



Final Initial Study/Mitigated Negative Declaration Response to Comments and Text Changes

San Francisco Bay Trail at Point Molate
State Clearinghouse Number: 2018032036
May 01, 2018



Point Richmond, Ca
501 Canal Blvd. Suite I
Richmond, CA 94804



**East Bay Regional Park District-
Trails Development Department
2950 Peralta Oaks Court
Oakland, Ca 94605**



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Report Title for:

Final Initial Study/Mitigated Negative Declaration Response to Comments and Text Changes

Prepared for:

Suzanne Wilson
East Bay Regional Park District-
Trails Development Department
2950 Peralta Oaks Court
Oakland, CA 94605

Prepared by:

NCE
Gretchen Taylor and Mike Baron
501 Canal Blvd. Suite I
Richmond, CA 94804

NCE Project Number:

567.04.55

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1.0 INTRODUCTION

1.1 CEQA Process

Pursuant to Section 15085 of the California Environmental Quality Act (CEQA) Guidelines the East Bay Regional Park District (EBRPD) submitted a Notice of Completion (NOC) for the proposed San Francisco Bay Trail at Point Molate Project Draft Mitigated Negative Declaration (MND) to the California State Clearinghouse (SCH) on March 14, 2018. Also, pursuant to Section 15072 of the CEQA Guidelines the EBRPD posted a Notice of Intent to Adopt (NOI) the proposed MND. In accordance with Section 15105(b) CEQA Guidelines, the public review and comment period began on March 14, 2018 and ended on April 13, 2018. In response to the publication of the Draft MND for public review, agency, organizational, and public comments have been received. These comments are discussed in this document and are available for public review at EBRPD Headquarters located at: 2950 Peralta Oaks Court, Oakland, Ca 94605; or e-mail swilson@ebparks.org.

This document incorporates comments from agencies, organizations, and the general public and contains responses by the Lead Agency to those comments. As a result of agency and public comment, changes have been made to the Draft MND. The sole intent of the Final MND and purpose is to provide corrections to certain facts set forth in the Draft MND to ensure accuracy. No new significant environmental impacts are created with revisions made to the Draft MND text. One mitigation measure presented in the Draft MND was deleted (**HAZ-4**) and combined with another (**HAZ-2**) because of its similarity and repetition to another mitigation measure addressing the same potential environmental impact. Modifications were made to mitigations measures to clarify individual responsibility and methods while retaining the intent of the mitigation measures.

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

2.0 COMMENTS ON THE DRAFT MND AND RESPONSE

2.1 Introduction

This chapter includes copies of the comment letters received during the public review period on the Draft MND and responses to those comments. Both the comments and responses are part of the Final MND. The response to each comment is presented immediately after the comment letter.

2.2 Agencies Commenting on the Draft MND

The California Department of Transportation (Caltrans) submitted comments on the Project that provide guidance on the requirements for future permitting activities during construction of the trail.

Comment Letter #1-A Caltrans

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2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

Ms. Wilson, East Bay Regional Park District
April 12, 2018
Page 2

sides with a combined shoulder width of 4 to 5 feet. Segment B would be operated and maintained by the City of Richmond. The project is 0.2 miles away from the Stenmark Drive/Interstate 580 interchange.

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the state Right-of-Way (ROW) requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating state ROW must be submitted to: Office of Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. For more information: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Lead Agency

As the Lead Agency, the East Bay Regional Park District is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Jerry Cheung at 510-286-5562 or jerry.cheung@dot.ca.gov.

Sincerely,

for 
PATRICIA MAURICE

District Branch Chief
Local Development - Intergovernmental Review

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Response to Comment:

Comment noted. All required agency permits will be obtained prior to the start of construction.

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

Comment Letter #2-A City of Richmond Sewer and Water

From: Ryan Smith

To: [Suzanne Wilson](#)

Cc: [Craig Murray](#)

Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration for the San Francisco Bay at Point Molate - 30Day Comment Period

Date: Tuesday, March 27, 2018 10:38:58 AM

Attachments: [image001.png](#)

[Fwd Point Molate Utility Study.msg](#)

Good day, Suzanne –

In response to this MND, I'd like to provide comment relative to sanitary sewer service at Point Molate. The boundaries of the Richmond Municipal Sewer District No. 1 (RMSD) include Point Molate and Point San Pablo Peninsula. As you may be aware, the future of Point Molate is somewhat uncertain and the topic of many City Council Closed Sessions. Also, Craig Murray with the City informed me that the Urban Land Institute forecasted up to 1,800 housing units at Pt Molate.

Just informational only, the attached email contains both an informational document prepared by Veolia, and a link to a utility study done by HydroScience Engineers.

Additionally, there are 2 ways to convey sewage from Point Molate to the Richmond wastewater treatment plant located at 601 Canal Blvd:

1. Along the public right-of-way on Stenmark Drive.
 - a. This would be a hilly and curvaceous path, requiring likely 2 sewage pump stations to lift the sewage over the hill.
2. Along the former Richmond Belt Railway corridor.
 - a. This option would be more desirable, being flat and less of a tortuous path to convey sewage; however, obviously it would align with your trail project.

Right now, there are no current plans to add sanitary sewer service to Point Molate, though as development is approved there will certainly be a need. Please let me know if you have any questions.

Regards,

[Ryan Smith](#)

Director of Water Resource Recovery

City of Richmond, CA

510.620.5486

Response to comments:

Comment noted. There are no current or proposed development permits associated with the trail project.

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

Comment Letter #3-A California Department of Fish and Wildlife

From: Farinha, Melissa@Wildlife <Melissa.Farinha@wildlife.ca.gov>

Sent: Thursday, April 19, 2018 10:58:03 AM

To: Suzanne Wilson

Cc: Ougzin, Aicha@Wildlife

Subject: CDFW CEQA Comments Email for SCH No. 2018032036 San Francisco Bay Trail at Point Molate Project

Dear Ms. Suzanne Wilson,

Although the Public Comment Period has ended, California Department of Fish and Wildlife (CDFW) wanted to provide the following comments prior to the Lead Agency's adoption of the CEQA document.

CDFW has reviewed the draft Initial Study/Mitigated Negative Declaration (IS/MND) from the East Bay Regional Park District for the San Francisco Bay Trail at Point Molate Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.

Mitigation Measure BIO-1. Mitigation Measure BIO-1 addresses impacts to special-status plant species within the Project area. Mitigation Measure BIO-1 states that where impacts to special-status plants cannot be avoided, plants shall be translocated or replanted in the Project vicinity or nearest suitable habitat. CDFW recommends that the MND provide an assessment, prior to construction, of suitable habitat within the Project area or surrounding areas that could be used for translocation or replanting of special-status species. The assessment should provide habitat descriptions and locations for all potential replanting sites. These measures would confirm the availability of suitable replanting sites needed to mitigate impacts to special-status plant species. If the Project will negatively affect special-species plants, then a long-term management plan for the replanting site should be prepared to effectively protect and manage any translocated populations.

Mitigation Measure BIO-2. Mitigation Measure BIO-2 addresses avoiding and minimizing impacts to nesting birds and states that preconstruction surveys for nesting birds shall be conducted by a Qualified Biologist no more than 14 days prior to the start of construction activities that could disturb nesting birds. CDFW recommends that preconstruction for nesting birds occur within 5 days prior to the initiation of construction activity. If the project is suspended and delayed for 10 or more days that another nesting survey be conducted 2 days prior to resuming work.

