

COASTAL CONSERVANCY

Staff Recommendation  
September 3, 2020

**BAY AREA TRAIL CONNECTIONS**

Project No. 20-023-01  
Project Manager: Brenda Buxton

**RECOMMENDED ACTION:** Authorization to disburse up to \$75,000 to the Rails-to-Trails Conservancy for planning to facilitate completion of two trail segments identified as regional priorities, and adoption of findings pursuant to the California Environmental Quality Act.

**LOCATION:** East Bay Greenway in Oakland, Alameda County, and the Richmond Greenway in Richmond, Contra Costa County

**PROGRAM CATEGORY:** San Francisco Bay Area Conservancy Program

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EXHIBITS

- Exhibit 1: [Project Location Map](#)
- Exhibit 2: [Bay Area Trails Collaborative](#)
- Exhibit 3: [Project Letters](#)
- Exhibit 4: [Final Initial Study/Mitigated Negative Declaration East Bay Greenway: Lake Merritt BART to South Hayward BART](#)

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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160-31165 of the Public Resources Code:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed seventy-five thousand dollars (\$75,000) to the Rails-to-Trails Conservancy ("the grantee") to undertake planning, including mapping, research, and stakeholder outreach to facilitate completion of two regionally-significant trail segments in Oakland, Alameda County and Richmond, Contra Costa County."

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.

2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.”

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 Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Conservancy Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Rails-to-Trails Conservancy is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.
4. The Conservancy has independently reviewed and considered the Final Initial Study/Mitigated Negative Declaration East Bay Greenway: Lake Merritt BART to South Hayward BART, adopted by the Alameda County Transportation Authority, attached to the accompanying staff recommendation as Exhibit 4. The Conservancy finds that construction of the East Bay Greenway, as mitigated, avoids, reduces or mitigates potential significant environmental effects and that there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.”

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**PROJECT SUMMARY:**

Staff recommends that the Conservancy authorized disbursement of \$75,000 to the Rails-to-Trails Conservancy (RTC) for planning, consisting of mapping, research, and stakeholder outreach, in order to facilitate the completion of two gaps in regionally significant trails: the East Bay Greenway in Oakland, Alameda County and the Richmond Greenway in Richmond, Contra Costa County.

Both of these trail gaps are located in severely disadvantaged communities and have been identified as high priority projects by the Bay Area Trail Collaborative (Exhibit 2), a coalition of over fifty organizations, agencies and businesses that support the common goal of completing, enhancing and maintaining a 2,700-mile regional trail network in the San Francisco Bay Area. The RTC chairs the Collaborative and has led the prioritization process. [Thirteen trail gaps](#) were identified in this process, four of them serving severely disadvantaged communities. The RTC seeks these planning funds because it will allow RTC to focus on two of these severely disadvantaged communities and assist with closing two of these gaps in the regional trail network. RTC will provide make presentations and provide information to community members, elected officials, and city staff about how each trail connects to regional transit hubs, recreational resources, and community facilities (e.g. schools) and the benefits such connectivity provides. RTC also has extensive technical resources on low-cost maintenance strategies which will help facilitate trail acquisition, development and opening of these trail

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segments. When completed, these trails have the potential to connect hundreds of thousands of underserved Californians to the San Francisco Bay Trail and other local and regional trails, public parks, recreation centers, and public transit.

The project would focus on two trail gaps in the East Bay area of the San Francisco Bay Area Region. The **East Bay Greenway** is a proposed regional bicycle and pedestrian trail that will stretch over 16 miles along the Union Pacific Railroad (UPRR) right-of-way from Lake Merritt BART Station in Downtown Oakland to South Hayward. Just one mile has been completed. When finished, the trail will provide a high-quality walking and bicycling facility for some of the East Bay's lowest-income communities, where many residents are transit-dependent and suffer disproportionately high rates of diabetes and obesity. The Greenway roughly parallels the Bay, and there are several proposed trail connections between the East Bay Greenway and the San Francisco Bay Trail, which will ultimately provide shoreline access to the surrounding communities.

