



GRASSROOTS
COMMUNITY
ADVOCATES

September 18, 2023

Oakland City Council
City Hall
1 Frank H Ogawa Plaza
Oakland, California, 94612
By email: council@oaklandca.gov

Mayor Sheng Thao
City Hall
1 Frank H Ogawa Plaza Oakland
California, 94612
officeofthemayor@oaklandca.gov

Re: Head-Royce Expansion Plans Hearing – September 19, 2023, 4:00 p.m.
Item 8.3

Honorable Mayor Thao and Councilmembers:

Appellant Neighborhood Steering Committee (NSC) provides this addendum to its letter of September 14, 2023, responding to the City's Staff Report for the above-cited agenda item. Please find attached as Exhibit A, HRS's Draft Evacuation Plan (DEP) that was submitted by the school to the Planning Department sometime prior to August 15, 2023, the date of the Staff Report but was not provided to the public with the Agenda or otherwise. Also attached is the letter from NSC's fire prevention and evacuation planning expert, William Weisgerber, dated today and responding to the DEP about which he is highly critical on multiple fronts. (Exhibit B.)

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A. HRS Has Now Provided Your Council with Further Evidence of Why It Should Deny Its Request for Additional Students

In NSC's letter of September 14, 2023, we urged your Council to deny HRS's permit application for any increased enrollment because HRS has consistently been in violation of its use permit. This is particularly crucial around fire safety and complying with the Fire Department's noncompliance notifications regarding vegetation management. The school also does not believe fire science or information from fire inspectors.

In our NSC September 14, 2023, letter, we complained that the DEP was nowhere in the documents released by the City with the Agenda packet or anywhere else available to the public. (See Section B., *infra.*) Instead, the City only submitted a misleading summary of it in the Staff Report. Despite the lack of the DEP at that time, NSC foresaw and argued that if your Council granted any more student enrollment, HRS would continue acting irresponsibly. The DEP proves the point, starting right from the first paragraph:

Head-Royce School is located on the outer edge of what is known as a "Very High Fire Hazard Severity Zone," therefore it is important to have a detailed wildfire response plan in place to prepare for potential wildfire emergencies. A key advantage to wildfire emergencies—as compared to other types of emergencies (for example, earthquakes)—is that populated areas generally have 24 to 72 hours' notice of impending fire threats. This provides valuable time for determining the appropriate response.

The first sentence is misleading because a reader could well conclude that the HRS properties are on the *outside* edge of the VHFHSZ, when they are all well inside it. (See map, attached as Exhibit C.) The next sentence runs completely afoul of current fire science by claiming that when located near populated areas, wildfires are an advantage over other emergencies.

Wildfires near populated areas are extremely dangerous and there are no scientific studies cited showing comparisons between, say, earthquakes and wildfires. The timeline of 24 to 72 hours' notice is also contrary to any fire science and to wildfire experiences as shown in graphic detail by Mr. Weisgerber in Exhibit B, and in his prior letters.

Reading further into the DEP, we see that HRS has not moved one inch from its position that the gym is the best location for evacuating the school during a wildfire. The DEP also ties together HRS's faulty 24-to-72-hour timeline with a leisurely exploration of options and thumbing through an emergency manual during an approaching wildfire. HRS refuses to accept the need for a

competent emergency evacuation plan and significantly, it will not follow one, either. It already has endangered 906 students, employees, and residents in the neighborhood and in the hills without your Council adding to the risks by granting an enrollment increase. The Council should deny the request for increasing the enrollment beyond the current 906 students.

We again attach the first two letters from Mr. Weisgerber where he already covered the folly of adding any more population to the school. (See Exhibit D.) On page 3 of his December 7, 2021, DEIR response comment, Mr. Weisgerber stated that it failed to address the impact of more students “to an already limited (and over-burdened) evacuation route scenario. That is why it is so very critical to manage the effects of human actions and minimize exposure of the at-risk population to the threat of fire, by not crowding more people into a vulnerable area with limited egress.” On page 5, he noted that HRS “already introduces a highly vulnerable portion of the population into an environment that is extremely difficult to evacuate properly.”

In his letter, dated March 20, 2023, on page 2, Mr. Weisgerber observed that the EIR depended on Lincoln Avenue as an escape route but did not consider the amount of chaos from nearly 9,000 people of a myriad of ages and abilities, along with student population, and existing traffic all trying to get down Lincoln Avenue:

Furthermore, it remains unconvincing that the FEIR suggests K-12 aged students (particularly lower primary grades) will be able to just calmly march down the street amidst the other frantic population trying to escape harm’s way on foot, bicycle, or vehicle.

He included the YouTube 6-minute clip showing what the real 1991 Oakland evacuation really looked like:

It is recommended that decision-makers for both the City of Oakland and HRS view the KTVU-2 raw news footage of the 1991 Oakland Hills Fire evacuation attempts, and evaluate the impact of “history repeating itself,” on the heels of this decision. The first 2-minutes of this 6-minute clip (link below) provides real-world, Oakland evidence, sufficient to give pause for further thoughtful consideration toward adding 344 school-aged children to the equation of mass evacuation from the VHFShz, in which HRS is located.

<https://www.youtube.com/watch?v=NseOhUqZAh0>

In the December 7, 2021 letter, page 3, Mr. Weisgerber explained that “the conditions of a Very High Fire Hazard Severity Zone (VHFHSZ) and the topography, combined with ever increasing wind and fire danger causing the number of ‘extreme fire and weather danger’ days to rise annually, presents a case for the weather and fire danger situation *not improving* in the Lincoln Heights neighborhood over time.” Increasing the student population of “a vulnerable population in the neighborhood (K-12—particularly the primary grades; not to mention ADA considerations) only serves to exacerbate the existing challenging circumstances for a safe, successful mass evacuation of students, faculty, and staff—in concert with local residents—during a wildfire, earthquake or other life-safety or panic emergency. This is a *significant impact.*”

The City Council should deny the part of the permit application seeking increased enrollment beyond the current 906 students. The safety of residents, employees, and students, including children in elementary school is not a matter for negotiation by the neighborhood with the school. The risks are overwhelming and the responsibility of the City Council and Mayor, not the neighbors. None of the information provided to your Council suggests otherwise.

The City has substantial liability in this regard as none of the fire risk information, including in the EIR will inure to its benefit in an after-the-fact jury trial, and the City’s own fire insurance and premium rate will continue at risk post the Ghostship Fire. Negotiating the interests of a much loved and valued private school over the safety interests of Oakland citizens is not a bargain that your Council should make and is definitely not one that NSC will make. Nor should your Council tolerate employees withholding documents from the public that should be provided with the Council Agenda.

B. Your Council Should Refer to the Ethics Commission That the DEP Was Missing from the Agenda’s Public Documents and Staff Instead Provided an Untruthful Summary in Its Report

In our September 14, 2023, letter response to the Staff Report, we noted that there was a purported summary of a DEP, but no DEP in the record. Its absence meant that we had no way of having our own expert opine about the adequacy of it. The summary looked suspicious for several reasons, including that it referenced HRS writing the DEP but only “consulting” with a fire evacuation expert rather than the expert preparing the main parts of it.

On September 15, 2023, after obtaining advice from the City Attorney, Councilmember Ramachandran, sought a copy from planning staff and provided it to the NSC:

Additionally, I am sharing their draft wildfire prevention plan that I obtained from staff (and have approval of my city attorney to share with you all). It's part of the public record but I know that requesting from the city can take up to 10 days, so sharing directly with you.

Key issues in the appeal are the objection to increased enrollment due to a lack of adequate fire prevention, HRS's repeated and current violations of the vegetation management ordinance, and failing to have an adequate evacuation plan that HRS would follow. It has been in violation of the 2016 use permit requiring just such a plan for over 6 years now. The Staff had to know that the DEP would be important to this issue and withheld it.

The Staff Report summary, attached as Exhibit E, fails to reveal the problems with the first paragraphs, or any of the negatives in the DEP, instead portraying it as a sound and adequate document. Someone went to great lengths to hide key information about the DEP, including that it claimed wildfires are not a problem for up to 72 hours and the gym is a good evacuation location. Despite knowing that your Council and the public would want to see the DEP and receive an unbiased evaluation of it, the author of the summary went overboard to cover up the problems with it. The Staff Report is dated August 15, 2023, so the author of the summary had all that time to release the DEP with the Agenda documents or even earlier.

Your Council should refer the failure to provide the DEP to the Council and the public, and the obvious coverup in the Staff Report summary¹ to the Ethics Commission for investigation regarding who wrote the summary and who made the decision to withhold the DEP.

Thank you for considering our comments,

Sincerely,

Karen Caronna

Karen Caronna, NSC representative (email: kamaca9@gmail.com; cell phone: 510-435-8945)

¹ That same exact summary appears in the EIR preparer's summary of the EIR.

EXHIBIT A

Draft: Subject to City Review and Approval Prior to Issuance of Construction Permits per draft Condition of Approval No. 37

Wildfire Preparedness and Emergency Evacuation Plan¹

Overview

Head-Royce School is located on the outer edge of what is known as a “Very High Fire Hazard Severity Zone,” therefore it is important to have a detailed wildfire response plan in place to prepare for potential wildfire emergencies. A key advantage to wildfire emergencies—as compared to other types of emergencies (for example, earthquakes)—is that populated areas generally have 24 to 72 hours’ notice of impending fire threats. This provides valuable time for determining the appropriate response. There are three key activities involved in this process: Monitoring, Decision-making and Evacuation, when necessary.

Monitoring: making use of available resources to assess the extent of the risk and track ongoing changes to the situation, so that sound decisions may be made.

Decision-making: determining whether or not to pre-emptively close the campus when wildfire threats exist and, if students are on campus when a wildfire is nearby, what actions to take to ensure the safety of students and adults.

Evacuation: taking detailed action steps for wildfire emergencies that occur while students are still on campus (temporary refuge, shelter in place, evacuation off campus)

Effective communications are essential at each step of the above process.

The ideal scenario is one in which decision-makers are so effective in their monitoring of the environment and decision-making that, if/when a wildfire reaches the campus, there will be no need to evacuate because there will be no students on campus, with the campus having already been preemptively closed for the day. However, if the situation is such that wildfire reaches the campus when students are present, students and staff must be prepared to execute an evacuation from campus as outlined below.

MONITORING and COMMUNICATION

¹ This Plan was prepared in consultation with PyroAnalysis, a fire prevention and protection consulting firm, and its Principal Consultant, Shane Lauderdale, an NFPA Certified Fire Protection Specialist.

The School has created an Emergency Management Team to monitor local conditions and take appropriate actions to ensure the safety of the School community when necessary. Members of this team are enrolled in multiple services which provide automatic notifications of pending Red Flag Warnings (RFW), Air Quality Alerts, PG&E PSPS shut-offs and other emergency events affecting the geographic area of the School. These alert systems include AC Alert/Everbridge, Zonehaven and the Interactive National Weather Service (INWS). News media outlets will also be used as an information source. AC Alert is an app-based emergency alert system serving Oakland and surrounding cities by providing critical information quickly in a variety of situations such as earthquakes, fires, severe weather, unexpected road closures and evacuations of buildings or neighborhoods. Zonehaven is a commercial software application designed to help first responders manage emergency evacuations. During an emergency, Oakland's Police/Fire Departments will communicate warnings or orders for one or more zones using AC Alert, local radio stations, social media and even door to door notices. The zone in which the School is located is **Zone OKL-E103**. Zones evacuated or under an evacuation warning can be viewed on the web at community.zonehaven.com. The INWS sends customized text message and email alert warnings about severe weather, including fire weather.

The Emergency Management Team is made up of the following individuals:

- Head of School
- Chief Financial and Operating Officer
- Director of Communications
- Fire Emergency Consultant

The Emergency Management Team will also ensure that the City of Oakland is provided with a copy of the School's Emergency Plan each year, as is required by its Conditions of Approval.

DECISION-MAKING

In determining the appropriate response to a potential wildfire threat, the following options will be considered:

- Maintain all normal School operations while continuing to monitor conditions.
- Maintain on-campus instruction but reschedule/relocate other School events, (e.g., sports events, theater and performing arts programs).
- Maintain on-campus instruction for Upper and/or Middle School but cancel on-campus instruction for Lower School.
- Cancel on-campus instruction for all students. Ideally, such cancellations would be communicated no later than the day before the closure, so that students and staff avoid the campus altogether.

Red Flag Warnings: If a Red Flag Warning or Fire Weather Watch is issued for the School area, the School's Emergency Management Team will be convened for evaluation of the risk.

The Team will communicate to the School community that Red Flag conditions exist for the day, and that further steps—including the potential for a campus closure—may become necessary.

Evacuation Orders/Warnings: The Emergency Management Team will ensure that students and faculty will not come to campus if a wildfire **Evacuation Order** or **Evacuation Warning** has been issued by a governmental authority before the start of a school day. If the Evacuation Order is issued after the commencement of the school day, the Incident Commander (“IC”) and the Emergency Management Team will work together to evacuate the campus in accordance with the protocols in this Plan.

Public Safety Power Shutdown (PSPS) Events: When wildfire risk is particularly high for the area surrounding the School, PG&E may announce a power shutdown (PSPS event) impacting the campus. PG&E provides notice of such projected shut-offs to all PG&E account holders through texts, emails and phone calls. The School is a PG&E customer and will be notified in advance of all pending PSPS events. **Should a PSPS event occur, the campus will be closed for instruction and other school activities during the shutdown period and no students will be allowed on campus.** If the shutdown occurs while school is in session, the Head of School will determine if the School will close early, depending on the circumstances at the time.

EVACUATION

If students are on campus and a wildfire is unexpectedly reported in the vicinity of the School, with the potential to reach the campus while student and faculty are on-campus, relocating all students and other community members to the gym is advised as a precautionary measure. Once all members of the School community are safely inside the gym, the IC will assess whether to continue to utilize the gym as Temporary Refuge Area (TRA) or to relocate to the athletic field or an alternative off campus location, depending on the circumstances.

An early dismissal/reunification process may be considered, unless the School is advised otherwise by authorities. Unless otherwise advised by the authorities, all students must remain at the designated assembly area until released as outlined in the School’s standard student release procedures (see “Student Release” section below).

Pedestrian evacuation of the school is to be utilized only if fire conditions allow for safe egress and all other evacuation assembly areas are deemed unsafe.

To ensure that Lincoln Avenue remains accessible for first responders and vehicular evacuation of the surrounding neighborhood, parents and guardians are **not** to pick-up their child from the campus if an immediate wildfire emergency is declared. Instead, they will be provided direction by the Communications Team to either wait for the immediate danger to subside while students shelter in place on campus, or to reunify with their student(s) in one of two offsite locations (see “Evacuation Route Maps” below).

The purpose of this rule is to allow first responders to use Lincoln Avenue for access to fight a wildfire and to allow vehicular evacuation of the neighborhood if needed.

DRAFT

Communications with Local Authorities and Decision to Evacuate

As with all school-related emergency events, the highest-level administrator should be prepared to establish an Incident Command Post and serve as Incident Commander (IC) in response to the incident or threat to the school. The IC will organize First Aid and Search and Rescue teams, and order an evacuation of the campus if necessary. If an administrator is not available, a capable staff or faculty member will serve as IC.

The IC will ensure that the Command Post location is known to all staff members via the PA system or Ruvna application, the School's internal emergency communications app, and will direct students and adults to the nearest safe space. Given the number of people involved, and the need to reserve Lincoln Avenue for emergency vehicles and first responders, evacuations to off-campus locations should occur on foot rather than by vehicle. **Evacuating from the campus should only occur if absolutely necessary**, as our campus is likely to be the safest location in the area to shelter in place and await updates from local authorities. Parents will be instructed NOT to come to campus to pick up their children during a campus evacuation but instead to meet their children at the off-site evacuation/reunification area when notified to do so.

Ultimately, the decision to abandon the campus and evacuate to an off-site location will be made by the IC. The IC and all key personnel will utilize AC Alert/Everbridge, Zonehaven and the National Weather Service alerts for decision-making. The School will utilize social media platforms, battery equipped radios, cell phones and other available communications technology to obtain information from local authorities, to the extent that such information is available, in an emergency. If information from local authorities is not available, the IC will make this decision to the best of his or her ability based on the best information available.

When the incident requires parent/guardian updates, the IC will form a Communications Team to advise parents/guardians of the current situation, provide reunification instructions and address any community concerns. The School maintains a text database for emergency communications to parents and also has access to one or more email addresses and phone numbers for each parent. Texts, emails and robo-calls are available means for such communications via the Ruvna app. the IC will assign one or more staff or faculty members to monitor available social media platforms, and to provide the IC with timely event updates.

For wildfire events requiring evacuation from campus, the default destination for evacuation/reunification is the **CalTrans Park & Ride lot** located under the MacArthur Avenue/Interstate 580 overpass (across the street from the CVS store at 3320 Fruitvale Avenue). The [CalTrans Park & Ride](#) lot is approximately 1.2 miles down Lincoln Avenue from the School and is designated as the primary evacuation destination. A secondary evacuation/reunification area is **Dimond Park Tennis Courts**, located at the intersection of Fruitvale Avenue and Lyman Road. The tennis courts are located approximately 0.7 miles from the School.

The IC will instruct all members of the School community to leave books, backpacks and other belongings, including bicycles and motor vehicles, on campus. The IC will organize the School community into groups at a rally point, here the Emergency Assembly Area (normally the gym in the case of a wildfire). Adult personnel will walk with groups of up to twenty grade 6-12 students and up to 10 grade K-5 students down the hill to the off-site evacuation/reunification site. Students will be instructed to leave campus in pairs using either of the main gates to the North and South Campuses. These gates have the widest egress pathways and should be the first choice in any evacuation. Alternative exits from campus include the middle gate (on Lincoln Avenue between the Gatehouse and Lot F), the Whittle gate, the driveway to the athletic fields on the North Campus and the stairs to the tennis court allowing egress to Whittle Avenue. Although School gates are generally locked to limit access from outside, they are all equipped with panic bars to allow immediate exit in case of emergency.

Students will be instructed to walk in pairs on the sidewalks and to stay out of the parking and travel lanes to allow emergency and other vehicles to pass. If Lincoln Avenue is impassable to pedestrians, students will use Whittle and Fruitvale Avenues to walk to the off-campus meeting place. See "Evacuation Route" maps below, which show the pedestrian evacuation routes and locations of off-site evacuation/reunification assembly areas.

Special Rules for K-5 Students and Disabled Members of the Community

In the event of an emergency requiring pedestrian evacuation, Lower School personnel will be assigned to assist with students in grades K-5. Three additional staff members will be designated to assist with the evacuation of staff or students with physical disabilities. If individuals with physical disabilities are not capable of a pedestrian evacuation, they will be transported by vehicle to the designated off-campus assembly area. During an emergency pedestrian evacuation, the School community shall be instructed to stay on sidewalks where they exist and to stay out of parking or travel lanes.

Alternative Bus Evacuation Plan

If time permits, students in grades K-2 and any disabled members of the community will be evacuated by the School's six mini-buses which each seat seven persons. If a return to campus by vehicle is possible and if time permits, these mini-buses will return to campus to shuttle students in grades 3-5 to the offsite evacuation area. Both the Whittle gate and the vehicle gate to Lot F are equipped to be opened manually if the campus loses power.

After reaching the alternate location, it will still be important to remain in place to conduct a head count and until it is safe to begin the student release process. If the student release process is initiated from a remote location, the same procedures and safeguards applicable to the on-campus process (see below) should be followed to ensure the safety of each student.

Sheltering in Place at Remote Location

Upon arrival at the evacuation destination, students and adults should attempt to congregate with one another as closely as possible. If circumstances allow, groups should assemble in a

pattern similar to the formation used for all-school fire drills, as this will facilitate the reunification process. It is important that attendance be taken immediately upon arrival so that any missing persons can be identified and accounted for as quickly as possible.

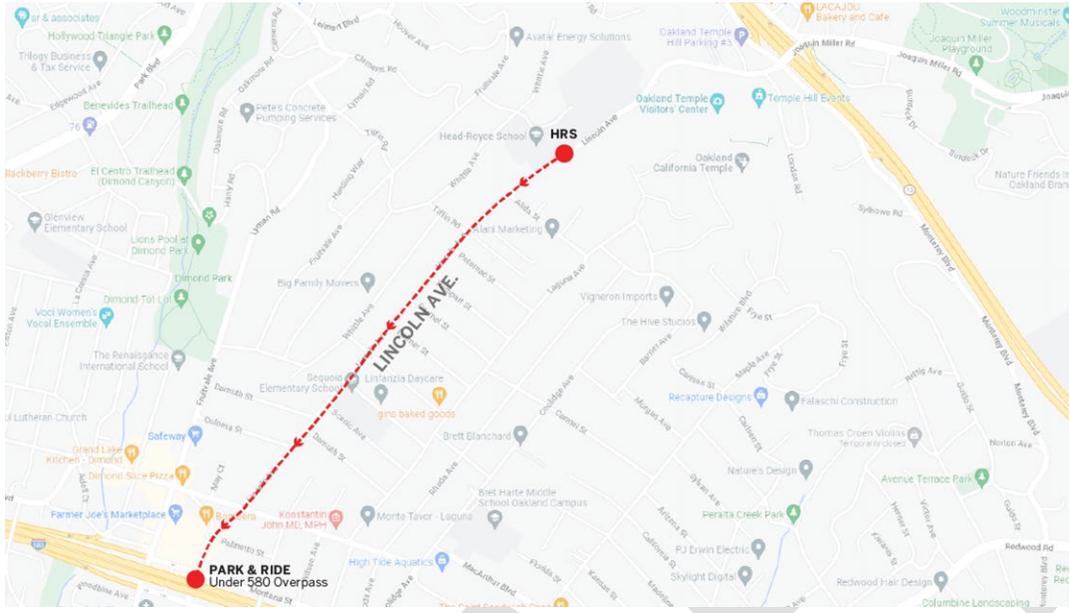
Student Release

While sheltering in place, whether on campus or off campus, we should expect pressure from parents and students to move to the reunification phase as quickly as possible. However, it is important to keep in mind that Lincoln Avenue is a crucial pathway for emergency vehicle access/egress in addition to other neighborhood traffic. It is therefore critical that we **avoid initiating the reunification process prematurely**. Incident Command should be careful to stay in shelter-in-place mode until we are confident that local roadways are sufficiently cleared of emergency traffic so that the reunification process can proceed smoothly.

The Communications Team should immediately advise parents through the established electronic means that we are in "shelter in place" mode, and that further instructions will be provided when it is safe for students to be picked up by parents. **Parents must be instructed to NOT attempt to pick up their student prior to the time frame specified**, for the reasons mentioned above. Periodic electronic updates should be transmitted to the parent community to reassure them that the shelter-in-place process is continuing successfully, and that the reunification process will commence as soon as it is safe to do so.

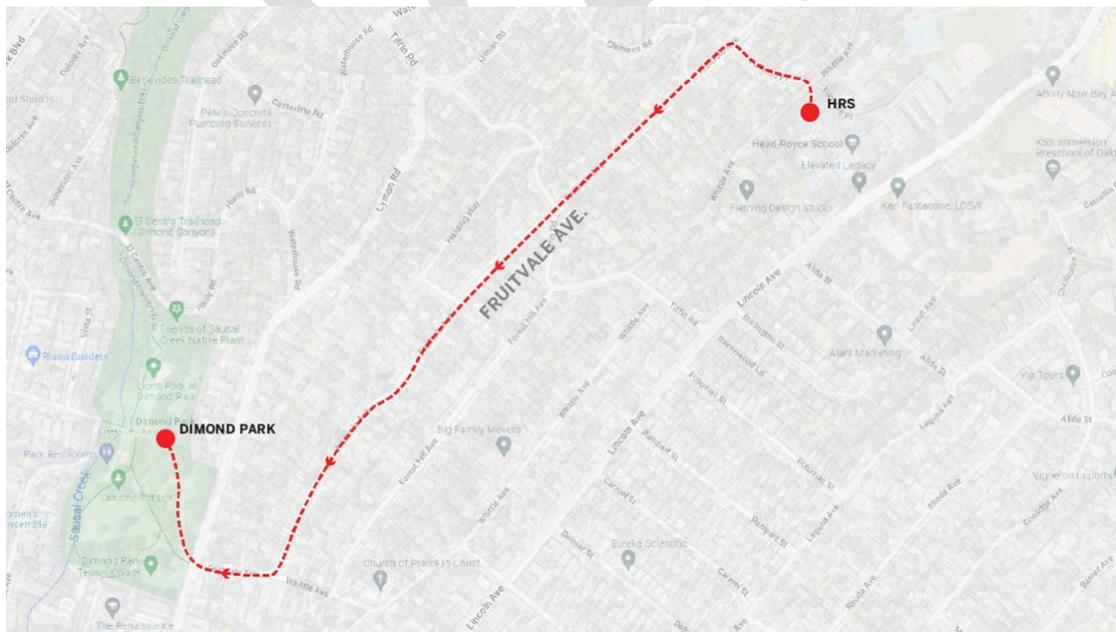
When it is safe to release students, it is expected that the evacuation process will proceed in a sequential manner by grade, for example, with kindergarten students picked up first and 12th grade students last. For families with multiple students, all students in the household may be released with the youngest student. The Communications Team will transmit regular electronic messages to parents throughout the process to ensure that the community is well-informed and that there is an orderly process which minimizes the amount of vehicle traffic near the shelter-in-place location. If for any reason the nearest street is not available, the IC will coordinate with local authorities to identify the nearest safe location to execute the reunification process.

EVACUATION ROUTE TO 580 PARK & RIDE



Path: Exit campus at Lincoln Avenue exits and proceed directly down Lincoln to CalTrans Park & Ride parking lot under 580 overpass, across from CVS and Farmer Joe's.

EVACUATION ROUTE TO DIMOND PARK



Path: Exit campus at Whittle gate, traveling one block on Funston then left on Fruitvale. Follow Fruitvale to Dimond Park tennis courts and adjacent green space.

EXHIBIT B

September 18, 2023

William Weisgerber, President Weisgerber Consulting
El Macero, CA 95618

Ms. Leila Moncharsh, Attorney at Law
5707 Redwood Rd., # 10
Oakland, CA 94619

Ms. Moncharsh:

At your request, Weisgerber Consulting has reviewed the *Draft Wildfire Preparedness and Evacuation Plan* for Head Royce PUD Project, CEQA Appeal of the Oakland Planning Commission's CEQA Determination for school expansion. As President of Weisgerber Consulting, this additional memorandum has been prepared in response to the *Draft Wildfire Preparedness and Evacuation Plan* and is specifically responding to the draft document in the following areas of my professional expertise on mass evacuation contained in earlier letters, dated December 7, 2021, regarding the Draft EIR (DEIR) for (HRS), and March 20, 2023 regarding the Final EIR (FEIR) for Head-Royce School (HRS).

- **Overview**
- **Monitoring and Communication**
- **Decision-making**
- **Evacuation**

Professional Background: To reiterate the December 7, 2021, and March 20, 2023 letters, as Principal of Weisgerber Consulting my career qualifications consist of a professional fire service career spanning over 45 years, rising through the fire service ranks from firefighter and engine company officer to include over 30 years as a chief officer (Battalion Chief, Operations Chief, Fire Marshal, and Fire Chief). My responsibility within the chief officer ranks not only included fire administration and incident command, but also California Fire Code regulatory compliance and enforcement, oversight and direct management of local emergency services, local hazard mitigation planning (including emergency evacuation planning), and emergency/disaster response operations. I also have a proven background in interim chief and fire marshal service (post-retirement), as well as consulting on local hazard mitigation, emergency planning/response, and fire prevention bureau administration and operations.

FEIR Opinion Background: Among the mission critical life-safety issues insufficiently addressed in the *Draft Wildfire Preparedness and Evacuation Plan*, there remains a non-existent realistic, on-going, and verifiable evacuation plan for the HRS campus site. Which is of primary concern.

COMMENTS ON OVERVIEW SECTION:

The most glaring misconception represented in the first paragraph of the Overview section in the *Draft Wildfire Preparedness and Evacuation Plan* is the statement:

“...A key advantage to wildfire emergencies—as compared to other types of emergencies (for example, earthquakes)—is that populated areas generally have 24 to 72 hours’ notice of impending fire threats....”

The very nature of emergency preparedness (planning, training, response, recovery) is based on worst-case scenario. And, quite to the contrary of the *Draft Wildfire Preparedness and Evacuation Plan* opening paragraph, reflex time to respond with an evacuation has been proven time and again that it can be mere minutes to react and act as was demonstrated in documentation of the following three historical firestorms:

1991 - Oakland Firestorm (East Bay Hills (Tunnel) Fire):

- This fire started at 11:00AM on Sunday October 20, 1991, as a rekindle of a 5-acre brush fire from the previous afternoon (October 19, 1991)—which was believed to have been extinguished the previous evening at approximately 9:00PM.
- The original location was in the Berkeley Hills, northeast of the intersection of California State Routes 24 and 13, 0.5 -miles north of the Caldecott Tunnel.
- ***Within 30-minutes*** the fire (driven by winds gusting upwards of 65 MPH) had spread to the Parkwood Apartments (1,100 residents), and had jumped the eight-lane Highway 24, and four-lane Highway 13, to begin igniting hundreds of homes in Forest Park.
- By noon the fire had burned to the top of Hiller Highlands and was sweeping down into Hiller Highlands development to the west.
- ***All this occurred within 1-hour, not 24-72 hours.*** As embers from burning home and vegetation ignitions in the fire path were carried ahead of the fire line by the gale-force winds--starting new fires ahead of the original burn.
- The link below is to the **ABC-7 News Special on the 30th Anniversary of the Oakland Firestorm.** It contains a video piece within the text, of which only the first 60-seconds are necessary to grasp the graphic, first-hand accounts of first responders and residents alike, as to the speed and intensity of this fire.

<https://abc7news.com/oakland-hills-fire-east-bay-1991-department/11141174/#>

2018 - The Camp Fire (Paradise, CA):

“...The Camp Fire started on November 8, 2018 in the foothills of the Sierra Nevada in Butte County, California. The first 24 hours were characterized by a fast-moving fire with initial spread driven by high winds up to 50 mph and long-range spotting up to...3.9 miles... into the community. The fire quickly impacted the communities of Cinco, Paradise, and Magalia. The Camp Fire became the most destructive and deadly fire in California history, with over 18,000 destroyed structures, 700 damaged structures, and 85 fatalities...”¹

2023 - The Hawaii Firestorm (Lahaina, Maui):

“...The [Hawaii Firestorm] fires are the deadliest in...U.S. in over a century, surpassing the toll from California's 2018 Camp Fire, which killed 85...”

Widespread destruction [Hawaii Governor Josh] Green said...”...***Wind gusts of up to 81 miles per hour saw the Lahaina fire spread at a rate of "one mile every minute," as it destroyed over 2,700 structures and caused damages estimated at \$5.6 billion...***²

As demonstrated in the examples above, particularly with respect to Oakland, a Wildland Urban Interface (WUI) fire is not merely a wildfire. These fires are subject to extraordinary and unpredictable weather conditions that can *rapidly change fire spread conditions within minutes* (not *days*—as suggested in the *Draft Wildfire Preparedness and Evacuation Plan*). This phenomenon is further exacerbated by the interface of a “Very High Hazard Severity Zone” (VHFHSZ) and a densely populated WUI area—as is the case with the location of the expansion of HRS.

¹ **Camp Fire (Paradise) A Case Study of the Camp Fire - Fire Progression Timeline**

Published February 8, 2021

Author(s) Alexander Maranghides, Eric D. Link, Christopher U. Brown, William Mell, Steven Hawks, Mike Wilson, Will Brewer, Robert Vihnanek, William D. Walton

Citation: Technical Note (NIST TN) – 2135; Report Number 2135; NIST Pub Series; **Technical Note (NIST TN)**

² Updated Aug 16, 2023 - **Science**; **What to know about Hawai'i's catastrophic wildfires; Authors: Ivana Saric^[1]; Shauneen Miranda**

The sections of the *Draft Wildfire Preparedness and Evacuation Plan*, (**Monitoring & Communication; Decision-Making; Evacuation**) represent a fair attempt at addressing the issues raised in the FEIR. However, they minimally represent “form over function,” in a skeletal framework of an actual plan. And while these sections have reiterated the key elements highlighted in the FEIR comment letters, they lack sufficient substance to render the realistic, on-going, and verifiable functions to address a live, real-time wildfire emergency.

COMMENTS ON MONITORING SECTION (The Emergency Management Team): The *Draft Wildfire Preparedness and Evacuation Plan* indicates that the school has created an Emergency Management Team, but makes no reference to training, certification, or qualifications for these key positions.

- If it is HRS’s intention to take responsibility for management of the campus in an emergency, then, at a *minimum*, the team charged with literally making life and death decisions should have a working knowledge of the State of CA Standardized Emergency Management System (SEMS).
- *SEMS was enacted into CA law following the 1991 Oakland Firestorm, under the Emergency Services Act, by Senator Nicholas Petris—CA 9th Senate District (SB-1841).*
- Further, the Emergency Management Team should be complying with the 2003 Federal Homeland Security Directive (under President George W. Bush) that mandates the National Incident Management System (NIMS); as the comprehensive national approach to incident management applicable at all governmental levels and disciplines—including the private sector.

At a *maximum* the HRS should invest in their Emergency Management Team training and certification in the discipline of Emergency Management; or credentialing for Emergency Operations Center (EOC) Positions, through the California Office of Emergency Services (CAL-OES) California Specialized Training Institute (CSTI).

<https://www.caloes.ca.gov/office-of-the-director/operations/planning-preparedness-prevention/california-specialized-training-institute/emergency-management-program/>

COMMENTS ON COMMUNICATION SECTION: While there is a commendably high level of technology utilization in the *Draft Wildfire Preparedness and Evacuation Plan*, (a huge improvement) which is leveraged to assimilate real-time information to assess emergency conditions, notifications, and decision-making; there is no mention of a coordinated understanding with local public safety, nor is there a contingency for technological failures as were experienced in the Hawaii Firestorm—which rendered all advanced-warning technology non-existent.

COMMENTS ON DECISION-MAKING: SECTION The *Draft Wildfire Preparedness and Evacuation Plan* makes no mention or elaboration on formal training exercise schedule/frequencies, or drill expectations. And there is no mention of vetting the plan or having training/exercise coordination procedure with local public safety officials prior to an emergency.

When the “switch is flipped” from academic theory to a real-life emergency, it is an entirely different situation, and one in which the untrained and uninitiated (e. g. lacking training, exercises, and coordinated drills) will not fare very well without proper preparedness. This is particularly disturbing given the responsibility associated with overseeing a population of over 1,000 staff and school-aged students in a rapidly developing WUI wildfire emergency.

COMMENTS ON EVACUATION SECTION: The *Draft Wildfire Preparedness and Evacuation Plan* for sheltering-in-place and evacuation remains in theoretical concepts that have no bearing on actual real-life emergency applications. With the very real possibility of a rapidly advancing firestorm bearing down

on a densely populated WUI—with a highly vulnerable student population that includes primary grades (K-5) and ADA at-risk members—that is not the time to be rifling through a binder to recall procedures. Again, there is no elaboration in the *Draft Wildfire Preparedness and Evacuation Plan* on formal training, exercise schedule/frequencies, or drill expectations. And the *Draft Wildfire Preparedness and Evacuation Plan* continues to rely upon shelter-in-place and “safe refuge” strategies that were specifically advised against in the March 20, 2023 letter.

To reiterate comments in the March 20, 2023, letter (ref.: page 6, from the CA Attorney General ‘s October 2022 memorandum on CEQA “best practices”³):

“...section *IV. C. Analyzing the project’s impact on evacuation and emergency access*, last bullet point):

- *Avoid overreliance on community evacuation plans identifying shelter-in-place locations. Sheltering in place, particularly when considered at the community planning stage, can serve as a valuable contingency, but it should not be relied upon in lieu of analyzing and mitigating a project’s evacuation impacts...*”

CONCLUSION: As stated herein, the *Draft Wildfire Preparedness and Evacuation Plan* touches on nearly every aspect covered in the FEIR comment letters. Unfortunately, it is done without developing a fully comprehensive plan. The skeletal framework is a good start, but in no way represents the level of commitment and execution necessary for addressing emergency planning, preparedness, training, and response for HRS in the urban interface (WUI) with the VHFHSZ.

The FEIR comment letters discussed at great length, the recommendations for a bona fide evacuation plan to be written by an experienced subject matter expert (SME) . This should be an individual, or team from the field of emergency management, emergency operations, or emergency evacuation.

After reviewing the *Draft Wildfire Preparedness and Evacuation Plan* there are serious concerns regarding the author’s footnote that the plan was “...*prepared in consultation with PyroAnalysis, a fire prevention and protection consulting firm, and its Principal Consultant, Shane Lauderdale, an NFPA Certified Fire Protection Specialist...*”

There is no question that Chief Lauderdale is an experienced professional chief fire officer at the highest level, and that PyroAnalysis is a firm that provides comprehensive fire management consultation services (including Community Evacuation Planning and Incident and Emergency Management Mentorship) However, it is perplexing that such a highly regarded consulting firm would author, or agree to sign-off on a *Draft Wildfire Preparedness and Evacuation Plan* that clearly has not been authored by an SME. The *Draft Wildfire Preparedness and Evacuation Plan* is far too nebulous to be the work of an experienced fire service professional or emergency management expert.

³ The California Attorney General’s letter is another resource the FEIR preparer should have studied and incorporated into its report. <https://oag.ca.gov/system/files/attachments/press-docs/Wildfire%20guidance%20final%20%283%29.pdf> (Attorney General of California, Rob Bonta, October 2022, pp. 10-11, 12).

It is the opinion of Weisgerber Consulting the HRS *Draft Wildfire Preparedness and Evacuation Plan* continues to fall short of the mark necessary to pass muster for providing the critical wildfire emergency safeguards for HRS, whether an expansion is approved or not—and clearly falls short for an expansion.

Therefore, for the third time Weisgerber Consulting submits for consideration, the same recommendations made on December 7, 2021 (DEIR), and March 20, 2023 (FEIR).

RECOMMENDATIONS:

Given the demonstrative wildfire history evidence from the 1991 Oakland Hills Fire, the likelihood for a wildfire starting in the Oakland Hills and reaching HRS is of an extremely high and dangerous probability; and, as such, HRS should diligently plan accordingly.

To remedy the situation, *it is strenuously re-emphasized herein*, the primary recommendations contained in the December 7, 2021 opinion letter authored by Weisgerber Consulting. HRS should immediately move to execute a concentrated effort toward the following elements for an emergency mass evacuation plan:

A Bona Fide Written Emergency Plan:

- Develop a written *campus mass evacuation plan and procedure*, completed with the expertise of a professional consultant who specializes in evacuation; with some particular emphasis on routes, alternate routes, exit design calculations, pedestrian planning and flow rates, evacuee accountability, ADA compliance considerations, and designs for emergency movement via bus- shuttle systems.
- The plan should be written in cooperation with the OFD and City of Oakland Local Hazard Mitigation Plan, to include, but not be limited to:
 - A public safety or SME-vetted decision-making process for initiating evacuation.
 - A public safety or SME-vetted campus accountability system to ensure all persons are safely evacuated.

Campus Staff Training:

- Training in supervising and managing a mass evacuation of students K-12, with ADA considerations for the campus population with mobility needs. Particularly in managing students walking distances of up to 1-mile to an assembly point.
- Pre-designated assembly points for parents or guardians. It is recommended that a new, thoroughly developed plan be written for adequately communicating emergency evacuation information, and instructions to parents or guardians, to reunify with their students.
 - The plan should contain a methodology for primary, secondary, and tertiary assembly sites—based on the circumstances; and not de facto reporting to one pre-designated location to await further instructions.

Coordinated Emergency Communications:

- A coordinated emergency communication plan for real time updates with the City of Oakland Emergency Operations Center (EOC) and/or OFD Operations Center (DOC).
- A planned interface relationship between a dedicated HRS representative and the Liaison Officer designated by the City of Oakland Emergency Operations Plan (EOP). This designee could request pre-authorization to report to the EOC, as do public schools.

Semi-annual Exercises:

- It is recommended that HRS **should absolutely** conduct semi-annual evacuation exercises with at least one being in coordination with OFD, to ensure that the campus is well-indoctrinated toward an

emergency reflex response to a disaster. *The role of exercises cannot be over-stated in preparing the campus for a wildfire.*

Other notable assumptions in DEIR Appendix 16B that HRS should address immediately, as integral components to a written emergency plan, include:

- It is noted in DEIR, Appendix 16B, page 8 (Additional Notes and Observations), that the Oakland 2016-2021 Local Hazard Mitigation Plan and the Oakland Safety Plan does not have a publicly facing evacuation plan or response plan.
 - **This does not absolve HRS** from working diligently with the City, and HRSs own consultant, toward the best practices objectives of responsibly protecting their students, staff, and the neighborhood from the effects of a mass evacuation during a wildfire.
 - HRS staff should thoroughly review all pertinent documents in preparation for a bona fide plan to protect the population of the campus and the neighborhood.
- ***Shelter-in-place should not be a protective action*** under wildfire conditions, as this has extremely high potential for leading to injury or death.
 - It is strongly recommended that a dedicated HRS Liaison be designated to coordinate strong, direct lines of communication with City officials (OFD, OPD, Emergency Services) as paramount to an HRS emergency plan and decision-making process for initiating evacuation.
- It is recommended that **HRS make a capital investment in an emergency back-up power generator system** for the campus—to power essential functions during an emergency.

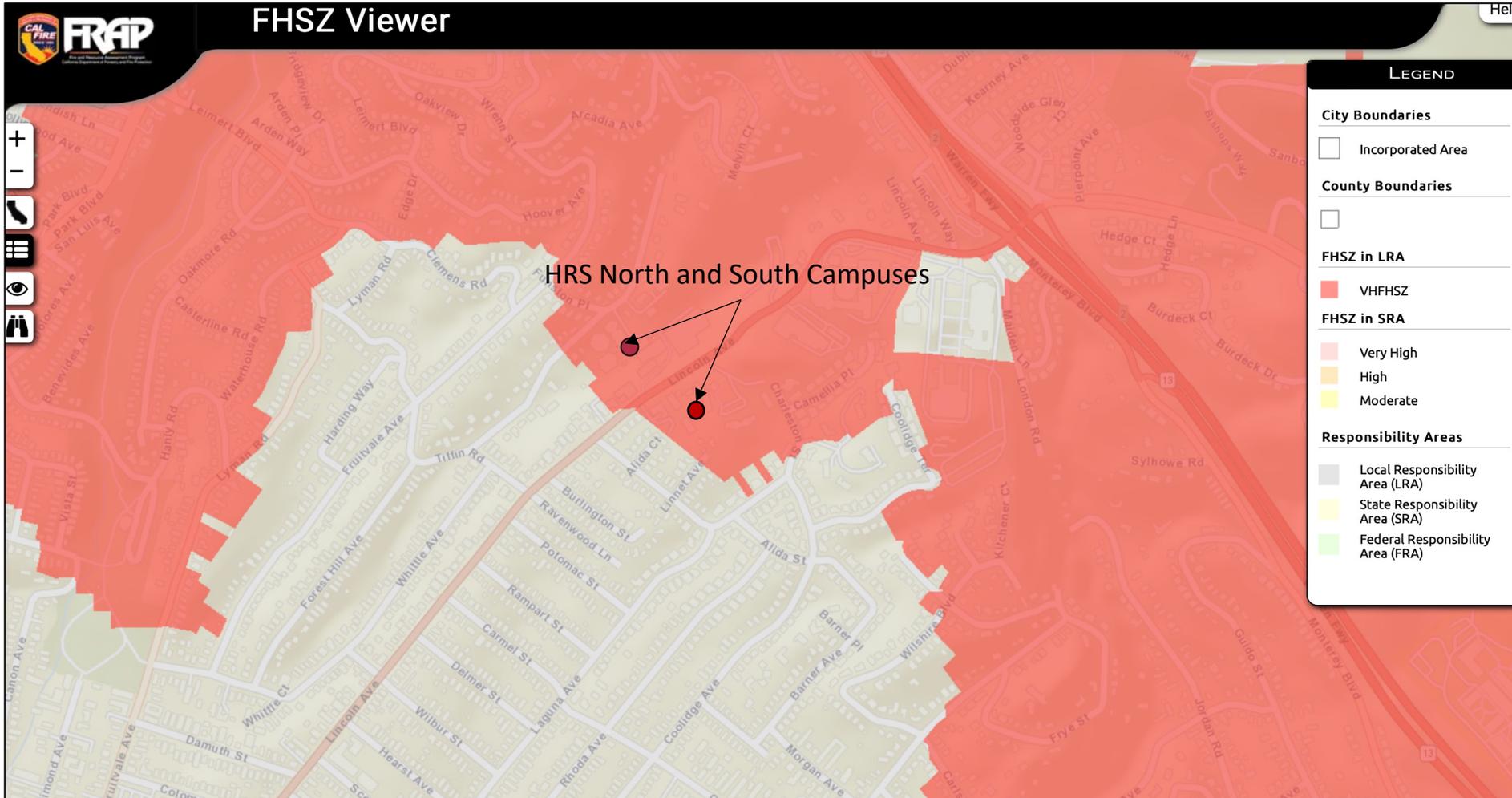
This concludes the analysis and opinion commentary of the *Draft Wildfire Preparedness and Evacuation Plan* for Head Royce PUD Project, CEQA Appeal of the Oakland Planning Commission's CEQA Determination, for expansion to a south campus. Do not hesitate to contact me with any questions.

Respectfully,
William Weisgerber
William Weisgerber
Weisgerber Consulting

Cc: file

EXHIBIT C

Cal Fire Hazard Viewer – Oakmore and Lincoln Heights



Closeup of HRS Campuses in Very High Fire Hazard Zone

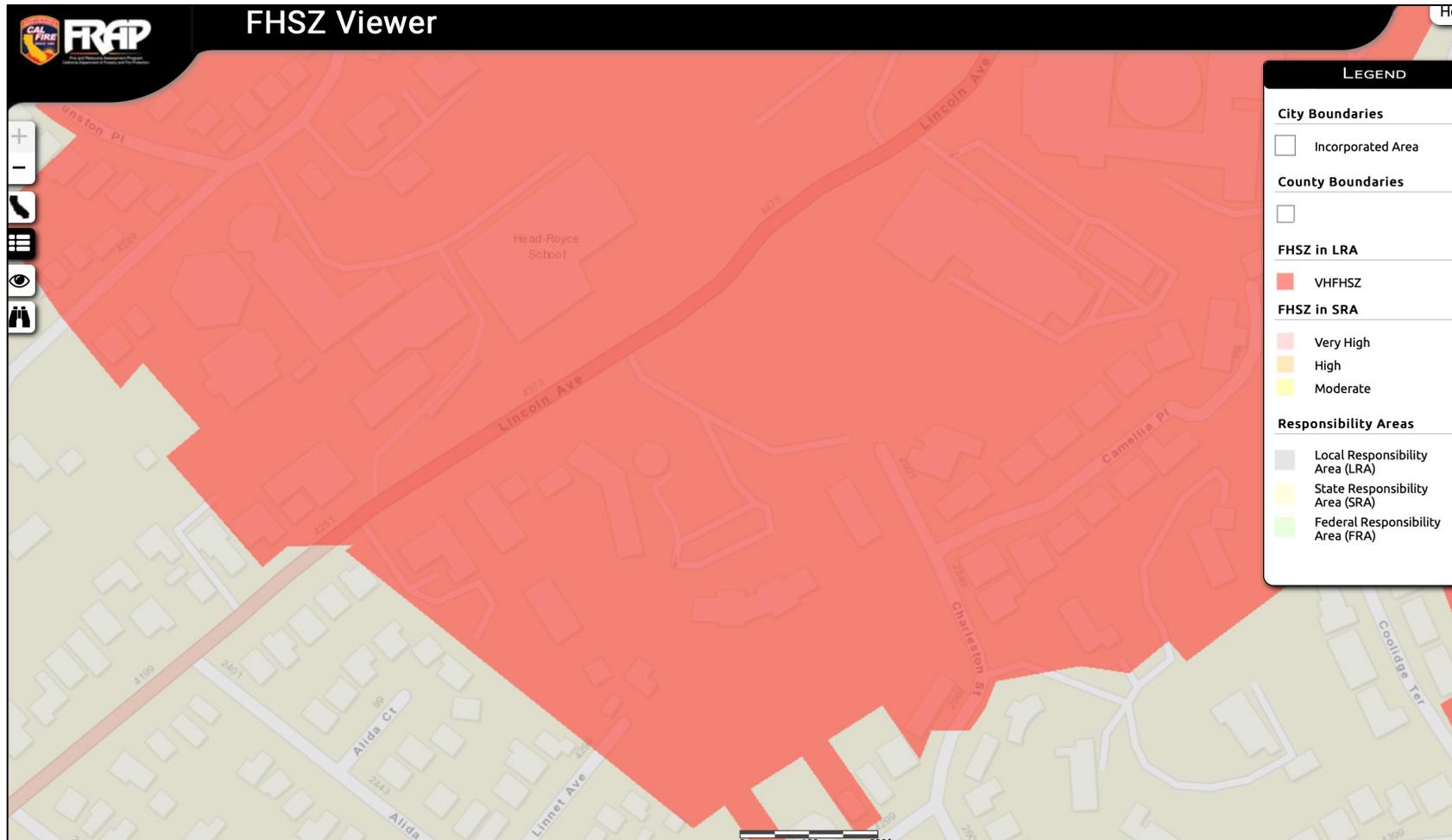


EXHIBIT D - FIRE EXPERT WILLIAM WEISGERBER LETTERS

December 7, 2021

William Weisgerber, President
Weisgerber Consulting
El Macero, CA 95618

Ms. Leila Moncharsh, Attorney at Law
5707 Redwood Rd., # 10
Oakland, CA 94619

Ms. Moncharsh:

At your request, I have reviewed the Draft EIR (DEIR) for a proposed expansion of the Head Royce School (HRS). I have specifically analyzed the following areas that fall under my professional expertise:

- **Chapter 16**—*Wildfire and Emergency Evacuation*,
- **Appendix 16A**— *Vegetation Management Plan and Fire Safety Phasing Plan for Defensible Space of the Head-Royce School*; and,
- **Appendix 16B**—*Evacuation Planning Recommendations for Head-Royce School*
- **Emergency Plan for Head Royce School**—*obtained from the City of Oakland and provided to me for review*

Professional Background: My background consists of a professional fire service career spanning over 45 years, rising through the fire service ranks from firefighter and engine company officer to include over 30 years as a chief officer (Battalion Chief, Operations Chief, Fire Marshal, and Fire Chief). My responsibility within the chief officer ranks not only included fire administration and incident command, but also California Fire Code regulatory compliance and enforcement, oversight and direct management of local emergency services, local hazard mitigation planning (including emergency evacuation planning), and emergency/disaster response operations. I also have a proven background in interim chief and fire marshal service (post-retirement), as well as consulting on local hazard mitigation, emergency planning, and fire prevention bureau administration and operations.

Current Wildfire Risks: The current risk of wildfires in Northern California, including the Bay Area, has increased dramatically over the past five years—due to unprecedented climate change and drought conditions. The dry fuel and extreme weather (summertime dry-lightning strikes, and record-high wind events) serve only to amplify conditions for extremely high fire danger. Historically, California Fire Season has lasted from mid-to-late May, through late October (or the first seasonal rains). However, in recent history, the California Fire Season has become a year-round event. Here are the salient points from the last three California Fire Seasons:

- **The 2019 California Fire Season** stretched from January 1 to December 19, burning over 259,823 California acres in 7,860 incidents, costing \$163M in suppression efforts (2019 USD).
- **The 2020 California Fire Season** ran from February 15 to December 31, and burned 4,397,809 California acres, causing over \$12.079B in damage (2020 USD) --the August Complex Fire alone, accounting for 1.03M acres.
- **The 2021 California Fire Season** started on January 14, and year-to-date has burned over 3,083,507 (and counting) Very High Fire Hazard Severity Zones acres from wildfires. *The 2021 Fire Season is not due to end until December 26th.*

(See CalFire Stats, Incidents-by-Year: <https://www.fire.ca.gov/incidents/2021/>)

However, wildfire destruction is not confined to fuels of the landscape, as there is tremendous risk to life and property where people live, work, and go to school in adjacent Wildland-Urban Interface areas. This is particularly poignant in the CalFire designated Very High Fire Hazard Severity Zones of the Lincoln Heights neighborhood of the Oakland Hills below Highway 13—where HRS is located. Moreover, available firefighting resources are spread more thinly, as the number and size of fires increases annually all over California —taxing resources of the State Master Mutual-Aid Agreement¹ to respond locally.

Historical California Wildfire References²:

- **July 7-17, 1985: The Lexington Fire** (Los Gatos CA). 13,800 acres burned. At the time, the largest fire mutual-aid effort in U.S. history, involving over 200 responding agencies.
- **October 19-23, 1991: The Oakland East Bay Hills Firestorm (*The Tunnel Fire*)** (Oakland, CA). 1500 acres burned, 2800 structures destroyed, (\$1.5B of damage in 1991 USD), 25 fatalities. (*This was the 3rd deadliest, and 3rd most destructive fire in California history*). **400 engines, and 1,500 personnel, from 250 agencies responded. Only Contra Costa County is chronicled in the FEMA Report, Appendix-D (21 strike Teams from 16 agencies). A Strike Team is 5 engines and 1 Battalion Chief.** Strike Teams also responded from Marin, Santa Clara, San Mateo, and San Francisco counties. <https://www.usfa.fema.gov/downloads/pdf/publications/tr-060.pdf>
- **October 8-31, 2017: The Tubbs Fire** (Sonoma County, CA). 38,807 acres burned, 2,834 structures destroyed³ (\$1.3B of damage in 2017 USD), 22 fatalities. (*The 4th deadliest, and 2nd most destructive fire in California history*).
- **November 8-25, 2018: The Camp Fire** (Paradise/Chic, CA), CA. 153,336 acres burned, 18,804 structures destroyed (\$16.65B of damage in 2018 USD), and 88 fatalities. (*The deadliest, and most destructive fire in California history*).
- **August 16 –November 12, 2020: The August Complex Fire** (Glenn, Lake, Mendocino, Tehama, Trinity, and Shasta Counties, CA). 1,032,648 acres, 935 structures destroyed, (>\$319.8 million of damage in 2020 USD), 1 fatality.
- **July 13 – October 25, 2021: The Dixie Fire** (Butte, Plumas, Lassen, Shasta, and Tehama Counties, CA). 963,309 acres burned, 1,329 structures destroyed, 1 fatality. *The Dixie Fire resulted in the most expensive fire-suppression effort in California history. By mid-October, three months into the fire, fire suppression costs had exceeded \$610M.*

¹ The California Master Mutual Aid Agreement has been in effect since 1950 (and includes all 58 counties and nearly every City and Special District as signatories), to provide mutual-aid emergency response—statewide—upon request. [https://www.caloes.ca.gov/FireRescueSite/Documents/CalOES - Fire and Rescue - Mutual Aid Plan.pdf](https://www.caloes.ca.gov/FireRescueSite/Documents/CalOES_-_Fire_and_Rescue_-_Mutual_Aid_Plan.pdf)

² CalFire Stats and Events

Top 20 Most Destructive California Fires: https://www.fire.ca.gov/media/t1rdhizr/top20_destruction.pdf

Top 20 Deadliest California Fires: https://www.fire.ca.gov/media/lbfd0m2f/top20_deadliest.pdf

California Wildfires/Acres all Jurisdictions: <https://www.fire.ca.gov/media/11397/fires-acres-all-agencies-thru-2018.pdf>

Suppression Costs: <https://www.fire.ca.gov/media/px5lnaaw/suppressioncostsonepage1.pdf>

³ Sonoma County has four "historic wildfire corridors...New homes in the fire zones are required to meet building code requirements for fire-resistant materials for siding, roofing, and decks, with protected eaves to keep out windblown embers Those measures made little difference in the Tubbs Fire. For example, **despite a 100-foot fire break** that ringed much of the Fountaingrove II subdivision, [of the Coffey Park neighborhood] which consisted of 600 upscale homes in the same path as the **1964 Hanly Fire, virtually the entire subdivision was destroyed by the Tubbs Fire.**

It is worth noting that the 1991 East Bay Oakland Hills Firestorm (The Tunnel Fire) is both the 3rd deadliest, and 3rd most destructive fire in California history⁴. Moreover, the conditions of a Very High Fire Hazard Severity Zone (VHFHSZ) and the topography, combined with ever increasing wind and fire danger causing the number of “extreme fire and weather danger” days to rise annually, presents a case for the weather and fire danger situation *not improving* in the Lincoln Heights neighborhood over time.

Quite to the contrary, the HRS proposed increase in student census (344) of a vulnerable population in the neighborhood (K-12—particularly the primary grades; not to mention ADA considerations) only serves to exacerbate the existing challenging circumstances for a safe, successful mass evacuation of students, faculty, and staff—in concert with local residents—during a wildfire, earthquake or other life-safety or panic emergency. This is a *significant impact*.

With the existence of a very real threat from all the dangers associated with wildfires in the Oakland Hills, including the Lincoln Heights neighborhood, the DEIR should have specifically analyzed how the project would include adequate mass evacuation for the school *and* the neighborhood residents *simultaneously*. However, the DEIR does not consider this analysis at all.

Response to the DEIR and Appendices:

DEIR Fire Safety and Fire Management Plans:

The DEIR Chapter 16, pages 16-12, 16-13 cites the four key fire safety and fire management plans in effect for Alameda County, since the 1991 Oakland East Bay Hills Firestorm: (ALCO Community Wildfire Protection Plan; CalFire/Santa Clara Unit Strategic Fire Plan; EBRPD East Bay Hills Wildfire Hazard Reduction, Resource Management Plan and EIR; and Fire Hazard Mitigation Program & Fuel Management Plan for the East Bay Hills. Oakland and Berkeley have also applied for FEMA Pre-Disaster Mitigation funding (PDMs) comprising six projects over 359 acres, under the FEMA Hazardous Fire Risk Reduction Project. *However, these critical projects have not been funded.*

Opinion:

These programs are comprehensive and serve to mitigate the fire danger in the East Bay Hills. And, while the Oakland Fire Department (OFD) Vegetation Management Unit (VMU) is one of the best of its kind, anywhere, there is no program or combination of programs that will entirely mitigate the catastrophic, worst-case scenario disaster (e.g., evidenced by the recent California Wildfire History).

In the DEIR, Chapter 16, page 16-14 there is much discussion about the elements of planning an evacuation. However, the DEIR does not address HRS adding 344 additional students (+staff) to an already limited (and over-burdened) evacuation route scenario. That is why it is so very critical to manage the effects of human actions and minimize exposure of the at-risk population to the threat of fire, by not crowding more people into a vulnerable area with limited egress. The best contribution an organization can make is to not add to the complexities of the problem, but to present solutions of a manageable number of people and a comprehensive emergency action plan (including a mass evacuation planning component), as part of the organization’s best business practices.

DEIR State Emergency Response Plan--Evacuation Planning:

The DEIR Chapter 16, pages 16-13, 16-14 discusses the State Emergency Response Plan--Evacuation Planning, with several references to early information. Mr. Stephen Wong cites (the DEIR Appendix 16B, pages 5, 6) the unlikely guidance provided from local officials in an extreme wildfire event.

⁴ CalFire Stats and Events

- Top 20 Most Destructive California Fires: https://www.fire.ca.gov/media/t1rdhizr/top20_destruction.pdf
- Top 20 Deadliest California Fires: https://www.fire.ca.gov/media/lbfd0m2f/top20_deadliest.pdf

Opinion:

The Emergency Management System provides for a liaison relationship between HRS and City Emergency Operations. HRS should move immediately to avail themselves of this emergency response connection. Additionally, Alameda County has a no-cost county-wide public alerting system provided by Everbridge (called **AC Alert**). Oakland first-responders have access to this technology to broadcast incident-specific messages for any event. The HRS Safety Officer should be made aware of this, and key decision-makers (if not all staff) in the HRS emergency plan command staff should be subscribers.

AC Alert can be accessed online in just a few minutes and can be customized by the subscriber to receive alerts via: voice, text, email, or all three. See link:

<https://www.acgov.org/emergencysite/documents/ACAlertSignUp.pdf>

DEIR Wildfire Impact and Significance:

The DEIR, Chapter 16 concludes on page 16-17 that the impact of a wildfire hazardous situation for students, employees, and neighbors is “less than significant.”

Opinion:

I strenuously disagree with this premise, as a localized vegetation management program alone will not mitigate the worst-case scenario in the VHFHSZ (e.g., 1991 Oakland East Bay Hills Firestorm; 2017 Tubbs Fire in which the Coffey neighborhood of 600 homes—with a 100-foot firebreak perimeter, fire safe building components and green-belted defensible space—was completely destroyed by fire, down to the foundations. (See footnote-3 on page 2)

The very nature of an evolving severity in the California Wildfire Season, weather and fire danger, and Wildland-Urban Interface (WUI) threat impacts, renders the DEIR statements (page 16-___) as to the “...*impact of the hazardous situation...being less than significant*” as completely unfounded. When in fact, for all the reasons cited herein, the risk is at an all-time high and without any significant mitigation measures demonstrated in the DEIR.

DEIR Emergency Evacuation Plans:

The DEIR, chapter 16, page 16-22 concludes that, “*The Project would not impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan [as] (Less than significant)*”

The DEIR goes on to say (same page reference) that “...*the City’s Local Hazard Mitigation Plan encourages development of plans, in conjunction with the fire jurisdictions...*”

The DEIR further concludes, (same page reference) “*With a Diablo wind event and favorable fire conditions (including long range fire spotting) a wildfire that begins in the Oakland Hills could reach Head-Royce School within 15-30 minutes.*”

Opinion:

I disagree with the “**Less than significant**” conclusion, as the DEIR in no way addresses the effect of an additional 344 students (+staff)—an increase of 38% in the student census—in the capacity of a pedestrian emergency mass evacuation during a wildfire.

Moreover, it is clearly indicated throughout DEIR Chapter 16, and Appendix 16B, that HRS has not interacted with the City of Oakland regarding emergency planning, mass evacuations, or emergency communications. And, it is only mentioned on page 16-22, that, “...*the City’s Local Hazard Mitigation Plan encourages development of plans, in conjunction with the fire jurisdictions...*” There is no mention

or reference in the DEIR that HRS has initiated any such effort to coordinate with the OFD in this regard—made evident by the analysis of Mr. Stephen Wong, regarding the HRS emergency evacuation plan, detailed in Appendix 16B.

The third DEIR reference on page 16-22, is that of a Diablo wind-driven wildfire event in the Oakland Hills being able to reach HRS in 15-30 minutes. This further punctuates the urgent need for a more thorough emergency evacuation plan, that is realistic, on-going, and verifiable.

DEIR Mitigation Measures:

The DEIR Chapter 16, page 16-25, concludes regarding mitigation measures: *“None required. The Project will not limit emergency access, impede emergency response or create hazardous conditions for the public related to emergency access or evacuation, and the impact would be less than significant.”* The DEIR goes on to say that *“...the Project will not make a significant contribution to this cumulative effect...”*

Opinion:

The DEIR conclusion relies heavily upon the elements of the localized vegetation management plan, the HRS emergency plan, and OFD Fire Code enforcement (e.g., annual vegetation management inspections). As stated previously, the OFD VMU is one of the best of its kind, anywhere. However, this is a once annual inspection, and HRS has no demonstrable track record for the capacity necessary to implement a maintenance of effort for all of the prescribed elements contained of the vegetation management plan contained in DEIR Chapter 16, Appendix 16B.

Additionally, the HRS Emergency Plan lacks serious content. The missing salient points being:

- The absence of a realistic, on-going, and verifiable emergency mass evacuation plan that addresses:
 - Obstacles to viable egress pathways, (gates, stairs, hills), gate openings, (narrow, locked, unmarked, absence of emergency back-up power).
- No student and staff accountability procedures.
- No procedures for managing primary grade children (K-6).
- No ADA compliance.
- No established evacuation training and exercise plan (students, staff, parents) for effectiveness during emergencies.

DEIR Evidence Before the Oakland City Council:

With all recent California fire history evidence to the contrary, the City Council should not be satisfied to continue treating the threat of fire danger to HRS as “...very unlikely...” (to quote Mr. Stephen Wong, Appendix 16B, page 7)

Opinion:

In view of all that has been done, and all that will be done, to mitigate the threat of another Oakland East Bay Hills Firestorm, the HRS campus remains in the VHFHSZ. Moreover, HRS already introduces a highly vulnerable portion of the population into an environment that is extremely difficult to evacuate properly. HRS should not be considered for an expanded facility that adds 344 more students to the situational equation, until such time as HRS can satisfactorily implement a realistic, ongoing, and verifiable emergency plan, in conjunction with a well-established implementation of the prescriptive vegetation management plan as thoroughly outlined in Appendix 16A.

Head-Royce School Vegetation Management Plan (WRM Prescription):

In appendix 16A, the Wildland Resource Management’s prescriptive vegetation management plan document is exactly correct.

However, outside of the annual OFD vegetation management inspection, this mission critical plan component for defensible space and evacuation route safety has been relegated to a maintenance of effort that is incumbent upon HRS for self-guided compliance. The successful effectiveness of the vegetation management plan lies primarily with this HRS self-monitoring system—for which HRS has no track-record, as the plan has not been implemented.

Even under the best of circumstances, a prudent regulatory approach to compliance by the FPB does not (and should not) award self-inspection privileges to any entity with less than 5-years of a successful “no violations” history. Otherwise, there is no basis for a proven record of compliance upon which to sustain a “self-inspection” designation privilege.

Head-Royce School--Ability to Evacuate In Case of Wildfire:

DEIR Appendix 16B makes a very strong case *against* HRS expansion (regarding mass evacuation planning). Additionally, as noted in DEIR Chapter 16 as well as Appendix 16B, both the Association of Bay Area Governments (ABAG) Annex for Oakland and the City of Oakland Local Hazard Mitigation Plans (LHMP) remain silent on a publicly facing emergency evacuation plan that would include HRS.

Therefore, according to DEIR Appendix 16B, page 8, “...*the lack of [Oakland LHMP] planning specifically for evacuation response and preparedness indicates that Head-Royce School will likely have to be its own decision-maker in a wildfire...*” Again, the crux of any modicum of success for the mission critical plan component of an emergency mass evacuation plan is incumbent upon HRS for a self-guided system—with only infrequent testing of the system (and self-reporting) with no written mechanism for validation by any entity of the public safety operations community (Fire, Police, or Public Works).

Recommendations for a Bona Fide Mass Evacuation Plan:

It is recommended that a bona fide mass evacuation plan be developed immediately, with real training for students, staff, and parents (not one based on conceptual actions of teachers taking a moment to review the plan in an emergency, and then be expected to immediately execute a safe and effective mass evacuation plan in a self-organized fashion of priorities & purpose). By then it is too late. The mass evacuation plan should be developed with a legitimate consultant who specializes in emergency planning & evacuation—in conjunction with a vetting process through:

- OFD FPB
- Emergency Services
- OPD Traffic Division
- Public Works—Transportation Planning

The mass evacuation plan should absolutely be part and parcel of a larger HRS emergency plan—as it stands. However, the complexity and uniqueness of evacuating a 900 (current) student population (and 1250 students with the proposed expansion)—along with faculty and staff, into a populated neighborhood, poses extraordinary challenges for safety and success, and raises myriad questions that have not been addressed in the DEIR:

Appendix 16B:

Mr. Stephen Wong concludes in the DEIR, Appendix 16B, page 2 that the “...*concerted effort to outline and define key communications processes and protective actions with an evacuation plan is commendable...*”

Opinion:

The HRS evacuation plan is altogether ineffective, as written. Moreover, it does not address the basic tenets of accommodating a mass evacuation situation affecting school-aged children, and the ADA. Mr. Wong continues in DEIR Appendix 16B to outline multiple egress obstacles for an evacuation from the campus, which amplify the inadequacies of the HRS emergency mass evacuation plan:

Opinion:

Campus Layout and Egress (DEIR Appendix, 16B pages 2, 3):

- The nine-gate system of egress from the campus is fraught with obstacles to any acceptable standard of mass evacuation—particularly for K-6 students. Moreover, none of the identified means of egress are ADA compliant
- All means of egress involve either narrow stairs (Main Gate, Middle Gate exits), steep inclines (Solar Panel Stairs), or both (Main Gate Side Stairs). There are no sidewalks on roadways (Tennis Court exit—Whittle Rd.). Pedestrians and vehicles share the same egress roadway (Funston Place exit)—mixing dozens of vehicles with hundreds of vulnerable pedestrians in the same emergency mass evacuation egress pathway. Even under non-emergency situations this is a dangerous and unsafe situation.
- One gate is unmarked and leads to a dirt path overgrown with vegetation (Side Funston Place exit).
- Electric vehicle gates (Upper Gate, Funston Place Exit) have no emergency back-up power source and no adjacent pedestrian exit way.
 - If there were an adjacent pedestrian exit way—based on the inadequacy of the other HRS gates in the system, it is questionable these would be sufficient to accommodate a mass evacuation—thus easily lending itself to a crowd-panic scenario in which people could become crushed at the narrow gate “choke-point.”
 - The hallmark case-study of life safety/panic disasters is the *December 3, 1979, Cincinnati Riverfront Coliseum concert* in which **11 people were crushed to death** when inadequate doors were opened to let concertgoers *into* the venue.⁵
- In an emergency mass evacuation scenario, when hundreds of people (in the case of HRS, many between the ages of 5-11) are escaping a dangerous situation, the current HRS emergency exit plan only serves to exacerbate the seriousness of the danger to human life. For this case-in-point, a picture is worth a thousand words (see: unedited KTVU/Fox news footage of 1991 Oakland East Bay Hills Firestorm, evacuation here: <https://www.youtube.com/watch?v=NseOhUqZAh0>)

Transportation and Evacuation from the Neighborhood (DEIR Appendix, 16B pages 4, 5):

This section successfully outlines the elements of HRS’s inability to effectively evacuate the campus, and observes the HRS evacuation situational shortcomings, as it exists today. Mr. Stephen Wong discusses three obvious modes of mass evacuation: pedestrian, vehicular, and cycling.

With the current campus census of 906 students and 200 staff, and a proposal for an additional 344 students (+additional staff) under the HRS expansion, that makes for 1440+ people (many under the age of 12) trying to execute a mass evacuation under an emergency fire and panic situation.

⁵ “...It caused what an expert consulted by the task force later called a “crowd craze,” in which an “induced sense of urgency” sends a group into a bottleneck. With so many people packed together, research engineer John J. Fruin [wrote to the task force in February 1980](#), “the crowd became an almost fluid mass.” Waves coursed through it, the small movement of one person sending ripples to the next....” --Washington Post, 11/ 9/2021. <https://www.washingtonpost.com/history/2021/11/09/the-who-concert-tragedy/>

Pedestrian Evacuation (DEIR Appendix 16B, page 4): The Plan proposes an estimated 1400 persons walking down the road in a calm, organized fashion under emergency mass evacuation circumstances.

Opinion:

This concept has not been thoroughly vetted, as there is not a developed component of how the campus population will be organized. And it raises more questions than provides solutions. Such as:

- What is the span of control for supervisory accountability between staff and students?
- How are staff and students accounted for through each step of the process (classroom “all clear,” rally points, along the travel route (some up to 1-mile), and at the designated evacuation assembly points)?
- How does HRS propose to safely manage students of multiple ages along the roadway, in traffic, under emergency mass evacuation conditions?
- Have the assembly points been approved by the property owners?
- Have the assembly points been vetted for conflict with any other City emergency plans?

For all intents and purposes the designated HRS mass evacuation gates and exits provide no viable emergency evacuation egress points from campus. This is not a legitimate plan for an emergency mass evacuation of several hundred people—some as young as 5-years old. This is unacceptable. The mass evacuation plan also has no ADA accommodations component to it, directing evacuees to multiple narrow sets of stairs—some with an uphill emergency exit path of travel for pedestrians.

Multiple gates are non-functional for pedestrian egress, and are either designed for vehicular traffic only, are electrically actuated with no back-up power system (or both), and one is padlocked (Side Funston Place Exit—Appendix 16B, page 3). The California Fire Code prescribes that all **exit doors**, including manually operated horizontal sliding **doors**, shall be openable from the inside **without** use of a key or any **special knowledge** or effort ([Chapter 10: Means of Egress, California Fire Code 2019](#)).

Vehicular Evacuation (DEIR Appendix 16B, page 4):

This section (DEIR Appendix 16B, pages 4, 5) analyzes two possible options for a vehicular evacuation mode: buses and private vehicles—which also connotes by virtue of a “suggestive” nature, that there is nothing developed in an HRS written emergency plan, for this mode.

Buses:

While this is a good option for moving large numbers of people at once, the six available buses only accommodate 1/3 of the campus at once. And, while there is potential of shuttling people off-campus with several runs, there is no apparent written plan for activating this bus system in a timely fashion, with qualified drivers, in an emergency. There is also *not* a planned design-system for accommodating a shuttle service, nor has a shuttle system been vetted for conflicts with City emergency plans for traffic, during an evacuation situation. There is also *not* an accountability component for the bus mode, to insure no one is left behind. This element should be fully pre-planned for this resource to even be a viable option—and this element has not been pre-planned.

Vehicular Evacuation:

I agree with Mr. Stephen Wong in that use of student and staff private vehicles to evacuate themselves and others would require an extraordinary amount of pre-planning [and training] and would expose HRS to a significant liability concern.

Cycling Evacuation:

I agree with Mr. Stephen Wong’s assessment that students attempting to evacuate via bicycle presents a danger to themselves and to others under an emergency mass evacuation condition. This option should be

prohibited (to the extent possible)—which begs the “emergency mass evacuation accountability” question, once again.

Conclusions:

Mr. Stephen Wong makes several observations and recommendations in DEIR Appendix 16B in which the shortcomings of HRS’s emergency mass evacuation planning become glaringly apparent.

Granted HRS is a private entity. However, given the location (and large student census) it is vexing how little attention has been given to coordination with the OFD, OPD and Oakland Emergency Services regarding not only HRS, but also the adjacent LDS Temple, Immersion Preschool, Ascension Cathedral, Ability Now (with multiple wheelchair user clients), and the UCP Plant Exchange Event Center—all affecting the dynamics for mass evacuation of the campus and neighborhood.

The DEIR does not, at any point, address an evacuation plan and procedure component for the *newly proposed south campus and it’s proposed 344 new students (plus staff)*. This increase in students and staff population only serves to further magnify the deficiencies of the HRS emergency mass evacuation plan. Thus, placing even more emphasis and urgency on the need to resolve the inadequacies of the schematically skeletal mass evacuation plan discussed in the DEIR.

Moreover, there is a high degree of need that a bona fide mass evacuation plan should be *vett*ed through the public safety community of the OFD (FPB and Emergency Services) in the same manner as a high-rise facility is required to. The OPD Traffic Division should review the plan for impact and conflict with other street evacuation protocols—and to insure it is incorporated and in compliance with existing OPD plans. Also, Oakland Public Works—Transportation Planning Division should review the plan for impacts on the existing Traffic Impact Analysis and established traffic service level rating(s) for the area. Once completed, the HRS Board should thoroughly review the plan before approval and adoption—and mandate that all faculty, staff, students, and parents be trained on the plan, with a minimum of semi-annual exercises (at least one observed by the OFD). Try to visualize 900-1200 students (plus faculty & staff) trying to simultaneously get onto the same streets as evacuating residents and businesses—without training.

The evacuation plan described in the DEIR has many unsupported conclusions, and a contrived approach to safety procedures without any measure of practical application or execution. The health and safety liability associated with this is not of an acceptable measure. A school organization that is responsible for over 1,000 people on a daily basis, cannot write a mass evacuation plan in the absence of experiential expertise. To take this approach is a recipe for disaster in an emergency, holding increasingly significant potential for people (especially the vulnerable population of primary grade school-aged children, and the ADA at-risk population) to be lost, injured, or killed. In the aftermath of such a disaster the public and the media will turn to HRS, the City, and OFD to ask, “*How could you let this happen?*”

Recommendations:

I am in disagreement with Mr. Stephen Wong’s assumption that “*It is also highly unlikely (but not improbable) that a wildfire would reach this [HRS] destination...*” (DEIR Appendix 16B, page 7). Quite to the contrary, as all the wildfire history evidence presented herein demonstrates, the likelihood for a wildfire starting in the Oakland Hills and reaching HRS is of an extremely high and dangerous likelihood; and, that HRS should in all due diligence plan accordingly—which all evidence in the DEIR indicates HRS has not done sufficiently.

To remedy this situation, HRS should immediately move to execute a concentrated effort toward the following elements for an emergency mass evacuation plan:

A Bona Fide Written Emergency Plan:

- Develop a written *campus mass evacuation plan and procedure*, completed with the expertise of a professional consultant who specializes in evacuation; with some particular emphasis on routes, alternate routes, exit design calculations, pedestrian planning and flow rates, evacuee accountability, ADA compliance considerations, and designs for emergency movement via bus-shuttle systems. The plan should be written in cooperation with the OFD and City of Oakland Local Hazard Mitigation Plan, to include, but not be limited to:
- A decision-making process for initiating evacuation.
- A campus accountability system to ensure all persons are safely evacuated.

Campus Staff Training

- Training in supervising and managing a mass evacuation of students K-12, with ADA considerations for the campus population with mobility needs. Particularly in managing students walking distances of up to 1-mile to an assembly point.
- Pre-designated assembly points for parents or guardians. It is recommended that a new, thoroughly developed plan be written for adequately communicating emergency evacuation information, and instructions to parents or guardians, to reunify with their students.
 - The plan should contain a methodology for primary, secondary, and tertiary assembly sites—based on the circumstances; and not de facto reporting to one pre-designated location to await further instructions.

Coordinated Emergency Communications:

- A coordinated emergency communication plan for real time updates with the City of Oakland Emergency Operations Center (EOC) and/or OFD Operations Center (DOC).
- A planned interface relationship between a dedicated HRS representative and the Liaison Officer designated by the City of Oakland Emergency Operations Plan (EOP). This designee could request pre-authorization to report to the EOC, as do public schools.

Semi-annual Exercises:

- It is recommended that HRS **should absolutely** conduct semi-annual evacuation exercises with at least one being in coordination with OFD, to ensure that the campus is well-indoctrinated toward an emergency reflex response to a disaster.
- The role of exercises cannot be *over-stated* in preparing the campus for a wildfire.

Other notable assumptions in Appendix 16B that HRS :

These items should address immediately, as integral components to a written emergency plan, include:

- It is noted in DEIR, Appendix 16B, page 8 (Additional Notes and Observations), that the Oakland 2016-2021 Local Hazard Mitigation Plan and the Oakland Safety Plan do not have a publicly facing evacuation plan or response plan.
 - **This does not absolve HRS** from working diligently with the City, and HRS's own consultant, toward the best practices objectives of responsibly protecting their students, staff, and the neighborhood from the effects of a mass evacuation during a wildfire.
 - HRS staff should thoroughly review all pertinent documents in preparation for a bona fide plan to protect the population of the campus and the neighborhood.
- **Shelter-in-place should not be a protective action** under wildfire conditions, as this has extremely high potential for leading to injury or death.
 - It is strongly recommended that a dedicated HRS Liaison be designated to coordinate strong, direct lines of communication with City officials (OFD, OPD, Emergency Services) as paramount to an HRS emergency plan and decision-making process for initiating evacuation.

- It is recommended that **HRS make a capital investment in an emergency back-up power generator system** for the campus—to power essential functions during an emergency.

Interim Mitigation Actions:

In addressing the lack of an acceptable mass evacuation plan for HRS, it is recommended that interim mitigation actions be taken, immediately. As to do nothing towards mitigation is a strategy that exposes students, staff, and the neighborhood residents to an extremely high-risk during an emergency.

Until such time as a bona fide mass evacuation plan is completed, it is strenuously recommended (with OFD enforcement) that on any extremely high fire and weather day, a strict Fire Watch provision should be in place at HRS, to conduct classes at full-capacity occupancy

During Red Flag Days⁶ (extremely high fire and weather danger) in lieu of cancelling classes HRS should comply with strict Fire Watch measures imposed by the Oakland Fire Marshal. Otherwise, to “do nothing,” or adopt a “wait and see” position until there is a wildfire or other emergency will only result in exposure of the students, staff, and neighborhood to an extraordinary health and safety risk.

Interim Mitigation Actions recommended to include, at a minimum:

- On-site, professionally trained fire watch personnel (qualifications, number, and type to be approved by the OFD FPB) for coordinating the execution of a mass evacuation.
- A radio/cell communications plan in place, capable of coordinating with Oakland Emergency Services Liaison Officer (as established in the California State-adopted SEMS⁷ organizational chart).
- Establish and implement a Red Flag Day “bus readiness” plan, complete with qualified drivers at the ready and a comprehensive shuttle service plan, to be in place for rapid deployment in case an emergency mass evacuation is required.

Extreme Interim Mitigation Actions:

Absent effective Interim Mitigation Actions and a viable mass evacuation plan approved for implementation (given the HRS location, and the absence of viable egress to safely mass evacuate campus to safety, simultaneously with the neighborhood) the following extreme compliance measures are recommended to include, but not limited to:

More-to-most severe interim mitigation actions to include:

- Reduce campus census by relocating or cancelling primary grade classes (K-6) on Red Flag Days.

⁶ A Red Flag Warning is issued for weather events which may result in extreme fire behavior that will occur within 24 hours. A Fire Weather Watch is issued when weather conditions could exist in the next 12-72 hours. A Red Flag Warning is the highest alert. During these times extreme caution is urged by all residents, because a simple spark can cause a major wildfire. A Fire Weather Watch is one level below a warning, but fire danger is still high. See CalFire link: <https://www.fire.ca.gov/programs/communications/red-flag-warnings-fire-weather-watches/>

⁷ As a result of the Oakland East Bay Hills Firestorm of 1991, California State Senator Nicolas Petris introduced SB 1841. Subsequently, the Standardized Emergency Management System (SEMS) was adopted by California in 1993 under the Emergency Services Act. A primary function of SEMS is Multi-jurisdictional Coordination. California Office of Emergency Services. The Liaison Officer position in the command structure, is the point-of-contact for other agencies. <https://www.caloes.ca.gov/cal-oes-divisions/planning-preparedness/standardized-emergency-management-system> California Department of Social Services <https://www.cdss.ca.gov/dis/res/13Supplemental%20NIMS%20PG.pdf>

- Red Tag (close) the campus on Red Flag Days (similar to that of an east coast snow day), until a bona fide evacuation plan can be *properly* implemented.

This concludes my analysis, and commentary of top 20 recommendations, in response to the HRS DEIR for expansion to a south campus. Do not hesitate to contact me with any questions.

Respectfully,

William Weisgerber

William Weisgerber
Weisgerber Consulting

Cc: file

March 20, 2023

William Weisgerber, President
Weisgerber Consulting
El Macero, CA 95618

Ms. Leila Moncharsh, Attorney at Law
5707 Redwood Rd., # 10
Oakland, CA 94619

Ms. Moncharsh:

At your request, Weisgerber Consulting has reviewed the Final EIR (FEIR) for the proposed expansion of the Head Royce School (HRS) Planned Unit Development (PUD). As President of Weisgerber Consulting, I am specifically responding to FEIR comments on the following areas of my professional expertise on mass evacuation, and contained in my earlier letter, dated December 7, 2021, regarding the Draft EIR (DEIR) for HRS:

- **Chapter 3**—*Master Response to Comments on Evacuation (pages 3-8 to 3-11)*
- **Chapter 4**—*Response to Comment Letter B – Law Offices of Veneruso & Moncharsh, Leila H. Moncharsh, December 20, 2021 (pages 4-17)*
- **Chapter 4**—*Response to Comment Letter B3 - Weisgerber Consulting, December 7, 2021 (pages 4-50 to 4-56)*

Professional Background: To reiterate the December 7, 2021, letter, my career qualifications consist of a professional fire service career spanning over 45 years, rising through the fire service ranks from firefighter and engine company officer to include over 30 years as a chief officer (Battalion Chief, Operations Chief, Fire Marshal, and Fire Chief). My responsibility within the chief officer ranks not only included fire administration and incident command, but also California Fire Code regulatory compliance and enforcement, oversight and direct management of local emergency services, local hazard mitigation planning (including emergency evacuation planning), and emergency/disaster response operations. I also have a proven background in interim chief and fire marshal service (post-retirement), as well as consulting on local hazard mitigation, emergency planning, and fire prevention bureau administration and operations.

FEIR Opinion Background: Among the mission critical life-safety issues insufficiently addressed in the FEIR review of the HRS PUD Project, is the non-existence of a realistic, on-going, and verifiable evacuation plan for the HRS campus site. Which is of primary concern.

WUI EVACUATION RESEARCH:

To this point, there has been a plethora of research published on the specific topic of WUI evacuation, compiled from a cohort of global experts, by the National Fire Protection Association (NFPA) Research Foundation (2021). This work introduces an evacuation modeling platform called **WUI-NITY: a platform for the simulation for the wildland-urban interface fire evacuation** (specifically concentrating on the WUI commu-NITY). The platform accounts for fire spread, pedestrian movement, and traffic; in consideration of situational awareness by responders and human behavior of residents *in evacuation scenarios under the life-threatening duress of an actual emergency and the dynamic evolution of the*

situation. Its credibility is furnished through rigorous testing (working closely with stakeholders to ensure the model is valid and valuable), by enhancing outputs to provide insights not ordinarily generated elsewhere (i.e., trigger buffer designs; vulnerability assessments, effects on traffic impact, panic, and life-safety values).

<https://www.nfpa.org/News-and-Research/Data-research-and-tools/Wildland-Urban-Interface/WUINITY-a-platform-for-the-simulation-of-wildland-urban-interface-fire-evacuation>

Additionally, in the wake of the 2018 Camp Fire disaster in Paradise, CA, there have been numerous high-profile engineering studies prepared specifically on modeling WUI Egress and Evacuation, including the following:

UCLA Engineering Department Study prepared for PG&E (2022);

https://static1.squarespace.com/static/54628adae4b0f587f5d3e03f/t/62543e3b217100425b1aff5f/1649688125299/GIRS-2022-03_Wildfire+Egress+Model.pdf

Caltrans Division of Research, Innovation and System Information (DRISI) (2021); <https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/preliminary-investigations/pi-0278-a11y.pdf>

American Society of Civil Engineers (ASCE) (2019). <https://ascelibrary.org/doi/10.1061/JTEPBS.0000221>

Furthermore, the **Readiness and Emergency Management for Schools (REMS) Technical Assistance (TA) Center** has prepared an 11-page Wildfire [Preparedness] Fact Sheet for K-12 schools and Institutes of Higher Learning (IHLs) (2018). https://rems.ed.gov/docs/WildfireFactSheet_508C.pdf

None of these innovative research products of advanced methodologies have been referenced or incorporated into the planning of this Project, the DEIR, or FEIR.

The preparers of the FEIR have anchored an HRS mass evacuation strategy to the viability of Lincoln Avenue as the primary route for the impact on capacity during a mass evacuation—experiencing a simultaneous convergence of the HRS and surrounding population in an uncontrolled manner. Moreover, there has been no consideration given toward modeling secondary and tertiary routes (essential elements to emergency planning). A strategy of this depth requires a mission critical proof-of-concept for accommodating the additional student and staff population (361) to the existing traffic and pedestrian load on campus; and in full consideration of the existing uphill population (estimated in the FEIR at only 50% of actual population and still totaling 8,945 people of myriad ages and abilities). Furthermore, it remains unconvincing that the FEIR suggests K-12 aged students (particularly lower primary grades) will be able to just calmly march down the street amidst the other frantic population trying to escape harm's way on foot, bicycle, or vehicle.

It is recommended that decision-makers for both the City of Oakland and HRS view the KTVU-2 raw news footage of the 1991 Oakland Hills Fire evacuation attempts, and evaluate the impact of “history repeating itself,” on the heels of this decision. The first 2-minutes of this 6-minute clip (link below) provides real-world, Oakland evidence, sufficient to give pause for further thoughtful consideration toward adding 344 school-aged children to the equation of mass evacuation from the VHFSHZ, in which HRS is located.

<https://www.youtube.com/watch?v=NseOhUqZAh0>.

The conclusions in this response to the HRS FEIR are anchored in the fact that the caliber of evacuation modeling referenced herein should—in any practical sense—already be in place for existing conditions at HRS. It then should be of paramount importance to update the existing modeling for any proposed expansion such as the HRS South Campus—as part and parcel of the due diligence.

CHAPTER 3—MASTER RESPONSE TO COMMENTS ON EVACUATION (pages 3-8 to 3-11)

[FEIR] Chapter 3, page 3-4—Project Impacts (excerpted):

“...public comments on the [DEIR] do not identify any reasons that the Project...would have any reasonable possibility of significantly increasing the risk of fire hazards in the area...the risk of existing wildfire hazards may affect the Project is not a CEQA threshold...”

OPINION: Regardless of the CEQA thresholds set for exacerbating existing conditions, the introduction and presence of an increased vulnerable population into the VHFSHZ, by definition, exacerbates the severity of the existing condition of the life-safety situation. In the absence of recognizing this level of life-safety impact—performing due diligence in advance of a decision—the only logical conclusion that decision-makers can reach is that this Project is not ready for approval.

[FEIR] Chapter 3, page 3-5—Existing Wildfire Risks vs. Exacerbation of Wildfire Risks (excerpted):

“... While not an impact of the Project, the Draft EIR certainly does not suggest that the risk of wildfire hazard that is present at the site and in the surrounding area is less than significant, but rather highlights the significance of the risk that is present...No public comments on the Draft EIR suggest that the Draft EIR did not identify this potential impact such that it represents a new impact not discussed in the Draft EIR, or that this impact is substantially greater than as described in the Draft EIR...”

OPINION: The CEQA process, in its current form, is unbending at every level in the face of introducing hundreds of additional vulnerable populations into the VHFSHZ, by excusing it away as not meeting CEQA thresholds for exacerbating existing conditions.

[FEIR] Chapter 3, page 3-6—Comments on Merits of the Project (excerpted):

“...That CEQA consideration does not preclude City decision-makers from considering, based on substantial evidence, whether the Project is appropriate at the location proposed...However, when considering the relative merits of the Project, the City can consider whether it is prudent to increase the number of people, especially student populations, in an area of high wildfire risk...”

OPINION: Fully concur that this remains a policy-level decision as to whether the Project is appropriate for the location. As there is substantial evidence that the HSR Project has not performed sufficient due diligence with respect to significant life-safety issues associated with the addition of 344 vulnerable population to the VHFSHZ. Moreover, it is not prudent to approve the Project in its current form.

[FEIR] Chapter 3, page 3-6—Comments on Merits of the Project (excerpted):

“...However, the Project does present a very important concern pertaining to increasing the number of children that would be present within an area of very high fire hazard risk, and the Draft EIR does present sufficient information for City decision-makers to evaluate that risk when weighing the relative merits of the proposed Project...”

OPINION: Fully concur that the Project does present a very important concern pertaining to increasing the number of children that would be present. However, strongly disagree that the Draft EIR does

present sufficient information for City decision-makers to evaluate that risk when weighing the relative merits of the proposed Project. To the contrary, it is the DEIR *comment letters* that present sufficient information for City decision-makers in this risk evaluation.

[FEIR] Chapter 3, page 3-8—Project Impacts (excerpted):

“...the CEQA threshold pertaining to emergency evacuation is whether the project would, “impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan...the City of Oakland does not have a publicly facing evacuation plan for the Oakland Hills and there are no specified public emergency evacuation routes to be followed...As such, the Project does not conflict with or interfere with any such plans...”

OPINION: The City of Oakland not having a publicly facing evacuation plan for the Oakland Hills does not mitigate, nor preclude, HRS from professionally developing their own campus safeguards for mass evacuation planning in a disaster.

[FEIR] Chapter 3, page 3-8—Exacerbation of Evacuation Congestion (excerpted):

“...Irrespective of the presence (or lack thereof) of a publicly facing evacuation plan, the hazards of a wildfire could be exacerbated by the Project, if the Project resulted in a condition whereby community residents were unable to evacuate safely due to increased traffic congestion on potential evacuation routes. As noted in a recent California Supreme Court decision (Center for Biological Diversity v. Lake County, Superior Court of the State of California, Case #CV42115, January 2020), “additional people competing for the same limited routes can cause congestion and delay in evacuation, resulting in increased wildfire related deaths. By bringing a significant number of people into the area, [the project] may significantly exacerbate existing environmental hazards, specifically, wildfires and their associated risks. Therefore, this is an issue that is required to be addressed under CEQA.” ...”

OPINION: Fully Concur

[FEIR] Chapter 3, page 3-9—Exacerbation of Evacuation Congestion (excerpted):

“...Under such a catastrophic scenario, as many as 8,945 people may be seeking to use Lincoln Avenue as an evacuation route to safe, downhill locations. Under a worst-case scenario that assumes Lincoln Avenue as the only evacuation route from the School, the Project could add as many as 361 more people (or an approximately 4 percent increase in people) using Lincoln during an evacuation. However, the School is not in full session year-round, is open only about 50 hours per week, and has a limited number of special evening events that are to be finished by 10:00 pm. These conditions effectively limit the School’s full operations to approximately 20 percent of the total hours of any given year, reducing the chances that full occupancy and operation at the School would occur at the same time as an emergency evacuation...”

OPINION: Disaster and emergency planning, particularly mass evacuation, must operate on the premise of worst-case scenario. To suggest that the chances of an emergency or disaster is reduced because HRS is only at full occupancy and operation 20% of the time is unconscionable. That is not the premise you would want planned for your airline, your elevator, your fire alarm, or sprinkler system. And it should be no less diligent for mass evacuation planning, training, and execution for a vulnerable school population located in the VHFSHZ.

[FEIR] Chapter 3, page 3-10—Evacuation Planning as Reasonable and feasible Mitigation (excerpted):

“...They also recommend developing a better mechanism to communicate directly with local officials and Incident Commanders; identifying primary and secondary destinations and routes for an evacuation, and effectively communicating these destinations to parent and guardians; and regularly practicing an evacuation in concert with the Oakland Fire Department...”

OPINION: Fully concur.

[FEIR] Chapter 3, page 3-10—Evacuation Planning as Reasonable and Feasible Mitigation (excerpted):

“...intended as a condition of approval for the Project’s PUD permit, requiring a detailed implementation plan as a precondition prior to issuance of a certificate of occupancy for the first building permit that would enable an increase of current student enrollment. It would serve to further increase student safety, rather than significantly exacerbating existing environmental hazards in the event of an extreme wildfire event...”

OPINION: To ensure full compliance with this crucial requirement of life-safety, disaster, and emergency planning, it would be most precise to require the approval of a complete emergency mass evacuation plan as part of the EIR, and *before granting any building permits* for the PUD. The FEIR language is ambiguous and open to broad (and detrimental) interpretation.

[FEIR] Chapter 3, page 3-11—Additional Mitigation (excerpted):

“...City decision-makers may believe that these recommendations require further evaluation and detail, or additional coordination with the OFD and the City’s Emergency Services Department, or that on-going City monitoring of the School’s implementation of these recommendations is warranted...”

OPINION: It is recommended that City decision-makers make this condition mandatory.

BEST PRACTICES FOR ANALYZING AND MITIGATING WILDFIRE IMPACTS OF DEVELOPMENT PROJECTS UNDER CEQA:

In 2022, the California Attorney General became active in local land use issues concerning rural development and wildfire risk, focusing on the capability of the CEQA documentation for projects in higher fire risk areas. The Attorney General also issued a CEQA “best practices” memorandum in October 2022. This Memorandum provides detailed recommendations for how local governments should be evaluating risk and mitigation in higher fire risk areas.

The California Attorney General’s letter is another resource the FEIR preparer should have studied and incorporated into its report. <https://oag.ca.gov/system/files/attachments/press-docs/Wildfire%20guidance%20final%20%283%29.pdf>) (Attorney General of California, Rob Bonta, October 2022, pp. 10-11, 12).

Many of the variables that should be considered in analyzing a project’s impact on wildfire risk are in the following excerpts from the Attorney General’s memorandum, which outlines several key mass evacuation “best practices” for further deliberation under the CEQA review:

“...IV. C. Analyzing the project’s impact on evacuation and emergency access

Evacuation modeling and analysis should include the following:

- *Evaluation of the capacity of roadways to accommodate project and community evacuation and simultaneous emergency access.*
- *Assessment of the timing for evacuation.*
- *Identification of alternative plans for evacuation depending upon the location and dynamics of the emergency.*
- *Evaluation of the project's impacts on existing evacuation plans.*
- *Consideration of the adequacy of emergency access, including the project's proximity to existing fire services and the capacity of existing services.*
- *Traffic modeling to quantify travel times under various likely scenarios.*

In considering these evacuation and emergency access impacts, lead agencies may use existing resources and analyses, but such resources and analyses should be augmented when necessary. For example, agencies should:

- *Utilize information from the EIR's analysis of traffic/transportation impacts, but they should not limit themselves to that information, which may not reflect the impact of emergency conditions on travel times.*
- *Consult with local fire officials and ensure that assumptions and conclusions regarding evacuation risk are substantiated with sound facts. Emergency conditions may not allow for ideal evacuation scenarios—staggered, staged, or targeted evacuation in response to a wildfire may sometimes be possible, but human behavior is difficult to predict and wildfires can be erratic, unpredictable, and fast-moving.*
- *Consider impacts to existing evacuation plans, but recognize that, depending on the scope of an existing evacuation plan, additional analyses or project-specific plans may be needed. Community evacuation plans often identify roles and responsibilities for emergency personnel and evacuation routes, but do not necessarily consider the capacity of roadways, assess the timing for community evacuation, or identify alternative plans for evacuation depending upon the location and dynamics of the emergency.*
- *Avoid overreliance on community evacuation plans identifying shelter-in-place locations. Sheltering in place, particularly when considered at the community planning stage, can serve as a valuable contingency, but it should not be relied upon in lieu of analyzing and mitigating a project's evacuation impacts.*

IV. D. Mitigating wildfire risk, evacuation, and emergency access impacts

- *Enhanced communication to the project population about emergency evacuation plans and evacuation zones.*
- *Parking limitations to ensure access roads are not clogged with parked vehicles..."*

CHAPTER 4— RESPONSE TO COMMENT LETTER B – LAW OFFICES OF VENERUSO & MONCHARSH, LEILA H. MONCHARSH, DECEMBER 20, 2021 (pages 4-17)

[FEIR] Response to Comment B-9 (excerpted):

“...This comment cites statements made by the Oakland’s Fire Chief and Deputy Fire Chief about the dangers of increasing density and blocking evacuation routes in and below the hills. These statements were made during a public hearing on the merits and dangers of continuation of the Accessory Dwelling Unit provision of the City Planning Code within the Oakland Hills. These comments were not made in reference to Head-Royce School. Head-Royce School and the proposed South Campus have very different access conditions by being located adjacent to Lincoln Avenue, and the School would not include a full-time residential population....”

OPINION: This **FEIR Response to Comment B-9** makes a bright-line distinction between the impact of Accessory Dwelling Units and the HSR Project, when they are addressing the same phenomena of adding a significant number vulnerable population to a mass evacuation equation. The FEIR preparer’s contention that Lincoln Avenue has sufficient capacity is unfounded, as there has not been any credible modeling study on the impacts of this additional load on Lincoln Avenue’s capacity to remain serviceable for such an evacuation. This is a very dangerous assumption to make, absent any practical data from a realistic, on-going, verifiable plan that has been developed through a systematic modeling platform.

CHAPTER 4—RESPONSE TO COMMENT LETTER B3 - WEISGERBER CONSULTING, DECEMBER 7, 2021 (pages 4-50 to 4-56)

[FEIR] Response to Comment B3-2 (excerpted):

“...By introducing the pedestrian evacuation strategy, faculty and students from Head-Royce (including the additional population attributed to the Project) would not compete for the limited evacuation routes with residents in the surrounding area, and would not add additional vehicle congestion and delay, and this potentially significant impact would be reduced to less than significant levels. The recommended evacuation strategy identified in the Evacuation Planning Recommendations report (an Appendix to the Draft EIR) would serve to further increase student safety, rather than significantly exacerbating existing environmental hazards in the event of an extreme wildfire event. If required as conditions of Project approval, these recommendations would also serve to address cumulative emergency evacuation conditions throughout the Oakland Hills by reducing potentially conflicting evacuation conditions...”

OPINION: The FEIR response statements to **Comment B3-2** are unfounded, as there has been no bona fide modeling of a proposed mass evacuation plan to establish a proof-of-concept. The preparers of the FEIR envision the students calmly *walking* down the sidewalk under intense emergency conditions, when there is no practical or experiential point of reference such as is documented in raw news-video footage of the evacuation efforts during the wind-driven, 1991 Oakland Hills Fire.

<https://www.youtube.com/watch?v=NseOhUqZAh0>.

This footage represents the worst-case scenario, and which should be the benchmark for emergency planning of mass evacuation in the Oakland Hills. The circumstances in 1991 included: traffic stalled to a halt, public panic, residents *running* down the sides and middle of the street, burning material trapped under vehicles, and burning brands of fuel carried by winds at street level. Additionally, there is no data or reasonable conclusion to support the FEIR statements of “...not competing for limited evacuation routes...” “...reduction of significant impact to less than significant...”, nor “...increased student safety...”

[FEIR] Response to Comment B3-5 (excerpted):

“...As indicated in the Master Response to comments on Evacuation Planning, Head-Royce School shall be required to prepare a stand-alone Emergency Evacuation Plan for the School...This Emergency Evacuation Plan for the School shall be subject to review and approval by the Oakland Fire Department, with input from Emergency Services, OPD Traffic Division, and the Public Works’ Transportation Planning staff. This Plan shall consider the recommendation to subscribe to the AC Alert program...”

OPINION: Fully concur with the requirement that an approved Emergency Evacuation Plan be a condition of the EIR approval for the Project, and that it be vetted *prior to granting any building permits.*

[FEIR] Response to Comment B3-8:

“City Planning staff and the EIR consultant team did discuss this project with OFD to obtain comments and source materials regarding existing evacuation plans for the area. OFD also reviewed the administrative Draft EIR prior to publication, but provided no additional comments.”

OPINION: The OFD was shown the administrative draft of the DEIR. However, there is no indication that the OFD has been afforded the opportunity to review and opine on the comment letters for the DEIR, and to give OFDs thoughts prior to the FEIR. This appears to be an egregious omission in the process.

[FEIR] Response to Comment B3-13 (excerpted):

“... Pursuant to this SCA, Head-Royce School would be required to submit a Vegetation Management Plan to the Oakland Fire Department for review and approval prior to approval of any construction-related permit, with ongoing monitoring and inspection by OFD prior to, during, and after construction of the Project...”

OPINION: An HSR Vegetation Management Plan needs to be fully vetted as part of CEQA , the EIR, and *prior to granting any building permits.* Fully concur with the requirement that HSR submit to the Oakland Fire Department for review and approval prior to issuance of any construction-related permits, with ongoing monitoring and inspection by OFD prior to, during, and after construction of the Project.

[FEIR] Response to Comment B3-15 (excerpted):

“...The DEIR does note that the ABAG Annex for Oakland and the City of Oakland Local Hazard Mitigation Plans are silent on a publicly facing emergency evacuation plan that would include HRS, and that without such a public-facing plan, Head-Royce School may have to be its own decision-maker in a wildfire.” However, the School should not be in the position of making its own decisions on this critical matter...”

OPINION: Absent a publicly-facing emergency mass evacuation plan—and while HRS should not have to make its own decisions on this critical matter—as matter of due diligence, HRS should maintain the responsibility to their campus and community to seek professional consultation on the proper elements of a well-designed mass evacuation plan for *their* part in an expanded impact to the influx of evacuees on Lincoln Avenue. As, when the emergency occurs, and HRS is ill-prepared, the question will remain, *“How could you let this happen?”*

[FEIR] Response to Comment B3-16:

“Staff fully concurs with the recommendation that a bona-fide mass evacuation plan be developed for the School, with training for students, staff, and parents. This Evacuation Plan is to be developed by a professional consultant who specializes in emergency planning and evacuation, subject to approval by

the OFD Fire prevention Bureau, with advice and input from Emergency Services, OPD Traffic Division, and the Public Works' Transportation Planning staff."

OPINION: Fully concur.

[FEIR] Response to Comment B3-22 (excerpted):

"...However, as is also noted in the Evacuation Planning Recommendations report, there is a broader issue (or shortcoming), in that there is no publicly facing emergency mass evacuation plan for the remainder of the Oakland Hills. This includes the surrounding neighborhoods, the LDS Temple, Immersion Preschool, Ascension Cathedral, Ability Now (with multiple wheelchair user clients), and the UCP Plant Exchange Event Center. Head-Royce School is not the responsible party, and this EIR is not the appropriate venue for establishing such a broader plan for the rest of the surrounding neighborhood and other nearby institutional uses..."

OPINION: See opinion on **[FEIR] Response to Comment B3-15 (excerpted)**, above.

Conclusions: The shortcomings of HRS's emergency mass evacuation planning remain glaringly apparent.

Once again, given the location (and large student census) HRS needs to have instilled in their leadership, a sense of urgency with which to have laser-focused attention on coordination with the OFD, OPD and Oakland Emergency Services regarding not only HRS, but also actively coordinating with the adjacent neighbors: LDS Temple, Immersion Preschool, Ascension Cathedral, Ability Now (with multiple wheelchair user clients), and the UCP Plant Exchange Event Center. Each component affects the dynamics for effecting mass evacuation of the campus and neighborhood.

Moreover—and this point cannot be emphasized strongly enough—there remains the highest degree of need for a bona fide mass evacuation plan to be *vetted* through the public safety community of the OFD (FPB and Emergency Services) in the same manner as a high-rise facility is required to. The OPD Traffic Division should review the plan for impact and conflict with other street evacuation protocols—and to insure it is incorporated and in compliance with existing OPD plans. Also, Oakland Public Works—Transportation Planning Division should review the plan for impacts on the existing Traffic Impact Analysis and established traffic service level rating(s) for the area. Once completed, the HRS Board should thoroughly review the plan before approval and adoption—and mandate that all faculty, staff, students, and parents be trained on the plan, with a minimum of semi-annual exercises (at least one observed by the OFD). Try to visualize 900-1200 students (plus faculty & staff) trying to simultaneously get onto the same streets as evacuating residents and businesses—without training.

The evacuation plan described in the DEIR has many unsupported conclusions, and a contrived approach to safety procedures without any measure of practical application or execution. The health and safety liability associated with this is not of an acceptable measure. A school organization that is responsible for over 1,000 people, daily, cannot write a mass evacuation plan in the absence of experiential expertise. To take this approach is a recipe for disaster in an emergency, holding increasingly significant potential for people (especially the vulnerable population of primary grade school-aged children, and the ADA at-risk population) to be lost, injured, or killed. And, once again, in the aftermath of such a disaster the public and the media will turn to HRS, the City, and OFD to ask, *"How could you let this happen?"*

Recommendations:

Given the demonstrative wildfire history evidence from the 1991 Oakland Hills Fire, the likelihood for a wildfire starting in the Oakland Hills and reaching HRS is of an extremely high and dangerous probability; and, as such, HRS should diligently plan accordingly.

To remedy the situation, *it is strenuously re-emphasized herein*, the primary recommendations contained in the December 7, 2021 opinion letter authored by Weisgerber Consulting. HRS should immediately move to execute a concentrated effort toward the following elements for an emergency mass evacuation plan:

A Bona Fide Written Emergency Plan:

- Develop a written campus mass evacuation plan and procedure, completed with the expertise of a professional consultant who specializes in evacuation; with some particular emphasis on routes, alternate routes, exit design calculations, pedestrian planning and flow rates, evacuee accountability, ADA compliance considerations, and designs for emergency movement via bus-shuttle systems. The plan should be written in cooperation with the OFD and City of Oakland Local Hazard Mitigation Plan, to include, but not be limited to:
- A decision-making process for initiating evacuation.
- A campus accountability system to ensure all persons are safely evacuated.

Campus Staff Training

- Training in supervising and managing a mass evacuation of students K-12, with ADA considerations for the campus population with mobility needs. Particularly in managing students walking distances of up to 1-mile to an assembly point.
- Pre-designated assembly points for parents or guardians. It is recommended that a new, thoroughly developed plan be written for adequately communicating emergency evacuation information, and instructions to parents or guardians, to reunify with their students.
 - The plan should contain a methodology for primary, secondary, and tertiary assembly sites—based on the circumstances; and not de facto reporting to one pre-designated location to await further instructions.

Coordinated Emergency Communications:

- A coordinated emergency communication plan for real time updates with the City of Oakland Emergency Operations Center (EOC) and/or OFD Operations Center (DOC).
- A planned interface relationship between a dedicated HRS representative and the Liaison Officer designated by the City of Oakland Emergency Operations Plan (EOP). This designee could request pre-authorization to report to the EOC, as do public schools.

Semi-annual Exercises:

- It is recommended that HRS **should absolutely** conduct semi-annual evacuation exercises with at least one being in coordination with OFD, to ensure that the campus is well-indoctrinated toward an emergency reflex response to a disaster.
- The role of exercises cannot be *over-stated* in preparing the campus for a wildfire.

Other notable assumptions in Appendix 16B that HRS :

These items should address immediately, as integral components to a written emergency plan, include:

- It is noted in DEIR, Appendix 16B, page 8 (Additional Notes and Observations), that the Oakland 2016-2021 Local Hazard Mitigation Plan and the Oakland Safety Plan do not have a publicly facing evacuation plan or response plan.
 - **This does not absolve HRS** from working diligently with the City, and HRS's own consultant, toward the best practices objectives of responsibly protecting their students, staff, and the neighborhood from the effects of a mass evacuation during a wildfire.
 - HRS staff should thoroughly review all pertinent documents in preparation for a bona fide plan to protect the population of the campus and the neighborhood.
- **Shelter-in-place should not be a protective action** under wildfire conditions, as this has extremely high potential for leading to injury or death.
 - It is strongly recommended that a dedicated HRS Liaison be designated to coordinate strong, direct lines of communication with City officials (OFD, OPD, Emergency Services) as paramount to an HRS emergency plan and decision-making process for initiating evacuation.
- It is recommended that **HRS make a capital investment in an emergency back-up power generator system** for the campus—to power essential functions during an emergency.

This concludes the analysis and opinion commentary of the FEIR Responses to the HRS DEIR comment letters, for expansion to a south campus. Do not hesitate to contact me with any questions.

Respectfully,

William Weisgerber

William Weisgerber
Weisgerber Consulting

Cc: file

EXHIBIT D - SUMMARY OF DEP

- approval of the School's Emergency Evacuation Plan by the Oakland Fire Department prior to issuance of a Certificate Of Occupancy for the first building or construction permit that would enable any increase over currently permitted student enrollment. In other words, before the School can increase its enrollment beyond the limits of the current permitted capacity, or before the potential impact of the Project will be realized.
- ii. Before the Oakland Fire Department can consider such approvals, the School is required to provide the City with a proposed Emergency Evacuation Plan prepared in consultation with a professional emergency evacuation expert. That proposed Emergency Evacuation Plan is then subject to review and input from Emergency Services, the Oakland Police Department and the Oakland Department of Transportation, prior to consideration of approval by the Oakland Fire Department.
- f. The School has Already-Prepared Draft Wildfire Preparedness and Emergency Evacuation Plan. The School has prepared a Draft Wildfire Preparedness and Emergency Evacuation Plan, prepared in consultation with PyroAnalysis (a fire prevention and protection consulting firm) and its Principal Consultant, Shane Lauderdale (an NFPA-Certified Fire Protection Specialist). Below are some details of the draft plan:
- i. It will be subject to detailed review and approval by the Oakland Fire Department prior to any increase in student enrollment.
 - ii. It establishes an Emergency Management Team (EMT) comprised of the Head of School, the Chief Financial and Operating Officer, the Director of Communications and the School's Fire Emergency Consultant
 - iii. It provides that the EMT will be enrolled in multiple services that provide communications and notifications of pending Red Flag Warnings, Air Quality Alerts, PG&E Public Safety Power Shutoffs, and other emergency alert systems including AC Alert/Everbridge, Zonehaven, the Interactive National Weather Service and news media outlets.
 - iv. It identifies evacuation exits from the campus, including the main gates to the North and South Campuses, the middle gate on Lincoln Avenue, the Whittle gate, the driveway to the athletic fields on the North Campus, and the stairs to the tennis court allowing egress to Whittle Avenue. Although School gates are generally locked to limit access from outside, they are now all equipped with panic bars to allow immediate exit in case of emergency. It provides that Lower School personnel will be assigned to assist with students in grades K-5, and that additional staff members will be designated to assist with the evacuation of staff or students with physical disabilities. If individuals with physical disabilities are not capable of a pedestrian evacuation, they will be transported by vehicle to the designated off-campus assembly area.
 - v. It establishes certain accountability procedures for managing a pedestrian evacuation, including adult personnel walking with groups of up to twenty grade 6-12 students, and up to 10 grade K-5 students during an evacuation. Students will be instructed to leave campus in pairs. Upon arrival at the evacuation destination, students and adults are to congregate with one another as closely as possible. If circumstances allow, groups should assemble in a pattern similar to the formation used for all-school fire drills, as this will facilitate the reunification process. Attendance will be

- taken immediately upon arrival so that any missing persons can be identified and accounted for as quickly as possible.
- vi. It identifies the primary default destination for evacuation/reunification as being the Caltrans Park & Ride lot located under the MacArthur Avenue/Interstate 580 overpass, approximately 1.2 miles down Lincoln Avenue from the School. It also identifies a secondary evacuation/reunification area as the Dimond Park Tennis Courts approximately 0.7 miles from the School.
 - vii. It provides that parents and guardians are not to pick-up their child from the campus if an immediate wildfire emergency is declared to ensure that Lincoln Avenue remains as accessible as possible for first responders and vehicular evacuation of the surrounding neighborhood. Instead, they will be provided direction by the Communications Team to either wait for the immediate danger to subside while students shelter in place on campus, or to reunify with their student(s) in one of the two off-site evacuation destination locations.
 - viii. It provides a methodology for communicating emergency evacuation information and instructions on how reunification with students is to be achieved. Periodic electronic updates are to be transmitted to the parent community to reassure them that a reunification process will commence as soon as it is safe to do so. When it is safe to release students, it is expected that the evacuation process will proceed in a sequential manner by grade, for example, with kindergarten students picked up first and 12th grade students last. For families with multiple students, all students in the household may be released with the youngest student. The Communications Team will transmit regular electronic messages to parents throughout the process to ensure that the community is well informed and that there is an orderly process to minimize the amount of vehicle traffic. The IC will coordinate with local authorities to identify the nearest safe location to execute the reunification process.
 - ix. It provides the following additional precautionary measures:
 - a. If a Red Flag Warning or Fire Weather Watch is issued for the School area, the School's EMT will be convened for evaluation of the risk. The Team will communicate to the School community that Red Flag conditions exist for the day, and that further steps, including the potential for a campus closure, may become necessary.
 - b. The School's EMT will ensure that students and faculty will not come to campus if a Wildfire Evacuation Order or Evacuation Warning has been issued by a governmental authority before the start of a school day. If the Evacuation Order is issued after the commencement of the school day, the School's Incident Commander and the EMT will work together to evacuate the campus in accordance with the protocols in the Plan.
 - c. When wildfire risk is particularly high for the area surrounding the School, PG&E may announce a power shutdown (PSPS event) affecting the campus. PG&E provides notice of such projected shutoffs to all PG&E account holders through texts, emails and phone calls. The School is a PG&E customer and will be notified in

advance of all pending PSPS events. If a PSPS event occurs, the campus will be closed for instruction and other school activities during the shutdown period, and no students will be allowed on the campus. If the shutdown occurs while school is in session, the Head of School will determine whether the School will close early depending on the circumstances at the time.

- x. It will reduce the need for a potential emergency evacuation by preemptively closing school on those days when fire risks are high.

See also **Appendix C**. City of Oakland's 2023 Wildfire Annex in response to Letter 4 (Weisgerber Consulting), Response to Comment 4-3. Master Response to the Appeal - Noise

Section 1.C Noise

Section 1.C.1 Appellant Claims:

1. **The Noise Portion of the EIR Is Inadequate Because it Relies on Conclusory Statements Without Factual or Expert Support.**
2. **The EIR Does Not Present an Adequate Baseline of Noise Information, Which Is Needed to Understand the Difference Between Pre And Post Project Noise Conditions.**

Section 1.C.2 Appellant Argument: The Appeal argues that the EIR preparer "did not have the expertise to opine about the interpretation of acoustics data or realize that data was missing, and that there is no evidence that the EIR preparer had any expertise in acoustics."

1. The Appeal asserts that work on the EIR "fell way below what one would expect of a competent acoustics expert."
2. The City Council should require that the noise section be redone in a recirculated EIR prepared by "a reputable acoustics company that is provided with sufficient funding to complete the task."
3. The EIR "does not present an adequate baseline of noise information, which is needed to understand the difference between pre- and post-Project noise conditions." and that the the EIR preparer "waited until after the comment period on the Draft EIR had closed, and then obtained some noise measurements . . . a month before the Planning Commission hearing." It failed to report the baseline noise measurements along Lincoln Avenue "making it impossible to know the pre- and post- project sound conditions."

Section 1.C.3 Staff Response: Noise

1. Staff Response Regarding Technical Noise Analysis in the EIR

It is not clear from the Appeal whether the appellant is asserting that the technical noise analysis prepared by Illingworth & Rodkin and presented in Appendix 16 to the EIR falls below what they expect of a competent and reputable acoustics expert, or whether the appellant is asserting that Lamphier-Gregory (the City's EIR consultant) has made incorrect conclusory statements in the EIR, without factual or expert support from Illingworth & Rodkin.

- a) Illingworth & Rodkin is one of the Bay Area's preeminent acoustics and air quality technical consulting firms. They have vast expertise and experience in preparing technical acoustic