

HARBOR BAY NEIGHBORS' RESPONSE TO THE CITY OF ALAMEDA'S  
INITIAL STUDY on  
HARBOR BAY RESIDENTIAL AND ATHLETIC CLUB PROPOSAL

**October 2013**

The comments in this document refer to Section 5 of the 208 page Initial Study by Atkins, titled "City of Alameda Harbor Bay Residential & Athletic Club Project Initial Study," dated September 2013.

**Section 5** Evaluation of Environmental Impacts

**I EVALUATION PROCESS**

**INITIAL COMMENT:** Throughout the Initial Study, the current location of the Harbor Bay Club (HBC) is repeatedly referred to as the "Harbor Bay Residential," or "Harbor Bay Residential Site." Such references are erroneous, as the property on which the HBC currently stands is not zoned "Residential," but rather "C-2/PD Commercial Planned Development." Since Harbor Bay Isle Associates (HBIA) would need to overcome several barriers before this site could be rezoned to residential use, reference should be to the "Proposed Harbor Bay Residential site." Note that the proposed Harbor Bay Athletic Club site is zoned Commercial Manufacturing/Planned Development. It too must overcome several barriers and should be referred to as the "Proposed Harbor Bay Athletic Club site."

**II. AESTHETICS**

**II. (a) Would the Project: have a substantial adverse effect on a scenic vista?**

**Conclusion: "Less than Significant Impact"**

Comment: The study argues that there are no views from "public parks, plazas, or other public areas" that would be impacted by the proposed project and that it would have a less-than-significant impact on any "scenic vista," as defined.

While we agree, the study also notes that the "General Plan City Design Element Policy 3.2.a" encourages maximization of shoreline views. The public and private views will substantially change due to loss of the Harbor Bay Club itself, and loss of views from the Bay Farm Bridge and Pedestrian Walkway, as well as for persons using the Bay Farm Shoreline Trail, for boaters on the estuary, and for residents of Centre Court and Brittany Landing the Harbor, immediately south and west of the Harbor Bay Club. Views would meet the criteria to be maximized only if the Harbor Bay Club remains in its current location and is not replaced by dense housing development.

Maintaining the current zoning of Commercial Planned Development would be an acceptable alternative to meet the City's objective. But tearing down the Harbor Bay Club and selling the property to developers to build 80 two- and three-story homes in its place would have exactly the opposite effect. A view of densely-spaced, two- and three-story homes instead of tennis courts, a waterfront swimming pool, club house and mature landscaping would destroy the aesthetics of the view in all directions and provide no open space along the Shoreline Trail

from the start at Veteran's Court until several hundred feet west to the turf setback area adjoining Brittany Landing the Bay homeowner association.s

It is important to remember that the Community of Harbor Bay Isle Owners Association (CHBIOA) has a View Preservation rule (see CHBIOA 2011/2012 Architectural and Landscape Guidelines, p. 18). The rule would be violated by placing two- and three-story homes on the proposed Harbor Bay Club Residential site. The guidelines state that a current view cannot be blocked with new structures or planting. A 35-foot to 40-foot wall of homes along the north property line of Centre Court would significantly block and thus alter the existing views of Centre Court residents and their feeling of open space.

For Centre Court residents, living in a very dense environment is made tolerable by the open space that the current club provides. Centre Court residents have a view of trees and open sky; they can see through the club facilities to the estuary and to the main island beyond. That sense of openness would be lost, if it were replaced with a wall of homes starting at the Centre Court property line and continuing to the shoreline. This is a serious quality of life issue.

**II. (b)** Would the project: substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

*Conclusion: "No Impact"*

Comment: We agree that the proposed Project may have "no impact" on scenic resources within a State Scenic Highway, as defined.

**II. (c)** Would the project: substantially degrade the existing visual character or quality of the site and its surroundings?

*Conclusion: "Potentially Significant Impact"*

Comment: We agree there is a potentially significant impact.

For the general public, the proposed Project will substantially degrade the existing character and quality of both Project sites and their surroundings in visually-prominent areas and will substantially adversely impact the visual unity of those areas from roadways and from adjacent residential neighborhoods. sThe density created by the proposed plan of 80 additional homes would be greater than the density of any other shoreline housing development in Harbor Bay Isle.

For Harbor Bay Club members, the change in visual character and quality of a club that moves from the waterfront to a business park cannot be overstated. No longer would club members have extended views of the San Francisco waterfront, San Francisco Bay, and the Harbor Bay Shoreline Trail. The proposed move would replace the present shoreline views with residential use. And the present club users would lose the shoreline view. Harbor Bay Club users would see commercial uses only in the proposed business park location. Club members should be surveyed to determine how the view changes will affect them, and whether they would remain members if the club moves to the proposed business park location.

For association residents adjacent to the existing club, particularly Centre Court, the degradation in visual character and quality would be the greatest. Centre Court residents currently have tranquil views and sounds from tennis courts and a swimming pool; they overlook mature trees and the estuary beyond. The adverse impact of replacing that view with three-story houses closely spaced near Centre Court homes, cutting off light and privacy that residents have enjoyed for 30 years and were told they would enjoy in perpetuity as a Planned Unit Development, will substantially degrade the existing visual character and quality of the site and surroundings.

**II. (d)** Would the project: create a new source of substantial light or glare that would

adversely affect day or nighttime views in the area?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that the proposed Project will create new and objectionable sources of substantial light and glare that will not only adversely affect day and nighttime views in adjacent residential areas, but will also impair the right of nearby residents to the peaceful enjoyment of their homes and surroundings.

### III. AGRICULTURE / FORESTRY RESOURCES

III. (a) Would the project: convert prime farmland, unique farmland, or farmland of statewide importance (farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

Conclusion: *"No Impact"*

Comment: As farmland is defined, we agree that the proposed project would not convert prime farmland to nonagricultural use.

III. (b) Would the project: conflict with existing zoning for agricultural use or with Williamson Act contract?

Conclusion: *"No Impact"*

Comment: We agree that the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract as defined. On the contrary, it would increase urban density.

III. (c) Would the project: conflict with existing zoning for forest land, etc.

Conclusion: *"No Impact"*

Comment: While we agree that the proposed project would not conflict with existing zoning for forest land, note the comment in III. (d).

III. (d) Would the project: result in the loss of forest land or conversion of forest land to non-forest use?

Conclusion: *"No Impact"*

Comment: We agree that the proposed project would not result in the loss or conversion of forest land. However, the Community of Harbor Bay Isle Owners Associations maintains an "urban forest" as described in the CHBIOA 2011/2012 Architectural and Landscape Guidelines, Section 3 Plant Guidelines, p. 22:

**"HARBOR BAY ISLE'S ORIGINAL LANDSCAPE DESIGN INTENT:** "In the mid-1970s, when Doric Development conceived the master development plan for the Community of Harbor Bay Isle, a number of design decisions were made which are vital to the aesthetic appeal and property values in our unique surroundings.

"The overall landscape design concept was determined to be an urban forest. Sketches, blueprints and plant lists were drawn which represented the landscape architect's ideal vision of pedestrian and bike trails looping around a centralized lagoon system.

“Because of the urban forest concept, and a water conservation strategy, which Doric Development and the City of Alameda envisioned, trees became the major focus to which other plant materials would become secondary. . . .” Trees removed within the Community of Harbor Bay Isle generally must be diseased, and each is required to be replaced by an equivalent tree. The 128 mature trees at the existing Harbor Bay Club must be inspected and a report filed, to avoid resulting in a loss of the Community’s mature urban forest.

**III. (e)** Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?

Conclusion: *“No Impact”*

Comment: We agree that the proposed project would not involve changes in the existing environment that could result in conversion of farmland, as defined.

#### **IV. Air Quality**

**IV. (a)** Would the project: conflict with or obstruct implementation of the applicable air quality plan?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree that the proposed project will conflict with the applicable air quality plan and will have a significant adverse effect for residential associations adjacent to both Project sites. Construction activities on the proposed Harbor Bay Residential site will require the destruction of all club property, including buildings, 19 tennis courts, a swimming pool, and outdoor play areas.

This level of destruction cannot be done without destroying trees and other landscaping planted at the site years ago, disturbing substantial amounts of earth, roots, rock, and potentially the stability of the underlying groundwork. sAir quality during the destruction process and the projected construction of 80 additional homes would create a substantial health hazard to persons living in, going to school in, working near, or passing through the surrounding areas.

