



FILED
ALAMEDA COUNTY

APR 22 2003

County Clerk
County Courthouse
1106 Madison St.
Oakland, CA 94612

PATRICK O'CONNELL, County Clerk
By *T. Spring* Deputy

State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

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4/17/03

SUBJECT: NOTICE OF DETERMINATION

STATE CLEARINGHOUSE NUMBER: 98031116

PROJECT TITLE: Oakland Estuary Policy Plan

PROJECT LOCATION: City of Oakland, Alameda County, California

PROJECT DESCRIPTION: The Estuary Policy Plan was prepared by the City and Port of Oakland to present recommendations related to land use, development, urban design, shoreline access, public spaces, regional circulation, and local street improvements for the entire waterfront of the Oakland estuary. The Estuary Policy Plan includes a proposal for expanded and improved facilities along Martin Luther King, Jr. Regional Shoreline. The Park District is proposing one such improvement, the development of park and public access facilities at the Estuary Recreation Cluster.

The Estuary Recreation Cluster development will include: a paved entry road, portion of the San Francisco Bay Trail, parking for up to 165 vehicles, irrigated turf, picnic areas, wildlife observation/fishing pier, Park staff service yard, utility line extensions, appurtenant facilities necessary to serve these improvements, and rip-rap shoreline protection. In tandem with the Park District project, the Oakland Strokes rowing club will develop boating and security facilities on a portion of the site leased from the Park District. The Oakland Strokes' project will include the development of a boathouse, security residence, non-motorized boat dock, utility line extensions, and appurtenant facilities to serve these improvements.

CEQA REVIEW PROCESS: The City of Oakland prepared and circulated the Estuary Plan EIR for a 45-day public and agency review period starting June 5, 1998. The City responded to comments received and prepared the Estuary Plan Final EIR (FEIR), which was released on November 24, 1998. The FEIR was certified by the Oakland Planning Commission on February 10, 1999 and by the Oakland City Council on June 8, 1999. A Notice of Determination was filed on June 10, 1999.

CLERK OF SUPERIOR COURT, Pub. Res. 21152
A copy of this document was posted in the Planning Office, Oakland, CA, for the period prescribed by law.

Executed at
Oakland, CA
COUNTY CLERK



4-22-03 By *T. Spring* Deputy

MITIGATION MEASURES: The following mitigation measures were developed in the Estuary Plan EIR to address potentially significant impacts that may be caused by construction of shoreline access facilities. The Park District will implement these mitigation measures during construction of the Estuary Recreation Cluster.

Mitigation for Shorebirds: Protect rare, endangered, and threatened species by conserving and enhancing their habitat and requiring mitigation of potential adverse impacts when development occurs within habitat areas.

Mitigation for Pacific herring: Due to the Pacific herring's particular vulnerability during its spawning season, construction scheduling for the pier and dock shall be coordinated with wildlife agencies; construction may be halted during spawning season if determined necessary by wildlife agencies.

Mitigation for Hazardous Materials: Detailed site investigations to determine the potential presence of hazardous substances shall be performed on any proposed development site where hazardous substances are suspected. The site investigation shall include the collection of soil and groundwater samples for appropriate laboratory analyses, depending on the historical uses at the site. Sampling would extend to depths expected for excavation at a minimum. Reports of all sampling and analysis shall be provided to the Alameda County Health Care Services Agency, Department of Environmental Health and the Regional Water Quality Control Board. If remediation is necessary, it shall be conducted in accordance with agency guidance.

This is to advise that on April 15, 2003, the East Bay Regional Park District approved the above-described project and has made the following determinations:

1. The project will have a significant effect on the environment.
2. An EIR was prepared pursuant to the provisions of the California Environmental Quality Act (CEQA).
3. Mitigation measures were required as conditions of the project.
4. A statement of Overriding Considerations was adopted for this project.
5. Findings were made pursuant to the provisions of CEQA (14 California Code of Regulations, Section 15091).

A copy of the EIR may be examined at EBRPD headquarters, 2950 Peralta Oaks Court, 2nd Floor, Oakland, in the Planning, Stewardship and GIS Services Department.

Please indicate the date this Notice was posted on the enclosed copy and return for our records, attention Dan Sykes, Park Planner (510) 635-0138, ext. 2351.

Date: 4/7/03

A handwritten signature in black ink, appearing to read 'Mikkelsen', written over a horizontal line.