Mitigation Measure BIO-4. Mitigation Measure BIO-4 addresses avoiding impacts to monarch butterflies and states that eucalyptus trees with the potential to be used as winter roosting sites may be removed. CDFW recommends avoiding the removal of all trees on-site with the potential to function as overwinter butterfly habitat and instead conserving these trees through incorporation into Project designs. The monarch butterfly is declining throughout its native range. Monarch butterflies exhibit high site fidelity to roosting trees. This high site fidelity demonstrates that monarchs have a low tolerance for removal of any roosting trees (as the biological mechanisms for transferring locational information of roosting sites between generations is poorly understood) and therefore loss of a roosting tree or changes to trees within the same grove can be considered a significant biological impact.

CDFW also recommends that the Lead Agency incorporate and implement an enhancement and monitoring plan to restore and enhance areas for the benefit of the monarch butterfly as

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

part of the project. Enhancement and monitoring plans should be written by Qualified Biologists that are considered experts in monarch butterfly ecology. The plan should include planting of native plants that can be utilized by various stages of the monarch life cycle. The plans should also incorporate maintenance policies, maintenance tasks, schedules to perform tasks, vegetation trimming restrictions and a no-spray policy for herbicides or insecticides.

Questions regarding these comments or further coordination should be directed to Aicha Ougzin, Environmental Scientist at (209) 234-3434 or Aicha.Ougzin@wildlife.ca.gov; or Melissa Farinha, Senior Environmental Scientist (Supervisory) at (707) 994-5579 or Melissa.Farinha@Wildlife.ca.gov.

Thank You,

Melissa Farinha
Senior Environmental Scientist (Supervisory)
Bay Delta Region, Habitat Conservation Unit
7329 Silverado Trail
Napa, CA 94558
(707) 944-5579

Response to Comment:

The commenter is requesting that suitable habitat be identified to in the event special-status plants need to be relocated. The commenter suggests shortening the duration of preconstruction surveys for nesting birds from 14 days to 5 days. Additionally, the commenter suggests that if construction suspended or delayed for more than 10 consecutive days that new pre-construction surveys be conducted 2 days prior to restarting construction. Finally, the commenter suggests protecting any and all monarch butterfly habitat as well as incorporating measures to enhance monarch butterfly habitat.

During preparation of a botanical survey (**MND Appendix C**) a site visit was conducted on May 13, 2017, it was noted that the exceptionally high-quality coastal terrace prairie, known as the "postage stamp prairie," was being invaded by French broom (*Genista monspessulana*) as well as naturally occurring coyote brush (*Baccharis pilularis*) and poison oak (*Toxicodendron diversilobum*) which are expanding into the prairie as part of a natural succession process in the absence of fire or grazing pressures. Mitigation for impacts to native grasses will be carried out by managing these invading woody plants to ensure the continued viability of the high quality coastal terrace prairie communities near the project area. Any sensitive coastal terrace prairie species with potential to be impacted by trail construction may be transplanted, where possible, into outskirts of this prairie area (located on the nob just south of the sandy shoreline that begins at the beach park) so as not to interfere with the health and resiliency of the core prairie ecosystem. Additional text has been incorporated into Section IV. Biological Resources of the final MND describing suitable replanting areas near the trail alignment.

Changes to the MND and MMRP have been incorporated to reflect the commenters suggested avian protection measures. Preconstruction surveys for nesting birds would occur within 5 days prior to the start of construction. If the project is suspended and delayed for 10 or more days, another nesting survey would be conducted 2 days prior to resuming work.

Large eucalyptus groves with the potential to provide monarch roosting habitat do occur at Point Molate, but none of them exist within the proposed Bay Trail project area. No trees with

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the potential to function as overwinter butterfly habitat will be removed as part of this project. Therefore, impacts to monarch butterflies are unlikely to occur and no project design modifications are required to conserve overwinter habitat for monarch butterflies. Additionally, the EBRPD would be willing to discuss monarch butterfly habitat enhancement efforts lead by the CDFW.

2.3 Organizations Commenting on the Draft MND

The California Native Plant Society (CNPS) commented during the distribution period and provided suggested text edits and revised mitigation measures.

Comment Letter #1-O CNPS

See Next Page

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND



CALIFORNIA
NATIVE PLANT SOCIETY

East Bay Chapter, www.ebcnps.org
PO Box 5597, Elmwood Station, Berkeley, CA 94705

April 13, 2018

EBRPD, Trails Development Department
(attention: San Francisco Bay Trail at Point Molate)
2950 Peralta Oaks Court
Oakland, CA 94605

Via email to: swilson@ebparks.org

RE: Comments on Mitigated Negative Declaration for SF Bay Trail at Pt. Molate

Dear Ms. Wilson:

The East Bay Chapter of the California Native Plant Society submits the following comments on the Mitigated Negative Declaration (MND) for the San Francisco Bay Trail at Pt. Molate.

The comments refer to specific sections of the Mitigated Negative Declaration. Page numbers are included for reference. Overall, the MND recognizes the need for protection and conservation measures for rare and desirable native plants, however the mitigation measures are not specific enough to reach the end conclusion of no significant impacts. Specific mitigation measures are needed – they should not be deferred until later after project is approved - so that so there is adequate assurance that there are no significant impacts from the project.

1. Clearly require and specify measures to avoid damage to special status species, sensitive plant communities, and desirable native vegetation to remain.

MND Text: *Clearing and grubbing and limited vegetation removal would occur where vegetation coincides with the trail alignment. Invasive plant species and wetland plants would be removed at limited locations....* pg. 4.

Access to the existing private road would be maintained by siting the trail along the southern edge of the road and *conducting hillside grading to maintain road width....* Construct a *berm and*

Pallid Manzanita Management Plan: Remaining Key Issues and Recommendations - EB CNPS

Protecting California's native flora since 1965

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

culvert on the north side of the road to convey flows from a seep wetland underneath the proposed trail. Install *outfall protection* at the discharge location..... Mile 0 – 0.15:....

Clear and grub invasive and wetland vegetation,.... Mile 0.40:....

Fourteen general habitat types were identified within or adjacent to the Project study area.... A site visit was conducted on May 13, 2016 to map rare plants and sensitive natural communities within or near the proposed alignment.... p 22.

... While none of these species or communities were observed within the proposed work area, they would still require consideration during the construction phases of this Project to ensure that they are not impacted. These areas should be identified in a restoration plan developed for the Project to ensure these areas are **avoided** during construction....pg. 22.

Construction would avoid removing most trees and shrubs while protecting special status species habitat. Project buildout would entail minimal loss of foraging, nesting, and/or roosting habitat that is abundantly available regionally. *Appropriate best management practices would be employed* in order to protect these resources. Therefore, the loss of habitat for these species would be *considered less than significant* with mitigation..... pg. 24.

Comment: In several instances, instead of only stating that "care *should* be taken," please state that "care **will** be taken" to avoid, minimize, or mitigate impacts to special status plants, sensitive plant communities, and native vegetation to remain through specific instructions in construction specifications and construction plan demarcations during clearing and grubbing, erosion control, trail construction, equipment and materials staging, and other related activities. For instance, the discussion of bank stabilization (pg. 23), and others, should say that care **will** be taken to ensure that the native grassland is specifically identified or fenced off to ensure that equipment movement and materials staging do not occur on the native grassland communities. Furthermore, identifying **and** fencing is needed to minimize damage from equipment and construction activity.

