the General Plan.

This seems to me to be changing the plan to suit the project rather than changing the project to suit the plan; that while I was not a member -- a resident of Emeryville when I assume it was written, had its public impact, input phases and was agreed to by the City. 16

There are significant changes that will have to be made. They're not -- they're not trivial, and I would suggest that the project itself is so contrary to the General Plan of the City of Emeryville, that it should be rejected if on no other grounds than that one.

MS. ANDREWS: Good evening. My name is Shari Andrews. I know all of you up there very -- oh, that's why everybody yells. I have to speak into the mike.

I know all of the Commissioners very well. My heart goes out for you. I'm glad I'm not sitting up there right now.

I just want to point out that there's a lot of political pressure on this project. Most of you know what that feels like already, but I want to point out you need to do a very, very, very thorough job for obvious reasons, and I support you, and if you think you need more time to review these documents, I would suggest that you speak up, because it could cause 17

problems for yourselves as a Commission if you don't have enough time.

I found the document itself very, very thorough, very detailed so far, but I'm only speaking as a citizen and I intend to go back and review every single page of it because I will be affected as a resident of Emery Bay Village by this project.

I also want to point out that I will have some written comments and they will be in line with number one, my main concern, the traffic impact on the City, and also on my complex; number two, the noise. 17

I'm more concerned about that for the complex, and I still have some questions on my mind about adequate land use for this project, which I also will address in some written comments.

V-29

And in general, I'd like to close my remarks by saying I am for this project as a resident of Emery Bay Village.

Thank you.

CHAIRPERSON OWENS: What happened to Kai Holme?

Okay. The next five, then, are Kathryn McCamant, Sile Convery, Aara Zand Amidi-Nouri, Robert Pisani -- that's a name I can pronounce -- and Arthur Tam.

MS. CONVERY: My name is Sile Convery. I'm from Ireland and I always get -- I'm glad you didn't give me the one called "Silly," which I also received a number of times. 18

I'm here as a resident of Emery Bay Village and had rather ambiguous, ambivalent feelings about Kaiser right from the start.

However, when I saw that it was directly going to affect my front yard, not my backyard, I, of course, leapt to action, and in that capacity, talked to almost everybody in Emery Bay Village the other evening.

Most of us in Emery Bay Village like it for its -- forgive the pun -- Haven-like quality. However, we do not like, I think -- I specifically do not like the idea of the Doyle/Haven Street extension, which would make it the opposite of a haven. We would deal with noise, pollution, not to mention many other things. 18

The other day I went to post a letter -- excuse me. Mail a letter down on Hollis Street, and I risked life and limb trying to get across Hollis Street to mail this letter.

Now I am expected to risk life, limb and lungs while living in my very own house. I don't have to walk down the street, so I very much object to the proposed road and traffic.

I'm still somewhat ambivalent about my feelings about Kaiser being in the neighborhood in general, but my main objection is to the risk to my children, to my neighbors, to my community of the proposed Doyle/Haven Street extension.

MS. McCAMANT: Hello, my name is Kathryn McCamant. I'm a resident at 1514 Doyle Street and have met many of you over 19

the past projects.

I'm also a principal in architectural firm based here in the East Bay, and I have to admit my comments are a little bit rambling, because I just started to write them up having to rush from arranging child care and running back.

I like the last speaker am somewhat ambivalent about whether Kaiser makes sense here, and I personally question whether this is the best location for it.

As a resident of Emeryville, my primary concern is around traffic and impact it will have on the neighborhood, and particularly it seems to the -- the traffic mitigation plans seem to impact the residential neighborhoods more. **19**

I guess I had -- with all the new development happening down around 45th and Park, I'd kind of written that area off as something that may be a large regional retail office area, but with -- particularly with the Doyle Street extension and with some of the other extensions, planning of the streets running through the residential area, I think that you begin to kind of -- have a lot of traffic on San Pablo, you have a lot of traffic on Hollis. We should keep it there and keep it out of the neighborhoods.

V-30

MR. PISANI: Hi. I'm Robert Pisani. Let's see. A couple points about the EIR. Many of those who are speaking out against the project are not neighbors of the project. Some are, but many are not, or even residents of Emeryville. **20**

These are outsiders trying to exploit every possible angle in order to force Kaiser to locate in Oakland in a site Kaiser's already rejected, and I'd also ask you to listen to arguments, but also listen to the motives which have nothing to do with the motives of Emeryville.

In regard to the environmental impacts of the EIR, I want to say a few words about each one. First, air pollution. Everyone knows it smells West Oakland. You can ask everyone who lives there. It's East Bay MUD.

The sewage processing plant produces the predominant overwhelming odor in he is with Oakland. The City of Oakland has done nothing to control this pollution, and further, Oakland allows factories in that area to burn rubber insulation of copper wire and this continues for twenty-four hours a day. **20**

I hope that the Board of East Bay MUD and the City Councils of Berkeley and Oakland and Air Quality Control Board which regulate East Bay MUD and these factories are, in fact, controlled by political friends of the opponents of this Kaiser project.

These people have to -- they'd do well to clean up their own backyard first before complaining about ours.

I would argue that the presence of a high quality hospital on this site with its many doctors, health and other professionals would, in fact, actually be beneficial to the air quality of the area because these professionals would form a

potent constituency and have an effect of the kind of pollution that is at this very minute coming across the border from Oakland.

Finally, any project that goes on this land is going to produce some impact in air quality. Kaiser is financially and technically more able and willing to convey this impact, and this impact will be spoiled with Kaiser in general, and as far as any conceivable developer.

Second with regard to the Del Monte factory and archaeological sites. Again, Kaiser is more sensitive to this than any other developer, given that the site will be developed, and I think that's another. You can't find a better and more suitable developer than Kaiser in regard to these matters.

V-31

Traffic. Kaiser with their centralized authorities, again, were able to implement, design transportation and facilities to minimize the effect of the increased population using this land.

I would ask you to compare the impact that Kaiser's project might have with that that would result from, say, the uncoordinated development of the other parcels of land comprising this piece, and to note that even with the Kaiser project, the traffic measures at 45th and San Pablo are still in the range that is extremely favorable.

Finally, the vast majority of the residents of this area

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are not artists, not students, not real estate brokers, not ex-governors looking to form a new political base, not activists and not young and not newcomers to the City.

The vast majority of the residents of this area are older, they have lived in Emeryville for twenty, thirty, forty years, they have jobs to go to in the morning, and they're retired and living out their last years in this languishing backwater that they call the triangle, and they don't even have the energy to come down here and tell you what they think.

I'd like to speak for them and for the impact this project will have on their environment. The Kaiser project will cause an overnight Renaissance in this entire blighted area. It will bring new life that has been tragically affected for over forty years.

20

This project could bring low cost Kaiser plan health care to all of Emeryville residents, and in particular, the population of people that live outside the health care system all of their lives.

It will bring spending to over ten million dollars a year that will mean new jobs --

CHAIRPERSON OWENS: Could you just move back a little bit?

MR. PISANI: Is that right?

And new hope to the local residents. It will bring well lit streets, lower crime rates, a richer environment for

families, children and working people and a general physical improvement of the whole area along San Pablo.

It will rid this area of acres of vast unused wasteland and will replace this wasteland with a first rate medical facility that will benefit all residents of Emeryville and the surrounding areas.

The presence of this hospital will spawn medical centers, store shopping where a population of working class elderly and land wary citizens who have for years sat on the sidelines on their dusty apartments and their aged frame couches and watched helplessly while the train passed them by.

They have lived outside the mainstream of progress for all too long, but have been ignored by city agencies abandoned by government programs and totally bypassed by the extraordinary blossoming by virtue of its unique geographic location, which is this area's birth rite. 20

V-32

CHIEF COLLETTI: Madam Chair, the speaker's time is up.

MR. PISANI: Time. Okay. Could I read my last paragraph?

CHAIRPERSON OWENS: Yes.

MR. PISANI: This area is in the enviable position of having a first rate organization wanting to improve any other area would drool for such a project.

In fact, Oakland is wounded right now for being so stupid for having lost it, and Oakland is trying to stop it from

happening, to get it back there.

The Emeryville Planning Commission has an absolute duty to encourage Kaiser in every possible way. I encourage you to go forward with this project immediately. To do anything else would be immoral. 20

MR. TAM: Madam Chair and Commissioners, my name is Arthur Tam. I'm the owner and operator of a professional office located at 1195 Park Avenue, and I have a very different perspective of this project, because every day I look out a window, I see the piece of land, and I know some day somebody going to develop that piece of land.

About two, three years ago, as you recall, there was a mixed use project that was being proposed, and I was strongly against that because I think a developer didn't take the sensibility to deal with the neighbor and try to mitigate the concerns that we have. 21

Now today, I come here, I think, I have looked at the Kaiser proposal and I think they have done an excellent job and I think Kaiser is a non-profit, people-oriented organization and we have problems and they will try to mitigate as best as know how, and I trust them and I think they are the best developer I know of.

Thank you very much.

CHAIRPERSON OWENS: I know I didn't pronounce this name correctly, Aara Zand Amidi-Nouri.

Is this a non-existent person?

All right. We're going to have one more set of five people and then I think it will be time for the first break.

MS. AMIDI-NOURI: I'm here.

CHAIRPERSON OWENS: Okay. Fine.

MS. AMIDI-NOURI: That's me with the long name.

My roommate and I moved here to Emeryville two years ago with the thought of just staying here six months. We moved to the East Bay from San Francisco because we thought it would be affordable and chose Emeryville because it was a place that combined industry and housing, and for us, we thought it was a great combination.

We lived in Watergate for about a year and a half, and two months ago, we moved to Emery Bay Club Apartments, which is a brand new building, and we were the first ones in our apartment.

No one in the halls, and now that we walk down the halls, they're all filled, which gives me the insight that people are coming here, and they're coming here for a reason, and I see a lots of potential in Emeryville, and that's why we plan to stay.

I think that a lot of people are focusing on the negatives. They're probably -- people are focusing on traffic who are probably the same people who complain that there's no parking now because Trader Joe's is here, whereas we are the

22

V-33

type that are thankful that there's finally a store that sells that type of food right near us.

I think that the benefits are extremely important. Kaiser going to bring a lot of job opportunities. They're going to improve Emeryville, giving a million dollars annually for will tremendously improve the City.

They are giving money to schools, and this is a reflection of Kaiser, their commitment to education. I'm a nursing student and I know that they offer scholarships to nursing students, so that people can continue their education, those people who don't have the opportunity, and this is reflected in their desire to come to Emeryville and improve the City.

22

There is -- this also represents an opportunity for medical services. These are services that we do not have in Emeryville. The closest hospital is Children's, and as adults, we don't have that service available to us, and I think that's really important.

I don't see that people are really talking about that. The availability of medical care to Emeryville is going to be convenient and affordable.

I also think that Kaiser shows -- Kaiser coming here will enable Emeryville to grow. I think that's very important, and I think that it goes beyond looking at traffic.

If Emeryville is to grow, businesses need to come here

and the potential needs to be made, and I think that other cities are becoming very involved, but this is an Emeryville decision and it's going to affect us.

And lastly, I'd just like to say that I am an Emeryville resident and I really support Kaiser and will do everything I can to make sure that it happens. **22**

Thank you.

CHAIRPERSON OWENS: The last set of five speakers before the first intermission break: Connie Williams, Judy Folkmanis, Michael Alexander from the Sierra Club, Richard Gietzen and Mary Payne.

MS. WILLIAMS: My name is Connie Williams and I volunteer at the Senior Center five days a week, also the president of our advisory committee.

We're here tonight in full support of Kaiser, which we need very, very, very bad. I'm so sick and tired of people trying to block something that means something to everybody, that's beneficial to everybody. **23**

I want you to know that the project is needed and we are waiting for it. If we don't get it, we are going to be very, very disappointed, and whoever these people are trying to stop it, I wish they would let us alone and let the project roll on.

Thank you.

MS. FOLKMANIS: My name is Judy Folkmanis and I've just been sitting there growling, because I'm not an outsider. I

V-34

own property on Park Avenue right across from the proposed Kaiser facility, and every day I look out with great trepidation and fear at the drilling and the drums that are going to be -- that are currently being carted out of my -- my -- my front yard, and the people who say that -- the people who are against it are not from here, it's not true, because I am -- Kaiser would be in my front yard, and I have sent in comments to the Environmental Impact Report as to where my employ -- I have fifty employees -- excuse me. I have no prepared comments. I'm a little nervous. Anyway, as to where my fifty employees will park.

There are other light manufacturing facilities on Park Avenue who also have employees. I don't know where they'll park. **24**

I'm a member of Kaiser. I go there on a periodic basis due to health problems. I enter the main hospital on -- I think it's Howe Street. That street is a nightmare.

It's a gridlock of traffic and parking problems and people trying to enter the main hospital, and I look out on Park Avenue, which is my front yard, and I wonder where are my employees going to park. Where are the -- the existing -- the other building on that street, where are those people going to park?

Nobody -- I have written and I have gotten no response. I have written to Kaiser. I have sent in one of these comment

sheets. I've gotten no response, and I would really like to know where people who commute to my place of business on Park from San Leandro, Pinole, Rodeo, how they're going to find any kind of parking and how -- whether my business will survive this onslaught. 24

I also wonder how we'll be able to conduct business with the constant pounding and pounding of pilots and concrete and the noise is going to be incredible. I don't know how we're going to do any kind of business in the four years that it will take to construct the facility -- excuse me.

Thank you.

AUDIENCE PARTICIPANT: Who's next?

CHAIRPERSON OWENS: Any one of you.

AUDIENCE PARTICIPANT: Please. Can I just -- excuse me. This is something. I've been a resident of Emeryville for forty-two years and I live next door to the Del Monte site for thirty-nine years, 4477 Emery Street there, and it became a dumping ground there and the rats began to come, so the -- the Kaiser project, anything coming there is going to clean up everything. V-35 V-36 25

We need San Pablo cleaning up, and we'd like to have and we're going to keep at it until we get it.

MR. GIETZEN: Hello. My name is Richard Gietzen and I live at 1051 56th Street in Oakland, California. It's pretty obvious that there isn't a big green belt that devides 26

Emeryville from Oakland. We share a lot of common barriers -- common streets together.

I'm not very comfortable talking in public, so I hope you bear with me a little bit.

I attended the Kaiser hearings a year or so ago and I read part -- I couldn't possibly read that. But I did listen to some of the traffic reports from the Catellus project, and what I got from the Catellus project is that most of the major intersections that are addressed in this report here would have been category F with the Catellus project alone, and there was no mention in the Catellus project about Kaiser. Kaiser wasn't a reality back then. 26

If Catellus will -- I'd like to use "F the roads," a category F, then in this traffic study, why -- I mean, if there's an F, is there anything beyond an F because I understand F is impassable. So I'd like to have that question answered for the record, please.

Also, Since I do live one block off of San Pablo Avenue on 56th Street and I have interest on 53rd, 54th and 55th Street within one block of San Pablo Avenue, I was told that this particular EIR report does not deal with 53rd Street, 54th Street, 55th Street, 56th Street, 57th Street, 58th Street, 59th Street, 60th, 61, 62, 63, and Eileen from San Pablo to Telegraph, and I would like to have that addressed in the report, please.

Let's see. I have to look at this. My handwriting's terrible.

In our -- if I -- I've read numerous -- I think it was the East Bay Express article was very good about -- actually, I would like to have Emeryville city government in Oakland, you know. I mean, you guys seem to be able to get something done, you know, but -- you know, but it's -- I've lived here for eight years and I've had family in the Bay Area for over a hundred years, and, you know, I moved to Oakland because it got too expensive in San Francisco and Oakland was nice, and I could always see the possibility of my area, but if -- if the Catellus project is going to max out the roads and the Kaiser project is going to max out the roads, then what's the other development along I-80 going to do? Double max the roads? I'd like to have that answered -- I'd like to have that question answered in the report, please. 26

Also, I would like to discuss -- looking at the map in front of me, we're almost non-existent, and when you look at the boundaries between Oakland and Emeryville, they merge so closely that when you go down to buy my -- you know, my pizza down at the Emeryville Market, it's the same -- I can walk right down the street and go shopping down there.

This Emeryville field that has any obligation to talk to Oakland. Since we are so close and share such common boundaries, there is no green belt between our two cities.

We do have -- you know, what happens in Emeryville does happen in Oakland and vice versa. I'd like to have that answered, please.

Does Oakland -- does Emeryville have a legal obligation to talk to Oakland? I would like to have that answered, please.

Does Emeryville have a moral obligation -- moral obligation as a good neighbor to discuss the impact of this -- this project plus other projects with Oakland? I'd like to have that answered, please.

If -- if Catellus -- one of the questions, if Catellus is supposed to be a regional hospital that serves a regional clientele, then why was Catellus not -- sorry. Kaiser. Excuse me. I get them both mixed up. 26

Could you not be so rude? I'm speaking here.

If Kaiser is supposed to be a regional hospital which feeds a regional clientele, why isn't Kaiser located close to regional transportation like the BART system?

I could see that -- I personally, since I do own property in this area, I see the impact of Kaiser coming down here, you know, would have a very positive impact on me, but the quality of life issue is what I'm addressing here.

So if you're a regional hospital serving regional clientele, shouldn't you be next to regional transportation hubs as in BART?

Other answers --

CHIEF COLLETTI: The speaker's time is up.

MR. GIETZEN: Can I just ask one more question?

CHAIRPERSON OWENS: Yes.

MR. GIETZEN: Since most of the non-freeway traffic will be traveling through Berkeley and Oakland and since we have the old bridge system which allows cars to go 50 to 60 miles an hour on very nice straight streets right through 55th, 56th, 57th on up the line, that traffic will be traveling through our streets. 26

It won't -- there's no traffic traveling from the bay to -- you know, through our estuary. It will be traveling through our streets.

Don't you think that some kind of coordinated effort -- this sounds like a regional plan issue. I would just like to have those questions answered.

V-37

Thank you.

MR. ALEXANDER: Thank you. My name is Michael Alexander. I represent the 40,000 members of the Sierra Club in Alameda, Contra Costa, San Francisco, Marin Counties Bay Chapter.

The Kaiser project is a regional project. It will draw from the Bay Area, from the region. The EIR, the draft inadequately examines regional impacts of Kaiser locating in Emeryville. We'll address those more specifically in our 27

written comments.

The EIR does not discuss, adequately discuss alternatives to Emeryville as a site for a regional complex. Downtown Oakland is not discussed, despite its being prominently featured in the February 8th, 1993 study of alternative sites for Kaiser Medical Center by EPA economics.

At the beginning of this presentation, Emeryville's planner said in summarizing the Draft EIR that "land use impacts of this project aren't significant -- are not significant, but that some transportation impacts are significant."

That, I submit, is a non sequitur. You cannot segment transportation impacts from land use impacts. They are truly indivisible. They are so intertwined that they must be considered together. 27

If you segment a project so that you only examine it as it is done in steps and so that the impact of each step is insignificant, but that the cumulative impact of the entire project becomes significant, under CEQA, that's not legal.

I would submit that impacting -- that segmenting impact analyses such as you do when you separate land use from transportation may be illegal. It's certainly irrational.

We have a lot to learn from some other cities that are looking at this in a more -- at these very same issues, struggling with these very same issues of growth and quality of

life and doing it more successfully than we are in the Bay Area, and I would submit that Portland, Oregon, which does not segment land use impacts from transportation impacts, is a -- is a good model to look at.

Under transportation, how will the mitigation of widening roads affect pedestrians, bicycles, people's ability to cross the street, quality of life, the quality of street life in Emeryville? How will ambulances get through gridlocked streets and intersections?

Will people die because ambulances are trapped in -- in traffic? What will be the response time of -- of ambulances through -- through streets that are clogged -- more clogged with traffic because of this -- of this project? 27

Will we be looking at -- at a situation which -- which exists today in Manhattan where people die because ambulances cannot get across town?

I want to go back to one point that was mentioned by an earlier speaker who read a letter suggesting that the Sierra Club wants Kaiser to move to the countryside. That's not at all the case.

What the Sierra Club wants is for the most rational, accessible, regional location for what is truly a regional facility.

I happen to live in San Francisco, but my last visit to Kaiser was to Kaiser here in Oakland, to Kaiser here in the

V-38

East Bay.

At the time Kaiser made its decision -- and I appreciate the problem of a major organization making a major decision and then having to -- and then moving -- moving on, but at the time Kaiser made its decision to move to Emeryville, I'm sure that for Kaiser, it was a reasonable decision.

But as we've seen tonight, there is building opposition in Emeryville, including from people who live in Emeryville, and I submit that it is becoming easier and more attractive to build in Oakland and that the equation is changing and that Kaiser should rethink its decision. 27

Thank you.

MS. PAYNE: My name is Mary Payne. I'm a resident of Oakland, a member of the Sierra Club and I contribute annually to the Sierra Club and the Sierra Club Legal Defense Fund, and I am for Kaiser coming to Emeryville.

I am also the director of the Senior Citizen's Center in the old part of Emeryville. Kaiser will be just a few blocks away from our senior center. We think that Kaiser will be a good neighbor. 28

I am not here to speak for every single senior citizen resident of Emeryville. I know there are some concerns among the seniors about traffic, but above and beyond that, we know that Kaiser will be good for Emeryville in terms of revenue to the City budget, very advantageous health care plans for

Emeryville residents, and including the elderly, and $50,000.00 a year to the senior center and to the child development center and other good neighbor gestures that this fine, well reputed hospital could bring to this nice community of Emeryville. 28

CHAIRPERSON OWENS: Shall we just hear one more or -- why don't we have one more. Fran Ternus.

Okay. We'll take a break --

MS. TERNUS: Coming in.

CHAIRPERSON OWENS: Okay.

MS. TERNUS: Good evening. I'm Fran Ternus. I'm a homeowner at 5514 Doyle Street, and I want to join in those that are concerned about the Doyle/Haven Street extension.

From the figure 22 on page 141 of Volume I and other references to it, it would clearly impact our house, our twelve unit house, our twenty-four person house, as well as the businesses across the street from us. 29

I also join in Ron Silberman's comments about there's no reference in the EIR to what it would do to our quiet street as to the businesses and the houses on each side of it.

As it is now, we raise our children on our safe, quiet street. Our children walk by themselves up to the Stanford Avenue park. It's a quiet friendly neighborhood where we utilize all the businesses on the street, and we ask you to look closely at that Doyle Street extension, and that there be some reference in here to the effect that that will have on our

V-39

community. 29

Thank you.

CHAIRPERSON OWENS: Now we're going to adjourn to a ten-minute break or -- ten minutes?

MS. QUINN: Yes.

(Recess taken.)

CHAIRPERSON OWENS: The next five speakers will be Nancy Bardach, Ken Schmier, Jack Arnold, Brad Paul and Sue Hestor.

MS. BARDACH: Hello, my name is the Nancy Bardach. I'm an architect. I live in Berkeley and I work in Downtown Oakland for an urban design and architecture and planning firm.

In fact, my firm right now is working on San Pablo Avenue in Emeryville with the twelve blocks of San Pablo Avenue which are in Emeryville are interestingly enough touching Oakland at each end, which I think is the -- an interesting geographical thing, which is also true of my own situation.

I start in Berkeley every morning, I drive through Emeryville and I arrive in Downtown Oakland, and for many years, I was a member of Kaiser and took my children -- my three children there for hundreds of pediatric appointments over years, and I regard all of these cities as indeed cities well beyond these three that I've mentioned, as part of my home here in Berkeley -- here in the Bay Area, and it's -- you know, it's quite shortsighted and I'm unhappy to hear people fighting over these kinds of boundaries. 30

It's also at the same time very -- it's become very important to me to see San Pablo Avenue improve in this neck of the woods.

Over the twenty years that I lived in Berkeley, I saw San Pablo Avenue revive from a really very poor gray area in the City's -- you know, all through that area, El Cerrito, Albany, Richmond down to Oakland.

It's been -- it was dreadful if when I moved there. It's been quite upgraded over the twenty years that I've lived there, and that kind of change is feasible and desirable along San Pablo Avenue, and if you can get an anchor of that nature in Emeryville with all the new public improvements that the redevelopment agency in Emeryville is managing to put together there, I think you're going to see a good impact on Oakland at each end, and in all -- in all things, the jobs available, the economic, you know, incentives to the area to improve, all of those things are going to be -- are going to impact Oakland as well as Emeryville. It's just a few blocks away.

Among other things that I know about that are happening right there are transportation improvements. There's -- AC Transit is going to be having all of its buses come into the new 40th Street between Adeline and San Pablo and transfer passengers, and AC Transit, which is certainly a big bureaucracy, is presumably going -- going to manage to figure out the new regional transit needs and do a very good job of

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V40

that, and that intersection of 40th Street is literally one block from the Kaiser location.

So, you know, I think it's a quite reasonable transportation network that's going to be in place very soon.

Generally, you know, I just want to say it's a -- it's a good place to work on and I'm delighted that Kaiser and anything else that's coming in there is going to help improve the situation.

Thank you.

30

MR. SCHMIER: My name is Ken Schmier. Thank you for the opportunity to speak.

I serve as the president of the Besseler Property Owner's Association. The Besseler Building is between Haven and Harlan at 40th street. I also serve as the president of the Park Business Center, the owner's association of Park Business Center is between Emery and Watt on Park Street and owns and operates the entire block across the street from the Kaiser project.

31

I also serve as the president of the Geyton Property Owner's Association and Hollis Park Property Association and that is just down the street from the project, and I also manage and control the property at 39th and San Pablo, so I feel that I have as large a stake in -- of the people that I speak about, have as large a stake as any other people in the City of Emeryville regarding the development of the Kaiser

Hospital, and it's my opinion that this is a very healthy project for the City of Emeryville, and I think, also, a very healthy project for the entire East Bay.

Actually, I think Emeryville is a very healthy thing for the East Bay because it demonstrates to our -- to our neighboring communities what kind of tremendous revitalization can be done when we have active leadership willing to make decisions, willing to take risks about the future, willing to go forward, and -- and since -- I've been working in this community for almost ten years now and the attitude here has always been to -- to look at things with an open mind and to be willing to take the risk of making a mistake, but to go for it. 31

It is a privilege to be here and to work here, and I support the project.

V-50 We have some concerns. We would prefer that Haven Street not go through -- or that Doyle Street not go through the project, but we understand it is in keeping with Kaiser's desires. But these are all minor problems that -- that we know can be worked out and can be adjusted.

We congratulate the staff of the City of Emeryville for bringing this to us and we hope it goes forward as quickly as possible.

Thank you very much.

MR. ARNOLD: My name is Jack Arnold. I never thought I'd be on the same side as Ken Schmier, but I am. 32

I think these -- some of these people have a lot of nerve coming to tell us what is good for Emeryville, and I'm particularly disgusted with the -- with the member of the Sierra Club.

If he can speak for 40,000 members, so can I, and if he can't, then -- well, if he can, we should see his documentation from the executive director, and if he can't, then he's speaking -- I would like to record to show this -- as a person, as an individual.

I am an architect and I feel that this project is good architecture. I've worked on the -- on the workshop group with some forty or fifty other people in Emeryville. I think we've had some impact. The designers have been very cooperative and flexible. 32

On the whole, I think it's a very good project and will do very well for Emeryville. It will certainly do a great deal to revitalize San Pablo. Frankly, I see nothing wrong with it.

The little nitpicking darts that are being thrown at it like how deep do the pilings have to go, they'll go as deep as they have to go; what -- what mitigations can be done -- can be made to avoid the traffic problems, as many as we can, but I just don't see that -- that the project is -- has enough wrong with it to reject it.

In fact, I think it has so much for it that we can only approve it.

Thank you.

MR. PAUL: As you can see from the drawing, I'm not a very good artist. My name is Brad Paul. I'm here today representing the California Preservation Foundation.

Although I live in San Francisco, I do spend quite a bit of time in Emeryville. I eat at restaurants here, buy books, go to movies and occasionally play pool at Shockers. I enjoy it very, very much.

But what I'm here to talk about today is four things in the EIR. I'll just go over them briefly: The alternatives, the traffic, the transit impacts, but most of all the cumulative impacts, which I'll get into in a minute.

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I won't belabor the point about the Downtown Oakland site not being in here. I'll just say that I was surprised when I saw it featured in this report, it was actually put out in February of 1993. It's one of the alternative sites.

V-51

I was surprised not to see it in here. I'm not exactly sure why, but I think given the testimony here tonight, it will probably appear in some detail in the Final EIR.

The traffic impacts which have been talked about, I would just add one suggestion. I have -- and I've read quite a few EIRs, and I'm really surprised to see that six intersections in Emeryville cannot be mitigate, but I'm more amazed to see that sixteen outside of Emeryville -- I guess most of them in Berkeley and Oakland -- can't be mitigated.

There's a helpful list in the EIR, but I think it would also be helpful to have a map with all those intersections to see how they're clustered.

There's actually some information in here that's very interesting, and that has to do with the transit, and someone else mentioned the fact that at the current site, the EIR says that only two percent of the people ride transit.

In my conversations with people from Kaiser and in reading the press, the City officials in Emeryville, people have said that Emeryville site is actually a good public transit site, but that doesn't seem to be borne out in the information in the EIR.

33

It -- currently, at MacArthur, nine percent approximately take public transit and only two percent will at this site.

But one of the most interesting things that I find missing in the discussion of mitigations on traffic and transit is the cost, and what I think would be helpful to you and to the public would be when you discuss things like restriping, adding lanes, traffic lights, adding roads like the Doyle Drive three-lane road, I think as earlier speakers, including Mr. Silberman's said, it's not clear how much it's going to cost, who's going to pay for it, the source of those funds, and if, in fact, it is Kaiser, it should say that; if it's not, it should say that, what years it's expected that those improvements could come on line, and whether or not those will

be conditions of approval.

To say that these could be mitigations, I think everybody would agree with, but to give the impression that they will if, in fact, there is nobody to pay for them, they can't come on line for many, many years I think is just making up a wish list, and I think a chart that just listed every single one of them had a column for what it's going to cost, who's going to pay for it, the source of the funding, the year it will come on line, and condition of approval would be very helpful.

I'd finally like to go to the question of cumulative impacts, and the chart I came up here, and again I apologize for the art work, but what I was trying to communicate is it's very difficult for people who don't do this for a living to understand square footage, and what rest are little Transamerica Pyramid. It's actually less than half a million square feet, so it's easy to understand when you see it in, Catellus, which you've already approved, is half a million square feet or one Transamerica Pyramid.

Kaiser, it's two phases, it's 2,718,500 or five and about four-tenths of a Transamerica Pyramid, and you can go down the list. Chiron is 1.7 million or about 3.4 Transamerica Pyramids. I Bayfront two, Cybase, if it's around 250,000, it's about a half, and all I'm trying to make in terms of this point is that if you add it all up, it's six million square feet. It's twelve Transamerica Pyramids, and 1.2 square miles.

33

V-52

It's hard to argue rationally that that can be absorbed anywhere, not just in Emeryville, but especially when you don't have BART stations and you're not a transit hub like Downtown Oakland.

But the other way to look at this, and I hope you'll think of it this way, is that even if Emeryville isn't the site for Kaiser and you take that out of the equation, there's still 3.3 million square feet left.

That's six Transamerica Pyramids you will still have, and I think as people start to think about this -- and I would urge you not in this kind of a context, but privately and with people you trust, talk to them about any community like Emeryville's ability to absorb the equivalent of twelve Transamerica Pyramids and how you would do that.

If Kaiser goes first, after Catellus goes on line this summer and people really see what kind of traffic that generates.

If Kaiser's approved, you may have reached your capacity, which means you won't get to build Chiron, Bayfront or Cybase, and I think in many ways, Chiron is much less of a traffic generator and much less of a problem than a hospital.

It's your home based corporation; it's scientists. It's people who don't have visitors coming day and night; it's people who work strange hours sometimes, so they stagger the traffic.

33

It's much less of an impact for a major development, and I think in the end, if you got Kaiser but lost Chiron, that would be something I think most people in the community would be unhappy about, but when you start to look at development on this scale, I think it becomes clear that it's not just Emeryville's problem; it's any community's problem --

CHIEF COLLETTI: The speaker's time is up.

MR. PAUL: -- so cannot absorb that much development.

I would just like one last point. 33

CHAIRPERSON OWENS: Go ahead.

MR. PAUL: I think that a number of previous speakers have said this, and I hope that my comments are taken in the spirit that they're meant.

As I said to Kaiser when I met with them, I'm not anti-Kaiser. When I was meeting with them, I was there because I thought I was taking a position that was pro-Oakland and pro-Kaiser, but I'm also pro-Emeryville, and I think that having 3.3 million square feet of development in Emeryville, and Kaiser in Oakland creating the economic engine to revitalize the downtown helps he have been, Emeryville, Oakland, San Francisco, the entire Bay Area.

V-53

Thank you.

MS. HESTOR: Good evening. My name is Sue Hestor. I'm the attorney for San Franciscans for Reasonable Growth, and I'm a bit of a pariah in San Francisco because for the past fifteen 34

years, one of the consistent themes of our organization has been to tell our Planning Commission that we don't need to have all of the region's development.

Development should happen where it makes most sense for the environment and for the region, and we have -- we have told our City Planning Commission and our Board of Supervisors that development in Oakland makes sense for San Francisco because we developed a regional transit system that focuses on two downtowns, one in San Francisco and one in Oakland, and I think that is at the issue as well here.

I have been talking with Emeryville neighborhood groups, including Sun, and I know they have a lot of the same concerns. 34

Are you trying to fit a project into a location where it makes the most sense? Your information in your EIR doesn't help you in some regards because it doesn't give you the information.

This is a regional facility and yet the EIR doesn't tell you what the regional base of the patients are. It may be in some technical appendix somewhere, but I couldn't find it easily and I was looking for it and I know how to read EIRs.

And so when I look at a transportation analysis and you look at page 115 and you look at the vehicle trip distribution, you see that twenty-four percent of the cars are going to the north outside of Emeryville, and these are outside of Emeryville according to their screen lines, it looks like,

twenty-five percent to the south, forty-six percent to the southeast, four percent across the Bay Bridge and one percent of the trip on Powell Street.

And so I don't -- I think there's probably more people who will wind up in Emeryville rather than going outside of Emeryville on those trips, but if I had to go by that chart, I'd say only one percent of the people that are generating the traffic are going to be from Emeryville.

You are taking through Emeryville and through Oakland and through Berkeley and through all of the other communities that people will be going through all of the traffic capacity.

34

As Brad mentioned, there will be a major rapid transit use from nine percent at the current site to two percent in the projected analysis in the EIR.

V-54

That is contrary to every single regional policy and state policy on air quality and transportation which focuses on getting people out of their cars and into transit to improve the air, especially in an area like this one where the freeways converge and you have poor air quality because of that to start with.

You need to discuss regional policies on transit usage and how it affects the siting of a Kaiser facility because that should drive the -- the analysis of alternatives.

I support the analysis. You must include an analysis of a Kaiser sited in a regional transportation setting, and that

most appropriately is Downtown Oakland, because it will enable people to make environmentally sound decisions on how to get there.

I sat on health planning boards for much too long, for about ten years to know that one of the other things that affects health care is the ability of people to get to their health facility.

You need to discuss what happens if there's really not adequate transit from where the people live to getting there, how they're going to make health decisions.

Kaiser should be talking about that because it should be one of their primary issues, but here, we don't really know where the Kaiser population is coming from.

34

How many of them are Emeryville residents that will have a shorter trip and how many of them are Oakland, Kensington, Berkeley, other residents that will be coming to this facility and impacting your community and impacting everything around here?

If you look at page S-20 on the summary, project intersection impacts, infeasible, I will rattle you off half of them are not in Oakland -- pardon me. Are not in Emeryville. San Pablo and Ashby, Berkeley; ashby and 7th Street, Berkeley; telegraph and 40th Street, Oakland; Market Street/West MacArthur Boulevard, Oakland; Adeline and Market in Oakland; Telegraph and West MacArthur, Oakland; Adeline and Martin

These are my sculptures here. I made sculptures on -- on Hollis Street, on the PG&E building, and it has really been a supportive community as an artist, and you as a city have been very supportive of artists. You've done a lot as a city for artists. You've done art shows every year for last eight years.

You have loaned our organization a significant piece of money to enable us to buy both of our buildings, and we provide low and moderate income housing for artists, and the -- the amount of money you've loaned us versus how many units we get from it is -- we're such a deal for generating low income housing.

You won't find anything close to us, we're so cheap as far as the money you could have made by investing that money or whatever.

So I think that we have certain intangibles, perhaps, that we've given to the City, and Emeryville is going to have a lot of big projects coming up, and the development that's presently on that site, the way it's been going, has been great.

There's a lot of small business, very creative. There's a synergy between our community and many of the small businesses that have been developing, and from an aesthetic point of view, does every project have to be so big?

There's something to be said for making things perhaps

V-57

36

more life size, and, you know, there's -- there are aspects that I worry about for our particular neighborhood like what's going to happen with the traffic mitigation on our street?

It's -- there's going to be -- at peak hours, there's not going to be -- our on-street parking is going to go away on 45th Street, and that's going to influence a lot of small businesses that are going to remain in our buildings, and it's going to be harder for us.

Also, we're not going to be able to turn left on Hollis Street from 45th Street to go north. That's going to be eliminated. It's going to be more difficult for us to get through.

36

Also, if you approve this project, really pay attention to the -- one of the mitigations that are cited in the General Plan for bicycle routes.

I ride my bicycle everyday, taking my daughter to day care, and the difference between Hollis Street and the back streets on my lungs is dramatic. I can really feel it.

Every year there are more people bicycling through Emeryville, and Emeryville has really not addressed this, even though it says in the mitigation that there's currently a bike path heading north from 45th Street through the Chiron project and up to what is now Stanford.

The 45th Street to 53rd Street section of that supposedly existing bike path has never been opened and it's been there

for what, three years, and to call it -- to say that it is presently existing really is not true, and the other section that's available is only open during Chiron hours and you have to open a gate, and when you have my trailer with my daughter in it, I can't physically go through the gate because the gate's so narrow, and I think if you look the General Plan, there's some good ideas about bicycle circulation, and you shouldn't lose those in the effort to get more automobiles through Emeryville.

You should look for the ways to fit bicycle paths through -- through these projects. I think it will make a big difference for people that are going to be computing on bicycles to Emeryville, and believe me, during rush hour, it's faster to use a bicycle through Emeryville. 36

Believe me, I've done both, I can get there twice as fast, and as a matter of fact, anything within three miles during rush hour, bicycle's faster.

V-58

So I want to know in this EIR what assurances do we have that you're going to follow the recommendations and go through and do the mitigation --

CHIEF COLLETTI: Madam Chair, the speaker's time is up.

CHAIRPERSON OWENS: That's all right. He's speaking on behalf of a lot of people. I'm going to let him finish.

MR. DONAHUE: I just wanted to say one more thing, is that if you look at the number of people in our community, we

have fifty-eight units and there's fifteen more units that have been built across the street. That's -- that's quite a few units. That's like seventy-three units, and we have eighty plus people in our community and across the street, you're getting over a hundred people, and if I just looked around the perimeter of the project, and it seems that right around -- within five hundred feet of the kind of project, there are already 600 people living. That's about ten percent of Emeryville population, and I really think that you should just really think this one out clearly to see how that all of the -- how it's all going to work with Chiron and just everything to make sure that there's some relief for the people that live so close to the project, and I -- I just hope that you don't entirely forget about the artists of Emeryville in some larger planning. 36

I think that there's something -- there's intangibles to be said that -- that are just there, and I just hope you don't forget us.

Thank you very much.

CHAIRPERSON OWENS: Thank you.

Ezra Payton, Carl Anderson.

MR. ANDERSON: Good evening. My name is Carl Anderson, and as both a resident of Oakland and a representative of the Sierra Club, I wish to thank the Commission for the privilege of speaking here tonight, and I have to say I'm somewhat 37

heartened by the large amount of interest in the ideas of my organization expressed tonight, and we're in the phone book. I look forward to working with everyone for an environmentally sustainable society.

For the record, I am author of the resolution passed last week of the Executive Committee of the Northern Alameda County group specifically opposing the project siting in Emeryville, and specifically supporting the Downtown Oakland site.

We will be preparing detailed comments on letterhead, and as I said, we're in the phone book if you wish to verify any of those comments.

I wanted to make a couple of specific comments on this particular Draft EIR. First, I don't -- on page 111, you specifically state that the greatest traffic impacts will be by the Chiron expansion, but two blocks away from the proposed site is 2,400 hundred parking spaces in the East Bay Bridge project, the Catellus project. V-59

There's no discussion of the impacts of the East Bay Bridge project on traffic anywhere in the narrative of the report, in the traffic section, so I think that's important.

Also, nowhere in the narrative of the report is there discussion of traffic circulation patterns, other than a.m. and p.m. peak hours.

Of course the East Bay Bridge project is a development, a retail development where much of the shopping will take place

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on weekends, and that's not addressed at all.

San Pablo Avenue and I-80 can be quite congested on weekends, so I'd like the traffic patterns for -- for weekends, evenings and non-rush hour times also figured in.

There's also no discussion anywhere in the EIR of the nature of this project. It's a medical center. What types of people are going to be using this project? Are there going to be critically ill people, people with mobility impairment?

How are all of the mitigations that are proposed for traffic going to be affect people's abilities to reach the site?

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And specifically I'm concerned about emergency vehicles. There's no discussion of emergency vehicles in the narrative of the report. There's no discussion of how access to the -- to the site will happen.

What happens the day after Thanksgiving and East Bay Bridge is going is having a sale? It's the most heavily used shopping day of the year.

Will ambulances be able to get to Kaiser? How many babies are going to be born in the back seat of a taxicab? Those are some of my concerns.

Thank you very much.

CHAIRPERSON OWENS: Gregory Meyer.

MR. MEYER: My name is Greg Meyer. I live in and work in Emeryville, and my big concerns for this project are that a

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complex of this scale will have an impact on every citizen and all development in Emeryville, and I'm hopeful that the City will take the publication of the EIR as their wake-up call and realize that another large scale development in a town of one square mile is an enormous land use with an attendant responsibility.

A private medical complex on and around the Del Monte site will cost the City the downtown envisioned in the Emeryville General Plan and it will sacrifice walking and bike routes that have connected people in different parts of the city.

The Hollis and Powell Streets become choked with traffic during the week, not just on weekends when Trader Joe's is hopping. It will effectively complete the segregation of Emeryville caused by the freeway, the railroad tracks, Powell and San Pablo. 38

We're already automobile dependent city. I'm concerned that the traffic caused by this project in conjunction with the bridge mall traffic that's on the way will make walking and biking across these traditional boundaries he even more hazardous and unattractive.

The result being even more residents will have to drive to basic services and even more residents will feel isolated in their part of town.

Emeryville is losing its unique character and charm as an

V-65

arts and small manufacturing center. This is already happening. I'm afraid -- I'm afraid that a project of this magnitude will cost us our community and identity.

I have some questions that I'll elaborate in writing to submit to the City, but my major concerns with the Draft EIR are what are the alternative sites for a downtown area for Emeryville.

I have questions also about the contention that Kaiser members who use the hospital will also combine their trip with an office appointment with their Kaiser doctor and a walk to the bridge mall. This practice makes two-thirds of the traffic disappear on paper. That's just my reading of -- of the way traffic was figured. 38

I have questions of the cost of emergency medical services to people who use the facility. I've done research in emergency medical services in San Francisco and I don't know what Kaiser's emergency response for people in their office buildings is, but it's not traditional in medical offices to have any kind of internal emergency medical services reports -- response outside of the code blues that happen in the hospital itself.

This makes the figure of $44,000.00 for fire response very low. Also $16,000.00 per year seems also very low for police services.

And I have questions about the proposed traffic

mitigations. I counted forty mitigations of traffic that would require changes on the surface streets from painting stripes to the demolition of buildings to adding new roads. I'm not a construction expert, but $400,000.00 seems like a low price tag for that.

Those are all the questions I have at the moment. In general, I'm very disappointed with the study. It seems to me to be a pretty gloss on a bad proposition for this town.

There seems to be a lot of bias for the project by many contributors and glaring omissions of references to actual costs of similar projects. 38

I hope these omissions can be rectified in the Final EIR so the City of Emeryville can decide whether it wants to sacrifice its downtown to replace it with Kaiser at the same time that Kaiser is deciding to sacrifice Oakland's downtown for I don't know what reason.

I'm for Emeryville. That's why I'm not for Kaiser. Thank you.

CHAIRPERSON OWENS: One more chance of Ezra Payton. Did he reappear?

We'll take the next five people. Larry Taylor, Michele Molineaux, Kenneth Morgan, John Christopher Burr and Donna Peers.

MR. MORGAN: I guess I'm the only one of the five here, so I'll proceed.

V-61

I want to thank you for allowing me to speak before you this evening.

CHAIRPERSON OWENS: Give us your name, please.

MR. MORGAN: I'm Ken Morgan, and I want to say simply initially that I have -- I was -- appreciate the can-do attitude that you guys have had here.

I wish -- I wish, as the previous speaker mentioned, that I had many of you in Oakland. I am a resident of Oakland. I am a community activist and have been for the last fifteen years concerning projects that impact both Oakland and this -- this great city.

I have pro and con feelings concerning the Kaiser project which have not been resolved yet, but reading on the encapsulation -- reading a synopsis of the impact report, a few things came to mind, and actually, a couple of them which really, really affect my side of -- of Oakland tremendously, I believe, which was not lent a great deal of attention to in the EIR report. 39

There are approximately about ten intersections that received the grade of F, a VC factor of about 1.0 and above, and many of those intersections do not exist within this city; they exist outside of it, and in the impact report, they were not given enough credence or attention. They didn't go into enough text. The studies simply weren't there, and I'm concerned about that.

I'm also concerned about the overflow of traffic that might impact the -- the inter-streets, the streets perhaps east of San Pablo or above San Pablo.

I don't see any studies here that might address that issue, and that is something that is going to definitely happen as people avoid the main arteries and -- and go towards other areas to -- to get to their destinations quicker.

The loop bus application coming from BART to Emeryville also doesn't seem to stop in the San Pablo Avenue area, and I advise you to take a look at that and perhaps address that service and explain it to the San Pablo area, and those are basically the two main points that I wanted to speak to you upon this evening. 39

I -- as I said before, I address myself to a lot of different projects that consider both sister cities, and you're not allowing this study to go beyond Emeryville. V-62

It's impacting us in a negative way, and I wish tremendously that in the final study, that you would pay greater attention to that.

Thank you very much.

CHAIRPERSON OWENS: Michele, do you want to go next?

MS. MOLINEAUX: Hi. My name is Michele Molineaux. I'm a resident at 4701 Doyle Street in the proposed area. I have a couple of comments. 40

One, I'd like to -- I don't know what the final date for

the comment period is and I'd like to -- I don't know if that was published.

CHAIRPERSON OWENS: June 20th.

MS. MOLINEAUX: June the 20th. So up until then, anybody can write their comments in.

The second thing, I'd like to support the comments made tonight about including the Downtown Oakland site on the Final EIR Draft. I think it's a good viable alternative and I think we ought to consider it.

But as a resident and a business owner, I want to address something that was blatantly not in the EIR, and I specifically wrote a letter in the original process for the Draft EIR asking about toxics on that site and for removal. 40

Far from being a blighted area, the neighborhood that I live in houses many businesses and many homes, As Scott said, it is home to the Emeryville artist community.

I live in a building, Emeryville Business Center which houses City Rock, City Beach, Head Over Heels and many other businesses. I happen to live there; I own a small business there.

So the Del Monte area encompasses, I think, approximately one-third of the whole proposed project, so to those of us who live on Park and Hollis and 45th and Doyle, it's a real insult to call it a blighted area.

But what I want to talk about -- what I want to talk

or so, which really isn't much.

I have several other comments, too, and one is a question and it has to do with the mitigation measures. One of the things that we notice here in the Environmental Impact Report is that there may be some condemnation of housing to do roadway improvements, but apparently the costs haven't been quantified.

Another issue -- again, going back to the Oakland issue, is -- and I think that the former governor commented on this. When you take a business out of a community like Oakland, sometimes you can have off-site impacts, and we've seen this before in other communities, and what happens is that you cause a further deterioration and further environmental impacts within the -- the -- the business districts, and a further degradation, and what I see in here in the Environmental Impact Report, there's no analysis of that type of off-site impacts.

There's impacts on Downtown Oakland and causing further deterioration, negative impacts. There's case law to this effect that this is a required form of analysis, and it's generally referred to as Citizens of Bishop.

The other thing that I see in here is there's virtually no analysis of regional impacts that I can see, and when you look at the planning and zoning laws, you see that all these plans must be consistent with regional plans and that the Environmental Impact Report has to discuss these forms of inconsistencies, and we see that there's clearly a lot of

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V-65

inconsistencies with the current general plan and zoning laws.

We don't see whether there's been an analysis to bring those into consistency with the regional plan, such as ABAG and the plans put out by the regional transportation agencies, water quality plans, air quality plans put out by Bay Area Air Quality Management District.

We're in a non-attainment area, and so we have problems with air and more and more analysis is showing that our water quality is poor, too.

In terms of a traffic analysis, one of our concerns has to do with the lack of analysis or the inadequate analysis on US-1 -- on the freeway out here. What we see is kind of a cursory analysis of --

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CHIEF COLLETTI: Madam Chair, the speaker's time is up.

MR. BURR: I have only several more -- just a few more questions very quickly. Several -- just a few.

I see in here also that there's an attempt to say that the situation is already bad, and so, you know, adding more negative impacts to a poor situation isn't a problem, and we see that with the mayor's -- one of the mayor's comments here on this green sheet.

He says: "The real traffic congestion will occur in Emeryville once the freeway becomes totally jammed with traffic just passing through Emeryville."

Well, for CEQA purposes, you need to go beyond that form

of analysis, and again, there's case law to that effect entitled Kings County vs. Hampton.

And lastly, I'd like to say this, that -- essentially there hasn't been in my mind enough -- oh, this has to do with the hazardous waste problem.

Kaiser produces a lot of hazardous waste, including radiologic and chemical waste, and we see that the mitigation or the so-called mitigation here has -- is that Kaiser will come up with some form of business plan.

Now that's not mitigation for purposes of the law. Coming up with a business plan or coming up with future mitigations in a plan is not sufficient. 42

The mitigation measures need to be formulated at this level so that the public and everybody can see whether they're sufficient at all, and here, since the mitigation is being put off to a future date, you can't really tell whether it's going to mitigate anything at all.

V-63

Is everybody clear about that?

Anyway, so since mitigation is being put off, we'd like -- we think that the Environmental Impact Report is probably insufficient on those grounds, and I think that --

CHAIRPERSON OWENS: Is that your last comment?

MR. BURR: Very last comment.

I think that there probably should be a more reasonable range of alternatives analyzed in here, and I think that's

consistent with many of the other comments you've heard tonight.

Anyway, thank you.

CHAIRPERSON OWENS: Okay. Our last set of five speakers 42
are Andrew Thomas, Robert Hughes, Joan Braun, Karen Haney-Owens and Frank Stern.

MR. THOMAS: Good evening, Madam Chair, members of the Commission. My name is Andrew Thomas and I'm a city planner for the City of Berkeley.

