

2019058040

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Alameda
1106 Madison Street, #100

Oakland, CA 94607

From: (Public Agency): East Bay Regional Park District
2950 Peralta Oaks Court, P.O. Box 5381
Oakland, CA 94605-0381

(Address)

Project Title: Tidewater Use Area at Martin Luther King Jr. Regional Shoreline

Project Applicant: East Bay Regional Park District

Project Location - Specific:

Tidewater Avenue, Oakland, CA 94601

Project Location - City: Oakland

Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:

The project would implement the plan for a 7.13-acre park as conceptually described in the City of Oakland's Central Estuary Area Plan and associated Supplemental Environmental Impact Report (EIR). Activities include removal of concrete paving, installation of 12-inch deep gravel pavement for a parking lot, grading, install

Name of Public Agency Approving Project: East Bay Regional Park District

Name of Person or Agency Carrying Out Project: East Bay Regional Park District

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: 14 CCR Sections 15304, 15183, 15300.2
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project would consist of minor public alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees. Specifically, the project involves grading on land with a slope of less than 10 percent, and filling of earth into previously excavated land with material compatible with the natural features of the site.


Lead Agency

Contact Person: Kim Thai

Area Code/Telephone/Extension: 510-544-2320

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature:  Date: 5-3-2019 Title: Senior Planner

☒ Signed by Lead Agency ☒ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

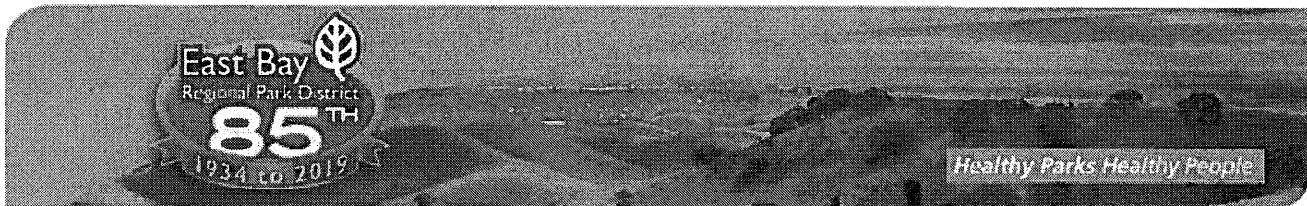
Date Received for filing at OPR: 5-3-2019

Governor's Office of Planning & Research

MAY 03 2019

STATE CLEARINGHOUSE

Revised 2011



2950 PERALTA OAKS COURT • OAKLAND • CALIFORNIA • 94605-0381 • T: 1-888-EBPARKS • F: 510-567-4350 • FAX: 510-567-4351 • MAY 711 • EBPARKS.ORG

May 3, 2019

Alameda County Clerk
1106 Madison Street, #100
Oakland, CA 94607

2019058040

ENDORSED
FILED
ALAMEDA COUNTY

MAY 03 2019

MELISSA WILK, County Clerk
By [Signature] Deputy

NOTICE OF EXEMPTION FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")

PROJECT TITLE: Tidewater Use Area at Martin Luther King Jr. Regional Shoreline

PROJECT LOCATION: Tidewater Avenue, Oakland, CA 94601

PROJECT PURPOSE & DESCRIPTION: The project would implement the plan for a 7.13-acre park as conceptually described in the City of Oakland's Central Estuary Area Plan and associated Supplemental Environmental Impact Report (EIR), certified by the City of Oakland on June 18, 2013. Activities include the removal of concrete paving, installation of 12-inch deep gravel pavement for a parking lot accommodating 122 parking spaces, grading of the 7.13-acre site to ensure flat surfaces and proper drainage, and installation of fencing, a restroom with four flush toilets, and a nature play area with play equipment. Up to 22,000 cubic yards of clean fill would be imported as it is available, which is estimated to occur gradually over an approximately one-year period. No cut or soil export is proposed.

The project is expected to begin construction in 2020 and is anticipated to extend over a 1.5-year period during the dry season and outside of bird nesting season. All temporary construction staging would occur on the project site. Site preparation and construction work would occur consistent with the City of Oakland noise regulations as identified in Standard Condition of Approval 28 identified in the Certified EIR, which is generally limited to Monday through Friday during the hours between 7:00 a.m. to 7:00 p.m. The Park District will follow Bay Area Air Quality Management District (BAAQMD) regulations for dust control, and waste disposal will be collected and taken to a certified waste disposal site.

