

Attachment F: Criteria for Use of Addendum, per CEQA Guidelines Sections 15164 and 15162

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Section 15164(a) of the California Environmental Quality Act (CEQA) Guidelines states that “a lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.” Section 15164(e) states that “a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR.”

Project Modifications. The West Oakland Redevelopment Project (WORP) EIR analyzed the maximum feasible development that the City of Oakland projected could reasonably be expected to occur in the WORP area (Plan Area) over a 25-year planning period.

As shown in the Project Description, Table 1, (reprinted here), the project is within the development assumed for the West MacArthur/Hoover SubArea and would support the implementation of redevelopment envisioned by the WORP.

Table 1 Comparison of WORP, West MacArthur/Hoover Subarea, and Proposed Project

Development Characteristics	Total WORP ^a	West MacArthur/Hoover Subarea ^a	Proposed Project
Residential Units	1,830	210	92 ^b
Population	4,209	477	209 ^c
Employment	3,184	178	N/A

Notes:

^a WORP EIR, Table 1-1, Summary of Projected Growth and Development within the West Oakland Redevelopment Project Area.

^b Includes 50 percent affordable housing density bonus by providing 27 units as price-restricted for moderate income households.

^c Based on a factor of 2.27 persons per household for the West MacArthur/Hoover subarea.

Source: City of Oakland. 2003. West Oakland Redevelopment Plan. 2003.

Conditions for Addendum. None of the following conditions for preparation of a subsequent EIR per Section 15162(a) apply to the proposed project:

- (1) Substantial changes are proposed in the project, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Project Consistency with Section 15162 of the CEQA Guidelines. Since certification of the Final EIR, no changes have occurred in the circumstances under which the revised project would be implemented, that would change the severity of the proposed project's physical impacts as explained in the CEQA Checklist above, and no new information has emerged that would materially change the analyses or conclusions set forth in the Final EIR.

Furthermore, as demonstrated in the CEQA Checklist, the proposed project would not result in any new significant environmental impacts, result in any substantial increases in the significance of previously identified effects, or necessitate implementation of additional or considerably different mitigation measures than those identified in the EIR, nor render any mitigation measures or alternatives found not to be feasible, feasible. The effects of the proposed project would be substantially the same as those reported in the WORP EIR.

The analysis presented in this CEQA Checklist, combined with the prior EIR analysis, demonstrates that the proposed project would not result in significant impacts that were not previously identified in the EIR. The proposed project would not result in a substantial

increase in the significance of impacts, nor would the proposed project contribute considerably to cumulative effects that were not already accounted for in the certified EIR. Overall, the proposed project's impacts are similar to those identified and discussed in the EIR, as described in the CEQA Checklist, and the findings reached in the EIR are applicable.

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