



# AGENDA REPORT

**TO:** Steven Falk  
Interim City Administrator

**FROM:** G. Harold Duffey  
Director, Oakland Public  
Works

**SUBJECT:** Waterfront Bay Trail Update

**DATE:** March 13, 2023

City Administrator Approval

Date: Apr 27, 2023

## **RECOMMENDATION**

**Staff Recommends That The City Council Receive An Informational Report On The Status Of Waterfront Bay Trail Implementation.**

## **EXECUTIVE SUMMARY**

This Informational Report is an update on the status of Oakland Waterfront Bay Trail Implementation.<sup>1</sup> At the request of the Public Works and Transportation Committee, this memorandum is the seventh update since July 2017 on the City of Oakland (City) efforts and progress in implementing continuous Bay Trail projects along the Oakland Waterfront.

## **BACKGROUND / LEGISLATIVE HISTORY**

From the total \$198,250,000 Measure DD General Obligation Bond approved by voters in 2002, \$53,000,000 was allocated to the Estuary Waterfront Access category. Of that allocation, \$43,500,000 is designated for waterfront trail and parks acquisition and construction. Through this category of funding, Oakland is completing local segments of the regional San Francisco Bay trail, a 500-mile walking and cycling path around the San Francisco Bay that passes through 47 cities and all nine Bay Area counties. Annual reports have been provided on [July 11, 2017](#); [March 13, 2018](#); [January 15, 2019](#); [February 10, 2020](#); [March 3, 2021](#); and [March 21, 2022](#).

Since the inception of Measure DD through the end of 2022, about two-thirds (approximately 4.3 miles) of the planned Bay Trail segments along the Oakland waterfront have been completed.

<sup>1</sup> Informational Memo is available on the following website: <https://www.oaklandca.gov/resources/info-memo>

Since the last annual report, a contractor was selected to complete the Fruitvale Land Crossing Bay Trail segment (approximately 420 linear feet). That project will be completed this summer.

**ANALYSIS AND POLICY ALTERNATIVES**

Since the inception of Measure DD through the end of 2022, about two-thirds (approximately 4.3 miles) of the planned Bay Trail segments along the Oakland waterfront have been completed, as shown in **Attachment A** and described in **Tables 1** and **2**, below. Completion of these waterfront trail segments advances the Citywide Priorities of **holistic community safety, vibrant, sustainable infrastructure, and responsive, trustworthy government** by creating new or repairing existing trails to improve the safety and accessibility of the Bay Trail.

**Table 1. Completed Trail Segments - Public**

Trail Segment Map Designation	Name
2.	Jack London Square
3.	Harbor Master (1853 Embarcadero)
4.	Embarcadero Cove
5.	Livingston Pier
6.	Cryer Boat House
7.	Union Point Park
12.	Derby to Lancaster
14.	Alameda Avenue
16.	66 <sup>th</sup> Avenue Gateway

**Table 2. Completed Trail Segment – Private**

Trail Segment Map Designation	Name
A.	Jack London Square
B.	Brooklyn Basin (partial completion)
C.	Homewood Suites
E.	Executive Inn and Suites
F.	Oakland Marina
G.	Livingston Street to Dennison Street,
H.	Phoenix Housing
I.	Glasscock Housing
J.	A-1 Self Storage
N.	Tidewater Boating Center to Damon Slough

There are twelve active segments of the Bay Trail that remain to be completed (see **Table 3** of Active Projects below and in **Attachment A**). Of the remaining twelve segments, five will be completed by another agency or through on-going private development. These include:

- Segment B of the map is under the development of the Brooklyn Basin project. A portion of the Brooklyn Basin trail was completed in November 2020. In November 2021, Shoreline Park, which includes a Brooklyn Basin trail segment, was completed, and opened to the public.

- Segments D, K, L, and M are being completed by the East Bay Regional Park District (EBRPD).

The remaining seven segments have been managed by the City and are in varying stages of completion. Of those, three segments are still under land tenure negotiation with private owners/lessees, including: (1) Miller Milling (formerly ConAgra), (2) 333 Kennedy Street, and (3) Cemex (collectively referred to as the 7<sup>th</sup> Street to 23<sup>rd</sup> Street/29<sup>th</sup> Avenue project #1001661). The City's land rights and easements negotiation consultant obtained permission for the City to enter the properties to complete data collection required for assessment and design work. As a result, the Draft Phase II Environmental Site Assessment Report Work is under revision and will be finalized in May 2023. An order-of-magnitude cost estimate for easement acquisitions of the three properties is in progress.

