Initial Study

and

Mitigated Negative Declaration

for the

Oyster Bay Regional Shoreline Land Use Plan Amendment

East Bay Regional Park District
Planning & GIS Services Department
2950 Peralta Oaks Court
Oakland, California 94605
www.ebparks.org

December 17, 2013

Public Review and Comment Period: October 14 – November 15, 2013

Adopted by the East Bay Regional Park District Board of Directors
Resolution No. 2013-12-301 on December 17, 2013

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2013 – 12 - 301

December 17, 2013

ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR THE
OYSTER BAY REGIONAL SHORELINE LAND USE PLAN AMENDMENT

WHEREAS, the East Bay Regional Park District issued a Notice of Intent to adopt a Mitigated Negative Declaration for the Oyster Bay Regional Shoreline Land Use Plan Amendment on October 14, 2013; and

WHEREAS, during the 30-day public review period, no individual or agency provided substantial evidence that a significant adverse environmental impact would occur; and

WHEREAS, the Mitigated Negative Declaration reflects the independent judgment of the East Bay Regional Park District;

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby adopt a Mitigated Negative Declaration and Mitigation Monitoring Program for the Oyster Bay Regional Shoreline Land Use Plan Amendment, with revisions as shown in Attachment A; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director Siden, seconded by Director Dotson, and approved this 17th day of December, 2013, by the following vote:

FOR: Whitney Dotson, Beverly Lane, Ted Radke, Carol Severin, Doug Siden, John Sutter, Ayn Wieskamp.

AGAINST: None.
ABSTAIN: None.
ABSENT: None.

John Sutter
Board President

CERTIFICATION
I, Allen Pulido, Clerk of the Board of Directors of the East Bay Regional Park District, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. 2013-12-301 adopted by the Board of Directors at a regular meeting held on Dec 17, 2013.

PROJECT INFORMATION

1.	Project Title:	Oyster Bay Regional Shoreline Land Use Plan Amendment
2.	Lead Agency & Address:	East Bay Regional Park District 2950 Peralta Oaks Court, P.O. Box 5381 Oakland, CA 94605
3.	Contact Person & Phone Number:	Michelle Julene, Park Planner (510) 544-2351
4.	Project Location:	Oyster Bay Regional Shoreline North end of Neptune Drive, San Leandro, CA
5.	Project Sponsor Name & Address:	East Bay Regional Park District
6.	General Plan Designation:	Resource Conservation City of San Leandro General Plan
7.	Zoning:	CR: Commercial Recreation District City of San Leandro Zoning Code
8.	Description of Project:	Implementation of the Land Use Plan Amendment for Oyster Bay Regional Shoreline including: The Davis Street Access Improvement Project; Parking to accommodate a maximum of 700 vehicles; Internal vehicular connection between new park roadway and Neptune Drive; Formalization of existing trails; Recreational elements including picnic areas, irrigated turf and landscaped areas, view points and vistas, public art, unleashed dog area, bicycle skills park, disc golf course, special events area, and interpretive programming. Natural Resource Management including tidal marsh enhancement, integrated pest management, and control of non-native wildlife pest species, and vegetation management. Operations and Maintenance activities including on-going grading, on-going landfill monitoring, development of a service yard, and utilities.
9.	Surrounding Land Uses & Setting:	Oakland International Airport, 0.5 mile north. Industrial, adjacent to east. San Francisco Bay and intertidal sloughs adjacent on north, east, south, and west. Residential, 0.5 mile south.
10.	Approval Required from Other Agencies:	Regulatory permits from: California Department of Fish and Wildlife San Francisco Regional Water Quality Control Board United States Army Corps of Engineers Construction and Planning Permits: City of San Leandro Alameda County Land Use Commission East Bay Municipal Utility District

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INTRODUCTION

The East Bay Regional Park District (District) has prepared this Initial Study for the Oyster Bay Regional Shoreline Land Use Plan Amendment. The District is the public agency with primary approval of the proposed Land Use Plan Amendment and is therefore the Lead agency. This document has been prepared in compliance with the California Environmental Quality Act (CEQA)[1] and the State CEQA Guidelines[2]. It describes the environmental setting of Oyster Bay Regional Shoreline (Oyster Bay), park development and other actions proposed in the Land Use Plan Amendment, and the potential environmental effects associated with implementation of the Land Use Plan Amendment.

PROJECT LOCATION AND SURROUNDING LAND USES

Oyster Bay is located at the western terminus of Davis Street in San Leandro, California.

- Figure 1 shows the regional location of Oyster Bay Regional Shoreline.
- Figure 2 shows the vicinity of Oyster Bay Regional Shoreline relative to other recreation areas.

Land-uses immediately adjacent to the park consist of a mix of commercial, industrial, residential and recreational uses. Industrial uses include the 53-acre Davis Street Transfer Station Complex operated by Waste Management and the San Leandro Water Pollution Control Plant. The San Leandro Rifle and Pistol Range is an existing recreational use. The nearest residential neighborhoods, known as Little Alaska, Mulford Gardens, and Marina Faire, are located south of the park beginning approximately one-half mile from the existing Neptune Drive pedestrian and bicycle entrance. There are no District residential housing units at Oyster Bay Regional Shoreline.

Oakland International Airport is located approximately one-half mile west of Oyster Bay. Separated by an inlet of San Francisco Bay, the park affords visitors opportunities to watch planes taking off and landing at the airport.

The San Leandro Marina and Marina Park are located at the end of Marina Boulevard and the southern portion of Neptune Drive at Monarch Bay Drive, one-half mile south of Oyster Bay. The Metropolitan Golf Links is located 0.1 mile north of Oyster Bay, connected by the Bill Lockyer Bay Trail pedestrian and bicycle bridge. Nearby District recreational areas include Martin Luther King Regional Shoreline approximately 1.6 miles to the north and Hayward Regional Shoreline approximately 4.2 miles to the south, both of which are connected to Oyster Bay via the San Francisco Bay Trail.

PROJECT PURPOSE, MASTER PLAN CONSISTENCY, AND DOCUMENTS INCORPORATED BY REFERENCE

Project Purpose

The main purposes of the 2013 Land Use Plan Amendment are to:

- Designate Davis Street as the primary vehicular park entrance;
- Maintain the existing Neptune Drive access as a secondary vehicular access for District and emergency service vehicles and egress for special events, and a primary access for pedestrians and bicyclists;
- Guide the final grading of Oyster Bay based on the proposed roadways, trails, staging areas, and recreational activity areas;

[1] Public Resources Code Sections 21000 *et seq.*
[2] California Administrative Code, Title 14, Division 6, Chapter 3

- Develop an implementation plan for the restoration of natural vegetation and wildlife habitat appropriate to a shoreline park, including an evaluation of funding and staff operation resource needs; and
- Re-evaluate and designate appropriate and desirable activities to be supported at Oyster Bay.

Master Plan Consistency

The Land Use Plan Amendment is consistent with the District's guiding policy document, the 2013 Master Plan, which provides for the preparation of land use plans to: direct the long-term development and management of individual parks; identify major facility development; and establish appropriate land use designations in accordance with the vision of the East Bay Regional Park District.

Oyster Bay is identified as a Regional Shoreline. District facilities in this designation provide significant recreational, interpretive, natural, or scenic values on land, water, and tidal areas along the San Francisco Bay and the Sacramento/San Joaquin Delta. The Master Plan policy pertaining to Regional Shorelines is:

> **PRPT 8:** *A Regional Shoreline (one area or a group of smaller shoreline areas that are connected by trail or water access) must contain a variety of natural environments and manageable units of tidal, near-shore wetland and upland areas that can be used for scientific, interpretive, or environmental purposes; and/or contain sufficient land and water to provide a variety of recreational activities, such as swimming, fishing, boating, or viewing. The Recreation/Staging Unit providing for public access and services may comprise no more than 30 percent of a Regional Shoreline.*

The Master Plan defines Natural Units, whose primary planning and management objective is to preserve and enhance natural habitat, and Recreation/Staging Units, which are areas suitable for more intensive public recreational use and are of sufficient size to support the necessary parking, utilities, and infrastructure needed for such use. The Master Plan policies pertaining to these units are:

> **Natural Units - PRPT 20:** *Natural, open space, or wildland areas with lower intensity recreational uses and facilities (primarily trails) will be designated as Natural Units. Natural Units will generally comprise the majority of parkland acreage, except in Regional Recreation Areas. Parklands will be designated as Natural Units to maintain open space and significant features in a cohesive area. A Natural Unit may contain Special Protection Features and Special Management Features.*
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> > **Special Protection Features – PRPT 22:** *Areas with unique or fragile features will be designated as Special Protection Features to preserve and enhance them through specialized management. Special Protection Features may be closed seasonally or permanently to public access, if public access will endanger them.*
> >
> > **Special Management Features – PRPT 23:** *Areas and facilities that have special requirements, such as fields and dams, will be designated as Special Management Features.*
>
> **Recreation/Staging Units – PRPT 21:** *Areas of higher level recreational use and concentrations of service facilities will be designated as Recreation/Staging Units. Where possible, these areas will be clustered and located on the edges of the park.*

The Land Use Plan Amendment designates approximately 61 acres, equaling approximately 32 percent of Oyster Bay as Natural Unit and approximately 133 acres, equaling approximately 68 percent as Recreation/Staging Unit. The Natural Unit extends along the shoreline and includes an existing San Francisco Bay Trail segment, and the tidal marsh located along the southeastern edge adjacent to Neptune Drive. The Recreation/Staging Unit contains the majority of park infrastructure and recreational activity areas proposed in the Land Use Plan Amendment. The percentage of Natural Unit to Recreation/Staging Unit proposed for Oyster Bay in the Land Use Plan Amendment is different from the policies included in the Master Plan. A determination was made in the original 1977 Land Use

Development Plan, prior to the Master Plan designation of Recreation/Staging Unit and Natural Unit ratios, that Oyster Bay is a former landfill with minimal pre-existing natural resources. Additionally, management and monitoring activities associated with the former landfill operation are required to continue through Oyster Bay into the foreseeable future. In reviewing the land use designations in the current Oyster Bay Land use Plan Amendment, the District has determined that the percentage of Natural Unit to Recreation/Staging Unit proposed in the Land Use Plan Amendment is appropriate.

Documents Incorporated by Reference

CEQA encourages incorporation by reference to eliminate repetitive discussions and to focus the CEQA analysis of this Initial Study on issues that have not been previously addressed. Consistent with CEQA Guidelines Section 15150, various technical studies, analyses and reports were used in the preparation of this Initial Study and are incorporated herein by reference. By building on the work contained in these documents, and providing additional analysis as necessary, this Initial Study provides public agencies, decision makers and interested parties the information needed to evaluate the Land Use Plan Amendment under CEQA. In accordance with these CEQA provisions, this Initial Study incorporates by reference:

- 1977 Land Use Development Plan
- 1977 Land Use Development Plan-Environmental Impact Report
- 1979 Landfill Closure Plan
- 1985 Supplement to the Land Use Development Plan-Environmental Impact Report
- 2013 Traffic Study of the Oyster Bay Regional Shoreline Davis Street Access Driveway

Copies of these referenced documents are maintained at the District administration office where they can be reviewed by the public on request in accordance with the CEQA Guidelines Section 15150(b).

BACKGROUND AND EXISTING CONDITIONS

Park History

Oyster Bay is a former sanitary landfill that was operated by the Oakland Scavenger Company and is comprised largely of organic garbage that continues to decompose and compact, capped by fill material of varying depth. The landfill operation was closed in the 1980's when the land was dedicated to the District by Oakland Scavenger with the intent of developing the site as a regional park. Waste Management continues to monitor groundwater, leachate, and methane wells that remain in operation throughout the property.

The 194-acre park has been open to the public for many years at the existing Neptune Drive access, which has been limited to pedestrian and bicycle assess only. Vehicular access at Neptune Drive is limited to District and Waste Management staff. Existing recreational development includes a 1.3-mile segment of San Francisco Bay Trail along the shoreline and 15-acre group picnic area located in the southeastern area of the park, near Neptune Drive. The group picnic area, which was developed in 1993, includes several picnic sites, a permanent, non-sewered vault restroom, 3.5 acres of irrigated turf meadows and landscaping, interpretive signage and a public art installation titled *"The Rising Wave."* Existing dirt roads and gravel roads serve as informal trails for walking, bicycling, and taking in the views of the bay.

ENVIRONMENTAL SETTING

The site is nearly surrounded by water, including San Francisco Bay on the western edge, the San Leandro Slough on the northern edge, and a tidal marsh on the eastern edge, both of which are connected to the bay.

Tidal Marsh

A small marsh is located along the park's southeast border, separating Oyster Bay from the Waste Management transfer station and Neptune Drive. The tidal marsh is characterized by pickleweed, gumplant, alkali heath, and saltbush. The marsh provides habitat for various songbird species and potentially for salt marsh harvest mouse, which is listed as an endangered species at both the federal and state level. The District's Stewardship staff conducts annual trap surveys for salt-marsh harvest mouse, and has not previously documented any populations. Raptors that may forage in Bay Area salt marsh habitats include northern harrier, red-tailed hawk, white-tailed kite, barn owl, and American kestrel. The District has been treating the marsh repeatedly since 1999 to reduce the occurrence of invasive, non-native Spartina *(Spartine alterniflora)*, and as a result, the non-native Spartina population has been reduced to 0.1 acre in the marsh. Future efforts will focus on the establishment of native Spartina *(S. foliosa)*.

Upland Plant Communities and Associated Wildlife

Filling and grading activities have resulted in the establishment of many non-native and invasive plant species throughout the park's undeveloped areas. Volunteer species like *Myoporum* and pampas grass, brought in with fill soils, have colonized in the southern region of the park and provide habitat for bird species traveling along the California coast migration route. The District has planted California native trees and shrubs in the existing group picnic area and surrounding developed area of the park, including buckeye, coast live oak, Torrey pine, flannel bush, and toyon.

- Figure 3 shows the generalized classification of vegetation cover at Oyster Bay.
- Figure 4 shows the specific classification of vegetation cover at Oyster Bay.

Wildlife Pest Species

Oyster Bay is a former landfill located in an urban area next to a solid waste transfer station, all of which make it a particular attractant to pest species which may be deterrents to the reestablishment of wildlife habitat. The park may be an attractive "dump site" for unwanted cats; and a number of feral cats live in the park, around the Davis Street and Neptune Drive entrances. Their presence poses a threat to native mammals and birds.

EXISTING ACCESS AND PARKING

Neptune Drive is the existing walk and bike-in entrance to Oyster Bay Regional Shoreline. Neptune Drive's northern terminus is located at the southeastern boundary of Oyster Bay. The closest cross street south of Neptune Drive is Williams Street. Neptune Drive merges with Marina Boulevard and Monarch Bay Drive, approximately 0.3 mile south of Williams Street. Currently, visitors to Oyster Bay arriving by vehicle and park along Neptune Drive, which can accommodate approximately 45 vehicles. Walk-in and cyclist access is currently available at Davis Street, though street parking along Davis Street is limited. Visitors can utilize the existing San Francisco Bay Trail to access Oyster Bay and explore the San Francisco Bay shoreline. The San Francisco Bay Trail is unimproved along Neptune Drive, is paved along the Oyster Bay shoreline and along the perimeter of the Metropolitan golf Links after crossing the Bill Lockyer Bay Trail Bridge over the San Leandro Slough.

There is no direct public transportation to Oyster Bay Regional Shoreline. The San Leandro BART station is located approximately two miles east of Oyster Bay. AC Transit Line 89 routes closest to Oyster Bay from the BART station with a stop at the intersection of Aurora Drive and Marina Boulevard, approximately 0.8 mile from the existing Neptune Drive access.

EXISTING UTILITIES

Existing utilities at Oyster Bay includes a municipal water line extending from Neptune Drive that provide water for the drinking fountain and turf irrigation in the existing group picnic area. Existing sewer lines are located beneath Davis Street and Neptune Drive Existing electrical power from overhead lines is located on Davis Street.

EXISTING RECREATION AND OTHER FEATURES

Trails

Oyster Bay's shoreline features an existing 1.3-mile segment of San Francisco Bay Trail that provides regional trail connections north to Martin Luther King Jr. Regional Shoreline and south to the Hayward Regional Shoreline. This section of San Francisco Bay Trail connects to the Bill Lockyer Bay Trail Bridge on the northerly edge of the park, which crosses over the San Leandro Slough. From there, the San Francisco Bay Trail continues northerly past the Metropolitan Golf Links. Oyster Bay also features an existing Interpretive Trail Loop that is approximately one-half mile in length and has both a paved and dirt sections. In addition, a network of dirt and gravel roads have been developed throughout the park for fill placement and grading, and are currently used for that continued activity as well as for maintenance of the extraction and monitoring wells associated with the former landfill. These maintenance roads currently serve as informal trails that are shared by walkers, dogs, bicycles, and park and Waste Management maintenance vehicles.

- Figure 5 shows the existing developed paved trails, including the Interpretive Trail Loop and the segment of San Francisco Bay Trail. The existing maintenance roads that currently serve as informal trails can be seen on the map background.

Picnic Areas

Oyster Bay features an existing group picnic area comprising approximately 15 acres that is located in the southeastern area of the park. This recreation area includes several picnic sites with barbeques, a non-sewered vault restroom, and 3.5 acres of irrigated turf and landscaping. The Interpretive Loop Trail winds through the picnic area. The existing picnic area is shown on Figure 5.

View Points and Vistas

Oyster Bay offers panoramic views of San Francisco Bay, the Peninsula, the San Mateo Bridge, and the San Francisco skyline from the Bay Trail along the Oyster Bay shoreline and from the knolls throughout the park. Oyster Bay is also one of the best places in the East Bay to watch planes approaching Oakland International Airport from the south.

Public Art

"The Rising Wave," a public art installation, is located in the southwestern area of Oyster Bay, in the vicinity of the existing picnic and turf area. The sculpture, by Roger Berry, consists of a series of seventeen 10-foot metal poles embedded into the ground. Each pole is at a slightly different angle, simulating an undulating wave. It is accessed by a trail stemming off the existing Interpretive Loop Trail that overlooks San Francisco Bay. The location of the Rising Wave is shown on Figure 5.

Unleashed Dog Use

The East Bay Regional Park District is one of the few public open space agencies that provides access to unleashed dogs within the majority of its regional parklands and trails. The District's Ordinance 38 requires that dogs be leashed within 200 feet of parking areas, trailheads, developed public use areas, and other areas specifically designated by the District's Board of Directors. Currently, because Oyster Bay is for the most part an un-developed park, dogs are allowed unleashed throughout the park except on the paved trails, including the segment of San Francisco Bay Trail along the shoreline, the wildlife protection area adjacent to the tidal marsh, and the picnic area.

Bicycle Use

The District's Outdoor Recreation Department currently offers programs at various District parks that help cyclists develop valuable skills intended to enhance their overall riding abilities and experiences in District parks.

Interpretive Programming

Oyster Bay features an existing Interpretive Trail Loop, which is keyed to a brochure that highlights the cultural and natural history of Oyster Bay, as well as its former landfill function, and on-going transformation into a regional park for public use. The District's Interpretive staff currently offer walking tours on a quarterly basis. Oyster Bay offers a mix of natural, scenic and historic resources that visitors can explore while either visiting on their own or through District-sponsored interpretive and recreational programs. Some of these resources are already being highlighted through guided recreation tour programming which allows visitors to discover or learn about the resources while also engaged in an outdoor recreational activity such as hiking or biking.

EXISTING OPERATIONS AND MAINTENANCE ACTIVITIES

Service Yard

The existing service yard is located in the northeastern area of Oyster Bay near the proposed Davis Street access and Waste Management. Currently, the service yard includes three cargo storage containers. The smaller, half-sized container is used to store hand tools, bathroom supplies, absorbent boom deployment material, and a mower. Most equipment used to maintain Oyster Bay, such as additional mowers and tractors, is stored at the District's Martin Luther King, Jr. Regional Shoreline and is trailered to the park when needed. The two full-sized containers are used to store the grading equipment required for the on-going grading activities described below.

On-going Grading

Landfill operations at Oyster Bay ceased in the 1980's and a soil layer at least three-feet in depth was placed as a landfill cap by the previous owner when the landfill closed. Over the past thirty years, the District has added to the cap and graded it so that runoff is controlled to provide moisture for vegetation while limiting both percolation through the topsoil and excessive runoff into the San Francisco Bay. As a result of the on-going import and grading of fill, the District has created large earthen mounds in places to develop topographical interest, viewing opportunities, and to define future recreational use areas. Peak elevations at Oyster Bay reach a maximum of 85 feet.

On-going Landfill Monitoring, Operations, and Maintenance

Oyster Bay, as a former landfill, is subject to regulations including San Francisco Bay Regional Water Quality Control Board Order #94-187.[3] Current regulations require closed landfills to be monitored for various conditions such as leachates, landfill gas, slope stability, and ground water for a minimum of 30 years, following the final date of closure. Waste Management Inc., which also operates the solid-waste transfer station adjacent to the park, maintains responsibility for monitoring the system to ensure the landfill's stability, and that leachate drainage and gas emissions are properly maintained.

- Figure 6 shows the locations of the existing surface-level landfill infrastructure.

Landfill gases generated by waste decomposition are removed from the site through a combination of vents and monitoring stations. Leachate, water that is produced by the decomposition of waste material, is also collected through a separate network of trenches, pipes, and extraction wells at Oyster Bay. Monitoring and collection wells, piezometers, condensate traps and valves can be seen above ground and are scattered throughout the park. Altogether, there are approximately 125 vents, wells and monitoring stations on the site that will require regular servicing by Waste Management for some time into the future. Several of the gas wells were raised in height between 2006 and 2011 to match planned grades completed during that time period. Below the surface, there is a collection system consisting of pipes.

[3] Order #94-187 was issued by the San Francisco Bay Region, California Regional Water Quality Control Board on December 14, 1994. Order #94-187 stipulates the post-closure maintenance and monitoring of the infrastructure associated with the former landfill operation, including monitoring groundwater, leachate, and methane.

PROJECT DESCRIPTION

This section identifies the recommendations and actions contained in the Land Use Plan Amendment that would amend recommendations of the *1977 Land Use Plan Amendment* regarding park uses, trail circulation, and maintenance and operations that would result in physical changes to the baseline environmental conditions at the park.

The Land Use Plan Amendment elements, which form the basis of the Project Description, are described below. With the exception of the Davis Street access improvements, these elements are conceptual in nature and the descriptions and impact analysis is programmatic as funding for these elements is undetermined at this time and detailed design has not been completed. The description for the Davis Street access improvements is more detailed and the impact analysis for this element is project specific.

PROJECT-SPECIFIC CONSTRUCTION ELEMENT

Davis Street Access Improvements

The Land Use Plan Amendment recommends development of the Davis Street Access as the primary vehicular access for Oyster Bay. Currently, bicyclists and pedestrians can use the Davis Street access, which also leads to the Alameda County Flood Control pump station. Davis Street terminates at a cul-de-sac that currently provides access to the Waste Management Davis Street Recycling Facility (Waste Management), the San Leandro Rifle and Pistol Range (Gun Range), and the City of San Leandro's Water Pollution Control Plant (SLWPCP), as well as temporary maintenance access to Oyster Bay. A traffic roundabout will be installed at the end of the cul-de-sac to provide right-of-way control amongst these existing driveways. The new park roadway will share access with the Gun Range, combining driveways and eliminating the existing District driveway at the cul-de-sac, as shown in the following figures:

- Figure 7 shows the existing and proposed driveway configuration in the cul-de-sac.
- Figure 8 shows the conceptual layout plan for the Davis Street Access Improvements.
- Figure 9 shows a detail of the Davis Street Access Improvements from the cul-de-sac along the new park roadway adjacent to Waste Management and the Gun Range.
- Figure 10 shows a detail of the Davis Street Access Improvements along the new park roadway to the new staging area.

Gun Range Parking Area Reconfiguration

The District and the City of San Leandro have all come to mutually agreeable terms for reconfiguration of the Gun Range Parking Area to accommodate a two-way new park entry roadway section. This will include the loss of two parking spaces. The addition of the Alameda County Flood Control and Water Conservation District (ACFCWCD) pump control project in this area will increase the loss of parking spaces at the Gun Range parking area. All parties have come to mutually agreeable terms regarding the revised reconfiguration of the Gun Range parking area to accommodate both the District's Davis Street access and the ACFCWCD 's pump control project. As a condition of approval of the new park roadway, the City of San Leandro has required that the existing parking area for the Gun Range be reconfigured to accommodate the new park entry roadway. The park roadway will also incorporate additional changes required to accommodate construction of a new pump station (installation of a pump control building and electrical transformer) by the Alameda County Flood Control and Water Conservation District (Flood Control). The new parking area will provide a total of 28 parking spaces, two of which will be compliant with the Americans with Disabilities Act (ADA) requirements. The Gun Range parking area will be limited to users of this facility.

The parking area reconfiguration will require removal of approximately 0.36 acre of asphalt paving that will be replaced with approximately 0.37 acre of asphalt paving for the parking area and the new park entry road. Parking lot runoff will be receive treatment in a trench along the north side of the parking lot to meet storm water requirements. Other storm water drainage components included in the parking area reconfiguration include installation of approximately 100 linear feet of 24-inch diameter storm drain piping and inlets that will connect to the Alameda County's existing storm drain system located within Davis Street. The existing landscape area in the middle of the Gun Range parking area, approximately 100 square feet in are, will be removed. Shrubs and groundcover will be planted within the newly created landscape areas, approximately 0.28 acre, that will be located between the Gun Range parking area and the entry roadway. Storm water will drain to these new planting areas. The parking area reconfiguration will require relocation of one existing street light at the entry to the parking area and relocation of two PG&E utility poles within the Gun Range parking area.

New Park Entry Roadway and Trail

The new park entry roadway and trail will be located partially within a 1,000-foot long easement on City of San Leandro property off Davis Street and partially on land currently owned by the District. Currently, an existing 20-foot wide gravel driveway is used by District staff and as a maintenance access road to import fill onto Oyster Bay, and by Waste Management to access the existing gas and leachate collection systems associated with the former landfill.

The entry roadway and adjacent trail will consist of a 36-foot wide paved surface. This entry roadway will meet City of San Leandro roadway requirements and will accommodate two 12-foot wide travel lanes, with two two-foot wide shoulders. An eight-foot wide paved Class I bikeway/bike path[4] (trail) will be developed adjacent to the travel lane on the north side of the entry roadway. The entry roadway will be approximately 2,000 linear feet in length, terminating at the new park staging area that will also be developed as part of the Davis Street Access project. Approximately 1,000 linear feet of free-standing curbs will be installed between the entry roadway and the new trail. The curb will provide separation for pedestrian safety and will include inlets to allow storm water to drain to the adjacent pervious concrete sidewalk. Approximately 250 linear feet of concrete retaining wall, one-to-three feet in height, will be installed between the new park roadway and the Gun Range property line to retain soil and maintain existing grades and drainage patterns.

Development of the entry roadway will require removal of approximately 20 trees along the north side of the Gun Range, adjacent to the south side of the San Leandro Slough. Approximately 600 linear feet of chain link fencing will be replaced to separate the roadway from the Gun Range. Approximately 17 additional trees will be removed along the fenceline adjacent to the Waste Management facility. Landscape buffers and /or a slatted chain link fence will be installed between the new park roadway and Waste Management to serve as a visual screen.

The entry roadway will continue past the Gun Range along the southern bank of the San Leandro Slough. The banks of the San Leandro Slough are steep in some areas and may require placement of additional rock slope protection. Approximately 1,200 cubic yards of rock slope protection may be placed along a 440 linear foot section of the channel, which will place approximately 300 cubic yards of fill into the San Leandro Slough below mean high water. This rock slope protection may be needed to stabilize the existing rock slope protection along this reach where the existing slopes are overly steep and eroding. New rock slope protection would be placed on top of the existing rip rap. Of the 1,200 cubic yards that could be placed, approximately 300 cubic yards would be below mean high water and therefore would be considered fill in a Water of the State.

[4] *A Class I Bikeway/Bike Path provides a completely separate right-of-way from vehicular travel lanes and is designated for the exclusive use of bicycles and pedestrians with vehicular cross-flow.*

New Park Staging Area

The entry roadway will terminate at a new park staging area, which will be located at the northwest corner of Oyster Bay. The staging area will provide capacity for parking a maximum of 300 vehicles, including 12 spaces that will be compliant with ADA requirements. Initially, the staging area will have a gravel surface except for the ADA spaces, which will be paved. In future phases, the entire staging area may be paved. The staging area will include potable drinking water, picnic tables, bike racks, garbage and recycling receptacles, and a permanent vault-toilet restroom. The maximum graded area of the new staging area is 12,000 square feet (0.28 acre). Storm water will drain to treatment areas consisting of planted landscape and /or pervious concrete. The new staging area will initially provide a paved trail connection to the existing San Francisco Bay Trail and trail connections to other trails within Oyster Bay in the future. The paved trail connection will be in conformance with the Americans with Disabilities Act guidelines. A landscaped berm will be included to improve aesthetics of the staging area from the existing San Francisco Bay Trail and the Bill Lockyer Bay Trail Bridge.

Schedule

The Davis Street access is scheduled for construction in 2016, pending completion of the Flood Control Pump Control Station Project.

LAND USE PLAN ELEMENTS

Following is a description of the facilities proposed for the park. These facilities are to be sited so as to focus and emphasize Oyster Bay's outward (west and south-facing) views across San Francisco Bay while screening views of industrial facilities to the east.

INTERNAL CIRCULATION

The Land Use Plan Amendment recommends development of the following circulation elements within Oyster Bay, which are described below:

- Neptune Drive Access
- Parking and staging areas
- Trail system

Neptune Drive Access

Neptune Drive will continue to be the primary, non-vehicular park access for pedestrians and bicyclists. The Land Use Plan Amendment recommends improving the existing Neptune Drive park access for service and emergency vehicles and to provide occasional egress for public vehicles after special events. This access will be gated and locked to control vehicular access. Ultimately, the internal park roadway will be fully developed to provide vehicular access through the park and to future staging areas and recreational use areas. Initially, the Neptune Drive access will be gravel surfaced and may be paved in future phases. The approximate area for the Neptune Drive access is 1.8 acres.

- Figure 11 shows the "spine" of the proposed formal trail network, the proposed additional staging areas, and the internal park roadway connecting Davis Street and Neptune Drive.

Staging Areas

The Land Use Plan Amendment recommends development of additional staging areas with a maximum capacity of 700 vehicles. The initial staging area will be developed as part of the Davis Street Access and will provide a maximum parking capacity for 300 vehicles. The additional staging areas will provide the additional 400 parking spaces. The staging areas would be located along the eastern perimeter of the park to control vehicular access within the park and to minimize trail crossings and conflicts between vehicle traffic, pedestrians, and bicyclists and

would provide access to the activity nodes that will be located throughout the park. Initially, all of the staging areas will be gravel surfaced with the exception of ADA parking spaces, which will be paved. All internal park roadways and staging areas will be designed to comply with Alameda County Fire Department access requirements, including turning radii, surface material, roadway width, vertical clearance, proximity relative to structures, and gates. Ultimately, all of the staging areas may be paved. The approximate area for all of the staging areas combined is six acres.

Trails

The Land Use Plan Amendment recommends creating a formal trail network, beginning with a spine of trails that will provide access to scenic vistas and recreational elements. Ultimately, the trail system will provide efficient trail connections between Oyster Bay's main activity nodes, minimize trail crossings at vehicular roadways, and provide a trail network that connects to recreation and staging areas. Secondary trails will be designed and developed or retained as the park is developed and revegetated, over time.

The Land Use Plan Amendment also recommends abandonment of many of the existing informal trails over time as landfill monitoring wells are decommissioned and opportunities arise for phasing out the access roads leading to them. The District will coordinate with Waste Management to identify and eliminate redundant roads and trails not required to support public safety, or gas and leachate maintenance work, while ensuring that access to wells is maintained.

RECREATIONAL ELEMENTS

The Land Use Plan Amendment recommends development of the following recreational elements, which are described below:

- Picnic Areas
- Irrigated Turf and Landscaped Areas
- View Points and Vistas
- Public Art
- Unleashed dog area
- Bicycle Skills Area
- Disc Golf Course
- Special Event Area
- Interpretive programming

Picnic Areas

The Land Use Plan Amendment recommends the development of new picnic areas similar to the existing picnic area. New picnic areas will be located along the park access roads and adjacent to parking and other activity areas in the central and northern areas of Oyster Bay. Small shade structures and/or vegetative screening will be installed, where appropriate, to provide windbreaks and shade.

Irrigated Turf and Landscaped Areas

The Land Use Plan Amendment recommends that additional areas of irrigated turf and landscape areas be provided adjacent to new picnic areas for passive recreational use, and that native and/or drought-resistant rough turf be utilized to minimize water use and mowing. The Land Use Plan Amendment further recommends that all grading, drainage, and irrigation be designed to conform to the surface drainage requirements of the Regional Water Quality Control Board, including a minimum three percent slope on finish grades to minimize groundwater infiltration and leachate generation.

View Points and Vistas

The Land Use Plan Amendment recommends enhancement of designated viewing areas along the Oyster Bay shoreline and upland areas with the addition of bench seating and sun and wind protection, where appropriate. The Land Use Plan Amendment also recommends using vegetation to screen views of the existing industrial facilities located on the eastern boundary of the park, adjacent to Waste Management.

Public Art

The Land Use Plan Amendment recommends that sites for permanent or temporary public art installations be identified at Oyster Bay and that the selection of installations adhere to the process established by the District's Public Art Policy.

Unleashed Dog Area

The Land Use Plan Amendment recommends that per the District's Ordinance 38, dogs will be required to be leashed in the future developed areas with the exception of a ten-acre area in the northwestern area of Oyster Bay that will be designated as an unleashed dog area. The Land Use Plan Amendment also recommends developing a direct trail connection to the unleashed dog area from the staging area included as part of the Davis Street access. Fencing or vegetative screening will be utilized to define the boundaries of the designated off-leash dog area.

Bicycle Skills Area

The Land Use Plan Amendment recommends development of a Bicycle Skills Area. The area recommended for the Bicycle Skills Area is approximately five acres in the northeastern area of the park, near the Davis Street access. Infrastructure associated with a Bicycle Skills Area would include mounded dirt and ramps, obstacles, and other challenge features that can be constructed from wood and other materials. The Land Use Plan Amendment also recommends that the District pursue opportunities to develop partnerships to manage the facility.

Disc Golf Course

The Land Use Plan Amendment recommends development of a disc golf course in the southwestern area of the park. The disc golf course would be approximately ten – twelve acres, generally located in the southwestern area of the park. Infrastructure associated with the disc golf course would include a tee-off area on the ground and baskets. The tees can consist of level, compacted native soil, gravel, pavement, rubber, or other materials. The Land Use Plan Amendment also recommends that the District pursue opportunities to develop partnerships to manage the facility.

Special Event Area

The Land Use Plan Amendment recommends designation of a Special Event Area at Oyster Bay in the central area of the park. This area will be designed to support a variety of special events sponsored either by the District and/or outside organizations. The topography of the area is a bowl-shaped valley, with a flat "floor" that could be used for siting a temporary stage or tent and lawn seating, and sloping sides which form a natural amphitheater for additional seating. The area would be revegetated with tall-grass species which could either be left as an un-mowed meadow, or mowed as desired for special events and other recreational activities.

The site was selected in part for the flexibility it provides to offer an intimate setting beneficial for District Interpretive programming as well as the open space necessary for larger events such as concerts, weddings and other ceremonies, or corporate picnics. The bowl will have the capacity to host events comparable those held at other District facilities for approximately 2,000 attendees. A temporary stage or tent may be erected for some events. Utility connections for electricity and water will be installed to support events, which may include amplified sound. Portable toilets will be brought in as necessary for specific events.

- Figure 12 shows the general locations of the proposed recreational elements.

Interpretive Programming

The Land Use Plan Amendment recommends that, as the park's trail system is developed, programmed activities be supplemented with signage placed along trails that will interpret one or more themes associated with the area. The Land Use Plan Amendment recommends that an additional self-guided interpretive walking tour be developed along the Oyster Bay shoreline that loops through the park back to its starting point and that is coordinated with the District's interpretive or recreational programs and/or through partnerships with outside organizations, where mutually beneficial. Interpretive signage would provide self-guided, thematic tours related to the area's history and former land uses. The following five themes are suggested to tell the story of Oyster Bay:

- The History of Rancho San Leandro
- Oyster Farms and Oyster Pirates
- Mulford Shipping Company
- Filling the Bay
- From Landfill to Park

NATURAL RESOURCE MANAGEMENT

The Land Use Plan Amendment recommends implementation of the following resource management strategies, which are described below:

- Tidal Marsh Enhancement
- Integrated Pest Management
- Control of Non-native Wildlife Pest Species
- Vegetation Management

Tidal Marsh Enhancement

The Land Use Plan Amendment recommends the conservation and enhancement of the tidal marsh for wildlife habitat. This may include planting a screen of low-height plants to buffer the marsh from physical access by hikers and dogs while still providing views of the marsh from the nearby trails.

Integrated Pest Management

The Land Use Plan Amendment recommends several strategies to manage undesirable vegetation and wildlife. The goals of the Integrated Pest Management program are to: (1) conserve and enhance natural communities, (2) promote the restoration of appropriate vegetation, (3) preserve and protect populations of plant and animal species and their habitats, (4) reduce fire hazard conditions, (5) reduce impacts of noxious weeds, and (6) limit the spread of invasive shrub species, such as coyote brush, fennel, poison oak, and broom, into grasslands.

