INFORMATION REQUIRED FOR PROBABLE CATEGORICAL EXCLUSION (Per 23 C.F.R. Part 771.118)

The following information should be included in the letter or attached to the letter from the applicant to FTA Region 9 to support the request for a Categorical Exclusion (CE) determination.

_____A. DETAILED PROJECT DESCRIPTION:

- Include project features and identify project sponsor.
- Include funding source (e.g., CMAQ, formula funds, discretionary funds, etc.)

The East Bay Greenway Segment II Project (Seminary Ave to 69th Ave) on San Leandro Street in the City of Oakland will include the installation of bicycle and pedestrian improvements. This project is the second segment of the regionally significant East Bay Greenway project (Project), a 16-mile-long multi-jurisdictional multi-use path between the South Hayward Bay Area Rapid Transit (BART) station and the Lake Merritt BART station. The first segment of this path has been implemented east of the Coliseum BART station between 73rd Avenue and 85th Avenue in Oakland and was both locally and federally funded. The East Bay Greenway Segment II (Seminary Ave to 69th Ave) Project would also function as the second segment of the Coliseum BART to Bay Trail Project. The project proponent is the City of Oakland.

The area where project facilities would be installed spans approximately 0.53 mile; Figure 1 shows a cross section of the proposed 14 feet wide path, including the 2-foot shoulders, except for four locations where the path narrows to 12 feet wide to accommodate existing constraints. The entire path would be separated from traffic on San Leandro Street by a 3-foot-wide landscaped area with trees and lighting. In addition to the path itself, specific elements of the project include pedestrian-scale street lights; bicycle and pedestrian crossing treatments at Seminary Avenue, 66th Avenue, and 69th Avenue; and drought-tolerant landscaping and street trees. Signal poles at these intersections will be removed and replaced to accommodate the path construction and all three intersection signals will be upgraded with accessible pedestrian push buttons and video detection for bicycle traffic. The intersection of 66th Avenue and San Leandro Street will be upgraded to provide protected left turn movements from 66th Avenue onto San Leandro Street. Construction of the project is anticipated to take 10 months. A separate, concurrent City of Oakland project will provide striping improvements to connect 69th Avenue to the Coliseum BART station along San Leandro Street through the use of bicycle lanes.

The City of Oakland Department of Transportation is funding the project through Affordable Housing Sustainable Communities (AHSC), local match from the City of Oakland, the Federal Transit Administration (FTA), and other regional funding, which will be passed to the project proponent, the City of Oakland, to construct this project. The total cost of the project is estimated to be between $4 and $5 million.

A California Environmental Quality Act (CEQA) Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the full East Bay Greenway (including the Seminary Avenue to 69th Avenue segment) by the Alameda County Transportation Commission in May 2018. Mitigation measures from the IS/MND are included in the sections below where applicable and will be implemented with the proposed project. The IS/MND covered a larger area than the proposed project and some mitigation measures include provisions from other municipalities that do not apply to the proposed project. Where this is the case, footnotes are provided to clarify what content applies to the proposed project. The IS/MND is included as

Appendix A. The California Department of Transportation (Caltrans) prepared a National Environmental Policy Act (NEPA) Categorical Exclusion (CE), finalized in November 2018, for the full East Bay Greenway with the Federal Highway Administration (FHWA) as the federal lead agency.

_____B. LOCATION (INCLUDING ADDRESS): Attach a site map or diagram, which identifies the land uses and resources on the site and the adjacent or nearby land uses and resources. This is used to determine the probability of impact on sensitive receptors (such as schools, hospitals, residences) and on protected resources.

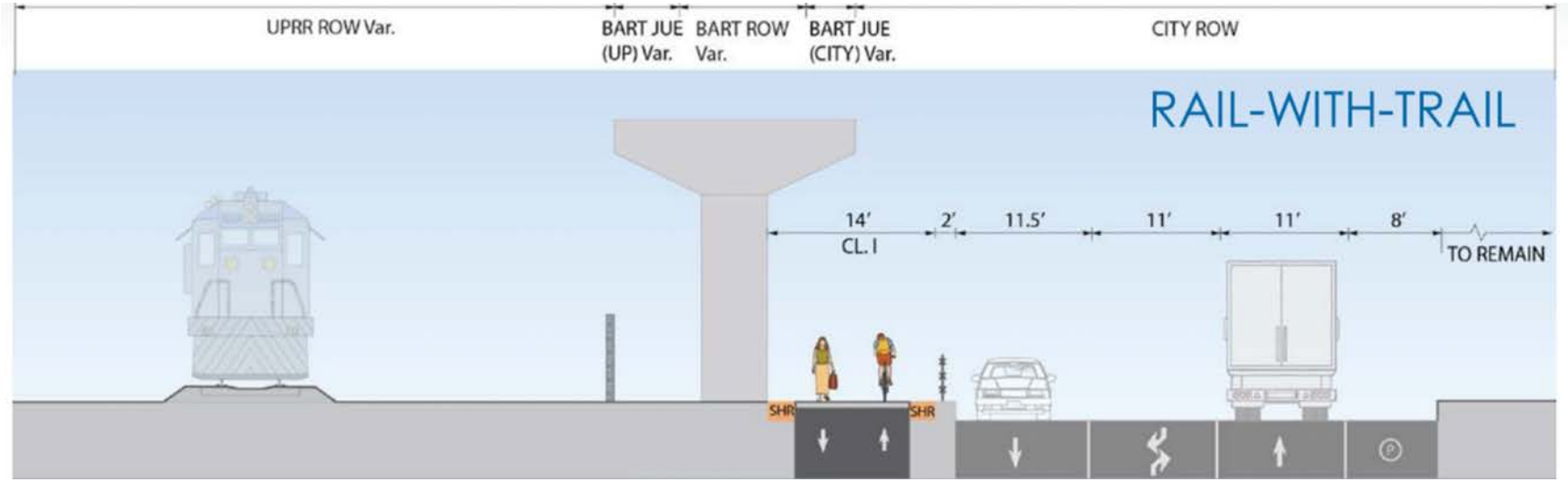
- Site map should show a ½-mile radius and include labels for water resources and key features such as parks, designated sensitive areas, and adjacent uses.

The project site, which is in the City of Oakland's Coliseum neighborhood, spans approximately 0.53 mile of San Leandro Street. Figure 2 is a map of the project site as well as the 0.5-mile buffer around the site. This figure also shows nearby sensitive receptors, protected resources, and other key features. Figure 3 shows zoning designations in and around the project site.

_____C. METROPOLITAN PLANNING AND AIR QUALITY CONFORMITY: Is the proposed project "included" in the current adopted MPO plan, either explicitly or in a grouping of projects or activities? What is the conformity status of that plan? Is the proposed project, or are appropriate phases of the project, included in the TIP? What is the conformity status of the TIP?

- Include the year of the adopted plan or adopted amendment and the project number.
- Include date that the RTP was found to be conforming.
- Is the project description consistent with what is listed in the plan?

Projects that include the installation of bicycle and pedestrian facilities are *exempt* from conformity requirements, per 40 Code of Federal Regulations (CFR) Section 93.126. The applicable regional conformity plan for the project site is the Metropolitan Transportation Commission's Plan Bay Area 2050, which was adopted by the Metropolitan Transportation Commission in October 2021. The Project is included in the Metropolitan Transportation Commission's 2021 Transportation Improvement Plan (TIP) (Metropolitan Transportation Commission 2020). The 2021 TIP was determined to be conforming in 2021 (Metropolitan Transportation Commission 2021). The East Bay Greenway project is included in Plan Bay Area 2040 as part of Alameda County's Bicycle and Pedestrian Program. Projects in this program include new pedestrian and bicycle facilities as well as facilities to connect existing network gaps. The Project is consistent with the goals of Alameda County's Bicycle and Pedestrian Program.



