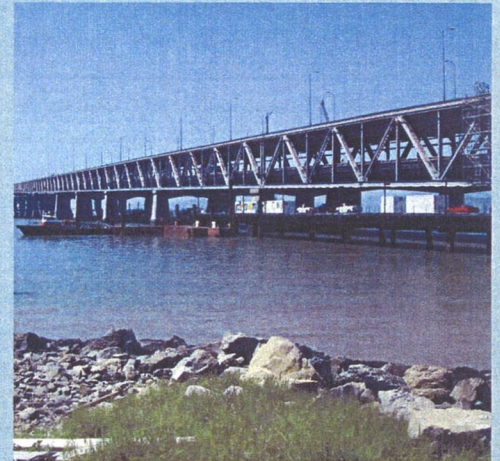




TOLL BRIDGE PROGRAM OVERSIGHT COMMITTEE

CALTRANS BAY AREA TOLL AUTHORITY CALIFORNIA TRANSPORTATION COMMISSION

Public Access/ Section 106 Coordination Study Initial Draft



Public Access/Section 106 Coordination Study

INITIAL DRAFT

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PHOTOGRAPHERS

Bill Hall, Caltrans
John Huseby, Caltrans
Caltrans Staff
HNTB Staff

LIST OF ACRONYMS

AASHTO	American Association of State Highway and Transportation Officials
ABAG	Association of Bay Area Governments
ACTIA	Alameda County Transportation Improvement Authority
ADA	Americans with Disability Act
BATA	Bay Area Toll Authority
BCDC	San Francisco Bay Conservancy and Development Commission
BMP	Best Management Practice
CTC	California Transportation Commission
DOI	U.S. Department of Interior
EBMUD	East Bay Municipal Utility District
EBRPD	East Bay Regional Park District
EIR/S	Environmental Impact Report/Statement
FHWA	Federal Highway Administration
GDA	Gateway Development Area
IERBYS	Interurban Electric Railway Bridge Yard Shop
ITE	Institute of Transportation Engineers
MOA	Memorandum of Agreement
MHSP	Middle Harbor Shoreline Park
MTC	Metropolitan Transportation Commission
NAC	Noise Abatement Criteria
NHPA	National Historic Preservation Act
NPS	National Park Service
OARB	Oakland Army Reuse Base
OBRA	Oakland Base Reuse Authority
OHP	Office of Historic Preservation
ORA	Oakland Redevelopment Agency
OTD	Oakland Touchdown
PG&E	Pacific Gas and Electric Company
PAED	Project Approval and Environmental Documentation
PBC	Public Conveyance
PEAR	Preliminary Environmental Analysis Report
PSR	Project Study Report
SFOBB	San Francisco-Oakland Bay Bridge
SAS	Self-anchored Suspension Span
SHOPP	State Highway Operation and Protection Program
SHPO	State Historic Preservation Office
STIP	State Transportation Improvement Program
TBPOC	Toll Bridge Program Oversight Committee
TE	Transportation Enhancements
VOC	Volatile Organic Compounds
YBI	Yerba Buena Island

Figure ES -1: Study Area



Executive Summary

This document is a compilation of background material, maps, concepts and ideas related to an area that has been commonly referred to as Gateway Park over the last several years. In particular, the purpose of this document is to present a context and framework for Caltrans obligations for San Francisco Bay Conservation and Development Commission (BCDC) permit and State Historic Preservation Office (SHPO) compliance, as it relates to the 4.2-acre, Caltrans-owned site near the Oakland Touchdown of the San Francisco-Oakland Bay Bridge, and as part of a broader vision for the future East Bay Regional Park District (EBRPD) Gateway Park that will extend southeast from the 4.2-acre parcel, along the waterfront.

There is a multitude of issues, and opportunities, related to the focus of this study, which is referred to generally throughout this document as the "Gateway Park site". The Gateway Park site can be defined as the 4.2-acre parcel, but it also encompasses a broader area, including the future EBRPD Gateway Park, abutting Pier 7. It can even take on a conceptual or visceral boundary that also includes the proposed Caltrans Maintenance Complex and the Bikeway that will eventually connect onto the new bridge from nearby Emeryville.

These issues and opportunities involve the following:

BCDC Permit 8-01 Compliance

- 4.2-acre parcel
- parking lot
- compatibility with future EBRPD Gateway Park

Bikeway Design and Planning

- selection of a preferred alignment
- Burma Road
- balance between public access, Caltrans operational needs, and City of Oakland redevelopment plans

City of Oakland Redevelopment

- redevelopment of former Oakland Army Base
- comprehensive development strategy to be finalized by Fall 2007

Stakeholder Collaboration and Partnering

- Caltrans/BATA/CTC
- EBRPD
- BCDC
- City of Oakland

Now is an appropriate time to develop a roadmap toward permit compliance, which to do right requires looking down the road at what to do with the 4.2-acre site, that according to BCDC requirements will be incorporated into the future Gateway Park. Caltrans, in conjunction with its partners, should develop a vision, identify a lead agency responsible for implementing the vision, and secure the required funding to do so. This document serves as a starting point, and presents ideas and concepts about a potential vision. These ideas are preliminary, and intended to be discussed and critiqued.

1.0 Introduction



Gateway Park Site and East Span of the SFOBB

The land comprising what is today commonly referred to as Gateway Park, or as referred to in this document as the "Gateway Park site", has a long and varied history, starting with the rail pier and Key System approximately 100 years ago, to the construction and opening of the San Francisco-Oakland Bay Bridge in 1936, to more recently being acquired and preserved by Caltrans to oblige with public access requirements. Central to this document, the site includes a 4.2-acre parcel that is owned by the California Department of Transportation (Caltrans) and which is required to fulfill its obligations under BCDC Permit 8-01 related to public access. This site, as illustrated in Figure 1-1 on the following page, is located at the western end of the Oakland Mole, also referred to as the Oakland Touchdown area. The site is also part of a larger area that encompasses the Gateway Park Shoreline Park to the southeast of the 4.2-acre parcel, parkland that is currently owned by the U.S. Army, but it is in the process of being transferred to the East Bay Regional Park District following envi-

ronmental remediation. In the surrounding area, there are plans to build a new Caltrans Maintenance Complex, redevelop the former Oakland Army Base, and build a bicycle/pedestrian pathway that will eventually connect onto the new East Span of the Bay Bridge.

Discussions about the Gateway Park site have been ongoing over the last decade, and have involved multiple stakeholders including transportation, park and bicycle/pedestrian advocates. These discussions intensified with the planning process for the new East Span of the San Francisco-Oakland Bay Bridge (SFOBB) around the year 2001. Discussions are currently reemerging as stakeholders meet to solidify design plans for the bicycle/pedestrian pathway between the new span and Emeryville, and make plans for design of the Gateway Park.

Now is an appropriate time for Caltrans, in conjunction with its partner agencies under the Toll Bridge Program Oversight Committee (TBPOC), to develop a roadmap toward permit compliance, while concurrently developing a vision not only for the 4.2-acre parcel, but also for the broader Gateway Park site area, for the following reasons:

- 1) Permit and regulatory obligations. Coordination and consistency with these obligations as well as other surrounding projects will ensure efficient implementation.
- 2) Coordination with other projects in proximity to the site, including the City/Port of Oakland redevelopment plans, and the Caltrans Maintenance Complex project, is important to making the site a vibrant part of the East Bay and the San Francisco Bay Area.
- 3) The planning/design/construction process can take several years, and timing and staging with the East Span project should be considered earlier on rather than later.
- 4) Identifying and securing funding to develop the Gateway Park site, regional park and museum, and aforementioned adjacent projects requires a collaborative, multi-jurisdictional effort.

This document summarizes material gathered, interviews conducted, and preliminary planning meetings held in relation to the Gateway Park site, in order to unearth the information related to such issues as land ownership, permit requirements, bikeway planning and design, and facilities/museum, just to name a few. This document is a first step in synthesizing information about existing conditions in the Gateway Park site area, including the 4.2-acre site. Caltrans is currently faced with meeting permit obligations and developing a mu-

Figure 1-1: Gateway Park Site Area



seum or exhibit to display important bridge relics and history. Working with stakeholders, there is enormous potential to build a signature park, in the shadow of what will one day be the world's largest self-anchored suspension span.

In order to do this right -- achieve compliance and be wise stewards of the 4.2-acre site -- it is very important that every attempt is made to plan the public access, prepare for a museum, build ponds and a maintenance complex in a manner that is consistent with the overall site referred to as Gateway Park. It is essential to look down the road and get a sense of the "ultimate vision" to plan and construct facilities that will ultimately be compatible with the region's vision. With this in mind, we explore what has been done to date and invite dialogue so that the 4.2-acre site can be planned, compatible with an overall vision.

1.1 Background

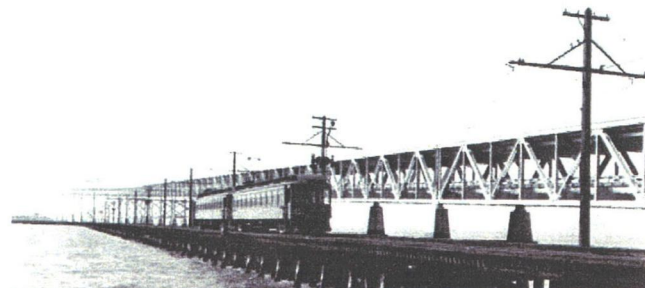
Documentation of the Gateway Park site stems back to 1993, when the BCDC Permit 11-93 was drafted, as a mitigation measure for the demolition of the Cypress Freeway for the purpose of increasing public access to the shoreline (see Appendix A for the permit language). The site was subsequently also mentioned in the BCDC Permit 8-01 for the East Span Project (see Appendix B), SFOBB East Span Seismic Safety Project Final Environmental Impact Statement (FEIS), and the Oakland Army Base Reuse EIR. In these documents, the Gateway Park site was identified as a preferred location for public access, as a logical connection between the new bridge and East Bay.

As illustrated in Figure 1-1, the Gateway Park site as we know it today consists of the BCDC required 4.2-acre parcel, owned by Caltrans, which will provide new public access created from the realignment of the Bay Bridge East Span to the north. In addition to the 4.2 acres, compatible, public access land in the vicinity includes approximately 15 acres of federal land (formerly owned by the U.S. Army) that is being transferred from the National Park Service to the EBRPD, and other former U.S. Army land that has been transferred to the City of Oakland. Combined, there is the potential to turn the Gateway Park site into a regional park the size of approximately 25 acres.

1.2 History

In the early- to mid-20th Century, the Gateway Park site was used for transbay rail and ferry services that transported passengers between San Francisco and Oakland and other communities in the East Bay. In 1926, the Key

System Building, which still exists today, was built as an electrical substation for the Key System, which initially powered the rail pier to the ferry system and then eventually powered trains on the new Bay Bridge. In 1936, the area became the eastern terminus of the new San Francisco-Oakland Bay Bridge. In 1939, the Key System and other commuter rail operators provided passenger services between the East Bay and San Francisco via the lower deck of the Bay Bridge. With the availability of the lower deck for transit, the Caltrans Substation Building was also built to provide electricity for the commuter rail system as well as for general bridge purposes. These two substation buildings provided electricity until the Key System was dismantled in 1958.