3. Additional guidelines should be provided for transplanting of native bunch grasses and any locally rare plants

MND Text: Mitigation opportunities exist that can reduce impacts to less than significant. The first is *enhancement of habitat through the transplantation* (when possible) of native bunch grasses that occur within the proposed trail alignment and would be removed due to construction. Second, *weeds can be managed to prevent invasion* of high quality habitats at the site. Third, locally rare plants can be *replanted or restored* to a habitat of equal or greater value on site.... pg. 24.

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Mitigation Measures.... BIO-1.... where impacts cannot be avoided, plants shall be translocated or replanted in the project vicinity or nearest suitable habitat.... pg. 25.

Comment: Some additional common sense guidelines should be provided for translocation or replanting (such as to translocate bunchgrass plants on the outskirts of "exceptionally high quality" rare grassland).

3. A protocol-level comprehensive survey should be performed before the project is approved

MND Text: Suisun marsh aster (*Symphotrichum lenthum*) is identified on the California Natural Diversity Database (CNDDB) as occurring in the Project area in the past but this species was not observed during the site walk and the potential for this special-status plant species to occur within the proposed work area appears low..... p 23. Note: this is a *CNPS rare plant rank 1B.2*

Finally, a *protocol-level study* may be required by agencies prior to construction to determine the presence or absence of additional special status plant species (e.g., Suisun marsh aster), which have been known to occur in the area in the past but were not identified during site visits conducted on October 26, 2015 and May 13, 2016....pg. 24.

Comment: Protocol level comprehensive surveys should be performed for the environmental analysis before project is approved in order to inform public's understanding of project impacts

CNPS appreciates the attention given to signage and other measures to discourage the development of "social trails" to protect the habitats and wildlife found in the vicinity so that visitors can continue to enjoy the natural beauty of Pt. Molate into the future.

Thank you for the opportunity to comment on this project. Please contact Karen Whitestone, Conservation Analyst, or myself if you have any questions.

Sincerely,

signed

Jim Hanson, Conservation Committee Chair

Cc: Karen Whitestone, Conservation Analyst (conservation@ebcnps.org)

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

Response to Comment:

In several instances the commenter suggests text edits to change “would” to “will” to describe actions that will be required if the project were approved. Since the project is not yet approved using “would” in certain instances is appropriate rather than “will” to describe potential future actions.

The commenter is requesting that additional analysis be provided to identify suitable replanting areas if they are necessary for project implementation. In order to prepare a Biological Resources Assessment (**MND Appendix C**) a site visit was conducted on May 13, 2017. During the site visit it was noted that the exceptionally high quality coastal terrace prairie, known as the “postage stamp prairie,” was being invaded by French broom (*Genista monspessulana*) as well as naturally occurring coyote brush (*Baccharis pilularis*) and poison oak (*Toxicodendron diversilobum*) which are expanding into the prairie as part of a natural succession process in the absence of fire or grazing pressures. Mitigation for impacts to native grasses will be carried out by managing these invading woody plants to ensure the continued viability of the high quality coastal terrace prairie communities near the project area. Any sensitive coastal terrace prairie species with potential to be impacted by trail construction may be transplanted, where possible, into outskirts of this prairie area (located on the nob just south of the sandy shoreline that begins at the beach park) so as not to interfere with the health and resiliency of the core prairie ecosystem. Additional text has been incorporated into Section IV. Biological Resources of the final MND describing the suitable replanting areas.

The commenter is suggesting that a protocol level survey for Suisun marsh aster be conducted within the areas of potential affect for the trail alignment. The botanical survey was floristic in nature and was properly timed to coincide with the flowering period for Suisun marsh aster (*Symphotrichum lentum*) and other special status species that have the potential to occur in the project area. Suisun marsh aster is an “obligate wetland” indicator species meaning that it occurs in wetlands in more than 99 percent of its natural occurrences. Properly timed botanical surveys and wetland delineation surveys completed by NCE in 2016 did not observe Suisun marsh aster in the proposed project area. Furthermore, a properly timed botanical survey that happened to overlap a large section of the proposed Bay Trail project area completed by Analytical Environmental Services in 2009 as part of the Point Molate Casino EIR did not observe the Suisun marsh aster in the proposed Bay Trail alignment (ESA, 2009). Given the requirements described in mitigation measure **BIO-1**, a project design that isolates the majority of the work on previously disturbed and graded land, and the less-than-significant impact to wetland areas as a result of this project, no further botanical surveys would be necessary in addition to those required by mitigation measure **BIO-1**.

2.4 Letters of Support Received

The following letters of support was received during the comment period from the Trails for Richmond Action Committee (TRAC) April 2 & 11, 2018 in support of the Project.

Comment Letter #1-S TRAC

From: TRAC

To: [Suzanne Wilson](#)

Cc: [Yader Bermudez](#); [Whitney Dotson](#); [Craig Murray](#); [Ryan Shafer](#); [Bruce Brubaker](#)

Subject: Pt. Molate Bay Trail Draft IS/MND

Date: Monday, April 02, 2018 6:56:17 AM

Attachments: [SFBT NOI Final.pdf](#) [Draft MND MMRP BT Point Molate031418.pdf](#)

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

Suzanne,

TRAC, the Trails for Richmond Action Committee, has reviewed the Draft IS/MND for the San Francisco Bay Trail at Point Molate and believes that it is very well done. It describes the project accurately, fairly assesses potential impacts and recommends appropriate mitigation measures.

Bruce

Bruce Beyaert, TRAC Chair tracbaytrail@earthlink.net tel. 510-235-2835
<http://www.pointrichmond.com/baytrail/> <http://www.ci.richmond.ca.us/109/TRAC>
Photos: <https://sfbaytrailinrichmond.shutterstock.com/pictures/5>.

Response to Comment:

Comment noted. As part of scoping for the proposed Project, outreach efforts were made by the EBRPD to solicit feedback from citizens groups.

Comment Letter #2-S TRAC

From: TRAC

To: [Suzanne Wilson](#)

Cc: [Yader Bermudez](#); [Whitney Dotson](#); [Craig Murray](#); [Ryan Shafer](#); [Bruce Brubaker](#)

Subject: Re: Pt. Molate Bay Trail Draft IS/MND

Date: Wednesday, April 11, 2018 10:51:36 AM

Suzanne,

TRAC would like to elaborate on its April 2 email below regarding the Draft IS/MND for the San Francisco Bay Trail at Point Molate by expressing our support for the following statement in the first paragraph on page 4:

“At the north end of the Point Molate Beach Park where Burma Road transitions closer to the shoreline, the trail would be discontinued for approximately 150 feet. This discontinuation is necessary because of an active coastal erosion feature that would be addressed as a separate project by the City of Richmond. Once the coastline has been stabilized and re-established, the gap in the trail would be closed.”

This shoreline stabilization process would be extremely expensive and time-consuming with major regulatory hurdles, including the need for an EIR under CEQA with evaluation of alternative design approaches, including a “living shoreline” solution. This cost and delay would not be justified in terms of the Bay Trail, because it would be relatively simple for pedestrians and cyclists to get around the gap in the absence of a 15-foot wide developed trail. Also, there would be important economies and lower costs/mile if were possible to bid and construct the entire 2.5 miles as one project, rather than awaiting resolution of the complex and expensive shoreline erosion control project which includes the entirety of Point Molate Beach Park.

Bruce

Bruce Beyaert, TRAC Chair tracbaytrail@earthlink.net tel. 510-235-2835
<http://www.pointrichmond.com/baytrail/> <http://www.ci.richmond.ca.us/109/TRAC>
Photos: <https://sfbaytrailinrichmond.shutterstock.com/pictures/5>.

