

## 4.11 Public Services

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### 4.11.1 Introduction

This section evaluates the environmental effects associated with any improvements required to meet increases in demand for public services, including fire protection, police, schools, and parks as a result of implementation of the proposed Computational Research and Theory (CRT) project. Information presented in the discussion and subsequent analysis was drawn from site visits and personal communication with Lawrence Berkeley National Laboratory (LBNL) staff.

No scoping comments related to public services were received in response to the Notice of Preparation circulated for this EIR.

### 4.11.2 Environmental Setting

#### Fire Protection

The Alameda County Fire Department (ACFD) works under contract to LBNL to provide firefighting services. This includes staffing the Berkeley Lab fire station (Station 19) on a continuous basis. The Lab's contract with ACFD requires that ACFD provide LBNL with an engine company staffed by four firefighters. Three of these firefighters must be Hazardous Materials Emergency Response (HAZMAT) certified firefighters and one is a paramedic. Equipment at Station 19, which is located in LBNL Building 48, includes one fire engine, one reserve fire engine, a hazardous materials vehicle, and a light-duty four-wheel drive "brush patrol unit" that can be used for wildland fires. Following an Automatic Aid Agreement between LBNL and the City of Berkeley, Station 19 is the designated first responder to calls within Berkeley Lab, portions of the UC Berkeley campus and portions of North Berkeley. This first response area includes the CRT project site. Approximately 25 percent of responses from Station 19 are to locations at the Berkeley Lab, about 40 percent of the calls are to the UC Berkeley campus, and the remaining calls are to locations within the city of Berkeley outside either LBNL or the Berkeley campus (LBNL 2003a).<sup>1</sup>

ACFD provides emergency response services to the Berkeley Lab site, augmented by Berkeley Fire Department following the Automatic Aid Agreement. The Berkeley Fire Department provides paramedic transport for LBNL; therefore, if a patient in a medical emergency requires transport to a hospital, a City of Berkeley ambulance responds at the Lab. ACFD has a continuously staffed HAZMAT response vehicle

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<sup>1</sup> While this analysis represents 2003 baseline data, more recent data are available: In 2005, with 578 total calls, Station 19 responded to 162 (28%) Berkeley Lab calls, 130 (23%) UC Berkeley campus calls, and 286 (49%) City of Berkeley calls (LBNL 2007).

located in San Leandro that is available for larger HAZMAT incidents. HAZMAT automatic aid is also available through the County's Mutual Aid Agreement, including Berkeley Fire Department resources. An annual HAZMAT exercise is conducted with the appropriate LBNL staff and ACFD. Additionally, the Berkeley Lab has an "around-the-clock" contract with a private vendor for HAZMAT clean-up.

The Berkeley Lab's Master Emergency Program Plan (MEPP) establishes policies, procedures and an organizational structure for responding to and recovering from a major disaster at LBNL. The LBNL MEPP uses the Standardized Emergency Management System (SEMS), as described by California Government Code 8607(a), for managing response to multi-agency and multi-jurisdiction emergencies in California. This plan also uses the National Incident Management System (NIMS), as prescribed by Homeland Security Presidential Directive-5 – Management of Domestic Incidents. NIMS is a nationwide, standardized approach to incident management and response that establishes a single, comprehensive system for incident management and cooperation among departments and agencies at all levels of government, from federal to local.

## Law Enforcement

Police services at LBNL are provided through a contract with the UC Berkeley Police Department (UCPD), as well as with a private security provider responsible for outside security needs including Laboratory access, property protection, and traffic control. The UCPD handles all patrol, investigation, and related law enforcement duties for UC Berkeley, LBNL, and other University-owned properties. UCPD operates 24 hours a day, seven days a week, coordinating closely with the City of Berkeley Police Department. UCPD and the Oakland Police Department are members of the California Law Enforcement Master Mutual Aid Plan; all law enforcement agencies in the state belong to this plan to provide each other information and resources when needed. Additionally, the Berkeley Lab has an annual renewable contract with UCPD that provides, when requested, law enforcement emergency response, limited patrols, criminal investigations, and VIP protection. UCPD and the Berkeley Police Department have an agreement regarding jurisdiction over off-site locations occupied by UC staff and Lab staff; this agreement is reviewed and updated annually. The Berkeley Lab does not have an agreement with Oakland Police Department.