Programmatic pest control objectives will be defined and prioritized as the District implements the infrastructure and recreational elements recommended in the Land Use Plan Amendment. An adaptive management approach will be taken when implementing vegetation management prescriptions to allow for modifications as necessary to ensure success. This means that pest control and revegetation strategies will be implemented based on results of previous treatment efforts and what is most appropriate to a particular time, location in the park, and species. Integrated Pest Management efforts are expected to last multiple years, with the goal of maximizing effective control, while minimizing potentially adverse environmental, recreational and budgetary impacts, using a multi-faceted and adaptive approach. The District will select weed control methods that meet the revegetation goals for Oyster Bay and reflect the available time, funding and work capacities of the staff.

The Land Use Plan Amendment recommends that the District's Integrated Pest Management staff survey and map existing vegetation at Oyster Bay, noting the locations and extent of invasive plant populations for removal as well as native plant populations for preservation. The most invasive and undesirable plant species, such as fennel,

Italian and yellow-star thistle, French broom, pampas grass, and Harding grass, will be targeted for treatment, tailoring specific methodology to match the management requirements of each specific species. Herbicides will be used selectively and targeted as precisely as possible to treatment areas. Pre-emergent herbicides may be used to remove undesirable plant species from revegetation areas.

Control of Non-native Wildlife Pest Species

The Land Use Plan Amendment recommends several strategies to reduce the occurrence of wildlife pest species, including the development and implementation of a public education program to discourage the feeding of feral cats. This program would include signs to educate the public on the threats feral cats pose to small mammals and birds to discourage feeding them. The District will also continue its annual practice of treating areas of Oyster Bay for ground squirrels.

Vegetation Management

The Land Use Plan Amendment recommends implementation of a vegetation management plan that will remove unwanted, invasive plant species and establish native plants and other appropriate species. The goals of the vegetation management plan are to: (1) guide the transformation of the former landfill into a more natural environment supportive of wildlife habitat, (2) be conducive to the recreational activities proposed in the Land Use Plan Amendment, and (3) be efficient and cost-effective in terms of park maintenance. Throughout most of Oyster Bay, including the Special Event Area, the Land Use Plan Amendment recommends native grass species or appropriate adaptive species that will not require irrigation and can remain un-mown. The "rough turf" natural grass meadow proposed for the Special Event Area may be mowed when special events are held. Most of the plants included in the vegetation management plan are recommended by the San Francisco Bay Conservation and Development Commission's *Shoreline Plants – A Landscape Guide to the San Francisco Bay*. The recommended plant list is included in Appendix B.

The Land Use Plan Amendment recommends a phased revegetation regime in which areas of the park are specifically selected and prioritized based on implementation of the recommended infrastructure and recreational elements. Using this as a guide, revegetation efforts will begin along the Davis Street access and the associated staging area. Plantings will be more intensively designed and planted in the active recreation area and progress to a more naturally managed design towards the shoreline. Planting will occur to take advantage of seasonal rains to maximize the benefits of natural precipitation and minimize the need for irrigation. Planting will be accomplished using seeds, plant plugs, and container planting depending on the plant type, size, and number desired for a particular area. The District may utilize volunteers, including youth crews, to assist with planting efforts and management of undesirable plant species. Irrigated turf areas are recommended only around new picnic sites to minimize the need for irrigation and regular maintenance.

Areas of bare soil could occur in areas where finish grading has been completed, where large, dense areas of invasive vegetation are removed, and as existing utility roads or informal trails are eliminated. The Land Use Plan Amendment recommends that areas of bare soil be stabilized and vegetated with native or non-invasive vegetation to prevent erosion and minimize the opportunity for undesirable plant species to establish. Revegetation areas may be closed to the public during the plant establishment period. The Land Use Plan Amendment also considers the potential need for soil amendments to support revegetation efforts. Options for compost include importing compost and green waste from Waste Management and from other District facilities, developing an on-site compost area at Oyster Bay to treat undesirable plant species and green waste from other District facilities, and tilling under undesirable plant species and planting nutrient-rich cover crops such as clover, vetch, or annual grasses.

OPERATIONS & MAINTENANCE

The Land Use Plan Amendment recommends implementation of the following Operations and Maintenance strategies, which are described below:

- On-going Grading
- On-going Landfill Monitoring
- Service yard
- Utilities

On-going Grading

The Land Use Plan Amendment recommends continuance of this on-going activity, maintaining the minimum three percent gradient required by the Regional Water Quality Control Board permit for surface drainage.

On-going Landfill Monitoring

The Land Use Plan Amendment recommends that the District continue to work with Waste Management to maintain landfill methane and leachate collection systems. This will include identification of wells that will require future height modifications to match future grades for Oyster Bay and creating protection standards for landfill infrastructure and the public. Protective measures may include use of rocks, bollards, and/or fencing. The Land Use Plan Amendment recommends that future park development be coordinated with Waste Management to ensure maintenance of landfill infrastructure.

Service Yard

The Land Use Plan Amendment recommends development of a permanent service yard in the northwestern area of the park near the boundary with Waste Management. As the Land Use Plan Amendment is implemented and as Oyster Bay is more actively utilized by the public, permanent, secure equipment storage will provide for efficient park maintenance. The Land Use Plan Amendment also recommends a permanent park staff office be developed in the service yard area as public use increases.

Utilities

The Land Use Plan Amendment recommends water service be provided to all staging and picnic areas and that irrigation systems be installed in new turf and revegetation areas. The existing municipal water line will be extended from Neptune Drive through Oyster Bay along the future park roadway. Municipal water will service drinking fountains in the staging areas and the irrigation system throughout the park. Irrigation systems will be designed and monitored to minimize groundwater infiltration and leachate generation. The Land Use Plan Amendment also recommends electrical service connections be provided in the Special Event Area and the sewer main be extended along the park roadway as part of the Davis Street Access to the proposed service yard and future restrooms. The East Bay Municipal Utility District has an existing water main that terminates just before the Davis Street cul-de-sac. This line could be extended to the East Bay Municipal Utility District entry on Davis Street with meters located in the planter area. From there, private lines can be extended down the entry road and into Oyster Bay. Waste Management has existing fire service, which could be extended into Oyster Bay. There is an existing sewer line that runs along the south side of the access road that conveys leachate from Oyster Bay to the Davis Street main. This line is at capacity and cannot accommodate any additional tie-ins. Fire hydrants will be installed, if needed and required by the Alameda County Fire Department.

REQUIRED ACTIONS

The East Bay Regional Park District proposes to:

1. Adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Plan

2. Approve the Oyster Bay Regional Shoreline Land Use Plan Amendment

Approvals and Permits

The following responsible and trustee agencies have jurisdiction over some or all of the proposed project components and may require the following permits or other approvals to fully implement the Land Use Plan Amendment:

- California Department of Fish and Wildlife (CDFW) - Streambed Alteration Permit Section 1600 and Section 2081(b) and (c) "Take" permit of the CDFW code
- San Francisco Regional Water Quality Control Board (SFRWQCB) - Water Quality Certification (Certification) under Section 401 of the Clean Water Act (CWA) and Stormwater Control Pollution Prevention Plan (SWPPP)
- United States Army Corps of Engineers (USACOE) – Section 404 and 402 of the federal Clean Water Act
- City of San Leandro – Construction and Planning Permits; Administrative Review (Zoning Permits)
- Alameda County Land Use Commission – Oakland International Airport Land Use Compatibility Plan consistency
- Alameda County Fire Department – emergency vehicle access and fire hyrants
- Alameda County Planning Department – storm water requirements
- East Bay Municipal Utility District – extension of potable water line

PUBLIC REVIEW

In accordance with Section 15073 of the CEQA Guidelines, this Initial Study and Mitigated Negative Declaration (IS/MND) are being distributed for review by local, state and federal agencies with jurisdiction over the project site. A Notice of Availability of this document has been sent to nearby property owners and other interested parties. This document, along with the Land Use Plan Amendment, is available for review at the following locations:

East Bay Regional Park District Administrative Office
2950 Peralta Oaks Court, Oakland, CA 94605
www.ebparks.org

Mulford-Marina Branch Library
13699 Aurora Drive, San Leandro, CA 94557

The public review period will be 30 days as required by Section 15073 of the CEQA Guidelines. During this time, the District will host a public meeting in the vicinity of Oyster Bay. At this meeting, District staff will make a brief presentation to describe the proposed Land Use Plan Amendment and the findings of the environmental document. The public will then be have the opportunity ask questions and provide comments.

Written comments on the IS/MND should be submitted in writing to District before the conclusion of the 30-day public comment period. These comments should be mailed, emailed or faxed to the Planning and GIS Services Department, attention: Michelle Julene, Park Planner, at the East Bay Regional Park District Administration Office at the above address, email or fax number.

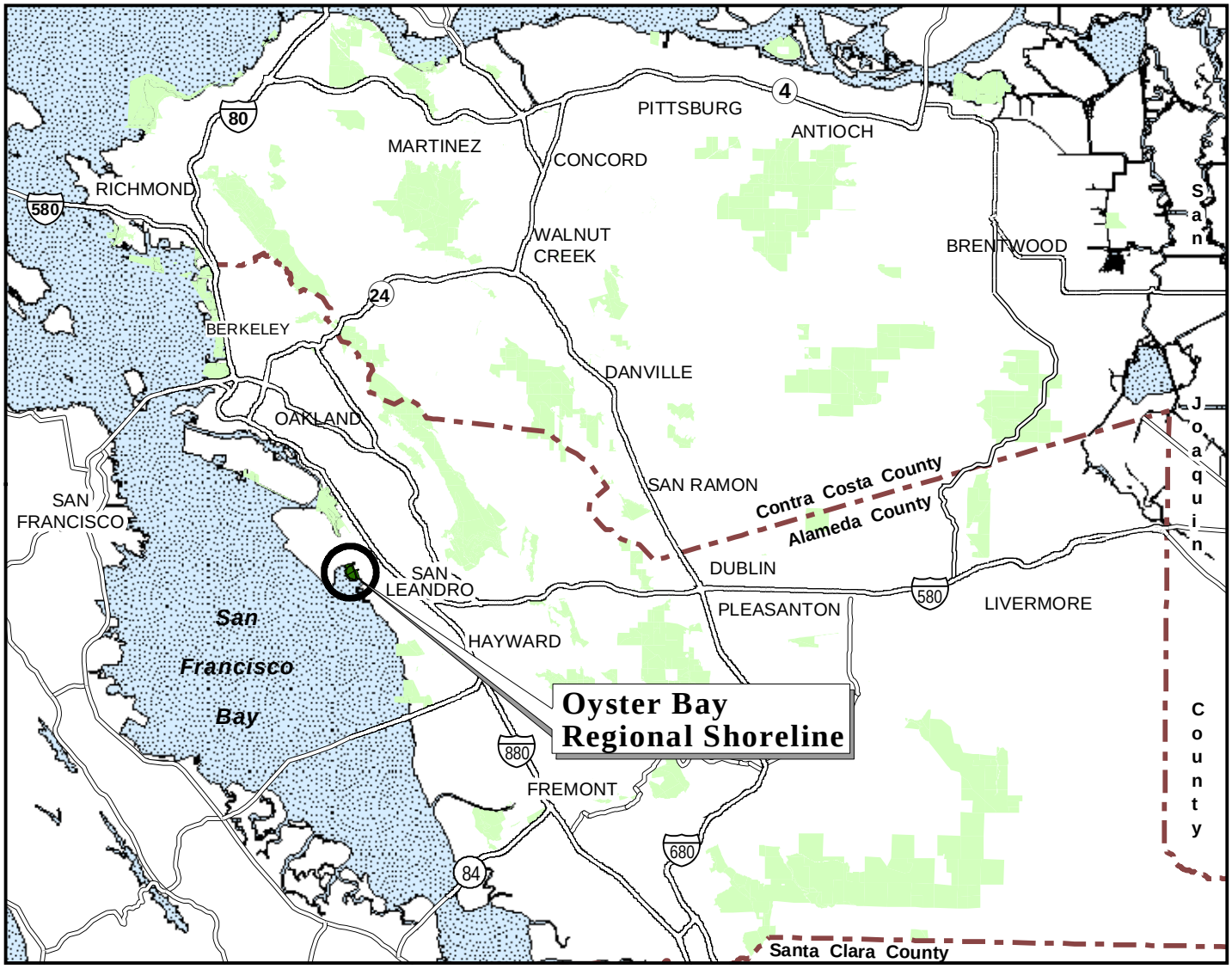
In reviewing the IS/MND, affected public agencies, organizations and interested citizens should focus on the sufficiency of the document in identifying and analyzing any potential impacts to the environment, and the proposed ways in which any significant effects of the project are to be avoided or reduced.

The District will review and evaluate written comments received during the public review period, and determine whether any substantial new environmental issues have been raised. If there are substantial new environmental issues, not covered in the IS/MND, further documentation, such as an Environmental Impact Report or an expanded IS/MND, may be required. If not, the District's Board of Directors will adopt the Mitigated Negative Declaration and approve the project. The District will then file a Notice of Determination with the Alameda County Clerk-Recorder's Office within five days following project approval.

A Public Hearing on the project will be held at a regular District Board meeting after the close of the public review period in the District's headquarters 2950 Peralta Oaks Court in Oakland.

Figures

Oyster Bay Regional Shoreline
Land Use Plan Amendment



Oyster Bay

East Bay Regional Parkland

0 5 10 Miles

N

East Bay Regional Park District

CEQA
East Bay Regional Park District
Planning/Stewardship/GIS Services
SEPT. 19, 2013

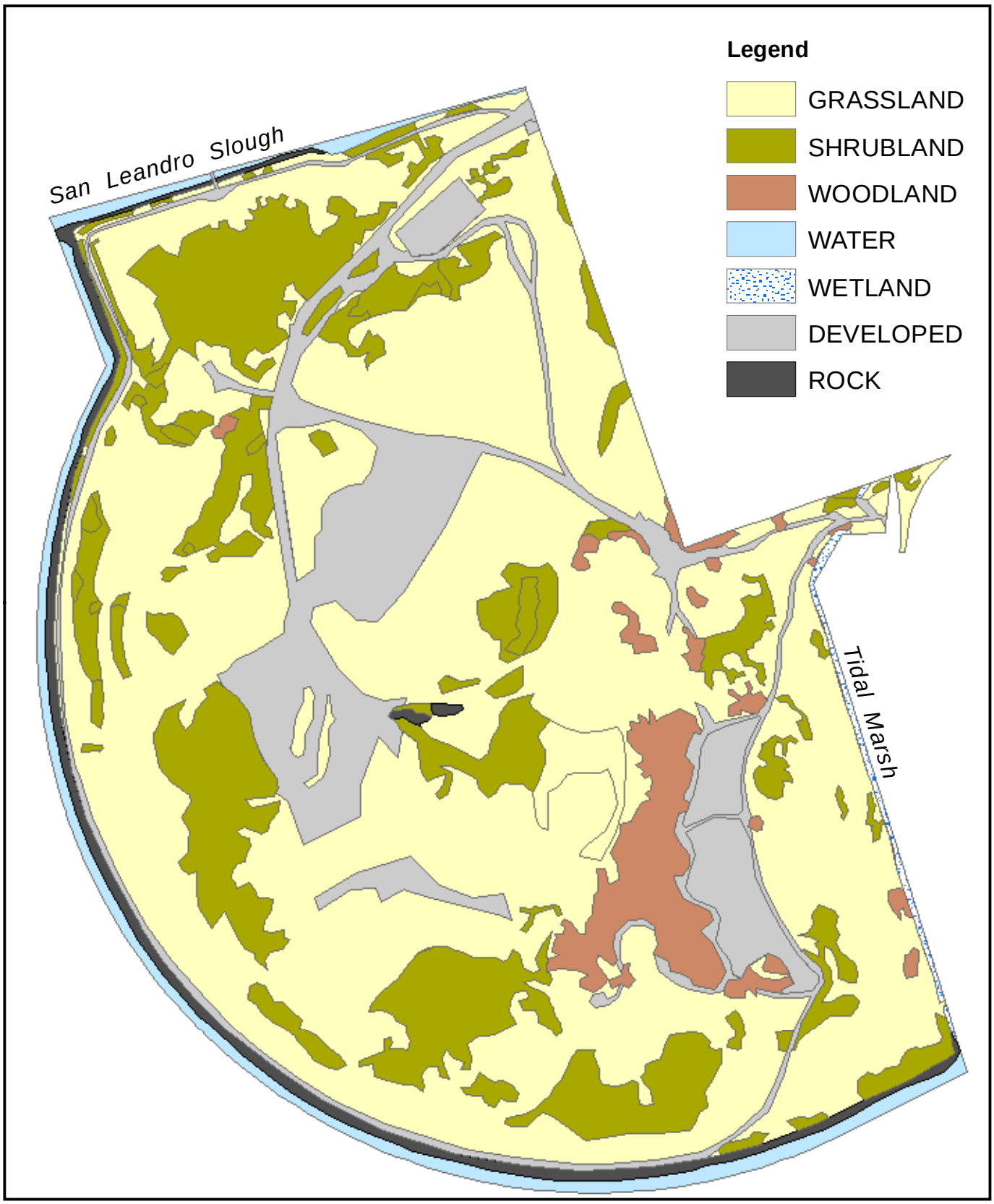
Figure 1
LOCATION MAP
Oyster Bay Regional Shoreline
San leandro, Alameda County, California

East Bay Regional Park District

CEQA
Planning/Stewardship/GIS Services
SEPT. 19, 2013

Oyster Bay Regional Shoreline
Other EBRPD Park Land
Other Parks

Figure 2
VICINITY MAP
Oyster Bay Regional Shoreline
San Leandro, Alameda County, California



East Bay Regional Park District

0 500 Feet

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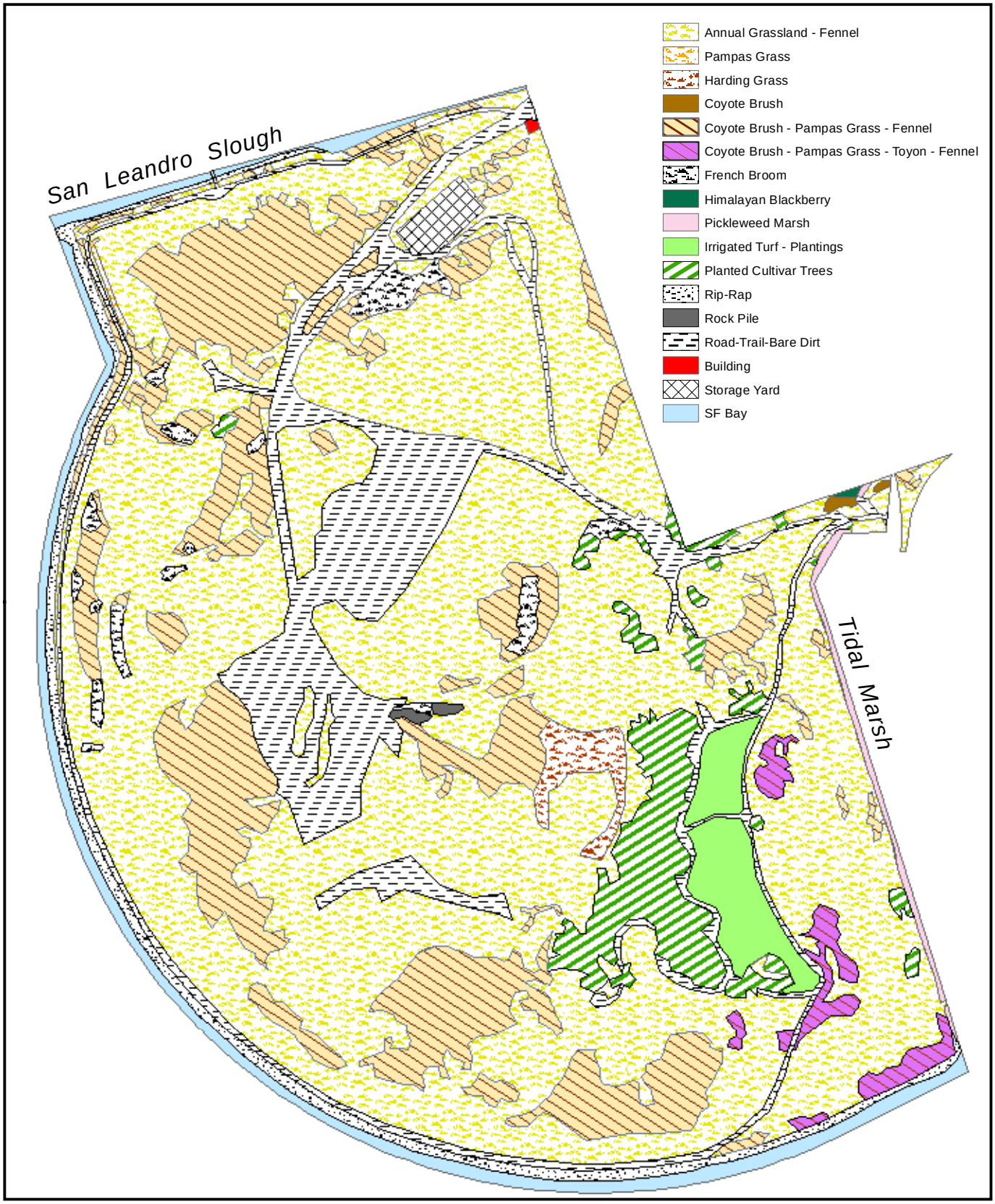
CEQA
East Bay Regional Park District
Planning/Stewardship/GIS Services
SEP. 4, 2013

Figure 3
GENERALIZED CLASSIFICATION - VEGETATION COVER
Oyster Bay Regional Shoreline
San Leandro, Alameda County, California



East Bay Regional Park District

0 500 Feet

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CEQA
East Bay Regional Park District
Planning/Stewardship/GIS Services
SEP. 19, 2013

Figure 4
SPECIFIC CLASSIFICATION - VEGETATION COVER

Oyster Bay Regional Shoreline

San Leandro, Alameda County, California

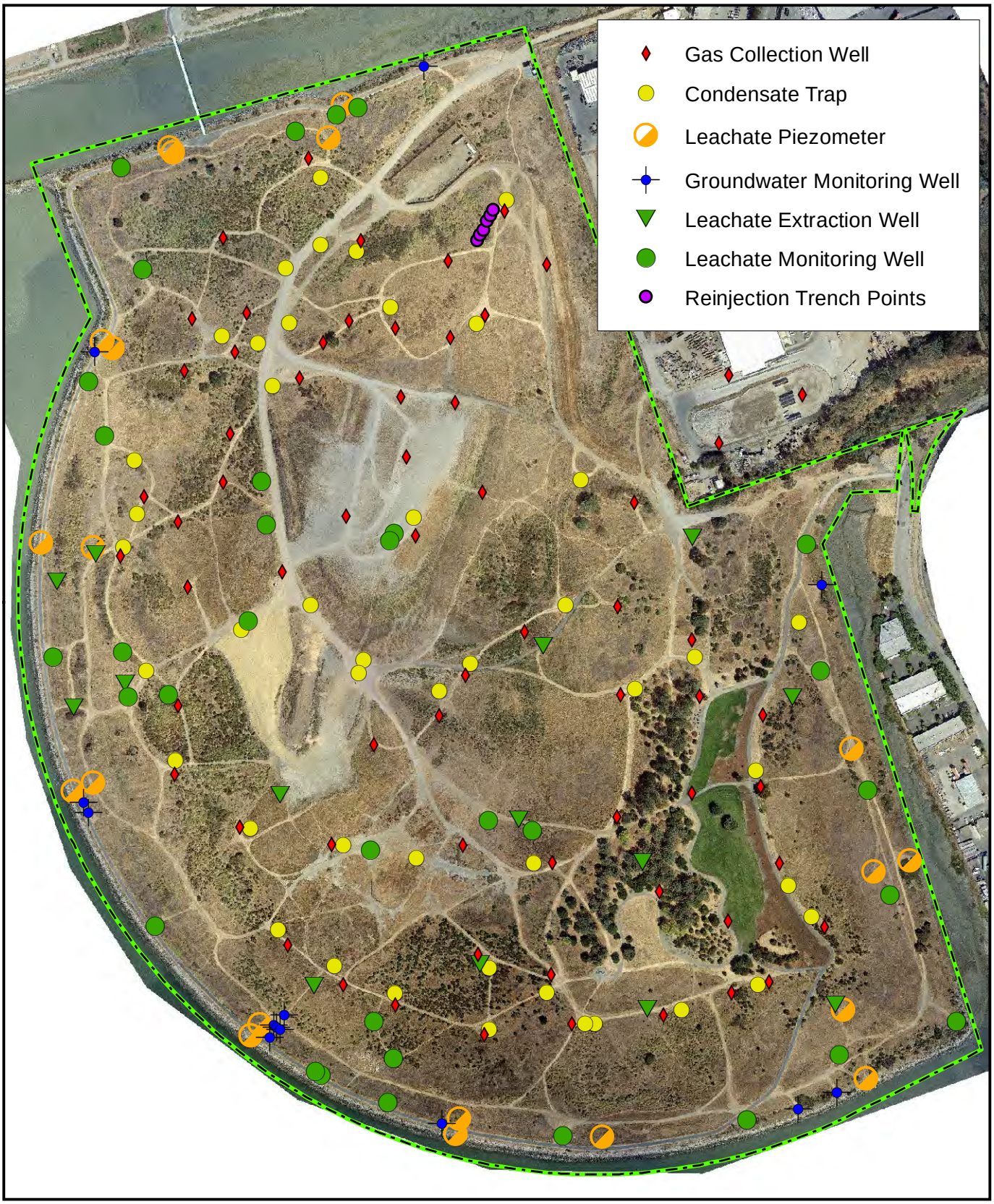
East Bay Regional Park District

CEQA
East Bay Regional Park District
Planning/Stewardship/GIS Services
SEPT. 23, 2013

Existing Picnic Area
San Francisco Bay Trail
Interpretive Loop Trail
Other Paved Trail
Park Boundary

Figure 5
EXISTING TRAIL MAP

Oyster Bay Regional Shoreline
San Leandro, Alameda County, California



East Bay Regional Park District

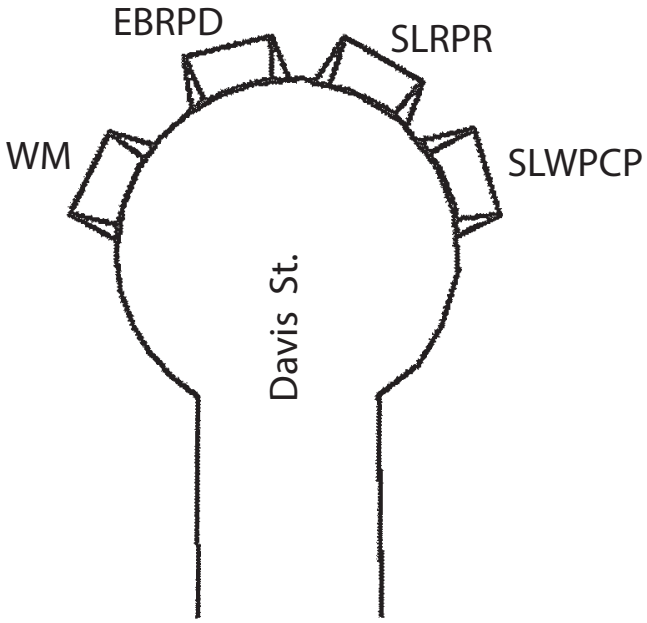
0 500 Feet

N

CEQA
East Bay Regional Park District
Planning/Stewardship/GIS Services
Data provided by Waste Management, Inc.
DEC. 2, 2013

Figure 6
LANDFILL INFRASTRUCTURE

Oyster Bay Regional Shoreline
San Leandro, Alameda County, California



EXISTING DRIVEWAY CONFIGURATION

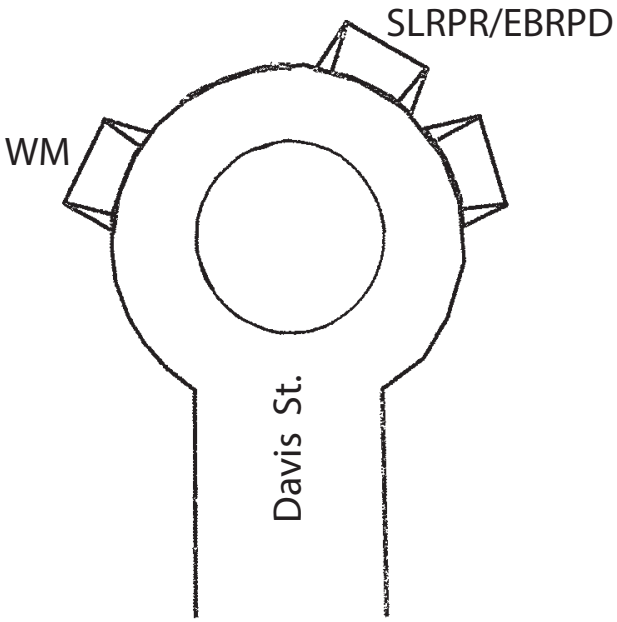


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FIGURE NOT TO SCALE

PROPOSED DRIVEWAY CONFIGURATION

East Bay Regional Park District

Figure 7
CUL-DE-SAC IMPROVEMENTS

CEQA
East bay Regional Park District
Planning/Stewardship/GIS Services
OCT, 10, 2013

Oyster Bay Regional Shoreline

San Leandro, Alameda County, California

GRAPHIC SCALE IN FEET
0' 100' 200' 300'

BAY TRAIL CONNECTION ACCROSS EXISTING BRIDGE

NEW BAY TRAIL CONNECTION TO EXISTING BAY TRAIL

SEE SHEET 1 OF 2 – DAVIS STREET ACCESS IMPROVEMENTS

SEE SHEET 2 OF 2 – DAVIS STREET ACCESS IMPROVEMENTS

San Leandro Slough

Davis Street

SERVICE YARD

300 CAR STAGING AREA

200 CAR STAGING AREA

PROPOSED ACCESS

- Davis Street Access
- New Bay Trail Connection
- Future Staging Area and Neptune Drive Connection
- Approximate location of rock slope protection

ORIGINAL SCALE IN INCHES FOR REDUCED PLANS 0 1 2 3

\\SAN-ADMIN\Division\parkland\DESIGN\PARKS\Oyster Bay\2013 site grading\Plans\Working Dwgs\Oyster Bay - LUPA Concept Access Plan - revised 20131205.dwg 12-05-13 04:23:21 PM kfisher

REVISIONS | DATE

EAST BAY REGIONAL PARK DISTRICT
2950 PERALTA OAKS COURT, OAKLAND, CA 94605 WWW.EBPARKS.ORG 888-327-2757

APPROVED
design:
operations:

scale: AS SHOWN
drawn: KF
checked:
date: 12/05/2013

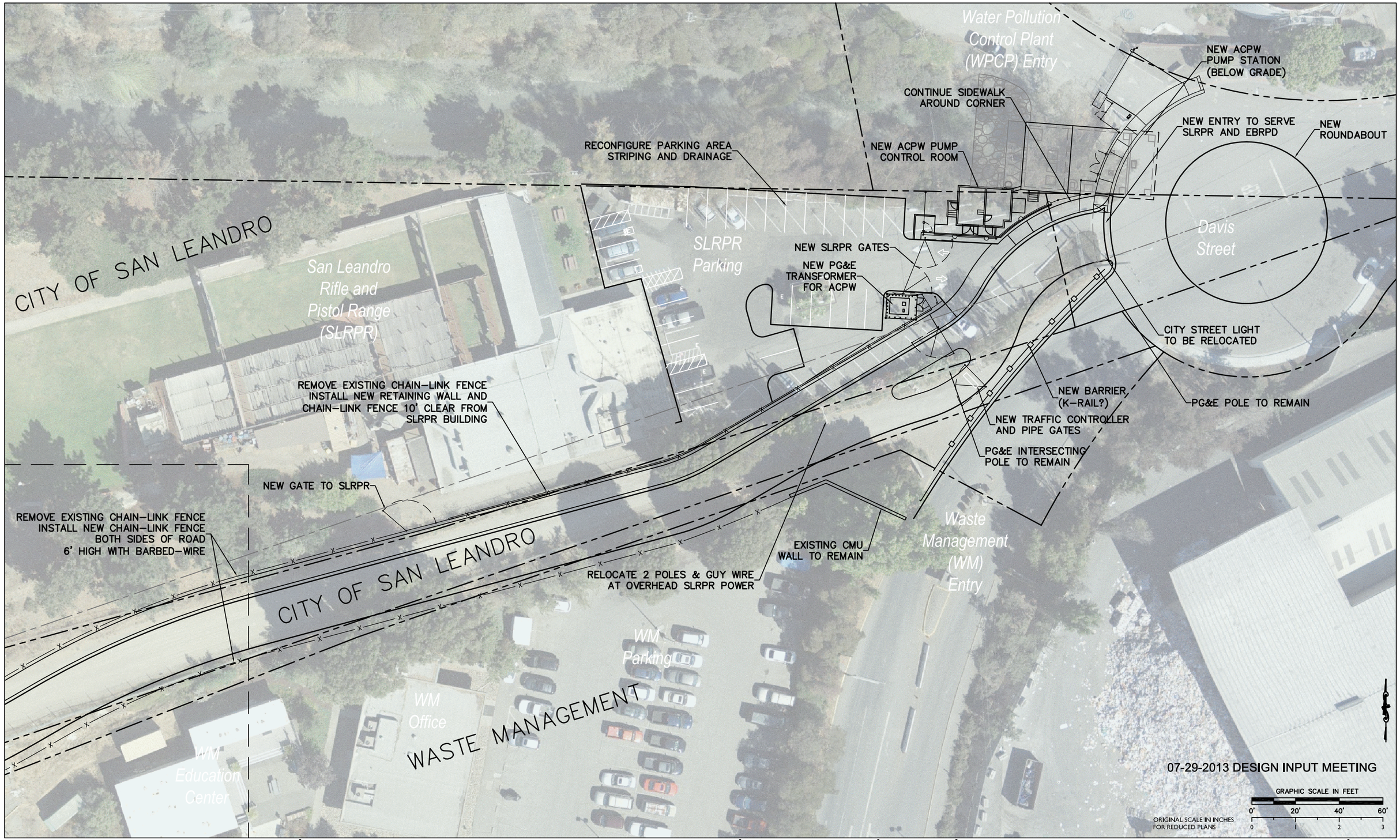
LUPA - SITE ACCESS IMPROVEMENTS

OYSTER BAY REGIONAL SHORELINE
SAN LEANDRO, ALAMEDA COUNTY, CALIFORNIA
PROJECT NO. 142400

FIGURE 8

CONTRACT NO.

SHEET NO. 1
OF : 1



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REVISIONS | DATE

EAST BAY REGIONAL PARK DISTRICT
2950 PERALTA OAKS COURT, OAKLAND, CA 94605 WWW.EBPARKS.ORG 888-327-2757

APPROVED
design:
operations:

scale: AS SHOWN
drawn: KF
checked:
date: 07-25-2013

DAVIS STREET ACCESS IMPROVEMENTS
CONCEPT LAYOUT AND GRADING PLAN

OYSTER BAY REGIONAL SHORELINE
SAN LEANDRO, ALAMEDA COUNTY, CALIFORNIA
PROJECT NO. 142400

FIGURE 9

CONTRACT NO.

SHEET NO. 1
OF : 2

REVISIONS | DATE

EAST BAY REGIONAL PARK DISTRICT
2950 PERALTA OAKS COURT, OAKLAND, CA 94605 WWW.EBPARKS.ORG 888-327-2757

APPROVED
design:
operations:

scale: AS SHOWN
drawn: KF
checked:
date: 07-25-2013

DAVIS STREET ACCESS IMPROVEMENTS
CONCEPT LAYOUT AND GRADING PLAN
OYSTER BAY REGIONAL SHORELINE
SAN LEANDRO, ALAMEDA COUNTY, CALIFORNIA
PROJECT NO. 142400

FIGURE 10

CONTRACT NO.

