

COASTAL CONSERVANCY

Staff Recommendation
September 25, 2008

**SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION**

File No. 07-063-09
Project Manager: Moira McEnespy

RECOMMENDED ACTION: Authorization for the Association of Bay Area Governments (ABAG) to disburse up to \$300,000 of previously-authorized Conservancy funds to the City of San Leandro to construct a Bay Trail crossing over San Leandro Slough.

LOCATION: Metropolitan Golf Links to the northern shoreline of San Leandro Slough (Oyster Bay Regional Shoreline), San Leandro, Alameda County (see Exhibits 1-2)

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

- Exhibit 1: [Project Location Map](#)
 - Exhibit 2: [Project Site Map](#)
 - Exhibit 3: [Project Letters](#)
 - Exhibit 4: [Negative Declaration for the “Oyster Point Bridge at Oyster Bay Slough” Project](#)
(Adopted by the City of San Leandro on June 18, 2007)
-

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the Association of Bay Area Governments (ABAG) to disburse an amount not to exceed \$300,000 (three hundred thousand dollars) of the total Conservancy funds authorized on September 20, 2007 to the City of San Leandro to construct an approximately 0.2-mile San Francisco Bay Trail crossing over San Leandro Slough, Alameda County, subject to the following conditions:

1. Prior to the disbursement of funds, ABAG shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget, and a grant agreement between ABAG and the City of San Leandro.

*SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION*

2. ABAG shall ensure installation of signs identifying the slough crossing and acknowledging the Conservancy and displaying its logo in a manner approved by the Executive Officer.
3. ABAG shall ensure compliance by the City of San Leandro with all project actions, components and mitigation measures that are identified as needed to reduce or avoid significant environmental effects in the Mitigated Negative Declaration adopted for the “Oyster Point Bridge at Oyster Bay Slough” project by the City of San Leandro on June 18, 2007 pursuant to the California Environmental Quality Act (CEQA), and accompanying the project staff recommendation as Exhibit 4.
4. ABAG shall provide documentation during the course of the project that the required project actions and mitigation measures have been implemented by or on behalf of the City of San Leandro.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
3. The Conservancy has independently reviewed the Mitigated Negative Declaration for the “Oyster Point Bridge at Oyster Bay Slough” project adopted by the City of San Leandro on June 18, 2007 pursuant to CEQA and finds no substantial evidence that the project, as mitigated, will have a significant effect on the environment.”

PROJECT SUMMARY:

Staff recommends that the State Coastal Conservancy authorize ABAG to disburse to the City of San Leandro up to \$300,000 of the total Conservancy funds authorized on September 20, 2007 (“SF Bay Trail Block Grant #4,” which grants up to \$3,000,000 to ABAG to develop and implement projects to extend the San Francisco Bay Trail) to construct an approximately 0.2-mile segment of the San Francisco Bay Trail that includes a crossing over San Leandro Slough, Alameda County (Exhibits 1-2).

From an existing Bay Trail segment located at the northwest corner of the Oyster Bay Regional Shoreline, the proposed new Bay Trail segment will run north across San Leandro Slough (also called Oyster Bay Slough), and then head northeast along an existing Port of Oakland levee where it will connect to an existing Bay Trail segment (see Exhibit 2). The proposed new trail segment will consist of a steel bridge spanning San Leandro Slough (10 feet wide, 350 feet long), which will be supported by three piers, and a Class I paved trail that will be created by widening an existing levee trail (12 feet wide with two-foot-wide shoulders, 630 feet long). To widen the levee, a retaining wall will be installed on the existing levee slope, above the existing levee toe, and then light fill will be placed in the resultant wedge. This cantilevered design will avoid impacts to wetlands, which exist at the toe of the levee, and work within the physical constraints

*SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION*

of the adjacent local wastewater facility. The entire 0.2-mile segment (bridge and trail) will be compliant with Americans with Disabilities Act standards (ADA-accessible). Completion of this project will close a critical gap in the bay trail spine. Work will be phased over a six-month period, and is anticipated to be completed by Fall 2009.