Thomas H. Mikkelsen

Assistant General Manager, Planning, Stewardship, Design and Construction

**ENVIRONMENTAL DECLARATION
(CALIF. FISH AND GAME CODE SEC. 711.4)**

RECEIVED

MAY 28 2003

CONSTRUCTION MANAGEMENT

FILED
ALAMEDA COUNTY

APR 22 2003

PATRICK O'CONNELL, County Clerk
By *T. Channing* Deputy

NAME AND ADDRESS OF APPLICANT OR LEAD AGENCY:

FOR COURT USE ONLY

East Bay Regional Park District

2950 Peralta Oaks Court

Oakland, CA 94605-0381

FILING NO. 08230-08

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

CLERKS
USE ONLY

- | | |
|---|---------|
| 1. NOTICE OF EXEMPTION/STATEMENT OF EXEMPTION | PLU 117 |
| 2. A – STATUTORILY OR CATEGORICALLY EXEMPT | |
| 3. \$25.00 (Twenty-five dollars) – CLERK'S FEE | |
| 4. | |
| 5. B – DE MINIMUS IMPACT – CERTIFICATE OF FEE EXEMPTION | PLU 117 |
| 6. REQUIRED \$25.00 (Twenty-five dollars) – CLERK'S FEE | |
| 7. | |
| 8. NOTICE OF DETERMINATION – FEE REQUIRED | |
| 9. A – NEGATIVE DECLARATION | PLU 116 |
| 10. \$1,250.00 (Twelve Hundred Fifty Dollars) – | |
| 11. STATE FILING FEE | |
| 12. \$25.00 (Twenty-five Dollars) – CLERK'S FEE | |
| 13. | |
| 14. B – ENVIRONMENTAL IMPACT REPORT | PLU 115 |
| 15. \$850.00 (Eight Hundred Fifty Dollars) – STATE | |
| 16. FILING FEE | |
| 17. \$25.00 (Twenty Five Dollars) – CLERK'S FEE | |
| 18. | |
| 19. OTHER (Specify) | |
| 20. \$25.00 (Twenty-five Dollars) – CLERK'S FEE | PLU 117 |
| 21. | |

see attached

*THIS FORM MUST BE COMPLETED AND SUBMITTED WITH ALL ENVIRONMENTAL DOCUMENTS FILED WITH THE ALAMEDA COUNTY CLERK'S OFFICE.

FOUR COPIES OF ALL NECESSARY DOCUMENTATION ARE REQUIRED FOR FILING PURPOSES.

APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING AN ENVIRONMENTAL DOCUMENT WITH THE ALAMEDA COUNTY CLERK'S OFFICE.

MAKE CHECK PAYABLE TO: ALAMEDA COUNTY CLERK

NOTICE OF DETERMINATION
California Environmental Quality Act (CEQA)

FILED
ALAMEDA COUNTY DATE: June 9, 1999

TO: Alameda County Clerk
1225 Fallon Street
Oakland, CA 94612

JUN 10 1999

FROM: City of Oakland
Community and Economic Development Agency, Planning Division
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612

PATRICK O'CONNELL, County Clerk
By T. [Signature], Deputy

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

PROJECT TITLE: Estuary Plan (Case File No. ER 98-12)	
STATE CLEARINGHOUSE NUMBER (If submitted to State Clearinghouse): 98031116	
CONTACT PERSON: Katrina A. Koh, Planner III	TELEPHONE NUMBER: (510) 238-3741
PROJECT LOCATION: The project site is the Oakland Estuary bounded by Adeline Street, Interstate 880, 66 th Avenue, and the estuary in Oakland, California.	
PROJECT DESCRIPTION: The project is the adoption of the Oakland Estuary Policy Plan, which establishes the location and intensity of land uses along the waterfront and provides policies and guidelines related to the intended form, pattern, and character of future development. The Estuary Policy Plan also provides policies that establish the location and configuration of open space and public access facilities and the policies and recommendations for the improvement of transportation facilities.	

This is to advise that the City of Oakland as X the Lead Agency, ___ a Responsible Agency, for the above described project has approved the above described project on June 8, 1999 and has made the following determinations regarding the above described project:

1. The Project X will, ___ will not, have a significant effect on the environment.
2. X An Environmental Impact Report was previously prepared and certified for this project pursuant to the provisions of CEQA.
___ A Mitigated Negative Declaration was prepared for project this pursuant to the provisions of CEQA.

The X Negative Declaration, ___ EIR, and record of project approval may be examined at: Office of the City Clerk, 1 City Hall Plaza, Oakland, CA 94612. (510) 238-3611.

3. Mitigation measures X were, ___ were not, made a condition of approval of the project.
4. A Statement of Overriding Consideration X was, ___ was not, adopted for this project.
5. Findings X were, ___ were not, made pursuant to the provisions of CEQA (14 California Code of Regulations, Section 15091).


LESLIE GOULD
Acting Director of Planning

*ENVIRONMENTAL DECLARATION
(CALIF. FISH AND GAME CODE SEC. 711.4)

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ALAMEDA COUNTY

NAME AND ADDRESS OF APPLICANT OR LEAD AGENCY

LEAD AGENCY:

COMMUNITY & ECONOMIC
DEVELOPMENT AGENCY/PLANNING
250 Frank H. Ogawa Plaza
Oakland, CA 94612

JUN 10 1999

PATRICK O'CONNELL, County Clerk
By T. [Signature] Deputy

APPLICANT:

COMMUNITY & ECONOMIC
DEVELOPMENT AGENCY/PLANNING

FILING NO. 251-99

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

CLERKS
USE ONLY

- 1. [] NOTICE OF EXEMPTION/STATEMENT OF EXEMPTION PLU 117
 - A - STATUTORILY OR CATEGORICALLY EXEMPT
 - \$25.00 (Twenty-five Dollars) - CLERK'S FEE
- [] B - DE MINIMUS IMPACT - CERTIFICATE OF FEE EXEMPTION REQUIRED PLU 117
 - \$25.00 (Twenty-five Dollars) - CLERK'S FEE
- 2. [] NOTICE OF DETERMINATION - FEE REQUIRED PLU 116
 - A - NEGATIVE DECLARTION
 - \$1,250.00 (Twelve Hundred Fifty Dollars)-
 - STATE FILING FEE
 - \$25.00 (Twenty-five Dollars) - CLERK'S FEE
- [] B - ENVIRONMENTAL IMPACT REPORT PLU 115
 - \$850.00 -(Eight Hundred Fifty Dollars) - STATE
 - FILING FEE
 - \$25.00 (Twenty-five Dollars) - CLERK'S FEE
- 3. [X] OTHER (Specify) Notice of Determination and De Minimus Impact PLU 117
 - \$25.00 (Twenty-five Dollars) - CLERK'S FEE

*THIS FORM MUST BE COMPLETED AND SUBMITTED WITH ALL ENVIRONMENTAL DOCUMENTS FILED WITH THE ALAMEDA COUNTY CLERK'S OFFICE.

FOUR COPIES OF ALL NECESSARY DOCUMENTATION ARE REQUIRED FOR FILING PURPOSES.

APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING AN ENVIRONMENTAL DOCUMENT WITH THE ALAMEDA COUNTY CLERK'S OFFICE.

MAKE CHECK PAYABLE TO: ALAMEDA COUNTY CLERK

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION

FILED
ALAMEDA COUNTY

JUN 10 1999

De Minimis Impact Finding

PATRICK O'CONNELL, County Clerk
By T. [Signature], Deputy

Project Title/Location (include county):

Title: Estuary Policy Plan

Location: The project site is located on the Oakland Estuary bounded by Adeline Street, Interstate 880, 66th Avenue, and the estuary in Oakland, Alameda County, California.

City: Oakland

County: Alameda

Project Description: The project is the adoption of the Oakland Estuary Policy Plan, which establishes the location and intensity of land uses along the waterfront and provides policies and guidelines related to the intended form, pattern, and character of future development. The Estuary Policy Plan also provides policies that establish the location and configuration of open space and public access facilities and the policies and recommendations for the improvement of transportation facilities.

Findings of Exemption (attach as necessary):

1. An Initial Study has been conducted by the City of Oakland, as lead agency, to evaluate the potential for this project to have an adverse environmental impact.
2. Based on the environmental review record for this project, (Case File ER 98-12), which includes a copy of the Initial Study, there is no evidence before the City of Oakland that the proposed project will have any potential for adverse impact on wildlife resources.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

CLERK'S CERTIFICATE OF POSTING: Pub. Res. 21152 certify that a copy of this document was posted at the Courthouse Oakland, CA., for the period described by law.

[Signature]
(Leslie Gould)

Executed at
Oakland, Ca. COUNTY CLERK

Title: Acting Director of Planning
Lead Agency, City of Oakland
Date: June 9, 1999

ofe 10 JUNE 99 by Ronald Cortez
Deputy