The East Bay Greenway project has made some progress in the past decade. In 2008, the local environmental justice organization Urban Ecology released the East Bay Greenway Concept Plan (with funding from the Conservancy, the California Endowment, and the Evelyn and Walter Haas, Jr. Fund). In 2018, the Alameda County Transportation Commission (Alameda CTC) authored and adopted the project's CEQA Initial Study/Mitigated Negative Declaration for Greenway. However, several major barriers remain in place before the project can be fully implemented. These barriers include delays in acquiring of all or parts of the right-of-way, lack of elected official and public knowledge of the project, lack of construction funding, and concerns about maintenance responsibilities and costs. RTC expects that the proposed project will speed up progress on completion of this trail. For the proposed project, RTC will leverage its extensive GIS-based data to create presentations, handouts, maps, and other outreach materials highlighting the transit, public health, and recreation benefits of this trail connection and its connection to the regional trail network to the local community, local officials, and the public. In addition, RTC will provide technical assistance to local agencies based on its experience across the county supporting trail opening. For example, RTC can help local agencies with developing land acquisition and low-cost maintenance strategies in order to address concerns of local jurisdictions about acquiring, constructing and operating the trail.

The **Richmond Greenway** is a bicycle and pedestrian rail-trail that brings 32 acres of vibrant open space to a densely populated, severely disadvantaged community with few recreational opportunities and scarce green space. The path also provides pedestrian and bicycle access to other regional trails and makes key connections with community resources and public transportation. By closing two key gaps at the western and eastern ends of the trail at 23<sup>rd</sup> Street and between 2<sup>nd</sup> Street and Garrard Boulevard, the Richmond Greenway will ultimately provide access to the Bay Trail and the Richmond shoreline to the City's 100,000 plus residents.

The Richmond Greenway project has made significant progress in recent years due to attention and leadership from city planners, elected officials, community-based groups and non-profit resource organizations. In 2017, the Cities of Richmond and El Cerrito completed the Richmond-Ohlone Greenway Gap Closure Project, closing a small but significant gap between the two trails. In 2019, the City of Richmond designed and constructed a two-way cycle track along Ohio

Avenue between Second Street and South Garrard Boulevard, closing a trail gap between the Richmond Greenway and San Francisco Bay Trail after failing to secure agreement from BNSF Railway to acquire that company's adjacent rail right-of-way. And along the way, local Richmond non-profits affiliated with the Friends of the Richmond Greenway coalition have been developing habitat gardens, bioswales, murals, sculptures, playgrounds, and other amenities along the Greenway, establishing the trail as a source of community pride and purpose (see additional discussion of Richmond Greenway related grants in Project History).

Despite such quick and impressive progress, there remains one short but significant gap along the Greenway between 23<sup>rd</sup> Street and Carlson Boulevard. This gap closure involves a grade-separated crossing over a busy arterial and multiple railroad tracks. Specific barriers to the gap closure's implementation include lack of a concrete plan for the design, financing, and construction; need for support from local elected officials and other stakeholders to move forward on planning and design; and lack of a comprehensive wayfinding strategy to address both short- and long-term user navigation issues in and around the existing trail gap while the gap closure project is being planned, designed, and constructed.

As with the East Bay Greenway, the RTC will leverage its GIS-based trail data to help address these barriers by creating presentations, handouts, maps, and other outreach materials on the transit, public health, and recreation benefits of this trail connection. RTC will draw on its nationwide experience supporting trail opening and provide technical assistance on improving trail users' experience, design solutions, and low-cost maintenance strategies to local officials, stakeholders, and the public. In addition, RTC will provide a trail wayfinding concept plan as an interim measure to navigate the trail gap so that the City can promote interim trail use until the longer-term solution is constructed. These efforts will help raise the awareness of the importance of this trail project and increase support for future trail construction.

**Grantee Qualifications:** RTC is a national nonprofit trail advocacy organization, focusing on converting former rail lines into trail networks. The RTC's Western Regional Office has led the Bay Area Trail Collaborative which seeks to improve the overall quality of life in the region by creating more opportunities for recreation and active transportation by linking and expanding the existing bike and walking network in the Bay Area. RTC has mapped and analyzed the regional trail network in order to assess the potential of existing trail gaps to improve connections to other trails, transit hubs, schools, and other community services, improve public health, and reduce greenhouse gases, especially in disadvantaged communities. RTC also has extensive experience working with and providing technical assistance to local stakeholders to promote trail completion.