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

Response to Comment:

Comment noted. As part of scoping for the proposed Project, the EBRPD made outreach efforts to solicit feedback from citizens groups.

2.5 Individuals Commenting on the Draft MND

Comment Letter #1-I Jim Hite

From: Jim Hite

To: [Suzanne Wilson](#)

Subject: A Comment, Phase I, Bike Path though Pt. Molate Beach Park

Date: Wednesday, April 11, 2018 10:48:46 AM

East Bay Regional Parks
Suzanne Wilson

Dear Ms. Wilson,

My name is Jim Hite. I have been going out to Pt. Molate Beach park since the 1970s and I have seen a few changes! A surprising (and remarkable) great change is the way the park has been maintained the last few years. OK, I'm a volunteer out there and I was on the PMCAC during Gail's tenure as mayor.

We have worked really hard to defend the beach park area from invasive plants and to restore the same grasses and flowers that I remember observing growing up here on the shores of the bay. These native grasses, shrubs and flowers are hard to find anywhere around the bay. Pt. Molate beach park allows the opportunity to roam among many different native species all together in one place.

At least through the sensitive areas of Pt. Molate and the beach park, asphalt is counter-productive to the restoration efforts that have been under way out here.

Please consider an alternative such as porous concrete to run through the park. A proper surface will respect the hard won and fragile environment the bike path will traverse.

Thank you,

Jim Hite
34 13th St. #3
Richmond CA 94801
(510) 232-0457

Response to Comment:

The commenter is concerned with the type of surface proposed for construction of the trail through areas containing native grasses, shrubs, and flowers. An asphalt-concrete surface with decomposed granite shoulders is proposed for the project due to its durability and low maintenance requirements and to follow Bay Trail Design Guidelines and Tool Kit (June 2016), "Bay Trail surface will typically be paved but may also include non-paved shoulders for a variety of uses. In limited cases, such as in areas of sensitive habitat or on levees with particular maintenance conditions, the entire trail tread may be composed of stabilized natural materials. See also Sections 5.1 and 5.2." The Park district manages over 144 centerline

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

miles of paved trails of which 139 centerline miles are asphalt concrete, which allows the Park District to cost effectively maintain and manage its trail network.

Alternatives such as porous concrete or decomposed granite would have the same construction impacts as asphalt (to strip, grub, and prepare the subgrade surface of the previous railroad corridor and then place the new trail section). Asphalt would not create hydrologic impacts because the trail would be graded such that stormwater runoff would drain to adjacent non-erodible pervious surfaces. Mitigation Measures GEO-1 and GEO-2 (Section VI. Geology & Soils [Page 36]) would be implemented to reduce the likelihood of erosion and increased sedimentation from recently graded areas within the Project. In addition, the design includes a 5-foot wide soft shoulder on the coastal side of the trail to absorb run-off for the entire length of the trail, in leaue of a typical 2-foot shoulder on both sides of the trail. The only exception to this design criteria is the segment that parallels the parking lot for the Beach Park that will incorporate 2-foot shoulders on both sides of the trail due to topograpgy and existing site conditions.

The alternative trail alignment along Stenmark Drive proposed by the commenter would not be feasible through this segment of the trail because it would be inconsistent with the San Francisco Bay Trail Guidelines and Toolkit (June 2016):

- The Bay Trail should be designed for the widest variety of nonmotorized trail users. Page 8 identifies Bay Trail users as “any age with any level of physical, audial, and visual ability.” The grade of the existing road and the width of the right-of-way does not accommodate a trail design consistent with this concept and with ADA requirements.
- Page 12 identifies the design principles which include user experience and safety as the first principle of Bay Trail design. The trail should be designed to provide “an adequate buffer to create a safe and positive user experience that considers design elements of sights, sounds and fresh air.” Other relevant design principles include accommodating for universal access and proximity to the Bay.

Comment Letter #2-I Deborah Bayer

From: Deborah Bayer
To: [Suzanne Wilson](#)
Subject: asphalt trail at Point Molate
Date: Friday, April 13, 2018 5:43:43 PM

I am writing to request that the East Bay Parks does NOT use asphalt for the planned nature trail in Point Molate. The trail will go through an altogether too rare undeveloped area along the Bay. Asphalt has the potential to pollute native plants and animal habitat as well as not provide a pleasant sensory experience for those of us going there to get away from city streets and asphalt. I am sending this at 5:30 pm on April 13, and hope this is not to late for my letter to be considered.

Sincerely,
Deborah Bayer 5706 Sacramento
Richmond, CA 94804
510-524-8158

Response to Comment:

The commenter is concerned with the type of surface proposed for construction of the trail through an undeveloped area on the Bay. An asphalt-concrete surface with decomposed

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

granite shoulders is proposed for the project due to its durability and low maintenance requirements and to follow Bay Trail Design Guidelines and Tool Kit (June 2016), "Bay Trail surface will typically be paved but may also include non-paved shoulders for a variety of uses. In limited cases, such as in areas of sensitive habitat or on levees with particular maintenance conditions, the entire trail tread may be composed of stabilized natural materials. See also Sections 5.1 and 5.2." The Park district manages over 144 centerline miles of paved trails of which 139 centerline miles are asphalt concrete, which allows the Park District to cost effectively maintain and manage its trail network.

Comment Letter #3-I Charles Smith

From: charles smith
To: [Suzanne Wilson](#)
Subject: Bike Path @ Point Molate Beach Park!
Date: Wednesday, April 11, 2018 8:29:45 AM

Ms. Wilson,

I've been a voluteer maintance worker at Point Molate Beach Park for over three years. I would suggest using porous concrete for the bike path at Point Molate.

Personally I think the bike path should be on the opposite side of the street from the park because the park itself is small and the shoreline is eroding away more and more with each new winter storm.

Thank you.

Charles T. Smith
561 Dimm St.
Richmond, CA 94805
510-233-5820

Response to Comment:

The commenter is suggesting that porous concrete be used for the trail surface as well an alternative trail alignment due to potential shoreline erosion. An asphalt-concrete surface with decomposed granite shoulders is proposed for the project due to its durability and low maintenance requirements and to follow Bay Trail Design Guidelines and Tool Kit (June 2016), "Bay Trail surface will typically be paved but may also include non-paved shoulders for a variety of uses. In limited cases, such as in areas of sensitive habitat or on levees with particular maintenance conditions, the entire trail tread may be composed of stabilized natural materials. See also Sections 5.1 and 5.2." The Park district manages over 144 centerline miles of paved trails of which 139 centerline miles are asphalt concrete, which allows the Park District to cost effectively maintain and manage its trail network.

The commenter is concerned about shoreline erosion along the Beach Park as discussed in **Appendix F of the MND**, shoreline erosion along the Beach Park, particularly at the north end near Burma Road is being addressed as a separate project by the City of Richmond. In addition, a coastal erosion assessment was completed and identifies sea level elevations anticipated in different years, and in different wave run-up or tsunami conditions (**MND Appendix F**). The assessment concluded that tsunami wave-run up conditions could persist and not inundate the trail based on current and future sea level rise projections through 2050, and sea level rise

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

projections for 2030, 2050, and 2100 in non-seiche and non-tsunami conditions are not expected to inundate the trail.