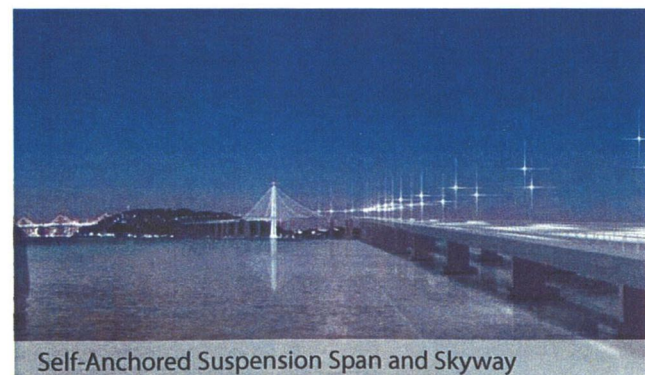
Key System Trestle alongside the Bay Bridge in 1936

Source: Oakland History Room, Oakland Public Library

A history timeline for the site and related events is provided in Table 1-1 on the following page.

1.3 Regional Context

Situated at the eastern terminus of the new East Span, also known as the Oakland Mole, the Gateway Park site is located in a unique setting with expansive views of the surrounding San Francisco Bay. The site is located at a central, focal point of the Bay Area, in the City of Oakland, immediately to the south of the eastern terminus of the Bay Bridge. The site is literally and figuratively a gateway to the East Bay.



Self-Anchored Suspension Span and Skyway

Table 1-1: Timeline of Activities Related to the Gateway Park Site

1903	Key System begins passenger service
1926	Key System Building was built, serving as an electrical substation for the Key System
1936	The San Francisco-Oakland Bay Bridge opens to traffic
1939	Key System, Southern Pacific's Interurban Electric, and Sacramento Northern railroads begin providing commuter rail service between San Francisco and East Bay via lower deck of the Bay Bridge
	Caltrans Substation Building was built
1958	Commuter rail service via the San Francisco-Oakland Bay Bridge was dismantled; upper deck converted to westbound traffic, and lower deck converted to eastbound traffic
1989	Loma Prieta Earthquake damaged the San Francisco-Oakland Bay Bridge East Span
1994	BCDC Permit 11-93 requires provision of public access near the Oakland Touchdown Area
1995	Oakland Army Base was identified for closure
1997	Senate Bills (SB) 60 and 226 signed into law, establishing the Toll Bridge Seismic Retrofit Program, which gave Caltrans the funding required to begin the retrofit of the seven State-owned toll bridges
	Stakeholders discussed their visions for the "Gateway Park"
1999	Oakland Army Base ceased military operation and came under full control by the Oakland Army Base Reuse Authority
2001	BCDC Permit 8-01 approved
2002	Construction for the SFOBB Seismic Retrofit Project begins
2005	Assembly Bill (AB) 144 enacted, which established the Toll Bridge Program Oversight Committee

The new East Span will be a monument to the engineering marvel of the 21st Century, much like the original bridge was in the 20th Century. The graceful profile of the structure will be revealed as a sleek and elegant white line that spans between Yerba Buena Island and the Oakland shore. The new East Span will appear as a single unified span, although it will consist of several different structures, including the Oakland Touchdown, Skyway, Yerba Buena Island Transition Structure, and the signature piece, Self-Anchored Suspension (SAS) Span. The Gateway Park site will provide an excellent viewing opportunity to observe the new bridge against the backdrop of Yerba Buena Island and the San Francisco skyline.

Also new to the East Span will be a bicycle/pedestrian pathway, located on the south side of the eastbound deck of the bridge. The pathway will be 15.5 feet wide and will be cantilevered off the bridge superstructure. The pathway will extend from the Oakland Touchdown to Yerba Buena Island, connect to existing bicycle facilities in Oakland and Emeryville, and become part of the regional Bay Trail.

The Gateway Park site is located at the west end of the Oakland Mole between I-80 to the north and Oakland Outer Harbor to the south. It is adjacent to ap-

proximately 425 acres of the former Oakland Army Base, which has been transferred to the Oakland Redevelopment Agency and Port of Oakland. Currently, the predominant land use in the area is industrial and other low-intensity uses. Future redevelopment of the former U.S. Army Base will transform area land uses and local circulation patterns. Caltrans also has plans for the area, including the reconstruction of its existing Maintenance Complex and Best Management Practices (BMP) Pond. The Gateway Park site and surrounding area will go through major transformations in the coming decade, forever changing the local landscape from low intensity industrial uses to high intensity recreation-oriented uses.

2.0 Permit Requirements

The impetus behind the planning for the Gateway Park site involves two permits and one MOA, relating to Caltrans public access, bikeway and museum obligations:

- 1) Permit 11-93: Cypress Freeway Project, BCDC, 1994
- 2) Permit 8-01: East Span Project, BCDC, 2001
- 3) Section 106 Memorandum of Agreement: Bay Bridge Project, FHWA, SHPO, et al, 2000 (Draft)

2.1 BCDC Permits

The BCDC is dedicated to: 1) the protection and enhancement of the San Francisco Bay, and 2) the encouragement of the Bay's responsible use. The BCDC is the federally-designated state coastal management agency for the San Francisco Bay segment of the California coastal zone. It is comprised of 27 members representing federal, state and regional agencies. This designation empowers the Commission to use the authority of the federal Coastal Zone Management Act to ensure that federal projects and activities are consistent with the policies of the San Francisco Bay Plan (BCDC, January 2006) and state law. The BCDC has jurisdiction over the entire San Francisco Bay and a shoreline band 30 meters (100 feet) shoreward of the mean high tide line in pursuant to its authority under the McAteer-Petris Act. All construction work within the 100-foot shoreline band requires a permit from the BCDC.

2.1.1 Permit 11-93

In 1994, Caltrans obtained Permit 11-93 from the BCDC for the Cypress Freeway Project. The BCDC Permit 11-93 required the following (see Appendix A for the permit language):¹

- Development of Gateway Shoreline Park;
- A key link in the Bay Trail system, by including a trail connection between Emeryville, Maritime Street, Middle Harbor Shoreline Park, and the Mandela Parkway;
- Viewing areas at Powell Street and the improvement of a Bay Trail link beneath the I-80 freeway near Powell Street in Emeryville; and,
- A lookout and other amenities at the west end of the Oakland Mole.

¹ BCDC, Permit 11-93 (Issued on June 8, 1994, as Amended Through March 15, 2004) Amendment No. Five issued to California Department of Transportation. Copy of the permit regarding public access is provided in Appendix A.

The original permit required a 5,000 square foot lookout area at the north side of the Bay Bridge, a 2,500 square foot lookout area south of the Bay Bridge with benches, trash cans and native landscaping, and six parking spaces for automobiles.

Permit 11-93 also required "an at-grade pathway system between the southern terminus of Shellmound Street, Mandela Parkway, the Bay Bridge take-off point, and which provides a connection between the westbound pathway and Maritime Street".² The permit split the pathway system into the three phases or segments, as follows:

- **Segment I:** Class II bicycle pathway on Hollis Street and Class II or III bicycle pathway on Horton Streets to connect the striped bicycle lanes on Shellmound Street and the 40th Street extension. This segment has been completed.
- **Segment II:** Combination of Class I, II and III facilities. This segment will begin in Emeryville (by IKEA), winding its way through the McArthur Maze distribution structure, and ending at Maritime Street. This segment is still under design; completion is anticipated in 2010.
- **Segment III:** Combination of Class I and III facilities connecting to Segment II. The permit requires that the Segment III facility be completed one year after opening of the new bridge. The alignment and type of facility have not yet been determined; this segment has not been programmed.

After receiving prior extensions (the permit was originally adopted 13 years ago), Caltrans is currently working with the BCDC and other stakeholders to renew the expired Permit 11-93. Stakeholders, including the EBRPD, ABAG, and the City of Oakland, sent a letter to Caltrans in December 2006, requesting a Class I facility as part of its efforts to renew and meet permit requirements (see letter in Appendix C). Ongoing meetings with the stakeholders are taking place to find the best alignment and design for all parties.

Conditions for the new bridge changed, i.e., replacement vs. retrofit, from the time when Permit 11-93 was originally adopted. Consequently, some of the components of this permit could no longer be provided, for example, the viewing and fish cleaning areas. The new East Span replacement design with a more northerly alignment also prevented public access on the north side of the

² Ibid.

existing bridge as intended under Permit 11-93. In lieu of no longer being able to meet these requirements, Caltrans paid \$1.1 million to the BCDC. According to the permit language, "the in-lieu fee shall be used solely for the purpose of supporting the East Bay Regional Park District's development of Gateway Park on former Oakland Army Base Reuse Authority property south of the new bridge Touchdown."³

2.1.2 Permit 8-01

Permit 11-93 was followed by Permit 8-01, as the conditions, designs, and alignment for the new Bay Bridge changed over time. At the time of the original adoption of Permit 11-93, the East Span of the Bay Bridge was planned to be retrofitted. Permit 8-01 (as amended through June 29, 2006; see Appendix B for permit language) now required Caltrans to provide and maintain a Class I bicycle and pedestrian lane on the new bridge. The conditions for the Gateway Park site also changed, as the new permit now required the construction of a temporary public access parking lot at the site.

Under Permit 8-01, Caltrans is required to provide a public access area at the Oakland Touchdown to be comprised of:

- 1) a 4.2-acre parcel, within the existing bridge approach, to improve public access and treat stormwater runoff as part of the proposed Gateway Park, including an approximately 0.37-acre area to be used as a temporary parking lot and crosswalk that would eventually become part of the proposed Gateway Park; and,
- 2) an approximately 0.25-acre public access pathway connecting the parking lot to the bicycle/pedestrian pathway on the replacement bridge.⁴

Permit 8-01 also requires that the 4.2-acre, public access area be incorporated into the EBRPD Gateway Park to the extent that the permittee is legally able to do so. As stated in the permit, provision of this land for use as part of the "Gateway Park" shall be subject to Caltrans existing and future operational and maintenance needs. The permit requires the 4.2-acre area to be open to the public within one year of opening the replacement bridge to vehicular traffic.

³ Ibid.

⁴ BCDC, Permit 8-01 (Issued on November 20, 2001, as Amended Through June 29 2006) Amendment No. 16 issued to California Department of Transportation. Copy of permit sections related to public access is provided in Appendix B.

According to Permit 8-01, the public access area shall include the following improvements:

- **Parking Lot:** An approximately 43-stall, all-weather (crushed rock, gravel or paved) temporary parking lot, which shall be paved and made permanent if desired to be retained, or completely removed if no longer needed, as determined by or on behalf of the Commission, in consultation with the EBRPD;
- **Pathway:** A 15.5-foot-wide paved pathway connecting the bicycle/pedestrian pathway on the new East Span with the parking lot and Caltrans maintenance road;
- **Crosswalk:** A crosswalk providing safe access across the Caltrans maintenance road between the parking lot and eastern terminus of the bicycle/pedestrian pathway;
- **Landscaping:** Irrigation and native, drought tolerant landscaping within the approximately 4.2-acre public access area, around the parking lot, in the stormwater retention basins to the extent feasible, and adjacent to the public access pathway and other public access areas; and,
- **Public Access Signs:** The appropriate number, location and appearance of the public access signs shall be based on the interim and final design of the public access areas and shall be consistent with the Commission's policies as well as Bay Trail policies.

2.2 Section 106 Obligations

The National Historic Preservation Act (NHPA) requires government agencies to evaluate the impact of all government-funded construction projects on cultural resources, including archaeological sites, historic, architectural and other historic resources. If identified areas are affected by a construction project, then a Historic Property Survey Report (HPSR) must be prepared to meet the requirements of the Section 106 clearance by the Federal Highway Administration (FHWA). The NHPA Section 106 process "seeks to accommodate historic preservation concerns with the needs of Federal undertakings through consultation among the agency official and other parties with an interest in the effects of the undertaking on historic properties, commencing at the early stages of project planning."⁵ In California, the Office of Historic Preservation (OHP) is responsible for administering federal and state mandated historic

⁵ Title 36 CFR PART 800 -- Protection of Historic Properties (incorporating amendments effective August 5, 2004).

preservation programs. The State Historic Preservation Officer (SHPO) is responsible for the operation and management of the OHP, as well as long-range preservation planning.

