



December 16, 2021

Danny Wan
Executive Director

Nikki Fortunato Bas, Council President & District 2 Councilmember
Rebecca Kaplan, At Large Member & Vice Mayor
Dan Kalb, District 1 Councilmember
Carroll Fife, District 3 Councilmember
Sheng Thao, District 4 Councilmember & Council President Pro Tempore
Noel Gallo, District 5 Councilmember
Loren Taylor, District 6 Councilmember
Trevia Reid, District 7 Councilmember

Re: City Council Consideration of Seaport Compatibility Measures

Dear Honorable Members of the Oakland City Council:

The Port of Oakland (“Port”) appreciates the City Council’s consideration of Seaport Compatibility Measures to be included as part of the proposed development of a new baseball stadium and a residential and commercial mixed-use development on the Port’s Howard Terminal (“Proposed Project”). The Board of Port Commissioners (“Port Board”) believes that the Proposed Project, if approved, will create transformational value to the Port’s and the City’s waterfront to serve both commerce and people, provided that the Proposed Project incorporates appropriate measures, designs, and operational standards to ensure that the Project does not impact or interfere with the Port’s use or operations outside of the Project (“Seaport Compatibility Measures” or “SCMs”).

At its July 20, 2021 meeting, the City Council requested that the Port supply a detailed list of Port-recommended SCMs that the Port would like included in the final Environmental Impact Report (“EIR”) for the Proposed Project or be adopted as conditions of approval if the City Council approves the Proposed Project. The Port appreciates City staff for working extensively with the Port and seaport stakeholders to analyze and incorporate SCMs in the City’s Draft EIR. The table below describes the Port’s “*Recommended Seaport Compatibility Measures Analyzed in the Draft EIR*”. They have been developed based on consultations with seaport stakeholders, analysis with City staff, and considerations of Port operations.

The recommended SCMs for City adoption or approval are categorized by the objectives of the SCM, including (1) safety of and non-interference with navigation of ships and Port waterside operations, (2) non-interference with ingress and egress of trucks and other seaport transportation vehicles into and from seaport and avoiding congestion of seaport-related traffic routes, and (3) safety of and avoiding conflict between trains, vehicles, bicyclists, pedestrians, and other modes of transportation.

In summary:

- Recommended SCMs have been analyzed in the Draft EIR as elements of the Proposed Project or as mitigation measures. If the City Council approves the Proposed Project, the Port recommends that the City Council include and adopt all measures listed.
- The Port appreciates the inclusion of the analysis of a new vehicular grade separation above and across Embarcadero which would enhance vehicular safety, pedestrian safety, and freight efficiency. The Port fully supports City staff’s recommendation to adopt Alternative 3 of the EIR, which includes such a vehicular grade separation, as the preferred Project.

Re: City Council Consideration of Seaport Compatibility Measures

Port staff has conducted numerous meetings with seaport stakeholders to receive input from them regarding the appropriate and reasonable SCMs. In several instances, these outreach meetings were conducted jointly with City representatives. Following a “Seaport Compatibility Measures Conference” attended by over 60 stakeholders and certain Port Board members held on November 5, 2019¹, Port and City staff compiled the suggested measures and analyzed their feasibility and utility for inclusion in the Draft EIR to the extent that any such measures are appropriate for inclusion under the California Environmental Quality Act (“CEQA”). In early 2020, prior to the release of the Draft EIR, City staff held a workshop for seaport stakeholders to present and obtain feedback on transportation-related measures intended to support truck access to the seaport. After the Draft EIR was published and the comment period closed, the Port resumed several additional meetings with the representatives of the seaport stakeholders to review the SCMs included in the Draft EIR and potential additional SCMs. Each of these post-Draft EIR meetings was focused on an area of potentially impacted Port operations with specific stakeholder groups operating in the area.²

The Port of Oakland is proud to be the hub of transportation, logistics, and waterfront commerce, creating more than 84,000 jobs in the region. As a department of the City of Oakland and trustee for State Tidelands, the Port is committed to managing our waterfront for the benefit of the public and commerce. With the successful City adoption and implementation of the recommended Seaport Compatibility Measures, the Port believes that the Proposed Project, if approved, will bring significantly more people to the Oakland waterfront and Jack London Square while ensuring that the seaport continues to grow its vital role in international commerce and the supply-chain.

