NOTICE OF DETERMINATION California Environmental Quality Act (CEQA)

DATE:

August 2, 2022

TO:

Alameda County Clerk 1106 Madison Street Oakland, CA 94607 ENDORSED FILED ALAMEDA COUNTY

AUG 0 1 2022

MELISSA WILK, County Clerk

FROM:

City of Oakland

Department of Planning & Building 250 Frank H. Ogawa Plaza, Suite 2114

Oakland, CA 94612

Contact: Karen August, Planner III

SUBJECT:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public

Resources Code

PROJECT TITLE: 51-9th Street and 107-8th Street (PLN20108-PUDF-02)

STATE CLEARINGHOUSE NUMBER (If submitted to State Clearinghouse): Previous CEQA Document: Lake Merritt Station Area Plan EIR SCH#2012032012 (being filed under same State Clearinghouse Number)

PROJECT APPLICANT: James Perez (East Bay Asian Local Development Corporation) & William Goodman (Strada Investment Group)

PROJECT LOCATION: 51-9th Street and 107-8th Street (APN 001 016900100 & 001 017100200)

PROJECT DESCRIPTION: The project is the first Final Development Permit (FDP) for Lake Merritt BART PUD Phase One, Horizonal improvements, part of the previously approved Planned Unit Development (PUD) (approved on May 19, 2021). The Project includes all horizonal improvements on two City Blocks. Block One is the City block bounded by 9th Street, Fallon Street, 8th Street, and Oak Street; inclusive of the adjacent public right-of-way and an inter-block Paseo. Block Two is the City block bounded by 8th Street, Oak Street, 7th Street, and Madison Street; inclusive of the adjacent public right-of-way. The FDP is an approval of the final design of the horizontal improvements and phasing pursuant to the PDP approval on May 19, 2021, where the City found, through its California Environmental Quality Act (CEQA) Addendum Analysis, that the PDP was consistent with, and within the development program for, the previously certified Lake Merritt Station Area Plan EIR.

This is to advise that the City of Oakland as the Lead Agency for the above described Project has approved the Project and has made the following determinations on July 20, 2022.

The above actions partially implement actions previously approved by the City Council on November 18, 2014, and described in the NOD that was filed with the Alameda County Clerk and the State Clearinghouse on November 19, 2014. Specifically, the November 19th NOD advised that on November 18, 2014, the Oakland City Council, acting as Lead Agency for the City of Oakland adopted/approved the Lake Merritt Station Area Plan and certified the accompanying Environmental Impact Report (EIR).

The purpose of this NOD is to provide notice that (1) the current actions are within the development program of the already certified Lake Merritt Station Area Plan EIR, (2) the current project CEQA Analysis Checklist/Addendum adequately describes the current approval for purposes of CEQA, and (3) no further CEQA review is required pursuant to CEQA Guidelines 15162 and 15164 and Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 (Qualified Infill Projects).

NOTE: Separately and independently from the Notice of Determination, the Project is also exempt from CEQA pursuant to CEQA Guideline Section 15183: Approvals consistent with a Community Plan, General Plan or Zoning.

August 2, 2022

Date

Ed Manasse

Department of Planning & Building Environmental Review Officer

*ENVIRONMENTAL DECLARATION

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

CITY OF OAKLAND
Department of Planning and Building
Planning and Zoning Division
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612

Contact: Karen August, Historic Preservation Planner, Planner III - kaugust@oaklandca.gov; 510-238-6935

FOR COUNTY CLERK USE ONLY

ENDORSED FILED ALAMEDA COUNTY

AUG 0 1 2022

FILE NO: 22-263 E

MELISSA WILK, County Clerk
By Deputy

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

(PLEASE MARK ONLY ONE CLASSIFICATION)

- 1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION
- [] A STATUTORILY OR CATEGORICALLY EXEMPT
 - \$ 50.00 COUNTY CLERK HANDLING FEE
- 2. NOTICE OF DETERMINATION (NOD)
- [] A NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)
 - \$ 2,548.00 STATE FILING FEE
 - \$ 50.00 COUNTY CLERK HANDLING FEE
- [X] B ENVIRONMENTAL IMPACT REPORT (EIR)
 - \$ 3,539.25 STATE FILING FEE
 - \$ 50.00 COUNTY CLERK HANDLING FEE

A fee previously

3.	OTHER:	

A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.

BY MAIL FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND TWO (2) SELF-ADDRESSED ENVELOPES.