ICF Graphics ... 00704.20 (2-5-2021) JC

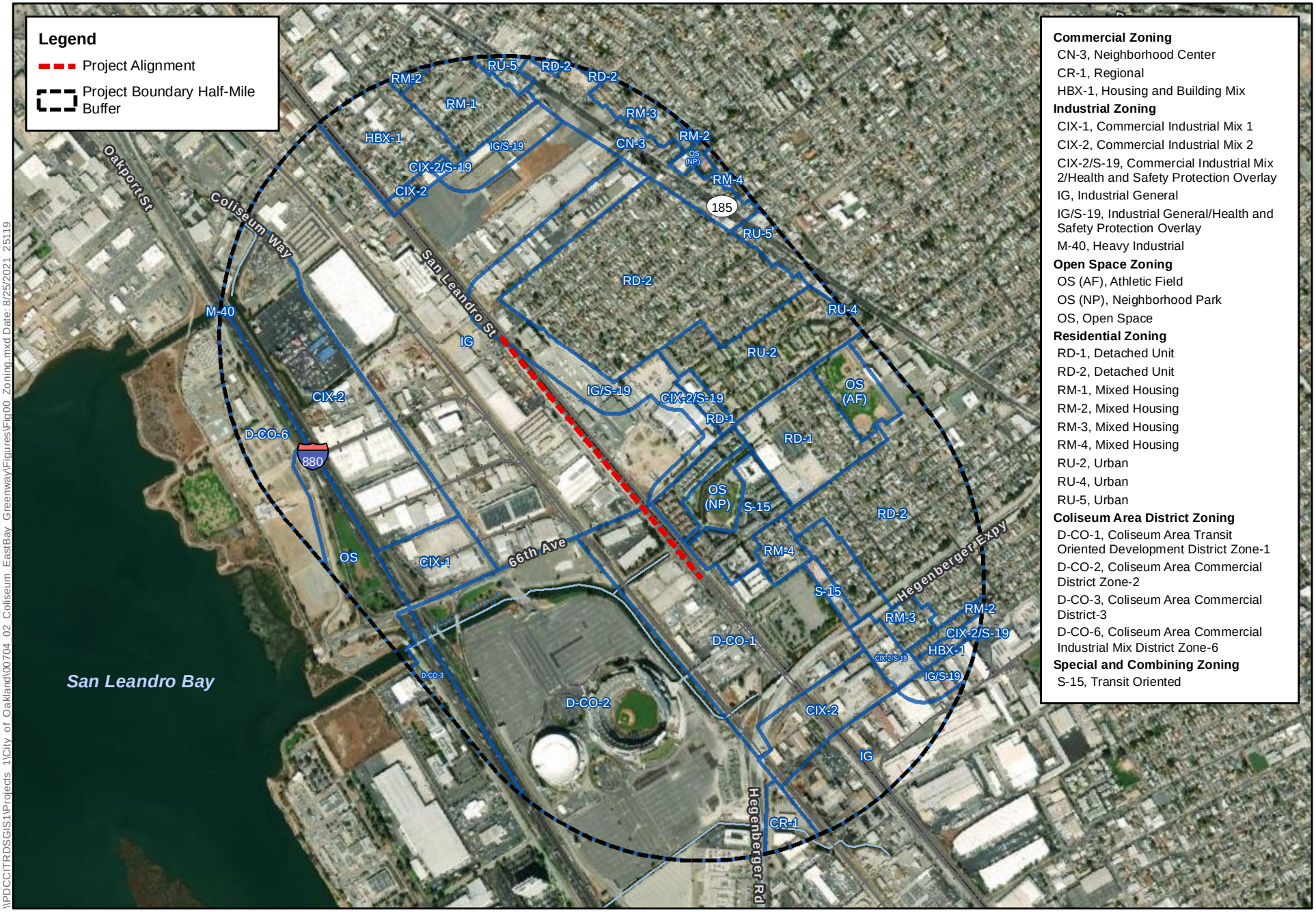
Figure 1
Typical EBGW Cross Section

0 500 1,000 Feet

N

Source: ESRI

Figure 2
Project Location
East Bay Greenway (EBGW) Seminary to 69th Avenue



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0 600 1,200 Feet

N

Source: ESRI

Figure 3
Zoning Districts
East Bay Greenway (EBGW) Seminary to 69th Avenue

_____D. LAND USE AND ZONING: Description of zoning, if applicable, and consistency with proposed use. Attach maps.

- Consistency with zoning also includes consideration of adjacent uses.
- Any proposed land use zoning changes.

The City of Oakland zoning map indicates that the project site is zoned Industrial General and Coliseum Area Transit Oriented Development District, Zone 1 (City of Oakland 2018). Zoning designations for areas adjacent to the project site include Industrial General, Coliseum Area Transit Oriented Development District (Zone 1), Transit Oriented, and Open Space (Neighborhood Park) (City of Oakland 2018). The BART tracks, which run parallel to the project site, are elevated above street level in this area (i.e., above San Leandro Street). The project does not propose any activities that would conflict with applicable zoning designations, nor does it propose land use zoning changes. There would be no effect on land use and zoning.

_____E. PRIME AND UNIQUE FARMLANDS: Does the proposal involve the conversion of any prime or unique farmlands into a transportation use? If so, describe potential impacts, acreage of farmlands affected, and any coordination with the Soil Conservation Service of the U.S. Department of Agriculture (attach maps).

The proposed project would not include the conversion of any prime or unique farmland into a transportation use. The project would be entirely within urban and built-up land (California Department of Conservation 2020).

_____F. TRAFFIC AND PARKING IMPACTS: Describe potential traffic impacts, including whether the existing roadways have adequate capacity to handle increased bus and other vehicular traffic. Describe potential impacts on the on- and off-street parking.

- Will there be a permanent loss of on-street or off-street parking?
- If the project includes a parking structure on an existing surface lot, what is the net increase in parking?
- Will there be increased bus services or will the project accommodate existing service?
- Will the project require traffic signal work or modification of lanes (e.g., add turn lanes, remove medians, remove lanes, restripe lanes, shift lanes)?

San Leandro Street is an arterial street with two lanes for traffic in each direction. In the northbound direction, between Seminary Avenue and 66th Avenue, there is no on-street parking. In the southbound direction, between Seminary Avenue and 66th Avenue, there is one lane for on-street parking. Between 66th Avenue and 69th Avenue, there is one lane for on-street parking in both directions. The number of lanes for vehicles on San Leandro Street between Seminary Avenue and 69th Avenue would not change as a result of the project.

Between Seminary Avenue and 69th Avenue, there are three controlled intersections. Specifically, the intersections at San Leandro Street and Seminary Avenue, San Leandro Street and 66th Avenue, and San Leandro Street and 69th Avenue are controlled by traffic signals. At these intersections, improvements would be required to accommodate a trail crossing. Improvements would include new crosswalk striping, curb modifications and extensions, signalized intersections, and dedicated left- and/or

right-turn pockets. The project would install bicycle and pedestrian crossing treatments at Seminary Avenue, 66th Avenue, and 69th Avenue. Three traffic signals would be modified by the project. Signal poles at these intersections would be removed and replaced to accommodate the path construction and all three signals would be upgraded with accessible pedestrian push buttons and video detection for bicycle traffic. The intersection of 66th Avenue and San Leandro Street would be upgraded to provide protected left turn movements from 66th Avenue onto San Leandro Street.

No new parking is proposed by the project. Although approximately 31 parking spaces would be lost on San Leandro Street between 66th Avenue and 69th Avenue, parking is available in the area on 66th Avenue, Leona Creek Drive, Lion Way, and elsewhere on San Leandro Street to absorb the parking loss resulting from the project. This parking would be within the 0.5-mile radius shown on Figure 2. As noted in the *Community Impact Assessment for the East Bay Greenway Project*, "up to 52 parking spots in excess of demand are available in the area; therefore, the loss of 31 spaces would not exceed parking demand" (ICF 2017a, Attachment B).

There are three bus stops on San Leandro Street at the intersection with 66th Avenue. Two bus stops are on the opposite side of the street from the project; one is on the same side as the project. The proposed project would not permanently eliminate any bus loading areas but would require accommodations to maintain the bus stops, relocation of the bus stop from the south side to the north side of the 66th Avenue and installation of an accessible boarding area at the relocated bus stop, and the construction of a raised, separated bikeway through the bus boarding area. Appropriate accommodations would be provided for the affected bus stop at the intersection of San Leandro Street and 66th Avenue. The project would accommodate existing bus service and therefore would not result in any permanent disruption in bus service.

The completed project would not have adverse long-term effects on traffic and parking. However, temporary impacts would occur during the 10-month project construction period. Construction-related effects are discussed in Section W, Impacts Caused by Construction.

_____G. AESTHETICS AND VISUAL QUALITY: Will the project affect or block views of a designated scenic vista? Will the project substantially change the existing visual character or quality of the site and its surroundings? Describe any new sources of light, glare, and shade and shadow on adjacent land uses.

Scenic views of the Oakland Hills, which are east of the project site, and San Francisco Bay are available from the project vicinity. The nearest designated scenic highway is Interstate 580, which is approximately 2 miles east of the project site. The project would have no impact on views from this scenic highway.

The project would introduce additional sources of light to the project site. The low-level lighting would ensure safety and facilitate wayfinding for pedestrians and bicyclists; no bright lights would be installed. Because the project would follow existing transportation corridors, it is expected that the lighting would represent an incremental addition to the existing street lighting. Similarly, any increase in glare due to the additional lighting would be incremental with respect to existing conditions. To minimize the effect of new lighting, the project would adhere to the lighting standards set forth in the City of Oakland *Standard Specifications for Public Works Construction*, which include standards for lighting materials (City of Oakland 2020:166). The *Oakland Street Light Design Manual* also includes guidance on the various types of pedestrian lighting permitted in the City of Oakland (City of Oakland 2013). Pedestrian lighting installed by the project would be consistent with all applicable City of Oakland guidance regarding pedestrian lighting designs.

Where the project crosses existing roadways, such as Seminary Avenue, 66th Avenue, and 69th Avenue, intersection improvements may include new crosswalk striping, curb modifications and extensions, improvements to signalized intersections to accommodate cyclists and pedestrians, and dedicated left- and/or right-turn pockets. These improvements would change the visual quality of the project site but not in a way that would adversely affect the visual quality of the area. In addition, the project would provide opportunities for general landscaping, including shrubs and trees; hardscape improvements; green infrastructure; and linear open space areas. Improvements would focus on general landscaping and stormwater infrastructure within right-of-way (ROW) areas, at trail access points, and at trail intersections with surface streets. Any improvements to the landscape of the project corridor would benefit the visual condition of the site.

When complete, the project would constitute an improvement to existing aesthetic conditions by adding landscaping and other design elements with visual interest to an otherwise unadorned, primarily industrial corridor. Overall, the effect of the project on aesthetics and visual quality in the vicinity would not be adverse and would be beneficial.

_____H. AIR QUALITY: Does the project have the potential to affect air quality? Is the project located in an non-attainment or maintenance area. If there are traffic delays at intersections, and if the area is nonattainment for CO, demonstrate that CO hot spots will not result.

- Is the area in an EPA-designated attainment, maintenance, or non-attainment area?
- Will the project exacerbate conditions of an existing hot spot or non-attainment area?

The project site is within state nonattainment areas for ozone, particulate matter with a diameter of 10 microns or less (PM10), and particulate matter with a diameter of 2.5 microns or less (PM2.5) as well as federal nonattainment areas for the 8-hour ozone standard and PM2.5 (Bay Area Air Quality Management District 2020). The project site is not within a nonattainment area for carbon monoxide (CO); therefore, CO hot spots would not result from project construction. The project, which would include the installation of pedestrian and bicycle facilities, would result in no operational emissions of criteria pollutants. Therefore, project operations would not have an adverse effect on air quality. However, temporary impacts on air quality would occur during project construction. These impacts are discussed in Section W, Impacts Caused by Construction.

_____I. HISTORIC AND CULTURAL RESOURCES: Describe any cultural, historic, or archaeological resource that is located in the immediate vicinity of the proposed project and the impact of the project on the resource. Discuss State Historic Preservation Officer (SHPO) consultation. Discuss consultation with Native American tribes or historic preservation groups. Attach any relevant correspondence or call logs.

- Are there any sites eligible for listing in the National Register of Historic Places?
- Is the project located in the vicinity of a Historic District?
- Include documentation of any SHPO consultation.
- Identify Native American tribes (federally recognized and non-federally recognized tribes). Consider consulting the Native American Heritage Commission (NAHC), Bureau of Indian Affairs, and other sources, like the Tribal Directory Assessment Tool (TDAT) (https://egis.hud.gov/tdat/).
- Has a request of a search of the Sacred Lands File from the Native American Heritage Commission been completed?

