

Exhibit B
ACTA Resolution Number 2009-0004

Mitigation Monitoring Plan
East-West Connector Project

(SCH# 2007102078)



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Mitigation Monitoring Plan

Introduction

The Alameda County Transportation Authority (ACTA), as Lead Agency under the California Environmental Quality Act (CEQA) and State CEQA Guidelines, has prepared the Final Environmental Impact Report (EIR) for the East-West Connector Project (proposed project) (SCH # 2007102078). When a lead agency makes findings on significant effects identified in an EIR, it must also adopt a program for reporting or monitoring mitigation measures that were adopted or made conditions of project approval (Public Resources Code [PRC] Section 21081.6[a]; State CEQA Guidelines Sections 15091[d], 15097).

This document represents the mitigation monitoring program (MMP) prepared by ACTA for the proposed project. This MMP includes all measures required to reduce potentially significant environmental impacts to a less-than-significant level, as well as measures that reduce impacts but not necessarily to a less than significant level. It also identifies the timing of implementation; the agency responsible for implementing the mitigation; and the agency responsible for monitoring the mitigation. The mitigation measures, agencies, and timing are summarized in the Mitigation Monitoring Table. The full text of the mitigation measures follows.

This MMP has been prepared by ACTA, with technical assistance from ICF Jones & Stokes, an environmental consulting firm. Questions should be directed to Stefan Garcia, EWC Project Manager.

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Table 1. Mitigation Monitoring Plan – Summary of Mitigation Measures

Mitigation Measure	Timing	Implementation Responsibility	Monitoring Responsibility	Monitoring/Reporting Notes
AES-1: Provide Screened Fencing around Project Staging Areas During Construction	During construction	Construction contractor	ACTA	
AES-2: Prepare and Implement a Landscape Plan along the Project Alignment	Prior to construction	ACTA, with Fremont Landscape Architecture Div., Union City Planning Dept.	ACTA, with Fremont Landscape Architecture Div., Union City Planning Dept.	
AES-3: Incorporate Aesthetically Sensitive Design into the Soundwalls between Paseo Padre Parkway and Alvarado-Niles Road	Prior to construction	ACTA, with Fremont Planning Div., Union City Planning Dept.	ACTA, with Fremont Planning Div., Union City Planning Dept.	
AES-4: Provide Landscape Plan for Arroyo Park	Prior to construction	ACTA	ACTA, with Union City Public Works Dept.	
AES-5: Ensure the Landscape Plan Precludes Extremely Tall Vegetation along the New Roadway Alignment between the Two Old Alameda Creek Bridge Crossings	Prior to finalizing landscape plan	ACTA, with Fremont Landscape Architecture Div.	ACTA, with Fremont Landscape Architecture Div.	
AES-6: Install Low-Standing Light Standards with Directional Shields Downward along the New Roadway	Prior to opening the new road to traffic	ACTA	ACTA	
AES-7: Minimize Fugitive Light from Portable Sources	During nighttime construction	Construction contractor	ACTA	
AIR-1: Employ Measures to Reduce Criteria Pollutant Emissions during Construction	During construction	Construction contractor	ACTA, BAAQMD	
AIR-2: Employ Measures to Reduce Project-Related Greenhouse Gas Emissions	During construction	Construction contractor	ACTA	

Mitigation Measure	Timing	Implementation Responsibility	Monitoring Responsibility	Monitoring/Reporting Notes
BIO-1: Provide Construction Workers with Awareness Training for Special-Status Species and Sensitive Habitats in the Construction Area	Prior to construction	ACTA	ACTA	
BIO-2: Conduct Preconstruction Surveys and, If Necessary, Implement Measures to Protect California Red-Legged Frog, California Tiger Salamander, and Western Pond Turtle	Prior to construction	ACTA	ACTA, with DFG	
BIO-3: Conduct Site Preparation and Construction Activities between September 1 and January 31 to Avoid the Typical Nesting Period of Migratory Birds, and Implement Preconstruction Surveys and Protective Measures if Necessary	During construction	Construction contractor	ACTA	
BIO-4: Conduct In-Water Construction Activities in Alameda Creek Flood Control Channel between May 1 and October 1 to Avoid Special-Status Fish Spawning and Migration Seasons	During construction	Construction contractor	ACTA, with DFG	
BIO-5: Provide an Alternate Migration Corridor through the Alameda Flood Control Channel if Surface Flow Is Present during Construction	During construction	ACTA	ACTA	
BIO-6: Implement Channel Protection Measures during Construction	During construction	Construction contractor	ACTA	
BIO-7: Prepare and Implement a Wetlands Mitigation Plan that Includes the Creation of New Wetlands, Waters of the United States and State, and Replacement and Enhancement of Willow Riparian Woodland and Scrub	Prior to acquiring Section 404 permit from Corps, Section 401 permit from RWQCB	ACTA, with Corps, RWQCB	ACTA, with Corps, RWQCB	