Alternatives such as porous concrete or decomposed granite would have the same construction impacts as asphalt (to strip, grub, and prepare the surface of the previous railroad corridor). Asphalt would not create new hydrologic impacts because the trail would be graded such that stormwater runoff would drain to adjacent non-erodible pervious surfaces. Mitigation Measures GEO-1 and GEO-2 (Section VI. Geology & Soils [Page 36]) would be implemented to reduce the likelihood of erosion and increased sedimentation from recently graded areas within the Project. In addition, the design includes a 5-foot wide soft shoulder on the coastal side of the trail to absorb run-off for the entire length of the trail, in leau of a typical 2-foot shoulder on both sides of the trail. The only exception to this design criteria is the segment that parallels the parking lot for the Beach Park that will incorporate 2-foot shoulders on both sides of the trail due to topograpy and existing site conditions.

The alternative trail alignment along Stenmark Drive proposed by the commenter would not be feasible through this segment of the trail because it would be inconsistent with the San Francisco Bay Trail Guidelines and Toolkit (June 2016):

- The Bay Trail should be designed for the widest variety of nonmotorized trail users. Page 8 identifies Bay Trail users as “any age with any level of physical, audial, and visual ability.” The grade of the existing road and the width of the right-of-way does not accommodate a trail design consistent with this concept and with ADA requirements.
- Page 12 identifies the design principles which include user experience and safety as the first principle of Bay Trail design. The trail should be designed to provide “an adequate buffer to create a safe and positive user experience that considers design elements of sights, sounds and fresh air.” Other relevant design principles include accommodating for universal access and proximity to the Bay.

Comment Letter #4-I Carol Teltschick

From: Carol Teltschick

To: [Suzanne Wilson](#)

Cc: [Jim Mckissock](#); [Charles T Smith](#); [Chia](#); [DOROTHY GILBERT](#); [Gail Wilson](#); [Jim Hite](#); [Joe Puleo](#); [Khary Clyburn](#); [Mike Eichenholtz](#); [Paul Carman](#); [Tom Gehling](#); [Tom Johnson](#); [Jim Hanson](#); pamstello@gmail.com

Subject: Comments on Proposed Phase I of Bay Trail

Date: Tuesday, April 10, 2018 2:56:52 PM

Dear Suzanne and Trails Dept. of East Bay Regional Parks:

These comments concern Phase 1 of the proposed Bay Trail trail, which runs from the Richmond-San Rafael bridge to Point Molate Beach Park. Please study the following comparison of trail surfaces published the City of Santa Cruz for background information: <http://www.cityofsantacruz.com/home/showdocument?id=23669>

Do Not Build An Asphalt Trail

I strongly oppose construction of an asphalt trail because asphalt has the highest (worst) environmental impact on natural systems. Construction, maintenance and runoff will damage native plants, the wildlife that depends on the plants, the watershed, the beach and the shallow eel beds, and life that depends on the eel beds.

Asphalt trails also bring the worst sensory impacts to humans and to wild life: visual, auditory, tactile, and smell (nothing like hot asphalt to stink up a summer day).

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

Remember that a *paved asphalt road already provides access to Point Molate Beach Park, and runs very close to where you intend to build Phase I of the trail.* If you are intent on using the "old-fashioned," non-permeable, black asphalt, then you would do far better to simply widen the existing road to accommodate a foot and bike path, rather than adding what will be essentially be another asphalt road, going nowhere new but running through environmentally sensitive areas.

To Build a Nature Trail

The key word is "nature," and the key intent must be to keep the environmental impact as low as you can possibly get it.

Decomposed granite = lowest environmental impact on native plants, wildlife that depends on plants, the watershed, the beach, the shallow eel beds, and brings the lightest sensory impacts (looks natural, no glare, smells ok, feels good to okay under feet or bike tires.)

Cost of construction is low. Cost of maintenance is moderate to high. However, I still put lowering environmental impact first, so why not design a trail using decomposed granite, and get creative to design it in a way that will reduce maintenance as much as possible. (For example, does placing a decomposed granite trail between rails (which you already plan to do) reduce run off and rutting? It's worth looking into.

Looking at the trail comparisons done by the City of Santa Cruz, I see that decomposed granite has an overall higher score than boardwalks, so if boardwalks are doable and affordable to protect wetlands, why shouldn't decomposed granite be worth protecting the rest? After all, the length of trail we're talking about here is far less than what we'll be looking at for remaining phases.

Porous Concrete is an Option but Requires Study

Again looking at comparisons done by the city of Santa Cruz, it seems possible to do a really fine job of installing a permeable concrete trail. The permeable concrete trail that Santa Cruz built through Arana Gulch had its defenders, and its opponents. It was highly controversial, as it would be for this project, but I think both sides in Santa Cruz would readily agree that it was far better than asphalt.

Basically they built an 8 foot wide trail of porous concrete, dyed to a "natural" color, with 1 foot of native plantings along each side, giving a total width of 10 feet. Here's what it looked like on "opening day:"

<http://www.cityofsantacruz.com/Home/Components/News/News/1791/814?arch=1>

And here's a discussion of pros and cons after the trail became popular and heavily used:

<http://santacruzlife.com/arana-gulch/>

What would it be like to put a porous concrete trail, with a foot of native plantings on either side, between the rails @ Pt Molate? It's something to consider, but carefully, and with public input.

Upshot

I think you should go with decomposed granite for Phase I, and consider permeable concrete (with study, visual renderings, and further public input) for remaining Phases of the Bay Trail that will pass through Pt Molate.

Sincere regards,

Carol Teltschick

former Planning Commissioner and member of General Plan Update Committee

current member of Point Molate Friends and Point Molate Working Group

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Response to Comment:

The commenter is concerned with the type of surface proposed for construction of the trail through sensitive plant and wildlife habitats as well as impacts resulting from runoff into adjacent sensitive plant and wildlife habitats. Additionally, the commenter is concerned with the visual, auditory, tactile, and obnoxious odors resulting from the use of an asphalt trail surface. The commenter is also providing feedback for an alternative trail alignment.

An asphalt-concrete surface with decomposed granite shoulders is proposed for the project due to its durability and low maintenance requirements and to follow Bay Trail Design Guidelines and Tool Kit (June 2016), "Bay Trail surface will typically be paved but may also include non-paved shoulders for a variety of uses. In limited cases, such as in areas of sensitive habitat or on levees with particular maintenance conditions, the entire trail tread may be composed of stabilized natural materials. See also Sections 5.1 and 5.2."

Alternatives such as porous concrete or decomposed granite would have the same construction impacts as asphalt (to strip, grub, and prepare the subgrade surface of the previous railroad corridor and then place the new trail section). Asphalt would not create new hydrologic impacts because the trail would be graded such that stormwater runoff would drain to adjacent non-erodible pervious surfaces. Mitigation Measures GEO-1 and GEO-2 (Section VI. Geology & Soils [Page 36]) would be implemented to reduce the likelihood of erosion and increased sedimentation from recently graded areas within the Project. In addition, the design includes a 5-foot wide soft shoulder on the coastal side of the trail to absorb run-off for the entire length of the trail, in leau of a typical 2-foot shoulder on both sides of the trail. The only exception to this design criteria is the segment that parallels the parking lot for the Beach Park that will incorporate 2-foot shoulders on both sides of the trail due to topograpgy and existing site conditions.

Comment Letter #5-I Carol Teltschick

From: Carol Teltschick

To: [Suzanne Wilson](#)

Subject: further comment on Phase I of Bay Trail @ Point Molate

Date: Thursday, April 12, 2018 4:29:26 PM

Dear Suzanne,

I would like to add to the comment that I sent to you on April 10. "Park tread" should also be considered as an alternative to asphalt for the trail @ Point Molate.

I've just received this info from Catherine Barner, VP of Projects @ Golden Gate National Parks Conservancy:

We used a material called park tread for the Crissy Field promenade. We considered a number of alternatives and all agreed this was the best product given the number of people and the various user groups. Here is the link with the specifics on the material: <http://www.parktread.com/>

This is the same product we have used in several other places including the Coastal Trail in the Presidio. We used a product called permazyme to stabilize the material at Crissy Field.

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Since the deadline for submitting comments is so near, I won't try to track down any cost benefit charts myself. But I'll bet that Catherine would be happy to provide more information to you and your colleagues @ EBRPD.

One final thought: Decomposed granite and park tread both seem to require borders, and I've been wondering whether the existing railroad tracks could serve as borders. They would certainly be more durable, and it might also reduce installation costs since the rails are already there.

Sincere regards,

Carol Teltschick

Response to Comment:

The commenter is concerned with the type of surface proposed for construction of the trail and its potential effects on plants and wildlife in sensitive areas near the trail alignment. An asphalt-concrete surface with decomposed granite shoulders is proposed for the project due to its durability and low maintenance requirements and to follow Bay Trail Design Guidelines and Tool Kit (June 2016), "Bay Trail surface will typically be paved but may also include non-paved shoulders for a variety of uses. In limited cases, such as in areas of sensitive habitat or on levees with particular maintenance conditions, the entire trail tread may be composed of stabilized natural materials. See also Sections 5.1 and 5.2."

Alternatives such as "park tread" or decomposed granite would have the same construction impacts as asphalt (to strip, grub, and prepare the surface of the previous railroad corridor).

Comment Letter #6-I Chia Hamilton

From: Chia Hamilton

To: [Suzanne Wilson](#)

Subject: Pt Molate

Date: Friday, April 13, 2018 4:07:36 PM

Hi Suzanne

I'm very concerned about the damage that heavy bulldozing does, referenced here

<http://santacruzlife.com/arana-gulch/>

Seems to me this would be incredibly destructive in the area.

Would all trail installation require heavy bulldozing? What process would be used if decomposed granite is the choice?

The very wooded area just south of the beach/park area would be devastated by bringing a bulldozer in there. There's a spring and waterway from the culvert under the road, the current trail is narrow.

Hacking out a wide trail would lose much of what makes that area special.

Maybe the lower land, a short distance from the beach would work better.

Thank you for taking my comments under consideration. We've all put a lot of hard work and love into this very special place.

Chia Hamilton

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

May there be Peace on Earth

Response to Comment:

- a) The commenter is concerned with potential impacts to the surrounding sensitive plant and wildlife habitat resulting from the use of heavy construction equipment to construct the proposed trail or other trail surfaces. The commenter is also suggesting an alternative trail alignment. Impacts to the areas surrounding the proposed trail alignment would be subject to agency permit requirements for protecting water resources, plant, and wildlife species. Also, as discussed in Section XIX. Mandatory Findings of Significance a), "The proposed Project would result in potentially significant impacts to biological resources due to the presence of special status species within the Project's alignment. **MM BIO-1** requires surveys for special status plants and implementation of appropriate measures for restoration and avoidance. These mitigation measures would reduce impacts to biological resources to less than significant. **MM BIO-2** and **MM BIO-3** would reduce impacts to nesting birds and raptors below the level of significance and **MM BIO-4** implements avoidance measures to protect monarch butterfly habitat. Impacts to the quality of the environment and special status species are reduced to less than significant."

Comment Letter #7-I Jim Mckissock

From: Jim Mckissock

To: [Jim Hite](#)

Cc: [Suzanne Wilson](#)

Subject: Re: A Comment, Phase I, Bike Path though Pt. Molate Beach Park

Date: Friday, April 13, 2018 4:29:11 PM

Attn. S. Wilson In response to the intent for a negative declaration for the Pt. Molate bike path/ Bay trail.

Having read the 65% engineering plan for the project, I can only come to the conclusion that the general public could not possibly have been given proper notice or information that would have been required by CEQA in a complete EIR versus the negative dec that has been pursued so far. No pictures of the trail or accurate drawings of the bike route exist.

The plans falsely claim that all the impacts are less than significant and that the mitigations offered will be acceptable to the wider public and will correct any issues.

Driving the path through the most sensitive area on the south end of the park for the alleged enjoyment of a few bike riders is unthinkable to the many current park users whom I've had the opportunity

to discuss this with over the past three and a half years as lead worker of the Pt. Molate beach park volunteers. The park and surrounding area are best enjoyed on foot. The unique, sensitive and rare natural resources of the beach park and neighboring areas are in everyone's opinion best left alone. There has been no discussion of alternative

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

bike routes. For example the new bike access under construction will give easy access to Stenmark Dr. and the road to the old Red Rock Marina/ ferry terminal which is now included as the southern portion of the bike route. It is unclear at this time what the old Red Rock site will become, it could possibly be a destination

in it's own right. The addition of a bike lane up the steep grade on the east side of Stenmark Dr. to the top of the grade south of the beach park would make an all down hill cruise to the beach park entrance and

conversely a bike lane could be added on the west side of Stenmark on the uphill portion from the beach park entrance to the top of the hill and all down hill on the way back. In any case bikers will have to climb

a significant grade to get home and back on to city streets.

The above alternative would be far less expensive and more doable, using mostly existing pavement and no expensive wooden road through the undisturbed sensitive area south of the beach park.

There is much more but no time to comment .

Thank You Jim McKissock
516 Richmond St.
El Cerrito Ca 94530

On 4/11/18, Jim Hite <umbrella27@hotmail.com> wrote:

- > East Bay Regional Parks
- >
- > Suzanne Wilson
- >
- >
- > Dear Ms. Wilson,
- >
- >
- > My name is Jim Hite. I have been going out to Pt. Molate Beach park since
- > the 1970s and I have seen a few changes! A surprising (and remarkable)
- > great change is the way the park has been maintained the last few years. OK,
- > I'm a volunteer out there and I was on the PMCAC during Gail's tenure as
- > mayor.
- >
- >
- > We have worked really hard to defend the beach park area from invasive
- > plants and to restore the same grasses and flowers that I remember observing
- > growing up here on the shores of the bay. These native grasses, shrubs and
- > flowers are hard to find anywhere around the bay. Pt. Molate beach park
- > allows the opportunity to roam among many different native species all
- > together in one place.
- >
- >
- > At least through the sensitive areas of Pt. Molate and the beach park,
- > asphalt is counter-productive to the restoration efforts that have been

2.0 COMMENTS AND RESPONSES ON THE DRAFT MND

> under way out here.
>
>
> Please consider an alternative such as porous concrete to run through the
> park. A proper surface will respect the hard won and fragile environment the
> bike path will traverse.
>
>
> Thank you,
>
>
> Jim Hite
>
> 34 13th St. #3
>
> Richmond CA 94801
>
> (510) 232-0457

Response to Comment:

The Commenter is expressing that the 30-day review period required under CEQA Guidelines Section 15105 was not an adequate amount of time to review and comment on the project. The commenter challenges the thresholds of significance determination made for the resulting Mitigated Negative Declaration and describes the proposed mitigation measures, plans and exhibits as inadequate. The commenter is also providing feedback for an alternative trail alignment.

The 30-day review period was provided in accordance with the CEQA Guidelines. No additional review period is necessary for the proposed Project. The Initial Study and proposed Mitigated Negative Declaration were prepared consistent with Appendix G: Initial Study and CEQA Guidelines Section 15070 Decision to Prepare a Negative or Mitigated Negative Declaration.

The alternative trail alignment along Stenmark Drive proposed by the commenter would not be feasible through this segment of the trail because it would be inconsistent with the San Francisco Bay Trail Guidelines and Toolkit (June 2016):

- The Bay Trail should be designed for the widest variety of nonmotorized trail users. Page 8 identifies Bay Trail users as “any age with any level of physical, audial, and visual ability.” The grade of the existing road and the width of the right-of-way does not accommodate a trail design consistent with this concept and with ADA requirements.
- Page 12 identifies the design principles which include user experience and safety as the first principle of Bay Trail design. The trail should be designed to provide “an adequate buffer to create a safe and positive user experience that considers design elements of sights, sounds and fresh air.” Other relevant design principles include accommodating for universal access and proximity to the Bay.

3.0 TEXT CHANGES TO THE DRAFT MND

3.0 TEXT CHANGES TO THE DRAFT MND

The following text changes are made to the Draft Mitigated Negative Declaration (MND) The changes are shown by page number in the Draft MND and identified as to the location of the change in the body of the text or table.

Where changes are shown inserted in the existing Draft MND text, revised or new language is underlined, deleted language is indicated by ~~strike through~~, and the original text is shown without underline or strike through.

Page **Identification/Text Change:**
24 *Paragraph 3 of Section IV. Biological Resources a) has been edited to provide additional analysis describing suitable replanting areas that could be used for translocation or replanting of special-status species.*

Flora. Special status or locally rare plants that occur within the proposed alignment would be removed. Invasive species on site could be spread to high-quality habitat areas unless avoided or mitigated. Mitigation opportunities exist that can reduce impacts to less than significant. The first is enhancement of habitat through the transplantation (when possible) of native bunch grasses that occur within the proposed trail alignment and would be removed due to construction. Second, weeds can be managed to prevent invasion of high quality habitats at the site. Third, locally rare plants can be replanted or restored to a habitat of equal or greater value on site. Exceptionally high quality coastal terrace prairie, known as the "postage stamp prairie," was being invaded by French broom (*Genista monspessulana*) as well as naturally occurring coyote brush (*Baccharis pilularis*) and poison oak (*Toxicodendron diversilobum*) which are expanding into the prairie as part of a natural succession process in the absence of fire or grazing pressures. Mitigation for impacts to native grasses will be carried out by managing these invading woody plants to ensure the continued viability of the high quality coastal terrace prairie communities near the project area. Any sensitive coastal terrace prairie species with potential to be impacted by trail construction may be transplanted, where possible, into outskirts of this prairie area (located on the nob just south of the sandy shoreline that begins at the beach park) so as not to interfere with the health and resiliency of the core prairie ecosystem. Finally, a protocol-level study may be required by agencies prior to construction to determine the presence or absence of additional special status plant species (e.g., Suisun marsh aster), which have been known to occur in the area in the past but were not identified during site visits conducted on October 26, 2015 and May 13, 2016.

Page **Identification/Text Change:**
25 *Mitigation Measure **BIO-3** of Section IV. Biological Resources has been edited to reflect suggestions made by CDFW to address nesting birds.*

BIO-2 If any construction activities (e.g., grubbing, grading, removal of one tree) are scheduled during the bird nesting season (typically defined by CDFW as February 1 to September 1), a qualified biologist shall conduct a preconstruction survey for nesting birds no more than ~~14~~ 5 days prior to the start of work, or as otherwise specified by permit conditions. If the project is suspended and delayed for 10 or more days another nesting survey shall be conducted 2 days prior to resuming work. If the survey indicates the presence of nesting birds, a qualified biologist shall delineate a buffer zone where no construction will occur until the

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biologist has determined that all young have successfully fledged, or until otherwise approved by CDFW. The size of the buffer(s) shall be determined by the project biologist in consultation with CDFW and be based on the nesting species and its sensitivity to disturbance.

Page **Identification/Text Change:**
42 *Paragraph 3 of Section IX. Hazards & Hazardous Materials under the General Area History proposes a minor text edit for clarification.*

In the early 1940's, the Navy established Point Molate Naval Fuel Depot (NFD) at Point Molate for fuel storage and distribution for the Pacific Fleet. Segment B is located within a portion of the former NFD. The NFD ~~consists of~~includes 20 large concrete underground storage tanks (USTs; each with 2.1 million gallons capacity) that have been built into the hillside and covered by native soil and several smaller USTs connected to refueling piers by over nine miles of buried pipeline.

Page **Identification/Text Change:**
42-43 *Paragraphs 1 and 4 of Section IX. Hazards & Hazardous Materials under Project Area requires informational updates as follows:*

Project Area

The Project traverses through a large portion of the former NFD and surrounding areas as shown on Figure 1. ~~Due to past historical uses activities at the NFD resulted in the presence of impacts to soil and groundwater that are regulated by the California Regional Water Quality Control Board under Waste Discharge Requirement (WDR) No. R2-2009-0059 issued to the City of Richmond on October 1, 2009. While significant site characterization investigations and soil and groundwater clean ups have been conducted at the NFD under this and other WDR (and other previous WDRs), there is a potential that there are areas of to encounter previously unidentified impacted soil and groundwater not previously identified. In addition, there are stipulations outlined in the WDRs that require new projects that include changes in land use and/or soil excavation may create potential environmental concerns (PEC's) for exposing users to elevated levels of constituents not previously considered or remediated. Therefore, the proposed project that includes bringing users of the bike trail to the NFD and which is considered a change in land use, and will also result in soil excavation activities to construct the trail, requires compliance with the specific mitigation measures. In addition, preparation and implementation of a the Soil and Groundwater Management Plan (SGWMP) that was prepared for that must be followed if ground-disturbing activities are planned and conducted that may disturb soil or produce groundwater at the former NFD at Point Molate, and approved by the RWQCB serving as the lead agency (Attachment F of the Phase II/Appendix H), must also be followed. The SGWMP was prepared by the City of Richmond and approved by the RWQCB, and also requires notification to the RWQCB prior to initiation of any construction work at the NFD as well as specific measures that must be implemented if previously unknown impacted soil and groundwater are encountered. In response to Task 2 of San Francisco Bay RWQCB Order #R2-2011-0087, which states~~The requirements of the SGWMP outlined in the WDRs are as follows:

NCE conducted Phase I and II Assessments (Appendix G and H) that identified specific potential environmental concerns (PECs) present within or nearby along the trail alignment, in order to identify avoidance and mitigation measures during construction and operation of the trail. The concerns identified included the presence of arsenic above health-based screening values and background concentrations that may pose an unacceptable risk ~~be a concern~~ to users of the

3.0 TEXT CHANGES TO THE DRAFT MND

bike trail, ~~construction~~—workers during construction, and future maintenance crews; the potential for users of the trail to be exposed to hazardous building materials (HBM) potentially present around and within the existing abandoned buildings near the trail and within the NFD, as well as physical hazards associated with these buildings; and potential contamination that may be present in the subsurface that ~~has~~may not have been previously mitigated.