SHEET NO. 2
OF : 2

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East Bay Regional Park District

Davis St Access
Neptune Dr Connection
Proposed LUPA Trail
San Francisco Bay Trail
Park Boundary

CEQA
East Bay Regional Park District
Planning/Stewardship/GIS Services
JAN. 14, 2014

Figure 11
LUPA ACCESS & CONCEPTUAL TRAILS
Oyster Bay Regional Shoreline
San Leandro, Alameda County, California

East Bay Regional Park District

Davis St Access

Neptune Dr Connection

Proposed LUPA Trail

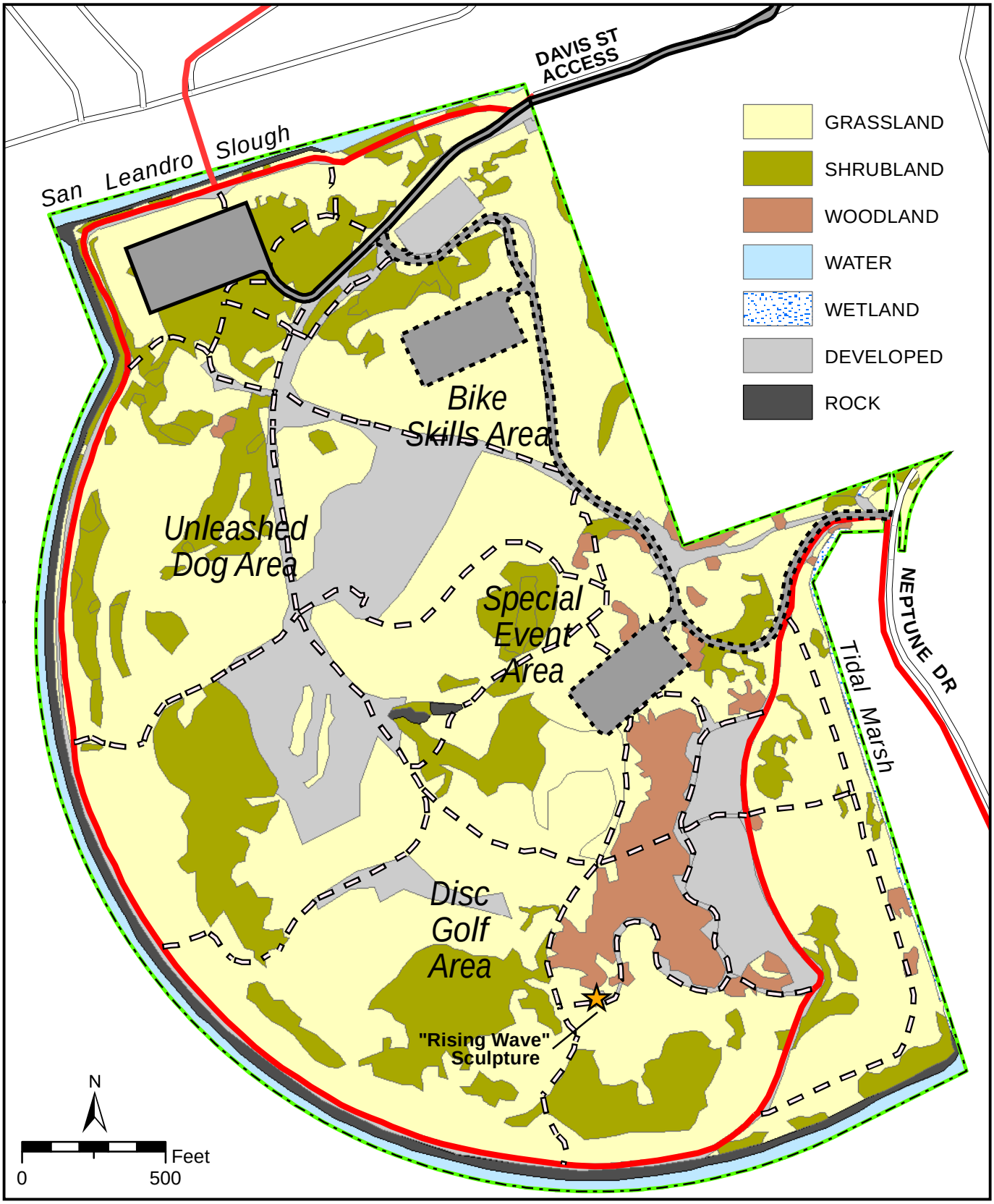
San Francisco Bay Trail

Park Boundary

Figure 12
LUPA ELEMENTS

CEQA
East Bay Regional Park District
Planning/Stewardship/GIS Services
JAN. 14, 2014

Oyster Bay Regional Shoreline
San Leandro, Alameda County, California



East Bay Regional Park District

Davis St Access
Neptune Dr Connection
"Rising Wave" Sculpture
Proposed LUPA Trail
San Francisco Bay Trail
Park Boundary

CEQA
East Bay Regional Park District
Planning/Stewardship/GIS Services
JAN. 14, 2014

Figure 13
LUPA VEGETATION EFFECT

Oyster Bay Regional Shoreline
San Leandro, Alameda County, California

Initial Study Checklist

INITIAL STUDY CHECKLIST

This checklist is taken from Appendix G of the State CEQA Guidelines[1] updated in 2012. For each item, one of four responses is given:

☒		**No Impact.** The proposed project will not have the impact described. Abbreviated **"NI."**
☒		**Less than Significant Impact.** The project may result in the impact described, but at a level that is less than significant. Mitigation is not required, however, may be included to further reduce the impact. Abbreviated **"LTS."**
☒		**Potentially Significant Unless Mitigated.** The proposed project may result in the impact described at a level that is potentially significant. The incorporation of proposed mitigation measures would reduce the potentially significant impact to a less than significant level. For these responses, proposed mitigation measures are included after the discussion of the potential impact. Abbreviated **"LTS w/M."**
☒		**Potentially Significant Impact.** The proposed project may have the impact described at a level that is potentially significant. The potentially significant impact cannot be reduced to a less than significant level with the incorporation of proposed mitigation measures. An environmental impact report must be prepared for this project. Abbreviated **"PS."**

Each question on the checklist was answered by evaluating the proposed project as a whole, considering the potentially significant environmental impacts that may occur for any phase of the proposed project. The checklist includes a discussion of the impacts and mitigation measures that have been identified to reduce potential impacts to the lowest level of significance. Sources used in this Initial Study checklist are listed at the end.

The East Bay Regional Park District agrees to accept all mitigation measures included in this checklist as conditions of approval of the proposed project and to obtain all necessary permits. Mitigation measures are proposed to avoid, minimize, rectify, reduce, or compensate potentially significant impacts.

Initial Study Checklist categories begin on the pages listed below:

[1] California Code of Regulations Title 14, §15000, et sec.

DETERMINATION

On the basis of this initial evaluation:

☐		I find that the proposed project could not have a significant effect on the environment, and a Negative Declaration will be prepared.
☒		I find that although the proposed project *could* have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A Mitigated Negative Declaration will be prepared.
☐		I find that the proposed project may have a significant effect on the environment, and an Environmental Impact Report is required.
☐		I find that the proposed project may have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An Environmental Impact Report is required, but it must analyze only the effects that remain to be addressed.
☐		I find that although the proposed project *could* have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Michelle Julene		2013-10-11
Michelle Julene, Park Planner		**Date**
Brian Wiese		10/11/13
Brian Wiese, Chief, Planning and GIS Services		**Date**

NOTE:	Authority cited: §21083 and 21083.5, Public Resources Code. Reference: §21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21151, Public Resources Code. *Sunstrom v. County of Mendocino*, 202 Cal. App. 3d 296 (1988); *Leonoff v. Monterey Board of Supervisors*, 222 Cal. App.3d 1337 (1990); *Eureka Citizens for Responsible Gov't. v City of Eureka* (2007) 147 Cal App.4th 357; *Protect the Historic Amador Waterways v Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

I. AESTHETICS

ENVIRONMENTAL SETTING. Oyster Bay is located along the San Francisco Bay in the City of San Leandro. Surrounding land uses include the Oakland International Airport, light industrial, and residential. Oyster Bay itself is a former sanitary landfill that was operated by the Oakland Scavenger Company. The landfill operation was closed in the 1980's, however monitoring wells for methane and leachate remain in operation throughout the property.

Oyster Bay includes approximately 7,400 linear feet of rock and broken concrete armoring along the San Francisco Bay shoreline and approximately 1,800 linear feet of shoreline marsh. Approximately 15 acres of the property was developed in 1993 as a group picnic area near the marsh in the southeastern portion of Oyster Bay. The group picnic area includes approximately 3.5 acres of irrigated turf and landscaping, interpretive signage, restroom, picnic tables, barbeques, and "The Rising Wave," a public art installation. There is a network of unpaved trails that provide access to the monitoring wells and approximately one mile of paved trail that is part of the San Francisco Bay Trail. Vegetation is primarily non-native throughout the undeveloped areas of Oyster Bay, though there are populations of native plants such as toyon (*Hetermeles arbutifolia*), California buckeye (*Aesculus californica*), and Coast live oak (*Quercus agrifolia*). The marsh area also hosts native vegetation including pickleweed (*Salicornia virginica*). The years of Oyster Bay's former landfill operation, coupled with continual additions of soil layers, has resulted in a gentle yet undulating topography.

The views of San Francisco Bay, the Peninsula, the San Mateo Bridge, and the San Francisco skyline are panoramic from the Bay Trail along the Oyster Bay shoreline and from the knolls throughout the park. Visitors also enjoy bird-watching along the shoreline and the marsh, and Oyster Bay is one of the best places to watch planes approaching Oakland International Airport from the south. Views to the east of Oyster Bay are industrial.

REGULATORY SETTING.

City of San Leandro General Plan, 2002 (update). The General Plan identifies Oyster Bay as having significant views and recognizes that the panoramic views from the shoreline areas should be protected. Davis Street, Marina Boulevard and Doolittle Drive are all within the general vicinity of Oyster Bay and the General Plan recognizes them as Key Gateway Streets. The General Plan includes the following policy regarding public art:

> **Policy 44.06 – Public Art.** Encourage the siting of public art in civic open spaces, around public buildings, and within new development areas. Public art should reflect and express the diversity of the City.

East Bay Regional Park District Master Plan, 2013. The District's Master Plan includes the following Planning and Management Guidelines for Recreation and Staging Units that apply to aesthetics at Oyster Bay.

- The design and landscaping of all facilities will harmonize with the surrounding natural landscape. Facilities will be designed to avoid or minimize impacts on natural resources.
- The District will strive to expand public shoreline access to a Regional Shoreline. Landing or launching sports for smallboats will be incorporated when feasible. Except for facilities that must be on the shoreline or over the water surface, the District will confine all staging and recreational facilities, where possible, to uplands that are a minimum of 100 feet from the actual shoreline. Facilities such as parking that do not depend on water will be located in areas that are screened from view, when practical.

CEQA CONTEXT. Potentially significant impacts associated with aesthetics can be somewhat subjective in nature because the response to aesthetics varies from person to person. In terms of methodology, potentially significant environmental impacts to aesthetics have been determined by identifying whether project elements would result in the loss or degradation of a scenic attribute or in a demonstrable negative effect to overall visual quality.

	Would the project:		PS	LS w/M	LS	NI
a)	**Have a substantial adverse effect on a scenic vista?**		☐	☐	☒	☐

A scenic vista can be defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. The shoreline at Oyster Bay provides exactly that experience and elements within the Land Use Plan Amendment have been conceptually sited to maintain existing scenic vistas and provide increased opportunity for the general public to access and enjoy them. The Land Use Plan recommends that vistas and observation points be enhanced along the Oyster Bay shoreline and upland areas with bench seating, vegetation screening of the adjacent Waste Management campus, and shelter structures to protect park visitors against the wind and sun where appropriate.

In order to construct the Davis Street access, approximately 37 trees will be removed within the Gun Range parking area and along the alignment for the new park roadway adjacent to Waste Management to accommodate the road widening and multi-use trail. This will not affect the scenic vista of the shoreline, though the trees currently provide screening of the Waste Management buildings and operations within the boundary of Oyster Bay. The District will screen views of the Waste Management campus by inserting slats in the existing fencing and/or planting climbing vines along the fenceline. The initial staging area that will be developed as part of the Davis Street access will be located in an area that is viewable from the existing San Francisco Bay Trail, the Bill Lockyer Bay Trail Bridge, and from the existing knolls within Oyster Bay. The District will screen views of the staging area from these viewpoints with a landscaped berm.

Elements of the Land Use Plan Amendment such as parking areas, the Bicycle Skills Area, disc golf course, Special Event Area, and service area will be located such that the scenic vistas are not affected. Additionally, these elements will be developed with plantings, described in the vegetation management plan that will increase vegetation diversity within Oyster Bay, providing visual interest and screening as well as providing habitat. Implementation of the vegetation management plan as recommended in the Land Use Plan Amendment will address replacement tree planting to mitigate the trees that will require removal to develop the Davis Street access, including trees removed from the Gun Range parking area.

Construction activities could temporarily disrupt views to the scenic vistas at Oyster Bay. These disruptions will be temporary in nature and would be limited to the area of construction only, not to the entire park. Therefore, temporary, construction-related disruptions in views to scenic vistas are considered less than significant.

	Would the project:		PS	LS w/M	LS	NI
b)	**Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**		☐	☐	☐	☒

Scenic resources can be defined as those landscape patterns and features that are visually or aesthetically pleasing. These include, but are not limited to trees, rock outcroppings, and historic buildings. Scenic areas, open spaces, rural landscapes, and vistas also contribute to a net visual benefit on individuals and the community.

As mentioned in the response to (a) above, 37 trees will be removed within the Gun Range parking area and along the alignment for the new park roadway adjacent to Waste Management to develop the Davis Street access. The District will screen views of the Waste Management campus by inserting slats in the existing fencing and/or planting climbing vines along the fenceline.

There are a few scattered rock outcroppings throughout the Oyster Bay property that have been created by the District through its on-going grading operations. These will remain in place or will be relocated as elements of the Land Use Plan Amendment are developed.

There are no historic buildings or state scenic highways within the Oyster Bay property and none will be affected outside of the Oyster Bay property with implementation of the elements proposed in the Land Use Plan Amendment.

	Would the project:		PS	LS w/M	LS	NI
c)	**Substantially degrade the existing visual character or quality of the site and its surroundings?**		☐	☐	☒	☐

Visual character can be defined as the perceived contrast between the existing visual elements of an area with how the area will look after the project is implemented as a measure of how compatible the project, once implemented, will be with the existing environment. Ultimately, implementation of the Land Use Plan Amendment will result in a beneficial effect to the visual character and quality of the site and its surroundings through implementation of the vegetation management plan.

Oyster Bay is a former landfill that continues to be monitored for methane and leachate. Monitoring wells, and unpaved access roads to service them, scatter the landscape. Since the property was transferred to the District for park development and operation, the District has accepted "opportunity fills" that have contributed to landfill cover and have been graded to provide topographical interest in keeping with the original 1977 Land Use Plan. With the exception of the 15-acre group picnic area that includes 3.5 acres of irrigated turf lawn and California native trees for landscaping, the existing vegetation at Oyster Bay is predominately low-growing shrubs and grasses, most of which are non-native. Oyster Bay is nearly surrounded by water, including intertidal sloughs on the north and eastern edge and the San Francisco Bay on the western edge connecting the two intertidal sloughs. As mentioned previously, the views of San Francisco Bay are panoramic as are the opportunities for bird-watching on the sloughs. Looking toward the east, the surrounding land use is industrial and to the north, beyond the intertidal slough, is the Oakland International Airport.

The elements proposed for development in the Land Use Plan Amendment are not expected to be incompatible with the existing environmental conditions at Oyster Bay or with the surrounding land uses. Elements including the Davis Street access, parking areas, the Bicycle Skills Area, disc golf course, Special Event Area, and service area will be developed with plantings described in the vegetation management plan. These plantings will reduce the existing weedy condition and increase vegetation diversity within Oyster Bay, providing visual interest and screening as well as providing habitat.

Initially, the Davis Street access and first constructed parking area will be primarily gravel, with the exception of paving required for parking stalls in conformance with the Americans with Disabilities Act and sections of access road for emergency vehicle access. The Davis Street access will include approximately 1.35 acres of additional impervious surface. Ultimately, the entire vehicular access road and parking areas will be paved. Given that the existing setting of Oyster Bay is highly disturbed, the gravel and paving associated with the access road and staging areas will not change the existing visual character or quality of the site or its surroundings. The initial staging area that will be developed as part of the Davis Street access will be located in an area that is viewable from the existing San Francisco Bay Trail and the Bill Lockyer Jr. Bay Trail Bridge. The District will screen views of the staging area from these viewpoints with a landscaped berm. The District will screen views of the Waste Management campus by inserting slats in the existing fencing and/or planting climbing vines along the fenceline.

Construction activities could temporarily disrupt the existing visual character at Oyster Bay. These disruptions will be temporary in nature and would be limited to the area of construction only, not to the entire park. Therefore, temporary, construction-related disruptions to the existing visual character are considered less than significant.

	Would the project:		PS	LS w/M	LS	NI
d)	**Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**		☐	☐	☒	☐

New sources of light and glare can occur from lighting associated with buildings and from exterior light sources, such as street lighting, building illumination, security lighting, and landscape lighting. Glare is the effect usually created by the reflection of sunlight or artificial light from highly polished surfaces, such as window or automobile glass during the

daytime. During nighttime, glare is usually the result of the viewer being within the line-of-sight of a bright source of light, such as from a building or vehicle headlamps, which contrast with the surrounding low-ambient light conditions.

The Land Use Plan Amendment proposes installation of solar pathway lighting associated with the Special Event Area. These lights will be low to the ground and are not expected to result in light or glare that would adversely affect nighttime views in the area. The Land Use Plan Amendment also proposes a total of three parking areas with a potential maximum of 700 spaces. During the daytime, parked vehicles can produce glare from reflected sunlight. The Land Use Plan Amendment also proposes new office buildings as part of the service yard, from which glare could result from windows. The parking areas and the service yard will be developed with implementation of the vegetation management plan, which will diffuse the light and glare that could result from parked cars and new office buildings.

II. AGRICULTURE & FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

ENVIRONMENTAL SETTING. The Oyster Bay shoreline was an important link in the history of oyster beds beginning with the Saklan Indians through the Mulford shipping operation. The Saklan's primary food staple were the local oysters. As the early explorers settled the area, the shell remains were used to pave the first walkways and roads. Even though native oysters were prolific, they were small and considered unfit for use. Therefore, the oyster beds were seeded with oysters imported from the East Coast. Mr. Moses Wicks is documented as having been the first person to import seed oysters from the East Coast for cultivation along the San Leandro shoreline. Thomas Whitehead Mulford, a partner of Mr. Wicks, filed his claim for oyster beds in the tidelands under the provisions of the Oyster Laws of the State of California in 1892. Oystering along the Alameda County shore was a profitable business and contributed to shipping and freight lines to San Francisco, establishing the shoreline's potential as a commercial shipping point and a center of oyster cultivation. The oyster industry faded away after 1911 due to the polluted conditions in San Francisco Bay.

The Oakland Scavenger Company operated a sanitary landfill at the site between 1947 – 1978, at which point, the property was dedicated to the District for park development.

REGULATORY CONTEXT.

City of San Leandro General Plan, 2002 (update). The City's General Plan does not identify any agricultural or forestry resources. Oyster Bay is classified as Resource Conservation in the Public/Open Space land use category.

CEQA CONTEXT. A project would normally result in a significant impact to agriculture and/or forestry resources if the project will alter existing agricultural land uses or land use designations.

	Would the project:		PS	LS w/M	LS	NI
a)	**Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**		☐	☐	☐	☒

The Farmland Mapping and Monitoring Program identifies farmland within California and groups farmland into five general categories: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land. Oyster Bay is not identified as farmland and has not been utilized for oyster harvesting since 1911.

	Would the project:		PS	LS w/M	LS	NI
b)	**Conflict with existing zoning for agricultural use, or a Williamson Act contract?**		☐	☐	☐	☒

The Williamson Act is a state law that allows local governments to enter into contracts with private landowners that restrict specific lands to agricultural or open space use in return for a lower property-tax assessment.

Oyster Bay is zoned as Resource Conservation in the City of San Leandro's General Plan, 2002 update and it is not under a Williamson Act contract.

Would the project:		PS	LS w/M	LS	NI
c)	**Conflict with existing zoning for, or cause rezoning of, forest land** *(as defined in Public Resources Code §12220(g))***, timberland** *(as defined by Public Resources Code §4526)***, or timberland zoned Timberland Production** *(as defined by Government Code §51104(g))***?**	☐	☐	☐	☒

Oyster Bay is zoned as Resource Conservation in the City of San Leandro's General Plan, 2002 update. Oyster Bay has never been zoned as forestland or for timberland production and does not have the vegetation to support these designations.

Would the project:		PS	LS w/M	LS	NI
d)	**Result in the loss of forest land or conversion of forest land to non-forest use?**	☐	☐	☐	☒

Oyster Bay is zoned as Resource Conservation in the City of San Leandro's General Plan, 2002 update. Oyster Bay has never been zoned as forestland and does not have the vegetation to support this designation.

Would the project:		PS	LS w/M	LS	NI
e)	**Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**	☐	☐	☐	☒

Oyster Bay is zoned as Resource Conservation in the City of San Leandro's General Plan, 2002 update. The improvements proposed in the Land Use Plan Amendment will not result in the conversion of farmland to non-agricultural use or of forest land to non-forest use.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

ENVIRONMENTAL SETTING.

Air pollution is a byproduct of industrial, domestic, agricultural and transportation activities. Air pollution in the Bay Area is generated by stationary industrial sources, such as refineries and power plants, as well as mobiles sources, particularly cars, trucks and construction equipment, which contribute a large percentage of harmful air emissions in California. Air pollution is influenced by topography and atmospheric conditions such as wind speed, wind direction and temperature. Oyster Bay Regional Shoreline is located within the San Francisco Bay Area Air Basin (SFBAAB), on the southeast side of San Francisco Bay in western Alameda County. The park and surrounding area are generally flat. The Bay Area's climate is dominated by a high-pressure system that is almost always present over the northeastern Pacific Ocean. Marine air entering the Golden Gate is dispersed to the north and south by the East Bay hills. Air directed to the south, parallels the East Bay hills where it eventually passes over the project site; sea breezes at Oyster Bay Regional Shoreline are strongest in the afternoon. Prevailing winds are from the west during the summer months and are also likely to be from the east in the winter. Air temperatures are moderated by the subregion's proximity to the Bay and to the sea breeze (BAAQMD 2013).

In general, air pollution potential is relatively high in the SFBAAB, particularly in the summer and fall, with motor vehicles being the most pervasive source. However, the air pollution potential of the project site is classified as minor, as a result of frequent good ventilation and less influx of high pollutant concentrations from upwind sources. Light winds during the night and early morning, may underlie elevated pollutant levels at Oyster Bay Regional Shoreline (BAAQMD 2013).

People that are more susceptible to the effects of air pollution than the general population are known as sensitive receptors; sensitive receptors include children, elderly and those that suffer from certain illnesses or disabilities. Therefore, schools, convalescent homes, hospitals and residential areas are considered to be sensitive receptors to air pollution.

Criteria Pollutants

The major components of air pollution are ozone, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), suspended particulate matter (PM) and toxic air contaminants (TACs). Criteria air pollutants (CAPs) are air pollutants regulated by the Federal Clean Air Act and the California Clean Air Act. Below are descriptions of criteria pollutants of concern in the SFBAAB.

Ozone (O3)

Ozone, the main component of smog, is formed through a complex series of photochemical reactions involving reactive organic gases (ROG) and nitrogen oxides (NOX) and is not emitted directly into the air. Motor vehicle emissions, refineries, power plants, solvents and pesticides are the primary sources of ozone, which is considered a regional pollutant because its precursors are transported and diffused by wind. Ozone problems are the cumulative result of regional development patterns rather than the result of a few significant emission sources, which makes it particularly difficult to eliminate. While ozone in the upper atmosphere protects the earth from harmful ultraviolet radiation, high concentrations of ground-level ozone can adversely affect the human respiratory system and natural ecosystems such as forests, agricultural crops and some manufactured materials, like rubber, paint and plastics. The SFBAAB is nonattainment for federal and state ozone standards.

Suspended Particulate Matter (PM_{10} and $PM_{2.5}$)

PM_{10} and $PM_{2.5}$ consist of solid and liquid inhalable particles that are 10 microns or less in diameter and 2.5 microns or less in diameter, respectively. (A micron is one-millionth of a meter.) $PM_{2.5}$ is a subset of PM_{10}. These tiny particles include smoke, dust, aerosols and metallic oxides. Major sources of particulate matter include road traffic (i.e., dirt particles), agriculture, wildfires, and construction and demolition activities. Diesel emissions are a common source of PM_{10}. Traffic

generates PM_{10} and $PM_{2.5}$ emissions through entrainment of dust and dirt particles that settle onto roadways and parking lots. PM_{10} also is emitted by burning wood in residential wood stoves and fireplaces, and from agricultural burning. PM_{10} can remain in the atmosphere for up to a week before it settles or is removed by rain. Acute and chronic health effects associated with high particulate levels include the aggravation of chronic respiratory diseases; heart and lung disease; and coughing, bronchitis and respiratory illnesses in children. State standards for PM_{10} and $PM_{2.5}$ are periodically exceeded in the SFBAAB.

Oyster Bay Regional Shoreline is a former landfill. Since its closure in the early 1980s the Park District has been transforming the former landfill through hauling clean soil to support park development like trees and turf. Hauling, filling and grading of soil occur periodically at the park and is performed by 10-wheeled trucks and various dump trucks, and grading is carried out by bulldozers. To control dust emissions, the Park District employs best management practices, such as watering by truck all exposed and un-compacted surfaces. The park continues to be monitored for 30 years following its closure by Waste Management Company for various conditions including leachates, gas emissions and slope stability. Landfill gases generated by waste decomposition are removed from the site through a combination of vents and monitoring stations. Leachate, water that has percolated through layers of waste material, is also collected through a separate network of on-site trenches, pipes and extraction wells. Fugitive dust emissions generated by travel by haul trucks on unpaved surfaces and grading activities and emissions from the former landfill have the potential to contribute to air quality. However, implementation of the proposed project would not affect ongoing filling, grading and monitoring activities. Therefore the potential impacts of these activities to air quality are not considered.

REGULATORY CONTEXT. Air quality standards, intended to protect public health, are established at both the federal and state levels for a variety of pollutants. Air Quality within Alameda County is regulated by the U.S. Environmental Protection Agency and the California Air Resources Board (CARB) at the federal and state levels, respectively. The Bay Area Air Quality Management District (BAAQMD) regulates stationary emissions sources of air pollution locally and is responsible for assuring that the National and California Ambient Air Quality Standards (NAAQS and CAAQS) are attained and maintained in the Bay Area. California emissions standards are generally more stringent than federal standards. Oyster Bay Regional Shoreline is within the jurisdiction of the BAAQMD. The BAAQMD and CARB operate a regional monitoring network that measures the ambient concentrations of the following six air pollutants that can cause harm to people's health and the environment, as well as property damage: ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulate matter and lead. California also regulates criteria air pollutants with California Ambient Air Quality Standards, which are generally equal to, but in some cases more restrictive than, the federal standards.

The SFBAAB is currently designated "nonattainment" for the state and federal 8-hour ozone standards, the federal 24-hour PM2.5 standard, and the state standards for PM10, annual PM2.5 and 1-hour ozone. Ozone is the pollutant of greatest concern in the Bay Area. The region is designated "attainment" or "unclassified" with respect to all other federal and state air quality standards, covering pollutants such as carbon monoxide, nitrogen dioxide, sulfur dioxide and lead. Air basins that do not meet federal standards are required to have Clean Air Plans, which in the Bay Area is the responsibility of the BAAQMD to prepare. The BAAQMD's Clean Air Plan is regional in scope, but identifies many strategies that can be implemented at the local level (BAAQMD 2010a).

In 1999, the BAAQMD adopted the *BAAQMD CEQA Guidelines* to assist lead agencies with CEQA impact analyses (BAAQMD 1999). The guidelines were revised in 2010, and included guidance for evaluating both short-term construction activities and long-term operations of new facilities (BAAQMD 2010). BAAQMD's 2010 significance thresholds were challenged in a lawsuit and were subsequently ordered to be set aside until the BAAQMD complies with CEQA. Though the court did not determine whether the thresholds are based on substantial evidence and thus valid on the merits, the Park District has determined that the BAAQMD's 2010 air quality thresholds are supported by substantial evidence and therefore can be used as significance thresholds for this project. In 2010, BAAQMD adopted the following quantitative thresholds of significance for evaluating CAPs and precursors generated by construction and operational activities as follows:

- Average daily emissions of 54 pounds per day (lb/day) of reactive organic gases (ROGs),
- Average daily emissions of 54 lb/day of oxides of nitrogen (NO_x),

- Average daily emissions of 82 lb/day of PM_{10} exhaust,
- Average daily emissions of 54 lb/day of $PM_{2.5}$ exhaust,
- An incremental increase in the annual average concentration of $PM_{2.5}$ concentrations greater than 0.3 micrograms per cubic meter, and
- Fugitive PM_{10} and $PM_{2.5}$ dust with implementation of best management practices for dust control.

City of San Leandro General Plan , 2002 (update). The City of San Leandro's General Plan includes the following policies associated with air quality:

> **Policy 31.01 – Clean Air Plan Implementation.** Cooperate with the appropriate regional, state, and federal agencies to implement the regional Clean Air Plan and enforce air quality standards.
>
> **Policy 31.03 – Land Use Compatibility.** Discourage new uses with potential adverse air quality impacts near residential neighborhoods, schools, hospitals, nursing homes, and other locations where public health could potentially be affected.
>
> **Policy 31.04 – Design, Construction, and Operation.** Require new development to be designed and constructed in a way that reduces the potential for future air quality problems, such as odors and the emission of any and all air pollutants. This should be done by:
>
> - Requiring construction and grading practices that minimize airborne dust and particulate matter.
> - Ensuring that best available control technology is used for operations that could generate air pollutants.
> - Encouraging energy conservation and low-polluting energy sources.
> - Promoting landscaping and tree planting to absorb carbon monoxide and other pollutants.
>
> **Policy 31.05 – Odors.** Ensure prompt response to complaints about odor problems and other potential air quality nusances and hazards reported by residents and businesses.

CEQA CONTEXT. A project would normally result in significant impacts to air quality if changes to existing air quality would result from construction, operation, use, and/or maintenance activities from implementation of the project. Elements of the Land Use Plan Amendment have been evaluated to determine if changes to existing air quality would result from construction, public use, operations and/or maintenance activities.

	Would the project:		PS	LS w/M	LS	NI
a)	**Conflict with or obstruct implementation of the applicable air quality plan?**		☐	☐	☒	☐

The emissions inventories used to develop the region's air quality attainment plans are based primarily on projected population growth and vehicle miles traveled (VMT) for the region, which are based, in part, on the planned growth identified in regional and community plans. Therefore, projects that would result in increases in population or employment growth beyond that projected in regional or community plans could result in increases in VMT above that planned in the attainment plan, resulting in mobile-source emissions that could conflict with a region's air quality planning efforts. Increases in VMT beyond that projected in area plans generally would be considered to have a significant adverse incremental effect on the region's ability to attain or maintain state and federal ambient air quality standards. The City of San Leandro General Plan designates Oyster Bay Regional Shoreline Open Space/Recreation and the park is zoned Public/Open Space Resource Protection, which allow for resource management and recreation. This zoning designation provides for park, open space, recreation and resource management uses. Thus, implementation of the proposed LUPA would not conflict with the City's land use designation and zoning. The Land Use Plan Amendment is intended to balance managing natural resources with increasing public access and recreation opportunities. In addition, the park's shoreline provides a 1.3-mile segment of the San Francisco Bay Trail that provides non-motorized connections to Martin Luther King Jr. Shoreline to the north and Hayward Regional Shoreline to the south.

Potential air quality impacts for the project would be primarily related to vehicle miles traveled associated with increased public use from new recreational facilities and periodic special events. However, implementation of the LUPA would neither result in the operation of any major stationary emissions sources nor change the amount of development projected in the City of San Leandro General Plan, and therefore, it is consistent with the population growth and VMT projections for the SFBAAB contained in BAAQMD's Clean Air Plan. Therefore, implementation of the Land Use Plan Amendment would not interfere with the region's ability to attain or maintain state and national ambient air quality standards, and this impact would be less than significant.

Would the project:			PS	LS w/M	LS	NI
b)	**Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**		☐	☒	☐	☐

Air quality impacts are associated with both short-term construction related emissions and ongoing maintenance and operational emissions; this project has the potential to result in both short- and long-term related air emissions. However, with the implementation of mitigation, described below, potential impacts would be less than significant.

Short-term air emissions related to implementation of the Land Use Plan Amendment would include site preparation, vegetation clearing and construction of a new park entry road on Davis Street and improvements to the existing Neptune Drive entrance; grading and paving of a combination of new staging areas accommodating 700 vehicles; improvements to park roads and trails; and construction and installation of new service facilities, Special Event Area, Bicycle Skills Area, restrooms, picnic areas and shade shelters. These activities would involve earth-moving activities, as well as the use of heavy construction equipment that would generate short-term emissions of ROG, NO_X, PM_{10} and $PM_{2.5}$. Trucks delivering supplies and vehicle trips by workers to construction sites would generate short-term exhaust emissions.

Using the BAAQMD-approved California Emissions Estimator Model (CalEEmod), Version 2013.2 (CAPCOA 2013), the Park District performed an analysis to estimate the maximum daily emissions that could be generated by project implementation. Table 3.1, below, summarizes the modeled maximum daily level of emissions of CAPs and precursors associated with construction activity that would occur with implementation of the LUPA.

Table 3.1 Summary of Modeled Daily Criteria Air Pollutant and Precursor Emissions from Construction Activities

Construction Activity	Emissions (lb/day)			
	ROG	**NO_X**	**PM_{10} Exhaust**	**$PM_{2.5}$ Exhaust**
Construction Activity	3	21	2	2
Thresholds of Significance	**54**	**54**	**82**	**54**

Notes: lb/day = pounds per day; ROG = reactive organic gases; NO_X = oxides of nitrogen; PM_{10} = particulate matter with aerodynamic diameter less than 10 microns; $PM_{2.5}$ = particulate matter with aerodynamic diameter less than 2.5 microns.

Table 3.1, which presents a conservative analysis of maximum daily levels of construction-related exhaust emissions, shows that the project would not exceed BAAQMD's thresholds of significance for construction-generated criteria air pollutant and precursor emissions. Therefore, exhaust emissions from construction equipment would not violate or contribute substantially to the nonattainment status designated for any CAP in the SFBAAB. Fugitive dust emissions, however, including emissions of PM_{10}, and $PM_{2.5}$, would also be generated by ground disturbance and earth-moving activities, as well as travel by haul trucks, vehicles and construction equipment on unpaved roadways and surfaces. Construction-related emissions of fugitive dust could potentially violate or contribute to emission concentrations that violate or contribute substantially to the nonattainment status designated for PM_{10} and $PM_{2.5}$ in the SFBAAB, which would be a significant impact. Therefore, to reduce potential dust emissions related to construction activities to levels that are less than significant and

ensure that the project would not conflict with air quality planning efforts, the Park District would require that all contractors implement basic dust control Best Management Practices that are included in the Mitigation Measure AIR-1.

Long-term emissions generated by implementation of the Land Use Plan Amendment would be associated with maintenance equipment and additional vehicle trips to the park by the public that have the potential to result in long-term regional emissions of major air pollutants. (This analysis assumes future on-site energy consumption would be so insignificant that it would not result in regional emissions.) The Land Use Plan Amendment recommends phasing the development of parking lots, initially constructing a single lot that accommodates up to 300 vehicles, and developing additional lots as needed. A traffic study of Oyster Bay Regional Shoreline prepared by Dowling Associates, Inc., for the Park District projects weekday and weekend peak-hour traffic at full build-out (Dowling Associates, Inc. 2011). To determine daily vehicle trips at maximum build-out of the Land Use Plan Amendment, the District used parking turnover, that is, the number of vehicles per space per day (Fehr & Peers Associates 1997). At full build-out, with up to 700 vehicle spaces, the proposed project would generate 462 daily vehicle trips on a typical weekday and 1,050 daily trips over a typical weekend day, over a 24-hour period.

The Park District analyzed the operational emissions of major air pollutants associated with implementation of the LUPA using Version 2013.2 of the CalEEmod. Table, 3.2, below, presents the modeled maximum daily level of operational emissions.

Table 3.2 Summary of Modeled Daily Emissions of Criteria Air Pollutants and Precursors from Operational Activities

Operational Activities	Emissions (lb/day)			
	ROG	**NO_X**	**PM_{10}**	**$PM_{2.5}$**
Area Sources	4	0	0	0
Energy Use	0	0	0	0
Mobile Source (vehicle trips)	6	7	3	1
Total	10	7	3	1
Thresholds of Significance	**54**	**54**	**82**	**54**

Notes: lb/day = pounds per day; ROG = reactive organic gases; NO_X = oxides of nitrogen; PM_{10} = particulate matter with aerodynamic diameter less than 10 microns; $PM_{2.5}$ = particulate matter with aerodynamic diameter less than 2.5 microns.

As shown in Table 3.2, the operational emissions associated with implementation of the proposed project are well below the applicable BAAQMD-recommended thresholds of significance for ROG, NO_X, PM_{10} or $PM_{2.5}$. As a result, the project would not violate or contribute substantially to an existing air quality violation or conflict with air quality planning in the SFBAAB. Therefore, this impact would be less than significant.

Mitigation Measure AIR-1: The District shall require all its construction contractors to implement a dust control plan that shall include the following Basic Construction Mitigation Measures as recommended by the BAAQMD:

- All exposed and un-compacted surfaces (e.g., staging areas, soil piles, and graded areas) shall either be watered two times per day or covered with mulch, straw, or other dust control cover.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be collected and removed at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding, dust control covers, or soil binders are used.

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measures (ATCM) Title 13, Section 2485 of California Code.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

Significance after Mitigation: Though it is impossible to quantify the reduction in fugitive emissions of PM_{10} and $PM_{2.5,}$ with dust control measures, implementation of Mitigation Measure AIR-1 would ensure that construction-related air quality impacts would be reduced to a less than significant level.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
c)	**Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**		☐	☒	☐	☐

By its nature, air pollution is largely a cumulative impact: no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions may contribute to existing cumulatively significant adverse air quality impacts. According to the BAAQMD's CEQA Guidelines, any project that does not individually have significant air quality impacts, determination of a project's significant cumulative impact is based on consistency of the project with air quality control measures contained in local and regional air quality plans (BAAQMD 2010).