Site Description: The proposed project will consist of a Bay Trail segment that spans San Leandro Slough. The southern portion of the trail will be constructed at the northwest corner of Oyster Bay Regional Shoreline, which is owned and managed by the East Bay Regional Parks District. The northern portion of the trail will be constructed on an existing levee owned by the Port of Oakland. To the northwest lies the Oakland International Airport, to the north lies the Metropolitan Golf Links, and to the east lies the San Leandro Sewage Treatment Plant and Doolittle Drive (which runs generally North-South) (see Exhibits 1-2).

Project History: The proposed project is a San Francisco Bay Trail project, and is thus consistent with and proposed for funding under the Conservancy's San Francisco Bay Trail Block Grant #4 authorization of September 20, 2007.

PROJECT FINANCING:

Coastal Conservancy	\$ 300,000
Alameda County Measure B (secured)	1,000,000
CMAQ-Regional Bike & Pedestrian Program (secured): Federal Hwy Administration/Federal Transit Authority "Congestion Mitigation Air Quality Improvement Program funds"	750,000
SAFETEA-LU (secured): Federal "Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users" surface transportation funds, 2005-2009	528,000
City of San Leandro and East Bay Regional Parks District (secured)	328,000
CA Department of Parks and Recreation State Trails Program (secured)	<u>395,000</u>
Total Project Cost	3,301,000

The Conservancy's contribution will consist of a portion of a \$3,000,000 Conservancy grant ("SF Bay Trail Block Grant #4), which was authorized on September 20, 2007. SF Bay Trail Block Grant #4 is currently funded through the "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006" (Proposition 84). These funds are available for all the purposes of the San Francisco Bay Area Conservancy Program and are thus appropriate for the funding of improvements to the San Francisco Bay trail.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160 *et seq.* regarding San Francisco Bay Area projects.

The proposed project is consistent with Section 31162(a) because it will improve public access to and around the bay by helping to complete a regional trail system (the San Francisco Bay Trail). The proposed project will not have a significant adverse effect on agricultural operations,

*SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION*

environmentally sensitive areas or wildlife. In addition, as described in greater detail in the CEQA section of this report, the proposed project is consistent with the applicable local and regional Master Plan and General Plan. Consistent with Section 31163(c), the proposed project is supported by an adopted regional plan (see the “Consistency with the San Francisco Bay Plan” section), serves a regional constituency, can be implemented in a timely way, and includes matching contributions from other sources of funding or assistance (see “Project Financing” section).

**CONSISTENCY WITH CONSERVANCY’S 2007
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 11, Objective E**, the proposed project consists of constructing an approximately 0.2-mile segment of the San Francisco Bay Trail.

Consistent with **Goal 11, Objective L**, the proposed project will be made ADA-accessible.

**CONSISTENCY WITH CONSERVANCY’S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy’s Project Selection Criteria and Guidelines, last updated on September 20, 2007, in the following respects:

Required Criteria

1. **Promotion of the Conservancy’s statutory programs and purposes:** See the “Consistency with Conservancy’s Enabling Legislation” section above.
2. **Consistency with purposes of the funding source:** See the “Project Financing” section above.
3. **Support of the public:** See letters of support in Exhibit 3.
4. **Location:** The proposed project is located on the Bay Trail alignment, along the Bay shoreline.
5. **Need:** The proposed project will not be constructed absent Conservancy participation.
6. **Greater-than-local interest:** The Bay Trail is a regional trail network that will be approximately 500 miles in length when completed. This authorization will help further the completion of the trail, of which some 230 miles have been completed to-date.

CONSISTENCY WITH THE SAN FRANCISCO BAY PLAN:

The proposed project is consistent with the applicable policies contained in Part IV, Development of the Bay and Shoreline: Findings and Policies, of the San Francisco Bay Plan adopted by the San Francisco Bay Conservation and Development Commission (BCDC) in January 2006.

*SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION*

Public Access Policy No. 8 states:

Access to and along the waterfront should be provided by walkways, trails or other appropriate means and connect to the nearest public thoroughfare where convenient parking or public transportation may be available. Diverse and interesting public access experiences should be provided which would encourage users to remain in the designated access areas to avoid or minimize potential adverse effects on wildlife and their habitat.

Consistent with Public Access Policy No. 8, the proposed project will help enable a continuous walkway along the waterfront (eastern shoreline of San Francisco Bay), and will provide a diverse and interesting public access experience (access across San Leandro Slough) that will encourage users to remain in designated public access areas (bridge and levee trail routes).

Public Access Policy No. 10 states that federal, state, regional and local jurisdictions, special districts and the Bay Commission should cooperate to provide appropriately-sited, designed and managed public access, especially to link the entire series of shoreline parks, regional trail systems and existing public access areas to the extent feasible without additional Bay filling and without significant adverse effects on Bay natural resources. Closing gaps between existing public access areas is a high priority for funding. The proposed project is consistent with this policy because it will provide a new Bay Trail segment that is appropriately sited and designed to avoid adverse impacts to adjacent wetland and tidal habitat.

COMPLIANCE WITH CEQA:

In order to comply with the California Environmental Quality Act (CEQA), the City of San Leandro prepared a Final Initial Study and Mitigated Negative Declaration (Negative Declaration) for the “Oyster Point Bridge at Oyster Bay Slough” project. The City received three comment letters during the public review period (which ran from October 10 to November 14, 2005), and amended the document language as appropriate based on the comments. The City adopted the Negative Declaration (Exhibit 4) on June 18, 2007 pursuant to CEQA, and filed a Notice of Determination (including payment of the filing fee per California Fish and Game Code Section 711.4) on June 21, 2007. A Mitigation Monitoring and Reporting Program (MMRP) was included as Appendix B to the Negative Declaration, in compliance with Section 15097 of the *CEQA Guidelines*. The MMRP summarizes the mitigation measures recommended in the Negative Declaration and identifies the method of compliance and the parties responsible for implementation and enforcement. Potential impacts and mitigation measures that will be imposed to lessen those impacts to a level of insignificance are described below.

Aesthetics. The Negative Declaration states that the height and design of the proposed bridge will not obscure or affect any scenic vistas or affect any scenic resources. Any project lighting will be directed downward to the trail and bridge, in conformance with Alameda County Airport Land Use Commission plan requirements. Although new lighting could add incrementally to impacts on nighttime views in the area, there are few residences in the immediate area around the Oakland International Airport, and any impacts from new lighting will likely be obscured by existing lighting from the adjacent airport, City of San Leandro wastewater treatment plant, industrial uses and vehicles. Therefore, the project as proposed will have no significant impacts associated with aesthetics.

*SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION*

Agricultural Resources. The Negative Declaration states that the proposed project site is not zoned for agricultural use; is not subject to any Williamson Act contracts; is not within an established agricultural area; and will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses. Therefore, the project as proposed will have no significant impacts associated with agricultural resources.

Air Quality. The proposed project site is located in Alameda County within the San Francisco Bay Area Basin, which is a designated “non-attainment” area for federal and state ozone standards and for the state particulate matter standard. Air quality impacts from the project would result from short-term construction activities. As discussed below, the Negative Declaration concludes that with the application of mitigation measures, there will be no significant impacts associated with the proposed project. Therefore, **with the implementation of Mitigation Measure III-1**, the project as proposed will have no significant impacts associated with air quality.

Vehicle Exhaust, Heavy Equipment and Asphalt Emissions: Exhaust from truck trips to deliver construction materials and remove excavated materials would generate short-term emissions, including reactive organic gases (ROG), carbon monoxide (CO), nitrogen oxides (NO_x) and particulate matter (PM₁₀). Although the proposed project will necessitate approximately 520 truck trips, the emissions would be insignificant over the four-month construction period.

Heavy equipment that will be used for project construction includes two cranes and two generators used during the entire construction period; one pile driver used for approximately eight weeks; and a drill machine, paving machine, and two rollers used for shorter periods of time. Shallow barges will also be used to float in the bridge piers. Although exhaust from this construction equipment would generate short-term emissions, including ROG, CO and NO_x, air quality standards will not be violated and emissions will be insignificant because only a few pieces of equipment would be used at a time over a four-month period.

Although asphalt paving for the trail may generate hydrocarbons, PM₁₀, NO_x and CO emissions, impacts will not be significant because the emissions will be distributed throughout the four-month construction period.

Dust/Particulate Matter Emissions: Because the Bay Area Air Quality Management District (BAAQMD) considers PM₁₀ emissions to be the greatest pollutant of concern associated with construction activities, it has established feasible control measures in its guidelines, including “basic” measures that apply to all construction projects and “optional” measures that apply to construction areas that are large, located near sensitive receptors, or warrant additional control for other reasons. Impacts from PM₁₀ emissions are not considered significant if the construction control measures listed in the BAAQMD guidelines are incorporated and applied.

Soil disturbance from the proposed project’s construction activities (shallow grading on the existing levee to prepare for installing the asphalt trail, grading and drilling of levees on the north and south sides of San Leandro Slough in order to install the bridge footings) would cause short-term dust emissions, which would cause a temporary increase in localized PM₁₀ emissions. Although there are no sensitive receptors (facilities that house or attract children, the elderly, people with illnesses or others who are especially sensitive to the effects of air pollutants) within 1,000 feet of the proposed project site, construction-related PM₁₀ emissions would impair air

*SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION*

quality in the short-term, constituting a significant impact to nearby residences, workplaces and park spaces by creating a nuisance and exacerbating chronic respiratory problems. The Negative Declaration therefore imposes **Mitigation Measure III-1**, which requires application of the BAAQMD’s basic and optional dust control measures to control PM₁₀ emissions.

Implementation of this mitigation measure will reduce this potential impact to a less-than-significant level. As specified in the MMRP, the construction contractor will be the responsible implementing party and the City of San Leandro’s Engineering and Transportation Department will be the enforcing party.

Biological Resources. A biological assessment was prepared for the potential project to determine the presence of potential habitat for special status species known to occur in tidal and adjacent upland habitats in Alameda County, determine the presence of sensitive plant communities or unique habitats, and recommend mitigation measures to protect the identified species and habitats. As summarized in the table below, the Negative Declaration concludes that with the application of mitigation measures, there will be no significant impacts associated with the proposed project. Therefore, **with the implementation of Mitigation Measures IV-1, IV-2 and IV-3**, the project as proposed will have no significant impacts associated with biological resources.

<i>Potential Impact</i>	<i>Mitigation Measure that will lessen the impact to a level of insignificance</i>
Impact IV-1: Impacts to special status wildlife species that could be found in wetlands or waters of the United States (California clapper rail, salmonids)	Mitigation Measure IV-1: Implement Mitigation Measure IV-3(b) and (d), below.
Impact IV-2: Trail construction may affect adjacent pickleweed marsh	Mitigation Measure IV-2: Install protective fence along the northern levee bank’s proposed trail route to prevent accidental intrusion by construction equipment and/or workers into the adjacent pickleweed marsh; Implement erosion-control measures to prevent fill materials from the construction site from entering the marsh.
Impacts IV-3: Construction may affect special status species: -salt marsh harvest mouse: may disperse across the future trail during construction -California clapper rail: pile driving may disturb breeding pairs -Saltmarsh common yellowthroat / Alameda song sparrow: construction may disturb breeding Salmonids (steelhead, Chinook):	Mitigation Measure IV-3(a): Hand-clear vegetation within six feet of the trail to help disperse mice into adjacent dense cover; Install a temporary silt-fence barrier to prevent mice from entering the construction area. Mitigation Measure IV-3(b): Conduct pre-construction rail surveys to determine presence/absence. If rails are absent, commence with construction. If breeding pair is detected, pile driving shall not commence until after the breeding season (wait to conduct work in the Sep 1 – Jan 31 window), although other construction activities may proceed. Mitigation Measure IV-3(c): Locate trail route to avoid

*SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION*

<p>pile driving may disturb juveniles</p>	<p>disturbance of shrub habitat, if feasible; <i>or</i> initiate construction after the breeding season (wait to conduct work in the Aug – Feb window); <i>or</i> conduct preconstruction breeding bird surveys in the spring within suitable nesting habitat in tidal vegetation at the upper end of the channel and in shrubs along levees, and protect all active nests by a 50-foot-radius exclusion zone until all young have fledged (up through Aug).</p> <p>Mitigation Measure IV-3(d): Conduct pile-driving during the steelhead dredging window allowed by the National Marine Fisheries Service (Jun 1 – Nov 30 in south central San Francisco Bay); Informally consult with NOAA Fisheries to determine project timing and additional mitigation measures to protect Chinook (no work window is given for south central SF Bay, although it is the same as for steelhead north of the Bay Bridge).</p>
---	--

As specified in the MMRP, the construction contractor will be the responsible implementing party and the City of San Leandro will be the enforcing party.

Cultural Resources. Based on reviews/sources listed in its Cultural Resources section, the Negative Declaration states that no prehistoric archaeological sites or historic era sites have been recorded in or adjacent to the proposed project area; no local, state or federal historically- or architecturally-significant sites, structures, landmarks or points of interest have been identified or observed in or adjacent to the proposed project area; systematic archaeological inventories did not note any surface indications of either prehistoric or historic archaeological resources; there appears to be no potential for exposing prehistoric Native American and Historic era archaeological resources at the proposed project location; and that there appears to be no potential that previously-undiscovered resources could be exposed during construction excavations. In addition, archival research indicates that the proposed project location was included within several water lots used for oyster beds that were later engineered to develop Oyster Slough and an associated levee through dredging and filling, and a historic landfill that was used until 1990. Therefore, the project as proposed will have no significant impacts associated with cultural resources.

Geology and Soils. The entire San Francisco Bay Area is located in a region of active seismicity. The Hayward Fault is the nearest major seismic source for the proposed project site (located about three miles to the east), and the proposed project structures will likely experience moderate to strong ground shaking sometime during their design life. Liquefaction (rapid transformation of saturated, loose, fine-grained sediment to a fluid-like state due to ground shaking during earthquakes) susceptibility at the site is “very high,” but because the fills at the site are generally above groundwater level, the risk of liquefaction of fill at the site is considered to be low. A fault rupture is not expected to occur, however, because no known active faults cross the site. As summarized in the table below, the Negative Declaration concludes that with the application of mitigation measures, there will be no significant impacts associated with the proposed project. Therefore, **with the implementation of Mitigation Measure V-1**, the project as proposed will have no significant impacts associated with biological resources.

*SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION*

<i>Potential Impact</i>	<i>Mitigation Measure that will lessen the impact to a level of insignificance</i>
Impact V-1: Impacts to the bridge from seismic shaking	Mitigation Measure V-1: Incorporate seismic design parameters recommended in the site-specific geotechnical reports into the final bridge design; Design and construct bridge to withstand the maximum expected earthquake on the Hayward fault; Retain a qualified geotechnical professional to inspect the foundation construction activities for the trail and bridge abutments, including pre-drilling and pile driving for the bridge piers, and implement his or her recommendations should adverse geologic conditions be found.

As specified in the MMRP, the City of San Leandro will be the responsible implementing party and the enforcing party.

Hazards and Hazardous Materials. The proposed project site was submerged until the mid-1950s, and now sits on dikes constructed of fill. The materials used to construct the dikes are of unknown origin, and could contain contaminants that may affect the health and safety of construction workers and/or require special management during construction at the bridge abutment locations. A Phase I Environmental Site Assessment/Initial Site Assessment prepared for the project site concludes that nearby hazardous materials sites would not have the potential to affect the proposed project. As summarized in the table below, the Negative Declaration concludes that with the application of mitigation measures, there will be no significant impacts associated with the proposed project. Therefore, **with the implementation of Mitigation Measures VII-1 and VII-2**, the project as proposed will have no significant impacts associated with hazards and hazardous materials.

