



March 27, 2024

Contra Costa County Clerk  
555 Escobar Street  
Martinez, CA 945537

## NOTICE OF EXEMPTION

**PROJECT TITLE:** Briones Trails Pilot Trail Realignment Project

**LEAD AGENCY/APPLICANT:** East Bay Regional Park District  
Attn: Brian Holt  
2950 Peralta Oaks Court, Oakland, CA 94605  
Telephone: 510-544-2623

**PROJECT LOCATION:** The Briones Pilot Project Trail Realignments (Project) is located within Briones Regional Park, within unincorporated Contra Costa County. Specifically, the Project includes the realignment of three trails segments totaling 1,295 feet of trail construction and 650 feet of trail closure and restoration. These sections were determined to be necessary to improve drainage, erosion, user experience and conflict issues. All reroutes are within the existing Briones Pilot Zone, which is a 1,600-acre portion in the Northeast corner of Briones Regional Park and includes the Old Briones Road staging area and the Reliez Valley staging area (the Pilot Project Zone).

**PROJECT DESCRIPTION:** The East Bay Regional Park District (District) proposes the realignment of three trail segments within the Pilot Project Zone to address a combination of safety, and resource impacts by providing more sustainability alternative trail alignments, and physically closing and restoring the existing routes back to a more natural state. Each realignment has been identified as offering a high benefit to impact ratio by being small in scope and complexity while providing restored habitats with alternative sustainable trail routes.

## AVOIDANCE AND MINIMIZATION MEASURES INCORPORATED INTO PROJECT

The following measures will be implemented prior to and during construction:

- **Nesting Bird Survey.** If the project will be constructed during the nesting bird season (February 1 to August 31), a preconstruction nesting bird survey will be conducted within 7 days of construction. If an active nest(s) is found, a qualified biologist will establish appropriate setbacks or construction will be delayed until nesting is complete.
- **Biological Awareness Training.** Prior to the commencement of construction, a qualified biologist will conduct a mandatory biological resources awareness training for all construction personnel on special-status species that may occur on site. The training will include a description of these species and their habitat, the avoidance measures to be implemented, and the need to stop work if a special-status species is observed in harm's way.
- **Preconstruction Survey.** A preconstruction survey for special-status species will be conducted by a qualified biologist immediately prior to initial groundbreaking or vegetation clearing activities. If any special-status species

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are found in the disturbance area, the animals will be provided with the opportunity to leave the area on their own. Special-status wildlife species may not be handled or relocated without authorization from CDFW and/or USFWS.

- **Biological Monitoring.** A qualified biologist will remain on-site until initial ground disturbance is complete. The biologist will be given the authority to stop any work that may result in harm to wildlife. After initial ground disturbance is complete, the qualified biologist will provide additional training to a Park Staff member of the construction team to act as the biological monitor; their responsibilities will include conducting a clearance survey of any areas to be disturbed, halting construction if an animal is observed in the disturbance area until the animal leaves the work area on its own, and contacting the qualified biologist if a snake, frog, or woodrat is observed in or adjacent to the disturbance area.
- **Avoid Trillium Plant.** There is a single Pacific trillium plant near where the B2 trail reroute will reconnect with the existing trail. Flags will be placed around the plant by Park Staff to clearly identify its location for avoidance during project activities. The plant and need to avoid it will also be addressed during the biological awareness training.
- **Work Area and Work Hours:** Construction activities will be restricted to the smallest area possible and all work will occur during daylight hours.
- **Rain Work Restrictions:** The proposed project will only be constructed when there is no rain in the forecast (greater than 20 percent chance of precipitation based on National Weather Service) for the anticipated duration of the construction period. No work will be conducted during or immediately following a rain event.

**DETERMINATION:** The District has reviewed the proposed project and determined it to be exempt from the California Environmental Quality Act (CEQA) requirements under *Article 19, Categorical Exemptions*, of the State CEQA Guidelines in the California Administrative Code:

**Section 15301 – Existing Facilities.** Class 1 Categorical Exemption for repair and minor alteration of existing public or private structures or facilities or topographical features. The Project includes realignment, maintenance and repair of existing trails within the Pilot Project Zone. In addition to the maintenance and repair of the existing trails, the Project would also include the maintenance and restoration of existing landscapes and natural habitats. Implementing the Project would result in a negligible or no expansion of existing uses.

**Section 15302 – Replacement or Reconstruction.** Class 2 Categorical Exemption for replacement or reconstruction of existing structures and facilities. The Project includes trail maintenance and repair of four existing trails within the Pilot Project Zone. Implementing the Project and improving the alignment on those existing trails would be a negligible or no expansion of existing uses.

**Section 15304 – Minor Alterations to Land** – The proposed project meets the requirements of a Class 4 Categorical Exemption – Minor Alterations to Land which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Section 15304 specifically allows the creation of bicycle lanes on existing rights of way. This project will include the temporary use of bicycles on existing trails. The Project also includes maintenance and repair of existing trails which may involve minor alterations in the condition of land and vegetation within the Pilot Project Zone.

**Section 15307 – Actions by Regulatory Agencies for Protection of Natural Resources** — The proposed project meets the requirements of a Class 7 Categorical Exemption – Actions by Regulatory Agencies for Protection of Natural Resources. As part of this Project, the Park District would not be removing any existing environmental protections. The project is intended to prevent damage of natural resources from continued use of trails that are in or adjacent to sensitive habitat by the public. Additionally, the project includes restoring trails constructed by the public within sensitive habitats, therefore resulting in habitat restoration and a net benefit to natural resources over the existing condition. Implementing the Project is an action to assure the maintenance and enhancement of trails within the Park

District. By executing these realignments, the trails can also be designed, engineered and maintained in a manner that will be according to best trail building standards with regards to erosion, safety, and maintenance.

**Section 15308 – Actions by Regulatory Agencies for Protection of the Environment** – The proposed project meets the requirements of a Class 8 Categorical Exemption – Actions by Regulatory Agencies for Protection of the Environment. As part of this Project, the Park District would not be removing any existing environmental protections. Implementing the Project and realigning four sections of trail is an action to assure the maintenance and enhancement of trails within the Park District. The project is intended to prevent damage of natural resources from continued use of trails that are in or adjacent to sensitive habitat by the public. By allowing temporary use of these trails within the Pilot Project Zone into the Park District’s trail network, the trails can also be designed, engineered and maintained in a manner that will be according to best trail building standards with regards to erosion, safety, and maintenance.

Approved by  [Brian Holt \(Mar 27, 2024 11:04 PDT\)](#) Date Mar 27, 2024

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# Briones Pilot Project NOE

Final Audit Report

2024-03-27

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