



**EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING
AGENDA STAFF REPORT**

DATE October 15, 2024

TITLE Adopt a Resolution Approving the Addendum to the Previously Approved Initial Study/Mitigated Negative Declaration for the Construction of the San Francisco Bay Trail from Nejedly Staging Area to Berrellesa Street Project in Martinez: San Francisco Bay Trail

DIVISION Acquisition, Stewardship, and Development

FROM Brian Holt, Chief of Planning, Trails & GIS
Ken Wysocki, Assistant General Manager of Acquisition, Stewardship & Development

APPROVED Sabrina Landreth, General Manager 

RECOMMENDATION

The General Manager recommends that the Board of Directors of the East Bay Regional Park District (Park District) adopt a resolution approving the addendum to the previously approved Initial Study/Mitigated Negative Declaration as the appropriate level of California Environmental Quality Act (CEQA) review for construction of the San Francisco Bay Trail from Nejedly Staging Area to Berrellesa Street in Martinez.

BACKGROUND

The proposed San Francisco Bay Trail (Bay Trail) segment from Nejedly Staging Area to Berrellesa Street in Martinez is a ½-mile paved Class I trail that will connect to Carquinez Scenic Drive near the Nejedly Staging Area, traverse Park District property across an existing pedestrian bridge, then travel along Union Pacific Railroad (UPRR) tracks to Berrellesa Street. This trail project will allow the connection of existing Bay Trail segments through Carquinez Strait Regional Shoreline to existing Bay Trail segments along the Martinez Regional Shoreline, and to the Martinez Intermodal Rail Station. The project will also include safety improvements to the at-grade railroad crossing of Berrellesa Street.

An Initial Study/Mitigated Negative Declaration (IS/MND) was originally prepared and adopted by the City of Martinez (City) in 2003 for approval of the Martinez Bay Trail Phase II Project (Project) located in Martinez, CA. Phase I of the Project was constructed on Park District property including a pedestrian bridge while construction of the rest of the Project was put on hold until an easement could be obtained from Union Pacific Railroad (UPRR). In 2016, the East Bay Regional Park District (Park District) amended and restated the MOU with UPRR which approved a longitudinal easement along UPRR's railroad tracks to allow the project to move forward. The Park District is now finalizing preliminary design for the remaining project, and design of new but non-substantial improvements to the existing railroad crossing at Berrellesa Street.

On August 7, 2020, the City responded to the Park District’s request, dated July 31, 2020, for the Park District to act as Lead Agency for the Project. The Park District has prepared an Addendum to evaluate whether the Project would result in any new or substantially greater significant effects or require any new mitigation measures not identified in the 2003 MND that project proponents would decline to adopt. This Addendum, together with the 2003 MND, will meet requirements pursuant to CEQA of the Project.

ANALYSIS

Approving the Addendum to the 2003 IS/MND for the project is considered a discretionary action, with the Park District serving as the Lead Agency. Accordingly, this action is subject to CEQA. A CEQA Addendum was prepared, and staff is recommending that the Board adopt the Addendum as the appropriate level of environmental review under CEQA. The CEQA Addendum is available here: <https://www.ebparks.org/projects/regional-trails>

The Addendum evaluated whether the Project would result in any new or substantially more significant effects or require any new mitigation measures that project proponents decline to adopt. Although the project was approved in 2003, there are no substantial changes to the project that would result in previously unidentified significant impacts. In addition, the environmental setting has not changed in a manner that would lead to new or substantially different impacts. The new improvements to bring existing railroad crossing facilities to current standards do not result in previously unidentified impacts nor result in substantial changes to the original Project.

The revised project would not result in any previously unidentified impacts or identify additional mitigation measures that project proponents would decline to adopt. A biological resources assessment and updated wetland delineation was completed in May 2020 to support the analysis in this Addendum. The biological resource assessment recommended general avoidance and minimization measures that were not typical in 2003 but are now common conditions of approval for projects. The Park District will adopt and implement these mitigation measures for the Project.

As summarized above, this Addendum satisfies environmental review under CEQA for the Proposed Project. This Addendum incorporates by reference the previous mitigation measures detailed in the 2003 IS/MND and includes mitigation measures recommended by the biological resources assessment completed in May 2020 to support this Addendum.

FISCAL IMPACT

This action will utilize \$5,834 from the Develop Martinez Bay Trail CIP No. 157600 to cover county and state recording fees.

SOURCE OF FUNDS	
Develop Martinez Bay Trail CIP No. 157600	\$ 1,601,580
Expenses & Encumbrances to Date	(210,476)
Total Funds Available	\$ 1,391,104

USE OF FUNDS	
Contra Costa County Filing Fee	\$ 2,917
CA Department of Fish and Wildlife Fee	2,917
Total Current Project Cost	\$ 5,834

ATTACHMENT

Project Map



**EAST BAY REGIONAL PARK DISTRICT
RESOLUTION NO. 2024 – 10 -
OCTOBER 15, 2024**

**ADOPT A RESOLUTION APPROVING THE ADDENDUM TO THE PREVIOUSLY
APPROVED INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE
CONSTRUCTION OF THE SAN FRANCISCO BAY TRAIL FROM NEJEDLY
STAGING AREA TO BERRELLESA STREET PROJECT IN MARTINEZ: SAN
FRANCISCO BAY TRAIL**

WHEREAS, the East Bay Regional Park District (Park District) proposes to construct a ½-mile paved Class I segment of the San Francisco Bay Trail (Bay Trail) from Carquinez Scenic Drive near the Nejedly Staging Area, through Park District property and adjacent to Union Pacific Railroad (UPRR) tracks to Berrellesa Street; and

WHEREAS, an Initial Study/Mitigated Negative Declaration (IS/MND) was originally prepared and adopted in 2003 by the City of Martinez (City) for approval of the Martinez Bay Trail Phase II Project (Project) and a portion of the Project was constructed while the remainder of the Project was put on hold until an easement could be obtained from UPRR; and

WHEREAS, the project was delayed for over a decade awaiting UPRR design approval and dedication of a non-exclusive recreational trail easement that was resolved per the amended and restated MOU with UPRR in 2016; and

WHEREAS, on August 7, 2020, the City responded to the Park District's request, dated July 31, 2020, for the Park District to assume the role as Lead Agency for the Project; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the Park District analyzed the potential environmental impacts of current Project and determined that an Addendum to the 2003 Initial Study/Mitigated Negative Declaration (IS/MND) is the appropriate level of review under CEQA; and

WHEREAS, the Addendum verifies the analyses and the conclusions in the 2003 IS/MND remain valid for the purposes of CEQA review as the Project consists of minor changes to the Project; would not cause new significant effects nor increase the level of environmental effect to substantial or significant; and no new mitigation measures previously found to be infeasible or which are considerably different from those analyzed in the 2003 IS/MND would be necessary to reduce impacts to less than significant; and

WHEREAS, there is sufficient funding in Project No. 157600 to cover costs of \$5,834 for County and California Department of Fish and Wildlife fees to approve this Addendum as the appropriate level of CEQA review;

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby approves the Addendum to the 2003 IS/MND, as the appropriate level

of CEQA review for construction of the San Francisco Bay Trail from Nejedly Staging Area to Berrellesa Street in Martinez; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the Park 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 _____, and seconded by Director _____, and adopted October 15, 2024, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: