

**NOTICE OF PREPARATION (NOP) AND SCOPING SESSION
FOR AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR:
BREUNER MARSH RESTORATION AND PUBLIC ACCESS PROJECT**

July 1, 2011

The East Bay Regional Park District (EBRPD) is preparing an Environmental Impact Report (EIR), pursuant to the California Environmental Quality Act (CEQA), for the proposed Breuner Marsh Restoration Project in Richmond, CA. The anticipated scope of the EIR is further described below.

An Initial Study, project description and check list indicating possible environmental impacts resulting from the project are available on the EBRPD website. As the project will have no impacts in the issue topics of agricultural and forest resources, mineral resources, population and Housing, and public services, these issues will not be discussed in the EIR. Other issues will be discussed in detail. Project and cumulative impacts, growth inducement, short-term versus long-term, and effects on human beings will be considered, and alternatives to the projects will be evaluated.

The EBRPD invites you to comment on the proposed scope of the EIR. **Please send your written comments within 30 days from the date you receive this notice, but no later than 5 p.m., August 12, 2011**, to: Brad Olson, East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA 94605, or via email: bolson@ebparks.org.

You may also provide comments at the **EIR Scoping Session, which will be held on July 14, 2011 at 7 p.m. at the Parchester Village Community Center, Richmond.**

The EBRPD is the Lead Agency (i.e., the public agency with the greatest responsibility for either approving the project or carrying it out) for the project. This notice is being sent to the State Clearinghouse, any responsible agencies, and other interested parties. When the Draft EIR is published, it will be sent to the State Clearinghouse and to others who respond to this Notice of Preparation (NOP) or who otherwise indicate that they would like to receive a copy, and will be available on the EBRPD website. A Final EIR with responses to comments on the Draft EIR will be prepared prior to final consideration of the proposed projects. Notices of public hearings on the projects, and the availability of the Final EIR, will also be provided to NOP respondents, those requesting such notice, and available through the Internet.