**IV. (b)** Would the project: violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree that the proposed project would have a significant adverse impact on and violate existing air quality standards. For the reasons cited in the Initial Study, the proposed project will create a substantial health hazard to persons living in, working near, and passing through the surrounding areas. For individuals playing tennis or participating in other outdoor activities, there would be a violation of the air quality. Changes to both proposed project sites should be forecast in professional air quality studies.

After the projects were completed, both sites would be adversely affected by the increase in traffic emissions at their respective locations.

**IV. (c)** Would the project: result in a cumulatively considerable net increase of any

criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

Conclusion: *"Potentially Significant Impact"*

Comment: For the reasons cited in the Initial Study, we agree that the proposed project will have a significant adverse impact and will create a substantial health hazard to persons living in, going to school and playgrounds in, working near, and passing through the surrounding areas.

**IV. (d)** Would the project expose sensitive receptors to substantial concentrations?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that the proposed project will subject persons living or going to school in, working near, enjoying playgrounds, and passing through adjacent and nearby areas to intolerable levels of pollutant concentrations and emissions and have the potential of causing long-term medical problems from such exposure. Studies are necessary.

**IV. (e)** Would the project: Create objectionable odors affecting a substantial number of people?

Conclusions: *"Less-than-Significant Impact"*

Comment: We disagree. The proposed project will subject persons living, working, going to school, and participating in outdoor activities in or near the proposed project sites to objectionable odors affecting a substantial number of people and have the potential of causing medical problems from such exposure.

## **V. BIOLOGICAL RESOURCES**

**V. (a)** Would the project: have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that the project would have a potentially significant impact on species identified as candidates, sensitive or special-status through habitat modification of the proposed Harbor Bay Residential Site. For the proposed Harbor Bay Athletic Club site, the Initial Study states that the sproject would have no impact.

This determination fails to account for potential raptor feeding patterns and locations. Just as the Harbor Bay Residential Site analysis takes into account the potential raptor nesting habitats, the analysis regarding the potential club site should take into account the small mammal population of the undeveloped site and whether removal of that population will affect raptors such as Cooper's Hawks. The proposed club project would result in the permanent removal of a large tract of small mammal habitat and this removal may represent a potentially significant impact.

**V. (b)** Would the project: have a substantial adverse effect on any riparian habitat or

other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Conclusion: *"Less-Than-Significant Impact"*

Comment: We disagree that the impact is less than significant. The study fails to take into account the distance into the bay that the plans for the proposed Harbor Bay Residential site encroach into San Leandro Channel.

From its inception, the footprint of the Harbor Bay Club was miscalculated such that it extends into the 100 foot public access setback required by and enforced by the Bay Conservation and Development Commission (BCDC). The initial removal of public access has negatively impacted the shoreline habitat for migratory birds in their flyover path. If 80 homes are built within the same space, migratory bird flyover habitat will be further diminished due to the density of the built-up environment. Instead of further compounding this negative impact, the natural wetlands that border the Harbor Bay Club should be restored to their original state.

**V. (c)** Would the project: have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Conclusion: *"No Impact"*

Comment: We agree that there may be no impact on federally protected wetlands as defined. However, a firm confirmation of the status of the San Leandro Channel should be included.

**V. (d)** Would the project: interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Conclusion: *"Less Than Significant Impact"*

Comment: There may be a potentially substantial negative impact. First, it is necessary to undertake a thorough study of native resident and migratory fish and wildlife species, as well as established native resident and migratory wildlife corridors, and native wildlife nursery sites on and adjacent to the current Harbor Bay Club site. None has been presented for review.

There may be a potentially substantial negative impact to the native small mammal species that currently live and breed on and adjacent to the current Harbor Bay Club site. Impacts on native small mammal species must be studied to answer this question.

**V. (e)** Would the project: conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that the Harbor Bay Residential site plan may remove all 128 trees from that location and therefore results in a potentially significant impact.

**V. (f)** Would the project: conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Conclusion: *"No Impact"*

Comment: A Habitat Conservation Plan may or may not exist for the current proposed Harbor Bay Residential site. Given this sensitive shoreline area, a Habitat Conservation Plan and Natural Community Conservation Plan should be studied, written, adopted and implemented.

## **VI. CULTURAL RESOURCES**

**VI. (a)** Would the project: cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Conclusion: *"No Impact"*

Comment: We disagree that the project would have no impact on an historical site. Although Veterans Memorial Park may not be an *historical resource* as defined in Section 15064.5, the park has historical significance as a place to honor veterans of foreign wars. The Park has many plaques and benches dedicated to veterans and its landscaping is specifically designed as a symbol to service men and women.

The Park may be significantly adversely impacted by the construction of 80 additional homes immediately adjacent to it on current Harbor Bay Club property. Those homes would attract new residents to seek off-site parking on Veteran's Court. It provides closer access than driving up Packet Landing. Furthermore, increased foot traffic can be expected as a shortcut through Veteran's Memorial Park by adults and children, and may create an increased risk of damage to its structures of historical significance, its public areas, and its landscaping.

**VI. (b)** Would the project: cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?

Conclusion: *"Potentially Significant Impact"*

Comment: While currently no archaeological resources have been identified, we agree that there is a potentially significant impact were archaeological resources to be discovered during either the destruction of the Harbor Bay Club property or the development of any structures in its place.

**VI. (c)** Would the project: directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Conclusion: *"Potentially Significant Impact"*

Comment: It is well known that both project sites are on filled lands that were extensively disturbed. Should further disturbance of the fill unearth paleontological resources, it risks a potentially significant impact.

**VI. (d)** Would the project: disturb any human remains, including those interred outside of formal cemeteries?

Conclusion: *"Less Than Significant Impact"*

Comment: While currently no human remains have been identified at the Project sites, the discovery of such remains, such as those of indigenous Indians, during the destruction of structures on the proposed Harbor Bay Resident site or the construction of structures on that site would create a significant adverse impact on site completion.

## VII. GEOLOGY / SOILS

**VII.** Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

**VII. (a)(i)** Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Conclusion: *"less-than-significant impact"*

Comment: We agree that the impact may be less than significant, until the Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area and on other substantial evidence of a known fault should be studied for a definitive answer.

**VII. (a) (ii)** [Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death] involving: strong seismic ground shaking?

Conclusion: *"less-than-significant impact"*

Comment: We disagree that the impact would be less than significant. Instead, it is potentially significant. Substantial ground shaking occurred during the Loma Prieta event despite the fact that Harbor Bay residents are outside of the Alquist-Priolo Zone. That zone is merely a setback from known active faults to prevent damage from surface rupture.

**VII. (a)(iii)** [Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death] involving: seismic-related ground failure, including liquefaction?

Conclusion: *"less-than-significant impact"*

Comment: We disagree that the impact would be less than significant. During the Loma Prieta earthquake of 1989, significant liquefaction occurred in the area of the proposed Harbor Bay Athletic Club site.

**VII. (a)(iv)** [Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death] involving: landslides?

Conclusion: *"less-than-significant impact"*

Comment: We are unaware of any potential substantial adverse effect due to landslides.

**VII. (b)** Would the Project: result in substantial soil erosion or the loss of topsoil?

Conclusion: *"Less-than-significant impact"*

Comment: We are unaware of any potential substantial adverse effect.

**VII. (c)** Would the Project: be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Conclusion: *"less-than-significant impact"*

Comment: We do not agree that the impact would be less than significant. During the Loma Prieta earthquake of 1989, significant liquefaction occurred in the area of the proposed Harbor Bay Athletic Club site.

**VII. (d)** Would the Project: be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code [1994], creating substantial risks to life or property?

Conclusion: *"less-than-significant impact"*

Comment: We agree that there is no *expansive soil* in the project, as defined in Table 18-a-B of the Uniform Building Code [1994].

**VII (e)** Would the Project: have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Conclusion: *"No impact"*

Comment: We agree that this may not be an issue.

## **VIII. GREENHOUSE GAS EMISSIONS**

**VIII. (a)** Would the Project: generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree there will be a potentially significant impact, and that both projects will increase greenhouse gases. On Packet Landing and Island Drive alone, the addition of approximately 150 cars idling in log-jammed morning rush hour traffic for up to 20 minutes, inching toward the Bay Farm Island Bridge, would significantly increase greenhouse emissions.

