

San Francisco Bay Conservation and Development Commission

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TO: Design Review Board Members

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SUBJECT: **Oakland Athletics Ballpark and Mixed-Use Development Project;
Second Pre-Application Review**
(For Design Review Board consideration April 5, 2021)

Project Summary

Project Proponents

Oakland Athletics and Port of Oakland (Port)

Project Representatives

Pam Kershaw, Richard Sinkoff, Port of Oakland (Property Owner); Dave Kaval, Oakland Athletics (Project Proponent); Leon Rost, Bjarke Ingels Group (Design Consultant); Richard Kennedy, James Corner Field Operations (Landscape Architect); Dilip Trivedi, Moffatt Nichol (Coastal Engineer).

Project Location (Exhibit 2)

The approximately 55-acre site, known as Howard Terminal, is located within the Port of Oakland, including Berths 67 and 68, bounded by the Oakland Estuary to the south; Schnitzer Steel, a privately held parcel to the west; Clay Street to the east; and the Union Pacific railroad tracks and Embarcadero West roadway to the north.

Project Site

Existing Conditions

Howard Terminal operates as ancillary maritime operations for the Port of Oakland (Port), and as such is closed to the public. Operations at the site include truck parking, shipping container storage and staging, logistics facilities, mariner training facilities, and berthing vessels, all of which operate under short-term lease agreements with the Port. Four cargo container cranes, standing approximately 100 to 150 feet in height, are located on the wharf edge.

Howard Terminal is currently designated as a Port Priority Use Area in the Bay Plan. On January 17, 2019, BCDC voted to initiate Bay Plan Amendment 2-19 to consider a request by the Oakland Athletics to remove the port priority use designation and allow for the development of a baseball stadium and mixed-used district on and adjacent to the Howard Terminal site. The Commission has not yet taken a final action on the proposed amendment.



Site History (Exhibit 3)

Much of the site is former tidelands that were filled over time. In the early 1900s, a quay (pronounced as “key”) wall was constructed, and in subsequent years, various wharf expansion projects were conducted, including the development of piers at Grove and Market streets. Following the establishment of the Commission in 1965, these piers were demolished, and a larger filled area was created to establish the Howard Terminal. This expansion was developed pursuant to BCDC permits that recognized the need to fill the Bay for a water-oriented use, that is, to provide for necessary port facilities. Specifically, BCDC Permit No. 1978.013.00, issued in 1978, allowed demolition of the Grove Street Pier and the construction of the majority of the current wharf, resulting in approximately 10.3 acres of Bay fill. Subsequently, in 1995, the Commission issued BCDC Permit No. 1994.008.00, which permitted repairs to sections of wharf and expanded its footprint, resulting in approximately 3.8 acres of fill. These permits allowed for the development of Howard Terminal in its current footprint, however, all areas filled subject to a BCDC permit (approximately 16.93 acres, shown on Exhibit 4) remain within the Commission’s “Bay jurisdiction.” In 2014, the Port stopped using Howard Terminal as an active port berth and shifted the site usage to its current function of providing space for ancillary operations.

Social and Environmental Context

The Commission has developed a Community Vulnerability Mapping Tool to help inform its analysis of how socioeconomic indicators and contamination burdens contribute to a community’s vulnerability. The mapping tool collects information at the level of Census blocks, and is used by the Commission to help identify certain disadvantaged and vulnerable communities. These communities include those disproportionately affected by environmental pollution and hazards that can lead to negative public health effects, exposure, or environmental degradation, as well as with higher concentrations of people with socioeconomic characteristics indicative of a higher degree of social vulnerability.

According to the mapping tool, the two census blocks (estimated population of 700) associated with the project site fall into the “moderate contamination vulnerability” category. Along the socioeconomic scale, the project falls into the “low social vulnerability” category. However, it is important to note that the historically low population in this area may contribute to this low ranking.

Directly to the east of the Howard Terminal site is Jack London Square, a neighborhood that has undergone a transformation from industrial maritime use to a mixed-use area that includes pedestrian-oriented retail, dining, and entertainment that draws both local and regional visitors to the waterfront, and includes passenger ferry service to/from San Francisco. This census block accounts for most of the population within the two census blocks that include the Howard Terminal site.

West Oakland, a neighborhood that has a long history of environmental impact from port activities, encompasses the area north of the project site. The Railroad and the I-880 corridor are significant infrastructure systems that segment the waterfront from downtown Oakland. The West Oakland census blocks adjacent to Howard Terminal fall into the “highest social vulnerability” category with indicators ranking within the 90th percentile. These indicators include Renters, Under 5, No Vehicle, Disabled, Single Parent, People of Color, No High School Degree, Limited English Proficiency, and Very Low Income.

Legislation

Assembly Member Rob Bonta (D-Oakland) introduced Assembly Bill 1191 in February 2019. The bill passed in both houses of the State Legislature, and was approved by Governor Newsom on October 11, 2019. The law authorizes BCDC to approve a permit for the proposed project within those areas of its jurisdiction that are filled portions of the Bay as commercial recreation and Bay-oriented public assembly if certain conditions are met:

1. The ballpark stadium has been designed using the bay as a design asset to attract large numbers of people to enjoy the bay, including a substantial quantity of high-quality open space and public access that serves the surrounding district and the region, and views of the bay from a rooftop park ringing the top of the stadium that will be publicly accessible on nongame and nonevent days subject to reasonable limitations based on security;
2. Buildings on BCDC jurisdictional bay fill lands other than the ballpark stadium are designed using the bay as a design asset, including providing water views from public spaces within and around those buildings;
3. Buildings developed on BCDC jurisdictional bay fill lands are designed to allow for significant and important views from the upper-level park within the ballpark stadium, such as views of the bay, the estuary, the San Francisco skyline, and the port's working waterfront; and
4. Public trust uses on BCDC jurisdictional bay fill lands are designed to promote activation of the adjacent public open spaces, significantly contribute to the public's use and enjoyment of the waterfront, and enhance rather than privatize the public realm.
5. The Oakland Sports and Mixed-Use Project will provide a substantial quantity of high-quality open space and public access, and will provide the public with views from and along major thoroughfares that invite the public to the waterfront.
6. The Oakland Sports and Mixed-Use Project will provide significant pedestrian and bicycle improvements both onsite and offsite in the vicinity of the project site to promote and encourage public access to, and public assembly at, the shoreline of the bay.

The bill provides that the fill tests in the McAteer-Petris Act regarding “no alternative upland location” and “minimum fill necessary”—would not apply to the already-filled lands on which the project is proposed. Several sections of BCDC's Bay Plan policies address placement of fill also would not be applied to the project on the filled Baylands: Fill for Bay-Oriented Commercial Recreation and Bay-Oriented Public Assembly on Privately-Owned Property, and Filling for Public Trust Uses on Publicly-Owned Property Granted in Trust to a Public Agency policies. The bill provides that BCDC will otherwise consider the project using its existing laws and policies, relevant portions of which are discussed in the section on Applicable Policies, below.

Proposed Project

The proposed project would construct a mixed-use neighborhood including a new ballpark with a 35,000-person capacity, for the Oakland Athletics baseball team. The project would include waterfront parks, plazas, residential, office, retail, arts, and cultural uses. The project would include up to 3,000 units of housing and 1.5 million square feet of office space, along with 270,000 square feet of retail space, a 3,500-seat performance venue, and a 400-room hotel, and approximately 18 acres of new, publicly accessible open space. Maximum building heights would range from 100 feet to 600 feet. If determined to be feasible, the project also proposes to reuse the historic power plant owned by Vistra Energy, and preserve and retain the cargo container cranes on the site.

Site Arrivals (Exhibit 10-12)

Access to the project site would be primarily from Martin Luther King Jr. Way and Market Street, both of which would have at-grade rail crossings at Embarcadero Way. Myrtle, Filbert, and Linden Streets would be extended within the site to provide additional north-south connectivity between the project site and the existing neighborhood, as well as provide visual access to the waterfront. The project will include a network of multi-modal streets and pathways, as well as a set of additional community benefits that will be identified through the Community Benefits Agreement (CBA) process detailed below.