Another three of the seven segments are bridge connections over which multiple jurisdictions, including Alameda County, the U.S. Coast Guard, and the East Bay Regional Park District (EBRPD) have jurisdiction. One of these, the Bay Trail Project at High Street Bridge (High Street Bridge Connection) was cancelled on November 30, 2022 after it was concluded by the US Coast Guard and US Army Corps of Engineers in August 2022, based on input from commercial mariners, that due to increased navigational concerns and vessel safety risks from the City's proposed undercrossing trail connection, the High Street Bridge Connection would not be approved for detail design and construction. The attached *Cooperative Agreement Bay Trail Project at High Street Bridge – Notice of Termination (Attachment B)*, documents communication between the City and the Alameda County regarding the termination of the October 4, 2011 Cooperative Agreement to work collaboratively to build the trail segment. The decision to cancel this undercrossing connection was supported by EBRPD staff (see *Attachment C*). EBRPD staff will pursue an alternative Bay Trail connection from the Tidewater Boating Center along the Tidal Canal to High Street. This project is depicted in *Attachment A* as map segment 15 and will be described in future reports as an EBRPD project.

**Table 3. Active Trail Segments to be Completed** (*Shaded rows being completed by others*)

	Trail Segment on Map	Name	Project Status (work completed since last update)	Notes/Next Steps
1.	1	Estuary Park City of Oakland project	65% Design complete; Bay Conservation and Development Commission working with staff on project permit; Project awarded CA Coastal Conservancy Climate Adaptation fund grant for enhanced design of the living shoreline. Draft California Environmental Quality Act (CEQA) Environmental Impact Report (EIR) Addendum and 95% Documentation will pause to allow time for the enhanced shoreline design to advance.	<b>In Design:</b> Phase 1 construction planned for fall 2025 if funding can be secured. Additional funding is needed to complete design, permitting, and construction. The full estimated project cost is approximately \$20.4 million, leaving a gap of \$17.4 million. It is expected that Series D Measure DD bond will help fill the funding gap.

	Trail Segment on Map	Name	Project Status (work completed since last update)	Notes/Next Steps
2.	B.	Brooklyn Basin Private project	Project under Brooklyn Basin development. First of four parks (Shoreline Park) was completed and opened to the public in November 2021.	<b>In Progress:</b> The remaining portions of Segment B to be constructed by Brooklyn Basin development are under development. Phase 2 is planned for construction in early 2024 and Phases 3 and 4 are in design with construction planned for 2026.
3.	D.	Crowley Site EBRPD project	East Bay Regional Park District (EBRPD) working with the Port of Oakland to develop the trail, with the original Measure DD funding set aside for use by EBRPD to build a permanent trail.	<b>In Progress:</b> EBRPD is in preliminary design phase, gathering site information, and will be applying for US Department of Transportation and RAISE program funds for the trail extension across this property.
4.	8	Miller Milling (2201 E 7 <sup>th</sup> St.) City of Oakland project	These three segments are referred to as the E. 7 <sup>th</sup> St. to 23 <sup>rd</sup> St./29 <sup>th</sup> Ave. project. The City's land rights and easements negotiation consultant assisted the City to gain Permission to Enter the properties to complete data collection required for assessment and design work. As a result, the Draft Phase II Environmental Site Assessment Report Work is under revision with a final report expected in May 2023.	<b>Negotiation &amp; Planning:</b> An order-of-magnitude cost estimate for easement acquisitions of the three properties is in progress.
5.	9	333 Kennedy St. City of Oakland project		
6.	10	CEMEX (333 23 <sup>rd</sup> Ave.) City of Oakland project		
7.	11	Park Street Bridge Connection (Trail Undercrossing) City of Oakland project	Conceptual plans and elevations of a fixed-pier trail connection beneath the bridge completed and presented to the US Coast Guard, US Army Corps of Engineers. Concerns expressed by the City's Facilities Division of Public	<b>Design on hold:</b> This project is on hold while City negotiates land easement acquisitions on the north side of the bridge (at the Cemex site). The bridge undercrossing would

