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Northern Alameda County Group

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

2530 San Pablo Avenue, Suite I, Berkeley, CA 94702

510-848-0800 (voice) · 510-848-3383 (fax)

March 14, 2011

Darin Ranelletti, Planner III
Community and Economic Development Agency
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, California, 94612

Sierra Club's Comments on the Subsequent Mitigated Negative Declaration (SMND) for the Oakland Zoo Master Plan Amendment

The Sierra Club has followed the Oakland Zoo's expansion plans for several years. We previously expressed our concern about the loss of open space in Knowland Park and potential impacts the Zoo expansion will have on the built and natural environment. In light of the length of time that has elapsed since the original Master Plan was approved in 1998, and since the new proposal is significantly changed from the original proposal, we think that the 1998 mitigated negative declaration is no longer valid according to CEQA. We asked City of Oakland Planning and Zoning staff for more time to review this environmental review document – a request that was declined.

In the following pages, we have summarized our comments in regards to the mitigated negative declaration.

General Comments Regarding the Subsequent Mitigated Negative Declaration (SMND)

1. Because of the significant differences of the new expansion proposal to the old (different acreage on the ridges, a bigger interpretive center, new gondola, etc.), the Sierra Club considers the 1998 mitigated negative declaration no longer valid according to CEQA. Therefore we do not find it acceptable that mitigations proposed in the 1998 plan are being re-used or modified for the purposes of this new expansion plan. The mitigations should be completely reformulated to match the changed character of the new California! expansion proposal.
2. The Sierra Club is disappointed that the pedestrian hiking trail which was included in the original application for the approved Master Plan (following the contours of Arroyo Viejo Creek), connecting the meadow picnic area with the hiking trails near the proposed California Interpretive Center and throughout the rest of Upper Knowland Park, has been eliminated (p. 72). We are unclear why the Zoo has chosen not to fund this trail, though the SMND does hint (on p. 176) that such a trail might impact "sensitive chaparral and riparian habitat." A freely accessible, protected self-guided walk along the Creek would be a positive addition, because it would a) allow people to access and observe the area around Arroyo Viejo Creek for free, b) improve public health when people exercise by walking up and downhill and c) provide an educational opportunity for the public on the topic of riparian and natural habitat conservation, while promoting a positive conservation message by the Zoo. This also aligns with the Sierra Club's mission to "explore, enjoy and protect" natural areas.

3. Among the "Environmental Topics Requiring Updated Discussion", in the table of contents, there is no topic dedicated to "loss of open space." How does the Zoo / City plan to mitigate or make up for the loss of 50+ acres of open space (of which approx. 20 acres are walkable)?
4. We are pleased that an "Ecological Recovery Zone" is planned that will "serve as an active educational resource for the community" (p. 54)
5. We are pleased with the proposed outfall repair and replacement to relocate the pipe downstream of its current location at Arroyo Viejo Creek and replace the pipe with a standard pipe type used for storm drainage conveyance. (p. 59.)
6. We are pleased that the Zoo has proposed to use detention basins, bio-retention planters (rain gardens), or landscaped vegetated swales to reduce pollution from additional runoff caused by the project. (p. 292)
7. We are pleased that an estimated 100,000 new visitors will be able to visit the zoo, learn about animal and wildlife conservation, and come to appreciate Knowland Park. However, we would be even more pleased if 100,000 new visitors came to enjoy free access to Knowland Park. The Sierra Club believes in the conservation of all natural areas and parks, and therefore has major concerns when any institution, no matter how excellent their reputation, proposes to take public open space and fence it in.

Specific Comments Regarding the Subsequent Mitigated Negative Declaration

Biological Resources (Section 3.3)

On page 176 the SMND states: "The proposed perimeter fence alignment would still interfere with the movement of large animals such as deer and mountain lion, but it would be designed to allow for the passage of small animals along the base of the fence approximately every 300 feet." On the following page (p. 177) the SMND goes on: "With implementation of the relevant 1998 mitigation measures, including habitat protections provided in Mitigation Measures 13a and 13b, implementation of the HEP, and restrictions called for in Mitigation Measures 13c, together with implementation of the City's Standard Conditions of Approval related to tree removal (SCA-BIO-1 through SCA-BIO-4), creek protection (SCA-BIO-9 through SCA-BIO-14), and other habitat protections, the buildout of the amended Master Plan would have a less-than-significant impact on wildlife movement in the vicinity. As a result, no conflicts with Policies CO-11.1 and CO-11.2 of the OSCAR Element of the Oakland General Plan, relating to sustaining wildlife populations and protection of wildlife movement opportunities, are anticipated."