As discussed in the analysis under item "b" above, with the implementation of Mitigation Measure AIR-1, BAAQMD's Best Management Practices for controlling fugitive dust, the project would not result in individual significant air quality impacts, and the project would not conflict with the City of San Leandro's General Plan or Climate Action Plan, or BAAQMD's regional air quality plan. Therefore, the project would not generate cumulatively considerable construction- or operational-related air emissions and the cumulative impact would be less than significant with implementation of Mitigation Measure AIR-1.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
d)	**Expose sensitive receptors to substantial pollutant concentrations?**		☐	☒	☐	☐

Sensitive receptors are facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals, and residential areas. Sensitive receptors at the park include park users and wildlife. Land uses surrounding Oyster Bay Regional Shoreline include industrial and residential. The closest houses are located about 300 feet from the southeast boundary of the park along Neptune Drive; Garfield Elementary school is more than 1,500 feet away. Therefore, implementation of the project has the potential to expose sensitive receptors to concentrations of pollutants.

Implementation of the Land Use Plan Amendment would generate air pollutants as a result of vehicle emissions, construction activities and on-going park maintenance activities. Much of the project's operational emissions would be from vehicles traveling to and from the park, which would not result in localized concentrations of any criteria air pollutants, and impacts to sensitive receptors would be less than significant. Implementation of the project would also not significantly impact wildlife because the project would not generate substantial pollutant concentrations.

Construction and maintenance activities would result in temporary, short-term emissions of diesel particulate matter from exhaust of off-road, heavy duty diesel equipment. As shown in Table 3.1 and described above in section b), project-related

construction would not result in air emissions that would result in or contribute substantially to an air quality violation. Moreover, mobilized equipment used for construction activities would be temporary at any one location and as standard practice the Park District restricts public access near construction zones; therefore, construction activities would not expose sensitive receptors to increased levels of diesel PM. Fugitive dust emissions associated with construction-related ground disturbance would be reduced to a less than significant level with implementation of Mitigation Measure AIR-1. Therefore, with implementation of the dust control measures, project-related emissions would not expose sensitive receptors to substantial concentrations of CAPs.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
e)	**Create objectionable odors affecting a substantial number of people?**		☐	☐	☒	☐

There are no air quality standards for odors. Offensive odors rarely impact public health; however, they can negatively impact quality of life. Factors including the location of potential sources of odors and the location of potential receptors to the source of odor have been considered to determine the potentially significant effects on sensitive receptors. Odor impacts are subjective in nature and related, to some degree, to the distance of the activities from the sensitive receptors. Offensive odors rarely impact public health; however, they can negatively impact quality of life. There are no air quality standards for odors, although BAAQMD has established Regulation 7 (Odorous Emissions) to address odor. Regulation 7 places general limitations on odorous substances and specific emission limitations on certain odorous compounds.

In general, the types of land uses that pose potential odor problems include refineries, chemical plants, wastewater treatment plants, landfills, composting facilities and transfer stations. Implementation of the project would neither result in any major sources of odor nor introduce land uses that would pose potential odor problems. New restrooms would be permanent, non-sewered vault restrooms, which holds waste in an underground vault or toilet and is regularly pumped; therefore, because the restrooms would be properly maintained they would not become an odor nuisance. Project-related emissions, including particulate matter, carbon monoxide, diesel exhaust and fuel vapors, have the potential to result in short-term generation of odors. However, potential odors would be temporary and would dissipate rapidly in the air, decreasing with increasing distance from the source, thus minimizing any potential exposure to nearby residents or park users. Consequently, implementation of the Land Use Plan Amendment would result in a less than significant odor impact.

IV. BIOLOGICAL RESOURCES

ENVIRONMENTAL SETTING.

The 194-acre Oyster Bay Shoreline Park is a former sanitary landfill site located at the western terminus of Davis Street and Neptune Drive along the eastern edge of the San Francisco Bay. The landfill operation was closed in the 1980's when the land was dedicated to the Park District by Oakland Scavenger with the intent of developing the site as a regional park. Today Waste Management continues to monitor groundwater, leachate, and methane wells that remain in operation throughout the property. The park has been open to the public for many years.

Comprised largely of organic garbage that continues to decompose and compact, Oyster Bay is capped by fill of varying depths. A minimum depth of three feet was placed as a landfill cap by the previous owner when the landfill closed. Over the past thirty years, the District has added to the cap and graded the site to include large earth mounds that have been designed to provide topographic interest, viewing opportunities and to define separate recreational use areas. Peak elevations on site reach 85-feet. Fill activities are guided by topographic and boundary surveys that have also served as the technical base map for the park design. Continuing ground settlement of the fill and organic matter is ongoing and is an important factor in the final siting and design of internal roadways, staging areas, trails, buildings, utility lines, and other facilities proposed in the Land Use Plan Amendment.

Oyster Bay is nearly surrounded by water, including the intertidal San Leandro Slough on the north, a tidal marsh on the eastern edge, and the San Francisco Bay on the western edge. Surrounding Oyster Bay are attractive views of San Francisco Bay, with the Coyote Hills on the south and distant views of San Francisco to the west. Industrial land uses can be seen from the park's eastern boundary.

Methodology - Plant and Wildlife Surveys. Information on existing biological resources within Oyster Bay was drawn from multiple sources, including searches of the California Natural Diversity Database (CNDDB) and the California Native Plant Society's electronic inventory; professional local knowledge and field experience with vegetation, fish, and wildlife along the San Francisco Bay shoreline by District staff biologists; and recent field surveys of Oyster Bay by District biologists that were initiated in the Spring of 2013 and are ongoing. The total acreage of each of the habitats is based on interpretation of large-scale aerial photographs. A summary of the findings is provided below and a list of species can be viewed in Appendix B – Plant and Wildlife Species.

Existing Plant Communities and Associated Wildlife. Due to ongoing fill activities at this former landfill site, most of Oyster Bay is composed of non-native grassland and bare earth. Annual Grassland –fennel (*Foeniculum vulgare*) mix is the dominant plant community intermixed with stands of coyote brush (*Baccharis pilularis*)-pampas grass (*Cortaderia selloana*) - fennel (*Foeniculum vulgare*) mix. Smaller communities dominated by Himalayan blackberry (*Rubus armeniacus, formerly Rubus discolor* and *Rubus procerus*), French broom (*Genista monspessulana*), and Harding grass (*Phalaris aquatica*) are also distributed throughout the site. The outer perimeter that runs along the San Francisco Bay shoreline contains a band of rip rap. Figure 3 shows the generalized classification of vegetation cover at Oyster Bay and Figure 4 shows the specific classification of vegetation cover.

The tidal marsh and surrounding bay waters attract many species of birds, the most notable, at present, being the large flocks of herring and California gulls. The tidal marsh is located along the park's southeast border, separating Oyster Bay from Waste Management and Neptune Drive. The tidal marsh is characterized by pickleweed (*Salicornia virginica*), gumplant (*Grindelia robusta*), alkali heath (*Frankenia salina*), and saltbush (*Atriplex spp*.). The salt marsh provides habitat for various songbird species and potentially for the endangered salt marsh harvest mouse. Raptors that may forage in Bay Area salt marsh habitats include northern harrier (*Circus cyaneus*), red-tailed hawk (*Buteo jamaicensis*), white-tailed kite (*Elanus caerulus*), barn owl (*Tyto alba)*, and American kestrel (*Falco sparverius*). The District has been treating the marsh repeatedly since 1999 to reduce, and ultimately eliminate,the occurrence of invasive, non-native Spartina (*Spartina alterniflora*) or cordgrass, and as a result, the non-native Spartina (*Spartina alterniflora*) population, and its hybrids, has been reduced to 0.1 acre in the marsh. Future efforts will focus on the re-establishment of native Spartina, as well as other

native marsh plant species. The area also draws a number of special status bird species as noted in Table BIO-1, below. The Land Use Plan Amendment recommends the conservation and enhancement of the tidal marsh for fish and wildlife habitat. This may include planting a screen of low-height plants to buffer the marsh from physical access by hikers and dogs, while still providing views of the marsh from the nearby trails.

Table BIO-1: Special Status Wildlife Species

CLASS	COMMON NAME	SCIENTIFIC NAME	FEDERAL STATUS[1]	STATE STATUS[1]	OCCURRENCE[2]
Birds	Brown Pelican	*Pelecanus occidentalis*	Fed Delisted	CFP, St Delisted	O
Birds	Burrowing Owl	*Athene cunicularia*		SSC	K/P[4]
Birds	California Clapper Rail	*Rallus longirostris obsoletus*	FE	SE,CFP	K/H*
Birds	California Black Rail	*Laterallus jamaicensis coturniculus*		ST,CFP	K/H*
Birds	Eagle, Golden	*Aquila chrysaetos*	BGPA	CFP	K[4]
Birds	Harrier, Northern	*Circus cyaneus*		SSC[3]	O
Birds	Kite, White-tailed	*Elanus leucurus*		CFP[3]	O/B
Birds	Shrike, Loggerhead	*Lanius ludovicianus*		SSC[3]	K[4]
Birds	Least Tern, California	*Sternula antillarum browni*	FE	SE	O
Birds	Peregrine Falcon, American	*Falco peregrinus anatum*	Fed Delisted	CFP, St Delisted	O
Birds	Saltmarsh Common Yellowthroat	*Geothlypis trichas sinuosa*		SSC	K/H*
Birds	Short-eared Owl	*Asio flammeus*		SSC	K/P[4]
Birds	Song Sparrow, Alameda	*Melospiza melodia pusillula*		SSC	K/P
Mammals	Salt Marsh Harvest Mouse	*Reithrodontomys raviventris*	FE	SE,CFP	K/H*
Fish	Goby, Tidewater	*Eucyclogobius newberryi*	FE		
Fish	Salmon, Chinook (King)	*Onchorhynchus tshawytscha*		SSC Late Fall Run; SE Spring Run	P
Fish	Smelt, Longfin	*Spirinchus thaleichthys*		ST	P
Fish	Steelhead	*Onchorhynchus mykiss*	FT		P
Fish	Sturgeon, Green	*Acipenser medirostris*	FT	ST	P

[1] Status definitions and governing agencies as follows:

U.S. Fish and Wildlife Service
- FE Listed as endangered by the Federal Government
- FT Listed as threatened by the Federal Government
- FSC Federal Species of Concern
- FC Federal Candidate
- BGPA Bald Eagle Protection act

California Fish and Wildlife Commission
- SE Listed as endangered by the state of California
- ST Listed as threatened by the state of California
- SSC Species of Special Concern
- CFP Fully Protected Species
- CP Protected Species

[2] Occurrence: O=observed during our surveys, K=known to occur, P=potential to occur, H=unlikely to occur historic record, B=breeding confirmed, and R=rare species, * Resource Analysis of 1976 records

[3] Rookeries or nesting only

[4] Migrant

Source: East Bay Regional Park District 7-19-13

The rock shoreline harbors small shore crabs and isopods and the intertidal and sub-tidal zone supports an extensive native oyster bed and various clams and mussels including Japanese littleneck and shot-shelled clams. This bed was recorded by T. Wooster of the State Department of Fish and Wildlife in 1968 and appears to be thriving. An introduced gastropod from the Atlantic Coast, *Nassarius obsoletus* is also present and feeds on bottom deposits. Shellfish populations do not appear to be present in, or adjacent to, the San Leandro Slough, the area of the embayment used by the City of San Leandro Water Pollution Control Plant as an outfall site, though birds have been observed feeding on worms in the inlet area during low tidal stages.

Species observed within the interior of the site included white-tailed kite, a California fully-protected raptor, nesting and foraging on small mammals including California meadow vole and house mouse. Seasonal closures and restricted park activity may be implemented around active raptor nests. Other species observed include the blacktailed jackrabbit, the California ground squirrel, a stray dog, and western fence lizard at a brushy rock fill area. Expected to be present at a

sanitary landfill fill area are populations of black and Norway rats and various species of mice. Pocket gophers, moles and shrews may also be present in areas where groundcover permits. Feral cats, striped skunks, raccoons, and grey foxes should occasionally be expected from surrounding areas as should various species of bats.

Exisitng landscape plantings include 3.5 acres of irrigated turf and a woodland of trees and shrubs located around the picnic site and other developed areas of the park. The woodland areas include native plantings such as buckeye (*Aesculus glabra*), Fremontia (*Fremontodendron Spp*.), toyon (*Heteromeles arbutifolia*), Coast live oak (*Quercus agrifolia*) and Torrey Pine (*Pinus torreyana*), as well as various cultivar species including Monterey cypress (Cupressus macrocarpa), several species of pine, blue (*Eucalyptus globulus*) and red gum *(Eucalyptus camaldulensis*) eucalyptus, and various acacia and bottle-brush, among others.

The tidal sloughs and San Francisco Bay adjacent to Oyster Bay provide habitat for estuarine and marine fish species, which are noted in Appendix E. Many of these species utilize the shallow bay waters off Oyster Bay as a nursery for their young. Additionally, shore and boat anglers fish mainly the western shore of Oyster Bay for a number of San Francisco Bay sport fish including, but not limited to, striped bass *(Morone saxatilis)*, California bat ray *(Myliobatis californica)*, white croaker *(Genyonemus lineatus)*, leopard shark *(Triakis semifasciata)*, as well as several surf perch species. The tidal sloughs also provide potential habitat for the California clapper rail *(Rallus longirostris obsoletus)*, a federal and state endangered species. The District Stewardship staff has conducted annual call count and nest search surveys of the California clapper rail, but has not documented any birds presently occurring at Oyster Bay.

Known and Potential Listed Species. Candidate, sensitive, or special status species listed by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) are referred to as special status or listed species. Plants considered significant State rare or endangered (1B - California Native Plant Society) are also referred to this way. These species have varying degrees of legal protection under both Federal and California Endangered Species Acts, and recognition under the CEQA. Species of special concern are designated by the CDFW. Pickleweed (*Salicornia virginica*) provides potential habitat, for the salt-marsh harvest mouse (*Reithrodontymys raviventris*), a Federal Endangered species (Federal Register 35: 16047; October 13, 1970) and a California state fully protected species. The District's Stewardship staff conducts annual trap surveys for salt-marsh harvest mouse, but has not documented any populations at Oyster Bay. A listing of observed and potential *Special Status Wildlife Species* associated with the Oyster Bay Regional Shoreline is provided in the Table BIO-1.

Land Use Plan Amendment Recommended Vegetation Management Plan. A variety of plant types including trees, shrubs, grasses and other ground-cover appropriate to planned park activities are proposed to define recreational nodes and serve as shade, wind-breaks, screening, barriers, open walk-on ground cover and aesthetic planting. The overall planting concept will progress from a more intensively designed and planted landscape near the planned staging areas and recreational nodes along the eastern edge of the park toward a more naturally managed one near the shoreline. The Land Use Plan Amendment recommends implementation of a vegetation management plan that will remove unwanted, invasive plant species and establish native plants and other appropriate species. The Land Use Plan Amendment further recommends that all grading, drainage, and irrigation be designed to conform to the surface drainage requirements of the Regional Water Quality Control Board, including a minimum three percent slope on finish grades to minimize groundwater infiltration and leachate generation. A description of the planting areas and the functions they will serve follows.

Plant Palette. The recommended plant palette includes a variety of plant types, including trees, shrubs, grasses, and other ground-covers that will meet the following objectives:

- Complement the planned park activities
- Provide wildlife habitat, including suitable habitat for nesting bird species
- Define recreational nodes
- Provide shade, wind-breaks, and visual screening from the industrial uses along the eastern boundary of the park
- Enhance aesthetic qualities
- Possess low-maintenance characteristics

- Tolerate poor soil
- Tolerate drought and coastal climate conditions
- Ability to out-compete existing weed species
- Ability to establish successional processes to build plant diversity over time
- Fire Resistance
- Consideration of Oakland International Airport concerns regarding attraction of large flocks of birds

Landscape Buffers. The Davis Street park entrance will include a landscape buffer and / or slatted fencing along the roadway edge to visually screen the adjacent San Leandro Rifle and Pistol Range and the Waste Management transfer facility from the public's view. Visual screening will also be incorporated along the eastern side of the park.

Turf Areas. Irrigated turf lawn areas will be established adjacent to new picnic areas to accommodate passive recreational use. To minimize water use and mowing requirements, native and / or drought-resistant turf options will be considered. In addition to the irrigated turf areas, "rough turf" areas will be incorporated into the recreation unit. This ground cover type can either be left un-mown, as a natural grass meadow or mowed to accommodate walk-on activities.

Vegetation Management of Naturalized Areas. In consultation with the District's Stewardship department, a plant palette will be identified for naturalized areas. The focus will be on using site-appropriate plantings that will improve wildlife habitat, particularly for nesting bird species. Revegetation efforts will be initiated in the Recreation / Staging unit, at areas along the main access roads, and work toward the shoreline and Natural Unit.

Soil Amendments. The Land Use Plan Amendment also considers the potential need for soil amendments to support revegetation efforts. Options for compost include importing compost and green waste from Waste Management and from other District facilities, developing an on-site compost area at Oyster Bay to treat undesirable plant species and green waste from other District facilities, and tilling under undesirable plant species and planting nutrient-rich cover crops such as clover, vetch, or annual grasses. The Land Use Plan Amendment also recommends that areas of bare soil be stabilized and vegetated with native or non-invasive vegetation to prevent erosion and minimize the opportunity for undesirable plant species to establish. Areas of bare soil could occur in areas where finish grading has been completed, where large, dense areas of invasive vegetation are removed, and as existing utility roads or informal trails are eliminated. Revegetation areas may be closed to the public during the plant establishment period.

Weed Management. Weed management and revegetation efforts will be labor-intensive and will require a commitment of budget either to fund contract-labor or additional park staff. The District may also consider developing volunteer or youth crew programs to assist with these efforts.

Avoidance, Minimization and Mitigation Measures. Implementation of the following Land Use Plan Amendment elements will serve to avoid, minimize, and/or mitigate potential adverse effects to biological resources:

Sensitive Species Avoidance Procedures. A qualified District biologist will continue to conduct annual surveys for all special status species. If individual special status species and/or active bird nests are found, all construction activities, including vegetation management, will occur only after the nests are no longer active.

Additional permanent signage will be installed in the wildlife protection area and other areas identified by District Operations staff requesting park users to remain on designated trails to minimize potential adverse effects on the existing wildlife in the area and their habitats.

Maintenance and Operations. Grass species will be selected based of their ability to support a variety of park user activities in a mowed or un-mowed state while also working to re-establish ideal conditions for natural successional processes to build plant diversity over time. Exposed broken concrete, fence, construction or other debris on site will be removed or buried in place with fill soil.

REGULATORY CONTEXT.

City of San Leandro General Plan, 2002 (Update). City of San Leandro General Plan designates Oyster Bay as "Barren / Ruderal" habitat type (Figure 5-3): *"Barren areas include undeveloped areas without significant vegetation. Ruderal areas include vacant lots, railroad rights-of-way, roadsides, former landfills, and other areas characterized by non-native grasses and weeds. Both habitats provide foraging areas for birds and support mice and other small animals."*

Oyster Bay is bordered on two sides by designated "Wetlands" habitat type: *"Wetlands are areas that are periodically or permanently saturated with water. They include salt marshes and mudflats. Although many of San Leandro's wetlands have been altered by development and landfill, they remain one of the City's most significant natural communities. Wetlands are governed by a complex set of state and federal regulations. These regulations strongly discourage the filling of wetlands and specify mitigation requirements for projects with wetland impacts."*

The San Leandro General Plan includes the following policies regarding biological resources:

> **Policy 26.01 – Ecosystem Management.** Promote the long-term conservation of San Leandro's remaining natural ecosystems, including wetlands, grasslands, and riparian areas. Future development should minimize the potential for adverse impacts to these ecosystems and should promote their restoration and enhancement.
>
> **Policy 26.02 – Mitigation of Development Impacts.** Require measures to mitigate the impacts of development or public improvements on fish and wildlife habitat, plant resources, and other valuable natural resources in the City.
>
> **Policy 26.03 – Habitat Restoration.** Encourage the restoration of native vegetation in the City's open spaces as a means of enhancing habitat and reducing wildfire hazards.
>
> **Policy 26.04 – Species of Special Concern.** Ensure that local planning and development decisions do not damage the habitat of rare, endangered, and threatened species, and other species of special concern in the City and nearby areas.
>
> **Policy 26.05 – San Leandro Shoreline Marshlands**. Continue the restoration of the San Leandro Shoreline Marshlands as a unique natural area. The emphasis in this area should be on resource conservation, trails, and ecological study.
>
> **Policy 27.03 – Drought-Tolerant Landscaping.** Encourage the use of native vegetation and drought tolerant non-native vegetation in landscaping plans.

District's Master Plan. The District's guiding policy document, the 2013 Master Plan, which provides for the preparation of land use plans to: direct the long-term development and management of individual parks; identify major facility development; and establish appropriate land use designations in accordance with the vision of the East Bay Regional Park District contains the following policies relating to biological resources:

> **NRM 1:** The District will maintain, manage, conserve, enhance and restore park wildland resources to protect essential plant and animal habitat within viable, sustainable ecosystems.
>
> **NRM 2:** Plant and animal pest species will be controlled by using Integrated Pest Management (IPM) procedures and practices adopted by the Board of Directors. The District will employ Integrated Pest Management practices to minimize the impact of undesirable species on natural resources and to reduce pest-related health and safety risks to the public within developed facilities and/or high-use recreational areas.
>
> **NRM 4:** The District will identify, evaluate, conserve, enhance and restore rare, threatened, endangered, or locally important species of plants and animals and their habitats, using scientific research, field experience and other proven methodologies. Populations of listed species will be monitored through periodic observations of their condition, size, habitat, reproduction and distribution. Conservation of rare, threatened and endangered species of plants and animals and their supporting habitats will take precedence over other activities, if the District determines that the other uses and activities would have a significant adverse effect on these natural resources.

NRM 5: The District will maintain and manage vegetation to conserve, enhance and restore natural plant communities; to preserve and protect populations of rare, threatened, endangered and sensitive plant species and their habitats; and where possible, to protect biodiversity and to achieve a high representation of native plants and animals.

NRM 6: The District will evaluate exotic eucalyptus, Monterey pine and cypress plantations, shrubland or woodland areas occurring along the wildland/urban interface on a case-by-case basis for thinning, removal and/or conversion to a less fire-prone condition, following the methods laid out in the Fuels Management Plan. The District will minimize the widespread encroachment of exotic and/or invasive species such as coyote brush, poison oak and broom, etc. on parkland and work to preserve native plants where feasible.

NRM 11b: The District will pursue conservation and control technologies for the use of potable and irrigation water. The District will seek to reduce the use of imported water for uses other than human consumption through conservation and by developing other sources of water for irrigation and non-potable needs.

NRM 12: The District will manage riparian and other wetland environments and their buffer zones to preserve and enhance the natural and beneficial values of these important resources and to prevent the destruction, loss, or degradation of habitat. The District will participate in the preservation, restoration and management of riparian and wetland areas of regional significance and will not initiate any action that could result in a net decrease in park wetlands. The District will encourage public access to the Bay/Delta shoreline, but will control access to riparian and wetland areas, when necessary, to protect natural resources.

Environmental Resource Regulatory Agencies. The project area is located within the jurisdiction of the Bay Conservation and Development Commission and potentially within the jurisdiction of the San Francisco Bay Regional Water Quality Control Board, US Army Corps of Engineers, and the California Department of Fish and Wildlife.

CEQA CONTEXT. A project would normally result in significant impacts to biological resources if it substantially modifies sensitive habitats, adversely affects wetlands, negatively affects endangered plant and/or animal species, or conflicts with established policies, ordinances, or plans associated with the protection of biological resources.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
a)	**Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**		☐	☒	☐	☐

Implementation of the Land Use Plan Amendment will result in construction activities requiring use of heavy construction equipment to complete the proposed public access and shoreline improvements. Earthwork associated with construction of the Davis Street access improvements will cover approximately 1.35 acres in impervious surface. At full build-out, up to ten acres of additional impervious surface may result from development of the additional staging areas and the internal vehicular roadway that will connect the Davis Street and the Neptune Drive accesses.

Based on a review of the California Natural Diversity Database and surveys conducted by District biologists, Oyster Bay contains habitat that may support fourteen special status species. Special status species that are known to occur within the Oyster Bay area include loggerhead shrike, white-tailed kite, and golden eagle. Special status species that have been observed during biological surveys include brown pelican, northern harrier, American peregrine falcon, and saltmarsh common yellowthroat. Special status species with the potential to occur include burrowing owl, short-eared owl, and Alameda song sparrow. Species unlikely to occur but noted in the historic record include California clapper rail, California black rail, California least tern, and salt marsh harvest mouse. The District currently monitors for the occurrence of these species and maps their locations, and when necessary, areas are closed on a seasonal basis to provide greater wildlife

protection. The following mitigation measure will ensure that implementation of the Land Use Plan Amendment will result in a less than significant impact to special status species:

> **Mitigation Measure BIO-1:** The District will conduct all park activities, including construction, operations, interpretation, and resource management, in accordance with best management practices for protecting regional wildlife resources, and state and federal laws protecting rare, threatened, and endangered species.
>
> **Mitigation Measure BIO-2:** The District will, to the greatest extent feasible, remove trees, shrubs, and other vegetation between August 1 and March 15 to avoid bird-nesting season. General bird nesting season is between March 15 and July 31. If it is not feasible to avoid bird-nesting season, the District will complete bird-nesting surveys between one - four days immediately prior to the removal of vegetation. The area to be surveyed will include all construction sites for which vegetation removal is required to a buffer of 200 feet outside the boundary of the area to be cleared. In the event that an active nest is discovered in the area to be cleared or within the buffer area, clearing and construction within the buffer area surrounding the nest will be postponed. No construction activity will be allowed to occur within this area until it is determined that the young have fledged, the nest is vacated, and there is no evidence of second nesting attempts.

Toxic substances typically involved in these construction activities include gasoline, lubricants, and other petroleum-based products. These products could enter the Bay as a result of spills or leakage from machinery or storage containers if not appropriately controlled. Aquatic organisms exposed to these substances could be killed through exposure to lethal concentrations or exposure to non-lethal levels that cause physiological stress and increased susceptibility to other sources of mortality. Petroleum products also tend to form oily films on the water surface that could reduce dissolved oxygen levels available to aquatic organisms. See Section VIII - Hazards and Hazardous Materials of this Checklist for Mitigation Measure HAZ-1.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
b)	**Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment is not expected to result in adverse effects on riparian habitat or other sensitive natural communities designated by plans, policies, or regulation. The Land Use Plan Amendment recommends continued management and protection of the tidal slough on the eastern boundary of Oyster Bay and there are no sensitive riparian communities at Oyster Bay. The placement of 1,200 cubic yards of rock slope protection along the bank of the San Leandro Slough will not adversely affect riparian or other sensitive natural upland plant communities. Existing upland vegetation will be thinned and removed for the Davis Street access improvements and to implement the Land Use Plan Amendment. These areas primarily consist of annual grassland dominated by fennel, pampas grass, and Harding grass; stands of coyote brush dominated shrubland, and areas of invasive French broom and Himalayan blackberry. Mitigation Measure BIO-2 addresses the potential impact to wildlife that could be affected by thinning and removal of this vegetation. Overall, opening up the landscape and creating a mosaic of California native vegetation through implementation of the vegetation management plan will enhance habitat values, resulting in a beneficial effect.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
c)	**Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**		☐	☒	☐	☐

The placement of 1,200 cubic yards of rock slope protection along a 440 foot-long section of bank of the San Leandro Slough will be subject to regulatory permitting through the Bay Conservation and Development Commission, the San Francisco Bay Regional Water Quality Control Board, and the U.S. Army Corps of Engineers. This rock slope protection may be needed to stabilize the existing rock slope protection along this reach where the existing slopes are overly steep and eroding. New rock slope protection would be placed on top of the existing rip rap. Of the 1,200 cubic yards that could be placed, approximately 300 cubic yards would be below mean high water and therefore would be considered fill in a Water of the State. This equates to approximately 3,000 square feet of fill in Waters of the State. The District will comply with regulations of these regulatory agencies regarding construction activities affecting San Leandro Slough. Implementation of the Mitigation Measure BIO-3 through BIO-6 will reduce this potentially significant impact to a less than significant level.

Mitigation Measure BIO-3: The District will require that rock slope protection be installed during a low water stage near the base of the slope. The timing for placement of rock slope protection will be limited to August 1 to October 31 to protect the aquatic habitat. The District will require the following methodology for placement of rock slope protection: the land at the water's edge would be excavated and graded by tractors with blades allowing for keying the riprap into the slope using either a dumping method or an excavator equipped with appropriate bucket. If excavated material cannot be reused on-site, it will be disposed of off-site. The District will require that heavy equipment be positioned in upland areas and avoid wetland vegetation. To protect the shoreline, the top of rock slope protection will be at an elevation which is at least one foot higher than the maximum expected water level. The toe of the rock slope protection will be excavated approximately two feet deep into the San Leandro Slough. The portion rock slope protection that would be placed within Waters of the U.S. and Waters of the State will be subject to compensatory mitigation for the placement of fill. The specifics of compensatory mitigation will be developed as part of the regulatory permit process associated with the Davis Street Access and could include the creation of new wetland and/or enhancement of existing wetland. Restoration and enhancement would be consistent the District's existing regional general permits.

Mitigation Measure BIO-4: The District will utilize surplus soils on-site to the greatest extent feasible. Should disposal of surplus soils be necessary, the District will ensure that an acceptable disposal site is utilized. If any areas outside Oyster Bay are used by the contractor for disposal or stockpiling, the contractor will be required to demonstrate that the site has all the required permits, including regulatory permits. The contractor will be required to provide evidence to the District that stockpiling or filling on the site does not affect wetlands.

Mitigation Measure BIO-5: The District will dispose of surplus concrete rubble, pavement, or other similar material at an acceptable and legally permitted disposal site, which may include a permitted concrete and/or asphalt recycling facility.

Mitigation Measure BIO-6: The District will prepare and implement a sediment control plan for work in San Leandro Slough. The focus will be to prevent sediment from entering the slough and will include temporary, construction-related sediment controls that may include, but not be limited to, silt fencing, sediment traps, fiber rolls, and/or sediment barriers. The source of each specific sediment control measure proposed by the contractor will be documented in the sediment control plan.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
d)	**Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**		☐	☒	☐	☐

Implementation of the Land Use Plan Amendment is not expected to interfere with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of

native wildlife nursery sites. One of the goals of the Land Use Plan Amendment is to develop and implement a plan for the restoration of natural vegetation and wildlife habitat appropriate to a shoreline park, which will benefit native wildlife.

As shown in Table BIO-2, a number of fish species are known or expected to exist in the San Leandro Slough and San Francisco Bay. Many of these species utilize the shallow bay waters off Oyster Bay as a nursery for their young. The placement of 1,200 cubic yards of rock slope protection along a 440 foot-long section of bank of the San Leandro Slough could potentially impact fish. Implementation of Mitigation Measure BIO-3 will reduce the potentially significant impact to fish and to a less than significant level.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
e)	**Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**		☐	☐	☒	☐

Implementation of the Land Use Plan Amendment will be consistent with the applicable policies included in the San Leandro General Plan, the Oakland International Airport Land Use Compatibility Plan, and the District's Master Plan as listed in the Setting portion of this section. The City of San Leandro does not have a tree preservation policy or ordinance.

Construction of the Davis Street access will require removal of 37 trees, the majority of which are eucalyptus and *myoporum*. Three pine trees and one cottonwood will also be removed. The Land Use Plan Amendment recommends implementation of a vegetation management plan throughout Oyster Bay. The vegetation management plan includes a palette of appropriate California native trees, grasses, perennials, and shrubs that have been selected for a combination of their aesthetic qualities, low-maintenance characteristics, tolerance of poor soil conditions, drought and coastal climate conditions, and suitability to provide wildlife habitat. Implementation of the vegetation management plan as recommended in the Land Use Plan Amendment will address replacement tree planting to mitigate the trees that will require removal to develop the Davis Street access, including trees removed from the Gun Range parking area. Implementation of the vegetation management plan renders the potential impact of tree removal to biological resources less than significant.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
f)	**Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**		☐	☐	☐	☒

There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or State habitat conservation plans known to exist for the project area. As a result, implementation of the Land Use Plan Amendment will not conflict with any of these types of conservation plans.

V. CULTURAL RESOURCES

ENVIRONMENTAL SETTING. The Oyster Bay shoreline is documented as an important link in the history of oyster beds beginning with the Saklan Indians and continuing through the early 1900s through the Mulford shipping operation. Local oysters, such as those harvested along the Oyster Bay shoreline, were the primary food staple of the Saklan Indians.

When the Oyster Bay shoreline was developed for oyster cultivation, oysters were imported from the East Coast for seeding because the native oysters were small and considered unfit for use. Mr. Moses Wicks is documented as having been the first person to import seed oysters from the East Coast for cultivation along the San Leandro shoreline. Thomas Whitehead Mulford, a partner of Mr. Wicks, filed his claim for oyster beds in the tidelands under the provisions of the Oyster Laws of the State of California in 1892. The residential community of Mulford Gardens, located in the vicinity of Oyster Bay, is named for Mr. Thomas Mulford. The Alameda County shoreline became a center of oyster cultivation, which was profitable for a period of time. Oyster cultivation contributed to the development of shipping and freight lines to San Francisco and established the Alameda County shoreline as a commercial shipping point. The oyster industry faded away after 1911 due to the polluted conditions in San Francisco Bay.

The Oakland Scavenger Company operated a sanitary landfill at the site between 1947 – 1978, at which point, the property was dedicated to the District for park development.

The District commissioned a Records Search for cultural, archaeological, and historic resources in 2008 from the Northwest Information Center (NWIC) at Sonoma State University. The Records Search was commissioned prior to development of the group picnic areas at Oyster Bay with the purpose of identifying any cultural resources that could be affected. The NWIC reviewed data maps, historic-period maps, and literature for Alameda County and concluded that Oyster Bay, because it is a former landfill consisting of diked and filled bay wetlands, contains no recorded Native American or historic-period archaeological resources or structures.

REGULATORY CONTEXT. Cultural resources are places, objects, other physical evidence, and landscapes associated with human activity considered important for scientific, historic, or religious reasons to cultures, communities, groups or individuals. Cultural resources include human-made artifacts, structures and sites possessing significance such as a Native American burial or an architectural landmark.

City of San Leandro General Plan, 2002 (Update). The City of San Leandro's General Plan includes the following policy associated with cultural resources:

> **Policy 38.12 – Archaeological Resources.** Recognize the potential for prehistoric and historic archaeological resources and ensure that future development takes the measures necessary to identify and preserve such resources.

District Master Plan Policies. The District's Master Plan 2012 includes the following policies associated with cultural resource management:

> **CRM 1:** *The District will manage, conserve and, when practical, restore parkland cultural and historic resources and sites, to preserve the heritage of the people who occupied this land before the District was established.*
>
> **CRM 2:** *The District may acquire cultural and historic resource sites when they are within lands that meet parkland acquisition criteria, and will maintain an active archive of its institutional history and the history of its parklands and trails.*
>
> **CRM 3:** *The District will maintain a current map and written inventory of all cultural features and sites found on park land and will preserve and protect these cultural features and sites "in situ" in accordance with Board policy. The District will evaluate significant cultural and historic sites to determine if they should be nominated for State Historic Landmark status or for the National Register of Historic Places.*

CRM 4: *The District will determine the level of public access to cultural and historic resources using procedures and practices adopted by the Board of Directors. The District will employ generally accepted best management practices to minimize the impact of public use and access on these resources, and to appropriately interpret the significance of these resources on a regional scale.*

CRM 5: *The District will include Native Americans, ranching and farming families, as well as other culturally associated peoples in discussions regarding the preservation and land use planning of sites and landscapes significant to their culture.*

CRM 6: *The District will try to accommodate requests by ranching or farming families, Native Americans, and other culturally affiliated group-s to help maintain and use cultural sites and to play an active volunteer role in their preservation and interpretation.*

In addition to the policies included in the District's Master Plan 2012, the District includes the following standard provision in its construction documents:

ARTICLE 22. PROTECTION OF HISTORIC RESOURCES AND HUMAN REMAINS. The Contractor shall, during all work, be alert for indicators of historic resources (i.e.; bivalve shells or fragments, stone tools, old china objects or fragments, old glass objects or fragments, old foundations and old privy deposits) and human remains. If such indicators are uncovered, all work within 50 feet shall be halted and the District Inspector immediately notified. The District will have the find evaluated by the proper authorities or professionals. Only the balance of that work day shall be compensated by the District if the Contractor cannot perform work elsewhere on the project. Recommendations from the qualified authorities or professionals may result in a change of work and a change order may be issued.

CEQA CONTEXT. Cultural and historical resources are nonrenewable and easily damaged. Potential impacts to cultural and historical resources are determined by analyzing the potential effect of implementing elements of the Land Use Plan Amendment to known cultural and historical resources.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
a)	**Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**		☐	☐	☐	☒

Historical resources are defined as *"Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Generally, a resource shall be considered historically significant if the resource meets the criteria for listing on the California Register of Historical Resources."*

There have been no historical resources identified at Oyster Bay and therefore none can be affected by implementation of the Land Use Plan Amendment. Existing structures at Oyster Bay include those associated with the service yard, the restroom in the group picnic area, the "Rising Wave" sculpture, and a payment kiosk associated with the former landfill operation. None of these structures are considered historic. The Land Use Plan Amendment does not propose any changes to the "Rising Wave" sculpture and restroom in the group picnic area. The payment kiosk may be moved to another location or removed entirely from Oyster Bay, however, this will not result in a negative impact to historic resources. While Oyster Bay includes a service yard, the Land Use Plan Amendment recommends development of more facilities to provide more efficient operation of Oyster Bay as the elements included in the Land Use Plan Amendment area developed. Any change to the existing service yard facilities will not result in a negative impact to historic resources.

Would the project:			PS	LS w/M	LS	NI
b)	**Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**		☐	☐	☐	☒

An archaeological resource is defined as *"an archaeological artifact, object, or site, about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:*

(1) Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information

(2) Has a special and particular quality such as being the oldest of its type or the best available example of its type

(3) Is directly associated with a scientifically recognized important prehistoric or historic event or person."