We're working on our comments on your Draft EIR and will submit those in writing by the 20th, so I won't bore you with that tonight.

You've heard many of our concerns already from previous speakers, impacts of our intersections which will not be mitigated, the lack of analysis of alternative sites which 43
appear to us to be more environmentally suited than the proposed site.

But I'm here just to pass along to you a request, a request from your sister commission in Berkeley, the Berkeley Planning Commission and the Berkeley Transportation Commission.

They're very interested in this project and they are not sure whether they support this project or oppose this project, and they would like to go through the same sort of discussions that -- that the most immediate neighbors here in Emeryville are going through. They feel that they're the neighbors to the

north.

Yes, your EIR points out that there will be significant traffic impacts on our intersections which will not be mitigated. It's not exactly clear why, but that is a problem that people are quick to jump on.

On the other hand, this facility may provide jobs for Berkeley residents. It may provide better health services for Berkeley residents.

Much of the traffic that's going to be clogging your streets may, in fact, be Berkeley residents coming to these facilities, so on balance, I think the commissioners are feeling that this is something that may be more of an opportunity than a -- than a problem for Berkeley. 43

But with changes to the Brown Act, with the need for open meetings, with the need for their comments to come through the City Council, they have asked me to come to you tonight and ask that you extend the public review period for thirty days beyond the 20th of this month.

So that is our request, and we hope that you will see it appropriate to give your neighbors to the north the adequate opportunity to discuss the pros and cons of this project.

Thank you.

MR. HUGHES: Good evening. Thank you for letting me speak. My name is Robert Hughes and I live in Emeryville at 4240 Horton Street. 44

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My brief observations tonight address one specific, but to me most important issue under scrutiny with the EIR, the matter of air quality.

According to the EIR, we would experience a significant unavoidable deterioration of air quality, even after implementation of all mitigating measures -- all mitigation measures.

With all mitigation measures in effect, eighty-five to ninety-five percent of Kaiser's impact upon our air quality would remain with us. Literally remain with us.

The Kaiser impacted air would sit around us like a stagnant basin for approximately one-quarter to one-third of each year. 44

The above statistics are drawn from page 197 and 184 of the EIR report. All my paginations will refer to Volume I.

I have lived in Emeryville for twelve years. Like many or most of you, I've seen enormous change. Some change, I've agreed with; some not.

Whether the position is espoused -- I espouse succeeded or failed, I could usually understand my opponent's viewpoint. I can understand, for instance, the necessity to approve development in order to expand the tax base for the good of the citizenry.

I can understand, though I might disagree with the format, the need to provide convenient markets for our

sustenance.

Regarding the EIR's three designated significant unavoidable impacts for which there is no adequate mitigation, if I stay spry, I'll be able to dodge the overwhelming onslaught of new traffic, particularly if it's stopped dead in gridlock.

I can cry when a part of history is erased as another final building or landmark is torn down in the name of progress, leaving lamentably little evidence that Emeryville had a history, or I can go and sit on it and think about it as I do when I place my bottom on the brown stack imbedded in the bench outside of the Pepsi-Cola gate, all that's left to commemorate a ballpark famous in the annals of sports history.

I can dodge, I can remember, but what I -- what I will not be able to escape the pouring of impure, dangerous air in and out of my lungs twenty-four hours a day.

I am more fortunate than my friends in Emery Villa, who nearing 80, will be upwind from the complex and more subject to the westerlys carrying the impacted air, particularly PM-10, conditions which could further aggravate her respiratory problems.

See page 189 of the report and table 29 on page 196 for these comments, but then she'll be right across from the hospital, which of course will be inoperable during the worst period of PM-10 contamination, the construction period, but

44

89-A

that will only last until 1999 when the emergency room will be ready to receive her.

I would like to read the following four short excerpts from the ERI (sic) which I consider highly pertinent to my presentation concerning air quality.

"The major air quality problems in the Bay Area are ozone, carbon monoxide and suspended particulate PM-10. The health effects of ozone are eye irritation and damage to lung tissues. Ozone also damages some materials such as rubber and may damage plants and crops.

"At high concentration, carbon monoxide reduces the amount of oxygen in the blood causing heart difficulties in people with chronic diseases, reduced lung capacity and impaired mental abilities." That is quoted from page 184.

The effects of construction activities with the increased -- with the increased dust fall and locally elevated levels of PM-10, the prevailing westerly winds that carry dust to the northeast and east where it could affect the Emery Villages, the high school and the residents on the east side of San Pablo Avenue, that includes Emery Villa for our aged.

"This dust could affect persons with respiratory diseases as well as sensitive electronic or communications equipment." That is cited on page 189 of the Volume I.

"Project traffic would have an effect on air quality in the greater project vicinity. Trips to and from the project

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site would result in air pollutant emissions over the entire Bay Area. Guidelines for evaluation of project impacts issued by the Bay Area Air Quality Management District consider emission increases to be significant if they exceed 150 pounds per day for regional pollutants.

"The EIR projects 257 pounds of reactive organic gases per day and 433 pounds of nitrogen oxides per day in the first phase." That's up through 1999.

"A larger effect will occur when they go into Phase II." Please see table 29 on page 196.

"Implementation of mitigation measures could be expected to reduce the project impacts by five to fifteen percent. Regional air quality would remain a significant unavoidable impact, even after implementation." 44

CHIEF COLLETTI: Madam Chair, the speaker's time is up.

CHAIRPERSON OWENS: Are you almost done?

MR. HUGHES: Uh-huh. The end of this quote of the page.

"Regional air quality would remain a significant unavoidable impact even after implementation of all mitigation measures." That's on page 197.

I'm convinced that the electorate of Emeryville elected its officials to promote the well-being of the populous.

For our City to accept the unacceptable condition of air quality as analyzed in the EIR is to perpetuate the acknowledged risk against the health and well-being of our

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citizens.

I urge the Planning Commission and the City Council to move no further in their negotiations with Kaiser until -- until air quality standards have received adequate mitigation to comply with at least the minimum standards of the Bay Area Air Quality Management District. They do not at present. 44

Thank you very much.

MS. BRAUN: My name is Joan Braun and I live at 5514 Doyle Street. I'm a homeowner there. I'm also a Kaiser member, and this is the first EIR Draft or Final that I have ever read.

The thing that jumped out at me -- and this is a person who is ambivalent and has both positive and negative feelings about Kaiser coming to Emeryville, but the thing that jumped out at me is the Hollis/Powell Street intersection. 45

No matter if Kaiser comes or doesn't come, no matter what happens, the baseline year 2010, it flunks the level of service; it gets an F.

Then if Kaiser comes -- this is from traffic table 4. If Kaiser comes and all the mitigations that can be done are done, it still flunks. That sounds like gridlock to me.

I live two blocks from that intersection. So I looked to see what those mitigations might be that are going to stay just as bad as it's going to be no matter what, and the mitigations are Hollis land use extension is built; stanford Avenue

extended from two to four lanes to meet that; Stanford Avenue turned into a two-lane road and Doyle Street becomes quote the major northern access to the project. Also the access to the parking for the project is off of Doyle Street to try and ease the load on Hollis.

This is of concern to me. It's of concern to me, because as I see it, the first problem is that that intersection and the intersection at 65th and Hollis are going to flunk no matter what come that time, no matter what we do.

Even in this project, we don't seem to be addressing that. That's of concern to me. I wonder why it's pretty much passed over here. 45

Beyond that, what I see is that a whole neighborhood is sacrificed. 53rd and 55th become subsidiary streets coming down from San Pablo into Doyle Street, major access corridor. That neighborhood is crossed twice but those twice.

V-70

Doyle Street becomes the major access to the north. That neighborhood is now bisected in the opposite direction by a major access, and, you know, aside from the fact that I personally live on Doyle Street, a lot of people live in that area. That is a residential area.

It may not be Park Plaza, but it is a residential area, and I don't understand why we're destroying a residential area in order to do what? You know, to make an already worse problem worse.

MS. HANEY-OWENS: Good evening. My name is Karen Haney-Owens. I'm a planner by profession, but I'm here speaking as a resident of Emeryville.

I live in Emery Bay Village, so of course this facility's going to have a direct impact on me, and like some of the other speakers, I'd like to say that I'm concerned about the Doyle/Haven Street extension.

However, my main reason for coming tonight is because I want us to think about the choices we're making for Emeryville at this time.

With the Catellus project approved and going in, we've begun to make a choice that Emeryville should be more of a regional center than, in fact, a unique urban community with lots of mixed uses, a lot of different types of neighborhoods and kind of an interesting history, and I think if we choose to go with this project, we are furthering that; in fact, we're making a final commitment to being a regional center, and personally, I like the small scale feel of Emeryville. 46

The pedestrians access, the stores that are available to me, the ways that I can walk my kids from Emery Bay Village down to the railroad tracks and show them the -- the trains there, I think that's an important feature that you don't find in a lot of communities.

So I think we just really need to evaluate that choice, are we prepared to do that, and that goes beyond the issue of

gridlock and all the other concerns. That goes to a division of this community. We're making a commitment that we're going to have to live with for a very long period of time.

In terms of the specific impacts and some of the questions that I had about that, we have unavoidable adverse impacts in traffic, both within Emeryville, intersections in Emeryville and intersections in other communities, and I guess my question to you is specifically what are the overriding considerations that you would state that would somehow justify these unavoidable adverse impacts?

It isn't clear to me that we can justify them, so I'd like a very specific answer to that question. 46

In terms of the housing issues, it appears to me that the EIR hasn't really addressed any -- the mitigations required for dealing with that.

V-71

It's already been acknowledged that affordable housing needs, particularly for very low and low income people, are not being met under present conditions, and yet we're proposing to basically transform a site zoned for medium density housing into a commercial use, thereby losing approximately the potential for 400 units.

Now given that we're generating over 4,000 jobs of which the majority will be service jobs at this proposed new Kaiser facility, we are going to need affordable housing for those people if we are going to maintain any kind of a jobs/housing

balance.

I don't see a proposal that suggests that we should set up a housing fund and then somehow link that through private development to twenty-five unidentified sites mentioned in the EIR that would have to be rezoned from commercial to residential according to the EIR, that somehow that linkage of this housing fund though these unidentified sites through private development will provide the housing that we need. 46

I don't think that's a clear cut mitigation for the housing issues, so I would appreciate you if you would look more closely into that.

Thank you.

CHAIRPERSON OWENS: Frank Stern. He left?

MR. STERN: Good evening, Chairman Owens and members of the Planning Commission. It's been a while since I've appeared before you.

My name is Frank Stern and I own several properties as you well know in Emeryville and I've appeared many times before this party. 47

My comments tonight, I'd like -- I've heard all the -- listened very intently to all the other people, and I'd like to make two levels of comments.

The first level tonight is a very narrow specific to a property that I will be directly impacted which I own by this project, and that is the property on Stanford Avenue between

Hollis and Doyle.

This Planning Commission may remember about six months ago there was an application before you for a school, nursery school at the intersection of Doyle and Stanford.

That school project had some significant traffic and parking problems, and after lengthy negotiation, it was decided that there would be created a waiting area, as I remember correctly, a white zone offloading the kids, approximately 120 kids plus or minus -- my number may not precisely correct -- between -- I think it's roughly quarter to 8:00 and ten o'clock in the morning, and then again between 4:00 and 5:00 or 3:00 -- 3:30 and 5:00 -- these numbers are approximate -- 120 kids will be picked up again by their parents, both within the property and on Stanford Avenue. 47

V-72

If you refer to the EIR, there is a comment on page 88 that a less than significant impact -- depends on your point of view -- is to eliminate the entire parking, including the waiting zone for those 120 kids, so where are those kids in the school going to park when they're dropped off by their parents?

Probably in our private parking lot across the street, and we wouldn't make great friends; we'd throw them all out. Less than significance just depends who that person is.

Page -- figure 12, opposite page 58 -- wrong. Hold on. I correct myself.

"The mandatory parking restriction on the south side of

Stanford Avenue would affect approximately fourteen vehicles along Stanford Avenue at peak period. This on-street parking serves three businesses. The loss of on-street parking in the peak period will be considered a significant unavoidable impact." Page 50.

So one place it talks about less than significant, and another place it talks about significant unavoidable and it will have a significant impact on our school and -- business and the school.

That's also reflected on figure 10, opposite page 41 where it's shown in the sketch that a four-lane Stanford extension and restripe Stanford two-way operation, prohibit parking.

I think that's something that this Commission approved less than six months ago and needs to be addressed. It's a significant problem, and probably the EIR consultants were not aware of. So that's my narrow concern. 47

Now, stepping back to some more broader concerns maybe with a little different perspective from many people that have spoken here tonight, which have been -- class 1. I am an Emeryville resident and I favor the project; class 2, my name is Sue Hestor, my name is the chairperson of the Sierra Club slash this is a regional project, therefore move it to Oakland.

I do agree surprisingly as a small individual developer, that -- I never thought I'd agree with those folks, but I do.

It's regional project, but I think the leap of logic to therefore it should be moved to Oakland does not entirely follow.

I think the solution to the regional problem, to the regional problem issue has already been addressed by this Planning Commission in a previous project, and I think there's something to be learned from the Catellus project.

Now that solution was forced on the City of Emeryville because of the co-ownership, two-city ownership issue, and I think that what happened, if you remember, the Catellus approval was that there was involvement by the City of Oakland in one form of legal structure, which could happen in another.

47

It doesn't have to be specifically this take structure, and in fact an agreement was worked out between Emeryville and Oakland to resolve issues such as jobs, economic benefits, traffic mitigation issues specifically for the MacArthur intersection, et cetera.

V-73

Many people have commented this evening on the spillover effects, and I think from my perspective, as a business person trying to find a solution, that a more formal -- some kind of a formal approach to the two neighboring cities, who will clearly be impacted if you read this EIR, Ashby/San Pablo intersection or another intersection --

CHIEF COLLETTI: Madam Chair, the speaker's time is up.

CHAIRPERSON OWENS: Okay.

MR. STERN: To resolve by -- with the involvement of Kaiser, the resolution of those intersections could make a lot of sense, plus job sharing, some kind of job sharing program that you've had with Oakland on the Catellus project, and a lot of those issues I think literally will make this project works if you look at it in a formal way.

I also read with some alarm the constant mention of -- I think the term is "significant unavoidable impacts." My concept of Kaiser's resolution to put it in a descriptive concept of significant unavoidable impact is to get a tanker truck, fill it up with 5,000 gallons of red paint and shpritz both sides of the curb of the all the major streets of Emeryville and several of the minor streets.

47

I think there are other solutions that will involve Kaiser stepping up and opening up their checkbook a little more. If you take five percent of the 250 million dollars project, it's only 1,200 bucks. What can you do with that?

Well, for example, page 53, Hollis Street/Powell Street, very significantly impacted. It says: "The provision of additional through lanes on Hollis will not be feasible because of the required acquisition of right-of-way."

Well, the moment the City owns that huge PG&E site where the project's going to be, that's under the City's control. That's a strip of land, six feet, twelve feet, that can be used to widen Hollis, it's just going to take money.

The street can be wider, and I think the same process can happen on Doyle/Haven and many other streets with Kaiser stepping up to the bar and resolving street impacts on Emeryville and intersection impacts in other cities, and I think those other cities have legitimate concerns. 47

I will have other questions -- other comments which I'll put in writing prior to the June 20th Street.

Thank you very much.

CHAIRPERSON OWENS: Okay. This finishes up the written speaker cards that we have here, but since we absolutely want to make sure that everybody who wants to speak on this subject has the opportunity to do so, I'm now opening it up for anybody else that wishes to come up and have some more comments.

MR. CARNELIA: Good evening. My name is Jerry Carnelia. I have a small building at the corner of 55th and Doyle, and I guess I'm not quite up to speed on this Kaiser project, but I've been sitting here listening to a lot of new information for me, and it's -- I guess I just have to say it's making -- starting to make me pretty nervous.

The size of this project is so out of scale with anything else going on in my neighborhood that I'm afraid of what this kind of thing is going to do to my neighborhood. 48

You know, I guess -- I bought my building in about 1980. It was a -- you know, an old broken down shack down there and I kind of saved up and bought a board and nailed it up there, and

V-74

eventually ten years later, finally finished the building, and I've -- you know, during that time, about thirteen, fourteen years now, I've seen my neighborhood change a lot.

There's a wonderful community on Doyle Street. The addition of the twelve units of co-op housing to my surprise has been a wonderful addition, and what happens with a development like this, especially with this Doyle Street/Haven connection is it's basically going to destroy our neighborhood, and you just wonder, is that okay?

Is that a satisfactory sort of tradeoff, and I guess the feeling that I'm getting is that it is. 48

The thing that really, really makes me nervous is that I have the feeling that this is a done deal, that Kaiser knows it has the votes on the City Council and this thing is going to go forward no matter what's said here tonight, and you really -- once that is known to Kaiser, I don't see what kinds of extractions we're going to be able to get from them.

If they choose to go ahead with the Doyle Street/Haven connection, which right now, I guess, is plan B, what's -- you know, who's going to say no, we're not going to do that.

We're a functioning neighborhood there that has a right to be, and it will be functionally destroyed if we go ahead with this three-lane connection.

So I guess all I want to say is -- I want to place my vote loud and clear for small operators and I would ask you

8. **Response to Bernard Choden:** Please refer to Master Response H1. for a discussion of the regional impacts addressed in the EIR. The Draft EIR has adequately evaluated the impacts associated with the development of the proposed regional medical center in Emeryville.

Please refer to the responses to Comments 28.H. and 50.E. for a discussion of the funding of the identified mitigation measures, and to Master Response C1. for a summary of the Kaiser Housing Program. Also refer to Master Response C4. for a discussion of where the existing employees reside. Please refer to Master Response C6. for a discussion of transit assumptions.

The air quality analysis employed a conservative approach to determining air pollutant emissions based upon the total number of trips generated by the project. Transit ridership (as part of the Transportation Systems Management Program) was applied as a mitigation measure to reduce the impacts identified for the project.

Please refer to Master Response B1. for a discussion of the plans for the existing Oakland Kaiser facility.

Section II, F. of the Draft EIR contains an adequate evaluation of the geologic and seismic conditions of the project site. Also refer to the specific responses provided to Comments 87.A. through 87.G.

Section II, H. discusses the potential impacts due to soil and groundwater contamination on the project site. Please refer to the specific responses to Comments 60.A. through 60.F.

There is no evidence that the project site lies on sovereign lands or within a land trust. The properties within the project site boundaries are all owned by private owners, AC Transit (a public entity) or the City of Emeryville.

9. **Response to Jonathan Martin:** The commenter's remarks are noted.

10. **Response to Honorable Jerry Brown:** The commenter's remarks are noted. Please refer to Master Response G1. for a discussion of the Fox Theater site in downtown Oakland and to the specific responses provided to the comments submitted by the commenter in writing (Comment Letter 37).

11. **Response to Will Richards:** The commenter's remarks are noted.

12. **Response to Joan Bossart:** The commenter's concerns about increased traffic and air quality are noted. Please refer to Master Response E. for a discussion of the Doyle-Haven Extension.

13. **Response to Ira Berkowitz:** The commenter's concerns are noted. Please refer to Master Response E. for a discussion of the Doyle-Haven Extension.

14. **Response to Nancy Humphreys:** The commenter's concerns regarding the Doyle-Haven Extension are noted. Please refer to Master Response E. and to the specific response to Comment 4.B. for a discussion of the traffic volumes along this facility.

15. **Response to Ruth Atkin:** The commenter's concerns about the Doyle-Haven Extension are noted. Please refer to Master Response E.

Section I of the Draft EIR identifies the fees that Kaiser would contribute to the City of Emeryville as part of the project. In addition, mitigation measures are outlined throughout Section II of the Draft EIR to reduce or avoid significant impacts associated with the project.

With regard to the land use incompatibility impacts, please refer to pages 38 to 46 in Section II, A. of the Draft EIR. Also refer to the specific responses to Comments 49.C.3., 49.N.3., and 49.U.3. Please see the response to Comment 38.H. and page 32 of the Draft EIR for a discussion of the reasons why the portions of the project area were identified by the Shellmound Park Redevelopment Plan EIR as blighted.

Please refer to Master Response C.1. for a discussion of the adequacy of the Kaiser Housing Program and to Master Response C.5. which describes the alternative housing sites. Master Response C.4. provides a discussion of the jobs/housing balance impacts and demand for housing described in the Draft EIR.

16. **Response to Carol Handelman:** Please refer to the specific responses to Comments 48.E. and 34.B.

17. **Response to Shari Andrews:** The commenter's remarks are noted.

18. **Response to Sile Convery:** The commenter's concerns about the Doyle-Haven Street Extension are noted. Please refer to Master Response E.

19. **Response to Kathryn McCamant:** The commenter's concerns regarding the traffic mitigation measures are noted. Please refer to Master Response E.

20. **Response to Robert Pisani:** The commenter's comments are noted. Please refer to the specific responses to the comments submitted in writing by the commenter (Comment Letter 15.)

21. **Response to Arthur Tam:** The commenter's comments in support of the project are noted.

22. **Response to Aara Zand Amidi-Nouri:** The commenter's remarks in support of the project are noted. Please refer to the specific responses provided to the commenter's written comments (Comment Letter 3).

23. **Response to Connie Williams:** The commenter's remarks in support of the project are noted.

24. **Response to Judy Folkmanis:** The commenter's concerns regarding parking for her employees is noted. Please refer to the specific responses provided to the written comments submitted by an employee of Ms. Folkmanis (Comment Letter 11.A.). Also, please refer to the response to Comment 60.G. regarding construction impacts.

25. **Response to Audience Participant:** The commenter's remarks are noted.

26. **Response to Richard Gietzen:** With regard to roadways operating at level of service "F", there is no other category of level of service beyond that designation. Please refer to Master Response D1. which addresses requests for evaluating impacts to residential streets. Cumulative traffic impacts are described for year 2000 and year 2010 in the Draft EIR. This analysis takes into account projected growth along I-80 and other locations in the East Bay, using the ABAG Projections '92 growth projection data.

Please refer to Master Response H1. for a discussion of the regional impacts evaluated in the EIR, including regional traffic impacts. The EIR traffic analysis evaluated the project and cumulative impacts at 12 intersections in Oakland and Berkeley. Consistency with its obligation under CEQA, the City of Emeryville has provided the City of Oakland, a Responsible Agency, with an opportunity to participate in the public review process for the proposed project.

The medical center is proposed at a location with convenient access to transit. Please refer to Master Response D6. for a discussion of transit assumptions.

Please refer to the response to Comment 85.B. for a discussion of the quality of life issues associated with the project.

27. **Response to Michael Alexander:** Please refer to Master Response H1. for a discussion of the regional impacts evaluated in the EIR, including regional traffic impacts. Please refer to Master Response G1. for a discussion of the Fox Theater site in downtown Oakland which was a proposal submitted by the City of Oakland to Kaiser on February 7, 1994, not February 8, 1993.

The Draft EIR analysis did not segment the project. Land use and traffic impacts were addressed for the whole of the project action, in a manner that is consistent with the intent and legal requirements of CEQA. In addition, the Draft EIR evaluated the cumulative impacts of the project in Section IV.

Please refer to the response to Comment 85.B. for a discussion of the quality of life issues associated with the project, including those associated with the traffic impacts and mitigation measures. The Draft EIR evaluated pedestrian impacts and bicycle impacts on pages 171-174 and 174-177, respectively. Also, please refer to response to Comment 12.B. for a discussion of the relationship between traffic congestion and emergency response services.

28. **Response to Mary Payne:** The commenter's comments are noted.

29. **Response to Fran Ternus:** The commenter's concerns regarding the Doyle-Haven Street Extension are noted. Please refer to Master Response E. and to the specific responses provided in response to Ms. Ternus' comments submitted in writing (Comment Letter 75.).

30. **Response to Nancy Bardach:** The commenter's comments are noted. Efforts to revitalize the San Pablo Avenue corridor are described in Section II, A. and Section II, L. of the Draft EIR.

31. **Response to Ken Schmier:** The commenter's support of the project is noted. Please refer to Master Response E regarding the Doyle-Haven Extension.

32. **Response to Jack Arnold:** The commenter's support of the project is noted.

33. **Response to Brad Paul:** Please refer to Master Response G1. for a discussion of the Fox Theater site in downtown Oakland which was a proposal submitted by the City of Oakland to Kaiser on February 7, 1994, not February 8, 1993.

Please refer to Master Response D3. for a discussion of the intersections in Emeryville, Oakland, and Berkeley that cannot be mitigated to a less than significant level.

Please refer to Master Response D6. regarding the transit use assumptions. The Draft EIR contains a worst case analysis of the traffic impacts, using conservative assumptions regarding transit ridership, in order to ensure that the traffic impacts were not understated.

Please refer to the response to Comments 28.H. and 50.E. for a discussion of the mitigation measure costs and funding.

The issue of cumulative impacts is addressed in Master Response H2. Sufficient information regarding cumulative impacts has been provided to the public and decision makers so that they may make an informed decision about whether or not to approve the proposed project.

34. **Response to Sue Hestor:** The Draft EIR contains adequate information regarding the environmental impacts associated with construction of the medical center at the proposed site. The trip distribution pattern included in the traffic analysis in Appendix D is based upon the regional locations of employees and patients for the existing Oakland facility. The trip distribution characteristics for the project would be similar to those of the existing Oakland facility.

The City of Emeryville includes lands to the east of I-80, as well as to the west. One percent of the trips would travel to the portion of Emeryville on the west side of I-80. In addition, some of the trips traveling to the north, south and east would be heading towards Emeryville destinations. This figure was intended to depict the overall traffic flow patterns from a directional perspective.

In order to accommodate the project-generated traffic, additional capacity would be provided with the implementation of the identified mitigation measures. Please refer to Master Response D6. for a discussion of the transit assumptions. Also, please refer to Master Response G1. for a discussion of the Fox Theater site in downtown Oakland.

Please refer to the specific responses to Comment 31.K. regarding funding for mitigation measures outside of Emeryville.

Please refer to Master Response C6. for a discussion of mitigation measures that are required by law.

35. **Response to Joshua Simon:** Please refer to Master Response D6. for a discussion of the transit assumptions.

The Draft EIR contains a reasonable range of project alternatives. Please refer to the discussion of the Fox Theater site in downtown Oakland which is contained in Master Response G1.

Please refer to response to Comment 74.C. regarding unmitigated intersections.

36. **Response to Scott Donahue:** The commenter's remarks are noted. The Draft EIR contains an evaluation of air quality impacts and identifies mitigation measures in Section II, D.

The bicycle impacts identified in the Draft EIR reflect those that are caused by the project. The Draft EIR identifies mitigation measures for impacts to bicycle facilities that are consistent with the measures included in the General Plan. The 45th Street to 53rd Street section of bike path exists according to the General Plan.

Please refer to the responses to Comments 28.H. and 50.E. for a discussion of the funding of the mitigation measures.

37. **Response to Carl Anderson:** Please refer to Master Response G1. for a discussion of the Fox Theater site in downtown Oakland and to the specific responses provided to the Sierra Club's written comment letter.

The East Baybridge project traffic was accounted for in the cumulative conditions as an approved project. Please refer to the response to Comment 28.B. for a discussion of the analysis periods and worst case traffic conditions.

The Draft EIR contains a list of services and facilities that would be provided at the proposed medical center on page 11. Some of the patients will be critically ill and some will have mobility impairment.

Please refer to Master Response H2. for a discussion of the emergency response times, and to the discussions of vehicular, pedestrian, bicycle, site access, and transit impacts contained in Section II, C. of the Draft EIR.

38. **Response to Gregory Meyer:** The commenter's concerns are noted. Mr. Meyer is referred to the specific responses provided to his comments submitted in writing. Also, please refer to the response to Comment 25.B.

The costs estimated for the fire response and police response services were developed in consultation with the Police Chief and Fire Chief, as described in the Cost Revenue Analysis found in Volume II of the Draft EIR.

39. **Response to Kenneth Morgan:** The commenter's remarks are noted.

The Draft EIR identifies the impacts to intersections occurring outside of the City of Emeryville in both Appendix D and in the text of Volume I. Please refer to Master Response D1. for a discussion of impacts to residential streets.

The Emeryville-BART shuttle provides a connection to the MacArthur BART Station and to destinations throughout Emeryville.

Mr. Morgan incorrectly states that the EIR has not been provided outside of Emeryville. The Draft EIR was made available to the Cities of Oakland and Berkeley, as well as other regional agencies, organizations, and individuals that expressed an interest in the project.

40. **Response to Michele Molineaux:** Please refer to Master Response G1. for a discussion of the Fox Theater site and to the specific responses provided to the commenter's letter which was submitted in writing.

Contrary to the commenter's statement, soil and groundwater contamination issues were addressed in the Draft EIR in Section II, H. Please refer to the specific responses provided to the commenter's written letter (Comment Letter 60.).

Ms. Molineaux's comments about the Draft EIR identifying the project area as blighted are noted. This identification was based upon the information contained in the Shellmound Park Redevelopment Plan.

41. **Response to Donna Peers:** The Draft EIR identifies the project's traffic impacts to intersections located in Oakland. This information is provided both in Appendix D in Volume II and on pages 128-132 and 150-153 of Volume I.

AC Transit and the City of Oakland were invited to submit comments on the project during the public review period.

42. **Response to John Christopher Burr:** The Draft EIR adequately evaluates the physical impacts on the environment associated with traffic, noise, and sirens.

Please note that Kaiser is a non-profit organization. Kaiser's objectives for the proposed project are indicated on pages 4 and 5 of the Draft EIR.

At this time, the actual costs of the roadway improvements will be determined through the Development Agreement negotiations.

Please refer to Master Response B1. for a discussion of the effects to the existing Oakland facility. The proposed project does not include the closure of the existing Oakland facility.

Please refer to Master Response H1. for a discussion of the regional impacts that were addressed in the Draft EIR.

U.S. 1 is not a freeway facility located in the vicinity of the project; this facility extends on the west side of the San Francisco, across the Golden Gate Bridge.

The Draft EIR adequately identifies the project's significant impacts based upon the thresholds noted in the Draft EIR. Cumulative impacts were adequately addressed in accordance with the Kings County Farm Bureau case.

Mitigation measures for impacts associated with the use and storage of hazardous materials are specified in the Draft EIR. Please refer to the Mitigation Monitoring Program contained in Section VII for a further information regarding the details contained in the Hazardous Materials Business Plan. The development of mitigation measures has not been postponed.

The Draft EIR includes a reasonable range of alternatives as stated in Master Response G1.

43. **Response to Andrew Thomas:** The commenter's comments are noted. The City of Berkeley Planning Commission's and Transportation Commission's requests are acknowledged. Please refer to Master Response A1. and A2. for a discussion of the extended review period and availability of the Draft EIR.

44. **Response to Robert Hughes:** The Draft EIR indicates that air quality impacts would be considered significant and unavoidable.

45. **Response to Joan Braun:** The commenter is referred to the specific responses to comments contained in her written letter.

The traffic analysis identified mitigation measures for the impacts to the Hollis and Powell Street intersection. However, these mitigation measures were considered infeasible due to the impacts related to the accessibility of parcels, the transport of goods between businesses, and the impacts of added traffic on parallel facilities. The commenter correctly notes that the mitigation measures identified for the Hollis/65th Street intersection would not reduce the impact to a less than significant level.

Please refer to Master Response E. regarding the Doyle-Haven Street extension.

46. **Response to Karen Haney-Owens:** The commenter's concerns are noted. Please refer to Master Response E. regarding the Doyle-Haven Street extension.

The City of Emeryville will adopt a Statement of Overriding Considerations, together with the findings, prior to approving the project.

Please refer to Master Response C1. through C6. for a discussion of the employment and housing issues associated with the project, specifically Master Response D4. pertaining to the jobs/housing balance.

47. **Response to Frank Stern:** The commenter's comments are noted. Mr. Stern is referred to the specific responses to his comments that were submitted in writing.

The City of Emeryville approved site plans for the school that provide for the installation of a parking/loading area. Subsequently, the school implemented these improvements. As described in Master Response E., the Doyle-Haven Extension could potentially eliminate this parking/ loading area.

The City of Emeryville is willing to work with the Cities of Oakland and Berkeley to reach an agreement on mitigating significant impacts.

48. **Response to Jerry Carnelia:** The Draft EIR contains an evaluation of the project's scale in comparison to the surrounding land uses in Section II, A. Land Use, and in Section II, L. Urban Design.

Please refer to Master Response E. which discusses the Doyle-Haven Extension.

SECTION VI

REVISIONS TO THE TEXT OF THE EIR

REVISED SUMMARY

Introduction to the Responses to Comments Document Summary

The Summary contained in the Draft EIR for the Kaiser Permanente Medical Center is revised to reflect minor corrections, refinements, and updated information identified during the public comment period. Additions are indicated with redlined text and deletions are indicated with ~~strikeout~~.

Introduction

This section of the EIR contains a brief summary of the potential impacts and recommended mitigation measures for the proposed Kaiser Permanente Medical Center Project. This section is only a summary, and review of the full text of the environmental analysis of the proposed project (contained in Section II of this EIR), is recommended to gain a complete understanding of the potential impacts of the proposed project and the mitigation measures recommended to reduce or eliminate these impacts.

This Summary is organized by study topic as they are discussed in the EIR (e.g., Land Use, Employment and Housing, Transportation and Circulation, etc.). A brief description of the analysis conducted is provided under each topic area. This is followed by an impact statement, and the corresponding mitigation measure or measures. All impacts are identified as occurring as a result of Phase I (completion by 1999) or Future Expansion (completion after 1999) of the proposed project. In some cases, mitigation measures are either not feasible due to physical or environmental constraints, or would not reduce the potential impact to a less-than-significant level. The EIR has identified significant unavoidable impacts (impacts that could be reduced but not eliminated by recommended mitigation measures) in the following areas:

- Traffic and Circulation
- Air Quality
- Historic Architectural Resources
- Loss of On-Street Parking
- Short-term Project and Cumulative Construction Impacts

The EIR has identified that adequate mitigation measures are available and feasible to reduce the project's potential impacts to a less than significant level in the following areas:

- Land Use
- Employment and Housing
- Noise
- Geology and Seismicity
- Soil and Groundwater Contamination Cleanup
- Hazardous Materials Storage, Usage and Disposal
- Utilities and Urban Services
- Urban Design and Visual Resources

Project Description

The proposed project would involve development of a new Kaiser Permanente Medical Center on an approximately 30-acre site located in the City of Emeryville, California. The project site is generally bounded by 53rd Street on the north, Park Avenue on the south, San Pablo Avenue on the east, and Hollis Street on the west.

The proposed medical center would include a hospital and medical office buildings, as well as a central utility plant, structured parking, open space areas, and general retail and office uses. The proposed project is expected to be constructed in phases over a three to thirty year time frame. Phase I of the medical center would be constructed on the portion of the site bound by San Pablo Avenue, Park Avenue, Hollis Street and 45th Street on the north and is expected to be completed by 1999. The Phase I site contains the old Del Monte cannery buildings, as well as other residential and commercial uses. Development planned for Phase I would involve approximately 1.94 million square feet of development including a hospital building, four medical office buildings, parking structures, and office and retail uses around the perimeter of the site (along San Pablo Avenue, Park Avenue and Hollis Street). Buildout of the project would include an additional 0.77 million square feet of development (for a total of 2.71 million square feet). Under buildout, additional development would occur on the Phase I site, as well as, on the "Future Expansion site" which is bounded by 45th Street on the south, Hollis Street on the west, 53rd Street on the north and the AC Transit maintenance yard and Emery Bay Village on the east. The Future Expansion site currently includes the Emeryville Business Center as well as other commercial and industrial uses. Development under buildout would include expansion of the hospital building (Phase I site) and construction of additional medical office buildings, general office and retail uses and a parking structure. A complete breakdown of proposed development by phase is provided in Table 2, page 13.

This EIR also evaluates the AC Transit Maintenance yard as an alternative Future Expansion site for the project. This alternative is evaluated at a greater level of detail than other alternatives, since Kaiser and the city may prefer to use the AC Transit Site due to certain locational advantages. The AC Transit site, however, is not identified in this EIR as the proposed Future Expansion Site because it was not certain at the time of publication of this EIR whether the site would be available to Kaiser in time for buildout of the project. The analysis of the AC Transit Site alternative is contained in Section III, beginning on page 292. Other project alternatives evaluated in this EIR include: 1) No Build Alternative; 2) No Project Alternative; 3) Smaller Project Alternative; 4) Alternative Site Alternative - Oakland MacArthur Boulevard Facility; and 5) Alternative Site Alternative - Bayfront Site.

Issues of Community Interest and Controversy

A Notice of Preparation and Environmental Checklist were prepared for the project and distributed on July 13, ~~1994~~ 1993 to local and state agencies, interested residents and residents within 500 feet of the project site. A Public Scoping Meeting was held on July 21, 1993 at the City of Emeryville Council Chambers at 2449 Powell Street in Emeryville to receive comments on issues to be evaluated in the EIR. Comments on the Notice of Preparation and scope of the EIR analysis were accepted until September 16, 1993. Seventeen letters from local residents and agencies were received in response to the Notice of Preparation. The Notice of Preparation and comments letter received are contained in Appendix J.

SUMMARY OF IMPACTS AND MITIGATION MEASURES

The following discussion contains a summary of the potential impacts of the proposed project and the mitigations proposed to avoid or eliminate each potential impact.

LAND USE (pp. 22-55)

The EIR evaluates the following impacts in the Land Use section: impacts to existing land uses on the project site, impacts to surrounding land uses, General Plan amendment impacts, General Plan amendment-building intensity impacts, impacts resulting from the zoning changes, impacts from the Redevelopment Plan amendment, and land use impacts from on-site road closures. With implementation of the identified mitigation measures, all significant land use impacts would be reduced to a less than significant level.

Impacts to Existing Land Uses on the Project Site

Phase I

- **Impact LU-1**

  Phase I of the proposed project would replace the existing commercial, industrial, and residential uses on approximately 30 properties with a medical center complex which would be considered a less than significant land use impact.

- **Mitigation LU-1:** No mitigation is required.

Future Expansion

- **Impact LU-2**

  The Future Expansion phases of the proposed medical center would replace the existing commercial and industrial uses, and live/work units on approximately four properties in addition to the Phase I properties which would be considered a less than significant land use impact.

- **Mitigation LU-2:** No mitigation is required.

Impacts to Surrounding Land Uses

Phase I

- **Impact LU-3**

  Development of Phase I of the medical center would result in a change in land use which would be generally compatible with the surrounding land uses in the immediate vicinity of the project. While the Phase I site is surrounded by a variety of land uses that do not from a planning perspective, reflect an established community, the residents in this area may perceive the proposed project as resulting in an adverse change to the land use character of the area. These residents may perceive that the project would physically disrupt or divide an established community. Therefore, Phase I of the proposed medical center would result in a potentially significant land use compatibility impact.

- **Mitigation LU-3**

  The following mitigation measures are included in the project and would reduce the potentially significant land use compatibility impact to a less than significant level:

- *LU-3.1 Implement the Kaiser Permanente Medical Center Urban Design Guidelines as adopted by the Emeryville Planning Commission on August 26, 1993. The requirements of the Urban Design guidelines have been incorporated into the project design.*

- *LU-3.2 Implement the traffic, noise, and visual mitigation measures as described in Section II, C (pages 114-183), E (pages 211-214), and L (pages 287-291)* which include additional mitigation measures not currently included in the project.

Future Expansion

- **Impact LU-4**

Future Expansion of the medical center would result in a change in land use on the Future Expansion site which would be generally compatible with the surrounding land uses in the immediate vicinity of the project. While the Phase I and Future Expansion sites are surrounded by land uses that are not part of an established community from a planning perspective, the surrounding residents may perceive the proposed project as resulting in an adverse change to the land use character of the area. These residents may perceive that the project would physically disrupt or divide an established community. Therefore, Future Expansion of the project would result in a potentially significant land use impact.

- **Mitigation LU-4**

The following mitigation measures are included in the project and would reduce the potentially significant land use compatibility impact to a less than significant level:

- *LU-4.1 Implement the Kaiser Permanente Medical Center Urban Design Guidelines as adopted by the Emeryville Planning Commission on August 26, 1993. The requirements of the Urban Design Guidelines have been incorporated into the project design.*

- *LU-4.2 Implement the traffic, noise, and visual mitigation measures as described in Section II, C (pages 114-183), E (pages 211-214), and L (pages 287-291) which include additional mitigation measures not currently included in the project.*

General Plan Amendment Impacts

Phase I and Future Expansion

- **Impacts LU-5**

The proposed amendment to General Plan Land Use Element Policy #5 would amend the language in the General Plan relating to the preservation of brick buildings on the north side of Park Avenue. Since this proposed amendment would include properties outside the project site, it would result in a potentially significant impact to brick buildings on the north side of Park Avenue outside the project site. Land Use Element Policy #5 pertains to the preservation of brick buildings along Park Avenue.

- **Mitigation LU-5**

The following mitigation would reduce the significant impact to a less than significant level:

- *LU-5.1 The City of Emeryville should limit the application of the text change to Land Use Element Policy #5 to the Del Monte site.*

- *LU-5.2 Use of authentic brick building materials should be incorporated into the proposed "liner" building*

design to be compatible with the scale and character of the area, where feasible.

General Plan Amendment-Building Intensity Impacts

Phase I

- **Impact LU-6**

  Phase I of the proposed medical center would result in an increase in land use intensity compared to existing development intensities. The proposed 1.26 floor area ratio (FAR) for Phase I would be less than the existing 1.3 floor area ratio established by the General Plan Building Intensity Diagram for roughly 75 percent of the site, and therefore, would not result in a significant increase in development intensity.

- **Mitigation LU-6:** No mitigation is required.

Future Expansion

- **Impact LU-7**

  Future Expansion of the medical center would result in an increase in land use intensity compared to existing development intensities. Because the proposed 1.4 FAR on the Phase I site represents a slight increase over the 1.3 FAR allowed on 75 percent of the site, and because the project sites the parking garages and "liner" buildings where the General Plan currently allows a 0.7 FAR, the proposed amendment to the Building Intensity Diagram would not result in a significant land use impact.

  The proposed 0.55 FAR on the Future Expansion site would not result in a significant land use impact because the resulting development intensity would be within the range of allowable intensities established by the General Plan Building Intensity Diagram for the site.

- **Mitigation LU-7:** No mitigation is required.

Impacts Resulting From the Zoning Changes

Phase I and Future Expansion

- **Impact LU-8**

  The proposed zoning changes would not result in significant land use impacts.

- **Mitigation LU-8:** No mitigation is required.

Impacts From the Redevelopment Plan Amendment

Phase I and Future Expansion

- **Impact LU-9**

  The proposed Redevelopment Plan amendment would not result in significant land use impacts.

- **Mitigation LU-9:** No mitigation is required.

Land Use Impacts From On-Site Road Closures

Phase I and Future Expansion

- **Impact LU-10**

  The proposed closure of the three streets through the project site would not result in a significant land use impact.

- **Mitigation LU-10:** No mitigation is required.

EMPLOYMENT AND HOUSING (pp. 56-85)

The EIR evaluates the following impacts in the Employment and Housing section: employment impacts associated with the acquisition and displacement of the existing businesses, employment growth, housing impacts associated with the acquisition and displacement of the existing residences, loss of future housing opportunities, and the jobs/ housing balance. With implementation of the identified mitigation measures, all significant land use impacts would be reduced to a less than significant level. (NOTE: In order to be consistent with the other sections contained in this Summary, several of the impact and mitigation measures for the following section are numerically out of sequence. This was done in order to preserve the same numbering system contained in the body of the EIR to assist the reader in correlating each impact and mitigation measure contained in the summary with the corresponding impact and mitigation measure found in the text of the EIR.)

Employment Impacts - Acquisition, Displacement, and Demolition

Phase I

- **Impact EH-1**

  Phase I of the project would involve the acquisition of commercial properties, displacement of viable businesses and the Pepsico operations, and demolition of 10 structures which would be considered a significant impact. The displacement of the five businesses and Pepsico operations would result in a loss of 175 jobs on the Phase I site (including the Pepsico facility).

- **Mitigation EH-1**

  The following mitigation measures would be implemented to reduce the acquisition, displacement, and demolition of the existing businesses on the Phase I site.

- *EH-1.1 Phase I would be required to conform to the Relocation Assistance Act and State Relocation Guidelines Requirements as described on pages 63 through 67 of the Draft EIR.*

Future Expansion

- **Impact EH-3**

  Future Expansion of the medical center would involve acquisition of four additional properties, displacement of ~~19~~ 22 businesses, and demolition of six existing structures which would be considered a significant impact. The displacement of the ~~19~~ 22 businesses would result in a corresponding loss of 120 manufacturing jobs on the Future Expansion site.

- **Mitigation EH-3**

  The following mitigation measures would be implemented to reduce the acquisition, displacement, and demolition of the existing businesses in the Future Expansion phase.

- *EH-3.1 Future Expansion of the medical center would be required to conform to the Relocation Assistance Act and State Relocation Guidelines Requirements, as described on pages 63 through 67 of the Draft EIR.*

Employment Impacts - Employment Growth

Phase I

- **Impact EH-2**

  The project would result in the loss of 122 manufacturing jobs, but would create 2,895 new jobs, resulting in a net increase of 2,773 jobs on the project site. The increase in employment opportunities resulting from Phase I of the project would be considered a beneficial effect of the project.

- **Mitigation EH-2:** No mitigation is required.

Future Expansion

- **Impact EH-4**

  Future Expansion of the medical center would result in the loss of 120 existing manufacturing jobs, but would create an additional 1,245 jobs, resulting in a net increase of 1,125 jobs. The increase in employment opportunities resulting from Future Expansion of the project would be considered a beneficial effect of the project.

- **Mitigation EH-4:** No mitigation is required.

Housing Impacts - Acquisition, Displacement, and Demolition

Phase I

- **Impact EH-5**

  Phase I of the project would involve the acquisition of residential properties, displacement of 21 households and 37 residents, and demolition of 21 existing housing units on the Phase I site which would be considered a significant impact. Most of the housing units would be relocated to other locations within the City of Emeryville.

- **Mitigation EH-5**

  The following mitigation would be implemented to reduce the housing impacts resulting from the loss of 21 units of existing housing stock to a less than significant level.

- *EH-5.1 As with the business displacement impacts, Kaiser and the Emeryville Redevelopment Agency would be required by law to conform to the requirements of the Relocation Assistance Act and State Relocation Guidelines, for Phase I.*

- *EH-5.2 Implement Redevelopment Agency's replacement housing obligations under Redevelopment Law. These are requirements of Redevelopment Law and would be carried out by the City of Emeryville Redevelopment Agency. Funding would be provided by the project applicant.*

- *EH-5.3 Implement Kaiser's Housing Program. This program will be included as a mitigation measure in the Development Agreement, as described on pages 74 and 75 of the Draft EIR.*

Future Expansion

- **Impact EH-7**

Future Expansion of the project would involve the acquisition of residential properties, displacement of ~~11~~ 12 households and ~~20~~ 22 residents, and demolition of ~~11~~ 12 existing live/work units on the Future Expansion site which would be considered as significant impact. The live/work units would be relocated to other locations within the City of Emeryville.

- **Mitigation EH-7**

The following mitigation would be implemented to reduce the housing impacts resulting from the loss of ~~11~~ 12 live/work units to a less than significant level.

- *EH-7.1 As with the business displacement impacts, Kaiser and the Emeryville Redevelopment Agency would be required by law to conform to the requirements of the Relocation Assistance Act and State Relocation Guidelines, for Future Expansion.*

- *EH-7.2 Implement Redevelopment Agency's replacement housing obligations under Redevelopment Law. These are requirements of Redevelopment Law and would be carried out by the City of Emeryville Redevelopment Agency. Funding would be provided by the project applicant.*

- *EH-7.3 Implement Kaiser's Housing Program. This program will be included as a mitigation measure in the Development Agreement.*

<u>Housing Impacts - Loss of Future Housing Opportunities</u>

Phase I

- **Impact EH-6**

The project would result in the loss of 80 potential moderate income units ~~future housing opportunities~~ on the Phase I site which would be a significant impact. ~~As a result, the city would be 37 units short of its affordable fair share housing requirements which would be considered a significant impact.~~ The loss of 80 moderate income units would result in a significant impact because the retention of affordable housing is encouraged by Emeryville General Plan Housing Opportunities, Policy #7.

- **Mitigation EH-6**

The following mitigation measures would be implemented to fully mitigate the loss of ~~37~~ 80 moderate income ~~fair share~~ housing units.

- *EH-6.1 Implement the Kaiser ~~Foundation Hospitals'~~ Housing Program. This program is included as part of the proposed project.*

- *EH-6.2 Pursue the development of housing at other locations in Emeryville.*

- *EH-6.3 The Kaiser Housing Program should fund the construction of ~~37~~ affordable ~~fair share~~ housing units.*

- *EH-6.4 Funding from the Kaiser Housing Program should be applied to the development of housing on the 25 sites identified by the Redevelopment Agency as having the potential for future housing construction.*

- *EH-6.5 The City of Emeryville Redevelopment Agency would be responsible for continuing to encourage developers to develop affordable housing on the 25 parcels identified as potential housing sites.*

- *EH-6.6 The City of Emeryville would continue to encourage residential development in mixed-use areas, and infill housing at appropriate locations.*

Future Expansion

- **Impact EH-8**

  The Future Expansion phase of the medical center would not impact future housing opportunities or the city's fair share housing requirements.

- **Mitigation EH-8:** No mitigation is required.

Jobs/Housing Balance

Phase I

- **Impact EH-9**

  Phase I of the proposed medical center would not result in a significant impact to the jobs/housing balance.

- **Mitigation EH-9:** No mitigation is required.

Future Expansion

- **Impact EH-10**

  Future Expansion of the proposed medical center would not result in a significant impact to the jobs/housing balance.

- **Mitigation EH-10:** No mitigation is required.

TRANSPORTATION AND CIRCULATION (pp. 86-183)

The EIR evaluates the following impacts for the years 2000 and 2010 in the Transportation and Circulation section: local roadways and intersections using the intersection Level of Service methodologies for signalized and unsignalized intersections; freeways, including mainline segments, ramps, and weaving segments; Congestion Management Program (CMP) roadway impacts; public transit impacts; site access impacts; parking impacts; pedestrian impacts; impacts to bicycle facilities; road closure impacts; and construction impacts. With implementation of the identified feasible mitigation measures and a successful Transportation Systems Management (TSM) program, significant intersection impacts would remain as shown in Tables 1 through 4 and described below. In addition, several of the proposed mitigation measures would require mandatory peak period parking restrictions or the installation of "No Parking Zones" at on-street parking locations. The impacts associated with these parking restrictions would be less than significant at approximately three locations and significant unavoidable at about six locations, with an overall significant unavoidable cumulative loss of peak period parking, as described on pages 120

Mitigated Year 2000 Intersection Level of Service - AM Peak Period

NO.	INTERSECTION	YEAR 2000 BASELINE		YEAR 2000 + KAISER (PHASE I)		MITIGATED YEAR 2000 + KAISER (PHASE I)		MITIGATED YEAR 2000 + KAISER WITH TSMP[c]		MITIGATED YEAR 2000 CUMULATIVE	
		V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS
1	San Pablo Avenue/Ashby Avenue	0.99	E	1.03	F	1.03	F	1.02	F	1.06	F
5	San Pablo Avenue/Park Avenue	0.44	A	0.83	D	0.65	B	0.60	B	0.73	C
13	Hollis Street/45th Street	(a)	A/D	(a)	A/F	0.38	A	0.37	A	0.49	A
15	Hollis Street/Yerba Buena Avenue/Mandela Parkway (new)	(a)	A/C	(a)	A/D	0.25	A	0.24	A	0.31	A
27	Cypress Street northbound/32nd Street	(a)	A/D	(a)	A/E	(b)	D	(b)	D	(b)	E
32	Adeline Street/36th Street	(b)	F	(b)	F	0.56	A	0.55	A	0.56	A
34	Peralta Street/36th Street	(a)	A/E	(a)	A/E	0.42	A	0.42	A	0.42	A

Notes: (a) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.
(b) - Indicates an All-Way stop controlled intersection for which LOS is based on delay of vehicles at the intersection as explained in Appendix D.
(c) - TSMP is a Transportation Systems Management Program instituted by Kaiser to reduce the number of single-occupant-vehicle commute trips.