**Project History:** In 2006, the Conservancy funded the East Bay Greenway conceptual plan, the first step towards making this regional trail a reality. The Conservancy also has a history of funding agencies and organizations working on improving the Richmond Greenway. In 2001, the Conservancy granted funds to the City of El Cerrito to acquire a 1.64-acre parcel on San Pablo Avenue in El Cerrito near the City of Richmond border, which provides land for an extension of the Ohlone Greenway, a bicycle/pedestrian trail that begins in Berkeley and connects to the Richmond greenway. In 2003, the Conservancy granted funds to RTC to support the City of Richmond's production of technical studies and final Master Plan for the Richmond

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Greenway. RTC also helped secure funding that culminated in construction of the first phase of the Richmond Greenway in 2006. In addition, in 2016, the Conservancy granted funds to the City of Richmond, in partnership with The Watershed Project and other partners, for tree planting and green infrastructure in Richmond’s Iron Triangle neighborhood, as well as in the Richmond Greenway. In April 2020, the Conservancy granted funds to The Watershed Project to complete green infrastructure improvements at the Dirt World Park along the Richmond Greenway.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$75,000</b>
Rails to Trails Conservancy	\$46,000
<b>Project Total</b>	<b>\$121,000</b>

The anticipated source of funds is the fiscal year 2019/20 appropriation to the Conservancy from the “California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018” (Prop 68, Public Resources Code Division 45, Chapters 1-13, Sections 80000-80173), in particular Chapter 9, which allocates funds for projects that enhance and protect coast and ocean resources including projects that are consistent with the purposes of the San Francisco Bay Area Conservancy Program at Division 21 of the Public Resources Code. (Pub. Res. Code sections 80120(d)). As defined by Proposition 68, the term “protection” includes actions that will improve access to public open-space areas and actions to allow the continued use and enjoyment of property and natural, cultural, and historic resources. (Section 80002(l)). Facilitating completion of the East Bay Greenway and Richmond Greenway is consistent with the San Francisco Bay Area Conservancy Program and will improve public access to, and enjoyment of, San Francisco Bay by facilitating completion of regional trail connections to the Bay Trail .

The proposed project is consistent with the funding guidelines for expenditure of Proposition 68 adopted by the Conservancy on December 6, 2018 (Guidelines). (See Pub. Res. Code section 80010). As described in the Guidelines, Proposition 68 requires that at least 15% of the total funds available under Chapter 9 be used for projects that serve severely disadvantaged communities (SDACs), defined as a community with a median household income less than 60 percent of the statewide average. (Sections 80002(n) and 80008(a)(2)). As stated in the Guidelines, the Conservancy interprets “serving” an SDAC to mean the project is located within an SDAC, located within a mile of an SDAC, or provides other benefits to an SDAC. The proposed project serves several SDACs by supporting completion of two trails that are located within SDACs.

The match from RTC is the funding that RTC has secured to support the Bay Area Trails Collaborative effort. In addition, the RTC will provide an estimated \$14,000 in labor from program and finance staff to support this project.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165 regarding San Francisco Bay Area projects.

The proposed authorization is consistent with Section 31162(a) because it will help achieve the San Francisco Bay Area Conservancy Program goal of improving public access to and around the bay through completion of the Bay Trail, the Ridge Trail, and the connecting regional trail system. The proposed project will facilitate completion of two regional trails that will connect to the Bay Trail.

Consistent with Section 31163(a), the Conservancy has cooperated with nonprofit land trusts and other organizations in identifying and adopting long-term resource and outdoor recreational goals for the San Francisco Bay Area.

The proposed project is consistent with Section 31163(c), for the following reasons:

1. The proposed project will promote completion of trails that provide safe routes to transit, pedestrian and bicycle facilities, and recreational resources consistent with adopted local and regional plans. In addition, the East Bay Greenway is identified as a Priority Conservation Area in Plan Bay Area 2040.
2. The proposed project is multi-jurisdictional and serves a regional constituency by contributing toward the completion of a regional trail network through the nine counties surrounding San Francisco Bay.
3. The proposed project can be implemented in a timely manner.
4. The proposed project provides benefits that could be lost if the project is not quickly implemented, as there is current momentum built from the work already undertaken by the Bay Area Trails Collaborative.
5. The proposed project leverages work that the RTC has done to date to support the Bay Area Trails Collaborative, identify regional priorities, and create maps, presentations, and other communication tools that highlight the value of completing trails gaps to build the regional trail network.

**CONSISTENCY WITH CONSERVANCY'S [2018-2022 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 11, Objective A** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will identify and prioritize projects that enhance open space lands of regional significance and improve public access.