Two Development Scenarios (Exhibits 29-32)

As part of its agreement with the Oakland Athletics, the Port of Oakland will reserve rights to use an approximately 10-acre portion of the site in the northwest corner along the Estuary for a possible future ship turning basin. As such, the proposed project is pursuing two distinct development scenarios. The Baseline Project Scenario (BPS) considers the entire 55-acre site, while the Maritime Reservation Scenario (MRS) considers a 45-acre site. Both scenarios include the Baseball Park Development, discussed below, and the same maximum allowable square footage for residential and commercial uses. The scenarios differ in the total amount of area dedicated to shoreline open space and the general design of certain shoreline open space areas, as well as in design and program of the blocks closest to the Bay. All uses within filled former tidelands are required to be Public Trust-consistent uses, which excludes residential and general office uses. As such, only uses the project proponents consider to be consistent with the Public Trust are proposed within areas of former Baylands that have been filled, and are subject to a BCDC permit.

Baseball Park Development (Exhibits 5-19)

For the purposes of organization in this staff report, the Baseball Park Development section considers all development east of Market Street which includes the ballpark, Athletics Way promenade, the development parcels surrounding the ballpark, Stomper Plaza, and the waterfront parks adjacent to the stadium, and is the first phase of the major development.

The ballpark, with capacity for approximately 35,000 people, is proposed as an open-air bowl-shaped design. The ballpark includes a rooftop park that would reach an approximate elevation of +127' NAVD88 and slope down to meet Athletics Way behind right field, opening the ballpark up to wide views of the proposed waterfront park, the Estuary, and the Bay beyond. The ballpark seats are

arranged in a configuration that creates a compact urban stadium footprint, with additional seating available on the rooftop park. The current proposal sets the field at approximately elevation +10.8', which is about 3 feet below the existing grade of Water Street.

Athletics Way. Athletics Way is a proposed approximately 60-foot-wide, 5-acre raised promenade with at-grade connections at Water Street that wraps around the ballpark. The promenade would serve as a public pathway and retail street for neighboring residents and visitors to the waterfront. The promenade would rise to elevation +34.8', allowing for ballpark operational facilities to be tucked underneath the grade of Athletics Way. On gamedays and event days, the promenade would function as the stadium concourse and would be limited to ticketholders only.

Buildings ranging in maximum heights from 100 feet to 400 feet would wrap the outside of the promenade and stadium to create a street frontage along Athletics Way, and transition the grade from the elevated promenade down to Market Street (+19.8') and Martin Luther King Jr. Way. Pier Park and Overlook Park are incorporated into the ballpark design as waterfront public spaces that transition from Athletics Way down to the Waterfront.

Ballpark Operations. During the calendar year, the ballpark would host approximately one pre-season game, 81 home games, and up to 10 post-season games. The ballpark would also provide events and programs throughout the year to the public.

- **Game Day.** The ballpark has a maximum capacity of 35,000 ticketholders, including the rooftop park viewing. An additional approximately 1,300 employees would work onsite. A raised public viewing area would be integrated into the landscape near the southeast corner of the ballpark outfield is proposed for non-ticketholders to view the game. Logistics pertaining to ballpark security measures on game day are still under study, however a general security zone has been identified.
- **Event Day.** The project proponents are currently evaluating possible special events to be held on non-game days. These events would include concerts, conferences, community events, and private events that would range from a few hundred people to a sellout large concert event. The project proponents anticipate that smaller events would be more frequent averaging approximately 100 times a year. Larger events would be less frequent and would occur approximately 15 times a year, including existing festivals such as the A's Fan Fest.

