

AGENDA FOR THE



CITY OF PINOLE PLANNING COMMISSION SPECIAL MEETING

**Monday, July 11, 2016
7:00 P.M.**

City Council Chambers, 2131 Pear Street, Pinole, CA 94564

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in a City meeting or you need a copy of the agenda, or the agenda packet in an appropriate alternative format, please contact the Development Services Department at (510) 724-9014. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Assistant listening devices are available at this meeting. Ask staff if you desire to use this device.

CONSENT CALENDAR:

All matters listed under the Consent Calendar are considered to be routine and non-controversial. These items will be enacted by one motion and without discussion. If, however, any interested party or Commissioner(s) wishes to discuss a consent item, it will be removed from the Consent Calendar and taken up in order after the last item under New Business.

PROCEDURE FOR CONSIDERING AN AGENDA ITEM:

At the beginning of an item, the Chair will read the description of that item as stated on the Agenda. The City Staff will then give a brief presentation of the proposed project. The Commission may then ask Staff questions about the item.

For those items listed as Public Hearings, the Chair will open the public hearing and ask the applicant if they wish to make a presentation. Those persons in favor of the project will then be given an opportunity to speak followed by those who are opposed to the project. The applicant will then be given an opportunity for rebuttal.

The Public Hearing will then be closed and the Commission may discuss the item amongst themselves and ask questions of Staff. The Commission will then vote to approve, deny, approve in a modified form, or continue the matter to a later date for a decision. The Chair will announce the Commission's decision and advise the audience of the appeal procedure.

Note: No Public Hearings will begin after 11:00 p.m. Items still remaining on the agenda after 11:00 p.m. will be held over to the next meeting.

CITIZEN PARTICIPATION:

Persons wishing to speak on an item listed on the Agenda may do so when the Chair asks for comments in favor of or in opposition to the item under consideration. After all of those persons wishing to speak have done so, the hearing will be closed and the matter will be discussed amongst the Commission prior to rendering a decision.

Prior to speaking on an item, you must fill out one of the speaker cards (available at the back of the Council Chambers) and hand it to the Secretary. If a number of persons wish to speak on an item, the Chair may limit each speaker to a set time period in which to address the Commission.

Any person may appeal an action of the Planning Commission or of the Planning Manager by filing an appeal with the City Clerk, in writing, within ten (10) days of such action. Following a Public Hearing, the City Council may act to confirm, modify or reverse the action of the Planning Commission or Planning Manager. The cost to appeal a decision is \$803.

Note: If you challenge a decision of the Commission regarding a project in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in writing delivered to the City of Pinole at, or prior to, the public hearing.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE AND ROLL CALL

C. CITIZENS TO BE HEARD:

The public may address the Planning Commission on items that are within its jurisdiction and not otherwise listed on the agenda. Planning Commissioners may discuss the matter brought to their attention, but by State law (Ralph M. Brown Act), action must be deferred to a future meeting. Time allowed: five (5) minutes each.

D. CONSENT CALENDAR:

1. **Planning Commission Meeting Minutes from June 27, 2016**

E. PUBLIC HEARINGS:

1. **Design Review (DR 16-15): San Francisco Bay Trail: Pinole Shores to Bayfront Park**

Request: Consideration of a design review request to construct an approximately 0.5 mile long and 14' wide segment of the San Francisco Bay Trail extending a non-motorized paved recreational trail along the San Pablo Bay Shoreline in Pinole from a hillside bluff across from Hazel Drive in Pinole Shores east over the Union Pacific Railroad (UPRR) tracks to connect to an existing path in Bayfront Park.

Applicant: East Bay Regional Park District
P.O. Box 5381
Oakland, CA 94605-0381

Location: East Bay Regional Park District property between Union Pacific Railroad and Burlington Northern Santa Fe Railroad tracks, Union Pacific Railroad right of way, and Bayfront Park along the San Pablo Bay shoreline (APN: 402-140-007, 402-140-001, 401-010-009, and 401-010-007)

Project Planner: Winston Rhodes

2. Design Review (DR 16-11): Flyer's Gas Station Convenience Store Removal and Replacement

This item has been continued to a Special Meeting on August 8, 2016

Request: Consideration of a design review request to modify and existing gas station including removal of an existing approximately 528 square foot convenience store and replace it with an approximately 1,283 square foot new convenience store.

Applicant: Nasreen Saleem
2467 Hill View Lane
Pinole, CA 94564

Location: 1390 San Pablo Avenue, APN: 402-023-012

Project Planner: Winston Rhodes

F. **OLD BUSINESS:** None

G. **NEW BUSINESS:** None

H. **CITY PLANNER'S/COMMISSIONER'S REPORT:**

I. **COMMUNICATIONS:**

J. **NEXT MEETING:**

Planning Commission Regular Meeting, July 25, 2016 at 7:00PM

K. **ADJOURNMENT**

POSTED: July 7, 2016

Winston Rhodes, AICP
Planning Manager

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DRAFT

**MINUTES OF THE REGULAR
PINOLE PLANNING COMMISSION**

June 27, 2016

A. CALL TO ORDER: 7:00 P.M.

B. PLEDGE OF ALLEGIANCE AND ROLL CALL:

Commissioners Present: Brooks, Hartley, Martinez-Rubin, Tave, Thompson
Wong, Chair Kurrent

Commissioners Absent: None

Staff Present: Winston Rhodes, Planning Manager

C. CITIZENS TO BE HEARD:

There were no citizens to be heard.

D. CONSENT CALENDAR:

[The recording started in the middle of this item, the motion and second was not recorded.]

1. Planning Commission Meeting Minutes from June 13, 2016

MOTION to approve the Planning Commission Meeting Minutes of June 13, 2016,
as submitted.

MOTION: Martinez-Rubin SECONDED: Hartley APPROVED: 5-0-2
ABSTAIN: Tave, Thompson

E. PUBLIC HEARINGS:

**1. Design Review (DR 16-08) Wendy's / Wingstop Restaurant Exterior
Remodel**

Request: Consideration of a design review request to modify an
existing approximately 4,360 square foot restaurant
building

Applicant: Gary Hawkins
Gary Hawkins Architect

1 3045 Ceres Avenue, Suite 135
2 Chico, CA 95973

3
4 **Location:** 1581 Fitzgerald Drive, APN 426-392-011

5
6 **Project Planner:** Winston Rhodes, Planning Manager

7
8 Planning Manager Rhodes presented the staff report dated June 27, 2016, and
9 reported that the Planning Commission Development Review Subcommittee had
10 reviewed the proposal on June 9, 2016, and was generally pleased with the exterior
11 changes proposed to the building; recognized the visual importance of the
12 prominent commercial corner of Appian Way; discussed the size and location of the
13 new on-building signage; building colors and materials; and availability of bicycle
14 parking. The applicant had lowered the new Wendy's signs to provide a maximum
15 mounting height of 18 inches below the highest portion of the building; the building
16 colors had been changed based on Wendy's approved color palette with the
17 addition of silver aluminum background panels to improve the visibility of the
18 Wingstop signage on the east and west building elevations; and bicycle parking
19 would be added near the southwest corner of the building.
20

21 Mr. Rhodes recommended that the Planning Commission adopt Resolution 16-06,
22 subject to the findings and Conditions of Approval.
23

24 **PUBLIC HEARING OPENED**

25
26 GARY HAWKINS, Applicant/ Architect, referenced Condition 20 and asked whether
27 the condition could be satisfied with the bicycle parking placed behind the
28 restaurant where it would be in a secure location with a covered canopy. The area
29 was currently being used as storage space for the restaurant.
30

31 BIKRAM RWANDA, Owner, 1581 Fitzgerald Drive, Pinole, explained that the
32 storage space had a back door for employees to access the area; Wingstop
33 employees would be required to walk out of a small gate to access the building; the
34 space was currently being used for employee bicycle parking; the space included a
35 ramp with a large gate for deliveries; bicycles were parked well away from electrical
36 panels and gas meters, and would not obstruct deliveries to the property. Two
37 existing trash enclosures were located on-site; one in the storage area, and one
38 outside trash enclosure area for cardboard boxes.
39

40 Mr. Hawkins referenced Condition 16 and questioned the requirement to place trim
41 at the Wendy's entrance, with the element on the south elevation not on the entry to
42 the front door, and staff expressed comfort withdrawing or modifying that condition
43 based on the applicant's clarification. Mr. Hawkins also referenced Condition 15 to
44 modify the blade wall to a grey color, but asked that it be kept red in color
45 consistent with the colors at the drive-thru.
46

1 PUBLIC HEARING CLOSED

2
3 The Planning Commission offered the following comments and/or direction to staff:

- 4
5
- 6 • Requested a better rendition and maintenance of the landscape plan as a
7 condition, with conifers to be chosen with care since many in the community
8 were dying;
 - 9 • Bicycle parking should not obstruct the required clearance space for the
10 existing electrical panel and gas meters in the storage area currently being
11 used by Wendy's for storage and bicycle parking; and
 - 12 • The additional signage proposed should be allowed given that the building
13 had four faces, was a unique site and building orientation on a prominent
14 corner, and although it would be 20 percent over what was normally allowed
15 by the City's Sign Ordinance, there was consensus it would not be in
16 violation of the spirit or intent of the Sign Ordinance to allow the added
17 signage totaling a maximum of 360 square feet rather than 300 square feet.
- 18
19

20 Mr. Rhodes recommended Condition 14 be revised to reflect that the total sign area
21 not exceed *360 square feet*; with a new condition to read *No temporary signage*
22 *shall exceed more than 20 percent of a window space.*

23

24 RON ANDERSON, 37 Belimine, Chico, representing Wendy's, when asked about
25 one of the proposed signs, stated the proposed signage consisted of raised metal
26 lettering attached to the building about half an inch to three quarters of an inch in
27 size; the signage was consistent with Wendy's corporate logos; and although the
28 sign copy on the east elevation consisted of two different fonts it too was consistent
29 with Wendy's corporate logos.

30

- 31 • By consensus, the Planning Commission allowed the applicant/owner
32 discretion as to how to use the maximum total sign area of 360 square feet.
- 33

34 The following modifications were recommended to Resolution No. 16-06:

35

36 Modify the last sentence of Condition 14:

37

38 *Proposed sign sizes shall be adjusted to ensure that total sign area does not*
39 *exceed 360 square feet consistent with Chapter 17.52 of the Zoning Code.*

40

41 Modify the last sentence of Condition 20:

42

43 *The bicycle parking shall include a minimum of four bicycle parking spaces,*
44 *one of which shall be a secure semi-enclosed and covered space for an*
45 *employee bicycle.*

1
2 Modify Condition 32:

3
4 *BICYCLE PARKING – The applicant shall ensure that a bicycle rack that*
5 *can accommodate at least three bicycles is installed at the project site on the*
6 *east side of the restaurant building and shall include provisions for one*
7 *secure semi-enclosed and covered bicycle parking space.*

8
9 Eliminate Conditions 15 and 16;

10
11 Modify the last sentence of Condition 18:

12
13 *The plan shall include motion sensitive lighting within the trash enclosures.*

14
15 Modify the last sentence of Condition 9:

16
17 *Any landscaping planting material that dies shall be promptly replaced within*
18 *seven business days and at no time shall any landscaping weed barrier*
19 *fabric be visible.*

20
21 Responding to a recommendation for a landscape maintenance bond, Mr. Rwanda
22 stated that given the location of the building on the corner, it was difficult to maintain
23 the landscape due to the path of pedestrian traffic and given the recent drought
24 where the landscaping could not be regularly irrigated. The current landscape plan
25 had been designed by a Landscape Architect, with the intent the landscaping would
26 be properly maintained. He identified a handicap pathway on the Appian Way
27 elevation which he hoped would be used for access as opposed to people walking
28 down the hillside through landscape areas. A level pathway off of Fitzgerald Drive
29 could also be considered. Modifications to the parking lot lighting had not been
30 included in the current project due to budgetary constraints. He verified with staff
31 the trash enclosures were required to be covered pursuant to C.3 requirements.

32
33 The Planning Commission recommended an additional condition that the trash
34 enclosures be covered with the same material as the proposed cover for the west
35 side area of the building, and discussed the issue of the long-term maintenance of
36 landscaping at length, particularly the issues with the lack of maintenance on
37 properties Citywide; the lack of code enforcement; and whether to impose a
38 condition to consider a landscape maintenance bond.

39
40 By consensus, the Planning Commission determined that a condition for a
41 landscape maintenance bond was not appropriate in this case. Any maintenance
42 issues would be reviewed by the City once a complaint had been brought to the
43 attention of City staff. The last sentence of Condition 9 was modified further, to
44 read:

1 *Any landscaping planting material that dies shall be replaced within 14*
2 *business days.*

3
4 **MOTION** to adopt Resolution 16-06, with Exhibit A; Conditions of Approval, a
5 Resolution of the Planning Commission of the City of Pinole Approving a Design
6 Review Request for Exterior Modifications and New Business Signage for a
7 Wendy's / Wingstop Restaurant at 1581 Fitzgerald Drive, (APN 426-392-011)
8 subject to modifications to Conditions 9, 14, 18, 20, and 32, with the deletion of
9 Conditions 15 and 16, and with the addition of a new condition to read:

10
11 *The project plans shall be revised to include covers on both trash enclosures*
12 *with the same material and design as the covered area on the west*
13 *elevation.*

14
15 **MOTION: Martinez-Rubin SECONDED: Thompson APPROVED: 7-0**

16
17 Chair Kurrent identified the 10-day appeal process of a decision of the Planning
18 Commission in writing to the City Clerk.

19
20 Commissioner Wong recused himself from the discussion of the next item due to
21 a potential conflict of interest and left the meeting at this time.

22
23 **G. NEW BUSINESS:**

24
25 **1. Design Review Workshop (DR 16-15): San Francisco Bay Trail: Pinole**
26 **Shores to Bayfront Park**

27
28 **Request:** Consideration of a design review request to construct an
29 approximately 0.5-mile long and 14-foot wide segment of
30 the San Francisco Bay Trail extending a non-motorized
31 paved recreational trail along the San Pablo Bay
32 Shoreline in Pinole from a hillside bluff across from Hazel
33 Drive in Pinole Shores east over the Union Pacific
34 Railroad (UPRR) tracks to connect to an existing path in
35 Bayfront Park.

36
37 **Applicant:** East Bay Regional Park District
38 P.O. Box 5381
39 Oakland, CA 94605-0381

40
41 **Location:** East Bay Regional Park District (EBRPD) property
42 between Union Pacific Railroad and Burlington Northern
43 Santa Fe Railroad tracks, Union Pacific Railroad right of
44 way, and Bayfront Park along the San Pablo Bay
45 Shoreline (APN 402-140-007, 402-140-001, 401-010-
46 009, and 401-010-007)

1
2 **Project Staff: Winston Rhodes, Planning Manager**
3

4 Mr. Rhodes presented the staff report dated June 27, 2016, and reported that the
5 City Council had received an informational presentation on the project on June 7,
6 2016; the Planning Commission Development Review Subcommittee had met on
7 June 16, 2016 to discuss the project when the history, scope, and constraints of the
8 project had been discussed. The Subcommittee had expressed concern with
9 potential visual impacts, the construction activity process, and project features
10 including the proposed railing, elevated trail [overcrossing trail design and proposed
11 overlook], vertical clearance above the railroad tracks for the grade separation trail
12 overcrossing, overcrossing support design, construction time where encroachment
13 was allowed within an actively used railroad right-of-way, need to utilize design
14 components that were exceedingly durable and required little maintenance,
15 accessibility requirements that affected the trail slope, and various public safety
16 issues and design details that should be considered. An Environmental Impact
17 Report (EIR) had previously been certified, with the EBRPD as the lead agency.
18

19 Mr. Rhodes recommended the Planning Commission consider the information,
20 public input, and provide feedback to the applicant and staff.
21

22 SEAN DOUGAN, EBRPD Trails Development Program Manager, presented a
23 PowerPoint on the San Francisco Bay Trail, Pinole Shores to Bayfront Park,
24 identified the alternatives for consideration, concerns raised during the
25 environmental review process, project schedule, and responded to questions from
26 the Planning Commission.
27

28 Mr. Dougan clarified that no lighting of the trail or security cameras had been
29 proposed; security cameras were typically located at the staging area; any medical
30 emergencies on the bridge would be addressed with small vehicles that could
31 access the bridge; interpretive signage was anticipated at the lookout with the
32 EBRPD and Pinole would work together on the message to be displayed;
33 construction trucks would not travel through the Pinole Shores area; easements
34 would be obtained from UPRR for the construction of the temporary construction
35 access; and both Pinole and Hercules had worked on the project since the 1970s in
36 partnership with the EBRPD with the goal of providing safe public access to the
37 shoreline. The EBRPD maintained the staging area and the trail at Wilson Point all
38 the way to the dead end and had a maintenance agreement with Pinole for the park
39 with shared responsibilities and with the area to be patrolled by EBRPD rangers.
40

41 SAMI KALANTARI, Senior Engineer, AECOM, Technology Corporation, provided
42 details on the proposed railing material.
43

44 Mr. Dougan presenting a sample color and materials board to the Planning
45 Commission of the railing which would appear like wrought iron; clarified the Bay
46 Trail would pick up in Hercules at the bridge over Pinole Creek on the east side of

1 the railroad tracks; improvements to the existing at grade rail crossing were not part
2 of the scope of the project; maintenance of the bridge structure and the trail itself
3 would be the responsibility of the EBRPD; an existing maintenance agreement for
4 Bayfront Park specified the responsibilities of the park under the purview of Pinole,
5 although the maintenance of the easements involved future discussions before the
6 Pinole City Council; weed abatement of the trail was the responsibility of the
7 EBRPD; and Pinole Shores Drive was a private street with no parking permitted in
8 that area, although there was limited automobile parking along San Pablo Avenue
9 as well as Bayfront Park.