LBNL is protected by a perimeter fence that provides access through vehicle entrance points, hardware lock-and-key sets at critical doors, and by an electronic system pre-coded to permit entry only to authorized card holders. Vehicular access onto the LBNL site is controlled by security personnel at the three vehicle entrance gates who visually inspect entering vehicles.

### UC Berkeley Police Department Staffing

UCPD includes 77 police officers, 45 full-time non-sworn personnel, and 60 student employees. The UCPD building is located at 1 Sproul Hall on the UC Berkeley campus. UCPD has primary law enforcement jurisdiction on the campus and associated University properties, including LBNL. UCPD is organized into four divisions: Administration, Community Outreach and Emergency Services, Investigative and Support Services, and Patrol. When services are requested or required, UCPD sends the appropriate resources to the Berkeley Lab to address the situation and/or incident.

### On-Site Security Staffing

The LBNL on-site security staff consists of approximately 34 personnel who are divided into 3 to 10 personnel per shift. Staffing and resources consist of an on-site portfolio manager, two to three roving patrols 24 hours per day and gate access at the Blackberry Canyon Gate 24 hours per day. The LBNL on-site security can respond to any accessible area of LBNL in less than five minutes. UCPD responds to LBNL as needed under the existing contract. The response time for UCPD is also less than five minutes (LBNL 2003b).

### Schools

The Berkeley Unified School District (BUSD) and Oakland Unified School District (OUSD) provide public elementary and secondary school services to school-aged dependents of LBNL personnel who live in these two communities.

### Parks and Recreation

The East Bay Regional Park District (EBRPD) manages over 95,000 acres within Alameda and Contra Costa counties, including 65 regional parks, recreational areas, wilderness, shorelines, preserves, and land bank areas. The EBRPD regional park properties within the vicinity of the LBNL site include Tilden Park and the Claremont Canyon Preserve.

UC Berkeley manages parks and athletic and recreational facilities that serve the University and the wider community. The University also owns the 2.3-acre People's Park located south of the UC Berkeley campus. Athletic and recreational facilities are located within the central campus and also within the Strawberry Canyon Recreation Area. Additional resources include the Ecological Study Area.

The City of Berkeley's Parks, Recreation and Waterfront Department manages the city's parks and open space. The City has 243 acres of City-owned and/or maintained parks and open space throughout Berkeley, excluding the 99-acre Aquatic Park. There are 52 parks providing traditional activities such as

athletic fields, swimming pools, and tennis and basketball courts, as well as numerous tot and school-age play areas, community gardens, rock climbing, and a variety of water sports at the Berkeley Marina. The City of Berkeley maintains the parks-to-population ratio of 2.0 acres of parkland per 1,000 persons that was established in the 1977 City of Berkeley Master Plan (City of Berkeley 2002).

The City of Oakland's Office of Parks, Recreation and Cultural Affairs manages the city's parks and recreation centers. According to the Open Space, Conservation and Recreation (OSCAR) Element of the Oakland General Plan, an estimated 3,073 acres of total parklands are available within Oakland's city limits, providing about 8.26 acres of parkland per 1,000 residents; local-serving parks provide an estimated 1.33 acres per 1,000 residents.

## Project Site

The proposed project would accommodate a population of approximately 300 permanent employees, including staff and students, and involve construction of about 140,000 gross square feet (gsf) of new building space. The LBNL personnel and the new building space developed under this project would be served by public services agencies in the Cities of Berkeley and Oakland, Alameda County, and the Berkeley Lab in the manner discussed above.