Rooftop Park. The 2.5-acre rooftop park is envisioned to be a "park in the sky" that would allow for a visitor to experience 360-degree views of the Bay Area. It would serve as an extension of the spectator experience for ticketholders on game day and a publicly accessible park for the remainder of the year. The ADA-accessible portion of the park (1.5 acres – 90 feet wide) features a gathering area called "Home Plate Hill," picnic areas, a hammock grove, opportunities for exercise and fitness classes, evening movies, education and interactive play, a place to watch the sunset, and star gazing. The remaining approximately 1 acre of the park, which is not ADA-accessible, includes a set of stairways leading up to the park and planted areas.

- **Typical Day Park Access.** The park would be made available to the public via a public stairway from grade at Water Street that aligns with the interior edge of the rooftop park, or by public elevators located on the north and south sides of the ballpark.

- **Game Day Restricted Park Access.** The rooftop park would be limited to ticketholders only on game and event days. The park includes stepped seating along the interior edge at the upper and lower terraces of the park for watching the games and events. The seating areas are ADA-accessible via elevators and rooftop portals.

Pier Park. Pier Park would be located at the southeast corner of the site, directly adjacent the gateway of Athletics Way, and would serve as the entry point to the waterfront portion of the site from Jack London Square. The 2.6-acre park would feature an entry plaza (Rickey Plaza), green lawn area, a boardwalk along the wharf edge, and an urban beach area under the cranes.

Overlook Park & Water Plaza. Overlook Park would provide a 1.1-acre open space transition from Athletics Way, at elevation +34.8', down to the waterfront promenade, at elevation +14.1'. The transition would be achieved through stairs, accessible walkways, and planted slopes with a variety of seating opportunities.

Water Plaza is proposed as the area where the curving facade of the ballpark would be closest to the water, at 100 feet from the edge of the wharf. In this area, the grade change between the waterfront promenade and Athletics Way would be approximately 4 feet, with terraced seating taking up the grade.

Bay Trail. The 18-foot-wide Bay Trail would provide a connection from Jack London Square to the ballpark by circumscribing the site from Athletics Way along the waterfront to Market Street, and around to Martin Luther King Way. The minimum 18-foot-wide promenade would continue along the entire project waterfront, and would tie into the bicycle and pedestrian-friendly streets to allow a network connection back to the Bay Trail located on Third Street.

Baseline Project Scenario (Exhibits 20-23)

The Baseline Project Scenario (BPS) would cover the entire 55-acre site, including 18 development blocks and approximately 10.5 acres for waterfront parks and public access, included as part of the overall approximately 18 acres of parks and open space on site.

Public Trust Uses. Land uses the project proponents consider to be consistent with the Public Trust would be located adjacent to the waterfront public open spaces in Blocks 8 and 16. Possible uses include a performance hall, cultural pavilion, hotel, and/or regional serving retail. Block 7 would include height limits up to 250 feet. Block 8, integrated into the park design, would include height limit of approximately 50 feet. Block 16 would include a height limit of 100 feet.

Waterfront Park and Public Open Space. In combination with Pier Park and Overlook Park, the overall waterfront public space would create a 10.5-acre regional-scale park that would offer a variety of public programs related to recreation and leisure including an entertainment zone along the wharf edge (Crane Stage and Harbor Amphitheater); an area with site specific art installations and cultural experiences (Arts Garden); and an open space (West End Park) which would provide separation from the industrial parcel to the west. The parks would extend from the water one block inland to the neighborhood development. The cranes would serve as visual termini for Market and Myrtle Streets.

Maritime Reservation Scenario (Exhibits 24-28)

The Maritime Reservation Scenario (MRS) would cover an approximately 45-acre site, including approximately 6.9 acres for waterfront parks and public access. If the Port of Oakland elects to expand the inner harbor turning basin, they would create a new shoreline edge from Overlook Park to the western property line along a reconfigured shoreline. As discussed above, the turning basin could convert up to 10-acres of filled baylands back into open water to provide for the ship turning basin. The “Oakland Harbor Turning Basins Widening Study” led by the US Army Corps of Engineers, kicked off in July 2020 and is anticipated to continue through mid-2023, and will determine the feasibility and various configurations for the turning basin.

Public Trust Uses. Land Uses the project proponents consider to be consistent with the Public Trust would be located within the filled baylands, adjacent to the waterfront public open spaces in Block 7. Height limits for the site remain the same as the Baseline Scenario.

Waterfront Park and Public Open Space. In combination with Pier Park and Overlook Park, the overall waterfront public space would create a 6.9-acre park that would offer a variety of public programs including a picnic grove, harbor green, arts plaza, harbor amphitheater, and west end park open space. Harbor Green would be an approximately 50-foot-wide green in front of block 12 which would allow building heights up to 400 feet. The Harbor Green and promenade would likely function as a connector open space between larger open spaces to the east and west of this area. As part of the Port’s separate project, if pursued, the cranes would be removed along with the wharf in this area to accommodate the expanded turning basin. The design proposes a series of framing pavilions along the promenade that could serve as wayfinding devices along the waterfront. The 18-foot-wide Bay Trail for the MRS would follow the turning basin edge.

Sea Level Rise (Exhibits 23 & 28)

For both proposed development scenarios, BPS and MRS, the Bay Trail and waterfront promenade would be located at an approximate elevation of +14.1 feet NAVD88. For planning purposes, the Bay Trail was analyzed using the 2018 State of California Sea Level Rise Guidance, under the medium high-risk scenario of 1.9 feet of sea level rise through 2050 and 6.9 feet of sea level rise through 2100. Using these projections, at 2050, the Mean Higher High Water (MHHW) level would be +8.18 feet and the 100-year storm Base Flood Elevation (BFE) would be +11.9 feet, and therefore, the Bay Trail would most likely not experience inundation from sea level rise or flooding from a storm event. However, in 2100 the Bay Trail could experience approximately four inches of flooding at +14.4 NAVD88 during a King Tide event, and during a 100-year storm, water levels could occur at +16.5 feet NAVD88, meaning the Bay Trail could experience approximately 2.4 feet of flooding. Upland public access areas will be analyzed as the project design is further developed. The grade transition at Jack London Square is the most flood vulnerable connection to the project area as the grades in this area are lower than Howard Terminal.

Community Engagement (Exhibit 4)

Community engagement for the project has occurred since January 2018 with organizations such as local Neighborhood Crime Prevention Councils (NCPC), other neighborhood associations, and government agencies. The initial community engagement events were designed to drive conversations

toward providing guidance on development, linking land uses, transportation, economic development, housing, public spaces, cultural arts, and social equity.

A formal Community Benefits Agreement (CBA) process led by a Steering Committee comprised of Oakland community members and stakeholders, City of Oakland, Port of Oakland, and the Athletics was initiated in December 2019 and is ongoing. The CBA will have a race and equity focus, and metrics will be designed to remove obstacles and barriers that Oakland residents and stakeholders experience that prevent them from achieving economic security and other quality of life indicators. The CBA will be led by seven working groups that have been identified as Topic Cohorts: Community Health & Safety, Culture Keeping & History, Economic Development & Jobs, Education, Environment, Housing, and Transportation.

Review of the recommendations established by these seven topic cohorts are currently being analyzed and refined by a third-party consultant and a draft of the Community Benefits Agreement is scheduled for public review in May 2021.

Approval Timelines, Project Alternatives & Variants (Exhibits 34-36)

The project draft EIR (DEIR) was published on February 26, 2021, with the City of Oakland acting as the lead agency. The public comment period runs through April 27, 2021. Local approvals by the City and Port of Oakland could be secured as early as the end of 2021. The DEIR included two project variants for the Howard Terminal site and four project alternatives. The project presented in this staff report and exhibits represents the project proponents preferred alternative with the variants. A summary of the DEIR document can be accessed at this link: <https://cao-94612.s3.amazonaws.com/documents/Chapter-2-Summary.pdf>

Peaker Power Plant Variant. This variant would include conversion of the existing Oakland Power Plant (referred to in this Draft EIR as the “Peaker Power Plant” because of its role in supplying power to the electric grid at times of peak demand) in the historic Pacific Gas and Electric Company Station C facility and adjacent fuel storage tank east of Jefferson Street I to a battery energy storage system. The Peaker Power Plant variant would also involve physical changes to the existing building, removal of the jet fuel tank, and construction of new mixed-use buildings on the jet fuel tank site.

Aerial Gondola Variant. This variant would involve construction of a new aerial gondola above and along Washington Street. The gondola would extend from a station at 10th and Washington Streets in downtown Oakland to a station located at Water and Washington Streets in Jack London Square.

Alternative 1: The No Project Alternative. Under the No Project Alternative, the proposed Project would not be approved, none of the Project variants would be implemented, and no physical changes would occur. Howard Terminal would remain in use by short-term tenants of the Port of Oakland for maritime support uses. The Oakland A’s would continue to use the Oakland Coliseum until the end of their current lease in 2024. In the longer term, it is a likely possibility that the A’s would have to build a new ballpark, either in Oakland or in some other location.

Alternative 2: The Off-Site (Coliseum Area) Alternative. Under this alternative, Howard Terminal would remain in its current use and the Oakland A’s would construct a new ballpark and mixed-use

development at the site of the Oakland Coliseum. No physical changes would occur at Howard Terminal, which would remain in use by the Port for maritime uses. Neither of the Project variants would be implemented with the Off-Site (Coliseum Area) Alternative.

Alternative 3: The Proposed Project with Grade Separation Alternative. Under this alternative, the proposed Project would be constructed at the Howard Terminal Project site, and would be revised to include the construction of a grade-separated crossing over the railroad tracks for vehicles accessing the site. This alternative would also include the pedestrian and bicycle bridge required as mitigation. Alternative 3 may or may not include implementation of other Project variants.

Alternative 4: The Reduced Project Alternative. Under this alternative, site preparation and phased construction of a new ballpark and other uses would occur; however, commercial and residential development would be at lower densities than with the proposed Project. The site plan for Alternative 4 would be the same as for the proposed Project, with commercial, residential, and mixed-use development. However, only the ballpark and the hotel(s) would be taller than 100 feet, and both the amount of construction and the intensity of use of the site would be less than with the proposed Project.

First Pre-Application Review Meeting Summary (Appendix A)

The first pre-application review by the Board occurred on October 7, 2019. Comments by the Board were consolidated by Staff and relayed to the project proponents. Response to these comments can be found in Appendix A. The responses are categorized according to the design development phases including schematic design (SD) and design development (DD).

Commission Bay Plan Findings, Policies, and Guidelines

Required Findings Under AB 1191

As discussed above, a law may be enacted that would allow for BCDC to authorize proposed development for the project within its Bay jurisdiction as a commercial recreation and Bay-oriented public assembly use, provided that the project can demonstrate consistency with the legislation and the Commission can make specific findings about the design and impacts of the project. The legislation would also exclude the Commission from applying policies found within several sections of the Bay Plan. In addition to the legislation, other relevant sections of the McAteer-Petris Act and Bay Plan policies, including those outlined below, would serve the basis of the Commission's review.

Physical and Visual Access

The *San Francisco Bay Plan* (Bay Plan) Public Access policies state, in part, that "...maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline..." Further, these policies state, in part: "[a]ccess to and along the waterfront should be provided by walkways, trails, or other appropriate means and connect to the nearest public thoroughfare;" and that "... improvements should be designed and built to encourage diverse Bay-related activities and movement to and along the shoreline, should provide barrier free access for persons with disabilities, for people of all income levels, and for people of all cultures to the maximum feasible extent, should include an ongoing maintenance program, and should

be identified with appropriate signs – including using appropriate languages or culturally-relevant icon-based signage.”

The Bay Plan Appearance, Design and Scenic Views policies state, in part, that, “all bayfront development should be designed to enhance the pleasure of the user or viewer of the Bay” and that “maximum efforts should be made to provide, enhance, or preserve views of the Bay and shoreline, especially from public areas, from the Bay itself, and from the opposite shore.” These policies also state, in part, “that views of the Bay from vista points and from roads should be maintained by appropriate arrangements and heights of all developments and landscaping between the view areas and the water...” and that “Shoreline developments should be built in clusters, leaving open area around them to permit more frequent views of the Bay.”