<i>Potential Impact</i>	<i>Mitigation Measure that will lessen the impact to a level of insignificance</i>
Impact VII-1: Potential impacts from soil contaminants in fill	Mitigation Measure VII-1: Conduct a Phase II Environmental Site Assessment (analyze site-specific soil samples), and implement additional soil management and construction worker health and safety procedures as needed (e.g., prepare and implement a site-specific health and safety plan).
Impact VII-2: Potential impacts to pipelines contained in the north-side levee	Mitigation Measure VII-2: Construction contractors shall implement measures necessary to prevent potential damage to pipelines; Notify operators of the pipelines regarding construction prior to excavation.

As specified in the MMRP, the City of San Leandro and the construction contractor will be the responsible implementing parties (for measures VII-1 and VII-2, respectively) and the City of San Leandro will be the enforcing party for both measures.

*SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION*

Airport Safety Issues: The proposed project site is located immediately south and east of the Oakland International Airport, which could subject future users of the bridge and trail to safety hazards. The Negative Declaration concludes, however, that because the existing Oyster Bay Regional Shoreline park has operated in proximity to the airport for years and the addition of the bridge and trail would not be expected to subject greater numbers of people to significant risks or dangers, the hazards associated with airport operations and aircraft overflights are considered less-than-significant.

Hydrology and Water Quality. As summarized in the table below, the Negative Declaration concludes that with the application of mitigation measures, there will be no significant impacts associated with the proposed project. Therefore, **with the implementation of Mitigation Measure VIII-1**, the project as proposed will have no significant impacts associated with hydrology and water quality.

Construction-related Impacts: Construction of the proposed project has the potential to violate water quality standards and/or waste discharge requirements if construction materials were discharged to surface waters, including waters of the San Francisco Bay. Pile driving the piers into the slough bottom to construct the bridge could release Bay mud and soil into the slough and Bay waters, and construction of the bridge abutments could result in sediments and/or contaminants being entrained in stormwater runoff that will potentially enter the slough and Bay.

Long-Term Impacts: (1) Ongoing maintenance of the bridge (namely periodic painting to protect it from the marine environment) may affect water quality. (2) Although construction of the impervious trail surface could increase the volume of surface runoff, the Negative Declaration concludes that the amount of increased runoff would be considered a less-than-significant impact. (3) Because the proposed project does not involve groundwater extraction for construction or operation, there would be no depletion of groundwater resources or effects on any wells. (4) The 100-year flood hazard zone is contained within the banks of San Leandro (Oyster Bay) Slough, thus the only portion of the proposed project that could affect the 100-year flood zone is the foundation support piers for the bridge. Although these piers would add a floodplain encroachment of three four-foot-diameter piles into the tidal inlet, the Negative Declaration concludes that water levels in the channel would continue to remain in relative equilibrium with tidal levels in the Bay, and thus that the proposed project would not result in significant encroachment of the floodplain or support any incompatible floodplain development. (5) Although the proposed project site is located within the Lake Chabot and Upper San Leandro reservoir dam inundation areas, the Negative Declaration concludes that the potential for the proposed project to cause dam failure to affect more people is low because many users of the Bay Trail already live and work in dam failure areas. (6) The proposed project site is not located in an area that would be affected by any known mudflow hazards or by a tsunami or seiche (waves caused by seismic activity).

<i>Potential Impact</i>	<i>Mitigation Measure that will lessen the impact to a level of insignificance</i>
Impact VIII-1: -Discharges of construction materials and Bay muds into slough and Bay waters during	Mitigation Measure VIII-1: -Project bid specifications shall require a Storm Water Pollution Prevention Plan (SWPPP) that incorporates Best Management Practices (BMPs) for ensuring that

*SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION*

<p>construction activities (e.g., pile driving)</p> <p>-Ongoing bridge maintenance (e.g., painting) may affect water quality</p>	<p>construction discharges do not enter slough or Bay waters (e.g., excavate during dry weather, protect construction materials from rain).</p> <p>-The SWPPP shall incorporate current BMPs for maintenance (including painting), site operations and spill prevention control.</p>
--	--

As specified in the MMRP, the City of San Leandro and the construction contractor will be the responsible implementing parties, and the City of San Leandro will be the enforcing party.