The gray-shaded areas indicate unacceptable service levels of LOS E and F.

SOURCE: Korve Engineering, 1994

TRAFFIC TABLE 1

Mitigated Year 2000 Intersection Level of Service - PM Peak Period

NO.	INTERSECTION	YEAR 2000 BASELINE		YEAR 2000 + KAISER (PHASE I)		MITIGATED YEAR 2000 + KAISER (PHASE I)		MITIGATED YEAR 2000 + KAISER WITH TSMP[c]		MITIGATED YEAR 2000 CUMULATIVE	
		V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS
1	San Pablo Avenue/Ashby Avenue	1.15	F	1.24	F	1.24	F	1.23	F	1.26	F
2	San Pablo Avenue/Alcatraz Avenue	0.95	E	1.12	F	1.12	F	1.10	F	1.14	F
3	San Pablo Avenue/Stanford Avenue	0.87	D	1.00	F	0.91	E	0.88	D	0.93	E
4	San Pablo Avenue/45th Street	0.59	A	1.09	F	0.70	C	0.66	B	0.75	C
5	San Pablo Avenue/Park Avenue	0.58	A	1.05	F	0.79	C	0.73	C	0.85	D
7	San Pablo Avenue/Adeline Street/W. MacArthur Boulevard	0.99	E	1.19	F	0.80	D	0.80	D	0.82	D
9	San Pablo Avenue/35th Street	0.82	D	0.95	E	0.73	C	0.72	C	0.76	C
10	7th Street/Ashby Avenue	1.26	F	1.31	F	1.31	F	1.30	F	1.31	F
12	Hollis Street/Powell Street	1.04	F	1.12	F	1.12	F	1.10	F	1.16	F
13	Hollis Street/45th Street	(a)	A/E	(a)	C/F	0.55	A	0.53	A	0.64	B
15	Hollis Street/Yerba Buena Avenue/Mandela Parkway (new)	(a)	A/E	(a)	A/E	0.29	A	0.29	A	0.32	A
19	Shellmound Street/Christie Avenue - North	(a)	A/F	(a)	A/F	0.41	A	0.41	A	0.41	A
21	Christie Avenue/Powell Street	1.04	F	1.07	F	1.07	F	1.07	F	1.09	F
27	Cypress Street northbound/32nd Street	(a)	B/E	(a)	B/E	(b)	D	(b)	D	(b)	D
46	San Pablo Avenue/40th Street (new)	0.81	D	1.00	F	0.79	C	0.73	C	0.80	D

Note: (a) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.
(b) - Indicates an All-Way stop controlled intersection for which LOS is based on delay of vehicles at the intersection as explained in Appendix D.
(c) - TSMP is a Transportation Systems Management Program instituted by Kaiser to reduce the number of single-occupant-vehicle commute trips.

The gray-shaded areas indicate unacceptable service levels of LOS E and F.

SOURCE: Korve Engineering, 1994

TRAFFIC TABLE 2

Mitigated Year 2010 Intersection Level of Service - AM Peak Period

NO.	INTERSECTION	YEAR 2010 BASELINE		YEAR 2010 + KAISER (BUILDOUT)		MITIGATED YEAR 2010 + KAISER (BUILDOUT)		MITIGATED YEAR 2010 + KAISER WITH TSMP[c]		MITIGATED YEAR 2010 CUMULATIVE	
		V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS
1	San Pablo Avenue/Ashby Avenue	1.21	F	1.28	F	1.28	F	1.27	F	1.32	F
2	San Pablo Avenue/Alcatraz Avenue	1.12	F	1.23	F	1.23	F	1.21	F	1.23	F
3	San Pablo Avenue/Stanford Avenue	0.86	D	0.97	E	0.97	E	0.95	E	1.00	F
5	San Pablo Avenue/Park Avenue	0.56	A	0.99	E	0.76	C	0.71	C	0.82	D
8	San Pablo Avenue/36th Street	0.77	C	0.92	E	0.73	C	0.71	C	0.81	D
12	Hollis Street/Powell Street	0.84	D	0.94	E	0.76	C	0.75	C	0.76	C
13	Hollis Street/45th Street	(a)	A/E	(a)	B/F	0.48	A	0.45	A	0.48	A
15	Hollis Street/Yerba Buena Avenue/Mandela Parkway (new)	(a)	B/F	(a)	B/F	0.41	A	0.40	A	0.48	A
19	Shellmound Street/Christie Avenue - North	(a)	A/E	(a)	A/E	0.32	A	0.32	A	0.32	A
27	Cypress Street northbound/32nd Street	(a)	A/D	(a)	A/E	0.45	A	0.45	A	0.49	A
32	Adeline Street/36th Street	(b)	F	(b)	F	0.63	B	0.63	B	0.63	B
34	Peralta Street/36th Street	(a)	A/E	(a)	A/E	0.42	A	0.42	A	0.42	A
46	San Pablo Avenue/40th Street (new)	0.92	E	1.15	F	0.69	B	0.67	B	0.75	C
164	I-80 westbound Hook-Ramp relocated from Powell Street	0.89	D	0.92	E	0.92	E	0.91	E	0.98	E

Notes: (a) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.
(b) - Indicates an All-Way stop controlled intersection for which LOS is based on delay of vehicles at the intersection as explained in Appendix D.
(c) - TSMP is a Transportation Systems Management Program instituted by Kaiser to reduce the number of single-occupant-vehicle commute trips.
The gray-shaded areas indicate unacceptable service levels of LOS E and F.

SOURCE: Korve Engineering, 1994

TRAFFIC TABLE 3

Mitigated Year 2010 Intersection Level of Service - PM Peak Period

NO.	INTERSECTION	YEAR 2010 BASELINE		YEAR 2010 + KAISER (BUILDOUT)		MITIGATED YEAR 2010 + KAISER (BUILDOUT)		MITIGATED YEAR 2010 + KAISER WITH TSMP[c]		MITIGATED YEAR 2010 CUMULATIVE	
		V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS
1	San Pablo Avenue/Ashby Avenue	1.32	F	1.42	F	1.42	F	1.40	F	1.44	F
2	San Pablo Avenue/Alcatraz Avenue	1.18	F	1.36	F	1.36	F	1.34	F	1.38	F
3	San Pablo Avenue/Stanford Avenue	1.12	F	1.30	F	1.13	F	1.10	F	1.16	F
4	San Pablo Avenue/45th Street	0.79	C	1.24	F	0.82	D	0.79	C	0.82	D
5	San Pablo Avenue/Park Avenue	0.69	B	1.09	F	0.83	D	0.78	C	0.89	D
7	San Pablo Avenue/Adeline Street/W. MacArthur Boulevard	1.09	F	1.25	F	0.88	D	0.88	D	0.89	D
9	San Pablo Avenue/35th Street	0.96	E	0.99	E	0.72	C	0.72	C	0.75	C
10	7th Street/Ashby Avenue	1.03	F	1.11	F	1.11	F	1.09	F	1.12	F
11	Hollis Street/65th Street	1.22	F	1.25	F	0.99	E	0.96	E	1.00	F
12	Hollis Street/Powell Street	1.59	F	1.81	F	1.23	F	1.21	F	1.23	F
13	Hollis Street/45th Street	(a)	D/F	(a)	F/F	0.72	C	0.69	B	0.72	C
14	Hollis Street/Park Avenue	0.89	D	1.16	F	0.73	C	0.70	C	0.74	C
15	Hollis Street/Yerba Buena Avenue/Mandela Parkway (new)	(a)	B/F	(a)	B/F	0.44	A	0.43	A	0.48	A
18	Bay Street/65th Street	(b)	F	(b)	F	0.83	D	0.83	D	0.83	D
19	Shellmound Street/Christie Avenue - North	(a)	A/F	(a)	A/F	0.59	A	0.59	A	0.59	A
20	Shellmound Street/Christie Avenue - South	1.16	F	1.21	F	0.86	D	0.86	D	0.86	D

(a) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.

(b) - Indicates an All-Way stop controlled intersection for which LOS is based on delay of vehicles at the intersection as explained in Appendix D.

(c) - TSMP is a Transportation Systems Management Program instituted by Kaiser to reduce the number of single-occupant-vehicle commute trips.

The gray-shaded areas indicate unacceptable service levels of LOS E and F.

SOURCE: Korve Engineering, 1994

TRAFFIC TABLE 4

to 150. With implementation of the transportation and circulation mitigation measures identified in Section II, C, all impacts to freeways, CMP roadways, public transit, site access, project parking, and bicycle facilities, and road closure and construction impacts would be reduced to a less than significant level. (NOTE: The summary of transportation and circulation impacts is described in terms of the horizon years 2000 and 2010. Year 2000 corresponds to Phase I of the project and year 2010 corresponds to the Future Expansion phases.)

Project Intersection Impacts, Year 2000 (Feasible in Emeryville)

This section describes intersection impacts that can be mitigated by roadway and intersection improvements that are considered feasible and within the City of Emeryville. These improvements include widening at three locations and restriping at four locations, with the installation of a signal at two of these locations and mandatory peak period parking restrictions at five of these locations. Pages 120 to 128 contain a full description of the following mitigation measures.

- **Impact Cir-1**

  The intersection of San Pablo Avenue/45th Street would operate at an unacceptable Level of Service "F" in the p.m. peak period which would be a significant impact.

- **Mitigation Cir-1**

  Implementation of mitigation measure Cir-1.1 would reduce project impacts in the p.m. peak period to a less than significant level.

- *Cir-1.1:* *Add a ~~third through lane in the northbound and southbound directions on San Pablo Avenue~~ ~~second eastbound left turn lane and an exclusive eastbound right turn lane~~ and an exclusive eastbound left turn lane on 45th Street.*

- **Impact Cir-2**

  The San Pablo Avenue/Park Avenue intersection would operate at an unacceptable Level of Service "F" in the p.m. peak period which would be considered a significant impact.

- **Mitigation Cir-2**

  Implementation of mitigation measure Cir-2.1 would reduce project impacts in the p.m. peak period to a less than significant level.

- *Cir-2.1* *Add ~~an exclusive eastbound right turn lane on Park Avenue and a second exclusive left turn lane in the northbound direction~~ a third through lane in the northbound and southbound directions on San Pablo Avenue.*

- **Impact Cir-3**

  The intersection of San Pablo Avenue/Adeline Street/W. MacArthur Boulevard would operate at an unacceptable Level of Service "F" in the p.m. peak period which would be considered a significant impact.

- **Mitigation Cir-3**

  Implementation of mitigation measure Cir-3.1 would reduce project impacts in the p.m. peak period to a less than significant level.

- *Cir-3.1* *Add a third through lane in the northbound and southbound directions, prohibit left turns in the northbound and southbound directions on San Pablo Avenue, and add an exclusive left turn lane in the westbound direction on Adeline Street.*

- **Impact Cir-4**

The intersection of Hollis Street/45th Street would operate at an unacceptable Level of Service "F" in the a.m. and p.m. peak periods which would be considered a significant impact.

- **Mitigation Cir-4**

Implementation of mitigation measure Cir-4.1 would reduce project impacts in the a.m. and p.m. peak periods to a less than significant level.

- *Cir-4.1* *Restripe 45th Street to provide an exclusive left turn lane in the westbound direction at Hollis Street, as well as the installation of a no parking zone on one side of 45th Street. ~~Restripe Hollis Street to provide a left turn lane in the northbound and southbound directions.~~ Restripe Hollis to provide two through lanes on both approaches. Installation of a traffic signal would also be required at Hollis and 45th Streets.*

- **Impact Cir-5**

The intersection of San Pablo Avenue/40th Street would operate at an unacceptable Level of Service "F" in the p.m. peak period which would be a significant impact.

- **Mitigation Cir-5**

Implementation of mitigation measure Cir-5.1 would reduce project impacts in the p.m. peak period to a less than significant level.

- *Cir-5.1* *Add a third through lane in the northbound and southbound directions on San Pablo Avenue, as well as an eastbound shared through/right turn lane on 40th Street.*

- **Impact Cir-6**

The intersection of Powell Street/Doyle Street would operate at an unacceptable Level of Service in the p.m. peak period which would be considered a significant impact.

- **Mitigation Cir-6**

Implementation of mitigation measure Cir-6.1 would reduce project impacts in the p.m. peak period to a less than significant level.

- *Cir-6.1* *Install a traffic signal at the intersection of Powell Street/Doyle Street. Restripe Powell Street approaches to provide an exclusive left turn pocket in both directions at Doyle Street.*

- **Impact Cir-7**

The project traffic volumes would result in significant impacts to Hollis and Powell Streets.

- **Mitigation Cir-7**

  Implementation of mitigation measure Cir-7.1 would reduce project impacts to a less than significant level.

- *Cir-7.1 Construct a ~~three~~ two lane Horton-Landregan Connection, with turn lanes into the Chiron project, and a ~~three~~ two lane Stanford Avenue Extension between Horton-Landregan and Hollis Street, with left and right turn lanes at the Hollis Street intersection.*

Project Intersection Impacts, Year 2000 (Feasible Outside Emeryville)

This section describes intersection impacts that can be mitigated by roadway and intersection improvements that are considered feasible but are located outside of the City of Emeryville's jurisdiction. The other jurisdictions include the City of Oakland, the City of Berkeley, and Caltrans. Pages 128 to 130 contains a full description of the following mitigation measures.

- **Impact Cir-8**

  The intersection of San Pablo Avenue/Stanford Avenue would operate at an unacceptable Level of Service "F" in the p.m. peak period which would be considered a significant impact.

- **Mitigation Cir-8**

  Implementation of mitigation measure Cir-8.1 would reduce project impacts in the p.m. peak period, but not to a less than significant level. The addition of mitigation measure Cir-8.2, the Transportation System Management Program, would reduce impacts to a less than significant level as shown in Table 15.

- *Cir-8.1 Add an exclusive right turn lane in the eastbound direction and convert the existing eastbound through lane in the eastbound direction to a shared through/right lane.*

- *Cir-8.2 Implementation of the Transportation System Management Program described below on page 132 would achieve a Level of Service "D" with a V/C ratio of 0.88 as shown in Table 15.*

- **Impact Cir-9**

  The intersection of San Pablo Avenue/35th Street would operate at an unacceptable Level of Service "E" in the p.m. peak period which would be considered a significant impact.

- **Mitigation Cir-9**

  Implementation of mitigation measure Cir-9 would reduce project impacts in the p.m. peak period to a less than significant level.

- *Cir-9.1 Add a second left turn lane in the southbound direction.*

- **Impact Cir-10**

  The intersection of Cypress Street Northbound/32nd Street would operate at an unacceptable Level of Service "E" in the a.m. and p.m. peak periods which would be considered a significant impact.

- **Mitigation Cir-10**

  Implementation of mitigation measure Cir-10.1 would reduce project impacts in the a.m. and p.m. peak periods to a less than significant level.

- *Cir-10.1* *Install a four-way stop sign control at this intersection.*

  This mitigation would require the installation of a stop sign on the northbound Cypress Street approach.

Project Intersection Impacts, Year 2000 (Infeasible)

Six of the impacted intersections cannot be mitigated to acceptable levels by physical intersection improvements. At these intersections, mitigation measures are not sufficient to reduce the impacts to a less than significant level. Four of the mitigation measures identified are considered infeasible since they would require acquisition of significant property for right-of-way, removal of buildings, and displacement of businesses. Feasible mitigations are not available at the following intersections: San Pablo Avenue/Ashby Avenue (Berkeley), San Pablo Avenue/ Alcatraz Avenue (Oakland), San Pablo Avenue/Stanford Avenue (Oakland), Ashby Avenue/7th Street (Berkeley), Powell Street/Christie Avenue (Emeryville), and Powell Street/Hollis Street (Emeryville). Impacts from the project at these six intersections are significant unavoidable impacts. Pages 130 to 133 describe the infeasible roadway and intersection improvements.

Phase I of the proposed medical center would result in significant impacts to 16 intersections. With implementation of the feasible mitigation measures and the Transportation Systems Management Program, one intersection would continue to operate at an unacceptable level of service in the a.m. peak period, and five intersections would continue to operate at an unacceptable level of service in the p.m. peak period. The remaining 10 intersections would operate at acceptable levels of service.

Cumulative Intersection Impacts, Year 2000 (Feasible in Emeryville)

The following mitigation measures for year 2000 cumulative conditions address the intersections that are not impacted by project traffic but are impacted by the addition of cumulative traffic. It should be noted that the project sponsor would be responsible for funding its fair share of the cumulative improvements described below. The other cumulative project sponsors would also be responsible for contributing their share to the funding of the identified cumulative improvements. These feasible mitigation measures are in addition to those previously described for the year 2000 baseline plus project scenario. There are no additional infeasible mitigation measures identified for cumulative impacts in the year 2000. Pages 133 to 135 describe these cumulative mitigation measures.

- **Impact Cir-11**

  Cumulative traffic would result in an unacceptable Level of Service in the a.m. peak period at the Adeline Street/36th Street intersection which would be considered a significant impact.

- **Mitigation Cir-11**

  Implementation of cumulative mitigation measure Cir-11.1 would reduce cumulative impacts in the a.m. peak period to a less than significant level.

- *Cir-11.1* *Install a traffic signal at this intersection.*

- **Impact Cir-12**

  Cumulative traffic would result in an unacceptable Level of Service in the p.m. peak period at the Shellmound Street/Christie Avenue North intersection which would be considered a significant impact.

- **Mitigation Cir-12**

  Implementation of mitigation measure Cir-12.1 would reduce cumulative impacts in the p.m. peak period to a less than significant level.

- *Cir-12.1* *Restripe Christie Avenue to provide a shared through/right lane and a shared left/through lane in the southbound direction.*

■ **Impact Cir-13**

Cumulative traffic would result in an unacceptable Level of Service in the p.m. peak period at the Peralta Street/36th Street intersection which would be considered a significant impact.

■ **Mitigation Cir-13**

Implementation of mitigation measure Cir-13.1 would reduce cumulative impacts in the p.m. peak period to a less than significant level.

- *Cir-13.1* *Install a traffic signal at this intersection.*

■ **Impact Cir-14**

Cumulative traffic would result in a significant impact at the Hollis Street/Yerba Buena Avenue/Mandela Parkway intersection in the p.m. peak period.

■ **Mitigation Cir-14**

Implementation of mitigation measure Cir-14.1 would reduce cumulative impacts in the p.m. peak period to a less than significant level.

- *Cir-14.1* *Install a traffic signal at this intersection.*

Project Intersection Impacts and Mitigations, Year 2010 (Feasible in Emeryville)

This section describes year 2010 intersection impacts that can be mitigated by roadway and intersection improvements that are considered feasible and within the City of Emeryville. The mitigation measures include restriping to provide additional lanes at six locations and roadway widening at two locations. Mandatory peak period parking restrictions would also be necessary at five locations. The only other roadway mitigation would be the construction of a three lane Doyle Street-Haven Street connection from the project site to Powell Street. Pages 135 to 150 describe these mitigation measures in detail.

■ **Impact Cir-15**

The intersection of San Pablo Avenue/36th Street would operate at an unacceptable Level of Service in the a.m. peak period which would be considered a significant impact.

■ **Mitigation Cir-15**

Implementation of mitigation measure Cir-15.1 would reduce project impacts in the a.m. peak period to a less than significant level.

- *Cir-15.1* ~~*Restripe the existing westbound approach on 36th Street to convert the northernmost through lane to a shared through/right lane and provide striping to facilitate the double right turn movement by channelling the right turn movements from the exclusive right turn lane on 36th Street into the curb lane for northbound traffic on San Pablo Avenue.*~~ *Restripe San Pablo Avenue to provide a third through lane in the northbound and southbound direction*~~*s and an exclusive left turn lane in the northbound direction.*~~ *This mitigation would require a mandatory peak period parking restriction on San Pablo Avenue between 35th Street and 37th* ~~*40th*~~ *Street* ~~*as described for previous mitigations.*~~

- **Impact Cir-16**

  The intersection of Hollis Street/65th Street would operate at an unacceptable Level of Service in the p.m. peak period, which would be considered a significant impact.

- **Mitigation Cir-16**

  Implementation of mitigation measure Cir-16.1 would reduce project impacts in the p.m. peak period, but not to a less than significant level.

  - *Cir-16.1* *Add an exclusive left turn lane on the eastbound and westbound 65th Street approaches to Hollis Street.*

- **Impact Cir-17**

  The intersection of Powell Street/Hollis Street would operate at an unacceptable Level of Service in the a.m. and p.m. peak periods, which would be considered a significant impact.

- **Mitigation Cir-17**

  Implementation of mitigation measure Cir-17.1 would reduce project impacts in the a.m. and p.m. peak period, but not to a less than significant level.

  - *Cir-17.1* *Add an exclusive left turn lane in the southbound direction on Hollis Street and a shared through/left turn lane in the northbound direction on Hollis Street.*

- **Impact Cir-18**

  The intersection of Hollis Street/Park Avenue would operate at an unacceptable Level of Service in the p.m. peak period, which would be considered a significant impact.

- **Mitigation Cir-18**

  Implementation of mitigation measure Cir-18.1 would reduce project impacts in the p.m. peak period to a less than significant level.

  - *Cir-18.1* *Add an exclusive left turn lane in the eastbound and westbound directions on Park Avenue and a second through lane in the northbound and southbound directions on Hollis Street.*

- **Impact Cir-19**

  The intersection of Bay-Shellmound Street/Christie Avenue South would operate at an unacceptable Level of Service in the p.m. peak period, which would be considered a significant impact.

- **Mitigation Cir-19**

  Implementation of mitigation measure Cir-19.1 would reduce project impacts in the p.m. peak period to a less than significant level.

  - *Cir-19.1* *Add a second exclusive left turn lane in the northbound direction on Bay Street-Shellmound at Christie Avenue South.*

- **Impact Cir-20**

  The intersection of Hollis Street/45th Street would operate at an unacceptable Level of Service in the p.m. peak period which would be considered a significant impact.

- **Mitigation Cir-20**

  ~~Mitigation measure Cir-20.1 for the Hollis Street/45th Street intersection (Cir-20.1) has been advanced to year 2000 to be combined with mitigation measure Cir-4.1. As revised, mitigation measure Cir-4.1 would reduce significant cumulative impacts at the Hollis/45th Street intersection to a less than significant level. Therefore, Cir-20.1 is deleted as follows.~~

  ~~Implementation of mitigation measure Cir-20.1, in addition to the mitigation measure described in the year 2000 baseline plus project scenario, would reduce project impacts in the p.m. peak period to a less than significant level.~~

  - ~~*Cir-20.1 Restripe Hollis to provide two through lanes on both approaches.*~~

- **Impact Cir-21**

  The intersection of Adeline Street/40th Street would operate at an unacceptable Level of Service in the p.m. peak period which would be considered a significant impact.

- **Mitigation Cir-21**

  Implementation of mitigation measure Cir-21.1 would reduce project impacts in the p.m. peak period to a less than significant level.

  - *Cir-21.1* *Add an exclusive left turn lane in the northbound and southbound directions on Adeline Street.*

Project Intersection Impacts, Year ~~2000~~ 2010 (Feasible Outside Emeryville)

This section describes intersection impacts that can be mitigated by roadway and intersection improvements that are considered feasible but are located outside of the City of Emeryville's jurisdiction. The other jurisdictions include the City of Oakland, the City of Berkeley, and Caltrans. Page 150 contains a full description of the following mitigation measures.

- **Impact Cir-22**

  The intersection of Powell Street/I-80 Eastbound Ramp would operate at an unacceptable Level of Service in the p.m. peak period, which would be considered a significant impact.

- **Mitigation Cir-22**

  Implementation of mitigation measure Cir-22.1 would reduce project impacts in the PM peak hour to a less than significant level.

  - *Cir-22.1* *Add a second exclusive left turn lane in the northbound direction on the off-ramp at Powell Street.*

Project Intersection Impacts, Year ~~2000~~ 2010 (Infeasible)

Sixteen of the impacted intersections cannot be mitigated to acceptable levels by physical intersection improvements. At these intersections, mitigation measures are not sufficient to reduce the impacts to a less than significant level. Some of the mitigation measures identified are considered infeasible since they would require acquisition of significant property for right-of-way, removal of buildings, and displacement of businesses. Impacts from the project at the following 16 intersections are significant unavoidable impacts:

- San Pablo Avenue/Ashby Avenue (Berkeley)
- San Pablo Avenue/Stanford Avenue (Oakland)
- Ashby Avenue/7th Street (Berkeley)
- Telegraph Avenue/40th Street (Oakland)
- Hollis Street/65th Street (Emeryville)
- Hollis Street/40th Street (Emeryville)
- Market Street/40th Street (Oakland)
- Market Street/W. MacArthur Blvd. (Oakland)
- I-80 Westbound Hook-Ramp/West Frontage Road (Emeryville)
- San Pablo Avenue/Alcatraz Avenue (Oakland)
- San Pablo Avenue/40th Street (Emeryville)
- Adeline Street/Market Street (Oakland)
- Telegraph Avenue/W. MacArthur Blvd. (Oakland)
- Hollis Street/Powell Street (Emeryville)
- Christie Avenue/Powell Street (Emeryville)
- Adeline Street/Martin Luther King Jr. Way (Berkeley)
- ~~I-80 Eastbound Ramps/Powell Street~~

Intersections where mitigation measures were not recommended for the year 2000 scenario are not discussed below. The following mitigation measures were considered for the Year 2010 scenario for the intersections of San Pablo Avenue/40th Street, Adeline Street/Market Street, Telegraph Avenue/40th Street, Telegraph Avenue/W. MacArthur Boulevard, I-80 westbound Hook-Ramp, Hollis Street/65th Street, Hollis Street/40th Street, Adeline Street/Martin Luther King Jr. Way, Market Street/40th Street, and Market Street/W. MacArthur Boulevard, but not recommended because they were deemed infeasible. Pages 150 to 154 contain a description of the infeasible mitigation measures.

Cumulative Intersection Impacts and Mitigations, Year 2010 (Feasible in Emeryville)

This section describes year 2010 cumulative intersection impacts that can be mitigated by roadway and intersection improvements that are considered feasible and within the City of Emeryville. The following mitigation measures for cumulative conditions are in addition to those previously listed for the year 2000 baseline plus project, year 2000 cumulative, or year 2010 baseline plus project scenarios. There are no feasible mitigation measures identified at locations outside of Emeryville. It should be noted that the project sponsor would be responsible for funding its fair share of the cumulative improvements described below. The other cumulative projects would also be responsible for funding their fair share contribution to the cumulative roadway improvements.

- **Impact Cir-23**

  The intersection of Bay Street/65th Street would operate at an unacceptable Level of Service in the p.m. peak period, which would be considered a significant impact.

- **Mitigation Cir-23**

  Implementation of cumulative mitigation measure Cir-23.1 would reduce cumulative impacts in the p.m. peak period to a less than significant level.

  - *Cir-23.1* *Add an exclusive left turn lane in the eastbound and westbound directions on 65th Street as well as a second through lane in the northbound and southbound directions on Bay Street.*

- **Impact Cir-24**

  The intersection of Cypress Street Northbound/32nd Street would operate at an unacceptable Level of Service in the a.m. and p.m. peak periods, which would be considered a significant impact.

- **Mitigation Cir-24**

  Implementation of cumulative mitigation measure Cir-24.1 would reduce cumulative impacts in the a.m. and p.m. peak periods to a less than significant level.

- *Cir-24.1* *Install a traffic signal at the intersection of Cypress Street northbound/ 32nd Street.*

- **Impact Cir-25**

  The intersection of Adeline Street/35th Street would operate at an unacceptable Level of Service in the p.m. peak period, which would be considered a significant cumulative impact.

- **Mitigation Cir-25**

  Implementation of cumulative mitigation measure Cir-25.1 would reduce cumulative impacts in the p.m. peak period to a less than significant level.

- *Cir-25.1* *Install a traffic signal at the intersection of Adeline Street/35th Street.*

Cumulative Intersection Impacts, Year ~~2000~~ 2010 (Infeasible)

Future cumulative conditions at the intersection of I-80 eastbound ramps/Powell Street, as well as those previously cited for the year 2010 baseline plus project scenario, would be considered significant unavoidable impacts. In addition to the infeasible improvements identified for the year 2010 baseline plus project scenario, the improvements to I-80 eastbound ramps/Powell Street would be considered infeasible for the year 2010 cumulative scenario. A description of this mitigation measure is provided on page 155.

The Road Closure Impacts and Mitigations section is reformatted to clarify which impacts and mitigation measures would occur in year 2000 and which impacts and mitigation measures would occur in 2010.

Road Closure Impacts and Mitigations, Year 2000

The following impacts and mitigation measures are described for year 2000. The intersection level of service analysis and roadway impacts discussion above addresses the cumulative impacts of planned roadway closures for year 2000. See pages 156 and 157 for a detailed description of the mitigation measures.

Abandonment of the Planned Haven Street Extension

- **Impact Cir-26A**

  ~~The project would result in an impact to traffic circulation with the elimination of the Doyle Haven Extension.~~ Phase I would involve the abandonment of the portion of Emery Street between Park Avenue and 45th Street. Since the existing live/work units along this portion of Emery Street would be replaced by medical uses, the closure of Emery Street would result in a less than significant impact.

- **Mitigation Cir-26A:** No mitigation is required.

  ~~Implementation of mitigation measure Cir-26.1 would reduce project impacts to a less than significant level.~~

- ~~*Cir-26.1* *Construct a three lane Haven Street Extension from 47th Street to Powell Street to serve as a major project access to the north.*~~

Closure of Watts Street

- **Impact Cir-27**

  The project would result in an impact with the closure of Watts Street in year 2000.

- **Mitigation Cir-27**

  Implementation of either mitigation measure Cir-27.1 or Cir-27.2 would reduce project impacts to a less than significant level. These options are intended for the proposed project only and are not relevant for the project alternative using the AC Transit site for build-out development, which would involve the relocation of the bus maintenance facility to another location.

- *Cir-27.1* *Construct a new entrance to the AC Transit maintenance yard on 47th Street approximately 125 feet west of San Pablo Avenue. The existing driveway would serve exiting buses.* **OR**

- *Cir-27.2* *Widen the existing driveway on 45th Street to allow for both ingress and egress at this location, and modify the existing curbline to provide a 45-feet radius at the northwest corner of the San Pablo Avenue/45th Street intersection.*

Road Closure Impacts and Mitigations, Year 2010

The following impacts and mitigation measures are described for year 2010. The intersection level of service analysis and roadway impacts discussion above addresses the cumulative impacts of planned roadway closures for year 2010. See pages 156 and 157 for a detailed description of the mitigation measures.

Abandonment of the Planned Haven Street Extension

- **Impact Cir-26B**

  Future Expansion of the ~~The~~ project would result in an impact to traffic circulation with the elimination of the Doyle-Haven Extension, due to the shift in traffic patterns which would result in significant impacts at several intersections.

- **Mitigation Cir-26B**

  Implementation of mitigation measure Cir-26.1 would reduce project impacts to a less than significant level.

- *Cir-26.1* *Construct a ~~three~~ two lane Haven Street Extension from 47th Street to Powell Street, with three lanes provided only as needed at the junctions with major cross streets such as Powell Street and 47th Street to serve as a major project access to the north.*

Freeway Impacts, Year 2010

Future freeway conditions in the vicinity of Emeryville were analyzed for the year 2010. This analysis determined that the addition of project traffic would not result in a significant change in freeway Levels of Service.

- **Impact Cir-28**

  The project would not result in significant freeway impacts in the year 2010.

- **Mitigation Cir-28: No mitigation is required.**

Cumulative Freeway Impacts, Year 2010

- **Impact Cir-29**

  The project would not result in significant cumulative freeway impacts in the year 2010.

- **Mitigation Cir-29: No mitigation is required.**

Alameda County Congestion Management Program (CMP) Roadway Impacts, Year 2000

Traffic associated with the proposed medical center would travel on Alameda County Congestion Management Program (CMP) roadway network. In the project area the CMP network consists of the regional freeway system, analyzed in the preceding section, and San Pablo Avenue (State Route 123). The project would result in less than significant impacts to the CMP roadway network.

- **Impact Cir-30**

  In the year 2000, the project would not result in a significant impact to the CMP roadway network.

- **Mitigation Cir-30:** No mitigation is required.

Cumulative CMP Roadway Impacts, Year 2000

- **Impact Cir-31**

  In the year 2000, the project would not result in a significant cumulative impact to the CMP roadway network.

- **Mitigation Cir-31:** No mitigation is required.

CMP Roadway Impacts, Year 2010

- **Impact Cir-32**

  In the year 2010, the project would not result in a significant impact to the CMP roadway network.

- **Mitigation Cir-32:** No mitigation is required.

Cumulative CMP Roadway Impacts, Year 2010

- **Impact Cir-33**

  In the year 2010, the project would not result in a significant cumulative impact to the CMP roadway network.

- **Mitigation Cir-33:** No mitigation is required.

Transit Impacts, Year 2000

Project and cumulative transit impacts are described on pages 163 to 166. Project impacts in the years 2000 and 2010 would be less than significant. Significant cumulative impacts in the years 2000 and 2010 can be reduced to a less than significant level.

- **Impact Cir-34**

  The project would not result in a significant transit impact in the year 2000.

- **Mitigation Cir-34:** No mitigation is required.

Cumulative Transit Impacts, Year 2000

- **Impact Cir-35**

  The project would result in a significant cumulative transit impact in the year 2000.

- **Mitigation Cir-35**

  Implementation of mitigation measure 35.1 would reduce cumulative impacts to a less than significant level.

- *Cir-35.1* *The project, as well as other local projects, should contribute to a mass transit fund (the Amtrak Amortization Fee) for use in developing local and regional transit capacity.*

Transit Impacts, Year 2010

- **Impact Cir-36**

  The project would not result in a significant transit impact in the year 2010.

- **Mitigation Cir-36:** No mitigation is required.

Cumulative Transit Impacts, Year 2010

- **Impact Cir-37**

  The project would result in a significant cumulative transit impact in the year 2010.

- **Mitigation Cir-37**

  Implementation of mitigation measure Cir-37.1 would reduce cumulative impacts to a less than significant level.

- *Cir-37.1* *The project, as well as other local projects, should contribute to a mass transit fund for use in developing local and regional transit capacity.*

Parking Impacts, Year 2000

The discussion of parking impacts is provided on pages 166 to 168. The project parking supply was compared to the projected demand based upon ITE demand generation rates plus five percent to determine whether or not the project would provide adequate parking.

- **Impact Cir-38**

  The project would not result in a significant parking impact in the year 2000.

- **Mitigation Cir-38:** No mitigation is required.

Parking Impacts, Year 2010

- **Impact Cir-39**

  The project would not result in a significant parking impact in the year 2010.

- **Mitigation Cir-39:** No mitigation is required.

Site Access Impacts, Year 2000

Site access impacts describe the conditions relating to the entrances into and exits from the site. These impacts are described on pages 169 to 171. All site access impacts can be reduced to a less than significant level.

- **Impact Cir-40**

  The project would result in impacts to the intersection of Park Avenue/Emery Street due to the location of the garage access points.

- **Mitigation Cir-40**

  Implementation of mitigation measures Cir-40.1 and Cir-40.2 would reduce significant impacts to a less than significant level.

- *Cir-40.1* *The proposed access driveway along Park Avenue should be limited to access for inbound traffic only, while the access driveway along 45th Street should be limited to access for outbound traffic only.*

- *Cir-40.2* *The installation of a traffic signal at the intersection of Park Avenue/Emery Street.*

- **Impact Cir-41**

  The project would result in impacts to the roadway pavement along Park Avenue and 45th Street.

- **Mitigation Cir-41**

  Implementation of mitigation measure Cir-~~40.1~~ 41.1 would reduce significant impacts to a less than significant level.

- *Cir-41.1* ~~*The project applicant shall overlay and improve the structural section, if needed, on Park Avenue, from San Pablo Avenue to Halleck Street, and along the project frontage on 45th Street.*~~ The structural section, if needed, on Park Avenue, from San Pablo Avenue to Halleck Street, and along the project frontage on 45th Street, shall be overlayed and improved.

- **Impact Cir-42**

  The project would result in a significant site access impact at the garage on Hollis Street.

- **Mitigation Cir-42**

  Implementation of mitigation measure Cir-42.1 would reduce significant site access impacts to a less than significant level.

- *Cir-42.1* *Restrict the access driveway along Hollis Street at the garage to outbound movements only. Inbound traffic would access this garage via an access driveway located on the east side of the garage. Access would be via a driveway connecting to ~~Emery~~ Haven Street.*

- **Impact Cir-43**

  The absence of off-street truck loading facilities would result in significant site access impacts.

- **Mitigation Cir-43**

  Implementation of mitigation measure Cir-43.1 would reduce significant site access impacts to a less than significant level.

- *Cir-43.1* *Provide off-street truck loading facilities.*

Site Access Impacts, Year 2010

- **Impact Cir-44**

  The project would result in a significant site access impact in the year 2010.

- **Mitigation Cir-44**

  The following mitigation measure would reduce significant site access impacts associated with the Hollis Street garage access.

- *Cir-44.1* *Restrict the Hollis Street access to exiting vehicles only and provide an entrance access on the east side of the garage. Access would be provided by a driveway connecting to 53rd Street.*

Project Pedestrian Impacts, Year 2000

Pedestrian impacts resulting from Phase I and Future Expansion of the medical center are described on pages 172 to 174. Pedestrian impacts include vehicular/pedestrian conflicts, poor handicap access (as defined by the Americans With Disabilities Act (ADA)), and inadequate pedestrian facility capacity. All impacts can be reduced to a less than significant level.

- **Impact Cir-45**

  Phase I of the project would result in significant pedestrian impacts at the periphery of the site due to potential conflicts with automobiles or trucks.

- **Mitigation Cir-45**

  Implementation of mitigation measures Cir-45.1 and Cir-45.2 would reduce significant pedestrian conflicts to a less than significant level.

- *Cir-45.1* *Provide audio and visual warning devices at the junction of all sidewalks with automobile or truck access to garages or loading areas along the periphery of the Phase I site.*

- *Cir-45.2* *Meet all ADA requirements for all new pedestrian facilities constructed for the project.*

Project Pedestrian Impacts, Year 2010

- **Impact Cir-46**

  Significant pedestrian impacts would occur at the crossing of 45th Street between the Phase I site and the Future Expansion site. Significant pedestrian impacts would occur at the San Pablo Avenue crossings at 47th Street and at the 47th Street crossing on the west side of San Pablo Avenue.

- **Mitigation Cir-46**

  Pedestrian impacts on 45th Street would be reduced to a less than significant impact with the following mitigation.

- *Cir-46.1* *Provide pavement markings, signing, and other related traffic control devices to indicate the location of at-grade crossings for pedestrians along 45th Street.*

- *Cir-46.2* *Provide pavement markings and signing to clearly indicate access locations for handicapped persons.*

The Cumulative Pedestrian Impacts section is reformatted to clarify which impacts and mitigation measures would occur in year 2000 and which impacts and mitigation measures would occur in 2010.

Cumulative Pedestrian Impacts, Years 2000

- **Impact Cir-47A**

  The Phase I site is currently surrounded by sidewalks which would be maintained, reconstructed, widened, or supplemented as part of the Phase I medical center project. As a result, Phase I would not result in significant cumulative pedestrian impacts.

- **Mitigation Cir-47A:** **No mitigation is required.**

Cumulative Pedestrian Impacts, Years 2010

- **Impact Cir-47B**

  Increased project generated traffic associated with buildout of the project and other cumulative development would cause significant pedestrian impacts at the crossings of San Pablo Avenue at 47th Street and the crossing of 47th Street on the west side of San Pablo Avenue.

- **Mitigation Cir-47B**

  Pedestrian impacts on the San Pablo Avenue crossings and 47th Street crossing would be mitigated to a less than significant level with the following measures. Due to the close proximity of the Future Expansion site to the nearby school and swim center, funding for this mitigation measure should be the responsibility of Kaiser with buildout of the project.

- *Cir-47.1* *Install pedestrian signal heads for pedestrians crossing 47th Street~~,~~ and advance pedestrian warning signs on San Pablo Avenue, ~~and pavement striping on San Pablo Avenue ("Slow School Crossing")~~.*

Bicycle Impacts, Year 2000

Pages 174 to 177 describe bicycle impacts resulting from inadequate bike facilities serving the site, or from the interference of vehicular traffic increases with bicycle traffic along bikeways. All impacts can be reduced to a less than significant level.

- **Impact Cir-48**

  Phase I of the project would result in significant bicycle impacts in the year 2000.

- **Mitigation Cir-48**

  Implementation of mitigation measures Cir-48.1 and Cir-48.2 would reduce year 2000 bicycle impacts to a less than significant level.

- *Cir-48.1* *Provide a continuous north-south Class I bike path along the ~~Doyle-Haven Street Extension~~ Haven Street alignment through the project site, between Parking Avenue and 45th Street.*

- *Cir-48.2* *Provide a Class II bike lane along Park Avenue, between San Pablo Avenue and Hollis Street.*

Cumulative Bicycle Impacts, Year 2000

- **Impact Cir-49**

  Phase I of the project would result in significant cumulative bicycle impacts in the year 2000.

- **Mitigation Cir-49**

  Implementation of mitigation measure Cir-49.1 would reduce year 2000 cumulative bicycle impacts to a less than significant level. It should be noted that the project sponsor would be responsible for funding its fair share of the cumulative improvements described below. The other cumulative projects would also be responsible for contributing their fair share to the funding of these improvements.

- *Cir-49.1* *Provide the Class I bike paths and Class II bike lanes in the vicinity of the Phase I site, as proposed in the General Plan (see Figure 14). In particular, Class I bike paths should be provided along Halleck Street, between Sherwin Street and 53rd Street. Class II bike lanes should also be installed along Park Avenue, between Hollis Street and Halleck Street, along 40th Street, between Adeline Street and Bay-Shellmound Street, and along Holden Street, between 40th Street and Park Avenue.*

Bicycle Impacts, Year 2010

- **Impact Cir-50**

  Future Expansion of the project would result in significant bicycle impacts in the year 2010.

- **Mitigation Cir-50**

  Implementation of mitigation measures Cir-50.1 and Cir-50.2 would reduce year 2010 bicycle impacts to a less than significant level.

- *Cir-50.1* *Provide a continuous north-south Class I bike path along the Doyle-Haven Street Extension, between ~~Park Avenue~~ 45th Street and 53rd Street.*

- *Cir-50.2* *Provide a Class II bike lane along 47th Street, between San Pablo Avenue and Doyle Street.*

Cumulative Bicycle Impacts, Year 2010

- **Impact Cir-51**

  Future Expansion of the project would result in significant cumulative bicycle impacts in the year 2010.

- **Mitigation Cir-51**

  Implementation of mitigation measure Cir-51.1 would reduce year 2000 cumulative bicycle impacts to a less than significant level. It should be noted that the project sponsor would be responsible for funding its fair share of the cumulative improvements described below. The other cumulative projects would also be responsible for contributing their fair share to the funding of these improvements.

- *Cir-51.1* *Provide the Class I bike paths and Class II bike lanes in the vicinity of the Phase I site, as proposed in the General Plan (see Figure 14). In particular, Class I bike paths should be provided along the Doyle-Haven Street Extension, from 53rd Street to Stanford Avenue. Class II bike lanes should also be installed along 47th Street, between Adeline Street and San Pablo Avenue, and along the Horton-Landregan Street Extension, between 40th Street and Stanford Avenue.*

Project Construction Impacts, Year 2000

Project and cumulative construction impacts are described on pages 177 to 183 for year 2000 and year 2010. The EIR evaluates construction traffic impacts, street closures, construction worker parking intrusion, and the closure of pedestrian facilities. All impacts can be reduced to a less than significant level.

- **Impact Cir-52**

  Phase I of the project would result in a significant street impact at Hollis Street and San Pablo Avenue during construction.

- **Mitigation Cir-52**

  Implementation of mitigation measures Cir-52.1 and Cir-52.2 would reduce potential construction impacts on Hollis Street and San Pablo Avenue to a less than significant level.

- *Cir-52.1* *Through travel lanes on Hollis Street or San Pablo Avenue should not be closed for construction purposes. The access points for construction staging areas should be located on Park Avenue or 45th Street, so as not to impact through traffic on either Hollis Street or San Pablo Avenue.*

- *Cir-52.2* *The project applicant should be required to repair (overlay or repair to structural section) streets damaged by ~~used for~~ truck traffic travelling to and from the work site, as determined by the City of Emeryville Department of Public Works.*

- **Impact Cir-53**

  The project would result in a significant minor street impact at Park Avenue and 45th Street.

- **Mitigation Cir-53**

Implementation of mitigation measures Cir-53.1 and Cir-53.2 would reduce potential project impacts on Park Avenue or 45th Street to a less than significant level.

- *Cir-53.1* *Through travel lanes on 45th Street should not be closed for construction purposes.*

- *Cir-53.2* *The project applicant should be required to repair (overlay or repair to structural section) streets ~~used for~~ damaged by truck traffic travelling to and from the work site, as determined by the City of Emeryville Department of Public Works.*

- **Impact Cir-54**

Phase I of the project could result in a significant neighborhood impact due to the routing of truck traffic through residential areas during construction.

- **Mitigation Cir-54**

Implementation of mitigation measure Cir-54.1 would reduce Phase I construction-related neighborhood impacts to a less than significant level.

- *Cir-54.1* *Construction vehicles shall not be routed along residential streets in the project vicinity.*

- **Impact Cir-55**

Phase I of the project would result in a significant construction parking impact with the provision of on-site parking for construction employees.

- **Mitigation Cir-55**

Implementation of mitigation measure Cir-55.1 would reduce construction parking impacts to a less than significant level.

- *Cir-55.1* *Parking for construction workers should be provided on the Phase I site to avoid impacts to existing on-street parking.*

- **Impact Cir-56**

Phase I of the project would result in significant pedestrian impacts during construction due to the closure of pedestrian facilities.

- **Mitigation Cir-56**

Implementation of mitigation measure Cir-56.1 would reduce project impacts to a less than significant level.

- *Cir-56.1* *Pedestrian facilities should be maintained along the project frontage on San Pablo Avenue, Hollis Street, Park Avenue, and 45th Street.*

Cumulative Construction Impacts, Year 2000

- **Impact Cir-57**

Phase I of the proposed project would not result in a significant cumulative construction impact.

- **Mitigation Cir-57: No mitigation is required.**

Project Construction Impacts, Year 2010

- **Impact Cir-58**

  Future Expansion of the project would result in significant construction-related impacts to major and minor streets in the project vicinity, as well as impacts to pedestrian facilities and neighborhood intrusion.

- **Mitigation Cir-58**

  Implementation of the Phase I construction mitigation measures discussed above would reduce Future Expansion construction impacts to a less than significant level.

Cumulative Construction Impacts, Year 2010

- **Impact Cir-59**

  Future Expansion of the proposed project would not result in a significant cumulative construction impact.

- **Mitigation Cir-59: No mitigation is required.**

AIR QUALITY (pp. 184-199)

The EIR evaluates the following impacts in the Air Quality section: construction period impacts, local operational impacts, parking garage air quality, regional impacts, toxic air contaminants, and cumulative impacts. Phase I and Future Expansion would not result in local operational impacts, parking garage air quality impacts, and toxic air contaminant-related impacts. With implementation of the identified mitigation measures in both Phase I and Future Expansion, the construction period impacts would be reduced to a less than significant level. With mitigation, regional and cumulative impacts would remain significant unavoidable.

Construction Period Impacts

Phase I and Future Expansion

- **Impact AQ-1**

  The effects of construction activities would be increased dustfall and locally elevated levels of PM-10 downwind of construction activity for a total of 36 months for Phase I and 24 months for Future Expansion. Construction dust has the potential for creating a significant short-term air quality impact.

- **Mitigation AQ-1**

  The following mitigation measures would be implemented in both Phase I and Future Expansion to reduce temporary construction impacts to a less than significant level.

- *AQ-1.1 Construction standards should be adopted requiring all contractors to reduce dust generation.*

- *AQ-1.2 Suspend earthmoving or other dust-producing activities during periods of high winds ~~(i.e., 12 miles per hour or greater)~~ where nuisance occurs.*

- *AQ-1.3 Provide equipment and manpower for watering of all exposed or disturbed soil surfaces at least twice daily, including weekends and holidays. An appropriate dust palliative or suppressant, added to water before application, should be utilized.*

- *AQ-1.4 Water or cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.*

- *AQ-1.5 Sweep paved construction areas and adjacent streets of all mud and debris, since this material can be pulverized and later resuspended by vehicle traffic.*

- *AQ-1.6 Limit the speed of all construction vehicles to 15 miles per hour while on site.*

Local Operational Impacts

Phase I

- **Impact AQ-2**

  The project would not result in a significant local ~~air quality~~ carbon monoxide impact in the year 2000.

- **Mitigation AQ-2:** No mitigation is required.

Future Expansion

- **Impact AQ-3**

  Project impacts on carbon monoxide concentrations at intersections affected by project traffic in the year 2010 are considered to be less than significant.

- **Mitigation AQ-3:** No mitigation is required.

Parking Garages

Phase I and Future Expansion

- **Impact AQ-4**

  Projected air quality within project parking garages would not result in a significant impact.

- **Mitigation AQ-4:** No mitigation is required.

Regional Impacts

Phase I and Future Expansion

- **Impact AQ-5**

  The proposed project would have a significant regional effect on ozone precursor emissions in both Phase I and Future Expansion.

- **Mitigation AQ-5**

  The following mitigation measures would be implemented in Phase I and Future Expansion to reduce regional impacts. However, regional air quality impacts would remain significant, despite the implementation of this mitigation.

- *AQ-5.1 Kaiser would implement a Transportation Systems Management Program as part of the proposed project.*

- *AQ-5.2 The project would implement roadway and intersection improvements identified in the traffic analysis for both Phase I and Future Expansion that would relieve congestion at intersections impacted by project traffic.*

Toxic Air Contaminant Emissions

Phase I and Future Expansion

- **Impact AQ-6**

  Project impacts from emissions of ethylene oxide would be less than significant.

- **Mitigation AQ-6:** No mitigation is required.