Recreation

The Bay Plan policies on Recreation state: “Interpretive information describing the natural, historical, and cultural resources should be provided in waterfront parks where feasible.” The Bay Plan Recreation policies state, in part, that “[d]iverse and accessible water-oriented recreational facilities...should be provided to meet the needs of a growing and diversifying population and should be well distributed around the Bay and improved to accommodate a broad range of water-oriented recreational activities for people of all races, cultures, ages and income levels.” The policies state that waterfront parks should be “provided wherever possible,” and that they “should emphasize hiking, bicycling, riding trails, picnic facilities, swimming, environmental, historical and cultural education and interpretation, viewpoints, beaches, and fishing facilities.” Where practicable, the policies state that “access facilities for non-motorized small boats should be incorporated into waterfront parks.”

Sea Level Rise

The Bay Plan policies on Public Access state, in part, that “...public access should be sited, designed, managed, and maintained to avoid significant adverse impacts from sea level rise and shoreline flooding,” and that “[a]ny public access provided as a condition of development should either be required to remain viable in the event of future sea level rise or flooding, or equivalent access consistent with the project should be provided nearby.”

Environmental Justice and Social Equity

The Bay Plan policies on Public Access states that “[p]ublic access that substantially changes the use or character of the site should be sited, designed, and managed based on meaningful community involvement to create public access that is inclusive and welcoming to all and embraces local multicultural and indigenous history and presence. In particular, vulnerable, disadvantaged, and/or underrepresented communities should be involved.”

The Bay Plan policies on Environmental Justice and Social Equity state, in part, that “...addressing issues of environmental justice and social equity should begin as early as possible in the project planning process, the Commission should support, encourage, and request local governments to include environmental justice and social equity in their general plans, zoning ordinances, and in their discretionary approval processes.” The policies also state that “[e]quitable, culturally-relevant

community outreach and engagement should be conducted by local governments and project applicants to meaningfully involve potentially impacted communities for major projects and appropriate minor projects in underrepresented and/or identified vulnerable and/or disadvantaged communities, and such outreach and engagement should continue throughout the Commission review and permitting processes. Evidence of how community concerns were addressed should be provided.” And lastly, that proposed projects “within an underrepresented and/or identified vulnerable and/or disadvantaged community, potential disproportionate impacts should be identified in collaboration with the potentially impacted communities. Local governments and the Commission should take measures through environmental review and permitting processes, within the scope of their respective authorities, to require mitigation for disproportionate adverse project impacts on the identified vulnerable or disadvantaged communities in which the project is proposed.”

Board Questions

Considering the project is in the entitlement stage, the Board’s advice and recommendations are sought regarding the design of the proposed project and public access. If enacted, legislation would also require the Commission to make findings regarding the design of project as discussed above (see Page 3.) Please indicate areas of concern where you’d like staff to consider further Board review, as the project develops.

Staff recommends the Board frame its remarks around the public access objectives found in the Commission’s Public Access Design Guidelines. Additionally, the potential impact of future sea level rise on the public access areas should also be considered in the Board’s discussion of the project.

The seven objectives for public access are:

1. Make public access **PUBLIC**
2. Make public access **USABLE**
3. Provide, maintain and enhance **VISUAL ACCESS** to the Bay and shoreline
4. Maintain and enhance the **VISUAL QUALITY** of the Bay, shoreline and adjacent developments
5. Provide **CONNECTIONS** to and **CONTINUITY** along the shoreline
6. Take advantage of the **BAY SETTING**
7. Ensure that public access is **COMPATIBLE WITH WILDLIFE** [and, at this site, with adjacent **Port** uses] through siting, design and management strategies

For the sake of clarity, staff suggests that comments be provided separately for the following distinct components of the proposal:

- *Baseball Park Development*
- *Baseline Project Scenario*
- *Maritime Reservation Scenario*
- *Project EIR Alternatives and Variants*