Brad Olson
Environmental Programs Manager

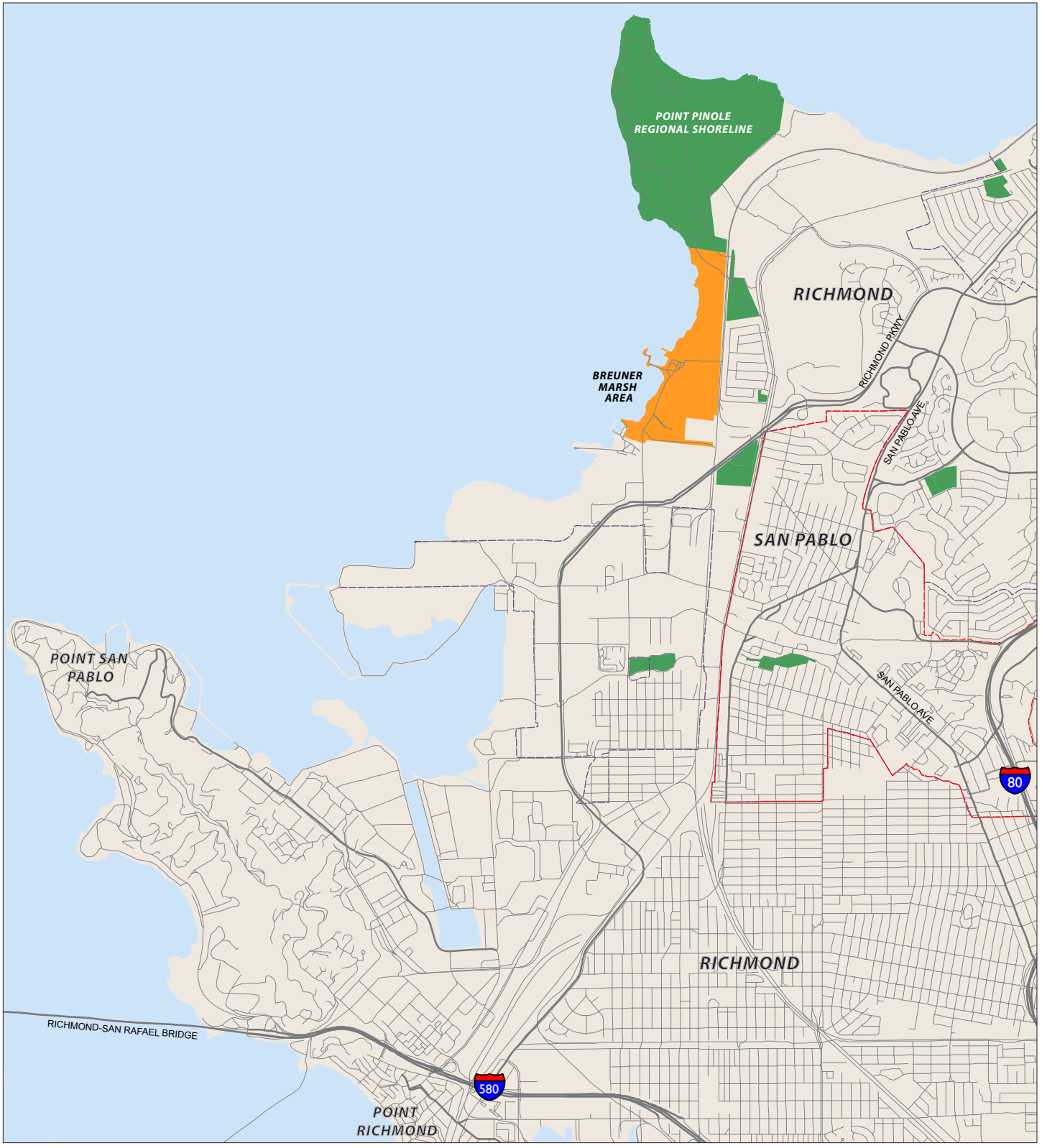


FIGURE 1

BREUNER MARSH RESTORATION AND PUBLIC ACCESS PROJECT LOCATION

A. Site Location, Ownership, and Surrounding Land Uses

The 150-acre Breuner Marsh project area is the focus of the Restoration and Public Access Project. It is located in the northwest part of the City of Richmond on the San Francisco Bay shoreline (See Figure 1). The project area is bordered by Rheem Creek to the south and merges with Giant Marsh to the north, which is part of the East Bay Regional Park District (EBRPD) Point Pinole Regional Shoreline. Union Pacific Railroad tracks run along the eastern boundary of the property. East of the railroad tracks lies the residential community of Parchester Village.

Access to Breuner Marsh is provided via Goodrick Avenue from the Richmond Parkway. The main access point is Goodrick Avenue, which crosses Rheem Creek on an existing concrete bridge. The Carr property, which is a separate parcel of 20 acres under private ownership, abuts the project area. A 60-foot wide floating access easement is provided across the Breuner property to the Carr property. The shallow offshore area and two man-made spits within the boundaries of the Breuner property are owned by the State Lands Commission and are managed by the EBRPD.

Approximately 120 acres of the Breuner property, 30 acres of Giant Marsh and some additional upland areas of Point Pinole Peninsula are the subject of the proposed project.

B. Site History and Existing Conditions

The northern part of the project area was historically tidal marshland: freshwater seasonal wetlands existed in the southwest corner; and upland grasslands were found in the southeast corner. The project area has a long history of use and disturbance, with automobile access to the site via Goodrick Avenue beginning around 1915. Prior to the late 1970s, when the Breuner family purchased 238 acres of the property, it was used primarily for cattle and sheep grazing. The Breuners used the land for some light industrial uses, including boat and automobile storage and repair, and warehousing. Some residential buildings were also located on the property.

From the 1950s to 1980s, much of the northern tidal marsh was filled, bermed, blocked from tidal flooding, and partially drained. The depth of fill varies greatly over the site, from 1 to 2 feet to 12 feet or more, with several larger mounds. Fill was also placed along a narrow linear strip parallel to the Bay shore, possibly for construction of a runway, as the Breuner family intended to use the property as a small commercial airport. A review of historic aerial photographs show that from 1939 to the late 1990s, around two-thirds of the site was significantly disturbed by off-road vehicles, scraping and grading, and fill placement.