Cumulative Impacts

Phase I and Future Expansion

- **Impact AQ-7**

  Phase I and Future Expansion of the project would result in a cumulative air quality impact due to increases in carbon monoxide levels of up to 0.5 parts per million at selected locations and due to the project's contribution to continued exceedance of regional pollutants such as hydrocarbons and oxides of nitrogen.

- **Mitigation AQ-7**

  Implementation of mitigation measures AQ-5.1 and AQ-5.2 in Phase I and Future Expansion would contribute to the attainment of emission standards as projected for the Bay Area Air Basin.

NOISE (pp. 200-214)

The EIR evaluates the following impacts in the Noise section: project-generated traffic noise impacts to interior areas and outdoor activity areas and construction period noise impacts. With mitigation, all noise impacts would be reduced to a less than significant level.

Project-Generated Traffic Noise Impacts - Interior Areas

Phase I and Future Expansion

- **Impact No-1**

  Project-related traffic would generate increases of three decibels or greater at the medical office buildings on 45th Street. These increases would cause interior noise levels to exceed the 45 decibel interior noise threshold at the proposed medical office buildings on 45th Street, which would be considered a significant impact for both Phase I and the Future Expansion phase.

- **Mitigation No-1**

  The following mitigation measures should be implemented in Phase I and the Future Expansion phase to ensure that the proposed medical office buildings achieve acceptable interior noise levels of 45 decibels.

- *No-1.1* *The design of the medical office buildings should incorporate noise attenuation measures to reduce interior noise levels.*

- *No-1.2* *The design of the hospital and medical office buildings should incorporate other features to reduce the intensities with which the loud, intermittent noises from truck and bus passbys are heard in the interiors.*

- *No-1.3* *The intakes of the ventilation system for the medical office buildings should be designed to guard against the intrusion of traffic noise, especially along 45th Street adjacent to the AC Transit bus facility.*

- *No-1.4* *The parking structures should be designed to reduce noise exposures inside the parking garages.*

- *No-1.5* *Prior to project approval (or the issuance of construction permits), the applicant should provide an acoustical assessment to confirm that interior noise levels at the 45th Street medical office buildings would be within acceptable levels.*

Project-Generated Traffic Noise Impacts - Outdoor Activity Areas

Phase I

- **Impact No-2**

  For Phase I, the outdoor activity areas on the hospital grounds would be exposed to noise levels in excess of the U.S. Environmental Protection Agency (EPA)'s recommended noise threshold of 55 decibels for such uses which would be considered a potentially significant noise impact.

- **Mitigation No-2**

  The following mitigation measures would be implemented in Phase I to mitigate noise levels at outdoor activity areas on the hospital site.

- *No-2.1* *Prior to the issuance of construction permits, when building materials have been selected for the medical office buildings, and the design of the structures is confirmed, noise levels will be monitored at the open space area on the Phase I site.*

Future Expansion

- **Impact No-3**

  As with Phase I, the outdoor activity areas on the hospital grounds would be exposed to noise levels in excess of the U.S. EPA's recommended noise threshold of 55 decibels in the Future Expansion phase which would be considered a significant noise impact.

- **Mitigation No-3**

  The mitigation measures implemented in Phase I would also be implemented on the Phase I site, in the Future Expansion phase, to mitigate noise levels at outdoor activity areas on the hospital site.

Construction Period Impacts

Phase I and Future Expansion

- **Impact No-4**

  Phase I and Future Expansion of the proposed project would result in a significant short-term construction noise impact. The project would also contribute to cumulative noise impacts generated during the simultaneous construction of more than one project within the vicinity of the proposed project site.

- **Mitigation No-4**

  The following mitigation measures would be implemented in Phase I and Future Expansion to reduce temporary construction noise impacts to a less than significant level.

- *No-4.1* *A Construction Mitigation Plan should be developed prior to construction approval.*

- *No-4.2* *For construction on the Future Expansion site north of 45th Street, the Construction Mitigation Plan should provide for the construction of temporary wooden noise barrier walls to shield residents at the Emery Bay Village from the noise emissions of stationary construction equipment— wherever the use of barriers would be feasible.*

- *No-4.3* *The plan should also include a limitation on construction hours (i.e., 7:00 a.m. to 7:00 p.m.) and a similar limitation on the hours of truck deliveries.*

- *No-4.4* *Under the Construction Mitigation Plan, contractors should be required to use "new technology" power construction equipment with state-of-the-art noise shielding and muffling devices.*

- *No-4.5* *As part of the Construction Mitigation Plan, the contractor should schedule construction activities in shifts to avoid high noise levels caused by simultaneously operating several pieces of noise-generating equipment, to the extent feasible.*

GEOLOGY AND SEISMICITY (pp. 215-220)

The EIR evaluates the following impacts in the Geology and Seismicity section of the EIR: geologic and soils impacts, groundwater impacts, and seismic hazards. All of these impacts can be mitigated to a less than significant level.

Geologic and Soils Impacts

Phase I and Future Expansion

- **Impact Geo-1**

  The proposed project would be exposed to geologic hazards associated with a minor potential for differential settlement.

- **Mitigation Geo-1**

  The following mitigation measures should be incorporated into the project design for Phase I and Future Expansion to avoid potential impacts due to differential settlement:

- *Geo-1.1* *The building foundations should be designed to distribute the maximum anticipated loads in a manner that adequately addresses differential settlement.*

- *Geo-1.2* *Exploratory borings and laboratory testing should be conducted prior to foundation design. The foundation designs for the proposed buildings would address the*

characteristics of the existing soil and geotechnical conditions of the project site.

Groundwater Impacts

Phase I and Future Expansion

- **Impact Geo-2**

  Shallow groundwater conditions may affect the building design options for basements, elevator shafts, and other subsurface structures, which would result in a potentially significant impact.

- **Mitigation Geo-2**

  The following mitigation measures should be incorporated into the project design for Phase I and Future Expansion to avoid potential groundwater impacts due to geologic and soils conditions present on the project site.

- *Geo-2.1* *Subsurface drainage and other appropriate waterproofing systems may be appropriate mitigation to control the effects of shallow groundwater on subsurface construction.*

- *Geo-2.2* *Dewatering of the foundation excavation areas may be required during subsurface construction-related activities.*

Seismic Hazards

Phase I and Future Expansion

- **Impact Geo-3**

  Geologic conditions on the project site related to potential liquefaction during a maximum credible earthquake could significantly impact the proposed medical center.

- **Mitigation Geo-3**

  The following mitigation measures should be incorporated into the project design in Phase I and Future Expansion to avoid potential seismic hazards and liquefaction impacts due to geologic and seismic conditions present on the project site.

- *Geo-3.1* *Prior to issuance of building permits, a site specific geotechnical and foundation investigation should be prepared. The specific recommendations would be incorporated into the project design.*

- *Geo-3.2* *Exploratory borings should be conducted to define the depth and extent of sand and silt layers that may have the potential for liquefaction. If liquefaction potential is confirmed, mitigation measures would include those measures specified on pages 219 and 220.*

- *Geo-3.3* *Special structural design measures, including base isolation and extensive cross bracing of load-bearing walls should be incorporated into the hospital design to ensure that the hospital remains functional under the most severe ground shaking effects that are anticipated.*

- *Geo-3.4* *The project design should adhere to applicable building and fire code standards for building design, construction, materials, and non-structural features, which would mitigate potential impacts.*

- *Geo-3.5* *The report and building design submittal and review prescribed in the Hospital Seismic Safety Act would ensure that the hospital is designed to withstand anticipated seismic loads, and remain functional during and after an earthquake.*

- *Geo-3.6* *Plan checking, permit issuance, and construction inspections conducted by State agencies, (Office of Statewide Health Planning and Development and California Department of Conservation, Division of Mines and Geology), would ensure that the proposed medical center is constructed in accordance with applicable codes.*

FLOODING, DRAINAGE, AND WATER QUALITY (pp. 221-225)

The EIR evaluates the following impacts in the Flooding, Drainage, and Water Quality section: flooding and drainage impacts and water quality impacts. The proposed project site is not located within a 100-year flood zone, and therefore, flooding and drainage impacts are limited to the potential for dam failure at Lake Temescal and impacts to the storm drainage system.

Flooding and Drainage Impacts

Phase I

- **Impact Hydro-1**

  Potential dam failure at Lake Temescal would not result in a significant flooding impact to Phase I of the proposed medical center. Phase I of the proposed project would be designed to avoid contributing to drainage and flood impacts to adjacent properties.

- **Mitigation Hydro-1:** No mitigation is required.

Future Expansion

- **Impact Hydro-2**

  Potential dam failure at Lake Temescal would not result in a significant flooding impact to the Future Expansion of the medical center. The proposed project would be designed to avoid contributing to drainage and flood impacts to adjacent properties.

- **Mitigation Hydro-2:** No mitigation is required.

- **Impact Hydro-3**

  Future Expansion of the medical center would result in potential grading or other physical impacts to the existing culvert under the Future Expansion site.

- **Mitigation Hydro-3**

  The following mitigation measures would be implemented to reduce potentially significant impacts to the existing culvert under the Future Expansion site.

- *Hydro-3.1* *Field observations should be conducted as part of the preparation of a grading and drainage plan to verify the location of the existing culvert under the Future Expansion site.*

- *Hydro-3.2* *If necessary, the medical center should be designed to avoid impacts to the existing culvert that crosses under the Future Expansion site.*

Water Quality Impacts

Phase I and Future Expansion

- **Impact Hydro-4**

  Phase I and Future Expansion of the proposed medical center would result in potentially significant short-term and long-term water quality impacts.

- **Mitigation Hydro-4**

  The following mitigation measures would be implemented in Phase I and Future Expansion to reduce the potentially significant short-term and long-term water quality impacts to a less than significant level.

- *Hydro-4.1* *Phase I and Future Expansion of the medical center should be required to conform to the Nonpoint Source Control Program.*

- *Hydro-4.2* *To reduce water quality impacts during construction, Phase I and the Future Expansion phase for the proposed project should include an erosion control plan as a part of the required Storm Water Pollution Prevention Plan (SWPPP), to be updated each year as construction changes.*

- *Hydro-4.3* *To address long-term water quality impacts, the project applicant should implement permanent (post-construction) controls.*

SOIL AND GROUNDWATER CONTAMINATION CLEANUP (pp. 226-230)

The EIR evaluates the potential impacts of the construction of the medical center during Phase I and Future Expansion on the areas containing soil and groundwater contamination on the project site. All impacts can be reduced to a less than significant level.

Potential Impacts of Medical Center Construction

Phase I

- **Impact Soil-1**

  Proposed construction of Phase I of the project would result in a beneficial effect by remediating existing on-site contamination.

- **Mitigation Soil-1**

  The following mitigation measures would be implemented as required by federal, state, regional, and local regulations.

- *Soil-1.1* *Soil and groundwater remediation would be conducted in accordance with federal, state, regional and local regulatory agency requirements.*

- *Soil-1.2* *Closure plans would be prepared prior to the removal of any underground storage tanks. In addition, permits would be obtained from the Fire Marshall for the removal of the tanks, in accordance with the City of Emeryville regulations.*

Future Expansion

- **Impact Soil-2**

  Proposed construction of the Future Expansion phase of the project would result in a beneficial effect by remediating existing on-site contamination. The remediation of soil and groundwater contamination would be conducted in accordance with federal, state, and local regulatory agency requirements.

- **Mitigation Soil-2**

  As in Phase I, the Future Expansion phase would also require conformance to federal, state, regional, and local regulations. Therefore, mitigation measures Soil-1.1 and Soil-1.2 would also be implemented in the Future Expansion phase.

HAZARDOUS MATERIALS STORAGE, USE, AND DISPOSAL (pp. 231-239)

The EIR evaluates the potential exposure of visitors, patients, and employees to hazards associated with the storage, use, and disposal of hazardous substances. All impacts can be reduced to a less than significant level.

Exposure to Hazardous Substances

Phase I and Future Expansion

- **Impact Haz-1**

  The proposed Kaiser Permanente Medical Center would result in a potentially significant impact in the event of a hazardous materials incident associated with the use, storage, and disposal of hazardous materials.

- **Mitigation Haz-1**

  Phase I and Future Expansion of the ~~The~~ proposed project would be required to conform to all applicable federal, state, regional, and local regulations. These regulations require that appropriate safeguards and monitoring systems be implemented by the project in order to minimize the risks associated with the use of hazardous materials on the site to a less than significant level.

- *Haz-1.1* *Kaiser would develop and implement a Hazardous Materials Business Plan which is required for all businesses that handle and store hazardous materials. The measures contained in this Plan are described on page 239.*

UTILITIES AND URBAN SERVICES (pp. 240-257)

The EIR evaluates the following impacts for Phase I and the Future Expansion phases in the Utilities and Urban Services section: storm drainage impacts, sanitary sewer service impacts, water service impacts, solid waste impacts, impacts to electricity, gas and telephone services, police services impacts, fire protection services impacts, school impacts, and parks and libraries impacts. All impacts can be reduced to a less than significant level with mitigation. In addition to the mitigation measures described below, the project applicant would pay utility services fees and an Public Services Fee of $500,000 per year, as described in Section II, J, page 244, and in Section V.

Storm Drainage Impacts

Phase I and Future Expansion

- **Impact Util-1**

  Phase I and Future Expansion of the proposed medical center would result in potentially significant impacts to storm drainage facilities.

- **Mitigation Util-1**

  The following mitigation measures would be implemented in Phase I and Future Expansion to reduce potentially significant impacts to storm drainage facilities.

- *Util-1.1* *Prior to construction, the project engineers would submit calculations of projected runoff flows to ensure that the project would not exceed sub-basin standards.*

- *Util-1.2* *Streets and parking lots should be graded to prevent ponding of water during and after construction. Street and curbs should be designed to route surface runoff to existing storm drain inlets or to properly engineered new storm drains.*

- *Util-1.3* *The existing storm drain system to Temescal Creek should be retrofitted or replaced to assure a problem-free drainage system. Storm lines in Park Avenue, Hollis Street and on-site would be improved.*

Sanitary Sewer Service Impacts

Phase I and Future Expansion

- **Impact Util-2**

  ~~Phase I and Future Expansion of the proposed medical center would result in significant impacts to sanitary sewer facilities.~~ Although the existing sanitary sewer system provides adequate capacity, Phase I and Future Expansion of the proposed medical center would result in significant impacts to sanitary sewer facilities because of the age of the lines.

- **Mitigation Util-2**

  Implementation of the following mitigation measures for Phase I and Future Expansion would reduce significant impacts to old sanitary sewer lines in the project vicinity.

- *Util-2.1* *All sanitary sewer lines that are installed by the project would provide adequate capacity to convey wastewater generated by the project.*

- *Util-2.2* *Lines and all laterals would be replaced or reconstructed on Park Avenue from San Pablo to Halleck Street.*

- *Util-2.3* *Lines and laterals on 45th Street from San Pablo Avenue to Doyle Street would be replaced or reconstructed.*

- *Util-2.4* *Lines and laterals on Doyle Street from 45th Street to 47th Street would be replaced or reconstructed.*

- *Util-2.5* *Lines and laterals near the spur track to Temescal Creek would be replaced or reconstructed, where necessary.*

Water Service Impacts

Phase I and Future Expansion

- **Impact Util-3**

  Phase I and Future Expansion of the proposed project would result in significant impacts to the provision of water services.

- **Mitigation Util-3**

  Implementation of the following mitigation measures would reduce significant impacts to water services to a less than significant level.

- *Util-3.1* *~~Each phase of the~~ ~~The~~ proposed project would incorporate water conservation measures into the design of the proposed medical center buildings.* The project would incorporate the use of reclaimed wastewater, to the extent feasible, for landscaping irrigation and other appropriate uses.

- *Util-3.2* *Project site water lines would be extended to the existing lines in the project vicinity, as necessary for Phase I and Future Expansion, in a manner that ensures that an adequate water distribution system is available to serve the project.*

- *Util-~~3.2~~ 3.3* *Water line extensions shall be designed in accordance with ~~the City of Emeryville and East Bay Municipal Utility District (EBMUD)~~ design standards.*

Solid Waste Impacts

Phase I and Future Expansion

- **Impact Util-4**

  The project would result in a significant impact on solid waste facilities.

- **Mitigation Util-4**

  Implementation of the following mitigation in Phase I and Future Expansion would reduce significant solid waste impacts to a less than significant level.

- *Util-4.1* *Submit a waste reduction/recycling plan designed to achieve a minimum of 50 percent diversion/recycling of solid waste.*

Electric Power, Gas, and Telephone Services Impacts

Phase I and Future Expansion

- **Impact Util-5**

  The proposed project would not result in a significant impact on electric, natural gas, or telephone utilities.

- **Mitigation Util-5**

In order to ensure that the project does not result in a significant impact on electricity and natural gas services, the following mitigation would be implemented.

- *Util-5.1* *The project would pay a Utility User Tax to offset the cost of providing electricity and natural gas services to the project.*

Police Services Impacts

Phase I and Future Expansion

- **Impact Util-6**

  The proposed project would not have a significant impact upon police protection services.

- **Mitigation Util-6:** No mitigation is required.

Fire Protection Services Impacts

Phase I and Future Expansion

- **Impact Util-7**

  The proposed project would not have a significant impact upon fire protection services.

- **Mitigation Util-7:** No mitigation is required.

Schools Impacts

Phase I and Future Expansion

- **Impact Util-8**

  The proposed medical center would result in a potentially significant impact on school facility capacity.

- **Mitigation Util-8**

  The following mitigation would offset the project's potential impacts to schools.

- *Util-8.1* *Kaiser, as part of the development agreement, ~~negotiations, has proposed to~~ will contribute $20,000 per year to the Emeryville Higher Education Fund or to another school fund that directly benefits the city's public school system.*

Parks and Libraries Impacts

- **Impact Util-9**

  The project would not result in significant impacts on park and recreational facilities.

- **Mitigation Util-9:** No mitigation is required. While no mitigation is required, Kaiser is providing an open landscaped area and recreational amenities as part of the project.

HISTORIC AND CULTURAL RESOURCES (pp. 258-277)

The EIR evaluates the potential impacts to prehistoric and historic archaeological resources and to surface historic resources that could occur with the development of Phase I and the Future Expansion phase. Significant impacts to prehistoric and historic archaeological resources can be reduced to a less than significant level. Phase I and Future Expansion would, however, result in significant unavoidable impacts to the historic resources that are eligible for inclusion in the eligible Emeryville Industrial Historic District.

Prehistoric and Historic Archaeological Resources Impacts

Phase I

- **Impact CR-1**

  Phase I of the project would result in potentially significant impacts to subsurface prehistoric and historic resources that may be present within the Phase I site boundaries.

- **Mitigation CR-1**

  The following mitigation measures should be implemented in order to reduce potentially significant impacts to a less than significant level. A detailed description of the following mitigation measures is provided on pages 269-270.

- *CR-1.1* *Additional archival research should be conducted for the project area that focuses on the structures previously present in the project area in the 1850s, the residences and businesses in the area from 1880-1910, and the Chinese gambling facilities, restaurants, etc., in the 1920s. This archival information shall be used in the formulation of an archaeological testing program.*

- *CR-1.2* *Formulate and implement an auguring program for the project site.*

- *CR-1.3* *Formulate and implement a backhoe or other appropriate testing program in the southwest and northeastern quadrants of the Phase I site.*

- *CR-1.4* *Conduct backhoe or other subsurface testing in the area of the former Emery home site and grounds to locate and identify potentially significant foundations, basement contents, trash and privy deposits, and other cultural materials.*

- *CR-1.5* *Formulate and implement a general archaeological monitoring plan.*

- *CR-1.6* *Maintain coordination between the archaeologist and other consultants, such as those involved in toxic testing and remediation, to avoid unnecessary destruction of data through unmonitored excavation for toxic remediation.*

- *CR-1.7* *The spoils from the area excavated in 1992 at the corner of Hollis Street and Park Avenue should be examined by an archaeologist for evidence of Gold Rush occupation or other cultural resources.*

- *CR-1.8* *Under no circumstances should the land owner, project sponsor, contractor, or other interested parties give permission to or tolerate artifact collection or excavation by anyone, other than a qualified archaeologist.*

- *CR-1.9* *A security system should be installed, if demolition or excavation activities reveal evidence of significant archaeological resources, including trash deposits.*

- *CR-1.10* *Results of any testing procedures, monitoring, and other mitigation measures, should be analyzed and presented in a report of findings by a qualified archaeologist.*

Future Expansion

- **Impact CR-2**

  Future Expansion of the project would result in potentially significant impacts to subsurface prehistoric and historic archaeological resources that may be present within the Future Expansion site boundaries.

- **Mitigation CR-2**

  The mitigation measures outlined above for Phase I should be implemented in the Future Expansion phase in order to mitigate potentially significant impacts to a less than significant level.

<u>Historic Resources Impacts</u>

Phase I

- **Impact CR-3**

  Phase I of the project would result in a significant unavoidable impact to the Del Monte Plant #35 building which is considered a historic resource individually eligible for National Register status.

- **Mitigation CR-3**

  The following mitigation measures should be incorporated into the project to partially reduce the significant unavoidable impacts to the Del Monte Plant #35 building.

- *CR-3.1* *Preserve some or all of the Del Monte Plant #35 front elevation on Park Avenue.*

- *CR-3.2* *Prior to demolition of all or part of Del Monte Plant #35, the building should be documented according to Historic American Building Survey (HABS) standards.*

- **Impact CR-4**

  Phase I of the project would result in a significant visual impact to the eligible Emeryville Industrial Historic District.

- **Mitigation CR-4**

  The following mitigation measures would reduce the significant impacts to the eligible Emeryville Industrial Historic District to a less than significant level.

- *CR-4.1* *The design of the massing and materials of the "liner" buildings on the Phase I site should be compatible with the design and materials that characterize the surrounding historic structures.*

Future Expansion

- **Impact CR-5**

  Future Expansion of the project would result in a significant unavoidable impacts to two historic resources on the Future Expansion site.

- **Mitigation CR-5**

  The following mitigation measures would fully mitigate the significant impacts to the two historic resources to a less than significant level.

- *CR-5.1* *Future Expansion at an alternative location would avoid the demolition of the two buildings at the corner of Hollis and 45th Streets. This mitigation measure, however, cannot be implemented as the project is proposed. This mitigation measure will be reconsidered at the time of the Final Development Plan for the Future Expansion phase.*

The following mitigation measures would partially reduce the significant unavoidable impacts to the two historic buildings on the Future Expansion site.

- *CR-5.2* *The front facades of these buildings have an urban design value as part of this area of 1920s industrial buildings. By incorporating the facades of these buildings in the project, with the new buildings set back from the street, the project's significant effects would be reduced.*

- *CR-5.3* *Prior to demolition of all or part of the Hollis and 45th Street buildings, these buildings should be documented according to Historic American Building Survey standards.*

URBAN DESIGN AND VISUAL RESOURCES (pp. 278-291)

The EIR contains an evaluation of the potential for the project to impact the visual character of the project site and the surrounding area, and the potential for obstructing views.

Impacts to the Visual Character and Obstruction to Views

Phase I

- **Impact Vis-1**

  Phase I of the proposed project would alter the visual character of the project site~~, and~~ Building heights would range from 50 to 125 feet which would result in minor obstructions to views for surrounding land uses. However, these impacts would not be considered significant since views of scenic features would not be impacted, and because a substantial demonstrable negative aesthetic effect would not occur.

- **Mitigation Vis-1**

  The proposed project would not result in a substantial demonstrable negative aesthetic effect because the project design incorporates the following mitigation measures into the project.

- *Vis-1.1* *Implement the Kaiser Permanente Medical Center Urban Design Guidelines as adopted by the Emeryville Planning Commission on August 26, 1993. The requirements of the Urban Design Guidelines have been incorporated into the project design.*

Future Expansion

- **Impact Vis-2**

  Future Expansion of the proposed medical center would alter the visual character of the project site~~, and~~ Building heights would range from 50 to 52 feet on the Future Expansion site which would result in minor obstructions to views for surrounding land uses. However, these impacts would not be considered significant since views of scenic features would not be impacted, and because the proposed urban intensities of development would not result in a substantial demonstrable negative aesthetic effect.

- **Mitigation Vis-2**

  As with Phase I, Future Expansion of the proposed project would not result in a substantial demonstrable negative aesthetic effect because the project design incorporates the following mitigation measures into the project.

- *Vis-2.1* *Implement the Kaiser Permanente Medical Center Urban Design Guidelines as adopted by the Emeryville Planning Commission on August 26, 1993. The requirements of the Urban Design Guidelines have been incorporated into the project design.*

SUMMARY OF ALTERNATIVES

A. INTRODUCTION

The EIR evaluated seven alternatives to the proposed project. Four of the alternatives would consist of different designs or reduced scale and development intensity when compared to the proposed project. One of the alternatives, the AC Transit Site Alternative would include an alternative location for the Future Expansion site of the proposed project. The remaining two alternatives would consist of two alternative locations for developing both Phase I and the Future Expansion phases of the project.

B. AC TRANSIT SITE ALTERNATIVE

The AC Transit Site Alternative would consist of substituting the AC Transit maintenance site for the proposed expansion site (area north of 45th Street of the proposed project). A conceptual site plan of the AC Transit Site Alternative is shown in Figure 29 in Section III. Alternatives. This alternative would include 260,000 square feet of medical office building for 175 physicians and providers and a parking structure with 1,110 parking spaces, as well as an open space area and public plaza. The Berkeley Farms facility would continue to occupy the strip of property along the San Pablo Avenue frontage of the alternative AC Transit expansion site.

The AC Transit Alternative is evaluated in greater detail in this EIR because considerable site planning has been prepared for this site by Kaiser. This site would be environmentally preferred over the Future Expansion site by both the applicant and the City. However, the site is currently not available to Kaiser, so it is not evaluated as the preferred Expansion site.

The potential environmental impacts of developing the AC Transit Alternative are generally similar to the project as shown on Table S-1. The AC Transit Alternative would differ from the impacts of the project as described below:

- While this alternative would displace the AC Transit facility, it would avoid displacement of businesses on the proposed expansion site north of 45th Street.
- Traffic would circulate differently because access to the AC Transit site would be from 45th and 47th Streets rather than Hollis Street.
- Land uses north of 47th Street could potentially be impacted by the project.
- Beneficial impacts could result to surrounding properties from the elimination of noise and diesel exhaust from the AC Transit maintenance operation. However, there would be temporary construction noise associated with developing this site.
- Potential relocation of the AC Transit maintenance facility to a new location may result in environmental impacts. However, these impacts are not analyzed in this EIR, because a new AC Transit site has not been selected, and such analysis would be too speculative.

C. ALTERNATIVE LOCATIONS

The EIR evaluates two alternative locations for the proposed project development. The first location is in Oakland and the second location is in Emeryville.

Oakland MacArthur Broadway Site

The Oakland MacArthur Broadway Site Alternative is located in the City of Oakland and would consist of constructing a new medical center on the block bounded by Interstate 580, Broadway, West MacArthur Boulevard and Piedmont Avenue (the MacArthur Broadway Center), and redeveloping six acres of the existing Kaiser property across West MacArthur Boulevard for parking and medical office uses. This alternative would require the demolition of the existing hospital building on the north side of MacArthur Boulevard and construction of a new medical office building and parking structure. The Oakland MacArthur Broadway Site Alternative would occupy a total of 13 acres, including six acres of the existing hospital site north of MacArthur Boulevard and the seven acre block on the south side of MacArthur Boulevard across from the existing hospital site. Several buildings at the existing Kaiser Permanente Medical Center would remain.

The potential environmental impacts of developing this site are similar to those of the proposed project, as shown on Table S-1. Land use, air quality, geology and seismic hazards, flooding, drainage, and water quality impacts, and potential impacts due to soil and groundwater contamination would occur for this alternative, as with the proposed project. This alternative would also result in the storage, use and disposal of hazardous substances and in similar construction impacts. This alternative would differ from the impacts of the project as follows:

- This alternative would displace a similar number of businesses when compared to the proposed project and 30 apartments; however, this alternative does not include the implementation of a housing program.
- Greater traffic impacts would occur in Oakland than in Emeryville.
- This alternative would likely be exposed to greater noise levels due to the freeway traffic generated on the nearby Interstate 580.
- This alternative would result in greater impacts to the City of Oakland's provision of utilities and services.
- This alternative would not be expected to result in significant impacts to subsurface or surface cultural resources.
- Construction of the medical center at this alternative location would result in significant visual impacts to land uses surrounding the MacArthur Broadway site.

Bayfront Site

The Bayfront Site Alternative consists of developing the proposed project on an approximately 35 acre site located north of the I-580/I-80 interchange, between the railroad tracks to the east and the future Shellmound Avenue to the west. The southern sector of the Bayfront site is located in the corporate limits of the City of Oakland, whereas the majority of the site lies in the City of Emeryville. This alternative would consist of the same level of development as the proposed project including a hospital, medical office buildings, central plant, retail and office space, and the parking structures.

The potential environmental impacts of developing this site are similar to those of the proposed project, as shown on Table S-1. Land use, traffic, air quality, geology and seismic hazards, flooding, drainage, and water quality impacts, utilities and services impacts, and potential impacts due to soil and groundwater contamination would occur for this alternative location, as with the proposed project. This alternative would also result in the storage, use and disposal of hazardous substances and in similar construction impacts. This alternative would differ from the impacts of the project as follows:

- This alternative would result in fewer commercial and residential displacements.
- Greater traffic impacts would occur for this alternative due to the site access constraints. Impacts to intersection and roadway locations to the west of the proposed project site would be greater.
- This alternative would likely be exposed to greater noise levels due to the freeway traffic generated on the nearby Interstate 80.
- This alternative would not result in significant impacts to subsurface or surface cultural resources.
- Construction of the medical center at this alternative location would result in significant visual impacts to land uses surrounding the Bayfront site. This location would also be visible from Interstate 80.

D. NO BUILD ALTERNATIVE

The No Build Alternative consists of maintaining the existing land uses on the site in their current condition. Of the property located within the Phase I site, approximately 17 acres of the 20 acre site would remain vacant (the Del Monte plant and the former fire station), or would become vacant in the next several years. The uses located on the remaining three acres are assumed to remain intact. These uses include a Standard Brands Paint retail outlet, three small restaurants, a Masonic Lodge and 21 residential units. The Future Expansion site land uses, which include warehouse, small light industrial, retail and service uses, and 11 live/work units are also assumed to remain intact.

The No Build Alternative would avoid the adverse impacts associated with the proposed project, but would also eliminate the beneficial health care services proposed by the project. In addition, this alternative would not further opportunities for groundwater and soil remediation on the project site.

E. EXISTING GENERAL PLAN ALTERNATIVE

The Existing General Plan Alternative, consists of development in accordance with current General Plan designations for the site, which is Medium Density Residential and Mixed Use. A development scenario was assumed for this alternative which would include the development of 400 housing units on the Phase I site, plus 20,000 square feet of retail and 25,000 square feet of office uses. The Future Expansion site would be assumed to contain the existing land uses, plus an additional 100,000 square feet of retail uses.

The potential environmental impacts of the Existing General Plan Alternative when compared to those of the proposed project are shown on Table S-1. Land use, air quality, geology and seismic hazards, flooding, drainage, and water quality impacts, utilities and services impacts, cultural resources impacts, and potential impacts due to soil and groundwater contamination would occur for this alternative as with the proposed project, only to a lesser degree. This alternative would differ from the impacts of the project as follows:

- This alternative would not require a General Plan amendment and therefore, would not result in a reduction in future housing opportunities.
- This alternative would result in fewer traffic impacts.
- The residential development in this alternative would likely be exposed to greater noise impacts due to the on-going AC Transit maintenance operations.
- This alternative would be visually compatible with the surrounding land uses.

This alternative would not achieve the project objective of providing health care education and health care services to the Emeryville community and Kaiser members in the Bay Area. This alternative would reduce environmental impacts to a greater degree than the other alternatives, with the exception of the No Build Alternative, and therefore would be the environmentally superior alternative.

F. SMALLER PROJECT ALTERNATIVE

The Smaller Project Alternative would consist of constructing only Phase I of the proposed Kaiser Permanente Medical Center. Expansion of the medical center facilities would not occur on the Future Expansion site. Existing land uses on the Future Expansion site would not be removed or altered. Development of this alternative would include the hospital, medical office buildings, central plant, retail and office uses, and parking structures shown for Phase I.

The impacts associated with this alternative would be the same as those identified in Section II for Phase I of the proposed project. This alternative, however, would avoid the adverse impacts associated with development of the Future Expansion site and the increased development on the Phase I site that would occur with the proposed project in the Future Expansion phase.

This alternative would partially achieve the project objective of providing health care education and health care services to the Emeryville community and Kaiser members in the Bay Area. This alternative would reduce the environmental impacts associated with the proposed project,

but would nonetheless result in the same impacts occurring with Phase I of the project. This alternative would not fulfill some of the project objectives and would not provide a number of the benefits associated with the project.

VIEWS OF PUBLIC AND GOVERNMENTAL AGENCIES

A. DESCRIPTION OF THE PUBLIC PARTICIPATION PROCESS

Until the circulation of this Draft EIR, the public participation process for the proposed project has consisted of two primary components: (1) community workshops to provide a forum for community input during the creation of urban design guidelines for the medical center; and (2) attendance at an EIR scoping meeting and submission of comments in response to the Notice of Preparation.

Beginning in June 1993, Kaiser Foundation Hospitals, Inc. and its principal architectural consultant SMP/DMJM, sponsored a series of monthly design workshops with members of the community to obtain input from and provide updates to the residents and businesses in the area with respect to the proposed design of the project. Also beginning in June 1993, the Planning Department began meeting with its own urban design consultant, Pyatok Associates, to discuss the development of urban design guidelines for the proposed project. At the July 22, 1993 Planning Commission meeting, Kaiser presented its current design plans for the proposed medical center, and Pyatok Associates described key features of the City's preliminary urban design guidelines for the project site. At its August 26, 1993 meeting, the Planning Commission approved the Urban Design Guidelines for the Kaiser Permanente Medical Center. Since August 26, 1993, the City of Emeryville and Kaiser have sponsored another design workshop in January, 1994 to update the public on the status of the medical center design.

As described in the Introduction, a Notice of Preparation and Environmental Checklist were prepared for the project and distributed on July 13, ~~1994~~ 1993 to local and state agencies, interested residents and residents within 500 feet of the project site. In order to initiate the preparation of the EIR, a Public Scoping Meeting was held on July 21, 1993 at the City of Emeryville Council Chambers. The purpose of this scoping meeting was to receive comments on issues to be evaluated in the EIR. Comments on the Notice of Preparation and scope of the EIR analysis were accepted until September 16, 1993.

The circulation of this Draft EIR is the next step in the public participation process. During the 45-day review period, members of the public and governmental agencies will have an opportunity to comment on the environmental issues raised in this Draft EIR. During the Draft EIR review period, the City of Emeryville will hold a public hearing(s) to receive comments on the Draft EIR. Upon conclusion of the Draft EIR review period, the City of Emeryville will prepare the Final EIR consisting of the comments received on the Draft EIR, responses to those comments, text revisions to the Draft EIR, and a list of the persons and agencies receiving copies of the Draft EIR. This document will be provided to the persons and agencies commenting on the Draft EIR and will be available to the public for 10 days. Upon conclusion of this review period, public hearings will be held on the project as part of the approval process.

B. SUMMARY OF THE VIEWS, CONCERNS, AND ISSUES RAISED IN RESPONSE TO THE NOTICE OF PREPARATION

Seventeen letters from local residents and agencies were received in response to the Notice of Preparation. The Notice of Preparation and comments letter received are contained in Appendix J in Volume II, and are available for review at the Emeryville Planning Department.

Environmental issues and socio-economic concerns were raised in the comment letters. Many of the comment letters requested that the following environmental issues be evaluated in the EIR: transportation and circulation impacts, hazards involving the use, storage, and disposal of hazardous substances, visual impacts, fire safety impacts, air quality impacts, noise impacts to adjacent land uses, business and residential displacement impacts, housing and employment issues, impacts to nearby schools and recreational facilities, the potential for increased crime, effects on flooding, drainage, and water quality, and impacts to the historic resources along Park Avenue. This EIR evaluates each of the topics identified above in terms of the project's physical effects on the environment.

C. AREAS OF CONTROVERSY

In addition to addressing the issues identified above that were raised by members of the public and reviewing agencies, this EIR acknowledges the areas of controversy associated with the project in accordance with CEQA Guidelines §15123. The proposed medical center, itself, is of a controversial nature. Emeryville residents have expressed concern about residential and business displacements, the potential for significant traffic circulation impacts, and the loss of historically and architecturally notable buildings.

As a result of their concerns, on November 19, 1993, two Emeryville residents published a Notice of Intent to Circulate Petition in the Oakland Tribune for the purpose of placing the Del Monte Neighborhood Preservation Initiative on the ballot of a special election. The primary purpose of this initiative is to mandate a long-term rezoning of the initiative area, a portion of the South of Powell District (consisting of approximately 40 acres) including most of the area bounded to the north by 53rd Street, to the south by Park Avenue, to the east by San Pablo Avenue, and to the west by Hollis Street (the Kaiser Permanente Medical Center Phase I site). The initiative would preclude the City of Emeryville from amending the zoning and General Plan within the initiative area unless approved by a subsequent vote of the electorate. The effect of this initiative is to subject the approval of the Kaiser Permanente Medical Center project to a subsequent vote of the electorate.

Under the current General Plan and Zoning Ordinance, a large portion of the initiative area, including the land known as the Del Monte Site (included in the Phase I site), the AC Transit facility (alternative to the Future Expansion site) and a portion of the Pepsi Cola property (included in the Phase I site) is restricted to *Medium Density Residential* use. The initiative would change the residential zoning classification of all of the above described property to the *Mixed Use* classification.

The entire street frontage along the west side of San Pablo Avenue, between 47th Street and Park Avenue (including the Berkeley Farms parcel) would be changed from the *Commercial* zoning classification to *Mixed Use*. The street frontages along Hollis, Park and 53rd, a portion

of 45th Street, and the remainder of the Pepsi Cola property within the initiative area are presently zoned as *Mixed Use* and would remain as such.

Other provisions of this initiative include:

1. Restricting the building intensities (floor area ratios) and building heights within the initiative area to be rezoned *Mixed Use*.

2. Amending the Zoning Ordinance to allocate at least six additional unidentified acres of land for new residential construction in the initiative area to be rezoned *Mixed Use*.

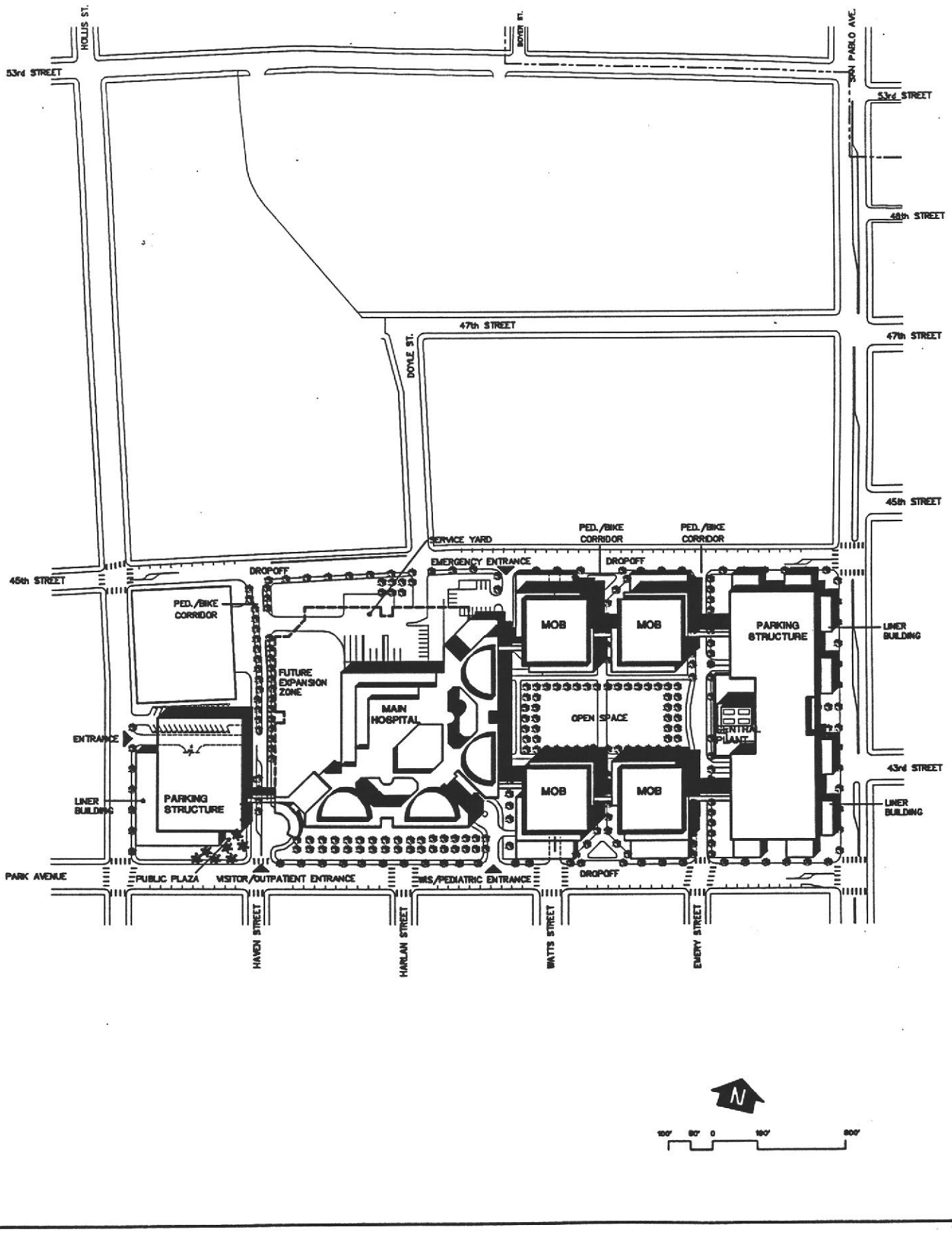
3. Findings to encourage the preservation of *Mixed Use*, existing sound housing stock, historical and architecturally significant resources, existing utilized buildings, and the existing street grids.

SECTION VI

REVISIONS TO THE TEXT OF THE DRAFT EIR

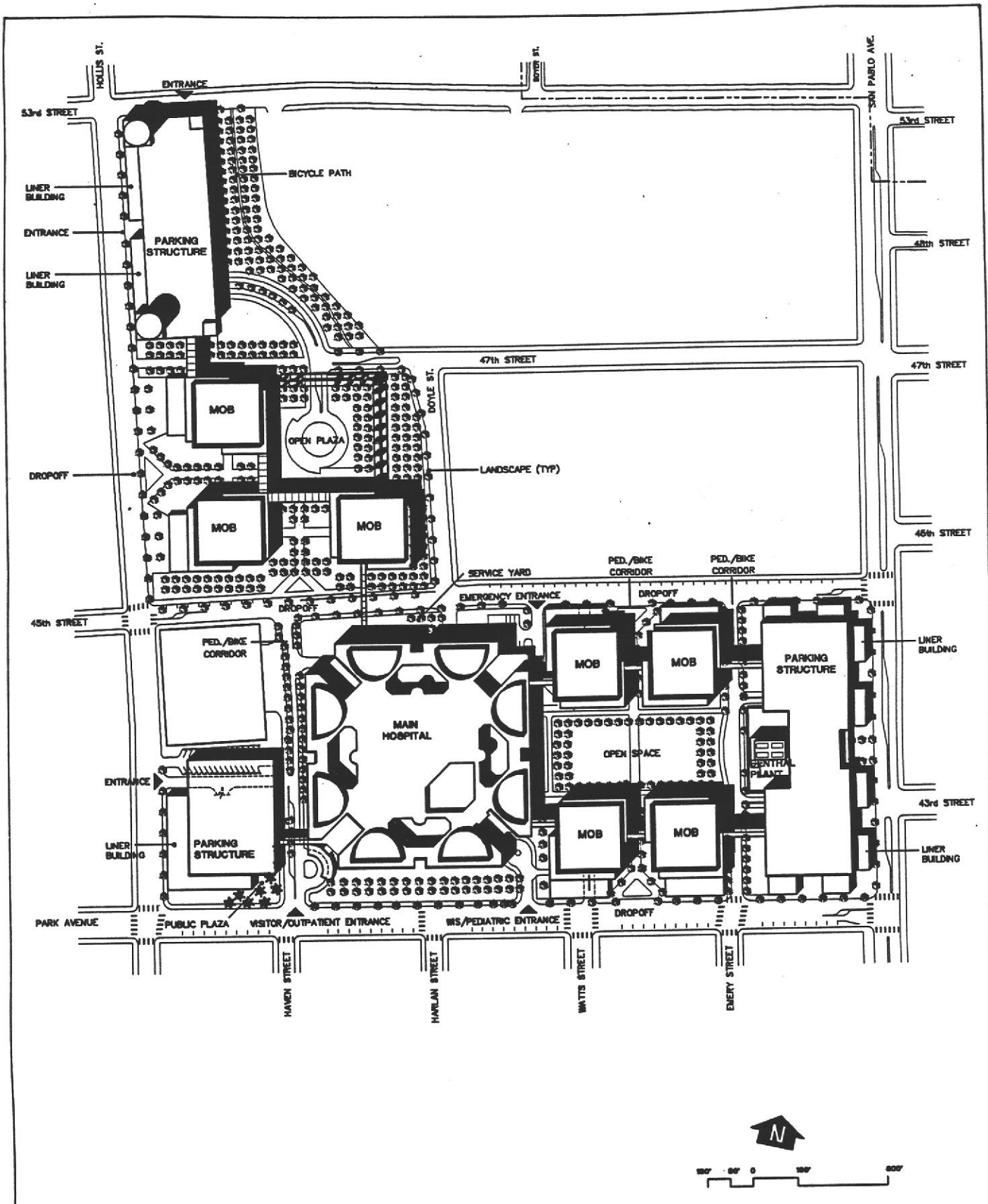
The following section contains revisions to the text of the Draft EIR as a result of responding to comments received on the Draft EIR, corrections to minor errors, or to reflect minor refinements to the project site plan. Additions to the text are indicated with redline, and deletions are indicated with ~~strikeout~~.

PAGE	REVISION
Page 6	Figure 3 is replaced with Revised Figure 3. The central utility plant has been relocated from the hospital to a new area on the central western side of the parking structure at San Pablo Avenue and 45th Street. In addition, the pedestrian path that extended from San Pablo Avenue to the open space area in the center of the Phase I site has been eliminated.
Page 7	Figure 4 is replaced with Revised Figure 4.
Page 12	The last line of the first paragraph is revised as follows: Approximately 32,500 square feet of medically-related retail uses, such as a health education center, pharmacy, ~~cafeteria~~, gift shop, medical supply ~~stores~~ sales, and business offices could also be located at the perimeter of the site.
Page 12	The following sentences replace the first sentence of the third paragraph as follows: ~~A 40,000 square foot central plant and service yard is proposed between the hospital building and 45th Street, just west of the service entry.~~ A 40,000 square foot central utility plant and service yard for the medical center would be located near the center of the western side of the proposed parking structure on San Pablo Avenue. The siting of the central utility plant at this location would result in the elimination of a pedestrian path from San Pablo Avenue to the open space area in the interior of the Phase I site.
Page 14	The following discussion is added after the first paragraph in *Land Use Element* section to clarify the content of the existing General Plan policies and the amendments to these policies proposed by the applicant. The specific amendments proposed by Kaiser are listed in Appendix B. As described in Exhibit B and discussed herein, the specific amendments proposed by Kaiser are as follows. Page 22, Policy 9. Currently, the General Plan does not specifically authorize the development of hospital or medical office buildings within areas designated as



PHASE I SITE PLAN

REVISED FIGURE 3



FUTURE EXPANSION SITE PLAN

REVISED FIGURE 4

Commercial. Kaiser is requesting that this policy be revised to permit the development of hospitals, medical office buildings, and support buildings in such areas.

Page 25, Policy 5. Currently, the General Plan provides for the preservation of brick buildings located along Park Avenue. Kaiser is requesting that this policy be revised to authorize the City to permit the demolition of brick buildings located on the north side of Park Avenue.

Page 35, Figure 1. Currently, the General Plan land use designations of the project site include Medium Density Residential, Mixed Use, and Commercial. Kaiser is requesting that the land use designation of the property bounded by 45th Street, Hollis and San Pablo, Park and 53rd Streets be changed to Commercial. This modification, in connection with the proposed amendment to Page 22, Policy 9, would allow development of hospitals, medical office buildings, and related support facilities on the project site.

Page 41, Figure 7. Currently, the FAR for the project site ranges from .5 to 1.3. Kaiser is requesting that the FAR on the property bounded by Hollis, San Pablo, Park and 53rd Street be changed from 1.3 to 1.4. This modification would allow development of the proposed project on the project site at the FAR proposed by Kaiser.

Page 15 The following paragraph is added after the first paragraph in the *Housing Element* section:

As described on Exhibit B and discussed herein, the specific amendments proposed by Kaiser are as follows.

General Plan - Page 5, Policy 4; Housing Element - Page 53, Policy 4. Currently, the General Plan discourages the demolition or conversion of housing that is in good condition. Kaiser is requesting that this policy be revised to permit the City to authorize the demolition of existing housing on the project site, if it finds that the Kaiser project is necessary or desirable for public health or welfare purposes.

General Plan - Page 6, Policy 2; Housing Element - Page 55, Policy 2. Currently, the General Plan recommends that the City promote the development of housing opportunities in mixed use areas, particularly on large industrial sites. Kaiser is requesting that this policy be revised to provide the City with flexibility to approve projects that do not include residential development on such sites, provided that it finds that such projects constitute a public or quasi public purpose.

General Plan - Page 6, Policy 3; Housing Element - Page 55, Policy 3. Currently, the General Plan requires the City to assist in converting underused industrial areas for residential or live work uses. Kaiser is requesting that this policy be revised to provide the City with the flexibility to permit other uses on such sites if necessary for public or quasi public purposes.

Housing Element Page 22, first paragraph; Page 25, Table 10; Page 26, Table 11; Pages 39 and 40. Currently, the General Plan projects that the Del Monte site is suitable for the development of approximately 400 housing units. Kaiser is requesting that these references be eliminated, which would permit the development of uses other than housing on the site.

Page 15 The following paragraph is added after the existing paragraph in the *Circulation Element* section:

As described in Exhibit B and discussed herein, the specific amendments proposed by Kaiser are as follows.

Page 36, Figure 2. Kaiser is requesting that this figure be revised to eliminate a north-south vehicle circulation route connecting Doyle and Haven Streets. This modification would limit vehicular access to the project site.

Page 15 The following paragraph is added after the existing paragraph in the *Public Health and Safety Element* section:

As described in Exhibit B and discussed herein, the specific amendments proposed by Kaiser are as follows.

Page 34, after Emergency Preparedness Policies. Kaiser is requesting that a new section entitled "Health Care" be added to the General Plan. This section would add to the General Plan the objective of providing adequate health services and facilities for Emeryville residents. In addition, this section would encourage the City to promote the location of medical facilities in Emeryville and to encourage such facilities to provide health related services such as health education, senior related services, emergency care, and other programs and services that benefit the public.

Page 15 The fifth sentence in the paragraph in the **Redevelopment Plan Amendment** section is revised as follows:

This redevelopment plan amendment would consist of ~~two~~ three changes: 1) ~~revisions to the land use acreages contained in the redevelopment plan to accommodate additional commercial acreages~~ clarification of language related to the land use chart which depicts acreages for uses as they existed at the time the Redevelopment Plan was adopted; ~~and~~ 2) a change in the land use designations for the subject property to *Commercial* in accordance with the General Plan amendment application; and 3) changes to clarify that medical center uses are included in the definition of public, semi-public, institutional, or non-profit uses which are permitted within any area of the Shellmound Park Redevelopment Project Area.

Page 15 The following paragraph is added after the existing paragraph in the **Redevelopment Plan Amendment** section:

As described in Exhibit B and discussed herein, the specific amendments proposed are as follows:

Page 1.1-5, Land use Characteristics of the Redevelopment Project Area. Currently, the Redevelopment Plan indicates the land use distribution of property located within the Redevelopment Project Area. Kaiser originally requested that the land use distributions contained in the Redevelopment Plan be revised to increase the acreage of property designated for Commercial uses to accommodate the project site. However, the Agency has determined that the land use distributions contained within the Redevelopment Plan reflect those in effect at the time the Redevelopment Plan was adopted, and that such an amendment is not necessary. Therefore, Kaiser is requesting that this section be revised to clarify that the land use distributions described in the Redevelopment Plan refer to those in effect at the time the Redevelopment Plan was adopted.

Page 2-5.5 -- Other Semi-Public Institutional and Nonprofit Uses. Currently, the Redevelopment Plan authorizes the Agency to permit the development of hospitals in any area within the Shellmound Park Redevelopment Project Area. Kaiser is requesting that this section be revised to confirm the permissibility of a broad range of medical uses within the project site.

Appendix II, Exhibit A. Currently, the Redevelopment Plan provides that development within the Shellmound Park Redevelopment Project Area is intended to occur in accordance with the land use designations provided in the General Plan. Kaiser is requesting that Exhibit A be revised to change the land use designation of the project site to Commercial in accordance with the proposed amendment to the General Plan. This modification, in connection with the proposed amendments to the General Plan, would permit development of hospitals, medical office buildings and related support facilities on the project site.

Page 16 The second sentence of the second complete paragraph is revised as follows:

An application for a final development plan for all or part of Phase I ~~would~~ may be submitted prior to certification of the EIR.

Page 16 The following footnote is added to the **Disposition and Development Agreement** heading to clarify the status of the Disposition and Development Agreement and its reference as a Participation Agreement.

* Since Kaiser has acquired interests in property which are a part of the project site, the actual agreement between the Redevelopment Agency and Kaiser may be referred to as a "Participation Agreement." This distinction is a minor technical one and does not otherwise affect the discussion contained in this EIR.

Page 16 The last sentence of the last paragraph is deleted as follows:

~~In addition, the Disposition and Development Agreement would specify the terms and conditions of the Kaiser Housing Program which is a mitigation measure that has been included in the project, as described below in the discussion of the Development Agreement.~~

Page 17 The second sentence of the second paragraph is revised as follows:

For purposes of this EIR, each of these programs and fees are considered ~~mitigation measures~~ to be incorporated into the project.

Page 17 The reference to Emergency Services Fee is corrected to Public Services Fee in the second item listed under Development Fees.

Page 19 The first bullet is eliminated as follows, because it has been determined that the project would not require a Section 404 Permit from the U.S. Army Corps of Engineers since the project would not impact areas of Corps jurisdiction:

~~• U.S. Army Corps of Engineers~~

~~Section 404 Permit~~

Page 20 The following sentence is added to the second paragraph, and the second sentence currently in the second paragraph is moved to form a third paragraph as follows:

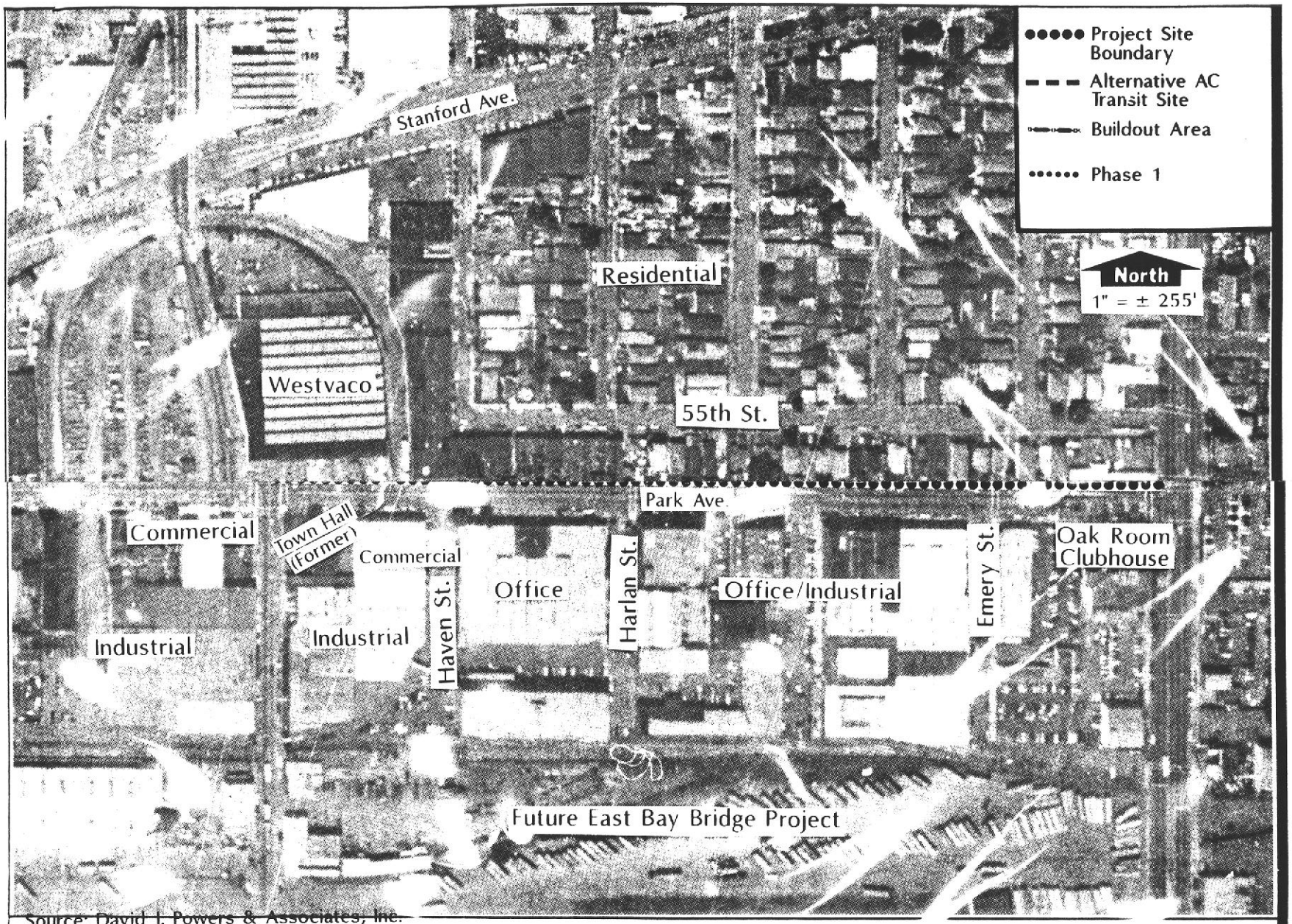
This EIR also provides the necessary environmental information for the entitlements listed at Section E above, including but not limited to, (1) amendments to the Emeryville General Plan (as enumerated in Appendix B), (2) amendments to the Redevelopment Plan for the Shellmound Park Redevelopment Project (as enumerated in Appendix B), (3) rezoning, (4) disposition and development agreement, (5) development agreement, (6) subdivision map or vesting tentative parcel map, (7) street abandonment.

Applications (in accordance with City requirements) have been submitted by Kaiser for all discretionary City or Agency approvals needed for buildout except that the Final Development application has ~~not~~ only been submitted for the hospital portion of the Phase I site ~~the Future Expansion phase~~.

Page 23 The third paragraph is revised as follows:

The Future Expansion site parcels consist of approximately 10 acres occupied by warehouses, a mix of smaller light industrial, service and retail uses, and ~~11~~ 12 live/work units.

Page 24 Figure 7 is replaced with Revised Figure 7 which consists of minor corrections to the location of surrounding land uses and additional street labeling. Figure 7 is revised to



Source: David J. Powers & Associates, Inc.

SURROUNDING LAND USES

REVISED FIGURE 7

correct the reference to the vacant 2-story office buildings to reflect the current conditions in which one unit is vacant, and the other buildings house residences, offices, a store and a studio where musicians practice.

Page 25 The second sentence in the fifth paragraph is revised as follows:

One of the two buildings is a two-story brick building that houses ~~11~~ 12 live/work units, all of which are currently occupied.

Page 26 The fourth sentence in the fourth paragraph is revised as follows:

Land uses along the eastern side of San Pablo between 45th and Park Avenue also include a retail store~~,~~ and a multi-unit senior citizen/retirement center (Emery Villa)~~; and a fast food restaurant~~.

Page 36 The following text is added at the end of the first complete paragraph:

Without the proposed amendments to the Emeryville General Plan, the Redevelopment Plan, and the project site zoning, the project would conflict with certain policies, goals and requirements contained therein. However, because the project includes such amendments, it would not result in a conflict with the Emeryville General Plan, Redevelopment Plan, or the project site zoning, and, therefore, would not result in a significant land use impact.

Page 36 The last sentence of the first paragraph under the section on the *Future Expansion Site* is revised as follows:

The elimination of the ~~11~~ 12 live/work units would also result with buildout.

Page 37 The following text is added at the end of the third complete paragraph:

Without the proposed amendments to the Emeryville General Plan, the Redevelopment Plan, and the project site zoning, the project would conflict with certain policies, goals and requirements contained therein. However, because the project includes such amendments, it would not result in a conflict with the Emeryville General Plan,

Redevelopment Plan, or the project site zoning, and, therefore, would not result in a significant land use impact.

Page 39 The first sentence in the third complete paragraph is revised as follows:

The hospital and medical office buildings constructed in Phase I would potentially affect residents of the ~~11~~ 12 live/work units on the Future Expansion site due to noise ~~from the proposed central plant and service yard, as well as impacts~~ generated by increased traffic and vehicular/pedestrian conflicts.

Page 40 The following sentence is added between the second and third sentences in the third full paragraph:

The central utility plant for the medical center would be located near the center of the western side of the proposed parking structure on San Pablo Avenue. Due to the fact that the central utility plant would be surrounded on three sides by the parking structure and set in the interior of the site, this facility would not result in significant land use incompatibility with the Emery Bay Village residences. Views of the central utility plant tower from the Emery Bay Villages and Emery Villa apartments, as well as from other uses on the east side of San Pablo Avenue would be screened by the parking structure and "liner" buildings. The siting of the central utility plant at this location would, however, result in the elimination of a pedestrian path from San Pablo Avenue to the open space area in the interior of the Phase I site.

Page 40 The first sentence of the last paragraph is revised as follows:

The Emery Villa apartments are located approximately 200 feet from the western edge of the Phase I site, and other multi-family residences on the east side of San Pablo Avenue are approximately 400 to 500 feet or more from the Phase I site.

Page 44 The first complete sentence at the top of the page is revised as follows:

Although the Phase I central utility yard would be expanded, the potential impacts to the residents of the ~~11~~ 12 live/work units on the Future Expansion site would ~~be eliminated~~ not occur in the Future Expansion phase because the ~~11 live/work units would be demolished~~ the central utility plant would be located next to the parking garage at San Pablo and 45th Street and the 12 live/work units would be demolished.

Page 44 Revise the first and second sentences of the third paragraph under the Future Expansion Site section as follows:

While the AC Transit operations are currently considered disruptive to the area, the medical office buildings would not be adversely affected by the noise generated by the maintenance activities, assuming that the proper noise attenuation measures are incorporated into the design of the proposed medical office buildings as described in Section II, E. These measures include mitigation measures No-1.1 through No-1.5. In addition, the medical uses would not affect AC Transit~~, assuming that proper noise attenuation measures are incorporated into the design of the proposed medical office buildings as described in Section II, E~~.

Page 49 Mitigation LU-5.2 is revised to clarify that this mitigation will be implemented where feasible:

LU-5.2 *Use of authentic brick building materials should be incorporated into the proposed "liner" building design to be compatible with the scale and character of the area, where feasible.*

Page 58 The first paragraph in the section on ***Housing Conditions on the Project Site*** is revised as follows:

Presently, there are ~~32~~ 33 residential units located on the project site. These units house a total of about ~~57~~ 59 residents based upon an average of 1.78 persons per household.[15] The 21 residences on the Phase I site currently house an estimated 37 residents. The ~~11~~ 12 live/work units on the Future Expansion site house an estimated ~~20~~ 22 residents.

Page 61 Table 3 is updated to reflect current conditions as shown in Revised Table 3.

Page 62 The third sentence in the first paragraph is revised as follows:

A sixth business, Pepsico, may be already in the process of moving to a new location ~~at the time the project application was filed.~~

The following minor corrections to the Draft EIR text on pages 64 through 66 are intended to clarify specific legal requirements of the City of Emeryville and the Emeryville Redevelopment Agency regarding displacement and relocation of residents and businesses associated with the project.

Page 64 The following items are added after item 9 under *EH-1.1*:

10. Eligible persons displaced from businesses or nonprofit organizations would be assisted in becoming established in a replacement location.

11. Other advisory assistance would be provided to eligible displaced persons to minimize their hardships.

Page 65 The seventh bullet is revised as follows:

o a plan for financing last resort housing, if required

Page 65 The thirteenth bullet is revised as follows:

o comments from the relocation committee, if any

Page 65 Item 1 is revised as follows:

1. Displaced businesses or non-profit organizations may receive payment for actual and reasonable moving and related expenses or a fixed payment up to $20,000 (as described below).

Page 66 The first full paragraph is revised as follows:

~~In addition to the requirements described above for relocation assistance to both residences and businesses, the following separate provisions would apply to businesses that are relocated.~~ As discussed above, an eligible displaced business or nonprofit

REVISED TABLE 3
Property Acquisitions and Relocations

PROPERTY ADDRESS	PROPERTY DESCRIPTION/ TENANT	LAND USE	STATUS (AUGUST 1994)	
			Acquisition Completed	Relocation Required [1]
PHASE I SITE				
4204-4264 Hollis/1200-1250 Park	Del Monte	Former Cannery/Vacant	No	No
1150 Park Avenue	Pepsi Cola	Bottling Facility	No	Yes
4347 San Pablo Avenue	Standard Brands Paints	Retail Paint Store	No	Yes
4331 San Pablo Avenue	City of Emeryville	Former Fire Station/vacant	No	Yes
4309 San Pablo Avenue	Silver Shelter Elks	Masonic Building & Holding Co.	No	Yes
4321 San Pablo Avenue	La Chalupa Restaurant	Restaurant/Tavern 3 Residential Units	No No	Yes Yes
4303 San Pablo Avenue	Broom Bush Coffee Shop	Restaurant	No	Yes
4301 San Pablo Avenue	Kentucky Fried Chicken	Restaurant	No	Yes
4475-4499 Emery Street	8 Residential Units	Residential	No	Yes
1157 45th Street	Single Family Residence	Residential	Yes	Yes
1155 45th Street	Single Family Residence	Residential	Yes	Yes
1153 45th Street	Duplex	Residential	Yes	Yes
4489-4499 Emery Street	6 Live/Work Condos	Residential	4-Yes 2-No	Yes
FUTURE EXPANSION SITE				
5000 Hollis Street	Westvaco Distribution Baker Marble & Granite Access Electric Supply	Warehouse Custom Marble/Granite Electrical Supply	No No No	Maybe Maybe Maybe
4512-4514 Hollis Street	Beck Electric Custom Woodcraft	Electrical Supply Custom Cabinets	No No	Maybe Maybe
1266-1290 45th Street	Acrylic Art 4th Street Woodworking Trader Vic's Calista Imports	Custom Acrylics Custom Windows/Doors Import/Export Import/Export	No No No No	Maybe Maybe Maybe Maybe[2]
1250 45th Street Emeryville Business Center	Laser Tools Inc. Quasar Engineering Inc. Northwest Computers Inc. Technichem Harmon Publishing Inc. Technicon Rehab Designs of America City Rock Gym Head Over Heals City Beach Volleyball RGA Soma Corp. Paula Skene Designs	12 Live /Work Units[3] Commercial/Residential	No No	Yes Yes ~~(not tenants)~~
Total Residential Units:	21 - Phase I Site: 12 - Future Expansion Site			
Total Businesses:	6 - Phase I Site: 22 - Future Expansion Site			
Total Public Facilities:	1 (Former Fire Station)			

[1] Relocation will not be required if no occupant is displaced by the project (e.g. lease expires).
[2] Relocation Plan Does not list Calista Imports; however, a comment letter received from the owner of 1266-1290 45th Street indicates that this business is located on that property.
[3] These Live/Work Units are counted in both residential unit and commercial business totals.

organization may elect to receive a fixed payment in lieu of payment for actual reasonable moving expenses, in accordance with the following criteria.

Page 66 The second full paragraph is revised as follows:

~~In order to receive payment according to the provisions stated above, the Redevelopment Agency must determine that:~~ The Redevelopment Agency may provide payment to eligible displaced businesses and nonprofit organizations if it determines that:

Page 68 Item (1) in the first paragraph is revised as follows:

(1) Phase I of the proposed medical center would create a total of 2,895 jobs in Emeryville, many of which ~~would~~ could be relocated from the Oakland Medical Center which currently has 2,320 full-time employees, thereby providing new employment opportunities in the region, and result in a net increase of 2,773 jobs at the project site;

Page 68 The following statement is added after Mitigation EH-2.

While no mitigation is required, Kaiser is proposing to contribute a $300,000 Small Business Retention Fee.

Page 69 The first sentence in the first paragraph under *Employment Growth* is revised as follows.

Future Expansion of the hospital, central utility yard, and parking garage would create about ~~330~~ 430 new jobs on the Phase I site, which is equivalent to ~~11~~ 14 percent of all Phase I site employment. This would result in an increase of ~~3,050~~ 3,150 jobs over current conditions on the Phase I site.

Page 69 The third sentence in the second full paragraph is revised as follows:

These properties are presently occupied by viable businesses such as Westvaco Distribution, Baker Marble & Granite, the Emeryville Business Center, other small businesses, and ~~11~~ 12 live/work units, all of which are occupied.

Page 69 The first sentence in the third full paragraph is revised as follows:

Buildout of the medical center would result in the displacement of 22 ~~19~~ businesses on the Future Expansion site.

Page 69 The last paragraph is revised as follows:

The businesses displaced by the project ~~would~~ could result in the loss of about 270 jobs currently provided on the Future Expansion site, including 118 service jobs and 152 manufacturing and wholesale jobs. According to data provided by Recht Hausrath and Associates, it is anticipated that the 118 service jobs and 32 manufacturing jobs could

be relocated to other locations in Emeryville, while 120 manufacturing jobs ~~would~~ could be lost to locations outside of Emeryville. The 120 manufacturing jobs consist of 70 jobs that are not located on the project site, but are part of a manufacturing business that ~~would~~ could be displaced by buildout.[24] This ~~would~~ could result in the net loss of 120 manufacturing jobs.

Page 70 **Impact EH-3** is revised as follows:

Future Expansion of the medical center would involve acquisition of four additional properties, displacement of ~~19~~ 22 businesses, and demolition of six existing structures which would be considered a significant impact. The displacement of the ~~19~~ 22 businesses would result in a corresponding loss of 120 manufacturing jobs on the Future Expansion site.

Page 71 The first five sentences of the first paragraph are is revised as follows:

Future Expansion of the medical center (occurring after the year 2000) would result in 1,245 additional jobs consisting of approximately 15 retail jobs and 1,230 service jobs. A complete breakdown of jobs that would be provided by the project is contained in Appendix C in Volume II. The 1,245 new jobs include ~~330~~ 430 additional jobs on the Phase I site and ~~915~~ 815 jobs on the Future Expansion site. The ~~915~~ 815 jobs would result in a net increase in employment of ~~645~~ 545 jobs when accounting for the 270 existing jobs on the Future Expansion site. The total 1,245 jobs in the Future Expansion phase represent a net increase in employment of 975 jobs.

Page 73 The discussion under Mitigation EH-5.2 is revised as follows:

- *EH-5.2* *Implement Redevelopment Agency's replacement housing obligations under Redevelopment Law. These are requirements of Redevelopment Law and would be carried out by the City of Emeryville Redevelopment Agency. Funding would be provided by the project applicant.*

Under Community Redevelopment law, the Redevelopment Agency is required to replace in kind all housing units occupied by low- to moderate-income households. These replacement housing units must be constructed within four years of their removal from the housing stock. Seventy-five percent of the replacement units must be affordable at the same income level of the displaced households. The funding for ~~t~~This replacement housing obligation would be ~~linked to Kaiser's Housing Program~~ specified in the Disposition and Development Agreement (Participation Agreement) and the development agreement as described below.

Page 74 The discussion under Mitigation EH-5.3 is revised as follows.

- *EH-5.3* *Implement Kaiser's Housing Program. This program will be included as a mitigation measure in the development agreement.*

In order to offset the loss of existing housing on the site and the increased demand for housing resulting from the project, the project's development agreement and Disposition and Development Agreement (Participation Agreement) would include a relocation assistance program and a new Housing Program as mitigation measures. Existing displaced residents would be provided with relocation assistance and benefits, including referrals to comparable replacement housing in the short-term, as described above. It is expected that future housing opportunities would be expanded in Emeryville with Kaiser's proposed Housing Program. As described below, this Housing Program would also compensate for the loss of housing planned for this site in the 1993 General Plan.

~~Kaiser would invest on a revolving fund basis up to $15,000,000 over the term of the development agreement to provide new housing in the City of Emeryville. Generally, the development agreement would describe the manner in which Kaiser would enter into a series of joint ventures with one or more developers that would allow for leveraging of investments to ensure the success of the Housing Program.~~

Kaiser Housing Program (Kaiser-Emeryville Housing Fund)

In order to provide the Agency with a flexible source of funding to construct additional housing in Emeryville, Kaiser would lend up to $15,000,000 to the Agency, at a below market interest rate over a term of 15 years, to fund the development of new affordable and market rate housing within Emeryville. Funds from the Kaiser-Emeryville Housing Fund will be made available during the Housing Fund Term in increments of $3,000,000 at one time, which may be borrowed and repaid up to five times, for a maximum of $15,000,000. The Agency will be able to combine the funds from the Kaiser-Emeryville Housing Fund with other sources of funds. The Agency would use these funds in cooperation with private for-profit or non-profit developers to develop housing developments in Emeryville.

Housing Development Criteria. The Agency would have the discretion to determine the types and sizes of the housing developments, with the goal of providing the maximum number of affordable housing units as reasonably possible, consistent with the General Plan Housing Element.

Funding Mechanism. The Agency and Kaiser would execute a loan agreement prior to the first advance of funds from the Housing Program. The Agency will notify Kaiser of the housing development that it selected to obtain funds from the Housing Program. Funding would then be disbursed in accordance with the terms of the loan agreement. Kaiser would only be obligated to advance funds for purposes related to development (including, but not limited to, land acquisition, site preparation, hazardous substance remediation, engineering, architecture and planning, other customary soft costs, and hard construction costs) of the identified housing development.

The $15,000,000 would finance the construction of additional housing units at locations which have not been determined at this time. Although the Housing Program would finance the future construction of additional dwelling units in Emeryville, the growth-inducing implications of this program would not be considered significant, because these

units would ~~replace the existing units on the Phase I and Future Expansion sites and to~~ compensate for the loss of future housing opportunities on the Phase I site by funding the construction of housing at other sites in the city. Therefore, the units funded by the Housing Program would be within the citywide growth projections as reflected in the City's adopted Housing Element and evaluated in the environmental document for the Emeryville General Plan. The development of these new units would be subject to further environmental review at the time such projects are proposed.

~~Kaiser would select each joint venture developer, while the Redevelopment Agency would establish the general criteria for the selection process, and would provide a municipal perspective on the proposed candidates. Once a developer is selected, Kaiser, the Emeryville Redevelopment Agency, and the developer would assess the availability of land, costs, the entitlement process, risks timing, and marketing. Under the development agreement, Kaiser would be obligated to conduct all due diligence with respect to the property and to the purchase of the land, while the developer would obtain approval for necessary entitlements and plans.~~

~~The developer would obtain conventional construction financing for the housing project and would build and market the housing units. Under the Housing Program, new residential units would be constructed in moderate increments, initially up to 10 units at a time, and possibly in larger increments after several initial projects have been successfully completed. The development agreement would require that 20 percent of the total units that are constructed under the Housing Program be dedicated for households of moderate income, with the balance of the constructed units sold as market rate housing. Although individual development projects may have more or less than 20 percent of the units dedicated for moderate income households, the Redevelopment Agency would monitor Kaiser's progress with respect to the construction of such affordable units on an annual basis. The affordable units in each project would be required to be similar size, placement and amenity level as other units in the development project.~~

Redevelopment Agency's Replacement Housing Obligation

In accordance with Health and Safety Code §33413, the Emeryville Redevelopment Agency will satisfy its obligation to replace each dwelling unit housing persons and families of low and moderate income which is destroyed or removed from the housing market as a result of this project. Kaiser will provide funding to the Agency, subject to the limitations of the Disposition and Development Agreement (Participation Agreement) to assist the Agency in fulfilling its obligation pursuant to Health and Safety Code §33413. With this assistance, the Agency would replace each dwelling unit, housing persons, and families of low and moderate income which is destroyed or removed from the housing market as a result of the project within four years of such destruction or removal, and otherwise in accordance with the Replacement Housing Plan, adopted by the Redevelopment Agency.

The Agency will be responsible for fulfilling the Agency's replacement obligations, with Kaiser providing a portion of the funding to construct the replacement units. Under

§33414 of the Health and Safety Code, all dwelling units that house families with very low, low, and moderate incomes must be replaced. However, only 75% of the replacement units must be affordable to families with comparable income levels, and the remaining 25% of such replacement units may be market rate. In accordance with these requirements, Kaiser's funding of these replacement units will be limited to a specified amount, depending upon the type of replacement unit required. The portion of funding to be provided by Kaiser was determined based on the Agency's estimate of the amount of funds necessary to make the replacement units affordable at the required income levels. Any funds provided by Kaiser to fund fulfillment of the Agency's replacement housing obligations shall be in addition to, and shall not be counted as part of, the funds invested by Kaiser in the Kaiser Emeryville Housing Fund.

Page 75 The bold conclusion is revised to clarify the effects of the relocation mitigation:

The acquisition, displacement, and demolition activities would result in a significant housing impact in Phase I. The payment of relocation assistance, the Redevelopment Agency's replacement housing obligations under Redevelopment Law, and funding through the Disposition and Development Agreement ~~Kaiser's Housing Program~~ would reduce the impact to a less than significant level. With this assistance, displaced residents would be relocated to comparable housing in Emeryville, or new housing would be constructed.

Page 75 The last paragraph is revised as follows:

The General Plan amendments proposed as part of the project would replace the Medium Density Residential designation with *Commercial*. The change in the General Plan land use designation would result in the corresponding loss of ~~379~~ 400 potential dwelling units ~~(400 units minus the 21 existing units)~~.

Page 76 The last paragraph is revised as follows:

As shown in Table 4, the Housing element identifies 80 of the 400 units as moderate income units and the remaining 320 units as above moderate income units. The loss of the potential 80 moderate income units would result in a total of 210 estimated moderate-income units that could be developed in the city to meet the requirement of 168 moderate income units for the period of 1988 to 1995. The city, however, would continue to be deficient in its provision of very low and low income units, but would exceed the requirements for moderate income and above moderate income units. ~~Although the city would meet the requirement for this category of affordable housing, the total number of affordable housing units in the city would drop below the total affordable housing requirement of 505 units. With the loss of 80 affordable units on the project site, the city would have the potential for developing 468 affordable units at other locations in Emeryville. Therefore, the city would be 37 units short of meeting ABAG's affordable housing requirement.~~

Page 77 The following paragraph is added between the first and second full paragraphs:

Housing Opportunities Policy #7 contained in the 1993 Emeryville General Plan *encourages the provision of housing opportunities for all economic groups, throughout the City, including the elderly and single-parent families.* Policy #7 also states that *the City shall explore strategies to retain some low- and moderate-income housing whenever actions are proposed that may displace these units.* Although the 80 moderate income units that could be developed on the Phase I site do not currently exist on the site, because they represent potential moderate income housing units, the City considers the loss of ~~future affordable housing opportunities to be a significant impact.~~ 80 potential moderate income units to be a significant impact.

Page 77 Impact EH-6 and Mitigation EH-6 are revised as follows:

- **Impact EH-6**

  The project would result in the loss of 80 potential moderate income units ~~future housing opportunities~~ on the Phase I site which would be a significant impact. ~~As a result, the city would be 37 units short of its affordable fair share housing requirements which would be considered a significant impact.~~ The loss of 80 moderate income units would result in a significant impact because the retention of affordable housing is encouraged by Emeryville General Plan Housing Opportunities, Policy #7.

- **Mitigation EH-6**

  The following mitigation measures would be implemented to fully mitigate the loss of ~~37~~ 80 moderate income ~~fair share~~ housing units.

  - *EH-6.1* *Implement the Kaiser ~~Foundation Hospitals'~~ Housing Program. This program will be included as a mitigation measure in the proposed Development Agreement.*

  Phase I includes the implementation of the Kaiser Housing Program to assist in compensating ~~in order to partially offset the loss of the existing 21 housing units on the site, and to compensate~~ for the loss of the ~~379~~ 80 moderate income ~~additional~~ units of future housing. It is expected that future housing opportunities would be expanded in Emeryville with the proposed Housing Program, as described in mitigation measure EH-5.3.

  - *EH-6.2* *Pursue the development of housing at other locations in Emeryville.*

  The City of Emeryville Redevelopment Agency has identified 25 sites throughout the Redevelopment Area that were not considered in the Housing Element as having potential for new residential development.[28] ~~A total of 403 to 634 dwelling units could be developed on these sites by rezoning the sites~~

~~from non-residential to residential uses, or by increasing the density (i.e., the number of dwelling units allowed per acre), subject to subsequent development applications and environmental review.~~ Ten sites with a potential for the development of up to 128 units either already have planning approval or are pending approval. The additional 15 sites could result in the development of up to 403 to 634 dwelling units by rezoning the sites from non-residential to residential uses or by increasing the density, subject to subsequent development applications and environmental review. However, the development of live/work units on these sites would not require rezoning, but would involve approval of a Conditional Use Permit. Because the development of these 25 sites is not included in the proposed Kaiser Permanente Medical Center and there are no pending residential development applications for most of these sites, it is too speculative to estimate the exact number of dwelling units, timing of development and development characteristics at this time for all 25 sites. Development of these sites would assist the city in conforming to its fair share housing requirements. However, the actual development of housing on these sites is not included in the Kaiser Permanente Medical Center project.

- *EH-6.3* *The Kaiser Housing Program should fund the construction of ~~37~~ affordable ~~fair share~~ housing units.*

~~To the extent that the Kaiser Housing Program is viable, funds from the Kaiser Housing Program should be directed to established and future Redevelopment Agency housing efforts throughout Emeryville.~~

~~**With implementation of the additional mitigation measures, the significant housing impact resulting from Phase I of the proposed project would be reduced to a less than significant level. With the proposed amendments to the Housing element, and the implementation of the new Housing Program, the proposed medical center would be consistent with the Housing Element.**~~

The significant impact in Phase I due to the loss of 80 potential moderate income housing units would be mitigated to a less than significant level by implementing the Housing Program specified in mitigation measure EH-6.1, in conjunction with the funding of mitigation measures EH-6.2, EH-6.3, and EH-6.4, plus the Emeryville Redevelopment Agency's efforts to encourage new housing as stated in mitigation measures EH-6.5 and EH-6.6. With the proposed amendments to the Housing Element, and the implementation of mitigation measures EH-6.1 through EH-6.6, the proposed medical center would be consistent with the Housing Element.

Page 79 The first paragraph under the *Future Expansion Site* is revised as follows:

The Future Expansion phase of the project would involve the acquisition and/or condemnation of the Emeryville Business Center property, which is the only parcel within the Future Expansion site boundaries that is occupied by residential uses. The acquisition of this property and construction of the medical center expansion would

result in the displacement of ~~11~~ 12 households that occupy the ~~11~~ 12 live/work units on the site.[29] The displacement of the existing live/work units would result in the corresponding displacement of approximately 20 22 residents.[30] Together with Phase I, the proposed project would result in the physical displacement of ~~32~~ 33 households and ~~57~~ 59 residents that account for approximately 0.9 percent of the city's 1993 population. The displacement of these households would exceed the threshold of significance and result in a significant impact to the affected residents.

Page 79 The second paragraph under the *Future Expansion Site* is revised as follows:

Demolition of the Emeryville Business Center buildings would result in the loss of up to ~~11~~ 12 live/work units which contribute to Emeryville's existing housing stock. The loss of these units would be considered significant.

Page 79 Impact EH-7 and Mitigation EH-7 are revised as follows:

- **Impact EH-7**

  Future Expansion of the project would involve the acquisition of residential properties, displacement of ~~11~~ 12 households and ~~20~~ 22 residents, and demolition of ~~11~~ 12 existing live/work units on the Future Expansion site which would be considered as significant impact. The live/work units would be relocated to other locations within the City of Emeryville.

Page 80

- **Mitigation EH-7**

  The following mitigation would be implemented to reduce the housing impacts resulting from the loss of ~~11~~ 12 live/work units to a less than significant level.

Page 80 Mitigation measure EH-7.2 is revised clarify the Redevelopment Agency's obligations:

- *EH-7.2* *Implement Redevelopment Agency's replacement housing obligations under Redevelopment Law. These are requirements of Redevelopment Law and would be carried out by the City of Emeryville Redevelopment Agency. Funding would be provided by the project applicant.*

Page 80 The discussion under mitigation measure EH-7.3 is revised as follows:

Kaiser ~~Foundation Hospital's~~ Housing Program would also be implemented during and after construction of the Future Expansion phase. As with Phase I, the Future Expansion phase includes a relocation assistance program ~~and a new housing program~~ that would offset the loss of existing housing on the site. IT is expected that future housing opportunities would be expanded in Emeryville with Kaiser's proposed Housing Program.

Page 80 The bold conclusion is revised to clarify the effects of the relocation mitigation:

The acquisition, displacement, and demolition activities in the Future Expansion phase would result in a significant housing impact. The payment of relocation assistance, the Redevelopment Agency's replacement housing obligations under Redevelopment Law, and funding through the Disposition and Development Agreement ~~Kaiser's Housing Program~~ would reduce the impact to a less than significant level. With this assistance, displaced residents would be relocated to comparable housing in Emeryville, or new housing would be constructed.

Page 81 The last sentence of the first paragraph is revised as follows:

Therefore, buildout of the medical center would not result in additional impacts to future housing opportunities on the Future Expansion site, beyond the loss of the ~~11~~ 12 live/work units that occupy the site.

Page 82 The first sentence of the second paragraph is revised as follows:

Based upon the current housing conditions in the City of Emeryville, the loss of 21 existing housing units and the loss of ~~379 (400-21)~~ ~~potential~~ 80 affordable dwelling units on the Phase I site would be considered significant.

Page 82 The first sentence of the third paragraph is revised as follows:

If the proposed medical center is approved, some of the existing employees at the Oakland Medical Center would be relocated to the Emeryville facility.

Page 83 The last sentence of the first paragraph is revised as follows:

ABAG, however, has since modified its projections, and now estimates that there will be a shortage of 4,340 units in the northern portion of the county, and overall, Alameda County will have the potential for constructing up to ~~a surplus of~~ 5,650 local policy units between 1990 and 2010.

Page 83 The following sentence is added at the end of the first paragraph.

ABAG's *Projections '94* projects a total of 307,750 jobs, 276,600 employed residents, and 238,140 households in Northern Alameda County for 2000. Similarly, ABAG projections indicate that there would be 352,060 jobs, 294,400 employed residents, and 246,820 households for Northern Alameda County in the year 2010.

Page 83 The last paragraph is revised as follows:

Buildout of the hospital, parking garage, and central utility yard on the Phase I site would result in an increase in ~~330~~ 430 jobs on the Phase I site. The ~~330~~ 430 workers would create a demand for ~~295~~ 384 housing units.

Page 84 The first sentence of the first paragraph is revised as follows:

As described in the **Employment Impacts** section, Future Expansion of the medical center would generate 1,245 total jobs, including the ~~330~~ 430 jobs on the Phase I site and ~~915~~ 815 jobs on the Future Expansion site.

Page 84 The third sentence of the first paragraph is revised as follows:

The 1,245 employees would generate a demand for ~~1,120~~ 1,111 dwelling units, including the 384 ~~295~~ units generated by the expansion of the medical center on the Phase I site and ~~825~~ 727 units for the ~~915~~ 815 employees.

Page 84 The second paragraph is revised as follows:

Due to the uncertainty of Kaiser's plans for the existing Oakland facility, it is too speculative to know at this time the precise number of employees that would be relocated from the Oakland medical center. Phase I and the Future Expansion phase combined would result in a total of approximately 4,140 jobs that would, in turn, create a worst case demand for up to 3,696 new dwelling units (assuming that all of the relocated Oakland Medical Center employees would move from their existing housing locations).

Page 95 The V/C ratios included in Table 8 for the intersection of Adeline Street/36th Street should be replaced with footnote (b), since this intersection is an all-way stop controlled intersection. Level of Service for an all-way stop controlled intersection is based on delay, not V/C ratios.

Page 114 The following paragraph is added after the first paragraph under the section ***Threshold of Significance***:

For intersections which operate at LOS E or F prior to the addition of project traffic, even if the project mitigation measures would fully mitigate the project impacts, the project was determined to result in a significant unavoidable impact if this mitigation did not achieve an acceptable level of service of D or better.

Page 120 In response to comments received on the Draft EIR, Mitigation Cir-1.1 is revised to reflect better systems operations that are consistent with the restriping of San Pablo Avenue to six lanes as follows. The following revisions constitute minor modifications to the mitigation measures identified in the Draft EIR and do not result in a change in the impacts conclusion.

- *Cir-1.1:* *Add a third through lane in the northbound and southbound directions on San Pablo Avenue ~~second eastbound left turn lane and an exclusive eastbound right turn lane~~ and an exclusive eastbound left turn lane on 45th Street.*

This mitigation would require ~~widening 45th Street to provide a continuous two-way left turn median between San Pablo Avenue and Hollis Street mandatory~~ peak period parking prohibition on the south side of 45th Street, between Emery Street and San Pablo Avenue, and restriping the existing eastbound left/right turn lane to an exclusive left turn lane and an exclusive right turn lane on 45th Street. This mitigation would also require peak period parking prohibition on San Pablo Avenue, between 47th and 43rd Streets, as well as modification of the existing traffic signal at San Pablo/45th Street. Since there are no designated on-street parking spaces that serve existing businesses at this location, the mandatory parking prohibition would not result in a significant impact.

Page 121 Figure 20 is replaced with Revised Figure 20 to reflect the revisions to the identified roadway mitigation measures for year 2000 conditions.

Page 122 Figure 21 is replaced with Revised Figure 21 to reflect the revisions to the identified intersection mitigation measures for year 2000 conditions.

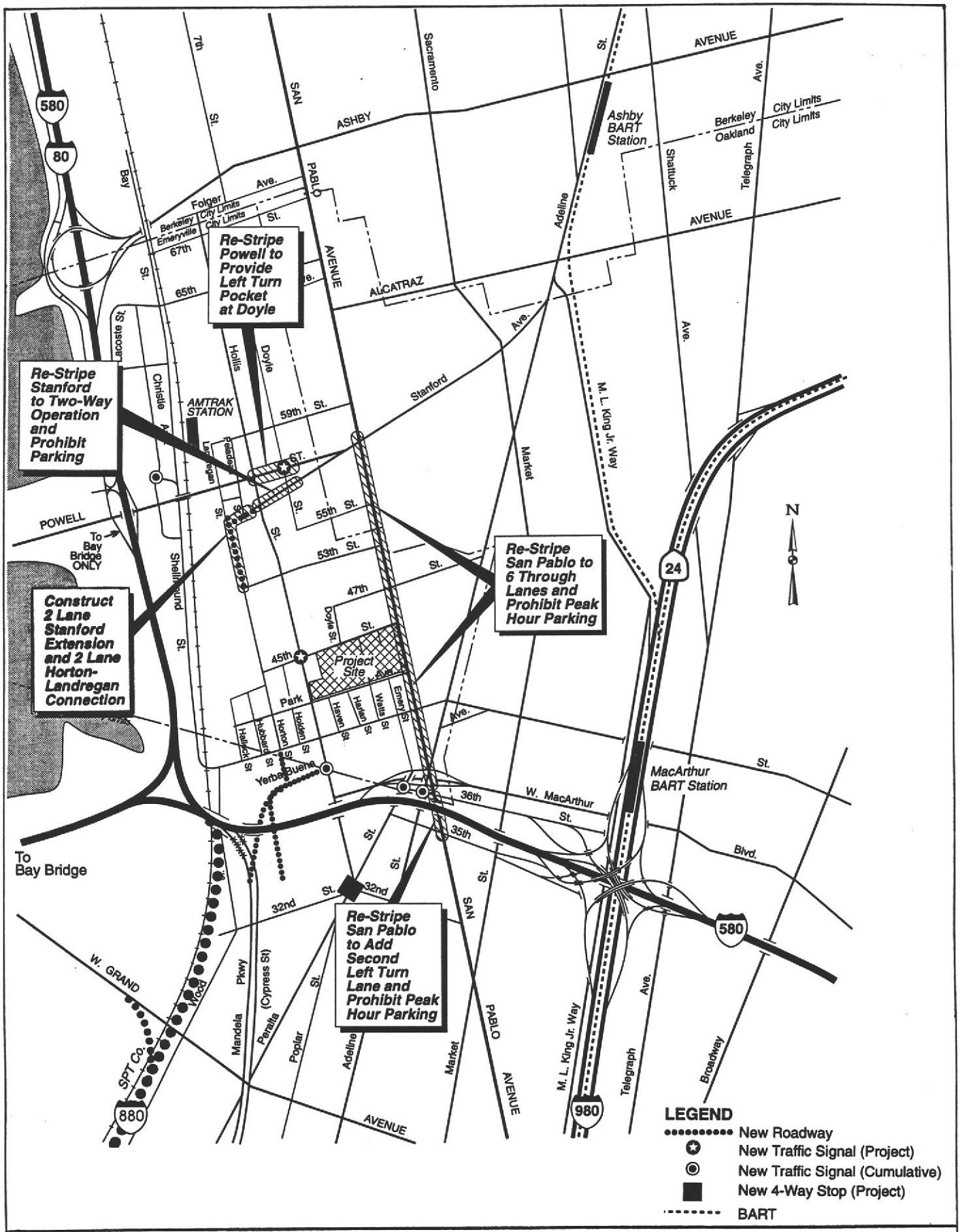
Page 123 Table 14 is replaced with Revised Table 14 to reflect the level of service conditions for the AM peak period associated with the revisions to the identified roadway and intersection mitigation measures for year 2000 conditions.

Page 124 Table 15 is replaced with Revised Table 15 to reflect the level of service conditions for the PM peak period associated with the revisions to the identified roadway and intersection mitigation measures for year 2000 conditions.

Page 125 In response to comments received on the Draft EIR, Mitigation Cir-2.1 is revised to reflect better systems operations that are consistent with the restriping of San Pablo Avenue to six lanes as follows. The following revisions constitute minor modifications to the mitigation measures identified in the Draft EIR and do not result in a change in the impacts conclusion.

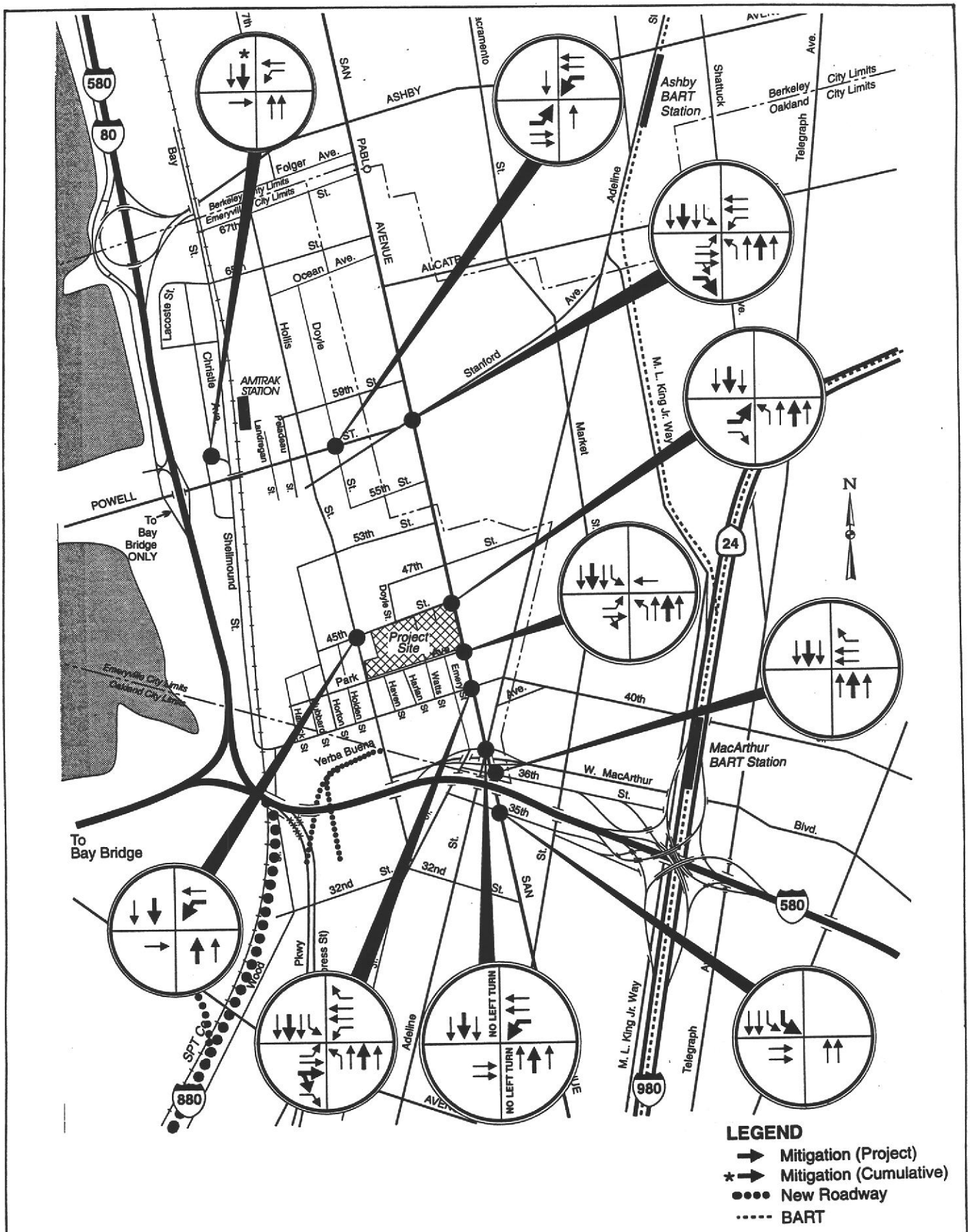
- *Cir-2.1* *Add ~~an exclusive eastbound right turn lane on Park Avenue and a second exclusive left turn lane in the northbound direction~~ a third through lane in the northbound and southbound directions on San Pablo Avenue.*

This mitigation would require restriping and ~~widening of Park Avenue by approximately 12 feet between Emery Street and San Pablo Avenue, as well as modification of the existing traffic signal. This mitigation measure would also require~~ mandatory peak period parking restrictions on San Pablo Avenue, between 43rd and 41st Streets, as well as modification to the existing traffic signal at San Pablo and Park Avenue. ~~on the approaches to Park Avenue and a modification of the median island on San Pablo Avenue to provide the additional turn lane. It would also require a mandatory parking restriction on the north side of Park Avenue between Emery Street and San Pablo Avenue, as well as restriping to provide one additional through lane on Park Avenue in the westbound direction that would "drop" at Emery Street.~~



ROADWAY MITIGATION MEASURES, YEAR 2000 CONDITIONS

REVISED FIGURE 20



INTERSECTION MITIGATION MEASURES, YEAR 2000 CONDITIONS

REVISED FIGURE 21

Mitigated Year 2000 Intersection Level of Service - AM Peak Period

NO.	INTERSECTION	YEAR 2000 BASELINE		YEAR 2000 + KAISER (PHASE I)		MITIGATED YEAR 2000 + KAISER (PHASE I)		MITIGATED YEAR 2000 + KAISER WITH TSMP[c]		MITIGATED YEAR 2000 CUMULATIVE	
		V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS
1	San Pablo Avenue/Ashby Avenue	0.99	E	1.03	F	1.03	F	1.02	F	1.06	F
5	San Pablo Avenue/Park Avenue	0.44	A	0.83	D	0.65	B	0.60	B	0.73	C
13	Hollis Street/45th Street	(a)	A/D	(a)	A/F	0.38	A	0.37	A	0.49	A
15	Hollis Street/Yerba Buena Avenue/Mandela Parkway (new)	(a)	A/C	(a)	A/D	0.25	A	0.24	A	0.31	A
27	Cypress Street northbound/32nd Street	(a)	A/D	(a)	A/E	(b)	D	(b)	D	(b)	E
32	Adeline Street/36th Street	(b)	F	(b)	F	0.56	A	0.55	A	0.56	A
34	Peralta Street/36th Street	(a)	A/E	(a)	A/E	0.42	A	0.42	A	0.42	A

Notes: (a) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.
(b) - Indicates an All-Way stop controlled intersection for which LOS is based on delay of vehicles at the intersection as explained in Appendix D.
(c) - TSMP is a Transportation Systems Management Program instituted by Kaiser to reduce the number of single-occupant-vehicle commute trips.

The gray-shaded areas indicate unacceptable service levels of LOS E and F.