IN PERSON FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND ONE (1) SELF-ADDRESSED ENVELOPES.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2022

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK



State of California—Natural Resources Agency CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

2014 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT# 1998174 ,
STATE CLEARING HOUSE# (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY	STATE CLEARING HOUSE # (If applicable) 2012032012		
LEADAGENCY			DATE
CITY OF OAKLAND	11/19/2014		
COUNTY/STATE AGENCY OF FILING	,		DOCUMENT NUMBER
Alameda			14-468
PROJECT TITLE		•	
LAKE MERRITT STATION AREA PLAN ENVIRONMENTAL	_ IMPACT REPORT		
PROJECTAPPLICANT NAME			PHONE NUMBER
CHRISTÍNA FERRACANE, PLANNER II	•		(510) 238-3903
PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
250 FRANK H OGAWA PLAZA STE 3315	OAKLAND	CA	94612
PROJECT APPLICANT (Check eppropriate box):	•		
☐ Local Public Agency ☐ School District	Other Special District	State Agency	Private Entity
HECK APPLICABLE FEES:			
Environmental Impact Report (EIR)		\$3,029.75 \$	3,029.75
Mitigated/Negative Declaration (MND)(ND)		\$2,181.25 \$	0,00
Application Fee Water Diversion (State Water Resources Cor	ntrol Board only)	\$850.00 \$	0.00
Projects Subject to Certified Regulatory Programs (CRP)	,	\$1,030.25 \$·	· 0.00
County Administrative Fee		\$50.00 \$	50.00
Project that is exempt from fees	•		
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PATRICK D'GONNELL OLERK RECORDER Deputy: AMORAN 1106 MADISON BTREET

ORKLAND, CA 94607
(510)272-6362

ISSUED TO:CITY OF ORKLAND

RECEIPT # 1998174
11/19/2014 02:40:08 PM

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Total Payments: \$3,079.75



State of California—Natural Resources Agency CALIFORNIA DEPARTMENT OF FISHAND WILDLIFE 2014 ENVIRONMENTAL FILING FEE CASH RECEIPT

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY LEAD AGENCY CITY OF OAKLAND 12/10/2014 COUNTYSTATE AGENCY OF FILING [ALAMEDA COUNTY CLERK RECORDE] PROJECT TITLE LAKE MERRITT STATION AREA ENVIRONMENTAL IMPACT REPORT PROJECT APPLICANT NAME (510) 238-3903 PROJECT APPLICANT ADDRESS 250 FRANK H OGAWA PL., SUITE 3315 OAKLAND CA PROJECT APPLICANT (Check appropriate box): Local Public Agency School District Check APPLICABLE FEES: Environmental Impact Report (EIR) Altiquated/Negative Declaration (MND)(ND) Application Fee Water Diversion (State Water Resources Control Board only) Project Subject to Certified Regulatory Programs (CRP) Project that is exempt from fees Notice of Exemption (attach) CORN No Effect Determination (attach) CORN TOTAL RECEIVED PRINTED NAME AND TITLE LC/AUDITOR ASSOC, III			RECEIPT# 2003332	undefined
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State of California—Natural Resources Agency CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

2014 ENVIRONMENTAL FILING FEE (DIMENTAL FILING FEE CASH RECEIPT		
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SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY	. 3	STATE CLEAR 2012032012	ING HOUSE# (If applicable)
LEADAGENCY			DATE
CITY OF OAKLAND			11/19/2014
COUNTY/STATE AGENCY OF FILING			DOCUMENT NUMBER
Alameda	•	•	14-468
PROJECT TITLE			
LAKE MERRITT STATION AREA PLAN ENVIRONMENTAL IMP	'ACT REPORT,		
PROJECTAPPLICANTNAME			PHONE NUMBER
CHRISTINA FERRACANE, PLANNER II		** J	(510) 238-3903
PROJECT APPLICANT ADDRESS	ĆITY .	STATE .	ZIP CODE
250 FRANKH OGAWA PLAZA STE 3315	OAKLAND	CA	94612
PROJECT APPLICANT (Check appropriate box);	. ,		
Local Public Agency School District Ot	ther Special District	State Agency	Private Entity
CHECK APPLICABLE FEES:	•		
Environmental Impact Report (EIR)		\$3,029.75 \$	3,029.75
Mitigated/Negative Declaration (MND)(ND)		\$2,181.25 \$	0.00
Application Fee Water Diversion (State Water Resources Control I	3oard only)	\$850.00 \$	0.00
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