Sincerely,



Danny Wan
Executive Director

¹ The conference was preceded by at least five smaller stakeholder group meetings, including:

- August 20, 2019: small-group meeting, held at the Port of Oakland with ten stakeholders participating.
- September 5, 2019: held at the Port of Oakland with ten stakeholders participating.
- October 2, 2019: meeting with the Mayor of Oakland and City of Oakland planning and transportation staff, held at SSA offices with 17 stakeholders participating.
- October 3, 2019: SCM Roundtable as part of the Agriculture Transportation Coalition (“AgTC”) workshop, held at Oakland Airport, with approximately 50 stakeholders participating.

² Four focused stakeholder meetings to address specific categories of SCMs were held in 2021 following release of the Draft EIR, including:

- June 14, 2021: Zoom meeting with approximately 47 stakeholders to discuss trucking-related SCMs.
- July 14, 2021: Zoom meeting with approximately 5 stakeholders from Harbor Trucking Association for additional trucking SCM discussion.
- July 14, 2021: Zoom meeting with approximately 15 stakeholders to discuss rail SCMs.
- July 27, 2021: Zoom meeting with approximately 22 stakeholders to discuss maritime navigation SCMs.

**Port of Oakland Recommended Seaport Compatibility Measures
Analyzed in the Draft EIR**

Measure Summary	Location of Full Text in Draft EIR
<i>Maritime Navigation and Safety</i>	
Mitigation Measure LUP-1a: Boating and Recreational Water Safety Plan and Requirements. The Project sponsor shall have a protocol for boating and water recreation around the Project site, as approved by the City of Oakland and the Port of Oakland, in consultation with the San Francisco Bay Area Water Emergency Transportation Authority, the Harbor Safety Committee of the San Francisco Bay Region, and the United States Coast Guard.	pp. 4.10-38 to 4.10-39
Improvement Measure AES-1: Construction Lighting Design Features. During construction, light sources shall be shielded and/or aimed so that no direct beam illumination is directed/aimed outside of the Project Site boundary to the extent feasible.	p. 4.1-43
Improvement Measure AES-2/Mitigation Measure LUP-1b: Design Lighting Features to Minimize Light Pollution. Prior to obtaining the final building permit for the ballpark, to minimize the effects of light pollution on nighttime views, and to prevent unnecessary glare onto adjacent areas, the following measures would be implemented [full list provided in EIR].	p. 4.1-51 and p. 4.10-43
Mitigation Measure BIO-1b: Bird Collision Reduction Measures. Prior to the approval of a construction-related permit, the Project sponsor shall submit building plans to the City of Oakland Bureau of Building which reflect the City of Oakland Bird Safety Measures, the Howard Terminal Design Guidelines regarding reflective or mirrored glass, and include the specific design measures set forth below for review and approval [for example, bird friendly glazing treatments].	pp. 4.3-38 to 4.3-40
<i>Seaport Access and Traffic Routes</i>	
Adeline Street/5 th Street/I-880 corridor Non-CEQA Recommended Improvements to maintain Port truck access on Adeline Street. For compatibility, it is important that these improvements be implemented prior to ballpark opening.	p. 4.15-121 and Figures 4.15-25, 4.15-26, 4.15-27
7th Street corridor Non-CEQA Recommended Improvements/Mitigation Measure Trans-2a: Implement Buffered Bike Lanes Consistent with the Bike Plan on 7th Street from Mandela Parkway to Martin Luther King Jr. Way and 7 th Street portions of Mitigation Measures TRANS-1e: Implement Pedestrian Improvements to accommodate Project pedestrian and bike traffic. For compatibility, it is important that these improvements be implemented prior to ballpark opening.	pp. 4.15-117, 4.15-198 to 4.15-200, and 4.15-230 and Figures 4.15-23, 4.15-25, 4.15-26, 4.15-28
Market Street corridor Non-CEQA Recommended Improvements and Market Street portions of Mitigation Measures TRANS-1e: Implement Pedestrian Improvements to accommodate Project auto traffic and deter it from using Adeline Street. For compatibility, it is important that these improvements be implemented prior to ballpark opening.	pp. 4.15-122 to 4.15-123 and 4.15-198 to 4.15-200, and Figures 4.15-28, 4.15-29, 4.15-30
Martin Luther King Jr. Way corridor Non-CEQA Recommended Improvements, Mitigation Measure TRANS-2b: Implement Bike Lanes Consistent with the Bike Plan on Martin Luther King Jr. Way from Embarcadero West to 8th Street, and	pp. 4.15-124 to 4.15-126, 4.15-