SOURCE: Korve Engineering, 1994

TABLE 14

Mitigated Year 2000 Intersection Level of Service - PM Peak Period

NO.	INTERSECTION	YEAR 2000 BASELINE		YEAR 2000 + KAISER (PHASE I)		MITIGATED YEAR 2000 + KAISER (PHASE I)		MITIGATED YEAR 2000 + KAISER WITH TSMP[c]		MITIGATED YEAR 2000 CUMULATIVE	
		V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS
1	San Pablo Avenue/Ashby Avenue	1.15	F	1.24	F	1.24	F	1.23	F	1.26	F
2	San Pablo Avenue/Alcatraz Avenue	0.95	E	1.12	F	1.12	F	1.10	F	1.14	F
3	San Pablo Avenue/Stanford Avenue	0.87	D	1.00	F	0.91	E	0.88	D	0.93	E
4	San Pablo Avenue/45th Street	0.59	A	1.09	F	0.70	C	0.66	B	0.75	C
5	San Pablo Avenue/Park Avenue	0.58	A	1.05	F	0.79	C	0.73	C	0.85	D
7	San Pablo Avenue/Adeline Street/W. MacArthur Boulevard	0.99	E	1.19	F	0.80	D	0.80	D	0.82	D
9	San Pablo Avenue/35th Street	0.82	D	0.95	E	0.73	C	0.72	C	0.76	C
10	7th Street/Ashby Avenue	1.28	F	1.31	F	1.31	F	1.30	F	1.31	F
12	Hollis Street/Powell Street	1.04	F	1.12	F	1.12	F	1.10	F	1.16	F
13	Hollis Street/45th Street	(a)	A/E	(a)	C/F	0.55	A	0.53	A	0.64	B
15	Hollis Street/Yerba Buena Avenue/Mandela Parkway (new)	(a)	A/E	(a)	A/E	0.29	A	0.29	A	0.32	A
19	Shellmound Street/Christie Avenue - North	(a)	A/F	(a)	A/F	0.41	A	0.41	A	0.41	A
21	Christie Avenue/Powell Street	1.04	F	1.07	F	1.07	F	1.07	F	1.09	F
27	Cypress Street northbound/32nd Street	(a)	B/E	(a)	B/E	(b)	D	(b)	D	(b)	D
46	San Pablo Avenue/40th Street (new)	0.81	D	1.00	F	0.79	C	0.73	C	0.80	D

Note: (a) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.
(b) - Indicates an All-Way stop controlled intersection for which LOS is based on delay of vehicles at the intersection as explained in Appendix D.
(c) - TSMP is a Transportation Systems Management Program instituted by Kaiser to reduce the number of single-occupant-vehicle commute trips.

The gray-shaded areas indicate unacceptable service levels of LOS E and F.

SOURCE: Korve Engineering, 1994

TABLE 15

The mandatory parking restrictions on San Pablo Avenue would primarily impact the Oaks Restaurant and Clubroom at the corner of Park Avenue and San Pablo Avenue. However, because an off-street parking lot provides parking for these businesses, the loss of the peak period on-street parking would not be considered significant. ~~The mandatory parking restriction on the north side of Park Avenue, between Emery Street and San Pablo Avenue, would affect about five vehicles which park on Park Avenue near the Pepsico facility and Kentucky Fried Chicken in the peak period. Since both of these businesses also have on-site parking, the loss of on-street parking in the peak period would be considered a less than significant impact.~~

Page 126

In response to comments received on the Draft EIR, mitigation measure Cir-3.1 is revised to reflect better systems operations that are consistent with the restriping of San Pablo Avenue to six lanes as follows. The following revisions constitute minor modifications to the mitigation measures identified in the Draft EIR and do not result in a change in the impacts conclusion.

This mitigation measure would require mandatory peak-period parking restrictions on San Pablo Avenue between 36th Street and 40th Street, and restriping of San Pablo Avenue to provide the additional through lanes. It would also require the installation of a no parking zone on both sides of Adeline Street. Directional signing for San Pablo Avenue traffic near this intersection would also be required.

Page 126

Mitigation Cir-4.1 is revised as follows to combine mitigation measure Cir-20.1 with mitigation measure Cir-4.1. As revised, mitigation measure Cir-4.1 would reduce significant cumulative impacts at the Hollis/45th Street intersection to a less than significant level. Therefore, feasible mitigation is available for this intersection.

- *Cir-4.1* *Restripe 45th Street to provide an exclusive left turn lane in the westbound direction at Hollis Street, as well as the installation of a no parking zone on one side of 45th Street.* ~~*Restripe Hollis Street to provide a left turn lane in the northbound and southbound directions.*~~ *Restripe Hollis to provide two through lanes on both approaches. Installation of a traffic signal would also be required at Hollis and 45th Streets.*

This mitigation would require the restriping of Hollis Street to add a second through lane in both directions between Powell and 40th Street, as well as mandatory peak period parking restrictions.

Traffic signals on Hollis Street, between Powell Street and 40th Street, should be interconnected and a signal timing plan proposed.

The no parking zone on 45th Street near Hollis Street would affect approximately 15 parking spaces on 45th Street. This on-street parking serves two existing manufacturing businesses along 45th Street. The loss of these spaces would result in a significant unavoidable impact, since it appears that there may not be enough off-street parking to

compensate for the loss of the on-street parking spaces, and because the project is not proposing to provide replacement parking.

Mandatory peak period parking restrictions on Hollis Street would affect about seven vehicles that park on the west side of Hollis Street and nine vehicles on the east side, between Park Avenue and 53rd Street. The loss of on-street parking spaces would impact eight businesses on Hollis Street. The loss of this parking would result in a significant unavoidable impact, since some of these businesses rely on the on-street spaces for patron parking, and there are no conveniently located vacant parcels available for constructing replacement parking.

Page 127 In response to comments received on the Draft EIR, mitigation measure Cir-5.1 is revised to reflect better systems operations that are consistent with the restriping of San Pablo Avenue to six lanes as follows. The following revisions constitute minor modifications to the mitigation measures identified in the Draft EIR and do not result in a change in the impacts conclusion.

- *Cir-5.1* *Add a third through lane in the northbound and southbound directions on San Pablo Avenue, as well as an eastbound shared through/right turn lane on 40th Street.*

This mitigation measure would require mandatory parking restrictions on San Pablo Avenue between ~~36th~~ 41st Street and ~~40th Street~~ Yerba Buena Avenue ~~Streets~~, and a restriping of San Pablo Avenue to provide the additional through lanes. Modification to the existing traffic signal would also be required at San Pablo/40th Street.

~~As described in mitigation measure Cir-3.1~~, The mandatory parking restrictions on San Pablo Avenue between ~~36th~~ 41st Street and ~~40th Street~~ Yerba Buena Avenue would affect approximately ~~35~~ 16 vehicles that park on San Pablo Avenue during the peak period. Approximately ~~15~~ 7 businesses and ~~two vacant buildings~~ along San Pablo Avenue depend upon this on-street parking to serve their patrons. ~~As described above,~~ The loss of the on-street parking along this portion of San Pablo Avenue would be considered a significant unavoidable impact.

Page 128 Mitigation Cir-7.1 is revised as follows to correct an error in the Horton-Landregan and Stanford Avenue Extension reference.

- *Cir-7.1* *Construct a ~~three~~ two lane Horton-Landregan Connection, with turn lanes into the Chiron project, and a ~~three~~ two lane Stanford Avenue Extension between Horton-Landregan and Hollis Street, with left and right turn lanes at the Hollis Street intersection.*

Page 133 The last sentence of the first full paragraph is revised as follows:

This significant impact would ~~require the provision of additional transit capacity, either through the addition of more buses or the implementation of a fixed guideway system,~~

~~such as the light rail system discussed earlier.~~ be reduced to a less than significant level with the provision of additional transit capacity through the provision of Kaiser's private shuttle, Emeryville-BART shuttle, the mass transit program and Kaiser's annual transit fee of $100,000 for 25 years, AMTRAK, and the provision of commuter rail services on the Southern Pacific Railroad Line.

Page 133 The last sentence of the second full paragraph under **Cumulative Intersection Impacts and Mitigation, Year 2000** is revised to clarify the status of the mitigation measure for the intersection of Cypress Street/32nd Street:

~~Mitigation measures would not be feasible at the intersection of Cypress Street/32nd Street under the year 2000 cumulative scenario.~~ Although the installation of a signal at Cypress Street/32nd Street would achieve an acceptable level of service at this intersection, the intersection does not meet signal warrants with year 2000 cumulative traffic according to Caltrans methodology. As a result, the installation of a signal was deferred to 2010 conditions when signal warrants are met. Therefore, the year 2000 cumulative impacts at Cypress Street/32nd Street were determined to be significant and unavoidable.

Page 133 The last sentence of the last paragraph is deleted because the mitigation measures identified in 2010 for the Hollis Street/45th Street intersection (Cir-20.1) have been advanced to year 2000 to be combined with mitigation measure Cir-4.1. As revised, mitigation measure Cir-4.1 would reduce significant cumulative impacts at the Hollis/ 45th Street intersection to a less than significant level. Therefore, feasible mitigation is available for this intersection.

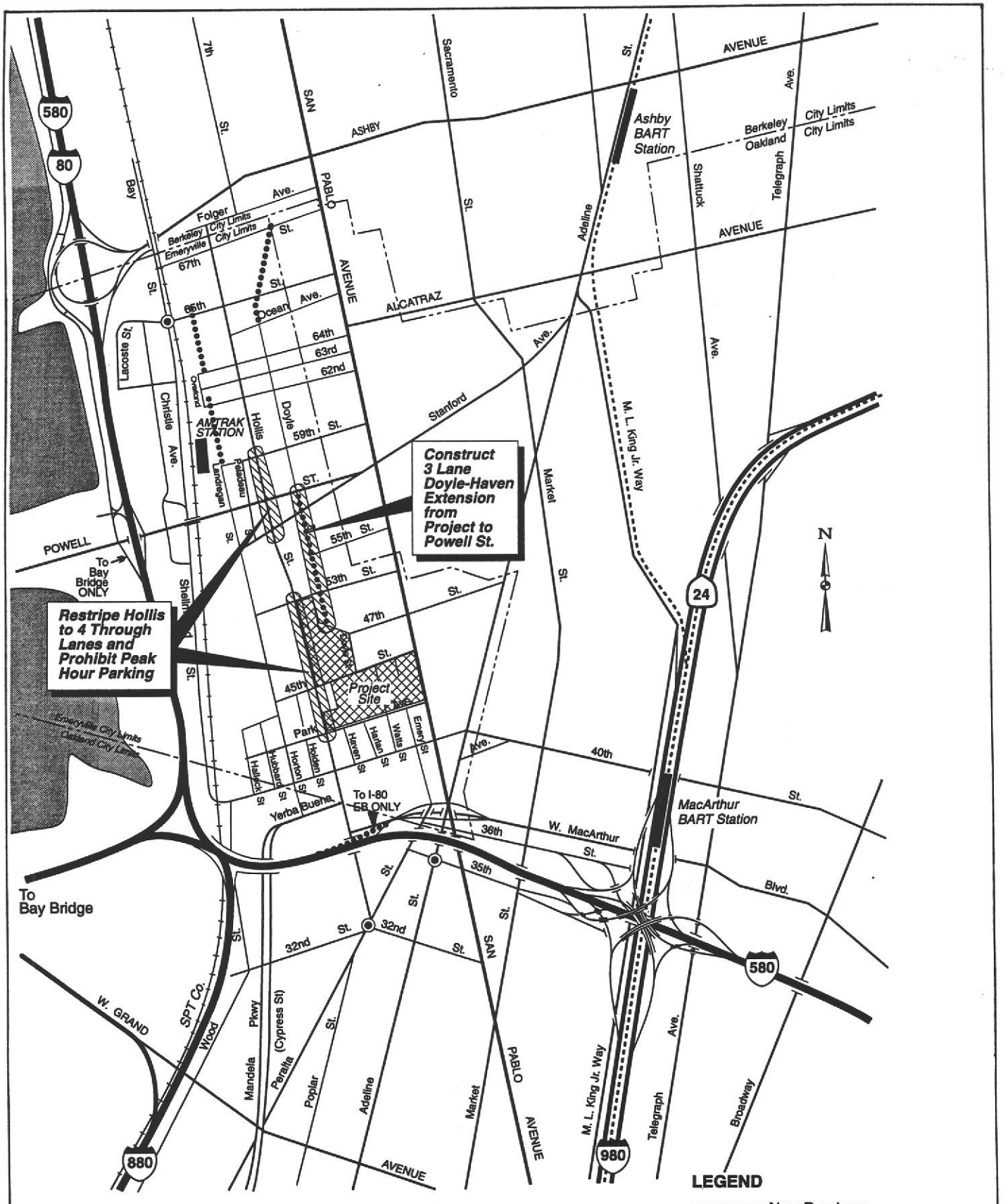
Page 141 Figure 22 is replaced with Revised Figure 22 to reflect the revisions to the identified roadway mitigation measures for year 2010 conditions.

Page 142 Figure 23 is replaced with Revised Figure 23 to reflect the revisions to the identified intersection mitigation measures for year 2010 conditions.

Page 143 Table 18 is replaced with Revised Table 18 to reflect the level of service conditions for the AM peak period associated with the revisions to the identified roadway and intersection mitigation measures for year 2010 conditions.

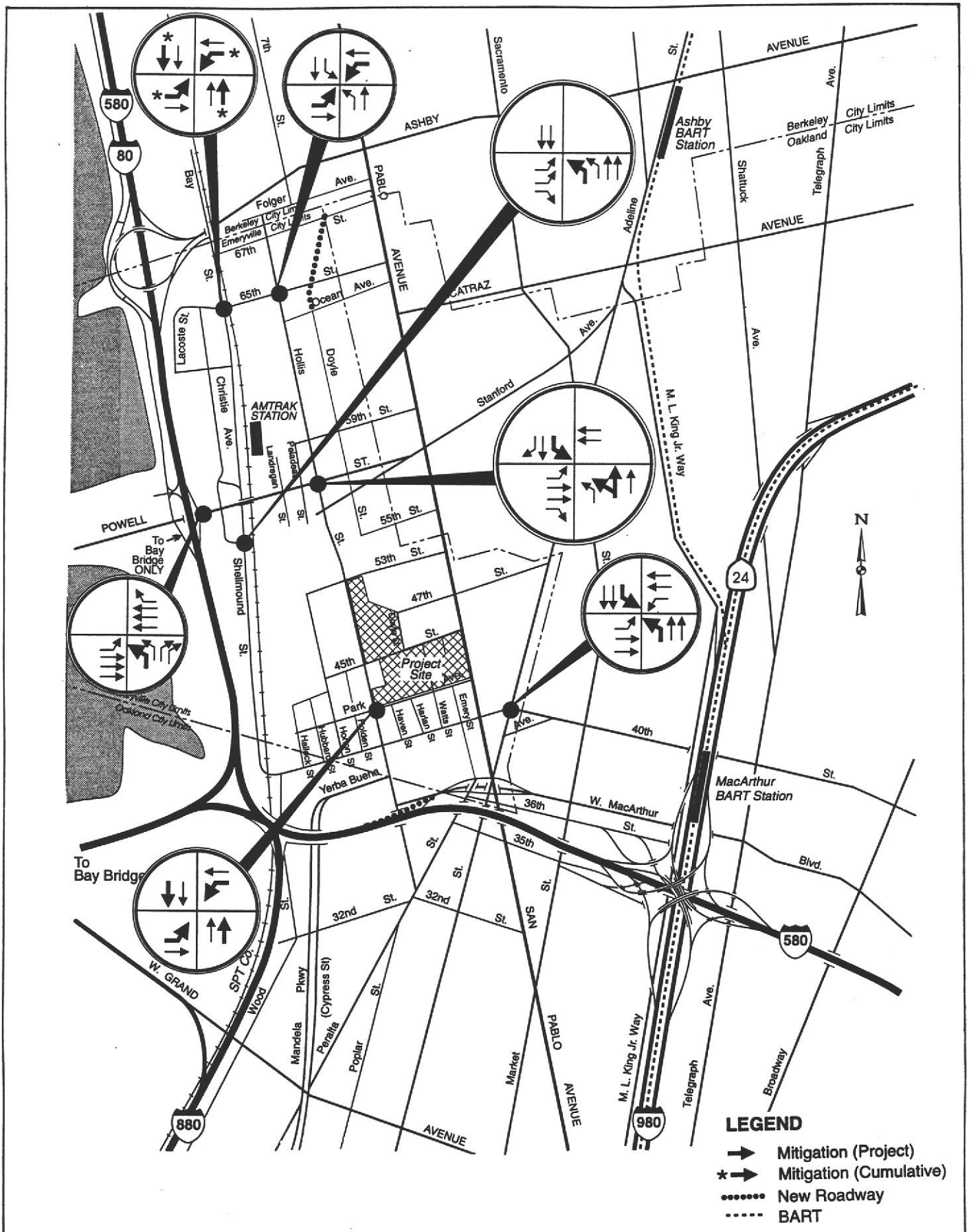
Page 144 Table 19 is replaced with Revised Table 19 to reflect the level of service conditions for the PM peak period associated with the revisions to the identified roadway and intersection mitigation measures for year 2010 conditions.

Page 146 In response to comments received on the Draft EIR, Mitigation Cir-15.1 is revised to reflect better systems operations that are consistent with the restriping of San Pablo Avenue to six lanes as follows. The following revisions constitute minor modifications to the mitigation measures identified in the Draft EIR and do not result in a change in the impacts conclusion.



ROADWAY MITIGATION MEASURES, YEAR 2010 CONDITIONS

REVISED FIGURE 22



INTERSECTION MITIGATION MEASURES, YEAR 2010 CONDITIONS

REVISED FIGURE 23

Mitigated Year 2010 Intersection Level of Service - AM Peak Period

NO.	INTERSECTION	YEAR 2010 BASELINE		YEAR 2010 + KAISER (BUILDOUT)		MITIGATED YEAR 2010 + KAISER (BUILDOUT)		MITIGATED YEAR 2010 + KAISER WITH TSMP[c]		MITIGATED YEAR 2010 CUMULATIVE	
		V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS
1	San Pablo Avenue/Ashby Avenue	1.21	F	1.28	F	1.28	F	1.27	F	1.32	F
2	San Pablo Avenue/Alcatraz Avenue	1.12	F	1.23	F	1.23	F	1.21	F	1.23	F
3	San Pablo Avenue/Stanford Avenue	0.86	D	0.97	E	0.97	E	0.95	E	1.00	F
5	San Pablo Avenue/Park Avenue	0.56	A	0.99	E	0.76	C	0.71	C	0.82	D
8	San Pablo Avenue/36th Street	0.77	C	0.92	E	0.73	C	0.71	C	0.81	D
12	Hollis Street/Powell Street	0.84	D	0.94	E	0.76	C	0.75	C	0.76	C
13	Hollis Street/45th Street	(a)	A/E	(a)	B/F	0.48	A	0.45	A	0.48	A
15	Hollis Street/Yerba Buena Avenue/Mandela Parkway (new)	(a)	B/F	(a)	B/F	0.41	A	0.40	A	0.48	A
19	Shellmound Street/Christie Avenue - North	(a)	A/E	(a)	A/E	0.32	A	0.32	A	0.32	A
27	Cypress Street northbound/32nd Street	(a)	A/D	(a)	A/E	0.45	A	0.45	A	0.49	A
32	Adeline Street/36th Street	(b)	F	(b)	F	0.63	B	0.63	B	0.63	B
34	Peralta Street/36th Street	(a)	A/E	(a)	A/E	0.42	A	0.42	A	0.42	A
46	San Pablo Avenue/40th Street (new)	0.92	E	1.15	F	0.69	B	0.67	B	0.75	C
164	I-80 westbound Hook-Ramp relocated from Powell Street	0.89	D	0.92	E	0.92	E	0.91	E	0.98	E

Notes: (a) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.
(b) - Indicates an All-Way stop controlled intersection for which LOS is based on delay of vehicles at the intersection as explained in Appendix D.
(c) - TSMP is a Transportation Systems Management Program instituted by Kaiser to reduce the number of single-occupant-vehicle commute trips.
The gray-shaded areas indicate unacceptable service levels of LOS E and F.

SOURCE: Korve Engineering, 1994

TABLE 18

Mitigated Year 2010 Intersection Level of Service - PM Peak Period

NO.	INTERSECTION	YEAR 2010 BASELINE		YEAR 2010 + KAISER (BUILDOUT)		MITIGATED YEAR 2010 + KAISER (BUILDOUT)		MITIGATED YEAR 2010 + KAISER WITH TSMP[c]		MITIGATED YEAR 2010 CUMULATIVE	
		V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS
1	San Pablo Avenue/Ashby Avenue	1.32	F	1.42	F	1.42	F	1.40	F	1.44	F
2	San Pablo Avenue/Alcatraz Avenue	1.18	F	1.36	F	1.36	F	1.34	F	1.38	F
3	San Pablo Avenue/Stanford Avenue	1.12	F	1.30	F	1.13	F	1.10	F	1.16	F
4	San Pablo Avenue/45th Street	0.79	C	1.24	F	0.82	D	0.79	C	0.82	D
5	San Pablo Avenue/Park Avenue	0.69	B	1.09	F	0.83	D	0.78	C	0.89	D
7	San Pablo Avenue/Adeline Street/W. MacArthur Boulevard	1.09	F	1.25	F	0.88	D	0.88	D	0.89	D
9	San Pablo Avenue/35th Street	0.96	E	0.99	E	0.72	C	0.72	C	0.75	C
10	7th Street/Ashby Avenue	1.03	F	1.11	F	1.11	F	1.09	F	1.12	F
11	Hollis Street/65th Street	1.22	F	1.26	F	0.99	E	0.96	E	1.00	F
12	Hollis Street/Powell Street	1.59	F	1.81	F	1.23	F	1.21	F	1.23	F
13	Hollis Street/45th Street	(a)	D/F	(a)	F/F	0.72	C	0.69	B	0.72	C
14	Hollis Street/Park Avenue	0.89	D	1.16	F	0.73	C	0.70	C	0.74	C
15	Hollis Street/Yerba Buena Avenue/Mandela Parkway (new)	(a)	B/F	(a)	B/F	0.44	A	0.43	A	0.48	A
18	Bay Street/65th Street	(b)	F	(b)	F	0.83	D	0.83	D	0.83	D
19	Shellmound Street/Christie Avenue - North	(a)	A/F	(a)	A/F	0.59	A	0.59	A	0.59	A
20	Shellmound Street/Christie Avenue - South	1.16	F	1.21	F	0.86	D	0.86	D	0.86	D

(a) - Indicates an unsignalized intersection for which V/C is not calculated. Level of Service is presented as: major street LOS/minor street LOS.

(b) - Indicates an All-Way stop controlled intersection for which LOS is based on delay of vehicles at the intersection as explained in Appendix D.

(c) - TSMP is a Transportation Systems Management Program instituted by Kaiser to reduce the number of single-occupant-vehicle commute trips.

The gray-shaded areas indicate unacceptable service levels of LOS E and F.

SOURCE: Korve Engineering, 1994

TABLE 19

- *Cir-15.1* ~~*Restripe the existing westbound approach on 36th Street to convert the northernmost through lane to a shared through/right lane and provide striping to facilitate the double right turn movement by channelling the right turn movements from the exclusive right turn lane on 36th Street into the curb lane for northbound traffic on San Pablo Avenue.*~~ *Restripe San Pablo Avenue to provide a third through lane in the northbound and southbound directions* ~~*and an exclusive left turn lane in the northbound direction.*~~

This mitigation would require a mandatory peak period parking restriction on San Pablo Avenue between 35th Street and 37th ~~40th~~ Street ~~as described for previous mitigations. This mitigation would require a mandatory peak period parking restriction on San Pablo Avenue between 36th Street and 40th Street as described for previous mitigations.~~ The peak ~~hour~~ period parking restrictions would affect approximately 35 vehicles that park along San Pablo Avenue, between 35th and 37th ~~40th~~ Streets. The loss of this on-street parking would result in a significant unavoidable impact to the nine ~~15~~ businesses on San Pablo Avenue that rely on this parking for patron use, as described above.

Page 147 The first paragraph under Cir-17.1 is revised as follows:

This mitigation would require acquisition of right-of-way and widening of Hollis Street. It is anticipated that additional right-of-way would be acquired on the west side of Hollis Street south of Powell Street to Stanford Avenue, requiring the possible relocation of an existing warehouse facility along this portion of the Hollis Street frontage. Similarly, the widening of Hollis Street north of Powell Street to 59th Street is anticipated to occur on the west side, requiring the acquisition of property from the existing service station.

Page 147 The first sentence in the second paragraph under Cir-17.1 is revised as follows:

The implementation of the identified roadway improvements would result in significant land use impacts to the existing warehouse facility that would require possible relocation.

Page 149 Mitigation measure Cir-20.1 for the Hollis Street/45th Street intersection (Cir-20.1) has been advanced to year 2000 to be combined with mitigation measure Cir-4.1. As revised, mitigation measure Cir-4.1 would reduce significant cumulative impacts at the Hollis/45th Street intersection to a less than significant level. Therefore, Cir-20.1 is deleted as follows.

- ~~*Cir-20.1 Restripe Hollis to provide two through lanes on both approaches.*~~

~~This mitigation would require the restriping of Hollis to add a second through lane in both directions between Powell Street and 40th Street, as well as mandatory peak period parking restrictions.~~

~~Mandatory peak period parking restrictions on Hollis Street would affect about seven vehicles that park on the west side of Hollis Street and nine vehicles on the east side, between Park Avenue and 53rd Street. The loss of on-street parking spaces would impact eight businesses on Hollis Street. The loss of this parking would result in a significant unavoidable impact, since some of these businesses rely on the on-street spaces for patron parking, and there are no conveniently located vacant parcels available for constructing replacement parking.~~

Page 151 The I-80 Eastbound Ramps/Powell Street intersection is eliminated from the list of intersections where significant unavoidable impacts occur.

Page 156 The discussion of the Doyle-Haven Extension contained in the section entitled ***Abandonment of the Planned Haven Street Extension*** is reorganized in order to establish the temporal effects of Phase I and Future Expansion on the planned Haven Street Extension. In addition, in response to comments received on the Draft EIR, Mitigation measure Cir-26.1 is revised to clarify the alignment for the Doyle-Haven Extension.

The portion of Emery Street between Park Avenue and 45th Street would be abandoned as a public street in Phase I. It ~~it~~ would be used by the project for access and egress to the proposed 1,800-stall parking garage bounded by Emery Street, San Pablo Avenue, ~~p~~Park Avenue, and 45th Street. Since the existing live/work units along this portion of Emery Street would be replaced by medical uses, the closure of Emery Street would result in a less than significant impact.

The Haven Street extension would be precluded by the proposed medical center. Elimination of a Haven Street extension would result in a significant impact to roadway conditions along Hollis Street, since approixmatley 150 vehicles in the p.m. peak period that would be projected to use the Doyle-Haven Extension by the year 2010 would be shifted to Hollis Street. This impact is due to the fact that Hollis Street would be congested by the year 2010 and the addition of the 150 vehicles in the p.m. peak period would result in significant impacts at several intersections including the Powell Street/ Hollis Street intersection. This impact would result from Future Expansion of the medical center, but not from Phase I.

- **Impact Cir-26A**

~~The project would result in an impact to traffic circulation with the elimination of the Doyle Haven Extension.~~ Phase I would involve the abandonment of the portion of Emery Street between Park Avenue and 45th Street. Since the existing live/work units along this portion of Emery Street would be replaced by medical uses, the closure of Emery Street would result in a less than significant impact.

- **Mitigation Cir-26A:** No mitigation is required.

~~Implementation of mitigation measure Cir-26.1 would reduce project impacts to a less than significant level.~~

- ~~*Cir 26.1* *Construct a three lane Haven Street Extension from 47th Street to Powell Street to serve as a major project access to the north.*~~

- **Impact Cir-26B**

  Future Expansion of the ~~The~~ project would result in an impact to traffic circulation with the elimination of the Doyle-Haven Extension, due to the shift in traffic patterns which would result in significant impacts at several intersections.

- **Mitigation Cir-26B**

  Implementation of mitigation measure Cir-26.1 would reduce project impacts to a less than significant level.

- *Cir-26.1* *Construct a ~~three~~ two lane Haven Street Extension from 47th Street to Powell Street, with three lanes provided only as needed at the junctions with major cross streets such as Powell Street and 47th Street to serve as a major project access to the north.*

  The Doyle Street Extension is identified in the City of Emeryville's General Plan (1993) as a future north-south collector roadway. As described in the General Plan, this roadway would extend Haven Street, at Park Avenue, north to Doyle Street, at Stanford Avenue. Further north, Doyle Street would extend from Ocean Avenue to 67th Street. In addition, construction of the Doyle-Haven Extension would require the acquisition of a portion of the drop-off area and playground from the school located on Stanford Avenue. The Doyle-Haven Extension is identified in the City's Capital Improvement Program (CIP). Implementation of mitigation measure Cir-26.1 consisting of the segment of the Doyle-Haven Extension, between 47th Street and Powell Street, is a mitigation measure to reduce project impacts along Hollis Street. Additional north-south roadways, such as the Horton-Landregan Extension, were included in the General Plan to provide additional capacity to relieve such routes as Hollis Street.

  This mitigation would require right-of-way acquisition and the installation of a traffic signal at the Powell Street/Doyle Street intersection. It would also require that project parking facilities located along Hollis Street be reconfigured to shift their access points to the Doyle-Haven Street Extension rather than Hollis Street. The intersections of the Doyle Street Extension with 53rd Street and 55th Street would be controlled by stop signs. The Doyle Street Extension/53rd Street Extension would have stop sign control on the north-south Doyle Street Extension approaches, while the Doyle Street Extension/55th Street Extension would have stop sign control on the east-west 55th Street approach.

  The cross-section of the Doyle-Haven Extension is proposed to be a total of 43 feet, which would include a six-foot sidewalk, a six-foot bicycle lane, two 12-foot travel lanes, a six-foot bicycle lane, and a one-foot curb. This width would need to be expanded by nine to ten feet at the intersections at Powell Street and 47th Street. The Doyle-Haven Extension would serve as a local circulation route and would also provide

a corridor for pedestrians and bicycles. As noted by the dimensions above, 18 feet of the total width of 43 feet would be dedicated for pedestrian and bicycle movement.

Page 170 Mitigation Cir-41.1 is revised as follows to clarify the manner in which roadway pavement improvements would be implemented.

- *Cir-41.1* ~~*The project applicant shall overlay and improve the structural section, if needed, on Park Avenue, from San Pablo Avenue to Halleck Street, and along the project frontage on 45th Street.*~~ The structural section, if needed, on Park Avenue, from San Pablo Avenue to Halleck Street, and along the project frontage on 45th Street, shall be overlayed and improved.

Page 170 Mitigation Cir-42.1 is revised to correct the location of the access driveway reference.

- *Cir-42.1* *Restrict the access driveway along Hollis Street at the garage to outbound movements only. Inbound traffic would access this garage via an access driveway located on the east side of the garage. Access would be via a driveway connecting to* ~~*Emery*~~ *Haven Street.*

Page 174 Mitigation Cir-47.1 is revised as follows:

- *Cir-47.1* *Install pedestrian signal heads for pedestrians crossing 47th Street, and advance pedestrian warning signs on San Pablo Avenue,* ~~*and pavement striping on San Pablo Avenue ("Slow School Crossing").*~~

Page 174 Mitigation Cir-48.1 is revised to clarify the bike path alignment:

- *Cir-48.1* *Provide a continuous north-south Class I bike path along the* ~~*Doyle-Haven Street Extension*~~ *Haven Street alignment through the project site, between Park Avenue and 45th Street.*

Page 176 Mitigation Cir-50.1 is revised as follows to clarify the bike path alignment:

- *Cir-50.1* *Provide a continuous north-south Class I bike path along the Doyle-Haven Street Extension, between* ~~*Park Avenue*~~ *45th Street and 53rd Street.*

Page 178 *Mitigation Cir-52.2 is revised as follows:*

- *Cir-52.2* *The project applicant should be required to repair (overlay or repair to structural section) streets damaged by* ~~*used for*~~ *truck traffic travelling to and from the work site, as determined by the City of Emeryville Department of Public Works.*

Page 179 Mitigation Cir-53.2 is revised as follows:

- *Cir-53.2* *The project applicant should be required to repair (overlay or repair to structural section) streets ~~used for~~ damaged by truck traffic travelling to and from the work site, as determined by the City of Emeryville Department of Public Works.*

Page 188 Emery Villa is added to the list of sensitive receptors and on page 6 of Appendix E in Volume II as follows.

- Emery Villa 4300 block of San Pablo Avenue

Page 189 The text is revised to clarify that the potential impacts are associated with both the on-site construction activities for the medical center and the off-site construction activities related to the Doyle-Haven extension. Impacts to downwind locations would primarily affect the Emery Bay Villages.

Page 225 The first sentence under Hydro-4.3 is revised as follows:

The post-construction control measures should include but not be limited to: 1) directing stormwater flow from the project site into storm drains with sand filters, 2) minimizing irrigation runoff by installing drip irrigation systems, and 3) utilizing pervious concrete.

Page 226 The following sentences are added between the second and third sentence in the last paragraph:

Another small solvent release has recently been detected in the vicinity of the 20,000 gallon tank. A supplemental remediation plan addressing this release is being prepared by Del Monte.

Page 227 The last sentence of the second paragraph is revised as follows:

~~The existence of past releases at these four properties would need to be investigated and remediated as necessary prior to construction, in accordance with applicable regulations.~~ Investigations of soil and groundwater are being conducted on these properties, and remedial plans will be developed for contaminated soil and groundwater.

Page 228 The last two sentences in the second paragraph are revised as follows:

~~Significant exposure to future occupants of the Kaiser Permanente Medical Center hospital would be unlikely. The DTSC is expected to make its determination during early 1994.~~ DTSC has determined that none of these sites poses a significant risk to future occupants of the Kaiser Permanente Medical Center. DTSC has informed Kaiser that it will issue a determination that the project site is not border zone property after exposed soils at a smaller nearby cleanup site (the Lowe/Chromex site) are abated.

Page 229 The fourth paragraph is revised as follows:

Employees and patients of the proposed medical center would not be affected by long-term exposure to hazards associated with existing on-site contamination, since the existing soil and groundwater contamination on the Phase I site would be remediated prior to occupancy of the hospital and medical office buildings. In addition, the Phase I site would be covered with impervious surfaces, thereby limiting potential exposure to residual contamination. If Kaiser cannot remediate the contamination prior to construction, an evaluation will be conducted regarding the potential for volatile contaminants to migrate into the foundations of the buildings. If there is a significant risk posed by the volatilization, a vapor barrier will be installed into the foundations to mitigate the risk.

Page 230 The following two sentences are added at the end of the fifth paragraph:

However, if Kaiser is unable to remediate the contamination prior to construction, an evaluation will be conducted regarding the potential for volatile contaminants to migrate into the foundations of the buildings. If there is a significant risk posed by the volatilization, a vapor barrier will be installed into the foundations to mitigate the risk.

Page 233 The first paragraph under the section entitled **Hazardous Waste** is revised as follows:

~~Hazardous medical waste is controlled by a number of federal, state, and local regulations governing hazardous materials disposal.~~ The disposal of hazardous waste is regulated by federal and state law, and the disposal of medical waste is regulated by state law. A description of these regulations is found in Appendix H (technical appendix) and listed in Table 35 on page 232. At the local level, the Alameda County Health Care Services Agency enforces the California Medical Waste Management Act, which requires that medical facilities be licensed and permitted to treat biohazardous wastes. Typical ~~biohazardous~~ regulated wastes that are generated at Kaiser medical facilities are shown in Table 37. ~~These wastes can be generally divided into three categories: 1) biohazardous waste, 2) radiologic waste, and 3) chemical waste.~~

Page 235 The title of Table 37 is revised as follows:

Common ~~Hazardous~~ Regulated Wastes by Hospital Department

Page 238 The first sentence in the second paragraph is revised as follows:

The ~~special~~ chemical wastes and contaminated sharps would be collected in specially sealed drums by a licensed hauler to a Browning Ferris Industries (BFI) landfill in Fresno where they would be sterilized prior to disposal.[70]

Page 238 The first paragraph under the section on ***Chemical Waste*** is revised as follows:

Chemical hazardous waste includes ~~toxic~~ hazardous chemicals such as formaldehyde, xylene, alcohols and reagents. Waste amounts of ~~toxic~~ hazardous chemicals generated

at the site would be collected, labelled, and stored in a special hazardous waste storage area (for a maximum of 90 days). All hazardous chemical waste would be removed from the site by a licensed hazardous waste hauler.[71] The contractor would recycle manifested ~~toxic/chemical~~ hazardous waste when possible, or dispose of the waste as legally prescribed, (e.g., neutralization, incineration, etc.).

Page 241 The first paragraph is revised as follows:

~~Although there are separate sanitary and storm sewer systems, stormwater can leak into the sanitary sewer lines that run parallel to the storm mains, during intense periods of rain, and increase the flow of sewage to the treatment plant by 15 times the average (dry weather) flow. In an effort to control raw sewage overflows during wet weather, EBMUD has instituted the East Bay Inflow/Infiltration Project that divides the district into sub-basins. Each sub-basin is allocated a certain amount of surface runoff that can be directed to the storm sewer system.~~

Although there are separate sanitary and storm sewer systems, stormwater can infiltrate into the sanitary sewer lines during periods of wet weather, and increase the flow of sewage to the EBMUD treatment plant by 15 times the average (dry weather) flow. In an effort to reduce the amount of rainwater entering the sanitary sewer system, and to prevent raw sewage overflows during wet weather, the City of Emeryville is participating in the East Bay I/I Correction Program. Through sewer rehabilitation and capacity improvements, wet weather overflows will be eliminated from the City's collection system. These sanitary sewer improvements allow for a specific increase in the base sanitary flow rate from each sub-basin due to areal development. These improvements can accommodate predetermined increases in base flow without exceeding either the dry or wet weather capacities of downstream conveyance and treatment facilities.

Page 246 The following paragraphs are added between the first and second paragraphs under **Sanitary Sewer Service**:

Based upon information provided by Ted Jacobs Engineering Group, projected sewer flows for total build-out were estimated at 495 gpm for the hospital, 450 gpm for the medical office buildings, and 150 gpm for the central utility plant.

The site of the proposed facility is served by the City of Emeryville's sewer Basins 22 and 23. Basin 22 serves the north and west sides of the site. Basin 23 serves the east, south and west sides of the site. Due to the layout of the existing sewer lines the hospital and the medical office buildings would drain into Basin 23. Due to its location at the northwest corner of the site, the CUP would drain to Basin 22.

The City of Emeryville, Department of Public Works indicated that the City has very little data regarding the slopes, capacity, or existing flow for Basins 22 and 23. In order to determine what excess capacity might be available for Kaiser, information was obtained from EBMUD regarding flows into their large diameter interceptor. This interceptor runs along the east side of the Interstate 80 freeway, and serves Basins 22

and 23. EBMUD provided results of a wet weather/ground water inflow and infiltration study made in 1985, which indicated a maximum wet weather flow of 2,236 gpm, from Basin 23 and 2,382 gpm from Basin 22.

Calculations of sewer flows for Basins 22 and 23 are on file with the City of Emeryville Planning Department. In determining the projected sewer flows and capacity, the flows from the former Del Monte Cannery (235 gpm) were subtracted from the base flow of 2,236 gpm with a projected flow of 945 gpm for the medical center and EBMUD wet weather peak flow of 2,001 gpm for Basin 23. There is a total excess capacity of 54 gpm for the existing 24 inch main.

Since EBMUD's 1985 Infiltration and Inflow study was performed, there has been considerable sewer rehabilitation performed within Basin 23. This work should have reduced the 1985 report's peak flow, due to reductions in inflow and infiltration, and allows an additional factor of safety. It would appear that, based on currently available data, the 24 inch main draining Basin 23 is of adequate size to carry all projected sewer flows from the Kaiser Emeryville hospital and medical office buildings.

The EBMUD 1985 data indicates that the existing 18 inch sewer, serving the Kaiser site from Park Avenue, carries a flow of 1,605 gpm. Flow analysis of the pipe shows that the maximum capacity is over 5,000 gpm. Addition of the Kaiser discharge will not exceed the capacity of this pipe. Calculations show that the depth of flow should not exceed 50% of the pipe diameter.

The central utility plant and a portion of the hospital's Emergency Services Department would drain to Basin 22. There is an existing 6 inch sewer serving the Kaiser site and draining north, along Doyle Street. Calculations of the velocity of flows and sewer line capacity indicate that the line will carry 167 gpm. This 6 inch line served the former Del Monte cannery, and since Del Monte has abandoned the site it was assumed that the calculated, 167 gpm, capacity may be transferred to Kaiser.

There is an existing 10 inch sewer serving Basin 22. This pipe drains to the north in Hollis Avenue. This sewer has a grade of 0.62% and a calculated capacity of 770 gpm. Plans indicate that this sewer served the, now abandoned, Del Monte Cannery. Utilizing the capacity of the no longer used, Del Monte flows, 150 gpm would be discharged from the Kaiser Central Utility Plant to this line.

There is no data for slopes of most existing sewers in Basin 22. It is estimated that the existing 21 inch main, draining Basin 22, has a capacity of 2,385 gpm at the slope of 0.11%, and a velocity of 2.2 feet per second. The wet weather flow from Basin 22 has been measured at 2,385 gpm (EBMUD 1985). This indicates that the existing pipe was likely carrying its full capacity in 1985. Since that time there has been some rehabilitation of the sewers in the upper areas of Basin 22. This rehabilitation should have the effect of decreasing the 1985 flows.

Since the medical center would contribute less than the calculated design flows for the Hollis and Doyle Street sewers, it is likely that the existing Basin 22 system will be able to accept the proposed 150 gpm sewerage discharge from the proposed medical center.

Page 248 The bold conclusion statement for Impact Util-2 is revised as follows:

- **Impact Util-2**

~~**Phase I and Future Expansion of the proposed medical center would result in significant impacts to sanitary sewer facilities.**~~ **Although the existing sanitary sewer system provides adequate capacity, Phase I and Future Expansion of the proposed medical center would result in significant impacts to sanitary sewer facilities because of the age of the lines.**

Page 248 The bold conclusion before the **Water Service** section is revised as follows:

Implementation of the mitigation measures identified above would ensure that the project does not impact the condition of the sanitary sewer system. ~~**provides adequate sanitary sewer capacity to accommodate wastewater generated by the medical center.**~~

Page 250 The following sentence is added at the end of the first sentence in mitigation measure *Util-3.1*:

The project would incorporate the use of reclaimed wastewater, to the extent feasible, for landscaping irrigation and other appropriate uses.

Page 250 The third mitigation measure (*Util-3.2*) is revised as follows:

- *Util-~~3.2~~ 3.3* Water line extensions shall be designed in accordance with ~~the City of Emeryville and~~ EBMUD design standards.

  The location, extent and cost of pipeline improvements necessary to provide water service to the proposed medical center will be determined when the project sponsor applies for the water service.

Page 262 The last sentence of the last paragraph is deleted as follows:

~~However, Section 106 protections only apply where the projects are federally funded or licensed.~~

Page 273 The first sentence of the last paragraph is revised as follows:

The visual setting of the historic buildings along the south side of Park Avenue, west of Emery Street, is characterized by red brick, one to two-story structures with classical ornamental details, and the former Town Hall constructed in the early 20th Century.

Page 274 The following sentence is added after the first sentence at the top of the page:

In addition, the exterior of the proposed medical center would not resemble the Town Hall and would result in similar visual impacts.

Page 275 The following paragraph is added after the second paragraph:

Future Expansion would not involve Section 106 review because the expansion of the medical center on the Future Expansion site would be designed to avoid impacts to the portion of Temescal Creek and the culvert that could potentially be under the U.S. Army Corps of Engineers' jurisdiction. Since a Section 404 permit would not be required, and no federal funds or federal actions would be necessary to develop the proposed project, a Section 106 review would not be required.

Page 275 Mitigation CR-5.1 is revised as follows to clarify that the mitigation measure cannot be implemented as the project is proposed since it involves development of the Future Expansion phase at an alternative location:

CR-5.1 *Future Expansion at an alternative location would avoid the demolition of the two buildings at the corner of Hollis and 45th Streets. This mitigation measure, however, cannot be implemented as the project is proposed. This mitigation measure will be reconsidered at the time of the Final Development Plan for the Future Expansion phase.*

Page 285 The following sentence is added at the end of the fifth full paragraph:

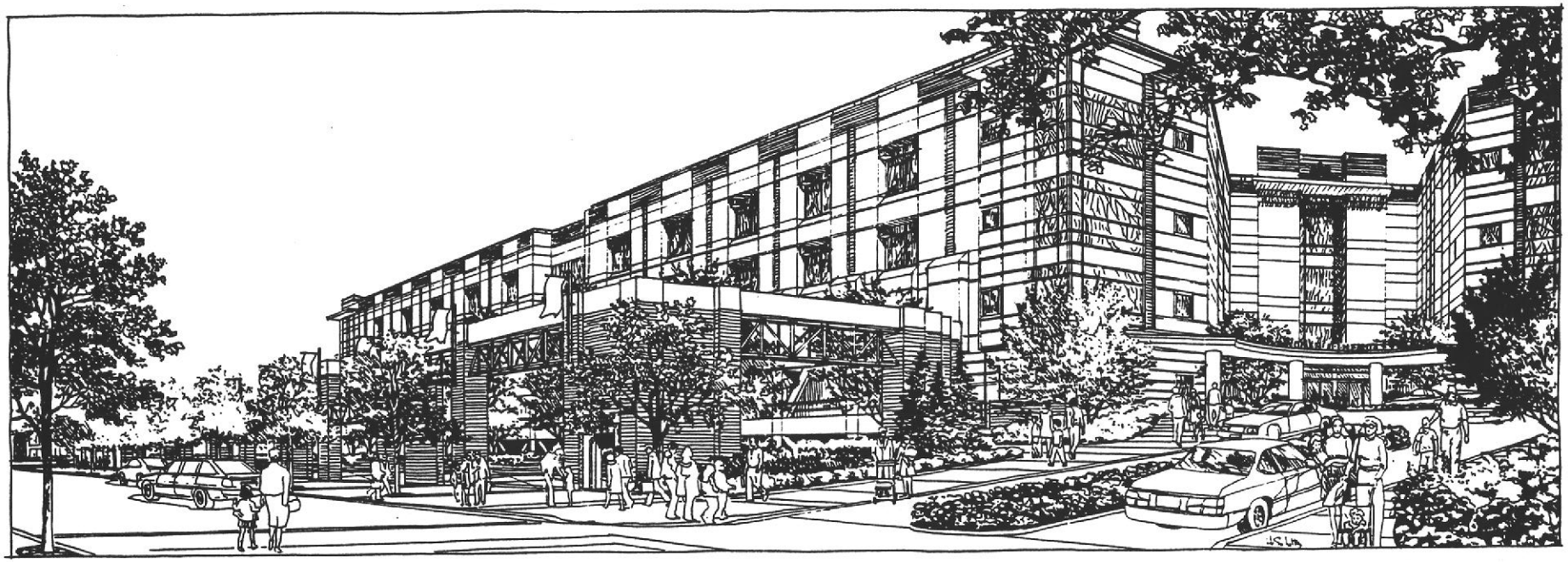
Figures A, B, and C provide renderings of the proposed medical center from a street level perspective along Park Avenue, Doyle Street, and 45th Street.

Page 285a Renderings of the proposed medical center are added in Figures A, B, C, and D as follows:

- Figure A depicts the Park Avenue facade, Main Hospital entrance (at left) from Park Avenue and Haven Street looking east.
- Figure B is a rendering of the Park Avenue facade, Women and Infants Services entrance (at right) from Park Avenue near Watts Street, looking west.
- Figure C is an artist's rendering of the Emergency entrance from 45th Street near Doyle looking west.

Page 294 Figure 34 is replaced with the revised Figure 34 which indicates the revisions to the central utility plant location on the Phase I site.