10
11 Mr. Kalantari clarified the bridge structure had been designed consistent with
12 current Caltrans standards for seismic design criteria which had been updated in
13 2014; and consistent with Caltrans and federal standards. Caltrans had reviewed
14 and concurred with the design of the structure.

15
16 **PUBLIC COMMENTS OPENED**

17
18 LINDA JANE KOLE, 1140 Hazel Drive, Pinole, objected to the project and
19 suggested the residents of Hazel Drive would have views of an ugly freeway
20 overpass sticking into the marsh, a structure that was not in the spirit of the Bay
21 Trail; there would be environmental impacts to wildlife and vegetation; the project
22 would become an attractive nuisance and the railing would be an attractive
23 nuisance to skateboarders; there was limited parking at the Pinole Shores entrance
24 to the Bay Trail requiring users to hike in from San Pablo Avenue, and no access
25 from Pinon Avenue.

26
27 ANN TARABINI, 2239 Orleans Drive, Pinole, also expressed concern with the
28 visual impacts in that the structure would obstruct her views of the Bay; the area
29 had been an attractive nuisance for teenagers, and although the City had erected a
30 fence at Pinon Avenue preventing some access to the area the homeless
31 population had also been an issue; and skateboarders, dirt bikers, and
32 motorcyclists regularly used the trail although those activities were not permitted in
33 the area.

34
35 Mr. Dougan clarified that skateboarders were allowed on EBRPD trails; the EBRPD
36 had worked with the City of Pinole and the residents of Pinole Shores
37 Homeowner's Association (HOA) for many years and had heard similar concerns; a
38 visual assessment had analyzed the visual impacts and mitigation required as part
39 of the EIR; enforcement of the area would increase; and the structure would serve
40 as a deterrent since it would be completely fenced.

41
42 STEVE MORROW, 1140 Hazel Avenue, Pinole, echoed the concerns expressed;
43 expressed disappointment that residents had not been made aware of the project
44 sooner; agreed the structure would appear more like a freeway overpass; sought
45 more details on the colors and materials for the structure, recommending an
46 alternate color to the proposed black railing to make it less obvious; and urged

1 some mitigation to address littering in the area, which could become an issue.

2
3 JOHN MORAN, 2235 Orleans Drive, Pinole, stated he had not been informed of the
4 project for a structure that would impact his property most since the proposed
5 overlook would be across from his property; he asked whether the bluff would be
6 reinforced with a retaining wall; and expressed concern that construction traffic
7 could result in vibration to his home and the eroding bluff which had been a concern
8 for years. He suggested the trail should be a straight walkway with no overlook
9 given the potential to be an attractive nuisance.

10
11 JEN MATHERS, 1200 Hazel Drive, Pinole, requested more details on the west
12 portion of the project where the bridge would not be located and where she
13 assumed a fence would be located on both sides with landscaping. She otherwise
14 liked the project, found the black railing to be attractive compared to a grey color
15 which would appear more like a freeway, and she felt the project would improve safe
16 bicycle access in the community.

17
18 Mr. Dougan and Mr. Kalanitari responded to the comments from the public, and
19 with respect to the bluff and vibration concerns explained there were two active
20 railroads in the subject area which produced daily vibration; the hillsides were
21 unstable, which was one of the many reasons the structure was being placed in the
22 proposed location; the temporary ramp for construction access would be much
23 further towards the west and construction access would be restored to its original
24 condition once construction had been completed; the trail along the bluff would
25 include retaining walls and fencing on both sides of the trail; some retaining walls
26 would be installed between BNSF and the trail; the trail would not be that different
27 from the current Pinole Shores trail other than needing a fence on the railroad
28 property. Mr. Dougan mentioned while there had been a request for a retaining
29 wall structure design similar to what had been provided at near the Bio-Rad location
30 in Hercules, that structure would be too costly.

31
32 **PUBLIC COMMENTS CLOSED**

33
34 The Planning Commission offered the following comments and/or direction to staff
35 and the applicant:

- 36
37
- 38 • Requested that additional trash receptacles be provided along the trail as
39 well as Mutt Mitts;
 - 40 • Recommended signage to prevent the illegal use of the trail by
41 skateboarders and motorized vehicles;
 - 42 • Requested additional details for the temporary construction road to ensure it
43 was environmentally sound;
 - 44
 - 45

- 1 • Requested a better visual perspective information from Orleans Drive to
2 illustrate the views of the proposed structure on the subject site, although the
3 applicant noted the difficulty given cost and a requirement for specific
4 software to provide such a rendering;
5
- 6 • Requested better security given the area was an attractive nuisance to the
7 homeless and young people, with staff asked to discuss with the Chief of
8 Police the possibility of adding security to the area, and with staff affirming
9 ongoing discussions between the EBRPD and the Pinole Police
10 Department; and
11
- 12 • The Chair encouraged Commissioners to view similar bridges in the area
13 with respect to design and to visit the subject neighborhood to view the site
14 of the project.
15

16 **H. CITY PLANNER'S / COMMISSIONERS' REPORT**

17
18 Mr. Rhodes reported that a special meeting of the Planning Commission had
19 been scheduled for July 11, and would include a commercial development
20 project involving an existing gas station, and the formal consideration of the San
21 Francisco Bay Trail Pinole Shores to Bayfront Park project. He also updated the
22 Commission on the status of the Gateway Shopping Center project that is under
23 construction, as well as the approved CVS project.
24

25 **I. COMMUNICATIONS: None**

26
27 **J. NEXT MEETING:**

28
29 The next meeting of the Planning Commission will be a special meeting to be
30 held on Monday, July 11, 2016 at 7:00 P.M.
31

32 **K. ADJOURNMENT: 10:55 P.M**

33
34 Transcribed by:

35
36
37 Anita L. Tucci-Smith
38 Transcriber
39



Memorandum

TO: PLANNING COMMISSION MEMBERS

FROM: WINSTON RHODES, AICP, PLANNING MANAGER

SUBJECT: San Francisco Bay Trail Pinole Shores to Bayfront Park Workshop

DATE: July 11, 2016

Applicant: East Bay Regional Park District P.O Box 5381 Oakland, CA 94605-03381	Property Owner: East Bay Regional Park District Union Pacific Railroad City of Pinole
File: Design Review (DR 16-15) APN: 402-140-007, 402-140-001, 401-010-009, and 401-010-007 Zoning: Parks and Recreation (PR) and San Pablo Bay Conservation Area (SPBCA) General Plan Designation: Parks and Recreation (PR) and San Pablo Bay Conservation Area (SPBCA)	

REQUEST

The design review request is to construct an approximately 0.5 mile long and 14 foot wide segment of the San Francisco Bay Trail extending a non-motorized paved recreational trail along the San Pablo Bay Shoreline in Pinole from a hillside bluff across from Hazel Drive in Pinole Shores east over the Union Pacific Railroad (UPRR) tracks to connect to an existing path in Bayfront Park.

BACKGROUND

The San Francisco Bay Trail is a non-motorized recreational corridor proposed to encircle San Francisco and San Pablo Bays with a continuous 500-mile network of bicycling and hiking trails. The corridor will connect the shoreline of all nine Bay Area counties, link 47 cities and eventually cross all the major toll bridges in the region. To date, approximately 340 miles of the alignment have been completed.

A key segment of the Bay Trail exists along the San Pablo Bay Shoreline within the City of Pinole between Pinole Shores and Bayfront Park. Fifteen years ago, the Park District began to evaluate the alternatives for providing a trail alignment in this area and as a result of those studies determined to construct a new segment of the San Francisco Bay Trail including a bridge over the Union Pacific Railroad.

The development of the proposed Bay Trail segment represents a long effort to add a trail connection along an inaccessible portion of the San Pablo Bay Shoreline in Pinole.

The East Bay Regional Park District (EBRPD) is the lead agency for the project and has previously prepared and certified an Environmental Impact Report for the project in 2012. As part of that environmental review process in 2011 the City mentioned that the project requires a design review by the City of Pinole based upon Zoning Code Section 17.12.150. The City's Municipal Code authorizes the Planning Commission to take final action on the design review request.

This is a unique public project that requires permits from multiple public agencies in addition to the City of Pinole including Caltrans and the State Public Utilities Commission as well as railroad approval of the design, construction process, and long-term maintenance of the separated railroad right-of way crossing. Additionally, an easement from the City is required for the use of Bayfront Park property that is within the purview of the City Council. Maintenance and operation of Bayfront Park is subject to the terms of a Joint Shoreline Park Operating Agreement between the City and EBRPD.

The Planning Commission conducted a workshop on June 27, 2016 to discuss the project, hear from the applicant and interested members of the public. A summary of the workshop is included in the draft meeting minutes that are included in the meeting information packet. The Commission feedback is summarized below:

- Requested that trash receptacles with pet waste gloves be included;
- Recommended the inclusion of signage to help prevent the illegal use of the trail by skateboarders and motorized vehicles;
- Requested additional details for the temporary construction road to ensure it was environmentally sound;
- Requested a better visual perspective information from Orleans Drive to illustrate the views of the proposed structure on the subject site, although the applicant noted the difficulty given cost and a requirement for specific software to provide such a rendering; and
- Requested better security given the area was an attractive nuisance to the homeless and young people, with staff asked to discuss security concerns with the Chief of Police for further input.

STAFF RECOMMENDATION

Hold a public hearing and adopt Resolution 16-07 conditionally approving EBRPD's design review request for the Bay Trail extension project within Pinole.

SITE LOCATION

The project is located along San Pablo Bay shoreline within Pinole. It includes East Bay Regional Park District property between Union Pacific Railroad and Burlington Northern Santa Fe Railroad tracks, Union Pacific Railroad right of way, and the City's Bayfront Park along the San Pablo Bay

shoreline (APN: 402-140-007, 402-140-001, 401-010-009, and 401-010-007).

PROJECT DESCRIPTION

The proposed project would extend an existing Class I non-motorized, paved trail from a hillside bluff across from Hazel Lane in Pinole Shores east over the UPRR tracks to connect to an existing path in Bayfront Park. The alignment would travel between the UPRR and Burlington Northern Santa Fe (BNSF) railroad tracks for approximately 1,500 feet, then sweep north and east on a 140-foot radius curve with an elevated structure of approximately 1,100-feet in length to cross over the UPRR tracks. The last segment of the trail would consist of a 72-foot radius curve, traversing wetlands and marsh lands of San Pablo Bay, to connect with the existing path in Bayfront Park. Construction of the proposed trail alignment would require earthwork, retaining walls, and installation of a grade-separated bridge over the railroad tracks.

The overall width of the proposed trail would be 14 feet consisting of a 10-foot paved trail with a 2-foot shoulder on each side. The grade separated bridge structure over the UPRR railroad right-of-way would maintain 12 feet of clearance between the railings. The maximum cross slope on the trail would be 2 percent to meet the Americans with Disabilities Act (ADA) standards. The maximum grade of the trail alignment would be 5 percent with an intermediate landing between Bayfront Park and the proposed bridge. The landing would provide a scenic overlook to San Pablo Bay, a resting point for mobility-impaired individuals and a viewpoint for train watchers and those enjoying views of the Bay.

The bridge overcrossing the UPRR railroad would consist of a 90-foot long, cast-in-place, pre-stressed concrete box bathtub girder for the portion of the bridge located outside of the UPRR tracks and a "drop-in" pre-cast, pre-stressed concrete section for the portion directly over the tracks. Due to potential safety and operation concerns, UPRR prefers the "drop-in" method of construction for bridges over active lines that provide passenger service. Utilizing a drop-in section eliminates the need to construct bridge falsework over the active tracks and expedites UPRR approval because of the limited impact to their operations. The length of the total proposed elevated structure (including the bridge overcrossing) would be approximately 1,100 feet, and will be in compliance with the latest bridge design codes (Load Resistance Factor Design). The end of the existing trail at the west end of the proposed bridge would be graded to accommodate the proposed structure by excavation and backfilling methods. At the west end of the trail alignment, a short height retaining wall, approximately two to three-feet high, approximately 100 feet long, would be required to support the trail as it approaches the bridge.

The substructure for the bridge would consist of a series of round concrete columns, potentially with one-way flares, that would give a proportional and transitional appearance to the sloped exterior girders of the superstructure. The approximate 100-ft. long spans for the box girder and approximate 40-ft long spans for the slab would provide a consistent and proportional rhythm for column heights and span lengths. At this time it is proposed to utilize a single column at each bridge pier location.

The proposed railings for the elevated structure would consist of two heights, one needed for pedestrian and bicycles, and one needed over the railroad tracks (as required by the BNSF Railway-Union Pacific Railroad Guidelines for Railroad Grade Separation Projects. The bicycle railing would be 42 inches tall and would consist of decorative tubular steel in a pattern which would mimic a decorative wrought iron appearance. The railing proposed over the railroad according to the Railroad Guidelines would need to be 10 feet tall and would include the same tubular steel material

as the lower railing. The applicant proposes to paint the railing black. The railing over the railroad would need to be installed within 25 feet of the centerline of the existing and future railroad tracks. With the elevated structure and security fencing, trail users would be directed onto the proposed trail between Bayfront Park and the end of the existing trail. These improvements would discourage trail users from migrating down into the lowland marsh habitat, thus providing additional environmental protection for these sensitive resources.

ANALYSIS

Land Use

General Plan Conformance

The project site is designated as Parks and Recreation (PR) and San Pablo Bay Conservation Area (SBCA) in the City's General Plan Land Use Map. This designation is intended for improved open space lands whose primary purpose is recreation. The proposed project would expand the existing trail network within Pinole to support pedestrian and bicycle use and add a missing segment to the San Francisco Bay Trail to improve regional transportation and improve recreation opportunities at Bayfront Park and was anticipated during the 2010 General Plan Update in this vicinity. The OS designation applies to the majority of the proposed project site. The proposed trail is located in a rugged shoreline bluff area that has been historically used by railroads to ship freight and provide limited Amtrak passenger rail service.

The General Plan Community Services and Facilities Element, Circulation Element, and Natural Resources and Open Space Element goals and polices below support the establishment of added recreation amenities within Pinole and along the San Pablo Bay shoreline including a Class 1 separated trail that can over time connect to a larger trail network.

GOAL CS.1 Provide safe, attractive and efficiently designed infrastructure and sustainable facilities to serve the public.

GOAL CS.3 Provide adequate and high quality recreational opportunities and programs for the community.

POLICY CS.3.1 Continue to provide a variety of recreational opportunities that serve and represent all aspects of the community.

GOAL CE.2 Achieve a coordinated regional and local transportation system that minimizes traffic congestion and efficiently serves users.

GOAL CE.7 Support bicycle use as a mode of transportation by enhancing infrastructure to accommodate bicycles and riders.

POLICY CE.7.1 Enhance the city's bikeway network through the use of Class I, II and III bikeways.

POLICY CE.7.3 Establish a network of multi-use paths to facilitate safe and direct off-street bicycle and pedestrian travel.

GOAL CE.8 Provide a safe network of well-maintained pedestrian walkways throughout Pinole that encourages walking as a form of non-motorized transportation.

POLICY CE.8.2 Encourage the community to take advantage of Pinole's pedestrian facilities and recreational opportunities and increase non-motorized modes of transportation.

GOAL OS.4 Provide a network of trails linking the public to open spaces and recreation opportunities.

POLICY OS.4.1 Coordinate with other City-wide and regional trail planning efforts to establish a comprehensive network of trails through and Open Space Plan in Pinole.

The project site is located in a "view protection corridor" as identified Figure 10.4 of the City's General Plan Natural Resources and Open Space Element and a portion of the site is identified as a "resource protection area." Policies relevant to the visual character or aesthetics of the proposed project are within the Community Character of the General plan and include:

GOAL CC.2 Emphasize and enhance the visual and physical connection between the city's natural environment and the community's quality of life.

POLICY CC.2.1 Provide visual and physical connections between the natural environment and the built environment through careful site design, building placement, architectural features that allow views of Pinole's unique environment such as ridgelines or the San Pablo Bay shoreline, public access to open space such as via the Bay Trail, and the use of native vegetation in the urban environment such as for landscape buffers for sidewalk areas and street trees.

Action CC.2.1.1 Create a connected network of open spaces in Pinole that are accessible to the community for outdoor recreation and other use and enjoyment as a key aspect of local community character.

Action CC.2.1.2 Promote and provide an integrated pedestrian and bicycle network that links open spaces and other destination points within Pinole.

Action CC.2.1.3 Enhance existing priority development areas, commercial corridors, trails and significantly sized public spaces that preserve and take advantage of vistas. Many of Pinole's existing open space areas are on or near existing ridgelines with scenic views. Ensuring that trails connect these spaces enhances scenic opportunities.

Action CC.2.1.4 Determine new connections, public spaces and improvements needed along pedestrian and bike paths, and add new trails. Prioritize completion and connection of the Bay Trail through Pinole.

Action CC.2.1.5 Review improvement plans and construction drawings for consistency with Policy CC.2.1 related to the use of native vegetation and design features that highlight natural features and views.

The Community Character goals, policies, and actions encourage physical connections to visual resources within the community. Pinole's shoreline is among the most dramatic. Testimony from

several property owners who have enjoyed this dramatic view speaks to the desirability of these existing shoreline views. The General Plan calls for improving access for the whole community to these scenic visual resources. A draft condition of approval has been added to ensure that the grade elevated portions of the proposed project be placed below the existing bluff elevation line to be sensitive to property owners with existing San Pablo Bay views. The proposed Bay Trail project makes these views accessible to a wider range of the public which is consistent with the General Plan Community Character Element. The Commission should carefully consider the color selection of the elevated trail structure to assure it blends in with the shoreline. This detail was noted at prior public meetings. The applicant will provide various color choices at the meeting. The Commission may want to select a light brown color for the concrete to help it visually blend in to existing bluff colors during dry conditions.