Land Use and Planning. The proposed project will be constructed on lands under the jurisdiction of the East Bay Regional Park District, the Port of Oakland, the City of San Leandro and the Alameda County Airport Land Use Commission. The proposed project would be consistent with ABAG’s *Bay Trail Plan* (ABAG, 1989), EBRPD’s *Master Plan 1997* (EBRPD, 1996), the *City of San Leandro General Plan and Zoning Ordinance* (see the “Recreation” section, below), and the *Alameda County Airport Land Use Commission Plan* (see the “Aesthetics” section, above, and the “Noise” section, below). Therefore, the project as proposed will have no significant impacts associated with land use and planning.

Mineral Resources. There are no known mineral resources at or near the project site. Therefore, the project as proposed will have no significant impacts associated with mineral resources.

Noise. The Negative Declaration concludes that the project as proposed will have no significant impacts associated with noise.

Construction-related Impacts: There are currently no sensitive receptors (facilities that house or attract children, the elderly, people with illnesses or others who are especially sensitive to the effects of noise) located within 1,000 feet of the project site. The nearest single-family residences are located approximately 3,000 feet south of the proposed project site in the neighborhood adjacent to the San Leandro Marina. The nearest individuals who could be impacted by construction noise would be users of the undeveloped Oyster Bay Regional Shoreline park, workers at the City’s wastewater treatment plant, or workers in adjacent industrial businesses along Davis Street or Neptune Drive. Construction of the proposed project would necessitate use of diesel-powered heavy equipment for limited excavation, materials delivery, pier pile driving, bridge sections placement (use of a crane), cement mixing, backfill of excavated areas and trail paving. Such equipment could generate temporary noise levels ranging from 72 to 95 dBA at 50 feet, but the worst-case noise is expected to be less than the higher range because there would be no demolition of existing structures. The Negative Declaration concludes that due to the relatively small scale of the proposed project and the temporary nature of construction noise, increased noise generated from construction would not be considered substantial and thus would not be a significant impact.

Long-term Impacts from Oakland International Airport: The San Leandro General Plan sets exterior and interior noise compatibility standards for specific types of land uses. For “outdoor sports and recreation, neighborhood parks and playgrounds,” the General Plan states that exterior noise levels up to 65dB DNL (day-night average sound level) or CNEL (community noise equivalent level) are “normally acceptable” and between 65dB and 80dB are “conditionally acceptable.” The Negative Declaration determined that aircraft operations at Oakland

*SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION*

International Airport could expose people using the proposed project (bridge and trail) to noise of up to 65 dB DNL or CNEL, which is below the “normally acceptable” threshold established by the City for outdoor recreational facilities. Therefore, the project as proposed will have no significant impacts associated with noise.

Population and Housing. The proposed project would not induce new population growth in the area, nor require displacement of existing residences or substantial numbers of people. Therefore, the project as proposed will have no significant impacts associated with population and housing.

Public Services. Although construction and operation of the proposed project could result in more hikers and bicyclists on the project site, the EBRPD does not expect use of the bridge and trail to cause a significant increase in use of the area until the Oyster Bay Regional Shoreline park is developed (e.g., installation of a parking lot). Therefore, a significant increase in service calls to the San Leandro Fire Department (which is consolidated with the Alameda County Fire Department) and the San Leandro Police Department is not expected. In addition, the proposed project would not result in any additional need for schools in the area. Therefore, the project as proposed will have no significant impacts associated with public services.

Recreation. Although construction and operation of the proposed project could slightly increase use of the existing Oyster Bay Regional Shoreline park, due to the new trail and bridge allowing direct access into the park from the north, the EBRPD has planned for such increased use, and it would not cause or accelerate deterioration of the park. In addition, the proposed project is consistent with ABAG’s *Bay Trail Plan* (ABAG, 1989); the EBRPD’s *Master Plan 1997* (EBRPD, 1996), which sets filling gaps in the Bay Trail as a priority; and the *City of San Leandro General Plan*, which calls for completing the Bay Trail, specifically the proposed bridge which will provide a link to the Martin Luther King Junior Regional Shoreline in Oakland. Finally, although construction activities could affect public access to the existing park facilities, their temporary nature would make the impacts less-than-significant. Therefore, the project as proposed will have no significant impacts associated with recreation.