Page **Identification/Text Change:**

43-44 *Paragraphs 1 and 2 of Section IX. Hazards & Hazardous Waste item b) have been revised to include further analysis as follows:*

a) **Less-than-Significant Impact with Mitigation.** The operation of the trail would not involve the routine transport, use, or disposal of hazardous materials. However, construction of the trail will require the movement and handling of soil with arsenic concentrations above background levels. In addition, contaminated soils not previously identified could also be encountered. There are also existing abandoned structures located near the proposed trail alignment that may contain HBMs and pose a physical hazard to trail users. As required by Mitigation measure **HAZ-1**, fencing would be installed to keep users from accessing abandoned buildings, other structures, and areas known to contain contaminated soils. As a requirement of **HAZ-2** the soils with elevated levels of arsenic along the trail would either be capped in place, or relocated and capped. Areas where soils containing arsenic above background levels occur beneath the footprint of the trail, those soils would be covered with a minimum of 1-foot of clean fill material or clean fill, aggregate base and asphalt. To prohibit users from accessing wetland areas that may contain high levels of arsenic, ~~lead or PAHs~~, the boardwalk would be designed and constructed with railings that keep users on the boardwalk. Where soils containing arsenic concentrations above background levels occur near the proposed alignment and would not be capped by the methods described above, fencing and/or signage would be placed to discourage users from entering the areas (e.g., areas immediately east of Burma Road where rail lines are exposed) as a requirement of mitigation measure **HAZ-3**.

During construction of the trail, the contractor would remove some abandoned infrastructure (e.g. abandoned fire hydrant piping, an abandoned fuel tank, and a containment vault). Removal of the abandoned fuel tank may require oversight from the RWQCB. Removal of the other infrastructure may require additional testing for HBMs if they are identified during construction. Additionally, project construction will require excavation of some soil with elevated levels of arsenic that could cause temporary exposure to workers during earth work activities. Incorporation of mitigation measure **HAZ-42** requires the contractor to prepare a site-specific Health and Safety Plan (HS&P) and implement a project-specific soil management plan, and air monitoring plan, under the direction of a Certified Industrial Hygienist. If unexpected HBMs or contamination is are encountered during construction, the contractor will be required to follow the NFD Soil and Groundwater Management Plan procedures.

Page **Identification/Text Change:**

44 *Mitigation Measure **HAZ-1** of Section IX. Hazards & Hazardous Materials proposes minor text edits for clarification.*

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HAZ -1 Exclusionary fencing shall be installed to keep users from accessing abandoned buildings and other structures that pose a physical hazard. Fencing shall also be installed in areas where HBMs may be present and where contaminated soils occur near the proposed alignment and would not be capped. This may include areas along the eastern edge of Burma Road, the perimeter of buildings at the drum lot, and the inside perimeter of the drum lot.

Page **Identification/Text Change:**
42 *Mitigation Measure **HAZ-2** of Section IX. Hazards & Hazardous Materials⁴ proposes minor text edits for clarification and additional guidance for the Lead Agency to implement the mitigation measure correctly.*

HAZ-2 The final Plan, Specification and Estimate (PS&E) for the Project shall identify areas where arsenic shall be addressed and require the contractor to comply with the NFD SGWMP, ~~the. The contractor shall prepare a project-specific soil management plan, and air monitoring plan. The contractor shall be required to prepare and~~ Health and Safety Plan. Implementation of the project-specific soil management plan and air monitoring plan, and preparation and implementation of the Health and Safety Plan shall be conducted with oversight by a Certified Industrial Hygienist. During construction, areas of known elevated arsenic, lead, or PAHs shall be either capped in place, relocated and capped, or access discouraged to prohibit users. Areas where soils containing arsenic above background occur beneath the footprint of the trail shall be covered with a minimum of 1-foot of clean fill material. Soils shall not be transported between City and Chevron properties (i.e. between Segment A and Segment B). The Lead Agency shall document that the City has informed/contacted the RWQCB two weeks prior to construction, as required by the SGWMP.

Page **Identification/Text Change:**
44 *Mitigation Measure **HAZ-3** of Section IX. Hazards & Hazardous Materials proposes minor text edits for clarification.*

HAZ-3 A boardwalk over the wetland area where elevated arsenic was identified shall be constructed with railings designed to inhibit trail users from accessing the wetland. The boardwalk shall be included in the final PS&E to be reviewed and approved by the Lead Agency.

Page **Identification/Text Change:**
44-45 *Mitigation Measure **HAZ-4** of Section IX. Hazards & Hazardous Materials has been consolidated with **HAZ-2** for clarity.*

~~**HAZ-4** To protect construction personnel from potential exposure to undiscovered hazardous materials, the contractor shall be required to follow the NFD SGWMP. The NFD SGWMP defines protocols to be implemented if suspected contamination is found during mass grading and excavation activities associated with site development. These protocols shall include identification of how soils and affected groundwater are to be managed and requiring hourly field measurements within active excavation areas. Hourly field measurements shall also be required within active soil stockpile areas and confined spaces. The Plan shall be implemented by a professional engineer registered in the State of California and shall include hourly field measurements for undiscovered contaminants using a photo ionization detector (PID) for measuring volatile organic compounds (VOCs), confined space monitor (oxygen, carbon monoxide, hydrogen sulfide, and, lower explosive~~

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limit), and any other monitor deemed appropriate by the registered engineer. If deemed necessary by the engineer, soil samples shall be collected and analyzed for petroleum hydrocarbons in areas of suspected contamination. If suspected contamination is found during construction activities, all work shall stop in the immediate area and a safe zone for construction personnel shall be established. The extent of contamination shall be assessed to determine whether there is a significant health risk to construction personnel working on-site. The SMP would also include construction personnel safety protocols according to Occupational Safety and Health Administration (OSHA) guidelines to be implemented as part of the SMP. The contractor shall ensure through contractual obligations with the RWQCB that OSHA guidelines are followed during construction activity and any potential removal of affected soils.

Page **Identification/Text Change:**
45 *Mitigation Measure **HAZ-5** of Section IX. Hazards & Hazardous Materials has been renumbered to **HAZ-4** to reflect the removal of the previous mitigation measure.*

HAZ-54: The contractor shall adhere to and incorporate the relevant conditions contained in the 2012 NFD SGWMP. Prior to Project construction, a project specific soils management plan and or equivalent health and safety plan shall be prepared by the contractor under the direction of a certified industrial hygienist, and reviewed by the City of Richmond for consistency with existing contractual requirements.

Page **Identification/Text Change:**
46 *The Findings for Section IX. Hazards & Hazardous Materials proposes minor text edits to reflect the removal of mitigation Measure **HAZ-4**.*

Findings: The Project is located in an area where previous infrastructure and past land uses create the potential for contamination in areas containing abandoned infrastructure, contaminated soils within the railroad alignment, and in HBMs that may be on site. Implementation of **HAZ-1, 2, and 3** would reduce or eliminate potential for exposure of trail users to areas of known contamination. There is potential for exposure of hazardous materials to construction workers during earth-moving construction activities, which can be reduced to a less-than-significant level through implementation of **HAZ-4 and HAZ-5**. Direct and indirect impacts related to hazards and hazardous materials will be reduced to less than significant with implementation of mitigation measures **HAZ-1** through **HAZ-45**.

Distribution and Quality Control

Report Title for: Response to Comments on the San Francisco Bay Trail MND

Project Location: <P:\Active Projects\East Bay Regional Park Dist - A567\567.04.55 - Bay Trail Segment A & B\Planning\CEQA\02 RTC and Final MND\Final Response to Comments v02.docx>

Date: 4/25/18

Quality Control Reviewer:



Gretchen Taylor
Principal Planner