Consistent with **Goal 13, Objective H**, the proposed project will develop plans for regionally significant public access trails and community connectors.

**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 October 2, 2014, 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. **Promotion and implementation of state plans and policies:** This project would use regional trails to link inland communities to the Bay Trail which is specifically recognized in the California Recreational Trail Plan. In addition, the East Bay Greenway is listed as a Priority Conservation Area in the San Francisco Bay Area's Plan Bay Area 2040.
4. **Support of the public:** There is widespread community interest in completing these two Greenway trail gaps. During the IS/MND process for the East Bay Greenway, the numerous oral comments and twenty-seven written and on-line comments received by the Alameda County Transportation Commission were in support of the project. The Cities through which the proposed project will eventually travel – Oakland, San Leandro, and Hayward – are also strongly supportive of this project. The project is currently included in all three cities' bicycle plans, as well as the Countywide Transportation Plan authored by Alameda CTC. The Richmond Greenway enjoys very strong community support, as evidenced by the many community groups that steward the Greenway, operate programs on the Greenway and/or have adopted segments to maintain and improve it, including the nonprofits Pogo Park, Urban Tilth, Groundwork Richmond, and Richmond Rides. There is also strong support from Mayor Tom Butt (the original champion of the Greenway), and the City's Bicycle and Pedestrian Advisory Committee.
5. **Location:** The Richmond and East Bay Greenways are located in Contra Costa and Alameda Counties respectively and within the jurisdiction of the San Francisco Bay Conservancy Program. This project will enhance connections within the regional trail network.
6. **Need:** Without additional funding from the Conservancy, the RTC will not be able to support implementation of these two Bay Area Trail Coalition high-priority projects.
7. **Greater-than-local interest:** These two trail gaps, when completed, will open up significant stretches of the regional trail network and connect with communities that have traditionally not benefited from open space and recreational opportunities.
8. **Sea level rise vulnerability:** The two proposed trail gaps are inland and not directly affected by sea level rise.

**Additional Criteria**

10. **Resolution of more than one issue:** Closing trail gaps helps address health issues by providing an opportunity for walking, running, or biking which can help increase activity levels. Closing the East Bay and Richmond Greenway’s trail gaps will help address social equity issues since these trail segments are in communities that have greater health disparities and fewer safe active transportation options. Finally, a robust trail network can revitalize communities and have economic benefits with trail-oriented development.
13. **Innovation:** While many in the Bay Area know about the Bay Trail or the Ridge Trail, there is much less awareness of the larger, regional trail network. RTC has led the charge for that network by mapping the trail network, identifying key gaps, establishing best practices for collecting crucial trail use data, providing grant writing technical assistance, creating the Bay Area Trail Collaborative and leading a prioritization process.
16. **Realization of prior Conservancy goals:** This project would support the implementation of the Richmond and East Bay Greenway project which the Conservancy has supported with planning and implementation grants. (See “Project History” Section above.)
19. **Minimization of greenhouse gas emissions:** This project will support closing two critical trail gaps which will connect local residents with transit hubs and other community facilities. Providing safe pedestrian and bicycle alternatives is a keyway to reduce car trips and their associated greenhouse gas emissions.

**CEQA COMPLIANCE:**

The proposed authorization funds the planning work necessary to complete two critical trail gaps in the Bay Area regional trail network, including identifying and refining the trail route and connections to regional facilities, recommending low-cost maintenance approaches, and creating way-finding plans and other technical assistance and outreach materials in order to facilitate the ultimate construction of trail segments

The Richmond Greenway, except for discrete projects at specific locations that have been constructed (see Project History), is still in the early planning stages with only the completion of a conceptual-level Master Plan. RTC’s proposed work to support the closure of the Richmond Greenway trail gaps is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations Section 15262 (“Feasibility and Planning Studies”) because it is for feasibility and planning studies for possible future actions which the Conservancy has not approved, adopted, or funded.

The proposed Richmond Greenway work is also categorically exempt from CEQA pursuant to California Code of Regulations Section 15306 (“Information Collection”) in that it will include basic data collection and resource evaluation activities.

Staff will file a Notice of Exemption for the proposed Richmond Greenway portion of the project upon approval.