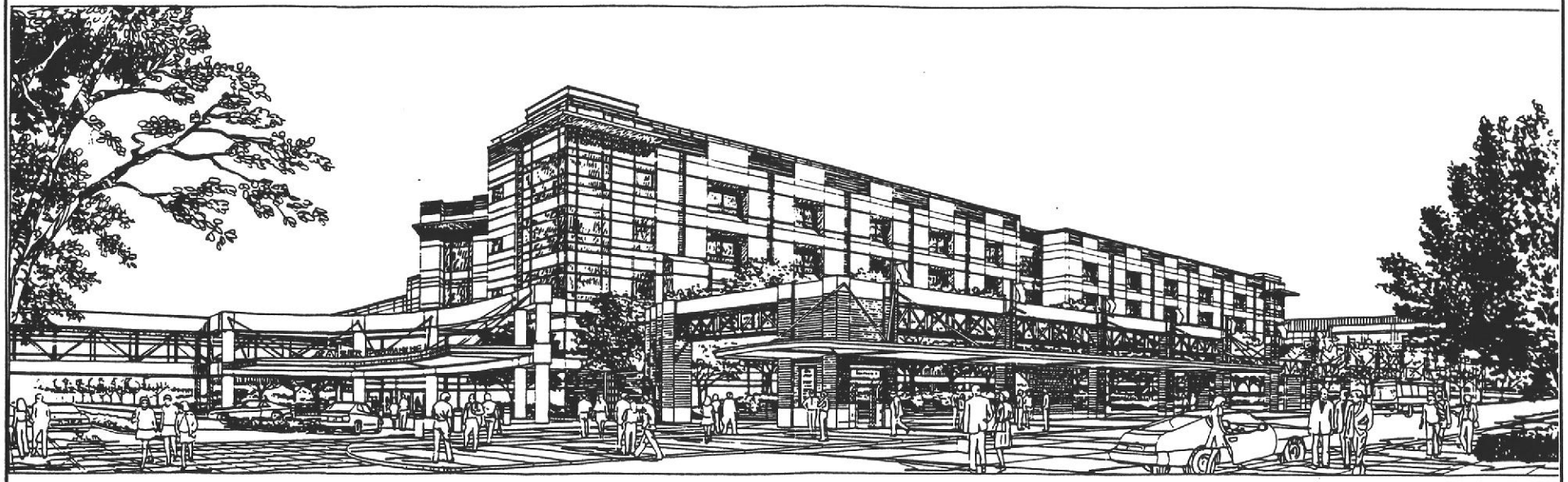
Page 310 The following sentence is added between the second and third sentences of the last paragraph:



Artist's rendering of Park Avenue Facade,
Women and Infants Services Entrance (at right)
From Park Avenue near Watts Street, looking west

Artist's Rendering

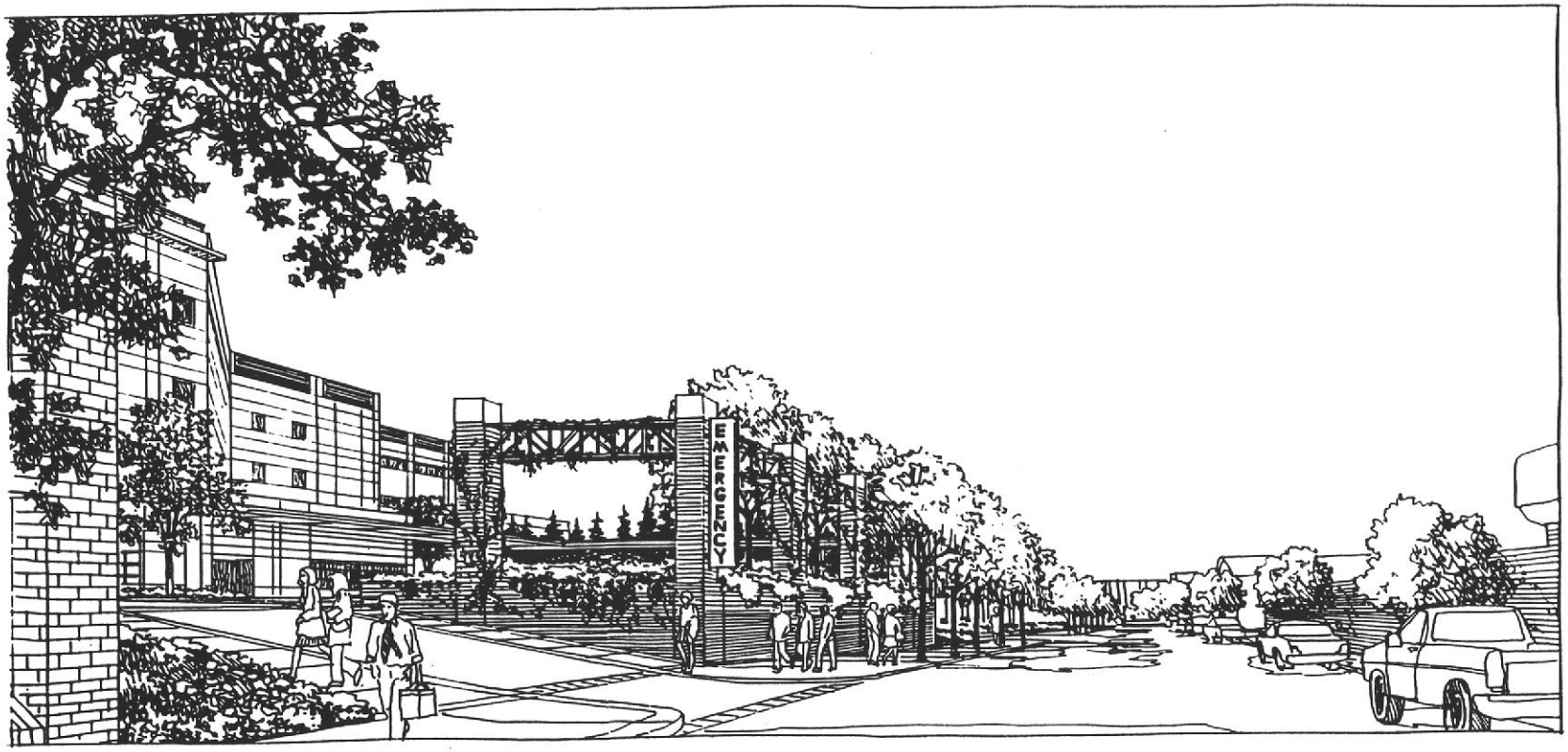
Figure A



Artist's rendering of Park Avenue Facade,
Main Hospital Entrance (at left)
from Park Avenue and Haven Street looking east

Artist's Rendering

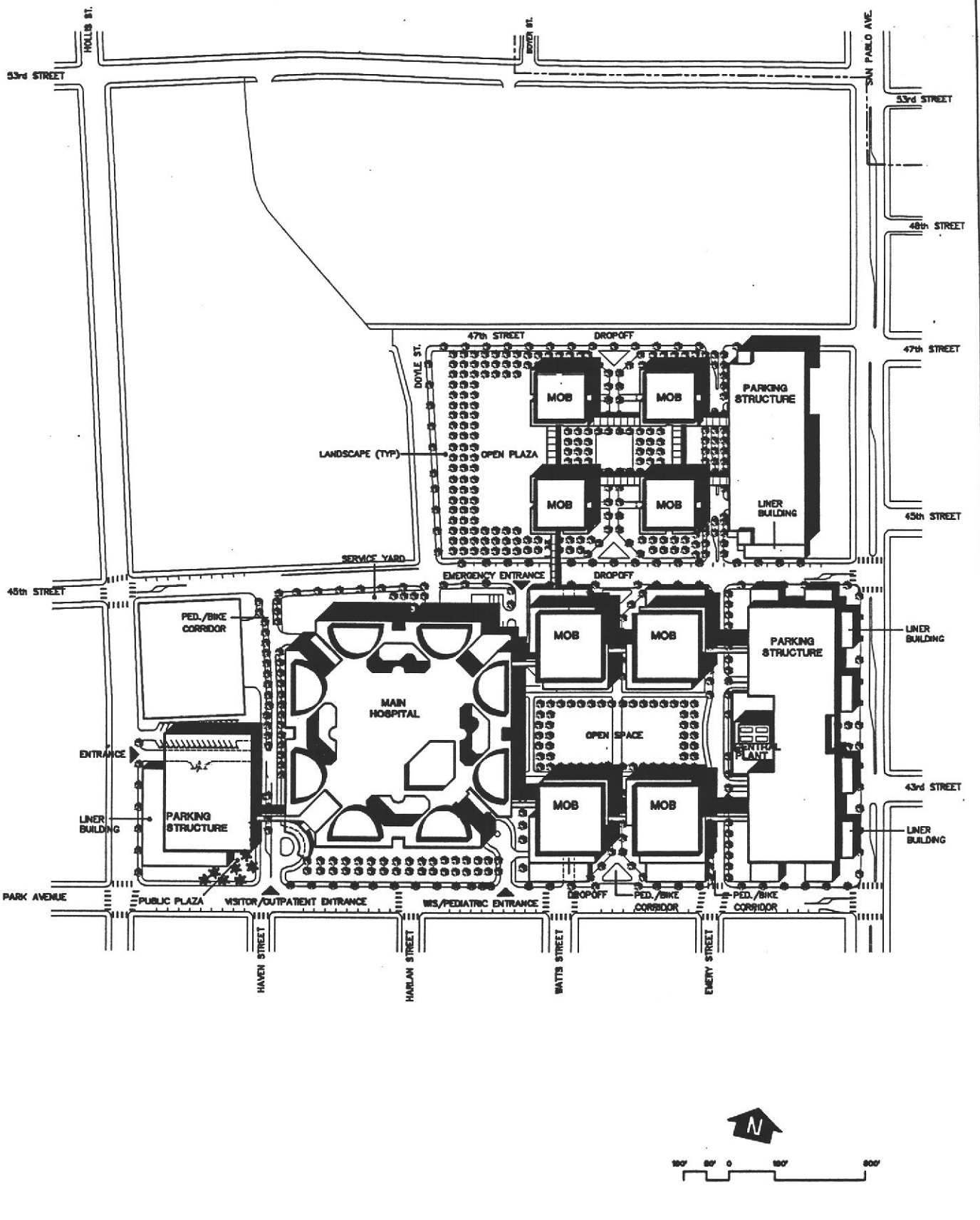
Figure B



Artist's rendering of Emergency Entrance from 45th Street near Doyle looking west

Artist's Rendering

Figure C



AC TRANSIT EXPANSION SITE ALTERNATIVE

REVISED FIGURE 34

This would likely result in a project with substantially more vertical construction.

Page 312 The following sentence is added at the beginning of the first paragraph:

This alternative would require the purchase of the MacArthur Broadway Center and would involve the building of additional medical office buildings at off-site locations in the future, since there would not be adequate capacity for all providers at the Oakland-MacArthur site.

Page 316 The following sentence is added between the fourth and fifth sentences of the second paragraph:

In addition, Kaiser does not favor this alternative for reasons including (1) the site does not involve sufficient land area and would thus require developing the project at a density that creates operational obstacles for the optimal provision of health care services, (2) the configuration of the project, which would require bridging of MacArthur Boulevard, would be awkward and inconvenient for Kaiser employees and users, and (3) the phasing requirements, which would require the hospital and medical office buildings to be operational while the new hospital and medical office buildings are under construction, would have significant cost and timing ramifications.

Page 321 The last sentence of the fifth paragraph is revised as follows:

This alternative would result in ~~a~~ similar environmental impacts when compared to the proposed project, such as significant transportation and circulation impacts; regional air quality impacts; drainage and water quality impacts; impacts due to the storage, use, and disposal of hazardous materials; utilities and services impacts, archaeological impacts, and construction impacts.

Page 324 The first sentence in the first paragraph under **EXISTING GENERAL PLAN ALTERNATIVE** is revised as follows:

The Existing General Plan Alternative consists of development in accordance with current General Plan designations for the site, which is Medium Density Residential, Commercial, and Mixed Use.

Page 330 The following sentence is added after the first sentence following the bulleted items:

The magnitude of the unavoidable impacts is discussed in the sections describing the impacts in each of these areas.

Page 335 The text of the fifth sentence in the first full paragraph is revised to clarify that the Kaiser medical center jobs are included in the cumulative employment totals:

~~In addition to the jobs generated by the proposed project, c~~Cumulative development (including the proposed medical center) is expected to generate 5,509 new jobs by the year 2000, and 3,715 jobs between 2000 and 2010 which would also represent a

demand for additional housing units, beyond the 2,177 units needed to serve the project alone.

Page 335 — The bold conclusion statement is revised as follows:

Cumulative development within the City of Emeryville would result in a potentially significant housing impact that could be mitigated by implementing the mitigation measures described in Section II, B. ~~for other projects in Emeryville, Oakland, and Berkeley.~~

Appendix B

Page 2 (8) — The proposed General Plan amendments submitted by Kaiser as generally set forth in pages 1-3 should be corrected to state that in the General Plan, page 41, Figure 7, the bracketed text referring to the property floor area ratio (FAR) should be changed from "2.1" to "1.4."

Page 2 — The following General Plan amendment is included in the list of General Plan amendments proposed by the project:

Page 36, Figure 2 should be revised to eliminate the north-south vehicle circulation route connecting Doyle and Haven Streets.

Page 4 — The proposed amendments to the Redevelopment Plan for the Shellmound Park Redevelopment Project Area are amended to include the following:

Section 500.26, Paragraph 3, entitled "Other Semi-Public, Institutional and Nonprofit Uses"

In any area designated on the map attached hereto, the Agency is authorized to permit the establishment, development or enlargement of public, semi-public, institutional, or non-profit uses, including park and recreational facilities, libraries, medical facilities (including hospitals, medical office buildings, utility buildings, and a broad range of medical related services appropriate for a contemporary medical center), charitable institutions, and facilities of other similar associations or organizations. All such uses shall be developed according to the regulations, requirements, restrictions, and provisions of the Agency and shall conform as far as possible to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose reasonable restrictions consistent with the General Plan as are necessary to protect the development and use of the Project Area.

Appendix C — Tables 2, 3, and 4 are replaced with Revised Tables 2, 3, and 4 to reflect minor corrections that were identified during the preparation of the Responses to Comments document.

Appendix D

Page 87 — The first sentence of the first full paragraph in the section entitled On-Street Parking is revised to be consistent with the discussion of mandatory peak period parking restrictions contained in the Draft EIR text on page 168 as follows:

The elimination of on-street parking along several roadways in conjunction with mitigation measures required for roadway segments or intersections within the City of Emeryville would result in a ~~*less than significant*~~ significant unavoidable impact.

Appendix E

Page 6 — Emery Villa is added to the list of sensitive receptors as follows.

- Emery Villa — 4300 block of San Pablo Avenue

Appendix L

Appendix L is added which contains the shadow analysis to reflect shadow impacts for 10:00 a.m. and 3:00 p.m. on the winter solstice (December 21), on the summer solstice (June 21), and the spring and fall equinoxes (March 21 and September 21). Additional information on shadow impacts occurring at 7:00 on the summer solstice have also been provided.

APPENDIX A

ANALYSIS OF EMPLOYEE RESIDENCE BY ZIP CODE

Oakland Medical Center – August, 1994 – Table 1
Analysis of Employee Residence by Zip Code (1)

Geographical Area/City	Total # Employees	Percentage of Total
East Bay Area (2)		
Oakland	784	29.5%
Oakland/Piedmont	186	7.0%
Oakland/Emeryville	54	2.0%
Emeryville	1	0.0%
Alameda	140	5.3%
Berkeley	137	5.2%
Berkeley/Kensington	35	1.3%
Berkeley/Albany	41	1.5%
El Cerrito	48	1.8%
Richmond	54	2.0%
Richmond/El Sobrante	101	3.8%
Richmond/San Pablo	69	2.6%
Sub–Total	**1650**	**62.0%**
South East Bay Area – Alameda County		
San Leandro	73	2.7%
San Leandro/San Lorenzo	60	2.3%
San Lorenzo	12	0.5%
Castro Valley	63	2.4%
Hayward	84	3.2%
Newark	3	0.1%
Union City	21	0.8%
Fremont	27	1.0%
Sunol	1	0.0%
Pleasanton	19	0.7%
Dublin	8	0.3%
Livermore	7	0.3%
Sub–Total	**378**	**14.2%**
North East Bay Area		
Hercules	42	1.6%
Pinole	31	1.2%
Rodeo	6	0.2%
Crockett	1	0.0%
Sub–Total	**80**	**3.0%**
San Francisco	**109**	**4.1%**

FROM:KFHP-FACILITIES PLAN TO: 510 450 2330 AUG 25, 1994 11:12AM #291 P.04

Oakland Medical Center – August, 1994 – Table 1
Analysis of Employee Residence by Zip Code (1)

I-680 Corridor – East Contra Costa County		
Orinda	14	0.5%
Moraga	14	0.5%
Lafayette	17	0.6%
Lafayette/Walnut Creek	13	0.5%
Walnut Creek	34	1.3%
Pleasant Hill	19	0.7%
Martinez/Pacheco	22	0.8%
Concord	36	1.4%
Danville	16	0.6%
Alamo	3	0.1%
San Ramon	13	0.5%
Pittsburg	18	0.7%
Antioch	10	0.4%
Clayton	4	0.2%
Oakley	1	0.0%
Brentwood	2	0.1%
Sub-Total	**236**	**8.9%**
North Bay		
Sausalito	1	0.0%
Corte Madera	1	0.0%
Tiburon	1	0.0%
Fairfax	2	0.1%
Kentfield	3	0.1%
Mill Valley	8	0.3%
San Rafael	17	0.6%
Novato	2	0.1%
Rohnert Park	1	0.0%
Petaluma	6	0.2%
Cazadero	1	0.0%
Guerneville	1	0.0%
Sonoma	1	0.0%
Windsor	2	0.1%
Santa Rosa	2	0.1%
Sub-Total	**49**	**1.8%**
North I-80 Corridor – Solano County		
Benicia	9	0.3%
Vallejo	47	1.8%
Vallejo/American Canyon	19	0.7%
Napa	8	0.3%
Fairfield/Suisun	9	0.3%
Fairfield	10	0.4%
Vacaville	4	0.2%
Dixon	2	0.1%
Sub-Total	**108**	**4.1%**

FROM:KFHP-FACILITIES PLAN TO: 510 450 2330 AUG 25, 1994 11:13AM #291 P.05

Oakland Medical Center – August, 1994 – Table 1
Analysis of Employee Residence by Zip Code (1)

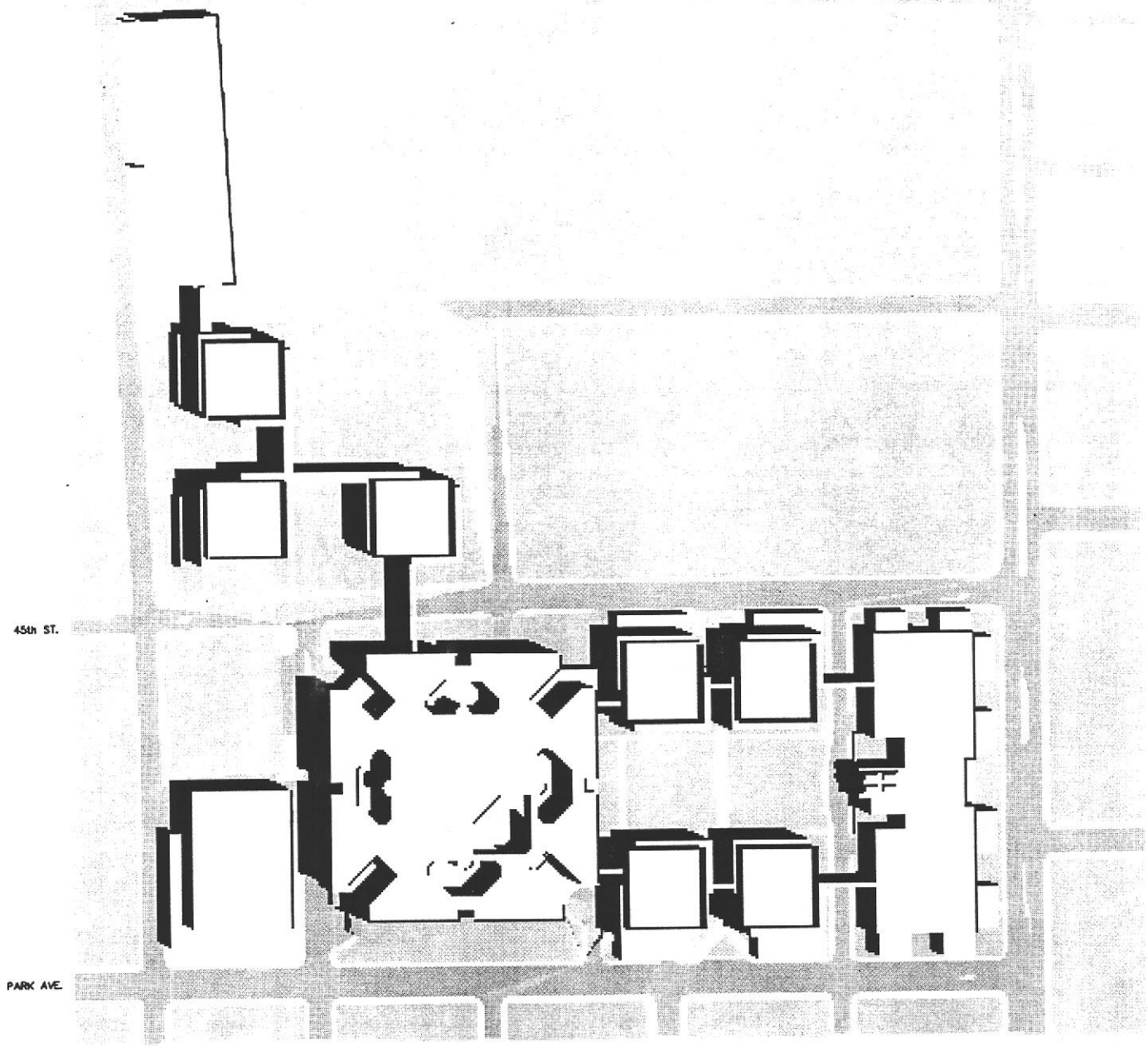
Peninsula Area		
Daly City	1	0.0%
South San Francisco	1	0.0%
Burlingame	2	0.1%
Millbrae	3	0.1%
Pacifica	2	0.1%
Montara	1	0.0%
San Mateo	1	0.0%
Foster City	1	0.0%
Redwood City	2	0.1%
San Carlos	1	0.0%
Menlo Park	1	0.0%
Palo Alto	1	0.0%
Mountain View	1	0.0%
Sub–Total	18	0.7%
South Bay Area		
Milpitas	1	0.0%
Campbell	1	0.0%
San Jose	4	0.2%
Sub–Total	6	0.2%
Other		
Tracy	6	0.2%
Manteca	5	0.2%
Stockton	8	0.3%
Arnold	1	0.0%
Lathrop	1	0.0%
Sacramento	1	0.0%
King City	1	0.0%
Red Bluff	1	0.0%
Out of State	2	0.1%
Sub–Total	26	1.0%
Total	2660	100.0%

(1) – Total employees at Oakland Medical Center excluding physicians.
(2) – Breakdown by zip code of residence is available by request.

emplyresid.wk1

APPENDIX B

SHADOW ANALYSIS DIAGRAMS



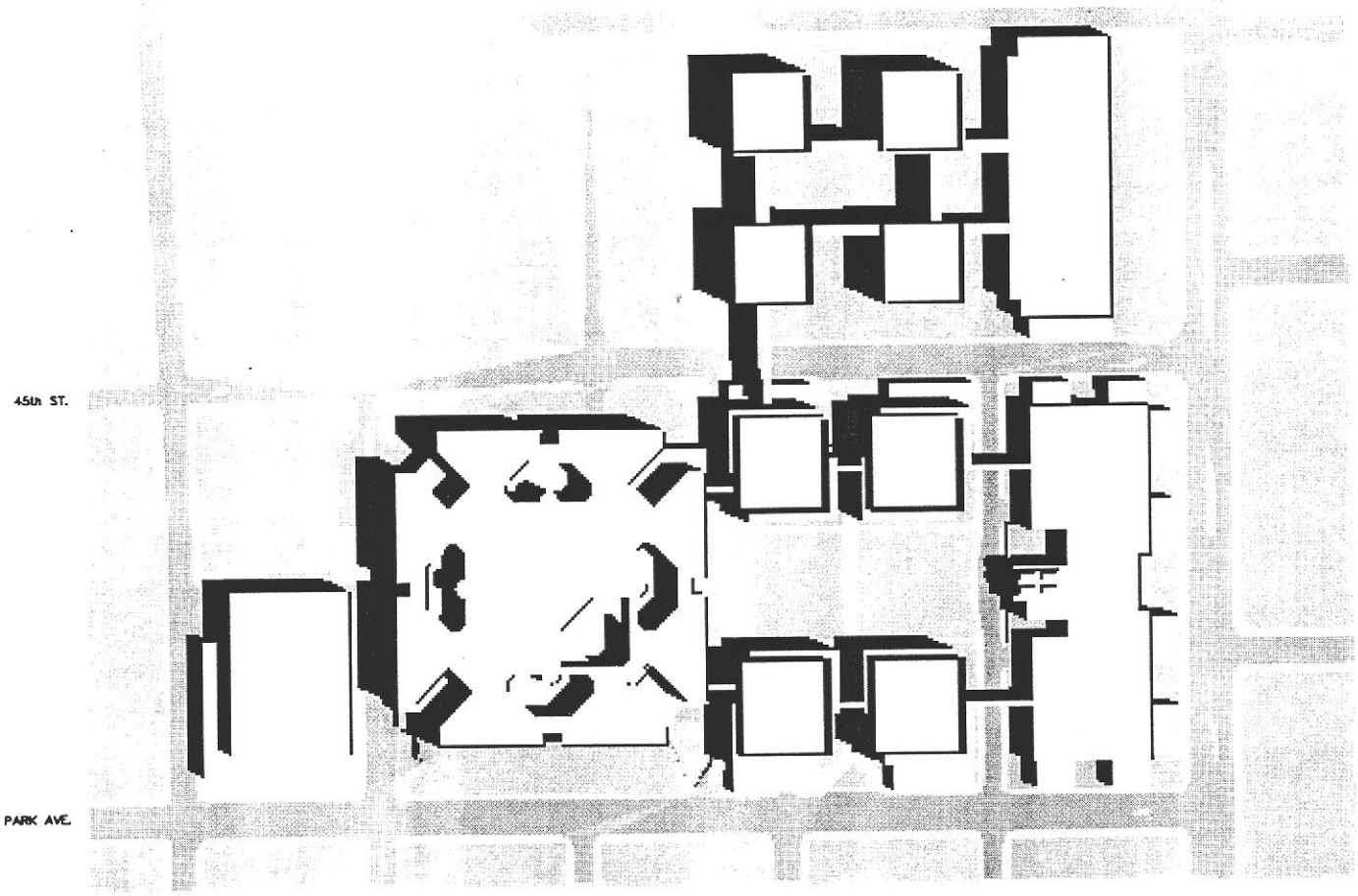
SHADOW ANALYSIS

BUILDOUT -10:00 am June 21

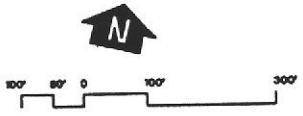
KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994



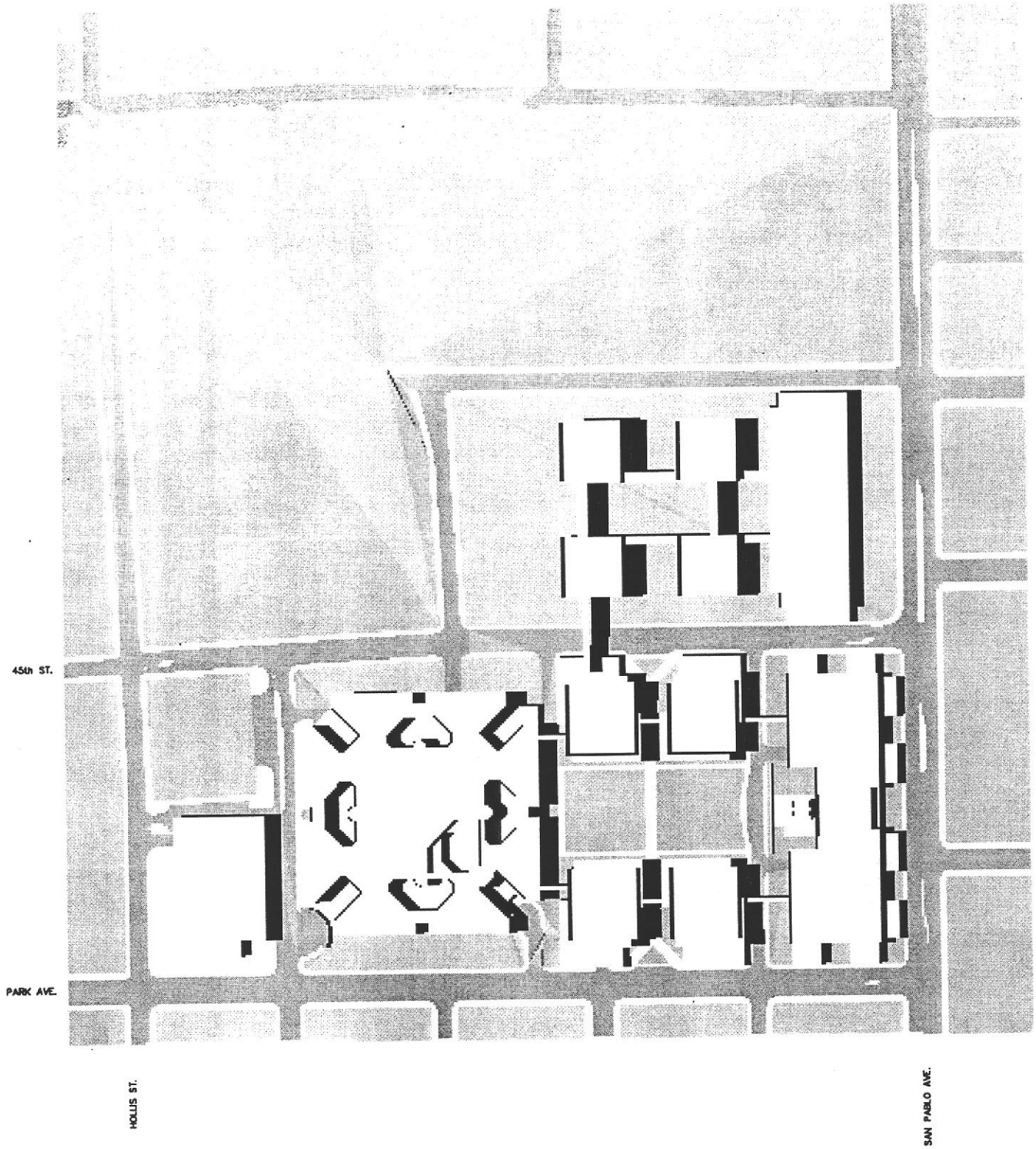
SHADOW ANALYSIS ALT. BUILDOUT - 10:00 am June 21



KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994



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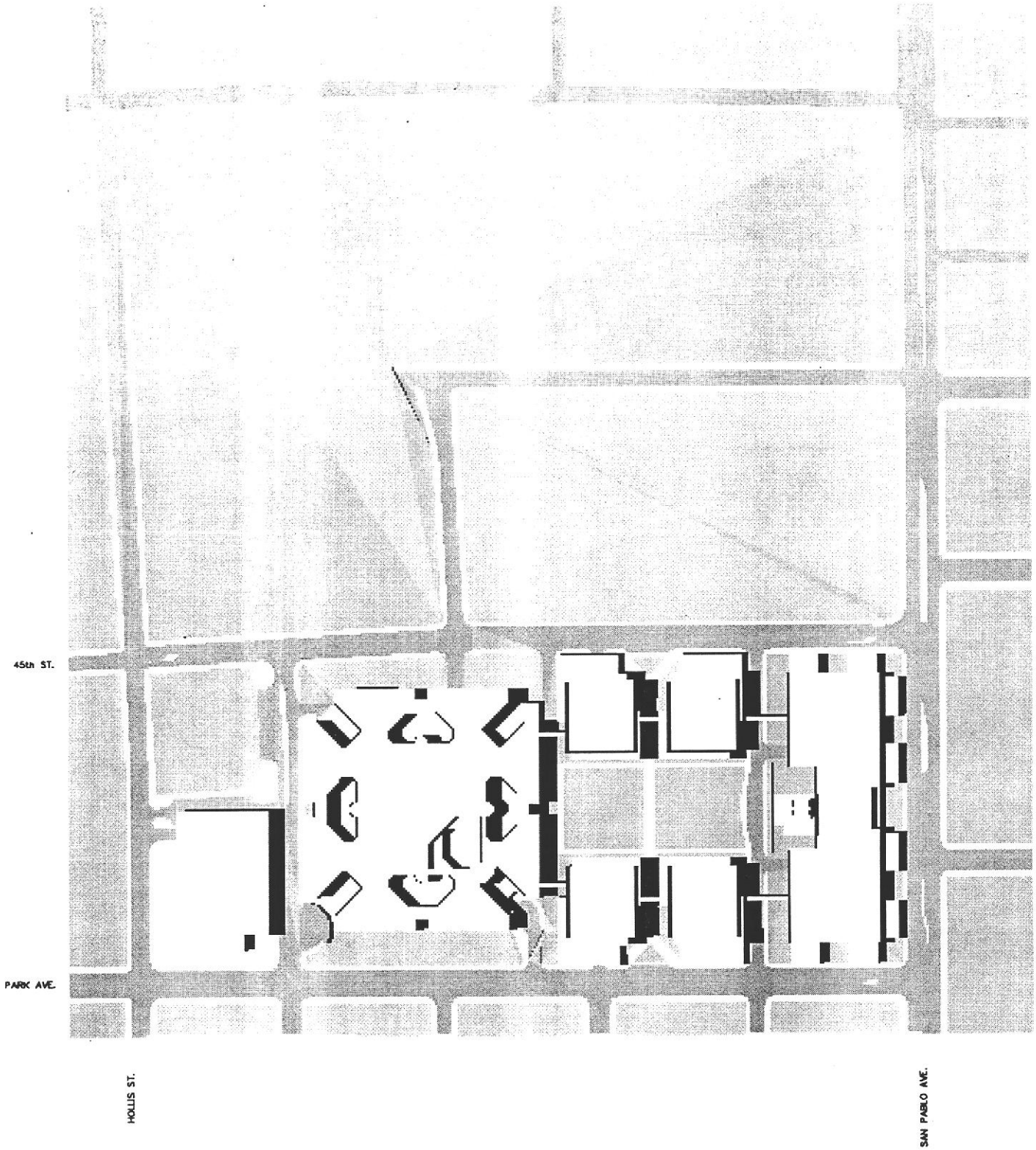
KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994

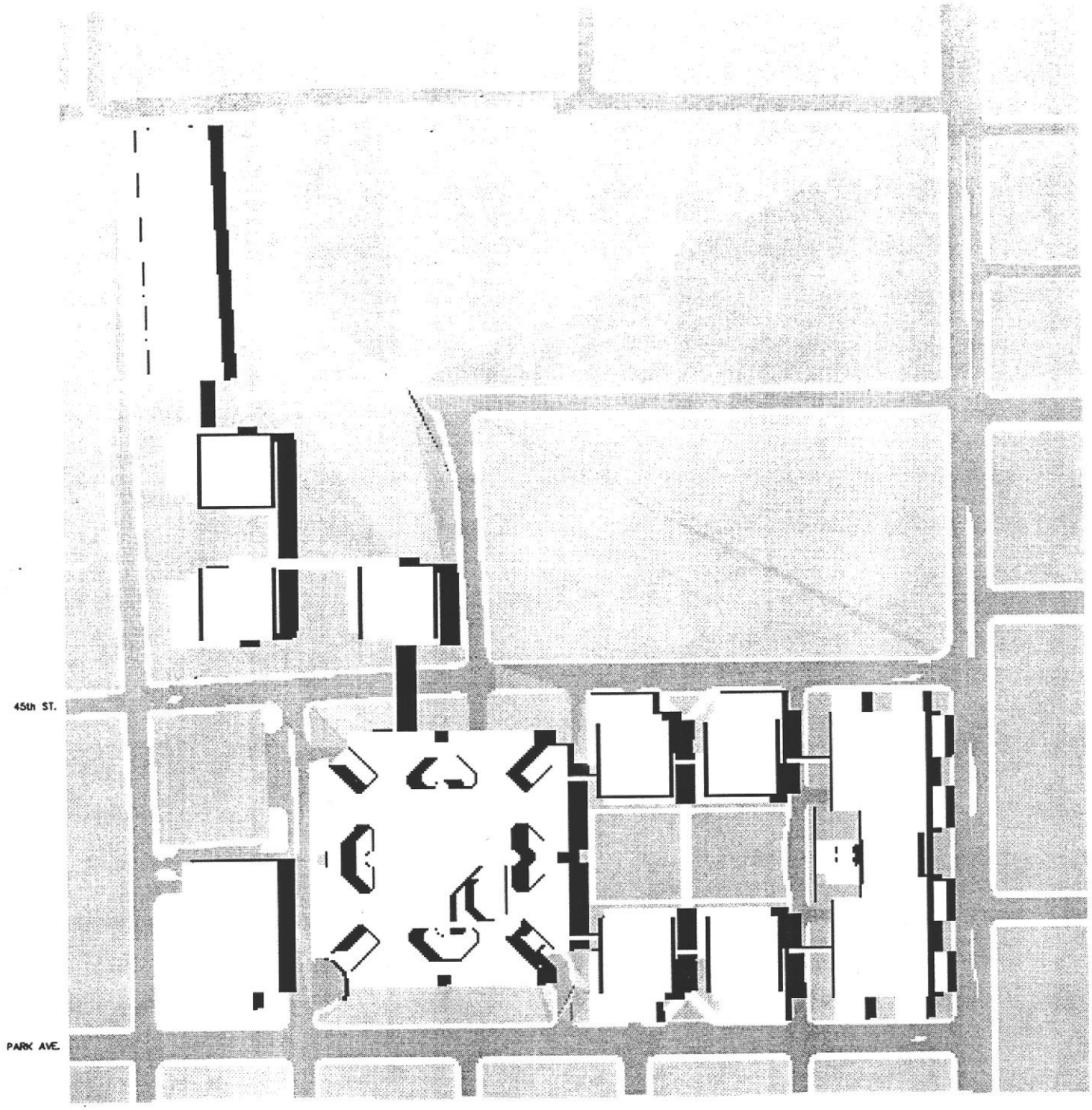


SHADOW ANALYSIS PHASE ONE - 3:00 pm June 21

KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994



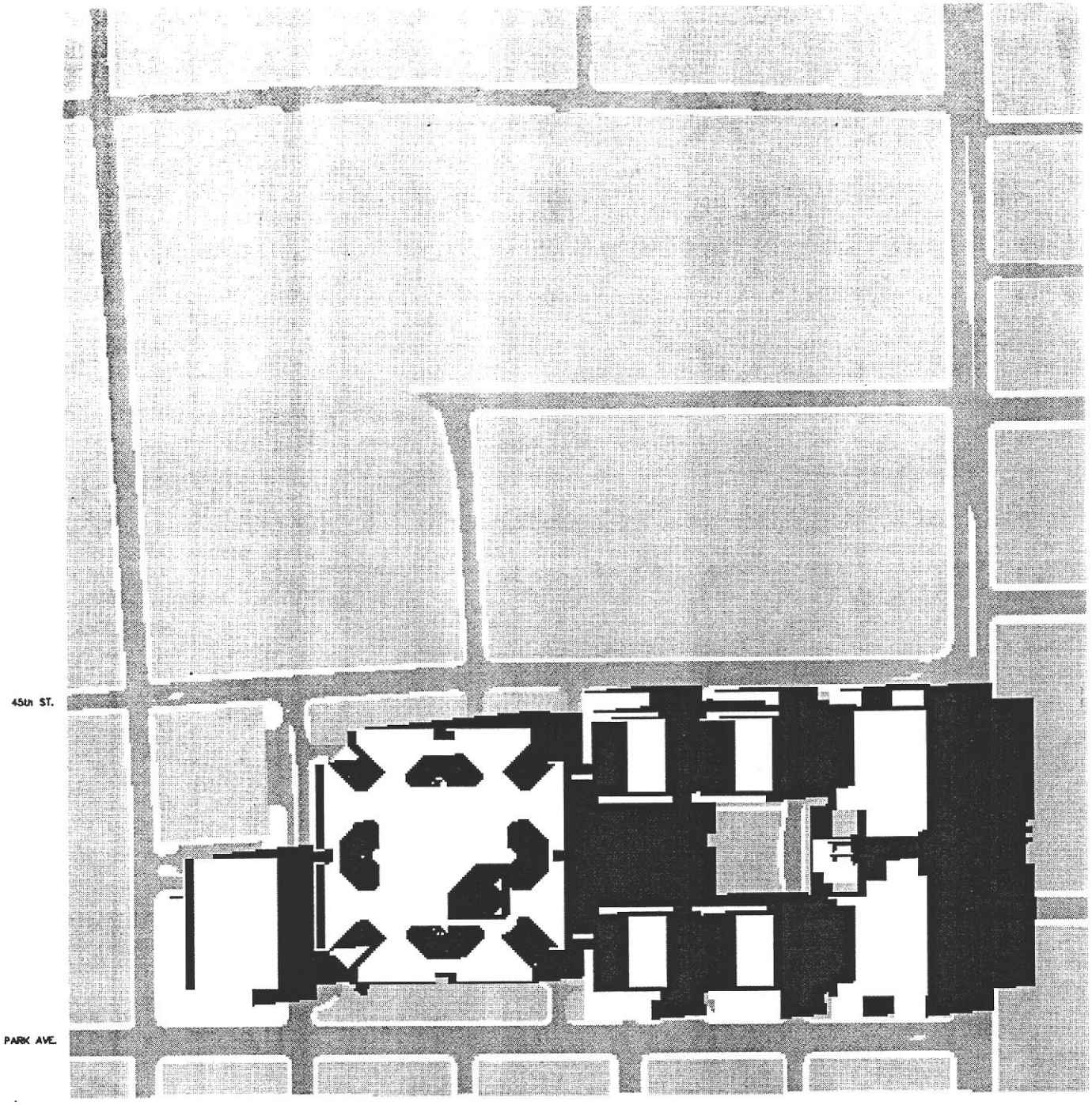
SHADOW ANALYSIS

BUILDOUT - 3:00 pm June 21

KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994



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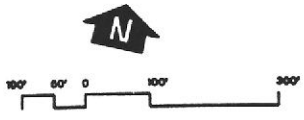
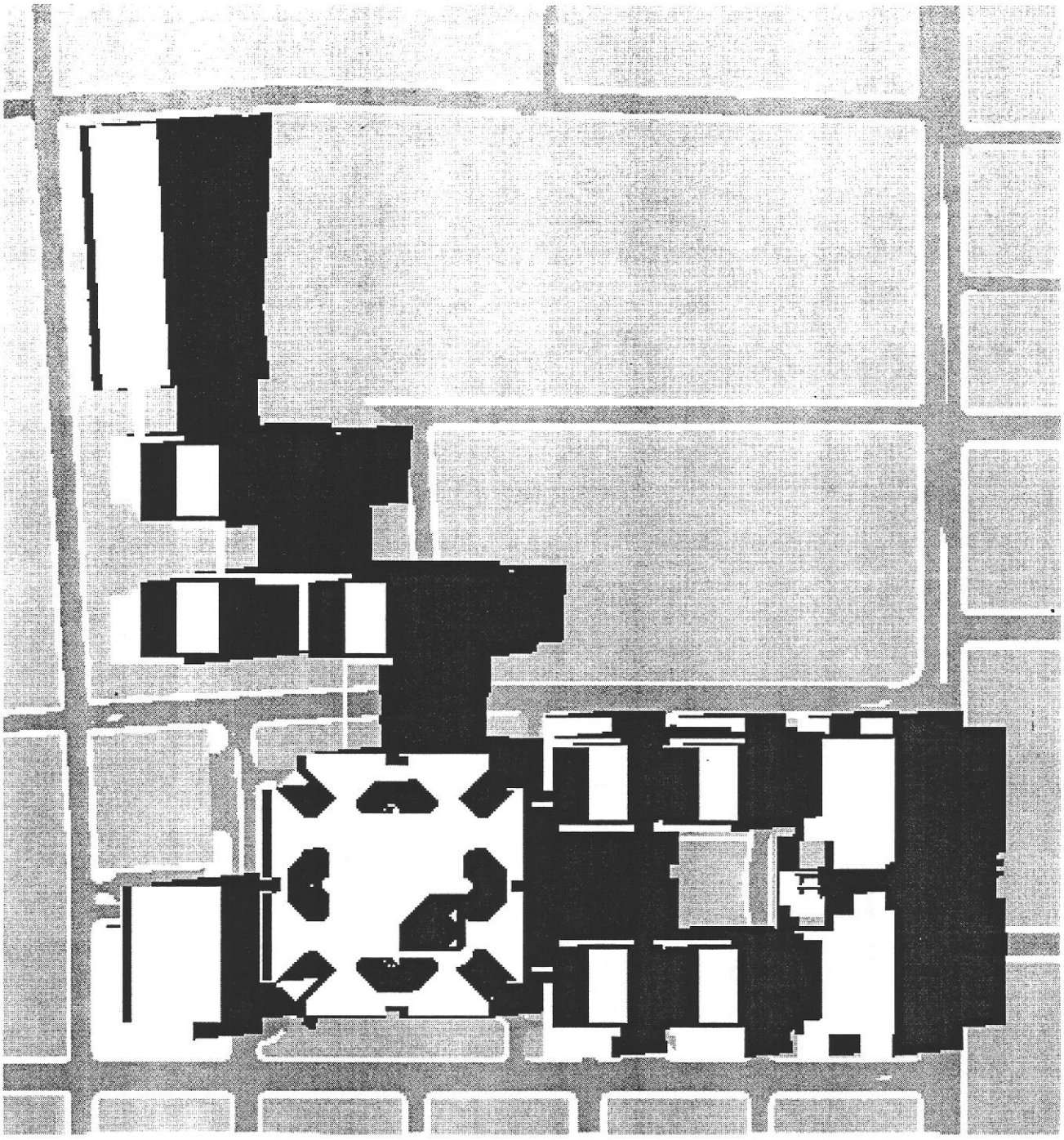


KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

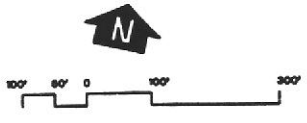
SMP / DMJM

26 SEPTEMBER 1994



SHADOW ANALYSIS

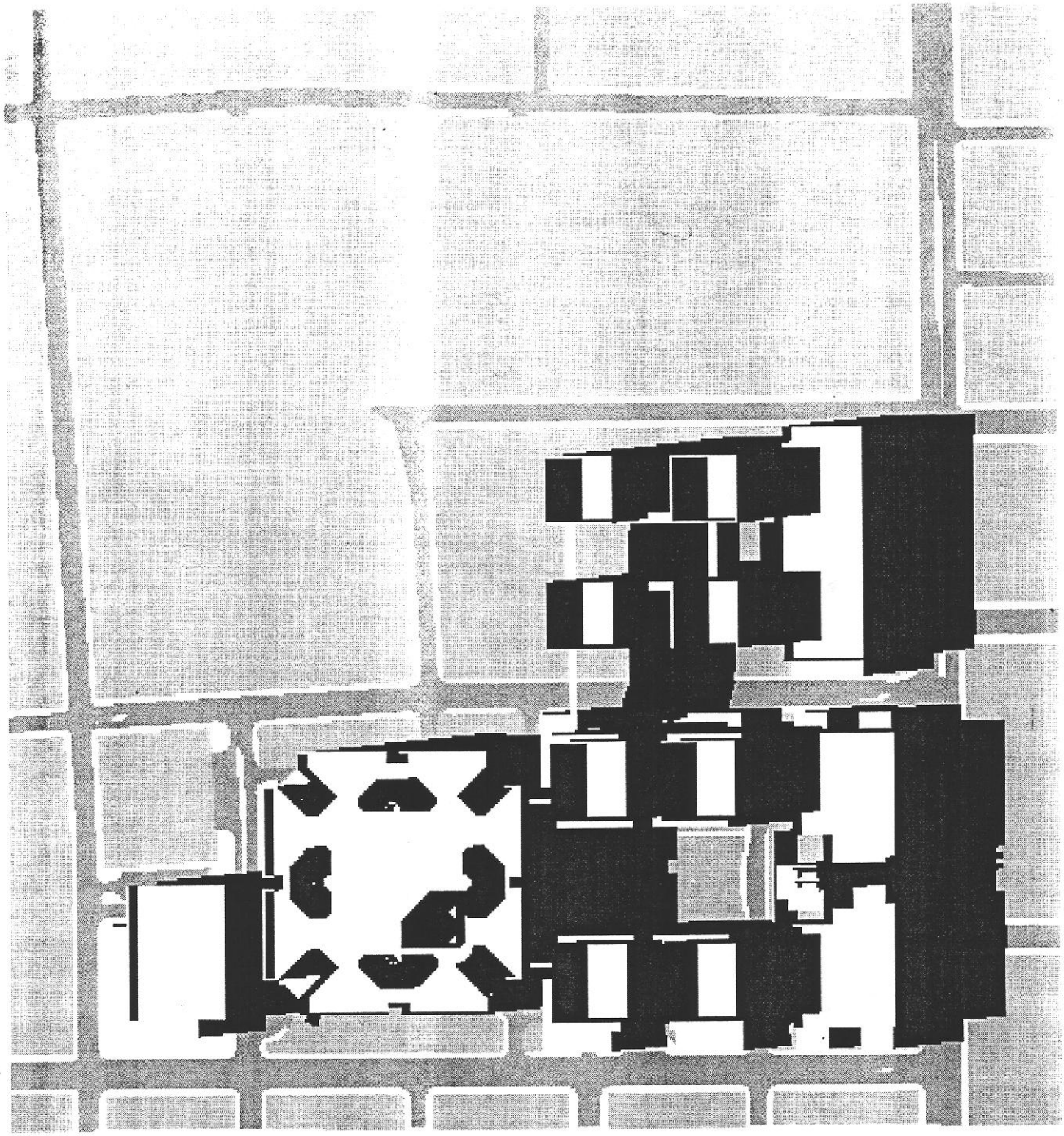
BUILDOUT - 7:00 pm June 21



KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994

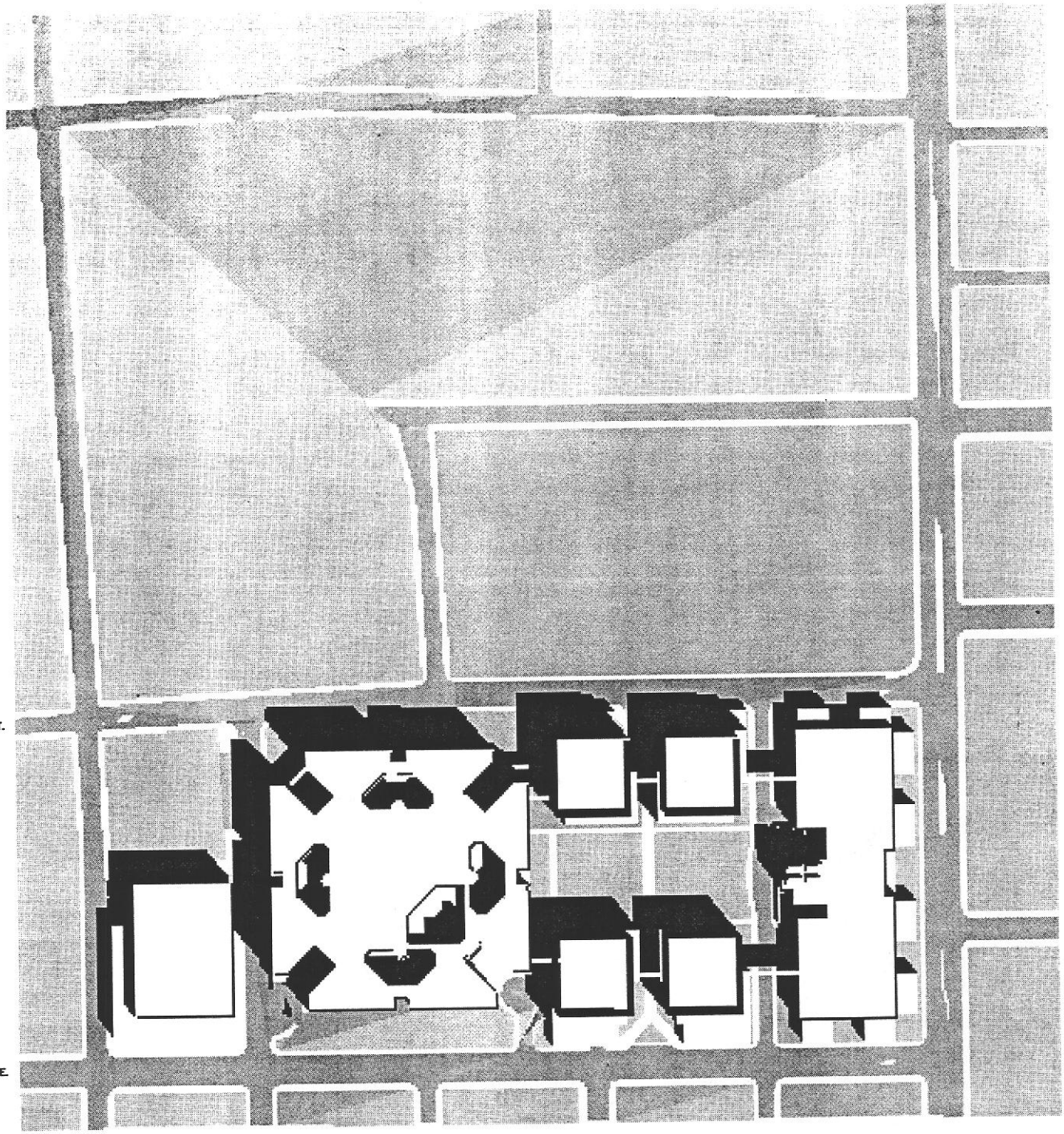


SHADOW ANALYSIS ALT. BUILDOUT - 7:00 pm June 21

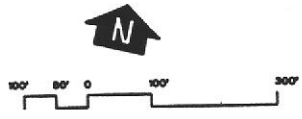
KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994