**VIII. (b)** Would the Project: conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree with the finding. Both projects will impact the City of Alameda's Local Action Plan to reduce greenhouse gas emissions. They also contradict the City of Alameda's goal based on its General Plan to de-emphasize the automobile: In a city where almost every street is a residential street, it is not surprising that increased traffic is seen as a major threat to the quality of life. The General Plan commits Alameda to vigorous support of transit improvements, ferry service, reduction of peak-hour use of single-occupant vehicles, and an enjoyable pedestrian environment.

Traffic volume is one of the key concerns for Alameda residents, and the TMP recognizes that our city cannot reduce traffic volumes while approving projects that contribute to the congestion on Bay Farm Island during peak hours. To summarize, congestion should be

reduced where possible in order to promote efficient circulation, as well as improved transit operations. The level of congestion that is acceptable should be determined through the thresholds (LOS) for different modes of transportation and balanced against neighborhood livability issues.

The Harbor Bay Club in its current location is accessible by pedestrians and bicycles through an interconnected system of lagoon paths and shoreline trails. The proposed re-location of the Harbor Bay Club would require most present users, including children, to use private vehicles. This will increase traffic and contribute to more greenhouse gas emissions.

## **IX. HAZARDS / HAZARDOUS MATERIALS**

**IX. (a)** Would the project: create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Conclusion: *“Less than Significant Impact”*

Comment: If landfill off-haul occurs incidental to the construction of the proposed Harbor Bay residential site, soil samples must be analyzed prior to site construction to characterize the soil composition and identify potential pollutant levels. The original dredging source may have been contaminated. The HBI landfill occurred during the 1960s, predating the 1970 creation of and environmental control by the Environmental Protection Agency (EPA).

**IX. (b)** Would the Project: create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree with the finding. There are potential asbestos and lead sources depending on the construction date of the existing site. The proposed Harbor Bay residential site is in a high wind area. Consequently, it is extremely important to keep the identified pollutants contained onsite and off-hauled in accordance with Federal, State, and local regulations. Two densely populated residential developments and an elementary school are in the nearby vicinity.

**IX. (c)** Would the Project: emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

Conclusion” *“Potentially Significant Impact”*

Comment: We agree with this finding. Due to the proximity of a school, the issue will be discussed in the EIR. Hazardous emissions or the handling of hazardous or acutely hazardous materials are not expected, but pollutants may exist in the dredging substances that were used to fill the land. The landfill predates environmental regulations of the 1970s.

**IX. (d)** Would the Project: be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Conclusion: *“Less than Significant Impact.”*

Comment: We agree with the finding. We request analysis of recent soil samples collected from the proposed Harbor Bay residential site, in order to rule out significant hazard to the public or the environment.

**IX. (e)** If located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the project area?

Conclusion: *"Potentially Significant Impact."*

Comment: We agree with the finding. A portion of the proposed Harbor Bay Athletic Club site is located within the Inner Turning Safety Compatibility Zone, and as such, a potentially significant impact may occur. Airplane noise and air traffic zones are significant safety issues.

See Oakland Airport Land Use Guidelines and the Alameda Sun letter to the editor, Look Out Below, <http://www.alamedasun.com/editorial/12453-letters-to-the-editor>.

**IX. (f)** If within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the project area?

Conclusion: *"No Impact."*

Comment: We agree with this finding. There is no private airstrip nearby either project.

**IX. (g)** Would the Project: impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Conclusion: *"No Impact."*

Comment: We strongly disagree with this finding. At the proposed Harbor Bay Residential site alone, current, routine, emergency vehicle maneuverability is limited to ingress and egress on Packet Landing. Should a major emergency such as a large fire, earthquake or flooding occur, traffic from nearly 300 residences and an elementary school would cause chaos on Packet Landing that would effectively prevent emergency vehicles from responding. Adding an estimated 150 vehicles trying to enter or exit Packet Landing from an the proposed 80 homes would result in no possibility of successful evacuation.

Emergency ingress and egress to Centre Court residences is technically possible through a gate that exists at the end of Centre Court and opens onto Veteran's Court. That gate has been locked since the association was constructed over 30 years ago. Even assuming emergency responders had the keys, it is foreseeable that use of Veteran's Court would be limited if not completely blocked due to the number of vehicles trying to exit and the fact that vehicles may not turn left at the end of Veteran's Court onto Island Drive to leave the island.

**IX. (h)** Would the Project: expose people or structures to a significant risk of loss, injury, or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?

Conclusion: *"Less than Significant Impact."*

Comment: We agree with this finding as it applies to wild land fires.

**IX. (i)** Would the Project: alter wind in a manner that substantially affects public areas?

Conclusion: *"Less than Significant Impact."*

Comment: We disagree that the impact would be less than significant. This development will decrease open space within the five villages and will increase housing density. Additional dense housing with two- and three-level residential units at the proposed Harbor Bay Residential site may create wind tunnels that affect residential units in Centre Court. A wind and pedestrian study must be conducted to include the impact on residents and other pedestrians.

## **X. HYDROLOGY / WATER QUALITY**

**X. (a)** Would the Project: violate any water quality standards or waste discharge requirements?

Conclusions: *Less-than-significant Impact*

Comment: We agree, the Permit process is established in the initial study.

**X. (b)** Would the Project: substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

Conclusion: *“Less-than-significant Impact”*

Comment: We believe that additional information is required to answer this question. For example, the stress impact of 80 two- and three-story homes at the proposed Harbor Bay Residential site may negatively impact the stability of the landfill. Modeling studies need to be included in the EIR.

**X. (c)** Would the Project: substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on or off site?

Conclusion: *“Less-than-significant Impact”*

Comment: We agree, the proposed development of the Harbor Bay Residential site may not alter existing drainage. However, the replacement of existing green areas (softscape) with hardscape may create more run-off, thus potentially overloading the existing storm drain system.

**X. (d)** Would the Project: substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off site?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree with the finding. A flood could occur if the storm drain system is inadequate and overloaded due to the lack of green space at the proposed Harbor Bay Residential site. Modeling studies and analysis need to be included in the EIR.

**X. (e)** Would the Project: create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree with the finding. Both proposed projects may increase storm water runoff. Modeling studies and analysis need to be included in the EIR.

**X. (f)** Would the Project: otherwise substantially degrade water quality?

Conclusion: *“Less-than-significant Impact”*

Comment: We agree. The handling of construction dewatering and ground water has been previously detailed.

**X. (g)** Would the Project: place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Conclusion: *“No Impact”*

Comment: While the Project may not place housing within a 100-year flood hazard area as currently mapped, we strongly believe that housing may be within a 100-year flood hazard were maps to be brought up to date so that they are accurate. See BCDC projections below:

### **San Francisco Bay Conservation and Development Commission (BCDC)**

The BCDC’s jurisdiction over San Francisco Bay extends over Bay tidal areas up to the mean higher tide level<sup>1</sup>, including all sloughs, and in marshlands up to five feet above mean sea level; a shoreline band consisting of territory located between the shoreline of the Bay and 100 feet landward and parallel to the shoreline; salt ponds; managed wetlands (areas diked from the Bay and managed as duck clubs); and certain waterways tributary to the Bay.

BCDC jurisdiction and policy covers the area from the shoreline to 100 feet back to provide public access along the shoreline. Typically BCDC requires public access, a Bay Trail, assurances about preventing or limiting storm water pollution, landscaping requirements, and others.

New BCDC climate change policies require project proponents to put together a sea level rise assessment – of how their project (and specifically the public access element) will be able to adapt to rising tides.

Applying this concept to the Harbor Bay proposed home development, using this concept of sea level rise assessment is necessary to get a new and accurate measurement of the mean higher tide location. See recent articles on SFGate.com about the effect of sea level rise on the proposed Alameda Point Project.<sup>2</sup> See the current BCDC amended San Francisco Bay Plan for the complete text of sea level rise policies. Selected text from the BCDC webpage is cited below.

### **New Sea Level Rise Policies Fact Sheet**

The San Francisco Bay Conservation and Development Commission (BCDC) updated the *San Francisco Bay Plan* in October 2011 to deal with the expected impacts of climate change in San Francisco Bay. The new and revised Bay Plan policies are summarized below:

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<sup>1</sup> Mean higher tide is the average of the high tide levels, not the average of all tides.

<sup>2</sup> <http://www.sfgate.com/science/article/Alameda-Point-studies-threat-of-rising-sea-level-4840453.php>

- **Risk Assessments:** Sea level rise risk assessments are required when planning shoreline areas or designing larger shoreline projects. If sea levels rise and storms that are expected to occur during the life of the project would result in public safety risks, the project must be designed to cope with flood levels expected by mid-century. If it is likely that the project will remain in place longer than mid-century, the applicant must have a plan to address the flood risks expected at the end of the century.
  - Risk assessments are NOT required for repairs of existing facilities, interim projects, small projects that do not increase risks to public safety, and infill projects within existing urbanized areas.
  - Risk assessments are ONLY required within BCDC's jurisdiction.
  - Risk assessments for projects located only in the shoreline band, an area within 100 feet of the shoreline, need only address risks to public access.
- **Sea Level Rise Projections:** Risk assessments must be based on the best estimates of future sea level rise. The California Climate Action Team's sea level rise projections, ranging from 10-17 inches at mid-century and 31-69 inches at the end of the century, currently provide the best available sea level rise projections for the West Coast. However, scientific uncertainty remains regarding the pace and amount of future sea level rise, and project applicants may use other sea level rise projections if they provide an explanation.
- **Protecting Existing and Planned Development:** Fill may be placed in the Bay to protect existing and planned development from flooding as well as erosion. New projects on fill that are likely to be affected by future sea level rise and storm activity during the life of the project must:
  - Be set back far enough from the shoreline to avoid flooding;
  - Be elevated above expected flood levels;
  - Be designed to tolerate flooding; or
  - Employ other means of addressing flood risks.
- **Designing Shoreline Protection:** Shoreline protection projects, such as levees and seawalls, must be designed to withstand the effects of projected sea level rise and to be integrated with adjacent shoreline protection. Whenever feasible, projects must integrate hard shoreline protection structures with natural features that enhance the Bay ecosystem, e.g., by including marsh or upland vegetation in the design.
- **Preserving Public Access:** Public access must be designed and maintained to avoid flood damage due to sea level rise and storms. Any public access provided as a condition of development must either remain viable in the event of future sea level rise or flooding, or equivalent access consistent with the project must be provided nearby.
- **Ecosystem Protection and Restoration:** Where feasible, ecosystem restoration projects must be designed to provide space for marsh migration as sea level rises.
- **Encouraging Resilient Development:** The policies encourage projects if their regional benefits, such as reducing carbon emissions by locating jobs and housing near public transportation, outweigh the risk from flooding. Projects that do not negatively impact the Bay and do not increase risks to public safety, such as repairs, small and interim projects, and parks, are also encouraged.

- **Preserving Undeveloped Areas:** The policies encourage preservation and habitat enhancement in undeveloped areas that are vulnerable to future flooding and contain significant habitats or species, or are especially suitable for ecosystem enhancement.
- **Regional Strategy.** The policies call on the Commission, working with other agencies and the general public, to develop a regional strategy for the following:
  - Protecting critical developed areas along the shoreline from flooding;
  - Enhancing the natural resources of the Bay by preserving existing habitat and identifying areas where tidal wetlands can migrate landward; and
  - Improving the ability of communities to adapt to sea level rise in ways that advance economic prosperity, social equity and environmental protection.

**Portion of the City of Alameda Point EIR Regarding Sea Level Rise**

Global climate change will likely result in sea level rise and could expose shoreline areas to flooding as well as affect the timing and amount of precipitation. Climate change is expected to result in more extreme weather events; both heavier precipitation events that can lead to flooding as well as more extended drought periods. According to the Intergovernmental Panel on Climate Change (IPCC), the average global mean sea level has increased by approximately 5.9 inches during the past 100 years (IPCC, 2007) and the global mean sea level could increase by 7 to 23 inches by 2099. The Pacific Institute (2009) found that over the past century, sea level has risen nearly 8 inches along the California coast, and general circulation model scenarios suggest very substantial increases in sea level as a significant impact of climate change over the coming century.

Based on a set of climate scenarios prepared for the California Energy Commission’s Public Interest Energy Research (PIER) Climate Change Research Program, Cayan et al. (2009) project that, under medium to medium-high emissions scenarios, mean sea level along the California coast will rise from 1.0 to 1.4 meters (m) by the year 2100. The 1.4-m rise in sea level along the California Coast could put large number of residents in Alameda County at risk, increasing the risk of inundation in a 100-year flood event (Pacific Institute, 2009). With sea level rise, the project site would be exposed to storm event flooding necessitating adaptive measures to reduce the risk of flooding (BCDC, 2013).<sup>3</sup>

**X. (h) Would the project: place within a 100-year flood hazard area structures that would impede or redirect flood flows?**

Conclusions: *“No Impact”*

Comment: We disagree. Without a current study to determine the extent of a 100-year flood hazard area on Harbor Bay Isle, it is not possible to predict whether the addition of 80 homes at the proposed Harbor Bay Residential site would impede or redirect flood flows. The very nature of the project suggests it would alter run-off patterns and redirect flood waters during heavy storm events.

**X. (i) Would the project: expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?**

Conclusion: *“No Impact”*

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<sup>3</sup> [http://alamedaca.gov/sites/default/files/department-files/2013-09-03/4i\\_hydro\\_water.pdf](http://alamedaca.gov/sites/default/files/department-files/2013-09-03/4i_hydro_water.pdf)

Comment: We strongly disagree.. Without a current study to determine the extent of a 100-year flood hazard area on Harbor Bay Isle, it is not possible to predict whether the addition of 80 homes at the projected Harbor Bay Residential site would sustain a significant risk of loss, injury or death involving flooding.

**X. (j) Would the project: (expose people or structures to) inundation by seiche, tsunami, or mudflow?**

Conclusion: *“Less-than-significant Impact”*

Comment: We disagree. Up-to-date studies are needed to determine the possibility of future exposure of people or structures to a seiche, tsunami, or mudflow.

## **XI. LAND USE PLANNING**

**XI. (a) Would the project: Physically divide an established community?**

Conclusion: *“Less-than-significant Impact”*

Comment: The study argues that the proposed residential use would be an extension of the existing residential development. We find that displacing the existing recreational use with more residential use has “a potentially significant impact” on the existing residential use.

The Community of Harbor Bay Isle suffered an actual reduction in recreational use acreage from 44 acres to 18.2 acres, a 59% reduction early in the development phase (*August 17, 1976, part of timeline at end of this document*). The 59% loss of club land and amenities was already an environmental loss, and removing the club from the Community of Harbor Bay Isle entirely would cause the complete removal of this scarce recreational resource.

Centre Court owners in particular were forced to forfeit recreational amenities such as a swimming pool, hot tub, and changing space that are present in similar residential developments within Harbor Bay Isle. The owner of the Harbor Bay Club signed an agreement in 1976 that in exchange for not providing 25.8 acres of recreational construction, the Harbor Bay Club would be the recreational center for all homeowner associations that had been planned and officially accepted as an integral part of the Master Plan for the Community of Harbor Bay Isle.

Since then, the present location of the Harbor Bay Club, as evidenced in part by the construction and daily use of a key-locked private gate from Centre Court into the Club, has established a special relation between Centre Court and the presently located Club.

In addition, hundreds of residential users are able to simply walk a few hundred yards from their homes to the Harbor Bay Club. That daily convenience will be lost forever if the Harbor Bay Club is moved to the Harbor Bay Business Park.

**XI. (b) Would the project: Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

Conclusion: *“Potentially Significant Impact”*

Comment: We agree with the finding of “Potentially Significant Impact.” In addition to the requirement for the City to change the City’s Comprehensive Land Use Plan, the proposal requires rezoning the land from commercial recreational use to medium density residential use up to three stories, and changing the Master Plan. Further, the applicant proposes to form a

new homeowners association and require the Community of Harbor Bay Isle Board to designate the proposed new neighborhood as part of the existing residential Village Three of Harbor Bay Isle (HBIA application, August 21, 2013, Narrative Statement, p.4). The impact of zoning that allows up to three [3] story buildings is not only visually significant, the plan takes a portion of the 100 foot public access that was literally a *taking* by the present owners.

The Bay Conservation and Development Commission has documented the *taking* by the private company that owns, operates, and built the existing club swimming pool in the public access space. The City of Alameda is on record in its planning documents to do the following:

“Work with BCDC staff to prepare a schematic plan for development of the 100-foot-wide strip above mean high tide on properties likely to require BCDC development approval. The schematic plan should provide for public access and provide shoreline streets wherever possible. Specific opportunities for shoreline streets should be identified. The plan should include design standards and guidelines for buildings, streets, pedestrian and bicycle routes, signage and landscaping.

“Bay Farm Island, Park Street Landing, and the San Leandro Bay shoreline east of the Aeolian Yacht Club demonstrate BCDC's ability to secure high-quality development of the shoreline for public use. Similar opportunities exist on portions of the Northern Waterfront.”

The purpose of reclaiming the 100 foot strip that was a *taking* of public access is to right the wrong that currently exists. Anyone who wishes to verify the potentially significant impacts should inspect the wooden boardwalk public access that extends over the submerged marsh land in front of the existing Harbor Bay Club swimming pool.

The marshland was represented by engineers employed by the present owner as an area above water. Specifically, the submerged area currently deprives nourishment to waterfowl during their semi-annual flight along the Pacific Coast flyway from Alaska to southern Mexico. The developer claimed that the area in front of the swimming pool and other portions of the club were not part of the reserved public access space. BCDC stated that this representation is false. However, after years of negotiation, BCDC issued a permit for the present recreational use that is contingent upon maintaining the recreational use. The permit shall be reviewed if the land use changes. Now that the owner requests a land use change to private residential zoning is the time to reclaim that land for public access.

**XI. (c) Would the project: Conflict with any applicable habitat conservation plan or natural community conservation plan?**

Conclusion: *“No Impact”*

Comment: The current City of Alameda General Plan is clear that the City intends to develop an applicable habitat conservation plan and natural community conservation plan. The fact that such a plan is not presently spelled out does not abnegate the potential impact.

## **XII. MINERAL RESOURCES**

**XII. (a) Would the project: Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

Conclusion: *“No Impact”*

Comment: We agree there may be no impact to a mineral resource.

**XII. (b)** Would the project: Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Conclusion: *"No Impact"*

Comment: We agree there may be no impact to a mineral resource.

### **XIII. NOISE**

**XIII. (a)** Would the project: Result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that there is a potentially significant impact and that an EIR is appropriate. New noise studies to measure the single highest and ambient noise generated in and near the proposed new Athletic Club location should be developed. Previous estimates show the noise levels to exceed the health and comfort level for adults and children who spend time outside, commensurate with the activities described by HBIA (see list at XIII. (c) below).

The noise generation that will be produced from these two projects will be excessive and will be severely intrusive on the current residents next door because of their close proximity to the construction. Regarding the proposed residential site, the noise will be extreme and will include demolition of the current club. Noise results from jackhammering 19 tennis courts and a basketball court. After that, the construction of 80 homes will create significant noise as well. This noisy construction will likely take over one year. There are hundreds of residents within a stone's throw of that intense noise who live immediately across the joint property line. Similarly for the new club, there are significant and similar noise issues and resident proximity near Catalina Avenue.

The EIR should not only address these noise sources and expected levels, but also require the plans to specifically address planned mitigation measures to maintain the quality of life of those living next to the projects.

**XIII. (b)** Would the project: Result in the exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that there is a potentially significant impact and that an EIR is appropriate. Similar to the noise generation issues discussed above, there will be significant and intrusive ground-borne vibration and noise levels that will be produced from these two projects. These ground-borne nuisances will be excessive and will be severely intrusive on the current residents next door because of their close proximity to the construction.

At the proposed residential site, the noise will be extreme and will include demolition of the current club, including the need to jackhammer 19 tennis courts and a basketball court. After that, the construction of 80 homes will create significant noise, too. This construction will likely take more than one year. There are hundreds of residents within a stone's throw of that

intense noise and vibration who live immediately across the property line. Similarly for the proposed new club, there are significant and similar noise issues and resident proximity.

The EIR should not only address these ground-borne vibration and noise sources and expected levels, but also require the plans to specifically address planned mitigation measures to maintain the quality of life of those living next to the proposed projects.

**XIII. (c) Would the project: Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

**Conclusion: "Potentially Significant Impact"**

Comment: We agree that there is a potentially significant impact and that an EIR is appropriate. Both proposed projects will create new and additional ambient noise levels. The most obvious is the new noise that will be created by the proposed club project. Currently, the piece of land desired to be used is an empty dirt lot. Harbor Bay Club currently advertises the planned amenities as follows:

1. *The new club will offer a world-class range of aquatics amenities featuring 3 swimming pools: an adults-only 25-meter lap pool; a large 25-meter family pool with removable starting platforms for swim team practices and an adjacent deep water area with diving board; and a full size children's pool. The adult lap pool will include an "adult zone" sunbathing and lounge area and offer natural sound and wind barriers from the family and children's pool areas. Poolside cabanas and a kid's splash pad & zone will also be added.*
2. *In addition to the 3 swimming pools, a large outdoor spa as well as large indoor spas in the men's and women's locker and dressings rooms will be included.*
3. *The main fitness center and club building will be 2-stories high, offer approximately twice the square footage of the current fitness center, lots of natural light and beautiful viewing areas of both inside and outdoor club features, plus provide additional wind screening to outdoor pool and court areas.*
4. *The tennis courts will have controlled access and more convenient access to restrooms.*
5. *An all-weather multi-purpose sports field will provide options for junior soccer, flag football, volleyball, lacrosse, summer camp activities, and other youth field sports.*
6. *A multi-purpose sports court will accommodate basketball, volleyball, & badminton.*
7. *Expansive Men's and Women's locker rooms will include added space for changing, vanities, bathrooms, showers, sauna & spa facilities. A separate family locker room will also be included.*
8. *A large multi-purpose lawn area will be adjacent to expanded BBQ and picnic areas.*
9. *Additional studios will be included and dedicated for Spin, Pilates and Yoga.*
10. *Dedicated and expansive space will be provided for functional training and stretching.*
11. *The new day spa will feature additional and sound-insulated rooms for massage for a much quieter and significantly improved massage experience.*
12. *A family friendly Wi-Fi café will provide a wide range of healthy and kid-friendly menu choices and conveniently located by pool areas for both indoor and outdoor dining. A separate adult bar will also be added.*
13. *Well lighted and secure parking will accommodate approximately twice the vehicle capacity as the current club and offer convenient drop off and pick-up areas.*

Source: <http://harborbayclub.com/wp-content/uploads/2013/07/Survey-Results-Letter-final-070913-web.pdf>

In addition to this list, HBIA indicates there will be outdoor concerts and an event venue. Everything listed here and above will create a new and permanent ambient noise source.

Regarding the proposed Harbor Bay Residential site, there will also be an increase in ambient noise levels compared to the current club. Where there are currently 19 tennis courts and one basketball court, there will be homes with their associated noise levels and traffic.

**XIII. (d)** Would the project: Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Conclusion: *"Potentially Significant Impact"*

Comment: Please see the response to section XIII(c).

**XIII. (e)** If located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, (would the project) result in the exposure of people residing or working in the project area to excessive noise levels?

Conclusion: *"Potentially Significant Impact"*

Comment: We strongly agree that there is a potentially significant impact. Moving the Harbor Bay Club to the business park at the end of Oakland International Airport's runways would result in exposing club members to noise levels from airplane take offs and landings that would be so excessive as to render outdoor sports such as tennis untenable.

**XIII. (f)** If within the vicinity of a private airstrip, (would the project) result in the exposure of people residing or working in the project area to excessive noise levels?

Conclusion: *"No Impact"*

Comment: Since the project is not within the vicinity of a private airstrip, we agree that there may be no impact.

#### **XIV. POPULATION / HOUSING**

**XIV. (a)** Would the project: Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Conclusion: *"Less-than-significant Impact"*

Comment: We disagree that the impact would be less than significant. This development will decrease open space within the five villages and increase housing density.

We strongly disagree with the conclusions found in the Initial Study (page 60), where it is stated that "Further, in the April 1989 Development Agreement between the Harbor Bay developers and the City of Alameda, the City acknowledged and agreed that up to 3,200 residential units could be developed in Harbor Bay Isle. However, only 2,973 residential units have been built to date in Harbor Bay Isle. As such, development of the 80 new residences would not exceed the 3,200 residential units allowed by the 1989 Development Agreement."

HBIA was allowed a given amount of land to construct 3200 homes. The developers decided to build fewer but larger homes on that land. HBIA is not entitled to convert 9 additional acres of recreation space to housing, due to an unfounded notion of entitlement. Harbor Bay Isle is a complete planned unit development.

The court decision in "[Peets vs. The City of Alameda](#)" makes it clear that the courts have already said that HBIA is NOT entitled to build houses in Harbor Bay Isle. The court decision is summarized by attorney Robert Sullwold at <http://harborbayneighbors.files.wordpress.com/2013/09/memo-re-cowan-rights-final.pdf>. References to Village VI refer to a previous application to build housing that was withdrawn.

The principle findings that NO entitlement to build up to 3200 homes is applicable to the current proposal are the following in the settlement agreement:

First, The Court found that the Settlement Agreement does not amend the General Plan, nor authorize HBIA to proceed. It confirmed HBIA's rights under the City's controlling land-use regulations, subject to the City's actions on the Application, including public hearings in the City's exercise of its discretion in reaching a decision on the application.

Page 15:

The public is entitled to present testimony for or against HBIA's Application for Village Six. The City Council maintains its discretion to evaluate an Application and make a decision regarding whether to approve or deny it. The City's police powers are not constrained.

Further on Page 15:

The Settlement Agreement between City and HBIA grants no approvals for any use, satisfies applicable state and federal requirements, and is consistent with the City Council's lawful exercise of police powers, as recognized in the California Constitution.

Page 16:

The City Council, in future considerations of HBIA's project, is entitled to consider whether "land-use conflicts" would be created by Village Six, and the public is free to raise those issues in the hearings and in regard to the environmental determinations for those approvals.

Page 17:

The Court finds that the approval of the Settlement Agreement will not result in any physical change, either direct or indirect, to existing environmental conditions. The Settlement Agreement does not authorize HBIA to undertake any activity that would cause any change in the environment. The City Council's decisions that (1) no approval has been granted, and (2) the Village Six project will be evaluated fully and fairly in the public hearings and EIR, are supported by substantial evidence, and comply with CEQA. Approval of the Settlement Agreement does not implement or authorize a project.

What the court said is that the Settlement Agreement between the City and HBIA was valid. This settlement, approved 3 to 2 by the City Council, reaffirmed HBIA's right to build the original number of houses (up to 3200) that they were entitled to build through a Development Agreement signed in the late 1980s. It does not address the issue of where the houses can be built, and does not require the City to approve additional housing.

HBIA limited the number of houses they built on the Harbor Bay Isle residential land. HBIA made many strategic decisions, including selling the land to other builders who built homes on large lots throughout the project.

The City of Alameda has consistently confirmed that recreational use is approved for this site. No mention of alternate uses such as housing units or hotel use was discussed for the proposed Harbor Bay Residential site. Refer to the HarborBayNeighbors timeline at the end of this document.

The City encourages housing elsewhere. In fact, the City encourages the development of affordable housing, and HBIA does not propose any affordable housing. Instead, luxury housing is promised in the HBIA April 2013 letter.

Good planning requires sufficient recreational space for the number of housing units in Harbor Bay Isle. Removing this tract from recreational use is a disservice to the existing residents. Replacing the recreational use goes counter to the successive agreements starting in 1972 that this owner entered into with the City of Alameda for dedicated recreational use.

**XIV. (b)** Would the project: Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Conclusion: *"No Impact"*

Comment: While there is no displacement of housing units, for reasons mentioned above in XIV (a), the change in use is inappropriate for this site and goes counter to previous legal agreements.

**XIV. (c)** Would the project: Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Conclusion: *"No Impact"*

Comment: In the narrow finding of this item, it is true that new housing construction would be required.

We recommend the finding of Potential Substantial Impact on the population of students who walk from Earhart Elementary School and children from houses within walking distance, who participate in after school care during the school year and camp during the summer and school holidays, will be substantial. The children will require to be transported by vehicle to the proposed new location of the athletic club.

## **XV. PUBLIC SERVICES**

**XV. (a)** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or in the 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:

**(i)** Fire protection? Conclusion: *"Less-than-significant Impact"*

Comment: We disagree with the finding. Additional significant demands potentially placed on the Bay Farm Island Fire Station may exceed current resources. A fire during a peak commute hour would intensify an already extremely vulnerable situation as traffic congestion is currently so dense, leaving little room to accommodate emergency response vehicles. The negative impact of 150-200 vehicles added to the current congestion on Packet Landing and neighboring main arteries is significant.

**(ii)** Police protection? Conclusion: *"Less-than-significant Impact"*

Comment: We disagree with the finding. Additional significant demands potentially placed on the Police Department to protect private property are not acceptable without expanding police resources. In addition, there is no Harbor Bay Isle protection that is available to the proposed athletic club in the Business Park.

Club users who must drive to the proposed Business Park site will lack the basic safety protections that are afforded by the reliable Harbor Bay Isle Security force. We expect that the record of safety is considerably better within the Harbor Bay Isle tracts when compared with the personal and property safety records for property in the Harbor Bay Business Park. These should be included in the EIR.

**(iii) Schools? Conclusion: “Less-than-significant Impact”**

Comment: We disagree with the finding, because the impact on the existing number of students will be significant, as described in section “X, Traffic.” We also disagree with the estimate of 28 additional students from 80 new residential units. We believe this number is biased on the low end. A new student projection is need as part of the EIR.

**(iv) Parks? Conclusion: “Less-than-significant Impact”**

Comment: We disagree; instead, the impact is significant. The removal of the athletic club from the residential segment of Harbor Bay Isle is a significant loss in accessible recreational space. The very application to remove the athletic club from its present location, AND the attempt to replace the athletic club in a distant location that is outside the area that was agreed to, is testament to the need for park space.

The City of Alameda granted HBIA the right to swap 44 acres for a 10-acre Harbor Bay Club under the provision that “the purpose of the Harbor Bay Club is and shall continue to be to provide quality recreation facilities for the residents of Harbor Bay Isle residential development.”

**(v) Other public facilities? Conclusion: “Less-than-significant Impact”**

Comment: We disagree with the finding. The impact on other public facilities is potentially significant. Other public facilities are negatively impacted and include those public services that would need to be completely revised at a high but unnecessary expense. They include: new sewer, water, electric, and gas services. The first three services are all local public services.

**XVI. RECREATION**

**XVI. (a)** Would the project: 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?

Conclusions: “Less-than-significant Impact”

Comment: We disagree that the impact would be less than significant. The increased residential population from construction of 80 two- and three-story homes using the limited existing neighborhood park resources could be substantial.

**XVI. (b)** Would the project: Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

Conclusions: *“Potentially Significant Impact”*

Comment: We agree that the impact is potentially significant.

## **XVII. TRANSPORTATION / TRAFFIC**

**XVII. (a)** Would the project: Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree with this conclusion. The proposed project would increase vehicle trips by new residents with potentially significant traffic impact that will surpass the current carrying capacity of Packet Landing, especially during morning commute times.

At present, the 600 students who attend the largest elementary school in Alameda, Earhart Elementary School, must dodge vehicles as they cross the street and exit vehicles to enter the school grounds. The safety of children with increased children is a significant. We request that the EIR cover traffic that occurs not just the period of construction of new houses and the operation of the proposed athletic club in the Business Park. The EIR should cover the period during occupancy of both the proposed new homes and the proposed club.

In order to gauge the impact of adding 80 new households and up to 300 vehicles during commute times, we must insist that complete traffic studies be undertaken. The specific areas of interest are the intersections of Packet Landing and Robert Davey Drive, including but not limited to the number of vehicles that turn around throughout the Packet Landing cul-de-sac, the wait times at these intersections, the number of children and others who enter the Earhart Elementary School grounds, as well as traffic wait times and numbers of vehicles that enter and leave Packet Landing Drive, Robert Davey Drive, Island Drive, and the Bay Farm Bridge.

Traffic from all sources that use Packet Landing should also be included. Include the present number of vehicles that enter and leave the health club property, the Brittany Landing the Harbor and Centre Court Associations, during peak morning commute hours, particularly. 7am to 9 am, the afternoon school commute, and evening commute hours. We also want a count of pedestrians crossing the street, particularly during the school start and end times.

The times of day shall be determined by a licensed, certified traffic engineering company that is selected by the City of Alameda Traffic Engineer, after public hearings and disclosure of the candidate firms that apply to perform the traffic studies.

**XVII. (b)** Would the project: Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree that the impact is potentially significant.

**XVII. (c)** Would the project: Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Conclusion: *“Less-than-significant Impact”*

Comment: We disagree that the impact is less than significant. The air traffic patterns currently encompass the airspace above the proposed Athletic Club in the Business Park. Traffic levels will have an impact on the air quality, as well as the noise level, that impacts all athletic club users who are outdoors. We estimate that over 50% of the Club’s users are outside during the daytime hours. This is the time that coincides with the majority of air traffic.

There is a hotline set up for residents to complain about airplane noise. Based on the noise contours identified by the City of Alameda and by the Oakland Airport at this location, we can expect that users will request that air traffic patterns be changed to reduce noise and pollution in the space.

**XVII. (d)** Would the project: Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Conclusion: *“No Impact”*

Comment: We disagree with the conclusion of no impact. The current design of Packet Landing as a cul-de-sac, with no emergency exit at one end, is inherently a hazard for the vehicles that will no longer be able to turn around to exit, once children who go to Earhart Elementary School have been dropped off.

The design space available on the Earhart campus was recently studied by traffic engineers. They concluded that there is insufficient space for parents who want to enter the campus to drop off their children. The study found that a large percent of the 600 students arrive by private vehicle daily. Of those, most children who go to the school from off Bay Farm Island arrive by private vehicle. During inclement weather, the percent of students arriving by private vehicle increases. Numbers are similar for the end of school day.

At the end of the school day, many Earhart students are walked to the Harbor Bay Club for after school care. If the Club is removed to the Business Park, those students would be added to the numbers who also leave by private vehicle. This will add more traffic to the mix, and presents unnecessary danger to those students.

**XVII. (e)** Would the project: Result in inadequate emergency access?

Conclusion: *“Potentially Significant Impact”*

Comment: The Packet Landing cul-de-sac has, by definition, no emergency exit at one end. It has been established that the numbers of private vehicles that transport children to Earhart Elementary School currently exceeds the design capacity of the street both in the morning and the afternoon. An emergency vehicle has no place to squeeze through now. Adding over 300 commute hour trips to the already congested cul-de-sac is so hazardous that any plan to allow it should be abandoned.

**XVII. (f)** Would the project: Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree. The Harbor Bay Club in its current location is accessible by pedestrians and bicycles through an interconnected system of lagoon paths and shoreline trails. The proposed location of the Harbor Bay Club outside of Harbor Bay Isle is accessible only by automobile and long distance walking and bicycling. Vehicles will increase traffic and contribute to more greenhouse gas emissions. Traffic during school drop-off and commute hours will be increased to unacceptable and unsafe levels on Packet Landing, Robert Davey Drive, and Island Drive.

Moving the Harbor Bay Club to the business park will force everyone who walks or rides a bicycle to the club, as well as those who now drive, to go through residential neighborhoods on Maitland and Aughinbaugh Drive. Those neighborhoods will be adversely affected by this project. Thus, if the Club is relocated to the business park, there will be significant pressure from the Club owner to open Island Drive into the business park at Catalina Avenue. This will negatively affect additional residential neighborhoods with increased traffic.

## **XVIII. UTILITIES / SERVICE SYSTEMS**

**XVIII. (a)** Would the project: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Conclusion: *“Less-than-significant Impact”*

Comment: We agree, the Initial Study previously stated that the developer will obtain a discharge permit from the Regional Water Quality Control Board and comply with all applicable rules and regulations.

**XVIII. (b)** Would the project: Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree that there is a potentially significant impact and that an environmental impact study is appropriate.

**XVIII. (c)** Would the project: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Conclusion: *“Potentially Significant Impact”*

Comment: We agree that there is a potentially significant impact and that an environmental impact study is appropriate.

**XVIII. (d)** Would the project: Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Conclusion: *“Less-than-significant Impact”*

Comment: We agree that there is a less than significant impact.

**XVIII. (e)** Would the project: Result in a determination by the wastewater treatment provider that services or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that there is a potentially significant impact and that an environmental impact study is appropriate.

**XVIII. (f)** Would the project: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Conclusion: *"Less-than-significant Impact"*

Comment: We agree that there is a less than significant impact.

**XVIII. (g)** Would the project: Comply with federal, state, and local statutes and regulations related to solid waste?

Conclusion: *"Less-than-significant Impact"*

Comment: We agree that there is a less than significant impact.

**XVIII. (h)** Would the project: Require or result in the construction of new energy production or transmission facilities, or expansion of existing facilities, the construction of which could cause a significant environmental impact?

Conclusion: *"Less-than-significant Impact"*

Comment: We agree that there is a less than significant impact.

## **XIX. MANDATORY FINDINGS OF SIGNIFICANCE**

**XIX. (a)** Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Conclusion: *"Less than-significant w/Mitigation Incorporated"*

Comment: We disagree that the impact is less than significant. An excerpt from the EIR conducted on North-End of Park Street Bridge made the following observations:

1. Introduced trees and shrubs provide shelter, foraging, and nesting habitat for some wildlife species. Sensitive habitats that may be affected by future development that would occur under the redevelopment of the proposed Harbor Bay Residential site.
2. California Brown Pelican. The California brown pelican is a federal and State endangered species. The Alameda breakwater (1½ miles south of Estuary) is the largest brown pelican roost in San Francisco Bay and the only known night roost used by brown

pelicans in the Bay. Brown pelicans feed on fish, and the Estuary provides foraging habitat for brown pelicans that roost on the breakwater.

3. Cooper's Hawk. The Cooper's hawk is a State species of special concern. It has no federal status. The State has concerns about the loss of nesting habitat. The Cooper's hawk preys primarily on medium-sized birds. It nests in trees with dense canopies and has been observed nesting in urban settings. Cooper's hawk has been observed nesting in the City of Alameda.
4. Pallid Bat. The pallid bat is a State species of special concern. It is not listed federally or by the State as a threatened or endangered species. The pallid bat lives in deep crevices in rock faces, buildings, or bridges, and hibernates during the winter months. This species feeds primarily on the ground, and commonly preys on crickets, grasshoppers, and beetles. This species could occupy vacant structures found along the shoreline side of the proposed Harbor Bay Residential site.

An excerpt from the City of Alameda General Plan:

"Work with BCDC staff to prepare a schematic plan for development of the 100-foot-wide strip above mean high tide on properties likely to require BCDC development approval. The schematic plan should provide for public access and provide shoreline streets wherever possible. Specific opportunities for shoreline streets should be identified. The plan should include design standards and guidelines for buildings, streets, pedestrian and bicycle routes, signage and landscaping."

**XIX. (b)** Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connect with the effects of past projects, the effects of other current projects, and the effects of probably future projects)?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that the cumulative impacts are potentially significant.

**XIX. (c)** Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Conclusion: *"Potentially Significant Impact"*

Comment: We agree that the cumulative impacts are potentially significant. To illustrate this fact, one need only look at the timeline of cumulative decisions that have been made in favor of HBIA's requests since 1972, from the website [www.harborbayneighbors.wordpress.com](http://www.harborbayneighbors.wordpress.com).

1972:

Harbor Bay Isle Associates (dba Doric Development) submits a Master Plan for Village I in Harbor Bay Isle that includes community amenities that "are to be created and preserved as resources upon which all residents may draw (1)."

- Developer claims the homeowners' associations responsible for the community facilities would be under a master association for the community (2).
- In addition to individual neighborhood commons, developer proposes a Village Commons to be located on an island and that will serve as "the major recreational facilities for the Village residents (3)."

- Facilities include a club house, tennis courts, swimming pool, Jacuzzi pool, sun decks and recreation building with exercise rooms, sauna bath, massage room, locker rooms and showers (3).

June 14, 1974:

City of Alameda Planning Board reaffirms the planned development for Village I includes “recreation facilities (4)” in Planned Development Amendment No. 74-1.

March 3, 1975:

Planning Board establishes “common open space (5)” for Village II in Planned Development in Amendment No. 74-3.

Aug. 17, 1976:

Harbor Bay Isle Associates seeks amendment to the original plan requesting “the combination of the approved recreation commons for Village I and II and those planned for Villages III-V into one large club (6).”

- The purpose of the change “was to make membership in the club optional rather than a part of the mandatory homeowner membership dues.”
- The “plan included reducing the total amount of public recreation area in the developments from 44.4 acres to 18.2 acres.”

Oct. 5, 1976:

City Council passes Resolution No. 8593 that calls for “Deletion of the ... Village Commons Recreation Centers, and substitution of the Harbor Bay Club (7).”

- “Optional membership in Harbor Bay Isle Club” in place of “mandatory membership in Village Commons Recreation Centers (8).”
- “Reduction in public land area from 44.4 acres to 18.2 acres (9).”
- “Relocation of a common recreation facility near the Bay Farm Island Bridge which may be open to non-residents of Bay Farm Island as well as residents (10).”

Oct. 18, 1976:

Planning Board approves three Planned Development Amendments in response to HBIA’s proposed amendment:

- Planned Development Amendment No. 76-8 removes “Recreation Commons from Village I” due to economic hardship claimed by developer (11).
- Planned Development Amendment No. 76-9 removes “Recreation Commons from Village I, which was to take in all Village II homeowners through mandatory memberships.” due to economic hardship claimed by developer (12).
- Planned Development Amendment No. 76-10 permits HBIA to create a private recreation complex with club house, recreation building, swimming pool and tennis courts.
- Planning Board attaches several conditions for private recreation complex including (13):  
Outside members will be phased out in favor of Harbor Bay Isle residents,  
Management of the Club will make a commitment on the ceiling of possible monthly dues increases for the first two years of membership,  
The number of memberships will not exceed 1,200 family memberships and 200 junior memberships and  
Facilities to be provided at no or nominal cost to the Homeowners’ Associations for meetings.

May 15, 1978:

Planning Board approves Planning Development Amendment No. 78-4 that permits HBIA's request to change the Harbor Bay Isle Club to a tennis facility from a general recreation facility (14).

- Planning Board finds "the change is one of orientation ... and does not lessen the function of the Recreation Club within the community."

Oct. 13, 1982:

Planning Board passes Planning Development Amendment No. 82-6 to delete two swimming pools and a teen center from the Harbor Bay Isle Club (15).

- Planning Board finds "the facilities will encompass recreation and fitness programs which were anticipated at the time of approval of the original Planned Development project."

April 8, 1991:

Planning Board approves Planning Development Amendment No. 90-26, which approves expansion of the club and supersedes previous resolutions to Planned Development Amendment No. 76-10.

- Planning Board finds "the purpose of the Harbor Bay Club is and shall continue to be to provide quality recreation facilities for the residents of Harbor Bay Isle residential development (16)."
- Additionally, Planning Board reiterates the following conditions (17):  
Outside members will be phased out in favor of Harbor Bay Isle residents,  
The number of memberships will not exceed 1,200 family memberships and 200 junior memberships and  
Facilities to be provided at no or nominal cost to the Homeowners' Associations for meetings.

April 16, 2013:

HBIA sends "courtesy" letter to Mayor and City Council announcing plans to relocate the Harbor Bay Club by claiming economic hardship and without mention of previous Planning Board findings or conditions (18).

#### Appendix

1. Harbor Bay Isle, Community Master Plan, Village One Development Plan, Page 5.
2. Harbor Bay Isle, Community Master Plan, Village One Development Plan, Page 29.
3. Harbor Bay Isle, Community Master Plan, Village One Development Plan, Page 37.
4. Alameda Planning Board, Planned Development Amendment No. 74-1, Section B, Part 6.
5. Alameda Planning Board, Planned Development Amendment No. 74-3, Section B, Part 7.
6. Alameda Planning Department, Staff Report, April 8, 1991, Page 1.
7. Alameda City Council, Resolution No. 8593, Comparative Analysis Part 4.
8. Alameda City Council, Resolution No. 8593, Comparative Analysis Part 5.
9. Alameda City Council, Resolution No. 8593, Comparative Analysis Part 7.
10. Alameda City Council, Resolution No. 8593, Council Findings Part 1.
11. Alameda Planning Board, Planned Development Amendment No. 76-8, Board Findings Part 7.
12. Alameda Planning Board, Planned Development Amendment No. 76-9, Board Findings Part 6.
13. Alameda Planning Board, Planned Development Amendment No. 76-10, Board Conditions Parts, 1-3, 9.

14. Alameda Planning Board, Planned Development Amendment No. 78-4, Board Findings Part 6.
15. Alameda Planning Board, Planned Development Amendment No. 82-6, Board Findings Part 3.
16. Alameda Planning Board, Planned Development Amendment No. 90-26, Board Findings Part 6.
17. Alameda Planning Board, Planned Development Amendment No. 90-26, Board Conditions Parts 4-6.
18. Harbor Bay Isle Associates, Open Letter to Mayor and City Council, April 16, 2013

## **SUMMARY**

Finally, the press release of September 25, 2013 summarizes the major points that Harbor Bay Neighbors has submitted for consideration in developing the Environmental Impact Report.

### **Documents Reveal Cowan Allowed to Build Additional Homes on Harbor Bay Acreage Originally Designated as Recreation Space**

*City of Alameda granted developer right to swap 44 acres for 10-acre Harbor Bay Club parcel to serve local residents; now considers building homes on Club land.*

ALAMEDA, Calif. – September 25, 2013 – Harbor Bay Neighbors, a grassroots organization of Alameda citizens opposing the rezoning of Harbor Bay Club, today released a series of historical documents revealing the City of Alameda allowed developer Ron Cowan to appropriate 44 acres of designated recreation space in the Community of Harbor Bay Isle in exchange for building the private 10 acre Harbor Bay Club. In the documents the City asserts that “the purpose of the Harbor Bay Club is and shall continue to be to provide quality recreation facilities for the residents of Harbor Bay Isle residential development.”

The documents are particularly significant as Cowan’s Harbor Bay Isle Associates (HBIA) seeks to rezone the current Club property from “commercial recreation” to “R-2 Residential” so it can be sold to a luxury home builder. HBIA has indicated they will use the funds from the sale to build a new Club on property they own at Harbor Bay Business Park. The business park is not within Harbor Bay Isle, a PUD (planned unit development) with 20 homeowners associations and a master board of directors that provide community governance. A Planned Unit Development (PUD) is defined by the Center for Land Use as a pre-planned community that, “...is planned and built as a unit thus fixing the type and location of uses and buildings over the entire project” to balance the components of housing, recreation space and community amenities.

The City approved changes to the “recreational commons” defined in the master plan over a number of years, reducing 44.4 acres to 18.2 acres and then to ~9 acres when Cowan received approval to build Centre Court (112 townhomes) on the other 9 acres adjacent to the Club parcel. With the reduction of recreational space, the City imposed special requirements on the operation of Harbor Bay Club specifically to benefit Harbor Bay residents, including:

- Outside members were phased out in favor of Harbor Bay Isle residents,
- The number of memberships would not exceed 1,200 family memberships and 200 junior memberships, and
- Facilities were provided at no or nominal cost to the Homeowners’ Associations for meetings.

The City allowed changes to the approved PUD plans ostensibly in response to Cowan’s requests citing tough economic times for his development company. With the release of the documents today, Harbor Bay Neighbors proves that the developer and city altered a

previously-approved master PUD plan so that the developer could designate more land for homes, thus resulting in less recreational space and increased housing density in the completed Harbor Bay Isle development.

“HBIA claims they are ‘entitled’ to build more homes at Harbor Bay—which is not true—and it now insists on tearing down a city-mandated community asset to do so. Homeowners throughout Harbor Bay have already sacrificed 44 acres of public recreation space in their neighborhoods in exchange for a 10 acre recreational facility,” said Tim Coffey, leader of Harbor Bay Neighbors. “Enough is enough. Rezoning the current Club to build more homes offers no benefit whatsoever to this community. Removing this important amenity and building more housing will decrease our home values and increase density and traffic. If Cowan wants to build more homes, the City should let him build at Alameda Point.”

Harbor Bay Neighbors indicate they will continue to vehemently fight the further removal of recreation space from the Community of Harbor Bay Isle and take their campaign to the voting booth or pursue legal action, if necessary. The document package is available on the Harbor Bay Neighbors website at:

<http://harborbayneighbors.wordpress.com/timeline-of-harbor-bay-club/>

### **About Harbor Bay Neighbors**

Harbor Bay Neighbors is a grassroots community-based organization formed in July 2013 to oppose HBIA’s proposal to rezone the current Harbor Bay Club. The volunteer organization represents more than 900 residents from Harbor Bay Isle, Bay Farm Island and the Island of Alameda who are concerned about the myriad problems the HBIA rezoning proposal presents. Additionally, the five (5) Homeowners’ Associations that have declared opposition to the proposal represent 1,500 homes in Bay Farm. For more information, visit:

<http://harborbayneighbors.wordpress.com/>.