For the East Bay Greenway, this authorization would not directly fund construction. However, RTC's activities are to support the eventual construction of the East Bay Greenway. In 2017 the Alameda County Transportation Commission (Alameda CTC), the lead agency, prepared a Draft Initial Study and Mitigated Negative Declaration East Bay Greenway: Lake Merritt BART to South Hayward BART (IS/MND). The IS/MND was released on October 23, 2017, and the public was provided 30-day review period as required by CEQA. The comment period closed on November 21, 2017. Alameda CTC subsequently adopted a Final IS/MND with minor revisions and modifications on March 22, 2018. None of the modifications noted result in "substantial revision" to the Draft IS/MND, requiring recirculation. Rather, the changes in the Final IS/MND provide clarifying information ("merely clarifies, amplifies, or makes insignificant modifications to the negative declaration") as specified in §15073.5(c)(4) of the CEQA Guidelines.

The IS/MND included a Mitigation Monitoring Reporting Program (Appendix C, pp. 305-319, in attached Exhibit 4) which addresses the potential impacts of the proposed trail construction. The IS/MND identified potential impacts in the areas of aesthetics, air quality, biological resources, cultural resources, hazards and hazardous materials, and noise and vibration. Mitigation measures were adopted to assure that these potential impacts are avoided or reduced to less-than-significant levels, as summarized below:

**Aesthetics:** Construction has the potential to impact site aesthetics with temporary use of construction equipment, tree removal, constructing fences and retaining walls, and installing lighting. Potential aesthetics impacts will be made less than significant by landscaping of the trail corridor, applying aesthetic design standards to constructed features, such as bridges, walls, and fencing, minimizing retaining walls that block views, replacing trees removed during construction, limiting construction hours near residences, and minimizing incidental illumination of adjacent properties from night time lighting.

**Air Quality:** Air quality impacts (e.g. dust and emissions) from the construction of the proposed trail will be managed by incorporating Caltrans' Specifications in Section 14-9 Air Quality and the Bay Area Air Quality Management District's Basic Construction Mitigation Measures regarding controlling dust and managing construction equipment into construction specifications. Construction air quality impacts are therefore considered less than significant.

**Biological Resources:** The proposed trail is in a densely developed urban environment. However, some special-status species could be affected by the project when crossing creeks, removing trees or vegetation or disturbing roosting areas. To mitigate these potential impacts to a less-than-significant level, the IS/MND requires various measures including: training of construction personnel, requiring the construction contractor to implement specific measures to protect western pond turtles, nesting birds, bats, fish, installing fencing to protect environmentally sensitive areas, avoiding introduction of invasive plants in erosion control, implementing water quality protection measures, and avoiding trees pursuant to county and city tree ordinances.

**Cultural Resources:** Potential impacts to archaeological impacts will be avoided by creating

a Phase I Archaeological Investigation. This investigation may require additional studies, monitoring, or actions and will be established in consultation with Caltrans. Construction contractors will also be required to establish procedures and train construction personnel in the appropriate response if cultural or paleontological resources or human remains are unearthed.

**Hazards and Hazardous Materials:** During the railroad crossing construction, there is the potential for encountering hazardous materials. To mitigate this potential impact to a less-than-significant level, the District will conduct a limited subsurface investigation of the crossing area. If soil testing results exceed Regional Water Quality Control Board environmental screening levels (ESLs) for the proposed recreational use, a Site Management Plan (SMP) shall be prepared by a qualified hazardous materials consultant to establish management practices for handling contaminated soil or other materials encountered during construction activities.

**Hazards and Hazardous Materials:** The project's location in an urban transit corridor creates the potential to encounter lead-based paint, asbestos, or aerially deposited lead. To mitigate these potential impacts to a less-than-significant level, the construction contractor will be required to conduct preliminary investigations and implement Best Management Practices pursuant to state and federal OSHA standards, County regulatory requirements for the disposal of hazardous materials, and state and federal hazardous waste laws.

**Noise and Vibration:** Construction-generated noise and vibration would be temporary and short-term, and reduced to a less-than-significant level by requiring the contractor to meet equipment standards, follow local construction noise ordinances, and to limit construction hours.

Staff has independently reviewed the IS/MND and recommends that the Conservancy find that there is no substantial evidence that the RTC's activities to support eventual construction of this project will result in a significant adverse effect on the environment as defined in 14 Cal. Code of Regulations Section 15382. Staff will file a Notice of Determination for the East Bay Greenway portion of the project upon approval of the project.