

Notice of Determination**Appendix D****To:**

Office of Planning and Research
 U.S. Mail: Street Address:
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
 County of: Contra Costa
 Address: 555 Escobar Street
Martinez, CA 94553

From:

Public Agency: East Bay Regional Park District
 Address: 2950 Peralta Oaks Court
Oakland, CA 94605
 Contact: Brian Holt
 Phone: (510) 544-2623

Lead Agency (if different from above):

Address: _____

Contact: _____

Phone: _____

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

State Clearinghouse Number (if submitted to State Clearinghouse): _____

Project Title: Martinez Bay Trail Phase II Project

Project Applicant: East Bay Regional Park District

Project Location (include county): Martinez, Contra Costa County

Project Description:

The proposed San Francisco Bay Trail (Bay Trail) segment from Nejedly Staging Area to Berrellessa 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 Berrellessa 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 Berrellessa Street. An Initial Study / Mitigated Negative Declaration (IS/MND) was originally prepared and adopted by the City of Martinez (City) on May 7, 2003 for approval of the Martinez Bay Trail Phase II Project (Project) located in Martinez, CA. The City found that the project has no potential for an adverse effect on wildlife resources, either individually or cumulatively, and on May 8, 2003 adopted a De Minimis Impact Finding pursuant to Section 771.4 of the Fish and Game Code.

A portion of the Project was constructed 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 CEQA, and finalizing preliminary design for the remaining project, and design of new but non-substantial improvements to the existing railroad crossing at Berrellessa 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 the 2003 IS/MND 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. The Addendum, together with the 2003 MND meet requirements pursuant to CEQA of the Proposed Project.

Although the project was approved in 2003, substantial changes to the Original Project have not occurred that would result in previously unidentified significant impacts or require substantial revisions to the 2003 MND. In addition, the environmental setting surrounding has not changed in a manner that would lead to new or substantially different impacts; areas surrounding Segment 1 and 2 remain undeveloped property held by the Park District and a developed operational UPRR right-of-way and City right-of-way, respectively. 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.

The Addendum verifies the analyses and the conclusions in the 2003 MND remain valid for the purposes of CEQA review. The Project consists of minor changes to the Original 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 previous MND would be necessary to reduce impacts to less than significant, but that project proponents would decline to adopt.


This is to advise that the East Bay Regional Park District has approved the above
(Lead Agency or Responsible Agency)

described project on 10/17/2024 and has made the following determinations regarding the above
(date)
described project.

- 1. The project [will will not] have a significant effect on the environment.
- 2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- 3. Mitigation measures [were were not] made a condition of the approval of the project.
- 4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
- 5. A statement of Overriding Considerations [was was not] adopted for this project.
- 6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

East Bay Regional Park District, 2950 Peralta Oaks Ct, Oakland, CA 94605

Signature (Public Agency):  brian holt (Oct 18, 2024 15:29 PDT) Title: Chief of Planning, Trails & GIS

Date: Oct 18, 2024 Date Received for filing at OPR: _____