Mitigation Measure	Timing	Implementation Responsibility	Monitoring Responsibility	Monitoring/Reporting Notes
BIO-8: Protect Willow Riparian Woodland and Scrub Habitat during Project Construction	Prior to construction in the vicinity of Old Alameda Creek	Construction contractor	ACTA	
BIO-9: Implement Measures to Avoid or Minimize the Dispersal of Noxious Weeds into Sensitive Riparian Areas during Construction	During construction	Construction contractor	ACTA	
BIO-10: Identify Wetlands and Other Waters Temporarily Affected and Install Protective Fencing during Construction	Prior to construction	ACTA	ACTA	
BIO-11: Prepare an Arborist Report and Develop and Implement a Landscaping Plan that Includes Compensation for Loss of Protected Trees	Prior to finalizing landscaping plan	ACTA, with Fremont Landscape Architecture Div., Union City Planning Dept.	ACTA, with Fremont Landscape Architecture Div., Union City Planning Dept.	
BIO-12: Install Temporary Fencing around Remaining Protected Trees	Prior to construction	ACTA	ACTA	
CUL-1: Conduct Earthwork Monitoring by Qualified Archaeologist during Construction and Implement Management Measures if Resources are Discovered	During construction	ACTA	ACTA	
HAZ-1: Train Construction Workers to Identify Potentially Contaminated Materials and, if Found, Stop Work and Implement Hazardous Materials Investigations and Remediation	Prior to construction	ACTA	ACTA	
HAZ-2: Implement Recommendations in the Phase I Environmental Site Assessment to Prepare a Phase II Environmental Site Assessment, a Health and Safety Plan, and a Soil and Groundwater Management Plan, and to Properly Abandon any Agricultural Wells	Prior to construction	ACTA	ACTA, with ACWD	

Mitigation Measure	Timing	Implementation Responsibility	Monitoring Responsibility	Monitoring/Reporting Notes
HAZ-3: Implement Procedures to Reduce Fire Risk during Construction	During construction	Construction contractor	ACTA	
HWQ-1: Comply with National Pollutant Discharge Elimination System Requirements and Develop and Implement a Stormwater Pollution Prevention Plan	Prior to construction	ACTA, with Fremont Engineering Div., Union City Public Works Dept.	ACTA	
HWQ-2: Clean Paved Areas with Street-Sweeping Equipment	During construction	Construction contractor	ACTA	
HWQ-3: Implement Additional Water Quality Protection Measures to Reduce Sediment in Surface Waters during Construction	During construction	Construction contractor	ACTA	
HWQ-4: Prepare and Implement a Hazardous Materials Spill Prevention and Control Program during Construction	During construction	ACTA	ACTA	
HWQ-5: Construct the Tree Wells and Infiltration Basins to Implement the Hydrograph Modification Management Plan for Stormwater Runoff	Prior to construction	ACTA, with ACWD, ACCWP, RWQCB	ACTA	
HWQ-6: Incorporate Site-Specific Water Quality Treatment Devices into Site Drainage Plans to Meet Water Quality Standards and Maintain Beneficial Uses	Prior to construction	ACTA	ACTA	
LUP-1: Ensure Compatibility of Gutter Pans and Sewer Grates with Bicycle Traffic along Paseo Padre Parkway	Prior to acquiring encroachment permit from Fremont	ACTA	ACTA, with Fremont Engineering Div.	
NOI-1: Employ Measures to Reduce Construction Noise to Comply with Applicable Construction Noise Standards	During construction	ACTA	ACTA, with Fremont City Manager's Office, Union City Manager's Office	

Mitigation Measure	Timing	Implementation Responsibility	Monitoring Responsibility	Monitoring/Reporting Notes
NOI-2: Prepare a Community Awareness Program for Project Construction	Prior to construction	ACTA, with Fremont Planning Div., Fremont Engineering Div., Union City Planning Dept., Union City Public Works Dept.	ACTA	
NOI-3: Conduct Structural Conditions Survey for Areas Where Vibratory Compaction is Proposed	Prior to construction	ACTA	ACTA	
NOI-4: Limit Extent of Vibratory Compaction Activity and Vibratory Pile Driving	During construction	Construction contractor	ACTA	
NOI-5: Limit Vibration Levels Received at Structures	During construction	Construction contractor	ACTA	
NOI-6: Maximize Distance between Shoofly and Residences to Extent Allowed by UPRR	Prior to securing Right-of-Entry Construction and Maintenance Agreement with UPRR	ACTA	ACTA, with UPRR	
NOI-7: Implement Traffic Noise Reduction Treatments (Soundwalls and Quiet Pavement) along the New Roadway between Paseo Padre Parkway and Alvarado-Niles Road	Prior to opening the new road to traffic	ACTA	ACTA, with Fremont Engineering Div., Union City Public Works Dept.	
NOI-8: Implement Traffic Noise Reduction Treatments (Soundwalls and Quiet Pavement) at the Affected Residences along the New Roadway between Alvarado-Niles Road and Mission Boulevard	Prior to opening the new road to traffic	ACTA	ACTA, with Union City Public Works Dept.	

Mitigation Measure	Timing	Implementation Responsibility	Monitoring Responsibility	Monitoring/Reporting Notes
NOI-9: Conduct Survey for Presence of Air Conditioning at Residences Adjacent to the New Roadway	Prior to construction	ACTA	ACTA, with Fremont Engineering Div., Union City Public Works Dept.	
NOI-C1: Contribute to City Funds to Implement Traffic Noise Reduction Treatments	Prior to opening the new road to traffic	ACTA	ACTA, with Fremont City Manager's Office, Union City Manager's Office	
NOI-C2: Use Low Noise Pavement Types on Project Roadways	During construction	ACTA	ACTA, with Fremont Engineering Div., Union City Public Works Dept.	
PSR-1: Conduct an Investigation of Utility Line Locations and Maintain Utility Services	Prior to acquiring encroachment permits	ACTA	ACTA	
TRA-1: Develop and Implement a Traffic Control Plan for Project Construction	Prior to construction	Construction contractor	ACTA, with Fremont Engineering Div., Union City Public Works Dept.	
TRA-2: Provide Temporary Bus Service during All Interruptions in BART Service	During construction of BART shoofly	BART	ACTA	
TRA-3: Limit Interruption of BART Service to Weekends	During construction of BART shoofly	ACTA, BART	ACTA	
TRA-4: Prepare a Rider Awareness Program Addressing BART Service Interruptions	Prior to acquiring an encroachment permit from BART	ACTA, BART	ACTA	

Mitigation Measure	Timing	Implementation Responsibility	Monitoring Responsibility	Monitoring/Reporting Notes
TRA-5: Adjust Signal Timing and Signal Coordination at Intersections	Prior to opening new road to traffic	ACTA, with Caltrans, Fremont Engineering Div.	ACTA	
TRA-6: Relocate the Crosswalk at Mission Boulevard and Nursery Avenue	Prior to opening new road to traffic	ACTA, with Caltrans, Fremont Engineering Div.	ACTA	

Mitigation Measures

Aesthetics

Mitigation Measure AES-1: Provide Screened Fencing around Project Staging Areas during Construction

For all work occurring between Paseo Padre Parkway and Alvarado-Niles Road, ACTA will require their contractors to provide screens on all fencing that surrounds staging areas. Screens must be of a neutral color and made of a material that will prevent glare, as received from views outside the staging areas.

Mitigation Measure AES-2: Prepare and Implement a Landscape Plan along the Project Alignment

ACTA will prepare and implement a landscape plan that includes landscaping in the median of the existing and new roadway and along the outside of the new roadway. This will include native, drought-tolerant trees and shrubs. The project landscape plan will include a vegetated buffer extending from the outside of the soundwalls planted with small trees, shrubs, or vines to screen the walls from outside views. The buffer also may include berms or other minimal landform modifications to soften the landscape and provide visual relief from the new roadway. Slopes will be graded to appear as natural as possible.

Final design of the landscape plan will be developed in consultation with the City of Fremont Landscape Division and the Union City Planning Department, to enable the incorporation of specific local landscaping or gateway requirements, and with Alameda County Water District to determine appropriate irrigation facilities. These agencies will have the opportunity review and revise the plan.

Mitigation Measure AES-3: Incorporate Aesthetically Sensitive Design into the Soundwalls between Paseo Padre Parkway and Alvarado-Niles Road

ACTA, through consultation with planning staff at the Cities of Fremont and Union City, and with input from residents of the affected neighborhoods, will incorporate aesthetically sensitive design into the soundwalls. For example, the soundwall design will incorporate texture and color that are compatible to the greatest extent feasible with the existing visual setting. The soundwall design will match the themes of local development and present a unified design throughout the corridor.

Mitigation Measure AES-4: Provide Landscape Plan for Arroyo Park

ACTA will prepare a landscape plan for the affected portion of Arroyo Park that provides a buffer area at the park's edge. The landscape plan will include a physical barrier separating the new roadway from the park for safety and noise reduction, and a vegetation buffer planted with dense shrubs and trees to eliminate views of the new roadway from the park. Vegetation must be

“Bay-friendly landscaping” in that it is native, drought-tolerant and thrives in the Bay Area. The plan must be submitted for approval to the Union City Public Works Department.

Mitigation Measure AES-5: Ensure the Landscape Plan Precludes Extremely Tall Vegetation along the New Roadway Alignment between the Two Old Alameda Creek Bridge Crossings

ACTA will ensure that the final landscape plan prepared for the proposed project does not include planting tall vegetation along the new roadway segment between the two bridge crossings of Old Alameda Creek. This portion of the new roadway alignment will instead be planted with trees, shrubs, and native vegetation whose height will allow maintenance of views of the eastern hillsides while still buffering external views of the proposed soundwalls. ACTA will coordinate with the City of Fremont Landscape Division to ensure that this aspect of the landscape plan is mutually agreeable.

Mitigation Measure AES-6: Install Low-Standing Light Standards with Directional Shields Downward along the New Roadway

The light standards used along the new roadway segment will be low-standing with shields directing the light downward. The lights will be the lowest height practicable where new lights are introduced adjacent to residences and where residences are not shielded from direct lighting by soundwalls or landscaping.

Mitigation Measure AES-7: Minimize Fugitive Light from Portable Sources

In order to minimize fugitive light impacts on residents located along the existing and temporary BART alignment, portable construction lighting will use color-corrected halide lights. At a minimum, construction-related light and glare will be minimized to the maximum extent feasible, given safety considerations. Portable lights will be operated at the lowest allowable height. All lights will be screened and directed downward toward work activities and away from residences adjacent to the project alignment. The number of nighttime lights used will be minimized to the greatest extent possible.

Air Quality

Mitigation Measure AIR-1: Employ Measures to Reduce Criteria Pollutant Emissions during Construction

Construction activities are subject to Caltrans requirements found in the Caltrans document, Standard Specifications: For Construction of Local Streets and Roads (California Department of Transportation 2002). ACTA will follow Caltrans Standard Specification 7-1.01F, Standard Specification 10, and Standard Specification 18, which address the requirements of the Bay Area Air Quality Management District (BAAQMD) and dust control and dust palliative application, respectively. Standard Specification 7-1.01F stipulates that construction activities must comply with all rules, regulations, ordinances, and statutes of the local air pollution control district, while Standard Specification 10 addresses dust control requirements. In addition, BAAQMD requires the

implementation of all feasible, effective, and comprehensive control measures to reduce particulate matter smaller than 10 microns in diameter (PM10) emissions from construction activities. Therefore, this mitigation includes the following control measures.

- Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
- Install windbreaks or plant trees or vegetative wind breaks at windward side(s) of construction areas.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour.
- Limit the area subject to excavation, grading, and other construction activity at any one time.
- Hydroseed or apply (nontoxic) soil stabilizers to inactive construction areas (i.e., previously graded areas inactive for 10 days or more).
- Enclose, cover, water twice daily, or apply (nontoxic) soil binders to exposed stockpiles (e.g., dirt and sand).
- Limit traffic speeds on unpaved roads to 15 miles per hour.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.
- Water all active construction areas at least twice daily.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
- Pave, apply water three times daily, or apply (nontoxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- Use alternate fuels, catalyst and filtration technologies, and retrofit existing engines in construction equipment.
- Minimize idling time to 5 minutes when construction equipment is not in use, unless per engine manufacturer's specifications or for safety reasons more time is required.
- Manage operation of heavy-duty equipment to reduce emissions and maintain heavy-duty earthmoving, stationary, and mobile equipment in optimum running conditions.
- Employ construction management techniques such as timing construction to occur outside the ozone season of May through October, or scheduling equipment use to limit unnecessary concurrent operation.

- Use electric equipment when feasible.
- Properly maintain equipment according to manufacturers' specifications.

Mitigation Measure AIR-2: Employ Measures to Reduce Project-Related Greenhouse Gas Emissions

ACTA will ensure the construction contractor employs the following measures to reduce greenhouse gas (GHG) emissions.

- Use recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for hard surfaces, and non-plant landscaping materials.
- Minimize, reuse, and recycle construction-related waste.
- Minimize grading, earth-moving, and other energy-intensive construction practices.
- Landscape to preserve natural vegetation and maintain watershed integrity.
- Use alternative fuels in construction equipment and require construction equipment to use the best available technology to reduce emissions.
- Use energy-efficient low-sodium street lights.

Given the relatively small amount of GHG emissions that would be emitted from this proposed project during short-term construction, and implementation of prescribed mitigation measures, the proposed project would not conflict with the state's goals of reducing GHG emissions to 1990 levels by 2020 relative to construction emissions.

Biological Resources

Mitigation Measure BIO-1: Provide Construction Workers with Awareness Training for Special-Status Species and Sensitive Habitats in the Construction Area

ACTA will ensure that all construction personnel receive worker awareness training provided by a qualified wildlife biologist experienced in training nonspecialists to ensure that they can recognize California red-legged frog (*Rana aurora draytonii*) (CRLF), California tiger salamander (CTS), western pond turtle, and other aquatic and riparian wildlife, and that they understand where sensitive resource areas are within the construction zone so that they could minimize their impact on all sensitive habitats.

Mitigation Measure BIO-2: Conduct Preconstruction Surveys and, If Necessary, Implement Measures to Protect California Red-Legged Frog, California Tiger Salamander, and Western Pond Turtle

Prior to the start of construction activities, ACTA will retain a qualified biologist to conduct preconstruction surveys for CRLF, CTS, and western pond turtle in all suitable habitats in the study area. Surveys will take place no more than 72 hours prior to the onset of site preparation and construction, and will review the

suitable habitat for individuals and nests. If the species is observed during preconstruction surveys, the biologist will remain on site during initial ground-disturbing activities to monitor individuals and ensure CRLF, CTS and western pond turtles are not affected by construction activities. Whenever possible, the biologist will work with construction crews to avoid impacts on individuals. If necessary, individual turtles, CRLF, and CTS will be relocated by a California Department of Fish and Game (DFG)-approved biologist, in accordance with DFG specifications.

If construction activities occur from May through July, there is the possibility of affecting active western pond turtle nests. If preconstruction surveys identify active nests, the biologist will establish visual no-disturbance buffer zones around each nest using temporary orange construction fencing. The demarcation will be permeable to allow young turtles to move away from the nest following hatching. The radius of the buffer zone and the duration of exclusion will be determined in consultation with DFG. The buffer zones and fencing will remain in place until the young have left the nest, as determined by a qualified biologist.

Mitigation Measure BIO-3: Conduct Site Preparation and Construction Activities between September 1 and January 31 to Avoid the Typical Nesting Period of Migratory Birds, and Implement Preconstruction Surveys and Protective Measures if Necessary

Site preparation and initial ground disturbance that require vegetation removal will occur between September 1 and January 31, outside the migratory bird nesting period (February 1 through August 31). Additionally, any demolition of structures will occur outside of the typical nesting period to avoid loss of birds that nest on structures (e.g., phoebes, swallows). If vegetation removal occurs outside the nesting period, no preconstruction survey will be required.

If construction activities must occur between February 1 and August 31 during the nesting period, ACTA will retain a qualified wildlife biologist to conduct a survey for nesting raptors and migratory birds that may nest in any available habitats that will be removed during construction. Surveys will take place no more than 48 hours prior to vegetation removal and will cover all suitable raptor and migratory bird nesting habitat that will be affected directly or any adjacent areas where nesting birds may be affected by construction noise or human presence. This includes areas potentially used by ground-nesting migratory bird species.

The potential habitats to be surveyed will be determined by the qualified biologist during the survey. If an active nest is discovered, the biologist will establish a no-disturbance buffer zone around the nest tree (or, for ground-nesting species, the nest itself). This no-disturbance zone will be marked with some visual markers (flagging or fencing) that are easily identified by the construction crew, and will not draw attention to the nesting bird. Buffers will remain in place as long as the nest is active or young remain in the area and are dependent on the adults. No construction activity of any type will be permitted within buffer zones. In general, the minimum buffer zone widths will be 300 feet for white-tailed kite and raptors, and 250 feet for migratory birds. Based on discussion with DFG, buffer widths may be modified, depending on the

proximity of activities to the nest(s) and whether the nest(s) will have a direct line of sight to construction activities, existing disturbance levels at the nest(s), local topography and vegetation, the nature of proposed activities, and the species potentially affected.

Mitigation Measure BIO-4: Conduct In-Water Construction Activities in Alameda Creek Flood Control Channel between May 1 and October 1 to Avoid Special-Status Fish Spawning and Migration Seasons

In-channel construction, including riverbank and channel bed construction below the ordinary high water mark (OHWM), will be limited to the summer low-precipitation period (May 1 to October 1) to reduce the likelihood of adverse impacts on rearing juvenile steelhead and on adult fish spawning and migration, unless otherwise approved by appropriate resource agencies. Central California coast adult steelhead typically migrate upstream during winter storms primarily between December and March (Gunther et al. 2000), which is outside of the construction season. Due to the severely altered nature of the Alameda Creek Flood Control Channel (absence of riparian vegetation and riffle/pool sequences), the reach is not expected to support rearing steelhead (Gunther et al. 2000). Therefore, neither adult nor juvenile fish are expected to be present during the construction season. DFG may extend the time limits of in-channel construction and require a fisheries biologist to perform a preconstruction survey to ensure that no steelhead are present in the study area.

Mitigation Measure BIO-5: Provide an Alternate Migration Corridor through the Alameda Flood Control Channel if Surface Flow Is Present during Construction

If in-channel construction occurs when surface flow is present, in-water construction activities will include installing diversion structures in the flood control channel around the new footing excavations to provide a migratory route through the channel. Cofferdams will affect no more of the stream channel than is necessary to support completion of the construction activity. Flow will be diverted the minimum distance necessary to isolate construction area. Water will be released or pumped downstream at an appropriate rate to maintain downstream flows at all times.

Immediately upon completion of in-channel work, diversion structures, and other in-channel structures will be removed in a manner that minimizes disturbance to downstream flows and water quality.

Mitigation Measure BIO-6: Implement Channel Protection Measures during Construction

The following measures will be implemented to decrease impacts on the Alameda Creek Flood Control Channel and associated habitat.

- All bridge construction work will be performed from the bank where practicable.
- The duration and extent of in-water activities will be limited to the maximum extent practicable.

- Any falsework or other construction equipment will be removed from the channel.
- The minimum amount of wood, sediment and gravel, and other natural debris necessary will be removed to maintain and protect bridge function, ensure suitable fish passage conditions, and minimize disturbance of the streambed.

Mitigation Measure BIO-7: Prepare and Implement a Wetlands Mitigation Plan that Includes the Creation of New Wetlands, Waters of the United States and State, and Replacement and Enhancement of Willow Riparian Woodland and Scrub

A plan for wetlands mitigation adjacent to and including Old Alameda Creek will be developed by qualified wetland botanists, wildlife biologists, hydrologists, engineers, and restoration ecologists.

The wetlands mitigation plan will include the creation and enhancement of wetlands, riparian vegetation, and linear aquatic features along Old Alameda Creek that will ensure no net loss of wetlands or waters of the United States or state and will provide mitigation for loss of riparian vegetation as a result of the proposed project. Impacts on wetlands or waters and required compensation will be developed based on the wetland delineation prepared for the proposed project (Appendix H of the Draft EIR) and in consultation with the U.S. Army Corps of Engineers (Corps) and Regional Water Quality Control Board (RWQCB). ACTA will retain a qualified biologist to survey and flag willow riparian woodland and scrub that will be permanently affected by construction of the proposed project, and the mitigation plan will include replacement and enhancement of existing willow riparian woodland and scrub along Old Alameda Creek to ensure no net loss of willow riparian woodland and scrub.

The wetlands mitigation plan will evolve throughout the project planning so that a self-sustaining mosaic of vegetation communities will replace those affected through project implementation. Ongoing planning efforts will include further input from ICF Jones & Stokes biologists and restoration planners, and consultation with ACTA as further project details are defined. In order to meet the objectives of the mitigation planning process and establish the proposed wetland mitigation site at Old Alameda Creek, the proposed project will include:

- diverting water from Line M Channel to increase flow to Old Alameda Creek; creating an enhanced open channel segment of the Line M Channel drainage alignment to extend to the continuous linear aquatic habitat of Old Alameda Creek;
- grading new channel banks and regrading creek banks to create benches for additional waters, wetlands, and vegetation; and
- planting native wetland and riparian vegetation.

A draft wetlands mitigation plan for the wetlands mitigation site is shown in Figure 3.3-3 of the Draft EIR. Mitigation acreages for affected habitats and linear feet for linear aquatic features are shown in Table 2. The specifics of the plan and the acreages will evolve over time as project details are finalized.

Because the plan is conceptual and will require coordination and approval from the Corps and RWQCB, specific information on the anticipated amount of excavation required to implement the plan is not finalized, but, based on the draft wetlands mitigation plan, it is estimated to be 230,000 cubic yards of material. Thus, there would be secondary impacts from implementation of this mitigation, including loss of nonnative grasslands and riparian vegetation and increased air emissions. Construction-related impacts have been addressed in this and other sections of the Draft EIR. Compensation for impacts on biological resources is included in this wetlands mitigation plan.

The wetlands mitigation plan includes creating an approximately 1,100-foot linear aquatic feature (open channel) adjacent and connecting to the existing segment of Old Alameda Creek to provide 1:1 compensation for the loss of linear aquatic features (from culverting Line M Channel). The new open channel would begin on the south side of the new roadway at the outfall for the Line M Channel diversion pipeline, extends along the east side of Old Alameda Creek, and connects with Old Alameda Creek at its upstream end near the Line N-12 outfall. The new secondary channel will convey flow from the Line M Channel diversion pipeline into Old Alameda Creek.

The wetlands mitigation plan includes creating 2.7 acres of wetlands within the new secondary channel and in the upstream end of Old Alameda Creek to provide 2:1 compensation for the loss of wetlands and waters of the United States and waters of the State (from placing fill in Basin 2C, Old Alameda Creek, and Alameda Creek Flood Control Channel).

The wetlands mitigation plan includes creation of 6.7 acres of willow riparian woodland and scrub to replace (2:1 compensation) loss of this sensitive habitat (from construction of the new roadway and bicycle/pedestrian trail). An additional 2.3 acres of willow riparian woodland and scrub would be restored (1:1 compensation) in areas temporarily disturbed by construction activities.

The wetlands mitigation plan will be supported by flow from the Line M Channel diversion pipeline, as well as from Line N-12, which currently enters Old Alameda Creek at its southernmost point near Quarry Lakes Drive. The Line M Channel diversion pipeline will discharge into a concrete dissipation structure located at the upstream end of the new secondary channel.