There have been no archaeological resources identified at Oyster Bay and the Records Search prepared by the NWIC concluded there is a low likelihood that unrecorded Native American cultural resources exist at Oyster Bay. Development of the Land Use Plan Amendment elements would be completed with minimal excavation because Oyster Bay was a former landfill, and excavation could result in exposing buried landfill debris. Additionally, excavation could affect the buried infrastructure associated with the on-going methane and leachate monitoring. Given low likelihood of buried cultural resources at Oyster Bay and that development would occur with minimal excavation, no negative impacts to archaeological resources are expected to result from implementation of the recommendations contained in the Land Use Plan Amendment.

	Would the project:		PS	LS w/M	LS	NI
c)	**Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**		☐	☐	☐	☒

A unique paleontological resource would include fossils, which are found in rocks, the study of which provides information about many aspects of prehistoric life such as what people ate, climate at the time, and contributes to estimating the age of the rocks where the fossils are located.

No unique paleontological resources or unique geologic features have been identified at Oyster Bay and give the property's history as landfill, and it is unlikely that any will be encountered during construction of the Land Use Plan Amendment elements.

Would the project:			PS	LS w/M	LS	NI
d)	**Disturb any human remains, including those interred outside of formal cemeteries?**		☐	☐	☐	☒

Buried human remains, by law, must be reported to the County Coroner. The disposition of Native American burials is within the jurisdiction of the Native American Heritage Commission (NAHC), who has the statutory authority to mediate agreements regarding the disposition of Native American remains. In cases in which human remains are known or believed to be likely, consultation with the NAHC is initiated early in the planning process so that the consultations with appropriate Native American most likely descendant occurs and agreement regarding the disposition of the remains can be reached.

The locations of old grave sites and Native American remains are not always known in advance. In the case of Oyster Bay, it is very unlikely that human remains would be discovered because the property was operated as a landfill that was developed upon bay mudflats, and because any excavation associated with implementation of the elements recommended in the Land Use Plan Amendment would be minimal.

VI. GEOLOGY & SOILS

ENVIRONMENTAL SETTING.

Oyster Bay is underlain by bay mud that varies in thickness from approximately 15 feet on the easterly boundary to approximately 20 feet on the westerly boundary. Bay mud is soft to stiff in consistency, is moderately compressible, and has a very low permeability. Soils beneath the bay mud are very stiff silty and sandy clays. The Soils Survey of Alameda County maps Oyster Bay as Urban Land:

> **Urban Land.** This miscellaneous area consists of land that is covered by buildings, roads, parking lots, and other urban structures. The soil material is mainly heterogeneous fill. Most areas are adjacent to San Francisco Bay.

The landfill itself was composed primarily of perishable garbage with smaller amounts of paper and wood products that take longer to decompose. Compression and decomposition of the landfill materials is on-going and will continue into the future. The landfill has been covered by a soil cap at least 3-feet in depth that was placed by the previous owner when the landfill closed. Over the past thirty years, the District has added to the cap and graded the site to include large earth mounds that have been designed to provide topographic interest, viewing opportunities and to separate use areas. Peak elevations on site reach 85-feet. Fill activities are guided by topographic and boundary surveys that have also served as the technical base map for the park design. Continuing ground settlement of the fill and landfill substrate will be an important factor in the siting and design of buildings, pavement, sewer lines and other facilities as the Land Use Plan is implemented.

Oyster Bay is mapped as being within an area subject to violent groundshaking and as having a very high liquefaction risk from earthquake hazards. Oyster Bay is also mapped as being within the two-to-five mile fault buffer of the Alquist-Priolo Zone and is located approximately 3.5 miles west of the primary trace of the Hayward Fault.

REGULATORY CONTEXT.

City of San Leandro General Plan, 2002 (Update): The San Leandro General Plan recognizes that former landfill that is covered bay mud is well suited to support recreational uses. Bay mud's lack of stability renders it generally unsuitable for intensive development. The San Leandro General Plan includes the following policies associated with geology and soils:

> **Policy 29.01 – Risk Management.** Minimize risks from geologic, seismic, and flood hazards by ensuring the appropriate location, site planning and design of new development. The City's development review process, and its engineering and building standards, should ensure that new construction is designed to minimize the potential for damage.
>
> **Action 29.01-A – Soils and Geologic Reports.** Require soils and geologic reports for development in areas where potentially serious geologic risks exist. These reports should address the degree of hazard, design parameters for the project based on the hazard, and appropriate mitigation measures.

District's Master Plan 2013. The District's Master Plan includes the following policy associated with geology and soils:

> **NRM 13:** The District will identify existing and potential erosion problems and take corrective measures to repair damage and mitigate its causes. The District will manage the parks to assure that an adequate cover of vegetation remains on the ground to provide soil protection. Where vegetative cover has been reduced or eliminated, the District will take steps to restore it, using native or naturalized plants adapted to the site. The District will minimize soil disturbance associated with construction and maintenance operations and will avoid disruptive activities in areas with unstable soils, whenever possible. The District will arrest the progress of active gully erosion where practical, and take action to restore these areas to stable conditions. The District will notify adjacent property owners of potential landslide situations and risks on District lands, and will conform with applicable law. The District will protect important geological and paleontological features from vandalism and misuse.

CEQA CONTEXT. A project would normally result in a significant impact to geology and soils if it would result in substantial erosion, expose people to major geologic hazards, or a permanent loss of natural geologic resources created by a substantial change in topography or land subsidence.

a)	**Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**						
				PS	**LS w/M**	**LS**	**NI**
	i)	**Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?**		☐	☐	☒	☐
	ii)	**Strong seismic ground shaking?**		☐	☐	☒	☐
	iii)	**Seismic-related ground failure, including liquefaction?**		☐	☐	☒	☐
	iv)	**Landslides?**		☐	☐	☐	☒

Oyster Bay is mapped as being within an area subject to violent groundshaking and as having a very high liquefaction risk from earthquake hazards. Oyster Bay is also mapped as being within the two-to-five mile fault buffer of the Alquist-Priolo Zone and is located approximately 3.5 miles west of the primary trace of the Hayward Fault. Implementation of the Land Use Plan Amendment recommends development of a permanent service yard including a park staff office. The staging areas will include non-sewered, vault restrooms and the Land Use Plan Amendment recommends that permanent restrooms, served by public sanitary sewer, ultimately be provided at the staging areas and the service yard. These are the only structures that will be developed at Oyster Bay. Park visitors may be exposed to potential adverse effects, including the risk of loss, injury, or death involving earthquake, strong seismic ground shaking, seismic-related ground failure such as liquefaction or landslides; however, implementation of the Land Use Plan Amendment does not render earthquake, or the potential impacts of an earthquake to people, more likely. Proposed park improvements could be damaged in a seismic event; however, uses are expected to be outdoor recreation, not exposed to structural failure, and therefore this is not expected to result in a substantial adverse effect to people. All new construction will be built to current earthquake standards as included in the Uniform Building Code.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
b)	**Result in substantial soil erosion or the loss of topsoil?**		☐	☐	☒	☐

Substantial soil erosion is not expected to result from implementation of the Land Use Plan Amendment. Oyster Bay is capped with imported fill, which will be compacted. The following standard mitigation measures to minimize potential soil erosion will be implemented during construction of specific improvements, including the Davis Street access improvements. Implementation of these mitigation measures will ensure that this potential impact remains at a less than significant level.

> **Mitigation Measure GEO-1:** The District will limit construction activities in upland areas to the dry season, May 1-October 31, whenever feasible. Construction activities within Waters of the U.S. or Waters of the State will be limited to September 1 – January 31 to avoid potential impacts to bird nesting season.

Mitigation Measure GEO-2: The District will prepare and implement an erosion control plan. The erosion control plan will include temporary, construction-related erosion control measures that may include, but not be limited to vegetation retention, erosion control blankets over a straw layer, silt fencing, placing gravel filter bags or straw wattles at all drain inlets, and hydroseeding. The erosion control plan will include measures for construction during the wet season, November 1 – July 31 such as hydro-seed all disturbed areas, including stockpile areas, with a seed mix specified by the District.

Mitigation Measure GEO-3: The District will require that Contractors comply with the Best Management Practices (BMPs) in the 2009 Construction BMP Handbook / Portal by the California Stormwater Association (CASQA) [*www.CASQA.org*] in each of the work areas including construction staging areas, prior to, and immediately after, grubbing and clearing including, but not limited to the installation of silt fencing and fiber rolls. Erosion control measures shall remain in place, and be maintained until removed at the direction of the District inspector. Exposed work areas shall be hydroseeded and mulched at the close of construction at the locations shown on the construction plans.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
c)	**Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment is not expected to result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. Oyster Bay is a former landfill that was developed on top of bay mud, and has been topped with various depths of graded and compacted fill. The only structures that are proposed for development include a park staff office and restrooms in the staging areas. The only "hard-scape" proposed for development includes the vehicular access roads and staging areas. Development of these elements will increase the impervious surface area at Oyster Bay, and will not result in soil instability.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
d)	**Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**		☐	☐	☐	☒

Bay mud is typically composed of soft compressible layers of saturated clays that are susceptible to consolidation and settlement, the amount and rate of which depends on a variety of factors including the weight of new fill. The District has been importing, grading, and compacting imported fill at Oyster Bay for decades, and while some additional settlement of the bay mud and organic matter in the landfill layer is expected to occur, implementation of the Land Use Plan Amendment will not result in risks to life or property.

Would the project:			PS	LS w/M	LS	NI
e)	**Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**		☐	☐	☐	☒

Permanent, non-sewered, vault toilet restrooms will be included at the staging areas. The Land Use Plan Amendment recommends the extension of sanitary service for permanent restrooms in the staging areas and the service yard after such time that the landfill has settled sufficiently to support sewer lines. Neither septic tanks nor alternative waste water disposal systems will be utilized at Oyster Bay.

VII. GREENHOUSE GAS EMISSIONS

ENVIRONMENTAL SETTING.

Gases that trap heat in the Earth's atmosphere are known as greenhouse gases (GHGs). GHG emissions capture heat radiated from the sun as it is reflected back into the atmosphere, creating a warming effect like a greenhouse. In California, GHGs are defined to include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), sulfur hexafluoride (SF_6), perfluorocarbons (PFCs), nitrogen trifluoride (NF_3), and hydrofluorocarbons.

An increase in GHG emissions results in an increase in Earth's average temperature, which is commonly referred to as global warming or global climate change. The accumulation of GHG emissions has been implicated as a driving force for global warming. Definitions of global warming vary between and across regulatory authorities and the scientific community, but in general can be described as the changing of the earth's climate caused by natural fluctuations and the impact of human activities that alter the composition of the global atmosphere. Both natural processes and human activities result in the generation of GHG emissions. Although there is disagreement as to the rate of global warming and the extent of the impacts attributable to human activities, the vast majority of the scientific community now agrees that there is a direct link between increased GHG emissions and long term global temperature increases. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, extreme heat days, high ozone days, large forest fires, extended droughts, impacts to agriculture, and changes in disease vectors, habitat and biodiversity. Global warming has been identified as affecting public health because higher temperatures result in more air pollution, increased smog and associated human risks.

REGULATORY CONTEXT.

In 2006, California passed the California Global Warming Solutions Act of 2006 (also known as AB 32), and Senate Bill (SB) 97. AB 32 requires the California Air Resources Board (CARB) to design and implement emission limits, regulations and other measures, such that statewide GHG emissions will be reduced to 1990 levels by the year 2020 (with a long-term year 2050 goal of reducing California's GHG emissions to 80 percent below 1990 levels.)

Legislation and executive orders concerning global warming in California have established a statewide context and process for developing an enforceable cap on GHG emissions. As a result of the environmental consequences from GHGs and global warming in general, CEQA requires that lead agencies consider evaluating the cumulative impacts of GHGs. Small contributions to this cumulative impact (from which significant effects are occurring and are expected to worsen over time) may be cumulatively considerable and therefore potentially significant. Therefore, the global climate change analysis presented in this section estimates and analyzes the GHG emissions associated with construction- and operations-related activities that would occur with implementation of the Land Use Plan Amendment.

The project site is located in the jurisdiction of the BAAQMD, which, as described in Section III, *Air Quality*, above, has developed recommended thresholds of significance for evaluating different types of GHG-emitting activities and project types (BAAQMD 2010). BAAQMD's thresholds of significance are based on the emissions reduction targets for the year 2020 mandated by AB 32. GHG emissions are quantified and reported as CO_2 equivalents (CO_2e), which is a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. The effects of GHG emission sources (i.e., individual projects) are reported in metric tons per year of CO_2e.

The *1999 BAAQMD CEQA Guidelines* do not address GHG emissions. The BAAQMD 2010 thresholds of significance do not require quantification of GHG emissions from construction activities and have been set aside by a writ of mandate. Nevertheless, this analysis will identify the project construction and operational emissions as significant if they conflict with BAAQMD's thresholds of significance for GHG emissions described in its 2010 thresholds. BAAQMD considers the GHG emissions associated with a land use development project to be less than significant if the total emissions generated by the project would be less than 1,100 metric tons per year (MT/year) of CO_2e (BAAQMD 2010).

In 2009, the City of San Leandro City Council adopted a Climate Action Plan (Kema 2009). The goal of the Climate Action Plan is to help the City of San Leandro residents, and property and business owners reduce carbon admissions by 25 percent below 2005 levels by the year 2020. The Climate Action Plan includes GHG emissions reduction measures and actions centered on energy use in buildings, transportation, land use, waste and municipal operations. Goal 4.6 of the Climate Action Plan, to increase and enhance urban green space, is consistent with implementation of the project.

On-going activities at Oyster Bay Regional Shoreline that have the potential to generate GHG emissions, including hauling and grading soil related to re-contouring the park's topography and landfill gases generated by waste decomposition of the underground landfill are not considered in this analysis because they are continuous and would not be affected by implementation of the proposed project.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
a)	**Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**		☐	☐	☒	☐

As a result of its relatively small size, the project would not conflict with implementation of state goals for reducing GHG emissions and would thereby not have a significant negative effect on global warming. GHG emissions generated by implementation of the Land Use Plan Amendment would predominantly be in the form of CO_2 generated by exhaust from construction equipment and visitor vehicle trips. The District used the BAAQMD-approved California Emissions Estimator Model, Version 2013.2 (CAPCOA 2013), to conduct projections of maximum daily emissions of CO_2e that could be generated by the types of construction and operational activities that would occur with implementation of the proposed project. Table 7-1 summarizes the estimated annual emissions of CO_2e associated with project-related activities.

Table 7.1 Summary of Estimated Emissions of Carbon Dioxide Equivalent Associated with Project-Related Activities (MT CO_2e/year)

Activity	**MT CO_2e/year**
Construction-Related Activities (avg. annual)	**186**
Operations	**626**
Total	**812**
BAAQMD Threshold of Significance	**1,100**
Notes: MT/year = metric tons per year; CO_2e = carbon dioxide-equivalent Emissions associated with construction activities and operation-related vehicle trips and area sources were estimated using the BAAQMD-approved CalEEMod2013.2 model.	

Based on the modeling, project-related activities would result in 812 metric tons per year (MT/year) of CO_2e emissions. These emissions levels would be less than the BAAQMD's threshold of significance of 1,100 MT/year of CO_2e. Thus, project-generated emissions would not result in a cumulatively considerable net increase on GHGs, and the project's impact would be less than significant.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
b)	**Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**		☐	☐	☒	☐

As discussed under item a) above, the total GHG emissions associated with implementation of the LUPA would be less than BAAQMD's significance threshold of 1,100 MT/year of CO_2e. Since BAAQMD's threshold is based on the emissions reduction targets established by AB 32 for the year 2020, project-generated GHG emissions would not conflict with any other applicable plans, policies or regulations established for the purposes of reducing GHG emissions. Further, the project would preserve in perpetuity 194 acres of open space and the LUPA's recommendations are consistent with the City of San

Leandro Climate Action Plan (Kema 2009) and BAAQMD's Clean Air Plan (BAAQMD 2010a). Therefore, this impact would be less than significant.

VIII. HAZARDS & HAZARDOUS MATERIALS

ENVIRONMENTAL SETTING. Oyster Bay is a former sanitary landfill that was operated by the Oakland Scavenger Company and is comprised largely of organic garbage that continues to decompose and compact, capped by fill material of varying depth. The landfill operation was closed and the land was dedicated to the District by Oakland Scavenger with the intent of developing the site as a regional park. Waste Management continues to monitor groundwater, leachate, and methane wells that remain in operation throughout the property in compliance with Regional Water Quality Control Board Order #94-187. Water from monitoring wells positioned around the park is routinely sampled and monitored. Pipes have been buried beneath truckloads of soil and therefore, the potential for the project to affect hazardous materials would be extremely low.

The infrastructure, recreational elements, and restoration recommendations presented in the Land Use Plan Amendment were developed in consideration of the on-going monitoring infrastructure. The location of roadways, trails, staging areas, and recreational elements were conceptually selected to best fit with the existing monitoring wells. The District will continue working with Waste Management to maintain landfill methane and leachate collection systems, including identifying wells that will require future height modifications to match future grades for Oyster Bay, creating protection standards for landfill infrastructure and the public. Protective measures may include use of rocks, bollards, and/or fencing. Future park development will be coordinated with Waste Management to ensure maintenance of landfill infrastructure.

Oyster Bay Regional Shoreline is mapped as being located in the 2 – 5 mile fault barrier of the Alquist Priolo Zone in the San Leandro General Plan. Oyster Bay is in an area that would be subject to violent groundshaking and a very high liquefaction risk in the event of a 6.9 earthquake on the Southern Hayward Fault.

REGULATORY CONTEXT.

City of San Leandro General Plan. The City of San Leandro General Plan includes the following policies associated with hazards and hazardous materials:

> **Policy 29.01 – Risk Management.** Minimize risks from geologic, seismic, and flood hazards by ensuring the appropriate location, site planning, and design of new development. The City's development review process, and it's engineering and building standards, should ensure that new construction is designed to minimize the potential for damage.
>
> **Policy 30.02 – Fire Prevention.** Ensure that the planning and design of development in high fire hazard areas minimizes the risks of wildfire and includes adequate provisions for vegetation management, emergency access, and fire fighting.
>
> **Policy 32.08 – Hazardous Spill Response.** Maintain and update hazardous spill response and clean up programs that minimize the potential impacts of toxic spills on water quality.
>
> **Policy 33.01 – Regulatory Compliance.** Work with the appropriate county, regional, state, and federal agencies to develop and implement programs for hazardous waste reduction, hazardous material facility siting, hazardous waste handling and disposal, public education, and regulatory compliance.
>
> **Policy 33.03 – Design of Storage and Handling Areas.** Require that all hazardous material storage and handling areas are designed to minimize the possibility of environmental contamination and adverse off-site impacts. Enforce and implement relevant state and federal codes regarding spill containment facilities around storage tanks.
>
> **Policy 33.04 – Separation from Sensitive Uses.** Provide adequate and safe separation between areas where hazardous materials are present and sensitive uses such as schools, residences, and public facilities.
>
> **Policy 33.05 – Incident Response.** Maintain the capacity to respond immediately and effectively to hazardous materials incidents. Provide ongoing training for hazardous materials enforcement and response personnel.

Policy 33.09 – Community Preparedness. Ensure that the City's Emergency Preparedness programs include provisions for hazardous materials incidents, as well as measures to quickly alert the community and ensure the safety of residents and employees following an incident.

Oakland International Airport Land Use Compatibility Plan. Oakland International Airport (OAK) is located approximately one-half mile west of Oyster Bay and the park is located within the airport influence area (AIA). The AIA is defined as *"the area in which current or future airport-related noise, overflight, safety, and/or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses."* Projects within the AIA are subject to review by the Alameda County Land Use Commission (ACLUC) for compatibility with the Oakland International Airport Land Use Compatibility Plan (OAK Compatibility Plan). The OAK Compatibility Plan, adopted December 15, 2010 by the ACLUC, addresses the compatibility of off-airport land uses within the AIA and is based on the OAK Master Plan, which addresses on-airport uses and facilities. The OAK Compatibility Plan is consistent with the City of San Leandro's General Plan.

Oyster Bay is within Safety Compatibility Zone 6 – Traffic Pattern Zone in the OAK Compatibility Plan. The Safety Compatibility Zones stipulate what type of development can occur. Recreational land use in Zone 6 is compatible, however there are conditional restraints such as noise, airspace protection, and/or overflight limitations. Parks are shown as "Compatible" land use in Zone 6, though vegetation and water uses that attract wildlife should be avoided. The Special Event Area element is described in the Land Use Plan Amendment as having a potential capacity of 2,000 attendees. This "large outdoor assembly area or more than 1,000 people" is a land use type that is shown to be "Conditional" in Zone 6. This means that the use is "allowable if no other suitable site outside the AIA is available."

The safety zone for the runways at Oakland International Airport's North Field encompasses the area of San Leandro that includes Oyster Bay Regional Shoreline. The ACLUC's Land Use Plan suggests that this area be used for open space, warehouses, non-intensive industry, storage, and other similar uses where people generally do not congregate. The ACLUC's Land Use Plan also identifies a Height Referral Zone around the airport in accordance with Federal Aviation Administration regulations.

Airspace protection zones are established for the purpose of evaluating the airspace compatibility of land use development within the area of influence and represent the imaginary surfaces defined in accordance with Federal Aviation Regulation Part 77 – Objects Affecting Navigable Airspace. The OAK airspace protection zones are illustrated on Figure 3-5 of the OAK Compatibility Plan, and no surfaces are shown over Oyster Bay. The Land Use Plan Amendment does not include recommendations that are expected to result in flight hazards:

1. The Land Use Plan Amendment recommends development of staging areas to accommodate a maximum of 700 vehicles. These staging areas will be distributed within the boundaries of Oyster Bay. While glare can result from the sun reflecting off vehicles, this is not the type of glare that would normally be expected to be mistake for airport lights. The only lighting recommended in the Land Use Plan Amendment includes low-rise pathway lighting associated with the Special Event Area and office and security lighting associated with development of the service yard. These lights are not expected to be mistaken for airport lights.

2. The Land Use Plan Amendment does not include any recommendations that would result in sources of dust, heat, steam, smoke, or thermal plumes that may impair pilot vision or create turbulence within the flight path. Dust currently occurs associated with the on-going fill and grading work, and a certain level of dust is expected to result during construction activities. The District's standard contract conditions require that contractors performing fill operations and any future construction grading implement dust control measures such as the application of water or a dust palliative. Mitigation Measure AIR-1 includes this requirement. These sources of dust are not expected to be at such a level as to interfere with pilot vision or create turbulence.

3. The Land Use Plan Amendment does not include any recommendations that would result in sources of electrical or other interference that could affect aircraft communications or navigation. The extension of electrical power is recommended to power the irrigation system, the service yard, and the Special Event Area however; this amount of electricity is not expected to interfere with aircraft communications or navigation.

4. The Land Use Plan Amendment does not include any recommendations to develop a power plant.

Overflight zones are established for the purpose of providing notification regarding the noise of overhead flight paths within the airport influence area. Overflight compatibility policies do not restrict how land can be developed but rather stipulate the requirements regarding notification about airport proximity and aircraft overflights so that people near an airport have the ability to make informed decisions regarding the acquisition or lease of property. The District is aware that Oyster Bay is within the OAK airport influence area and that noise from overflights will occur. The recommendations included in the Land Use Plan Amendment, including the Special Event Area, are compatible with airport operations.

Oyster Bay is also mapped as being within the Avigation Easement Zone on Figure 3-6 of the OAK Compatibility Plan. Avigation easements transfer certain property rights from a property owner to the Port of Oakland, and may be recommended as a condition for approval for property development to protect airspace from potential obstructions and hazards. For example, an avigation easement could restrict the heights of structures or trees or and apply both the residential and non-residential development. The District will comply with all conditions of approval from the Airport Land Use Commission associated with implementation of the Land Use Plan Amendment.

CEQA CONTEXT. A project would normally have a significant impact associated with hazards and hazardous materials if the project would expose people and/or the environment to hazards.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
a)	**Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**		☐	☒	☐	☐

Implementation of the Land Use Plan Amendment is not expected to result in the routine transport, use, or disposal of hazardous materials. It is possible that substances that could be considered hazardous, including gasoline, paint, and solvents may be stored at the proposed service yard and used at the park. As part of the on-going import of fill and grading, the District accepts only certified clean fill. Implementation of the Mitigation Measure HAZ-1 and Mitigation Measure HAZ-2 will ensure reduce the significance of this impact to a less than significant level:

> **Mitigation Measure HAZ-1:** The District will store and dispose of petroleum-based products and all flammable liquids in accordance with applicable laws and regulations. If a spill should occur, staff will be required to immediately call 9-1-1 and report the spill to the appropriate authority and will take appropriate actions to contain the spill to prevent further migration of the hazardous materials to storm water drains or surface waters.
>
> **Mitigation Measure HAZ-2:** If hazardous materials are encountered during construction or maintenance activities, the District will immediately halt activity in the affected area and will implement actions required by the current California regulatory requirements.

Would the project:			PS	LS w/M	LS	NI
b)	**Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**		☐	☒	☐	☐

Implementation of the Land Use Plan Amendment will result in construction activities that would require use of small quantities of potentially hazardous materials, such as fuels, oils, and solvents used for equipment. Spills, upsets, or other project-related accidents, along with the transporting of materials could result in the release of fuel or other hazardous substances into the environment. Toxic substances used at the construction site, including gasoline, lubricants, and other petroleum-based products could enter the bay and/or the sloughs as a result of spills or leakage from machinery or storage containers if not appropriately controlled. These substances could kill aquatic organisms through exposure to lethal concentrations or exposure to non-lethal levels that could cause physiological stress and increased susceptibility to other sources of mortality. Petroleum products also tend to form oily films on the water surface that could reduce dissolved oxygen levels available to aquatic organisms. Additionally, such a spill may render surviving fish unfit for human consumption for some period of time. Implementation of Mitigation Measure HAZ-3 would reduce the potential for adverse impacts from incidents associated with the transport and use of potentially hazardous materials to a less than significant level.

> **Mitigation Measure HAZ-3**: The District shall require conformance of the following provisions associated with the transport, storage and use of potentially hazardous materials:
>
> - All equipment shall be inspected for leaks immediately prior to the start of project activities and regularly inspected henceforth until equipment is removed from the premises.
> - The contractor(s) shall prepare an emergency spill response plan prior to the start of the project and maintain a spill kit on-site throughout the duration of the proposed project. In the event of a spill or release of any chemicals during activities associated with the proposed project, on or adjacent to park property, the contractor shall immediately notify the appropriate District Representative (e.g., project manager or supervisor). Emergency containment procedures shall be initiated immediately to prevent contamination.
> - Hazardous materials required for construction shall be contained within vessels engineered for safe storage. Large quantities of such materials shall not be stored on-site.
> - Equipment shall be refueled, cleaned and repaired outside park boundaries, or within a contained area on site away from open waters, except during emergency situations. All contaminated water, spill residue, or other hazardous compounds shall be disposed of outside park boundaries at an authorized location.

Maintenance of the portable restrooms could result in a sewage spill. This potentially significant impact can be reduced to a less than significant level with implementation of Mitigation Measure HAZ-4.

> **Mitigation Measure HAZ-4:** The District will conduct inspections and maintenance of portable toilet facilities used at Oyster Bay, according to current regulations. The District will ensure that routine waste removal is conducted so that effluent spills are avoided.

Waste Management currently monitors existing wells associated with the former landfill operation for methane, leachate, and ground water in compliance with 1979 Closure Plan and Order #94-187. This responsibility will continue as the Land Use Plan Amendment is implemented and will not create a significant hazard to the public or the environment.

Would the project:			PS	LS w/M	LS	NI
c)	**Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment is not expected to emit hazardous emissions or handle hazardous materials, substances, or waste. The nearest school is Garfield Elementary School, which is located approximately 0.62 mile east of Oyster Bay.

Would the project:			PS	LS w/M	LS	NI
d)	**Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**		☐	☐	☐	☒

Oyster Bay is not located on a site which is included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Implementation of the Land Use Plan Amendment will not create a significant hazard to the public or the environment.

Would the project:			PS	LS w/M	LS	NI
e)	**For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**		☐	☐	☐	☒

Oyster Bay is located within the boundary of the Oakland International Airport Land Use Compatibility Plan. The safety zone for the runways at Oakland International Airport's North Field encompasses the area of San Leandro that includes Oyster Bay Regional Shoreline. Implementation of the Land Use Plan Amendment will not result in a safety hazard for people residing or working in the project area.

Would the project:			PS	LS w/M	LS	NI
f)	**For a project within the vicinity of a private airstrip would the project result in a safety hazard for people residing or working in the project area?**		☐	☐	☐	☒

There are no private airstrips within the vicinity of Oyster Bay.

Would the project:			PS	LS w/M	LS	NI
g)	**Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. In fact, the Davis Street Access and the full build-out of the internal vehicular roadway within Oyster Bay connecting to Neptune Drive would provide safe evacuation routes from

Oyster Bay should an emergency occur. The tsunami inundation line surrounds Oyster Bay, but the park is not mapped as being within the tsunami inundation area.[2] There are no known emergency evacuation plans that affect Oyster Bay.

Would the project:			PS	LS w/M	LS	NI
h)	**Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment is not expected to increase the exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires. Oyster Bay is not mapped as having wildland fire potential and the park is not included in the District's Wildfire Hazard Reduction and Resource Management Plan because there are no high risk fuels near homes.

[2] California Department of Conservation. Tsunami Inundation Map for Emergency Planning, San Leandro Quadrangle. July 31, 2009.

IX. HYDROLOGY & WATER QUALITY

ENVIRONMENTAL SETTING. Oyster Bay is predominantly bordered by the San Francisco Bay, the margins of which are designated as a special flood hazard area subject to inundation by one percent annual chance flood[3]. The San Leandro Slough borders Oyster Bay at its northern edge and the tidal marsh borders the park on its eastern edge, forming the existing tidal marsh. Both of these sloughs are engineered channels and are designated as wetlands in the San Leandro General Plan. Oyster Bay is in the Oyster Bay Watershed and there are no natural creeks or channels within the park.

Waste Management continues to monitor groundwater, leachate, and methane wells that remain in operation throughout the property in compliance with Regional Water Quality Control Board Order #94-187. Water from monitoring wells positioned around the park is routinely sampled and monitored.

REGULATORY CONTEXT

Regional Water Quality Control Board. The San Francisco Bay Regional Water Quality Control Board (SFRWQCB) is charged with maintaining the beneficial uses of waters of the state, as presented in the San Francisco Bay Basin Water Quality Control Plan. This Water Quality Control Plan, which is referred to as the Basin Plan, is the SFRWQCB's master water quality control planning documents. The Basin Plan contains descriptions of the legal, technical, and programmatic bases of water quality regulation in the San Francisco Bay Region. The Basin Plan includes a statement of beneficial water uses that the SFRWQCB will protect and the water quality objectives needed to protect the designated beneficial water uses. These uses include Wildlife Habitat and Preservation of Rare and Endangered Species.

The SFRWQCB has regulatory authority over wetlands and other water bodies under both the federal Clean Water Act (CWA) and the State of California's Porter-Cologne Water Quality Control Act (California Water Code, Division 7). Under the CWA, the SFRWQCB has regulatory authority over actions in waters of the United States, through the issuance of water quality certifications (certifications) under Section 401 of the CWA, which are issued in conjunction with permits issued by the U.S. Army Corps of Engineers (USACOE), under Section 404 of the CWA. When the SFRWQCB issues Section 401 certification, it simultaneously issues general Waste Discharge Requirements (WDRs) for the project, under the Porter-Cologne Water Quality Control Act. Activities in areas that are outside of the jurisdiction of the USACOE (e.g., isolated wetlands, vernal pools, stream banks above the ordinary high water mark, or intermittent streams and ephemeral streams that lack a hydrologic connection to navigable waters) are regulated by the SFRWQCB under the authority of the Porter-Cologne Water Quality Control Act. Activities that lie outside of USACOE jurisdiction may require the issuance of WDRs by the SFRWQCB.

When a project that is applying for water quality certification will impact both waters of the United States and waters of the state that are outside of federal jurisdiction, it is the SFRWQCB's practice to cover all impacts to waters of the state (including those impacts not subject to federal jurisdiction) in a single permit that includes both CWA Section 401 certification and WDRs issued pursuant to the State's Porter-Cologne Act authority. Regional Board staff evaluates the extent of impacts to federal and non-federal waters in the context of reviewing an application for certification and/or WDRs and sets the appropriate level of mitigation on the basis of impacts to all waters of the state.[4]

City of San Leandro General Plan, 2002 (Update). The San Leandro General Plan includes the following policies associated with hydrology and water quality:

> **Policy 32.01 – Urban Runoff Control:** Continue to implement water pollution control measures aimed at reducing pollution from urban runoff. These measures should emphasize best management practices by residents, businesses, contractors, and public agencies to ensure that surface water quality is maintained at levels that meet state and federal standards.

[3] http://map1.msc.fema.gov/ accessed on February 12, 2010

[4] Personal communication with Brian Wines; also refer to: *http://www.waterboards.ca.gov/sanfranciscobay/basin_planning.shtml#2004basinplan*

Action 32.01-A – Stormwater Pollution Prevention Plans: As required by state and federal law, require Stormwater Pollution Prevention Plans for qualifying projects and ensure that such projects include appropriate measures to minimize the potential for water pollution.

Policy 32.04 – Water Quality Monitoring: As required by federal, state, and regional programs, conduct monitoring of water quality in San Leandro waterways to evaluate the progress of local clean water programs and identify the necessary steps for improvements.

Policy 32.08 – Hazardous Spill Response; Maintain and update hazardous spill response and clean up programs that minimize the potential impacts of toxic spills on water quality.

Policy 32.11 – Impervious Surfaces: Encourage the use of porous pavement and other practices to reduce impervious surfaces and the amount of stormwater runoff from parking lots and driveways.

District Master Plan. The 2013 District Master Plan includes the following policies associated with hydrology and water quality:

NRM 11: Park water resources will be used for beneficial purposes. Water quality will be monitored to comply with established standards. The District will participate in cooperative efforts to plan comprehensive watershed management and will adopt "best management practice" guidelines for District land use activities to minimize potential storm water pollution. The District will monitor land use planning and development activities by other agencies and cities to avoid potential adverse impacts to parkland from pollutants generated by offsite or upstream sources.

NRM 12: The District will manage riparian and other wetland environments and their buffer zones to preserve and enhance the natural and beneficial values of these important resources and to prevent the destruction, loss, or degradation of habitat. The District will participate in the preservation, restoration, and management of riparian and wetland areas of regional significance and will not initiate any action that could result in a net decrease in park wetlands. The District will encourage public access to the Bay/Delta shoreline, but will control access to riparian and wetland areas, when necessary, to protect natural resources.

CEQA CONTEXT. A project would normally have a significant impact to hydrology or water quality if it would substantially degrade water quality, contaminate a public water supply, substantially degrade or deplete groundwater resources, interfere substantially with groundwater recharge, encourage activities that result in the use of large amounts of water, use water in a wasteful manner, or cause substantial flooding.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
a)	**Violate any water quality standards or waste discharge requirements?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment is not expected to violate any water quality standards or waste discharge requirements. Waste Management currently monitors its existing wells for methane, leachate, and water quality in compliance with Regional Water Quality Control Board Order #94-187. Waste Management will continue with this monitoring activity as the Land Use Plan Amendment is implemented.

Would the project:			PS	LS w/M	LS	NI
b)	**Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level** *(e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permit have been granted)***?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment will not deplete groundwater supplies or interfere with groundwater recharge. Water required for drinking fountains and irrigation will be provided by extending the existing municipal water line from Neptune Drive.

Would the project:			PS	LS w/M	LS	NI
c)	**Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?**		☐	☐	☒	☐

Implementation of the Land Use Plan Amendment will not substantially alter the existing drainage pattern of Oyster Bay or its vicinity. None of the infrastructure, recreational facilities, or operations and maintenance activities proposed in the Land Use Plan Amendment will alter the course of a stream, river, or other water feature. The Davis Street Access will place approximately 1,200 cubic yards of rock slope protection along a 440-foot long section of the San Leandro Slough to strengthen the bank and support the new park entry roadway. Placement of the rock slope protection is not expected to result in erosion or siltation on- or off-site. Implementation of Mitigation Measure HWQ-1 will ensure that any impact associated with the placement of rock slope protection will be less than significant.

> **Mitigation Measure HWQ-1:** The District will place rock slope protection during a low water stage near the base of the slope. The land at the water's edge would be excavated and graded by tractors with blades allowing for keying the rock into the slope using either a dumping method or an excavator equipped with appropriate bucket. If excavated material cannot be reused on-site, it will be disposed of off-site. The District will require that heavy equipment be positioned in upland areas and avoid wetland vegetation.

Would the project:			PS	LS w/M	LS	NI
d)	**Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**		☐	☐	☒	☐

Implementation of the Land Use Plan Amendment will improve existing drainage as infrastructure and recreational facilities are developed by filtering surface runoff through vegetated buffers. Currently, surface runoff drains directly to surface waters. In addition to vegetated buffers, the Davis Street Access improvements include installation of approximately 100 linear feet of 24-inch diameter storm drain piping and inlets that will connect to Alameda County's existing storm drain system located within Davis Street. Approximately 0.28 acre of landscape areas will be created between the Gun Range parking area and the entry roadway, and storm water will drain to these new planting areas. These alterations of the existing drainage pattern will not alter the course of a stream or river, or substantially increase the rate or amount of surface runoff such that flooding would occur.