The Federal Highway Administration, US Coast Guard, California State Historic Preservation Officer, and the Advisory Council on Historic Preservation drafted a Memorandum of Agreement (MOA) for the SFOBB East Span Seismic Safety Project in 2000; however, this draft MOA was never executed. The same parties are currently renegotiating terms of the MOA. Sections of the MOA developed in 2000 are included in Appendix D.

According to the draft MOA, Caltrans will offer selected salvageable components of the bridge to the EBRPD or other owner of the proposed Gateway Park, for display or other use in the park. Consultations about interpretive exhibits should also take place. If an agreement between Caltrans and the park owner is reached, then Caltrans should produce and install the exhibits. The interpretive exhibits may include, but are not necessarily limited to, plaques or markers, salvaged components of the bridge, a mural or other depiction of the bridge, and the large clock that formerly stood atop the toll plaza canopy.⁶

Caltrans should also consult interested parties about preparing and presenting exhibits relating to the history and engineering of major bridges of the San Francisco Bay. Preparing documentary materials related to the Bay Bridge and other major bridges of the San Francisco Bay is also part of the MOA scope. In addition, Caltrans is obligated to contribute funding towards the exhibit(s). To date, Caltrans has promised \$1.5 million for the temporary exhibit, which could be developed by a museum or other interested party, as partner to the Caltrans Section 106 obligation.⁷

6 FHWA, US Coast Guard, etc., Draft MOA for the San Francisco – Oakland Bay Bridge East Span Seismic Safety Project – May 2000.
7 Krase, Beth and Meg Scantlebury (Caltrans), Interview on March 7, 2007.

3.0 Site Opportunities and Constraints

Leveraging the 4.2-acre parcel and permit requirements for public access, bikeway and museum, Caltrans has the opportunity to turn the Gateway Park site into a larger, significant regional park, making it a destination for both local residents and visitors alike. However, there exist both opportunities and constraints with this endeavor. The constraints include utilities and easements on the site and adjacent areas, as well as the numerous redevelopment plans for the area, and the attendant, and sometimes conflicting, stakeholder and public/private interests guiding those plans. The following section presents an overview of both the opportunities and constraints from the perspectives of land ownership, site access/bikeway planning, facilities, utilities, and environmental issues.

3.1 Land Ownership

As illustrated in Figure 3-1 on the following page, the land area explored in this document includes: 1) the 4.2-acre parcel owned by Caltrans; 2) the approximately 15-acre parcel currently being transferred from the federal government to the EBRPD; 3) the planned Caltrans Maintenance Complex; 4) the land area between the 4.2-acre parcel and the Maintenance Complex, also owned by Caltrans, on which the billboards and cell towers lie; and, 5) Pier 7, which Caltrans is leasing from the City of Oakland. East of this study area exist the former Oakland Army Base, which is being redeveloped by the City and Port of Oakland, and the intermediary link of the bikeway between the City of Emeryville and the new East Span. Land ownership is also denoted in Figure 3-1 and Appendix E. Additional information on land ownership is provided below.

Caltrans

Caltrans generally owns the land north of Burma Road west of Pier 7. Caltrans owns a total of 9.1 acres, excluding the I-80 freeway and Maintenance Access Road.⁸ The 9.1-acre site also includes the 4.2 acres required by BCDC Permit 8-01 for public access. The 4.2-acre parcel will become identified for public access and operational purposes, consistent with Caltrans O&M needs and compatible with future Gateway Park purposes.

⁸ Mark Shindler (Caltrans), Telephone Conversation, May 22, 2007. The 9.1-acre area includes land used for substation and other supporting functions for Caltrans.

East Bay Regional Park District

The EBRPD entered into an agreement with the National Park Service in 2002 for the 14.7-acre lot, known as "Parcel 1", for a public park. This site is part of the former Oakland Army Base which was closed in 2001/2002. The OARB Final Reuse Plan describes the process of transferring the parcel to the EBRPD as follows:

A public conveyance (PBC) is a mechanism used to transfer surplus federal property for "public purpose" use including education, health, landmarks, parks and recreation, ports and airports, and wildlife conservation. State and local government agencies, nonprofit organizations, and other nonfederal public entities may apply for PBCs. Approved recipients may receive conveyances at a substantial discount (up to 100 percent of fair market value) subject to DOD and federal sponsoring agency approval. Through the concurrence of the Oakland Base Reuse Authority, the 15-acre Park Subarea of the Gateway Development Area will be conveyed to the East Bay Regional Park District (EBRPD) through a Public Benefit Conveyance. The U.S. Department of the Interior (DOI) has approved EBRPD's PBC application and is seeking assignment of that parcel from the Army. The property transfer will occur following environmental remediation agreements between the Army, EBRPD/DOI and the State of California.⁹

Oakland Redevelopment Agency

The Oakland Redevelopment Agency (ORA) has assumed the role formerly occupied by the Oakland Base Reuse Authority (OBRA), which used to be responsible for planning the reuse of the former Oakland Army Base (approximately 425 acres). The closed army base was transferred to the City and Port of Oakland via OBRA in 2006. For the past year, the ORA has been studying a number of comprehensive land use development alternatives for the 165-acre Gateway Development Area (GDA). For planning purposes, the ORA has subdivided the GDA into four separate areas: the North, East, West, and Central Gateway areas. In cooperation with the Oakland City Council and the West Oakland Community Advisory Group, the ORA expects to finalize a comprehensive development strategy by Fall 2007.

Pacific Gas & Electric Company

On the western tip of the site, the Pacific Gas & Electric Company (PG&E) owns a relatively small parcel of

⁹ Oakland Base Reuse Authority, Oakland Army Base Final ReUse Plan, July 31, 2002.

Figure 3-1: Site Analysis Map

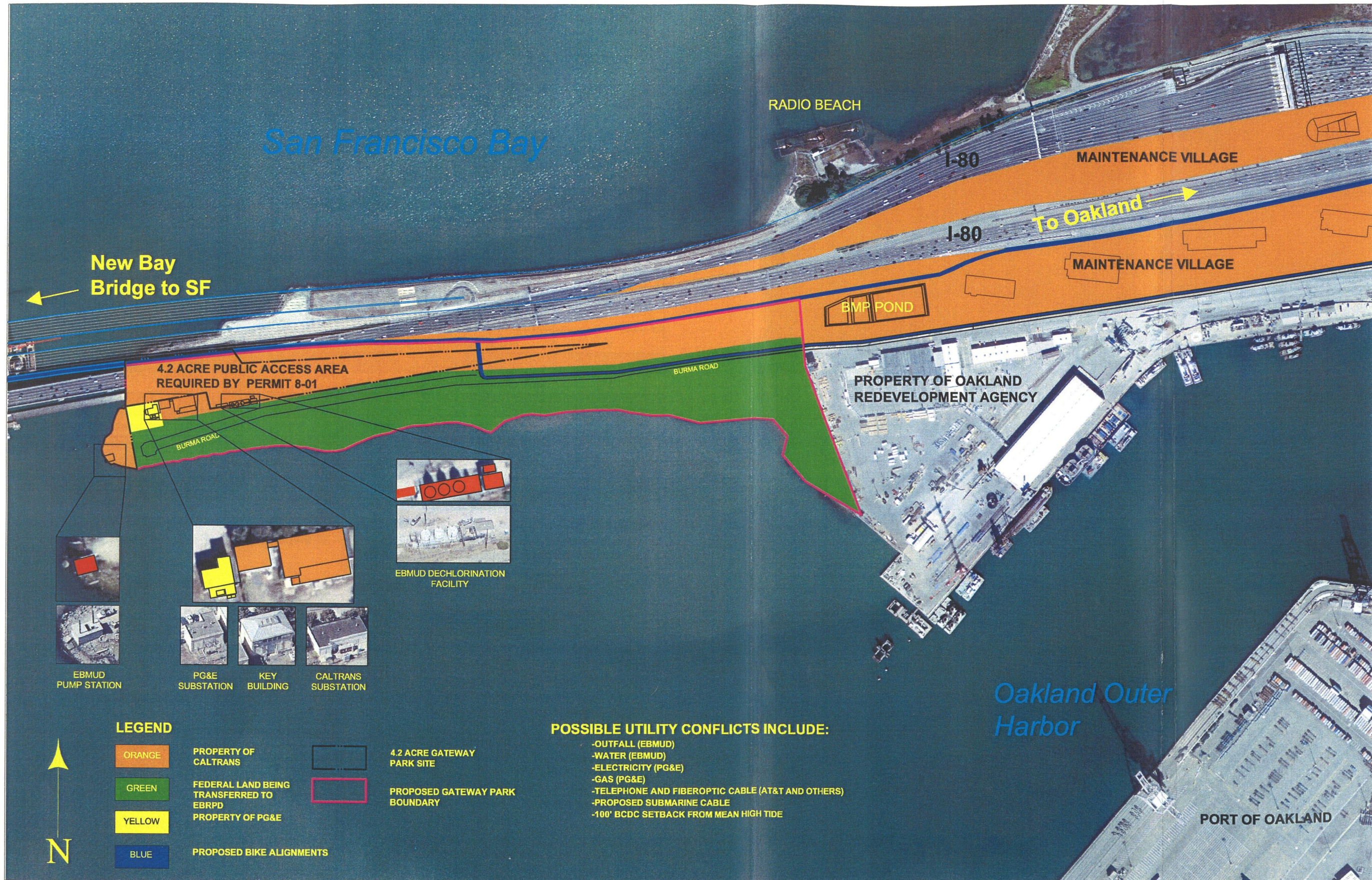


Table 3-1: Utilities North of Burma Road

Type	Agency	Location	Above (A) or Below Ground (U)
Sewer			
EBMUD pump station	EBMUD	Western edge of the Gateway Park site	A
EBMUD outfall	EBMUD	Runs east - west direction on site	U
EBMUD dechlorination facility	EBMUD	Southeast of the Caltrans substation building	A
Water			
Water line	EBMUD	Runs east - west direction on site	U
Electricity			
PG&E substation	PG&E**	West of Key Building	A
Cables	PG&E	Runs east - west direction on site	U/A
Replacement submarine cables*	US Navy/SFPUC	Runs east - west direction on site	U
Replacement submarine cable vault*	US Navy/SFPUC	West of PG&E Substation	A
Proposed Mole substation*	Caltrans	Between the bridge and proposed bike/pedestrian path	A
Proposed Trench	Caltrans	Runs east - west direction on site	U
Gas			
Gas line	PG&E	Runs east - west direction on site	U
Telephone			
Telephone lines and fiber optic cables	AT&T etc.	Runs east - west direction on site	U

Unless noted, source of information for utilities is based on the San Francisco - Oakland Bay Bridge East Span Seismic Safety Project FEIR, May 2001.

* Source: Caltrans

** PG&E owns a parcel where the substation building is located.

land, on which the PG&E substation building exists. This small parcel lies adjacent to the 9.1-acre site owned by Caltrans.

East Bay Municipal Utility District

The East Bay Municipal Utility District (EBMUD) operates a wastewater treatment facility to the east of the Gateway Park site. An outfall runs to the west of the plant, into the Bay generally along Burma Road. There is also a dechlorination facility in the study area.

3.1.1 Utilities and Easements

There are numerous easements and utilities associated with the Gateway Park site, as presented in Table 3-1 and Figure 3-2. The utilities that currently exist on the site include water, sewer, electricity, gas, and telephone. All utility lines and substations listed in Table 3-1 are actively used. Additional research on the utility locations, usage and possible relocation/decommissioning should

be conducted during future stages of the site development process. Furthermore, utility lines and facilities located to the south of Burma Road are not provided in this document; they should also be investigated during future stages of work.

The EBMUD outfall, running in an east-west direction along the Gateway Park site, disperses treated effluent from the EBMUD main wastewater treatment facility located to the east of the site, in an area known as the Emeryville Crescent, under the MacArthur Maze. EBMUD outfall, dechlorination and pump facilities are located on the 4.2-acre site, in an area that is critical to the operation of the EMBUD main wastewater treatment plant, as the treated effluent is dispersed from the main plant west through the outfall and dechlorination facility, and then eventually into the Bay.¹⁰ The outfall is a zero-load facility, where a bridge must be provided for crossing of the outfall, accounting for pedestrian, bicycle, and vehicular traffic.

¹⁰ Caltrans, San Francisco – Oakland Bay Bridge East Span Seismic Safety Project FEIS, Pg. 2-45, 2001.

Figure 3-2: Utilities Map



Other utilities in the site area include natural gas and electricity, which are provided to the Yerba Buena Island (YBI) and Treasure Island by PG&E from Oakland. These facilities are located on the south side of the existing bridge, crossing under the bridge near the west end of the Oakland Touchdown, and entering the Bay north of the bridge.¹¹

Table 3-1 also summarizes proposed utility lines and facilities located north of Burma Road. The proposed facilities include the submarine cables and a mole substation. As part of the installation of the new submarine cables, a new vault (approximately 4 meters long by 2.5 meters wide) will be constructed near the western tip of the Gateway Park site, north of the EBMUD dechlorination station. The vault will be connected to the existing mole vault via an underground power cable.

In addition to the site utilities, there are land easements that have been negotiated between key parties over recent years. These easements include the Port of Oakland easement from Caltrans for three billboards, as well as two cell phone towers. Two of the billboard signs and two cell phone towers along the Maintenance Access Road have been erected by private entities, in the area between I-80 and Burma Road, between the 4.2-acre site and the proposed Maintenance Complex. The Port also has an easement for one additional billboard. These easements are considered permanent.

3.2 Site Access and Bikeway

Due to its highly visible location along a major transportation corridor, and as the first visible land mass for travelers entering the City of Oakland from the Bay Bridge, the Gateway Park site has been identified as a gateway to Oakland and the East Bay. For a city gateway, especially in a valuable waterfront setting, the urban design considerations are extensive and extremely important. The quality and character of the visual experience as one travels on the bridge entering Oakland should be studied to achieve the most appropriate resulting development. The type of redevelopment of the site and adjacent properties will create a first impression for the traveler entering Oakland, which will remain their first experience of Oakland and its environs. Careful consideration of the type of visual impression that the City wishes to create is warranted in such a gateway or landmark site. In addition, the sequence of visual experiences from the westernmost tip of the peninsula, continuing through the proposed public access site, to the

neighboring redevelopment properties and the working Port will solidify the image and character of the gateway to Oakland for the visitor.

3.2.1 Bicycle/Pedestrian Pathway



BCDC Permit 11-93 requires a bicycle/pedestrian pathway from the Emeryville Crescent through the area generally along Burma Road/I-80, connecting to the new East Span at the Gateway Park site, as illustrated in Figure 3-3 on the following page. This future bikeway will be part of the regional Bay Trail, connecting numerous communities throughout the East Bay, and connecting three major East Bay parks, including the Eastshore State Park, Middle Harbor Shoreline Park, and the future Gateway Park. When complete, the Bay Trail will encircle San Francisco and San Pablo Bays with a continuous 400-mile network of bicycling and hiking trails. The Bay Trail will eventually connect all cities around the San Francisco Bay, forming a key transportation and recreation route for the region. Development of the bicycle/pedestrian pathway on the East Span connecting to Yerba Buena Island will resolve a portion of a missing link within the planned Bay Trail system.¹²

The *City of Oakland Bicycle Master Plan* and *MTC Regional Bicycle Plan* also recognize the bicycle/pedestrian pathway in the Gateway Park site area as part of the local and regional bicycle network. The *City of Oakland Draft Bicycle Master Plan* (March 2007) proposes to link the new pathway to the system of bikeways within Oakland and Emeryville. The plan gives high priority to "gap closure" projects for future funding consideration.

¹¹ Ibid, Pg. 3-20.

¹² ABAG, San Francisco Bay Trail <<http://baytrail.abag.ca.gov/index.html>>, Accessed April 2007.

Figure 3-3: Site Access and Bikeway Alignments



As mentioned in the Plan:

*"Bay Bridge Connector Paths (proposed) would link the bicycle path on the new eastern span of the Bay Bridge to the bikeway networks in Oakland and Emeryville. It includes the following segments: (a) Burma Rd (Bay Bridge Path to Maritime St Path); and (b) Interstate 80 (Burma Rd to Shellmound St/40th St)."*¹³

Bicycle/Pedestrian Pathway Alternatives

Caltrans is currently evaluating different bicycle/pedestrian pathway (also referred to as "bikeway") alignments, as required under Permit 11-93. While Segment I has been completed, Segments II and III are still under design and development. Extensions for these segment openings have been granted, and Caltrans is making sure that the ultimate designs are compatible not only with the best public use, but also with plans for the Caltrans Maintenance Complex and future redevelopment in the area.

Although Permit 11-93 calls for a Class III bicycle route between the Toll Booth Plaza and the Oakland Touch-down, current alignment alternatives under consideration include a Class I facility. Bicycle facilities fall under three types of classification: 1) bicycle path (Class I); 2) bicycle lane (Class II); and, 3) bicycle route (Class III). Class I bicycle paths provide for bicycle travel on a paved, right-of-way that is completely separated from the street. A Class I bicycle path, as defined in Caltrans Chapter 1000 Bikeway Planning and Design of the Highway Design Manual, is "a completely separated right of way for the exclusive use of bicycles and pedestrians with crossflow by motorists minimized."¹⁴ Class II bicycle lanes are striped lanes on streets, designated with specific signage and stencils, for the use of bicyclists. Class III bicycle routes designate preferred streets for bicycle travel using lanes shared with pedestrians and motor vehicles. As defined by Caltrans, Class III bicycle routes are characterized by signage only, which should provide a superior through-route for bicyclists than other parallel routes.

As illustrated in Figure 3-3, there are two primary alignment alternatives currently being considered for Segment III: 1) through the Maintenance Complex, and 2) along Burma Road. Typical cross sections of the planned bikeway include a 12-foot-wide path, 2-foot-wide shoulders, with fences on both sides of the path. Appendix H provides a photo log of the pathway for Segments II and III.

¹³ City of Oakland, Draft Bicycle Master Plan, March 2007.

¹⁴ Caltrans, Highway Design Manual Chapter 1000, September 2006.

Another design consideration for the bikeway alignment involves the connection to the new East Span. Demolition of the existing bridge will likely be a primary obstacle for allowing concurrent access to the new bridge, along with the new bridge opening. Demolition is scheduled to occur over a year following the opening of the new East Span. The potential, concurrent opening of the bridge for traffic and the bikeway will likely require temporary measures, which may also carry some disadvantages, including substandard width of bicycle/pedestrian path, restricted hours of operation, and escorted shuttle services from the parking lot at Pier 7.¹⁵

In addition to the construction of the actual bikeway, on-site bicycle parking facilities (i.e. bicycle racks) and signage will be required. Guiding signs will be important to direct bicyclists and pedestrians to the future Gateway Park site and East Span landing.

Bikeway Design and Safety Standards

The bike path connection between the bridge structure and future Gateway Park site should remain a Class I bikeway, as funding and space allows. This is preferable from the standpoint of trail safety and new, relatively unconstrained sites such as this one. Mixing pedestrians and bicyclists as well as rollerbladers, strollers and wheelchairs with a variety of skill levels creates safety challenges even within a relatively wide, Class I trail. Eliminating vehicular crossflow and separating the path from traffic would provide greater safety to this mixed-use facility.

Generally, the bikeway should be designed with sustained grades of no more than 2% and designed not to exceed 5% slopes for more than 300 feet. Accessible pathways with slopes exceeding 5% must include landings which are unsafe and undesirable for bicycle users. Thus, bicycle paths sloped greater than 5% should be avoided wherever possible.

3.2.2 Auto/Parking

Currently, automobile access is the dominant mode of access to Pier 7 and the Gateway Park site, and it is envisioned to remain the primary mode of access in the future. Permit 8-01 requires the provision of a temporary parking lot with 43 spaces at the Gateway Park site.¹⁶

¹⁵ Caltrans, Draft Alternatives for Providing Public Access Concurrent with Opening of EB Bridge, 2007.

¹⁶ BCDC, Permit 8-01 (Issued on November 20, 2001, As Amended Through June 29, 2006) Amendment No. 16 issued to California Department of Transportation.

Access from the bridge to the future Gateway Park site will need to be determined at a later phase of investigation; however, general automobile access should remain basically the same as today. The closest freeway (I-80) off-ramps are currently located at 7th Street and West Grand Avenue, and the closest on-ramps are located at Maritime Street, 7th Street and West Grand Avenue.

Vehicular access to the Gateway Park site will likely be provided primarily via Burma Road. The future alignment or configuration of Burma Road has not yet been determined; discussions amongst stakeholders, including Caltrans and the City of Oakland, will help facilitate these decisions. Future designs to accommodate emergency vehicles and a turn-around at the western end of Burma Road should also be considered.

3.2.3 Transit

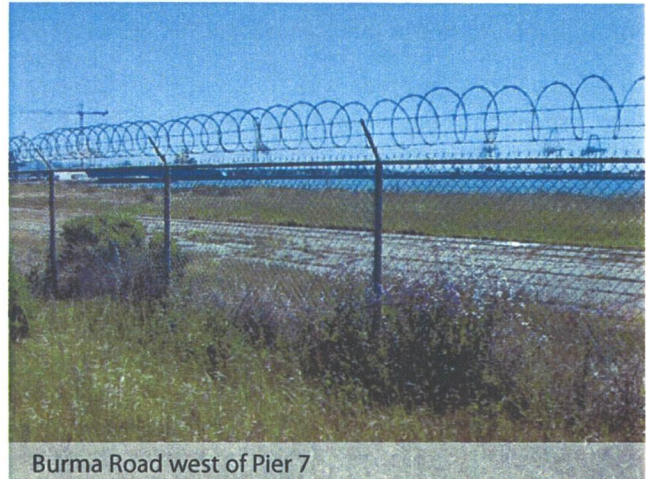
AC Transit provides transit/bus service in western Alameda and Contra Costa Counties. Currently, there is no transit service provided in the vicinity of the former Oakland Army Base site. There is a bus stop off the I-80 freeway, near the Toll Booth Plaza, serving mainly Caltrans employees. Providing regular fixed route service to the Gateway Park site may be difficult, as it is an isolated area; however, new route(s) or modifications to existing route(s) should be further evaluated as plans for Gateway Park and the former Army site evolve. Coordination with AC Transit and the City of Oakland Redevelopment Agency at an early stage should occur to determine the most feasible transit connections.

Other transit options that should be further explored include shuttle services, like the services in nearby Emeryville, as well as water ferry transit. Since the Gateway Park site is surrounded by water, water-based transportation should be a viable alternative. Nearby existing ferry services around the San Francisco Bay include Jack London Square-San Francisco via Alameda, and Harbor Island-San Francisco. Additionally, the San Francisco Water Transit Authority (WTA) has plans to provide future ferry service between Berkeley and San Francisco.

3.2.4 Burma Road

Currently, the actively used part of Burma Road extends from Maritime Street to the western end of Pier

7, as shown in Figure 3-3. Burma Road is auto-oriented and does not provide a pleasant or safe environment for pedestrians or bicyclists. The existing roadway has poor roadway surface conditions, and the existing sidewalk, located on the north side, is damaged and cannot be used. Burma Road west of Pier 7 runs through the former Army site. The roadway condition on this segment is substandard, and is currently fenced off since Burma Road is located within the former Army site in this vicinity.



Burma Road west of Pier 7

The City of Oakland has not determined the alignment, roadway width, or configuration of the future Burma Road since redevelopment plans for the area have not yet been finalized. In 2000, Caltrans recommended providing public access to the new East Span and the Gateway Park site via Burma Road rather than through the Maintenance Complex (See Appendix F).¹⁷ Currently, Caltrans has a 40-foot nonexclusive use easement generally over on the existing Burma Road between Maritime Street and Pier 7. The nonexclusive easement provides "access to a temporary construction yard for the East Span Project (I-80), to provide access to the existing Bay Bridge Maintenance Station (I-80), and to provide assured public access to the Future Park Area on federal lands lying at the westerly end of the Oakland Mole upon completion of the East Span Project (I-80)".¹⁸ Burma Road is also a route for many trucks accessing Pier 7, the East Span construction site, and surrounding Port activities. Even after the completion of the Bay Bridge project, including demolition, the level of truck traffic is expected to remain high due to the Port of Oakland traffic.

¹⁷ Letter from Caltrans to Oakland Base Reuse Authority Regarding Public Access to the Pedestrian/Bicycle Path on the New East Span, dated July 17, 2000.

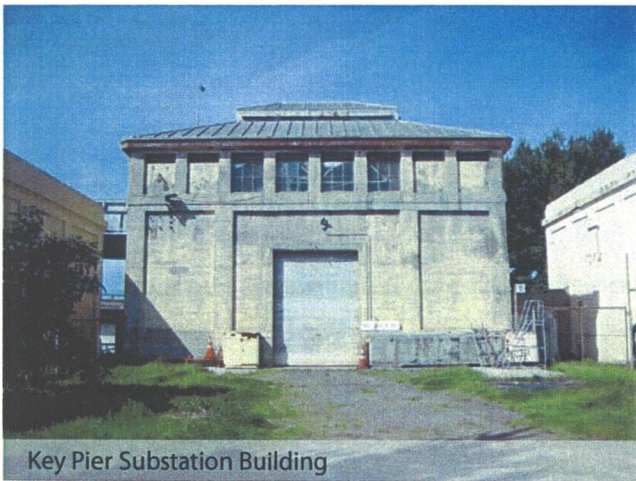
¹⁸ Quitclaim Easement Deed (nonexclusive road easement) signed on February 11, 2002 between the United State of America, acting by and through the Department of Transportation, Highway Administration, and State of California, Department of Transportation. Copy of the deed is provided in Appendix G.

3.3 Existing Structures and Facilities

As presented in Section 1.2, the Gateway Park site has a long history of serving regional transit and transportation. The history of the Gateway Park site began with the Key System in the early 20th Century and continued with the Bay Bridge in 1936. In order to support trans-bay facilities, electrical substations were constructed in the early part of the 20th Century. Two of these three substation buildings, located on the western tip of the Gateway Park site, have been identified as historically significant.

3.3.1 Key Pier Substation Building

The Key Pier Substation building has been deemed historically significant in connection with the Key System, which provided local and commuter rail services within the East Bay and between San Francisco and the East Bay in the early part of the 20th Century. The Key System originally connected to ferry services, via a ferry pier extending from the Gateway Park site landing.



The substation was built in 1925/26 and functioned as an electrical substation for the Key System between 1926 and 1948.¹⁹ A large motor-generator in the building provided a significant amount of electrical energy to start multiple trains in motion simultaneously. When the Bay Bridge was constructed in 1936, new tracks were laid along the north side of the building and onto the new bridge.

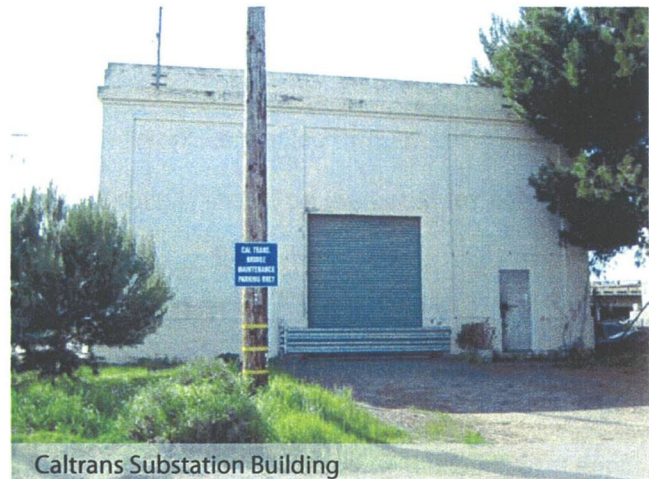
¹⁹ California Department of Parks and Recreation, Department of Parks and Recreation Primary Record - Key Pier Substation, February 1998.

The building is oriented to the south towards the original Key Pier railroad tracks. Currently, the building is owned by Caltrans and used as storage. The utilitarian style building is 42-foot-wide by 32-foot-deep. The large doorway in the center of the south façade originally had paired, side hinged doors, but now has a metal roll-up door. The interior is a single, large room with an open mezzanine along the east and north walls. A narrow passageway connects the east wall of this building to the larger electrical substation that was built fifteen feet to the east in the late 1930s. Additional details on the Key Pier Substation Building are provided in Appendix I.

Due to its historical significance and prominence, this building should be rehabilitated and possibly used in whole or as part of the museum or other proposed facilities on the future Gateway Park site.

3.3.2 Caltrans Substation Building

The Caltrans substation building, built in 1939, is also historically significant.²⁰ The utilitarian style building is currently used as an electrical substation. Caltrans Maintenance has indicated that it desires to use the structure for storage following the construction of the new substation under the Oakland Touchdown contract.



There is a narrow passageway that connects this building to the Key System substation 15 feet to the west. The building is 90-foot-long by 42-foot-wide, with a small (22-foot by 10-foot) extension at the left side of the south façade, giving the building an "L" shape. The small door on the east façade was added in the early 1960s, and the existing overhead door replaced the

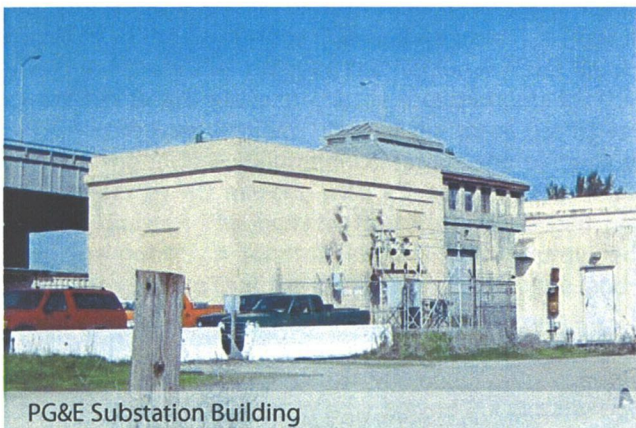
²⁰ Ibid.

original doors at that time. Additional details on the Caltrans Substation Building are provided in Appendix I.

This building should be evaluated for potential relocation.

3.3.3 PG&E Substation Building

The PG&E Oakland Substation building, owned by PG&E, is almost as old as the Caltrans Substation Building. However, it has been determined as not to be historically significant.²¹ The utilitarian styled building resembles the Caltrans Substation located 70 feet east of the PG&E Oakland Substation. The PG&E Substation is currently being actively used. Additional details on the PG&E Substation building are provided in Appendix I.



PG&E Substation Building

This building should be evaluated for potential relocation.

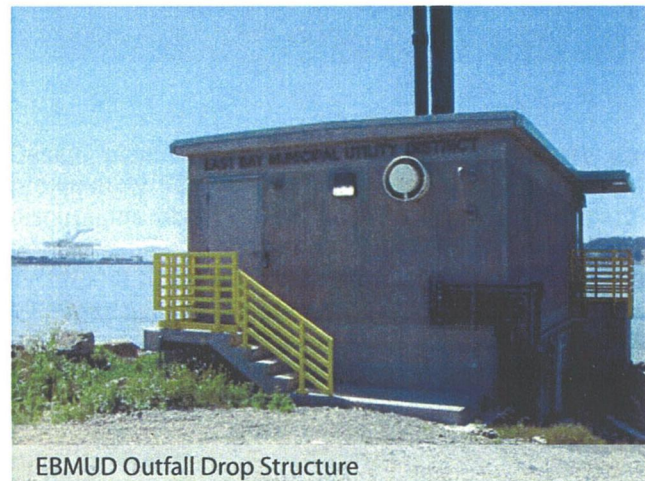
3.3.4 East Bay Municipal Utility District Facilities

The EBMUD wastewater treatment plant, which serves parts of Alameda and Contra Costa Counties, is located near the MacArthur Maze in Oakland. The treated effluent is disinfected, dechlorinated and discharged one mile off the East Bay shore through a deep-water outfall into the San Francisco Bay.

The EBMUD dechlorination facility is located to the southeast of the Caltrans Substation building. The EBMUD pump station is located at the western tip of the Gateway Park site. Both facilities are actively used by the EBMUD. The dechlorination facility and pump station are an integral part of the EBMUD's effluent dis-



EBMUD Dechlorination Facility



EBMUD Outfall Drop Structure

charge network, connected through the outfall.

These facilities should be evaluated for potential relocation.

3.4 Planned Facilities

Over the coming decade, the area surrounding the Gateway Park site will undergo major changes. These future changes and planned facilities include bikeway (already discussed in Section 3.2), museum, BMP Ponds, Caltrans Maintenance Complex, and the City of Oakland redevelopment of the former Oakland Army Base site. While most of these projects are under design or in early phases of planning, the BMP Ponds are currently under construction. This section provides an overview of these planned facilities.

3.4.1 Proposed Museum

According to Section 106 obligations, Caltrans will pro-

²¹ Ibid.

vide material and support for a museum or exhibit (temporary and/or permanent) focused on the Bay Bridge and potentially other transportation and cultural items. The Key Substation building is one possibility for housing such a museum or exhibit. Additional information (photo log) on the Key Substation building interior is provided in Appendix H, and an overview of museum design considerations is provided in Section 4.3.

3.4.2 BMP Ponds

Caltrans is in the process of constructing a bioretention basin adjacent to the Caltrans Oakland Maintenance Yard (south of the Toll Booth Plaza) and two basins under the I-580/I-880 Distribution Structure near the Emeryville IKEA store. Bioretention basins (a type of BMP facility) are landscaped depressions or shallow basins used to slow and treat on-site stormwater runoff. The bioretention basins capture and treat stormwater runoff from the Bay Bridge Oakland Approach to Powell Street in Emeryville, fulfilling the Regional Water Quality Control Board waste discharge requirements for the SFOBB East Span Project. One of the three basins located in the SFOBB Maintenance Yard is approximately 140 meters by 40 meters, with 1.5- to 2.5-meter high earthen burns. The bioretention basin is fenced off from the public. A landscaping wall will be provided along the road, so that the public will see only the landscaping wall and not the bioretention basin.

