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OAKLAND ZOO MASTER PLAN 2009 REVISIONS

CEQA FACT SHEET (10/12/09)

A. INTRODUCTION

At recent community meetings, community members have asked about the environmental review process for the proposed revisions to the Oakland Zoo Master Plan (Master Plan). In response to these questions, the City has prepared this fact sheet to clarify the City's environmental review process and the environmental review documents related to the City's 1998 approval of the Master Plan and the proposed revisions to the approved Master Plan.

B. CEQA

The California Environmental Quality Act (CEQA) is a state law that requires public agencies, such as the City of Oakland, to study the potential environmental impacts of proposed projects and, if feasible, to avoid or mitigate those impacts.

Generally, when a project is initially proposed, the City evaluates whether a project qualifies for one or more exemptions that are authorized under CEQA. If a project does not qualify for an exemption, then the City generally prepares an Initial Study, based on the City's Initial Study Environmental Checklist, including the City's thresholds for determining the significance of potential impacts, to determine whether an environmental impact report (EIR), a negative declaration, or a mitigated negative declaration (MND) will be required.

Under CEQA, an EIR is required if, based on substantial evidence, a project may have one or more significant adverse environmental impacts. A negative declaration is prepared when the City determines, based on substantial evidence in the Initial Study, that a project would not exceed any of the City's significance thresholds and would not have any significant environmental effects. A MND is prepared when the City determines, based on substantial evidence in the Initial Study, that the Project's potentially significant impacts will be avoided or mitigated to a less than significant level through the imposition of mitigation measures.

Under CEQA, when a project has been the subject of a previous environmental review document (as is the case with the Master Plan), a new negative declaration, MND, or EIR can be required only under certain, limited circumstances, most notably if revisions to the project, new information or changes in the project circumstances would result in new significant impacts that were not covered by the previous environmental review document, or if there is a substantial increase in the severity of previously identified impacts. If no new significant impacts would result nor a substantial increase in the severity of a previously identified impact, then CEQA

allows the City to prepare an addendum to the previous environmental review document. An addendum reviews the project changes, new information and changes in circumstances in the context of the previous environmental review and the City's significance thresholds and it must contain substantial evidence supporting the conclusion that no new significant adverse impacts would occur, and that there is no substantial increase in previously identified impacts.

C. OAKLAND ZOO MASTER PLAN CEQA DOCUMENTS

1. 1998 Initial Study/MND

The Master Plan was fully evaluated in an Initial Study/MND, which was adopted by the City in 1998 when it approved the Master Plan. The Initial Study/MND examined the potential environmental impacts associated with the full implementation of the Master Plan, including all the improvements planned for the three landscape areas of the Arboretum, the Zoo, and California 1820 (now called "California!"). The Initial Study/MND evaluated potential impacts from the Master Plan associated with, among others, geology, hydrology, biology, air quality, traffic, noise, land use, aesthetics, public services/utilities, and energy. This evaluation determined that, with the mitigation measures imposed by the City, no significant impacts would result from implementation of the Master Plan. The Master Plan Initial Study/MND from 1998 was not subjected to a legal challenge and hence is presumed valid under CEQA law.

2. 2009 CEQA Document

In connection with the proposed Master Plan revisions, the City has been directing the preparation of a new CEQA document to evaluate whether the proposed Master Plan revisions for California!, new information, or changed circumstances of the project would cause any new significant impacts that were not identified in the previous Initial Study/MND, or cause a substantial increase in the severity of a previously identified impact.

It is important to acknowledge that approximately 2/3s of the Master Plan (those elements included in the Arboretum and Zoo project areas) has been implemented/completed and these elements are no longer subject to any environmental review. Moreover, the potential environmental impacts associated with the California! project area under the 1998 Master Plan were acknowledged and mitigation measures were provided in the Initial Study/MND. The new CEQA document will evaluate only the revisions proposed by the Zoo to the California! project area, new information and any changes in the underlying project circumstances.

The City is requiring a full evaluation of the revisions to the California! project area, new information and the project circumstances implicated by these changes. We are requiring expert technical review of the project revisions, new information and the project circumstances from biologists, hydrologists, noise experts, traffic engineering experts, air quality experts, visual impact experts, and others. The City will use these expert reviews and its own expertise to determine whether any new significant impacts not covered by the Initial Study/MND could occur, or whether there is a substantial increase in the severity of a previously identified impact. When this evaluation is complete, the City will decide on the final nature of the CEQA document. Whether the final CEQA document prepared for the Master Plan revisions is an addendum or some other CEQA document, it will contain a thorough environmental analysis,

supported by expert evidence, of the project revisions, new information and any changes in the project circumstances.

Additionally, any CEQA document prepared for the revised Master Plan will be available for public review prior to the City public hearings on the project applications. Even if the City decides to prepare an addendum to the previous Initial Study/MND, the City will provide a public review period for the addendum even though CEQA does not require public review of an addendum. Nonetheless, the City has decided to exceed the legal requirements by providing a public review period of no less than 17 days for an addendum.

Following a public review and after completion of the final CEQA document, hearings on the Master Plan revisions will be scheduled at the Park and Recreation Advisory Commission, the Planning Commission and the City Council.

If you would like to receive a copy of the final CEQA document that the City prepares for the Master Plan revisions, please contact Aubrey Rose or Darin Ranelletti at arose@oaklandnet.com (238-2071) or dranelletti@oaklandnet.com (238-3663). The final CEQA document will also be available at the City's website at <http://www.oaklandnet.com/government/ceda/revised/planningzoning/MajorProjectsSection/environmentaldocuments.html> and at City offices located at 250 Frank Ogawa Plaza, Suite 3315 (3rd Floor CEDA Reception).



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