ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017
PROJECT BASELINE AGREEMENT

West Oakland Link of the Bay Skyway

Resolution ATP-P-2425-02B
(to be completed by CTC)

1. FUNDING PROGRAM

- [x] Active Transportation Program
- [ ] Local Partnership Program (Competitive)
- [ ] Solutions for Congested Corridors Program
- [ ] State Highway Operation and Protection Program
- [ ] Trade Corridor Enhancement Program

2. PARTIES AND DATE

2.1 This Project Baseline Agreement (Agreement) effective on December 5, 2024 (will be completed by CTC), is made by and between the California Transportation Commission (Commission), the California Department of Transportation (Caltrans), the Project Applicant, Metropolitan Transportation Commission, and the Implementing Agency, Metropolitan Transportation Commission, sometimes collectively referred to as the "Parties".

3. RECITAL

3.1 Whereas at its 6/28/2023 meeting the Commission approved the Active Transportation Program and included in this program of projects the West Oakland Link of the Bay Skyway, the parties are entering into this Project Baseline Agreement to document the project cost, schedule, scope and benefits, as detailed on the Project Programming Request Form attached hereto as ***Exhibit A***, the Project Report attached hereto as ***Exhibit B***, the Performance Metrics Form, if applicable, attached hereto as ***Exhibit C***, as the baseline for project monitoring by the Commission.

3.2 The undersigned Project Applicant certifies that the funding sources cited are committed and expected to be available; the estimated costs represent full project funding; and the scope and description of benefits is the best estimate possible.

4. GENERAL PROVISIONS

The Project Applicant, Implementing Agency, and Caltrans agree to abide by the following provisions:

4.1 To meet the requirements of the Road Repair and Accountability Act of 2017 (Senate Bill [SB] 1, Chapter 5, Statutes of 2017) which provides the first significant, stable, and on-going increase in state transportation funding in more than two decades.

4.2 To adhere, as applicable, to the provisions of the Commission:

- [x] Resolution G-23-49, "Adoption of Program of Projects for the Active Transportation Program", dated 6/28/2023
- [ ] Resolution _____, "Adoption of Program of Projects for the Local Partnership Program", dated _____
- [ ] Resolution _____, "Adoption of Program of Projects for the Solutions for Congested Corridors Program", dated _____
- [ ] Resolution _____, "Adoption of Program of Projects for the State Highway Operation and Protection Program", dated _____
- [ ] Resolution _____, "Adoption of Program of Projects for the Trade Corridor Enhancement Program", dated _____

4.3 All signatories agree to adhere to the Commission's Guidelines. Any conflict between the programs will be resolved at the discretion of the Commission.

4.4 All signatories agree to adhere to the Commission's SB 1 Accountability and Transparency Guidelines and policies, and program and project amendment processes.

4.5 Metropolitan Transportation Commission agrees to secure funds for any additional costs of the project.

4.6 Metropolitan Transportation Commission agrees to report to Caltrans on a quarterly basis; on the progress made toward the implementation of the project, including scope, cost, schedule, and anticipated benefits/performance metric outcomes.

4.7 Caltrans agrees to prepare program progress reports on a on a semi-annual basis and include information appropriate to assess the current state of the overall program and the current status of each project identified in the program report.

4.8 Metropolitan Transportation Commission agrees to submit a timely Completion Report and Final Delivery Report as specified in the Commission's SB 1 Accountability and Transparency Guidelines.

4.9 Metropolitan Transportation Commission agrees to submit a timely Project Performance Analysis as specified in the Commission's SB 1 Accountability and Transparency Guidelines.

4.10 All signatories agree to maintain and make available to the Commission and/or its designated representative, all work related documents, including without limitation engineering, financial and other data, and methodologies and assumptions used in the determination of project benefits and performance metric outcomes during the course of the project, and retain those records for six years from the date of the final closeout of the project. Financial records will be maintained in accordance with Generally Accepted Accounting Principles.

4.11 The Inspector General of the Independent Office of Audits and Investigations has the right to audit the project records, including technical and financial data, of the Department of Transportation, the Project Applicant, the Implementing Agency, and any consultant or sub-consultants at any time during the course of the project and for six years from the date of the final closeout of the project, therefore all project records shall be maintained and made available at the time of request. Audits will be conducted in accordance with Generally Accepted Government Auditing Standards.

5. SPECIFIC PROVISIONS AND CONDITIONS

5.1 Project Schedule and Cost
See Project Programming Request Form, attached as Exhibit A.

5.2 Project Scope
See Project Report or equivalent, attached as Exhibit B. At a minimum, the attachment shall include the cover page, evidence of approval, executive summary, and a link to or electronic copy of the full document.

5.3 Performance Metrics
See Performance Metrics Form, if applicable, attached as Exhibit C.

5.4 Additional Provisions and Conditions *(Please attach an additional page if additional space is needed.)*

Attachments:

Exhibit A: Project Programming Request Form
Exhibit B: Project Report
Exhibit C: Performance Metrics Form *(if applicable)*

SIGNATURE PAGE
TO
PROJECT BASELINE AGREEMENT

Project Name: West Oakland Link of the Bay Skyway

Resolution: ATP-P-2425-02B

(to be completed by CTC)

DocuSigned by:
Gavin Lohry
AF50EA492601494...

10/2/2024
Date

Gavin Lohry

Project Manager - Metropolitan Transportation Commission

Project Applicant

DocuSigned by:
Andrew Fremier
8584B49D6DE64E9...

10/2/2024
Date

Andrew B. Fremier

Executive Director - Metropolitan Transportation Commission

Implementing Agency

Dina El Tawansy

10/14/2024
Date

Dina El Tawansy

District Director
California Department of Transportation

11/25/2024
Date

Tony Tavares
Director
California Department of Transportation

03/11/2025
Date

Tanisha Taylor

Executive Director
California Transportation Commission

CALIFORNIA TRANSPORTATION COMMISSION

Active Transportation Program
Benefits Form

Project Information	
Project Title: West Oakland Link of the Bay Skyway	Date: 6/19/2024
Project Identifier (EA, PPNO, etc.):	

Contact Information			
Nominating Agency:	Metropolitan Transportation Commission	Agency Completing Form:	Metropolitan Transportation Commission
Contact Person: Gavin Lohry	Phone: 415.778.6676	Contact Person:	Phone:
Email Address: glohry@bayareametro.gov		Email Address:	

ATP Indicator	Measures/Outcomes	Unit	Current	Projected	
				Outcome	Year
Counts	Bicycle Counts	Each	122	5729	2028
	Pedestrian Counts	Each	59	1839	2028

In the space below, qualitatively explain the assumptions and methodologies used for the proposed outcomes.

Count conducted in two locations for two consecutive weekday and two consecutive Saturdays. Location 1 was at West Grant Avenue and Frontage Road intersection. Location 2 was at West Grant Avenue and Maritime Street. The data is converted to an estimated weekly count for the two locations in combine.

The West Oakland Link (WOL) segment (1.1 mile long) will extend the existing East Span path into Oakland and is part of the Phase I of the Bay Skyway Project. The Bay Skyway will be a 7-mile-long, emissions-free transportation corridor linking the East Bay (EB) and downtown San Francisco (SF).

The bike and pedestrian estimates are based on multiple sources and studies developed over time, which together estimate how many bicyclists and pedestrians are expected to use the Bay Skyway and WOL in the near and longer term. The heart of this analysis is a 2022 model developed by Arup which estimated the likelihood of transbay trips (including commute and non-commute trips) by bicycle and e-bike based on the trip's length and ease of access to safe and convenient bicycle infrastructure. The model was calibrated to account for bicycle improvements that are planned to be in place by the time the Bay Skyway and WOL open, population and employment growth assumptions from MTC's regional model, and recent bike/e-bike mode share trends based on a literature review.