The bioretention basin is currently under construction and expected to be complete by Spring 2008. The basin will be in operation by Summer 2008.²²

3.4.3 SFOBB Maintenance Complex

The SFOBB Maintenance Complex Project will improve the seismic, structural safety and operational capability of the Bay Bridge maintenance buildings. The new complex will replace the existing buildings in the median of the I-80 freeway and provide additional buildings south of I-80. The planned complex, as shown in Figure 3-4, will include a new Toll Operation Building, Electrical Substation, Tow Services Building, Bridge Maintenance Building, Wash Rack, Paint Maintenance Building, Training Center, Field Office, and Maintenance Equipment Storage. A historic building located to the south of I-80, the Interurban Electric Railway Bridge Yard Shop (IERBYS) Warehouse (also known as the "saw tooth building"), will be rehabilitated and reopened as a warehouse. The conglomerated buildings will be located in two adjacent locations - the median of I-80 and south of the I-80 (South Yard). The two locations will be con-

nected by the Maintenance Facility Road, which cuts through the Gateway Park site. Access to the complex will be provided primarily from Burma Road.



IERBYS Warehouse - SFOBB Maintenance Complex

Design plans for the Maintenance Complex are approximately 50% complete. There have been recent discussions about these plans, including the Operations Building, landscaping walls, and the proposed bicycle/pedestrian pathway, per BCDC Permit 11-93. The bikeway alternative alignments, as presented in Section 3.2, would impact the design plans for the Maintenance Complex, likely resulting in a loss of parking. In addition, these alignments would also impact the proposed landscaping walls and alter internal vehicular circulation. To maintain secured access for the Maintenance Complex, the bicycle/pedestrian pathway would need to be fenced on both sides.

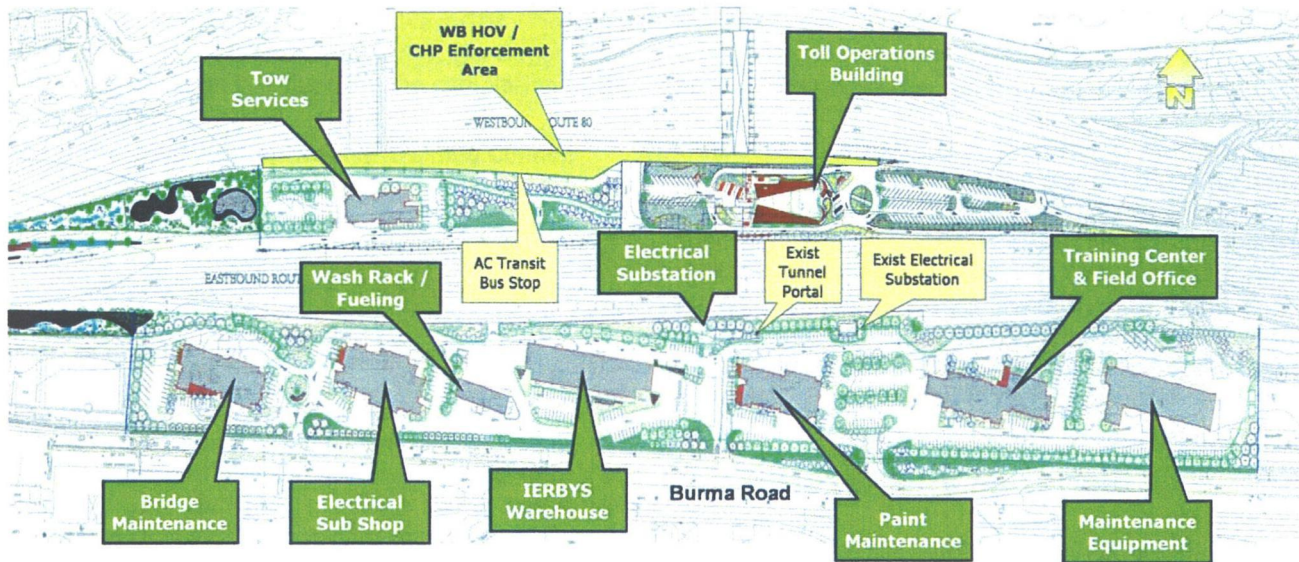
3.4.4 Former Oakland Army Base Redevelopment

Since the closing of the former Army Base site, there have been multiple plans developed for the future reuse of the site. Evolving redevelopment plans will impact the future use of the Gateway Park site, since the areas are in close proximity to each other and rely on similar access points, namely Burma Road.

For the past year, the Oakland Redevelopment Agency has been studying a number of comprehensive land use development alternatives for the 165-acre Gateway Development Area and sub areas shown in Figure 3-5. Out of the four original alternatives being considered, it now appears that the ORA's preferred alternative is to proceed with the "Movie Production Park" alternative proposed by the Wayans Brothers.

²² Ma, Mimy (Caltrans), E-mail correspondence, April 26, 2007

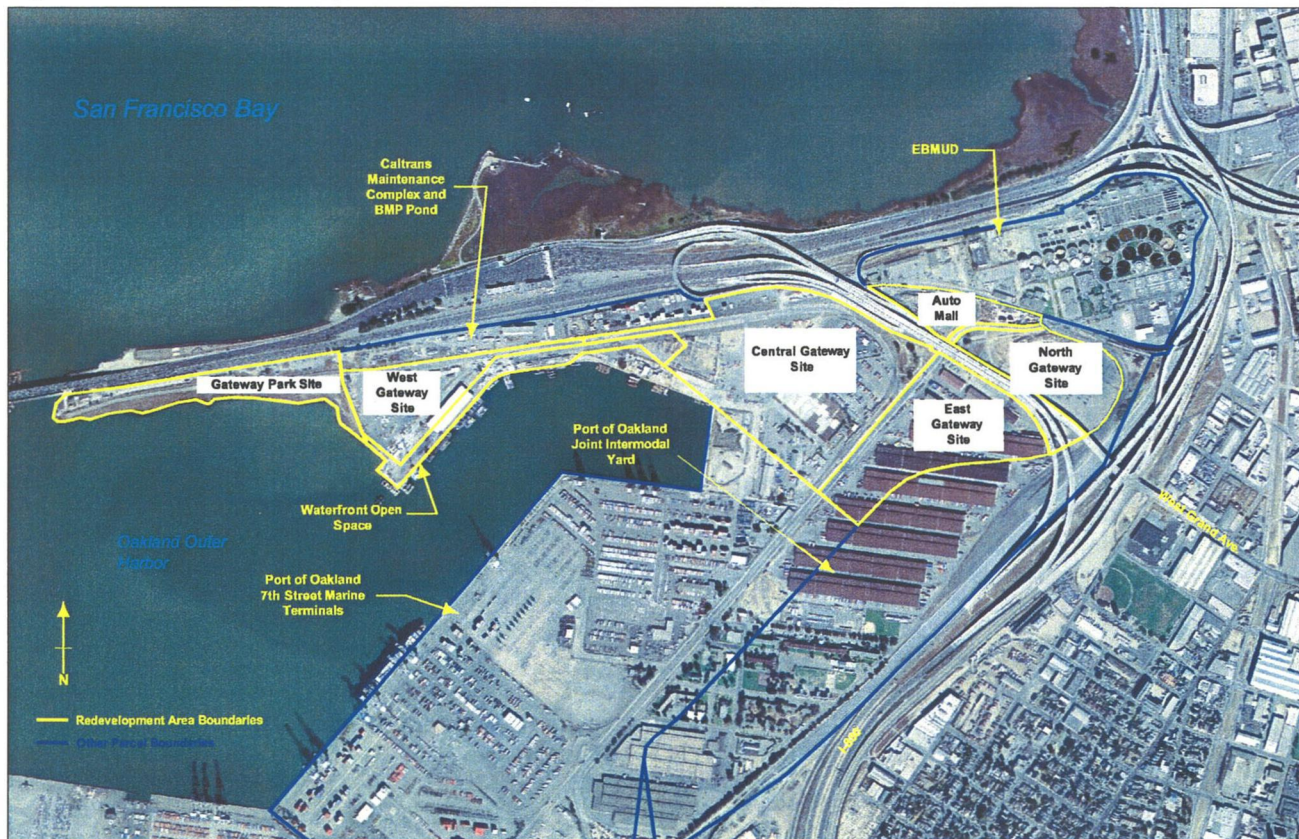
Figure 3-4: Preliminary SFOBB Maintenance Complex Site Plan (subject to change)



As part of its charter, the ORA already has four existing obligations for incorporation into the Gateway Development Area (GDA):

- A Freeway Auto Mall in the North Gateway Area, to be open for business by late 2009.
- The Fulton Film Center. The Exclusive Negotiating Agreement with the Fulton group headed by the Wayans Brothers expired in May 2007. However, the Wayans Brothers have now teamed up with the Pacifica Capital Group, and a full development and financial plan is to be presented to the ORA by September 2007. This

Figure 3-5: Gateway Development Area (Formerly Oakland Army Base)



plan will include a 45-acre multi-purpose complex in the Central GDA, as well as a 15-acre luxury hotel complex in the West GDA (Pier 7 area). The ORA recognizes that the Department has rights on the site until the completion of the East Span Project.

- **The Joint Apprenticeship Training Council (JATC) Facility:** 3 acres within the GDA.
- **Ancillary Maritime Support (AMS):** 15 acres in the East GDA, as mandated by the BCDC. This would involve logistics, trucking, warehouses, and other operations directly related to the Port activities.²³

The ORA plans to divide the remainder of the 165-acre GDA for retail, biotechnology/emerging industries, produce market, and office space uses. By the end of the year, the ORA staff plan to return to the Agency/City Council with their final specific recommendations for the long-term development strategy for the GDA.

It should also be mentioned that the EBMUD has plans to acquire a 16-acre lot for the expansion of its facilities directly to the north of the North GDA, thus precluding the use of the North GDA for a number of activities due to the odor generated in the area.

3.5 Environmental Issues

With any major transportation, military or industrial facility come associated environmental impacts. These impacts may include biological, hazardous materials, visual and noise, as is the case with the Gateway Park site.

3.5.1 Biological

The Gateway Park site may require additional biological impact surveys, per conversations with Caltrans environmental staff, even though it was not determined to be directly impacted in the SFOBB East Span Final Environmental Impact Statement (FEIS).²⁴ The California Least Tern and California Clapper Rail are two endangered species that have been found in the vicinity of the Gateway Park site. The California least tern nests in colonies on bare or sparsely vegetated areas near the coast. This species is typically found in the Bay Area during its breeding season from May through August.

23 City of Oakland Community and Economic Development Department, Report of the Community and Economic Development Agency to the Oakland City Administrator, May 8, 2007.

24 Fowler, Amy (Caltrans), Interview, March 14, 2007. Jensen, Jeff (Caltrans), Interview May 14, 2007.

The California clapper rail is a year-round resident of coastal salt marshes. This species is known to exist in the Emeryville Crescent area. Both the State and Federal Endangered Species Acts include the clapper rail as an endangered species.²⁵

Other biological impacts in the Gateway Park site vicinity may involve plants. A large portion of plants found at the Gateway Park site are ruderal plants (Herbaceous species).²⁶ *Grindella stricta angustifolia* (common name is Marsh Gumplant), included in List 4 of the California Native Plant Society's inventory, are found at the western end and along the southern shoreline of the Gateway Park site.²⁷ It has no federal or state status; however, it is considered to be locally significant.