- Has coordination been conducted with Native American tribes? (Note: Native American consultation, particularly for federally recognized tribes, must be conducted through FTA).

Project activities would involve grading and soil removal for construction of the trail. Soil excavation to a maximum depth of 14 feet for signal pile foundations, and shallower depths for other project elements, would also occur. Section V, *Cultural Resources*, of the 2018 IS/MND also determined that project-related ground disturbance would not occur at the location of the previously documented human remains and that the likelihood of encountering human remains during project construction would be low (ICF 2018a:2-66).

The project site does not fall within a historic district and does not include structures or archaeological resources that have been recommended for listing in the National Register of Historic Places (NRHP) or determined to be eligible for the NRHP. State Historic Preservation Officer consultation is not required. A search of the Sacred Lands File of the Native American Heritage Commission (NAHC), as well as a list of tribal representatives, was requested of the NAHC on February 3, 2021. The NAHC response received on March 8, 2021, indicated that the Sacred Lands File search was negative. The materials related to this search are included as Appendix C.

A records search conducted at the Northwest Information Center (NWIC) on December 29, 2016, for the complete East Bay Greenway project (ICF 2018b) covered the area that includes the site for the East Bay Greenway Segment II (Seminary Ave to 69th Ave) Project. The records search did not identify previously recorded cultural resources within the extent of the project site. However, 14 previously recorded cultural resources were identified within 0.5 mile of the project site. These resources consist of historic-era built resources, none of which have been determined to be eligible for listing in the NRHP. None of the resources discussed above would be affected by project construction. In addition, a desktop geoarchaeological survey conducted for the East Bay Greenway project (ICF 2018b) noted that the area along San Leandro Street between 52nd Avenue and Hegenberger Road is sitting on artificial fill. This area encompasses the site for the East Bay Greenway Segment II (Seminary Ave to 69th Ave) Project. The artificial fill landforms appear to correspond with areas that were located seaward of the pre-development shoreline. A review of historic shoreline maps indicates that the current project area sits both on the edge and seaward of the predevelopment shoreline (ICF 2018b). This area may have once been inundated during high tide but exposed at low tide. Fill was used to reclaim the area for development; therefore, the area may overlay sensitive landforms or as-yet undocumented archaeological resources.

Artificial fill generally has low to moderate potential with respect to containing buried archaeological resources (ICF 2018b). The potential impacts of project construction on such resources are discussed in Section W, Impacts Caused by Construction. Mitigation Measures CUL-2 and CUL-4 from the IS/MND would be implemented in the event of cultural resource discovery during construction (ICF 2018a:2-66 to 2-67).

_____J. NOISE: Compare the distance between the center of the proposed project and the nearest noise receptor to the screening distance for this type of project in FTA's guidelines. If the screening distance is not achieved, attach a "General Noise Assessment" with conclusions.

- Identify sensitive noise receptors, including residences, outdoor eating areas, parks, outdoor public gathering places, etc. Are there outdoor pools?
- What is the distance of the closest sensitive receptor?

- Are there existing noise barriers (walls, earthen berms, etc.) or intervening structures?

Sensitive receptors in the vicinity of the project site include residences, parks, and schools. There is a residential neighborhood, located approximately 200 feet northwest (at the closest point) of the Seminary Avenue end of the project site. The closest single-family residences in this neighborhood are approximately 300 feet from the project site. There are also multi-family residences adjacent to the southern portion of the project site, along San Leandro Street between 66th Avenue and 71st Avenue. This includes the Coliseum Connections development, a transit-oriented project completed in 2019.

Other sensitive receptors in the vicinity of the project site include Coliseum Gardens, a small neighborhood park, located approximately 250 feet northwest of the project site; City of Oakland Head Start, a preschool located approximately 500 feet northwest of the project site; Lion Creek Crossing Family Resource Center, which provides early-childhood educational services and after-school programs, located approximately 600 feet northwest of the project site; and Acts Christian Academy, a private K–8 school located approximately 1,100 feet northwest of the project site.

Use of the East Bay Greenway by pedestrians and bicyclists could generate intermittent daytime noise, which would be typical of a pathway in an urban setting and would not noticeably change the average noise level in the vicinity of the project. Therefore, the project would, at most, result in minor operational noise effects. This project's primary impacts related to noise would be during construction. Construction-related noise impacts are discussed in Section W, Impacts Caused by Construction.

_____K. VIBRATION: If the proposed project involves new or relocated steel tracks, compare the distance between the center of the proposed project and the nearest vibration receptor to the screening distance for this type of project in FTA's guidelines. If the screening distance is not achieved, attach a "General Vibration Assessment" with conclusions.

The project would not involve new or relocated steel tracks. No long-term vibration impacts would occur as a result of the project. Temporary vibration resulting from construction of the project is discussed in Section W, Impacts Caused by Construction.

_____L. ACQUISITIONS AND RELOCATIONS REQUIRED: Describe land acquisitions and displacements of residences and businesses. Include discussion of any permanent or temporary easements required.

- Include discussion of temporary construction easements (if not already included in the construction section) and partial acquisitions.
- If applying for the CE for "Operational Right-Of-Way," please refer to (23 CFR 771.117(c)(22), 771.118(c)(12)) and consult FTA.

No property acquisitions or relocations would be necessary to complete the proposed project. Construction would occur primarily within a City of Oakland ROW. Work extending into the BART ROW would be completed under an encroachment permit from BART; however, no land would need to be permanently acquired for the project and no easements would be required during construction or operation of the proposed project. No effects would occur.

_____M. HAZARDOUS MATERIALS: Is there any known or potential contamination at the project site? This may include, but is not limited to, lead/asbestos in existing facilities or building materials; above- or below-ground storage tanks; or a history of industrial uses of the site.

- If real property is to be acquired, has a Phase I site assessment for contaminated soil and groundwater been performed?
- If a Phase II site assessment is recommended, has it been performed?
- Is there current, ongoing remediation?
- What steps will be taken to ensure that the community in which the project is located is protected from hazardous materials and remediation activities contamination during construction and operation of the project?
- State the results of consultation with the cognizant state agency regarding the proposed remediation?
- Resource: http://geotracker.waterboards.ca.gov.

A search of the EnviroStor and GeoTracker databases was conducted to determine if known hazardous material sites are located in the vicinity of the project site. A 250-foot buffer was used in the database searches because ground disturbance during project construction would have a maximum depth of 14 feet and be contained within a narrow corridor. The EnviroStor search identified no open sites within 250 feet of the project site (Department of Toxic Substances Control 2020).

The GeoTracker search identified one open site within 250 feet of the project site (State Water Resources Control Board 2020). The Prologis San Leandro Street site is located at 6815–6905 San Leandro Street, approximately 250 feet southwest of the Project site. A Phase II environmental assessment was completed for the site in 2019, and a soil sampling work plan was approved in December 2020 to assess soil contamination at the site (Langan 2019, 2020). Previous site documentation indicates that soils at the site contain elevated concentrations of petroleum hydrocarbons and metals at the surface, with localized non-surface concentrations in specific parts of the site. Groundwater testing included in the site's Phase II environmental assessment indicated that "site groundwater locally contains concentrations of extractable range hydrocarbons and select metals, but does not appear to contain site-wide hydrocarbon or chlorinated [volatile organic compounds] groundwater impacts" (Langan 2019).

An initial site assessment (ISA) was completed for the full East Bay Greenway project in 2017. Recommendations made in the ISA and included in mitigation measures that would be applied to this Project site include the following:

- Based on a review of aerial photographs and U.S. Geological Survey maps, the majority of the East Bay Greenway is within a former railroad ROW. This includes areas from 47th Avenue in Oakland, along San Leandro Street, to the South Hayward BART station. Soils adjacent to railroad tracks are typically affected by polynuclear aromatic hydrocarbons from railroad ties, heavy metals from the slag ballast used to set the ties, total petroleum hydrocarbon as diesel (TPH-D) from locomotives, fuel oil, and polychlorinated biphenyls (PCBs). It is therefore recommended that surface soils in areas adjacent to the tracks be sampled and analyzed for TPH-D, heavy metals, and polynuclear aromatic hydrocarbons.
- Unpaved areas along the East Bay Greenway from San Leandro Boulevard in San Leandro to San Leandro Street in Oakland, as well as the East 12th Street interchange in Oakland, have been traffic-bearing roads since the 1950s. Although the use of leaded gasoline has been reduced since the 1980s, aerially deposited lead (ADL) has been detected in roadways with heavy traffic use built prior to the 1980s. It is likely that surface soils along the aforementioned areas have been

affected by ADL and therefore should be investigated. It is recommended that surface samples of soil (i.e., from 0 to 2 feet, or based on the excavation scenario) be collected and analyzed for total lead in the areas that are to be disturbed. A work plan should be developed for such sampling, based on the final design of the project.

- A portion of the East Bay Greenway runs through a current or historic industrial part of Oakland and San Leandro. Specifically, the areas between Fruitvale Avenue and 47th Avenue, between Park Street and Davis Street on San Leandro Street, and between Washington Avenue and 143rd Avenue have current or historic commercial properties on both sides of the streets. The majority of these properties have been in existence since the 1940s, a time when lead-based paint was commonly used in buildings. In addition, it was common practice to scrape the lead paint when repainting buildings. Therefore, surface soils in these areas are most likely affected by lead-based paint.
- Based on a review of environmental data, the following areas within the ROW should be characterized to address potential off-site migration issues from adjacent properties:
    - Areas along the East Bay Greenway south of 54th Avenue associated with the former General Electric facility at 5441 International Boulevard. The former General Electric facility is affected by PCBs and chlorinated solvents. The PCBs have been capped in place; the chlorinated solvents are undergoing cleanup. However, PCBs may have been placed on the East Bay Greenway during past operations and may have affected the soils.

In accordance with IS/MND **Mitigation Measure HAZ-2: Conduct a Preliminary Investigation and Screening for Aerially-Deposited Lead** and **Mitigation Measure HAZ-3: Conduct a Preliminary Investigation and Screening for Soils Along Railroad ROW**, ground-penetrating radar testing and a geophysical survey were completed for the project in early 2021 (ICF 2018a:2-85 to 2-86). An Investigation Findings Report was prepared in April 2021 to present the results of the investigation and is attached as Appendix D. This investigation surveyed for buried objects, collected and analyzed soil samples from 15 locations at the project site, and included recommendations that would be implemented during construction to address potential effects associated with hazardous materials during construction. The stockpiling, disposal, tracking, transportation, and final placement of impacted soils would be done in conformance with all local, state, and federal regulations.