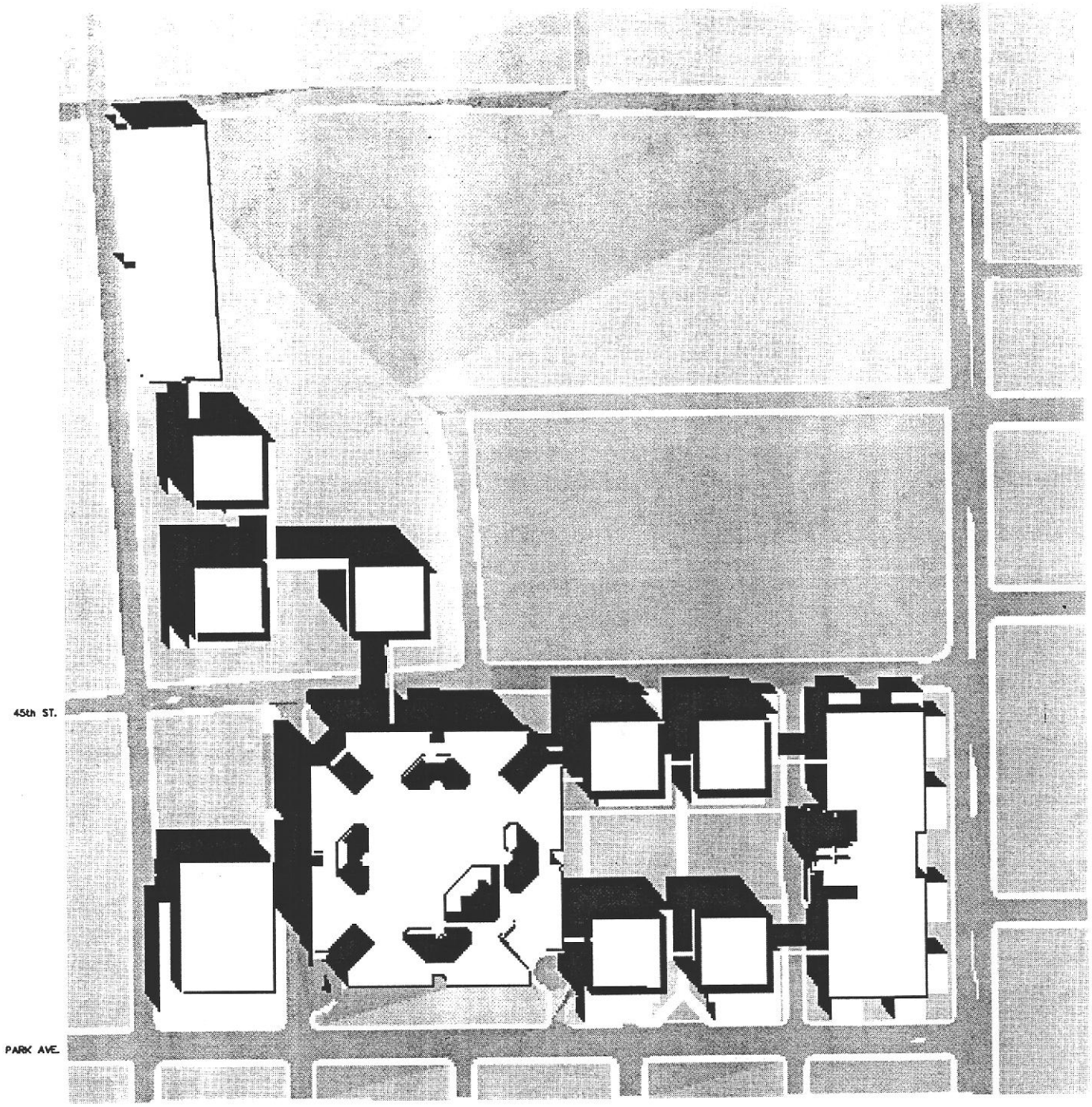
SHADOW ANALYSIS PHASE ONE - 10:00 am Sept. 21



KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994

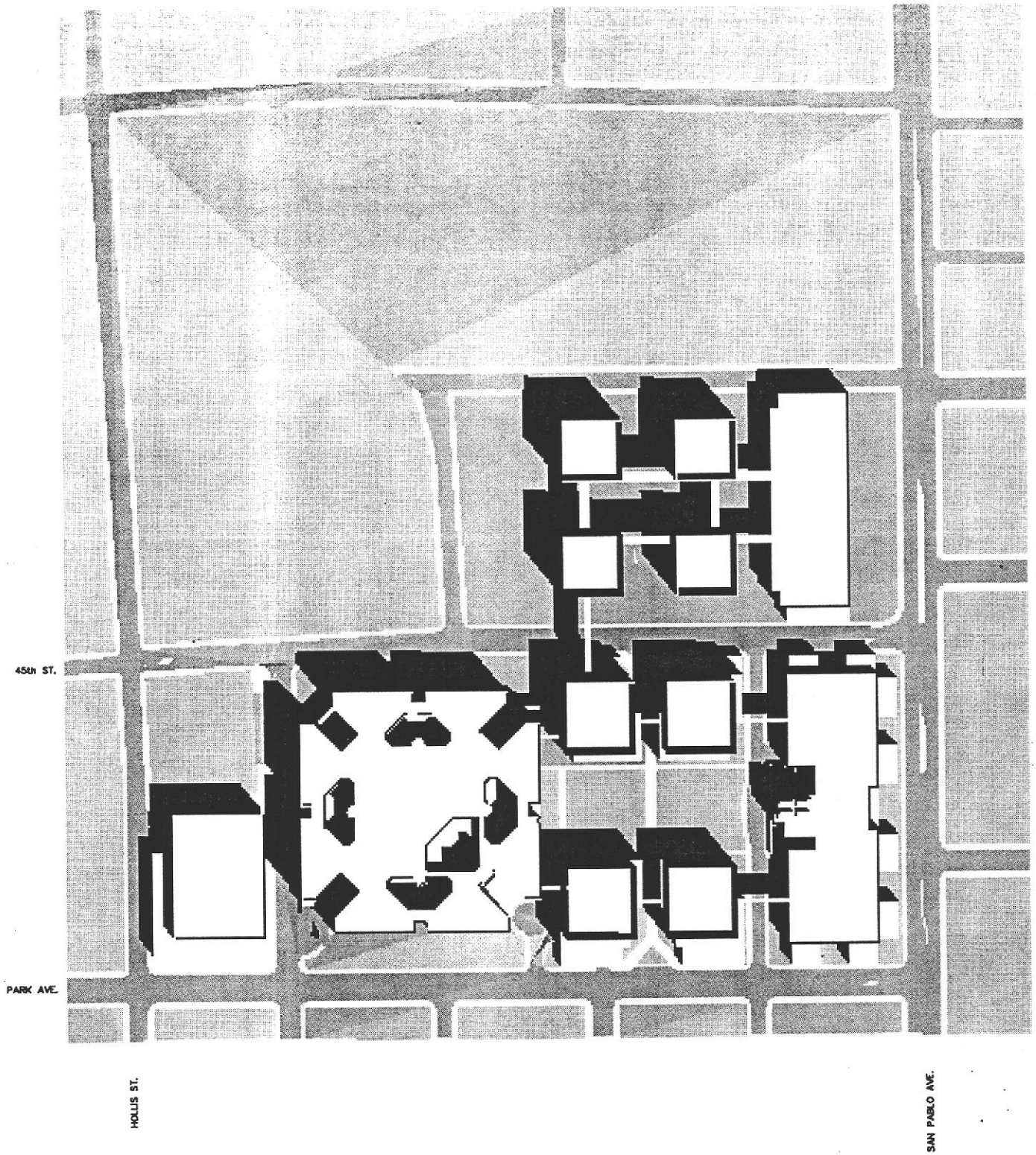


SHADOW ANALYSIS BUILDOUT -10:00 am Sept. 21

KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994

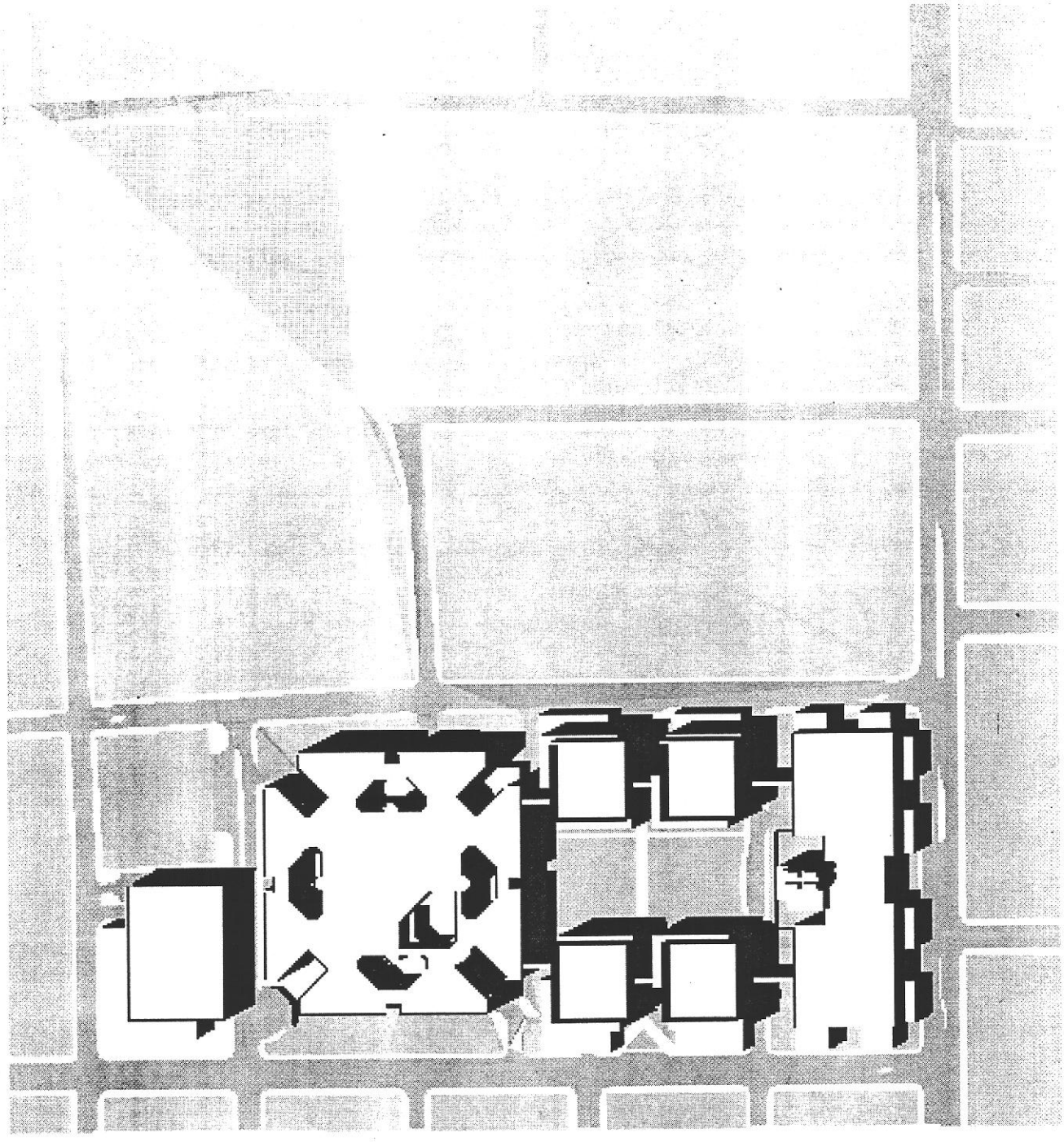


SHADOW ANALYSIS ALT. BUILDOUT - 10:00 am Sept. 21

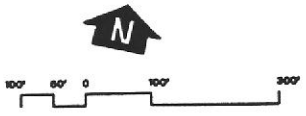
KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994



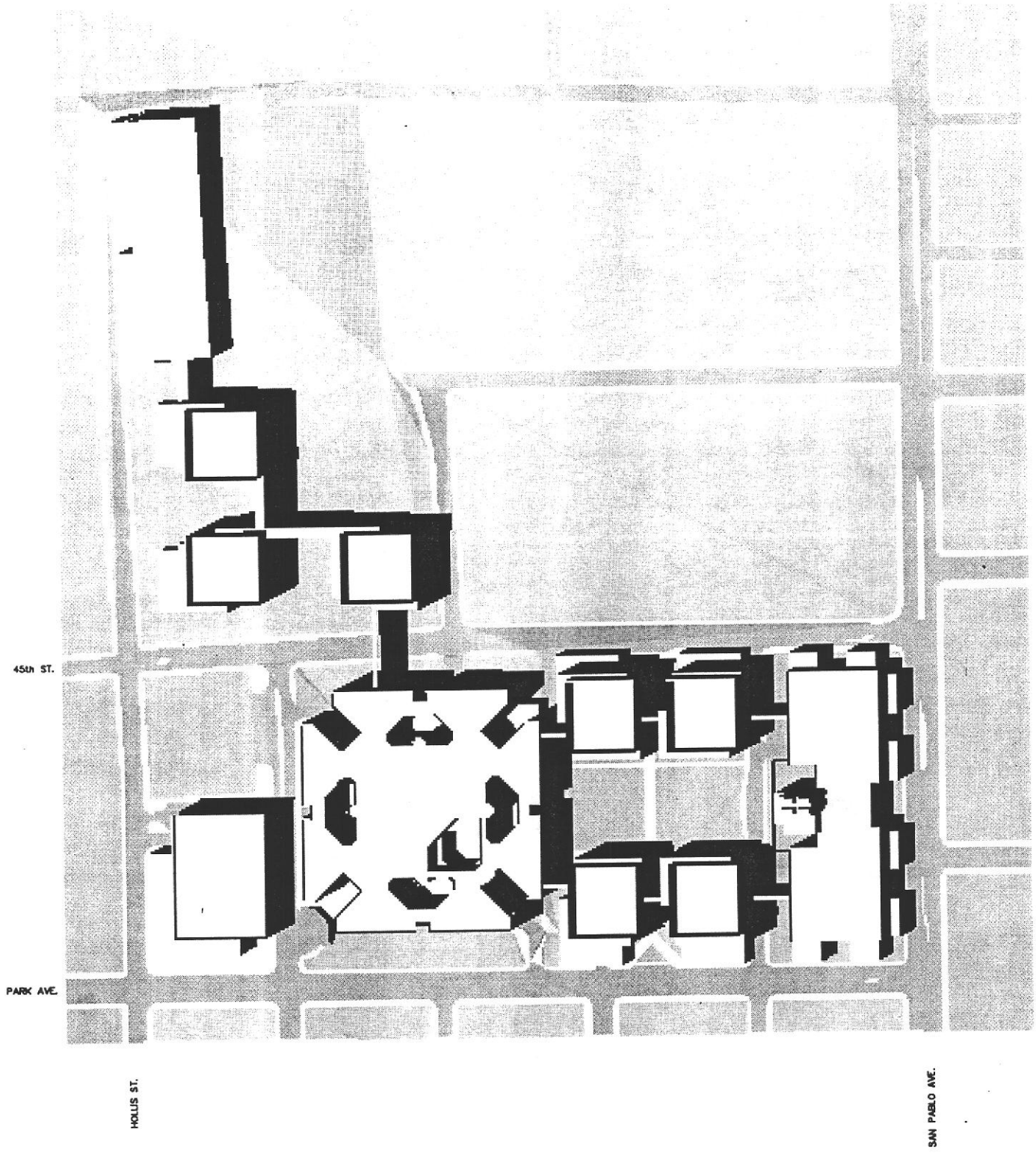
SHADOW ANALYSIS PHASE ONE - 3:00 pm Sept. 21



KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

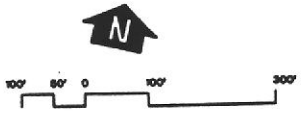
SMP / DMJM

26 SEPTEMBER 1994



SHADOW ANALYSIS

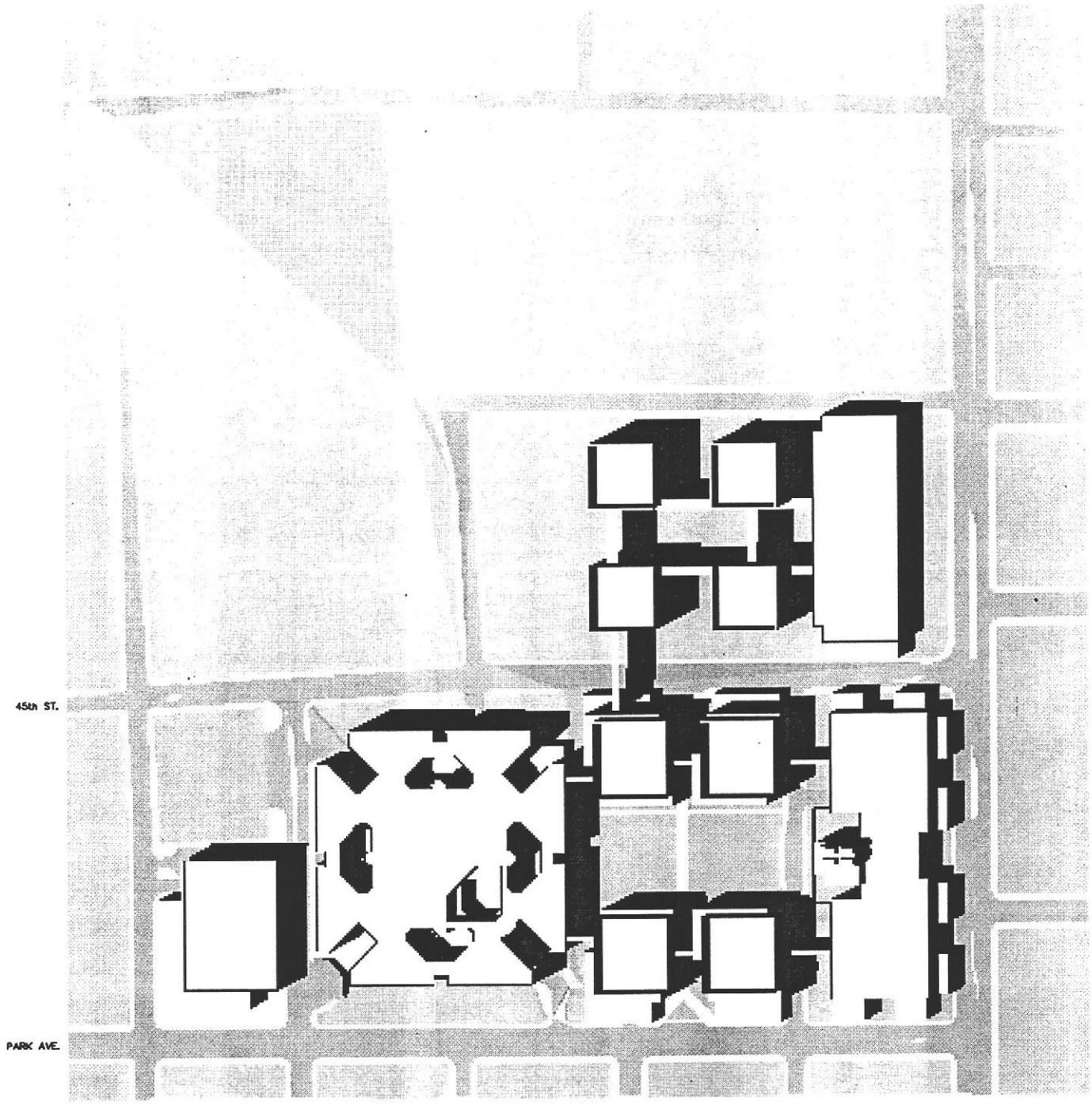
BUILDOUT - 3:00 pm Sept. 21



KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994



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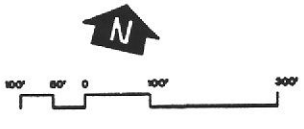
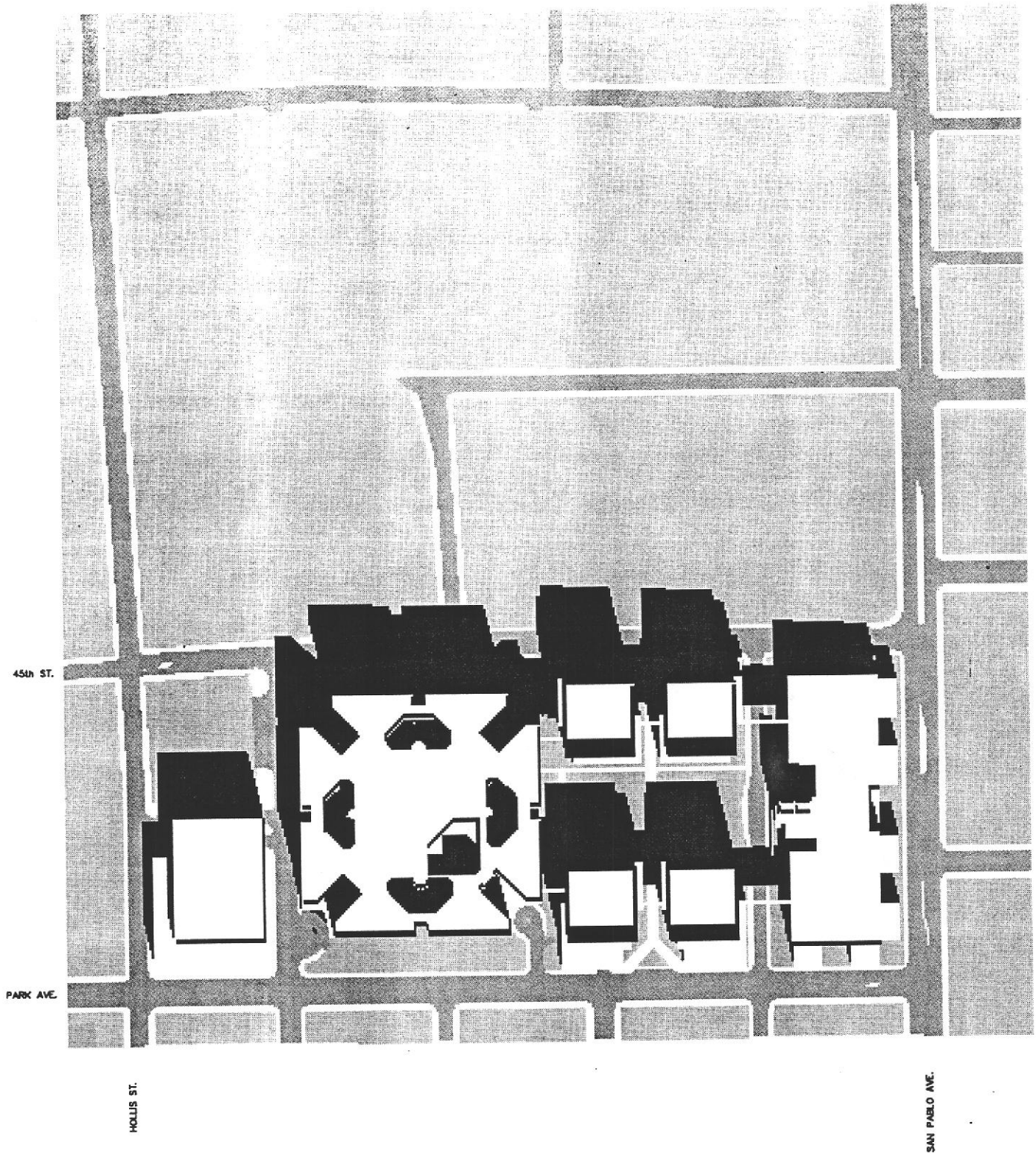


KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994

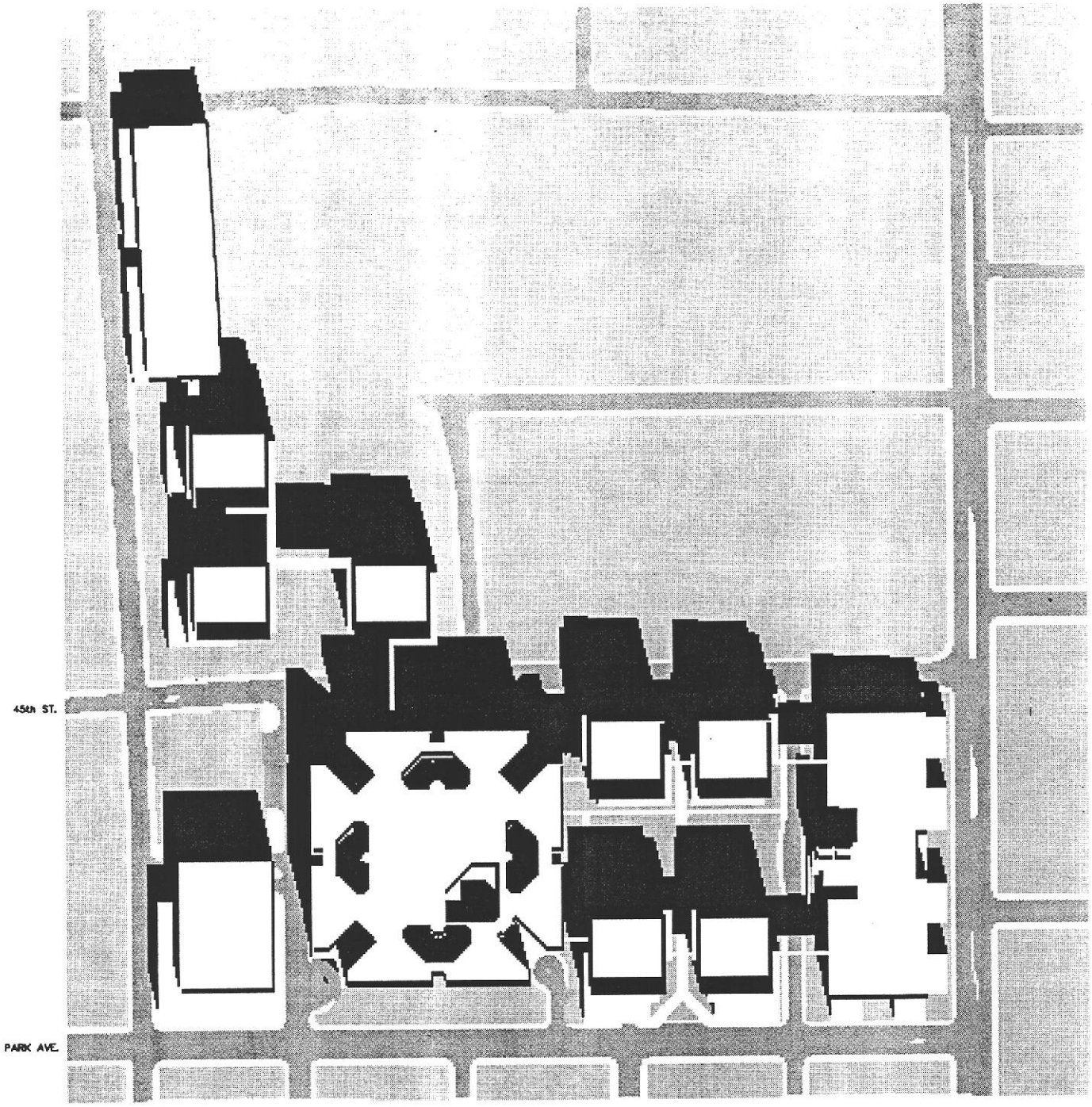


SHADOW ANALYSIS PHASE ONE - 10:00 am Dec. 21

KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994



SHADOW ANALYSIS BUILDOUT - 10:00 am Dec. 21

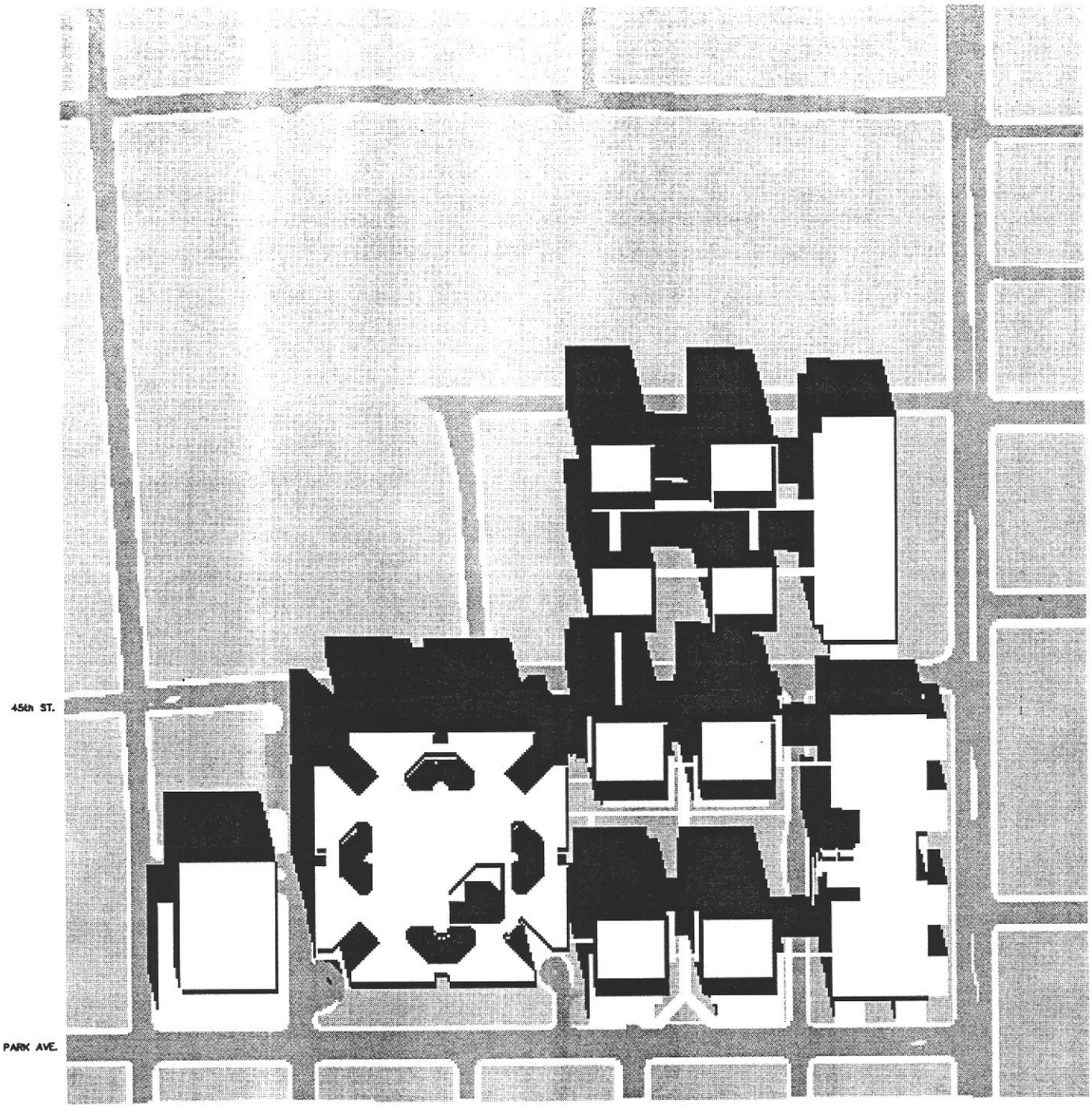
N

100' 50' 0 100' 300'

KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994

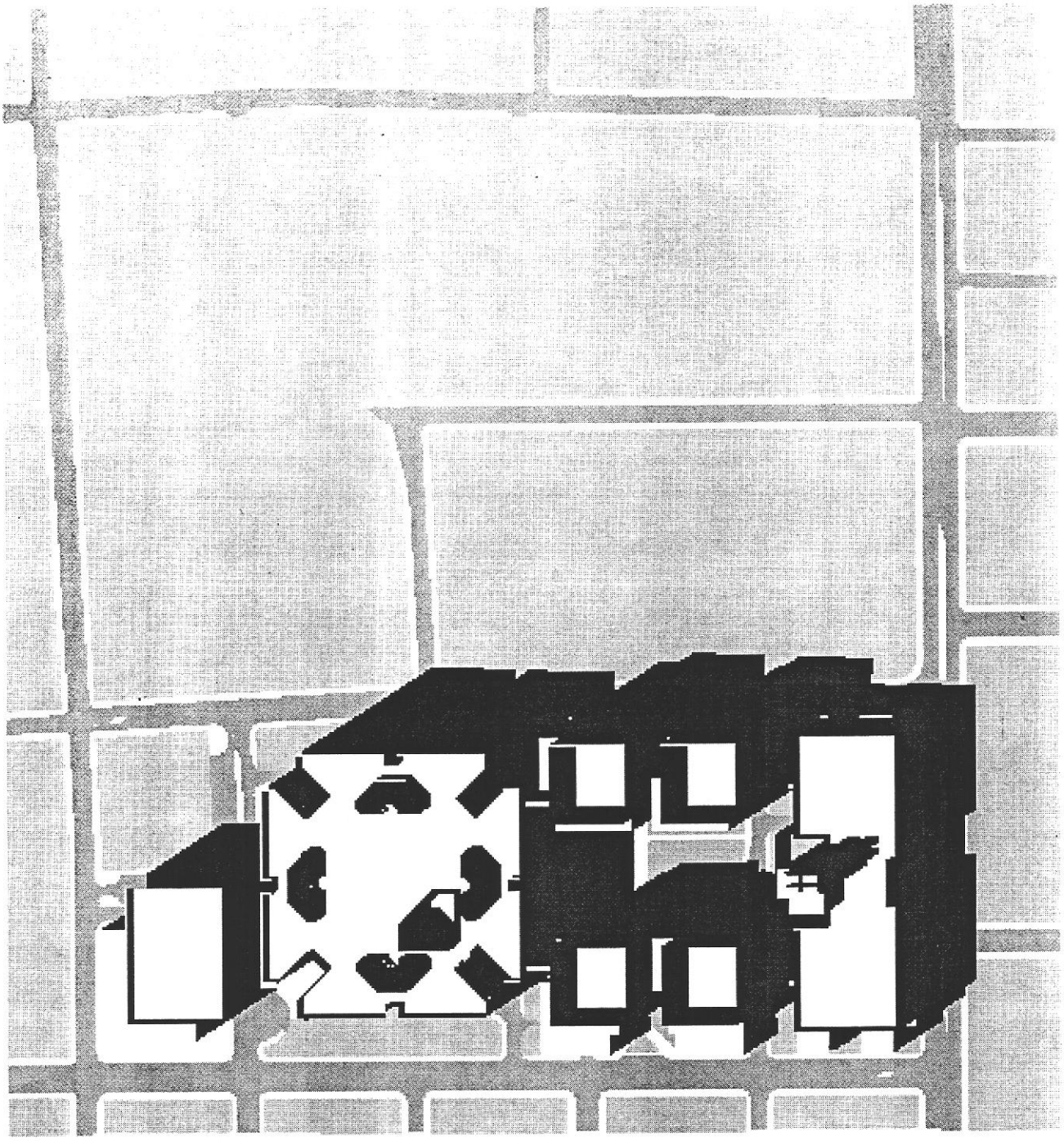


SHADOW ANALYSIS ALT. BUILDOUT - 10:00 am Dec. 21

KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994



SHADOW ANALYSIS PHASE ONE - 3:00 pm Dec. 21

KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

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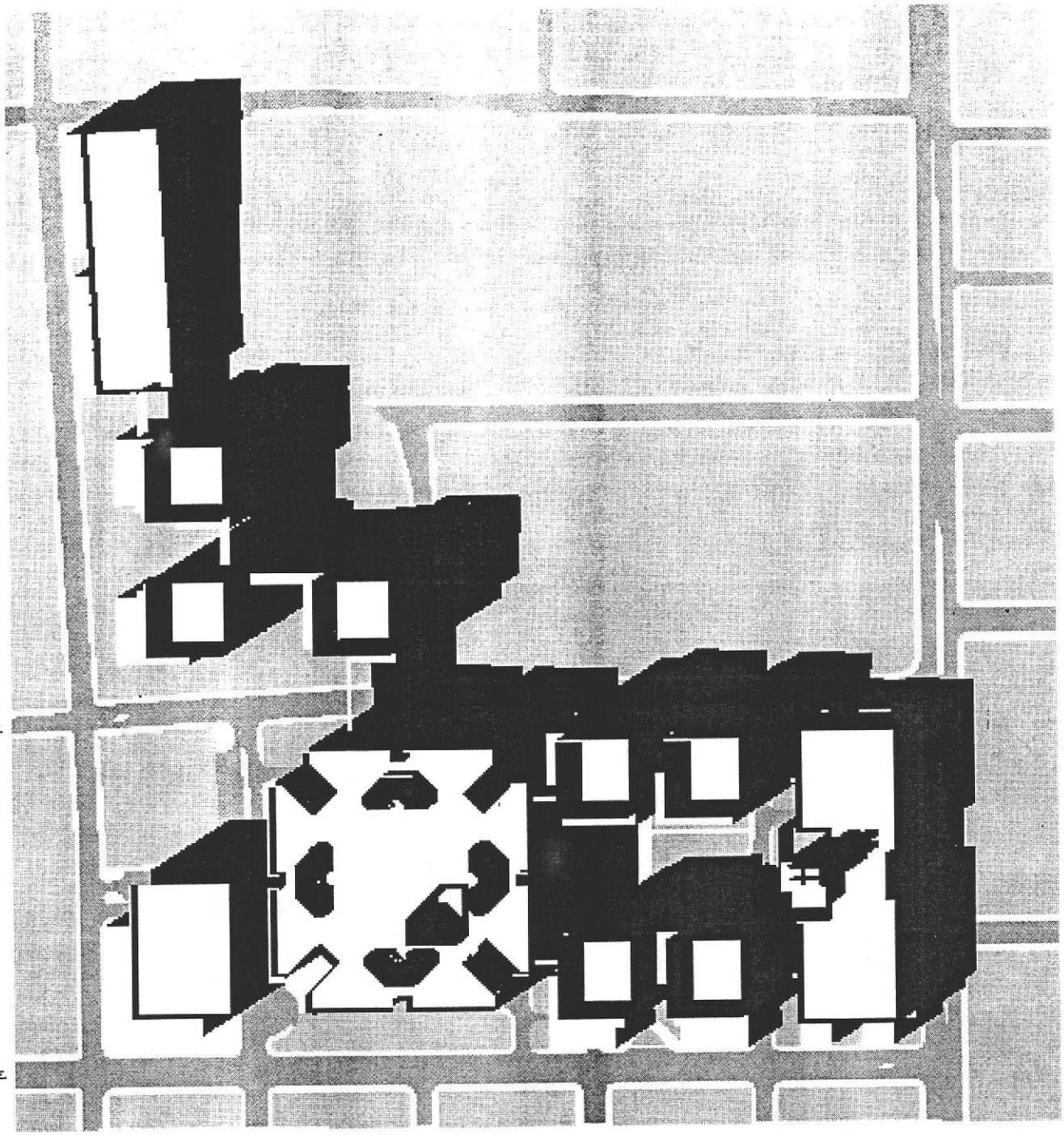
26 SEPTEMBER 1994



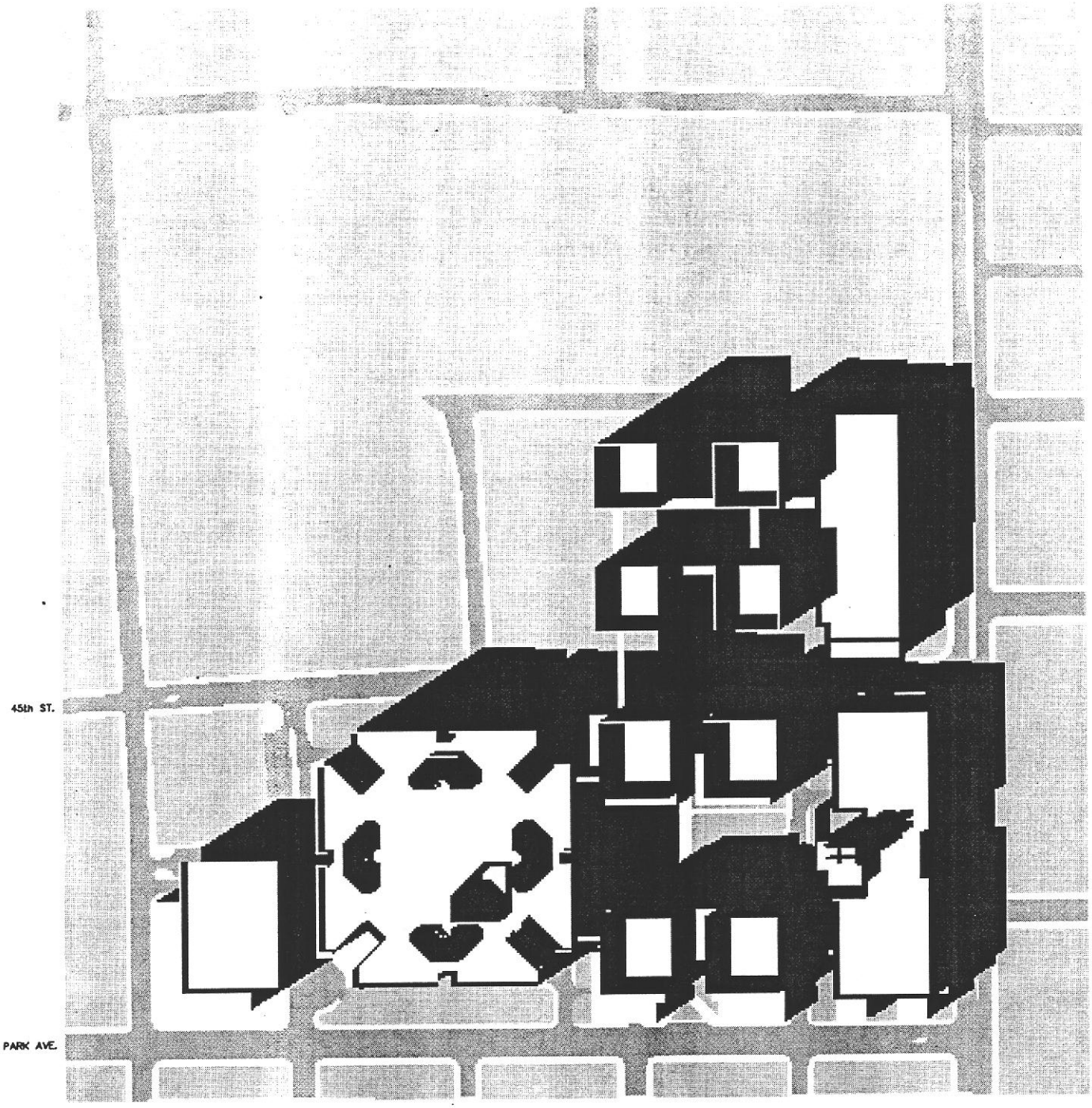
SHADOW ANALYSIS

BUILDOUT - 3:00 pm Dec. 21

KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994



SHADOW ANALYSIS ALT. BUILDOUT - 3:00 pm Dec. 21

KAISER PERMANENTE MEDICAL CENTER - EMERYVILLE

SMP / DMJM

26 SEPTEMBER 1994

APPENDIX C

POPULATION AND EMPLOYMENT DATA

REVISED TABLES 2, 3, AND 4

TABLE 2

CITY OF EMERYVILLE - PROJECTED COMMERCIAL AND INDUSTRIAL DEVELOPMENT
ALL APPROVED AND PROPOSED NEW DEVELOPMENT PROJECTS AND POTENTIAL MAJOR PROJECTS
1993 TO 2010

ALL PROJECTS

Map Key	Project Name	Location	Project Type	Occupied By	Building Square Feet	Employ-ment	Status As of 7/23/93
14	AMTRAK Station	N of Powell St. along railroad	Public	1994	9,600	20	Occupied
15	Emeryville Office Bldg	1719 64th St.	Office	1995	9,300	22	Approved
16	Trader Joe's	Powell St. Plaza	Community Retail	1995	10,000	20	Approved
17	Montessori School	SW corner Doyle & Stanford	Private School	1995	6,000	20	Approval pending
18	Post Office	62nd St. by AMTRAK station	Public	1996	20,000	50	Approved?
10	East Baybridge	San Pablo Ave. & 40th St.	Regional Retail	1996	480,000	588	Approved
19	Chiron Phase I	Horton St. and 53rd St.	Industrial	1996	401,700	500	Proposed (1)
NA	All Other New Construction and Demolition		All Types	1996	(236,800)	(348)	Varies By Project
	Subtotal 1993 To 1996				**699,800**	**872**	
19	Chiron Phase II	Horton St. and 53rd St.	Industrial	2000	281,800	1,000	Proposed (1)
20	Kaiser Phase I	San Pablo/Park/Hollis/45th	Hospital & Med. Office	2000	1,170,000	2,895	Proposed
21	Westinghouse Site	Powell btw. Hollis & Christie	Office/Commercial	2000	406,600	818	Potential
22	Bayfront	South bayfront, Shellmound St.	Reg. Retail & Entertain.	2000	800,000	1,090	Potential
NA	All Other New Construction and Demolition		All Types	2000	(629,200)	(744)	Varies By Project
	Subtotal 1996 To 2000				**2,029,200**	**5,059**	
19	Chiron Phase III	Horton St. and 53rd St.	Industrial	2010	287,500	600	Proposed (1)
20	Kaiser Phase II	Hollis btw. 45th and 53rd	Medical Office & Retail	2010	392,500	1,245	Proposed
21	Westinghouse Site	Powell btw. Hollis & Christie	Office/Commercial	2010	149,800	451	Potential
22	Bayfront	South bayfront, Shellmound St.	Reg. Retail & Entertain.	2010	400,000	615	Potential
NA	All Other New Construction and Demolition		All Types	2010	292,100	804	Varies By Project
	Subtotal 2000 To 2010				**1,521,900**	**3,715**	
	Total Commercial & Industrial Projects 1993 To 2010				**4,250,900**	**9,646**	

PROJECTS WITH MORE THAN ONE PHASE ONLY

Map Key	Project Name	Location	Project Type	Occupied By	Building Square Feet	Employ-ment	Status As of 7/23/93
19	Chiron Phase I	Horton St. and 53rd St.	Industrial	1996	401,700	500	Proposed (1)
19	Chiron Phase II	Horton St. and 53rd St.	Industrial	2000	281,800	1,000	Proposed (1)
19	Chiron Phase III	Horton St. and 53rd St.	Industrial	2010	287,500	600	Proposed (1)
20	Kaiser Phase I	San Pablo/Park/Hollis/45th	Hospital & Med. Office	2000	1,170,000	2,895	Proposed (1)
20	Kaiser Phase II	Hollis btw. 45th and 53rd	Medical Office	2010	392,500	1,245	Proposed (1)
21	Westinghouse Site	Powell btw. Hollis & Christie	Office/Commercial	2000	406,600	818	Potential
21	Westinghouse Site	Powell btw. Hollis & Christie	Office/Commercial	2010	149,800	451	Potential
22	Bayfront	South bayfront, Shellmound St.	Reg. Retail & Entertain.	2000	800,000	1,090	Potential
22	Bayfront	South bayfront, Shellmound St.	Reg. Retail & Entertain.	2010	400,000	615	Potential

Source: City of Emeryville; Sedway & Associates; and Recht Hausrath & Associates. See also note (1).

(1) The building square foot data is reportes as gross, excluding parking structures

TABLE 3

CITY OF EMERYVILLE - PROJECTED RESIDENTIAL DEVELOPMENT
ALL APPROVED AND PROPOSED NEW DEVELOPMENT PROJECTS AND POTENTIAL MAJOR PROJECTS
1993 TO 2010

Map Key	Project Name	Location	Dwelling Type	Occupied By	Dwelling Units	Popula-tion	Status As of 7/23/93
1	Powell Street Lofts	1250 Powell St.	Live/Work Loft	1994	10	18	Approved
2	Christie Ave. Coms.	5915 Christie Ave.	Live/Work Loft	1995	22	38	Approved
3	Concept Acceleration	6150 Christie Ave.	Live/Work Loft	1995	40	68	Approved
4	Emerybay II	Bay St., btw 64th & 65th	Subsidized Apts	1995	260	439	Under Construction
5	Ocean Avenue Lofts	Doyle St. & Ocean Ave.	Live/Work Loft	1995	5	9	Approval On Appeal
6	Triangle Court	1063 45th St.	Subsidized Apts	1996	20	50	Approved
7	Not applicable	4800 San Pablo Ave.	Subsidized Apts	1996	30	75	Approved?
8	Not applicable	4300 San Pablo Ave.	Subsidized Apts	1996	28	70	Approved?
NA	All Other New Construction and Demolition		Multi-Family	1996	90	160	Varies By Project
NA	Vacancy Rate & Persons Per Household Changes		All Types	1996	0	(193)	Not Applicable
	Subtotal 1993 To 1996				**505**	**734**	
9	Saint Alban's	Peninsula, along frontage rd.	Senior Apts.	2000	287	432	Draft EIR
10	East Baybridge	San Pablo Ave. & 40th St.	Multi-Family	2000	400	860	Approved
11	Emeryville Warehouse	4220 Hubbard St.	Live/Work Loft	2000	50	85	Potential
NA	All Other New Construction and Demolition		Multi-Family	2000	172	336	Varies By Project
NA	Vacancy Rate & Persons Per Household Changes		All Types	2000	0	(115)	Not Applicable
	Subtotal 1996 To 2000				**909**	**1,598**	
12	Not applicable	San Pablo Ave, N. of 43rd St.	Multi-Family	2010	414	701	Potential
13	Not applicable	Christie Ave., N. of Powell St.	Multi-Family	2010	250	423	Potential
NA	All Other New Construction and Demolition		Multi-Family	2010	99	168	Varies By Project
NA	Vacancy Rate & Persons Per Household Changes		All Types	2010	0	(93)	Not Applicable
	Subtotal 2000 To 2010				**763**	**1,199**	
	Total Residential Projects 1993 To 2010				**2,177**	**3,531**	

Source: City of Emeryville; Sedway & Associates; and Recht Hausrath & Associates.

TABLE 4

DISPLACEMENT BY KAISER AND CHIRON PROJECTS

1993 TO 1996

	RESIDENTS		EMPLOYMENT			
	Population	Households	Total	Retail	Service	Mfg&Whsl
CHIRON						
Gross			32	2	19	11
Stay in Emeryville			25	0	14	11
Net move out			7	2	5	0

1996 TO 2000

	RESIDENTS (1)		EMPLOYMENT			
	Population	Households	Total	Retail	Service	Mfg&Whsl
KAISER						
Gross	37	21	175	53		122
Stay in Emeryville	37	21	53	53		0
Net move out	0	0	122	0	0	122

2000 TO 2010

	RESIDENTS (1)		EMPLOYMENT			
	Population	Households	Total	Retail	Service	Mfg&Whsl (2)
KAISER						
Gross	20	11	270		118	152
Stay in Emeryville	20	11	150		118	32
Net move out	0	0	120	0	0	120

Source: Sedway & Associates; Recht Hausrath & Associates.

(1) We did not examine closely the possibility that displaced residents would move out of the city. We assumed all would stay in the city because Kaiser will likely pay relocation costs for all households and, under redevelopment law is, obligated to replace all units affordable to low income families.

(2) The 120 manufacturing jobs that are estimated to move out of the city include 70 jobs that are not located on the Kaiser site, but are part of a manufacturing business that would be displaced by Phase II of the Kaiser project.