Transportation/Traffic. As summarized in the table below, the Negative Declaration concludes that with the application of mitigation measures, there will be no significant impacts associated with the proposed project. Therefore, **with the implementation of Mitigation Measure XV-1**, the project as proposed will have no significant impacts associated with transportation/traffic.

Construction of the proposed project would generate approximately 50 to 100 daily construction truck and construction worker vehicle trips over a four-month period. The Negative Declaration concludes, however, that these additional trips would cause a less-than-significant impact on existing regional highways and streets.

Intersection Analysis: The nearest critical intersections that could be affected by construction traffic are Doolittle Drive/Davis Street (approximately 0.6-mile east of the proposed project site) and the I-880/Davis Street interchange and ramp intersections (approximately 1.2 miles east of the proposed project). Under a worst-case analysis, all of the proposed project’s construction traffic would pass through these two intersections. The addition of 50 to 100 daily construction-related vehicle trips through the Doolittle Drive/Davis Street intersection would not create a significant impact on the intersection’s operation because improvements completed in 2005 increased capacity at the intersection (such that a “stable operation/minimal delays” level

*SAN FRANCISCO BAY TRAIL:
SAN LEANDRO SLOUGH CROSSING CONSTRUCTION*

of service can be maintained). The addition of 50 to 100 daily construction-related vehicle trips through the I-880/Davis Street interchange would also not create a significant impact on the intersection's operation (the existing levels of service would not deteriorate, and would remain at or above the minimum level acceptable per San Leandro General Plan policy).

Air Traffic: The proposed project would have no effect on air traffic patterns, and would not require the Oakland International Airport flight operations to be modified.

Access and Staging Areas: The proposed project would use three designated staging areas: adjacent to an existing trail in Oyster Point Regional Shoreline park, accessed via Davis Street from the south; an existing equipment parking area west of the City's wastewater treatment plant, accessed via the plant gate; and at a semi-paved area near an existing building at the north end of the levee maintenance road. Public and emergency access to the existing park facilities could be affected by construction equipment and truck traffic.

<i>Potential Impact</i>	<i>Mitigation Measure that will lessen the impact to a level of insignificance</i>
Impact XV-1: Construction activities could adversely impact public and emergency access to and proposed project vicinity and existing park facilities	Mitigation Measure XV-1: Project bid specifications shall be amended to require preparation of a Truck and Equipment Circulation Program that includes an emergency vehicle access plan, a public access plan, a signage plan, and a public notification plan.

As specified in the MMRP, the construction contractor will be the responsible implementing party and the City of San Leandro will be the enforcing party.

Existing Transportation Facilities: The proposed project would not involve realignment or redesign of any critical transportation facilities (such as roadways) and would not increase transportation hazards. In addition, the proposed project would not conflict with any alternative transportation policies and would not affect plans for alternative forms of transportation.

Utilities and Service Systems. The proposed project site is not currently served by public water, wastewater or solid waste hauling services (water, toilet and waste disposal facilities are available only near the entrance to the Oyster Bay Regional Shoreline park at the end of Neptune Drive), and the proposed project would not require construction of any new wastewater, water supply or storm water drainage facilities. Therefore, the project as proposed will have no significant impacts associated with cultural resources.

Based on the foregoing, Conservancy staff concludes that the subject project as proposed and mitigated, and as additionally tracked as required in the MMRP, poses no potential for significant environmental impacts. Accordingly, staff recommends that the Conservancy find that the Conservancy has independently reviewed and concurs with the Negative Declaration adopted by the City of San Leandro on June 18, 2007, and concludes that there is no substantial evidence that the Conservancy project, as mitigated, may have a significant effect on the environment. Staff will file a Notice of Determination upon the Conservancy's approval of the project.