Date: January 25, 2023
W.I.: 1251
Referred by: BATA Oversight

ABSTRACT

BATA Resolution No. 161

This resolution adopts the Mitigated Negative Declaration prepared for the West Oakland Link Project (Project) (SCH# 2022060271) and adopts the Mitigation Monitoring and Reporting Program for the Project.

Further discussion of this resolution is contained in the Deputy Executive Director's memorandum to the BATA Oversight Committee dated January 11, 2023 and the Deputy Executive Director's memorandum to BATA dated January 25, 2023.

Re: Adoption of Mitigated Negative Declaration for the West Oakland Link Project (SCH# 2022060271), Adoption of a Mitigation Monitoring and Reporting Program for the Project

BAY AREA TOLL AUTHORITY
RESOLUTION No. 161

WHEREAS, Streets and Highways Code § 30950 *et seq*. created the Bay Area Toll Authority ("BATA"); and

WHEREAS, Streets and Highways Code § 30950 *et seq*. transfers to BATA certain duties and responsibilities of the California Transportation Commission ("CTC") and California Department of Transportation ("Caltrans") for the toll bridges owned and operated by Caltrans in the San Francisco Bay Area; and

WHEREAS, in accordance with Streets and Highways Code §§ 30950.2 and 30886, BATA is responsible for the administration of all toll revenues from state-owned toll bridges within the jurisdiction of the Metropolitan Transportation Commission; and

WHEREAS, Bay Area bridges are defined in Streets and Highways Code § 30910 to include the Antioch, Benicia-Martinez, Carquinez, Richmond-San Rafael, San Francisco Oakland, San Mateo-Hayward, and Dumbarton Bridges; and

WHEREAS, the West Oakland Link Project which is part of the Bay Trail is a proposed new bicycle/pedestrian connection between West Oakland and the bike path leading to the East Span of the San Francisco-Oakland Bay Bridge (Bay Bridge) in Oakland, California (the "Project"); and

WHEREAS, BATA is expected to take the first action on the West Oakland Link Project by authorizing a request to allow the Executive Director or designee to negotiate and enter into a funding agreement with the Alameda County

Transportation Commission (ACTC) under which BATA will receive funding to complete design services for the preparation of Plans, Specifications and Estimates for improvements included in the Project Description analyzed in the West Oakland Link Project Mitigated Negative Declaration; and

WHEREAS, BATA served as the lead agency in preparing a Mitigated Negative Declaration ("MND") (SCH# 2022060271) with the assistance of BATA staff and consultants pursuant to the California Environmental Quality Act ("CEQA") (Public Resources Code § 21000 et seq.) and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) for the Project; and

WHEREAS, the MND analyzes the environmental effects of the proposed Project, and identifies mitigation to reduce any environmental effects to a less than significant level; and

WHEREAS, a proposed MND was made available to the public for review and comment during a 30-day comment period between June 15, 2022 and July 14, 2022; and

WHEREAS, pursuant to State CEQA Guidelines § 15073, BATA also provided a Notice of Intent ("NOI") to all organizations and individuals who previously requested such notice and published the NOI for the proposed MND on June 15, 2022, in 3 different newspapers of general circulation, and also by direct mailing and by email. In addition, copies of the proposed MND were made available at public libraries and at the offices of BATA and electronic links to the proposed MND were provided on the agency website; and

WHEREAS, BATA conducted a virtual public meeting on the Project and the proposed MND on June 29, 2022; and

WHEREAS, during the comment period on the proposed MND, BATA requested comments from responsible agencies, other regulatory agencies, and others

pursuant to State CEQA Guidelines § 15073; and

WHEREAS, during the public review period on the proposed MND, BATA received written comment letters, online comments and email correspondence from the public; and

WHEREAS, BATA evaluated all comments on environmental issues received during the comment period on the proposed MND, prepared written responses to these comments, made relevant clarifying revisions to the MND, and none of the comments or revisions resulted in a change in conclusion of the MND that all impacts would be less than significant with mitigation; and

WHEREAS, BATA prepared the MND (Attachment A) including all appendices and revisions thereto, prepared responses to comments and prepared the Mitigation and Monitoring Report (Attachment B); and

WHEREAS, no comments or any additional information received by BATA have resulted in substantial revision to the MND or produced significant new information requiring recirculation or additional environmental review under State CEQA Guidelines § 15073.5; and

WHEREAS, State CEQA Guidelines § 15074 provides that a lead agency shall certify that the decision-making body of the lead agency has reviewed and considered the information presented in the MND prior to approving a project; and

WHEREAS, State CEQA Guidelines § 15074 further provides that lead agencies shall certify that the MND prepared for a project has been completed in compliance with CEQA; and

WHEREAS, State CEQA Guidelines § 15074 further provides that the lead agency shall certify that the MND prepared for a project reflects their independent

judgment and analysis; and

WHEREAS, the recommendation to adopt the MND was placed on the agendas for the January 11, 2023 Bay Area Toll Authority Oversight Committee and the January 25, 2023 Authority meetings, which were duly noticed to the public on or before January 6, 2023 and January 20, 2023, respectively; and

WHEREAS, pursuant to CEQA Guidelines § 15072 and 15073, BATA provided notices of the public hearing to all public agencies that submitted comments on the proposed MND prior to adoption of the MND; and

WHEREAS, all of the conclusions made by BATA pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, BATA has prepared a Mitigation Monitoring and Reporting Program in compliance with CEQA Guidelines § 15074, included as Attachment B, to ensure compliance with the mitigation measures identified in the MND during Project implementation; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, prior to taking action on the MND, BATA has heard, been presented with, reviewed, and considered all of the information and data in the administrative record, including the MND, oral and written evidence presented to it during all meetings; now, therefore, be it

RESOLVED, that BATA hereby certifies that the foregoing recitals are true and correct and incorporated by this reference; and be it further

RESOLVED, that BATA prepared the MND; and be it further

RESOLVED, that BATA finds the MND satisfies all the requirements of CEQA and the State CEQA Guidelines; and be it further

RESOLVED, that BATA finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the Project will have a significant effect on the environment; and be it further

RESOLVED, that BATA certifies that the MND (attached hereto as Attachment A and incorporated herein as though set forth at length) represents the independent judgment and analysis of BATA; and be it further

RESOLVED, that BATA, as the decision-making body, adopts the MND that was presented to it and that it has reviewed and considered the information in the MND prior to approving BATA's action to authorize the Executive Director or designee to negotiate and enter into the funding agreement with ACTC as a first step in implementation of the Project; and be it further

RESOLVED, that BATA adopts the Mitigation Monitoring and Reporting Program in support of BATA's action to authorize the Executive Director or designee to enter into a funding agreement for the Project as required by CEQA Guidelines § 15074 (attached hereto as Attachment B) and incorporated fully by this reference; and be it further

RESOLVED, that upon BATA's action to authorize the Executive Director or designee to enter into a funding agreement for the Project, staff is directed to immediately (within five working days): (a) file a Notice of Determination documenting these decisions (CEQA Guidelines § 15075); and (b) retain a copy of the adopted MND as a public record.

BAY AREA TOLL AUTHORITY

Alfredo Pedroza, Chair

The above resolution was entered into by the
Bay Area Toll Authority at a
duly called and noticed meeting held in
San Francisco, California and at other remote
locations, on January 25, 2023.

Date: January 25, 2023
W.I.: 12151
Referred by: BATA Oversight

Attachment A
BATA Resolution No. 161 Page
1 of 1

Project Mitigated Negative Declaration

The Project Mitigation Negative Declaration with Appendices is on file in the offices of the Bay Area Toll Authority, Bay Area Metro Center, 375 Beale Street, Suite 800, San Francisco, CA 94105. The Project Mitigation Negative Declaration with Appendices can also be found on the West Oakland Link webpage at: https://mtc.ca.gov/planning/transportation/bicycle-pedestrian-micromobility/west-oakland-link

Date: January 25, 2023
W.I.: 12151
Referred by: BATA Oversight

Attachment B
BATA Resolution No. 161 Page
1 of 25

MITIGATION MONITORING AND REPORTING PROGRAM FOR THE WEST OAKLAND LINK

PREPARED FOR:

Bay Area Toll Authority
375 Beale Street, Suite 800
San Francisco, CA 94105
Contact: Gavin Lohry
415-778-6676

PREPARED BY:

ICF
201 Mission Street, Suite 1500
San Francisco, CA 94105
Contact: Rich Walter
510-290-1860

December 2022

ICF. 2022. *Mitigation Monitoring and Reporting Program for the West Oakland Link*. December. (ICF 104261.) San Francisco, CA. Prepared for Bay Area Toll Authority, San Francisco, CA.

Contents

Tables and Figures

Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP) is formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the West Oakland Link (Project or Link), a new bicycle/pedestrian path connection between West Oakland and the bike path leading to the East Span of the San Francisco Oakland Bay Bridge (Bay Bridge) in Oakland, California. The MMRP, found in Table 1 below, lists mitigation measures proposed in the IS/MND prepared for the Project and identifies mitigation monitoring and implementation requirements.

This MMRP has been prepared to comply with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21081.6), which requires Lead Agencies approving a project for which a MND was adopted to adopt an MMRP when mitigation measures are required to avoid significant impacts. The MMRP is intended to ensure compliance with the mitigation measures identified in the IS/MND during implementation of the Project. This MMRP required the implementation of both the avoidance and minimization measures (AMMs) and the mitigation measures (MMs) identified in the IS/MND

The MMRP is organized in a matrix format. The first two columns of Table 1 identify the environmental topics requiring mitigation measures and the corresponding mitigation measures. The third column, entitled "Timeframe for Implementation," refers to when monitoring will occur to ensure that the mitigating action is completed. The fourth column, entitled "Responsibility for Implementation," refers to the party responsible for implementing the mitigation measure. It is noted that BATA intends to enter into an agreement with a different entity to be the construction implementation entity (CIE). This agreement will include provisions for CIE to be responsible for implementing specific mitigation measures as described in this MMRP. The fifth column, entitled, "Oversight of Implementation," refers to the party responsible for oversight or ensuring that the mitigation measures are implemented.

Table 1: Mitigation Monitoring and Reporting Program

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
2.1 AESTHETICS				
	Avoidance and Minimization Measure AES-1: Apply Textured Surfaces Community input will ultimately drive the design on aesthetics and finishes used for support columns, elevated structures, and abutment walls so that they incorporate design elements desired by the community. However, at a minimum, a roughened, textured surface shall be used for support columns, elevated structures, and retaining walls. This will soften the verticality of surfaces by providing visual texture and will reduce the amount of smooth surfaces that can reflect light, reducing glare, and be attractive for graffiti. A different texture than the minimum requirement may be used if community input favors such a change.	During design	BATA and project designer	BATA
	Avoidance and Minimization Measure AES-2: Replace Vegetation Vegetation that is destroyed, damaged, or removed by the Project or through incidental construction activities will be replaced, irrigated, and maintained during a plant establishment period. The plant establishment period for plants installed as part of the Project will be 3 years; 5 years for plants installed through mitigation. In addition, all disturbed areas shall be restored to their previous condition or better. Disturbed areas will be hydroseeded to blend the area into the surrounding context. In addition, tree and shrub plantings may be feasible in disturbed areas, where necessary.	During construction	CIE and construction contractor	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
2.3 AIR QUALITY				
	Mitigation Measure AQ-1: Implement BAAQMD Basic Control Measures to Control Construction-Related Dust and Reduce Exhaust Emissions during Construction In accordance with the BAAQMD's CEQA Guidelines (2017) and the City of Oakland's Standard Conditions of Approval, the CIE will ensure their construction contractor implements the following BASIC construction-related air pollution control measures at all construction sites to reduce particulate matter emissions from construction activities. a. Water all exposed surfaces of active construction areas (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) at least twice daily (using reclaimed water if possible). Watering will be sufficient to prevent airborne dust from leaving the site, and the frequency will be increased as necessary when wind speeds exceed 15 miles per hour. b. Cover all haul trucks transporting soil, sand, or other loose material offsite. c. Remove all visible mud or dirt track-out onto adjacent public roads using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. d. Pave all roadways, driveways, and sidewalks as soon as feasible. In addition, any building pads will be laid as soon as possible after grading unless seeding or soil binders are used. e. Enclose, cover, water twice daily or apply non-toxic soil stabilizers to exposed stockpiles (dirt, sand, etc.). f. Limit vehicle speeds on unpaved roads to 15 miles per hour	During all construction activities	CIE and construction contractor	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	g. Minimize idling times by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the CCR). Provide clear signage to this effect for construction workers at all access points. h. Maintain and properly tune all construction equipment in accordance with the manufacturer's specifications. All equipment will be checked by a certified mechanic and determined to be in proper condition prior to operation. i. Post a publicly visible sign with the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor will respond and take corrective action within 48 hours. The names and telephone numbers for contact persons at the construction contractor, CIE and the Bay Area Air Quality Management District will also be visible to ensure compliance with applicable regulations. j. All demolition activities (if any) shall be suspended when average wind speeds exceed 20 mph. k. All trucks and equipment, including tires, shall be washed off prior to leaving the site. l. Site access points to a distance of 100 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel.			
	Mitigation Measure AQ-2: Prepare a Health Risk Assessment prior to Construction near the Wood Street Residences and/or Homeless Services/Housing along Wood Street north	Prior to and during construction	CIE and construction contractor	BATA

	of West Grand Avenue and Implement Risk Reduction Measures (as necessary)[1] a. The CIE and construction contractor shall prepare a site-specific construction HRA for all construction activity within 1,000 feet of the 2011–2195 Wood Street project and/or within 1,000 feet of any homeless service or housing that may be extant during construction north of West Grand Avenue along Wood Street once the construction schedule for such activity is known. This HRA shall be prepared well in advance of construction so that if provision of filtration, as discussed below, can be installed prior to construction in the vicinity. b. For the 2011–2195 Wood Street project, the CIE and construction contractor shall determine the specific measures or features that were approved for the Wood Street project, pursuant to the City's conditions of approval to reduce exposure to existing sources of TACs. Indoor air filtration at the Wood Street project is expected to be equal to MERV-13 or greater efficiency standards, based on the requirements of the West Oakland Community Action Plan. The project sponsor shall also confirm other measures at this building that will be implemented, such as strategic site layout planning, and indoor air quality monitoring unit. c. For homeless services or housing, the CIE and construction contractor shall coordinate with the City of Oakland and homeless service providers to determine whether such services or residents may be present along Wood Street within 1,000 feet of construction, the determine the duration of presence of individuals at the location.			

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	d. If the project's construction HRA demonstrates that health risk exposures or PM2.5 concentrations at adjacent receptors would be less than BAAQMD thresholds, then additional mitigation would be unnecessary. e. However, if the HRA demonstrates that health risks or PM2.5 concentrations would exceed BAAQMD thresholds, inclusive of the Wood Street project's conditions of approval, then additional mitigation shall be provided by the applicant to reduce risks so that the project's incremental risk is below BAAQMD project thresholds and the project does not contribute to an exceedance of the BAAQMD cumulative threshold. The additional mitigation will include source reductions, such as mandating Tier 4 engines in construction equipment, and/or receptor reductions, such as higher air filtration efficiency standards than those approved for the Wood Street project (e.g., MERV 14 or higher). The use of filtration with higher MERV values, such as MERV-14, would result in additional filtering of particles beyond MERV-13, with up to 84 percent efficiency for MERV-14 for particles less than 1 micron in size.[2] Regarding homeless services or homeless housing residents, this mitigation may include temporary relocation of homeless services or residents of homeless housing as necessary to reduce exposure.			