The potential exists for hazardous materials to be encountered because of excavation or the use of standard construction equipment and materials. The recommendations made in the Investigation Findings Report will be implemented during project construction. Construction impacts are discussed in Section W, Impacts Caused by Construction.

Applicable IS/MND Mitigation Measures

Mitigation Measure HAZ-2: Conduct a Preliminary Investigation and Screening for Aerially-Deposited Lead

The project proponent and/or its contractors will conduct a preliminary investigation and screening for ADL to assess ADL levels in the surface and near-surface soils along the project corridor. If soils contain ADL in excess of established thresholds, soils will be handled in a manner compliant with the County CUPA [Certified Unified Program Agency] regulatory requirements and disposed of properly.

Mitigation Measure HAZ-3: Conduct a Preliminary Investigation and Screening for Soils Along Railroad ROW

Surface soils in the areas to be improved adjacent to the former railroad tracks must be sampled and analyzed for TPH-D, heavy metals, and polynuclear aromatic hydrocarbons. A work plan will be prepared, and a sampling and analytical program developed prior to initiation of the work.

_____N. COMMUNITY DISRUPTION AND ENVIRONMENTAL JUSTICE: Provide a socio-economic profile of the affected community. Describe the impacts of the proposed project on the community. Identify any community resources that would be affected and the nature of the effect.

- Will the project physically divide a community?
- Will the project affect community character (add a feature that would be obtrusive or not consistent with its surroundings)?
- Does the project have the potential to disrupt community activities or community uses (e.g., community centers, parks, churches, etc.)
- Discuss if the project would or would not result in disproportionate high and adverse effects on environmental justice communities. Mention project benefits.
- Resource: FTA Environmental Justice Circular https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_EJ_Circular_7.14-12_FINAL.pdf.

The East Bay Greenway is a longstanding community priority as identified in the East Oakland Neighborhoods Initiative, the East Oakland Mobility Action Plan (formerly known as the East Oakland Community-Based Transportation Plan), the 2015 Coliseum City Specific Plan, and numerous citywide bike plans. This multi-purpose trail would not physically divide the community; rather, it would provide connectivity for pedestrians and bicyclists within the community as well as new lighting and landscaping. These features would improve upon the existing use and character of the project area, which is primarily industrial.

The project would introduce features that would affect the character of the project site in a beneficial manner through additional connectivity and safer pedestrian and bicycle access within the community. The project would not have the potential to disrupt community activities or uses.

Land uses near or directly adjacent to the project site include community commercial, mixed residential, and urban residential uses. As shown in Table 1, the project is in an area where minority and low-income populations are predominant. The percentage of non-white residents in the census tract containing the project site is greater than the countywide and statewide percentage. The median household income in the census tract containing the project site is $23,819, which is substantially lower than Oakland's median household income of $73,962.

Project impacts on the community would be temporary and intermittent because they would be limited to the duration of construction (refer to Section W, Impacts Caused by Construction). When completed, the project would have a beneficial effect on the community in that it would increase connectivity, safety, and accessibility for pedestrians and bicyclists in the community by providing designated pedestrian and bicycle facilities. Overall, the project would not result in disproportionately high or adverse effects on minority communities.

Table 1: Minority Populations in the Project Vicinity

Race or Ethnicity	Percent of Total Population			
	Census Tract 4088	City of Oakland	Alameda County	California
White	5.4%	28.3%	31.4%	37.2%
Black/African American	38.0%	23.2%	10.3%	5.5%
Hispanic/Latino	46.6%	27.0%	22.4%	39.0%
Asian	4.3%	15.3%	29.9%	14.3%
American Indian/Alaska Native	0.0%	0.3%	0.3%	0.4%
Native Hawaiian/Pacific Islander	5.0%	0.5%	0.8%	0.4%
Other Race Alone	0.0%	0.4%	0.3%	0.3%
Two or More Races	0.6%	4.8%	4.5%	3.0%

Source: U.S. Census Bureau 2020.

The project would not result in community disruption or disproportionately high or adverse effects on environmental justice communities.

_____O. SECTION 4(f) USE: Indicate parks and recreational areas, historic resources, and any other Section 4(f) resources on the site map. If the activities and purposes of these resources will be affected by the proposed project, state how. State if the project will result in a use (direct and/or constructive use) or temporary occupancy of a Section 4(f) resource. If the project results in a Section 4(f) use, would the impacts be considered de minimis?

- Will the project require right-of-way, any parks, recreation areas, historic resources, or other Section 4(f) resources?
- Will the project change access or require temporary closures or detours of any Section 4(f) resource.
- What is the distance of the closest park?
- Mention any temporary use or temporary occupancy (including any temporary construction easements or construction staging areas) at any parks, recreation areas, historic resources, or other Section 4(f) resources.
- Mention consultation with agencies of jurisdiction (e.g., City Parks and Recreation departments, etc.).
- Does the project use of common concrete and steel bridges and culverts, built after 1945, and the exemption under 23 CFR 774.13(a)(1) applies?
- Does the project affect or improve railroad or transit lines that are used or were historically used for the transportation of goods or passengers? Does the exemption under Section 11502 of the FAST Act apply?
- Resource: FHWA Section 4(f) Policy Paper: https://www.environment.fhwa.dot.gov/legislation/section4f/4fpolicy.aspx.

No Section 4(f) resources (i.e., public parks and recreation resources, NRHP-eligible resources, wildlife refuges) would be affected by the project. The nearest public park to the project site is Coliseum Gardens, located approximately 300 feet northeast of the project site. This park is maintained by the City of Oakland. Construction and operation of the project would not temporarily or permanently interrupt the public's access to this park or any other recreational resource. No part of the project would result in use

(direct and/or constructive) or temporary occupancy of Coliseum Gardens or other Section 4(f) resources. No consultation would be required, and no effect on Section 4(f) resources would occur.

_____P. SECTION 6(f): If the project is located in or adjacent to a park or recreation area, indicate if the park involved Land and Water Conservation Act funds (Section 6(f)).

- Discuss any consultation with the National Park Service or local parks department.

The project would not result in the conversion of any recreational lands that were purchased or improved with Land and Water Conservation Act funds. The nearest public park to the project site is Coliseum Gardens, located approximately 300 feet northeast of the project site. This park is maintained by the City of Oakland. The project site is not in or adjacent to any parks or recreational areas, and the project would not impede access to any parks or recreational areas. Therefore, the project would have no effect on Section 6(f) sites. No Section 6(f) consultation is required.

_____Q. SEISMIC AND SOILS: Are there any unusual seismic or soil conditions (soils prone to liquefaction, subsidence, erosion, etc.) in the project vicinity? If so, indicate on project map and describe the seismic standards to which the project will be designed.

The project site lies within the San Andreas fault system and is adjacent to the Hayward fault. Therefore, the full project site and surrounding areas have been identified to be susceptible to liquefaction (California Geological Survey 2003). In addition, lateral spreading can be expected in a large earthquake in the East Bay (Earthquake Engineering Research Institute 1996).

The Natural Resources Conservation Service online soil survey map indicates that soils within the project site include urban land and urban land (Clear Lake complex) (Natural Resources Conservation Service 2020). Both types of soil have low susceptibility with respect to erosion. The soils have no expansiveness rating. The project would not alter existing soil conditions in a way that would create additional seismic hazards. Per the City of Oakland's Standard Provisions, installation of street lighting and traffic signals would comply with Caltrans Standard Plans and Standard Specifications. Adherence to the Standard Plans and Standard Specifications is required for transportation projects to ensure compliance with FHWA requirements. In addition, no habitable structures are proposed as a part of the project. The project would not exacerbate existing seismicity or liquefaction risks.

_____R. IMPACTS ON WETLANDS: Show potential wetlands on the site map. Describe the project's impact on on-site and adjacent wetlands.

- Are there wetlands within the project vicinity?
- Will the project directly drain into a waterway supporting wetlands?
- Will the project require alteration of surface water features, wetlands, navigable waterways, or waters of the U.S. (e.g., channels, storm drains, etc.?)
- Will the project require permits (e.g., Clean Water Act Section 404 permit?)

There are no wetlands within the project site (San Francisco Estuary Institute 2020), and the project would not directly drain into a waterway that supports wetlands. The closest surface water is Lion Creek, which crosses under the project site approximately 300 feet north of 69th Avenue. At the location where it crosses San Leandro Street, Lion Creek is an underground culvert with no surface exposure; construction would not encroach on this water body. Given that there are no waters with surface exposure in the project

vicinity, no surface waters, wetlands, navigable waterways, or waters of the United States would be altered by the project; therefore, no related permits would be required.

_____S. FLOODPLAIN IMPACTS: Is the proposed project located within the 100-year floodplain? If so, address possible flooding of the proposed project site and flooding induced by proposed project due to its taking of floodplain capacity.

- Will the project introduce a large structure that will change floodplain elevations or floodways?
- Resource: The FEMA Flood Map Service Center (MSC) is a public source for flood hazard information produced in support of the National Flood Insurance Program (NFIP). Use the MSC to find your official flood map, access a range of other flood hazard products: http://msc.fema.gov/portal.

The portion of the project site from Seminary Avenue to 66th Avenue is within Federal Emergency Management Agency Zone X, an area with minimal flood hazards. The southern portion of the project site, from 66th Avenue to 69th Avenue, is within the 500-year floodplain (Federal Emergency Management Agency 2018). No structures that would change floodplain elevations or floodways would be introduced as a result of the project.

_____T. IMPACTS ON WATER QUALITY, NAVIGABLE WATERWAYS, AND COASTAL ZONES: Describe surface and groundwater resources in the project vicinity and their approximate distance to the project. State if any Clean Water Act 303d Listed Impaired Water Bodies are in the project vicinity. Explain if the project would alter or create a new direct connection to a surface water body. If any of these are implicated, provide detailed analysis.

- Describe any surface water features. Where will the water drain into?
- What is the distance of the closest surface water body?
- What is the distance to the coast? Is the project located in a designated coastal zone?
- Will the project affect Clean Water Act 303d listed impaired water bodies?
- Is the project located in the vicinity of an EPA-designated sole source aquifer (SSA)?
- Will there be an increase in new impervious surface area or restored pervious surface area? If so, describe potential impacts and proposed treatment for stormwater runoff.

