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**Northern Alameda County Regional
Group**

(Alameda-Albany-Berkeley-Emeryville-Oakland-Piedmont-San
Leandro)

October 24, 2003

Diane Henderson, Project Manager
City of Oakland Community and Economic Development Agency
Planning and Zoning Division
250 Frank H. Ogawa Plaza
Oakland CA 94612

RE: Comments on DEIR for Jack London Square Redevelopment (ER 03-0004)

Dear Ms. Cappio:

The Sierra Club found the allowed time to comment on this complex and evolving project to short for an adequate review. We did identify one item of extremely serious concern. Eliminating or moving part of the Bay Trail inland, as the preferred alternative appears to do, is in direct conflict with the policies of the San Francisco Bay Conservation and Development Commission to provide maximum feasible public access to the shoreline. Here are our preliminary comments.

Although the details of the project are unclear, **Table II-1** shows it is clearly an environmentally detrimental proposal with significant and unavoidable impacts for Transportation, Circulation, and Parking; for Air Quality; and for the Cultural Resource that is associated with the namesake of Jack London Square, Heinold's First and Last Chance Saloon.

Alternatives that could avoid these impacts to a less than significant level are not adequately described or studied. On pg. II-4 under **E. Issues to be Resolved**, it is stated, "The alternatives,.... will be assessed independently by the Lead Agency during the consideration of EIR certification." This is an admission that this DEIR is incomplete and inadequate. After an adequate study of clearly described alternatives, a Semi-Final EIR should be issued so the public will have a chance to have their comments included in the Final EIR.

The following two Alternatives were proposed in our scoping letter of March 17, 2003:

1) Open Space Alternative:

This alternative would compare the proposed project with an alternative that would preserve more of the existing open space. The developer of this proposal seems to feel any open space is a vacuum that needs to be filled—every possible open space is to be built upon. The increased open space alternative would protect the recreational value of this portion of the estuary. It is the view of the estuary and the feeling of light and air from

large open spaces like the lawn in front of the Port of Oakland office building that attract people to Jack London Square. The open space alternative would allow Oakland to continue to bring large events to the estuary, although not as large as the Cirque du Soleil whose site is now occupied by tacky suburban housing (The Landing) on Site “B.” There is the danger that with dense development and cutesy architecture, Jack London Square will become an anywheresville suburban mall, rather than a special place on the waterfront that lends itself to open air events.

2) **Increased Transit Alternative:**

This proposed project will rely primarily on automobiles to move people in and out of the development. A downtown alternative for this project would be better served by mass transit and has fewer adverse impacts on traffic congestion and air quality. Is it smart to be locating office space, hotels, theaters and retail space in this transit challenged area when there is so much vacant retail and office space in the Downtown, that is, the transit-node around the 12th Street & 19th Street BART stations? Why are we giving up waterfront space for a new hotel when the Keystone Hotel in Downtown is not going forward? Why are there plans for a 1700 seat theater (shows or films?) when the Fox Theater is vacant and the Grand Theater is struggling? And why should office spaces be located in a recreational area when offices downtown near regional transit are going begging? Why are we locating new retail on the waterfront when the city claims it wants new retail downtown in the empty storefronts on our Main Street—Broadway?

Alternative 4: Enhanced Open Space does retain open space at the east end of the site, Site F3, and at the center, south of Barns & Noble. But about half of the public open space at the west end, the Marina Green, is slated for a retail structure. Presently the whole site, including both the lawn and parking area, is used for public events. The reduced size would make it unusable for these events. If Jack London Square is to be something other than a retail mall, and attract people to events along its whole length, it must preserve all of these open spaces.

The text for this alternative speaks of “extending the permanent open space (Marina Green) along the estuary shore (refer to Figure V-1)” But Figure V-1 shows the same retail structure (Site C) replacing the present open space.

This alternative is at odds with the Estuary Policy Plan by including residential and office uses.

Alternative 3: Entertainment Focus complies more closely to the Policy Plan by eliminating office and residential uses but its declared need for 1,920 parking spaces illustrates that this transit-challenged site is an unsuitable location for regional entertainment.

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The **Off-Site Alternative** should have been considered for Downtown Oakland as per the above **Increased Transit Alternative**. When downtown retail is hopping, a jump to a satellite location like Jack London Square will be appropriate.

The proposed projects impacts in **Table V-1** (The Summary of Impacts: Proposed Project and Alternatives) differs considerably from those in **Table II-1**. Most are listed as LS (Less-than-significant) in **Table V-1** and SU (Significant-and-unavoidable) in **Table II-1**.

The **Bay Trail** seems to have been dropped from this portion of the Estuary unless it is intended to be along Water Street, which is proposed as a retail mall, rather than along the water. Eliminating or moving part of the Bay Trail inland is in direct conflict with the policies of the San Francisco Bay Conservation and Development Commission, which provide for maximum feasible public access to the shoreline. .

It is particularly alarming to note in the 4th paragraph on pg. II-1 that “the project sponsor proposes to start construction within 6 months of project approvals” on four of the most controversial sites— Site C, Site F-1, SiteF-3, and Site-G. Before we permanently, negatively impact one of Oakland’s greatest resources, the Public must buy into any proposal. This site has been entrusted to the Public for recreational and educational uses. Shopping is not a recreational activity.

Sincerely,

Joyce Roy

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