Measure Summary	Location of Full Text in Draft EIR
Martin Luther King Jr. Way portions of Mitigation Measure TRANS-1e: Implement Pedestrian Improvements to accommodate Project pedestrian and bike traffic as well as auto traffic. For compatibility, it is important that these improvements be implemented prior to ballpark opening.	198 to 4.15-200, and 4.15-230, and Figures 4.15-31, 4.15-32, 4.15-33, 4.15-34, 4.15-35
Mitigation Measure TRANS-1c: Implement a Transportation Hub on 2nd Street.	pp. 4.15-118 and 4.15-197 and Figure 4.13-5
Mitigation Measure TRANS-1a: Transportation and Parking and Parking Demand Management (TDM) Plan to reduce Project automobile use and congestion that could result in delays in truck freight movement.	pp. 4.15-183 to 4.15-189
Mitigation Measure TRANS-1b: Implement Transportation Management Plan (TMP) to prioritize and maintain the Adeline Street corridor for truck access during games and events.	pp. 4.15-193 to 4.15-197 and Appendix TRA.1
Traffic Control Plan in Mitigation Measure TRANS-4: Construction Management Plan. The Port needs to review and provide comment on the draft Traffic Control Plan prior to its approval by the City and have the opportunity to adjust it during implementation if issues arise to maintain Port access during Project construction.	p. 4.15-241
Port-specified design requirements for Emergency Vehicle Access (EVA) road that connects the west end of Embarcadero West to Middle Harbor Road.	pp. 3-45 to 3-46
<i>Safety and Avoidance of Conflict</i>	
Mitigation Measure LUP-1c: Land Use Siting and Buffers, which states that all proposed sensitive uses (including residences and childcare facilities) on the Project site shall be prohibited west of Myrtle Street. This separation is also included in the Port's Exclusive Negotiation Term Sheet.	pp. 4.15-49 to 4.10-50
Mitigation Measure TRANS-3a: Implement At-Grade Railroad Crossing Improvements, including fencing and railroad crossing features to enhance multimodal safety along and across the railroad tracks.	pp. 4.15-235 to 4.15-236
Mitigation Measure TRANS-3b: Pedestrian and Bicycle Overcrossing, to create a safe and accessible route for pedestrians and bicyclists traveling to the Project site on both event and non-event days, connecting 2nd Street, which is north of the railroad tracks, to Athletics' Way to the south. It is important that the overcrossing be constructed prior to ballpark operations.	pp. 4.15-236 to 4.15-237
Mitigation Measure AIR-4a: Install MERV16 Filtration Systems, applicable to all residential buildings.	pp. 4.2-113 to 4.2-114
Mitigation Measure NOI-3: Noise Reduction Plan for Exposure to Community Noise that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan.	p. 4.11-63
Improvement Measure LUP-1: Statement of Disclosure, which states that the Project sponsor and any future owners of the Project or portions of the Project shall provide a Statement of Disclosure on the lease or title to all new tenants or owners of the Project, or any portion thereof, acknowledging the commercial and industrial character of the Project's environs, and providing express acceptance of the potential for the Port's maritime and marine operations in the area to result in	p. 4.10-51

Measure Summary	Location of Full Text in Draft EIR
certain off-site impacts at higher levels than would be expected in other mixed-use or residential areas of the City. This requirement shall run with the land.	
Construction Mitigation Measures AIR-1a: Dust Controls, AIR-1b: Criteria Air Pollutant Controls, and AIR-1c: Diesel Particulate Matter Controls to protect the health and safety of the Port's employees, tenants, contractors, and operators. The Port will review and provide comment on these plans prior to their approval by the City and have the opportunity to adjust them during implementation if issues arise.	pp. 4.2-64 to 4.2-67
In order to reduce potential interference of Project traffic with train operations and minimize physical conflict between trains and at grade traffic that may cause congestion and impacts to seaport related traffic such as trucks and Proposed Project vehicular traffic, the Port supports the City staff recommendation to adopt Alternative 3 in the Draft EIR, which includes a vehicular grade separation at Brush Street, is not currently part of the Proposed Project.	Alternative 3