The project is not in a designated coastal zone (California Coastal Commission 2020) or in the vicinity of an U.S. Environmental Protection Agency–designated sole-source aquifer (U.S. Environmental Protection Agency 2020).

Lion Creek crosses under the project site approximately 300 feet north of 69th Avenue. At the location where it crosses San Leandro Street, Lion Creek is an underground culvert with no surface exposure. Arroyo Viejo is approximately 1,200 feet south of the project site's southern end, near Hegenberger Road. This creek is an underground culvert with no surface exposure at the point where it crosses San Leandro Street. Operation of the project would not affect Lion Creek or Arroyo Viejo. The drainage conditions would remain the same, utilizing the City of Oakland storm drains.

The project would not affect listed Clean Water Act Section 303(d) impaired water bodies. Listed water bodies in the vicinity of the project site include Damon Slough, located approximately 600 feet southwest of the project site; San Leandro Bay, located approximately 0.7 mile southwest of the project site; and

Lower San Leandro Creek, located approximately 1.2 miles south of the project site. Table 2 lists these water bodies and the pollutants for which they are listed under Section 303(d).

Table 2: Section 303(d) Listed Water Bodies in the Project Vicinity

Name	Pollutant	Expected TMDL Completion Date	EPA TMDL Approval Date	Sources
Lower San Leandro Creek	Diazinon	--	2007	Urban runoff/ storm sewers
	Trash	2029	—	Unknown
Damon Slough	Trash	2029	—	Unknown
San Leandro Bay	Chlordane	2013	—	Unknown
	DDT	2029	—	Unknown
	Dieldrin	2013	—	Unknown
	Dioxin Compounds	2019	—	Unknown
	Furan Compounds	2019	—	Unknown
	Invasive Species	2019	—	Unknown
	Mercury	—	2008	Unknown
	Zinc	2019	—	Unknown

Source: State Water Resources Control Board 2017.
EPA = U.S. Environmental Protection Agency; TMDL = total maximum daily load

Implementation of the project would not affect the listed water bodies.

The project would not add impervious area, but may result in runoff from the trail itself as well as related landscaped areas. Therefore, the project would be required to comply with measures in the Alameda County Municipal National Pollutant Discharge Elimination System (NPDES) permit (Order No. R2-2015-0049, NPDES Permit No. CAS612008). The project would also be required to meet all applicable water quality objectives for surface waters and groundwater contained in the Basin Plan.

The City of Oakland is a member agency of the Alameda Countywide Clean Water Program. According to hydromodification maps, the project is exempt from the hydromodification management requirements of the Alameda Countywide Clean Water Program due to its location in an area where streams or channels are tidally influenced or primarily depositional near their outfall in San Francisco Bay (San Francisco Bay Regional Water Quality Control Board 2015; Alameda Countywide Clean Water Program 2016). In addition, the project would implement post-construction stormwater requirements for the Construction General Permit to prevent or minimize any violation of water quality standards or waste discharge requirements. With these permit requirements, the project would not have an adverse effect on water quality. Potential effects from construction are discussed in Section W, Impacts Caused by Construction.

_____U. IMPACTS ON ECOLOGICALLY SENSITIVE AREAS AND ENDANGERED SPECIES: Describe any natural areas (woodlands, prairies, wetlands, rivers, lakes, streams, designated wildlife or waterfowl refuges, and geological formations) on or near the proposed project area. If present, state the results of consultation with a federal or state resources agency on the impacts on these natural areas and on threatened and endangered fauna and flora that may be affected.

- Will the project require permits or consultation from U.S. Army Corps or Engineers, U.S. Fish and Wildlife Service, National Marine Fisheries Service, etc.?
- Is the project near any designated biological or environmentally sensitive area (BSA, ESA), designated critical habitat, wildlife corridors, or essential fish habitat?
- Does the project require mature tree removal?
- Are there known threatened and endangered species occurrences in the area?
- Does the site support sensitive habitat, including nesting or foraging areas?

The project site is located in a highly developed, urbanized area. The only waterway that crosses the project site is Lion Creek, which is an underground culvert with no surface exposure at its crossing. No critical habitat or essential fish habitat, as designated by the U.S. Fish and Wildlife Service or National Marine Fisheries Service, respectively, occurs in the portions of the waterways crossed by the project. The project is not anticipated to disturb any threatened or endangered species, and no permits would be required for effects on biological resources.

Twelve street trees would be removed during construction of the project. The effects of tree removal are discussed in Section W, Impacts Caused by Construction. Existing trees would be avoided or preserved to the extent possible. Up to 70 native, noninvasive trees would be installed. In addition, to the extent possible, the project would comply with the City of Oakland Municipal Code Chapters 12.32, Street Trees and Shrubs, and 12.36, Protected Trees. Compliance with these code requirements would ensure that the project would not have an adverse effect on nesting birds and trees.

_____V. IMPACTS ON SAFETY AND SECURITY: Describe the measures that would need to be taken to provide for the safe and secure operation of the project after its construction.

- Pedestrian Safety? ADA features? Lighting?
- Discuss safety impacts related to any railroad at-grade crossings located in proximity.

The project would improve bicycle and pedestrian safety and accessibility in the project vicinity. At present, this segment of San Leandro Street is an unsafe environment for bicyclists and pedestrians. In addition to the path itself, the project would include pedestrian-scale street lights, bicycle and pedestrian crossing treatments including high visibility crosswalks and upgraded pedestrian signals at Seminary Avenue, 66th Avenue, and 69th Avenue.

_____W. IMPACTS CAUSED BY CONSTRUCTION: Describe the construction plan and identify impacts due to construction noise, utility disruption, debris and spoil disposal, air and water quality, safety and security, and disruptions of traffic and access to property.

- Include temporary parking locations.
- Mention construction staging areas.
- Traffic management plan?

Construction of the project would take approximately 10 months. General construction activities required for the proposed project would include earthwork; paving; road striping; construction of sidewalks and curb extensions; relocation or installation of street signage, pedestrian lighting, and traffic signals; and landscaping. Equipment likely to be required for construction would include bulldozers, graders, tractors, loaders, backhoes, rollers, pavers, and concrete trucks. Construction staging areas would be determined prior to construction by the contractor, but would occur on one of multiple vacant industrial parcels near the project site. No temporary easements would be required for construction.

Traffic

The project would result in a temporary increase in traffic during construction, resulting from vehicles and workers accessing the project site and staging areas. Temporary closure of traffic lanes in the vicinity of the project corridor may be required for construction of project features. However, construction workers and flaggers would ensure that detours would be identified as needed and that through access for all modes of transportation would be maintained throughout the construction period. Lane closures would be designated by cones and signage, per guidance in the California Manual on Uniform Traffic Control Devices (California MUTCD) and Caltrans' Standard Specifications. Staging areas would be determined by the contractor, but would occur at one of several nearby vacant industrial parcels. Any incidental utility adjustments that would require any type of lane closure would also follow applicable standards contained in the California MUTCD. Other potential traffic control measures to be employed at the project site include accommodations or detours around the project site for automobiles, transit, bicycles, and pedestrians.

There is a bus stop on San Leandro Street at the intersection of San Leandro Street and 66th Avenue that would be temporarily relocated during construction to the adjacent block, less than 150 feet from its existing location. The City of Oakland would comply with Section 600-2 of the City of Oakland *Standard Specifications for Public Works Construction*, which states:

> When construction will block a coach stop or require relocation of a bus route, the Contractor shall notify the Engineer and the appropriate Transportation Representative of the affected public transit agency at least 72 hours prior to the blockage or relocation.

Temporary interruptions to bus service as a result of project construction would not constitute a significant effect. Considering the small scale of the project and the planned implementation of standard measures from the California MUTCD and the City of Oakland *Standard Specifications for Public Works Construction*, the project's construction-related traffic effects would not be significant.

Air Quality

Because the project would be a pedestrian improvement project, with construction lasting less than 5 years, it would be exempt from construction-related air quality conformity requirements (40 CFR Section 93.126[c][5]).

Construction activities associated with the project would generate short-term emissions of reactive organic gases (ROGs), oxides of nitrogen (NO_X), CO, PM10, and PM2.5. Emissions would originate from on-road hauling, construction workers' commute trips, construction site fugitive dust, and off-road construction equipment. Construction-related emissions would vary, depending on the level of activity, specific construction operations, and wind and precipitation conditions. Per the air quality modeling completed for the MND, emissions of criteria pollutants from project construction would not exceed the threshold of 54 pounds per day for ROGs, NO_X, or PM2.5 or 82 pounds per day for PM10. The project site is not in a nonattainment area for CO, and any traffic delays resulting from the project's construction would be minor; therefore, CO hot spots would not result from project construction.

Project construction would comply, as applicable, with the appropriate construction standards for air pollution control set forth in the City of Oakland *Standard Specifications for Public Works Construction* (City of Oakland 2020:45). The project proponent and/or its construction contractor shall comply with Caltrans specifications in Section 14-9, Air Quality (2010). Air quality mitigation measures developed for the IS/MND prepared for the project would be implemented during construction to further minimize effects on air quality. These mitigation measures include **Mitigation Measure AQ-1: Implement California Department of Transportation Standard Specifications** and **Mitigation Measure AQ-2: Implement BAAQMD Basic Control Measures to Control Construction-Related Dust** (ICF 2018a:2-27 to 2-28). Air quality impacts from the construction of this project would be minor and would have minimal effects on nearby receptors. Emission-generating construction activities would be temporary and intermittent in nature.

Applicable IS/MND Mitigation Measures

Mitigation Measure AQ-1: Implement California Department of Transportation Standard Specifications

The project proponent and/or its construction contractor shall comply with Caltrans Specifications in Section 14-9 Air Quality (2010).

- Section 14-9.02 specifically requires compliance by the contractor with all applicable laws and regulations related to air quality, including air pollution control district and air quality management district regulations and local ordinances.
- Section 14-9.03 is directed at controlling dust. If dust palliative materials other than water are to be used, material specifications are contained in Section 18.

Mitigation Measure AQ-2. Implement BAAQMD Basic Control Measures to Control Construction-Related Dust

In accordance with the BAAQMD's current Air Quality Guidelines (BAAQMD 2011, 2017[1]), the project proponent and/or its construction contractor will implement the following BAAQMD-recommended control measures to reduce particulate matter emissions from construction activities.

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material offsite will be covered.
- All visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used.
- Post a publicly visible sign with the telephone number and the name of the person to contact at the lead agency regarding dust complaints. This person will respond and take corrective action within 48 hours. The phone number of the District [BAAQMD] will also be visible to ensure compliance.

[1] This mitigation measure was written prior to the approval of new BAAQMD Air Quality Guidelines in 2017. The 2017 guidelines contain identical standards to the items listed in this mitigation measure and these standards would apply to the proposed project.

Historic and Cultural Resources

Unknown archaeological resources could be uncovered by construction of the proposed project. The project site sits at the edge of the predevelopment shoreline and within artificial fill, which is generally considered to have low to moderate potential with respect to containing buried archaeological resources (ICF 2018a). Although the project site, which sits on artificial fill, has been subject to extensive development and the majority of project-related ground disturbance would be shallow, excavation associated with the project signal foundations would extend up to 14 feet. This depth may exceed the depth of previously disturbed fill and have the potential to encounter as-yet undocumented archaeological resources. However, the City of Oakland would implement Cast-In-Drilled-Hole (CIDH) foundations for signal and lighting foundations to reduce potential effects associated with encountering unknown archaeological resources (ICF 2018a). These holes have small diameters of two to four feet and reduce the amount of excavation. If human remains are encountered during construction, IS/MND **Mitigation Measure CUL-4: If Human Remains are Discovered, Comply with State Laws Relating to Human Remains** would be implemented. If cultural resources are encountered during construction, IS/MND **Mitigation Measure CUL-2: Stop Work if Buried Cultural Resources Are Discovered** would be implemented (ICF 2018a:2-66 to 2-67). There would not be a significant effect.

Applicable IS/MND Mitigation Measures:

Mitigation Measure CUL-2: Stop Work if Buried Cultural Resources Are Discovered

During project construction, the project proponent and/or their construction contractor will ensure work is stopped if buried cultural resources are inadvertently discovered during ground-disturbing activities. Buried cultural resources include, but are not limited to, chipped or ground stone, historic debris, building foundations, or human bone. If there is evidence of such resources, work will stop in that area and within 100 feet of the find until a qualified professional archaeologist can assess the significance of the find and develop appropriate treatment measures in consultation with the project proponent. The project proponent will be responsible for ensuring that treatment measures are implemented prior to the resumption of construction on that portion of the site. If discovered resources include human bone, implementation of Measure CUL-4 is also required.

Mitigation Measure CUL-4: If Human Remains are Discovered, Comply with State Laws Relating to Human Remains

If human bones or remains are inadvertently discovered during project construction, the project proponent and/or their construction contractor will ensure that work is stopped. Consequently, if any human remains are discovered or recognized in any location other than a dedicated cemetery, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains (1) until the Alameda County Coroner has been informed and has determined that no investigation of the cause of death is required; and (2) if the remains are of Native American origin:

The descendants of the deceased Native American(s) have made a recommendation to the landowner or the person responsible for the excavation work regarding means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC [Public Resources Code] Section 5097.98; or the NAHC has been unable to identify a descendent or the descendent failed to make a recommendation within 24 hours after being notified by the NAHC.

Paleontological Resources

Unknown paleontological resources could be uncovered by construction of the proposed project. Although the project site, which sits on artificial fill, has been subject to extensive development and the majority of project-related ground disturbance would be shallow, excavation associated with the project signal foundations would extend up to 14 feet. This depth may exceed the depth of previously disturbed fill. **Mitigation Measure CUL-3: Establish and Follow Procedures in Case of Accidental Discovery of a Paleontological Resource** would be implemented in the case of discovery of paleontological resources (ICF 2018a:2-66 to 2-67).

Mitigation Measure CUL-3: Establish and Follow(Procedures in Case of Accidental Discovery of a Paleontological Resource

Before the start of any drilling or pile-driving activities, [the project proponent] or their construction contractor[2] will retain a qualified paleontologist, as defined by SVP [Society for Vertebrate Paleontology], who is experienced in teaching generalists. The qualified paleontologist will train all construction personnel who are involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils that are likely to be seen during construction, and proper notification procedures should fossils be encountered. Procedures to be conveyed to workers include halting construction within 50 feet of any potential fossil find and notifying a qualified paleontologist, who will evaluate the significance.

If paleontological resources are discovered during earthmoving activities, the construction crew will immediately cease work near the find and notify the project implementer. Construction work in the affected areas will remain stopped or be diverted to allow recovery of fossil remains in a timely manner. The project proponent and/or their construction contractor will retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with SVP guidelines (Society for Vertebrate Paleontology 2010). The recovery plan may include a field survey, construction monitoring, sampling, data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the project implementer to be necessary and feasible will be implemented before construction activities can resume at the site where the paleontological resources were discovered. The project proponent and/or their construction contractor will be responsible for ensuring that the monitor's recommendations regarding treatment and reporting are implemented.

Noise and Vibration

There are a variety of land use types near or adjacent to the project corridor. Some land uses are considered sensitive, such as residences and schools; many others are not considered noise sensitive and would not be adversely affected by project construction. Some examples of uses that are not considered noise sensitive include parking lots, industrial facilities, and most commercial uses. In addition, the noise environment in much of the area surrounding the project site is dominated by vehicle traffic on Interstate 880 and BART train/track noise. Nevertheless, construction could result in temporarily elevated noise levels.

[2] This mitigation measure was prepared with Alameda County Transportation Commission as the project proponent; it has been modified to remain applicable to other project proponents. As described previously, the project proponent for this project is the City of Oakland.

The closest residential sensitive receptors include a single-family residential neighborhood approximately 200 feet northwest (at the closest point) of the Seminary Avenue end of the project site, and Coliseum Gardens, a small neighborhood park, approximately 250 feet northwest of the project site.

Given the project's size and scale, as well as FTA guidance, the project would not require a formal construction noise assessment (FTA 2018:173). According to the FTA *Transit Noise and Vibration Impact Assessment Manual*, a qualitative description of the length of construction, equipment to be used, expected access routes, nighttime activity, and planned construction methods is adequate with respect to analyzing the noise impacts of small projects.

Construction-related noise impacts would be limited to the 10-month duration of construction and would be intermittent within that period. Access to the project site would be via the existing roadway network. In addition, the City of Oakland *Standard Specifications for Public Works Construction* require a pre-construction meeting with the City's project team and contractor's construction team to discuss, among other items, working hours and noise control for the project (City of Oakland 2020:39). Construction of the proposed project would also adhere to Caltrans Standard Specifications Section 14-8.02, which requires that internal combustion engines be equipped with mufflers.

According to the City of Oakland's noise ordinance, the daytime noise level received by any residential land use produced by short-term (less than 10 days) construction or demolition may be up to 80 A-weighted decibels (dBA) (with commercial and industrial land uses allowed to receive noise of up to 85 dBA). Long-term construction noise is limited to 65 dBA for residential receiving land uses and 70 dBA for commercial or industrial receiving land uses. Without additional measures, project construction would intermittently and temporarily exceed these noise limits. This would be addressed through the implementation of **Mitigation Measure NOI-1: Limit Construction Noise to Daytime Hours Consistent with the Noise Ordinance of the Applicable Jurisdiction** and **Mitigation Measure NOI-3: Implement City of Oakland and City of Hayward Noise Standards**,[3] included in the IS/MND (ICF 2018a:2-108 to 2-110).

Use of certain types of equipment, including excavators, asphalt pavers, compactors, jackhammers, and cold planers, would generate vibration during the project's 10-month construction period. This vibration would be intermittent and limited to certain construction activities. Given the distance between the project site and the nearest sensitive receptors, construction-related vibration would not disturb sensitive receptors. At 200 feet, the distance to the nearest residential sensitive receptors, vibration from construction equipment would not likely be perceptible to residents. The nearest structures to the project site include the elevated BART tracks adjacent to the project corridor and various commercial and industrial buildings along San Leandro Street. The FTA threshold for vibration damage to engineered concrete and masonry structures is 0.3 peak particle velocity (PPV). The FTA threshold for vibration damage to reinforced-concrete, steel or timber structures is 0.5 PPV. The vibration level generated by a jackhammer at a distance of 25 feet is 0.035 PPV, which is notably lower than these damage thresholds. Therefore, vibration related to project construction would not damage nearby structures.

In addition, the City of Oakland would employ construction practices that would minimize disturbances related to vibration, such as by sequencing construction to avoid operation of multiple vibration-producing processes at one time and avoiding nighttime activities. The FTA *Transit Noise and Vibration Impact Assessment Manual* states that construction vibration assessments are not required for many small projects, including the installation of safety features like grade-crossing signals, and that qualitative

[3] These mitigation measures are sourced from the IS/MND, which covered a broader area that included other jurisdictions. For the proposed project, only the City of Oakland Noise Standards would apply.

construction vibration assessments are appropriate for projects where prolonged annoyance or damage from construction vibration is not expected (FTA 2018:183). The size and scale of this project and the short duration of construction are not likely to result in annoyance or damage from vibration. With the mitigation measures described for noise effects, significant adverse effects related to construction noise and vibration would not occur.

Applicable IS/MND Mitigation Measures

Mitigation Measure NOI-1: Limit Construction Noise to Daytime Hours Consistent with the Noise Ordinance of the Applicable Jurisdiction[4]

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 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 NOI-3. Implement City of Oakland and City of Hayward Noise Standards

The project proponent and/or its construction contractors shall ensure noise levels generated by construction activities are in compliance with the applicable local standards in the City of Oakland and in the City of Hayward where daytime construction activities are not considered to be exempt but are instead governed by construction-specific numerical noise standards. These standards are as follows.

In the City of Oakland:

- Short-term construction (less than 10 days) must not generate noise in excess of 80 dBA at residential land uses during the daytime hours of 7 a.m. and 7 p.m. Noise levels at commercial and Industrial land uses during these daytime hours must not exceed 85 dBA for short-term construction. Note that consistent with Measure NOI-1 above, nighttime construction would not be permitted in the City of Oakland.

