



PORT OF OAKLAND

December 8, 2020

NOTICE OF DECISION

Approval of Development Permit for 1101 Embarcadero West, Oakland, CA

PLEASE TAKE NOTICE: The Port of Oakland (Port) Executive Director has reviewed and evaluated all of the evidence in the record and, based on substantial evidence in the record, the Executive Director has exercised his independent judgment to **approve the development permit for Private Property** located at 1101 Embarcadero West, Oakland, CA on December 3, 2020. This Notice of Decision, providing public notice of the Permit Coordinator's decision, has been posted on the Port's web site: <http://www.portofoakland.com/business/bids-rfps/bid-engineering/permits/>.

Project Description

The Port is the local land use authority for the Port Area, including the Oakland Maritime Area and the project site. The project site is located along the Oakland Estuary just west of the Port's Howard Terminal, Berth 68. The property is owned by Schnitzer Steel Industries. Parcels to the east and west are owned by the Port of Oakland. Parcels to the north across Embarcadero West are under private ownership. The Oakland Estuary is to the south.

The applicant proposes to install new equipment at their steel recycling plant to improve air filtration and reduce emissions. The project is in coordination with the Bay Area Air Quality Management District (BAAQMD) on-going oversight.

Environmental Review

The Port is the Lead Agency under CEQA, having land use jurisdiction over the Project site. The Port evaluated the impacts of the Project and determined that the Project would not result in any significant effects not discussed in the 2014 IS/ND and no mitigation measures would be required. Consistent with CEQA Guidelines Section 15164(b), the Port prepared the Second Addendum to the 2014 Schnitzer Stormwater Improvement Project IS/ND (September 2020) to document the changes to the 2014 project and the determination that no subsequent ND is required per Section 15162 of the CEQA Guidelines.

Appeal of Executive Director's Decision

Any person excepting to the Executive Director's decision may appeal to the Permit Hearing Officer by filing with the Secretary of the Board a written notice of such appeal setting forth the specific grounds thereof, and by paying to Daria Edgerly, Secretary of the Board (530 Water Street, Oakland, CA 94607 or dedgerly@portoakland.com), the \$750 administrative appeal fee. A Notice of Appeal must be filed within fourteen (14) days of this Notice of Decision. Absent an administrative appeal, the Executive Director's decision becomes final fifteen (15) days after

issuance of this Notice of Decision. Any failure to file an administrative appeal will be a complete bar to judicial review.

Port Contact Information

Please contact Joe Marsh, Port Permit Coordinator, at (510) 508-5788 or jmarsh@portoakland.com with any questions regarding the approval of this development permit.