### 4.11.3 Regulatory Considerations

#### Local Plans and Policies

LBNL is a federal facility operated by the University of California and conducting work within the University's mission on land that is owned or controlled by The Regents of the University of California. As such, LBNL is generally exempted by the federal and state constitutions from compliance with local land use regulations, including general plans and zoning. However, LBNL and its proposed projects (i.e., CRT facility) seek to cooperate with local jurisdictions to reduce any physical consequences of potential land use conflicts to the extent feasible. The western part of the LBNL site is within the Berkeley city limits, and the eastern part is within the Oakland city limits. This section summarizes relevant policies contained in the 2006 LRDP, and Berkeley and Oakland General Plans.

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## 2006 LRDP Principles and Strategies<sup>2</sup>

The 2006 LRDP proposes four fundamental principles that form the basis for the development strategies provided for each element of the LRDP. The principle most applicable to the public services and recreational aspect of new development is to “Build a safe, efficient, cost effective scientific infrastructure capable of long-term support of evolving scientific missions.”

Development strategies provided by the 2006 LRDP are intended to minimize potential environmental impacts that could result from implementation of the 2006 LRDP. Development strategies set forth in the 2006 LRDP that are applicable to public services and recreation include the following:

- Configure and consolidate uses to improve operational efficiencies, adjacencies and ease of access;
- Increase development densities within the most developed areas of the site to preserve open space, enhance operational efficiencies and access;
- Improve efficiency and security of Laboratory access through improvements to existing gates and the creation of new gates; and
- Develop all new landscape improvements in accordance with the Laboratory’s vegetation management program to minimize the threat of wildland fire damage to facilities and personnel.

## LBNL Design Guidelines

The LBNL Design Guidelines were developed in parallel with the LRDP and are proposed to be adopted by the Lab following The Regents’ consideration of the 2006 LRDP. The LBNL Design Guidelines provide specific guidelines for site planning, landscape and building design as a means to implement the LRDP’s development principles as each new project is developed. Specific design guidelines are organized by a set of design objectives that essentially correspond to the strategies provided in the LRDP. The document provides the following specific planning and design guidance relevant to the public services and recreational aspects of new development:

- Provide appropriate Site Lighting for safety and security; and
- Design all new streets to accommodate two-way traffic flow and pedestrian access.

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<sup>2</sup> While this Environmental Impact Report presents a “stand alone” impact analysis that does not rely upon tiering from any programmatic CEQA document, Berkeley Lab does actively follow the 2006 Long Range Development Plan (LRDP) as a planning guide for Lab development. Accordingly, relevant 2006 LRDP principles, strategies, and design guidelines are identified in this section.

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## City of Berkeley General Plan

Berkeley General Plan policies relevant to the proposed project with regard to public services include the following:

Policy LU-15: Ensure that neighborhoods are well served by basic goods, a diverse supply of community care, services and facilities, including park, school, child care, and church facilities; fire, police, and refuse collection services; and by existing neighborhood commercial areas.

### Fire Protection Services

Berkeley General Plan policies pertaining to fire protection include:

Policy S-21 Fire Preventive Design Standards: Develop and enforce construction and design standards that ensure that new structures incorporate appropriate fire prevention features and meet current fire safety standards.

*Actions:*

- A) Develop proposals to make developed areas more accessible to emergency vehicles and reliable for evacuation. Consider restricting on-street parking, increasing parking fines in hazardous areas, and/or undergrounding overhead utilities. Require that all private access roads be maintained by a responsible party to ensure safe and expedient passage by the Fire Department at any time, and require approval of all locking devices by the Fire Department. Ensure that all public pathways are maintained to provide safe and accessible pedestrian evacuation routes from the hill areas.
- B) Evaluate existing access to water supplies for fire suppression. Identify, prioritize, and implement capital improvements and acquire equipment to improve the supply and reliability of water for fire suppression. Continue to improve the water supply for fire fighting to assure peak load water supply capabilities. Continue to work with EBMUD to coordinate water supply improvements. Develop aboveground (transportable) water delivery systems.
- C) Provide properly staffed and equipped fire stations and engine companies. Monitor response time from initial call to arrival and pursue a response time goal of four minutes from the nearest station to all parts of the city. Construct a new hill area fire station that has wildland fire fighting equipment and ability.