Long-term construction (10 days or longer) must not generate noise in excess of 65 dBA at residential land uses during the daytime hours of 7 a.m. and 7 p.m. Noise levels at commercial and Industrial land uses during these daytime hours must not exceed 70 dBA for short-term construction. Note that consistent with Measure NOI-1 above, nighttime construction would not be permitted in the City of Oakland.

Hazardous Materials

Project construction could involve the use of hazardous materials of the types typically encountered during the construction of similar projects. According to a provision from the City of Oakland *Standard Specifications for Public Works Construction*, "storage and disposal of all hazardous materials such as paints, thinners, solvents, and fuels; and all hazardous wastes such as waste oil, must meet all federal, state and local standards and requirements" (City of Oakland 2020:47).

[4] For the proposed project, the applicable jurisdiction is the City of Oakland.

An Investigation Findings Report (NCE 2021) prepared for the proposed project included recommendations that would be implemented during construction to address potential effects associated with hazardous materials during construction. The stockpiling, disposal, tracking, transport, and final placement of impacted soils would be done in conformance with all local, state, and federal regulations. The contractor would stockpile excavated soils requiring testing adjacent to the road on plastic sheeting for testing before hauling to the appropriate disposal site. In line with these recommendations, construction of the project would adhere to IS/MND **Mitigation Measure HAZ-4: Screen for Soil Contamination During Construction**, which is intended to identify contamination in excavated soils from the project site and ensure proper handling, storage, and disposal of any contaminated materials (ICF 2018a:2-86).

As outlined in the City of Oakland *Standard Specifications for Public Works Construction*, "if the Contractor encounters a substance during operations that the Contractor has reason to believe may be a hazardous material as defined by Section 25501 of the California Health and Safety Code or a hazardous waste as defined by Section 25117 of the California Health and Safety Code, and if such substance was not previously accounted for in the Scope of Work, the Contractor shall immediately so notify the [City] Engineer in writing" (City of Oakland 2020:39). The federal Resource Conservation and Recovery Act, Subtitle C, sets forth criteria for defining hazardous wastes and specifies minimum requirements for generating, transporting, storing, or disposing of hazardous wastes. State regulations, which equal or exceed the federal standards, are contained in California Code of Regulations (CCR) Title 22. State and federal regulations require workers who may be exposed to contaminants above permissible exposure limits at hazardous waste sites to undergo appropriate training (Title 29 CFR, Part 1910.120, and Title 8 CCR, Section 5192). Workers who may come into contact with contaminated soil would be trained in accordance with those regulations. Additional regulations apply to construction work in which an employee may be exposed to lead (Title 29 CFR, Part 1926.62, and Title 8 CCR, Section 1532.1). These regulations require preparation of a lead compliance plan for construction activities, including safety training for construction workers and perimeter air monitoring.

The depth of ground disturbance during project construction would be up to 6 feet in specific locations where pedestrian lighting would be installed and up to 14 feet in locations where signal foundations would be installed; therefore, it is possible that small quantities of groundwater could be encountered during construction. The project contractor would comply with applicable regulations and permit requirements related to the handling and treatment of potentially contaminated groundwater. The City would coordinate with the East Bay Municipal Utilities District (EBMUD) and would pump wastewater from the project site to the sanitary sewer with approval from EBMUD and the City Engineer and in accordance with applicable local and state regulations. Although small amounts of construction-related dewatering are covered under the Construction General Permit, the San Francisco Bay Regional Water Quality Control Board (RWQCB) has regulations specific to dewatering activities that typically involve reporting and monitoring requirements. In the event of dewatering during construction activities or before dewatering to surface water via a storm drain, the contractor would obtain coverage under the NPDES Construction General Permit from the San Francisco Bay RWQCB. Coverage under the Construction General Permit typically includes dewatering activities as authorized non-stormwater discharges, provided that dischargers prove the quality of water to be adequate and not likely to affect beneficial uses. All requirements of dewatering would be met to ensure water quality is not affected.

There are other dewatering permit requirements in addition to those outlined in the Construction General Permit, including discharge sampling and reporting, and the RWQCB's Fuel and Volatile Organic Compound General Permit (Order No. R2-2017-0048) if contaminated groundwater is encountered. In the event groundwater is encountered during construction, dewatering discharge methods would include

options for discharging to surface water via a storm drain in compliance with waste discharge requirements. If it is found that the groundwater does not meet water quality standards, it would either be treated as necessary prior to discharge so that all applicable water quality objectives (as designated in the Basin Plan) are met or hauled off-site for treatment and disposal at an appropriate waste treatment facility that is permitted to receive such water.

During project construction, the contractor would be required to comply with all applicable hazardous materials regulations, as discussed above. Additionally, construction of the project would adhere to IS/MND **Mitigation Measure HAZ-4: Screen for Soil Contamination During Construction**, which is intended to identify contamination in excavated soils from the project site and ensure proper handling, storage, and disposal of any contaminated materials (ICF 2018a:2-86). No significant effects related to hazardous materials encountered during construction are anticipated to occur.

Applicable IS/MND Mitigation Measures:

Measure HAZ-4: Screen for Soil Contamination During Construction

Excavated soils will 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.

Water Quality

Construction of the project could involve actions that may change typical runoff, erosion, and sedimentation patterns within the project site. The contractor would comply with the City of Oakland's construction best management practices related to erosion and sedimentation control, as follows:

> The project applicant shall implement best management practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City of Oakland at nearby catch basins to prevent any debris and dirt from flowing into the City of Oakland's storm drain system and creeks.

As applicable, the project would incorporate the best management practices and stormwater pollution prevention measures set forth in the City of Oakland *Standard Specifications for Public Works Construction*, which are intended to reduce stormwater runoff, as well as source control measures to limit pollution in runoff (City of Oakland 2020:46). Additional water pollution control measures from the *Standard Specifications for Public Works Construction* to be applied during project construction include the following:

> 7-8.6.1. General. The intent of these requirements is to enforce federal, state, and other local agency regulation prohibiting storm water pollution from construction sites. The storm drain system discharges directly to creeks and the San Francisco Bay without treatment. Therefore, pollutant discharge into the storm drain system is strictly prohibited. Here pollutant discharge means any substance, material, or waste, and discharges NOT permitted under the National Pollutant Discharge Elimination System regulated by the

State of California Regional Water Quality Control Board or the United States Environmental Protection Agency other than uncontaminated stormwater.

The Contractor shall conform to all applicable local, state and Federal regulations and laws pertaining to water pollution control including the City of Oakland's Creek Protection, Stormwater Management and Discharge Control Ordinance. As applicable, the Contractor shall obtain water pollution control permits including, but not limited to, the State Water Resources Control Board Construction General Permit (Construction General Permit), and the City of Oakland Creek Protection Permit and Temporary Storm Water Discharge Permit, and shall file all relevant and required documents including, but not limited to, the Construction General Permit Stormwater Pollution Prevention Plan, Rain Event Action Plans, Inspection, Monitoring and Annual Reports, and the City of Oakland Creek Protection Plan and Hydrology Report. The Contractor shall conduct and schedule operations and follow and implement Best Management Practices (BMPs) in such a manner as to prevent water pollution. The Contractor shall also conform to the following requirements:

1) Sediments shall not be discharged to a storm drain system or receiving waters. In this subsection, the term "storm drain system" shall include storm water conduits, storm drain inlets and other storm drain structures, street gutters and paved surfaces. In this subsection "receiving waters" shall include channels, watercourses, creeks, lakes, the Oakland Estuary, and the San Francisco Bay.

2) Sediments generated on the Work site shall be contained on the Work site using appropriate BMPs. Avoid using BMPs made with plastic netting or fixed aperture netting, especially when placing final site stabilization BMPs. Wildlife-friendly products made from made of biodegradable natural materials are widely available.

3) No construction-related materials, waste, spill or residue shall be discharged from the Work site to streets, drainage facilities, receiving waters or adjacent property by wind or runoff.

4) Non-storm water runoff from equipment, vehicle washing or any other activity shall be contained within the Work site using appropriate BMPs.

5) Erosion shall be prevented. Erosion-susceptible slopes shall be covered, planted or otherwise protected in a way that prevents discharge from the Work site.

7-8.6.2. Best Management Practices (BMPs). For the purpose of eliminating stormwater pollution, the Contractor shall implement effective control measures known as Best Management Practices (BMPs). BMPs include schedules of activities, prohibition of practices, general good housekeeping practices, operational practices, pollution prevention practices, maintenance procedures, and other management procedures to prevent pollutant discharge directly or directly into the storm drain system. BMPs also include the construction of some facilities that may be required to prevent, control, and abate stormwater pollution.

The Contractor shall implement and maintain such BMPs as are relevant to the work, and as are specifically required by the Construction General Permit, Plans, or Special Provisions. The Contractor shall be responsible throughout the Contract duration for installing, constructing, inspecting, maintaining, removing and disposing of BMPs for wind erosion control, tracking control, erosion and sediment control, non-storm water control, and waste management and materials pollution control. Unless otherwise directed by the Engineer, the Contractor shall be responsible for BMP implementation and maintenance throughout any temporary suspension of the Work. Guidance for appropriate implementation of BMPs can be found in the Reference Publications listed in 7-8.6.5.

Construction of the project would also adhere to **Mitigation Measure BIO-8: Implement Water Quality Protection Measures**, which was developed for the IS/MND to protect water quality during

construction (ICF 2018a:2-57). With implementation of these measures, project construction is not anticipated to have an adverse effect on water quality.

Applicable IS/MND Mitigation Measures:

Measure BIO-8: Implement Water Quality Protection Measures

The project proponent and/or their construction contractor will be responsible to protect water quality during construction. Accordingly, the following measures will be implemented.

A SWPPP [Stormwater Pollution Prevention Plan] will be implemented as part of the National Pollutant Discharge Elimination System (NPDES) and in accordance with a General Construction Activity Stormwater Permit to minimize the potential for sediments or contaminants to be discharged into San Francisco Bay, wetlands, or waters of the United States within the project vicinity. The project will fully comply with the SWPPP.

The project proponent will review and approve the contractors' toxic materials control and spill response plan before allowing construction to begin. The project proponent will routinely inspect the construction site to verity that BMPs specified in the SWPPP are properly implemented and maintained. The project proponent will notify the contractor immediately if there is a noncompliance issue and will require compliance.

Biological Resources

Construction of the project would require the removal of 12 street trees. Existing trees would be avoided or preserved to the extent possible. In addition, the project would comply with the City of Oakland Municipal Code Chapters 12.32, Street Trees and Shrubs, and 12.36, Protected Trees. The project would also comply with mitigation measures developed in the IS/MND to minimize nesting bird and other tree impacts. **Mitigation Measure BIO-3: Implement Nesting Bird Impact Avoidance Measures** and **Mitigation Measure BIO-9: Implement Tree Protection Measures** would minimize the effects of tree removal associated with the project (ICF 2018a:2-54 to 2-55; 2-58).

Applicable IS/MND Mitigation Measures:

Mitigation Measure BIO-3: Implement Nesting Bird Impact Avoidance Measures

The project proponent and/or their construction contractor will be responsible for avoiding effects on migratory and non-migratory birds including special-status species (i.e., American peregrine falcon and yellow warbler). Accordingly, the following measures will be implemented.

- Vegetation (including trees) trimming or removal will be conducted during the nonbreeding season (September 1 to January 31), to the extent feasible.
- Construction activities will be conducted during the nonbreeding season (September 1 to January 31), to the extent feasible.
- Construction activities will begin during the nonbreeding season (September 1 to January 31) and prior to the nesting season (February 1 to August 31), if feasible. Beginning construction prior to the breeding season will establish a level of noise disturbance that will dissuade noise-sensitive raptors and other birds from attempting to nest within or near the study area.
- Bridge work (including existing bridge expansion and new bridge installation) will be conducted during the nonbreeding season (September 1 to January 31), to the extent feasible. It is recommended that inactive nests be removed from any bridge work location and from any

vegetation or structure within the project ROW within 50 feet of where bridge work will take place. In addition, nest exclusion measures (e.g., fine mesh netting, panels, or metal projectors) are recommended to be installed outside of the nesting season, to the extent feasible. If installed, exclusionary devices will be monitored and maintained throughout the breeding season to ensure that they are fully functional (i.e., successful in preventing the birds from accessing cavities or potential nesting sites).

- If construction activities (including vegetation trimming or removal and bridge work) occur within the breeding season (February 1 to August 31), a qualified wildlife biologist with demonstrated nesting bird survey experience will conduct preconstruction surveys for nesting birds. A minimum of three separate surveys will be conducted for migratory birds, including raptors. Surveys will include a search of all suitable nesting habitat (e.g., grassland, bushes, trees, bridges, culverts, overpasses, and structures) in the project area. In addition, a 300-foot area around the project area will be surveyed for nesting raptors. When feasible, surveys should occur during the height of the breeding season (March 1 to June 1) with one survey being conducted in each of 2 consecutive months within this peak period and the final survey being conducted within 1 week of the start of construction. If no active nests are detected during these surveys, no additional measures are required.
- If a lapse in construction activities of 3 days or longer at a previously surveyed study area occurs, another preconstruction survey will be conducted.
- When construction occurs linearly, it often is conducted in segments with periods of no activity in between. Such work is often conducted with multiple work crews and at different times. Each work segment will be considered a separate active construction area with boundaries, and nesting bird survey protocol will be followed for each individual segment work boundary.
- If an active nest is found in the project area, a no-disturbance buffer (marked with high-visibility fencing, flagging, or pin flags) will be established by a qualified wildlife biologist around the site to avoid disturbance or destruction of the nest until the end of the breeding season (August 31) or until after the biologist determines that the young have fledged and moved out of the project area (this date varies by species). The extent of these buffers will be determined by the biologist in coordination with USFWS [U.S. Fish and Wildlife Service] and CDFW [California Department of Fish and Wildlife]. Buffer size will depend on the level of noise or construction disturbance, line-of-sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. Buffer size has the potential to vary with different species; buffer size is based on a species' sensitivity to disturbance and planned work activities in the vicinity. Typical buffer sizes are 300 feet for raptors and 50 feet for other birds.

After the end of the nesting bird season or the project (whichever comes first), the biologist will complete a memorandum detailing survey effort and results and submit the memorandum to the project proponent within 10 working days. If the project is conducted over multiple nesting bird seasons, a memorandum will be conducted for each season.

Mitigation Measure BIO-9: Implement Tree Protection Measures

The project proponent and/or their construction contractor will be responsible for avoiding impacts on protected biological resources, including trees and shrubs. Current project designs do not indicate what vegetation will be impacted. Table IV-4 [of the IS/MND] identifies 213 trees within the project area[5] that

[5] This mitigation measure is sourced from the EBGW IS/MND, which included a broader area than the proposed project. 12 trees are located within the proposed project site and would be handled according to this mitigation measure.

have the potential to be impacted by construction activities (ICF 2018a:2-52). Accordingly, the following measures will be implemented.

- Prior to construction, a qualified arborist will conduct a survey and prepare a report to document all the trees and shrubs that will be affected (i.e., trimmed, removed, or damaged) by construction activities.
- All impacts on vegetation will comply with the … City of Oakland … policies and ordinances[6] including:

    - City of Oakland's Municipal Code: Chapter 12.32 'Street Trees and Shrubs'
    - Oakland's Municipal Code 12.32.060 states: permit to maintain, remove, mutilate, attach to, or detach from, trees), states that it is unlawful for any person to make any tree or shrub improvement, or to destroy, deface or mutilate any tree or shrub in and along any public street, or to attach or place any rope, wire, sign, poster, handbill or other thing to or on any tree growing in any public street, or any guard or protection of such tree, or to cause or permit any wire charged with electricity to come in contact with any such tree, without having first obtained a written permit therefor from the Director of Parks and Recreation of the city.
    - City of Oakland's Municipal Code: Chapter 12.36 'Protected Trees' (ICF 2017b).

_____X. SUPPORTING TECHNICAL STUDIES OR MEMORANDA: List any technical studies or memoranda prepared for the project.

- This may include documentation demonstrating compliance with environmental requirements other than National Environmental Policy Act (NEPA), such as Section 4(f), Section 106 of the National Historic Preservation Act ("Section 106"), or Section 7 of the Endangered Species Act.
- For projects in California, also list the environmental document prepared pursuant to the California Environmental Quality Act (CEQA). Attach the CEQA document.

A CEQA IS/MND was completed for the full East Bay Greenway project and adopted in March 2018. The Alameda County Transportation Commission (Alameda CTC) was the lead agency for this IS/MND. Other technical studies and/or memoranda prepared for this project include the following:

- Archaeological Survey Report for the East Bay Greenway Project. January 2018. Prepared by Kerry Boutte, for Alameda CTC.
- Traffic Impact Study, East Bay Greenway Project, Alameda County, California. July 2017. Prepared for Alameda CTC.
- Community Impacts Assessment for the East Bay Greenway Project. December 2017. Prepared by Shilpa Trisal, project manager, for Alameda CTC.
- Noise Technical Memorandum for the East Bay Greenway Project (Caltrans Noise Memo). September 2017. Prepared by David Buehler, noise technical specialist, for Alameda CTC.
- Water Quality Technical Memorandum for the East Bay Greenway Project. April 2017. Prepared by WRECO, for Alameda CTC.
- Historic Property Survey Report for the East Bay Greenway Project. June 2018. Prepared by multiple authors, for Alameda CTC.

[6] This mitigation measure is sourced from the EBGW IS/MND, which covered a broader area than the proposed project. As the proposed project is located entirely in the City of Oakland, only the City of Oakland's policies and ordinances would apply to the proposed project.

- Historical Resources Evaluation Report for the East Bay Greenway Project. June 2018. Prepared by Kathryn Haley, architectural historian, for Alameda CTC.
- Natural Environment Study – Minimal Impacts for the East Bay Greenway Project. September 2017. Prepared by Ross Wilming and Eric Christensen, biologists, for Alameda CTC.
- Air Quality Technical Memorandum for the East Bay Greenway Project. July 2017. Prepared by Shannon Hatcher, air quality specialist, for Alameda CTC.
- Visual Impact Assessment for the East Bay Greenway Project. July 2017. Prepared by Jennifer Stock, landscape architect, for Alameda CTC.
- Draft Hazardous Materials Investigation Report. April 2021. Prepared by Kiri Ando and Gregory Fasiano, P.G. for Diablo Engineering Group.

_____Y. PUBLIC OUTREACH AND AGENCY COORDINATION: Describe any federal/ state agency coordination, public outreach efforts, public meetings, or public hearing held or public notices posted for the project. Discuss if project information is posted on a project website.

Public outreach has been conducted at various phases of the East Bay Greenway project's development.

The Alameda CTC held four public meetings in November 2017 to provide information and take questions on the draft East Bay Greenway IS/MND. Several other outreach methods were used to solicit comments on the draft IS/MND, including posting notices on the Alameda CTC website and social media, posting flyers at local libraries, sending E-newsletters or E-blasts to stakeholder groups (i.e., elected officials, stakeholder agencies, and interest groups and individuals), and advertising in local newspapers for circulation in nearby communities.

A presentation was made to the City of Oakland's Bicyclist & Pedestrian Advisory Commission on December 3, 2020. The 65% complete design plans were shared, and the feedback was positive. The City's planning department will send an informational mailer to local property owners and businesses and plans to provide a project website. This project is not anticipated to be controversial and is anticipated to be provided through the AHSC Program that funded the Coliseum Place housing development, located to the east of the project.

_____Z. MODAL CATEGORICAL EXCLUSIONS AND RELATED NEPA DOCUMENTS: Has a CE or other NEPA document been prepared for the project by another federal lead agency? If so, attach the related document.

- 23 CFR 771.105 and 23 U.S.C. 139(d)(8) addresses the concept of a single NEPA document. The policy statement applies broadly to the environmental review process and specifically encourages all environmental reviews and requirements (including permits) addressed in a single process and environmental review document for all Federal permits and reviews for a project to the maximum extent practicable and consistent with Federal law.
- Under 23 CFR 771.116(d), 771.117(h), 771.118(e), this policy addresses Cross-Agency Use of Modal Categorical Exclusions (CEs). The policy statement adds provisions that allow FHWA, FTA, and FRA to use each other's CEs.

No other FTA NEPA documents have been prepared for the 69th Avenue to Seminary Avenue segment of the East Bay Greenway.

Caltrans prepared a NEPA categorical exclusion for the East Bay Greenway (from the Lake Merritt BART station to the South Hayward BART station) with FHWA as the federal lead agency in 2018. This CE was finalized in November 2018.

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