[1] Mitigation Measure AQ-2 is to address cumulative impacts (see discussion below in Section 2.21.1). This mitigation is referred to as Mitigation Measure AQ-4 in the 2020 Air Quality Technical Errata.

[2] Based on estimates from the U.S. Environmental Protection Agency (https://www.epa.gov/indoor-air-quality-iaq/what-merv-rating-1).

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
2.4 BIOLOGICAL RESOURCES				
	Mitigation Measure BIO-1: Install Environmentally Sensitive Area Fencing to Protect the Sensitive Natural Communities, Including Earthen Drainage Ditch Environmentally sensitive area fencing will be installed to prevent contaminants and debris from entering waters of the State and U.S. and any other sensitive areas within the Project area. Before construction begins, the CIE and construction contractor will retain a qualified biologist to identify the locations of sensitive natural communities for the silt fencing and will mark those locations with stakes or flagging. All fencing will be maintained throughout the construction period. No construction activity, traffic, equipment, or materials will be permitted in fenced areas.	Before commencement of construction activities	CIE and construction contractor	BATA
	Mitigation Measure BIO-2: Avoid Placement of Stormwater Treatment Facilities in Area of Wetland Habitat. Stormwater treatment facilities will be designed so as to avoid the identified areas of wetland habitat, including the area below I-880 and south of West Grand Avenue.	Before commencement of construction activities	CIE and construction contractor	BATA
	Mitigation Measure BIO-3: Implement Measures to Avoid the Introduction and Spread of Invasive Plants CIE and construction contractor will be responsible for avoiding the introduction of new invasive plants and the spread of invasive	Prior to and during all construction activities	CIE and construction contractor	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	plants previously documented in the Project area. Accordingly, the following measures will be implemented during construction. • Surface disturbance within the construction work area will be minimized to the greatest extent possible. • All disturbed areas will be seeded with certified weed-free native mixes and mulched with certified weed-free mulch (rice straw may be used in upland areas). • Native, noninvasive species will be used in erosion control plantings to stabilize site conditions and prevent invasive species from colonizing.			
	Mitigation Measure BIO-4: Develop and Implement Worker Awareness Training Prior to construction, CIE and construction contractor will retain a qualified biologist to develop and conduct a Worker Awareness Training to inform the contractors and all Project construction workers of their responsibilities regarding biological resources. The training will comprise environmental education about sensitive resources (e.g., trees, wetlands, migratory birds), and the protected status of those resources. The training will include visual aids to assist in identifying regulated biological resources. The training will also include actions that should be taken to protect environmental resources in the Project area.	Before commencement of construction activities	CIE and construction contractor	BATA
	Mitigation Measure BIO-5: Implement Nesting Bird Impact Avoidance Measures The CIE and construction contractor will implement the following nesting bird impact avoidance and minimization measures to protect migratory bird species.	Prior to and during construction	CIE and construction contractor	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	• Trees and vegetation removal will occur during the non-breeding season for most migratory birds (generally between September 2 and February 14) to the extent feasible. • If possible, construction activities will begin prior to the nesting season for most birds (generally, February 15 through September 1). Beginning construction prior to the breeding season will establish a level of noise disturbance that will dissuade noise-sensitive raptors and other birds from attempting to nest within or near the Project area. • If beginning construction activities (including vegetation removal) prior to the breeding season is not possible, the CIE and construction contractor will retain a qualified wildlife biologist with knowledge of the relevant species to conduct nesting surveys before the start of construction. A minimum of three separate surveys will be conducted for migratory birds, including raptors. Surveys will include a search of all trees, shrubs and elevated structures that provide suitable nesting habitat in the Project area. In addition, a 300-foot area around the Project area will be surveyed for nesting raptors. Surveys will occur during the height of the breeding season (March 1 to June 1) with one survey occurring in each of two consecutive months within this peak period and the final survey occurring within 1 week of the start of construction. If no active nests are detected during these surveys, no additional measures are required. • If an active nest is found in the survey area, a no-disturbance buffer will be established around the site to avoid disturbance or destruction of the nest site until the end of the breeding season (September 1) or until after a qualified wildlife biologist determines that the young have fledged and moved out of the Project area (this date varies by species). The extent of these buffers will be determined by			

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	the biologist in coordination with USFWS and CDFW and will depend on the level of noise or construction disturbance, line-of-sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. Suitable in-construction buffer distances may vary between species.			
	Mitigation Measure BIO-6: Conduct a Tree Survey and, if Protected Trees Are Identified, Comply with Requirements of City's Protected Trees Ordinance During final design of the Project, the CIE and construction contractor will retain a qualified biologist to conduct a tree survey of the estimated 44 trees to be removed, to identify protected trees, as defined by City of Oakland Section 12.36 of the City's Municipal Code, in the Project area, and identify trees to be trimmed or removed for Project construction. The tree survey report will include specific characterizations of protected trees (size, species, health) and include graphics identifying the location. If construction activities associated with the Project could result in the disturbance, damage, destruction, or removal of individual protected trees, the CIE and construction contractor will obtain a permit from the City of Oakland prior to removal of a protected tree or before doing work that might damage or destroy a protected tree. If construction has the potential to damage or destroy a protected tree, adequate protection will be provided during the construction period for any trees which are to remain standing. Measures deemed necessary by the qualified arborist in consideration of the size, species, condition, and location of the trees to remain may include any of the following:	Prior to and during construction	CIE and construction contractor	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	• Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed to be potentially endangered by said site work will be securely fenced off at a distance from the base of the tree to be determined by the City Tree Reviewer. Such fences will remain in place for duration of all such work. All trees to be removed will be clearly marked. A scheme will be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree. • Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures will be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter will be minimized. No change in existing ground level will occur within a distance to be determined by the Tree Reviewer from the base of any protected tree at any time. No burning or use of equipment with an open flame will occur near or within the protected perimeter of any protected tree. • No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees will occur within the distance to be determined by the Tree Reviewer from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials will be operated or stored within a distance from the base of any protected trees to be determined by the tree reviewer. Wires, ropes, or other devices will not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag			

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	showing the botanical classification, will be attached to any protected tree. • Periodically during construction, the leaves of protected trees will be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration. • If any damage to a protected tree should occur during or as a result of work on the site, the CIE and construction contractor will immediately notify the City of Oakland Office of Parks and Recreation of such damage. If, in the professional opinion of the City Tree Reviewer, such tree cannot be preserved in a healthy State, the Tree Reviewer will require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed. • All debris created as a result of any tree removal work will be removed by the applicant from the property within two weeks of debris creation, and such debris will be properly disposed of by the applicant in accordance with all applicable laws, ordinances, and regulations. Removal of any protected tree requires replacement plantings in the Project area to prevent excessive loss of shade, erosion control, groundwater replenishment, visual screening and wildlife habitat. Tree replacement will be conducted in accordance with the following criteria: • No tree replacement will be required for the removal of non-native species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered. • Replacement tree species will consist of *Sequoia sempervirens* (Coast Redwood), *Quercus agrifolia* (Coast Live			

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	Oak), *Arbutus menziesii* (Madrone), *Aesculus californica* (California Buckeye) or *Umbellularia californica* (California Bay Laurel) or other species determined by the City Tree Reviewer. • Replacement trees will be of twenty-four (24) inch box size, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee as determined by the master fee schedule of the city may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians			
2.5 CULTURAL RESOURCES				
	AMM CUL-1: Stop Work if Buried Cultural Resources Are Discovered During Project construction, the CIE and construction contractor will ensure that work is stopped work if buried cultural resources are inadvertently discovered during ground-disturbing activities. Buried cultural resources include, but are not limited to, chipped or ground stone, historic debris, building foundations, or human bones. If there is evidence of such resources, work will stop in that area and within 100 feet of the find until a qualified professional archaeologist can assess the significance of the find and develop appropriate treatment measures in consultation with CIE and construction contractor. The CIE and construction contractor will be responsible for ensuring that treatment measures are implemented prior to the resumption of construction on that portion of the site. If discovered resources include human bones, implementation of **AMM CUL-2** is also required.	During construction	CIE and construction contractor	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	AMM CUL-2: If Human Remains Are Discovered, Comply with State Laws Relating to Human Remains. If human bones or remains are inadvertently discovered during Project construction, the CIE and construction contractor, will ensure that work is stopped work if buried cultural resources are inadvertently discovered during ground-disturbing activities. Consequently, if any human remains are discovered or recognized in any location other than a dedicated cemetery, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains (1) until the County Coroner has been informed and has determined that no investigation as to the cause of death is required and (2), if the remains are of Native American origin: • The coroner will then contact the Native American Heritage Commission, and the Commission will then designate a Most Likely Descendant (MLD). • The MLD has made a recommendation to the landowner or the person responsible for the excavation work regarding the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, as provided in PRC Section 5097.98.	During construction	CIE and construction contractor	BATA
2.7 GEOLOGY AND SOILS				
	Mitigation Measure GEO-1: Perform Site-Specific Geotechnical Investigation. To minimize potential geotechnical hazards, BATA and the project designer will hire qualified professionals to perform additional site-specific field investigation and laboratory testing by a professional geologist/engineer and certified analytical	As part of design phase of the Project	BATA and the project designer	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	laboratory per the specifications outlined in the Preliminary Foundation Report. The additional field investigation and laboratory testing will take place as part of the detailed design phase of the Project. The results will be provided to the CIE and construction contractor for compliance and approval prior to issuance of grading permits. The geotechnical investigation will perform additional investigations and laboratory testing to determine soil characteristics, including but not limited to liquefaction susceptibility and expansiveness within the limits of the Project, if deemed necessary, by a professional geologist/engineer and certified analytical laboratory. The additional investigations would include, but not be limited to, review of available literature prepared for other structural and transportation projects in the vicinity of the Project to evaluate the expansive nature of soils within the Project area. In addition, if deemed necessary by a qualified geologist, soils borings and laboratory testing would be conducted to evaluate the expansive nature of the soils within the limits of the Project. Should geotechnical hazards soils be found to occur within the limits of the Project, a professional geologist/engineer will prepare appropriate design recommendations, performance standards and BMPs to minimize impacts related to these hazards. The findings of the additional investigations and laboratory testing, if deemed necessary, will take place as part of the detailed design phase of the Project and will be provided to the Lead Agency for compliance and approval prior to issuance of grading permits.			
2.8 GREENHOUSE GAS EMISSIONS				

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	Mitigation Measure GHG-1: Implement BAAQMD Measures to Reduce Greenhouse Gas Emissions during Construction The CIE and construction contractor will ensure their construction contractor implements the following BMPs, to the extent feasible, to reduce GHG emissions from construction equipment, consistent with measures recommended by the BAAQMD in their CEQA Guidelines (2017): a. Use alternative-fueled (e.g., biodiesel, electric) construction vehicles/equipment of at least 15 percent of the fleet. b. Use local building materials of at least 10 percent (i.e., 10 percent of materials used will originate locally). Recycle at least 50 percent of construction waste or demolition materials.	During all construction activities	CIE and construction contractor	BATA
2.9 HAZARDS AND HAZARDOUS MATERIALS				
	Mitigation Measure HAZ-1: Prepare a Phase II Environmental Site Assessment Prior to construction, BATA will ensure a Phase II Environmental Site Assessment (ESA), as recommended in the Phase I ISA (Fugro 2014), is prepared for the portion of the Project area where planned foundations and surface soil disturbance will occur adjacent to the two hazardous materials sites, 1) the former OAB on the west side of I-880, south of the proposed Link, and 2) the Heroic War Dead Army Reserve Center on the west side of I-880, north of the proposed Link on the EBMUD site at 2400 Engineer Road. In addition, and as part of the Phase II ESA, BATA and the project designer will incorporate ADL sampling the unpaved areas requiring excavation within 25-30 feet of the edge of roadway pavement. Handling and disposal of excavated material	Prior to construction activities	BATA and project designer	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	from these areas shall be determined based on the results of the Phase II ESA sampling. The Phase II ESA will include the following: • A scope of work consisting of pre-field activities, such as preparation of a Health and Safety Plan, marking boring locations, and obtaining utility clearance, and field activities, such as identifying appropriate sampling procedures, health and safety measures, chemical testing methods, and quality assurance/quality control procedures in accordance with the ASTM Standard. • A Sampling and Analysis Plan in accordance with the scope of work. • Collection of soil samples per the Sampling and Analysis Plan. • Laboratory analyses conducted by a State-certified laboratory. • Disposal process including transport by a State-certified hazardous material hauler to a State-certified disposal or recycling facility licensed to accept and treat hazardous waste.			
	Mitigation Measure HAZ-2: If Contaminated Soils Exist Onsite or Demolition is Required, Implement Engineering Controls and Best Management Practices to Minimize Exposure to during Construction. In the event that contaminated soils are found to exist onsite (per findings in the Phase II ESA report), the CIE and construction contractor will ensure the construction contractor employs engineering controls and BMPs to minimize human exposure to	During construction activities	CIE and construction contractor	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: • Contractor employees working onsite will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response training. • Contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation. • Contractor will water/mist soil as it is being excavated and loaded onto transportation trucks. • Contractor will place any stockpiled soil in areas shielded from prevailing winds. • Contractor will cover the bottom of excavated areas with sheeting when work is not being performed. The project is not expected to require the demolition of any existing buildings or structures. In the unlikely event that such action is needed, the removal work and any disposal action will be conducted in accordance with DTSC 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers* and other applicable federal and state legislations and regulations.			
2.10 HYDROLOGY AND WATER QUALITY				
	Mitigation Measure HYD-1: Prepare and Implement a Toxic Materials Spill Prevention and Response Plan The CIE and construction contractor will ensure the construction contractor prepares a toxic materials spill prevention and response plan before allowing construction to begin. The plan will specify BMPs to regulate the use of petroleum-based products (fuel and lubricants) and other potentially toxic materials	Prior to and during construction activities	CIE and construction contractor	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	associated with Project construction. The CIE and construction contractor or their construction monitor will routinely inspect the construction site to verity that BMPs specified in the plan are properly implemented and maintained. The CIE and construction contractor or their monitor will notify the construction contractor immediately if there is a noncompliance issue and will require compliance.			
	Mitigation Measure HYD-2: Include Protection of Link Facility in Planning Protection for Other Transportation Facilities BATA/Caltrans will include flood protection of the Link facilities when planning for the protection of other transportation facilities in the vicinity from daily flooding. Other transportation facilities include I-80, the Bay Bridge Toll Plaza, the Maze, I-880 and connecting roadway facilities. BATA/Caltrans will work with the Port of Oakland, EBMUD, and the City of Oakland in developing flood protection measures that are determined necessary, feasible and able to protect both transportation and non-transportation assets in the Project vicinity. This measure would be implemented as part of other improvements included in broader flooding protections to protect other facilities in the area. Since daily flooding of the Project area is currently estimated to occur sometime after 2050 and then only if the higher range of SLR estimates comes to fruition, this mitigation does not require action until 10 years prior to actual predicted inundation.	Ongoing commitment	BATA/Caltrans	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
2.17 Transportation				
	Mitigation Measure TR-1: Implement Signal Upgrade and Crosswalk Improvement at West Grand Avenue/Frontage Road/I-80 Ramps Intersection The CIE and construction contractor will be responsible for implementing future improvements at the West Grand Avenue/Frontage Road/I-80 ramps intersection to minimize conflicts and safety hazards between vehicles and Link users. This includes upgrading the marked crosswalk along the south leg of the intersection to be the same width as the Link, installing pedestrian and bicycle signals, and upgrading traffic signal equipment as necessary. This includes installing video detection equipment to accommodate pedestrian and bicycle movement across the intersection. With installation of video detection for both bicyclists and vehicles, the improvements are not projected to degrade automobile LOS at the intersection.	Prior to and during construction	CIE and construction contractor	BATA
	Mitigation Measure TR-2: Implement Signal Upgrade and Optimization at West Grand Avenue/Mandela Parkway (northbound) Intersection The CIE and construction contractor will coordinate with the City of Oakland to implement signal upgrades and optimization at West Grand Avenue/Mandela Parkway (northbound) intersection. This includes modifying the eastbound approach to convert the shared left through lane to a left-turn-only lane, installing protected phasing for the eastbound and westbound left-turn movements, and upgrading traffic signal equipment as necessary to provide bicycle video detection.	Prior to and during construction	CIE and construction contractor	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	Mitigation Measure TR-3: Implement Safety Measures at Bay Bridge Trail Intersection BATA and the project designer will design the path in the vicinity of the Bay Bridge Trail intersection to provide for safe movement. The CIE and construction contractor will provide directional signage and striping, and potentially provide a bicycle stop sign on the path at the Bay Trail connection.	Prior to and during construction	BATA, project designer, CIE and construction contractor	BATA
	Mitigation Measure TR-4: Implement Pedestrian/Bicycle Safety Measures between Wood Street Parking Lot and Link Prior to operation, the following pedestrian/bicycle safety measures will be implemented by BATA/Caltrans between the Wood Street parking lot and the Link. • BATA and the project designer will identify the preferred pedestrian/bicycle route between the Wood Street parking lot and the Link. • The CIE and construction contractor will install crosswalks, crossing treatments, pedestrian-scale lighting, and wayfinding elements as necessary along the route to guide pedestrians and bicyclists.	Prior to and during construction	BATA, project designer, CIE and construction contractor	BATA