Policy S-22 Fire Fighting Infrastructure: Reduce fire hazard risks in existing developed areas.

Policy S-23 Property Maintenance: Reduce fire hazard risks in existing developed areas by ensuring that private property is maintained to minimize vulnerability to fire hazards

Policy S-24 Mutual Aid: Continue to fulfill legal obligations and support mutual aid efforts to coordinate fire suppression within Alameda and Contra Costa Counties, Oakland, the East Bay Regional Park District and the State of California to prevent and suppress major wild land and urban fire destruction.

Policy EM-31 Landscaping: Encourage drought-resistant, rodent-resistant, and fire-resistant plants to reduce water use, prevent erosion of soils, improve habitat, lessen fire danger, and minimize degradation of resources.

### Police Services

The Berkeley General Plan does not identify policies regarding police services.

### Schools, Parks, and Recreation

Berkeley General Plan policies related to schools, parks, and recreation include:

Policy LU-40: Continue to support maximum opportunities for citizen use of libraries and recreational facilities, the maintenance of the hill lands as open space and the adoption of campus development standards and policies to conserve and enhance present open space resources.

Policy OS-4 Working with Other Agencies: Work with the Berkeley Unified School District, the University of California, the East Bay Municipal Utility District, and the East Bay Regional Park District to improve, preserve, maintain, and renovate their open space and recreation facilities.

### City of Oakland General Plan

The Oakland General Plan Land Use and Transportation Element (LUTE) was approved in March 1998, and the OSCAR Element was approved in 1995 (City of Oakland 1998a and 1995). In addition to policies included in the Oakland General Plan, and listed below, the EIR for the LUTE included mitigation measures to reduce potential impacts on public services to a less than significant level. The mitigation directs the City to consider the availability of public services (police and fire protection services, park and recreation services, and schools) in the affected areas as well as the project's impact on current service levels (City of Oakland 1998b). General Plan policies relating to public services include the following:

### Fire Protection Services

Oakland General Plan policies pertaining to fire protection include:

LU Policy N13.1: The development of public facilities and staffing of safety related services, such as fire stations, should be sequenced and timed to provide a balance between land use and population growth and public services at all times. (LUTE)

Policy CO-10.2: As determined necessary by the City, require individual property owners and developers in high hazard areas to reduce fire hazards on their properties through a range of preventative measures. Landscaping and site planning in these high hazard areas should minimize future wildfire hazards. (OSCAR Element)

#### Police Services

Oakland General Plan policy regarding police services includes LU Policy N13.1 (see above).

#### Schools, Parks, and Recreation

The Oakland General Plan does not contain policies regarding schools. General Plan OSCAR Element policies related to parks and recreation include:

Policy REC-3.1: Use level of service standards of 10 acres of total parkland and 4 acres of local-serving parkland per 1,000 residents as a means of determining where unmet needs exist and prioritizing future capital investments.

Policy REC-3.2: Follow a systematic process in allocating park and recreation funds. In general, allocate the greatest expenditures to those areas with the greatest unmet needs and place a priority on projects that maximize reductions in deficiency for the amount of money spent. However, maintain the flexibility to consider such factors as site opportunities, the availability of grants or matching funds, and linkages to other kinds of projects.

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-4.1: Provide for ongoing, systematic maintenance of parks and recreational facilities to prevent deterioration, ensure public safety, and permit continued public use and enjoyment.

Policy REC-6.1: Promote joint use agreements and similar arrangements between the City, the Oakland Unified School District, and other public agencies to maximize the use of school and other non-park recreational facilities during non-school hours.

Policy REC-6.2: Encourage public-private partnerships as a means of providing new recreational facilities on privately-owned sites. Promote joint use partnerships with local churches, private recreational service providers, and local non-profits.

Policy REC-6.3: In areas where park deficiencies exist, pursue recreational use of open space at surplus schools, military bases, utility and watershed properties, and transmission and transportation corridors. Recreational uses in such locations should not conflict with the functional use of the property and should be compatible with prevailing environmental conditions.