	Trail Segment on Map	Name	Project Status (work completed since last update)	Notes/Next Steps
			Works about the cost and challenge to maintain the undercrossing trail are being evaluated.	need to connect to the Cemex property trail segment.
8.	13	Fruitvale Bridge Land Crossing (Gap Closure) City of Oakland project	This trail connection includes a grade railroad crossing across the railroad track to Fruitvale Ave. 100% of Designs completed, construction bids received, and apparent low bidder identified. Working to secure City Council approval and contract execution.	<b>Bid Award:</b> Construction anticipated to start summer 2023.
9.	15	High Street Bridge Connection (Trail Undercrossing) City of Oakland project cancelled. Alternative project transferred to EBRPD	Project was cancelled on 11/30/22 after US Coast Guard and US Army Corps of Engineers concluded in August 2022, based on input from commercial mariners, that due to increased navigational concerns and vessel safety risks from the City's proposed undercrossing trail connection, the project would not be approved for detail design and construction.	<b>Negotiation &amp; Planning:</b> EBRPD pursuing an alternative Bay Trail connection from the Tidewater Boating Center along the Tidal Canal to High Street.
10.	K	Gallagher & Burk (344 High Street – Oliver De Silva Inc., owner) EBRPD project	EBRPD is continuing to work on planning and designing this segment of trail.	<b>Planning:</b> EBRPD is in the preliminary stages of assessing project feasibility.
11.	L	Hanson Aggregates (4501 Tidewater Avenue) – Home Dock Properties EBRPD project	EBRPD is continuing to work on planning and designing this segment of trail.	<b>Negotiation and Planning:</b> EBRPD is continuing negotiations with the property owner for the easement.
12.	M	Tidewater Boating Center (incomplete section)	The EBRPD Tidewater Day Use Area Public Access Improvement Project is nearing completion.	<b>Construction:</b> EBRPD to construct the project.

## **FISCAL IMPACT**

This item is for informational purposes only and does not have a direct fiscal impact or cost.

## **PUBLIC OUTREACH / INTEREST**

The advancement of Measure DD-funded projects is overseen by the Measure DD Community Coalition (Coalition) which is open to any member of the public wishing to participate. The Coalition meets bi-monthly on the third Monday. Meeting agendas, minutes, and other documents pertinent to Measure DD actions are available on the Measure DD website at <https://www.oaklandca.gov/topics/measure-dd-community-coalition>. Specific public outreach and engagement for each of the projects referenced in this report occurs on a project-by-project basis.

## **SUSTAINABLE OPPORTUNITIES**

***Economic:*** Although this report is for informational purposes and has no direct economic opportunities, the continued efforts of implementing trail improvement projects will provide contracting opportunities for City vendors and contractors through the design and construction process. The completed trail along the waterfront may also enhance economic opportunities for Oakland businesses and may improve economic opportunities for persons needing to commute by walking or biking.

***Environmental:*** Although this report is for informational purposes and has no direct environmental impacts, completion of the waterfront trail projects referenced in this report will benefit the environment by encouraging pedestrian and bicycle use of the trail to access destinations, thereby reducing vehicle usage and its associated pollution. Encouragement of trail use may also improve appreciation for and stewardship of the adjacent Oakland Estuary.

***Race & Equity:*** Although this report is for informational purposes and has no direct race and equity impacts, the waterfront trail projects referenced in this report are part of the regional San Francisco Bay Trail which serves and connects many communities around the San Francisco Bay, including many frontline communities. It provides a safe and low-impact connection between numerous points and neighborhoods of Oakland. It encourages physical activity, recreation, and invites engagement with the environmental habitat of the Bay to improve the quality of life for residents throughout the city. The trail system provides a safe means of transit via walking or biking for recreational transit or commuting. This is especially important for residents who may not have a car or resources for other transit travel. The trail projects will be compliant with the Americans with Disabilities Act and provide equitable access to seniors and those with mobility impairment. Improvement of the trails could allow expansion of programs promoting youth recreation and health improvements.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Receive An Informational Report On The Status Of Waterfront Bay Trail Implementation.

For questions regarding this report, please contact Terri Fashing, Acting Watershed and Stormwater Management Division and DD Bond Manager, Bureau of Design and Construction, Oakland Public Works at [tfashing@oaklandca.gov](mailto:tfashing@oaklandca.gov) or 510-238-7276.

Respectfully submitted,



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Attachments (3):

- A: Oakland Waterfront Bay Trail Projects Map
- B: Oakland-Alameda County High St. Bridge Agreement Termination
- C: SF Bay Trail at High Street Letter to Oakland