Would the project:			PS	LS w/M	LS	NI
e)	**Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**		☐	☐	☐	☒

Runoff resulting from implementation of the Land Use Plan Amendment will drain to landscape buffers or to the existing City of San Leandro storm drain system, which has adequate capacity. All grading and storm water management will be subject to a Storm Water Pollution Prevention Plan. Stormwater runoff from new or recreated impervious surfaces at the project will require water quality treatment consistent with the post-construction stormwater treatment requirements in Provision C.3 of the Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP) (Water Board Order No. R2-2009-0074; NPDES Permit No. CAS612008).

Would the project:			PS	LS w/M	LS	NI
f)	**Otherwise substantially degrade water quality?**		☐	☐	☒	☐

Implementation of the Land Use Plan Amendment is not expected to degrade water quality. Mitigation measures GEO-1, GEO-2, and GEO-3 included in Section VI – Geology and Soils of this checklist and HAZ-1, HAZ-2, and HAZ-3 in Section VVII – Hazards and Hazardous Materials will ensure water quality is protected during construction activities.

Would the project:			PS	LS w/M	LS	NI
g)	**Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**		☐	☐	☐	☒

The Land Use Plan Amendment does not propose any new housing.

Would the project:			PS	LS w/M	LS	NI
h)	**Place within a 100-year flood hazard area structures which would impede or redirect flood flows?**		☐	☐	☐	☒

The Land Use Plan Amendment recommends that a park office in the service yard and permanent restrooms be developed in the staging areas. These structures would not impede or redirect flood flows.

Would the project:			PS	LS w/M	LS	NI
i)	**Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment is not expected to expose people or structures to a significant risk of loss, injury, or death involving flooding. The Oyster Bay shoreline is protected with rock slope protection and implementation of the Land Use Plan Amendment will not result in its failure. The Land Use Plan Amendment does not include construction of new levees or dams.

Would the project:			PS	LS w/M	LS	NI
j)	**Inundation by seiche, tsunami, or mudflow?**		☐	☐	☒	☐

The shoreline of Oyster Bay is mapped as being within the tsunami inundation line. The Land Use Plan Amendment does not recommend any new park development within this area. The initial staging area associated with the Davis Street access will be located inland from the tsunami inundation line. Implementation of the Land Use Plan Amendment will not render these natural disasters more likely.

X. LAND USE AND PLANNING

ENVIRONMENTAL SETTING. Oyster Bay Regional Shoreline is located on a former landfill that became operational prior to World War II. Upon closure of the landfill, the District took ownership of 194 acres for development of a regional shoreline park and the remaining 53 acres were retained by the Oakland Scavenger Company for development of the now existing Davis Street Transfer Station Complex operated by Waste Management. Waste Management continues to monitor groundwater, leachate, and methane wells that are located throughout the site.

REGULATORY CONTEXT. The City of San Leandro General Plan promotes recreational improvements to the Oyster Bay Regional Shoreline and categorized the park as *"Open Space for Recreation,"* which includes the City's park system, schoolyards, athletic fields, the District's regional parks, and other areas used for recreation. This open space category is distinguished from the three additional open space designations: *Open Space for the Protection of Natural Resources, Open Space for the Managed Production of Resources, and Open Space for Public Health and Safety.*

The General Plan identifies the Oyster Bay Regional Shoreline as a Regional Park with a Resource Conservation designation. The Resource Conservation designation delineates open space within the City of San Leandro boundary. City of San Leandro General Plan Policies and Actions specific to Oyster Bay Regional Shoreline include the following:

> **Policy 23.01 Oyster Bay Regional Shoreline**. Maintain Oyster Bay Regional Shoreline Park as a permanent open space. Support EBRPD efforts to develop recreational facilities, such as picnic areas, interpretive trails and plaques, and children's plan areas, at Oyster Bay.
>
> **Action 23-01-A: Update of Oyster Bay Park Plan.** Encourage EBRPD to update the Land Use Master Plan for Oyster Bay Regional Park, and work with EBRPD to solicit citizen input in the update process.

City of San Leandro General Plan Policies and Actions that pertain generally to the District, and to Bay and Ridge Trails, include the following:

> **Policy 23.02 Public Awareness of EBRPD Facilities.** Promote greater public awareness of the East Bay Regional Park District lands and facilities in and around San Leandro, including Oyster Bay Shoreline, Fairmont Ridge, Lake Chabot, and Anthony Chabot Regional Park. Improve access to these parks from San Leandro, and advertise these parks to San Leandro households.
>
> ***Action 23-02-A EBRPD Publicity*.** Publicize EBRPD facilities and activities through local access cable TV, and internet web link between the City's webpage and the EBRPD webpage, program information in San Leandro's Recreation Guides, park directional signs, and similar methods.
>
> **Policy 23.03 Bay and Ridge Trails.** Support the development and improvement of a regional trail system in and around San Leandro, including the Bay Trail and the Ridge Trail. Work with EBRPD to improve access from San Leandro neighborhoods to these trails by improving existing trails, and developing new spur trails, bike lanes, and signage.
>
> ***Action 23-03-A Bay Trail Missing Links*.** Work with EBRPD to complete the following improvements to the Bay Trail within San Leandro:
>
> - Construction of a bicycle/pedestrian bridge across Oyster Bay Slough.
> - Development of a signed bike route along Neptune Drive between Williams Street and Marina Boulevard.
> - Spur trails between the Bay Trail and nearby San Leandro neighborhoods.

Oyster Bay Regional Shoreline is zoned CR – Commercial Recreation District, in the City of San Leandro Zoning Code. The purpose of the CR District is to *"provide for recreation-oriented uses and commercial activities, such as hotels, and restaurants that are compatible with water-front recreation and open space uses, conveniently located near the marina."* The following uses are allowed in the Commercial Recreation District:

TABLE LA-1: USES ALLOWED IN THE COMMERCIAL RECREATION DISTRICT *(San Leandro General Plan Update, 2012)*

Permitted Uses. ***Uses allowed without a conditional use permit***	
Accessory uses	Neighborhood/Specialty Food Markets
Cafes	Park and Recreation Facilities
Commercial Recreation (not arcades and game centers)	Restaurants, full-service
Fast Food Establishments, small scale	Retail Sales
Health and Fitness Centers	Theaters, small scale
Instruction and Improvement Services	Travel Services
Marine Sales and Service	Utilities, minor
Conditionally-Permitted Uses. ***Allowed subject to the approval of a Conditional Use Permit***	
Accessory Uses	Marinas
Artists' Studios	Massage Therapy
Bars	Public Safety Facilities
Bed and Breakfast Inns	Restaurants, fast food
Coin-Operated Laundry Businesses	Stadia and Sports Arenas
Day Care, general	Telecommunications Towers
Entertainment Activities	Theaters
Farmers Market	Theaters, outdoor
Fast Food Establishments, large scale	Utilities, major
Hotels, Motels, and Time-Share Facilities	
Use Requiring Administrative Review. ***Allowed subject to the approval of a Zoning Permit***	
Automatic Teller Machines	Recycling Facilities, Single-feed Reverse Vending Machine
Mobile Food Vendor	Telecommunications Antennae &/or Alternative Tower Structures
Parking Lot	
Temporary Uses Requiring Administrative Review. ***Allowed subject to the approval of Temporary Use Permit***	
Circuses and Carnivals	Storage Containers, temporary
Commercial Filming	Trade Fairs
Retail Sales, outdoor	

District's 2012 Master Plan. The District's Master Plan 2013 states that a Regional Shoreline provides *"significant recreational, interpretive, natural, or scenic values on land, water, and tidal areas along the San Francisco Bay and the Sacramento/San Joaquin Delta."* The following policy pertains to the District's Regional Shoreline parks:

> **PRPT 8.** A Regional Shoreline (one area or a group of smaller shoreline areas that are connected by trail or water access) must contain a variety of natural environments and manageable units of tidal, near-shore wetland and upland areas that can be used for scientific, interpretive, or environmental purposes; and/or contain sufficient land and water to provide a variety of recreational activities, such as swimming, fishing, boating, or viewing. The Recreation/Staging Unit providing for public access and services may comprise no more than 30 percent of a Regional Shoreline.

The Land Use Plan Amendment designates approximately 61 acres, equaling approximately 32 percent of Oyster Bay as Natural Unit and approximately 133 acres, equaling approximately 68 percent as Recreation/Staging Unit. The Natural Unit extends along the shoreline and includes an existing San Francisco Bay Trail segment, and the tidal marsh located along the southeastern edge adjacent to Neptune Drive. The Recreation/Staging Unit contains the majority of park infrastructure and recreational activity areas proposed in the Land Use Plan Amendment. The percentage of Natural Unit to Recreation/Staging Unit proposed for Oyster Bay in the Land Use Plan Amendment is different from the policies included in

the Master Plan. A determination was made in the original 1977 Land Use Development Plan, prior to the Master Plan designation of Recreation/Staging Unit and Natural Unit ratios, that Oyster Bay is a former landfill with minimal pre-existing natural resources. Additionally, management and monitoring activities associated with the former landfill operation are required to continue through Oyster Bay into the foreseeable future. In reviewing the land use designations in the current Oyster Bay Land use Plan Amendment, the District has determined that the percentage of Natural Unit to Recreation/Staging Unit proposed in the Land Use Plan Amendment is appropriate.

CEQA CONTEXT. A project would normally have a significant land use impact if it would conflict with the adopted environmental plans and goals of the community where it is located, disrupt or divide the physical arrangement of an established community, or conflict with any habitat conservation plans.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
a)	**Physically divide an established community?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment will not physically divide an established community. As a former landfill now operating as a public park, implementation of the Land Use Plan Amendment will provide increased outdoor recreation opportunities for the surrounding community and out-of-area visitors.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
b)	**Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project** *(including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance)* **adopted for the purpose of avoiding or mitigating an environmental effect?**		☐	☐	☐	☒

Oyster Bay Regional Shoreline is identified as an Open Space Park for Recreation in the San Leandro General Plan and is zoned as Commercial Recreation District. Implementation of the LUPA will be consistent will all applicable land-use and zoning requirements. The property remains subject to regular monitoring of leachate, methane water quality, per the requirements of Title 27, California Code of Regulations (27, CCR), Section 21180. Implementation of the LUPA will not interfere with this required monitoring.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
c)	**Conflict with any applicable habitat conservation plan or natural community conservation plan?**		☐	☐	☐	☒

There are no habitat conservation plans or natural community conservation plans that govern Oyster Bay Regional Shoreline. The LUPA includes a vegetation management element consisting of an integrated pest management program to reduce the occurrence of undesirable invasive plant species and resource management strategies to promote the restoration of appropriate vegetation and enhance natural communities in the park. The vegetation management element would result in a beneficial effect to habitats at Oyster Bay Regional Shoreline.

XI. MINERAL RESOURCES

ENVIRONMENTAL SETTING. There are no known mineral resources located at Oyster Bay Regional Shoreline.

CEQA CONTEXT. A project would normally result in a significant effect on mineral resources if a loss of a known mineral or of a locally important mineral resource recovery area occurred from implementation of the project.

Would the project:			PS	LS w/M	LS	NI
a)	**Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**		☐	☐	☐	☒

Oyster Bay Regional Shoreline is not mapped as being within a known mineral resource area.

Would the project:			PS	LS w/M	LS	NI
b)	**Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**		☐	☐	☐	☒

Oyster Bay Regional Shoreline is not mapped as being within a known mineral recovery site.

XII. NOISE

ENVIRONMENTAL SETTING. Noise is generally defined as unwanted sound. Sound is measured in decibels (dB), with zero dB corresponding to the threshold of human hearing and 120 – 140 dB corresponding to the threshold of pain. Human response to sound and noise is subjective and can vary greatly from person to person, depending of a variety of factors including the intensity, frequency, and pattern of the sound, the background or ambient sound present without the unwanted sound, and the activity of the individual when the unwanted sound is occurring. Noise can interfere with concentration, communication, and sleep and at high levels, can result in hearing damage.

Oyster Bay Regional Shoreline is located in an area of San Leandro dominated by various industrial land uses and several streets in the project vicinity are designated truck routes in the San Leandro General Plan. Along these corridors, noise can range between 65-80 DNL (day-night average noise level). Waste Management and the San Leandro Gun Club are located adjacent to the proposed Davis Street access. The Oakland International Airport is located approximately one-half mile to the north, and many other industrial and commercial businesses are located in the immediate vicinity. A jet flyover at 1,000 feet has an average noise level of 100 dBA.

The residential communities known as Little Alaska, Mulford Gardens, and Marina Faire are located to the south of Oyster Bay Regional Shoreline, beginning approximately one-half mile from the existing Neptune Drive access. These residential communities are surrounded by industrial land uses to the north and east. Generally, day-time ambient noise levels in a residential area are 50 – 55 dBA and nighttime ambient noise levels are typically 40 - 55 dBA, 10 dBA less than typical daytime levels.

Existing noise sources at Oyster Bay Regional Shoreline include those generally associated with outdoor recreation as well as those associated with on-going grading operations. On-going grading operations include the transport of fill brought into the park by large 10-wheeler trucks and grading equipment such as bulldozers.

NOISE IMPACT ASSESSMENT. The District commissioned a Noise Impact Assessment (Noise Study) to analyze the potential effect of noise from amplified events that could be held at the Special Event Area and to make recommendations to reduce potential noise effects. Existing ambient sound levels at Waste Management was measured at a range of 66 to 71 dBA. Existing ambient sound levels were measured in the residential communities near Oyster Bay at a range of 42 to 55 dBA with the major sound contributors were determined to be airplane flyovers and transportation sources to the north and east. The average backyard ambient sound levels along Neptune Drive and Williams Street are up to 10 to 15 dBA below those at the sidewalk levels because property fences and buildings shield sound from vehicular traffic. The Noise Element of the Alameda County General Plan considers sound levels up to 65 dBA for new development as having little impact in residential areas, sound levels between 65 and 70 dBA as having a moderate impact, and sound levels exceeding 70 dBA as having a significant impact. For industrial areas, sound levels up to 75 dBA have little impact, between 75 and 80 dBA have a moderate impact, and a significant impact over 85 dBA. The existing ambient sound levels in the residential communities near Oyster Bay and at Waste Management are within these ranges. The Noise Study concluded that amplified music events that could be held at the Special Event Area at Oyster Bay would increase ambient sound levels in the nearby residential communities to 70 dBA, assuming that amplification is limited to 100 dBA at the mixer location, and that the location of the Special Event Area, in a natural bowl, provides natural attenuation for noise sensitive receptors.

REGULATORY CONTEXT. The City of San Leandro's Noise Ordinance[5] *"is intended to control the adverse effect of noise sources on San Leandro citizens by prescribing standards that prohibit detrimental levels of noise and by providing a remedy for violations."* The Noise Ordinance addresses prohibited acts, which are defined as disturbing, excessive, and offensive noises except those specifically exempted and those permitted under an exception permit. The following apply to the Land Use Plan Amendment:

[5] Ordinance No. 2003-005, Section 4-1-510 of the City of San Leandro Municipal Code

Loud Music in Parks. The use of electronic equipment, including but not limited to amplifiers, radio loudspeakers, phonographs, tape amplifiers, electronically operated or acoustic musical instruments or other device of like design used for producing sound in or upon any public street, park or grounds, or any other open area to which the public has access, whether publicly or privately owned, between the hours of 10pm and 9am is unlawful. At any other time of day, such equipment may not be used in a manner which disturbs the peace, quiet and comfort of neighboring residents or persons of normal sensitivity who are using such areas. This subsection shall not apply to events for which a permit has been obtained pursuant to Chapter 4-20.

Music, Stereos, and Electronics. The conducting of or carrying on of band or orchestral concerts, rehearsals, or practice between the hours of 10pm and 8am sufficiently loud as to disturb the peace, quiet, or repose of persons of ordinary and normal sensitivity who reside in the immediate vicinity of such band or orchestral concerts or rehearsals or practice.

EXEMPTIONS - Entertainment Events. The provisions of this Article shall not apply to those reasonable sounds emanating from authorized school bands, school athletic and school entertainment events and occasional public and private outdoor or indoor gatherings, public dances, shows, bands, sporting and entertainment events conducted between the hours of 7am and 10pm, and special events for which a permit has been issued pursuant to Chapter 4-20 of this Title.

The City of San Leandro's General Plan also addresses the topic of noise and provides Goals, Policies, and Actions proposed to minimize noise incompatibilities, particularly in regard to residential areas.

Policy 35.01 – Noise Compatibility Table. Ensure that potential noise impacts are considered when new development is proposed. Projects that could significantly increase noise levels should incorporate mitiagion measures to reduce such impacts. Apply the standards shown in Table 6-1 when evaluating applications for future development. Table 6-1 specifies the maximum noise levels that are normally acceptable, conditionally acceptable, and normally unacceptable for new development.

TABLE 6-1 Noise Compatibility Standards for San Leandro Land Uses

Land Use Type	Exterior Noise Exposure (Ldn or CNEL, dB)						
	>55	55-60	60-65	65-70	70-75	75-80	>80
Single- and Multi-Family Residential, and Mobile Homes							
Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds							
Schools, Libraries, Museums, Hospitals, Personal Care							
Offices, Retail/Service Commercial, Restaurants, Hotels/Motels							
Auditoriums, Concert Halls, and Amphitheaters							
Industrial and Manufacturing within 500 feet of a residentially zoned area							
Other Industrial and Manufacturing							

Normally Acceptable
Specified land use is satisfactory, based on the assumption that any buildings involved are of conventional construction, without any special noise insulating requirements.

Conditionally Acceptable
Specified land use may be permitted only after detailed analysis of noise reduction and insulation requirements

Normally Unacceptable
New development should generally not be undertaken because mitigation is usually not feasible.

Source: City of San Leandro, 2001

Policy 35.04 – Degradation of Ambient Noise Levels. If a neighborhood is well within acceptable noise standards, do not automatically allow noise levels to degrade to the maximum tolerable levels shown in Table 6-1. A project's noise impacts should be evaluated based on the potential for adverse community response, as well as its conformance to the adopted standards. For CEQA purposes, an increase of 3 dB Ldn should generally be considered a significant impact.

Policy 35.05 – Noise-Sensitive Uses. Discourage noise-sensitive uses such as hospitals, schools, and rest homes from locating in areas with very nigh noise levels. Conversely, discourage new uses likely to produce high levels of noise from locating in areas where noise-sensitive uses would be impacted.

Policy 35.08 – Responding to Noise Problems. Continue to respond promptly and effectively to local noise complaints and noise problems, enforcing City codes and ordinances as necessary to ensure that a peaceful environment is maintained.

OAKLAND INTERNATIONAL AIRPORT LAND USE COMPATIBILITY PLAN. The Oakland International Airport Land Use Compatibility Plan (OAK Compatibility Plan) includes Compatibility Policies regarding noise, which were established to prevent the development of noise-sensitive land uses in portions of the airport influence area that are exposed to significant levels of aircraft noise. Oyster Bay is within the airport influence area for Oakland International Airport and is mapped as being outside the Noise Compatibility Zones shown on Figure 3-3 of the OAK Compatibility Plan. The 60 CNEL6 Contour is mapped adjacent to the most southwestern edge of Oyster Bay along San Francisco Bay. Table 3-1 of the OAK Compatibility Plan illustrates the compatibility of various land uses relative to CNEL ranges of 60 dB, 65 dB, and 70 dB. Within the 60 dB range, which is the closest contour to Oyster Bay, regional parks are considered compatible land uses and outdoor amphitheaters are considered conditionally compatible, with a note that some noise interference may occur and that caution should be exercised with regard to noise-sensitive uses. Implementation of the Land Use Plan Amendment is compatible with the noise criteria included in the OAK Compatibility Plan

The Noise Impact Assessment7 (Noise Study) that was completed for the Land Use Plan Amendment acknowledged noise from aircraft as being a major contributor to existing sound levels at Oyster Bay. This is part of the existing baseline ambient sound level. The Noise Study incorporated information from the OAK Noise Contours graphic that is included in the OAK Compatibility Plan as Figure 3-3. The District recognizes that aircraft approaches and departures may periodically interfere with special events.

CEQA CONTEXT. A project would normally result in a significant impact associated with noise if it would substantially exceed or increase the ambient noise levels for adjoining areas or if it exceeded the noise levels recommended in an adopted plan or noise ordinance. Noise impacts are assessed by first determining which project components would generate noise and then comparing the anticipated noise levels with existing noise levels from other sources in the project area and with past land use practices on the property.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
a)	**Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**		☐	☒	☐	☐

[6] Community Noise Equivalent Level (CNEL): The noise metric adopted by the State of California for evaluating airport noise. It represents the average noise level during a 24-hour day, adjusted to an equivalent level to account for the lower tolerance of people to noise during evening and nighttime periods relative to the daytime period.

[7] SCA Environmental, Inc. *Noise Impact Assessment – Easte Bay Regional Park District – Oyster Bay Regional Park – San Leandro, CA.* September 16, 2013.

Implementation of the Land Use Plan Amendment will not generate noise in excess of the standards established by the City of San Leandro. Development of specific Land Use Plan Amendment elements, such as the Davis Street Access, will require use of construction equipment that will temporarily increase noise. These short-term construction-related noise impacts will cease upon completion of construction activities. The following standard construction specification addresses the minimization of noise during construction and is included in the District's standard specifications for construction contracts:

> **ARTICLE 42 – WORK HOURS**. No work or equipment shall be started on a workday before 7am nor continue beyond 7pm except when permitted by the Contract Documents, or agreed upon at the preconstruction meeting. Illegal work outside these hours or on weekends and holidays shall be subject to a fine at double the rate of Liquidated Damages at the sole discretion of the District Representative. Regulations of local jurisdictions may alter these working hours.

On-going noise that could result from development of recreational elements of the Land Use Plan Amendment, including the Bicycle Skills Area, the disc golf course, and the Special Event Area will not generate noise in excess of the standards established by the City of San Leandro. Additional noise within the park would be generated by vehicles as they enter, park, and exit the park and from human voices during recreational activity. The Special Event Area would periodically generate amplified music. The Special Event Area is proposed to be situated within a low-point within a topographical "bowl," which is expected to minimize carry-over to the residential communities. The following mitigation measures are proposed to ensure that noise from use of the Special Event Area:

> **Mitigation Measure N-1:** The District will require that the maximum amplified sound level for special events will be limited to a maximum of 90 dBA at the mixer location, which would result in an equivalent sound level of 60 dBA, which is within the land use compatibility standards specified by both Alameda County and the City of San Leandro.
>
> **Mitigation Measure N-2:** The District will limit the timing of special events to the hours of 9:00am and 8:00pm.
>
> **Mitigation Measure N-3:** The District will require orientation of speakers to minimize noise intrusion into residential neighborhoods.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
b)	**Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**		☐	☐	☒	☐

Implementation of the Land Use Plan Amendment will result in a very minor increase in ground borne vibration or ground borne noise levels during specific activities, such as construction of the Davis Street access improvements and the additional internal vehicular roadway and associated staging areas. The temporary increase in ground borne vibration and noise levels associated with these periodic occurrences are not expected to be excessive, will be temporary in nature, and will cease upon completion of construction.

Would the project:			**PS**	**LS w/M**	**LS**	**NI**
c)	**A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment is not expected to result in a substantial permanent increase in ambient noise levels in the project vicinity above existing noise levels. Visitor use at Oyster Bay may contribute a negligible increase in ambient noise due to the parking and circulation of vehicles and use of the park. Oyster Bay will remain open only during daytime hours, except when certain special events are scheduled. Special events will not result in a permanent increase in existing ambient noise levels as they are not expected to occur on a regular basis. The existing topography of the Special Event Area will attenuate noise in a natural manner.

Would the project:			PS	LS w/M	LS	NI
d)	**A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**		☐	☐	☒	☐

Construction noise associated with implementation of the Land Use Plan Amendment, including the Davis Street access, is expected to result in a temporary increase in ambient noise levels. The temporary increase in ambient noise associated with these periodic occurrences would be short-term and would cease upon completion of construction. Periodic maintenance and on-going fill and grading activities may result in occasional temporary increases in ambient noise levels due to the operation of vehicles and equipment that would cease upon completion of the activity. The less-than-significant impacts to noise from occasional short-term construction and maintenance activities will be further reduced with implementation of the following mitigation measures:

Mitigation Measure N-4: The District will restrict construction hours to the hours of 7:00 am and 7:00 pm on weekdays, except when specifically permitted by the District or determined necessary to prevent or resolve an emergency.

Mitigation Measure N-5: The District will restrict maintenance activities, including on-going fill and grading activities, to the hours of 7:00 am and 7:00 pm on weekdays, except when specifically permitted by the District or determined necessary to prevent or resolve an emergency. The District will operate all internal combustion engines with mufflers that meet the requirements of the Vehicle Code during maintenance activities.

Mitigation Measure N-6: The Contractor will be required to operate all internal combustion engines with mufflers that meet the requirements of the Vehicle Code during construction activities.

Would the project:			PS	LS w/M	LS	NI
e)	**For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**		☐	☐	☐	☒

Oakland International Airport (OAK) is located approximately one-half mile north of Oyster Bay. Implementation of the Land Use Plan Amendment, including the Special Event Area, appears to be consistent with the OAK Land Use Compatibility Plan. Implementation of the Land Use Plan Amendment is not expecting to expose people residing or working in the project area to excessive noise levels.

Would the project:			PS	LS w/M	LS	NI
f)	**For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**		☐	☐	☐	☒

Oyster Bay is not located within the vicinity of any known private airstrips.

XIII. POPULATION AND HOUSING

ENVIRONMENTAL SETTING. Oyster Bay Regional Shoreline is surrounded by industrial and commercial land uses. The nearest residential communities, known as Little Alaska, Mulford Gardens, and Marina Faire, are located south of the park beginning approximately one-half mile from the existing Neptune Drive entrance.

There are no District residential housing units at Oyster Bay Regional Shoreline.

REGULATORY CONTEXT. The City of San Leandro's General Plan incorporates and summarizes the Housing Element that was adopted by the City Council in April, 2010. The purpose of the Housing Element is to *"ensure that a decent, safe, affordable supply of housing is provided for current and future San Leandro residents"* and *"strives to conserve the City's existing housing stock while providing opportunities for new housing for a variety of income groups."* None of the housing units listed for development in the Housing Element are within one mile from Oyster Bay Regional Shoreline.

CEQA CONTEXT. Generally, a project would result in a significant impact to population and housing if it would cause substantial population growth or remove existing housing.

	Would the project:		**PS**	**LS w/M**	**LS**	**NI**
a)	**Induce substantial population growth in an area, either directly** *(for example, by proposing new homes and businesses)* **or indirectly** *(for example, through extension of roads or other infrastructure)***?**		☐	☐	☐	☒

Implementation of the proposed Land Use Plan Amendment (LUPA) will not induce population growth, either directly or indirectly. Development of the proposed Davis Street access will extend public access from Davis Street into Oyster Bay Regional Shoreline, but this park access road will not induce population growth.

	Would the project:		**PS**	**LS w/M**	**LS**	**NI**
b)	**Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**		☐	☐	☐	☒

Implementation of the proposed LUPA will not displace any existing housing, nor will it require the construction of replacement housing.

	Would the project:		**PS**	**LS w/M**	**LS**	**NI**
c)	**Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**		☐	☐	☐	☒

Implementation of the proposed LUPA will not displace people, nor will it require the construction of replacement housing.

XIV. PUBLIC SERVICES:

ENVIRONMENTAL SETTING. Fire protection is provided to Oyster Bay Regional Shoreline by the District's fire departments, though Alameda County Fire is the first responder to any medical or fire incident, with a response time under five minutes. First responder police services are provided by the District's Police Department, with a response time typically under 30 minutes.

The closest school to Oyster Bay is Garfield Elementary School, which is located approximately 0.62 mile east of Oyster Bay.

As can be seen of Figure 2 – Vicinity Map, Oyster Bay is centrally located near other District and City of San Leandro park facilities. The District's Martin Luther King Jr. Regional Shoreline park is approximately 4.5 miles north of Oyster Bay and the District's Hayward Regional Shoreline is located approximately 9.25 miles to the south. The City of San Leandro's Marina Park is approximately one mile south of Oyster Bay, and there are two small neighborhood parks located within one mile easterly in the nearby residential areas.

REGULATORY CONTEXT.

City of San Leandro General Plan 2002 (Update): The San Leandro General Plan includes the following policies associated with public services:

> **Policy 45.01 – Levels of Service.** Maintain high-quality police and fire protection services through the most efficient and effective possible means. The following minimum level of service standards for police and fire response time (exclusive of dispatch time) shall be maintained:
>
> ***Police Services.*** 5-minute response time for 90 percent of all Priority One calls.
>
> ***Fire Services.*** 5- minute response time for 90 percent of all medical calls; 10-minute response time for 90 percent of all fire calls.
>
> **Policy 45.06 – Defensible Space.** Encourage new projects to incorporate lighting, landscaping, addressing, and other design features that reduce the potential for crime and facilitate rapid response to emergency calls.
>
> **Policy 30.02 – Fire Prevention.** Ensure that the planning and design of development in high fire hazard areas minimizes the risks of wildfire and includes adequate provisions for vegetation management, emergency access, and fire fighting.

CEQA CONTEXT. A project would normally result in a significant impact to public services if it would result in the need for new or additional public services in order to maintain acceptable service rations, including response times and other performance objectives.

a)	**Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**					
			PS	**LS w/M**	**LS**	**NI**
	Fire protection?		☐	☐	☒	☐

The potential for wildland fires associated with implementation of the Land Use Plan Amendment and increased public use is not expected to increase significantly. Oyster Bay is predominately vegetated with shrubs and grasses, with a small 15-acre developed picnic area that includes irrigated turf and a planted woodland. Oyster Bay is not mapped as having

wildland fire potential and the park is not included in the District's Wildfire Hazard Reduction and Resource Management Plan because there are not high risk fuels near homes. Standard construction specifications include provisions for proper maintenance and use of construction equipment, some of which are included to prevent fires associated with construction activities. Waste Management monitors methane in compliance with Order #94-187 and implementation of the Land Use Plan Amendment will not conflict with this activity. All internal park roadways and staging areas will be designed to comply with the access requirements of the Alameda County Fire Department, including turning radii, surface material, roadway width, vertical clearance, proximity relative to structures, and gates. Access to the service yard by fire department vehicles and the necessity and locations of fire hydrants will be coordinated with the Alameda County Fire Department during the design phase for the service yard recommended in the Land Use Plan Amendment.

			PS	LS w/M	LS	NI
	Police protection?		☐	☐	☒	☐

The District will continue to patrol Oyster Bay utilizing existing District police and District staff. The Land Use Plan Amendment recommends increasing District police patrols as necessary to discourage after-hour or illegal activities from occurring within the park around the park entrances. This will not result in an adverse change in service ratios, response times, or other performance objectives associated with police protection.

			PS	LS w/M	LS	NI
	Schools?		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment will not result in negative impacts to schools. Rather, the recreational facilities and interpretation program proposed in the Land Use Plan Amendment could be a significant benefit to local schools by providing increased opportunities for fitness and educational programs.

			PS	LS w/M	LS	NI
	Parks?		☐	☐	☐	☒

The Land Use Plan Amendment will result in a positive, beneficial effect to the District's facilities by providing increased recreational facilities and interpretative programming.

			PS	LS w/M	LS	NI
	Other public facilities?		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment will not adversely affect other public facilities.

XV. RECREATION

ENVIRONMENTAL SETTING. Oyster Bay is Included in the District's Shoreline Unit that also includes Robert W. Crown Memorial State Beach, Encinal Point, Hayward Regional Shoreline, Eden Landing, Miller/Knox Regional Shoreline, Point Isabel Regional Shoreline, McLaughlin Eastshore State Park, Brooks Island, Point Pinole Regional Shoreline, San Pablo Bay, and Wildcat Creek Trail.

Oyster Bay is a former landfill that has continually been manipulated by fill and grading, and as such it provides a unique opportunity to develop active recreation facilities that typically not found at other District facilities, including the following that are proposed in the Land Use Plan Amendment.

Bicycle Skills Area. Oyster Bay's topography, still in the final stages of grading, would be suitable for a Bicycle Skills Area. Oyster Bay's location along the Bay Trail, proximity to the District's Martin Luther King Jr. Regional Shoreline and to residential areas renders this site for a Bicycle Skills Area particularly attractive to younger riders from neighboring, urban areas, and might serve as a gateway to trail riding in other regional parks. The regional draw of Oyster Bay offers the potential to provide a comprehensive bicycle park experience that is safe, more accessible and accommodating than any other regional parkland or known mountain biking facilities in the District's two-county area.

Bicycle Skills Areas come in a wide range of sizes and designs and are usually designed to provide a range of technical riding challenges to riders of varied skill levels. The City of Pleasanton, through an agreement with the District, currently leases land at the District's Shadow Cliffs Regional Recreation Area to operate a BMX track facility. The City of Pleasanton fully operates and manages the BMX track, and is responsible for all costs associated with construction and operation of the facility. By all accounts from City and District staff to date, the BMX track is successful and is well utilized by families and children in the region.

Disc Golf Course. The Land Use Plan Amendment recommends development of a disc golf course in the southwestern area of the park. The sport of disc golf has grown rapidly in popularity over the past several years and during the public scoping process for the Land Use Plan Amendment, a number of participants suggested the development of a disc golf facility at Oyster Bay. Disc golf is a low cost form of outdoor recreation that can be enjoyed year-round and can share space with other types of passive recreational activities. Oyster Bay provides diverse topography in wooded and open settings that is desirable for disc golf courses.

Special Event Area. The District also hosts a variety of other special events at its facilities, such as the Healthy Parks, Healthy People Festival at Quarry Lakes Regional Recreation Area, the North Richmond Shoreline Festival at Point Pinole Regional Shoreline, Concerts at the Cove at Crown Beach, and Outdoor Movie Night at Ardenwood.

Off-Leash Dog Area. The East Bay Regional Park District is one of the few public open space agencies that provides access to unleashed dogs across the majority of its regional parklands and trails. The District's Ordinance 38 requires that dogs be leashed within 200 feet of parking areas, trailheads, and staging areas and within developed areas defined as public roads open to vehicular traffic, lawns and play fields, decks, parking areas, campgrounds, concession areas, equestrian centers, archery facilities, gun ranges, paved multi-use regional trails, and other areas specifically designated by the District's Board of Directors.

REGULATORY CONTEXT. The City of San Leandro General Plan designates recognizes that Oyster Bay *"holds the greatest potential for improvement among EBRPD's local landholdings"* and includes the following policy and action specific to the future development of the park:

Policy 23.01 – Oyster Bay Regional Shoreline. Maintain Oyster Bay Regional Shoreline Park as permanent open space. Support EBRPD efforts to develop recreational facilities, such as picnic areas, interpretive trails and plaques, and children's play areas, at Oyster Bay.

Action 23.01-A: Update of Oyster Bay Park Plan. Encourage EBRPD to update the Land Use Master Plan for Oyster Bay Regional Park, and work with EBRPD to solicit citizen input in the update process.

The District's Master Plan includes the following policies associated with providing recreational facilities:

RFA 2: The District will provide a diverse system of trails to accommodate a variety of recreational users including hikers, joggers, dog owners, bicyclists, and equestrians. Both wide and narrow trails will be designed and designated to accommodate either single or multiple users, as appropriate, based on location, recreational intensity, environmental, and safety considerations.

RFA 6: The District will continue to develop group and family picnic facilities throughout the parks system and will continue to improve the reservation system.

RFA 10: The District will continue to provide special recreational facilities throughout the parklands to broaden the range of opportunities in the parks and to take advantage of existing resources. The District will ensure that these facilities are compatible with the District's vision and mission, with other parkland resources and priorities, and with public needs and demands.

CEQA CONTEXT. A project would normally result in a significant impact to recreation if it would conflict with the established recreational uses of the project area.

			PS	LS w/M	LS	NI
a)	**Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**		☐	☐	☐	☒

Implementation of the proposed Land Use Plan Amendment will increase use of the existing Oyster Bay Regional Shoreline however; this increased use is not expected to result in substantial physical deterioration of the park. Regular park operations and management activities will continue to be carried out by the District's Shoreline Unit to ensure that the condition of the entire park facility remains in prime condition. Development of the proposed service yard will result in more efficient operation and management as it will provide increased equipment storage and access.

			PS	LS w/M	LS	NI
b)	**Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**		☐	☐	☒	☐

Implementation of the Land Use Plan Amendment will expand recreational activities through development of the various elements, including the Davis Street access and parking areas, Bicycle Skills Area, disc golf course, Special Event Area, and additional picnic areas. Development of these recreational features is not expected to result in adverse effects on the environment. The vegetation management element of the proposed Land Use Plan Amendment is expected to result in a beneficial effect on the environment as undesirable, invasive plant species are removed and desirable plant species suitable to the location are planted. Areas of Oyster Bay may be temporarily restrict to the public while restoration areas are being established.

XVI. TRANSPORTATION/TRAFFIC

ENVIRONMENTAL SETTING. Land uses surrounding Oyster Bay Regional Shoreline include industrial and residential. Davis Street, the proposed park entrance, is a two-lane street that terminates in a cul-de-sac. The cul-de-sac provides entrance to the City of San Leandro's Water Pollution Control Plant, the City of San Leandro Rifle and Pistol Range, and the Waste Management facility, as well as temporary maintenance access to Oyster Bay Regional Shoreline. Additional recycling companies and other industrial and commercial uses are located along Davis Street, resulting in a busy traffic environment.