Policy REC 7-1: Provide diverse recreational activities for all ages, with a progression of programs from youth to adulthood. Equitably distribute programs throughout all Oakland neighborhoods.

Policy REC-10.1: Continue to provide General Fund support for park and recreational services, acknowledging the importance of these services to the quality of life in Oakland.

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, 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.

Policy OS-2.5: Increase the amount of urban parkland in the seven flatland planning areas, placing a priority on land in areas with limited public open space, land adjacent to existing parks, land with the potential to provide creek or shoreline access, land with historical or visual significance, land that can be acquired at no cost or reduced cost, land in areas with dense concentrations of people or workers, and land that is highly visible from major streets or adjacent to public buildings.

#### 4.11.4 Impacts and Mitigation Measures

##### Significance Criteria

The impact of the proposed project on public services and recreation would be considered significant if it would exceed the following Standards of Significance, in accordance with Appendix G of the CEQA Guidelines and the UC CEQA Handbook:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
  - Fire protection;
  - Police protection;

- Schools; or
- Parks or recreational facilities.
- 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.

## Project Impacts and Mitigation Measures

**CRT Impact PUB-1:** The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities in order to maintain acceptable service ratios, response times, or other performance objectives, the construction of which could cause significant environmental impacts. (Less than Significant)

Implementation of the proposed project would increase the potential need for emergency fire services. LBNL would continue its contract to ensure equipment, materials and training are sufficient to maintain fire protection service levels for the proposed project. Any small increase in the number of calls related to the implementation of the proposed project could be accommodated without additional staff or facilities. Additionally, the proposed project would be built to comply with applicable building and fire code requirements, and U.S. Department of Energy (DOE) standards, which would include, for example, the installation of automatic fire-sprinkler systems. Based on the current and expected demand for fire protection services and discussion with the ACFD (LBNL 2007), it is not anticipated that implementation of the proposed project would result in the need for new facilities, staff or equipment to provide adequate fire protection. Therefore, impacts of the proposed project with respect to new or physically altered fire protection facilities or services would be less than significant.

**Mitigation Measure:** No project-level mitigation measure required.

**CRT Impact PUB-2:** The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities in order to maintain acceptable service ratios, response times, or other performance objectives, the construction of which could cause significant environmental impacts. (Less than Significant)

Construction of the proposed project and the additional staff and students associated with the proposed project would increase the potential need for police protection services. Police services are provided through the UCPD and a private on-site security firm on a contract basis. The private security firm is responsible for on-site security needs including access to the LBNL site, property protection, and traffic

control, and can respond to any road accessible area of LBNL in less than five minutes. Under the existing contract, UCPD responds to LBNL as needed, and response times for UCPD are also less than five minutes. Based on the historic average of calls (approximately 10 calls per year), implementation of the proposed project would not noticeably increase the number of calls for police services. There would be an increased demand for on-site security, which would be addressed in the contract for services between the LBNL and the private security provided, to ensure adequate police protection for the on-site population. Based on the estimated demand for police services and discussion with LBNL, it is not anticipated that implementation of the proposed project would result in the need for new facilities, staff, or equipment to provide adequate police services. Therefore, impacts of the proposed project with respect to new or physically altered police protection facilities and services would be less than significant.

Mitigation Measure: No project-level mitigation measure required.

CRT Impact PUB-3: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities in order to maintain acceptable service ratios or other performance objectives, the construction of which could cause significant environmental impacts. (Less than Significant)

The proposed project would not develop residential uses and therefore would not directly generate new student enrollment in the BUSD or OUSD (or other school districts). However, project-related increases in employees could draw more families with school-aged children to the LBNL commute area and project-related households could relocate to the cities of Berkeley and Oakland as a result of new employment generated by implementation of the proposed project. School-aged children in these households would attend BUSD or OUSD schools.

As discussed in Section 4.10, Population and Housing, the CRT project could add up to 165 new staff and students that would be associated with the proposed project and would be “new” to the Berkeley Lab site. Based on current residential trends for LBNL employees, approximately 35 percent (58) of the new staff would be Berkeley residents and approximately 14 percent (23) would be Oakland residents (ABAG 2007). These new persons would not add substantially to the total population of Berkeley or Oakland, and the population added by the project to any other individual city within the Bay Area would likely be a smaller percentage of the new persons. It is unlikely that all 165 new persons would have children or school-aged children. Furthermore, a portion of the new employees may not relocate and would therefore not add any students to the BUSD or OUSD. It is likely that new students associated with employees of the proposed project could be accommodated in existing school facilities in the BUSD and OUSD and would not require the construction of new school sites. In addition, overall student

enrollment in elementary and secondary schools has been declining from year to year since 2001 in both the BUSD and OUSD (LBNL 2007). Therefore, it is not anticipated that implementation of the proposed project would result in the need for new or physically altered public school facilities. The proposed project would therefore have a less than significant impact on schools.

Mitigation Measure: No project-level mitigation measure required.

CRT Impact PUB-4: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered park or recreational facilities in order to maintain acceptable service ratios or other performance objectives, the construction of which could cause significant environmental impacts. (Less than Significant)

The proposed project does not include housing development and thus would not directly generate an increase in population that could affect local park or recreational facilities. The proposed project could have indirect effects on parks and recreational facilities related to an increase in employees that could draw more residents into the area and could thus increase demand for such facilities. As discussed in Section 4.10, Population and Housing, the CRT project could add up to 165 new staff and students that would be associated with the proposed project and would be “new” to the Berkeley Lab site. Based on current residential trends for LBNL employees, approximately 35 percent (58) of the new staff would be Berkeley residents and approximately 14 percent (23) would be Oakland residents (ABAG 2007). These new persons would not add substantially to the total population of Berkeley or Oakland, and the population added by the project to any other individual city within the Bay Area would likely be a smaller percentage of the new persons. Based on the parkland ratios established by the cities of Berkeley and Oakland, the project could generate a demand for an increase of 0.3 acre of parkland in Berkeley and an increase of 0.2 acre of parkland in Oakland. The additional demand for parks and recreational facilities thus would not require the provision of significant additional parkland or recreational facilities in order to meet service ratios.

Construction of new housing is anticipated in Berkeley, Oakland, and elsewhere in the next 20 years, based on current projections by the Association of Bay Area Governments (ABAG). Projections generated by ABAG are relied upon for preparation of city and county general plans. Under the City of Berkeley and the City of Oakland planning process, planned residential uses in each city would be subject to the City’s zoning ordinance and general plan policies. While significant environmental impacts from the development of parkland in urban areas are generally not anticipated, the environmental review processes of the cities of Berkeley and Oakland, and other jurisdictions, would ensure that environmental impacts associated with the development of residential projects and their demand for recreational

facilities, as well as the development of recreational facilities themselves, are mitigated to the maximum extent feasible. It would be speculative to assume that there would be significant and unavoidable impacts from the development of parks or recreation facilities in the region.

Mitigation Measure: No project-level mitigation measure required.

CRT Impact PUB-5: The proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. (Less than Significant)

As discussed under CRT Impact PUB-4 above, the proposed project could indirectly add up to 165 new residents to the Bay Area. These new residents may use regional and local parks and recreational facilities throughout the Bay Area. While employees working at the proposed project site could use City-owned recreation facilities in Berkeley and Oakland, the increase in number of users would be very small relative to existing conditions, and usage would be dispersed across facilities in other Bay Area cities where new Berkeley Lab employees may live. The proposed project's employees would also have access to facilities on the UC Berkeley campus. It is not expected that this magnitude of increased use of local or regional parks or recreational facilities would be great enough to cause substantial physical deterioration. Therefore, the project's impact with respect to this criterion is considered less than significant.

Mitigation Measure: No project-level mitigation measure required.

#### 4.11.5 References

- Association of Bay Area Governments. 2007. ABAG Projections 2007. June. <<http://www.abag.ca.gov/planning/currentfcst/regional.html>>
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