

To: Jhay Delos Reyes, Alameda County Transportation Commission
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From: Andrew Metzger
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Subject: Oakland IS/MND Errata Memorandum

Date: August 1, 2023

Dear Mr. Delos Reyes,

Revisions to the Alameda County Transportation Commission (Alameda CTC) Rail Safety Enhancement Project Phase A - Oakland Initial Study/Mitigated Negative Declaration (IS/ MND) were deemed necessary to respond to comments received during the public comment period (May 2 to May 31, 2023). In this memo, **bold, underlined text** represents language that has been added to the IS/ MND; ~~text with strikethrough~~ represents text that has been deleted from the IS/ MND.

Pursuant to CEQA Guideline 15073.5 (b), recirculation of an Initial Study/Mitigated Negative Declaration would be required from a “substantial revision” to the project. CEQA Guideline 15073.5 (b) defines a “substantial revision” as follows:

- A new, avoidable significant effect that requires new mitigation measures to be added to reduce the effects to less than significant
- The lead agency determines that the mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions are required.

Changes to the project have not resulted in a new avoidable or unavoidable significant environmental effect or new mitigation measures. As demonstrated below, the text changes have not altered the overall conclusions in the IS/MND, nor have they substantially changed the mitigation measures. Rather, changes were made to expand the discussion about the catenary pole proposed to be removed. Therefore, pursuant to CEQA Guideline 15073.5, recirculation of the IS/MND is not required.

4.5 Cultural Resources

The following text changes were made to the impact discussion under threshold a).

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?**

Less than Significant. As described in the Cultural Resources Study prepared for the project, a pedestrian field survey was conducted for the project November 4, 2022. The survey consisted of inspecting areas of exposed ground for prehistoric artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, ceramics, fire-affected rock), ecofacts (marine shell and bone), soil discoloration that might indicate the presence of a cultural midden, soil depressions, and features indicative of the former presence of structures or buildings (e.g., standing exterior walls, postholes, foundations) or historic debris (e.g., metal, glass, ceramics).

Although the Southern Pacific Railroad (SPRR) was not recorded or evaluated for the CRHR, there is limited potential for the SPRR to be materially impaired regardless of its potential historical resources eligibility as defined in Section 15064.5 of the CEQA Guidelines. The existing alignment and tracks will not be altered by current project activities as groundwork would be limited and confined to the project area of each crossing.

As discussed in Table 3, Proposed Safety Improvements, improvements at the 29th Avenue crossing would require the removal of one overhead catenary system pole. At the public hearing held on May 17, one commenter stated that the loss of the catenary pole would represent the loss of a railroad technological artifact and should be acknowledged in the cultural resources analysis. Rincon Consultants subsequently evaluated the segment of the Union Pacific Railroad located at the 29th Avenue Crossing, of which the catenary pole is a feature, for eligibility for listing on the CRHR and NRHP.

According to this evaluation, the approximately 400-foot-long railroad corridor segment crossing 29th Avenue south of the intersection with 12th Street consists principally of three sets of tracks on a parallel course that trends southwest to northeast. The tracks are standard gauge and generally placed on wood ties, which in turn are located on earthen beds covered in ballast. Within the segment, there are steel catenary poles situated between the central and southernmost sets of tracks. One pole each is located on either side of the 29th Avenue crossing. The poles are of a steel-lattice design and measure approximately 30 feet in height. Presumed to have originally supported electrified rail service, the poles lack electric lines and the horizontal elements that would have supported the lines. A modern reinforced-concrete grade feature crosses 29th Avenue. The remainder of the corridor is unpaved.

The railroad segment and its surroundings have been subject to significant changes that have reduced its ability to convey its associations with the Transcontinental Railroad of the late-nineteenth century. Specifically, the original single-track configuration has been augmented to the present three sets of tracks. The corridor is not associated with the important historical contributions of an individual and neither the trackway nor the catenary poles bear any distinctive design qualities or aspects related to a significant engineering feat. Furthermore, the segment is not likely to yield important information pertaining to pre-history or history. Therefore, the resource would not meet any of the criteria for eligibility under the CRHR or NRHP. As a result, removal of the catenary pole would not represent a significant impact under CEQA. Additionally, proposed safety improvements are generally consistent with the existing conditions of the railway crossings. Therefore, this impact would be less than significant, and no mitigation is required.

Conclusion

The changes above are minor revisions that do not present substantial new information or change the analysis or findings of this IS/MND. The changes identified above would not result in any new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts. Rather, the changes were implemented to expand the discussion about a catenary pole proposed for removal. Therefore, recirculation is not required. In conformance with Section 15074 of the CEQA Guidelines, the MND, technical appendices and reports, together with this Errata memorandum are intended to inform the decision-makers and the public of environmental effects of this project.