Environmental Impact Analysis Topic	Mitigation Measures	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	Mitigation Measure TR-5: Implement Pedestrian/Bicycle Safety Measures along Segment 4 of the Link During final design, BATA and the project designer will include in the design and the CIE and construction contractor will implement the following bicycle safety measures along the west end of Segment 4 of the Link: • Install warning signs at the curve approaches on Segment 4 where the Link ascends and descends with a switchback curve. • Ensure there are clear lines of sight maintained between path sections and, where practical, provide a wider cross section through the curve area.	Prior to and during construction	BATA, project designer, CIE and construction contractor	BATA

- The roles and responsibilities in this MMRP supersede the roles and responsibilities listed in the IS/MND in instances when they differ.

CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION DETERMINATION FORM (rev. 06/2022)

Project Information

Project Name (if applicable): West Oakland Link

DIST-CO-RTE: 04-Ala-880 **PM/PM:** R34.5

EA: 4W480 **Federal-Aid Project Number:** Pending

Project Description

In the vicinity of the East Span of the San Francisco-Oakland Bay Bridge: The West Oakland Link bike/ped path will connect the communities of West Oakland, Oakland, and other East Bay cities to the new East Span of the San Francisco Oakland Bay Bridge. The trail will be part of the regional Bay Trail. The trail will extend from Mandela Parkway in West Oakland to the existing Bay Trail leading to the East Span of the Bay Bridge. The project will be located within the road rights of way for West Grand Ave. and local City streets and on adjacent land on which the project will require 8 acquisitions and 9 easements.
The Project is a new Class I bike path on Wood Street located in the City of Oakland, Alameda County, near the I-880 and I-80 interchange and the East Span of the Bay Bridge.

The Class I portion of the Link would extend 6,030 feet (1.14 miles) between Mandela Parkway on the east and the Bay Bridge Trail on the west. The Link is an elevated structure for most of this distance to provide access across existing freeways, railways and industrial areas. It is an independent structure, except over the railroad tracks where it would be on the West Grand Avenue overcrossing structure. The elevated Link reaches a maximum height of 37 feet where it is on the overcrossing structure. The Class I portion of the Link would be 17 feet wide (15 feet clear width and 2 feet for fencing), except on the West Grand Avenue overcrossing structure where it reduces to 14 feet wide (10 feet clear width and 4 feet for barrier and fencing). The Link would have a maximum grade of 5 percent. The Link would be open at all times and would have low level lighting.

The Project would also include 8,170 feet of Class II bike lanes. The Class II bike lanes constructed for the Link would extend along surface streets near the east touchdown of the Link, providing connections to Mandela Parkway and to the proposed Wood Street parking lot. A 100-space parking lot would be constructed at the east end of the Class I portion of the Link, if funding is available.

The Project could also include an innovative spur connection to the proposed Oakland Maritime Support Services (OMSS) building and is designed to land on the roof of this building. This connection would provide lookout areas for path users and access for first responders when attempting to reach path users in the event of an emergency.

The Class I portion of the Link at the Maritime Street area could also include a ramp that would tie in to the Class I path along the east side of Maritime Street and connect with the Port of Oakland.
The Project would require the conversion of roadway shoulders to bicycle path for the Link, and lane reduction at the West Grand Avenue/Mandela Parkway intersection.

Construction Activities:

Project construction would require excavation, grading and new pavement as follows:

(1) Excavation up to 5 feet deep for 45 column footings for the elevated portion of the Link (note that supporting piles would be driven 50–60 feet deep);

(2) Excavation up to 3 feet deep for at-grade modifications at the west end touch down near the Caltrans maintenance facility and the east touch down at Campbell Street and Willow Street, where there would be intersection modifications to create cul-de-sacs;
(3) Excavation up to 3 feet deep for at-grade modifications along City streets for new pavement sections, sidewalks and driveways; and

(4) Excavation up to 3 feet deep and grading for gravel and asphalt pavement at the Wood Street parking lot.

It is estimated that the Project would result in up to approximately 2,600 cubic yards of cut material. During excavation, soils would be tested for contamination. Clean soils would be used or sold for reuse at nearby construction sites. Contaminated soils would be disposed of at an appropriate facility.

It is estimated that approximately 44 trees could be removed along the alignment, based on review of an aerial photo and a site visit. Replacement planting would proceed consistent with City of Oakland municipal code.

Staging:

Construction staging would be on a disturbed or paved area, away from drainages. Options include using the Wood Street parking lot area before parking lot construction begins and/or renting a nearby parcel, possibly along Maritime Street or Burma Road.

Construction Equipment and Vehicles:

Construction equipment and vehicles could include backhoes, loaders, excavators, tractors, cranes, lifts, pile drivers, concrete trucks and pump, paving machine, compactors/rollers, and trucks for demolition, grading, and materials delivery.

Construction equipment and power tools could include jackhammers, air compressors, generators, concrete saws, power drills, welding equipment, sandblasting equipment, painting equipment, power and impact wrenches, and the like.

Piles for the 45 footings (estimated amount to support the elevated portion of the Link) could be driven piles (precast concrete or steel) or cast-in-drilled-hole concrete piles, or a combination depending on the specific site conditions along the structure.

Public Outreach:

Prior to the CEQA phase, there were several community meetings held concerning both Gateway Park and West Oakland Link.