The Sierra Club finds a conflict with OSCAR Policy CO-11.2, which states that "Migratory Corridors shall be protected and that, where such corridors are privately owned, that new developments be required to retain native habitat or take other measures which help sustain local wildlife population and migratory patterns." If the zoo expansion interferes with the movement of large animals, such as deer and mountain lion, then this is interfering with migratory patterns.

3.3.3.2 (City of Oakland General Plan)

The Sierra Club finds that the proposed zoo expansion is inconsistent with the Oakland General Plan's Open Space, Conservation and Recreation Element, which states (Chapter 5, p. 46 of OSCAR) that "the substantial portion of Knowland Park above the zoo and picnic grounds...is to remain in its natural state and be managed for resource conservation and fire hazard reduction."

Hydrology (Section 3.7)

The SMND document states on p. 258, "The build out of the amended Master Plan would not result in an increase in storm water runoff to Arroyo Viejo Creek and would not cause an increase in runoff exceeding the capacity of existing storm water systems serving the Master Plan area." The Sierra Club is aware of and applauds the zoo's efforts to restore Arroyo Viejo Creek in partnership with the California Coastal Conservancy and other local agencies, as well as the zoo's plans to divert water from the creek through improved piping, detention ponds, bio-swales, etc. as outlined in the SMND. However, it appears likely that the expansion will result in an increase in storm water runoff to Arroyo Viejo Creek. If the project increases impervious surfaces (through the installation of exhibits with cement and/or asphalt walking paths and service roads) within the drainage basin of Arroyo Viejo Creek, then it more water will be flowing to the Creek in storms and during periods of high precipitation.

We also remind the City and the Planning Commission about the nearby Leona Quarry residential development built by DeSilva Group in the 1990s, where "controls" to prevent storm water runoff into Leona Creek failed in spring 2007. The controls were only installed by court order following a 2003 citizen lawsuit – yet these failed, and resulted in sewer discharges into Leona Creek, and, due to increased water pressure, a manhole was blown off its cover with attendant spills of sewage.

Transportation and Circulation (Section 3.11)

We are pleased that the SMND refers to the 1998 requirement for approval of a Parking and Transportation Demand Management (TDM) plan prior to issuance of a final inspection of the building permit: "The applicant shall submit for review and approval by the Planning and Zoning Division a Transportation Demand Management (TDM) plan containing strategies to reduce on-site parking demand and single occupancy vehicle travel. The applicant shall implement the approved TDM plan. The TDM shall include strategies to increase bicycle, pedestrian, transit, and carpools/vanpool use. All four modes of travel shall be considered."

Where can the Sierra Club obtain the Zoo's Transportation and Demand Management Plan?

Also, with respect to "reducing single occupancy vehicle travel:" if an additional 100,000+ annual visitors are expected as a result of the expansion, then we would propose that the zoo include in their TDM plan mitigation measures such as :

- Reward zoo employees and visitors for car pooling, cycling, and transit (how about discounts on admission to the zoo?)
- Subsidize AC Transit for additional weekend service on line 46 (which currently provides no weekend service)
- Provide a shuttle service during popular park hours to and from transit destinations, for instance the Eastmont Mall, or Coliseum BART.

Our biggest concern regarding transportation is the climate change emissions that will increase from the increased number of zoo visitors expected (p. 433 says that 100,000 to 150,000 additional visitors are expected per year). If these visitor numbers are true, then the zoo or the City must find a way to provide more public transportation. Otherwise the climate change impact of this project will clearly be significant due to increased numbers of car trips.

Summary

Though the SMND studies the impacts to the natural environment resulting from the Oakland Zoo expansion in a fair amount of detail, and proposes several good mitigation measures, the Sierra Club still has serious concerns with this document. Mitigation measures are in some instances difficult to identify, or rely on the 1998 negative declaration, which we consider no longer valid according to our understanding of CEQA. We have specific concerns related to Biological Resources, the City of Oakland's General Plan (OSCAR), Hydrology and Transportation. We want these concerns addressed before this expansion plan is approved.

Kent Lewandowski
Sarah Syed (Chair)
Sierra Club Northern Alameda County Group