In 1999, Don and Lonnie Carr and Bay Area Wetlands LLC (BAW LLC) purchased the 238-acre property from the Breuner family. In 2000 all of the buildings, wrecked automobiles, and much of the rubble were removed from the property. The Model Airplane Facility, which is operated by the Bay Area Radio Control Society (BARCS), remains, but would be removed as a part of the project. The EBRPD acquired 218 acres in 2011 and commenced planning the project.

C. Proposed Project

I. Demolition

Several existing structures and facilities on the site would be demolished and the debris buried on site or transported off site for disposal. These structures to be demolished include:

- ◆ Goodrick Avenue Bridge at Rheem Creek – concrete box culvert bridge structure, wing walls, and abutments.

- ◆ Goodrick Avenue Extension through southwestern edge of property – road surface including asphalt and some existing aggregate base rock.
- ◆ Miscellaneous rubble, debris, and fencing – several long, narrow strips of concrete and asphalt rubble and debris, and some fencing along the perimeter.
- ◆ Model airplane area – shade structure, cargo storage containers, asphalt parking areas and runway.

Approximately 2,000 cubic yards of rubble would be generated from this demolition. Most of this material would be removed to a landfill. The destination of the material is not known at this time, but it is likely to be the West County Landfill, located less than 2 miles from the Breuner property off Richmond Parkway.

2. Hazardous Material Removal

A limited amount of hazardous materials, associated with historic uses of the property, occurs on the project site. This consists of approximately 1,000 cubic yards of arsenic-contaminated soils that would be removed from this area and transported to a Class II Special Category waste disposal facility in accordance with applicable regulatory standards.

3. Ecological Restoration

A schematic grading plan has been prepared for the proposed project that shows areas of the site that would be restored by removing imported fill, and debris. Areas for restoration would be cleared and grubbed of vegetation, and then excavated. Up to 2.5 feet of soil would be removed to create suitable elevations for tidal flooding and marsh restoration. Approximately 24 acres of salt marsh would be created. Three new tidal sloughs would also be excavated to facilitate tidal flooding of these areas. A further 4.7 acres of new seasonal wetlands would be created, 2.6 acres of seasonal wetlands would be enhanced and restored, and drainage swales would be constructed. Transition zone habitat would be created below the upland habitat but above the zone of daily tidal inundation. Portions of these areas would occasionally be flooded by higher tides. With expected sea level rise, the transition zone would become salt marsh in the future. Upland areas used for soil disposal would be created in the southeast corner of the site. These areas would be restricted to avoid blocking Bay views. The total increase in wetlands would be approximately 31 acres.

The proposed project has been designed to balance cut-and-fill with about 105,500 cubic yards of earthwork. Off-haul of rubble and unsuitable soil is estimated to total about 3,000 cubic yards. After vegetation removal and grading, areas to be restored would be seeded and planted with native wetland and upland plant materials. Areas of tidal marsh would mainly be left to natural marsh plant recolonization. Soil conditions in the restoration areas would be tested to ensure that they are suitable for plant establishment. In some areas, soils may need to be prepared prior to planting by mechanically loosening the soil and, where needed, adding soil amendments. Small quantities of topsoil from areas with a good cover of native grassland plants may also be salvaged and stored for use as a topdressing and seedbank of native grass seed.

An irrigation system would be installed in some areas for summer and fall irrigation of plant materials to assist in native plant establishment. The irrigation would last for three years with the precise duration, frequency and amount of water used dependent upon annual precipitation and temperatures. At an expected irrigation application rate of about 2 acre-feet per acre per year, the 10 or so acres of restoration plantings that would be irrigated would use about 20 acre-feet of water per year. The restored areas would be monitored for success in achieving approved vegetative performance criteria

for a minimum of five years. These areas would be weeded and reseeded or replanted as necessary to meet required performance criteria.