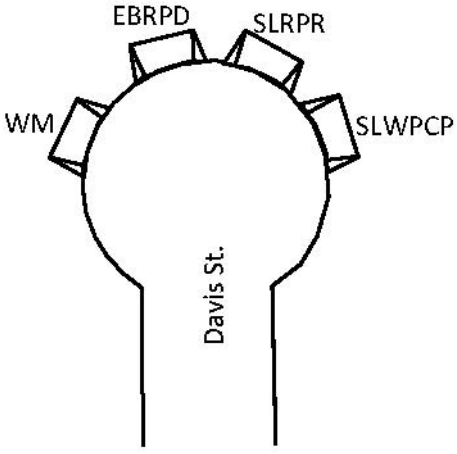
Neptune Drive is the existing walk and bike-in entrance to Oyster Bay Regional Shoreline. Currently, visitors to Oyster Bay arriving by vehicle park along Neptune Drive, which can accommodate approximately 45 vehicles. Walk-in and cyclist access is also provided at Davis Street, though street parking along Davis Street is limited.

Oyster Bay Regional Shoreline features an existing two-mile long Class I Bike Path that creates a loop between the existing Neptune Drive access and the proposed Davis Street access along the San Francisco Bay shoreline. Class I Bike Paths provide a completely separate right-of-way for the exclusive use of cyclists and pedestrians from the vehicular right-of-way. This bike path is part of the San Francisco Bay Trail. Cyclists, and other recreationists, can continue the San Francisco Bay Trail on the Bill Lockyer Bridge, which crosses over the San Leandro Slough and continues northerly past the Metropolitan golf Links and beyond.

There is no direct public transportation to Oyster Bay Regional Shoreline. The San Leandro BART station is located approximately two miles east of Oyster Bay. AC Transit Line 89 routes closest to Oyster Bay from the BART station with a stop at the intersection of Aurora Drive and Marina Boulevard.

Traffic Study. The Traffic Study of the Oyster Bay Regional Shoreline Davis Street Access Driveway (Traffic Study) was prepared for the District by Dowling Associates, Inc. on March 13, 2012 to determine the optimal configuration to connect Oyster Bay Regional Shoreline entrance road to Davis Street and evaluate whether the project would result in traffic impacts. The Traffic Study documented existing traffic conditions in the vicinity of the Davis Street access and analyzed seven alternatives for developing the primary access for Oyster Bay Regional Shoreline at Davis Street, focusing on traffic circulation outside of the park boundaries and assuming that a maximum of 700 vehicular parking spaces would be developed at maximum build-out of the Land Use Plan Amendment. The intersection of Davis Street and Doolittle Drive was specifically analyzed for level-of-service impacts associated with development of the Davis Street access.

The alternative selected for the primary access will provide a new driveway on the existing park right-of-way adjacent to the existing Waste Management driveway. Additional right-of-way is being acquired by the District from Waste Management and the City of San Leandro Rifle and Pistol Range to provide adequate driveway width to accommodate two vehicular travel lanes and a pedestrian/bicycle path. The new park driveway will share the entrance to the City of San Leandro Rifle and Pistol Range and a roundabout will be installed in the Davis Street cul-de-sac. The roundabout will serve as the means of right-of-way control, eliminating the need for stop signs. Vehicles exiting any of the affected driveways will be required to yield to vehicles already in the roundabout.



The Traffic Study analyzed the following scenarios to predict the effect of the Davis Street access on traffic:

- Initial Project Scenario. This represents the current level of visitorship as measured as part of the Traffic Study with the access at Davis Street instead of Neptune Drive.
- Cumulative Project Scenario. This represents the maximum build-out of the Land Use Plan Amendment, including the development of a maximum of 700 vehicular parking spaces within the park boundaries along with access at

Davis Street instead of Neptune Drive. This condition was evaluated for the average weekday and three weekend conditions.

Under the Initial Project Scenario, the Traffic Study assumed that at peak condition, all 45 parking spaces along Neptune Drive are utilized by park visitors and that the average turn-over is one hour. This correlates to the assumption that 90 vehicles would pass through the Davis Street/Doolittle Drive intersection for each peak hour condition (45 vehicles coming into the park and 45 vehicles leaving the park for each peak hour of park usage).

Under the Cumulative Project Scenario – Weekday Condition, traffic counts for the main entry to the District's Robert W. Crown Memorial State Beach (Crown Beach) were utilized to estimate a reasonable number of vehicle trips to correspond with Oyster Bay Regional Shoreline at maximum build-out of the Land Use Plan Amendment. The analysis concludes there would be 39 vehicles arriving and 22 vehicles departing Oyster Bay during the AM peak hour and there would be 26 vehicles arriving and 16 vehicles departing Oyster Bay during the PM peak hour.

Under the Cumulative Project Scenario – Weekend Condition, three sub-conditions were analyzed:

- Typical Saturday. This condition assumes that the peak hour would consist of 233 vehicles arriving and the same number departing. This correlates to one-third of the maximum build-out of 700 vehicular parking spaces.
- Busy Saturday. This condition would occur when optimal conditions for increased park visitorship occur, such as particularly good weather. Under this condition, the peak hour would consist of 467 vehicles arriving and the same number departing. This correlates to two-thirds of the maximum build-out of 700 vehicular parking spaces.
- Saturday Special Event. This condition would occur when a special event is held. Under this condition, all 700 vehicular parking spaces planned for maximum build-out would be filled over time as people arrive for the event and all 700 vehicles would depart immediately after the event.

Level of Service for Doolittle/Davis
(output reported is average delay in seconds per vehicle and Level of Service)

	Weekday AM Peak		Weekday PM Peak		Saturday Peak	
Scenario	**Delay**	**LOS**	**Delay**	**LOS**	**Delay**	**LOS**
Existing without Project	39	D	35	D	34	C
Existing + Initial Project	40	D	40	D	36	D
Future without Project	167	F	96	F	72	E
Future + Cumulative Project (typical)	171	F	97	F	101	F
Future + Cumulative Project (busy)	n/a	n/a	n/a	n/a	126	F
Future + Cumulative Project (special)	n/a	n/a	n/a	n/a	115	F

The Traffic Study concluded that the existing level-of-service at the Davis Street/Doolittle Drive intersection would change very little with development of the Davis Street access at Oyster Bay Regional Shoreline. Future traffic conditions, which were obtained from the City of San Leandro and developed using the Alameda County Transportation Commission's Countywide demand model, incorporate future development and population growth and were used to estimate the future level-of-service at the Davis Street/Doolittle Drive intersection for the Cumulative Project scenario. For each of the three sub-conditions, under both the weekday and Saturday peak periods, the level-of-service at the Davis Street/Doolittle Drive intersection is expected to be "F." It is important to note that the future level-of-service at the Davis Street/Doolittle Drive intersection is projected to be "F" even without development of the Davis Street access at Oyster Bay Regional Shoreline for weekday peak hours and "E" for the Saturday Peak. Level-of-service "E" means that traffic conditions are at the design capacity of the intersection, resulting in significant delays. Level-of-service "F" means that conditions are very congested and exceed the design capacity of the intersection, resulting in excessive delays. Typically, traffic mitigation is warranted when implementation of a project is expected to downgrade level-of-service from "E" to "F." The Traffic Study concluded

this would not likely be the case for the Land Use Plan Amendment, including the Davis Street access, because peak times for parks are not the same as they are for typical commuter traffic conditions, particularly on Saturdays.

REGULATORY CONTEXT. The San Leandro General Plan designates Davis Street as an arterial, meaning that Davis Street serves as part of a network for through-traffic in and around the City of San Leandro. Arterial streets provide primary connections between freeways and major destinations, and carry cross-town and commercial traffic. Additional arterial streets in the general vicinity of Oyster Bay Regional Shoreline include Doolittle Drive, Marina Boulevard and Fairway Drive, both east of Doolittle Drive. West of Dootlittle Drive, Marina Boulevard is designated as a Residential Arterial and Fairway Drive is designated as a Residential Collector. These streets (Davis Street, Williams Street, Doolittle Drive, and Marina Boulevard Fairway Drive east of Doolittle Drive) are also designated Truck Routes in the San Leandro General Plan. This designation is intended to facilitate truck traffic and avoid neighborhood conflicts. Williams Street and Neptune Drive are designated as Collectors. Collector streets carry moderate amounts of traffic between local streets and the arterial streets. Roadway improvement projects identified in the City of San Leandro's General Plan within the vicinity of Oyster Bay Regional Shoreline include the Eden Road and Polvorosa Street extensions.

The overall Goal of the City of San Leandro General Plan's Neighborhood Traffic Management element is to *"minimize the adverse effects of business, industrial, and through traffic on neighborhood streets"* and the following Policies promote achieving this Goal:

> **Policy 17.01** **Traffic Calming Strategies**. Use a variety of approaches to slow down or "calm" traffic on San Leandro streets, based on the specific conditions on each street. Emphasize approaches that improve conditions for pedestrians and bicyclists and enhance neighborhood aesthetics.
>
> **Policy 17.02** **Collector and Local Street Objectives.** On collector streets, support traffic calming measures that reduce average travel speed but maintain roadway capacity and function. On local streets, emphasize visual deterrents to through-traffic (such as street trees, planters, and narrower pavement width at intersections), rather than physical obstacles to traffic flow (such as street closures). Street closures should only be used as a last resort to address traffic conflicts.

The San Leandro General Plan designates the Davis Street / Doolittle Drive intersection as having a level-of-service "D" for the morning peak hour and "C" for the evening peak hour. By the year 2015, both the morning and evening peak hour level-of-service are forecasted to be "D." The increase in traffic volumes during the evening peak hour are projected to increase by more than 50 percent on sections of Davis Street, Marina Boulevard, and Williams Street, streets in the vicinity of Oyster Bay Regional Shoreline, because these are areas in which employment growth is anticipated.

The City of San Leandro has established level-of-service "D" as the minimum acceptable service level of intersections. This level-of-service can only be exceeded if road improvements are not possible due to right-of-way constraints (i.e.: right-of-way does not exist or cannot be acquired without significant impacts on adjacent buildings and properties) or the intersection or road segment is in a pedestrian district where the priority is on pedestrian, bicycle, and public transit access over vehicular access. The City of San Leandro General Plan does not include a specific improvement at the Davis Street / Doolittle Drive intersection, but does include several improvements on other reaches of Davis Street and streets in the vicinity of Oyster Bay Regional Shoreline.

The overall Goal of the City of San Leandro General Plan's Streets and Highways element is to *"improve major transportation arteries for circulation in and around the City"* and the following Policies promote achieving this Goal:

> **Policy 16.02** **Level of Service**. Use Level of Service (LOS) "D" as the minimum acceptable service standard for streets and intersections, except as otherwise indicated in the Transportation Element.
>
> **Policy 16.04** **Traffic Flow Improvements.** Use a variety of measures to improve traffic flow at congested intersections, including technologically advanced tools such as signal timing and video monitoring.

The City of San Leandro published the Bicycle and Pedestrian Master Plan in November 2004, which updated the prior 1997 Bicycle Master Plan. The Bicycle and Pedestrian Master Plan includes implementing Goals and Policies, identifies the

pedestrian and bicycle network, identifies and recommends specific improvements for bicycle and pedestrian safety, and provides construction estimates and funding sources for the recommended improvements. The Bicycle and Pedestrian Master Plan is consistent the City of San Leandro General Plan.

The existing Bay Trail at Oyster Bay Regional Shoreline, including the Bill Lockyer Bridge, is identified as a Class I Bikeway / Bike Path. This type of facility *"provides a completely separate right-of-way and is designated for the exclusive use of bicycles and pedestrians with vehicle and pedestrian cross-flow minimized."* The Bicycle and Pedestrian Master Plan designates Williams Street as a Class II Bikeway / Bike Lane between Neptune Drive and Alvarado Street. A Class II Bikeway / Bike Lane *"provides a restricted right-of-way and is designated for the use of bicycles with a striped lane on a street or highway. Bicycle lanes are generally five feet wide. Vehicle parking and vehicle/pedestrian cross-flow are permitted."* Neptune Drive is designated as an existing Class III Bikeway / Bike Route, which *"provides for a right-of-way designated by signs or pavement markings for a shared use with pedestrians or motor vehicles."* In terms of projects proposed in the Bicycle and Pedestrian Master Plan within the vicinity of Oyster Bay Regional Shoreline, a Class III Bikeway / Bike Route is recommended on Davis Street between Oyster Bay Regional Shoreline and Doolittle Drive, and a Class II Bikeway / Bike Lane is identified on Doolittle Drive between Davis Street and Fairway Drive.

The overall Goal of the City of San Leandro General Plan's Bicycle and Pedestrian Circulation element is to *"promote and accommodate alternative, environmentally-friendly methods of transportation, such as walking and bicycling"* and the following Policies promote achieving this Goal:

> **Policy 14.01 Citywide Bikeway System**. Develop and maintain a Citywide bikeway system which effectively serves residential areas, employment centers, schools, parks, and multi-modal terminals.
>
> **Policy 14.03 Accommodation of Bicycles and Pedestrians.** Require new development to incorporate design features that make walking, cycling, and other forms of non-motorized transportation more convenient and attractive. Facilities for bicycles and pedestrians, including bike racks, should be provided within new employment areas, shopping destinations, multi-modal transportation facilities, and community facilities.
>
> **Policy 14.07 Pedestrian Environment.** Strive to achieve a more comfortable environment for pedestrians in all areas of San Leandro, with particular emphasis on the BART Station areas, Downtown, and major commercial thoroughfares such as East 14th Street.
>
> **Action 14.07-B Pedestrian and Bicycle Crossing Improvements.** Improve crossings for pedestrians and cyclists at intersections in the City through the use of brick pavers, small curb radii, bulb outs, street trees and landscaping near corners, and other measures which shorten pedestrian crossings or increase driver awareness of non-vehicle traffic. Continue to implement the Americans with Disabilities Act (ADA) and remove mobility barriers for persons with disabilities

The District's Master Plan includes the following policies associated with providing access and parking at its Regional Parks:

> **PA 4:** The District will provide access to parklands and trails to suit the level of expected use. Where feasible, the District will provide alternatives to parking on or use of neighborhood streets. The District will continue to advocate and support service to the regional park system by public transit.
>
> **PA 5:** The District will cooperate with regional planning efforts to create more walkable communities and coordinate park access opportunities with local trails and bike paths developed by other agencies to promote green transportation access to the Regional Parks and Trails.
>
> **PA 6**: The District will comply with the requirements of the Americans with Disabilities Act and use the current edition of the California State Parks Accessibility Guidelines as its standard for making the improvements necessary to create accessible circulation, programs, and facilities throughout the Park District.

CEQA CONTEXT. A project would normally result in a significant impact to transportation and traffic if it would conflict with the adopted transportation plans and goals of the community where it is located, interfere with emergency response plans

or emergency evacuation plans, or cause an increase in traffic that is substantial in relationship to the existing traffic load and capacity of the street system.

Would the project:			PS	LS w/M	LS	NI
a)	**Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**		☐	☐	☐	☒

Implementation of the LUPA and development of the Davis Street access will not conflict with any applicable plans, ordinances, or policies associated with the performance of the circulation system, including the District's Master Plan, the City of San Leandro General Plan, the City of San Leandro Bicycle and Pedestrian Master Plan, San Francisco Bay Trail Plan, AC Transit, and the Alameda County Transportation Commission's 2011 Congestion Management Program.

Would the project:			PS	LS w/M	LS	NI
b)	**Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**		☐	☐	☐	☒

Davis Street, also known as State Route 61, is included in the Alameda County Transportation Commission's 2011 Congestion Management Program (CMP) as part of the designated system, tier 2 roadway list. The CMP network of roadways is considered to be the core transportation network for Alameda County. The purpose of the CMP list is to *"monitor performance in relation to established level-of-service standards"* and take actions or develop plans to improve the overall level-of-service on the designated roadways that are not meeting established standards. Implementation of the LUPA and development of the Davis Street access will not conflict with Alameda County CMP.

Would the project:			PS	LS w/M	LS	NI
c)	**Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment will not result in a change in air traffic patterns, increase traffic levels, or result in changes that could cause safety risks. The Land Use Plan Amendment, including the Davis Street Access, is consistent with the Oakland International Airport Land Use Compatibility Plan.

Would the project:			PS	LS w/M	LS	NI
d)	**Substantially increase hazards due to a design feature** *(e.g., sharp curves or dangerous intersections)* **or incompatible uses** *(e.g., farm equipment)***?**		☐	☒	☐	☐

Implementation of the Land Use Plan Amendment, including development of the Davis Street access, will not substantially increase hazards due to design features or incompatible uses. The Davis Street cul-de-sac will be modified to accommodate the new park access and has been designed to maximize safety. The park access driveway will be combined with the driveway into the City of San Leandro Rifle and Pistol Range to avoid the addition of a new driveway in the Davis Street cul-de-sac and a low-curb roundabout will be installed within the cul-de-sac to control right-of-way. The roundabout is considered to be safer than stop sign controls in this circumstance. The Traffic Study concludes that roundabouts are safer for vehicles because they result in lower vehicle speeds and simplify the driver's approach: stop sign control requires drivers to look both to the left and to the right, whereas roundabout control requires drivers to look only to the left upon entry. The City of San Leandro General Plan states that roundabouts are a preferable method for traffic calming, in which the objective is to slow drivers down rather than reduce traffic volume.

The Traffic Study concluded that the addition of vehicles on Davis Street that would result from development of the Davis Street access will increase the number of potential conflicts with vehicles accessing the Waste Management facility and other businesses on Davis Street in the short-term, as drivers adjust to the roundabout. This short-term impact is expected to lessen over time as drivers adjust to the changed conditions in the Davis Street cul-de-sac. The Traffic Study recommended the following mitigation measures that when implemented by the District and the City of San Leandro will reduce the potentially significant short-term impact to a less than significant level:

> **Mitigation Measure TT-1:** The City of San Leandro will temporarily increase traffic enforcement along Davis Street to ensure that traffic laws, especially those related to turning, parking, and other maneuvering, are obeyed.
>
> **Mitigation Measure TT-2:** The District will provide public education in the form of paper flyers delivered to businesses prior to the new roadway opening. The flyer will encourage the businesses to educate their customers about the impending opening of the new park access, and to expect an increase of recreational traffic along Davis Street, including pedestrians and bicyclists.
>
> **Mitigation Measure TT-3:** The District will repeat the public education effort a few months after the new roadway opens, as well as each time a new parking area is constructed as a reminder, with most of the information about new roadway users repeated.

Special events at Oyster Bay Regional Shoreline will increase local traffic volumes as attendees arrive and as they depart. At full implementation of the Land Use Plan Amendment, parking for a maximum of 700 vehicles will be provided. It is expected that attendees would arrive over time prior to a special event, gradually becoming more congested as the starting time for the event approaches. Attendees would exit Oyster Bay Regional Shoreline within a short period of time after the event concludes. This is not expected to result in a significant impact to traffic because special events will occur occasionally and traffic associated with special events will not be the normal condition. Traffic associated with attendees arriving for the event will be spread out over a period of time and traffic associated with attendees exiting the event will be during non-peak hours. Traffic associated with attendees exiting special events may be split between Davis Street and Neptune Drive so that all 700 vehicles will not be exiting onto one street only. Implementation of following mitigation measure will reduce the potentially significant occasional impact associated with special event traffic to a less than significant level:

> **Mitigation Measure TT-4:** The District will develop a Special Events Traffic Control Plan (TCP) for special events that are expected to reach the 700 vehicle parking spaces at full implementation of the Land Use Plan Amendment. The TCP will describe traffic control for visitors attending special events, including how visitors will exit Oyster Bay Regional Shoreline after the event concludes.

Would the project:			PS	LS w/M	LS	NI
e)	**Result in inadequate emergency access?**		☐	☐	☐	☒

The Land Use Plan Amendment designates the existing Neptune Drive access as a secondary access for District and emergency vehicle access and an occasional exit for attendees of special events. Having two points of access at Oyster Bay Regional Shoreline for emergency access is beneficial.

Would the project:			PS	LS w/M	LS	NI
f)	**Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment, including development of the Davis Street access, will not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. Implementation of the Land Use Plan Amendment, including development of the Davis Street access, will not decrease the performance and safety of existing or proposed future public transit, bicycle, or pedestrian facilities and is expected to improve public safety by eliminating one of the existing driveways at the Davis Street cul-de-sac. The Land Use Plan Amendment, including development of the Davis Street access, is expected to complement adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities and increase the performance and safety of existing or proposed future public transit, bicycle, or pedestrian facilities by improving access to the existing San Francisco Bay Trail at Oyster Bay Regional Shoreline.

XVII. UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL SETTING.

Existing utilities at Oyster Bay include water lines from Neptune Drive that provide water for the drinking fountain, located at the Neptune Drive access, and solar-powered turf irrigation in the existing group picnic area. An existing sewer line is located beneath Davis Street, along the south side of the access road that coveys leachate from Oyster Bay to the Davis Street main line. This line is currently at capacity and cannot accommodate additional tie-ins. The District has no intention of tying into this line. There is no electrical service at Oyster Bay.

The Land Use Plan Amendment recommends that water service be provided to all staging and picnic areas and that irrigation systems be installed in new turf and revegetation areas. Municipal water will service drinking fountains in the staging areas and the irrigation system throughout the park. Irrigation systems will be designed and monitored to minimize groundwater infiltration and leachate generation. Extension of the existing municipal water line for drinking fountains, irrigation, and potential fire hydrants will be coordinated with the East Bay Municipal Utility District. The Land Use Plan Amendment also recommends that electrical service connections be provided in the Special Event Area and that the sewer main be extended along the park roadway as part of the Davis Street Access to service the proposed service yard and future restrooms.

If fire hydrants are required by the Alameda County Fire Department, water will be provided by the same extended municipal water line. The necessity and locations of fire hydrants will be determined by the District and the Alameda County Fire Department during the design phases associated with implementation of specific Land Use Plan Amendment recommendations.

REGULATORY CONTEXT. The District's 2013 Master Plan includes the following policy regarding utilities:

> **PPRT 28:** New utility lines will be placed underground on land owned, operated, or managed by the District to retain the optimal visual qualities of the area. Rights-of-way and easements for utilities will not be granted without under-grounding. The District will work in cooperation with the utility companies to place existing overhead utilities underground (unless so doing conflicts with applicable codes) as soon as practical and will work with other agencies and neighbors to reduce visual impacts on adjacent lands. The District will seek to avoid the construction of high voltage power lines within the parklands, particularly in areas of sensitive or aesthetically important resources and in preserve areas.

CEQA CONTEXT. A project would normally result in a significant impact on utilities and service systems if it would exceed or conflict with existing standards, service capacities, and/or entitlements. Potentially significant impacts to utilities and service systems have been evaluated by determining new or altered services that would be required as a result of project implementation.

Would the project:			PS	LS w/M	LS	NI
a)	**Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**		☐	☐	☒	☐

The Land Use Plan Amendment recommends use of permanent un-sewered, vault restrooms at the proposed staging areas, which will be self-contained and regularly serviced. Portable restrooms may be utilized for occasional special events. Mitigation Measure HAZ-4 addresses the potential environmental effect of an accidental spill from portable restrooms. The Land Use Plan Amendment recommends the existing municipal sewer main be extended from Davis Street after the landfill has settled sufficiently to accommodate sewer lines and that time, restrooms will be connected to municipal sewer. Permanent restrooms, which would contribute to the sanitary system, would be sized appropriately such as to remain in compliance with all wastewater treatment requirements.

Would the project:			PS	LS w/M	LS	NI
b)	**Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**		☐	☐	☐	☒

The Land Use Plan Amendment does not include construction or expansion of new water or wastewater treatment facilities. The minor contribution that future permanent restrooms would have to the existing sanitary system would not require or result in the expansion of existing wastewater treatment facilities. The additional water to service drinking water fountains and provide irrigation water would not require the expansion of existing water facilities.

Would the project:			PS	LS w/M	LS	NI
c)	**Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**		☐	☐	☐	☒

The Davis Street access will re-design the existing storm water drainage system in the existing Gun Club parking area. The redesigned system is adequate for the parking area and the park entry. Storm water drainage associated with the driveway and sidewalk will include approximately 0.18 acre of pervious concrete and approximately 0.28 acre landscape area. Approximately 100 linear feet of 24-inch diameter storm drain piping and inlets will connect to the City of San Leandro's existing storm drain system located within Davis Street. Approximately 1,000 linear feet of free-standing curbs will be installed between the entry roadway and the new trail, which will include inlets to allow storm water to drain to the adjacent pervious concrete sidewalk. The staging area will include Storm water will drain to treatment areas consisting of planted landscape and /or pervious concrete. All drainage will maintain a three percent slope, a drainage requirement on landfills. These storm water design features are consistent with Alameda County storm water methods.

The Land Use Plan Amendment recommends the future development of additional staging areas and an internal vehicular roadway connecting the park roadway from Davis Street with the Neptune Drive access. These additional facilities will be designed utilizing the applicable storm water design requirements at the time.

Would the project:			PS	LS w/M	LS	NI
d)	**Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**		☐	☐	☐	☒

The Land Use Plan Amendment recommends that water service be provided to all staging and picnic areas. Water may also be used to irrigate new plants as vegetation management is implemented throughout Oyster Bay and to service future restrooms should sewer service be extended. These additional uses will not require new or expanded entitlements.

Would the project:			PS	LS w/M	LS	NI
e)	**Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**		☐	☐	☒	☐

The Land Use Plan Amendment recommends that the sewer main be extended along the park roadway as part of the Davis Street Access to the proposed service yard and future restrooms. The minor contribution that future permanent restrooms would have to the existing sanitary system would not exceed the capacity of the existing wastewater treatment.

Would the project:			PS	LS w/M	LS	NI
f)	**Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**		☐	☐	☒	☐

As an outdoor recreation facility, Oyster Bay will not generate quantities of solid waste such that it could not be accommodated by the landfill's permitted capacity. Construction activities will require the disposal of various materials, including asphalt, concrete, and vegetation. The following mitigation measures will ensure this potential impact remains less than significant.

Mitigation Measure UTL-1: All broken asphalt and concrete, wood debris, small amounts of scrap steel, plastics and vegetation waste associated with clearing and grubbing and tree removal shall be removed and disposed of offsite by the contractor in a legal manner at a site approved by the District. The contractor shall be responsible for making all arrangements for the disposal of such materials in a manner that shall comply with federal, state, and local statutes and regulations pertaining to solid and green waste.

Mitigation Measure UTL-2: All cut trees and associated slash and woody debris, soil and debris will be removed and disposed of offsite by the contractor in a legal manner at a site approved by the District. The contractor shall be responsible for making all arrangements for the disposal of such materials in a manner that shall comply with federal, state, and local statutes and regulations pertaining to solid waste and Sudden Oak Death and Light Brown Apple Moth quarantine compliance agreements.

Would the project:			PS	LS w/M	LS	NI
g)	**Comply with federal, state, and local statutes and regulations related to solid waste?**		☐	☐	☐	☒

The District will comply with all federal, state, and local regulations associated with solid waste during implementation of the Land Use Plan Amendment.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

			PS	LS w/M	LS	NI
a)	**Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**		☐	☒	☐	☐

Potentially significant impacts to biological resources are possible while the Land Use Plan Amendment is implemented. Mitigation measures included in this Initial Study will reduce the significance of these potential impacts to a less than significant level.

			PS	LS w/M	LS	NI
b)	**Does the project have impacts that are individually limited, but cumulatively considerable?** *("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)***?**		☐	☐	☒	☐

Implementation of the Land Use Plan Amendment is not expected to result in cumulatively considerable impacts.

			PS	LS w/M	LS	NI
c)	**Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**		☐	☐	☐	☒

Implementation of the Land Use Plan Amendment is not expected to result in environmental impacts that will cause substantial adverse effects on human beings.

SOURCES

East Bay Regional Park District staff evaluation based on review of the project site, project description, and past experience with similar projects.

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Appendices

APPENDIX A: PLANT SPECIES OBSERVED AT OYSTER BAY

Scientific Name	Common Name	Scientific Family	Special Status
Acacia longifolia	Sydney Golden Wattle	Fabaceae	- | - | -
Aesculus californica	California Buckeye	Sapindaceae	- | - | -
Amaranthus albus	Tumbleweed / Pigweed	Amaranthaceae	- | - | -
Anagallis arvensis	Scarlet Pimpernel	Myrsinaceae	- | - | -
Anthriscus caucalis	Bur-chervil	Apiaceae	- | - | -
Atriplex prostrata	Fat-hen / Spearscale	Chenopodiaceae	- | - | -
Avena barbata	Slender Wild Oat	Poaceae	- | - | -
Avena fatua	Wild Oat	Poaceae	- | - | -
Baccharis pilularis subsp. consanguinea	Coyote Brush	Asteraceae	- | - | -
Beta vulgaris subsp. maritima	Sea Beet	Chenopodiaceae	- | - | -
Bolboschoenus robustus	Seacoast Bulrush	Cyperaceae	- | - | -
Brassica nigra	Black Mustard	Brassicaceae	- | - | -
Bromus carinatus var. carinatus	California Brome	Poaceae	- | - | -
Bromus diandrus	Ripgut Grass	Poaceae	- | - | -
Bromus hordeaceus	Soft Chess	Poaceae	- | - | -
Bromus madritensis subsp. rubens	Red Brome	Poaceae	- | - | -
Carduus pycnocephalus subsp. pycnocephalus	Italian Thistle	Asteraceae	- | - | -
Ceanothus thyrsiflorus var. thyrsiflorus	Blue Blossom	Rhamnaceae	- | - | -
Centaurea solstitialis	Yellow Star-thistle	Asteraceae	- | - | -
Centromadia pungens subsp. pungens	Common Spikeweed	Asteraceae	- | - | -
Cercis occidentalis	Western Redbud	Fabaceae	- | - | A1
Cirsium vulgare	Bull Thistle	Asteraceae	- | - | -
Clarkia sp.	Clarkia	Onagraceae	- | - | -
Convolvulus arvensis	Bindweed	Convolvulaceae	- | - | -
Cortaderia jubata	Hairy Pampas Grass	Poaceae	- | - | -
Cotula australis	Australian Brass Buttons	Asteraceae	- | - | -
Crepis vesicaria subsp. taraxacifolia	Dandelion-leaf Hawksbeard	Asteraceae	- | - | -
Cuscuta pacifica var. pacifica	Goldenthread	Convolvulaceae	- | - | B
Cynara cardunculus subsp. flavescens	Artichoke Thistle	Asteraceae	- | - | -
Cyperus sp.	Nutsedge	Cyperaceae	- | - | -
Distichlis spicata	Salt Grass	Poaceae	- | - | -

Scientific Name	Common Name	Scientific Family	Special Status
Elymus glaucus subsp. glaucus	Western Wild-rye	Poaceae	- | - | -
Epilobium brachycarpum	Panicled / Weedy Willowherb	Onagraceae	- | - | -
Ericameria ericoides	California Goldenbush	Asteraceae	- | - | -
Erigeron bonariensis	Flax-leaved Horseweed	Asteraceae	- | - | -
Erodium cicutarium	Redstem Filaree	Geraniaceae	- | - | -
Erodium moschatum	Greenstem Filaree	Geraniaceae	- | - | -
Eschscholzia californica	California Poppy	Papaveraceae	- | - | -
Eucalyptus camaldulensis	River Red Gum	Myrtaceae	- | - | -
Euphorbia oblongata	European Spurge	Euphorbiaceae	- | - | -
Festuca perennis	Rye Grass	Poaceae	- | - | -
Foeniculum vulgare	Fennel	Apiaceae	- | - | -
Frangula californica subsp. californica	California Coffee Berry	Rhamnaceae	- | - | -
Frankenia salina	Alkali Heath	Frankeniaceae	- | - | -
Fremontodendron californicum	Calif. Flannelbush	Malvaceae	- | - | A1
Genista monspessulana	French Broom	Fabaceae	- | - | -
Grindelia stricta var. angustifolia	Marsh Gumplant	Asteraceae	- | - | C
Helminthotheca echioides	Bristly Ox-tongue	Asteraceae	- | - | -
Hesperocyparis macrocarpa	Monterey Cypress	Cupressaceae	- | - | -
Heteromeles arbutifolia	Christmas Berry / Toyon	Rosaceae	- | - | -
Hordeum marinum subsp. gussoneanum	Mediterranean Barley	Poaceae	- | - | -
Hordeum murinum subsp. leporinum	Hare Barley	Poaceae	- | - | -
Hordeum murinum subsp. murinum	Wall Barley	Poaceae	- | - | -
Jaumea carnosa	Fleshy Jaumea	Asteraceae	- | - | C
Kickxia elatine	Sharp Point Fluvellin	Plantaginaceae	- | - | -
Lactuca serriola	Prickly Lettuce	Asteraceae	- | - | -
Layia platyglossa	Tidy-tips	Asteraceae	- | - | C
Lepidium latifolium	Perennial Peppergrass	Brassicaceae	- | - | -
Lepidium strictum	Prostrate Peppergrass	Brassicaceae	- | - | -
Linum sp.	Flax	Linaceae	- | - | -
Lotus corniculatus	Bird's-foot Trefoil	Fabaceae	- | - | -
Malva nicaeensis	Bull Mallow	Malvaceae	- | - | -
Malva parviflora	Cheeseweed	Malvaceae	- | - | -
Malvella leprosa	Alkal-mallow	Malvaceae	- | - | -
Matricaria discoidea	Pineapple Weed	Asteraceae	- | - | -
Melilotus indicus	Sourclover	Fabaceae	- | - | -
Olea europaea	Olive	Oleaceae	- | - | -

Scientific Name	Common Name	Scientific Family	Special Status
Oxalis pes-caprae	Bermuda Buttercup	Oxalidaceae	- | - | -
Phalaris aquatica	Harding Grass	Poaceae	- | - | -
Phragmites australis	Common Reed	Poaceae	- | - | B
Pinus radiata	Monterey Pine	Pinaceae	- | - | -
Plantago coronopus	Buckhorn Plantain	Plantaginaceae	- | - | -
Plantago lanceolata	English Plantain	Plantaginaceae	- | - | -
Poa annua	Annual Blue Grass	Poaceae	- | - | -
Polygonum aviculare subsp. depressum	Prostrate Knotweed	Polygonaceae	- | - | -
Polypogon monspeliensis	Rabbitfoot Grass	Poaceae	- | - | -
Populus fremontii subsp. fremontii	Fremont Cottonwood	Salicaceae	- | - | -
Quercus chrysolepis	Canyon Live Oak	Fagaceae	- | - | -
Raphanus sativus	Radish	Brassicaceae	- | - | -
Ricinus communis	Castor Bean	Euphorbiaceae	- | - | -
Rubus armeniacus	Himalayan Blackberry	Rosaceae	- | - | -
Rumex crispus	Curly Dock	Polygonaceae	- | - | -
Rumex pulcher	Fiddle Dock	Polygonaceae	- | - | -
Salicornia pacifica	Pacific Pickleweed	Chenopodiaceae	- | - | -
Salsola soda	Opposite-leaved Russian Thistle	Chenopodiaceae	- | - | -
Schinus molle	Pepper Tree	Anacardiaceae	- | - | -
Schoenoplectus americanus	Olney's Three-square Bulrush	Cyperaceae	- | - | -
Senecio vulgaris	Common Groundsel	Asteraceae	- | - | -
Silybum marianum	Milk Thistle	Asteraceae	- | - | -
Solanum nigrum	Black Nightshade	Solanaceae	- | - | -
Sonchus asper subsp. asper	Prickly Sow Thistle	Asteraceae	- | - | -
Sonchus oleraceus	Common Sow Thistle	Asteraceae	- | - | -
Spartina foliosa	California Cord Grass	Poaceae	- | - | B
Stipa miliacea var. miliacea	Smilo Grass	Poaceae	- | - | -
Taraxacum officinale	Common Dandelion	Asteraceae	- | - | -
Tragopogon porrifolius	Purple Salsify	Asteraceae	- | - | -
Trifolium campestre	Hop Clover	Fabaceae	- | - | -
Trifolium fragiferum	Strawberry Clover	Fabaceae	- | - | -
Trifolium incarnatum	Crimson Clover	Fabaceae	- | - | -
Trifolium subterraneum	Subterranean Clover	Fabaceae	- | - | -
Vicia sp.	Vetch	Fabaceae	- | - | -
Xanthium spinosum	Spiny Cocklebur	Asteraceae	- | - | -

APPENDIX B: RECOMMENDED PLANT LIST

Oyster Bay Regional Shoreline LUPA Recommended Plant List (2013)			
Sorted by Growth Form; Alphabetically by Scientific Name		Jepsons Manual 2nd ed.	
Scientific Name	**Common Name**	**Tolerences**	**Attributes**
TREES			
Aesculus californica	California buckeye		
Arbutus menziesii	Pacific Madrone		
Cercis occidentalis	Western Redbud		
Fremontodendron califonicia,	Fremontia		
Garrya elliptica	Coast Silktassel		
Heteromeles arbutifolia	Toyon		
Lyonothamnus florifundus var. asplenifloius	Catalina Ironwood		
Pinus torreyana	Torrey Pine		
Populus fremontii	Western Cottonwood		
Prunus ilicifolia	Hollyleaf Cherry		
Prunus lyonii	Catalina Cherry		
Quercus agrifolia	Coast Live Oak		
SHRUBS			
Artemisia californica	California Sagebush		filler
Aster chilensis	California Aster		groundcover
Atriplex lentiformis	Quail Bush		habitat
Baccharis pilularis ssp. Pilularis	Dwarf Coyote Bush	poor soil	groundcover
Eriogonum giganteum	California Buckwheat		erosion control
Eriogonum grande var. rubescens	Red-flowered Buckwheat		filler
Mahonia pinnata	California Holly Grape	drought tolerant	habitat
Prunus ilicifolia ssp. Ilicifolia	Hollyleaf Cherry		screen; windbreak
Rhamnus californica	Coffeeberry		habitat
Rhus ovata	Sugar Bush		screen; windbreak
GRASSES			
Agrostis hallii	Hall's Bent Grass	poor soil	lawn sub
Argrostis pallens	Diego Bent Grass	poor soil	lawn sub.
Distichlis spicata	Salt Grass	poor soil	lawn sub.
Festuca californica	California fescue		erosion control
Festuca idahoensis	Fescue Bunchgrass		erosion control

Festuca rubra	Red Fescue	poor soil	lawn sub.
Hordeum brachyantherum	Meadow Barley	poor soil	
Koeleria macrantha	Junegrass	poor soil	
Leymus condensatus	Giant Wild Rye		erosion control
Melica californica	California Melic	poor soil	
Muhlenbergia rigens	Deer Grass		erosion control
Nassella lepida	Foothill Needle Grass	poor soil	erosion control
Nassella pulchra	Purple Needle Grass	poor soil	
PERENNIALS			
Armeria maritima ssp. Californica	Sea-thrift		border accent; lawn sub.
Brodiaea elegans	Harvest Brodiaea		easy to grow; grasslike
Dichelostemma capitatum	Blue Dicks	drought tolerant	
Dichelostemma ida-maia	Firecraker Flower		good for meadows
Eriophyllum nevinii	Catalina Silver Lace	low water	border accent
Iris douglasiana	Douglas Iris		good for meadows
Lupinus formosus	Summer Lupine		good for meadows
Solidago californica	California Goldenrod		good for meadows

APPENDIX C: WILDLIFE SPECIES OBSERVED AT OYSTER BAY

CLASS	COMMONNAME	LATIN NAME	OBS	EXP	OCCURR	STATUS
Birds	Allen's Hummingbird	*Selasphorus sasin*	yes	yes	O	
Birds	American Avocet	*Recurvirostra americana*		yes	O/B	
Birds	American Bittern	*Botaurus lentiginosus*		yes		
Birds	American Coot	*Fulica americana*		yes	O/B	
Birds	American Crow	*Corvus brachyrhynchos*	yes	yes	O	
Birds	American Goldfinch	*Carduelis tristis*	yes	yes	O	
Birds	American Green-winged Teal	*Anas crecca*		yes		
Birds	American Kestrel	*Falco sparverius*	yes	yes	O/B	
Birds	American Pipit	*Anthus rubescens*		yes	K	
Birds	American Robin	*Turdus migratorius*	yes	yes	O/B	
Birds	Anna's Hummingbird	*Calypte anna*	yes	yes	O/B	
Birds	Ash-throated Flycatcher	*Myiarchus cinerascens*	yes	yes	O	
Birds	Baird's Sandpiper	*Calidris bairdii*		yes		
Birds	Barn Swallow	*Hirundo rustica*	yes	yes	O/B	
Birds	Barrow's Goldeneye	*Bucephala islandica*		yes		
Birds	Belted Kingfisher	*Ceryle alcyon*	yes	yes	O	
Birds	Bewick's Wren	*Thryomanes bewickii*	yes	yes	O	
Birds	Black Phoebe	*Sayornis nigricans*	yes	yes	O/B	
Birds	Black Turnstone	*Arenaria melanocephala*	yes	yes	O	
Birds	Black-bellied Plover	*Pluvialis squatarola*	yes	yes	O	
Birds	Black-crowned Night Heron	*Nycticorax nycticorax*	yes	yes	O	
Birds	Black-headed Grosbeak	*Pheucticus melanocephalus*	yes	yes	O	
Birds	Black-necked Stilt	*Himantopus mexicanus*	yes	yes	O/B	
Birds	Brewer's Blackbird	*Euphagus cyanocephalus*		yes	K	
Birds	**Brown Pelican**	***Pelecanus occidentalis***	**yes**	**yes**	**O**	**CFP,St Delisted,Fed Delisted**
Birds	Brown-headed Cowbird	*Molothrus ater*		yes	O	
Birds	Bufflehead	*Bucephala albeola*		yes	K	
Birds	**Burrowing Owl**	***Athene cunicularia***		**yes**	**K/P**	**SSC**
Birds	Bushtit	*Psaltriparus minimus*	yes	yes	O/B	
Birds	Bullock's Oriole	*Icterus bullockii*	yes	yes	O/B	
Birds	**California Black Rail**	***Laterallus jamaicensis coturniculus***		**yes**	**K/H**	**ST, CFP**
Birds	**California Clapper Rail**	***Rallus longirostris obsoletus***		**yes**	**K/H**	**FE,SE,CFP**
Birds	**California Gull**	***Larus californicus***	**yes**	**yes**	**O**	**CWL**
Birds	California Towhee	*Pipilo fuscus*	yes	yes	O/B	
Birds	Canada Goose	*Branta canadensis*	yes	yes	O	
Birds	Canvasback	*Aythya valisineria*		yes	K	
Birds	Caspian Tern	*Hydroprogne caspia*	yes	yes	O	
Birds	Cedar Waxwing	*Bombycilla cedrorum*		yes	K	

CLASS	COMMONNAME	LATIN NAME	OBS	EXP	OCCURR	STATUS
Birds	Chestnut-backed Chickadee	*Parus rufescens*		yes	K	
Birds	Cinnamon Teal	*Anas cyanoptera*		yes	K	
Birds	Cliff Swallow	*Hirundo pyrrhonota*	yes	yes	O/B	
Birds	Common Barn Owl	*Tyto alba*		yes	K	
Birds	Common Goldeneye	*Bucephala clangula*		yes	K	
Birds	Common Raven	*Corvus corax*	yes	yes	O	
Birds	Common Yellowthroat	*Geothlypis trichas*		yes	K	
Birds	**Cooper's Hawk**	***Accipiter cooperii***	**yes**	**yes**	**O/B**	**CWL**
Birds	Dark-eyed (Oregon) Junco	*Junco hyemalis*		yes	K	
Birds	**Double-crested Cormorant**	***Phalacrocorax auritus***	**yes**	**yes**	**O**	**CWL**
Birds	Downy Woodpecker	*Picoides pubescens*		yes	K	
Birds	Dunlin	*Calidris alpina*		yes	K	
Birds	Eared Grebe	*Podiceps nigricollis*		yes	K	
Birds	**Elegant Tern**	***Sterna elegans***		**yes**	**K**	**CWL**
Birds	European Starling	*Sturnus vulgaris*	yes	yes	O/B	
Birds	Forster's Tern	*Sterna forsteri*	yes	yes	O	
Birds	Fox Sparrow	*Passerella iliaca*		yes	K	
Birds	Gadwall	*Anas strepera*	yes	yes	O	
Birds	Glaucous Gull	*Larus hyperboreus*		yes	K	
Birds	Glaucous-winged Gull	*Larus glaucescens*		yes	K	
Birds	**Golden Eagle**	***Aquila chrysaetos***		**yes**	**K**	**BGPA, CFP, CWL**
Birds	Golden-crowned Kinglet	*Regulus satrapa*	yes	yes	O	
Birds	Golden-crowned Sparrow	*Zonotrichia atricapilla*	yes	yes	O	
Birds	Great Blue Heron	*Ardea herodias*	yes	yes	O	
Birds	Great Egret	*Casmerodius albus*		yes	K	
Birds	Great Horned Owl	*Bubo virginianus*		yes	K	
Birds	Greater Scaup	*Aythya marila*		yes	K	
Birds	Greater White-fronted Goose	*Anser albifrons*		yes	K	
Birds	Greater Yellowlegs	*Tringa melanoleuca*	yes	yes	O	
Birds	Green-backed Heron	*Butorides striatus*		yes	K	
Birds	Hairy Woodpecker	*Picoides villosus*		yes	K	
Birds	Hermit Thrush	*Catharus guttatus*		yes	K	
Birds	Herring Gull	*Larus argentatus*		yes	K	
Birds	Hooded Oriole	*Icterus cucullatus*		yes	K	
Birds	Horned Grebe	*Podiceps auritus*		yes	K	
Birds	**Horned Lark, California**	***Eremophila alpestris actia***		**yes**	**K**	**CWL**
Birds	House Finch	*Carpodacus mexicanus*	yes	yes	O/B	
Birds	House Sparrow	*Passer domesticus*	yes	yes	O/B	
Birds	House Wren	*Troglodytes aedon*	yes	yes	O/B	
Birds	Hutton's Vireo	*Vireo huttoni*		yes	K	
Birds	Killdeer	*Charadrius vociferus*	yes	yes	O/B	
Birds	Least Sandpiper	*Calidris minutilla*		yes	O	

CLASS	COMMONNAME	LATIN NAME	OBS	EXP	OCCURR	STATUS
Birds	**Least Tern, California**	***Sternula antillarum browni***	**yes**	**yes**	**O**	**FE,SE,CFP**
Birds	Lesser Goldfinch	*Carduelis psaltria*	yes	yes	O	
Birds	Lesser Scaup	*Aythya affinis*	yes	yes	O	
Birds	Lesser Yellowlegs	*Tringa flavipes*		yes	K	
Birds	Lincoln's Sparrow	*Melospiza lincolnii*		yes	K	
Birds	**Loggerhead Shrike**	***Lanius ludovicianus***		**yes**	**K**	**SSC**
Birds	**Long-billed Curlew**	***Numenius americanus***	**yes**	**yes**	**O**	**CWL**
Birds	Long-billed Dowitcher	*Limnodromus scolopaceus*	yes	yes	O	
Birds	Mallard	*Anas platyrhynchos*	yes	yes	O/B	
Birds	Marbled Godwit	*Limosa fedoa*	yes	yes	O	
Birds	Marsh Wren	*Cistothorus palustris*		yes	K	
Birds	**Merlin**	***Falco columbarius***		yes	**K**	**CWL**
Birds	Mew Gull	*Larus canus*		yes	K	
Birds	Mourning Dove	*Zenaida macroura*	yes	yes	O/B	
Birds	Northern Oriole	*Icterus galbula*		yes	K	
Birds	Northern Flicker	*Colaptes auratus*		yes	K	
Birds	**Northern Harrier**	***Circus cyaneus***	**yes**	**yes**	**O**	**SSC**
Birds	Northern Mockingbird	*Mimus polyglottos*	yes	yes	O/B	
Birds	Northern Pintail	*Anas acuta*		yes	K	
Birds	Northern Shoveler	*Anas clypeata*	yes	yes	O	
Birds	Nuttall's Woodpecker	*Picoides nuttallii*		yes	K	
Birds	Oak Titmouse	*Baeolophus inornatus*		yes	K	
Birds	Oldsquaw	*Clangula hyemalis*		yes	K	rare
Birds	Olive-sided Flycatcher	*Contopus borealis*		yes	K	
Birds	Orange-crowned Warbler	*Vermivora celata*		yes	K	
Birds	**Osprey**	***Pandion haliaetus***		yes	K	**WL**
Birds	Pacific-slope Flycatcher	*Empidonax difficilis*		yes	K	
Birds	Pectoral Sandpiper	*Calidris melanotos*		yes	K	
Birds	Pelagic Cormorant	*Phalacrocorax pelagicus*		yes	K	
Birds	**Peregrine Falcon, American**	***Falco peregrinus anatum***	**yes**	**yes**	**O**	**CFP,Fed Delisted, St Delisted**
Birds	Pied-billed Grebe	*Podilymbus podiceps*		yes	K	
Birds	Pine Siskin	*Carduelis pinus*		yes	K	
Birds	Plain Titmouse	*Parus inornatus*		yes	K	
Birds	Purple Finch	*Carpodacus purpureus*		yes	K	
Birds	Red Knot	*Calidris canutus*		yes	K	
Birds	Red-breasted Merganser	*Mergus serrator*		yes	K	
Birds	Red-breasted Nuthatch	*Sitta canadensis*		yes	K	
Birds	Red-breasted Sapsucker	*Sphyrapicus ruber*		yes	K	
Birds	Red-necked Phalarope	*Phalaropus lobatus*		yes	K	
Birds	Red-shouldered Hawk	*Buteo lineatus*		yes	K	
Birds	Red-tailed Hawk	*Buteo jamaicensis*		yes	O/B	
Birds	Red-winged Blackbird	*Agelaius phoeniceus*	yes	yes	O	

CLASS	COMMONNAME	LATIN NAME	OBS	EXP	OCCURR	STATUS
Birds	Ring-billed Gull	*Larus delawarensis*		yes	K	
Birds	Ring-necked Duck	*Aythya collaris*		yes	K	
Birds	Ring-necked Pheasant	*Phasianus colchicus*		yes	K	
Birds	Rock Dove (Domestic Pigeon)	*Columba livia*	yes	yes	O	
Birds	Ruby-crowned Kinglet	*Regulus calendula*	yes	yes	O	
Birds	Ruddy Duck	*Oxyura jamaicensis*	yes	yes	O/B	
Birds	Ruddy Turnstone	*Arenaria interpres*	yes	yes	O	
Birds	Rufous Hummingbird	*Selasphorus rufus*		yes	K	
Birds	Sanderling	*Calidris alba*		yes	K	
Birds	Savannah Sparrow	*Passerculus sandwichensis*		yes	K	
Birds	**Saltmarsh Common Yellowthroat**	***Geothlypis trichas sinuosa***		**yes**	**K/H**	**SSC**
Birds	Say's Phoebe	*Sayornis saya*		yes	K	
Birds	Scrub Jay	*Aphelocoma coerulescens*	yes	yes	O/B	
Birds	Semipalmated Plover	*Charadrius semipalmatus*		yes	K	
Birds	**Sharp-shinned Hawk**	***Accipiter striatus***		**yes**	**K**	**CWL**
Birds	Short-billed Dowitcher	*Limnodromus griseus*	yes	yes	O	
Birds	**Short-eared Owl**	***Asio flammeus***		**yes**	**K/P**	**SSC**
Birds	Snowy Egret	*Egretta thula*		yes	O	
Birds	Solitary Vireo	*Vireo solitarius*		yes	K	
Birds	**Song Sparrow**	*Melospiza melodia*	yes	yes	O/B	
Birds	**Song Sparrow, Alameda**	***Melospiza melodia pusillula***		**yes**	**K/P**	**SSC**
Birds	Sora	*Porzana carolina*		yes	K	
Birds	Spotted Sandpiper	*Actitus macularia*		yes	K	
Birds	Surf Scoter	*Melanitta perspicillata*		yes	K	
Birds	Surfbird	*Aphriza virgata*		yes	K	
Birds	Swainson's Thrush	*Catharus ustulatus*		yes	K	
Birds	Thayer's Gull	*Larus thayeri*		yes	K	
Birds	Townsend's Warbler	*Dendroica townsendi*		yes	K	
Birds	Tree Swallow	*Tachycineta bicolor*		yes	K	
Birds	Turkey Vulture	*Cathartes aura*	yes	yes	O	
Birds	Varied Thrush	*Ixoreus naevius*		yes	K	
Birds	Violet-green Swallow	*Tachycineta thalassina*		yes	K	
Birds	Virginia Rail	*Rallus limicola*		yes	K	
Birds	Warbling Vireo	*Vireo gilvus*		yes	K	
Birds	Water Pipet	*Anthus spinoletta*		yes	K	
Birds	Western Bluebird	*Sialia mexicana*		yes	K	
Birds	Western Flycatcher	*Empidonax difficilis*		yes	K	
Birds	Western Grebe	*Aechmophorus occidentalis*	yes	yes	O	
Birds	Western Gull	*Larus occidentalis*	yes	yes	O	
Birds	Western Meadowlark	*Sturnella neglecta*	yes	yes	O/B	
Birds	Western Sandpiper	*Calidris mauri*	yes	yes	O	
Birds	Western Scrub-Jay	*Aphelocoma californica*	yes	yes	O/B	

CLASS	COMMONNAME	LATIN NAME	OBS	EXP	OCCURR	STATUS
Birds	Western Wood-Pewee	*Contopus sordidulus*		yes	K	
Birds	Whimbrel	*Numenius phaeopus*		yes	K	
Birds	White-breasted Nuthatch	*Sitta carolinensis*		yes	K	
Birds	White-crowned Sparrow	*Zonotrichia leucophrys*		yes	K	
Birds	White-throated Sparrow	*Zonotrichia albicollis*		yes	K	
Birds	White-throated Swift	*Aeronautes saxatalis*	yes	yes	O	
Birds	**White-tailed Kite**	***Elanus leucurus***	**yes**	**yes**	**O/B**	**CFP**
Birds	Wilson's Phalarope	*Phalaropus tricolor*		yes	K	
Birds	Wilson's Warbler	*Wilsonia pusilla*		yes	K	
Birds	Winter Wren	*Troglodytes troglodytes*		yes	K	
Birds	Yellow-rumped (Audubon's) Warbler	*Dendroica coronata*		yes	K	
Birds	Yellow-rumped (Myrtle) Warbler	*Dendroica coronata*		yes	K	
Mammals	**Big Free-tailed Bat**	***Nyctinomops macrotis***				**SSC**
Mammals	Black Rat	*Rattus rattus*		yes	K	
Mammals	Black-tailed Hare	*Lepus californicus*	yes	yes	O	
Mammals	Botta Pocket Gopher	*Thomomys bottae*	yes	yes	O	
Mammals	California Ground Squirrel	*Spermophilus beecheyi*	yes	yes	O/B	
Mammals	California Meadow Mouse	*Microtus californicus*	yes	yes	O	
Mammals	Virginia Opossum	*Didelphis marsupialis*	yes	yes	O	
Mammals	Fox Squirrel	*Sciurus niger*	yes	yes	O	
Mammals	Gray Fox	*Urocyon cinereoargenteus*		yes	K	
Mammals	House Mouse	*Mus musculus*	yes	yes	O	
Mammals	Norway Rat	*Rattus norvegicus*		yes	K	
Mammals	Pinyon Mouse	*Peromyscus trueii*		yes		
Mammals	Raccoon	*Procyon lotor*	yes	yes	O	
Mammals	Red Fox	*Vulpes fulva*		yes	K	
Mammals	**Salt Marsh Harvest Mouse**	***Reithrodontomys raviventris***		**yes**	**K/H**	**FE,SE,CFP**
Mammals	Striped Skunk	*Mephitis mephitis*	yes	yes	O/B	
Mammals	Western Harvest Mouse	*Reithrodontomys megalotis*		yes	K	
Mammals	Western Pipistrelle	*Pipistrellus hesperus*		yes	K	
Reptiles	Coast Garter California	*Thamnophis elegans sirtalis*		yes	K	
Reptiles	Gopher Snake, Pacific	*Pituophis melanoleucus*	yes	yes	O	
Reptiles	Side-blotched Lizard, California	*Uta stansburiana*		yes		
Reptiles	Western Fence Lizard, Northwestern	*Sceloporus occidentalis*		yes	K	

APPENDIX D: SPECIAL STATUS WILDLIFE SPECIES AT OYSTER BAY

CLASS	COMMON NAME	SCIENTIFIC NAME	FEDERAL STATUS[1]	STATE STATUS[1]	OCCURRENCE[2]
Birds	Brown Pelican	*Pelecanus occidentalis*	Fed Delisted	CFP, St Delisted	O
Birds	Burrowing Owl	*Athene cunicularia*		SSC	K/P[4]
Birds	California Clapper Rail	*Rallus longirostris obsoletus*	FE	SE,CFP	K/H*
Birds	California Black Rail	*Laterallus jamaicensis coturniculus*		ST,CFP	K/H*
Birds	Eagle, Golden	*Aquila chrysaetos*	BGPA	CFP	K[4]
Birds	Harrier, Northern	*Circus cyaneus*		SSC[3]	O
Birds	Kite, White-tailed	*Elanus leucurus*		CFP[3]	O/B
Birds	Shrike, Loggerhead	*Lanius ludovicianus*		SSC[3]	K[4]
Birds	Least Tern, California	*Sternula antillarum browni*	FE	SE	O
Birds	Peregrine Falcon, American	*Falco peregrinus anatum*	Fed Delisted	CFP, St Delisted	O
Birds	Saltmarsh Common Yellowthroat	*Geothlypis trichas sinuosa*		SSC	K/H*
Birds	Short-eared Owl	*Asio flammeus*		SSC	K/P[4]
Birds	Song Sparrow, Alameda	*Melospiza melodia pusillula*		SSC	K/P
Mammals	Salt Marsh Harvest Mouse	*Reithrodontomys raviventris*	FE	SE,CFP	K/H*

[1] Status definitions and governing agencies as follows:

U.S. Fish and Wildlife Service
- FE Listed as endangered by the Federal Government
- FT Listed as threatened by the Federal Government
- FSC Federal Species of Concern
- FC Federal Candidate
- BGPA Bald Eagle Protection act

California Fish and Game Commission
- SE Listed as endangered by the state of California
- ST Listed as threatened by the state of California
- SSC Species of Special Concern
- CFP Fully Protected Species
- CP Protected Species

[2] Occurrence: O=observed during our surveys, K=known to occur, P=potential to occur, H=unlikely to occur historic record, B=breeding confirmed, and R=rare species, * Resource Analysis of 1976 records

[3] Rookeries or nesting only

[4] Migrant

Source: East Bay Regional Park District 7-19-13

APPENDIX E: FISH SPECIES

Common Name	Scientific Name	Observed	Expected	Status
Anchovy, Northern	*Engraulis mordax*		yes	
Bass, Striped	*Morone saxatilis*	yes	yes	
Croaker, White	*Genyonemus lineatus*		yes	
Flounder, Starry	*Platichthys stellatus*		yes	
Goby, Arrow	*Clevelandia ios*		yes	
Goby, Chameleon	*Tridentiger trigonocephalus*		yes	
Goby, Tidewater	*Eucyclogobius newberryi*			FE
Goby, Yellowfin	*Acanthogobius flavimanus*		yes	
Greenling, Kelp	*Hexagrammos decagrammus*		yes	
Halibut, California	*Paralichthys californicus*			
Herring, Pacific	*Clupea harengus*		yes	
Lamprey, Pacific	*Lampetra tridentata*		yes	
Midshipman, Plainfin	*Porichthys notatus*			
Pipefish, Bay	*Syngnathus leptorhynchus*		yes	
Ray, Bat	*Myliobatis californica*	yes	yes	
Rockfish, Brown	*Sebastes auriculatus*		yes	
Salmon, Chinook (King)	*Onchorhynchus tshawytscha*		yes	SSC Late Fall Run; SE Spring Run
Sanddab, Pacific	*Citharichthys sordidus*		yes	
Sculpin, Staghorn	*Leptocuttus armatus*	yes	yes	
Shad, American	*Alosa sapidissima*		yes	
Shark, Brown Smoothhound	*Mustelus henlei*	yes	yes	

Common Name	Scientific Name	Observed	Expected	Status
Shark, Leopard	*Triakis semifasciata*	yes	yes	
Shark, Pacific Angel	*Squatina californica*		yes	
Shark, Sevengill	*Notorynchus maculatus*		yes	
Shark, Spiny Dogfish	*Squalus acanthias*		yes	
Skate, Big	*Raja binoculata*		yes	
Skate, Starry	*Raja stellulata*		yes	
Smelt, Longfin	*Spirinchus thaleichthys*		yes	ST
Splittail	*Pogonichthys macrolepidotus*		yes	
Steelhead	*Onchorhynchus mykiss*		yes	FT
Stickleback, Three Spined	*Gasterosteus aculeatus*		yes	
Sturgeon, Green	*Acipenser medirostris*		yes	FT/ST
Sturgeon, White	*Acipenser transmontanus*		yes	
Surfperch, Barred	*Amphistichus argenteus*		yes	
Surfperch, Black	*Embiotoca jacksoni*		yes	
Surfperch, Calico	*Amphistichus koelzi*		yes	
Surfperch, Dwarf	*Micrometrus minimus*		yes	
Surfperch, Pile	*Damalichthys vacca*		yes	
Surfperch, Rainbow	*Hypsurus caryi*		yes	
Surfperch, Redtail	*Amphistichus rhodoterus*		yes	
Surfperch, Reef	*Micrometrus aurora*		yes	
Surfperch, Rubberlip	*Rhacochilus toxotes*		yes	
Surfperch, Shiner	*Cymatogaster aggregata*	yes	yes	
Surfperch, Striped	*Embiotoca lateralis*		yes	

Common Name	Scientific Name	Observed	Expected	Status
Surfperch, Walleye	*Hyperprosopon argenteum*		yes	
Surfperch, White	*Phanerodon furcatus*		yes	
Tonguefish, California	*Symphurus atricauda*	yes	yes	
Topsmelt	*Atherinops affinis*		yes	
Turbot, C-O	*Pleuronichthys coenosus*		yes	
Turbot, Diamond	*Hypsopsetta guttulata*		yes	

[1] Status definitions and governing agencies as follows:

U.S. Fish and Wildlife Service

FE	Listed as endangered by the Federal Government
FT	Listed as threatened by the Federal Government
FSC	Federal Species of Concern
FC	Federal Candidate
BGPA	Bald Eagle Protection act

California Fish and Wildlife Commission

SE	Listed as endangered by the state of California
ST	Listed as threatened by the state of California
SSC	Species of Special Concern
CFP	Fully Protected Species
CP	Protected Species

[2] Occurrence: O=observed during our surveys, K=known to occur, P=potential to occur, H=unlikely to occur historic record,

APPENDIX F: OYSTER BAY REGIONAL SHORELINE – LAND USE PLAN AMENDMENT MITIGATION MONITORING PROGRAM RESPONSIBILITY MATRIX

Mitigation Measure	Timing	Responsible for Implementing	Responsible for Monitoring
AIR QUALITY			
AIR-1: The District shall require all its construction contractors to implement a dust control plan that shall include the following Basic Construction Mitigation Measures as recommended by the BAAQMD: • All exposed and un-compacted surfaces (e.g., staging areas, soil piles, and graded areas) shall either be watered two times per day or covered with mulch, straw, or other dust control cover. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt tracked-out onto adjacent public roads shall be collected and removed at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding, dust control covers, or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measures (ATCM) Title 13, Section 2485 of California Code. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. .	During Construction	Contractor or Heavy Equipment Operator	Construction Inspector

Mitigation Measure	Timing	Responsible for Implementing	Responsible for Monitoring
BIOLOGICAL RESOURCES			
BIO-1: The District will conduct all park activities, including construction, operations, interpretation, and resource management, in accordance with best management practices for protecting regional wildlife resources, and state and federal laws protecting rare, threatened, and endangered species. .	During Construction	Staff Biologist or Consulting Biologist	Stewardship Manager
BIO-2: The District will, to the greatest extent feasible, remove trees, shrubs, and other vegetation between August 1 and March 15 to avoid bird-nesting season. General bird nesting season is between March 15 and July 31. If it is not feasible to avoid bird-nesting season, the District will complete bird-nesting surveys between one - four days immediately prior to the removal of vegetation. The area to be surveyed will include all construction sites for which vegetation removal is required to a buffer of 200 feet outside the boundary of the area to be cleared. In the event that an active nest is discovered in the area to be cleared or within the buffer area, clearing and construction within the buffer area surrounding the nest will be postponed. No construction activity will be allowed to occur within this area until it is determined that the young have fledged, the nest is vacated, and there is no evidence of second nesting attempts.	Prior to and During Construction	Staff Biologist or Consulting Biologist	Stewardship Manager

Mitigation Measure	Timing	Responsible for Implementing	Responsible for Monitoring
BIO-3: The District will require that rock slope protection be installed during a low water stage near the base of the slope. The timing for placement of rock slope protection will be limited to August 1 to October 31 to protect the aquatic habitat. The District will require the following methodology for placement of rock slope protection: the land at the water's edge would be excavated and graded by tractors with blades allowing for keying the riprap into the slope using either a dumping method or an excavator equipped with appropriate bucket. If excavated material cannot be reused on-site, it will be disposed of off-site. The District will require that heavy equipment be positioned in upland areas and avoid wetland vegetation. To protect the shoreline, the top of rock slope protection will be at an elevation which is at least one foot higher than the maximum expected water level. The toe of the rock slope protection will be excavated approximately two feet deep into the San Leandro Slough. The portion rock slope protection that would be placed within Waters of the U.S. and Waters of the State will be subject to compensatory mitigation for the placement of fill. The specifics of compensatory mitigation will be developed as part of the regulatory permit process associated with the Davis Street Access and could include the creation of new wetland and/or enhancement of existing wetland. Restoration and enhancement would be consistent the District's existing regional general permits.	During Construction	Contractor and Construction Inspector	Construction Inspector

Mitigation Measure	Timing	Responsible for Implementing	Responsible for Monitoring
BIOLOGICAL RESOURCES (continued)			
BIO-4: The District will utilize surplus soils on-site to the greatest extent feasible. Should disposal of surplus soils be necessary, the District will ensure that an acceptable disposal site is utilized. If any areas outside Oyster Bay are used by the contractor for disposal or stockpiling, the contractor will be required to demonstrate that the site has all the required permits, including regulatory permits. The contractor will be required to provide evidence to the District that stockpiling or filling on the site does not affect wetlands.	During Construction	Construction Inspector	Construction Inspector
BIO-5: The District will dispose of surplus concrete rubble, pavement, or other similar material at an acceptable and legally permitted disposal site, which may include a permitted concrete and/or asphalt recycling facility.	During Construction	Construction Inspector	Construction Inspector
BIO-6: The District will prepare and implement a sediment control plan for work in San Leandro Slough. The focus will be to prevent sediment from entering the slough and will include temporary, construction-related sediment controls that may include, but not be limited to, silt fencing, sediment traps, fiber rolls, and/or sediment barriers. The source of each specific sediment control measure proposed by the contractor will be documented in the sediment control plan.	Prior to Construction	Project Manager, Construction Inspector, and Contractor	Construction Inspector

Mitigation Measure	Timing	Responsible for Implementing	Responsible for Monitoring
GEOLOGY & SOILS			
GEO-1: The District will limit construction activities in upland areas to the dry season, May 1- October 31, whenever feasible. Construction activities within Waters of the U.S. or Waters of the State will be limited to September 1 – January 31 to avoid potential impacts to bird nesting season. .	During Construction	Construction Inspector	Construction Inspector
GEO-2: The District will prepare and implement an erosion control plan. The erosion control plan will include temporary, construction-related erosion control measures that may include, but not be limited to vegetation retention, erosion control blankets over a straw layer, silt fencing, placing gravel filter bags or straw wattles at all drain inlets, and hydroseeding. The erosion control plan will include measures for construction during the wet season, November 1 – July 31 such as hydro-seed all disturbed areas, including stockpile areas, with a seed mix specified by the District.	Prior to and during construction	Project Manager and Construction Inspector	Construction Inspector
GEO-3: The District will require that Contractors comply with the Best Management Practices (BMPs) in the 2009 Construction BMP Handbook / Portal by the California Stormwater Association (CASQA) [*www.CASQA.org*] in each of the work areas including construction staging areas, prior to, and immediately after, grubbing and clearing including, but not limited to the installation of silt fencing and fiber rolls. Erosion control measures shall remain in place, and be maintained until removed at the direction of the District inspector. Exposed work areas shall be hydroseeded and mulched at the close of construction at the locations shown on the construction plans.	During Construction	Contractor or Heavy Equipment Operator	Construction Inspector

Mitigation Measure	Timing	Responsible for Implementing	Responsible for Monitoring
HAZARDS & HAZARDOUS MATERIALS			
HAZ-1: The District will store and dispose of petroleum-based products and all flammable liquids in accordance with applicable laws and regulations. If a spill should occur, staff will be required to immediately call 9-1-1 and report the spill to the appropriate authority and will take appropriate actions to contain the spill to prevent further migration of the hazardous materials to storm water drains or surface waters.	On-going	Park Staff	Park Supervisor
HAZ-2: If hazardous materials are encountered during construction or maintenance activities, the District will immediately halt activity in the affected area and will implement actions required by the current California regulatory requirements.	Construction Ongoing	Construction Inspector Park Staff	Construction Inspector Park Supervisor
HAZ-3: The District shall require conformance of the following provisions associated with the transport, storage and use of potentially hazardous materials: • All equipment shall be inspected for leaks immediately prior to the start of project activities and regularly inspected henceforth until equipment is removed from the premises. • The contractor(s) shall prepare an emergency spill response plan prior to the start of the project and maintain a spill kit on-site throughout the duration of the proposed project. In the event of a spill or release of any chemicals during activities associated with the proposed project, on or adjacent to park property, the contractor shall immediately notify the appropriate District Representative (e.g., project manager or supervisor). Emergency containment procedures shall be initiated immediately to prevent contamination. • Hazardous materials required for construction shall be contained within vessels engineered for safe storage. Large quantities of such materials shall not be stored on-site. • Equipment shall be refueled, cleaned and repaired outside park boundaries, or within a contained area on site away from open waters, except during emergency situations. All contaminated water, spill residue, or other hazardous compounds shall be disposed of outside park boundaries at an authorized location.	On-going	Park Staff	Park Supervisor
HAZ-4: The District will conduct inspections and maintenance of portable toilet facilities used at Oyster Bay, according to current regulations. The District will ensure that routine waste removal is conducted so that effluent spills are avoided.	On-going	Park Staff	Park Supervisor

Mitigation Measure	Timing	Responsible for Implementing	Responsible for Monitoring
HYDROLOGY & WATER QUALITY			
HWQ-1: The District will place rock slope protection during a low water stage near the base of the slope. The land at the water's edge would be excavated and graded by tractors with blades allowing for keying the rock into the slope using either a dumping method or an excavator equipped with appropriate bucket. If excavated material cannot be reused on-site, it will be disposed of off-site. The District will require that heavy equipment be positioned in upland areas and avoid wetland vegetation.	During Construction	Construction Inspector	Construction Inspector
***See Also*:** Mitigation Measures GEO-1, GEO-2, and GEO-3 included in Section VI – Geology and Soils and HAZ-1, HAZ-2, and HAZ-3 in Section VVII – Hazards and Hazardous Materials, which will ensure water quality is protected during construction activities. .	During Construction	Construction Inspector	Construction Inspector

Mitigation Measure	Timing	Responsible for Implementing	Responsible for Monitoring
NOISE			
N-1: The District will require that the maximum amplified sound level for special events will be limited to a maximum of 90 dBA at the mixer location, which would result in an equivalent sound level of 60 dBA, which is within the land use compatibility standards specified by both Alameda County and the City of San Leandro.	Special Events	Park Staff	Park Supervisor
N-2: The District will limit the timing of special events to the hours of 9:00am and 8:00pm.	Special Events	Park Staff	Park Supervisor
N-3: The District will require orientation of speakers to minimize noise intrusion into residential neighborhoods.	Special Events	Park Staff	Park Supervisor
N-4: The District will restrict construction hours to the hours of 7:00 am and 7:00 pm on weekdays, except when specifically permitted by the District or determined necessary to prevent or resolve an emergency.	Construction	Construction Inspector	Construction Inspector
N-5: The District will restrict maintenance activities, including on-going fill and grading activities, to the hours of 7:00 am and 7:00 pm on weekdays, except when specifically permitted by the District or determined necessary to prevent or resolve an emergency. The District will operate all internal combustion engines with mufflers that meet the requirements of the Vehicle Code during maintenance activities.	On-Going	Park Staff	Park Supervisor
N-6: The Contractor will be required to operate all internal combustion engines with mufflers that meet the requirements of the Vehicle Code during construction activities.	Construction	Construction Inspector	Construction Inspector

Mitigation Measure	Timing	Responsible for Implementing	Responsible for Monitoring
TRANSPORTATION/TRAFFIC			
TT-1: The City of San Leandro will temporarily increase traffic enforcement along Davis Street to ensure that traffic laws, especially those related to turning, parking, and other maneuvering, are obeyed.	During Construction and after Davis Street Access Improvements are constructed	City of San Leandro	Park Supervisor and City of San Leandro
TT-2: The District will provide public education in the form of paper flyers delivered to businesses prior to the new roadway opening. The flyer will encourage the businesses to educate their customers about the impending opening of the new park access, and to expect an increase of recreational traffic along Davis Street, including pedestrians and bicyclists.	During Construction	District staff	District staff
TT-3: The District will repeat the public education effort a few months after the new roadway opens, as well as each time a new parking area is constructed as a reminder, with most of the information about new roadway users repeated.	After Davis Street Access Improvements are constructed	District staff	District staff
TT-4: The District will develop a Special Events Traffic Control Plan (TCP) for special events that are expected to reach the 700 vehicle parking spaces at full implementation of the Land Use Plan Amendment. The TCP will describe traffic control for visitors attending special events, including how visitors will exit Oyster Bay Regional Shoreline after the event concludes.	Prior to special events	Park Supervisor	Park Supervisor

Mitigation Measure	Timing	Responsible for Implementing	Responsible for Monitoring
UTILITIES AND SERVICE SYSTEMS			
UTL-1: All broken asphalt and concrete, wood debris, small amounts of scrap steel, plastics and vegetation waste associated with clearing and grubbing and tree removal shall be removed and disposed of offsite by the contractor in a legal manner at a site approved by the District. The contractor shall be responsible for making all arrangements for the disposal of such materials in a manner that shall comply with federal, state, and local statutes and regulations pertaining to solid and green waste.	During Construction	Construction Inspector	Construction Inspector
UTL-2: All cut trees and associated slash and woody debris, soil and debris will be removed and disposed of offsite by the contractor in a legal manner at a site approved by the District. The contractor shall be responsible for making all arrangements for the disposal of such materials in a manner that shall comply with federal, state, and local statutes and regulations pertaining to solid waste and Sudden Oak Death and Light Brown Apple Moth quarantine compliance agreements.	During Construction	Construction Inspector	Construction Inspector