Zoning Conformance

The proposed project site is zoned for Parks and Recreation (PR) and San Pablo Bay Conservation Area (SPBCA). Active recreation trail facilities within the PR and SPBCA zones are a permitted use.

Circulation and Parking

The trail facility will be an extension of the existing EBRPD trail at the northern terminus of Pinole Shores Drive where there currently is a staging area with a parking lot. The trail extension will connect to Bayfront Park which includes a small parking lot and open area overlooking marshland and San Pablo Bay. The proposed trail will be accessible to non-motorized travelers during daylight hours. However, auto access to areas near the segment will be retained. This trail segment is also in close proximity to the Pinole Creek trail and portions of the Bay Trail within the City of Hercules which converge near the Railroad Avenue Bridge. Draft conditions have been included to add amenities to the proposed project including seat benches, bicycle racks, interpretative signage, and trash receptacles with pet waste disposal gloves to help prevent litter and encourage public use.

Security

The applicant is not proposing to light the elevated in an effort to prevent glare and discourage use after dark but is receptive to cameras and working closely with the City's Police Department. The City Police Department favors lighting and cameras wherever possible to maximize security but recognize there are a variety of factors including landscape maintenance and signage that should be considered and design features that do not build in vulnerability or invite anti-social behavior. A draft condition has been included in the resolution calling for preparation of a security plan where law enforcement specialists at the District and within the Pinole Police Department can work together to address personal security during construction and after project completion.

ENVIRONMENTAL REVIEW

An Environmental Impact Report was previously prepared and certified by the EBRPD in January 2012 for the project to satisfy California Environmental Quality Act (CEQA) requirements. Eight environmental categories were determined to be potentially impacted by the proposed project: 1) biological resources; 2) cultural resources; 3) geology, soils, and seismicity; 4) hydrology and water quality; 5) hazards and hazardous materials; 6) noise; 7) air quality; and 8) global climate change. The EIR concluded that all potentially significant impacts could be mitigated to less than significant

levels after mitigation measures were applied. Project mitigation measures are summarized in the attached (see Attachment C) Mitigation Monitoring and Reporting Program (MMRP). No new information has been provided or changes in environmental conditions have occurred that require further environmental analysis. The City is relying on the previous project EIR and Caltrans National Environmental Policy Act (NEPA) de minimis finding to satisfy applicable State and federal environmental review requirements for this project.

ATTACHMENTS

Attachment A Project Description and Design Information dated stamped received June 7, 2016
Attachment B Resolution 16-07 with conditions of approval
Attachment C Mitigation Monitoring and Reporting Program
Attachment D Public Correspondence Received Since June 27, 2016
Attachment E Proposed Color and Material Information (to be provided at the meeting)
Attachment F Project Environmental Review information. See links below.

http://www.ebparks.org/Assets/ Nav Categories/Park Planning/Pinole+Shores/Pinole_FinalEIR.pdf

http://www.ebparks.org/Assets/files/ebprd_Pinole Shores Appendices.pdf

<http://www.ebparks.org/Assets/ Nav Categories/Park Planning/Pinole+Shores/Pinole+Shores+4f+Final.pdf>

INDEX OF SHEETS

No.	ID	DESCRIPTION
1	-	TITLE SHEET
2	GN	GENERAL NOTES AND PROJECT CONTROL
3	X	TYPICAL CROSS SECTIONS
4-6	L	LAYOUT AND PROFILE
7-9	C	CONSTRUCTION DETAILS
10	CP	CONSTRUCTION PHASING PLAN
11-12	WPC	TEMPORARY WATER POLLUTION CONTROL PLANS
13-14	EC	EROSION CONTROL PLANS
15-16	D	DRAINAGE AND UTILITY PLANS
17	DP	DRAINAGE PROFILES
18-19	PDS	PAVEMENT DELINEATION AND SIGN PLANS
1-63	S	STRUCTURE PLANS

EAST BAY REGIONAL PARK DISTRICT

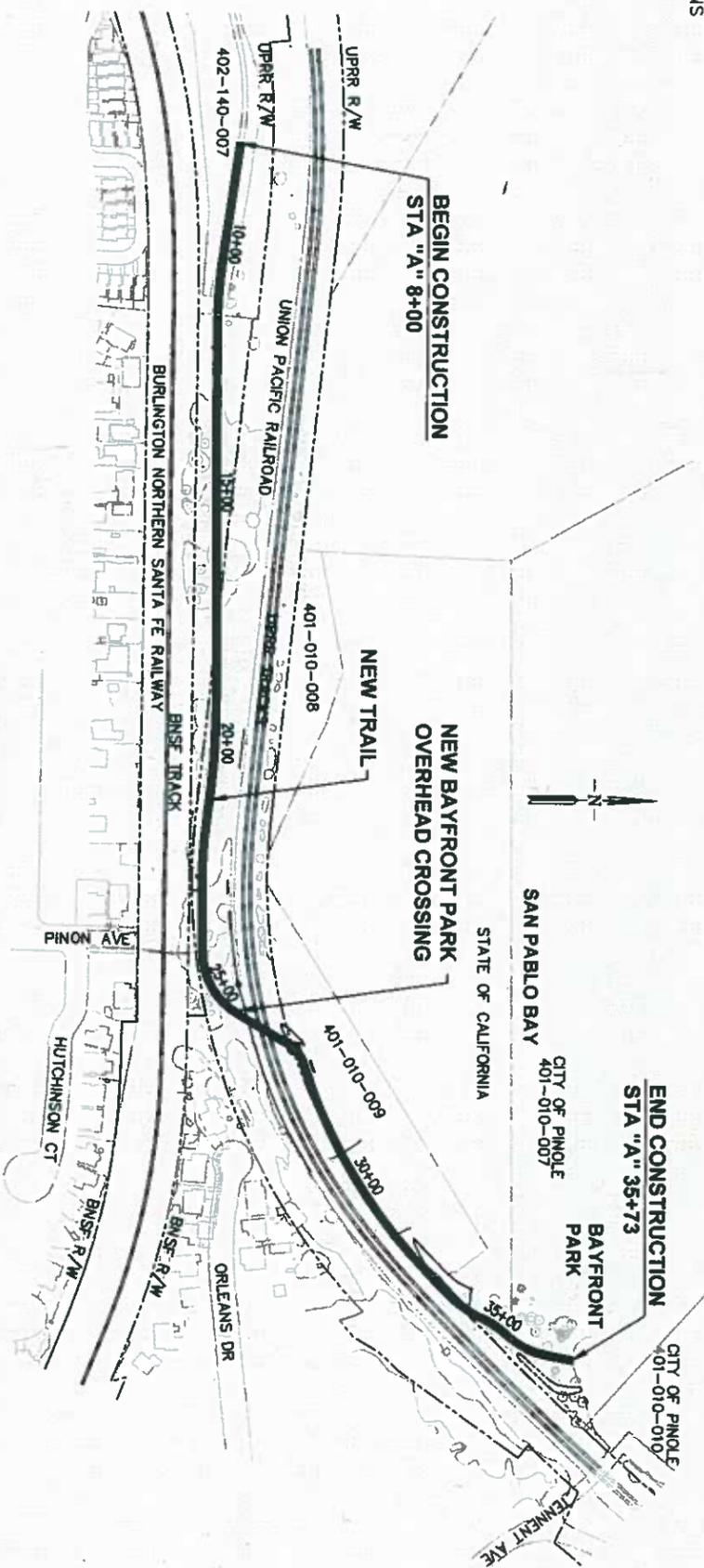
PROJECT PLANS FOR CONSTRUCTION

OF SAN FRANCISCO BAY TRAIL -

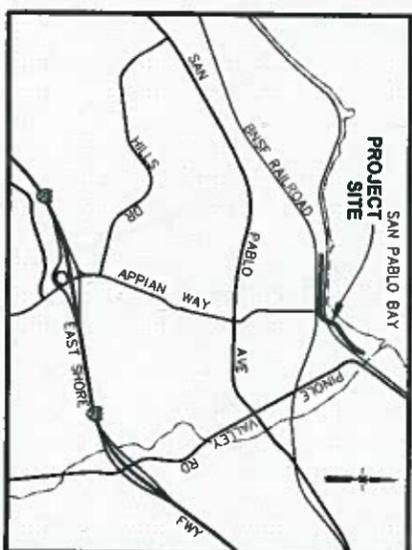
PINOLE SHORES TO BAYFRONT PARK SEGMENT

IN CONTRA COSTA COUNTY IN PINOLE

TO BE SUPPLEMENTED BY CALTRANS STANDARD PLANS DATED 2010



SITE PLAN
NOT TO SCALE



LOCATION MAP
NOT TO SCALE



ATTACHMENT A

UTILITY CONTACT INFORMATION

CONTACT	UTILITY	REPRESENTATIVES	PHONE
U.S.A.	U.S.A.	U.S.A.	811
LEVEL 3	TELECOMMUNICATION	JENNIFER CRUMPTON	720-888-0767
KINDER MORGAN	PETROLEUM	BRYAN WEEKS	707-438-2108

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS"

NO.	REVISIONS	BY	DATE

DESIGN BY: NCK	CHECKED BY: SK	DATE: 05-12-2016
URB PROJ. No.: 27560856		

PROJECT ENGINEER

URS
ENGINEERING & PLANNING • CM
2020 L STREET, SUITE 400
SACRAMENTO, CA 95811 (916) 414-8800

East Bay
Regional Park District

90% SUBMITTAL
NOT FOR CONSTRUCTION

MAY 2016

SUBMITTED BY:

SAMI KALANTARI
URS PROJECT MANAGER

DATE

APPROVED BY:

EAST BAY REGIONAL PARK DISTRICT

DATE

APPROVED AS TO FEATURES AFFECTING
CITY OF PINOLE FACILITIES:

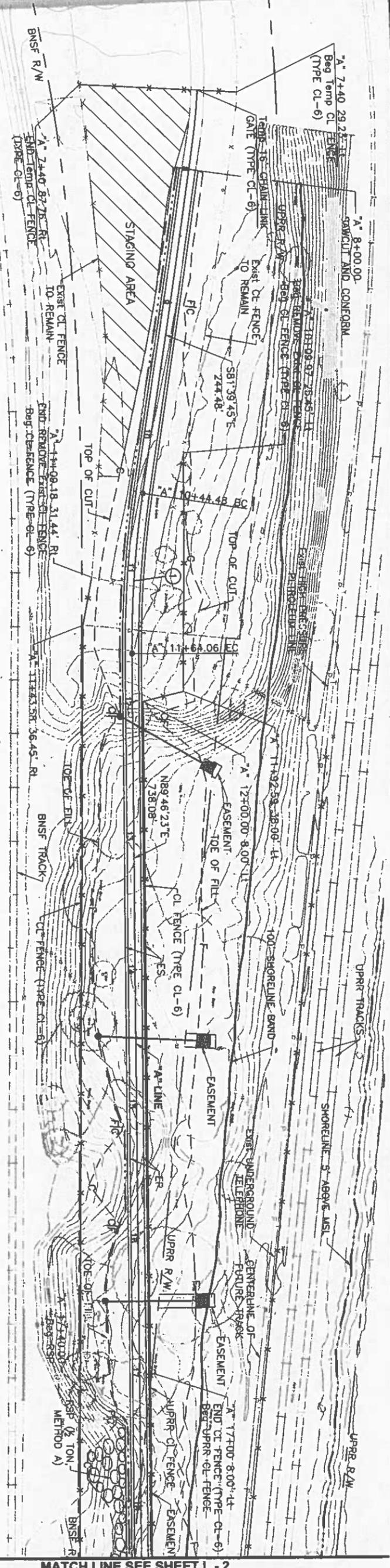
DIRECTOR OF DEVELOPMENT SERVICES /
CITY ENGINEER

DATE

SAN FRANCISCO BAY TRAIL
PINOLE SHORES TO BAYFRONT PARK
PURCHASE ORDER No. P21343

TITLE SHEET

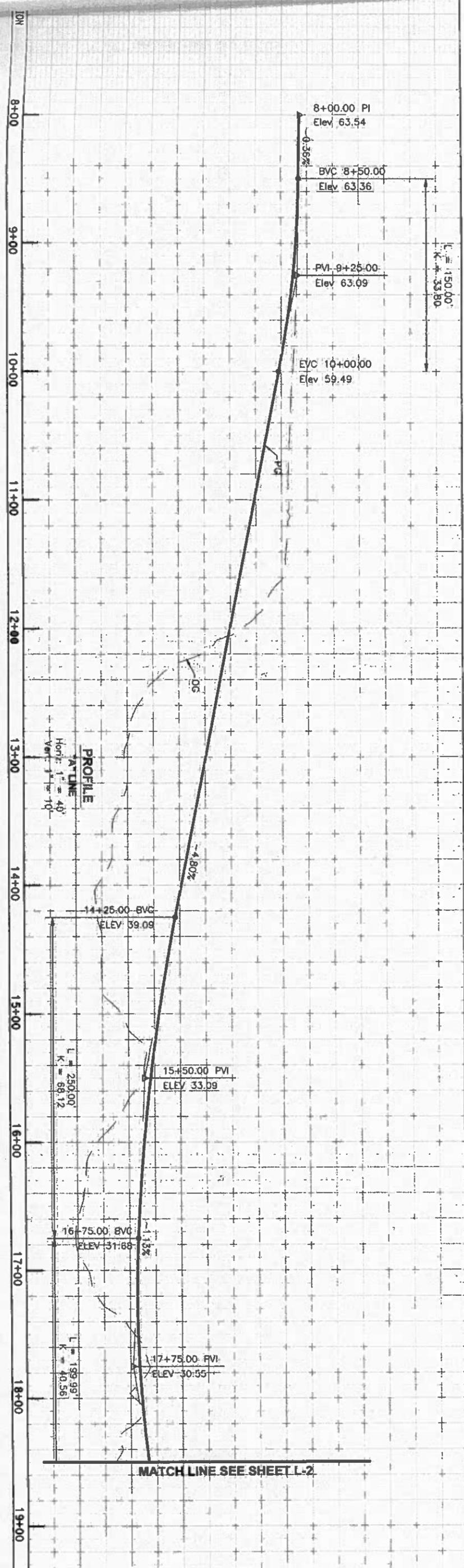
1
19



- NOTES:
1. FOR COMPLETE RIGHT OF WAY DATA SEE RIGHT OF WAY RECORD MAPS AT EAST BAY REGIONAL PARK DISTRICT.
 2. SEE CONSTRUCTION DETAILS FOR ADDITIONAL INFORMATION NOT SHOWN.

PLAN
1" = 40'

CURVE	RADIUS	LENGTH	DELTA	TANGENT
①	800.00'	119.58'	08°33'52"	59.90'



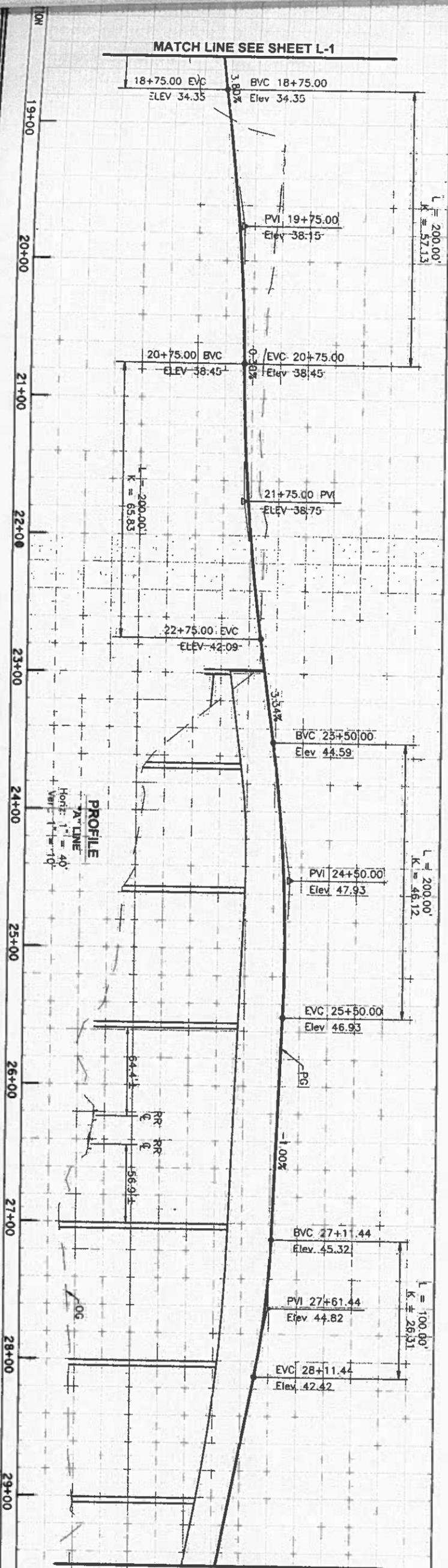
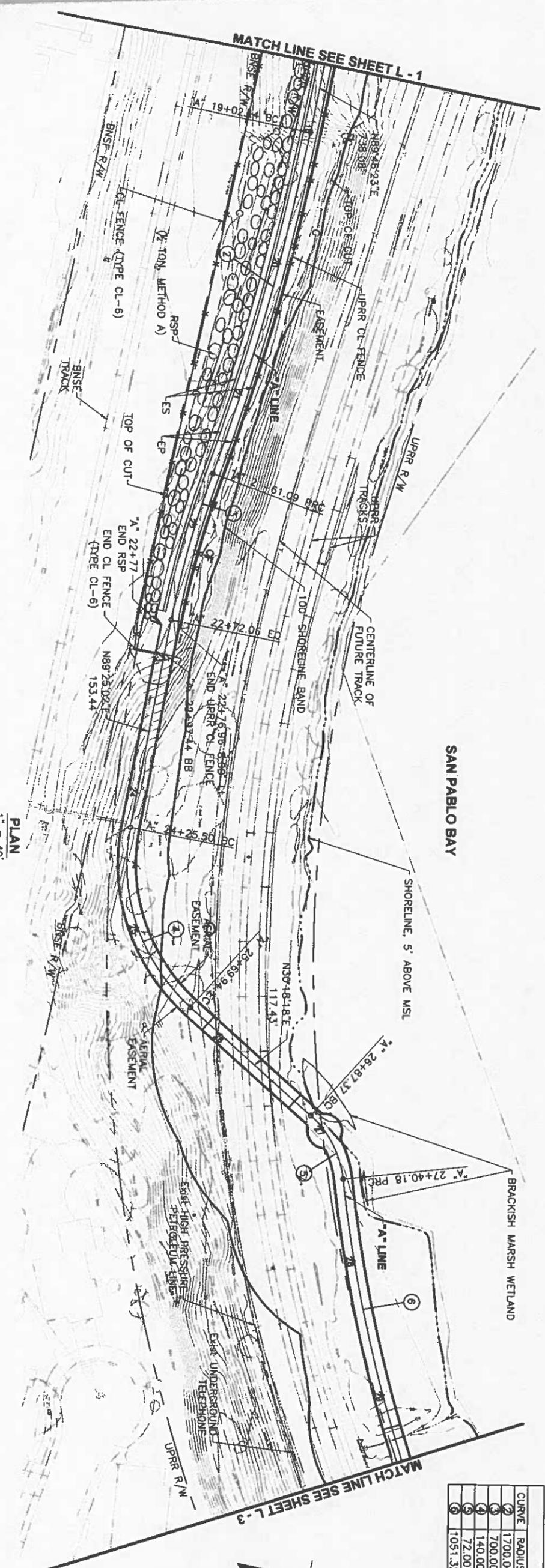
PROFILE
1" = 40'
Hor: 1" = 40'
Ver: 1" = 10'