During the CEQA phase, the Draft IS/MND was circulated to the public, stakeholders, and agencies. Comments were received from 30 individuals, the Oakland Heritage Alliance, the City of Oakland, DTSC, EBMUD, and the Port of Oakland and were responded to as part of final IS/MND. Public support for the project was expressed in most of the comments received.

As part of design, BATA has partnered with WOEIP, a community based organization in West Oakland to conduct a series of community outreach meetings to solicit input from the community on project design.

Additional public outreach will be conducted prior to construction to ensure that the community is aware of the construction effects and mitigation to be implemented.

Purpose: The purpose of the project is to provide a dedicated pedestrian and bicycle link between the West Oakland community and the bike and pedestrian trail leading to the East Span of the Bay Bridge

Need: There is no safe pedestrian and bicycle link from West Oakland to the bike and pedestrian trail to the East Span of the Bay Bridge. The existing connections are on existing roadways heavy with vehicle and truck traffic that poses substantial safety risks to bicycle and pedestrian users that impedes its use by nearly all bicyclists and pedestrians.

Caltrans CEQA Determination (Check one)

☒ **Not Applicable** – Caltrans is not the CEQA Lead Agency

☐ **Not Applicable** – Caltrans has prepared an IS or EIR under CEQA

Based on an examination of this proposal and supporting information, the project is:

☐ **Exempt by Statute.** (PRC 21080[b]; 14 CCR 15260 et seq.)

☐ **Categorically Exempt. Class** Enter class. (PRC 21084; 14 CCR 15300 et seq.)

- ☐ No exceptions apply that would bar the use of a categorical exemption (PRC 21084 and 14 CCR 15300.2). See the SER Chapter 34 for exceptions.

☐ **Covered by the Common Sense Exemption.** This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (14 CCR 15061[b][3].)

Senior Environmental Planner or Environmental Branch Chief

N/A		
Print Name	Signature	Date

Project Manager

N/A		
Print Name	Signature	Date

Caltrans NEPA Determination (Check one)

☐ **Not Applicable**

Caltrans has determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). See SER Chapter 30 for unusual circumstances. As such, the project is categorically excluded from the requirements to prepare an EA or EIS under NEPA and is included under the following:

☒ **23 USC 326:** Caltrans has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to 23 USC 326 and the Memorandum of Understanding dated April 18, 2022, executed between FHWA and Caltrans. Caltrans has determined that the project is a Categorical Exclusion under:

☒ **23 CFR 771.117(c): activity (c)(#**3 Construction of bicycle and pedestrian lanes, paths, and facilities)

☐ **23 CFR 771.117(d): activity (d)(Enter activity number)**

☐ **Activity Enter activity number listed in Appendix A of the MOU between FHWA and Caltrans**

☐ **23 USC 327:** Based on an examination of this proposal and supporting information, Caltrans has determined that the project is a Categorical Exclusion under 23 USC 327. The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated May 27, 2022, and executed by FHWA and Caltrans.

Senior Environmental Planner or Environmental Branch Chief

Wahida Rashid	Wahida Rashid	5/15/2024
Print Name	Signature	Date

Project Manager/ DLA Engineer

Sion Kidane	Sion M. Kidane	5-15-2024
Print Name	Signature	Date

Date of Categorical Exclusion Checklist completion (if applicable): Enter date
Date of Environmental Commitment Record or equivalent: Enter date

Briefly list environmental commitments on continuation sheet if needed (i.e., not necessary if included on an attached ECR). Reference additional information, as appropriate (e.g., additional studies and design conditions).

Continuation sheet:

There may be temporary disturbance to traffic during construction. As described in the Environmental Commitment Record (ECR), a Transportation Management Plan (TMP) will be prepared and implemented to minimize disruption.

There may be temporary disturbance at the connection to the Bay Trail during construction and to pedestrian and bicycle use during the construction of the trail along West Grand Avenue between Mandela Parkway and the I-880 Frontage Road. The TMP will minimize this disturbance.

The following measures will be implemented:

- Mitigation Measure TR-3 (IS/MND): Implement Safety Measures at Bay Bridge Trail Intersection

- Mitigation Measure TR-4(IS/MND): Implement Pedestrian/Bicycle Safety Measures between Wood Street Parking Lot and Link

- Mitigation Measure TR-5(IS/MND): Implement Pedestrian/Bicycle Safety Measures along Segment 4 of the Link

The project will not disturb any Section 4(f) park resource except for the temporary disturbance at the connection to the Bay Trail.

The project will not disturb any shoreline area so no BCDC permit is anticipated.

For additional environmental commitments please see the attached ECR.

Permits

No permits are needed based on the preliminary design, however if the scope of the project changes to impact the earthen ditch, permits may be needed. The earthen ditch may be a jurisdictional federal and/or state water. A jurisdictional delineation would be completed. If necessary, permits from the U.S. Army Corps of Engineers (Clean Water Act Section 404 permit), the San Francisco Regional Water Quality Control Board (Clean Water Act Section 401/Waste Discharge Requirement), and the California Department of Fish and Wildlife (Streambed Alteration Agreement) would be obtained prior to disturbance of any jurisdictional areas if the project scope changes.

Supporting Technical Studies

- Initial Study/Mitigated Negative Declaration (January 2023)
- Mitigation Monitoring and Reporting Program (January 2023)
- Cultural Resources
    - ASR,HRER, HPSR (October 2015)

        - 3rd draft submitted to Caltrans October 2015
    - ASR, HRER, HPSR (October 2022)
        - Caltrans Concurrence (October 2023)
    - SHPO Concurrence (November 2023)
- Visual Impact Assessment
    - Visual Impact Assessment (March 2015)
        - Accepted by Caltrans
    - Visual Impact Assessment (October 2022)
        - Approved by Caltrans October 2022
- Natural Environment Study
    - Minimal Natural Environment Study (March 2015)
        - Accepted by Caltrans
    - Minimal Natural Environment Study Errata (November 2020)
        - Submitted to Caltrans 12/1/20
    - Minimal Natural Environment Study Update
        - Submitted to Caltrans 02/26/24
        - Approved by Caltrans 03/01/24
- Transportation
    - Transportation Impact Assessment (November 2014)
        - Accepted by Caltrans
    - Transportation Impact Assessment Errata (November 2020)
        - Submitted to Caltrans 12/1/20
        - In IS/MND reviewed by Caltrans
- Air Quality
    - Air Quality Technical Memo (March 2015)
        - Accepted by Caltrans
    - Air Quality Technical Errata (November 2020)
        - Submitted to Caltrans 12/1/20.
        - In IS/MND reviewed by Caltrans.
    - Air Quality Technical Errata Update (September 2022)
        - In IS/MND reviewed by Caltrans.
        - Approval by Caltrans 04/26/24
- Noise and Vibration Technical Memo
    - Noise Technical Memo (March 2015)
        - Accepted by Caltrans
    - Noise Technical Errata (November 2020)
        - Submitted to Caltrans 12/1/20
        - In IS/MND reviewed by Caltrans
    - Noise Technical Memo Update
        - Submitted to Caltrans 02/20/24
        - Approved by Caltrans 02/21/24
        -
- Water Quality Technical Memo
    - Water Quality Technical Memo (December 2014)
        - Accepted by Caltrans
    - Water Quality Technical Memo Errata (November 2020)

        - Submitted to Caltrans 12/1/20
        - In IS/MND reviewed by Caltrans
    - Water Quality Technical Memo Update (April 2024)
        - Submitted to Caltrans 04/2/24
        - Approved by Caltrans 05/15/24
- Community Impact Assessment
    - Community Impact Assessment (March 2015)
        - Accepted by Caltrans
    - Community Impact Assessment Errata
        - Submitted to Caltrans 12/1/20
        - Updated 04/24/24 per Caltrans comments
        - Approval by Caltrans 04/24/24
- Section 4(f) memo
    - Section 4(f) Memo (November 2014)
- Geology/Hazmat Reports
    - Preliminary Geotechnical Report (November 2014)
    - Preliminary Foundation Report (July 2014)
    - Phase 1 Initial Site Assessment (July 2014)
        - Caltrans indicated no ISA update needed on 02/29/24
        - Approved and signed by Caltrans