DETERMINATION: EBRPD has reviewed the project and determined it to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the following sections of CEQA and the CEQA Guidelines:

14 CCR Section 15304 (Minor Alterations to Land). Grading will be on land with a slope of less than 10 percent, and will not be in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard such as an Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist. A May 2018 geotechnical report confirmed that the project site is not within a seismic hazard zone. The project would include filling of earth into previously excavated land with material compatible with the natural features of the site.

14 CCR Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). This project is consistent with the City of Oakland's Central Estuary Area Plan, associated Supplemental Environmental Impact Report (Supplemental EIR), associated General Plan amendment to designate the project site as Parks, and associated zoning changes to designate the zoning as Open Space-Regional.

14 CCR Section 15300.2 (Exceptions). None of the exceptions to the exemptions apply to the project (i.e., site is an urbanized area with no sensitive habitat, no cumulative impacts, no unusual circumstances, no scenic highways, no historical resources, and no hazardous materials.)

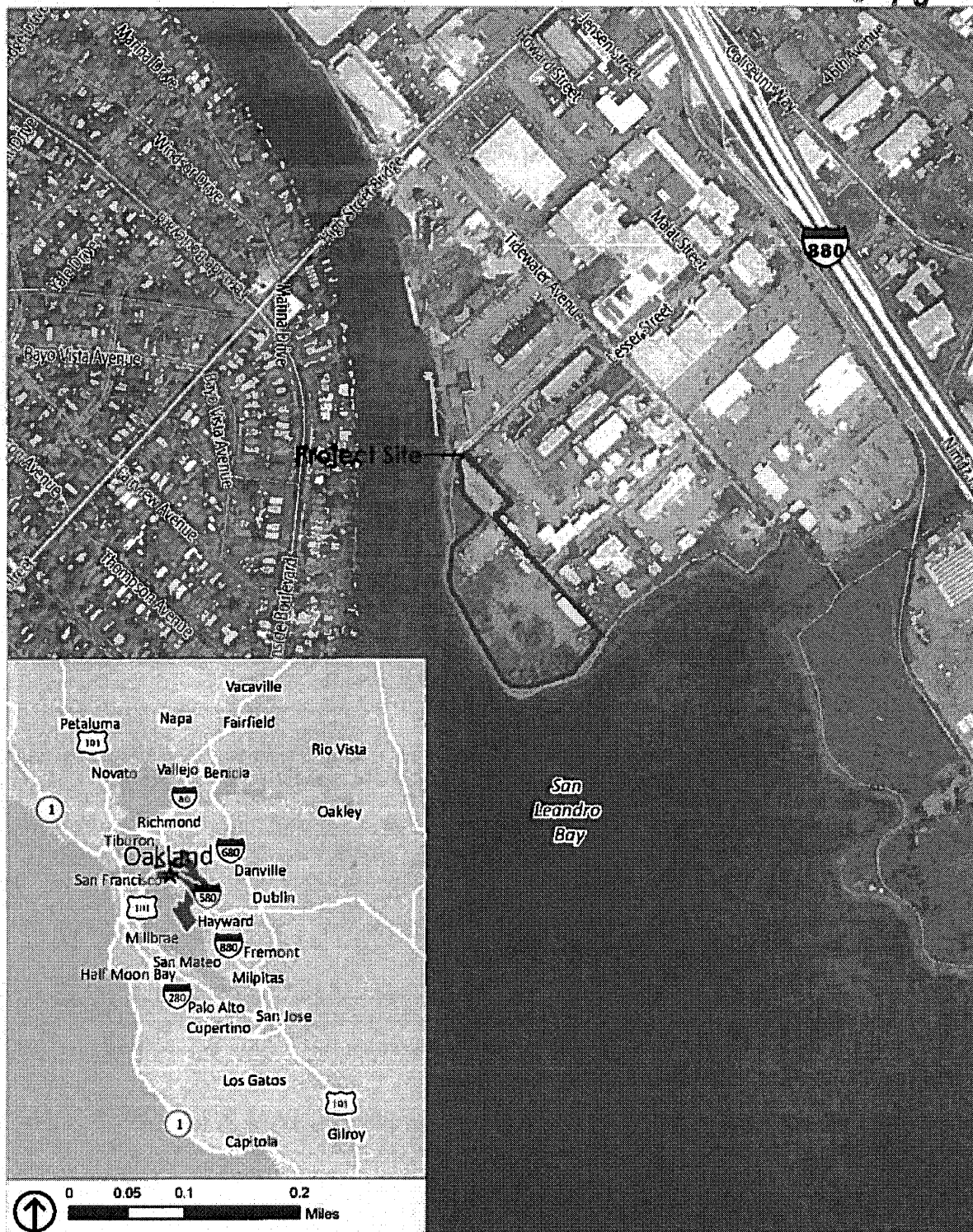
[Signature]
Prepared by: Kim Thai, Senior Planner
Planning & GIS Services
510-544-2320

May 3, 2019
Date

Board of Directors

Ayn Wieskamp President Ward 5	Ellen Corbett Vice-President Ward 4	Dee Rosario Treasurer Ward 2	Colin Coffey Secretary Ward 7	Whitney Dotson Ward 1	Dennis Waespe Ward 3	Beverly Lane Ward 6	Robert E. Doyle General Manager
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2019058040



Source: ESRI, 2018; East Bay Regional Parks District, 2018; PlaceWorks, 2018.

2019058040

ENDORSED
FILED
ALAMEDA COUNTY

***ENVIRONMENTAL DECLARATION**

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

MAY 03 2019

MELISSA WILK, County Clerk
By  Deputy

LEAD AGENCY NAME AND ADDRESS

FOR COUNTY CLERK USE ONLY

East Bay Regional Park District
2950 Peralta Oaks Court, P.O. Box
Oakland, CA 94605 5381

19-248

FILE NO: _____

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:
(PLEASE MARK ONLY ONE CLASSIFICATION)

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

☒ A - STATUTORILY OR CATEGORICALLY EXEMPT

\$ 50.00 - COUNTY CLERK HANDLING FEE

2. NOTICE OF DETERMINATION (NOD)

☐ A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

\$ 2,354.75 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

☐ B - ENVIRONMENTAL IMPACT REPORT (EIR)

\$ 3,271.00 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

3. OTHER: _____

*****A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.*****

BY MAIL FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND TWO (2) SELF-ADDRESSED ENVELOPES.

IN PERSON FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND ONE (1) SELF-ADDRESSED ENVELOPES.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2019

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

2019058040

Print

Start Over

Finalize & Email

AC RECEIPT # 2540283

RECEIPT NUMBER:

01 — 05/03/2019 — 248

STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY EAST BAY REGIONAL PARK DISTRICT	LEAD AGENCY EMAIL	DATE 05/03/2019
COUNTY/STATE AGENCY OF FILING Alameda	DOCUMENT NUMBER 19-248	

PROJECT TITLE

TIDEWATER USE AREA AT MARTIN LUTHER KING JR. REGIONAL SHORELINE

PROJECT APPLICANT NAME KIM THAI, SENIOR PLANNER	PROJECT APPLICANT EMAIL	PHONE NUMBER (510) 544-2320
PROJECT APPLICANT ADDRESS 2950 PERALTA OAKS CT, PO BOX 5381	CITY OAKLAND	STATE CA
	ZIP CODE 94605	

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,271.00	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,354.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,112.00	\$	0.00

☒ Exempt from fee

☒ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other

TOTAL RECEIVED \$ 50.00

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

A. MORAN, DEPUTY CLERK

ALAMEDA COUNTY CLERK-RECORDER
1106 MADISON STREET
OAKLAND, CA 94607
(510) 272-6362

ISSUED TO:
EAST BAY REGIONAL PARK DISTRICT

RECEIPT # 2540283
05/03/2019 11:00:49 AM

SERVICE	PAGES	QTY	FEE
GENERAL BUS	1	1	50.00

Total Amount Due \$50.00

CHECK 283336 50.00

Total Payments: \$50.00

MELISSA WILK
CLERK RECORDER
Deputy: AMORAN