

## 4.14 Recreation

This section identifies the existing setting and evaluates potential impacts related to recreation that could result directly or indirectly from development of the Project. Appropriate mitigation measures are identified, as necessary to avoid or lessen the severity of potential impacts. This section relies in part on information provided by the Oakland Parks, Recreation & Youth Development Department.

This section also analyzes the Maritime Reservation Scenario, focused on environmental conditions, regulations, impacts and mitigation measures that are different from those identified for the proposed Project.

### 4.14.1 Environmental Setting

#### Local Setting

##### ***Oakland Parks, Recreation & Youth Development Department***

The Oakland Parks, Recreation & Youth Development Department (OPRYD) administers over 129 parks, playgrounds, and open spaces throughout the city, as well as recreational facilities including recreation centers, swimming pools, golf courses, athletic fields, tennis courts, and stables totaling approximately 1,940 acres of parkland (OPRYD, 2019a; Trust for Public Land, 2018).

The *Open Space, Conservation and Recreation (OSCAR) Element* of the General Plan contains an overall parkland goal of 10 total acres per 1,000 residents and a parkland goal of 4 acres per 1,000 residents for local-serving parks that meet the active recreational needs of the community as opposed to passive recreational open space (City of Oakland, 1996). The City of Oakland did not achieve its overall parkland per capita goals as of 2018. The City did not meet the total parkland goal, with approximately 9.01 acres of parkland per 1,000 residents.<sup>1</sup> The greater Downtown area has approximately 3.6 acres of open space per 1,000 residents; this is close to the Oakland General Plan's desired goal of 4 acres per 1,000 residents (City of Oakland, 2019a). The City's desired eventual ratio of overall and local-serving parks acreage to resident is not intended to be a project-specific performance measure, and is the City's goal, not a regulatory requirement.

The OSCAR Element classifies parks in the City using different categories that define general characteristics, size ranges, and service areas. Region-serving parks are defined as large recreation areas (25 acres or larger) with diverse natural and built features that have a citywide service area. Community parks are large natural and/or landscaped areas (5–20 acres) with active recreation which usually serve a cluster of neighborhoods within a 0.5-mile radius (1-mile radius in the Oakland Hills). Neighborhood parks are a scaled-down version of community parks (2–10 acres) that are typically located within residential areas within walking distance of their primary users. Active mini-parks are small areas (<1 acre) typically located in high density neighborhoods and serve a specific group of people, usually play structures for small children,

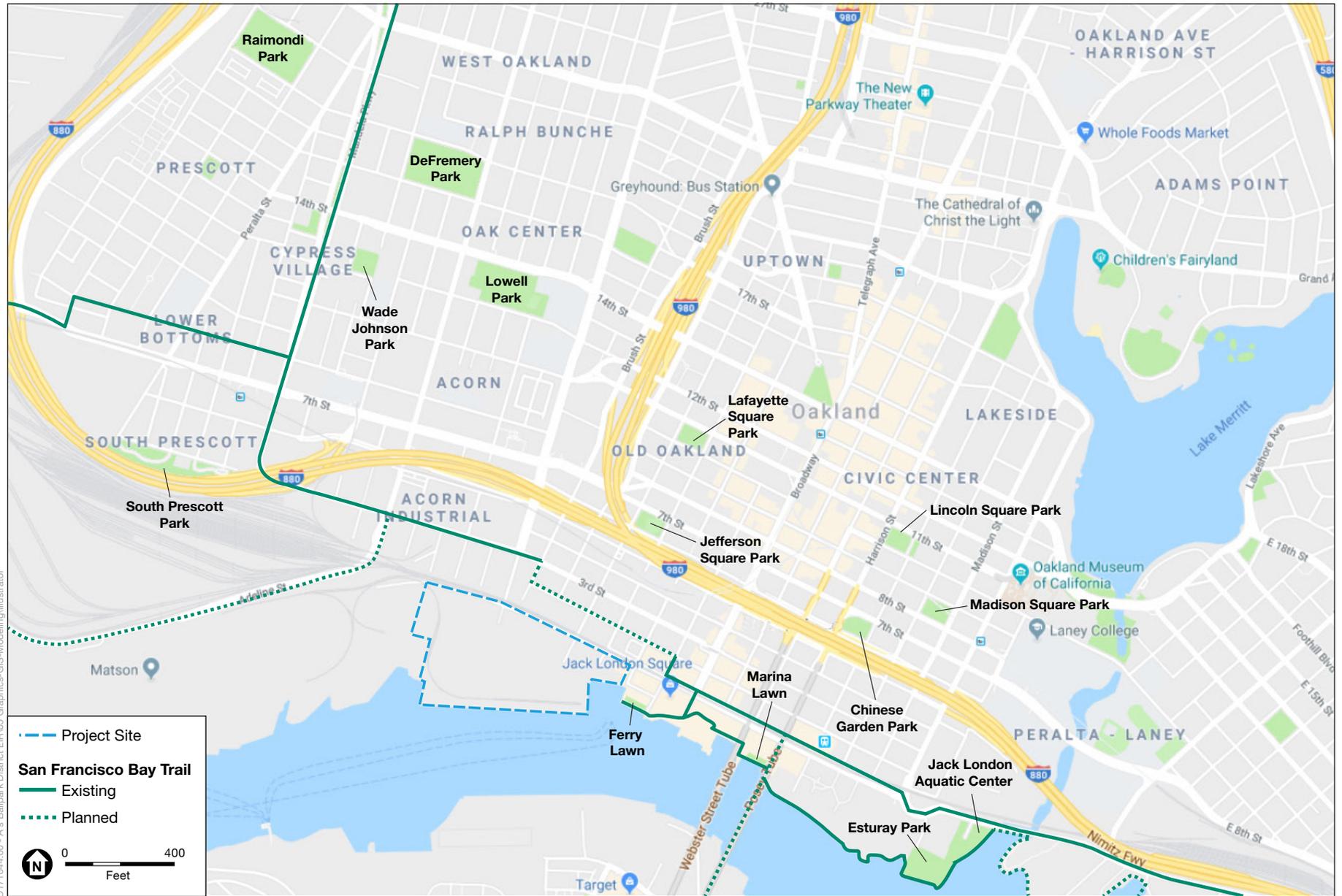
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<sup>1</sup> Based on a population of 428,827 within the City of Oakland in 2018 (California Department of Finance, 2018) and a total parkland acreage of 3,865 acres, which includes OPRYD, East Bay Regional Park District, and Port of Oakland parks and open space acreage within the City of Oakland (Trust for Public Land, 2018).

within 0.125 miles of a neighborhood (0.25 miles in the Oakland Hills). Passive mini-parks are small landscaped areas (<1 acre) located adjacent to or in the center of streets. Linear parks protect and provide linear access to a natural feature, such as the shoreline, or provide a connection between two points. Special use parks are areas for specialized or single purpose activities, and may include city squares that serve an aesthetic function and may also have historical significance (City of Oakland, 1996).

The following public parks and recreation facilities are located in proximity to the Project site, consisting of all parks located within 0.75 miles of the Project site, as well as the closest parks to the Project site with athletics fields, a recreation center, a swimming pool, and boating facilities, as shown in **Figure 4.14-1** (OPRYD, 2019a):

- Jefferson Square Park, located approximately 0.28 miles north of the Project site (618 Jefferson Street), is a 1.51-acre neighborhood park that contains a playground, a ballfield, a basketball court, and a fenced dog play area.
- Estuary Park, located approximately 0.75 miles southeast of the Project site (5 Embarcadero), is a 6.60-acre community park adjacent to the Oakland-Alameda Estuary (Estuary) that contains a multi-use field for soccer and team sports, two public boat launching docks, a group picnic area, and a fishing pier. Estuary Park also includes the Jack London Aquatic Center that provides boat and equipment storage for several rowing clubs and OPRYD's boating programs. The Aquatic Center building also serves as a community center, which is available to rent for special events (SCC, 2018). Estuary Park is undergoing planning to be renovated and expanded approximately 4 acres (OPRYD, 2019b).
- South Prescott Park, located approximately 0.50 miles northwest of the Project site (3rd Street/Chester Avenue), is an approximately 4.6-acre neighborhood park that contains a playground and large lawns.
- Lafayette Square Park, located approximately 0.50 miles north of the Project site (635 11th Street), is a 1.36-acre special use park and designated Oakland Landmark that contains a playground, lawns, tables with built-in chess boards, and picnic areas.
- Chinese Garden Park, located approximately 0.50 miles northeast of the Project site (7th Street & Harrison), is a 1.48-acre special use park that includes a community center currently used for childcare, a courtyard garden, and a small pagoda and pavilion.
- Madison Square Park, located approximately 0.66 miles northeast of the Project site (810 Jackson Street), is a 1.38-acre neighborhood park that contains lawns, a playground, blacktop play areas, and a labyrinth. Madison Square Park is the site of early morning tai chi and other exercise programs.
- Lowell Park, located 0.66 miles north of the Project site (1180 14th Street), is an 8.37-acre neighborhood park that includes ball fields with lights, a junior soccer field, basketball courts, and a playground. The athletic fields are used for soccer and baseball year-round, typically 6 days per week by youth leagues. Additionally, there is an annual African American Festival located at Lowell Park with approximately 20 vendors serving over 1,500 West Oakland community members.
- Wade Johnson Park, located 0.70 miles northwest of the Project site (1250 Kirkham Court), is a 2.64-acre neighborhood park that includes lawns and a playground.



SOURCE: Google Maps, 2019; ESA, 2019

Oakland Waterfront Ballpark District Project

**Figure 4.14-1**  
Parks and Open Space in the Project Vicinity

- The Lincoln Square Recreation Center, located approximately 0.64 miles northeast of the Project site (261 11th Street), is a part of Lincoln Square Park, a 1.38-acre neighborhood park that includes playgrounds, outdoor basketball courts, chess tables, a small soccer area, and a community garden. The Lincoln Square Recreation Center building contains an indoor gymnasium, community space, and outdoor murals, and averages 2,000 users per day.
- The DeFremery Swimming Pool, located approximately 0.96 miles northwest of the Project site (1269 18th Street), is the closest public pool to the Project site and contains an outdoor pool with locker room facilities. The DeFremery Swimming Pool is a part of DeFremery Park, a 9.10-acre community park that includes a ball field, tennis courts, basketball courts, a playground, group picnic areas, and the DeFremery Recreation Center.
- Raimondi Park, located approximately 1.15 miles northwest of the Project site (1429 Seminary Avenue) is a 10.02-acre athletic field facility with a baseball diamond, a turf multisport field with bleachers, a playground, lawns, and a putting green. Raimondi Park contains West Oakland's major athletic fields.

There are three levels which determine frequency of maintenance for OPRYD parks and recreational facilities:

- **Service Level 1:** These areas receive a high level of frequent, regular routine maintenance. Parks are inspected for normal maintenance needs, trash receptacles are emptied and litter is removed two to three days per week. Plants are maintained frequently so they are kept healthy, well-manicured and do not block walkways or signs. Flower beds are weeded continually to minimize weeds. Shrubs are pruned on an annual basis to prevent overgrowth. Athletic Fields are mowed at maximum recommended height at least once a week during the playing/growing season. Other turf is mowed on a three-week schedule. Walkways, borders, fences and other areas are trimmed at least once a month during the growing season. Fields are fertilized twice a year to ensure adequate health and growth.
- **Service Level 2:** These areas receive a moderate level of routine maintenance with regular monitoring, and adjustments are made to keep the area "appealing". Litter is removed one to two times per week. Plants are maintained less frequently than the Level 1 service, but are still kept healthy and manicured. Shrubs are pruned on a 3-year cycle. Turf is mowed to a maximum recommended height at least once every three weeks during the growing season. Walkways, borders, fences and other areas are trimmed at least two times per year. Fields are fertilized at least once per year.
- **Service Level 3:** These areas receive little to no routine maintenance. Litter, glass, and debris will be removed from the grounds in response to a service request registered through the Oakland Public Works Call Center. Turf is mowed at least once every 4 weeks. Irrigation system is repaired and prioritized based on severity of the potential for landscape damage or water loss.

High use parks and sports fields typically receive Service Level 1 (OPRYD, 2016).

According to the *2018 Report on the State of Maintenance in Oakland Parks* prepared by the Oakland Parks and Recreation Foundation, diminished maintenance conditions are widespread in the City. Based on a survey of 51 parks, an overall park score from 0-5 (correlates to a letter score using an A-F scale<sup>2</sup>) was generated based on an assessment of a broad range of park issues and amenities including safety of play areas, condition of sports fields, park landscaping and

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<sup>2</sup> A=excellent and F=failure.

hardscape, park cleanliness, restroom availability, homeless encampments, and other factors. The City park overall rating in 2018 was 2.63 or a C+, a slight improvement over the 2016 City park overall rating of 2.55 for the community and neighborhood parks. Parks with scores of D or F were considered “in jeopardy” and generally had facilities and greenery in poor condition, and were often graffiti plagued. Surveyed City parks near the Project site and their park overall rating for 2016 and 2018 are included in **Table 4.14-1** below.