MATCH LINE SEE SHEET L-2

80	60	40	20
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REVISIONS	BY	DATE	DESIGN BY: NICK	DRAWN BY: NICK	CHECKED BY: SK	SCALE: AS SHOWN	DATE: 05-12-2018	URS PROJ No.: 27550588
			PROJECT ENGINEER					
			PLANS APPROVAL DATE					
			URS ENGINEERING • PLANNING • CM 2020 L STREET, SUITE 400 SACRAMENTO, CA 95811 (916) 414-0500					
			East Bay Regional Park District			SAN FRANCISCO BAY TRAIL PINOLE SHORES TO BAYFRONT PARK PURCHASE ORDER NO. P21343 LAYOUT AND PROFILE		
			4	19				

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	TANGENT
1	1700.00'	258.95'	08°43'39"	129.72'
2	700.00'	110.97'	09°04'59"	55.60'
3	140.00'	144.44'	58°08'44"	79.39'
4	72.00'	52.81'	42°01'25"	27.66'
5	1051.32'	468.13'	25°30'45"	238.01'



REVISIONS	BY	DATE

DESIGN BY: NCK
 DRAWN BY: NCK
 CHECKED BY: SK
 SCALE: AS SHOWN
 DATE: 05-12-2018
 URS PROJ NO.: 27560806

PROJECT ENGINEER
 PLANS APPROVAL DATE

URS
 ENGINEERING • PLANNING • CM
 2820 L STREET, SUITE 400
 SACRAMENTO, CA 95811 (916) 414-6800

East Bay
 Regional Park District

SAN FRANCISCO BAY TRAIL
 PINOLE SHORES TO BAYFRONT PARK
 PURCHASE ORDER NO. P21343
 LAYOUT AND PROFILE

L-2

5
 19

SAN FRANCISCO BAY TRAIL PINOLE SHORES TO BAYFRONT PARK SEGMENT

PROJECT DESCRIPTION

East Bay Regional Park District (EBRPD), in cooperation with the City of Pinole and the West Contra Costa Transportation Advisory Committee (WCCTAC) proposes construction of a section of the San Francisco Bay Trail in Pinole.

Project Background

The San Francisco Bay Trail is a non-motorized recreational corridor proposed to encircle San Francisco and San Pablo Bays with a continuous 500-mile network of bicycling and hiking trails. The corridor will connect the shoreline of all nine bay area counties, link 47 cities and eventually cross all the major toll bridges in the region. Approximately 290 miles of the alignment have been completed. A key gap in the Bay Trail exists along the San Pablo Bay Shoreline within the City of Pinole between Pinole Shores and Bayfront Park, necessitating the proposed project to cross the Union Pacific Railroad (UPRR).

This grade separation, along with over 25 other separate rights of way, was included in the Memorandum of Understanding executed by EBRPD and UPRR in 1996. The grade separation appears to have been deleted in a subsequent 1998 agreement, and replaced by a longitudinal easement. UPRR and EBRPD are engaged in discussions to update and resolve issues related to the 25+ rights of way described in the nearly 20 year old agreements, with an eye towards eliminating unneeded or redundant segments and formalizing the remaining critical linkages. Completing the Pinole Shores grade separation project is crucial to the success of that effort.

Project Location

The project area is located along the San Pablo Bay shoreline in the City of Pinole in west Contra Costa County. The proposed trail alignment would extend approximately ½ mile from the existing trail terminus to Bayfront Park, crossing UPRR at MP 19.79. This trail would tie into a completed ½ mile section of the trail that begins at Pinole Shores Drive and would connect two trail head parking areas, thus making a complete 1 mile trail segment. The project location is shown on the Title Sheet of the attached plans.

Existing Conditions

The proposed trail is located within or adjacent to the UPRR mainline corridor. In this area the UPRR right of way varies in width from 100 feet to approximately 170 feet. The wider area includes steep and unstable bluffs on the south side of the tracks. The bluff area is bounded by either residential properties or the Burlington Northern and Santa Fe Railway (BNSF). The UPRR railroad corridor has two tracks that carry both freight and Amtrak trains. The UPRR right of way is partially fenced. School children, fishermen, and others frequently cross the tracks via the numerous informal trails and pathways that are present in the project area that connect nearby residential areas with the shoreline. Current legal access is limited to the signalized roadway crossing at Tenant Avenue, PM 20.00.

Project Characteristics

The western trail segment would begin at the existing terminus of the Pinole Shores segment of the San Francisco Bay Trail on a hillside bluff across from Hazel Lane. The trail alignment would parallel the BNSF right of way for approximately 1,200 feet then the eastern segment would sweep north over the UPRR tracks via a 1,060-foot long bridge structure to join a path in Bayfront Park.

Five distinct segments comprise the proposed trail project. (Stationing has been rounded).



- **Station 8+00 to 17+00:** The westerly 900 feet of the proposed trail would lie between the BNSF and UPRR properties on lands owned by EBRPD. Construction of this portion of the proposed trail alignment would involve significant earthwork. Some of the fill slopes would extend into UPRR ROW; however, the toe of slope would be more than 60-feet from the closest track. Construction would require approximately 8,000 cubic yards of imported earthwork for this section of trail. Construction access to the site would be from Tennant Avenue along the south side of the UPRR tracks. Temporary chain link fence or temporary concrete railing (Type K) with a wooden glare screen would be placed no closer than 12-feet from the nearest rail to separate construction traffic from the UPRR tracks.
- **Station 17+00 to 23+00:** This 600 feet of the proposed trail would begin to encroach onto UPRR property along the top of the 30-foot tall bluff. The trail would encroach into the outside 30-feet of UPRR ROW; however, the trail would still be more than 65-feet horizontally clear from the existing track along the top of the bluff.
- **Station 23+00 to 27+00:** The proposed trail would sweep down from the bluff and cross the UPRR railroad right-of-way on an overcrossing structure. See discussion below for the structure type and clearance details. At Station 27+02 the structure clears the UPRR ROW and begins to parallel the tracks along the north side. A scenic overlook is proposed at this location.
- **Station 27+00 to 33+60:** The overhead structure continues for another 660-feet skirting the San Pablo Bay wetlands and encroaching into and up to the outer 10-feet of the UPRR ROW to minimize construction in the bay tidal areas. The closest location to the tracks is 25.5-feet from edge of bridge deck to centerline of rail.
- **Station 33+60 to 35+75:** The overhead leaves UPRR ROW and enters the lands at Bayfront Park where the path joins an existing path within the park.

The overall width of the proposed trail would be 14 feet consisting of a 10-foot paved trail with a 2-foot gravel shoulder on each side. The grade-separated bridge structure over the UPRR railroad right-of-way would provide 12-feet of clearance between the railings. The landing area on the structure would provide a scenic overlook to San Pablo Bay, a resting point for mobility-impaired individuals and a viewpoint for train watchers.

Construction of the proposed trail is expected to result in approximately 0.75 acre of temporary impacts to jurisdictional waters of the United States located on the bay side of the UPRR railroad tracks. Approximately 0.2 acre of permanent fill would result from construction of the trail between the end of the bridge and Bayfront Park. This impact was significantly reduced by utilizing the outside edge of the UPRR right of way. State and Federal environmental approvals have been obtained for this environmental footprint.

Bridge Overhead

The bridge structure over the UPRR railroad would consist of a cast-in-place, pre-stressed concrete box girder for the portion of the bridge located outside of the active tracks and three "drop-in" pre-cast, pre-stressed concrete girders for the portion directly over the tracks. The foundations would be 6 to 8-foot cast in drilled hold piles penetrating 70 to 100-feet below existing ground elevations. Utilizing drop-in girders eliminate the need to construct bridge falsework over the active tracks and allow the girders to be placed when there is a 10/15 minute window between trains and therefore would not require a shutdown period.

The drop-in pre-cast girders have slightly less structure depth than the remaining cast-in-place structure. To provide an aesthetic appeal, the pre-cast girders will be concealed with pre-cast concrete curtain walls with architectural treatment matching the remainder of the structure. Although undecided at this time, the architectural treatment will probably be a stained stone block motif.

The portion of the bridge over the railroad tracks (25-feet from existing and proposed tracks) would have a 10-foot fence; a shorter fence would be placed along the bayside of the trail to maintain views of San Pablo Bay.

The east end of the bridge structure, located in the tidal marsh area, has shorter span lengths because of the need to be elevated so that the bottom of the structure would not be inundated during bay-related high water events.

UPRR Standards and Exceptions

The following is a discussion on potential issues related to meeting UPRR standards:

Future Track- The design assumed a future track spaced 20-feet from the existing southerly track. The structure column would be located 25.6-feet from the assumed future track.

Fences- It is proposed to extend the 10-foot tall fence on the structure only 25-feet from the existing and future track. Shorter fences are proposed beyond this location to provide opportunities for scenic views. The upper bluff area will be fenced with 8-foot tall fence between UPRR and BNSF properties to discourage users from leaving the path area.

Piers- Piers will be located more than 25-feet from the proposed future track on the south and more than 37-feet from the existing northerly track. No pier protection is proposed. There are three piers and an abutment located in UPRR ROW on the south side of the track due to the large width of the ROW and three piers located on the north side of the tracks inside UPRR ROW to minimize encroachment into the San Pablo Bay tidal marsh. Pier offset distances are shown on Sheet C-1 (7 of 19) in the enclosed plan set.

Permanent Vertical Clearance- Proposed vertical clearance is 24' 4" to allow for potential structure deflections and minor track re-ballasting. The profile of the existing tracks is shown on Sheet S-2 (2 of 62) and indicates the location of the proposed overhead is at the high point of a slight existing vertical curve and therefore no extra clearance is proposed for future rail profile corrections.

Temporary Horizontal Clearances and Construction Access- Temporary horizontal clearances of 12.5-foot from the outside rail are proposed. The current plans show temporary 6-foot chain link fence to separate the construction workers from train traffic. If requested, temporary concrete railing (Type K) with wooden vertical extensions could be used instead of temporary fence to provide a more secure feature. Concrete railing is approximately double the cost of temporary chain link fence, however, will be included if requested. The proposed contractor access roads are shown on Sheet CP-1 (10 of 19).

Location of the trail within UPRR Right of Way- As discussed, portions of the completed project will be located within UPRR ROW. The attached Exhibit A identifies the locations and areas.

Summary:

EBRPD is requesting UPRR approval of the location of the structure within existing ROW, use of UPRR ROW on a temporary basis for access during construction and the limitation of 10-foot tall fence only with 25-foot of the existing and proposed tracks.



Existing view



Proposed view

LSA

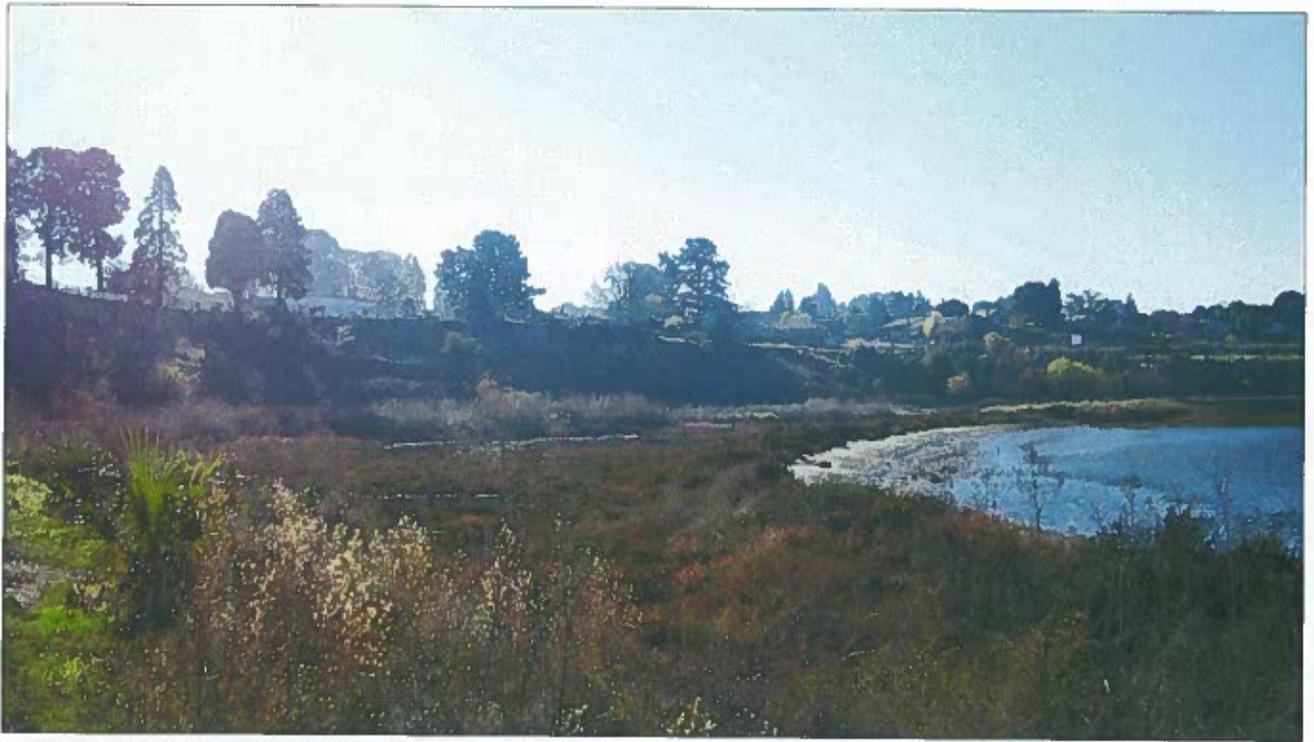
FIGURE 6



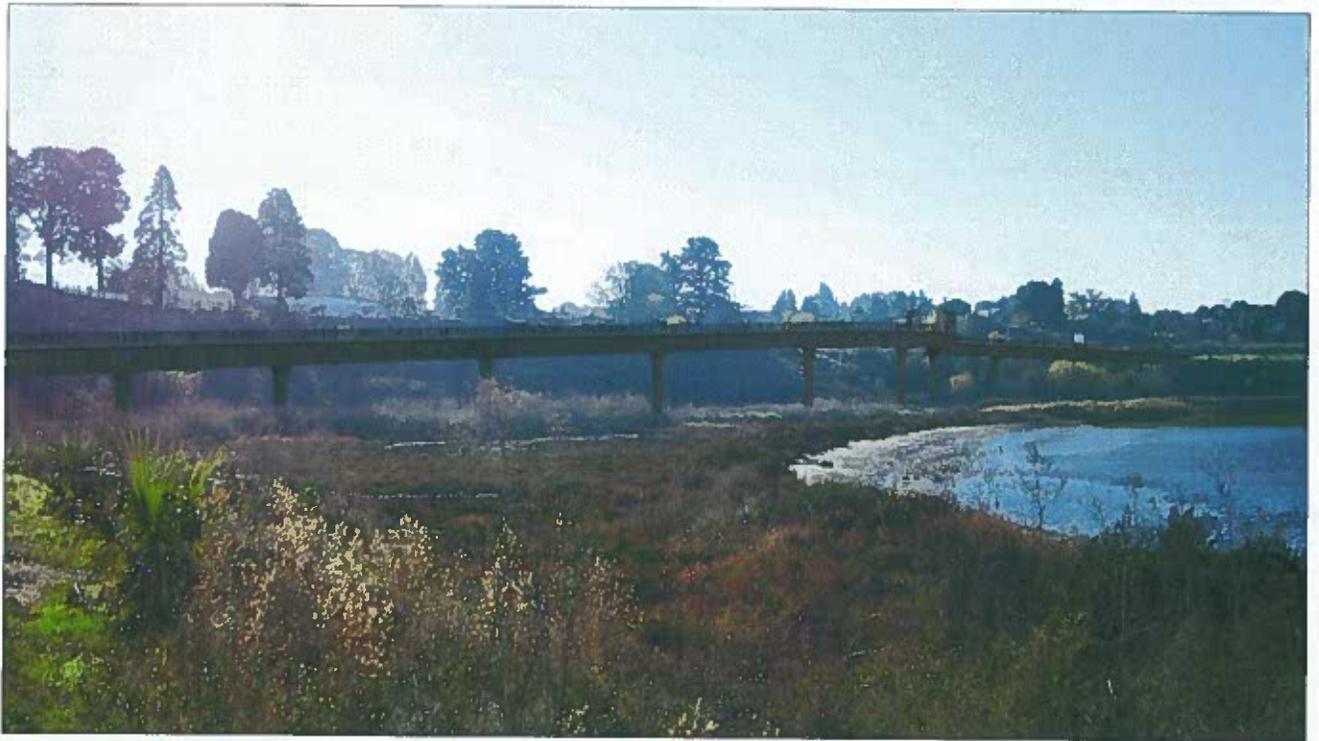
*San Francisco Bay Trail
Pinole Shores to Bayfront Park
Observer Viewpoint B*

SOURCE: Vallier Design Associates, 2012

P:\URS1102\g\Visual Sims\Figure 6_Observer Viewpoint B.cdr (01/06/12)



Existing view



Proposed view

LSA

FIGURE 5



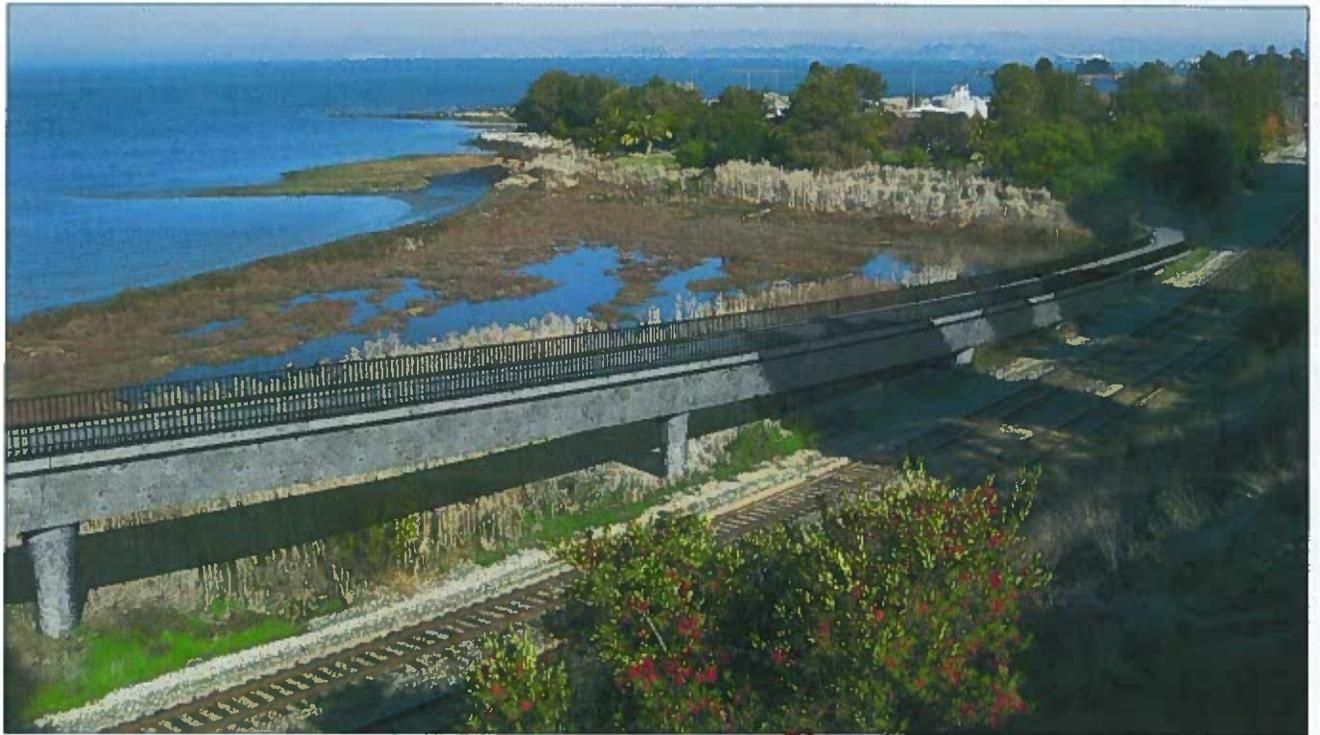
SOURCE: Vallier Design Associates, 2012

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*San Francisco Bay Trail
Pinole Shores to Bayfront Park
Observer Viewpoint A*



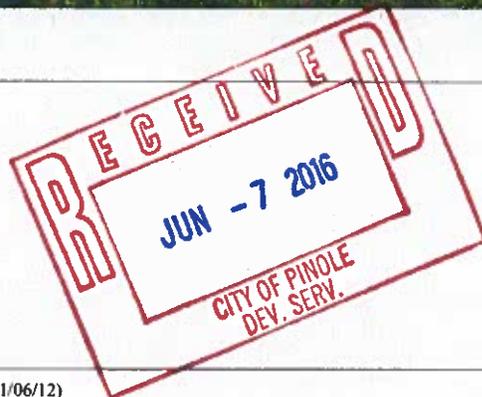
Existing view



Proposed view

LSA

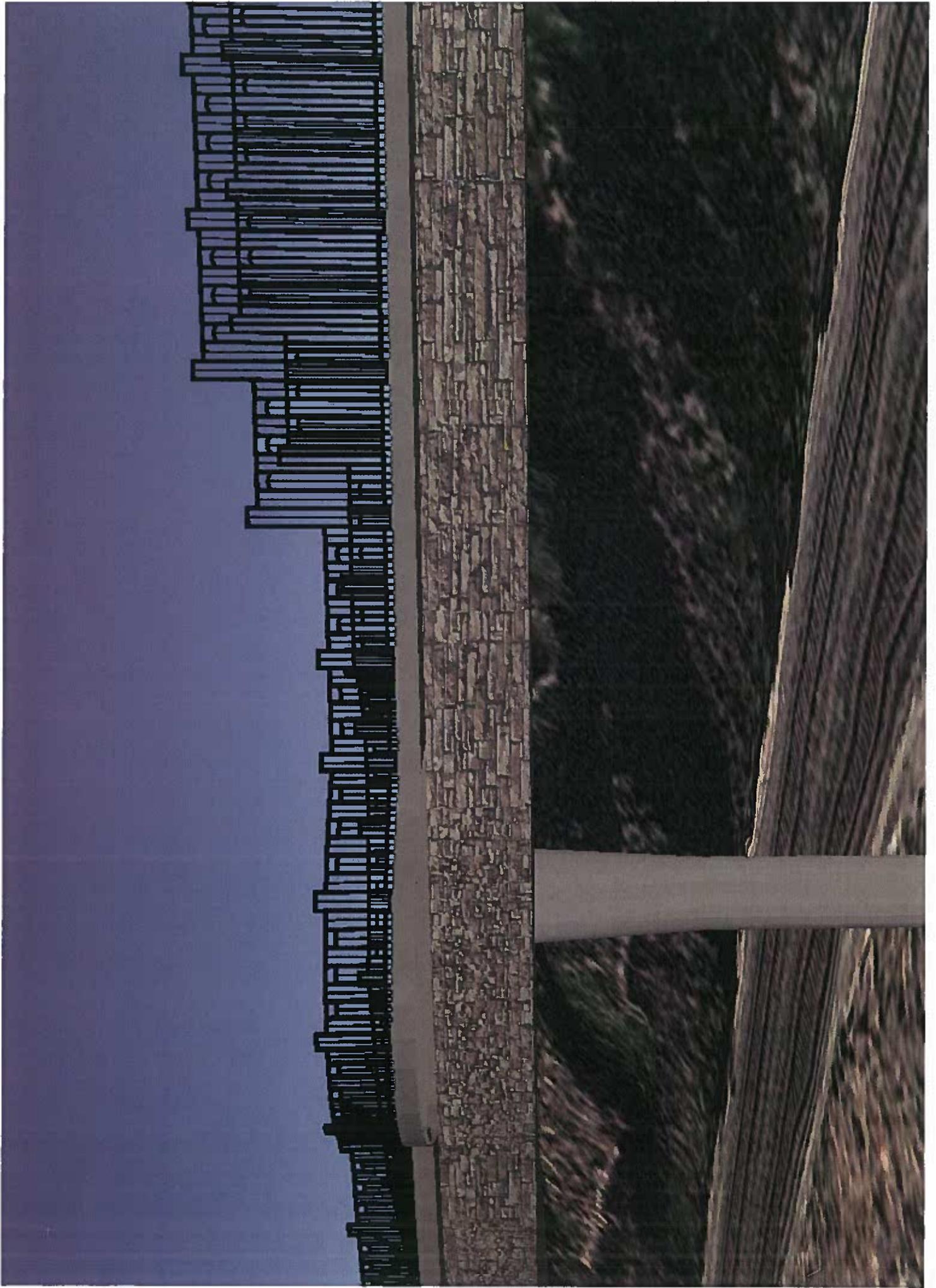
FIGURE 7



*San Francisco Bay Trail
Pinole Shores to Bayfront Park
Observer Viewpoint C*

SOURCE: Vallier Design Associates, 2012

P:\URS1102\g\Visual Sims\Figure 7_Observer Viewpoint C.cdr (01/06/12)





**PLANNING COMMISSION RESOLUTION 16-07
WITH EXHIBIT A: CONDITIONS OF APPROVAL**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PINOLE APPROVING A DESIGN REVIEW REQUEST TO CONSTRUCT AN APPROXIMATELY 0.5 MILE SEGMENT OF THE SAN FRANCISCO BAY TRAIL ALONG THE SAN PABLO BAY SHORELINE IN PINOLE FROM PINOLE SHORES TO BAYFRONT PARK (APN: 402-140-007, 402-140-001, 402-140-009, AND 401-010-007)

WHEREAS, the East Bay Regional Park District (EBRPD) filed an application with the City of Pinole (hereinafter referred to as City) for a design review request (DR16-15) to construct an approximately 0.5 mile section of the San Francisco Bay Trail in Pinole between Pinole Shores and Bayfront Park in accordance with Title 17 of the Pinole Municipal Code; and

WHEREAS, the Planning Commission of the City of Pinole is the appropriate authority to hear and take action on this project; and

WHEREAS, the EBRPD is the lead agency for this project and the City is a responsible agency for this project for State environmental review purposes and the California Department of Transportation (Caltrans) is the lead agency for federal environmental review purposes; and

WHEREAS, the EBRPD prepared and certified an Environmental Impact Report (State Clearinghouse #2010082043) for this project pursuant to the provisions of the California Environmental Quality Act (CEQA) in January 2012;

WHEREAS, mitigation measures were previously prepared by EBRPD and were made a condition of approval of the project; a mitigation monitoring and reporting program was adopted for this project by the EBRPD; and findings were made pursuant to the provisions of CEQA for the project;

WHEREAS, Caltrans has reviewed the project as the federal lead agency and has determined that the proposed improvements for the project constitute a *de minimis* impact and the applicable federal environmental regulations have been satisfied.

WHEREAS, the Planning Commission has relied on the EBRPD and Caltrans environmental review documentation to evaluate the environmental impacts of the proposed project in its capacity as a responsible agency and no new information has been provided requiring further environmental analysis or changes to the conclusions of the prior environmental analysis; and

WHEREAS, the Planning Commission has conducted a duly noticed public workshop on June 27, 2016 and a public hearing to consider DR 16-15 on July 11, 2016, and

WHEREAS, after the close of public hearing, the Planning Commission considered all public comments received both before and during the public hearing, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed development.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Pinole hereby finds, determines, and resolves as follows:

1. The Planning Commission has considered the full record before it, which may include but is not limited to such information as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are true and correct and are incorporated herein by reference.

2. The applicant has proposed a new trail extension which, as conditioned, is consistent with the policy objectives of the General Plan and complies with the applicable provisions of the Zoning Code.
3. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.
4. The site layout and other development features, as conditioned, are compatible with the existing surrounding environment and ultimate character of the area under the General Plan.
5. Based upon the depth and variety of design components and colors, the trail extension project will not be unsightly, obnoxious or undesirable in appearance, and will not hinder the harmonious development of the area, impair the desirability of the area for the uses permitted, nor limit the opportunity to attain optimum use and value of the land and improvements.
6. The proposed development creates a well-composed design, harmoniously related to the other existing development within the immediate area.
7. The project is, or has been conditioned to be, in conformance with all applicable City standards and specifications to ensure a well-designed site composed of a visually-appealing structure.
8. Approves the adequacy of the project Environmental Impact Report (State Clearinghouse #2010082043) and accompanying mitigation monitoring and reporting plan for review of the current design review request DR16-15 in that the information adequately analyzes the environmental impacts and will mitigate potentially significant impacts to less than significant levels and that no project changes or new information alter the environmental analysis conclusions or require further study.
9. Approves Design Review request 16-15 as provided in the staff report, and subject to the Conditions of Approval attached as Exhibit A to this Resolution.
10. The approval of the Design Review 16-15 shall terminate on July 11, 2017, unless exercised and actual construction or alteration under valid permits has begun within said period or a written request has been submitted to the City, prior to the expiration date, for an extension of time as allowed under the Zoning Ordinance.

The above action is final unless an appeal is filed pursuant to Chapter 17.10 of the Pinole Municipal Code within ten (10) calendar days following Planning Commission action.

PASSED AND ADOPTED by the Planning Commission of the City of Pinole on this 11th day of July 2016, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Dave Kurrent, Chair, 2016-2017

ATTEST:

Winston Rhodes, AICP, Planning Manager

**RESOLUTION 16-07 BAY TRAIL SEGMENT PINOLE SHORES TO BAYFRONT PARK
 DESIGN REVIEW
 EXHIBIT A CONDITIONS OF APPROVAL**



	<u>Timing/ Implementation</u>	<u>Monitoring Department /Division</u>	<u>Verification (date and Signature)</u>
1.	Ongoing	Planning	
	The project shall be constructed in substantial compliance with the project Environmental Impact Report SCHN#2010082043 information from 2011 and the accompanying project plans date stamped received June 7, 2016 and material submitted for the Design Review request unless modified by the conditions of approval below.		
2.	Ongoing	Development Services, Police, and Fire Departments	
	The proposed project shall be built and operated in a manner consistent with all applicable federal, State, and local regulations.		

**RESOLUTION 16-07 BAY TRAIL SEGMENT PINOLE SHORES TO BAYFRONT PARK
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<u>Verification</u> (date and Signature)	<u>Monitoring Department /Division</u>	<u>Timing/ Implementation</u>	
	Development Services	Ongoing	<p>3. The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.</p>
			<p>Prior to Construction Commencement</p>
	Development Services	Prior to Construction Commencement	<p>4. All development drawings and subsequent construction shall substantially conform to the planning application design information project description and drawings submitted for Planning Commission consideration. Any modifications must be reviewed by the City Engineer and Planning Manager who shall determine whether the modification requires additional approval of the Planning Commission or City Council.</p>

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	<u>Timing/ Implementation</u>	<u>Monitoring Department /Division</u>	<u>Verification (date and Signature)</u>
5.	A copy of these permit conditions of approval shall be included on the construction plans and made available upon request in the field.	Development Services Department	
6.	The East Bay Regional Park District project mitigation monitoring and reporting program is hereby incorporated by reference and shall be included in the project construction plans. The District shall confirm for the City that all mitigation measures to be completed prior to construction commencement are satisfactorily completed.	Development Services Department	
7.	The applicant shall include bicycle parking, seat benches, trash receptacles with pet waste stations and interpretative signage locations on the construction plans with accompanying design specifications.	Development Services	
8.	The East Bay Regional Park District shall ensure that portions of the project that are located above grade shall be designed to be lower than the Pinole shoreline bluff elevations adjacent to the elevated portions of the trail.	Development Services	

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	<u>Timing/ Implementation</u>	<u>Monitoring Department /Division</u>	<u>Verification (date and Signature)</u>
9.	<p>The building construction plans shall reflect the details described in the project design plans and shall be subject to review and approval of staff with concurrence of the Planning Commission Development Review Subcommittee; should substantial discrepancies exist between the construction plans and the approved project design plans the matter shall be referred to the Planning Commission for approval.</p>	Development Services	
10.	<p>CONSTRUCTION STAGING PLAN – The East Bay Regional Park District shall submit a construction staging plan for review and approval by the Development Services Department. The construction staging plan shall ensure ongoing vehicle access for City representatives and contractors working on the Pinole Hercules Water Pollution Control Plant Upgrade project. The East Bay Regional Park District shall ensure that any temporary construction roads avoid Pinole shoreline bluffs. Any erosion caused by the proposed trail project and related construction activity shall be remedied by the District prior to completion of the project.</p>	Development Services	
11.	<p>ARBORIST REPORT – The owner and applicant shall submit a project arborist report to the City. The arborist report shall include an inventory of all protected trees, identify protected trees proposed for</p>	Development Services	

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	<u>Timing/ Implementation</u>	<u>Monitoring Department /Division</u>	<u>Verification (date and Signature)</u>
12.	removal, and satisfy tree replacement requirements for any protected tree on the project site in accordance with project Environmental Impact Report Mitigation Measures BIO-6a and BIO-6b. If applicable, any tree removal permits shall be obtained in advance of any construction activity.		
13.	All project conditions of approval as well as the timing of the conditions of approval shall be listed in the project construction plans to help ensure that City design review conditions are completed at the appropriate time in the development process.	Development Services	
	The East Bay Regional Park District shall prepare a security plan for review and approval by the Police Department to jointly work to prevent crime on-site during construction and during operations. The security plan shall include emergency contact information, construction staging area information, temporary fencing, and crime prevention measures.	Development Services and Police	

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	<u>Timing/ Implementation</u>	<u>Monitoring Department /Division</u>	<u>Verification (date and Signature)</u>
14.	<p>Prior to Construction Commencement</p>	<p>Development Services Department</p>	
	<p>SUBREGIONAL TRANSPORTATION MITIGATION PROGRAM (STMP) FEE - Prior to commencement of construction the applicant shall pay the applicable STMP fee, as per Chapter 16.30 of the City Municipal Code. Any deviation from this requirement shall be obtained in writing from the West Contra Costa Transportation Advisory Committee prior to commencement of construction and provided to the City of Pinole.</p>		
15.	<p>Prior to Construction Commencement</p>	<p>Development Services Department</p>	
	<p>PERMITS REQUIRED BY OTHER AGENCIES - The applicant shall obtain all applicable permits and pay all applicable fees that may be required by all public service agencies, utility providers, or railroad owners affected by the project. If a project component is within the jurisdiction of any of these agencies or organizations, verification of permit or waiver of permit must be given to the Development Services Department prior to the commencement of construction.</p>		
16.	<p>Prior to Construction Commencement</p>	<p>Development Services Department</p>	
	<p>MATERIAL HAULING - The applicant shall apply for an encroachment permit for proposed material hauling route and schedule as required by the City Engineer. All material hauling activities including but not limited to, adherence to approved route, hours of operation, dust control and street maintenance shall be the</p>		

**RESOLUTION 16-07 BAY TRAIL SEGMENT PINOLE SHORES TO BAYFRONT PARK
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	<u>Timing/ Implementation</u>	<u>Monitoring Department /Division</u>	<u>Verification (date and Signature)</u>
	responsibility of the applicant (as per Section 15.36.080 of the Municipal Code). Violation of such may be cause for suspension of work.		
17.	Construction and Maintenance Agreement - The East Bay Regional Park District shall forward a copy of the executed construction and maintenance agreement between the East Bay Regional Park District and Union Pacific Railroad to the City of Pinole.	Development Services Department	
	During Construction		
18.	CONSTRUCTION HOURS - Construction activities are restricted to between 7:00A.M. and 5:00 P.M., Monday through Friday and 9:00 A.M. to 6:00 P.M. on Saturday unless a modification of construction hours is requested and granted by the City as allowed under Chapter 15.02 of the City Municipal Code. Approved construction hours shall be prominently posted on the project site.	Development Services	

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	<u>Timing/ Implementation</u>	<u>Monitoring Department /Division</u>	<u>Verification (date and Signature)</u>
	Prior to Project Completion		
19.		Development Services	
20.		Development Services Department	
21.		Development Services	

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	<u>Timing/ Implementation</u>	<u>Monitoring Department /Division</u>	<u>Verification (date and Signature)</u>																
<p>22.</p> <p>TREE REPLACEMENT - All trees that are removed from the site shall be replaced as determined by the Development Services Dept. and in accordance with the replacement table for existing trees below or as specified in the project Mitigation Monitoring and Reporting Plan. Any tree, which is removed, that was shown to be preserved on the arborist report shall be replaced at twice the rate indicated on the replacement table.</p> <p>STANDARD REPLACEMENT TABLE FOR EXISTING TREES</p> <table border="1" data-bbox="966 1123 1161 1795"> <tr> <td>Size of Tree to be removed (Trunk Diameter)</td> <td>36 Inch Box</td> <td>24 Inch Box</td> <td>15 Gallon</td> </tr> <tr> <td>2" or less</td> <td></td> <td></td> <td>1</td> </tr> <tr> <td>4"</td> <td></td> <td></td> <td></td> </tr> <tr> <td>6" or greater</td> <td>1</td> <td>1</td> <td></td> </tr> </table> <p>Numbers in replacement table refers to quantities to be used to replace each tree. Each tree container size number in the vertical column represents a 100% replacement value for an existing tree removed (size as noted). These numbers (columns) may be mixed as long as proportionate totals will equal 100%. For example: one 24"</p>	Size of Tree to be removed (Trunk Diameter)	36 Inch Box	24 Inch Box	15 Gallon	2" or less			1	4"				6" or greater	1	1		<p>Prior to Project Completion</p>	<p>Development Services Department</p>	
Size of Tree to be removed (Trunk Diameter)	36 Inch Box	24 Inch Box	15 Gallon																
2" or less			1																
4"																			
6" or greater	1	1																	

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	<u>Timing/ Implementation</u>	<u>Monitoring Department /Division</u>	<u>Verification (date and Signature)</u>
	DBH tree may be replaced with twelve 15 gallon trees or six 24" box trees or three 24" box trees plus six 15-gallon trees or four 36" box trees, etc.		
23.	Building and Fire Code Compliance - The applicant shall ensure that all applicable Building and Fire Code requirements are satisfied.	Development Services and Fire Department	
24.	SIDEWALK, CURB AND GUTTER REPAIR - The applicant shall repair and replace to existing City standards, any sidewalk, curb and gutter that is damaged along the project site street frontage now or during construction of this project.	Development Services	
25.	Bayfront Park - The East Bay Regional Park District shall replace any trees removed at Bayfront Park in accordance with City Municipal Code requirements; shall hydroseed any exposed graded areas; and repair or replace in kind any impacted irrigation lines or sprinkler heads or existing park improvements damaged during project construction to the satisfaction of the Development Services Director /	Development Services	

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	<u>Timing/ Implementation</u>	<u>Monitoring Department /Division</u>	<u>Verification (date and Signature)</u>
City Engineer.			

ATTACHMENT C

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation and Monitoring Reporting Program (MMRP) has been formulated based upon the findings of the Environmental Impact Report prepared for the proposed San Francisco Bay Trail: Pinole Shores to Bayfront Park Project (proposed project). The purpose of the MMRP is to ensure the implementation of mitigation measures identified as part of the environmental review for the project. The MMRP includes the following information:

- A list of mitigation measures;
- The party responsible for implementing the mitigation measures;
- The timing for implementation of the mitigation measure;
- The agency responsible for monitoring the implementation; and
- The monitoring action and frequency.

The East Bay Regional Park District (Park District) must adopt this MMRP, or an equally effective program, if it approves the proposed project with the mitigation measures that were adopted or made conditions of project approval.

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
4.1 LAND USE					
<i>There are no significant Land Use impacts.</i>					
4.2 AESTHETICS					
<i>There are no significant Aesthetics impacts.</i>					
4.3 BIOLOGICAL RESOURCES					
Impact BIO-1: Implementation of the proposed project could impact special-status plant species.					
<p>Mitigation Measure BIO-1: To further evaluate the presence or absence of special-status plant species, a qualified botanist shall conduct focused botanical surveys in accordance with CDFG protocols. Surveys shall be timed to coincide with the blooming period for the target species. Based on the blooming periods for the target species, botanical surveys shall be conducted for western leatherwood in late winter (January–March) and for other species in early spring (April–May), and late summer (August–September).</p> <p>If any special-status plants are detected, their locations shall be mapped with a Global Positioning System (GPS) unit and their population sizes estimated. Project designers shall strive to avoid any impacts to special-status plants to the greatest extent feasible.</p> <p>Depending on the species detected and its rarity, further mitigation may be required if the project is unable to avoid special-status plants detected during the focused botanical surveys. The Park District shall work with CDFG and the botanist who conducted the surveys to develop measures to compensate for the loss of special-status plants. Such measures shall include collecting seeds and replanting them at suitable locations elsewhere, transplanting the affecting plants, or both. The planting areas shall be on the project site, if suitable locations are available, and if not, shall be at suitable offsite locations that are approved by CDFG.</p>	<p>Focused special status plant surveys and/or avoidance and/or implementation of mitigation measures to compensate for the loss of special status plants, if detected during focused surveys and, if, impacted by project construction.</p>	<p>Project Botanist/ Park District</p>	<p>Late winter (January – March), early spring (April – May), and late summer (August – September).</p>	<p>Project Biologist/ Park District</p>	<p>Review of survey results during final design. Develop further mitigation prior to initiation of construction (if required).</p>
Impact BIO-2: Implementation of the proposed project could impact special-status bird species and native birds protected under the Migratory Bird Treaty Act potentially nesting in and adjacent to the project area.					
<p>Mitigation Measure BIO-2: To the extent feasible, vegetation removal activities shall occur during the non-nesting season (September 1 to January 31). For any construction activities conducted during the nesting season, a qualified biologist shall conduct a pre-construction nest survey of all trees and other suitable nesting habitat in and within 250 feet of the</p>	<p>If nesting birds are present during nesting season, conduct preconstruction nest survey and</p>	<p>Project Biologist/ Project Contractor</p>	<p>No more than 15 days prior to start of work (if required).</p>	<p>Park District/ Project Biologist</p>	<p>Review of preconstruction survey prior to initiation of construction. Review of buffer</p>

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<p>Mitigation Measures</p> <p>limits of work. The survey shall be conducted no more than 15 days prior to the start of work. If the survey indicates the presence of nesting birds, the biologist shall determine an appropriately sized buffer around the nest in which no work would be allowed until the young have successfully fledged. The size of the nest buffer shall be determined by the biologist and shall be based on the nesting species and its sensitivity to disturbance. In general, buffer sizes of up to 250 feet for raptors and 50 feet for other birds should suffice to prevent substantial disturbance to nesting birds, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.</p>	<p>establishment of buffers around nest trees (if required).</p>				<p>design and implementation prior to construction and throughout the construction period.</p>
<p>Impact BIO-3: Implementation of the proposed project could impact tidal marsh rails.</p>					
<p>Mitigation Measure BIO-3a: Construction activity between the UPRR tracks and the tidal marsh fragment shall be conducted only when high tides are not at their winter or summer extremes, to reduce the likelihood that tidal marsh rails will be present in the work area. Construction next to the marsh shall be avoided during the highest tides of June-July and December-January (\pm one week each month).</p>	<p>Avoid construction during the highest tides.</p>	<p>Project Contractor</p>	<p>During construction.</p>	<p>Park District/ Project Biologist</p>	<p>Monitor compliance throughout the construction period.</p>
<p>Mitigation Measure BIO-3b: A qualified biological monitor familiar with the habitat and ecology of California black rail, California clapper rail, and salt marsh harvest mouse (see below) shall be present on site during all construction activities between the UPRR tracks and the tidal marsh (i.e., approximately Station 26+50 to 33+50) to ensure that avoidance and minimization measures and construction limits are enforced. The monitor would have the authority to stop any construction activity that is not consistent with approved plans and amendments.</p>	<p>Monitor construction activities between the UPRR tracks and the tidal marsh.</p>	<p>Project Biological Monitor</p>	<p>During construction.</p>	<p>Park District/ Project Biologist</p>	<p>Monitor compliance throughout the construction period.</p>
<p>Mitigation Measure BIO-3c: Prior to construction, the Park District shall obtain required authorization from the USFWS (ESA Section 7 biological opinion) for any construction activities adjacent to the tidal marsh and shall implement any additional protective measures required as part of such authorization such as setbacks between suitable tidal marsh habitat and construction activities.</p>	<p>Obtain authorization from USFWS.</p>	<p>Park District</p>	<p>Prior to construction.</p>	<p>Park District</p>	<p>Review and verification of authorization prior to start of construction.</p>
<p>Impact BIO-4: Implementation of the proposed project could impact the salt marsh harvest mouse.</p>					
<p>Mitigation Measure BIO-4a: Implement Mitigation Measure BIO-3a, described above.</p>	<p>Avoid construction during the highest tides.</p>	<p>Project Contractor</p>	<p>During construction.</p>	<p>Park District/ Project Biologist</p>	<p>Monitor compliance throughout the construction period.</p>

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<p>Mitigation Measure BIO-4b: Prior to ground disturbance, a qualified biologist shall prepare a site-specific salt marsh harvest mouse avoidance plan. At a minimum, the plan shall include (1) the installation of silt fencing around the entire portion of the work area (that is within 100 feet from the edge of the marsh) to exclude salt marsh harvest mice from entering, (2) the clearing of all ground vegetation within the fenced area, taking care to avoid take of any salt marsh harvest mice, if present, and (3) the relocation to the tidal marsh of any salt marsh harvest mice found during the vegetation removal effort (if prior authorization has been obtained from both USFWS and CDFG). If no salt marsh harvest mice are found, construction work shall start as soon as possible (and no longer than one week) after vegetation has been cleared. All exclusion measures and initial ground disturbance activities shall be monitored by a biologist with the necessary federal permits to handle and relocate salt marsh harvest mice.</p>	<p>Prepare avoidance plan. If salt marsh are not present, monitor construction activities. If present, obtain permission from USFWS and CDFG to relocate mice to tidal marsh habitat.</p>	<p>Project Biologist</p>	<p>Prior to and during construction.</p>	<p>Park District</p>	<p>Review and verification of plan prior to ground disturbance. Monitor compliance throughout the construction period.</p>
<p>Mitigation Measure BIO-4c: Prior to construction, the Park District shall obtain the required authorization from the USFWS (ESA Section 7 biological opinion) for any construction activities adjacent to the tidal marsh and implement any additional protective measures required as part of such authorization such as setbacks between suitable tidal marsh habitat and construction activities.</p>	<p>Obtain authorization from USFWS. Implement protective measures for salt marsh harvest mice.</p>	<p>Park District</p>	<p>Prior to construction.</p>	<p>Park District</p>	<p>Review and verification of authorization prior to start of construction.</p>
<p>Impact BIO-5: Implementation of the proposed project would temporarily impact brackish marsh wetlands adjacent to the work area and may result in indirect impacts.</p>					
<p>Mitigation Measure BIO-5a: Prior to construction, the Park District shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) in consultation with the RWQCB, in accordance with the new State Water Resources Board General Stormwater Permit (effective July 1, 2010). The SWPPP shall include the following components, at a minimum:</p> <ul style="list-style-type: none"> A comprehensive erosion and sediment control plan, depicting areas to remain undisturbed and providing specifications for revegetation of disturbed areas. A list of potential pollutants from building materials, chemicals, and maintenance practices to be used during construction, and the specific control measures to be implemented to minimize release and transport of these constituents in runoff. 	<p>Prepare and implement SWPPP.</p>	<p>Park District</p>	<p>Prior to and during construction.</p>	<p>Park District</p>	<p>Review and verification of SWPPP prior to construction. Monitor compliance throughout the construction period.</p>

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<ul style="list-style-type: none"> Specifications and designs for appropriate best management practices (BMPs) for controlling drainage and treating runoff in the construction phase. Examples of BMPs that could be implemented include hydroseeding, straw mulch, silt fences, sediment traps, and stockpile management. A program for monitoring all control measures that includes schedules for inspection and maintenance and identifies the party responsible for monitoring. A site map that locates all water quality control measures and restricted areas to be left undisturbed. All concrete for the bridge footings shall be discharged only into tightly sealed forms or cells such that water in contact with uncured concrete will not enter the marsh. 					
<p>Mitigation Measure BIO-5b: Prior to construction, the Park District shall obtain a Section 404 permit from the Corps and Section 401 water quality certification from the RWQCB to authorize the temporary impacts to the tidal marsh. The permit applications shall stipulate that any portions of the marsh disturbed during construction shall be restored to pre-project conditions via re-contouring (if necessary) and revegetation with native marsh species.</p> <p>All jurisdictional areas located adjacent to, but outside of, the construction footprint shall be avoided during construction and no fill shall be allowed to enter these areas. Exclusion fencing (i.e., silt fence) shall be installed to mark the limits of the construction footprint. A biological monitor shall oversee the installation of the fencing and periodically monitor the work area to ensure avoidance of jurisdictional areas.</p> <p>During project construction, no soil or other construction materials shall be allowed to enter or be stored in the marsh. All stockpiled fill and other materials shall be kept at least 50 feet from the marsh edge.</p>	<p>Section 404 Permit and Section 401 Water Quality Certification. Avoid/protect jurisdictional areas during construction. Restore marsh, if disturbed during project construction.</p>	<p>Park District/ Project Contractor/ Biological Monitor</p>	<p>Prior to and during construction.</p>	<p>Park District</p>	<p>Review and certification/ permit issuance prior to start of construction. Monitor compliance throughout the construction period.</p>
<p><i>Impact BIO-6: Implementation of the proposed project could impact native trees protected under the City of Pinole Municipal Code.</i></p>					
<p>Mitigation Measure BIO-6a: To identify the number and location of protected trees within the project area, the Park District shall hire an International Society of Arboriculture (ISA) Certified Arborist to conduct a formal tree inventory of the project area. The resulting arborist report</p>	<p>Conduct a formal tree inventory. Prepare report with recommendations for tree protection</p>	<p>Park District/ Certified Arborist</p>	<p>Prior to construction with City of Pinole Design Review Application.</p>	<p>Park District</p>	<p>Review and verification of tree survey report with final design phase.</p>

Mitigation Measures	Product/Action and/or removal.	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<p>shall include a table listing the species, health, size, and status of all trees in the project area and recommendations for the removal and/or preservation of specific trees. Protected trees shall be identified on a tree survey plan of the project area that shows which trees are proposed to remain and which trees are to be removed. The tree inventory shall be conducted as part of the final design phase of the project and shall be submitted to the City of Pinole as part of the comprehensive design review application.</p> <p>Mitigation Measure BIO-6b: Any protected trees within the project area shall be avoided to the maximum extent feasible. If project construction requires the removal of protected trees, the Park District shall obtain a tree removal permit from the City pursuant to Section 17.96.060 of the Municipal Code. As part of the conditions of approval for the tree removal permit, the Park District may be required to mitigate for the tree removal by either: 1) planting trees over and above the landscaping that would be required at a value equal to the value of the trees to be removed, or 2) paying an in-lieu fee to the city in an amount equivalent to the value of the protected trees to be removed.</p>	<p>Obtain tree removal permit (if required) from the City of Pinole. Mitigate for tree losses per permit conditions, as needed.</p>	<p>Park District</p>	<p>Prior to construction.</p>	<p>Park District</p>	<p>Tree Removal Permit issuance prior to construction.</p>
<p>4.4 CULTURAL RESOURCES</p> <p>Impact CULT-1: <i>Ground-disturbing activities associated with site preparation could adversely affect archaeological deposits that qualify as historical resources or archaeological resources under CEQA.</i></p> <p>Mitigation Measure CULT-1a: A qualified archaeologist shall be retained to monitor project ground-disturbing activities. Archaeological monitors shall be empowered to halt construction activities at the location of a discovery to review possible archaeological material and to protect the resource while the finds are being evaluated. Monitoring should continue until, in the archaeologist's judgment, cultural resources are not likely to be encountered.</p> <p>If deposits of prehistoric or historical archaeological materials are encountered during project activities, all work within 25 feet of the discovery shall be redirected until the archaeologist assesses the finds, consults with agencies as appropriate, and makes recommendations for the treatment of the discovery. If avoidance of the archaeological deposit is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the California Register of Historical Resources. If the deposits are not eligible, mitigation is not necessary. If the deposits are eligible, adverse effects on the deposits shall be mitigated. Mitigation</p>					
	<p>Monitor ground disturbing activities. Evaluate any materials encountered during project activities. Prepare report with findings from monitoring.</p>	<p>Project Contractor/Project Archaeologist and Monitors</p>	<p>During construction activities.</p>	<p>Park District/Project Archaeologist</p>	<p>Monitor compliance throughout the construction period.</p>

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<p>may include excavation of the archaeological deposit in accordance with a data recovery plan (see <i>CEQA Guidelines</i> Section 15126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; preparation of a report detailing the methods, findings, and significance of the archaeological site and associated materials; and accessioning of archaeological materials and a technical data recovery report at a curation facility.</p> <p>Upon completion of the assessment, the archaeologist shall prepare a report to document the methods and results of the assessment. The report shall be submitted to the East Bay Regional Park District (Park District), the City of Pinole, and the Northwest Information Center at Sonoma State University upon completion of the resource assessment.</p> <p>Mitigation Measure CUL-T-1b: If archaeological deposits are encountered during project subsurface construction when an archaeological monitor is not present, all ground-disturbing activities within 25 feet shall be redirected and a qualified archaeologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. The Park District shall inform its contractor(s) of the sensitivity of the project area for archaeological deposits. The Park District and the City of Pinole shall verify that the following directive has been included in the appropriate contract documents:</p> <p><i>"If prehistoric or historical archaeological deposits are discovered during project activities, all work within 25 feet of the discovery shall be redirected and a qualified archaeologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Project personnel should not collect or move any archaeological materials or human remains and associated materials. Archaeological resources can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; bone tools; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and stone-milling equipment (e.g., mortars, pestles, handstones). Prehistoric archaeological sites often contain human remains."</i></p>	<p>Redirect construction upon encountering prehistoric or historic archaeological materials and contact qualified archaeologist. No collection or movement of archaeological materials.</p>	<p>Park District/ Project Contractor</p>	<p>Prior to and during construction activities.</p>	<p>Park District/ City of Pinole</p>	<p>Review contract documents prior to issuance of building permit. Monitor compliance throughout the construction period. Inform contractor about sensitivity of project area.</p>
<p>Impact CUL-T-2: Ground-disturbing activities associated with site preparation could adversely affect paleontological resources.</p>					

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<p>Mitigation Measure CUL-T-2a: A qualified paleontologist shall be retained to monitor project ground-disturbing activities. Paleontological monitors shall be empowered to halt construction activities at the location of the discovery to review possible paleontological materials and to protect the resource while the finds are being evaluated. Samples of matrix may be collected, as appropriate, for processing, sorting, and microscopic examination to determine if fossils are present. Monitoring should continue until, in the paleontologist's judgment, fossils are not likely to be encountered.</p> <p>If paleontological resources are discovered during project activities, all work within 25 feet of the discovery shall be redirected until the paleontological monitor has assessed the situation and made recommendations regarding their treatment. It is recommended that adverse effects to paleontological resources be avoided by project activities. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. Paleontological resources are considered significant if they possess the possibility of providing new information regarding past life forms, paleoecology, stratigraphy, and geological formation processes. If the resources are not significant, mitigation is not necessary. If the resources are significant, adverse effects on the resource shall be mitigated. Mitigation may include recording the fossil locality, data recovery and analysis, a technical data recovery report, and accessioning the fossil material and technical report to a paleontological repository. Public educational outreach may also be appropriate.</p>	<p>Monitor ground disturbing activities. Redirect construction upon encountering paleontological resources. Evaluate any materials encountered during project activities. Mitigate for resources, as appropriate. Prepare report with findings from monitoring.</p>	<p>Project Contractor/Project Paleontologist and Monitors</p>	<p>During construction activities.</p>	<p>Park District/Project Paleontologist</p>	<p>Monitor compliance throughout the construction period.</p>
<p>Upon completion of the paleontological monitoring, a report of findings with an appended, itemized inventory of specimens—as appropriate—shall be prepared and submitted to an appropriate repository, such as the University of California Museum of Paleontology.</p> <p>Mitigation Measure CUL-T-2b: If paleontological resources are encountered during project subsurface construction when a paleontological resources monitor is not present, all ground-disturbing activities within 25 feet should be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. The Park District and the City of Pinole shall verify that the following directive has been included in the appropriate contract documents:</p>	<p>Redirect construction upon encountering paleontological materials. Contact qualified paleontologist to assess the</p>	<p>Park District/Project Contractor</p>	<p>Prior to and during construction activities</p>	<p>Park District/ City of Pinole</p>	<p>Review of contract documents prior to issuance of building permit. Monitor compliance throughout the construction period.</p>

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<p>"The subsurface at the construction site may be sensitive for paleontological resources. If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Vertebrate land mammals may include bones of mammoth, camel, saber tooth cat, horse, and bison. Paleontological resources also include plant imprints, petrified wood, and animal tracks."</p>	<p>situation. No collection or movement of paleontological materials.</p>				
<p>Impact CULT-3: Ground-disturbing activities associated with site preparation could adversely affect Native American skeletal or cremated remains.</p>					
<p>Mitigation Measure CULT-3: Any human remains encountered during project ground-disturbing activities shall be treated in accordance with California Health and Safety Code Section 7050.5. The Park District and the City of Pinole shall verify that the following directive has been included in the appropriate contract documents:</p> <p>"If human remains are uncovered, work within 25 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted—if one is not already on site—to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains or associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods."</p>	<p>Redirect construction upon encountering human remains. Notify the County Coroner and a qualified archaeologist. No collection or movement of human remains.</p>	<p>Park District/ Project Contractor</p>	<p>Prior to and during construction activities</p>	<p>Park District/ City of Pinole</p>	<p>Review of contract documents prior to issuance of building permit. Monitor compliance throughout the construction period.</p>
<p>4.5 GEOLOGY, SOILS AND SEISMICITY</p>					
<p>Impact GEO-1: Strong seismic ground shaking at the project site could result in risks to humans and damage to property, including, seismic-related ground failure and/or seismically-induced landslides.</p>					
<p>Mitigation Measure GEO-1: Prior to the issuance of any site-specific grading permit, a final, design-level geotechnical investigation report</p>	<p>Prepare a final, design-level</p>	<p>Project Engineer/ Project</p>	<p>Prior to issuance of a grading</p>	<p>Park District/ City of Pinole</p>	<p>Review and verification of</p>

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<p>shall be prepared and submitted to the Park District and the City of Pinole for review and confirmation that the proposed project fully complies with the Caltrans Seismic Design Criteria. The report shall determine the project site's geotechnical conditions and address potential seismic hazards such as seismic shaking. The report shall recommend foundation techniques appropriate to minimize seismic damage. All mitigation measures, design criteria, and specifications set forth in the geotechnical reports shall be followed.</p>	<p>geotechnical investigation report. Implement mitigation measures and design criteria recommended in the geotechnical report.</p>	<p>Geotechnical Engineer</p>	<p>permit.</p>		<p>geotechnical report and construction plans prior to issuance of grading permit.</p>
<p>Impact GEO-2: Ground settlement could result in structural damage to proposed site improvements.</p>					
<p>Mitigation Measure GEO-2: All structures shall be designed and constructed in conformance with the Caltrans Seismic Design Criteria. As required in Mitigation Measure GEO-1, a final design-level geotechnical investigation that includes recommendations for avoidance of settlement and placement of fill materials as well as foundation techniques appropriate to minimize seismic damage shall be prepared and submitted to the Park District and the City of Pinole for final approval. All mitigation measures, design criteria, and specifications set forth in the geotechnical reports shall be followed.</p>	<p>Prepare a final, design-level geotechnical investigation report. Submit for review. Mitigate, as appropriate.</p>	<p>Project Engineer/ Project Geotechnical Engineer</p>	<p>Prior to issuance of a grading permit.</p>	<p>Park District/ City of Pinole</p>	<p>Review and verification of geotechnical report and construction plans prior to issuance of grading permit.</p>
<p>Impact GEO-3: Slope excavation and installation of retaining walls could cause slope instability potentially resulting in landslides at the project site.</p>					
<p>Mitigation Measure GEO-3: Prior to issuance of a grading permit, detailed retaining wall design drawings and a site-specific grading plan for the project site shall be prepared by a licensed professional and submitted to the Park District and the City of Pinole for review and approval. The retaining wall design drawings shall be reviewed by a qualified engineering geologist and show the heights of the walls, the backfill material type, drainage details, and the earth pressure used in design. All cut slopes shall be observed by a qualified engineering geologist at the time of grading to assess the applicability of the recommendations and to make supplemental recommendations, if necessary. Supplemental recommendations may include slope flattening, installation of drainage, slope reconstruction in areas where weak rock, adverse bedding, or other local anomalies are encountered, or construction of retaining walls. Retaining wall installation and testing shall be observed by a qualified engineering geologist.</p>	<p>Prepare detailed retaining wall design drawings and site-specific grading plans. Monitor retaining wall installation and testing.</p>	<p>Project Engineer/ Project Geologist</p>	<p>Prior to issuance of a grading permit.</p>	<p>Park District/ City of Pinole</p>	<p>Review and verification of construction plans and peer review of retaining wall design prior to issuance of grading permit.</p>
<p>Impact GEO-4: The shrink-swell potential of project soils could result in damage to structures at the project site.</p>					
<p>Mitigation Measure GEO-4: Prior to the issuance of a site-specific grading permit, a final design-level geotechnical investigation, to be</p>	<p>Prepare a final, design-level</p>	<p>Park District/ Project Engineer</p>	<p>Prior to issuance of a grading</p>	<p>Park District/ City of Pinole</p>	<p>Review and verification of</p>

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<p>prepared by licensed professionals and approved by the Park District, shall include measures to ensure potential damages related to expansive soils are minimized. Mitigation options may range from removal of the problematic soils and replacement, as needed, with properly conditioned and compacted fill, to design and construction of improvements to withstand the forces exerted during the expected shrink-swell cycles and settlements. If problematic soils are not removed due to budget limitation, the Park District shall have a maintenance plan to correct future soil movement problems.</p> <p>4.6 HYDROLOGY AND WATER QUALITY</p> <p><i>Impact HYDRO-1: Construction and operation period activities could generate stormwater runoff that could cause or contribute to a violation of water quality standards or waste discharge requirements, or otherwise substantially degrade the water quality of San Pablo Bay.</i></p> <p>Mitigation Measure HYDRO-1: The Park District shall file a Notice of Intent to comply with the statewide General Permit for Discharges of Storm Water Associated with Construction Activities, and shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for construction activities on the site. In addition to the regulatory requirements for the SWPPP, the site-specific SWPPP shall include provisions for the minimization of sediment disturbance (i.e., production of turbidity) and release of chemicals to the Bay. Following are the types of BMPs that shall be implemented, subject to review and approval by the RWQCB.</p> <ul style="list-style-type: none"> • <i>Scheduling.</i> To reduce the potential for erosion and sediment discharge, construction shall be scheduled to minimize ground disturbance during the rainy season. The project applicant shall: <ul style="list-style-type: none"> o Sequence construction activities to minimize the amount of time that soils remain disturbed. o Stabilize all disturbed soils as soon as possible following the completion of ground disturbing work. o Install erosion and sediment control BMPs prior to the start of any ground-disturbing activities. • <i>Preservation of Existing Vegetation.</i> Where feasible, existing vegetation shall be preserved to provide erosion control. • <i>Stabilize Soils.</i> Hydroseeding and geotextile fabrics shall be used, as appropriate, to reduce erosion. • <i>Drainage Swales/Culverts.</i> Construct drainage swales/culverts to 	<p>geotechnical investigation report. Mitigate, as appropriate. Prepare and implement maintenance plan, if needed.</p>	<p>Park District/ Project Engineer/ Project Contractor</p>	<p>Prior to issuance of a grading permit and throughout the construction period.</p>	<p>Park District/ RWQCB</p>	<p>geotechnical report and construction plans prior to issuance of grading permit.</p>

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<p>divert runoff away from exposed soils and stabilized areas, and redirect the runoff to a desired location.</p> <ul style="list-style-type: none"> • <i>Outlet Protection and Velocity Dissipation Devices.</i> Install rock or concrete rubble at culvert and pipe outlets to prevent scour of the soil caused by concentrated high-velocity flows. • <i>Silt Fence/Fiber Roll.</i> Silt fences or fiber rolls shall be installed around the perimeter of the areas affected by construction to prevent offsite sedimentation. • <i>Dust Control.</i> Potable water shall be applied using water trucks to alleviate nuisance caused by dust. Water application rates shall be minimized to prevent erosion and runoff. • <i>Stockpile Management.</i> Silt fences shall be used around the perimeter of stockpiles and stockpiles shall be covered with plastic to prevent wind dispersal of sediment. • <i>Stabilized Construction Entrance/Exit.</i> Construction site entrances and exits, the equipment yard, the water filling area for water trucks, and the project office location, shall be graded and stabilized to prevent runoff from the site and erosion. • <i>Dewatering.</i> The SWPPP shall include a dewatering plan for non-contaminated groundwater specifying methods of water collection, transport, treatment, and discharge. The discharger shall consult with the RWQCB regarding any required permit (other than the Construction General Permit) or Basin Plan conditions prior to initial dewatering activities to land, storm drains, or waterbodies. Water produced by dewatering shall be impounded in holding tanks or other holding facilities to settle the solids and provide other treatment as necessary prior to discharge to receiving waters. Discharges of water produced by dewatering shall be controlled to prevent erosion. • <i>Illicit Connection/Discharge Detection and Reporting.</i> Contractors shall regularly inspect the site for evidence of illicit connections, illegal dumping, or discharges. Such discharges shall immediately be reported to the stormwater illegal discharge contact for Pinole. • <i>Vehicle and Equipment Cleaning.</i> Construction equipment shall be washed regularly in a designated enclosed area. Except for concrete washout, vehicle cleaning shall not be performed on site. Concrete 					

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<ul style="list-style-type: none"> washout waste will be contained and managed properly. <i>Vehicle and Equipment Fueling and Maintenance.</i> Self-propelled vehicles shall be fueled off-site or at the temporary fueling area. Fuel trucks equipped with absorbent spill clean-up materials shall be used for all on-site fueling; the fuel truck shall be parked on the paved fueling area for overnight storage. Drip pans shall be used for all mobile fueling. Drip pans or absorbent pads shall be used for all vehicle and equipment maintenance activities. Vehicle maintenance and mobile fueling operations shall be conducted on a level graded area, at least 50 feet away from operational inlets and drainage facilities. <i>Paving and Grinding Operations.</i> Proper practices shall be implemented to prevent run-on and run-off, and to properly dispose of waste. Paving and grinding activities shall be avoided during the rainy season, when feasible. <i>Material Delivery, Storage and Use.</i> The general material storage area shall be located in the contractor's yard. Two watertight shipping containers shall be used to store hand tools, small parts, and most construction materials that can be carried by hand, such as paint cans, solvents and grease. Very large items, such as light standards, framing materials, and stockpiled lumber, shall be stored in the open in the general storage area. Such materials shall be elevated with wood blocks to minimize contact with run-off. Spill clean-up materials, material safety data sheets, a material inventory, and emergency contact numbers shall be maintained at the site. <i>Spill Prevention and Control.</i> Proper procedures shall be implemented to contain and clean-up spills and prevent material discharges into the storm drain system. <i>Solid Waste Management.</i> Solid wastes shall be loaded directly into trucks for off-site disposal. When on-site storage is necessary, solid wastes shall be stored in watertight dumpsters in the general storage area of the contractor's yard. Asphalt concrete and Portland cement concrete rubble shall be removed immediately to an approved disposal site. <i>Sanitary/Septic Waste Management.</i> Portable toilets shall be located and maintained 50 feet away from drain inlets and away from paved 					

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<p>areas.</p> <ul style="list-style-type: none"> <i>Stockpile Management.</i> Stockpiles shall be surrounded by sediment controls and shall be covered. Alternatively, soil binders may be used to minimize erosion. If contaminated soils are encountered, such as soils containing aerially-deposited lead, stockpiles shall be covered and bermed and located away from storm drain inlets and watercourses, and on-site storage shall be minimized. Hazardous materials shall be transported and disposed in accordance with applicable regulations. <i>Concrete Waste Management.</i> Cement-based fill material for the project and waste management shall be consistent with requirements in the CA BMP Handbook (BMP WM-8). Concrete washout waste will be contained and managed properly. <i>Training.</i> Construction site personnel shall receive training on implementing all BMPs included in the SWPPP. All personnel that inspect BMPs and perform other monitoring activities, such as visual observations and collecting water quality samples, shall be trained. 					
<p>4.7 HAZARDS AND HAZARDOUS MATERIALS</p>					
<p>Impact HAZ-1: <i>Project construction activities would entail the use of hazardous materials and could also encounter hazardous materials in shallow soils, which would require transportation off-site and disposal. In addition, hazardous materials used or encountered during construction could create a significant hazard through release into the environment.</i></p>					
<p>Mitigation Measure HAZ-1a: Prior to the initiation of project construction, a project-specific Health and Safety Plan (HASP) shall be prepared by a certified industrial hygienist that shall include measures to protect construction workers and the general public, if contaminants are encountered during construction. Such measures shall include monitoring, engineering controls, administrative controls, and security measures to prevent unauthorized entry into the construction area. The HASP shall address the possibility of encountering unknown contamination or subsurface hazards, in addition to emergency response procedures in the event of a hazardous materials release. The Park District shall verify that the HASP is incorporated into the construction worker's health and safety programs.</p>	<p>Prepare a Health and Safety Plan (HASP). Implement measures, as appropriate.</p>	<p>Park District/ Licensed Environmental/Professional/Certified Industrial Hygienist</p>	<p>Prior to initiation of project construction.</p>	<p>Park District</p>	<p>Verify that HASP incorporated into construction workers' health and safety programs.</p>

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<p>Mitigation Measure HAZ-1b: The Storm Water Pollution Prevention Plan required as Mitigation Measure HYD-1 shall include Best Management Practices (BMPs) for containing hazardous materials and minimizing the contact of hazardous materials (e.g., fuels, lubricants, paints, solvents, and adhesives) with rain and stormwater runoff, including BMPs for stockpile management.</p>	<p>File Notice of Intent to comply with General Permit for Discharge of Storm Water Associated with Construction Activities. Prepare a SWPPP for construction activities on site. Implement BMPs during construction activities.</p>	<p>Park District/ Project Engineer</p>	<p>Prior to issuance of a grading permit and throughout the construction period.</p>	<p>Park District</p>	<p>Plan review and inspections throughout the construction period.</p>
<p>4.8 TRANSPORTATION AND CIRCULATION <i>There are no significant Transportation and Circulation impacts.</i></p>					
<p>4.9 NOISE <i>Impact NOI-1: Construction period activities could result in significant short-term noise impacts on noise-sensitive receptors in the project vicinity.</i></p>					
<p>Mitigation Measure NOI-1a: All construction equipment must be maintained in good working order and have appropriate sound muffling devices, which shall be properly maintained and used at all times such equipment is in operation.</p>	<p>Maintain construction equipment.</p>	<p>Project Contractor</p>	<p>Throughout the construction period.</p>	<p>Park District</p>	<p>Monitor compliance throughout the construction period.</p>
<p>Mitigation Measure NOI-1b: Where feasible, the project contractor shall place all stationary construction equipment so that emitted noise is directed away and is located as far as practical from sensitive receptors nearest the project site.</p>	<p>Direct noise away from sensitive receptors.</p>	<p>Project Contractor</p>	<p>Throughout the construction period.</p>	<p>Park District</p>	<p>Monitor compliance throughout the construction period.</p>
<p>Mitigation Measure NOI-1c: Take advantage of existing features (terrain, structures, edge of trenches) to act as shielding between construction noise sources and sensitive receptors.</p>	<p>Shield construction noise from sensitive receptors using existing features.</p>	<p>Project Contractor</p>	<p>Throughout the construction period.</p>	<p>Park District</p>	<p>Monitor compliance throughout the construction period.</p>
<p>Mitigation Measure NOI-1d: Except as otherwise permitted, all noise producing construction activities, including warming-up or servicing equipment and any preparation for construction, shall be limited to the</p>	<p>Comply with the City of Pinole Noise Ordinance.</p>	<p>Project Contractor</p>	<p>Throughout the construction period.</p>	<p>Park District</p>	<p>Monitor compliance throughout the</p>

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
hours of 7:00 a.m. to 5:00 p.m., Monday through Friday. No construction work shall be conducted on federal holidays. A one-time exception may be required to allow the pre-cast bridge span to be placed over the UPRR tracks.	Limit noise producing activities to 7 a.m. to 5 p.m. Monday through Friday.				construction period.
Mitigation Measure NOI-Ie: The construction contractor shall post signs prohibiting unnecessary idling of internal combustion engines.	Post signs prohibiting unnecessary idling.	Project Contractor	Throughout the construction period.	Park District	Monitor compliance throughout the construction period.
Mitigation Measure NOI-Ie: The use of quieter pile installation methods, where practical and feasible, shall be employed to reduce project-related noise. Examples of such methods include, but are not limited to, the shrouding of the equipment with noise control blankets and use of more than one pile rig to shorten the total pile installation duration.	Use quieter pile installation methods.	Project Contractor	Throughout the construction period.	Park District	Monitor compliance throughout the construction period.
4.10 AIR QUALITY					
Impact AIR-I: Construction period activities could generate significant dust, exhaust and emissions.					
Mitigation Measure AIR-I: Consistent with guidance from the BAAQMD for Basic Construction Mitigation Measures, the following actions shall be required of construction contracts and specifications for the project.	Require construction contracts and specifications to comply with BAAQMD guidelines for control of fugitive dust emissions during construction.	Project Contractor	During construction activities.	Park District/ BAAQMD	Monitor compliance throughout the construction period.
<ul style="list-style-type: none"> All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. All vehicle speeds on unpaved roads shall be limited to 15 mph. All trail surfaces to be paved shall be completed as soon as possible after grading. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be 					

Mitigation Measures	Product/Action	Implemented By	When Implemented	Monitored By	Monitoring Action and Frequency
<p>checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <ul style="list-style-type: none"> A publicly visible sign shall be posted with the telephone number and person to contact at the East Bay Regional Park District regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the BAAQMD shall also be visible to ensure compliance with applicable regulations. 					
<p>4.11 GLOBAL CLIMATE CHANGE</p>					
<p>Impact GCC-1: Construction of the proposed project could generate substantial GHG emissions.</p>					
<p>Mitigation Measure GCC-1: Consistent with guidance from the BAAQMD, the following best management practices shall be required of construction contracts and specifications for the project.</p> <ul style="list-style-type: none"> Alternative-fueled (e.g., biodiesel, electric) construction vehicles/equipment of at least 15 percent of the fleet, as feasible; Local building materials (within 100 miles) of at least 10 percent; and Recycle at least 50 percent of construction waste or demolition materials. 					
	Comply with BAAQMD best management practices.	Project Contractor	During construction activities.	Park District	Monitor compliance throughout the construction period.

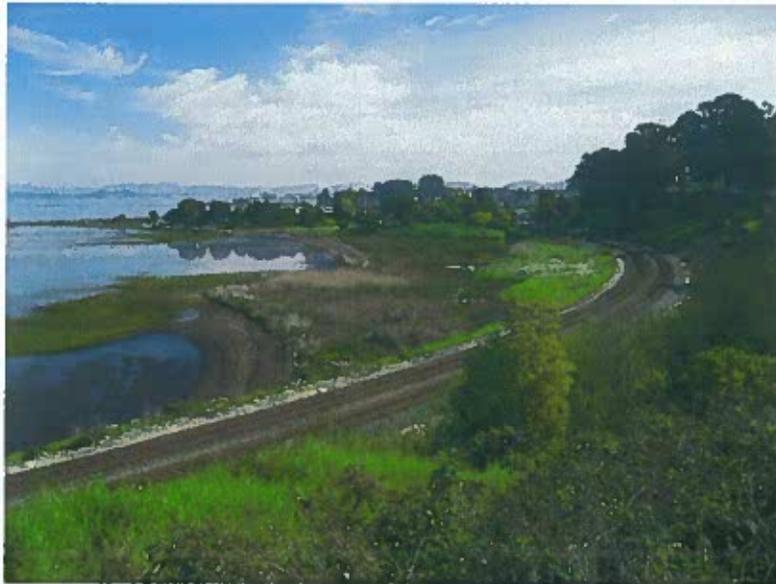
Source: LSA Associates, Inc., 2011.

III. PUBLIC REVIEW DRAFT EIR

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PUBLIC REVIEW DRAFT

**SAN FRANCISCO BAY TRAIL:
PINOLE SHORES TO BAYFRONT PARK
PROJECT
ENVIRONMENTAL IMPACT REPORT**



**STATE CLEARING HOUSE NUMBER
2010082043**

LSA

July 15, 2011

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Winston Rhodes

From: Ann Tarabini [bini625@sbcglobal.net]
Sent: Friday, July 01, 2016 3:06 PM
To: sdougan@ebparks.org
Cc: Winston Rhodes
Subject: Pinole Shores Trail

Hello!

Thank you for your informative presentation on July 27 in Pinole. I did not realize the project was so far along and fear that it may be too late to alter the ramp style structure. I do have a few concerns about this project that could possibly be changed - the color of the concrete, the location of the observation platform, and the construction roadway.

At the meeting you spoke about different colors for the concrete ramp. How much would this cost and who would be responsible for the bill? Could you please email photos of the different colors?

From your drawings/maps it looks like the observation platform will be directly across from my neighbor's (John and Mary Moran) front yard. I don't understand why hikers would need a special area for viewing a citizen's private yard. When we brought this up at the meeting, you said the structure would not impede anyone's view as it was at least 3 feet below the top of the bluff. The handout shows a circled area where the bluff elevation is 60 feet and the bridge top is 57 feet. Unfortunately, that area circled is one of the highest spots on the bluff but the area across from the observation deck is one of the lowest elevation spots. I am unable to measure exactly how far down the land dips but I am guessing it is about 8-10 feet lower. One side of the observation area is overlooking the bay but the other side is almost level with the Moran's yard. If possible, could the observation deck be eliminated? Or possibly placed on the other side of the bridge where there are no houses (Pinole Sportsman Club/end of Pinion)?

I understand you have approval from the railroad to dig out part of the hillside in order to build a temporary road for the construction of the ramp. Throughout the years, my neighbors have had issues with slides on the edge of their property. I'm worried that this will cause more slides in the future. The slides probably wouldn't affect the ramp but they would do damage to private property. Is there anyway to NOT cut into the hillside to build the road?

I have your handout with links listed but I am unable to find the slideshow photos or access the last link. If possible, could you send me a link to the slideshow?

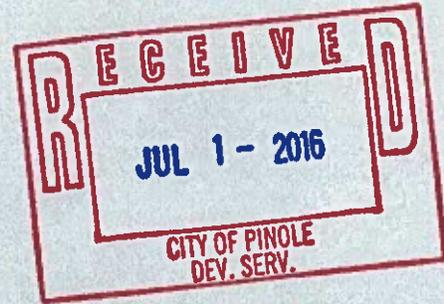
Thank you for your time,

Ann Tarabini
2239 Orleans Drive
Pinole
510-724-6665

John & Mary Moran
2235 Orleans Dr.
Pinole, Ca 94564
510-724-1407 hm
510-223-4141 wk
510-847-3929

July 1, 2016

City of Pinole Planning Commission
Pinole, Ca 94564



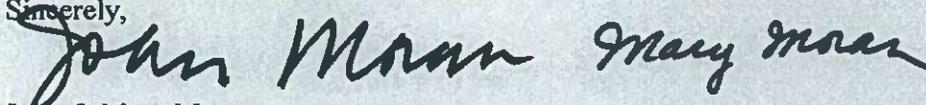
Dear City Council Members,

We live at 2235 Orleans Dr. in Pinole. We are the last house on the court and the most affected by the Bay Trail Bridge/overpass that will go right past our property, crossover the railroad and end up in our recovering wetlands. As California property owners and "by California Law", we have the right of quiet enjoyment as property owners! We all know that the bridge/overpass will not only bring more noise, trash and parting on the intrusive observation deck, skate boarders and motor bikes, but will obstruct our now beautiful unobstructed view of the beautiful bay. We will visibly see the beginning of the bridge from the west of our property jutting across the tracks to Bay Front Park. The start of the bridge will have to be at cliff level and will be visible for quite a ways out because of the gradual slope. From our patio, we will be able to see the bridge as well as the proposed observation deck, which will be an eyesore for us. There is no way around this, the bridge will be in our faces!

Secondly and most importantly to us is the stability of the cliff with all the major construction that will need to be done. We have lost approximately 4-5 feet of our cliff over the past 25 years. We are having great anxiety and apprehension that all the pile driving for the huge cement columns will shake the hillsides and create major problems with the stability of the cliffs now and in the future. Also, the access road that will have to be "temporarily" built along the bottom of the cliff on railroad property will have a significant effect on the cliff stability. Over the years we have had several soil engineers evaluate the cliff and have been told that all the undercutting at the bottom of the cliff by the railroad is the cause on the instability. If this project is to move forward, we need some kind of protection for our cliff, such as the retaining wall like the one in Hercules at the Business Parkway, or some kind of adequate shoring, for us to feel comfortable moving forward and to insure the integrity of the cliff. As the only homeowners really affected by the bridge/overpass construction, causing more hillside instability, property privacy, view obstruction, noise, litter, etc... we feel it is not to much to ask you take this into serious consideration..

We gladly invite all city counsel members as well as all East Bay Parks developers on this project to come to our home and see for yourselves. We hope to hear from you soon, hopefully before the July 11th meeting.

Sincerely,


John & Mary Moran

Winston Rhodes

From: mtm9252@aol.com
Sent: Friday, July 01, 2016 8:47 PM
To: Winston Rhodes
Subject: Fwd: Bay Trail: Pinole Shores to Bayfront Park

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----

From: mtm9252 <mtm9252@aol.com>
To: sdougan <sdougan@ebparks.org>
Sent: Fri, Jul 1, 2016 9:46 am
Subject: Bay Trail: Pinole Shores to Bayfront Park

Dear Mr. Dougan,

We live at 2235 Orleans Dr. in Pinole. We are the last house on the court and the most affected by the bridge/ or overpass that will go right past our property, cross over the railroad, and end up in our recovering wetlands. As California property owners and " by Calif law" we have the right of quiet enjoyment as property owners". We know that the overpass will not only bring more noise, trash and parting at night on the observation deck, skate boarders and motorbikes, but will obstruct our now unobstructed view of the beautiful bay. We will be able to quite visably see the beginning of the bridge from the west of our property all the way to Bayfront Park, with part of the bridge being almost at cliff level from the starting point and really for quiet a ways out because of the gradual slope. From our patio, we will be able to see the bridge as well as the proposed observation deck, which will be an eyesore for us. There is no way around this, the bridge will be right in our faces!

Secondly and most importantly is the stability of the cliff with all the major construction that will need to be done. We have lost approximately 4-5 feet of our cliff in the past 25 years. We are having great anxiety and apprehension that all the pile driving for the huge cement columns will shake the hillsides and create major problems now and in the future. Also the access road that will have to be built along the bottom of the cliff on railroad property will have a signficiant affect on the stability. Over the years we have had several soil engineers evaluate the cliff and have been told that all the undercutting at the bottom of the cliff over the years by the railroad is the cause of the instability. If this project is to move forward, we need some kind of protection for our property, such as the retaining wall like the one in Hercules at the business parkway or some kind of shoring, for us to feel comfortable moving forward to insure the integrity of the cliff.. As the only homeowners really affected by the bridge/overpass construction, causing more hillside instability, property privacy, view obstruction, noise etc, we feel this is not too much to ask for and I hope you take this into serious consideration.

We gladly invite you as well as the city council of Pinole to our home at 2235 Orleans Dr. to see our concerns for yourself. We hope to hear from you soon, hopefully before the next meeting on July 11th.

Sincerely,

John & Mary Moran
2235 Orleans Dr.
Pinole, Ca
510-724-1407 home 510-223-4141 work

Winston Rhodes

From: Jen Mathers [jenadler@sbcglobal.net]
Sent: Wednesday, July 06, 2016 9:33 PM
To: sdougan@ebparks.org; Winston Rhodes
Subject: Pinole bay trail comment

Hello,

I wanted to follow up on the Pinole bay trail workshop last week, as I have one suggestion and probably can't go to the hearing next week. I live adjacent to the west end of the project (1200 Hazel Dr), and am happy that the project is being built. However, my neighbors and I are disappointed that the project will basically be inaccessible to our neighborhood due to fencing. The trail has the potential to provide much safer and more appealing access to downtown Pinole, especially for bikes, as the portion of San Pablo Ave near Appian Way is very busy, narrow, and unsafe.

I completely understand that the railroad requires fencing and that designing a 2nd railroad crossing would be far too complicated and expensive (I work in environmental planning and land management myself). I would like to suggest designing a couple small gates or gaps in the fencing somewhere near Pinon, which is a place where people already access the Bay regularly (as evidenced by the large hole in the fence at the end of Pinon). People also regularly hop or cut open the fence along the dead end of the trail at the west end of the proposed project - everyone would prefer to use the trail rather than the tracks! I figure you might as well encourage people to get onto the trail more easily so they will not just walk along the tracks as so many people do now.

The fact is people in our neighborhood will repeatedly create their own holes in the fence so they can get to the trail, so you might as well provide a safe access point that at least discourages vandalism and lets people get off the tracks and onto the trail as quickly as possible. I think that would ultimately make it a safer project as well as more attractive.

Thanks for your consideration,

Jen Mathers