4. Rheem Creek Restoration

As an optional part of the project (but which will be analyzed here for CEQA purposes), dependent upon the economics, permit requirements, and funding availability, the lower 500 feet of Rheem Creek would be enhanced as part of the proposed project. This would involve lowering the north levee or berm by 2 to 3 feet, removing the existing bridge and replacing it with a new bridge approximately 500 feet upstream to the east, and grading the northern bank of the creek to support brackish marsh habitat within the channel.

5. Public Access Construction

a. Goodrick Avenue Entrance and Staging Area

- ◆ 27-car parking lot (including 2 spaces reserved for disabled drivers) with a parking fee collection device (possible project component) and emergency vehicle turnaround
- ◆ Restroom with concrete vault toilets
- ◆ Water fountain (possible project component)
- ◆ Information panel kiosk

b. San Francisco Bay Trail and Trail Spur

Approximately 1.5 miles of paved multi-use trail would be built from the Goodrick Avenue Staging Area north to the existing Pinole Point Trail. This would fill in one of the current gaps in the trail system in this area. A series of bicycle and pedestrian bridges and boardwalks would be installed, which would traverse creek and slough drainages and wetlands. One picnic area and additional benches would be provided along the Trail.

An additional, pedestrian-only, 0.4-mile trail segment would run from the main Bay Trail to an overlook point near the open-water edge of Breuner Marsh. Fishing access would continue from an existing pedestrian trail that leads from the overlook point along the length of the jetty, but would not be further improved or maintained. With sea level rise and continued lateral erosion of the jetty, this trail would be closed at some time in the future to protect public safety.

The proposed project would not include a new crossing of the Union Pacific Railroad Tracks. Such a crossing could be provided as part of a future project. An existing bridge, known as the Badger Bridge, crosses the Union Pacific Railroad Tracks at the northern terminus of the proposed project. The model airplane facility would be demolished and not replaced as part of the proposed project: Model airplane use is considered incompatible with the restoration and public access improvements.

6. Other Project Features

a. Infrastructure Extension

A 1 ½- or 2-inch water line would be run from the existing EBMUD main, located within Goodrick Avenue near the Richmond Parkway, to the proposed parking lot and staging area and then along the Bay Trail, to provide temporary irrigation water for the restoration planting areas. The water line may also serve the drinking fountain and restroom in the staging area. Trenching would occur on Goodrick Avenue to install the water main. If the toilets are later converted to flush toilets, the sanitary sewer would need to be extended to the staging area with additional trenching down Goodrick Avenue. Electricity would also need to be provided for a 200-volt sewer lift station.

b. Habitat Protection

The public would be restricted from accessing wetland habitats by fencing, railings, boardwalks and vegetative barriers. A six-foot high chain link security fence would be constructed along the eastern edge of the property to prevent unsafe access across the railroad tracks. Additionally, a four-foot high fence would run along the west side of the Bay Trail to prevent human intrusion into the wetlands. Dogs (on leash) and bicycles would be allowed on the Bay Trail, but prohibited on the spur trail system. A pipe gate on the south side of Rheem Creek would allow only approved maintenance and emergency response vehicles on the main part of the project site.

c. Water Quality Protection

A Stormwater Pollution Prevention Plan (SWPPP) would be prepared for the project. In addition, the EBRPD would provide a Qualified Stormwater Designer/Practitioner who would be responsible for monitoring the construction site including during the winter non-work periods, performing stormwater quality monitoring, and inspection and repair/installation of erosion control and stormwater management elements.

d. Hours of Operation

As with other facilities operated by the EBRPD, the Breuner property would be open from sunrise to sunset nearly every day of the year, including holidays. A gate at the site entrance would restrict access outside these hours. No lighting would be provided in either the parking area or along the trail or overlook points.

e. Construction Phasing and Scheduling

To protect sensitive species and water quality, construction work in the tidal wetlands and adjacent sensitive habitat areas would only occur during the months of August through October, and is expected to occur over a period of two to three years. Site maintenance and monitoring of the restoration area would occur after completion of Phase I construction. The tentative schedule is to begin the project in summer/fall 2013, with a second mobilization in summer/fall 2014, and again in 2015, if needed.