**TABLE 4.14-1  
SURVEYED CITY PARK MAINTENANCE CONDITIONS NEAR THE PROJECT SITE**

Park <sup>a</sup>	Park Classification <sup>b</sup>	2016 Park Overall Rating	2018 Park Overall Rating
Jefferson Square Park	Neighborhood Park	B	D
South Prescott Park	Neighborhood Park	D	B
Lafayette Square Park	Special Use Park	C	D
Lowell Park	Neighborhood Park	B	C
Lincoln Square Park	Neighborhood Park	B	B
Wade Johnson Park	Neighborhood Park	C	D
DeFremery Park	Community Park	B	B

NOTES:

a Includes parks surveyed in the *2018 Report on the State of Maintenance in Oakland Parks*. The report involved a limited survey of OPRYD parks and did not include all City parks in the Project vicinity.

b Per the OSCAR Element

This data is based off of an independent survey submitted to OPRYD by the non-profit organization, the Oakland Parks and Recreation Foundation.

SOURCE: Oakland Parks and Recreation Foundation, 2018

Generally, park conditions near the Project site have diminished or stayed the same, with South Prescott Park being the only park to see a rating increase from 2016 to 2018. Jefferson Square and Lafayette Square Parks are considered “In Jeopardy” due to damaged play equipment, poor condition of signage and restrooms, and homeless encampments, and are D rated. Wade Johnson Park is also “In Jeopardy” and D rated due in large part to illegal dumping. The Lowell Park athletic fields had a C rating due to overuse, drought stress, poor condition of backstop fencing and bleachers, graffiti, and gopher damage. (Oakland Parks and Recreation Foundation, 2018).

However, the operating conditions of OPRYD parks and athletic fields are not solely the outcome of diminished capacity for maintenance; homeless encampments are prevalent in parks in West Oakland and Downtown due in part to the ongoing housing crisis in the region and can make parks feel unwelcome to many user groups. Unsheltered residents can overwhelm park amenities such as restrooms or picnic areas, as these facilities were not designed to serve in that capacity. High-scoring parks in West Oakland and Downtown such as DeFremery Park and Lincoln Square Park also tended to be those with active volunteer organizations, where City resources are supplemented by community resources (Oakland Parks and Recreation Foundation, 2018). According to OPRYD, parks nearby the Project site may be underutilized due to the lack of maintenance. For example, the athletic field at Estuary Park is primarily used for special events and off-leash dog area due to the poor condition as of 2019. Previously, the field was used for a

junior soccer program. As described above, Estuary Park is planned to be renovated and expanded beginning in 2022. Planned new facilities will include a children's play area, picnic area, water wise gardens, concessions, restrooms, seating, new formalized pathways and San Francisco Bay Trail, an improved flex field, parking, and boat storage (OPRYD, 2019a).

### ***East Bay Regional Park District***

The East Bay Regional Park District (EBRPD) operates a system of parklands and trails in Alameda and Contra Costa counties comprised of approximately 121,400 acres in 73 parks, including over 1,250 miles of trails (EBRPD, 2019). Approximately 1,664 acres of EBRPD managed parkland is within the City of Oakland limits (Trust for Public Land, 2018).

Robert W. Crown Memorial State Beach<sup>3</sup> is located approximately 1.78 miles south of the Project site in the City of Alameda, and includes a 2.5-mile-long beach with sand dunes and open space conducive for swimming, non-motorized boating, windsurfing, picnicking, and fishing. The Elsie Roemer Bird Sanctuary is located at the east end of Crown Memorial State Beach. Crab Cove, a marine reserve, is located at the north end; the Crab Cove Visitor Center contains exhibits and aquaria.

Temescal Regional Recreation Area is located approximately 4.28 miles northeast of the Project site, and includes a small lake, trails, playgrounds, picnic areas, lawn areas, fishing, a swimming area, and a beach house, which can be rented for special events (EBRPD, 2019).

### ***Port of Oakland***

The Port of Oakland manages approximately 261 acres of parkland and open space within the City (Trust for Public Land, 2018). The Port of Oakland oversees property along the waterfront including Jack London Square, which contains public access spaces near the shoreline. Small open spaces include the Ferry Lawn, located adjacent to the east of the Project site, and the Marina Lawn, located 0.32 miles east of the Project site. Benches are provided along the waterfront adjacent to the Oakland Ferry Terminal. President Roosevelt's official yacht, the USS Potomac, is moored next to the ferry terminal and is open to the public. A public plaza containing seating is located on the Project site, adjacent to the historic Lightship Relief berthed in the Estuary. Jack London Square hosts a weekend farmer's market in the plaza areas and along Water Street, as well as a number of special events throughout the year. Two public boat docks are located at the foot of Broadway and Franklin Street with a 4-hour limit; no overnight berthing is allowed at the public docks. Private kayak, canoe, and paddleboard rentals are also available from a local business in Jack London Square that can be used in the Estuary.

Middle Harbor Shoreline Park (MHSP) is also located within the Port, approximately 2 miles west of the Project site. MHSP is a 38-acre shoreline park built and operated by the Port of Oakland for the community, with more than two miles of pathways encircling Middle Harbor Basin, views of the Bay and San Francisco, an amphitheater used for concerts and events, and educational viewing tower, and an interpretive signage program.

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<sup>3</sup> Robert W. Crown Memorial State Beach is operated by EBRPD under a cooperative agreement with the State of California and City of Alameda.

## ***Trails and Open Space***

### **San Francisco Bay Trail**

The San Francisco Bay Trail Project is a nonprofit organization administered by the Association of Bay Area Governments (ABAG) that plans, promotes, and advocates for the implementation of the Bay Trail. The Bay Trail is a planned 500-mile continuous network of multi-use bicycling and walking paths that, when complete, will encircle the entire San Francisco Bay. Currently, over 350 miles of the proposed Bay Trail system has been developed.

An existing portion of the Bay Trail runs adjacent to the Project site, beginning at Clay Street, running east through Jack London Square to Estuary Park. A spur segment extends from Clay Street north to Broadway to a segment of the Bay Trail along Embarcadero West. There is also another existing portion of the Bay Trail that runs west along 3rd Street north of the Project site, west of Brush Street. A planned, but un-built portion of the Bay Trail extending along Brush Street, 2nd Street and Washington Street would connect the aforementioned built segments and close a gap in the trail between Brush and Clay streets (Bay Trail, 2019).

### **San Francisco Bay Area Water Trail**

The San Francisco Bay Area Water Trail is a multi-agency program being implemented by the California Coastal Conservancy with project partners at the Association of Bay Area Governments / Metropolitan Transportation Commission (ABAG/MTC), the San Francisco Bay Conservation and Development Commission (BCDC) and the State Division of Boating and Waterways. The focus of the program is to enhance public access to the Bay for non-motorized small boats (such as kayaks, sailboards, outriggers, and stand up paddleboards), and to encourage and enable people to explore the Bay in different boat types and in a variety of settings. The Bay Area Water Trail identifies trailheads at different locations in the Bay and provides information on available boat launches, transportation and parking, safety, and other amenities. The Bay Area Water Trail has an existing trailhead at Estuary Park/the Jack London Aquatic Center that contains two boat launches into the Estuary (Water Trail, 2018). No other trailheads are identified further west along the Estuary (Water Trail, 2019).

## **4.14.2 Regulatory Setting**

### **Federal**

There are no applicable federal regulations related to recreational resources.

### **State**

#### ***Public Trust Lands***

The Port of Oakland is steward to more than 4,500 acres of land on or near the waterfront. Much of the historically submerged lands (or tidelands) belong to the State of California. The Port holds these tidelands as trustee of the State and must use the lands and assets for the benefit of navigation, water-related activities and statewide commerce and recreation.

## **Quimby Act**

California Government Code Section 66477, Subdivision Map Act, referred to as the Quimby Act, permits local jurisdictions to require the dedication of land and/or the payment of in-lieu fees solely for park and recreation purposes. The dedication of land or in-lieu fees may be required for land or condominium subdivisions. Land dedicated and fees collected pursuant to the Quimby Act may only be used for developing new, or rehabilitating existing, park or recreational facilities. The City of Oakland does not have a parkland dedication requirement pursuant to the Quimby Act.

## **Regional**

### **San Francisco Bay Conservation and Development Commission**

The San Francisco Bay Conservation and Development Commission (BCDC) is a State agency with permit authority over the Bay and its shoreline. The BCDC San Francisco Bay Plan contains the following policies related to recreation that are relevant to the Project (BCDC, 2011):

**Recreation Policy 2:** Waterfront land needed for parks and beaches to meet future needs should be reserved now, because delay may mean that needed shoreline land could otherwise be preempted for other uses. However, recreational facilities need not be built all at once; their development can proceed over time. Interim use of a waterfront park priority use area prior to its development as a park should be permitted, unless the use would prevent the site from being converted to park use or would involve investment in improvements that would preclude the future use of the site as a park.

**Recreation Policy 3:** Recreational facilities, such as waterfront parks, trails, marinas, live-aboard boats, non-motorized small boat access, fishing piers, launching lanes, and beaches, should be encouraged and allowed by the Commission, provided they are located, improved and managed consistent with BCDC Policies.

**Recreation Policy 8:** Signs and other information regarding shipping lanes, ferry routes, U.S. Coast Guard rules for navigation, such as U.S. Coast Guard Rule 9, weather, tide, current and wind hazards, the location of habitat and wildlife areas that should be avoided, and safety guidelines for smaller recreational craft, should be provided at marinas, boat ramps, launch areas, personal watercraft and recreational vessel rental establishments, and other recreational watercraft use areas.

**Public Access Policy 2:** In addition to the public access to the Bay provided by waterfront parks, beaches, marinas, and fishing piers, maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline, whether it be for housing, industry, port, airport, public facility, wildlife area, or other use, except in cases where public access would be clearly inconsistent with the project because of public safety considerations or significant use conflicts, including unavoidable, significant adverse effects on Bay natural resources. In these cases, in lieu access at another location preferably near the project should be provided.

**Public Access Policy 9:** Access to and along the waterfront should be provided by walkways, trails, or other appropriate means and connect to the nearest public thoroughfare where convenient parking or public transportation may be available. Diverse and interesting public access experiences should be provided which would encourage users to remain in the designated access areas to avoid or minimize potential adverse effects on wildlife and their habitat.

BCDC's Seaport Plan also guides BCDC's regulatory decisions on developments within port priority use areas designated in the San Francisco Bay Plan. The Seaport Plan contains the following policy related to recreation that are relevant to the Project (BCDC, 2012):

***Port Priority Use Areas Policy 2:*** Within port priority use areas, non-port uses such as public access and commercial recreation development may be allowed provided that the use would not impair existing or future use of the area for port purposes.

Consistency with BCDC plans and policies is discussed in Section 4.10, *Land Use, Plans, and Policies*.

## Local Plans, Ordinances and Policies

### ***City of Oakland General Plan***

The OSCAR Element of the Oakland General Plan describes the following policies regarding recreation, adopted for the purpose of avoiding or mitigating an environmental effect, and that apply to the Project.

***Policy OS-4.1:*** Continue to require new multi-family development to provide usable outdoor open space for its residents.

***Policy OS-7.1:*** Require land uses along the shoreline which promote the beneficial uses of the Estuary and Bay waters, including a balanced mix of commercial shipping facilities; water-dependent industry, commerce, and transportation; recreation; water-oriented services and housing; and resource conservation.

***Policy OS-7.2:*** Support the BCDC requirements which mandate that all new shoreline development designate the water's edge as publicly accessible open space where safety and security are not compromised, and where access can be achieved without interfering with waterfront maritime and industrial uses. Where such conflicts or hazards would result, support the provision of off-site access improvements in lieu of on-site improvements. In such cases, the extent of off-site should be related to the scale of the development being proposed.

***Policy OS-7.3:*** Promote a greater appreciation of the Oakland waterfront by preserving and enhancing waterfront views, promoting its educational value, and, exploring new and creative ways to provide public access to the shoreline without interfering with transportation and shipping operations or endangering public safety.

***Policy OS-7.5:*** Improve lateral access along the Oakland shoreline and linkages between the shoreline and nearby neighborhoods by creating a "Bay Trail" along the length of the Oakland waterfront. Where an alignment immediately along the waterfront is not possible, site the trail as close to the water as possible, with spur trails leading to the water's edge.

***Policy REC-3.1:*** Use level of service standards of 10 acres of total parkland and 4 acres of local-serving parkland as a means of determining where unmet needs exist and prioritizing future capital investments. Overall service goal: wherever practical and not precluded by environmental constraints (such as steep terrain), a local-serving park should be provided within ¼ mile of all residents in the Oakland flatlands, and within ½ mile of all residents of the Oakland hills. "Local-serving" parks include neighborhood parks, community parks,

athletic fields, school playgrounds, city squares, active mini-parks, and the portions of region-serving parks containing active facilities.

***Policy REC-3.3:*** Consider a range of factors when locating new parks or recreational facilities, including local recreational needs, projected operating and maintenance costs, budgetary constraints, surrounding land uses, citizen wishes, accessibility, the need to protect or enhance a historic resource, and site visibility.

***Policy REC-10.2:*** To the extent permitted by law, require recreational needs created by future growth to be offset by resources contributed by that growth. In other words, require mandatory land dedication for large-scale residential development and establish a park impact fee for smaller-scale residential development projects, including individual new dwelling units. Calculate the dedication or fee requirement based on a standard of 4 acres of local-serving parkland per 1,000 residents.

The OSCAR Element also contains the following principles relevant to the proposed Project:

- A park should be available within walking distance of every Oakland resident. No person should have to travel too far from home to gain access to recreational services.
- Recreation needs created by new development should be offset by resources contributed by that growth. In other words, new development should pay its fair share to meet the increased demand for parks resulting from that development.

### ***Oakland Municipal Code***

Oakland Municipal Code, Chapter 15.74, Transportation and Capital Improvement Fees, establishes Citywide transportation and capital improvements impact fees in the City of Oakland to assure that development projects pay their fair share to compensate for the increased demand for transportation and capital improvements infrastructure generated by development projects within the City. Funds deposited into the Capital Improvements Impact Fee Fund are used to pay for projects that are required for fire, police, library, parks and recreation, or storm drain services.

### ***City of Oakland Landscaping and Lighting Assessment District***

The Landscaping and Lighting Assessment District was originally formed on June 23, 1989 and subsequently approved by the registered voters of the City of Oakland in 1994. This District, utilizing a direct benefit assessment, provides a funding source for the operation and maintenance of landscaping, park and recreation facilities, and street lighting within the City of Oakland. An Engineering analysis was performed in 1989 to ensure the costs for funding the operation, maintenance, and servicing of improvements were apportioned to each parcel within the City based upon the special benefits they received from the improvements. Payment of the assessment for each parcel is made in the same manner and at the same time as payments are made for property taxes. All funds collected through the assessment are placed in a special fund and are only used for operation and maintenance of landscaping, park and recreation facilities, and street lighting defined in an annual report approved by the City Council (City of Oakland, 2019b).

### 4.14.3 Significance Criteria

The City of Oakland has established thresholds of significance for CEQA impacts (City of Oakland, 2016). Based on these thresholds, the Project would have a significant adverse impact related to recreation if it would:

1. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
2. Include recreational facilities or require the construction or expansion of recreational facilities which might have a substantial adverse physical effect on the environment.

The changes to Appendix G of the State CEQA Guidelines effective in December 2018 were intended to reflect recent changes to the CEQA statutes and court decisions. These recent changes and decisions are already reflected in the City's adopted significance thresholds, which have been used to determine the significance of potential impacts. To the extent that the topics or questions in Appendix G are not reflected in the City's thresholds, these topics and questions have been taken into consideration in the impact analysis below. In the case of Recreation, no specific changes were made affecting this topic.

### Approach to Analysis

Potential direct impacts to recreation are discussed related to the accelerated substantial physical deterioration of recreational facilities and the construction/expansion of recreational facilities, as directed by the City of Oakland's *CEQA Thresholds of Significance*. Potential indirect impacts related to an increase in recreational users, including recreational water users, is described below as they relate to accelerated substantial physical deterioration of recreational facilities and the construction/expansion of recreational facilities. Potential impacts related to recreational water safety and conflicts with maritime vessels are discussed in Section 4.10, *Land Use, Plans, and Policies*. The cumulative analysis considers potential recreation impacts of the Project combined with cumulative development in the Project vicinity and Citywide.

### 4.14.4 Impacts of the Project

#### Accelerated Substantial Physical Deterioration of Recreational Facilities

**Impact REC-1: The Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. (Criterion 1) (*Less than Significant*)**

#### Construction Impacts

Construction of the Project would result in a temporary increase in the number of construction workers onsite. It is possible that a small number of construction workers may visit a local park or open space to eat lunch, or for recreation after a day of work. However, construction workers are temporary employees with high turnover rates associated with the various phases of construction. Thus, recreational use by construction workers would be intermittent and temporary.

Additionally, publicly accessible open space, described in detail below, would be developed on the Project site. As buildout of the Project progresses, the demand for recreation facilities from

construction workers could partially be absorbed by the publicly accessible open space on the Project site, including open space areas along the waterfront. Therefore, the construction workers associated with the Project would not result in a substantial increase in demand for parks or recreational facilities in the vicinity of the Project site such that substantial physical deterioration of the facility would occur or be accelerated. This impact would be less than significant.

## **Operational Impacts**

### **Direct Impacts**

The Project would result in new residents, employees, and visitors at the Project site, which would generate demand for parks and recreation facilities. As described in the Subsection 4.14.1, *Environmental Setting*, parks and open spaces within 0.75 miles of the Project site that could be used include Jefferson Square, South Prescott, Lafayette Square, Chinese Garden, and Wade Johnson parks, as well as the Ferry and Marina lawns in Jack London Square. Athletic fields (Lowell and Estuary parks), boating and sailing facilities (Jack London Aquatic Center), a recreation center (Lincoln Square Recreation Center), and a public pool (DeFremery Pool) are also located within 1 mile of the Project site. Raimondi Park, West Oakland's major athletic field facility is also located approximately 1.15 miles northeast of the Project site. Also, as described in Subsection 4.14.1, OPRYD-managed parks located in the Project vicinity currently operate under diminished maintenance conditions. New residents, employees, and visitors from the Project would also be expected to utilize Port of Oakland-managed open spaces, as well as EBRPD facilities in the Project vicinity.

As described in Chapter 3, *Project Description*, the Project includes the construction of a network of publicly-accessible open spaces, and the extension of the pedestrian and bicycle network from West Oakland to the waterfront. The network of publicly accessible open spaces would include sidewalks and plazas, landscaped areas at the western and northern periphery of the Project site, and the junction of Market Street and Martin Luther King Jr. Way. The Project also includes large-scale publicly-accessible open spaces, including Athletics Way, an approximately 5.0-acre pedestrian promenade that would be an extension of Water Street leading to and encircling the ballpark.<sup>4</sup> Athletics Way would be designed to accommodate up to 35,000 visitors and spectators on ballpark event days (approximately 244 days per year<sup>5</sup>) with café terraces and beer gardens. Athletics Way would include seating areas, picnic spaces, children's play spaces, and lawns that would be open to the public on non-event days (approximately 121 days per year). An approximately 2.5-acre Rooftop Park would be located on top of the seating areas of the proposed ballpark that would gradually ramp down to the ground-level and connect to Athletics Way.<sup>6</sup> The Rooftop Park would include a tree-lined walkway and passive spaces, would provide views of the waterfront and ballpark, and would be accessible to the public on non-event days.

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<sup>4</sup> An event ticket would be required to access portions of Athletics Way on ballpark event days; however, public access to the shoreline would remain. On non-event days, Athletics Way would be fully open to the public.

<sup>5</sup> Conservatively assumes up to 94 baseball games, 15 concerts, 100 smaller corporate or community events, and 35 other events. However, portions of Athletics Way or the rooftop park may not be closed during smaller events (e.g., corporate or community events), and may be open to the public during limited hours prior to and following events.

<sup>6</sup> An event ticket would be required to access Rooftop Park on ballpark event days. On non-event days, the Rooftop Park would be open to the public.

The Project would also develop a Waterfront Park, which would be an approximately 10.3-acre open space that would provide public access as near to the shoreline as possible, with a mix of active and passive uses, including promenades and picnic areas. The Waterfront Park would be open to the public year-round, except for approximately 16 Waterfront Park events a year. Additional Plaza Open Spaces totaling approximately 0.5 acres would be provided as part of the open space network: an approximately 0.25-acre triangular space fronting Market Street within a mixed use block adjacent and west of the ballpark, and a similar-sized quad-shaped plaza space where Martin Luther King Jr. Way meets the Project site north of the ballpark, between Athletics Way and the historic PG&E Station C facility. In general, the publicly accessible open spaces would have similar operating hours to City park facilities. In total, the Project would provide approximately 18.3 acres of publicly accessible open space, or approximately one-third (0.33 percent) of the Project site acreage.

Additionally, the Project also proposes to add approximately 1.25 miles of the Bay Trail along the waterfront as part of the Waterfront Park, and fill in a proposed segment between Brush and Clay streets, as shown in Figure 4.14-1.

Taken together, the proposed publicly-accessible open spaces would absorb a substantial part of demand for general recreational facilities of new residents, employees, and visitors, as well as that of nearby and regional residents and users, due to the amount of open space provided, mix of passive and active uses proposed, and ease of access. Therefore, the Project would not substantially increase or accelerate the substantial physical deterioration or degradation of existing general recreational resources due to use by Project residents, employees, and visitors.

While the Project would provide open space and general recreational opportunities, new residents and employees would also be expected to increase the demand for athletic fields not included in the Project's proposed open space. As described in Section 4.14.1, *Environmental Setting*, the Lowell Park athletic fields are in fair condition and the athletic field at Estuary Park is underutilized due to the poor condition as of 2018 (Oakland Parks and Recreation Foundation, 2018). Lowell and Raimondi Parks receive Service Level 1 from OPRYD, meaning a high level of frequent, regular routine maintenance (OPRYD, 2016). Estuary Park receives Service Level 2, meaning a moderate level of routine maintenance with regular monitoring. In addition, Estuary Park is planned to be renovated and expanded beginning in 2022, including an improved flex field (OPRYD, 2016; 2019a). While the Project would increase the demand for athletic fields in the vicinity of the Project site due to an increase in the residential population on the Project site, existing recreational facilities with athletic fields likely to be used by Project residents are better maintained and/or have plans to renovate and expand. Additionally, a limited number of Project residents would use these specialized recreational resources, as participation in team sports varies between age groups, and overall participation in team sports for individuals in the U.S. has been estimated at approximately 23 percent (Physical Activity Council, 2019). Therefore, the Project would not substantially increase or accelerate the substantial physical deterioration or degradation of existing athletic field recreational resources.

Implementation of the Project would result in an increase in the demand for recreational resources on the Project site, in the Project vicinity, and at the Citywide level. However, the increase in

residents, employees, and visitors from the Project would not be expected to substantially increase or accelerate the physical deterioration or degradation of existing recreational resources, as the Project would provide approximately 18.3 acres of publicly accessible open space on the Project site and the expansion of Bay Trail facilities. Additionally, the Project would not substantially increase or accelerate the substantial physical deterioration or degradation of existing athletic fields due to the limited Project use and the planned renovation and expansion of existing facilities, and the general higher standard of maintenance at these facilities. Therefore, Project impacts related to the accelerated substantial physical deterioration related to parks and recreation resources would be less than significant.

Finally, the Project would contribute its fair share to the City of Oakland Landscaping and Lighting Assessment District, which funds operation and maintenance for park and recreation facilities, through payment of parcel taxes that will be assessed based on changes in land use.

#### Indirect Impacts

While the Project does not propose facilities for recreational watercraft, the proposed ballpark and waterfront park could indirectly create a new demand for recreational watercraft users using existing facilities in the Project vicinity. Recreational water users, especially kayakers, are often present in McCovey Cove during baseball games at Oracle Park<sup>7</sup> in San Francisco; therefore, it is reasonable to assume that the construction of a waterfront ballpark at the Project site would draw similar interest in the Estuary. As discussed in Section 4.10, *Land Use, Plans, and Policies*, while the conditions between McCovey Cove and the waters adjacent to the Project site differ, that does not necessarily preclude an increase in recreational water users adjacent to the Project site. A public boat launch is located at the Jack London Aquatic Center in Estuary Park and public docks are located in Jack London Square, which could experience increased demand due to the potential increase in recreational watercraft users.

The Jack London Aquatic Center has indoor and outdoor boat storage for clubs and City programs that is exceeding capacity (Water Trail, 2018). However, Estuary Park, including the Jack London Aquatic Center, is planned to be renovated and expanded beginning in 2022, including a kayak drop-off in the parking lot, a relocated dock, a pebble beach to launch small watercraft, and increased boat storage (OPRYD, 2019b). Additionally, since the Jack London Aquatic Center does not offer boat rentals outside of OPRYD's existing youth and adult sailing and kayaking courses (SCC, 2018), recreational watercraft users would likely be existing recreational watercraft users within the City of Oakland and the greater Bay Area region, many of whom are currently being served by OPRYD services, and therefore would not represent a significant increase in demand for services. Thus, the potential increase in recreational water users would not substantially increase or accelerate the physical deterioration or degradation of boating facilities at Estuary Park and the Jack London Aquatic Center.

Private kayak, canoe, and paddleboard rentals are also available from a local business in Jack London Square, which often launch from the public boat docks into the Estuary. While the Project may indirectly increase the demand for rentals, the public docks are already being used

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<sup>7</sup> Previously, AT&T Park.

for rental purposes. Additionally, similar to the discussion above, any recreational watercraft users not renting a vessel would likely be existing recreational watercraft users within the City of Oakland and the greater Bay Area region, many of whom are currently being served by the public docks, and therefore would not represent an increase in demand for services. Thus, the potential increase in recreational water users would not substantially increase or accelerate the physical deterioration or degradation of the public boat docks in Jack London Square. Therefore, impacts would be less than significant.

Additionally, while not related to physical recreational facilities, **Mitigation Measure LUP-1a, Boating and Recreational Water Safety Plan**, would reduce impacts related to recreational water safety and potential conflicts with other maritime vessels, including ferries. Mitigation Measure LUP-1a may involve the distribution of safe boating regulations for the areas adjacent to the Project site, and ongoing funding for water-based patrols by the Oakland Police Department to ensure compliance with the rules of navigation in the shipping channel prior to and during games or events. Therefore, Mitigation Measure LUP-1a does not address impacts on physical recreational facilities analyzed under this Impact REC-1 and the Project impact is less than significant without this measure.

**Mitigation:** None required.

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## Construction/Expansion of Recreational Facilities

**Impact REC-2: The Project would include recreational facilities, but would not require the construction or expansion of recreational facilities which could have a substantial adverse physical effect on the environment. (Criterion 2) (*Less than Significant with Mitigation*)**

As described under Impact REC-1, the Project involves the construction of publicly accessible open space and recreational facilities. To the extent construction of these new open space and recreational facilities as part of the Project could potentially result in significant adverse environmental effects, such effects are analyzed throughout this EIR. Mitigation measures are included to reduce construction-related impacts (including from construction of recreational facilities) to air quality, biological resources, cultural resources, geology, soils, and paleontological resources, hazards and hazardous materials, hydrology and water quality, noise, and transportation to the extent feasible. These include **Mitigation Measures AIR-1a** (Dust Controls); **AIR-1b** (Criteria Air Pollutant Controls); **AIR-1c** (Diesel Particulate Matter Controls); **AIR-1d** (Super-Compliant VOC Architectural Coatings during Construction); **BIO-1a** (Disturbance of Birds during Nesting Season); **BIO-2** (Pre-Construction Assessments and Protection Measures for Bats); **BIO-3** (Management of Pile Driving in the Water Column for Protection of Fish and Marine Mammals); **BIO-4** (Compensation for Fill of Jurisdictional Waters); **CUL-1** (Maritime Resources Treatment Plan); **CUL-2** (Vibration Analysis for Historic Structures); **CUL-4a** (Archaeological Resources and Tribal Cultural Resources – Discovery During Construction); **CUL-4b** (Archaeologically Sensitive Areas – Pre-Construction Measures); **CUL-5** (Human Remains – Discovery During Construction); **GEO-1** (Site-Specific Final Geotechnical Report); **GEO-2** (Inadvertent Discovery of Paleontological Resources During Construction); **HAZ-1a** (Preparation and Approval of Consolidated RAW, LUCs and Associated Plans);

**HAZ-1b** (Compliance with Approved RAW, LUCs and Associated Plans); **HAZ-1c** (Health and Safety Plan); **HAZ-1d** (Hazardous Building Materials); **HYD-1** (Creek Protection Plan); **NOI-1a** (Construction Days/Hours); **NOI-1b** (Construction Noise Reduction); **NOI-1c** (Extreme Construction Noise Measures); **NOI-1d** (Project-Specific Construction Noise Reduction Measures); **NOI-1e** (Construction Noise Complaints); **NOI-1f** (Physical Improvements or Off-site Accommodations for Substantially Affected Receptors); and **TRANS-4** (Construction Management Plan). **Mitigation Measure REC-1** would require implementation of these measures to reduce construction-related impacts involving recreational facilities on-site to the extent feasible.

As discussed under Impact REC-1 above, the Project's proposed open spaces and Bay Trail improvements would absorb a substantial part of demand for general recreational facilities of new residents, employees, and visitors, as well as that of nearby residents and users. Therefore, the new population generated by the Project would not result in the need for additional new or expanded park facilities. Additionally, as discussed under Impact REC-1, the Project could indirectly create a new demand for recreational watercraft users using existing facilities in the Project vicinity, but would not substantially increase or accelerate the substantial physical deterioration or degradation of these facilities. Therefore, the Project would not require the construction or expansion of additional recreational facilities which might have a substantial adverse physical effect on the environment, beyond those proposed as part of the Project and analyzed in this EIR.

Therefore, the impacts regarding the effects of constructing the parks, open space, and recreational facilities would be less than significant with mitigation incorporated.

**Mitigation Measure REC-1:** Implement **Mitigation Measures AIR-1a, Dust Controls; AIR-1b, Criteria Air Pollutant Controls; AIR-1c, Diesel Particulate Matter Controls; AIR-1d, Super-Compliant VOC Architectural Coatings during Construction; BIO-1a, Disturbance of Birds during Nesting Season; BIO-2, Pre-Construction Assessments and Protection Measures for Bats; BIO-3, Management of Pile Driving in the Water Column for Protection of Fish and Marine Mammals; BIO-4, Compensation for Fill of Jurisdictional Waters; CUL-1, Maritime Resources Treatment Plan; CUL-2, Vibration Analysis for Historic Structures; CUL-4a, Archaeological Resources and Tribal Cultural Resources – Discovery During Construction; CUL-4b, Archaeologically Sensitive Areas – Pre-Construction Measures; CUL-5, Human Remains – Discovery During Construction; GEO-1, Site-Specific Final Geotechnical Report; GEO-2, Inadvertent Discovery of Paleontological Resources During Construction; HAZ-1a, Preparation and Approval of Consolidated RAW, LUCs and Associated Plans; HAZ-1b, Compliance with Approved RAW, LUCs and Associated Plans; HAZ-1c, Health and Safety Plan; HAZ-1d, Hazardous Building Materials; HYD-1, Creek Protection Plan; NOI-1a, Construction Days/Hours; NOI-1b, Construction Noise Reduction; NOI-1c, Extreme Construction Noise Measures; NOI-1d, Project-Specific Construction Noise Reduction Measures; NOI-1e, Construction Noise Complaints; NOI-1f, Physical Improvements or Off-site Accommodations for Substantially Affected Receptors; and TRANS-4, Construction Management Plan.**

**Significance after Mitigation:** Less than Significant.

## Maritime Reservation Scenario

Under the Maritime Reservation Scenario, up to approximately 10 acres of the proposed Project site would not be developed. The reconfigured Project site boundary would change and the Project site area would become smaller, which would mean reducing the size of the Waterfront Park and the total amount of publicly accessible open space on the Project site by 3.4 acres (see Figure 3-13.MRS). In total, the Project under the Maritime Reservation Scenario would provide approximately 14.9 acres of publicly accessible open space, or approximately one-third (33 percent) of the Maritime Reservation Scenario site acreage. The open space provided by the Waterfront Park would continue to provide a mix of active and passive uses, connecting to proposed improvements to the Bay Trail. Taking into account a potential 19 percent reduction in open space as compared to the Project, the Project under the Maritime Reservation Scenario would continue to provide publicly accessible open space on approximately one-third of the site that would still be expected to absorb a substantial part of the demand from new residents, employees, and visitors. Impacts related to the demand for athletic fields and indirect demand for boating facilities would remain the same as the Project, as the service population and development program uses would remain the same. All other site conditions relative to recreation would remain the same as described for the proposed Project, and therefore the impacts, analysis and mitigation for the Maritime Reservation Scenario would be the same as those discussed above for the proposed Project.

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### 4.14.5 Cumulative Impacts

**Impact REC-1.CU: The Project, combined with cumulative development in the Project vicinity and citywide, would not result in significant cumulative impacts to recreation. (*Less than Significant with Mitigation*)**

#### Geographic Context

The geographic scope of potential cumulative impacts on recreation encompasses the Project site and all areas of the City, as recreation facilities are provided Citywide.

This analysis considers whether or not there would be a significant, adverse cumulative impact associated with Project in combination with past, present, existing, approved, pending and reasonably foreseeable future projects in the geographical area, and if so, whether or not the Project's incremental contribution to the cumulative impact would be considerable. Both conditions must apply in order for a project's cumulative effects to rise to the level of significance.

#### Cumulative Impact and Project Contribution

Cumulative development in the Project vicinity and Citywide would generate a need for additional parkland, adding to the existing deficiency of parkland acreage in the City, and would increase the use of existing parks and recreational facilities such that substantial physical deterioration of such facilities may occur or be accelerated. The cumulative impact on parks and recreational facilities may be significant. However, the development of additional public open space is included in cumulative development plans and projects, particularly for the Brooklyn Basin Project and Downtown Oakland Specific Plan.

The Brooklyn Basin Project<sup>8</sup> includes approximately 20 acres of new and permanent public open space that will be designed as a series of interconnected parks and waterfront spaces to provide a variety of recreational opportunities (City of Oakland, 2009). The Downtown Oakland Specific Plan also identifies the potential for open space to be developed including the “Webster Green”, a linear greenway between the Estuary and I-880 over the alignment of the underground Webster Tube. The Downtown Oakland Specific Plan also identifies a potential “Green Loop” linking the Lake Merritt, Lake Merritt Channel, and Estuary waterfronts to street improvements along Martin Luther King Jr. Way and 20th Street to form a continuous walking & biking loop surrounding downtown. The “Green Loop” could also be expanded to include a second loop to directly connect West Oakland to downtown and the waterfront along Market Street and 14th Street. However, the specific expected increase in overall park acreage is not included (City of Oakland, 2019a).

Cumulatively, the Project and the Brooklyn Basin Project would increase public open space in the City by approximately 38.3 acres. The Downtown Oakland Specific Plan EIR also includes mitigation that requires the City to update its Capital Improvement Impact fees, and/or implement a dedicated impact fee specific to parks and recreation, as well as create a Privately Owned Public Spaces (POPOS) program to mitigate impacts to parks and recreational facilities.

The Project would provide approximately 18.3 acres of open space, increasing the amount of parkland available to the public and serving the Project’s increased demand. As discussed under Impact REC-1 and REC-2, the Project’s open spaces and Bay Trail improvements would contribute to the existing supply of open spaces and recreational facilities, and the new population generated by the Project would not result in the need for additional new or expanded park facilities. As discussed under Impact REC-2, Mitigation Measure REC-1 would require implementation of Project mitigation measures to reduce construction-related impacts involving recreational facilities on-site to the extent feasible. Therefore, the Project’s contribution to the significant cumulative impact would not be cumulatively considerable.

Cumulative development could also increase the potential for recreational watercraft in the Estuary that could result in an increase in the use of boating facilities located at Estuary Park and the Jack London Aquatic Center, as well as the public boat docks in Jack London Square. As discussed in under Impact REC-1, Estuary Park, including the Jack London Aquatic Center, is planned to be renovated and expanded beginning in 2022, including a kayak drop-off in the parking lot, a relocated dock, a pebble beach to launch small watercraft, and additional boat storage (OPRYD, 2019b). Additionally, the Brooklyn Basin Project will include improved public opportunities for recreational sailing, rowing, canoeing, and kayaking which would increase the amount of recreational boating facilities within the Estuary and offset some of the increased demand on Estuary Park facilities (City of Oakland, 2009). As discussed under Impact REC-1, the potential increase in recreational water users that may indirectly result from the proposed Project would not substantially increase or accelerate the physical deterioration or degradation of boating facilities at Estuary Park and the Jack London Aquatic Center, as well as the public boat docks. Therefore, the Project’s indirect contribution to cumulative impacts on boating facilities would be less than significant.

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<sup>8</sup> Formerly, the Oak to Ninth Avenue Project.

## Conclusion

The contribution of the Project to the identified significant cumulative impact on parks and recreational facilities would be less than considerable with implementation of Mitigation Measure REC-1 and thus less than significant.

**Mitigation Measure REC-1** (See Impact REC-2)

**Significance after Mitigation:** Less than Significant.

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## Maritime Reservation Scenario – Cumulative

Under the Maritime Reservation Scenario, approximately 10 acres of the proposed Project site would not be developed. The reconfigured Project site boundary would change and the Project site area would become smaller, which would mean reducing the size of Athletics Way and the Waterfront Park and the total amount of publicly accessible open space on the Project site by 3.4 acres (see Figure 3-13.MRS). In total, the Project under the Maritime Reservation Scenario would provide 14.9 acres of publicly accessible open space, or approximately one-third of the Maritime Reservation Scenario site acreage. Cumulatively, the Project and the Brooklyn Basin Project would increase public open space in the City by approximately 34.9 acres. As discussed above, despite the reduction in open space, the Project under the Maritime Reservation Scenario would continue to provide publicly accessible open space that would still be expected to absorb a substantial part of the demand from new residents, employees, and visitors, and the Project's contribution to the significant cumulative impact would be less than significant.

All other site conditions relative to recreation would remain the same as described for the proposed Project, and therefore the impacts, analysis and mitigation for the Maritime Reservation Scenario under cumulative conditions would be the same as those discussed above for the proposed Project.

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### 4.14.6 References – Recreation

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