

California Department of Transportation

DISTRICT 4
OFFICE OF TRANSIT AND COMMUNITY PLANNING
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Governor's Office of Planning & Research

July 23, 2021

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STATE CLEARINGHOUSE

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Catherine Payne, Acting Development Planning Manager
City of Oakland, PBD, Development Planning Division
250 Frank Ogawa Plaza, Suite 2114
Oakland, CA 94612

Re: Brooklyn Basin Marina Expansion Project – Supplemental Environmental Impact Report (SEIR)

Dear Catherine Payne:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for this project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the June 2021 Draft SEIR.

Project Understanding

The proposed project is to modify the previously approved 64.2-acre project analyzed under the 2009 Oak-to-Ninth Avenue EIR. The project modifications include a residential density increase of 600 units (for a total up to 3,700 units), an update to the parking ratios to current zoning code requirements in other zoning districts, and an expansion of the approved marina infrastructure and operation including increasing the number of slips by 158, and incorporation provisions with the marina improvements to accommodate an existing water taxi/shuttle service currently operating on the San Francisco Bay. This project site is in close vicinity of Interstate (I)-880.

Freight Movement

Page IV.B-1: Given the high levels of freight activity around and adjacent to the proposed project area, the identification and discussion of all local, State, and federally designated truck routes should be provided and described in this section. Particularly, an acknowledgement of the Joint Port-City of Oakland Heavyweight Container Permit Program along 3rd Street, Oak Street, and Embarcadero West should

be verified and discussed in terms of safety as well as existing and forecast throughput volumes.

In addition, please clarify why conventional highway State Route (SR)-260 is considered a freeway. The California Streets and Highways Code, Section 23.5 defines a freeway as a highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right or easement of access.

Page IV.B-6: While the intercity Coast Starlight is operated by Amtrak, the two intercity/commuter passenger rail services, Capitol Corridor and San Joaquins are State-supported and are not operated by Amtrak. Instead, Capitol Corridor is operated by the Capitol Corridor Joint Powers Authority (CCJPA) and San Joaquins are operated by the San Joaquin Joint Powers Authority (SJJPA). Please use the correct terminology when describing intercity and commuter train operations as well as proper service titles.

Page IV.B-9: There is no consideration provided in the SEIR with respect to the considerable amount of freight train traffic traveling through the project area. With the Port of Oakland, the eighth busiest container seaport in the United States handling 99% of containerized goods in Northern California, this section could be improved in recognition of the high levels of freight rail traffic demand traveling along the Union Pacific Railroad corridor and project area.

Safety

With the proposed project being located along and adjacent to a highly active passenger and freight rail corridor, issues relating to trespassing between rail crossings and along rail corridors are increasingly becoming a critical safety need. The proposed project should address existing safety issues along rail corridors and propose mitigations against future safety issues as the rail services are expected to grow and increase the potential for conflict among pedestrians, bicyclists and motorists. To ensure the safety of children who may attend nearby schools and other developments adjacent to the rail corridor, please consider implementing anti-trespassing measures within and adjacent to the project area.

Sea Level Rise

The effects of sea level rise may have impacts on transportation facilities located in the project area. Executive Order (EO) S-13-08 directs State agencies planning construction projects in areas vulnerable to sea level rise to begin planning for potential impacts by considering a range of sea level rise scenarios for years 2050 and 2100. Higher water levels may increase erosion rates, change environmental characteristics that affect material durability, lead to increased groundwater levels

and change sediment movement along shores and at estuaries and river mouths, as well as affect soil pore pressure at dikes and levees on which transportation facilities are constructed. All these factors must be addressed through geotechnical and hydrological studies conducted in coordination with Caltrans.

Caltrans encourages multi-agency collaboration with partner agencies to achieve multi-benefit approaches to protect bayfront development, infrastructure, and assets from sea level rise and other climate change impacts. Partnership can help distribute potential mitigation costs while balancing environmental justice concerns to achieve equitable adaptation solutions. Accordingly, Caltrans has identified the State Transportation Network (STN) segment of I-880, which is adjacent to the northeast boundary of the project site, as a priority segment in the Caltrans Adaptation Priorities Report 2020 ([APR 2020 link](#)). The APR 2020 uses exposure and consequence criteria metrics to develop recommendations for adaptation prioritization of STN assets in the nine-county Bay Area region and defines implications of climate change impacts like sea level rise on Caltrans' assets and the traveling public. The APR 2020 is a preliminary report Caltrans will rely upon for continued efforts to assess opportunities to commit to implementable adaptation solutions, pending the availability of funding to address sea level rise and other climate change impacts.

Construction-Related Impacts

Project work that requires movement of oversized or excessive load vehicles on State roadways, and/or travel lane closures on I-880 requires a transportation permit that is issued by Caltrans. To apply, visit: <https://dot.ca.gov/programs/traffic-operations/transportation-permits>. Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the STN.

Lead Agency

As the Lead Agency, the City of Oakland is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Equitable Access

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

Catherine Payne, Acting Development Planning Manager

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Encroachment Permit

Please be advised that any permanent work or temporary traffic control that encroaches onto I-880 requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating the State Right of Way, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to D4Permits@dot.ca.gov.

To download the permit application and to obtain more information on all required documentation, visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Yunsheng Luo at Yunsheng.Luo@dot.ca.gov. Additionally, for future notifications and requests for review of new projects, please email LDIGR-D4@dot.ca.gov.

Sincerely,



MARK LEONG
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse