

# EAST BAY GREENWAY PROJECT INITIAL STUDY AND PROPOSED MITIGATED NEGATIVE DECLARATION

*Prepared for*

**Alameda County Transportation Commission**  
**1333 Broadway, Suite 300**  
**Oakland, CA 94612**



June 2012

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**Notice of Availability  
East Bay Greenway Project  
Initial Study and Proposed Mitigated Negative Declaration (IS/MND)**

**Date:** June 4, 2012

**To:** Responsible Agencies, Agencies with Jurisdiction by Law, Trustee Agencies, Involved Federal Agencies, and Agencies/People Requesting Notice

**From:** Alameda County Transportation Commission  
ATTN: Victoria Eisen, Project Manager  
1333 Broadway, Suite 300, Oakland, CA 94612  
510-525-0220

**Re:** **Notice of Availability (NOA) of an Initial Study and Proposed Mitigated Negative Declaration (IS/MND) for the East Bay Greenway Project**

**Project Location:** The East Bay Greenway would be located in Oakland, San Leandro, Hayward, and unincorporated lands within Alameda County (County), extending for 12 miles along the Bay Area Rapid Transit (BART) corridor, surface streets, and portions of the Union Pacific Railroad (UPRR), from 19th Avenue in Oakland to the Hayward BART Station.

**Project Description:** The Alameda County Transportation Commission (Alameda CTC) proposes to construct a 12-mile long, Class I Multi-Use Path, Class II Bike Lanes, and Class III Bike Routes from 19<sup>th</sup> Avenue in Oakland to the Hayward Bay Area Rapid Transit (BART) Station. The project would also construct pedestrian facilities along one project roadway segment (Segment 10) that is currently lacking those facilities.

**Environmental Review:** Information about the document and the IS/MND may be reviewed online at:

[http://www.alamedactc.org/news\\_items/view/7903](http://www.alamedactc.org/news_items/view/7903)

[http://www.alamedactc.org/files/managed/Document/7905/East\\_Bay\\_Greenway\\_Public\\_Review\\_IS-MND.pdf](http://www.alamedactc.org/files/managed/Document/7905/East_Bay_Greenway_Public_Review_IS-MND.pdf)

The purpose of the Initial Study (IS) is to determine whether implementation of the bicycle and pedestrian transportation infrastructure improvements could result in potentially significant effects to the environment, and, if so, to incorporate mitigation measures to eliminate or reduce the project's potentially significant adverse effects to less than significant levels.

If, after consideration of this IS, and any comments received during the public review period, Alameda CTC finds no substantial evidence that the proposed project would have a significant adverse effect on



the environment, than a Mitigated Negative Declaration (MND) would be submitted for adoption by Alameda CTC Commission, as provided in the California Environmental Quality Act (CEQA), Section 21064.

The IS/MND can also be reviewed at the following location:

Alameda County Transportation Commission  
1333 Broadway, Suite 300  
Oakland, CA 94612

**Public Comments:** Public comments on the IS/MND are invited. Comments should be submitted in writing.

Comments on the IS/MND should focus on the sufficiency of the IS/MND in discussing possible impacts on the environment and ways in which adverse effects may be minimized.

Written comments on the IS/MND should be sent no later than **July 5<sup>th</sup>, 2012** to the attention of:

Victoria Eisen, Project Manager  
Alameda County Transportation Commission  
1333 Broadway, Suite 300, Oakland, CA 94612  
Or via e-mail to:  
[Victoria@eisenletunic.com](mailto:Victoria@eisenletunic.com)

X

A handwritten signature in blue ink, appearing to read "Stewart Ng", written over a horizontal line.

Date:

6/11/12

Stewart Ng

Deputy Director of Programming and Projects

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## **1.0 INTRODUCTION**

### **1.1 INTRODUCTION AND REGULATORY GUIDANCE**

The Alameda County Transportation Commission (Alameda CTC) proposes to construct a 12-mile long, Class I, Multi-Use Bike Path<sup>1</sup>, Class II Bike Lanes, and Class III Bike Routes from 19<sup>th</sup> Avenue in Oakland to the Hayward Bay Area Rapid Transit (BART) Station. The project would also construct pedestrian facilities along one project roadway segment (Segment 10) that is currently lacking those facilities. The East Bay Greenway (project) would be located in the East Bay area of the San Francisco Bay Area and would extend through the jurisdictions of Oakland, San Leandro, unincorporated Alameda County, and Hayward.

The purpose of this Initial Study (IS) is to determine whether implementation of the bicycle and pedestrian transportation infrastructure improvements could result in potentially significant effects to the environment, and, if so, to incorporate mitigation measures to eliminate or reduce the project's potentially significant adverse effects to less than significant levels.

If, after consideration of this IS, and any comments received during the public review period, Alameda CTC finds no substantial evidence that the proposed project would have a significant adverse effect on the environment, than a Mitigated Negative Declaration (MND) would be submitted for adoption by Alameda CTC Commission, as provided in the California Environmental Quality Act (CEQA), Section 21064.

### **1.2 LEAD AGENCY**

Alameda CTC is the CEQA Lead Agency and has prepared this IS to provide agencies and the public with information about the proposed project's potential impacts on the local and regional environment. This document has been prepared in compliance with CEQA as amended and the State CEQA Guidelines, California Administrative Code, Title 14, Division 6, Chapter 3.

### **1.3 PURPOSE**

The purpose of this document is to evaluate the potential environmental effects of the proposed East Bay Greenway project. Mitigation, avoidance, and minimization measures have also been incorporated into the project to avoid any potentially significant impacts or reduce them to a less than significant level.

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<sup>1</sup> A Class I bicycle facility Path is defined as a bike path or multi-use path that provides for travel on a paved right-of-way, completely separated from any street or highway. Class II and III facilities are located on streets or highways. A Class II (Bike Lane) provides a striped lane for one-way travel on a street. A Class III (Bike Route) provides for shared use with motor vehicle traffic and is identified only by signing.

### **1.4. SUMMARY OF FINDINGS**

Section 5 of this document contains the IS Checklist which identifies the potential environmental impacts by resource area and provides a brief discussion of each impact resulting from implementation of the proposed project. Based on the IS and supporting environmental analysis provided in this document, together with the incorporated mitigation measures, the proposed project would eliminate or result in less than significant impacts for the following issues: biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, noise, and recreation.

In accordance with §15064(f) of CEQA Guidelines, a MND shall be prepared if the proposed project would not have a significant effect on the environment after inclusion of mitigation measures in the project. Based on the available project information and the environmental analysis presented in this document, there is no substantial evidence that, after incorporation of mitigation measures, the proposed project would have a significant effect on the environment. It is proposed that a MND be adopted in accordance with the CEQA Guidelines.

## **2.0 PROJECT DESCRIPTION**

### **2.1. PROJECT LOCATION**

The East Bay Greenway project spans Oakland, San Leandro, Hayward, and unincorporated lands within Alameda County (County). The San Francisco Bay borders the county on the west, and the proposed project is within the relatively flat East Bay coastal plain that is highly developed and one of the most populous regions of the County. The study area is a 12-mile long section that parallels the BART corridor, surface streets, and portions of the Union Pacific Railroad (UPRR), extending from 19<sup>th</sup> Avenue in Oakland to the Hayward BART Station (See Figure 2.1 – Site Location).

As shown in Figure 2.2 – Project Location, from north to south, beginning in Oakland at 19<sup>th</sup> Avenue, the Greenway alignment is located on E. 12<sup>th</sup> Street until 54<sup>th</sup> Avenue, where it would turn onto 54<sup>th</sup> Avenue until reaching San Leandro Street and the UPRR and BART corridor. The alignment follows the BART right-of-way south to the Coliseum BART Station, where users would turn onto 69<sup>th</sup> Avenue then onto Snell Street to 75<sup>th</sup> Avenue.

The Greenway alignment would then rejoin the BART corridor paralleling San Leandro Street south. The Greenway would follow the BART alignment except near San Leandro Creek, where it would turn onto Peralta Avenue to San Leandro Boulevard. The Greenway alignment would follow San Leandro Boulevard across San Leandro Creek and continue on San Leandro Boulevard south until Hudson Lane. From Hudson Lane, it would parallel the UPRR tracks on the west side until intersecting Washington Avenue. The Greenway proceeds south along the west side of Washington Avenue until 139<sup>th</sup> Avenue, where it would be located on Washington Avenue, following south to 143<sup>rd</sup> Avenue. The alignment would turn east onto 143<sup>rd</sup> Avenue to west of the UPRR tracks, crossing over San Lorenzo Creek until Hampton Road. The Greenway would continue along Western Boulevard to A Street. At A Street the Greenway alignment would be located on Grand Street until B Street where it would turn east onto B Street until terminating at the Hayward BART Station.

As shown in Figure 2.3 – East Bay Greenway Bay Fair BART Station Alternative Map, a portion of Greenway may be realigned to avoid the portion of the alignment that extends through the existing Bay Fair BART Station. BART has indicated that they may need this area for planned improvement projects at the Bay Fair BART Station that may potentially make the UPRR right-of-way alignment infeasible. Therefore, the project includes a 2.2 mile Bay Fair BART Station alternative alignment that would depart from the UPRR corridor to the east onto Halcyon Drive, turn south onto Hesperian Boulevard, turn east onto Lewelling Boulevard, finally reconnecting with the UPRR parallel alignment.

### **2.2. PROJECT STUDY AREA**

The project study area is contained within Oakland, San Leandro, Hayward, and unincorporated lands within Alameda County. Oakland is the largest and most developed city in the County. Population growth and business activity have had a major impact on

Oakland's physical development. The City of San Leandro is located on the Bay's eastern shore, primarily to the south of Oakland, north of the unincorporated communities of San Lorenzo and Ashland, and west of the unincorporated community of Castro Valley. Like Oakland, San Leandro also has significant residential and commercial development.

The unincorporated Alameda County area known as Eden contains the communities of San Lorenzo, Ashland, and Cherryland. The City of Hayward is located on the Bay's eastern shore, south of San Lorenzo, Hayward Acres, and Cherryland, west of Castro Valley, and north of Union City. Hayward is smaller in size than Oakland and San Leandro, but has similar patterns of development.

When it is not following the BART alignment, the Greenway crosses the Union Pacific Railroad tracks on city streets, and passes through commercial enterprises, small retail sites, and residential development. The nearby urban and railroad development have altered much of the study area.

Multiple canals and creeks cross the Greenway alignment. These waterways drain surface water run-off from the Oakland-East Bay hills to the San Francisco Bay. All of these waterways are highly modified and most are concrete lined or channelized.

## 2.3. PROJECT BACKGROUND

### 2.3.1. East Bay Greenway Concept Plan and Funding

The concept for this project was originally developed and proposed in the *East Bay Greenway Concept Plan for a Bicycle and Pedestrian Path*.<sup>2</sup> Urban Ecology, a nonprofit organization, which is now inactive, prepared the East Bay Greenway Plan to explore the feasibility of the project, build support, and form partnerships to move the project forward. The planning work completed for the Concept Plan provided the basis for the preliminary design and environmental review that has been further advanced and described in this document.

The East Bay Greenway has been granted some funding, including local funds and an Alameda CTC Countywide Discretionary Fund Cycle 4 Bicycle and Pedestrian Grant, and was included in a TIGER II grant to support project construction. The Alameda CTC is working in collaboration with local and regional partners to implement the project and is continuing to seek additional funding to complete the project through construction.

In addition, Alameda County Public Works Agency prepared *The Union Pacific Railroad Oakland Subdivision Corridor Improvement Study* in January 2010. The Study investigated the feasibility of constructing a regional pedestrian and bicycle pathway following the UPRR Oakland Subdivision from Oakland to Fremont and discusses the environmental documentation being prepared for the East Bay Greenway that will advance a portion of the facility discussed in the Study.

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<sup>2</sup>East Bay Greenway Concept Plan for a Bicycle and Pedestrian Path, Urban Ecology, September 2008.



### **2.3.2. Regional and Local Plans**

The project is included in regional and local plans and policies. General Plans for the cities along the project length include language promoting visions for their communities that incorporate safe routes to transit and bicycle and pedestrian facilities. The project would extend through areas of the cities of Oakland and San Leandro that are being redeveloped (Oakland Coliseum) or have transit-oriented plans in place (San Leandro BART Station area planning).

BART's Strategic Plan (adopted in 1999 and updated in 2003) recognizes bicycle and pedestrian access to BART stations as a key strategy in increasing ridership. The draft BART Bicycle Plan, expected to be adopted by the BART Board in June 2012, identifies the East Bay Greenway as an opportunity to partner with local jurisdictions to enhance bicycle and pedestrian access to East Bay stations. The Alameda Countywide Bicycle Plan and the Countywide Pedestrian Plan establish countywide priorities for pedestrian and bicycle improvements. The Countywide Bicycle Plan places high priority on projects that are inter-jurisdictional and projects that connect with transit centers. The three top priorities for the Pedestrian Plan include projects that provide access to transit and activity centers, and inter-jurisdictional paths. The project is also included in the East Bay Regional Parks Master Plan and would implement Project 8: BART Trail/San Leandro Street (E. 12<sup>th</sup> Street in Oakland to the Bay Fair BART Station) as described in the Metropolitan Transportation Commission's Regional Bicycle Plan (2001).

## **2.4. PROJECT OBJECTIVE AND NEED**

### **2.4.1. Project Objectives**

The objectives of the project are to:

- Provide a pedestrian and bicycle facility that connects Alameda County neighborhoods and transit utilizing, where feasible, the existing railroad lines between Oakland and Hayward.
- Improve the safety and convenience for bicyclists and pedestrians along the project area, and encourage these modes of travel.

### **2.4.2. Project Need**

There are no extended linear bicycle routes that connect the urbanized areas of Oakland, San Leandro, and Hayward. Existing bicycle routes in the project area are non-existent or discontinuous. Bicyclists (and pedestrians, where there are no sidewalks) must use traffic lanes to complete their journey, and the traffic lanes frequently have limited space for shared vehicle-bicycle use.

At a community level, individuals without cars or use of vehicles need access to transportation options. Census data for the period 2006-2009 shows that 10% of households in Alameda County report they do not have access to a car, and 34% of households have only one car.<sup>3</sup> This can limit the mobility of individuals, and can affect

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<sup>3</sup> Urban Ecology 2008, updated with U.S. Census Bureau, Population and Housing Narrative Profile: 2005-2009.

their range of choices for living and working. Safe and accessible bicycle and pedestrian facilities therefore especially benefit East Bay households with no, or limited, access to cars. Other East Bay residents who will benefit from the facility are children, senior citizens and others who do not drive, as well as others who would prefer to travel by bike or on foot for environmental reasons.

Facilities are needed to improve non-motorized modes of transportation, connectivity, access, and safety for bicyclists and pedestrians between Oakland and Hayward. The East Bay Greenway Concept Plan identified that people in Alameda County already use the space under the elevated BART tracks for walking and biking, but they do so in unsafe and unattractive conditions where there are often no sidewalks or crosswalks (Urban Ecology 2008). The East Bay urbanized communities from Oakland to Hayward lack continuous designated or developed bike and pedestrian facilities. In contrast, the popular Ohlone Greenway along the BART alignment between Berkeley and Richmond is considered an example of how a bicycle and pedestrian facility can be successfully developed and maintained within the right-of-way beneath the BART tracks in western Contra Costa and northern Alameda counties, providing a safe and convenient route that encourages use by bicyclists and pedestrians.

The urban area in the vicinity of the East Bay Greenway is also currently underserved by other public facilities. There are only a few small neighborhood park and recreation areas within approximately ½ mile of the BART alignment between Oakland and Hayward. Providing a designated route and, where feasible, facilities or improvements that encourage walking and bike riding can enhance the appearance of an area and be more inviting to potential users.

### **2.5. PROJECT DESCRIPTION**

The East Bay Greenway would be located on land owned by several local jurisdictions, a railroad, and regional transit district. These entities include: Alameda County; the cities of Oakland, San Leandro, and Hayward; the Union Pacific Railroad (UPRR); and BART. As shown in Table 2.5-1 and illustrated in Figure 2.2, the East Bay Greenway would consist of 16 major segments, with some segments further divided into sub-segments. In some areas - Segments 4, 5, 7b, 7c, 7d, 8a, and 13 - land is used by BART under a joint-use easement with the UPRR. The East Bay Greenway would require a new joint easement for use of the project area from 98<sup>th</sup> Avenue to 105<sup>th</sup> Avenue in Oakland. Segment 11a (portions), 11b (portions), 12, and 14 would be located on UPRR land, which would require an easement. Segment 7a would be located on BART land and would require permission from BART.

Table 2.5-1 lists the proposed Class I, II, and III segments from north to south along the route. The figures indicate the proposed classification of each portion of the facility. Additional description of the project follows Table 2.5-1.

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(<http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml> )

**Table 2.5-1. East Bay Greenway Project Components by Segments**

Segment	Location	Class of Facility	Project Component Description
1	<b>E. 12<sup>th</sup> Street</b> from 19 <sup>th</sup> Avenue to Fruitvale Avenue/Fruitvale BART Station, Oakland	II	Striped bike lane on right hand roadway lane, in both directions. On street parking remains.
2	<b>E. 12<sup>th</sup> Street</b> (Fruitvale BART Station) from Fruitvale Avenue to 35 <sup>th</sup> Avenue, Oakland <b>E. 12<sup>th</sup> Street</b> (Fruitvale BART Station) from 35 <sup>th</sup> Avenue to 40 <sup>th</sup> Avenue, Oakland	III II	Shared use in lane, signed only, not striped. On street parking remains. Striped bike lane on right hand roadway lane, in both directions. On street parking remains.
3a and 3b	<b>E. 12<sup>th</sup> Street</b> from 40 <sup>th</sup> Avenue to High Street (3a) and High Street to 54 <sup>th</sup> Avenue, along 54 <sup>th</sup> Avenue to San Leandro Street (3b), Oakland	III	E. 40 <sup>th</sup> to 54 <sup>th</sup> Avenue to San Leandro Street would be Class III Route, shared use in lane, signed only, not striped. On street parking remains.
4 and 5	<b>San Leandro Street</b> from 54 <sup>th</sup> Avenue to Seminary Avenue (4), Seminary Avenue to 66 <sup>th</sup> Avenue (5a), and 66 <sup>th</sup> Avenue to 69 <sup>th</sup> Avenue (5b), Oakland	I	Multi-use (pedestrian and bike) path for travel in both directions, separated from San Leandro Street. Located on east side of the BART support columns.
6	<b>Snell Street</b> from 69 <sup>th</sup> Avenue (Coliseum BART Station) to 75 <sup>th</sup> Avenue, Oakland	III	Shared use in lane, signed only, not striped. On street parking remains.
7a	<b>BART and Oakland right-of-way</b> paralleling San Leandro Street from 75 <sup>th</sup> Avenue to 85 <sup>th</sup> Avenue, Oakland	I	Multi-use path for travel in both directions, separated from San Leandro Street. Located on west side of the BART support columns.
7b, 7c, and 7d	<b>BART right-of-way</b> paralleling San Leandro Street from 85 <sup>th</sup> Avenue to 92 <sup>nd</sup> Avenue (7b), 92 <sup>nd</sup> Avenue to 98 <sup>th</sup> Avenue (7c), and 98 <sup>th</sup> Avenue to 105 <sup>th</sup> Avenue, Oakland (7d)	I	Multi-use path for travel in both directions, separated from San Leandro Street. Located on <u>east</u> side of the BART support columns.
8a	<b>UPRR right-of-way</b> from 105 <sup>th</sup> Avenue to Peralta Avenue, Oakland and San Leandro	I	Multi-use path for travel in both directions, paralleling sections of Russet Street, Napoleon Drive, and Bixco Street. Located on west side of the BART support columns.
8b	<b>Peralta Avenue</b> , between Bixco Street and San Leandro Boulevard, San Leandro Boulevard.	III	Shared use in lane, signed only, not striped. On street parking remains.
8b, 9, 10	<b>San Leandro Boulevard</b> from Peralta Avenue to Davis Street (8b), Davis Street to Thornton Street (9), and Thornton Street to Hudson Lane, San Leandro Boulevard (10)	II (existing)	Additional striped bike lane in both northbound and southbound directions, where needed. Sidewalk would be added on west side of Segment 10.

**Table 2.5-1. East Bay Greenway Project Components by Segments**

Segment	Location		Class of Facility	Project Component Description
11a	<b>UPRR right-of-way</b> and Washington Avenue from Hudson Lane to approximately 139 <sup>th</sup> Avenue, San Leandro		I	Multi-use single path for travel in both directions
11a	<b>Washington Avenue</b> from 139 <sup>th</sup> Avenue to 143 <sup>rd</sup> Avenue, San Leandro		II	Striped bike lane in both directions. On street parking would be removed.
11b	<b>143<sup>rd</sup> Avenue</b> from Washington Avenue to the UPRR right-of-way, San Leandro		III	Shared use in lane, signed only, not striped. On street parking remains.
11b, 12a, 12b, 13, 14a, 14b	<b>UPRR right-of-way</b> from 143 <sup>rd</sup> Avenue to 147 <sup>th</sup> Avenue (11b), 147 <sup>th</sup> Avenue to Halcyon Drive (12a), Halcyon Drive to Hesperian Boulevard (12b), Hesperian Boulevard to Wagner/Cornell Streets (Bay Fair BART Station) (13), Bay Fair BART Station to East Lewelling Boulevard (14a), and East Lewelling Boulevard to Hampton Road (14b)		I	Multi-use single path for travel in both directions, west of the UPRR tracks
Alternative 12b, 13, 14a	A1	<b>Halcyon Drive</b> from UPRR to Hesperian Boulevard	II (Existing)	Striped bike lane in both directions
	A2a	<b>Hesperian Boulevard</b> from Halcyon Drive to UPRR	II (Existing)	Striped bike lane in both directions
	A2b	<b>Hesperian Boulevard</b> from UPRR to Lewelling Boulevard	III	Shared use in lane, signed only, not striped. On street parking remains.
	A3a	<b>East Lewelling Boulevard</b> from Hesperian Boulevard to Meekland Avenue	II(Existing)	Striped bike lane in both directions
	A3b	<b>East Lewelling Boulevard</b> from Meekland Avenue to UPRR	II	Striped bike lane in both directions
15, 16	<b>Western Boulevard</b> from Hampton Road to Sunset Boulevard (15), and Sunset Boulevard to Grand Street/B Street, Hayward (16)		III	Shared use in lane, signed only, not striped. On street parking remains.
16	<b>B Street</b> , from Grand Street to Hayward BART Station, Hayward		II	Striped bike lane in both directions

### **2.5.1. Class I Bike Facilities**

The project would include the construction of an approximately 12-foot wide Class I multi-use Path. The Class I Path would be paved with asphalt or concrete over a compacted gravel subgrade base, and would have removable bollards at intersections to discourage use by non-authorized vehicles. The project would be fenced or physically separated by other means in areas adjacent to the active rail line or in areas where the Class I path is less than 5 feet from a road edge. Parking removal would be needed for approximately 1,100 feet along San Leandro Street, between 75<sup>th</sup> Avenue and 85<sup>th</sup> Avenue (Segment 7a). The project would not construct any new rail crossings in areas of the Class I Path and would be ADA compliant. Additionally, pedestrian signal crossing equipment would be installed at existing spur tracks that cross roadways along the project.

Landscaping, where there is ample right-of-way, would consist of predominantly California native species, with the addition of some Mediterranean-type plants. The landscaping plan would be determined during final design. Signage would be included as maps on the BART columns at intersections and entrances to the project, as free-standing signs, asphalt imprints where the Class I pathway meets an existing road, and as ¼ mile markers along the path. Site furnishings along the project could potentially include bike racks, benches, and litter receptacles, depending on available right-of-way and local jurisdictions' desires. Stormwater would be infiltrated in newly paved areas.

### **2.5.2. Class II and III Bike Facilities**

The project would include the re-striping of existing streets to provide Class II Lanes. In areas where street width prohibits re-striping, signage would be installed to provide wayfinding for a Class III Route. One lane conversion is proposed along Segment 1. Parking removal would be needed for approximately 530 feet along E.12<sup>th</sup> Street, between 40<sup>th</sup> Avenue and High Street (Segments 3a, 3b) and, for potentially 720 feet on the east and 435 feet on the west side of Washington Avenue, between 139<sup>th</sup> Avenue and 143<sup>rd</sup> Avenue (Segment 11a) to allow for the provision of Class II Lanes.

The project would not construct any new rail crossings, but would construct improvements to bring existing non-ADA compliant sidewalk rail crossings into compliance.

### **2.5.3. Intersections Improvements**

Intersection improvements, where needed, would be constructed to allow safe street crossings. These improvements would include modifications to sidewalks, curbs, handicap ramps, barriers, and the addition of pedestrian signals where needed.

### **2.5.4. Creek and Waterbody Crossings**

The project would cross nine creeks, as listed and described in Table 2.5- 2. At most of these creeks, the creeks or water bodies are either underground in culverts, and have no surface exposure within the project vicinity, or they are concrete-lined and channelized. The project would cross most of the drainages without any construction work in or near the vicinity of the water body. San Leandro Creek, Estudillo Canal, and San Lorenzo

Creek may require new or widened structures to accommodate the East Bay Greenway; however, these creeks would be spanned with a single span and no foundations would be needed in the channel banks.

**Table 2.5-2. Description of Creek and Waterbody Crossings**

<b>Water Feature Name</b>	<b>Location of East Bay Greenway crossing of Water Body</b>	<b>Description of Water Body</b>	<b>Construction Work at or Encroaching on Waterbody</b>
Sausal Creek	E. 12 <sup>th</sup> Street, near 30 <sup>th</sup> Avenue, Oakland	Culverted and underground. No surface exposure	None. Class II Lane involving restriping and signage.
Peralta Creek	E. 12 <sup>th</sup> Street, near 34 <sup>th</sup> Avenue, Oakland	Culverted and underground. No surface exposure	None. Class II path involving restriping and signage.
Courtland Creek	E. 12 <sup>th</sup> Street, near 47 <sup>th</sup> Avenue, Oakland	Culverted and underground. No surface exposure	None. Class III route on existing lane, involving sign installation and route markings.
Lion Creek	San Leandro Street, near 69 <sup>th</sup> Avenue, Oakland	Culverted and underground. No surface exposure	None. Class II path involving restriping and signage.
Arroyo Viejo	Snell Street, south end of Coliseum BART station, beneath Hegenberger Road ramp.	Open, concrete-lined channel	None. Class III route would be on existing lane, involving sign installation and route markings only.
Elmhurst Creek	San Leandro Street, near 81 <sup>st</sup> Avenue	Short segment of this exposed drainage is well west of the proposed path on San Leandro Street. There is no surface exposure of this creek along San Leandro Street in our project area.	None. Construction of Class I path adjacent to BART overhead facility is separated from this drainage by San Leandro Street and a truck stop business.
San Leandro Creek	San Leandro Boulevard, between Lillie Street and Davis Street, San Leandro	Vegetated channel, crossed by San Leandro Boulevard on concrete bridge	None. Existing Class II path involving signage only.
Estudillo Canal	Along UPRR corridor west of BART tracks. Canal crosses north side of Thornally Drive and Bay Fair BART Station, south of Hesperian Boulevard	Open, concrete-lined channel. UPRR crosses channel on single track on bridge	Install new bridge structure parallel to and west of the UPRR line. The bridge would be a single span structure with foundations outside of the banks of the canal.
San Lorenzo Creek	Along UPRR corridor, north of Hampton Road, south of East Lewelling Boulevard	Open, concrete-lined channel. UPRR crosses channel on single track on bridge	Install bridge structure parallel to and west of the UPRR line. The bridge would be a single span structure with foundations outside of the banks of the canal.

### 2.5.5. No Project Alternative

The No Build or No Project Alternative would not result in any changes to bicycle or pedestrian facilities serving the East Bay regional area from Oakland to Hayward. Bicyclists would continue to use existing streets, some with no designation or protection for shared bicycle-automobile use. None of the proposed facilities would be constructed, and there would be no enhanced safety or promotion of increased bicycle or pedestrian



use within the East Bay region along the BART alignment. The No Build/No Project Alternative would not meet the objectives of the project.

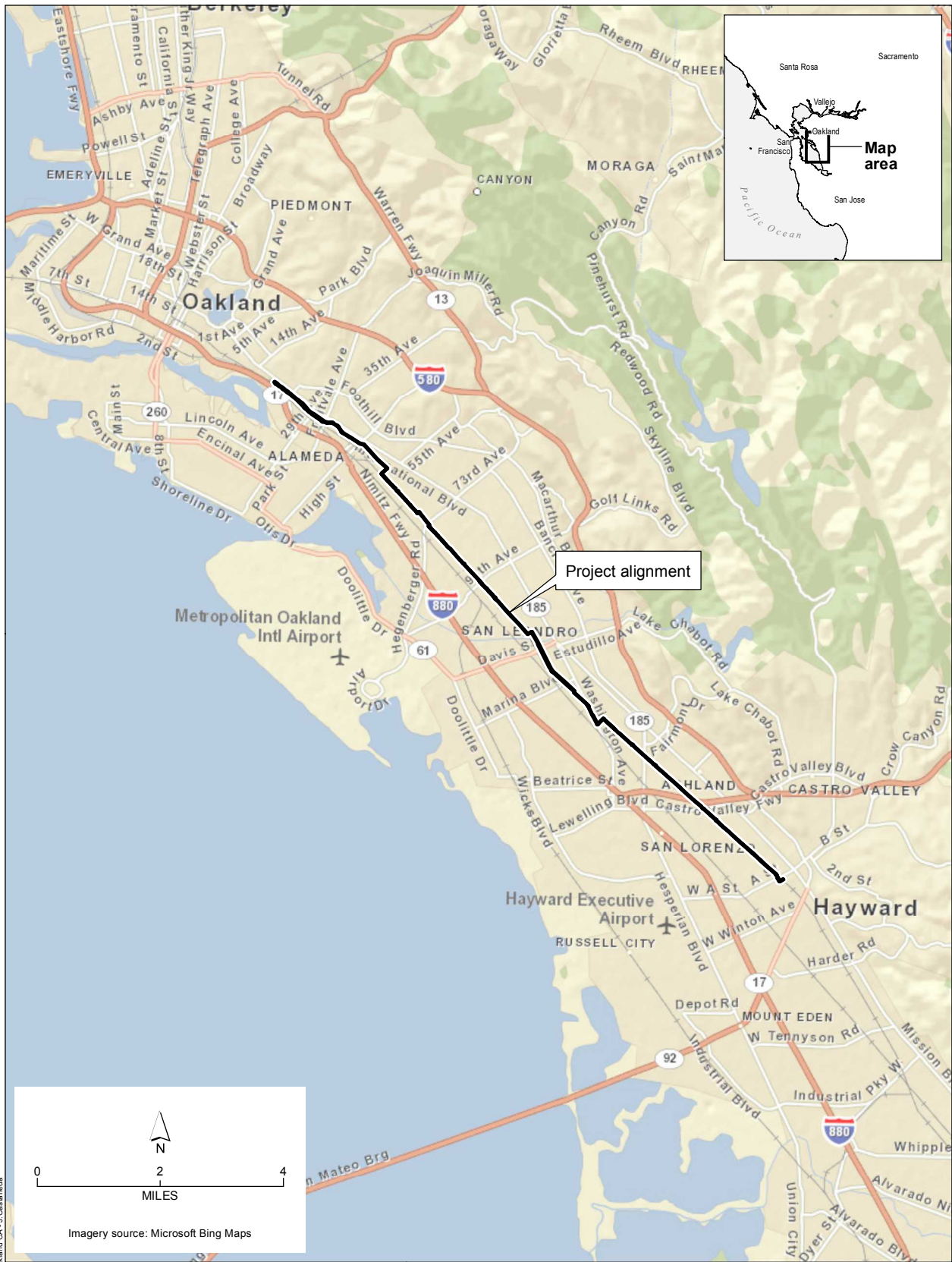
## **2.6. OTHER REQUIRED APPROVALS**

The project is within a highly urbanized setting, with minimal areas of potential habitat and areas of waters subject to permit requirements. The following briefly summarizes the type of actions that may require authorizations, but would ultimately be determined at final design:

- **Work within creek or channels:** The proposed facility is designed to avoid the need for construction work or placement of permanent structures in the majority of the various creeks, canals, and drainages that are crossed by the route. Table 2.5-2 identifies the drainages and activities proposed at each crossing. There is a potential that new or widened bicycle and pedestrian structures may be required at Estudillo Canal and San Lorenzo Creek. However, construction work would be over the channel and no permanent new structures would be located within the banks and bed of these channels. Therefore, no permits or authorizations are required from the U.S. Army Corps of Engineers and Regional Water Quality Control Board.
- **Water Quality:** A Notice of Construction and Storm Water Pollution Prevention Plan would be required for all work greater than one acre. These requirements may be passed on to the construction contractor.
- **Local Cities (Oakland, San Leandro, and Hayward) and Alameda County:** Local jurisdictions may require approvals for tree removal (if any) and/or removal of existing on-street parking.
- **BART:** An agreement would be necessary to occupy/share or work within their right-of-way.
- **UPRR:** An agreement would be necessary to occupy/share or work within their right-of-way.
- **California Public Utility Commission (CPUC):** Review and/or approval would be required for changes at existing railroad crossings.

### **Construction Phasing**

An Implementation Strategy Report (ISR) has been prepared for this project which presents recommended phasing and required action for each of the segments. The purpose of the ISR is to identify a logical sequence of segment implementation based on key variables including supporting projects, environmental permitting requirements, land use context, public access and safety, and engineering requirements.



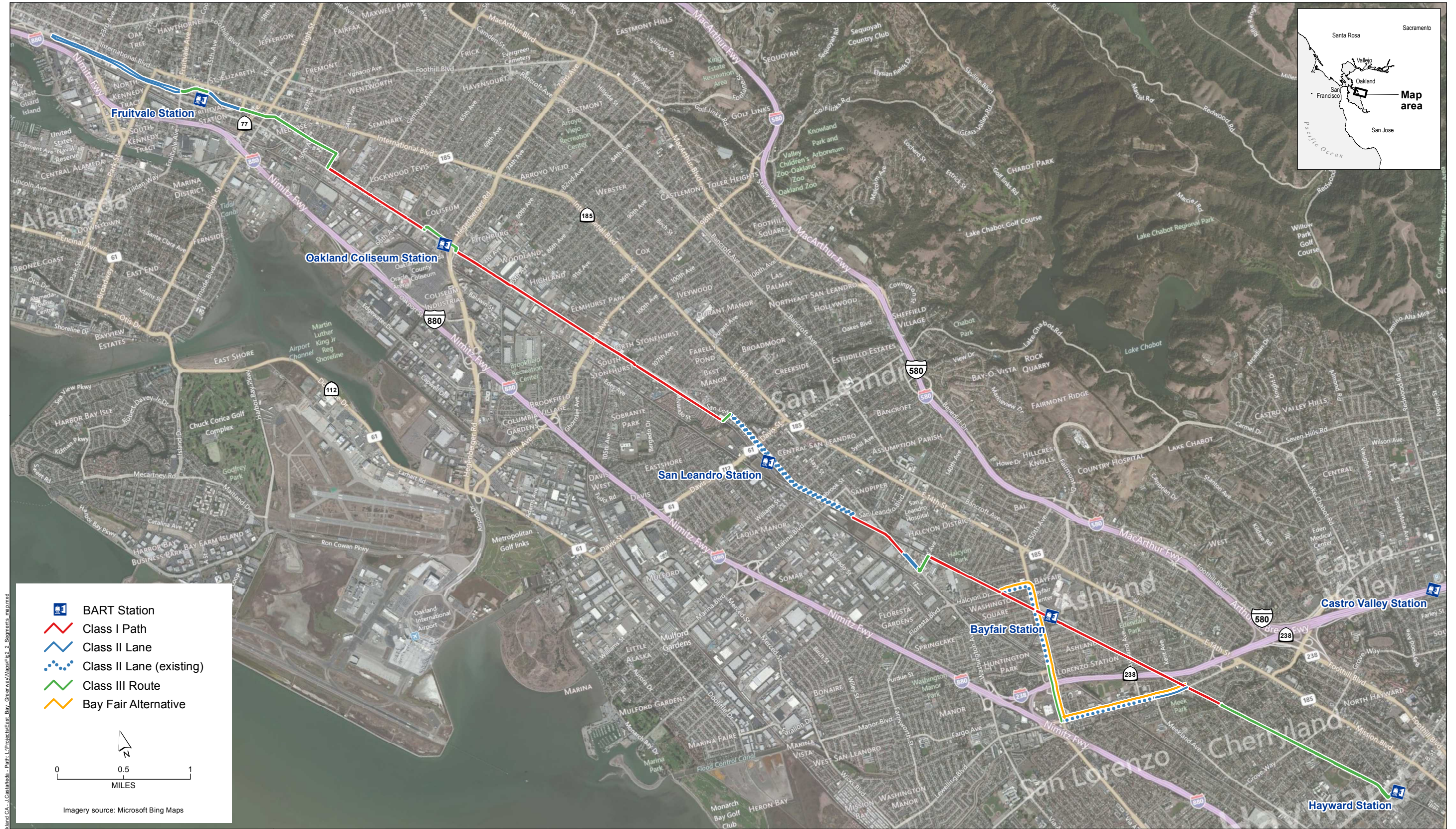
URS Corp. - Oakland, CA - J. Castañeda

**URS**

East Bay Greenway

**Figure 2.1**  
East Bay Greenway Project Location Map





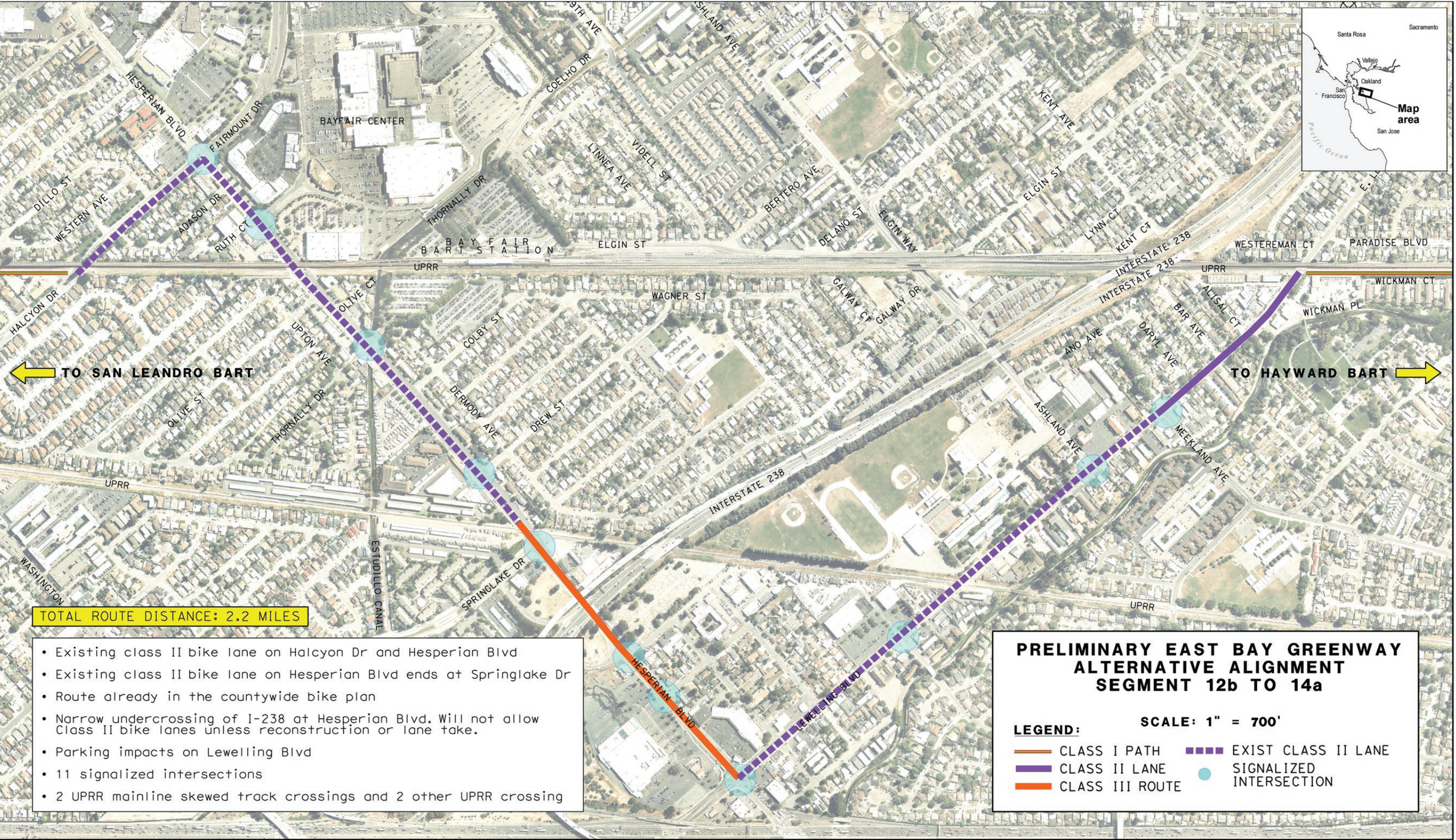
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URS

East Bay Greenway

**Figure 2.2**  
East Bay Greenway Project Segments Map







- LEGEND:
- CLASS I PATH

CLASS II LANE

CLASS III ROUTE

STRUCTURE

SIDEWALK

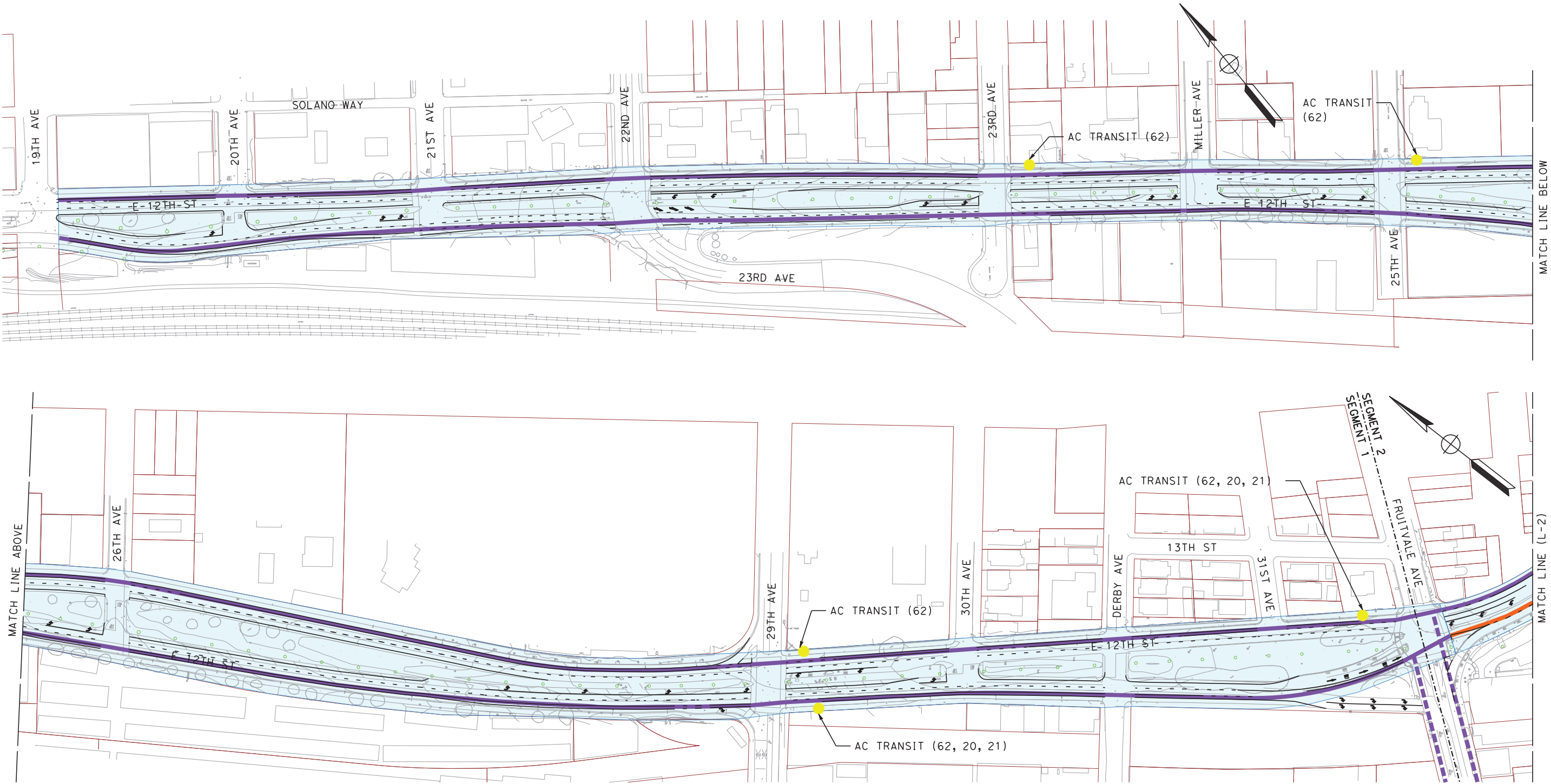
RIGHT OF WAY LINE

CITY/COUNTY LIMIT LINE

EXIST CLASS II BIKE LANE

LIMITS OF DISTURBANCE

AC TRANSIT STOP





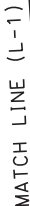
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## Subtype 43

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FRUITVALE  
VILLAGE

FRUITVALE  
BART STATION

36TH AVE

37TH AVE

ASCEND  
SCHOOL

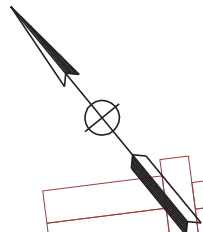
38TH AVE

39TH AVE

SAN LEANDRO ST

SEC  
SEC

MATCH LINE BELOW



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CLASS I NB ONLY

E 12TH ST

42ND AVE

41ST AV

SAN LEANDRO ST

SEGMENT 3a  
SEGMENT 3b

44TH AVE

5TH AVE

5TH AVE 6TH

TH

3TH AVE

E 12TH ST

MATCH LINE (L-3)



### Figure 2.5

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**L-2**

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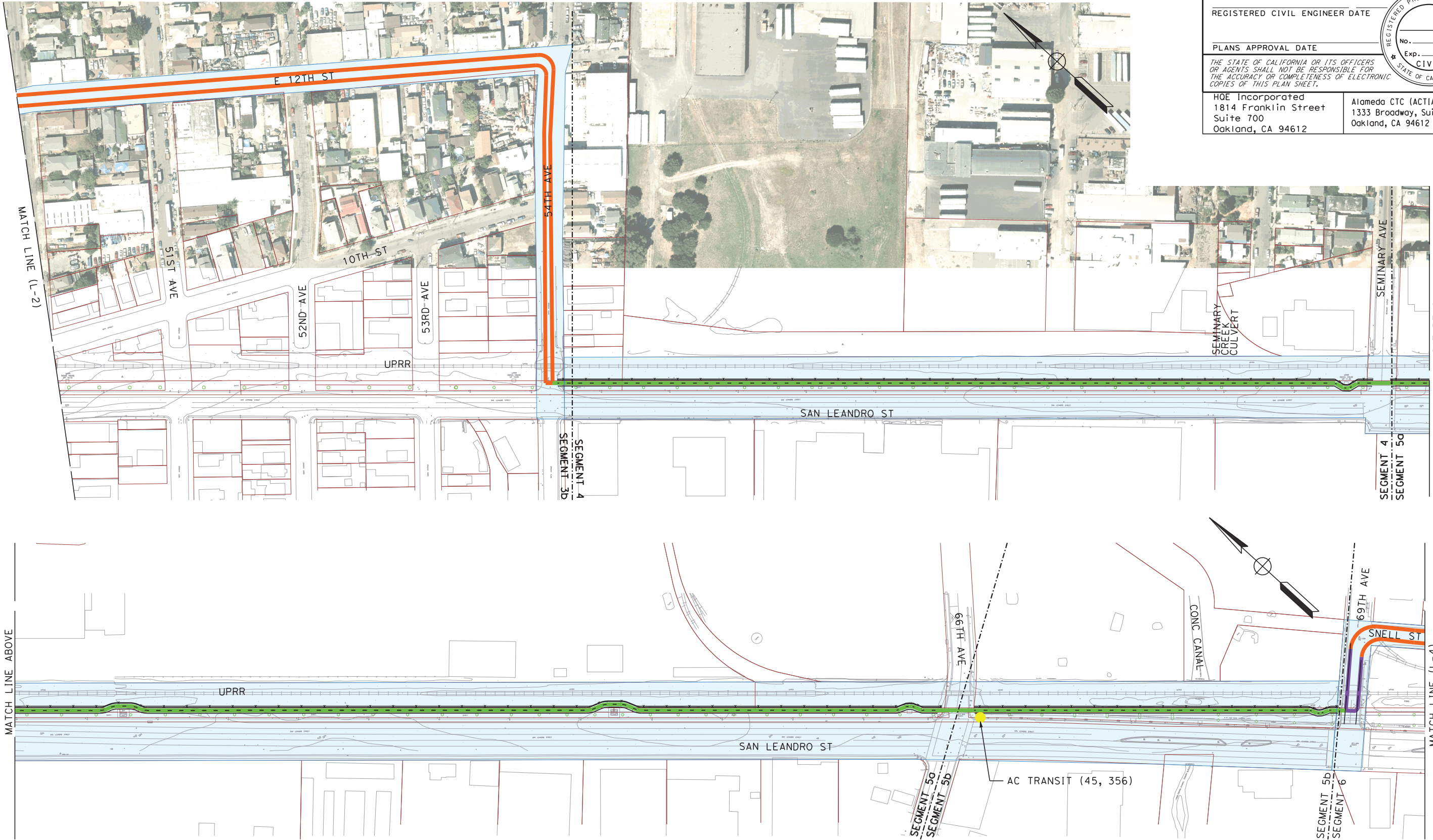
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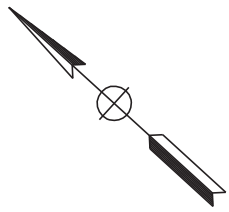
CIVIL

STATE OF CALIFORNIA

Figure 2.6  
East Bay Greenway Project Plans  
L - 3

SCALE: 1" = 100'



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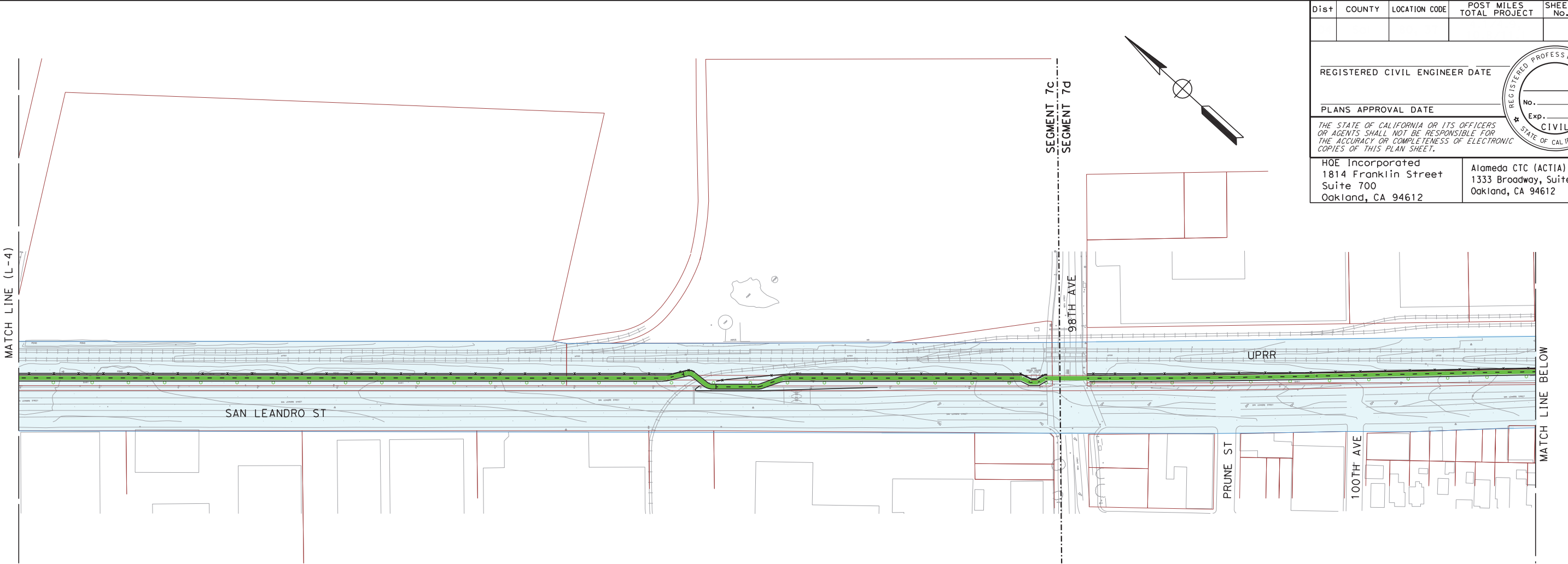
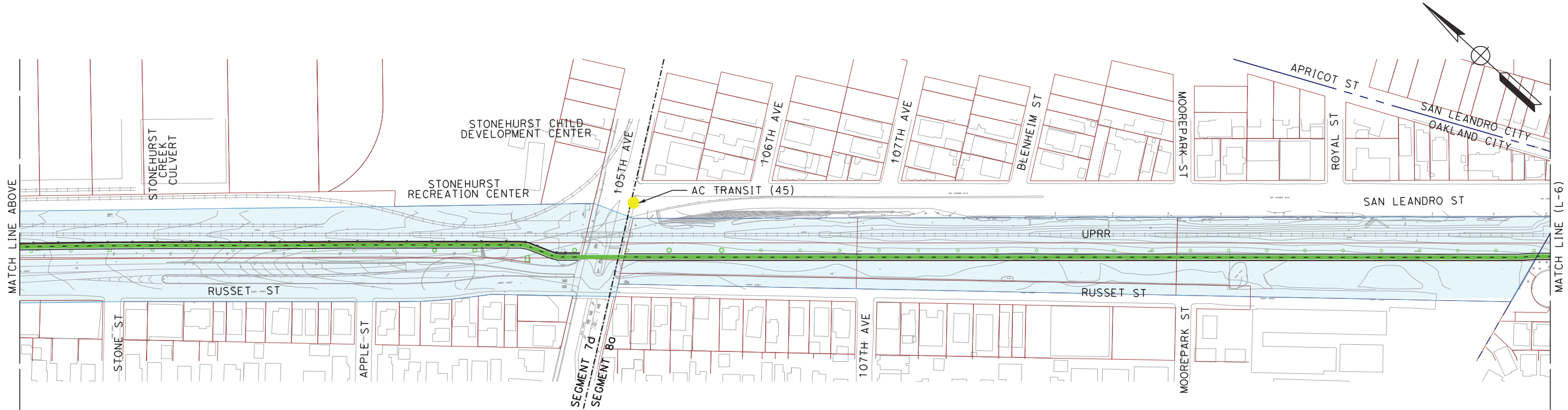


Figure 2.8  
East Bay Greenway Project Plans  
L - 5

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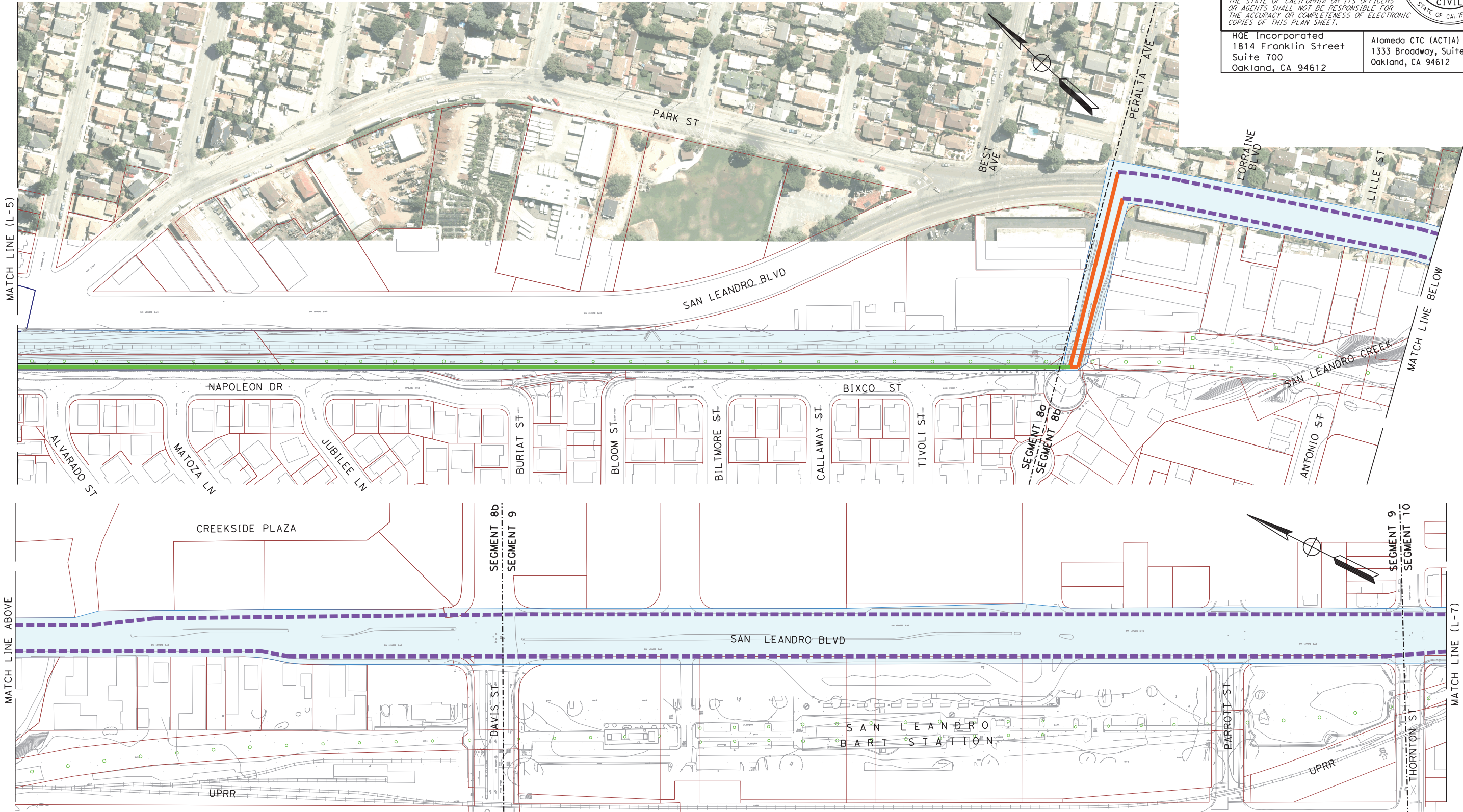
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Figure 2.9  
East Bay Greenway Project Plans  
L - 6

SCALE: 1" = 100'



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**L-7**



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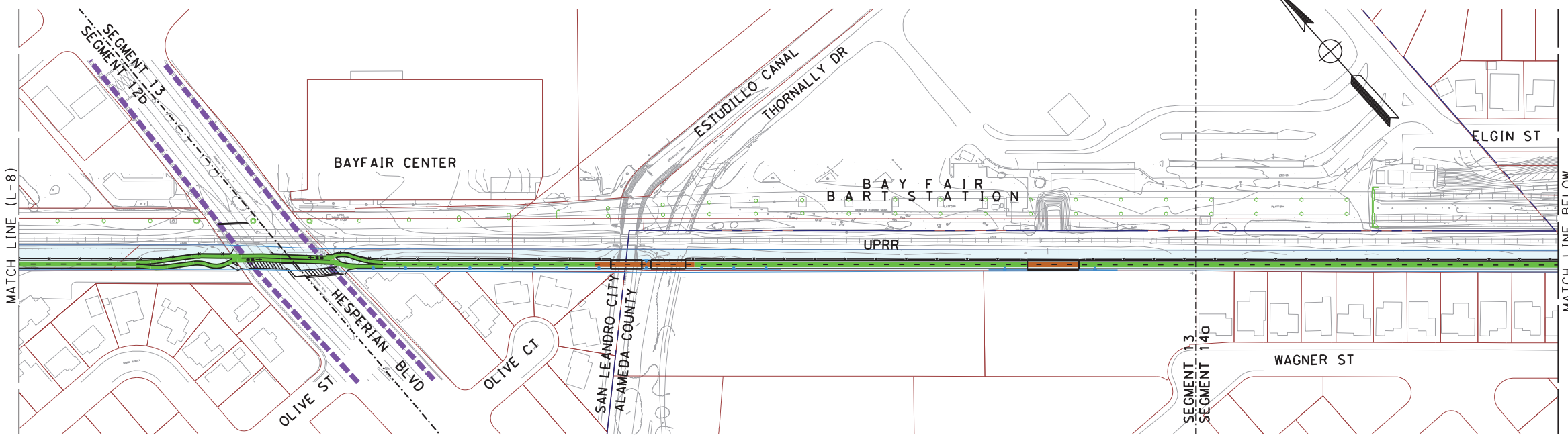
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Figure 2.12  
East Bay Greenway Project Plans  
SCALE: 1" = 100'  
L - 9

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Figure 2.13  
East Bay Greenway Project Plans  
L - 10

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Figure 2.14  
East Bay Greenway Project Plans  
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### **3.0 SUMMARY OF PROJECT MITIGATION**

This section summarizes the project mitigation measures presented in detail within Section 4 of this Initial Study.

#### **Biological Resources**

**MITIGATION BIO-1:** If any trees located on or adjacent to the project site are determined to be “protected” trees (as defined below), the project sponsor shall obtain a permit for tree removal from the appropriate city or county jurisdiction, prior to the removal of such trees. The removal of a protected tree would require that an appropriate replacement tree be planted on or adjacent to the project site, or as agreed to with the appropriate jurisdiction. Replacement trees shall be replaced with like-size, like-kind trees or an equal value of trees. Tree replacement stock shall be a minimum twenty-four (24) inch box size, or three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate. The project sponsor shall submit a final landscape plan to the appropriate jurisdiction for review and approval.

Protected Trees are:

- (1) Trees having a minimum trunk diameter of eight inches measured 54” above the ground. When measuring a multi-trunk tree, the diameters of the largest three trunks shall be added together.
- (2) Trees of the following species that have reached a minimum of four inches diameter trunk size measured 54” above the ground:
  - a. Blue Oak *Quercus douglassii*
  - b. California Black Oak *Quercus kelloggii*
  - c. Canyon Live Oak *Quercus chrysolepis*
  - d. Coast Live Oak *Quercus agrifolia*
  - e. Interior Live Oak *Quercus wislizenii*
  - f. Oregon White Oak *Quercus garryana*
  - g. Valley Oak *Quercus lobata*
  - h. Big Leaf Maple *Acer macrophyllum*
  - i. California Bay *Umbellularia californica*
  - j. California Buckeye *Aesculus californica*
  - k. California Sycamore *Platanus racemosa*
  - l. Madrone *Arbutus menziesii*
  - m. Western Dogwood *Cornus nuttallii*
- (3) A tree or trees of any size planted as a replacement for a protected tree.

### Cultural Resources

**Mitigation Measure CULT-1:** In the event that prehistoric, archaeological or paleontological artifacts or remains are encountered during project construction, all ground disturbing activities shall be halted until a qualified archaeologist can assess the significance of the find, and appropriate mitigation, such as curation, preservation in place, etc., if necessary, is implemented. Additional archaeological survey would be needed if the project limits are extended beyond the present survey limits.

**Mitigation Measure CULT-2:** In the event that human remains are encountered during construction, all work in that area must halt and the Alameda County Coroner must be contacted pursuant to California Public Resources Code Sections 5097.94, 5097.98, and 5097.99.

### Hazards and Hazardous Materials

**Mitigation Measure HAZ-1:** Excavated soils shall be tested during construction to determine how they should be appropriately handled, whether they can be reused onsite, or whether they might require off-site disposal or treatment. Soils determined to have contaminants exceeding hazardous waste thresholds must be handled in accordance with Federal and State hazardous waste laws and regulations. The Federal Resource Conservation and Recovery Act (RCRA) Subtitle C, sets forth criteria for defining federal hazardous wastes, and specifies minimum national requirements for generating, transporting, storing, or disposing of hazardous wastes. State regulations are contained in California Code of Regulations (CCR) Title 22, which equal or exceed federal standards. The contractor would be required to comply with all applicable regulations in effect during project construction.

**Mitigation Measure HAZ-2:** Project construction plans shall include emergency procedures for responding to hazardous materials releases for materials that would be brought onto the site as part of construction activities. The emergency procedures for hazardous materials releases shall include the necessary personal protective equipment, spill containment procedures, and training of workers to respond to accidental spills/releases. The contractor shall be required to have on hand at all times adequate absorbent materials and containment booms to handle a spill equivalent to the largest container of fuels or oil in their possession.

### Hydrology and Water Quality

**Mitigation Measure HYDRO-1:** The Contractor(s) shall comply with the Best Management Practices (BMPs) in the 2009 Construction BMP Handbook/Portal by the California Stormwater Association (CASQA) in each work areas including construction staging area, prior to and immediately after grubbing and clearing including but not limited to the installation of silt fencing and fiber rolls. Erosion control measures shall remain in place, and be maintained until removed at the direction of the appropriate inspector.

### Noise

**Mitigation Measure NOISE-1:** Depending on the jurisdiction in which a particular segment is located, construction activities shall be limited to weekday hours between 7 a.m. and 7 p.m. or 9 a.m. and 8 p.m. on weekends and Federal holidays, consistent with the City of Oakland Noise Ordinance (Section 17.120.050); or the hours between 7 a.m. and 7 p.m. on weekdays, or between 8 a.m. and 7 p.m. on Saturday and Sunday, and no construction allowed on Federal holidays, consistent with the City of San Leandro Noise Ordinance (Section 4-11-1130); or the hours between 7 a.m. and 7 p.m. Monday to Saturday and 10 a.m. and 6 p.m. on Sundays and Federal holidays, consistent with the City of Hayward Noise Ordinance (HMC Sec. 4-1.02 et seq); or weekday hours between 7 a.m. and 7 p.m. and 8 a.m. and 5 p.m. on weekends, consistent with the Alameda County Noise Nuisance Ordinance (Chapter 6.60).

**Mitigation Measure NOISE-2:** All equipment shall be maintained in proper working order, including proper muffling.

#### 4.0 INITIAL STUDY AND DETERMINATION

<b>Project Title:</b>	<b>East Bay Greenway</b>
Lead Agency's Name and Address:	Alameda County Transportation Commission 1333 Broadway, Suite 300 Oakland, CA 94612
Lead Agency Contact:	Victoria Eisen, Project Manager for Alameda County Transportation Commission <a href="mailto:Victoria@eisenletunic.com">Victoria@eisenletunic.com</a> , 510-525-0220
Project Location:	Various
Zoning	Various
Description:	Bicycle and Pedestrian Transportation Facility
Agencies Whose Approval Is Required: Cities of Oakland, San Leandro, and Hayward, Alameda County, BART, California Public Utility Commission (CPUC).	
Surrounding Land Uses: Various	

##### *Environmental Factors Potentially Affected*

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agricultural and Forestry Resources      | <input type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources            | <input type="checkbox"/> Geology/Soils                      |
| <input type="checkbox"/> Greenhouse Gas Emissions        | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning               | <input type="checkbox"/> Mineral Resources                        | <input checked="" type="checkbox"/> Noise                   |
| <input type="checkbox"/> Population/Housing              | <input type="checkbox"/> Public Services                          | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation/Traffic          | <input type="checkbox"/> Utilities /Service Systems               | <input type="checkbox"/> Mandatory Findings of Significance |

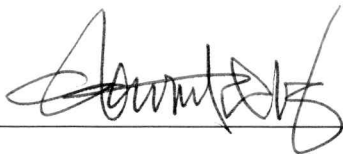


## Initial Study and Determination

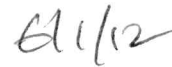
### *Determination*

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier Environmental Impact Report (EIR) or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Stewart Ng



Date

Deputy Director of Programming and Projects

## 5.0 ENVIRONMENTAL CHECKLIST

### 5.1. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?			✓	
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			✓	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				✓

SOURCE: *On-site Inspection, California Scenic Highway Mapping System: Alameda County, County of Alameda: Scenic Route Element of the General Plan, City of San Leandro Historic Preservation and Community Design Element, Oakland Comprehensive Plan Scenic Highways Element, East Bay Greenway Visual Impact Analysis.*

#### DISCUSSION:

The visual quality of the project area is characterized by moderately dense urban development. From Oakland south to Hayward, the project area is primarily defined by heavy transportation facilities, including BART, commuter rail, rail freight, highways, and roadway arterials. The project area contains many industrial and commercial land uses around the northerly portions, transitioning to residential and mixed-uses towards the southerly sections. Portions of the project area would be constructed underneath the existing aerial BART structure, which can be visually characterized as non-maintained earth and vegetation, and exposed cement and concrete. The remaining portions of the project area would be constructed within the right-of-way of existing surface streets. For the entirety of the existing project area, the overall vividness could be described as low in the industrial and roadway settings along the northerly portion, to moderate along the more residential and mixed use portion in the south.

The project would include the installation of signs along existing city streets, roadway striping, minor intersection improvements, and construction of an approximately 12-foot wide, paved multi-use pathway, including two channel crossings. No structures would be constructed and views of buildings and natural features along the project area would not be impeded by the proposed project or its construction; therefore, there would be no significant impact to these resources. Additionally, the project is not located within a state scenic highway corridor.

The project would result in construction activities, which would require temporary construction fencing, equipment, or staging areas during the construction phases (primarily the Class I Path portions of the route). However, these construction activities

would only be required for a limited period for each segment of the path and would involve minor grading and paving activities, which are common in urban environments. The Class II Lanes and Class III Routes of the proposed project would have minimal or no effect on the visual setting as they would only result in the installation of minor roadway signage, roadway legends and striping, sidewalks in Segment 10, and some minor intersection improvements.

- a. Less than Significant Impact.** The project is located in an urban area and along existing transportation facilities, and would not be located within any scenic vistas identified within the General Plans for Oakland, San Leandro, Hayward, or Alameda County. Scenic views from the route do exist, including views of the Oakland, Hayward, and San Leandro Hills, creeks and waterways, Art Deco Architecture styled structures, older or culturally important homes and businesses, downtowns, and historic water towers and tank houses along the project area. Visible elements of the proposed project would include a new multipurpose pathway, railroad crossings, sidewalk and curb improvements, and bridges across Estudillo Canal and San Lorenzo Creek. The majority of project improvements are at-grade and are not expected to limit or impair surrounding views, and therefore would have a less than significant impact on local scenic views.
- b. No Impact.** The project site is not located within the vicinity of an eligible or designated State Scenic Highway or within a scenic highway or route within the General Plans for Oakland, San Leandro, Hayward, or Alameda County. Therefore, there would be no impact.
- c. Less than Significant Impact.** The East Bay Greenway project has the potential to create beneficial impacts to the study area, particularly in areas under the BART tracks by developing a multi-use pathway. The East Bay Greenway project would not have substantial permanent negative impacts on visual resources, as the creation of a multi-purpose path, additional sidewalks, and the striping of bike lanes and crossings on existing surface streets would not create any permanent visual impacts in the project area.
- d. No Impact.** Streetlights, vehicle head and tail lights, BART stations, and BART and freight trains are existing sources of light and glare in the project area. The proposed project would not incorporate any new light sources or materials that would induce glare. Project construction and improvements will include an approximately 12-foot wide multipurpose path, sidewalks, bridge structures, signage, and lane striping on existing roadways, which will include construction materials such as concrete, asphalt, steel, and wood. No bright night lighting would be introduced, aside from the potential for low level pedestrian lighting in some segments, and construction would occur only during daylight hours. Therefore, no long-term or short-term lighting or glare impacts would occur as a result of the project.

**MITIGATION:** *None required*

## 5.2. AGRICULTURE AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓

SOURCE: Alameda County Important Farmland 2010, Alameda County Williamson Act Lands 2009.

### DISCUSSION:

The project site is designated as Urban and Built-Up Land on the California Department of Conservation's *Alameda County Important Farmland 2010* map. Urban and Built Up land is occupied by structures with a building density of at least 1 unit to 1.5 acres. The project site is not zoned for agricultural use, and is not under a Williamson Act contract. No forest land or timberland is identified on or near the project site, and the project site is not zoned for forest or timber uses.

- a. No Impact.** The proposed project is located within an area designated Urban and Built-Up Land, and therefore would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.
- b. No Impact.** Properties surrounding the proposed project area are designated Urban and Built-Up Land, and therefore the proposed project is not in conflict with any existing agricultural uses or a Williamson Act contract.
- c. No Impact.** The proposed project site and surrounding area are designated as Urban and Built-Up Land and would not conflict with or convert forest land, timberland, or timberland zoned Timberland Production.

- d. No Impact.** The proposed project site and surrounding area are designated as Urban and Built Up land and would not result in the loss of forest land or conversion of forest land to non-forest use.
- e. No Impact.** The land uses surrounding the proposed project site do not include active forest land and are primarily commercial, light industrial, and residential.

**MITIGATION:** *None required*

### 5.3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			✓	
d. Expose sensitive receptors to substantial pollutant concentrations?			✓	
e. Create objectionable odors affecting a substantial number of people?			✓	

SOURCE: East Bay Greenway Air Quality and Greenhouse Gas Impact Analysis, BAAQMD CEQA Air Quality Guidelines, and Bay Area 2010 Clean Air Plan.

#### **DISCUSSION:**

The SFBAAB's nonattainment status is attributed to the region's development history, and the combination of past and present development projects contributing to the regional adverse air quality impacts on a cumulative basis.

- a. Less Than Significant Impact.** The project is located within the San Francisco Bay Area Air Basin (SFBAAB) and is within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). Ambient air quality standards for ozone (O<sub>3</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), particulate matter (PM<sub>10</sub>, PM<sub>2.5</sub>), and lead (Pb) have been set by both the State of California and the federal government. The State has also set standards for sulfate and visibility. Regions which meet the ambient air quality standards are designated as attainment areas. Regions which are unable to meet the ambient air quality standards are designated as nonattainment areas, and regions that were previously designated as

nonattainment but have since met ambient air quality standards are known as maintenance areas.

Under the California standard, the SFBAAB is a nonattainment area for both 1-hour and 8-hour O<sub>3</sub>, both respirable particulate matter (PM<sub>10</sub>), and fine particulate matter (PM<sub>2.5</sub>) (BAAQMD 2010). Under the federal standard, the SFBAAB is in non-attainment for 8-hour O<sub>3</sub> and fine particulate matter (PM<sub>2.5</sub>) (BAAQMD 2010).

Any nonattainment or maintenance area must develop plans to meet these applicable laws, regulations, and programs. The Bay Area Clean Air Plan (CAP), which was developed in cooperation with the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG). The CAP includes a control strategy review to ensure that the plan continues to include “all feasible measures” to reduce ozone, an update of the BAAQMD’s emission inventory, estimates of emission reductions achieved by the CAP, and an assessment of air quality trends.

The latest CAP that the BAAQMD has adopted is 2010 Clean Air Plan, which demonstrates a control strategy to reduce emissions and decrease ambient concentrations of harmful pollutants; (2) safeguard public health by reducing exposure to air pollutants that pose the greatest health risk, with an emphasis on protecting the communities most heavily impacted by air pollution; and (3) reduce greenhouse gas (GHG) emissions to protect the climate (BAAQMD 2010).

This project would create construction emissions, which are short-term and would not conflict with or obstruct the implementation of the region’s air quality plans.

- b. Less Than Significant Impact.** BAAQMD has recommended significance for evaluating the impacts for project construction. The total project construction emissions were compared to these significance criteria to determine their impact.

The long-term (operational) and short-term (construction) impacts of the proposed project to air quality are discussed below. Greenhouse gas emissions are discussed in Section 5.7 of this document.

The project would not use any stationary sources during operations, nor will it increase any vehicle emissions. Therefore, there are no operational emissions associated with the project. Project construction activities would be confined to the area immediately beneath the BART aerial structure and along the road right-of-way of San Leandro Street, and striping of existing surface streets. Construction and paving of the proposed path would generate a small amount of pollutants from vehicle and equipment emissions and paving. Exhaust emissions during construction would vary daily as construction activities level change.

The project would emit criteria pollutants associated with construction activities, such as excavation, paving, and vehicle and equipment use. These emissions are estimated using the BAAQMD recommended Sacramento Metropolitan Air Quality Management District’s (SMAQMD) Roadway Construction Emissions Model (BAAQMD 2011a) for roadway construction activities. The model uses the amount and type of construction equipment required based on project specific data and applies emission factors from EMFAC2007 and OFFROAD2007 to determine the overall emissions of criteria

pollutants in pounds per day for each construction phase. As shown on Table 5.3-2, due to the limited extent of development proposed, the projected short-term emissions of criteria pollutants as a result of project construction are expected to be below emission thresholds established by the BAAQMD.

The project will employ Best Management Practices (BMPs) for fugitive dust that would be emitted during construction. According to the BAAQMD CEQA guidelines and conversations with BAAQMD staff (BAAQMD 2011b), as long as a project uses BMPs during construction, fugitive dust emissions would reduce or control these emissions to levels that are considered less than significant.

**Table 5.3-1. East Bay Greenway Construction Emission Estimates**

Emission Estimates for East Bay Greenway Construction (lbs/day)								
Project Phases	ROG	CO	NOx	Total PM <sub>10</sub>	Exhaust PM <sub>10</sub>	Total PM <sub>2.5</sub>	Exhaust PM <sub>2.5</sub>	CO <sub>2</sub>
Grubbing/Land Clearing	8.9	37.2	43.8	2.7	2.6	2.3	2.3	5,959
Grading/Excavation	9.0	40.4	44.7	2.9	2.8	2.5	2.5	6,461
Drainage/Utilities/Sub-Grade	7.8	34.4	37.5	2.5	2.4	2.2	2.1	5,730
Paving	6.3	28.3	24.6	2.1	2.1	1.8	1.8	3,948
Maximum daily emissions (lbs/day)	9.0	40.4	44.7	2.9	2.8	2.5	2.5	6,461
BAAQMD CEQA Thresholds	54	-	54	-	82	-	54	-
Above Threshold?	No	-	No	-	No	-	No	-

**c. Less Than Significant Impact.** The project construction emissions would not result in a cumulatively considerable net increase of criteria pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard. The San Francisco Bay Area Air Basin (SFAB) is currently designated as:

- Marginal nonattainment of the 8-hour ozone National Ambient Air Quality Standard (NAAQS) and serious nonattainment of the 1-hour and 8-hour ozone California Ambient Air Quality Standard (CAAQS);
- Nonattainment of the 24-hour and annual PM<sub>10</sub> CAAQS; and
- Nonattainment of the 24-hour PM<sub>2.5</sub> NAAQS and the annual PM<sub>2.5</sub> CAAQS.

As the project's construction emissions do not exceed the BAAQMD significance thresholds (Table 5.3-2), they are considered less than considerably significant. The project emissions are expected to be short-term, and would not result in cumulatively considerable net increase of criteria pollutants when considered with other past, present and foreseeable future projects in the region.

**d. Less Than Significant Impact.** Children, elderly people and acutely or chronically ill people are affected more intensely by elevated concentrations of the air pollutants and as a result are considered "sensitive receptors." Construction of the Class I Path



segments of the path, new sidewalks, and bridge footings would result in brief periods of elevated pollutant concentrations. The project construction would take place primarily along the Union Pacific right-of-way and through zone commercial and industrial areas and there would no sensitive receptors located within 1,000 feet of those portions of the project area. There is one school and a park on 105<sup>th</sup> Street within 1,000 feet of Segment 7d. However, construction activities would be of short duration and this impact would be less than significant.

- e. **Less Than Significant Impact.** Construction activities would result in minor short-term emissions from construction equipment and some dust generation. This impact would be temporary in nature during construction of the proposed project due to construction vehicle exhaust and excavation for Class I Path and bridge footings, which may have associated odors. It is anticipated that the increase would be temporary and would disperse before reaching sensitive receptors. Therefore, no significant impacts related to objectionable odors would result from the proposed project.

*MITIGATION: None required*

#### 5.4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			✓	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service (USFWS)?			✓	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓	

## Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓		
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

SOURCE: East Bay Greenway Natural Environment Study. County of Alameda: Scenic Route Element of the General Plan, and the Alameda County Tree Ordinance.

### ***DISCUSSION:***

A review of publicly available aerial imagery and mapping was conducted to evaluate potential biological resources within the study area. The aerial images were combined with a review of online databases to see locations where special-status species, wetlands and waters of the U.S., and other sensitive biological resources had potential to occur.

The following sources were reviewed to compile information regarding special-status species or other sensitive biological resources that may occur in the project area:

- California Natural Diversity Database (CNDDB) (CDFG 2011)
- California Native Plant Society Online Inventory of Rare and Endangered Plants of California (CNPS 2011)
- U.S. Fish and Wildlife Service (USFWS) Official Online Species List lists for the project footprint 7.5 minute U.S. Geological Survey (USGS) quadrangles (USFWS 2011)

As part of the background research, an official species list was obtained from the Sacramento USFWS website to identify plant and wildlife species listed as threatened or endangered, or proposed for listing as threatened or endangered, and their designated critical habitats that could potentially occur in the action area. The official species list was generated using the 7.5-minute U.S. Geological Survey topographic quadrangles (topo-quads) that are intersected by the linear project footprint.

URS Corporation senior biologist Kevin Melanephy conducted a reconnaissance-level survey on May 19, 2011 to assess the presence of special-status species, wetlands, and other biological resources within the study area. The project was surveyed within the urban sections by driving along the Greenway alignment and stopping at select locations to document site conditions and habitats that have potential to support biological

resources. During this windshield and field survey, field verification with available aerial imagery was conducted using general knowledge of the region's biological resources and habitats to assess the potential for the study area to support special-status plant and wildlife species.

### Environmental Setting

The landscape in and around the project vicinity is comprised of residential, or mixed commercial and industrial. Most of the East Bay Greenway alignment would be on existing paved city streets. In the areas where Class II Paths and Class III Routes are being installed, the addition of striping and signs would not impact biological resources.

The only sections of the alignment that are not previously paved are where the East Bay Greenway would be on new Class I Paths. Class I Paths are proposed where the alignment follows along or under the UPRR and/or BART rights-of-way. The majority of the vegetation present in these sections of the alignment consist of highly disturbed ruderal, non-native plants. These locations do not support habitats for special-status plant and wildlife species, wetland habitats, or sensitive biological resources.

- a. Less Than Significant Impact.** A field review and species lists review was completed, as previously noted. The results of the database query for the California Natural Diversity Data Base (CNDDDB) and the USFWS species list indicate that several special-status species have the potential to occur within the project study area. These species are all limited in distribution to distinct habitats; e.g., salt marsh, fresh water ponds, and serpentine outcroppings (Table 5.4-1). None of the habitats that support these species are present in the project area.

As described in Table 5.4-2, the proposed alignment would cross nine existing waterbodies. Seven of the nine identified water ways in the study area are spanned by existing bridges. However, Estudillo Canal and San Lorenzo Creek would require new structures to accommodate the Class I Path. Construction of the new bridge would occur outside the ordinary high water mark and the top of bank of the creeks. The proposed new structures would clear the canals and all supports and footings would be outside of the banks of the waterways. No piers or abutments would be installed within the channel of the water ways.

**Table 5.4-1. Special-Status Species Potential to Occur.**

Species (Listing Status)	Required Habitat	Habitat Present in Study Area	Species Potential to Occur
Bay Checkerspot Butterfly (FT)	Restricted to native grasslands on outcrops of serpentine soil.	Not present	Not likely to occur
Western Snowy Plover (FT)	Inhabits beaches, dry mud, or salt flats. Nests on coastal beaches.	Not present	Not likely to occur
California Least Tern (FE, SE)	Nests along the coast on bare or sparsely vegetated, flat substrates from San Francisco Bay south to northern Baja.	Not present	Not likely to occur
California Tiger Salamander (FT, ST)	Lowlands & foothills need underground refuges and seasonal water sources for	Not present	Not likely to occur

**Table 5.4-1. Special-Status Species Potential to Occur.**

Species (Listing Status)	Required Habitat	Habitat Present in Study Area	Species Potential to Occur
	breeding.		
California Red-Legged Frog (FT)	Lowlands & foothills near permanent sources of deep water with dense, shrubby or emergent riparian vegetation.	Not present	Not likely to occur
Alameda Whipsnake (FT, ST)	Chaparral, scrub habitats, adjacent grassland, oak savanna and woodland habitats. Mostly south-facing slopes & ravines, with rock outcrops, deep crevices or abundant rodent burrows.	Not present	Not likely to occur
Contra Costa Goldfields (FE)	Valley and foothill grassland, vernal pools, swales, low depressions, in open grassy areas.	Not present	Not likely to occur
California Seablite (FE)	Margins of coastal salt marshes.	Not present	Not likely to occur
Pallid Manzanita (FT, SE)	Closed-cone coniferous forest, chaparral, marine terraces on siliceous shale or thin chert.	Not present	Not likely to occur
Presidio clarkia (FE, SE)	Serpentine outcrops in coastal scrub, valley and foothill grassland.	Not present	Not likely to occur
Salt Marsh Harvest Mouse (FE, SE)	Only in the saline wetlands of San Francisco Bay and its tributaries, Pickleweed is primary habitat.	Not present	Not likely to occur
<p>FE = Federally Endangered, FT = Federally Threatened, SE = State Endangered, ST = State Threatened</p> <p>Of the species reported by the background review as having potential to occur, none have the habitats within the study area that are necessary to support their breeding, feeding, or foraging.</p>			

**Table 5.4-2. Description of Creek and Waterbody Crossings**

Water Feature Name	Location of East Bay Greenway crossing of Water Body	Description of Water Body	Construction Work at or Encroaching on Waterbody
Sausal Creek	E. 12 <sup>th</sup> Street, near 30 <sup>th</sup> Avenue, Oakland	Culverted and underground. No surface exposure.	None. Class II Lane involving restriping and signage.
Peralta Creek	E. 12 <sup>th</sup> Street, near 34 <sup>th</sup> Avenue, Oakland	Culverted and underground. No surface exposure	None. Class II Lane involving restriping and signage. Class III Route between 33 <sup>rd</sup> and 35 <sup>th</sup> Streets.
Courtland Creek	E. 12 <sup>th</sup> Street, near 47 <sup>th</sup> Avenue, Oakland	Culverted and underground. No surface exposure.	None. Class III Route on existing lane, involving sign installation and route markings.

**Table 5.4-2. Description of Creek and Waterbody Crossings**

<b>Water Feature Name</b>	<b>Location of East Bay Greenway crossing of Water Body</b>	<b>Description of Water Body</b>	<b>Construction Work at or Encroaching on Waterbody</b>
Lion Creek	San Leandro Street, near 69 <sup>th</sup> Avenue, Oakland	Culverted and underground. No surface exposure.	None. Construction of Class I Path adjacent to BART overhead facility on existing waterbody overpass.
Arroyo Viejo	Snell Street, south end of Coliseum BART station, beneath Hegenberger Road ramp.	Open, concrete-lined channel.	None. Class III Route would be on existing lane, involving sign installation and route markings only.
Elmhurst Creek	San Leandro Street, near 81 <sup>st</sup> Avenue	Short segment of this exposed drainage is well west of the proposed path on San Leandro Street. There is no surface exposure of this creek along San Leandro Street in our project area..	None. Construction of Class I Path adjacent to BART overhead facility is separated from this drainage by San Leandro Street and a truck stop business.
San Leandro Creek	San Leandro Boulevard, between Lillie Street and Davis Street, San Leandro	Vegetated channel, crossed by San Leandro Boulevard on concrete bridge.	None. Existing Class II Path involving signage only.
Estudillo Canal	Along UPRR corridor west of BART tracks. Canal crosses north side of Thornally Drive and Bay Fair BART station, south of Hesperian Boulevard	Open, concrete-lined channel. UPRR crosses channel on single track on bridge.	Install new bridge structure parallel to and west of the UPRR line. The bridge would be a single span structure with foundations outside of the banks of the canal.
San Lorenzo Creek	Along UPRR corridor, north of Hampton Road, south of East Lewelling Boulevard	Open, concrete-lined channel. UPRR crosses channel on single track on bridge.	Install bridge structure parallel to and west of the UPRR line. The bridge would be a single span structure with foundations outside of the banks of the canal.

**Less Than Significant Impact.** Riparian habitat is present within the regional vicinity of the proposed project. As shown in Table 5.4-2, the proposed alignment would cross nine creeks or water bodies, the majority of which are either underground in culverts, and have no surface exposure within the proposed project vicinity, or that are concrete-lined and channelized (no habitat). The proposed project would cross most of the drainages/waterways without any construction work in or near the vicinity of the water body, and no impacts would occur. The only exceptions are at Estudillo Canal and San Lorenzo Creek, where new structures would be required to accommodate the East Bay Greenway project; however, these creeks would be crossed with a single span and no foundations would be constructed in the channel

banks. With this design and by maintaining construction outside of these creek crossings, no impacts to riparian habitat would occur.

- b. Less Than Significant Impact.** Wetlands and other waters of the U.S. are recognized as a habitat of concern. Wetland habitats are identified by a prevalence of hydrophytic vegetation, hydric soils, and signs of hydrology (water flow). Waters of the U.S. are those flowing surface waters that meet the jurisdictional requirements of the U.S. Army Corps of Engineers (ACOE).

As noted previously, the proposed facility is designed to avoid the need for construction work or placement of permanent structures in the majority of the various creeks, canals, and drainages that are crossed by the route. Any new construction work would be over channel banks and no permanent new structures would be located within the banks and bed of any channel. As long as the construction work does not enter the creek or bank of any waterway crossing, then no Section 404 or Nationwide permit authorization should be required from the ACOE or a Water Quality Certification from the Regional Water Quality Control Board (RWQCB). Refer also to Section 5.9 regarding water quality.

- c. Less Than Significant Impact.** The proposed project would not interfere with the passage of native fish and wildlife. The nine identified water ways in the study area are either spanned by existing bridges or would be spanned by new bridges. Construction of any new bridges would occur outside the ordinary high water mark and the top of bank of the creeks. The proposed new structures would clear the canals and all supports and footings would be outside of the banks of the waterways. No piers or abutments would be installed within the channel of the water ways.
- d. Less Than Significant Impact with Mitigation Incorporated.** The project site area contains a few small-diameter trees and potential mature trees of substantial size. Construction of the project may require that some existing trees be removed and may require the removal and replacement of existing street trees to accommodate vehicular access during construction. Potential tree removal may be required along Washington Avenue near 139<sup>th</sup> Avenue, in the median of Halcyon Drive, between Estudillo Canal and Thornally Drive, south of Lewelling Boulevard near Wickman Place, and for the bridge placement across the San Lorenzo Creek within the unincorporated community of Cherryland in Alameda County. The Alameda County Scenic Route Element articulates the principle that tree removal should be controlled in both the scenic route corridor and the remainder of the county. No mature trees should be removed without permission of the local jurisdiction.

Through implementation of **Mitigation Measure BIO-1**, the proposed project would have a less than significant conflict with any local policies, ordinances, or conservation plans that require conservation of biological resources.

- e. No Impact.** No adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans are in place in the proposed project area. Therefore, the project would not conflict with any of these plans.

### ***MITIGATION:***

#### **Mitigation Measure BIO-1:**

If any trees located on or adjacent to the project site are determined to be “protected” trees (as defined below), the project sponsor shall obtain a permit for tree removal from the appropriate city or county jurisdiction, prior to the removal of such trees. The removal of a protected tree would require that an appropriate replacement tree be planted on or adjacent to the project site, or as agreed to with the appropriate jurisdiction. Replacement trees shall be replaced with like-size, like-kind trees or an equal value of trees. Tree replacement stock shall be a minimum twenty-four (24) inch box size, or three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate. The project sponsor shall submit a final landscape plan to the appropriate jurisdiction for review and approval.

Protected Trees are:

- (1) Trees having a minimum trunk diameter of eight inches measured 54” above the ground. When measuring a multi-trunk tree, the diameters of the largest three trunks shall be added together.
- (2) Trees of the following species that have reached a minimum of four inches diameter trunk size measured 54” above the ground:
  - n. Blue Oak *Quercus douglassii*
  - o. California Black Oak *Quercus kelloggi*
  - p. Canyon Live Oak *Quercus chrysolepis*
  - q. Coast Live Oak *Quercus agrifolia*
  - r. Interior Live Oak *Quercus wislizenii*
  - s. Oregon White Oak *Quercus garryana*
  - t. Valley Oak *Quercus lobata*
  - u. Big Leaf Maple *Acer macrophyllum*
  - v. California Bay *Umbellularia californica*
  - w. California Buckeye *Aesculus californica*
  - x. California Sycamore *Platanus racemosa*
  - y. Madrone *Arbutus menziesii*
  - z. Western Dogwood *Cornus nuttallii*
- (3) A tree or trees of any size planted as a replacement for a protected tree.

As a result, the project would comply with the appropriate City or County’s Tree Preservation and Protection Ordinances and the impact would be less than significant.



### 5.5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		✓		
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		
d. Disturb any human remains, including those interred outside of formal cemeteries?		✓		

SOURCE: East Bay Greenway Archaeological Survey Report, Eastbay Greenway Historic Properties Report, and East Bay Greenway Paleontological Resource Assessment.

#### ***DISCUSSION:***

- The Class I Path would require excavation depths of a maximum of 12 inches, with a 3-foot excavation maximum anticipated if contaminated soils need to be buried locally on site. Localized areas of excavation for lighting or signal foundations would require maximum excavation depths of 5.5 feet for a 2.5-foot diameter cast-in-drilled-hole (CIDH) pile foundation. Localized areas of excavation for lighting foundations combined with signal mast arms would require a maximum excavation depth of 9 feet for a 2-foot diameter cast-in-drilled-hole (CIDH) pile foundation. Localized areas of excavation for the metal railing would be approximately 4-feet deep for an 18-inch diameter drilled footing. The number of locations would depend on the specifications for maximum post span lengths. New or relocated drainage inlets would require excavation depth of 4 feet for a 48 inch by 48 inch square inlet. Localized areas of excavation for roadside signs would require maximum excavation depths of 6 feet for 6 inch by 8 inch wood posts. Additional excavation would be required for the construction of four pedestrian and bicycle bridges (Estudillo Canal, Ashland Avenue, San Lorenzo Creek, and Thornally Drive) for the Class I Path; however, Estudillo Canal, San Lorenzo Creek and Thornally Drive would be spanned with a single span (prefabricated truss or precast concrete slab) and the areas have either been disturbed by previous construction or no foundations would be needed in the channel banks. The Ashland Avenue bridge would be excavated on an area located on fill and project activities are extremely unlikely to extend below the artificial fill, Holocene soils, and alluvium underlying the project area. The Class II Lanes and Class III Routes would be located on existing roads, and therefore would not require subsurface excavation or other soil disturbance.

No paleontological resources were identified in the during URS' survey of the project area. However, some of the geological formations underlying the project area are

sensitive for paleontological resources. Ground-disturbance in Pleistocene alluvium below the soils and Holocene alluvium in the APE may encounter paleontological resources. However, project activities are extremely unlikely to extend below the artificial fill, Holocene soils, and alluvium underlying the project area. Therefore, the likelihood of encountering paleontological resources is low.

URS archaeologist Alexandra Greenwald conducted a cultural resources records search at the Northwest Information Center of the California Historical Resources Information System, Sonoma State University, on May 13, 2011 (File No. 10-1121). A records search for the alternative alignment was conducted on September 30, 2011 (11-0358). Site records and previous studies were accessed for the APE and a ¼-mile radius on the *Oakland East, Calif.*, *San Leandro, Calif.*, and *Hayward, Calif.* USGS 7.5- minute quadrangles. Thirty-nine previous cultural resources investigations have been conducted within and adjacent to the APE. Three of these, the *Historic Property Survey Report for the Seismic Retrofit of BART Aerial Structures and Stations along the Concord, Richmond, Daly City and Fremont Lines*, the *Archaeological Survey Report for the Seismic Retrofit of BART Aerial Structures and Stations along the Concord, Richmond, Daly City and Fremont Lines*, and the *Historic Resources Evaluation Report for the Seismic Retrofit of BART Aerial Structures and Stations along the Concord, Richmond, Daly City and Fremont Lines*, share much of the same footprint with the current APE and are negative for cultural resources within the APE. No previously recorded archaeological resources were identified within the APE. Four previously recorded archaeological sites are located within a ¼-mile radius of the APE. Five built-environment resources are located within and adjacent to the APE.

- a. **No Impact.** No historic properties or resources were identified within the proposed project area of potential effects. No properties or structures would be acquired. No impact to known or potential historic properties would occur.
- b. **Less Than Significant Impact with Mitigation Incorporated.** No prehistoric sites have been recorded or observed within the proposed project area of potential effect. Extensive previous ground disturbance within the APE, coupled with the proposed project's minimal planned ground disturbance, indicate a low potential for the proposed project to adversely affect previously unknown subsurface archaeological deposits. Implementation of **Mitigation Measure CULT-1** would reduce impacts to undiscovered archaeological resources to a less than significant level.
- c. **Less Than Significant Impact with Mitigation Incorporated.** The project area is located within a previously developed area and is not located in an area of unique geologic features. The proposed project is located in an area of "moderate" sensitivity for paleontological resources. However, no prehistoric sites have been recorded or observed within the project area of potential effect. No unique paleontological or geological resources are known to exist in the area of potential effect. Implementation of **Mitigation Measure CULT-1** would reduce impacts to undiscovered paleontological resources to a less than significant level.
- d. **Less Than Significant Impact with Mitigation Incorporated.** Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition

of any human remains in any location other than a dedicated, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined whether or not the remains are subject to the coroner's authority. There is no indication that human remains are present within the proposed project site. Implementation of **Mitigation Measure CULT-2** would ensure that potential impacts to human remains, should they be encountered, would be reduced to a less than significant level.

***MITIGATION:***

**Mitigation Measure CULT-1:**

In the event that prehistoric, archaeological or paleontological artifacts or remains are encountered during project construction, all ground disturbing activities shall be halted until a qualified archaeologist can assess the significance of the find, and appropriate mitigation, such as curation, preservation in place, etc., if necessary, is implemented. Additional archaeological survey would be needed if the project limits are extended beyond the present survey limits.

**Mitigation Measure CULT-2:**

In the event that human remains are encountered during construction, all work in that area must halt and the Alameda County Coroner must be contacted pursuant to California Public Resources Code Sections 5097.94, 5097.98, and 5097.99.

**5.6. GEOLOGY AND SOILS**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Pub. 42.			✓	
ii. Strong seismic ground shaking?			✓	
iii. Seismic-related ground failure, including liquefaction?			✓	
iv. Landslides?			✓	
b. Result in substantial soil erosion or the loss of topsoil?			✓	



## Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			✓	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓

**SOURCE:** East Bay Greenway Supplemental Preliminary Site Investigation, Alameda County Seismic Safety and Safety Elements, ABAG's Earthquakes and Hazards Program, Alquist-Priolo Earthquake Fault Zone Maps.

### ***DISCUSSION:***

The proposed project ranges in elevation from 5 to 100 feet above mean sea level (msl). Soils encountered during Phase II activities consist predominantly of clayey sands and sandy clays with interbedded sand and gravel layers to 20 feet below ground surface (bgs), the maximum depth of exploration. Depth to groundwater ranged from 4.4 feet to greater than 20 feet in the borings. Based on a review of sites near the project, groundwater flow is generally to the west, toward San Francisco Bay, with local variability to the northwest and southwest.

The nearest active fault is the Hayward Fault, which ranges from approximately 0.35 to 3.0 miles east of the proposed project alignment. The USGS predicts that the Hayward Fault has a 27 percent change of undergoing an earthquake of magnitude 6.7 or greater between 2006 and 2032 (USGS 2006).

**a. Less Than Significant Impact.** The proposed project lies within the seismically active San Francisco Bay region but is not located within an Alquist-Priolo Special Study Zone. The project, located near the Hayward Fault, would be exposed to high ground shaking in the event of an earthquake. As a bicycle and pedestrian facility primarily at-grade, people would not be exposed to substantial risks related to structural failure, other than cracked or separated pavement. Bridge crossings at waterways would be of relatively minimal height and mass, and also should not introduce significant risk exposure during a major earthquake. The path facility would be relatively easily repaired if structural damage occurred at one or more locations. Another potential, although highly unlikely, seismic hazard would be the risk of BART elevated structures falling on to users of the Class I Path. BART is currently seismically upgrading all of their elevated structures; therefore, this risk is low and

would be less than significant. The path alignment is would not be on steep slopes, and landslide potential would be minimal.

Liquefaction is the transformation of saturated, loose, fine-grained sediment to a fluid-like state because of earthquake shaking or other rapid loading. Soils most susceptible to liquefaction are loose to medium dense, saturated sands, silty sands, sandy silts, non-plastic silts and gravels with poor drainage, or those capped by or containing seams of impermeable sediment. According to the Association of Bay Area Government's liquefaction susceptibility mapping (ABAG 2011), the soil liquefaction potential on the project site is moderate. Existing pavement, and proposed new path segments, would be underlain by gravel subgrade which would reduce uneven settlement. The path would be readily repaired if settlement in any one section occurs.

- b. Less Than Significant Impact.** The project would involve minor grading activities on level ground in the areas where a Class I Path would be constructed. This grading would be minor and exposed soils would be covered with asphalt. The proposed project would not result in any additional soil erosion or loss of topsoil, as the project area has already been largely developed, including railroad and BART corridors and urban roadways. The potential for increased soil erosion is minimal, and standard contractor specifications would require measures to minimize erosion during and after construction.
- c. Less Than Significant Impact.** There is a potential that segments of the project could cross unconsolidated bay mud. However, as an urbanized area, near surface soils have already been reconstructed for the placement of roadway pavement and compacted gravels. The path would be located on level land and would not substantially increase the potential for soil instability.
- d. Less Than Significant Impact.** Expansion and contraction of volume can occur when expansive soils undergo alternating cycles of wetting (swelling) and drying (shrinking). The proposed project area lies within a soil type predominantly of clayey sands and sandy clays with interbedded sand and gravel layers. Native soils at the project site could have high clay content, and thus, a higher potential to be expansive. However, the project would be located on disturbed and/or reconstructed subgrade and existing pavement, and combined with the limited improvements proposed, the presence of expansive soil (if present) should have minimal risk to the facility.
- e. No Impact.** The proposed project does not include the use of septic tanks or alternative wastewater disposal systems.

**MITIGATION:** *None required*

## 5.7. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emission, either directly or indirectly, that may have a significant impact on the environment?			✓	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?			✓	

SOURCE: BAAQMD CEQA Air Quality Guidelines, CEQA & Climate Change, Appendix G of the State CEQA Guidelines.

### DISCUSSION:

- a. Less Than Significant Impact.** Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHG) because they capture heat radiated from the earth, similar to a greenhouse. The accumulation of GHGs has been implicated as a driving force for global climate change generally described as the changing of the earth's climate caused by natural fluctuations and anthropogenic activities that alter the composition of the global atmosphere. Individual projects contribute to the cumulative effects of climate change by emitting GHGs during demolition, construction, and operational phases. The primary GHGs associated with land use development projects are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). Although the presence of the primary GHGs in the atmosphere is naturally occurring, CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O are largely emitted from human activities, accelerating the rate at which these compounds accumulate in the earth's atmosphere. CO<sub>2</sub> is the "reference gas" for GHG emissions, meaning that emissions of total GHGs are typically reported in "carbon dioxide equivalent" (CO<sub>2e</sub>). Emissions of CO<sub>2</sub> are largely by products of fossil combustion.

The construction phase of proposed project would include the transport of workers to and from the project site and the operation and idling of heavy equipment, temporarily increasing CO<sub>2</sub> emissions and generating heat. These construction related impacts are limited in scope and short-term in duration. Construction activities would be confined to the area immediately beneath the BART aerial structure, along the road right-of-ways, and striping of existing surface streets. As shown in Table 5.3-2, construction and paving of the proposed project would generate a small amount of pollutants and greenhouse gas emissions from vehicle emissions, equipment emissions, and paving and construction activities. The BAAQMD, in its CEQA Air Quality Guidelines (2010) Table 2-1 establishes no performance threshold for construction-related impacts. The construction GHG emissions would be minimal, and account for far less than 1% of the GHG emissions compared to the state GHG inventory.

In terms of ongoing operational impacts, the proposed project would not generate vehicular trips by path users and would only generate a minimal amount of vehicular



trips for maintenance activities. Additionally, the proposed project would help to reduce commuter trips and long term pollutants and greenhouse gas emissions by providing a multi-modal transportation facility in the area. Therefore, operational GHG emissions would have a less than significant impact on the environment.

- b. Less Than Significant Impact.** The California Office of Public Resources (OPR) has updated Appendix G of the State CEQA Guidelines to address impacts of GHG emissions, as directed by SB 97 (2007). The amendment became effective March 18, 2010. Although the amendments provide criteria to evaluate a project's GHG emissions, they do not establish quantitative significance thresholds. According to the revised Appendix G of the State CEQA Guidelines, an impact related to global climate change is considered significant if the proposed project would: generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.

It is anticipated that the proposed project would not raise the level of annual operational emissions after build out as this project only involves constructing a path for non-motorized transportation. Thus, completion of the project would not result in an increase of motorized traffic or other human activities that would result in an increase in average global temperatures and associated changes in climatic conditions over long term thereby conflicting with any adopted applicable plan, policy or regulation.

Construction and paving of the proposed path would generate a small amount of pollutants and greenhouse gas emissions from vehicle and equipment emissions and paving.

Life-cycle emissions are not included in the analysis in accordance with a California Pollution Control Officers Association's (CAPCOA) *CEQA & Climate Change* states that states:

"The full life-cycle GHG emissions from construction activities is not accounted for in the modeling tools available, and the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level."

Accordingly, the *BAAQMD CEQA Air Quality Guidelines* establish no construction-related thresholds for GHG emission. Furthermore, the proposed project would be expected to help to reduce commuter trips and long term pollutants and greenhouse gas emissions by providing a multi-modal transportation facility in the area.

Therefore, the proposed project would be consistent with all applicable local plans, policies and regulations and would not conflict with the provisions of AB 32, the applicable air quality plan, or any other State or regional plan, policy or regulation of an agency adopted for the purpose of reducing greenhouse gas emissions.

**MITIGATION:** *None required*

### 5.8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		✓		
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		✓		
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.		✓		
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f. For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓

SOURCE: East Bay Greenway Supplemental Preliminary Site Investigation, East Bay Greenway Community Impact Analysis, *Earthquakes and Hazards Program*.

#### ***DISCUSSION:***

Land uses in the project area include regional transportation facilities including Union Pacific Railroad, BART elevated structures and stations and local road systems, as well as commercial, industrial, and limited residential lands. Soils in the project area could be contaminated with petroleum hydrocarbons, lead from leaded fuel, fertilizers and

pesticides, commercial and industrial byproducts, and/or household hazardous wastes such as cleaning products from stormwater runoff from existing and historic land uses in the project area.

- a. Less Than Significant Impact With Mitigation Incorporated.** Operation of the project would not involve the transport, use, or disposal of hazardous materials. During construction activities, hazardous materials such as oil, diesel fuel, and gasoline may be transported to, and used at, the specific construction area. Construction contractors would be required to handle these substances in accordance with the California State Department of Toxic Substances Control (DTSC) and transportation regulations, which regulate proper hazardous waste handling, storage, disposal, and transport methods.

Among possible contaminants, there is potential for residual aerially deposited lead (ADL), arsenic, and cobalt to exist in surface soil within the project area from historic land uses. Once excavated, these soils could potentially contain contaminants that might render the soil a hazardous waste. Implementation of **Mitigation Measure HAZ-1** would ensure handling of materials excavated during construction activities would not create a hazard to workers, the public, or the environment, thereby reducing potential impacts to less than significant levels.

- b. Less Than Significant Impact With Mitigation Incorporated.** Operation of the project would not require routine use or transportation of any hazardous materials, and therefore there are no hazards to the public or the environment through reasonably foreseeable upsets and accident conditions involving the release of hazardous materials into the environment. During construction, the potential exists for accidental spills and leaks of lubricants and other fluids from vehicles and equipment. If an accidental release of these materials were to occur, it could pose a threat to surface or ground water quality if contaminants were to enter storm drains or a creek, or if the public came into contact with the spilled material. Implementation of **Mitigation Measure HAZ-2** would ensure that use of materials and fluids involved in construction activities would not create a hazard to workers, the public, or the environment, thereby reducing potential impacts to less than significant levels.

- c. Less Than Significant Impact.** Portions of the proposed project are located within one quarter mile of the International Community School (2825 International Boulevard), Ascend Elementary (3709 E 12<sup>th</sup> Street), Saint Elizabeth High School (1530 34<sup>th</sup> Avenue), Esperanza Elementary School (10315 E Street), The Principled Academy (2305 Washington Ave # A), Hesperian Elementary School (620 Drew Street), San Lorenzo High School (50 East Lewelling Boulevard), Cherryland Elementary (585 Willow Avenue), and Brenkwitz High School (22100 Princeton St # A). However, the project's proximity to existing or proposed schools is not relevant with regard to hazardous materials, as the bicycle and pedestrian facility would not result in the emissions, production, or transportation of hazardous materials, substances, or waste.

- d. Less Than Significant Impact with Mitigation Incorporated.** No portion of the proposed project site is identified by the State of California as a Hazardous Waste and



- Substance Site. However, as stated in Section 5.8b, there is potential for residual aerially deposited lead (ADL), arsenic, and cobalt to exist in surface soil within the project area from historic land uses. Once excavated, these soils could potentially contain contaminants that might render the soil a hazardous waste. Implementation of **Mitigation Measure HAZ-1**, would ensure handling of materials excavated during construction activities would not create a hazard to workers, the public, or the environment, thereby reducing potential impacts to less than significant levels.
- e. **No Impact.** Portions of the proposed project alignment are located with two miles of the Oakland International Airport and the Hayward Executive Airport; however, the proposed project is a transportation facility and involves ground level improvements and would not result in any safety hazards to people residing or working in the project area.
  - f. **No Impact.** No segments of the proposed project are located within two miles of a private airstrip, and therefore would not result in a safety hazard for people residing or working in the project area.
  - g. **No Impact.** The proposed project would not interfere with an adopted emergency response plan or emergency evacuation plan.
  - h. **No Impact.** The project site is located in an urbanized area (ABAG 2010). The proposed project is a new bicycle and pedestrian connection that would not include flammable materials or any structures for human occupation. In addition, as part of the permit process, all plans would be reviewed for compliance with applicable Building and Fire Department requirements, pursuant to the Uniform Building and Fire Codes, and all other related City or County requirements. Therefore, the project would not expose people or structures to significant loss, injury, or death from wildfires beyond the existing conditions.

### ***MITIGATION:***

#### **Mitigation Measure HAZ-1:**

Excavated soils shall be tested during construction to determine how they should be appropriately handled, whether they can be reused onsite, or whether they might require off-site disposal or treatment. Soils determined to have contaminants exceeding hazardous waste thresholds must be handled in accordance with Federal and State hazardous waste laws and regulations. The Federal Resource Conservation and Recovery Act (RCRA) Subtitle C, sets forth criteria for defining federal hazardous wastes, and specifies minimum national requirements for generating, transporting, storing, or disposing of hazardous wastes. State regulations are contained in California Code of Regulations (CCR) Title 22, which equal or exceed federal standards. The contractor would be required to comply with all applicable regulations in effect during project construction.

**Mitigation Measure HAZ-2:**

Project construction plans shall include emergency procedures for responding to hazardous materials releases for materials that would be brought onto the site as part of construction activities. The emergency procedures for hazardous materials releases shall include the necessary personal protective equipment; spill containment procedures, and training of workers to respond to accidental spills/releases. The contractor shall be required to have on hand at all times adequate absorbent materials and containment booms to handle a spill equivalent to the largest container of fuels or oil in their possession.

**5.9. HYDROLOGY AND WATER QUALITY**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a. Violate any water quality standards or waste discharge requirements?		✓		
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site?		✓		
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?		✓		
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?		✓		
f. Otherwise substantially degrade water quality?		✓		
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓

## Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓	
j. Inundation by seiche, tsunami, or mudflow?				✓

SOURCE: East Bay Greenway Water Quality Investigation, Earthquakes and Hazards Program.

### ***DISCUSSION:***

The project site lies in an urbanized area with a mix of commercial, industrial, and residential development. Surface water within the area mainly consists of urban runoff. Surface or stormwater quality in the project area is typical of most urban areas and may include some level of a variety of common contaminants, such as suspended sediments, limited fertilizers and pesticides used in grounds maintenance, and contaminants that are commonly associated with automobiles (e.g., heavy metals and oil, grease, and other hydrocarbons). Constituents found in typical urban runoff vary as a result of differences in rainfall intensity and occurrence, geographic features, the land use of a site, vehicle traffic, and percentage of impervious surface.

**a. Less Than Significant Impact with Mitigation Incorporated.** Table 2.5-1 summarized the proposed development of each segment of the project, and most segments consist of the use of existing streets, without need for new pavement that might change existing runoff. Where new Class I paths are proposed, they would be constructed primarily along existing transportation and railroad corridors where soils and gravels are already heavily compacted. Taking into account existing paved areas, development of the proposed project would result in a very small increase in the amount of impervious surface area and an associated increase in the rate and volume of stormwater runoff from the project area. During construction there is a potential for temporary adverse impacts due to increased erosion and the subsequent transport of sediment into nearby creeks and storm drains. Without conservation measures, soil erosion, especially during heavy rainfall, could increase the suspended solids, dissolved solids, and organic pollutants in the storm water runoff generated within the project area.

The potential also exists for spills and leaks of lubricants and other fluids from vehicles and equipment used during construction. If an accidental release of these materials were to occur, it could pose a threat to water quality if contaminants were to enter storm drains, or enter one of the creeks or canals crossed by the project. An accidental release of these wastes could adversely affect surface water quality, vegetation, and wildlife habitat. The magnitude of the impact from an accidental release would depend on the amount and type of material spilled. Implementation of



- Mitigation Measure HYDRO-1** would ensure compliance with all regulatory requirements and would reduce potential impacts to less than significant levels.
- b. Less Than Significant Impact.** The project would require minor grading and the installation of 0.7 acres of paved pathway. The project would not result in areas of paving large enough to interfere with the recharge of any aquifers in the area. Any landscaping that may be installed along the Class I Path would be irrigated with municipal water supply. Water would be used, as necessary, for dust control during construction activities. Therefore, the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).
  - c. Less Than Significant Impact with Mitigation Incorporated.** The project would require grading of an approximately 12-foot wide area and limited sidewalk construction which would not be located near or alter any existing streams or rivers in the project area. The project is on essentially level ground and this grading would be minor and only as needed to create a level paved area. During construction there would be a potential for temporary adverse impacts due to increased erosion and the subsequent transport of sediment into nearby creeks and storm drains. Soil erosion, especially during heavy rainfall, could increase the suspended solids, dissolved solids, and organic pollutants in the storm water runoff generated within the project area. Implementation of **Mitigation Measure HYDRO-1** would reduce potential impacts related to erosion and siltation to a less than significant levels
  - d. Less Than Significant Impact with Mitigation Incorporated.** With exception of the Class I Path located within the UPRR right-of-way and a limited new sidewalk, most of the project area is already impervious surfaces. As an at-grade bike and pedestrian path, the project does not propose to alter the existing drainage pattern of the site or area. However, development of the proposed project would result in a small increase in the amount of impervious surface area and a small increase in rate and volume of stormwater runoff from the site. Implementation of **Mitigation Measure HYDRO-1** would ensure compliance with all regulatory requirements and would reduce potential stormwater impacts to less than significant levels.
  - e. Less Than Significant Impact with Mitigation Incorporated.** The project would be located on existing urban roads or within the greatly disturbed UPRR right-of-way. The proposed Class I Path would add approximately 6 miles of approximately 12-foot wide paved or concrete path on existing undeveloped land, a total area of approximately 0.7 acres; however, design on the pathway would cause the additional runoff from new impervious surfaces be dispersed locally along the linear pathway, and is expected to have minimal local impacts. The proposed Class I Path would be designed to direct storm water onto adjacent open space lands. The proposed project Class II Lanes and Class III Routes would be located within existing road right-of-ways, and therefore integrated into the existing storm water system. Implementation of **Mitigation Measure HYDRO-1** would ensure the project does not create or

- contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.
- f. Less Than Significant Impact with Mitigation Incorporated.** The proposed project is not expected to otherwise substantially degrade water quality, as it is a minor modification and does not include features or uses that require large amounts of water, produce pollutants or use hazardous materials. The proposed Class I Path would add approximately 6 miles of approximately 12-foot wide paved or concrete path on existing undeveloped land, a total area of approximately 0.7 acres; however, design on the pathway would cause the additional runoff from new impervious surfaces to be dispersed locally along the linear pathway, and would have minimal local impacts. The proposed Class I Path would be designed to direct storm water onto adjacent open space lands. The proposed Class II Lanes and Class III Routes would be located within existing road right-of-ways, and therefore integrated into the existing storm water system. Implementation of **Mitigation Measure HYDRO-1** would ensure compliance with all regulatory requirements and would reduce potential stormwater and water quality impacts to less than significant levels.
  - g. No Impact.** The proposed project does not propose any housing and therefore has no potential to place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.
  - h. No Impact.** The project site is not located in a 100-year flood plain. The project proposes a bridge structure that would span, but not intrude on the channelized San Lorenzo Creek or its 100-year flood zone, which serves as a flood control line for Alameda County. The proposed project does not propose any non-surface improvements and thus would not place structures within a 100-year flood hazard area that would impede or redirect flows.
  - i. Less Than Significant Impact.** The project site is not located in a 100-year flood plain, but is located with the inundation area of several covered reservoirs and dams: the Central Reservoir, Dunsmuir Reservoir, Upper San Leandro Reservoir, and Lake Chabot. However, the proposed project would be separated from these dams and reservoirs by several miles of streets and intervening urban development and users of the project would not be exposed to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam that is any greater than what exists in the general project area.
  - j. No Impact.** According to the California Geologic Survey's 2009 *Alameda County Tsunami Inundation Maps*, the project site is not located in a tsunami inundation area. Therefore no impacts related to seiche and tsunami would occur. Mudflows are associated with hilly terrain, and the project area is flat, there are no impacts associated with mudflows.

**MITIGATION:**

**Mitigation Measure HYDRO-1:**

The contractor(s) shall comply with the Best Management Practices (BMPs) in the 2009 Construction BMP Handbook/Portal by the California Stormwater Association (CASQA) in each work area including construction staging area, prior to and immediately after grubbing and clearing including but not limited to the installation of silt fencing and fiber rolls. Erosion control measures shall remain in place, and be maintained until removed at the direction of the appropriate inspector.

**5.10. LAND USE AND PLANNING**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?			✓	
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.			✓	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

SOURCE: East Bay Greenway Community Impact Assessment

**DISCUSSION:**

The project would improve bicycle and pedestrian accessibility in the area, expand regional connectivity, and increase safety. These effects would be consistent with the regional and local Bicycle Master Plans and General Plan policies governing the project area. The existing land uses adjacent to the project area are compatible with a bicycle and pedestrian path, and would not be affected by construction or long term use of the East Bay Greenway facility. The proposed project is consistent with the policies and goals of the associated plans, and therefore would not significantly affect the existing or planned land use or development patterns of the project area.

- a. Less Than Significant Impact.** The proposed project would not change any existing community boundaries and would not create any new barriers to movement within the project area. The proposed project would enhance the option for non-motorized transportation along the project area, and would enhance connections between residential areas and businesses, community centers, schools, and recreation.
- b. Less Than Significant Impact.** General Plans for the County of Alameda and cities along the proposed project length include language promoting visions for their



communities that incorporate safe walking and bicycling routes to transit, open space, and bicycle and pedestrian facilities. The proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted, and would have a less than significant impact.

- c. No Impact.** There are no applicable habitat conservation plans or natural community conservation plan with jurisdiction in the area of the proposed project. Therefore, the project would not conflict with any applicable habitat conservation plan or natural community conservation plan.

*MITIGATION: None required*

### 5.11. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓

SOURCE: East Bay Greenway Supplemental Preliminary Site Investigation

### *DISCUSSION:*

Minerals are any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances including, but not limited to, coal, peat and oil bearing rock, but excluding geothermal resources, natural gas and petroleum. Rock, sand, gravel and earth are also considered minerals by the Department of Conservation when extracted by surface mining operations. No known mineral resources are located on or near the project site.

- a. No Impact.** The East Bay Greenway does not include any proposal that entails on-site quarrying, mining, dredging, or extraction of non-renewable natural resources. Path improvements are directed primarily at existing streets and UPRR right-of-way. Therefore, the project would not cause a significant loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- b. No Impact.** The East Bay Greenway does not include any proposal that entails on-site quarrying, mining, dredging, or extraction of non-renewable natural resources. Path improvements are directed primarily at existing streets and UPRR right-of-way. Therefore, the project would not cause a significant loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

*MITIGATION: None required*

## 5.12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓		
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		✓		
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	
f. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

SOURCE: East Bay Greenway Noise Impact Analysis

### *DISCUSSION:*

- a. Less Than Significant Impact With Mitigation Incorporated.** The long-term operational and short-term construction noise impacts of the proposed project are described below.

Long-Term Operational Impacts: The primary purpose of the proposed project is to provide a new multi-use transportation connection within Alameda County and incorporated cities crossed by the project. The proposed project would not accommodate vehicular traffic. The addition of the multi-use path would add intermittent daytime noise sources typical of a pathway in an urban setting, such as human voices or barking dogs. These sources would not noticeably change the average noise level within the vicinity of the project. In addition, users of the Class I Path would not be stationary receptors and would not be exposed to long-term noise from operation of BART trains. Therefore, the long-term, operational phase of the

proposed project would not expose persons to or generate noise levels in excess of standards in the local general plan or noise ordinance.

Short-Term (Construction) Impacts: Construction of the proposed project would require grading and earthwork activities that could generate noise levels that could occasionally exceed established standards. Although these activities could result in infrequent periods of high noise, this noise would not be sustained and would occur only during the temporary construction period of each segment of the project. The vast majority of the project involves the use of existing streets and roads, or placement of an asphalt path. The need for high-noise generating equipment such as a jack hammer or other construction activity that would create very high noise levels or ground borne vibration, if necessary, would not be sustained for this type of project, and would be of a short duration. Implementation of **Mitigation Measures NOISE-1** and **NOISE-2**, described below, would reduce potential impacts to less than significant levels.

- b. Less Than Significant Impact.** The proposed project does not require the blasting of rock formations or the use of heavy impact equipment for driving piles. Any vibration from conventional earth moving and paving equipment would be less significant, if at all noticeable.
- c. Less Than Significant Impact.** The proposed project would serve cyclists and pedestrians as a transportation facility. The intermittent and incremental noise caused by users of the East Bay Greenway would not be expected to generate any increases in ambient noise levels compared to the existing conditions, and would have a less than significant impact on the environment.
- d. Less Than Significant Impact With Mitigation Incorporated.** Construction of the proposed project would require the use of construction equipment and would generate temporary periodic increases in ambient noise levels in the vicinity of the project site. Implementation of **Mitigation Measures NOISE-1** and **NOISE-2** would reduce this impact to a less than significant level.
- e. Less Than Significant Impact.** The project is not located within an adopted airport land use plan. Segments of the proposed project site are located away from, but within two (2) miles of the Oakland International Airport. Users of the project would be passing through intermittently and would not be exposed to excessive airport noise.
- f. No Impact.** No segments of the proposed project are located within two miles of a private airstrip, and therefore would not expose people residing or working in the project area to excessive airport-related noise levels.

### ***MITIGATION:***

#### **Mitigation Measure NOISE-1:**

Depending on the jurisdiction in which a particular segment is located, construction activities shall be limited to weekday hours between 7 a.m. and 7 p.m. or 9 a.m. and 8 p.m. on weekends and Federal holidays, consistent with the City of Oakland Noise



Ordinance (Section 17.120.050); or the hours between 7 a.m. and 7 p.m. on weekdays, or between 8 a.m. and 7 p.m. on Saturday and Sunday, and no construction allowed on Federal holidays, consistent with the City of San Leandro Noise Ordinance (Section 4-11-1130); or the hours between 7 a.m. and 7 p.m. Monday to Saturday and 10 a.m. and 6 p.m. on Sundays and Federal holidays, consistent with the City of Hayward Noise Ordinance (HMC Sec. 4-1.02 et seq); or weekday hours between 7 a.m. and 7 p.m. and 8 a.m. and 5 p.m. on weekends, consistent with the Alameda County Noise Nuisance Ordinance (Chapter 6.60).

**Mitigation Measure NOISE-2:**

All construction equipment shall be maintained in proper working order, including proper muffling.

**5.13. POPULATION AND HOUSING**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b. Displace substantial amounts of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

SOURCE: East Bay Greenway Community Impact Analysis

***DISCUSSION:***

The project is located within the cities of Oakland, San Leandro, and Hayward, and unincorporated lands within the County of Alameda. Oakland is a central hub city within the East Bay, and is the largest city in Alameda County. Based on the United States Census Bureau for 2010, Oakland's population is 390,724. Population growth and business activity have had a major impact on the city in the past few decades. The City of San Leandro is located on the Bay's eastern shore, primarily to the south of Oakland, north of the unincorporated communities of San Lorenzo and Ashland, and to the east of the unincorporated community of Castro Valley. Based on the United States Census Bureau for 2010, San Leandro's population is 84,950.

The Eden area of Alameda County contains the unincorporated communities of San Lorenzo, Ashland, and Cherryland. Based on the United States Census Bureau for 2000, populations for Ashland, Cherryland, and San Lorenzo are 19,901, 13,837 and 21,898,

respectively. The City of Hayward is located on the Bay's eastern shore, southerly of the unincorporated communities of San Lorenzo, Hayward Acres, and Cherryland, west of Castro Valley, and north of Union City. Based on the United States Census Bureau for 2010, Hayward's population is 153,104.

- a. **Less Than Significant Impact.** As a bike and pedestrian path, the project does not involve the construction of any housing or infrastructure and would not have growth inducing impacts. It would serve the local, existing community, which is already highly urbanized and developed. The communities served by the project are already designated for urban residential, commercial, and industrial uses and the project would not induce changes to these designations.
- b. **No Impact.** The project would not result in the displacement of any existing housing or people. Land for the proposed project alignment is owned and maintained by a variety of entities: BART, the Union Pacific Railroad (UPRR), city and county governments, Pacific Gas and Electric (PG&E), and private individuals.

For those portions of the Greenway that would be located within BART owned right-of-way, the agencies having jurisdiction in those areas would need to enter into a licensing agreement with BART. For those areas where the path would be located on UPRR, a right-of-way agreement with UPRR would need to be executed.

The proposed project would require right-of-way acquisitions of two private parcels near Washington Avenue in San Leandro (Segment 11a). The project would encroach into PG&E's property near Washington Avenue and the UPRR undercrossing. The second encroachment would be located on a private office property located adjacent to and south of the PG&E parcel.

However, neither of these properties contains housing. Therefore, no housing displacement would occur and there would be no need for relocation of any homes for this project.

- c. **No Impact.** No persons would be displaced as a result of the proposed project.

*MITIGATION: None Required.*

## 5.14. PUBLIC SERVICES

<p>a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:</p> <p>Fire Protection?</p> <p>Police Protection?</p> <p>Schools?</p> <p>Parks?</p> <p>Other public facilities?</p>				
	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
			✓	
			✓	
			✓	
			✓	

SOURCE: East Bay Greenway Community Impact Analysis

### DISCUSSION:

The project site is in urban areas served by existing public services. The proposed project would have no impact on the availability, service time, and reach of emergency and maintenance vehicle. Bollards installed to prevent unauthorized motor vehicle access would be placed in such a manner that emergency vehicles would be able to access Class I Path areas. The installation of a paved multipurpose path would improve the ability of emergency vehicles to respond to the area underneath the elevated BART tracks where access may be impaired or prevented due to uneven and unmaintained surfaces, or existing barriers. The facilities would be visible from existing local roads and residences, allowing residents to observe and report unwanted activities or emergencies.

- a. Less Than Significant Impact.** The proposed project would not result in an increase in population or facilities that would require the provision of fire or police services, schools, parks, or other public facilities, or result in the need for physically altered facilities. The project would include Class II and III facilities on existing city streets and a Class I Path under the BART tracks. These facilities would provide an alternative route for bicycles and pedestrians, who would normally use existing surface streets and sidewalks. Therefore, the project would generally provide facilities for non-motorized transport that is currently occurring in the area on existing streets and roadways and would not result in an increase in population in the area that would increase demand for emergency services. The demand for public services would be the same as under existing conditions after the construction of the proposed project. Therefore, the proposed project would not require the expansion of emergency service facilities and would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable



service ratios, response times, or other performance objectives of fire protection, police protection, schools, parks, or other public services.

**MITIGATION:** *None required*

### 5.15. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?			✓	
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?		✓		

SOURCE: East Bay Greenway Community Impact Analysis

### **DISCUSSION:**

Although an extended network of multi-use paths are proposed through the various adopted plans throughout western Alameda County, only a small number of designated multi-use paths exist within the project study area. The proposed project would intersect and provide greater community connectivity to existing area bicycle facilities including: 1) a Class II Lane on Fruitvale Avenue connecting the Fruitvale BART Station to the San Francisco Bay Trail; 2) an existing Class II Lane on Estudillo Avenue connecting the San Leandro BART Station easterly to Downtown San Leandro and Lake Chabot Park; 3) an existing Class II Lane on Williams Street connecting San Leandro BART Station westerly to the San Leandro Marina and San Francisco Bay Trail; and 4) a Class II Lane on Hesperian Boulevard connecting the Bay Fair BART Station to Bancroft Avenue to the north and to Shoreline Park and the San Francisco Bay Trail to the south. The project would also provide greater connectivity to several facilities from the Hayward BART Station, including a Class II Lane on A Street connecting southerly to the Hayward Amtrak Station, Hayward Executive Airport, and Hayward Regional Shoreline, and northerly to Downtown Hayward, and a Class III Route on Grand Street connecting southerly to California State University East Bay and the Eden Greenway.

The only city parks located near the proposed project are Stonehurst Recreational Area at San Leandro Street and 105<sup>th</sup> Avenue, Siempre Verde Park at San Leandro Boulevard and Park Street, and Thrasher Park along Davis Street near the San Leandro BART Station. The Recreational Area and both parks are located adjacent to the proposed project alignment. There are no Regional, State, or Federal Parks adjacent to, or in the vicinity of, the Greenway.

- a. Less Than Significant Impact.** The proposed path connections would primarily serve the transportation needs of residents and visitors in the Cities of Oakland, Hayward, and San Leandro, and Alameda County by providing a local and regional transportation facility. Implementation of the proposed project would potentially increase the use of existing on-street bicycle and pedestrian facilities, by providing a safer and more direct connection. The project would potentially increase the use of the existing Eden Greenway since it would provide a connection. However, it is not anticipated that such an increase in use would result in a physical deterioration of existing facilities. Therefore, this impact is considered less than significant.
- b. Less Than Significant With Mitigation Incorporated.** The proposed project would include a regional bicycle and pedestrian transportation facility. As described in this Initial Study, implementation of the proposed project could result in limited temporary biological resources, cultural resources, hazards and hazardous materials, and hydrology and water quality impacts during the construction period. Implementation of the mitigation measures recommended in this Initial Study would ensure that the proposed project would not result in an adverse physical effect on the environment. With the implementation of Mitigation Measures within this Initial Study, the creation of the project would not have an adverse effect on any existing recreational parks or transportation paths and the project would provide a benefit through increased accessibility to parklands and trails via the project .

***MITIGATION:*** Refer to Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise sections within this Initial Study.

**5.16. TRANSPORTATION/TRAFFIC**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			✓	
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			✓	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			✓	
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	
e. Result in inadequate emergency access?			✓	
f. Result in inadequate parking capacity?			✓	
g. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				✓

SOURCE: East Bay Greenway Community Impact Analysis, Congestion Management Program, Eastbay Greenway Traffic Study, 2012.

***DISCUSSION:***

General Plans for the cities along the project length include language promoting visions for their communities that incorporate safe routes to transit, open space, and bicycle and pedestrian facilities. The project would extend through areas of the cities of Oakland and San Leandro that are currently being redeveloped (Oakland Coliseum BART Station) or have transit-oriented plans in place (San Leandro BART Station).

The East Bay Greenway would run parallel to the San Francisco Bay Trail (along the Bay Shore areas to the west) and the Ridge Trail (within the East Bay hills to the east) and would be an urban counterpart to these two existing transportation routes.



The *2006 Alameda Countywide Bicycle Plan* and the *Countywide Pedestrian Plan* establishes countywide priorities for bicycle and pedestrian improvements. The Alameda CTC is currently updating this plan, with the goal of reflecting current bicycling and walking conditions, needs, and priorities in Alameda County. The update process began in May 2010 and final plans are scheduled to be considered for adoption by the Alameda CTC in September 2012. The Greenway is identified in the plan update and has funding approved for environmental review and implementation strategy under Program Cycle 4. The current *2006 Countywide Bicycle Plan* places high priority on projects that are inter-jurisdictional and projects that connect with transit centers. The three top priorities for the *Pedestrian Plan* include projects that provide access to transit and activity centers, and inter-jurisdictional paths. The project is also included in the *East Bay Regional Parks Master Plan* and would implement Project 8: BART Trail/San Leandro Street (E. 12th Street in Oakland to the Bay Fair BART Station) as described in the *Metropolitan Transportation Commission's Regional Bicycle Plan* (2001).

The *BART Strategic Plan* (adopted in 1999 and updated in 2003) recognizes bicycle and pedestrian access to BART stations as a key strategy in increasing ridership. The draft BART Bicycle Plan, expected to be adopted by the BART Board in June 2012, identifies the East Bay Greenway as an opportunity to partner with local jurisdictions to enhance bicycle and pedestrian access to East Bay stations. BART completed the *San Leandro BART Station Access Plan* in August 2002. The *San Leandro BART Station Access Plan* does not explicitly mention the East Bay Greenway. In the *2004 Bay Fair Comprehensive Station Plan*, BART recommended improved circulation for buses, automobiles, and pedestrians into and within the Bay Fair BART Station, implementation of pedestrian and bicycle access improvement projects on BART property and to the Bay Fair Center, for the City and County to remove barriers and increase links throughout the station area, to design accessible pedestrian connections to the station entrance from the west lot, and work with partner agencies to pursue funds for projects that improve pedestrian and bicycle access to the station. The plan additionally recommends bicycle solutions through use of better bicycle facilities, bicycle parking, and safe bike lanes in the station area (BART 1999 and 2004).

### **Oakland**

The *City of Oakland Bicycle Master Plan* (adopted December 2007) includes objectives for Oakland to become a city where bicycling is fully integrated into daily life, providing transportation and recreation that are both safe and convenient. To realize this vision of a bicycle-friendly community, the City of Oakland promotes the routine accommodation of bicyclists in its projects and programs. The ongoing development of the City's bikeway network, including Safe Routes to Transit and the associated support facilities, is intended to provide the infrastructure for making Oakland more accessible by bicycle. Programs are in place to educate cyclists and drivers on road safety while encouraging people to bicycle for both physical activity and utilitarian trips. The *City of Oakland Bicycle Master Plan* is intended to encourage bicycling, which would help the City meet its policy goals regarding transportation, sustainability, public health, equity, and quality of life. The Greenway is identified as proposed Bike Path (Class I) and Bike Lane (Class II) within the Bicycle Master Plan Figure H.3: Proposed Bikeway Network.

The *City of Oakland General Plan, Envision Oakland, Land Use and Transportation Element* (adopted March 1998) includes Policy T-4.5, which recommended the creation of a Bicycle Master Plan to promote alternatives to the private automobile.

### **San Leandro**

The City of San Leandro is taking steps to encourage bicycling and walking as practical means of transportation as well as forms of recreation. The City offers many qualities favorable to both activities, including flat terrain, temperate climate, and attractive scenery. However, the City also experiences heavy traffic, has a lack of shade trees and sidewalks in some locations, and lacks convenient, direct access bicycling and pedestrian routes between destinations. The City of San Leandro recently adopted the *City of San Leandro Bicycle and Pedestrian Master Plan* (February 2011) to address deficiencies in the City's pedestrian network, bikeway system, and make walking and cycling more viable and enjoyable. The Plan includes a route map, bicycle circulation policies, and implementation strategies, with the ultimate goal of developing an interconnected 43.8-mile route system. The *City of San Leandro Bicycle and Pedestrian Master Plan* identifies the East Bay Greenway as part of the San Leandro Bikeway Network, extending from the Oakland city limits for a length of 3.5 miles to the eastern city limits (Hesperian Boulevard).

BART completed the *San Leandro BART Station Access Plan* and *Bay Fair BART Station Area Improvement Plan* in August 2002 and July 2009, respectively. The *San Leandro BART Station Access Plan* does not explicitly mention the East Bay Greenway. However, the *Bay Fair BART Station Area Improvement Plan* states that "if the East Bay Greenway were implemented, the station area would benefit from more direct and increased pedestrian and bicycle access." Additionally, the plan proposes programs and projects that improve access to the station by modes other than single occupant vehicles, and increased wayfinding signage to aid customers in making connections to other transit and local destinations (BART 2009).

### **Eden Area (Alameda County)**

The *Alameda Countywide Bicycle Plan for Unincorporated Areas* includes a parallel set of goals and objectives to those of the main *Alameda Countywide Bicycle Plan*. However, whereas the main *Alameda Countywide Plan* focuses on primary bicycle routes and regional connectivity, the *Bicycle Plan for Unincorporated Areas* presents local bicycle networks and proposed projects for areas not included within incorporated cities.

### **Hayward**

In 2007, the City of Hayward adopted an updated *City of Hayward Bicycle Master Plan*. The update of the *City of Hayward Bicycle Master Plan* includes policies to improve connections to neighboring communities and the regional bicycle network through integration of the Hayward Bicycle Network into Regional Bicycle Routes. The recommended Hayward bicycle network incorporates regional bikeways identified by these plans and recommends programs to enhance regional connectivity, specifically: "East Bay Greenway: This path would be part of a proposed greenway on BART right-of-way extending from Oakland to Fremont."

**a-b. Less Than Significant Impact.** The proposed project would provide over 12 miles of Class III Routes, Class II Lanes, Class I Paths, and pedestrian facilities; thereby improving non-motorized transport connectivity in the area. Existing bicycle and pedestrian routes in the urban areas are non-existent or discontinuous. Bicyclists (and pedestrians, where there are no sidewalks) must use traffic lanes to complete their journey, and the traffic lanes and shoulders (if they exist) frequently have limited space for shared vehicle-bicycle and vehicle-pedestrian use. Facilities are needed to improve non-motorized modes of transportation, connectivity, access, and safety for bicyclists and pedestrians between Oakland and Hayward.

The proposed project would not generate any additional traffic. Because there would be no increase in traffic during peak periods, the proposed project would not result in a substantial change in traffic relative to the existing traffic load and capacity of existing streets that would create changes to the Level of Service (LOS). Intersection improvements, where needed, would be constructed to allow street crossings. These improvements would include modifications to sidewalks, curbs, curb ramps, barriers, and the addition of pedestrian signals where needed to provide safe crossings.

The project proposes three mid-block crossings where the Class I Path would cross arterial roadways at Halcyon Drive, Hesperian Boulevard, and East Lewelling Boulevard, adjacent to the existing UPRR highway-rail crossing. These highway-rail crossings all have flashing-light signals and gates where coordination with the new bicycle/pedestrian signals would be required. The Hesperian Boulevard crossing would require a two signal phase crossing, consisting of independent flashing light signals for the eastbound (3 lanes) and westbound (3 lanes) roadways and a designated waiting area within the center median.

An analysis was prepared for these three mid-block crossings. As shown in Table 5.16-1, upon implementation of the project level of service would be acceptable at all mid-block crossings.

**Table 5.16-1. Mid-Block Crossing 2035 Level of Service Results**

Crossing	2035 LOS (with Project)	
	AM	PM
Halcyon Drive	B	C
Hesperian Boulevard	B	C
East Lewelling Boulevard	B	B

SOURCE: East Bay Greenway Traffic Study. April 2012

In addition, reducing lane widths by 1 foot along portions of East 12<sup>th</sup> Street and San Leandro Street to accommodate a Class I Path or a Class II Lane would not have any impact on the level of service at signalized intersections.

The project proposes to remove one southbound lane on East 12<sup>th</sup> Street between 40<sup>th</sup> Avenue and High Street, which would cause a reduction in lanes at the intersection of East 12<sup>th</sup> Street and High Street. Without the project, the 2035 LOS for the intersection is C for both the AM and PM peak levels. With the project, the 2035 LOS for the intersection would be C for the AM peak hour and D for the PM peak hour. This is an acceptable LOS for the horizon year and the loss of one southbound lane along East 12<sup>th</sup> Street would therefore not result in unacceptable levels of service at the signalized intersection.

By providing and expanding non-motorized facilities in the area, the project would provide alternative transportation facilities that would benefit population in the area. Installation of the proposed project would be consistent with and would not significantly impact the *Alameda County Congestion Management Plan*, the *2006 Alameda Countywide Bicycle Plan* and the *Countywide Pedestrian Plan*, the *City of Oakland Bicycle Master Plan*, the *City of San Leandro Bicycle and Pedestrian Master Plan*, the *Alameda Countywide Bicycle Plan for Unincorporated*, or the *City of Hayward Bicycle Master Plan*.

- c. **Less Than Significant Impact.** The project involves no changes that would result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.
- d. **Less Than Significant Impact.** The proposed project is intended to reduce existing hazards by providing separated and designated transportation facilities that would be constructed pursuant to relevant to safety guidelines identifies by Alameda County and the Cities of Oakland, San Leandro, and Hayward. The project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) and would provide three mid-block crossings where needed for pedestrian and bicyclist safety.
- e. **Less Than Significant Impact.** The portion of the project consisting of a Class I Path would be approximately 12-foot wide with a two foot shoulder and would be wide enough to allow for emergency vehicle and maintenance vehicle access. The pavement base, asphalt or other, would be engineered to withstand the impacts of vehicle use. All new Class II Lanes and Class III Routes would be placed within the right-of-way of existing surface streets and would have no adverse impacts on the accessibility of emergency, maintenance, and public service vehicles.

The proposed path would not interfere with existing emergency access plans and availability to BART stations. Additionally, emergency vehicle access would be provided every 0.5 miles and the design of the multipurpose path would improve the ability of emergency vehicles to respond to the area underneath the elevated BART tracks where access may currently be impaired or prevented due to uneven and unmaintained surfaces, or existing barriers

During construction activities, there could be temporary lane closures, and construction vehicles accessing project sites. However, construction activities would



be short-term and temporary, and any emergency vehicles would be waved through during lane closures. Therefore, the proposed project would not result in inadequate emergency access.

- g. Less Than Significant Impact.** The City of Oakland's *CEQA Thresholds/Criteria of Significance Guidelines* states the Court of Appeal has held that parking is not part of the permanent physical environment, that parking conditions change over time as people change their travel patterns, and that unmet parking demand created by a project need not be considered a significant environmental impact under CEQA unless it would cause significant secondary effects. Parking supply/demand varies by time of day, day of week, and seasonally. Decreased availability could result in changes to people's mode and pattern of travel.

The City of Oakland, in its review of the proposed project, wants to ensure that the project's provision of additional parking spaces along with measures to lessen parking demand (by encouraging the use of non-auto travel modes) would result in minimal adverse effects to project area occupants and visitors, and that any secondary effects (such as on air quality due to drivers searching for parking spaces) would be minimized. As such, although not required by CEQA, parking conditions are provided in this document for informational purposes. Overall, the proposed project would encourage bicycle and pedestrian transportation and increase the potential that trips currently made by car would instead be made by bicycle, potentially resulting in a reduction in parking demand.

Parking deficits may be associated with secondary physical environmental impacts, such as air quality and noise effects, caused by congestion resulting from drivers circling as they look for a parking space. However, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, shuttles, taxis, bicycles, or travel by foot), may induce drivers to shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service, in particular, would be in keeping with the City's "Transit First" Policy (Resolution 73036, 1996). The proposed project would encourage bicycle transportation and increase the potential that trips currently made by car would instead be made by bicycle, resulting in a reduction in parking demand.

Additionally, regarding potential secondary effects, cars circling and looking for a parking space in areas of limited parking supply is typically a temporary condition, often offset by a reduction in motor vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts that might result from a shortfall in parking in the vicinity of the proposed project are considered less than significant.

The proposed project would remove parking spaces along the east side of East 12<sup>th</sup> Street (City of Oakland), the north side of San Leandro Street (City of Oakland), and on Washington Avenue (City of San Leandro) to allow for the provision of Class II bike lanes.

As shown in Table 5.16-2, the project would require the removal of approximately 530 feet of available parking along the east edge of East 12<sup>th</sup> Street (Segments 3a and 3b),

converting parking spaces currently used for on-street parking between 40<sup>th</sup> Avenue and High Street to a Class II Lane. The proposed bikeway would require the east edge of San Leandro Street (Segment 7a) to shift west. Although the area is designated as a no parking area, trucks and autos regularly park there. Construction of the project in this area would result in the removal of 1,100 feet currently used for (illegal) on-street parking for trucks and autos between 75<sup>th</sup> Avenue and 85<sup>th</sup> Avenue. Designated on-street parking replacement would not be provided. This loss of parking would create some demand for parking on San Leandro Street from 75<sup>th</sup> Avenue to 85<sup>th</sup> Avenue beyond currently available on-street parking.

The East 12<sup>th</sup> Street (Segments 3a and 3b) and San Leandro Street (Segment 7a) are located within the City of Oakland. The loss of approximately 1,630 feet of viable street parking would constitute 7% decrease in available parking throughout the project area in Oakland. The City of Oakland requires City Council approval of any removal of parking in excess of 10% of available parking in a project area. As the project would only remove 7% of parking along the project area in Oakland, this removal would be considered a less than significant impact on parking within the City of Oakland.

In the City of San Leandro, an estimated 720 feet of available on-street parking on Washington Avenue, between 139<sup>th</sup> Avenue to 143<sup>rd</sup> Avenue (Segment 11a), would be removed through implementation of the proposed project. Parking in the area currently consists of on-street parking and off-street private parking lots. Private lots provided by businesses in the area would be sufficient to handle parking demand for those existing uses and no mitigation would be needed.

**Table 5.16-2. Estimated Parking Impact in the City of Oakland**

<b>Segment</b>	<b>Available Parking (ft)</b>	<b>Parking Removed (ft)</b>	<b>% Parking Removed</b>
1	5,896	0	0%
2	2,325	0	0%
3a	430	430	100%
3b	3,807	100	3%
4	604	0	0%
5a	1,370	0	0%
5b	475	0	0%
6	1,075	0	0%
7a	2,340	1,100	47%
7b	955	0	0%
7c	585	0	0%
7d	1,204	0	0%

8a	1,730	0	0%
<b>Subtotal</b>	22,796	1,630	7%

Source: East Bay Greenway Traffic Study. April 2012

Parking deficits may be associated with secondary physical environmental impacts, such as air quality and noise effects, caused by congestion resulting from drivers circling as they look for a parking space. However, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, shuttles, taxis, bicycles or travel by foot), may induce drivers to shift to other modes of travel to reach destinations in this area, or change their overall travel habits. Any such resulting shifts to transit service, in particular, would be in keeping with the City's "Transit First" policy.

Additionally, regarding potential secondary effects, cars circling and looking for a parking space in areas of limited parking supply is typically a temporary condition, often offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts that might result from a shortfall in parking in the vicinity of the proposed project are considered less than significant.

- g. No Impact.** The proposed project proposes to maintain all existing pedestrian and bicycle facilities. Although an extended network of bike paths are proposed through the various adopted plans throughout western Alameda County, only a small number of designated bike paths exist within the project study area. Therefore, the proposed project would augment and reinforce existing policies, plans, and programs supporting alternative transportation identified by all current and proposed planning documents governing the project area. The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

***MITIGATION: None required***

5.17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				✓
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			✓	

SOURCE: East Bay Greenway Supplemental Preliminary Site Investigation, East Bay Greenway Water Quality Investigation, Construction and Demolition (C&D) Debris Management Ordinance.

**DISCUSSION:**

- a. No Impact.** The proposed project entails construction of a multiuse path and the delineation of bike lanes and routes on existing roadways. The proposed project would not generate any wastewater that would be directed to a wastewater facility. Therefore, the project would not exceed wastewater treatment requirements of the District 2 Regional Water Quality Control Board.
- b. Less Than Significant Impact.** The proposed project would not require water or wastewater treatment as no potable water or restroom facilities would be provided as part of the project's construction or operation. The project would not include installation of any uses that would require extensive irrigation or generate wastewater. Therefore, the proposed project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.



- c. Less Than Significant Impact.** The proposed project would add an approximately 12-foot wide Class I multiuse path on existing undeveloped land; however, additional runoff from new impervious surfaces is expected to be minimal given the small surface area of new paved paths (0.7 acres over the 6 mile length of Class I Path). The proposed Class I Path would be designed to direct storm water onto adjacent open space lands. The proposed Class II Lanes and Class III Routes would be located within existing road right-of-ways, and therefore integrated into the existing storm water system. The project would not require or result in construction of new storm water drainage facilities or expansion of existing facilities.
- d. Less Than Significant Impact.** The proposed project would involve the development of bikeways, signage, and limited sidewalk construction. Additional water may be needed for irrigation of proposed landscaping. However, this need would be served by municipal water supply and would be minimal. The project would not include installation of any uses that would generate wastewater. The project would not require new or expanded water supply entitlements, or result in any new demands on existing water sources.
- e. No Impact.** The proposed project would involve the development of bikeways, signage, and limited sidewalk construction. The proposed project would not generate any wastewater and requiring wastewater treatment services.
- f-g. Less Than Significant Impact.** Operation of the project would generate only a minimal amount of waste as it is used as a transportation facility. Short term waste generation would result from construction and designation activities. Waste materials resulting from the proposed project construction would consist primarily of earth/soil excavated for the Class I Path, and some construction waste (excess materials from paving, and installation of sign posts, bridge footings, and sidewalks). Waste materials collected and removed would become the property of the segment contractor upon collection, and would be disposed of offsite. Alameda County's Construction and Demolition (C&D) ordinance (effective July 1, 2003) requires at least seventy-five percent of the asphalt, concrete, and earth debris generated by a project to be diverted from landfill via reuse or recycling (Chapter 4.38 Construction Debris Management and Green Building Practices). With the incorporation of material recycling, the amount of construction waste would not be substantial and would not result in a substantial reduction in the landfill capacity, or conflict with federal, state, and local statutes and regulations related to solid waste.

**MITIGATION:** *None required*

**5.18. MANDATORY FINDINGS OF SIGNIFICANCE**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or wildlife community, reduce the number or restrict the range of an endangered, rare or threatened plant or wildlife, or eliminate important examples of the major periods of California history or prehistory?		✓		
b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			✓	
c. Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?		✓		

**DISCUSSION:**

- a. Less Than Significant Impact with Mitigation Incorporated.** As described in this Initial Study, implementation of the proposed project would have the potential to adversely impact biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, noise, and recreation. Implementation of the mitigation measures recommended in this Initial Study would ensure that construction and operation of the proposed project would not degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
- b. Less Than Significant Impact.** The impacts of the proposed project are individually limited and not cumulatively considerable. All environmental impacts that could occur as a result of short-term construction of the proposed project would be reduced to a less than significant level through implementation of the mitigation measures recommended in this Initial Study, and when viewed in conjunction with other closely related past, present or reasonably foreseeable future projects, would not be significant. Long-term operation of the proposed project would increase the amount

of impervious surface through the creation of a Class I Path, increase recreational uses, and a decrease in street parking within the Oakland City to provide for the Class II Lane along portions of East 12<sup>th</sup> Street and San Leandro Street, however when viewed in conjunction with other closely related past, present or reasonably foreseeable future projects, long-term impacts would not be significant.

- c. **Less Than Significant Impact with Mitigation Incorporated.** As described in this Initial Study, implementation of the proposed project could result in temporary biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, and noise impacts during the construction period and operational impacts to recreation. Implementation of the mitigation measures recommended in this Initial Study would ensure that the proposed project would result in no environmental effects that would cause substantial direct or indirect adverse effects on human beings.

## **6.0 REPORT PREPARATION**

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### **6.3. ACRONYMS**

ACOE	U.S. Army Corp of Engineers
Alameda CTC	Alameda County Transportation Commission
APE	Area of Potential Effect
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BGS	below ground surface
C&D	construction and demolition
CAAQS	California Ambient Air Quality Standard
CAP	Clean Air Plan
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CNDDB	California Natural Diversity Data Base
CEQA	California Environmental Quality Act
CH <sub>4</sub>	methane
CMA	Alameda County Congestions Management Agency
CMP	Congestion Management Program
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	carbon dioxide equivalent
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
FEMA	Federal Emergency Management Agency
GHG	greenhouse gases
H&SC	Health and Safety Code
HWCA	Hazardous Waste Control Account
HWMU	Hazardous Waste Management Unit
LOS	Level of Service
NAAQS	National Ambient Air Quality Standard

NO <sub>x</sub>	nitrogen oxides
NO <sub>2</sub>	nitrogen dioxide
OPR	California Office of Public Resources
O <sub>3</sub>	ozone
Pb	Lead
PCE	passenger-car equivalent
PG&E	Pacific Gas and Electric
PM <sub>2.5</sub>	particulate matter less than 2.5 microns in diameter
PM <sub>10</sub>	particulate matter less than 10 microns in diameter
PTO	Permit to Operate
RCRA	Resource Conservation and Recovery Act
ROC	reactive organic compounds
ROG	reactive organic gases
ROW	right-of-way
RWQCB	Regional Water Quality Control Board
SFAAB	San Francisco Bay Area Air Basin
SO <sub>2</sub>	sulfur dioxide
SWMP	Storm Water Management Program
SWPPP	Storm Water Pollution Prevention Plan
UPRR	Union Pacific Railroad
UBC	Uniform Building Code
US	United States
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geologic Survey
VOC	volatile organic compound