STATE OF CALIFORNIA ● DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST
LAPG -25I (Revised 28 Feb 2022 v1.01) *General Instructions*

Amendment (Existing Project) Y/N					**Date:** 8/23/24
District	**EA**	**Project ID**	**PPNO**	**MPO ID**	
04				MTC	

County	**Route/Corridor**	**PM Bk**	**PM Ahd**	**Nominating Agency**	
ALA				Metropolitan Transportation Commission	
				MPO	**Element**
				MTC	Local Assistance

Project Manager/Contact	**Phone**	**E-mail Address**
Gavin Lohry	415.778.6676	glohry@bayareametro.gov

Project Title

West Oakland Link of the Bay Skyway

Location (Project Limits), Description (Scope of Work)

In Oakland's West Oakland neighborhood, along the south side of West Grand Avenue from Mandela Parkway on the east to the existing.
Class I path on the East Span of the Bay Bridge.

Component	**Implementing Agency**
PA&ED	Bay Area Toll Authority
PS&E	Bay Area Toll Authority
Right of Way	Bay Area Toll Authority
Construction	Metropolitan Transportation Commision

Legislative Districts

Assembly:	18	**Senate:**	9	**Congressional:**	13

Project Benefits

1. Greatly improved safety for West Oakland path users, who will be completely separated from vehicular traffic and rail crossings.
2. More direct connection between Oakland bikeway network and the Bay Trail, Bay Bridge pathway, Treasure Island and Regional Shoreline park (formerly Gateway Park). [Continued on next page.]

Purpose and Need

The purpose of the Project is to provide a safe connection for bicyclists and pedestrians to travel between West Oakland and the Bay Bridge Trail. The area in between is occupied by industry, roadways, railways and Interstate 880 (I-880). Current access for bicyclists and pedestrians

Category	**Outputs**	**Unit**	**Total**
Active Transportation	Pedestrian/Bicycle facilities miles constructed	LF	6070
Active Transportation	Sidewalk miles	LF	3700
Active Transportation	# Signs, lights, greenway, safety/beautification	LF	6070
ADA Improvements	Repair/upgrade curb ramp	EA	2

NHS Improvements	No		Roadway Class	NA		Reversible Lane analysis	No
Inc. Sustainable Communities Strategy Goals	Yes					Reduces Greenhouse Gas Emissions	Yes

Project Milestone			**Existing**	**Proposed**
Project Study Report Approved			09/28/12	
Begin Environmental (PA&ED) Phase			10/13/13	10/13/13
Circulate Draft Environmental Document	**Document Type**		06/15/22	06/15/22
Draft Project Report			07/14/22	07/14/22
End Environmental Phase (PA&ED Milestone)			08/27/22	08/27/22
Begin Design (PS&E) Phase			01/05/23	01/05/23
End Design Phase (Ready to List for Advertisement Milestone)			09/26/24	09/26/24
Begin Right of Way Phase			06/10/23	06/10/23
End Right of Way Phase (Right of Way Certification Milestone)			08/03/24	08/03/24
Begin Construction Phase (Contract Award Milestone)			03/15/25	03/15/25
End Construction Phase (Construction Contract Acceptance Milestone)			09/01/27	09/01/27
Begin Closeout Phase			10/01/27	10/01/27
End Closeout Phase (Closeout Report)			09/30/28	09/30/28

PROJECT PROGRAMMING REQUEST

Date: 8/23/24

Additional Information

[Continuation of "Project Benefits"]
3. New opportunities for active recreation and improved health outcomes.
4. Elevated trail will provide views of the Bay.
5. Will eventually provide a low cost, socially distant commute to job opportunities in downtown San Francisco.

NOTE: MTC will be requesting a funding extension, as the project was delated during the developing stages. MTC plans to submit the request by the end of Fiscal Year 2025.

STATE OF CALIFORNIA ● DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST

LAPG -25l (Revised 28 Feb 2022 v1.01)

Date: 8/23/24

District	County	Route	EA	Project ID	PPNO	
04	ALA					
Project Title:	West Oakland Link of the Bay Skyway					

Existing Total Project Cost ($1,000s)									
Component	Prior	22-23	23-24	24-25	25-26	26-27	27-28+	Total	**Implementing Agency**
E&P (PA&ED)									Bay Area Toll Authority
PS&E									Bay Area Toll Authority
R/W SUP (CT)									Bay Area Toll Authority
CON SUP (CT)									Metropolitan Transportation
R/W									Bay Area Toll Authority
CON									Metropolitan Transportation
TOTAL									
Proposed Total Project Cost ($1,000s)									**Notes**
E&P (PA&ED)	1,700							1,700	
PS&E		6,000						6,000	
R/W SUP (CT)		4,000						4,000	
CON SUP (CT)									
R/W									
CON				53,335				53,335	
TOTAL	1,700	10,000		53,335				65,035	

Fund No. 1:	**ATP Funding**								**Program Code**
Existing Funding ($1,000s)									20.30.720
Component	Prior	22-23	23-24	24-25	25-26	26-27	27-28+	Total	**Funding Agency**
E&P (PA&ED)									Caltrans
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									**Notes**
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON				17,600				17,600	
TOTAL				17,600				17,600	

Fund No. 2:	**Toll Revenue**								**Program Code**
Existing Funding ($1,000s)									
Component	Prior	22-23	23-24	24-25	25-26	26-27	27-28+	Total	**Funding Agency**
E&P (PA&ED)									Bay Area Toll Authority
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									**Notes**
E&P (PA&ED)	1,700							1,700	
PS&E		3,000						3,000	
R/W SUP (CT)		1,500						1,500	
CON SUP (CT)									
R/W									
CON				6,525				6,525	
TOTAL	1,700	4,500		6,525				12,725	

Fund No. 3:									Program Code
Existing Funding ($1,000s)									
Component	Prior	22-23	23-24	24-25	25-26	26-27	27-28+	Total	Funding Agency
E&P (PA&ED)									Alameda Couty Transportation Com
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									Measure B funds
PS&E		3,000						3,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL		3,000						3,000	

Fund No. 4:									Program Code
Existing Funding ($1,000s)									
Component	Prior	22-23	23-24	24-25	25-26	26-27	27-28+	Total	Funding Agency
E&P (PA&ED)									City of Oakland
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									In-kind contribution to provide easements on City-owned parcels
PS&E									
R/W SUP (CT)		2,500						2,500	
CON SUP (CT)									
R/W									
CON									
TOTAL		2,500						2,500	

Fund No. 5:									Program Code
Existing Funding ($1,000s)									
Component	Prior	22-23	23-24	24-25	25-26	26-27	27-28+	Total	Funding Agency
E&P (PA&ED)									California Transportation Commissi
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									Cycle 3 (2023)
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON				10,400				10,400	
TOTAL				10,400				10,400	

Fund No. 6:									Program Code
Existing Funding ($1,000s)									
Component	Prior	22-23	23-24	24-25	25-26	26-27	27-28+	Total	Funding Agency
E&P (PA&ED)									California Transportation Commissi
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									Cycle 3 (2023)
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON				14,610				14,610	
TOTAL				14,610				14,610	

Fund No. 7:									Program Code
Existing Funding ($1,000s)									
Component	Prior	22-23	23-24	24-25	25-26	26-27	27-28+	Total	Funding Agency
E&P (PA&ED)									Alameda CTC/MTC
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									OBAG3
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON				4,200				4,200	
TOTAL				4,200				4,200	