3.5.2 Hazardous Materials

Some levels of soil and groundwater contamination have been documented at the Gateway Park site. Contamination is attributed to its industrial past, landfill, and other activities associated with past uses of the site. The U.S. Army may retain liability for remedial activities at the Gateway Park shoreline park (generally along the southern shoreline) that is currently being transferred to the EBRPD, and for any contaminated marine sediments located near the storm drain outfalls at the former Oakland Army Base. There also appears to be a former landfill area and attendant Volatile Organic Compounds (VOC) on the Gateway Park site.²⁸ The VOC hot spot appears to be associated with unauthorized, undocumented spills at the end of Burma Road. This area contains elevated levels of VOCs in groundwater and pesticides in soil.²⁹

Additional contaminants are summarized in Table 3-2. Contaminated soils and/or groundwater have been found around the EBMUD dechlorination facility, bridge footings, and former landfill site located immediately west of Pier 7. Contaminants include silver, cadmium, chromium, nickel, polycyclic aromatic hydrocarbons, lead, polychlorinated Biphenyl, tetrachloroethene, antimony, semi-volatile organic compound, titanium, total petroleum hydrocarbons, total recoverable petroleum hydrocarbons, and volatile organic compounds. The existing East Span, during demolition, may also emit contaminants since lead-based paint and asbestos were used on the existing bridge. Additionally, lead

25 Caltrans, San Francisco – Oakland Bay Bridge East Span Seismic Safety Project FEIS, Pg. 3-76, 2001

26 Ibid, Pg. 3-18, 2001

27 Ibid, Figure 3-73.

28 Ibid.

29 Oakland Base Reuse Authority, Final Environmental Base Survey for Transfer for Oakland Army Base, July 2002.

Table 3-2: Known and Potential Contaminant Sources - Oakland Touchdown Area

Source Area	Contaminant
Bridge footings in eastern approach area	Soil: TRPH, PAHs, Pesticides, PCBs, and Pb Groundwater: TRPH, Sb, Cd, Cr, Ni, Ag, and Ti
Army Site #1: western end of Burma Road in Parcel 1	Soil: TPH as mot oil and PCE
Army Site #2: 1500 feet east of west end of Burma Road in Parcel 1	Soil: TPH as mot oil
EBMUD Dechlorination Facility	Soil: Sodium Bisulfide
Former Landfill Area (southeast)	Soil: TPH, VOCs, SVOCs, and Pb Groundwater: TPH and SVOCs
SFOBB Structure	Lead-based paint and asbestos

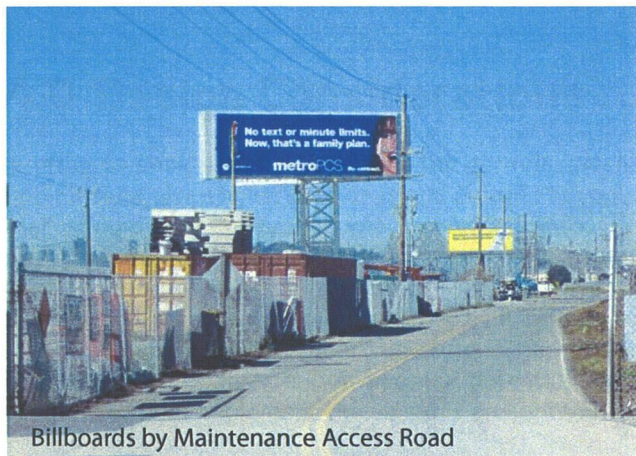
Notes: PAHs = Polyarmatic Hydrocarbons SVOC = Semi-volatile Organic Compound
 Ag = Silver Pb = Lead Ti = Titanium
 Cd = Cadmium PCBs = Polychlorinated Biphenyl TPH = Total Petroleum Hydrocarbons
 Cr = Chromium PCE = Tetrachloroethene TRPH = Total Recoverable Petroleum Hydrocarbons
 Ni = Nickel Sb = Antimony VOC = Volatile Organic Compound

Source: Caltrans, The San Francisco - Oakland Bay Bridge East Span Seismic Safety Project EIS, Pg. 3-54. Original Source: Hazardous Wastes Assessment, 1998.

contamination due to vehicle exhaust emissions of leaded gasoline may exist in materials next to freeways constructed prior to the ban of such fuels.³⁰ See Appendix J for the location of potential contaminant sites.

two-sided electronic screens, which are highly visible from the freeway during both the daytime and nighttime. These easements are considered permanent.

3.5.3 Visual



Billboards by Maintenance Access Road

The Port of Oakland has reserved easements for three billboards and two cell phone towers within the Gateway Park site area, of which all but one (billboard) currently exist. The billboards and cell phone towers are highly visible from Burma Road, Maintenance Access Road, and the I-80 freeway. One of the existing billboards has

3.5.4 Noise

The Gateway Park site is located next to one of the busiest freeway corridors in the country, with nearly 300,000 vehicles crossing the Bay Bridge daily. While future noise levels at the Gateway Park site should be lower after the new bridge opens (due to the northern alignment and single deck of traffic) and the existing bridge is demolished, the site will still likely be impacted by traffic noise levels. The FHWA sets Noise Abatement Criteria (NAC) and assigns them to both exterior and interior activity categories. The FHWA noise abutment criteria define 67 dBA as the threshold for traffic noise abatement consideration for parks. The existing noise levels range from 65 dBA at the eastern end of the site to 74 dBA near the west end.³¹ The new East Span alignment is expected to reduce noise level by 3 to 6 dBA. However, the noise level at the western end of the Oakland Touchdown area would still exceed the NAC for a park.³²

30 Caltrans, San Francisco - Oakland Bay Bridge East Span Seismic Safety Project FEIS, Pg. 3-52.

31 Caltrans, San Francisco - Oakland Bay Bridge East Span Seismic Safety Project FEIS, Pg. 6-17, 2001.

32 Ibid.



Gateway Park Design Concept by Caltrans

4.0 Design Considerations

In order to ensure compliance with the permits, attention must be given to various ideas and design concepts that should eventually become integrated into the overall vision for the Gateway Park site. This section presents a possible vision for the site, as well as past designs and different design elements as it relates to the museum and landscape architecture. Then in the following section, information about a potential work program to help implement the vision is presented.

4.1 Vision

Creating a vision for the Gateway Park site involves the act of asking: "What is possible?" As the question is answered, the question is asked again. Through an iterative process, the question deepens and the answer expands. What *really* is possible? What *more* can we see? What more can we imagine? In a world free of limitations, what *would* we create? For the Gateway Park site, the fundamental question is this: "What vision is worthy of the immense possibilities of the most significant fu-

ture public place in the entire Bay Area region?"

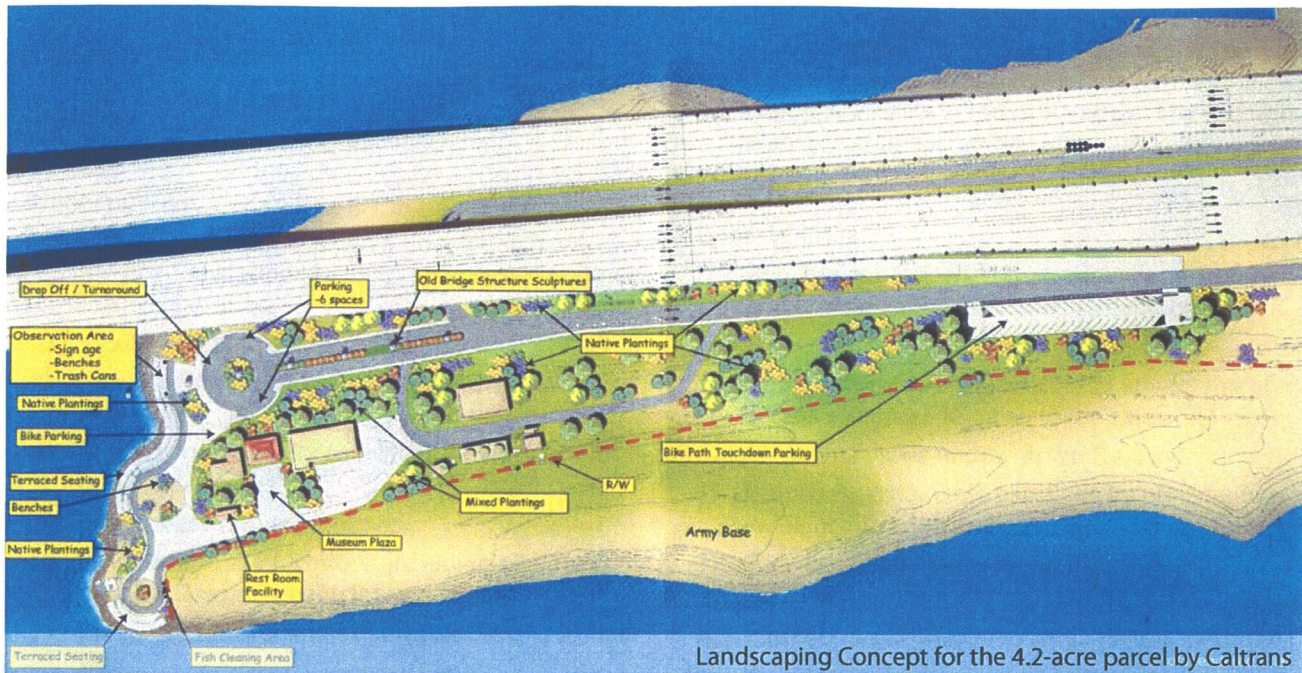
Creating a vision for the site starts with grasping the possibilities. Standing at the end of the Oakland Touch-down, facing the magnificent sweep of the San Francisco Bay, is to place your feet at the geographic center of the Bay Area, one of the world's great places. The sweep of the Bay takes it all in: the busy Port of Oakland, distant San Bruno Mountain, historic Yerba Buena and Treasure Islands, San Francisco's downtown skyline, Mount Tamalpais and Angel Island. Turning about brings the East Bay into view: the green backdrop of the Berkeley Hills and the skyline of downtown Oakland. Set like a diamond within this arc is the symbol that brings it all together: the 21st Century icon of the new Bay Bridge East Span.

People already get the possibilities of this site - the current ideas for a museum are potentially in scale with a "signature" vision for Gateway Park. Yet, the site's regional - even national - significance calls out for a program that transcends any single use or theme. This site has the potential - perhaps more than any other site in the region - to embody all the aspects, both natural and cultural, that conspire to form this special place we call the Bay Area. The site cries out for inclusiveness and celebration, for "gateway" in the broadest sense. Above all, this site asks of us one thing: Think big!

To think big is to bring together in dynamic equilibrium elements that many may feel are opposites. The site sets on artificial land set in the midst of one of the world's great natural harbors. The Bay, its islands and surrounding mountains are magnificent works of Nature; the bridge is symbolic of Humankind's highest creative potential. On one hand, the bustling world of the Port - on the other, the quiet histories of Yerba Buena and Angel Islands, stories of contact and migration - all gateways of another kind. In the center of all of this, stories unfold of transportation and technology: bridges old and new, trains, sailboats and container ships, great highways, semi-trucks and bicycles. To somehow take in all of it, to honor every story, to celebrate the sheer complexity of what defines a world-class place - this is a vision worthy of Gateway Park. This is thinking big.

Two themes stand out that underpin this vision: *Community* and *Connections*.

Community - The Gateway Park site has the potential of being a great gathering place for the diverse communities of the Bay Area, a Complex Commons on the scale of a region. As a place of the people, the site should evolve as a collaborative community expression - all should feel ownership of this place and all should be welcome. Any activity that thrives on the Commons



could be at the future Gateway Park: museums, discovery centers, educational facilities, entertainment, recreation, even shopping. A public waterfront, signature architecture, great public spaces, natural parkland, walkways and trails, places of intense activity and quiet contemplation - all are called-forth by the theme of community.

Connections - At the Bay Area's geographic center, the Gateway Park site is at a crossroads. The Bay Bridge carries vehicles - and soon, bicyclists and pedestrians - between the San Francisco Peninsula and the East Bay. On the water, ferries already link San Francisco to Oakland, Alameda and Berkeley. As a new East Bay waterfront destination, the site may also attract service by ferry and water taxi, with links to Treasure Island, Oakland, Alameda, San Francisco, Emeryville, and Berkeley. The Bay Trail and the Bay Bridge will meet at the site, a nexus of the Bay Area's regional network of bike trails and walking paths.

In a greater sense, the theme "*connections*" defines the core vision of the future Gateway Park. Connections are *physical* - the realm of transportation. Connections are *cultural* - the park as the meeting place of the Bay Area's diverse communities. Connections are *historic* - the rich histories of rail, road, and water transportation have all passed through this place and left their imprint. Behind all of this is another connection, one that captures the great experiment of human settlement in the Bay Area: the meeting of the natural and the manmade, a connection sometimes grand, often messy, ever fascinating.

One thing is clear: an opportunity like Gateway Park comes about rarely, in any region maybe once or twice in a generation. This is a moment for the people of the Bay Area to seize the day. A great vision will lead to great action, and a great place will be created, a place equal to its very special location in the world.

4.2 Previous Designs

Over the last decade, a few design concepts for the Gateway Park site have been developed, as plans to develop the site into a signature park for the East Bay have percolated. Various concepts have been developed by designers and landscape architects with some engagement from agencies, stakeholders, and enthusiasts. The following section provides a brief summary of three design concepts developed during the design phase of the Bay Bridge East Span Seismic Safety Project.

Caltrans Landscaping Concept

Developed to comply with Permit 11-93 requirements, this landscaping concept was developed by Caltrans staff. The concept is primarily vehicular and bicycle focused. It includes a direct access road leading into the Gateway Park 4.2-acre site, with a parking lot near the entrance and touchdown point of the bicycle pathway. The concept also includes parking for six vehicles at the west end of the site for access to plaza areas. As the concept plan was designed by Caltrans for its 4.2-acre-owned parcel, it is not integrated with the Army Base

property to the south; therefore, shoreline access and full opportunities of the site are not depicted.

For comparative purposes, the proposed concept offers the following opportunities and constraints:

Opportunities

- 1) Strong emphasis on a plaza (located in front of the Key Substation building) and preservation of existing facilities.
- 2) Provides public restroom facilities.
- 3) Provides terraced view seating on western shoreline.
- 4) Provides opportunity to include artwork of old bridge sculptures.
- 5) Emphasizes native plantings.
- 6) Provides for site furniture, including bike racks, benches, trash receptacles and signage.
- 7) Preserves natural and existing landforms of the site.
- 8) Maintains regional views.

Constraints

- 1) Limits opportunities to utilize the broader park area and access to shoreline.
- 2) Vehicular emphasis and restricts pedestrian circulation throughout the site.
- 3) Minimal parking for a plaza and lack of direct access to terraced seating.

Landscaping Concept by PGA Design

This concept developed by PGA Design is also vehicular oriented, with a direct access road leading through the site, and emphasizing a number of isolated parking facilities along the entire length of the site. A strong emphasis is also given to a series of pedestrian and bicycle paths that meander throughout the site, linking to the bridge in the area between the eastbound and westbound bridges. This concept does not include



Landscaping Concept by PGA Design

a museum, but it does preserve some of the existing facilities such as the dechlorination facility. The proposed site plan also utilizes the entire site and allows access to the shoreline on all three sides. The following are the observed opportunities and constraints associated with this concept:

Opportunities

- 1) Provides for a strong emphasis on pedestrian and bicycle connections and circulation.
- 2) Preserves natural or existing landform.
- 3) Utilizes the entire site and takes advantage of access to shoreline on all three sides.
- 4) Preserves views to downtown Oakland.
- 5) Proposes sustainable practices by utilizing bio-swale or filtration swales.
- 6) Provides opportunity for wetland habitat.
- 7) Viewing opportunities are defined.
- 8) Caltrans access/service roadways are separated.
- 9) Provides regional pedestrian/bicycle connections.
- 10) Public plaza provides a central gathering space.
- 11) Bicycle connection to bridge utilizes space between east and westbound bridge.
- 12) Preserves some of the existing historic facilities.

Constraints

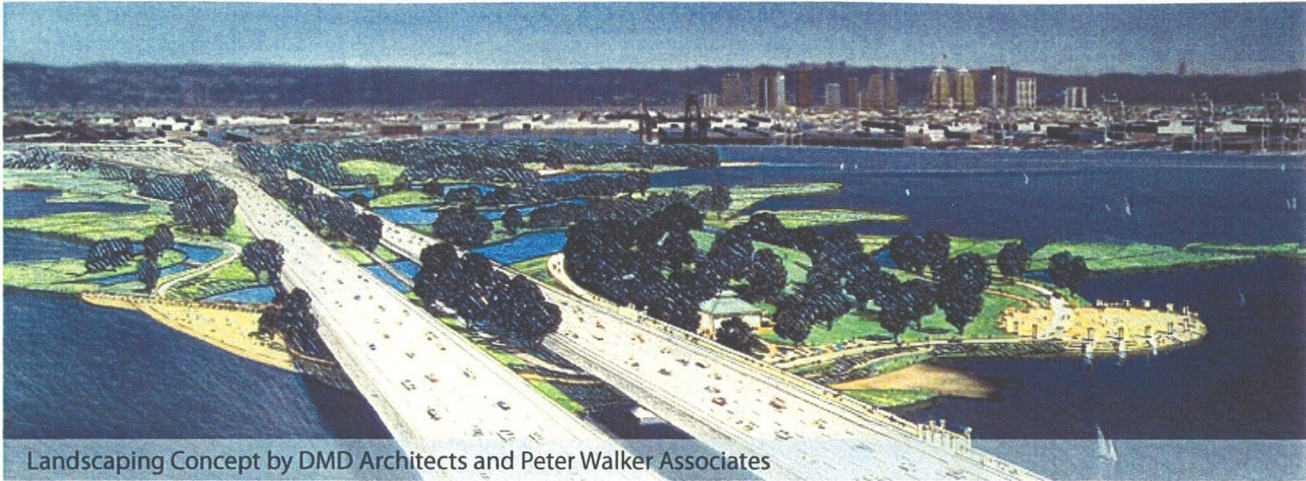
- 1) Parking facilities dominate the site and emphasize vehicular use.
- 2) Large parking lot at west end of the site becomes emphasis of site.
- 3) Site planting does not reflect natural character of site.
- 4) Wetland habitat areas are limited.
- 5) Utilization of entire site on the north side of the bridge is limited.

Park Concept by DMD Architects and Peter Walker Associates

This concept, developed by DMD Architect and Peter Walker Associates, places emphasis on pedestrian and bicycle movements through the park and minimizes a vehicular approach to park use.

The proposed site plan indicates a reconfiguration of the natural landform and utilizes both sides of the bridge which maximizes access to shorelines. The concept also illustrates redefining the shoreline edge by development of additional inlets, water quality improvements, wetland habitat, and ponds.

Opportunities



- 1) Provides maximum access by pedestrians to shorelines.
- 2) Preserves natural shoreline character and natural landforms.
- 3) Minimizes focus on vehicular access.
- 4) Provides opportunities for habitat improvements.
- 5) Provides opportunities for water quality improvements.
- 6) Opportunity to preserve existing historic facilities.
- 7) Public vista points are located throughout the park site.
- 8) Emphasizes a passive recreation approach and maximizes open space.
- 9) Opportunity for regional connections and views.
- 10) Emphasizes a unique gateway approach which fits with the natural character of the site.
- 11) Provides opportunity to enhance topography and create more areas of interest.
- 12) Provides opportunity for shared multi-use pathways including maintenance circulation.

Constraints

- 1) Vehicular access is limited.
- 2) Existing facilities would require relocation.

4.3 Museum Design Options

A key design element of the Gateway Park site includes a museum, which could encompass many items from educational exhibits, bridge salvaged items, to possibly a gift store. There are several examples in the Bay Area to choose from for design and content inspiration: San Francisco Museum of Modern Art, DeYoung Museum, Oakland Museum, just to name a few. Interest in sal-

vaging components of the Bay Bridge for an exhibit has resulted in the establishment of a \$1.5 million budget to conserve and interpret some of the components. Salvageable items collected to date include the models for the proposed signature span from the design competition, heater/stove from Yerba Buena Island, original Bay Bridge model, square rebar from the West Approach, and scale models of Sheer Link Beams tested by UCSD.

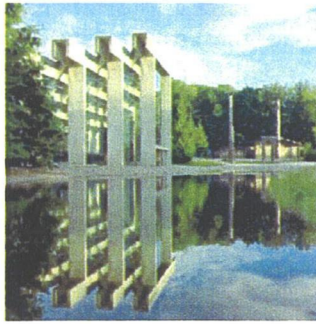
The Gateway Park site has been identified as a potential site for locating such an exhibit. Exhibit options may include:

- locating in a single-use, on-site museum,
- locating in an off-site museum,
- locating in a park building, or
- co-locating with other park district uses.

In order to help develop a better understanding of museum possibilities, Figure 4-1 on the following page provides a photographic survey of museums and exhibition centers around the country and world (e.g., South Korea, Hong Kong). These examples of museums and exhibits illustrate single-theme museums, as well as museums located in park-like settings and adjacent to bridges.

One example in particular, the Yeongjong Grand Bridge Exhibition Center in Incheon, South Korea, offers similar features as a potential museum located at the Gateway Park site would offer, as it is located at a bridge terminus and features views of the recently built, self-anchored suspension span. The Yeongjong Museum is a three-story building that embodies a single theme -- featuring the Yeongjong Grand Bridge. The first floor and lobby of the main exhibition center include pictures illustrating the history of bridge construction, a theater gallery, rest area and gas station outside. On the second floor, various exhibits showing all aspects of the Incheon International Airport Expressway and major suspension bridges in the world are featured. On the third floor,

Figure 4-1: Museum Project Examples



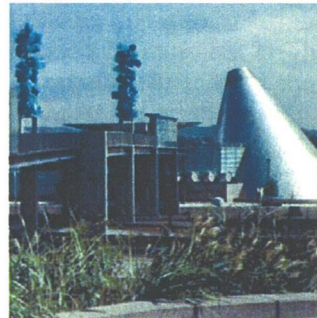
The Museum of Anthropology is located in a natural park setting on the campus of the University of British Columbia. Designed by Arthur Erickson.



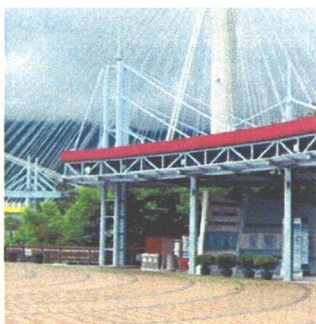
The San Francisco Museum of Modern Art designed by world-renowned architect Mario Botta. The MOMA is part of a broader urban park and entertainment district, known as the Yerba Buena cultural district.



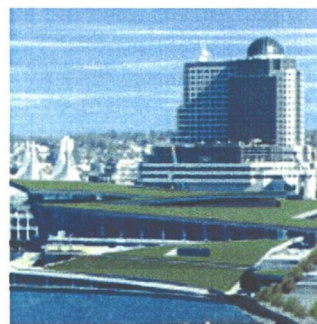
The Yeongjong Grand Bridge Exhibition Center is located in the new town of Incheon, South Korea near the three-span continuous self-anchored suspension bridge.



The Museum of Glass is another small, single theme museum located in Tacoma, Washington. The museum capitalizes on spectacular views of Commencement Bay and a dramatic adjacent cable-stayed bridge.



The Airport Core Programme Exhibition Centre, is housed in a single-story distinctive white structure in Hong Kong. The exhibition centre provides spectacular viewing opportunities for Ma Wan Channel and a road-and-rail suspension bridge.



The Vancouver Exhibition Centre is located on the water in Vancouver, BC. The project benefits from exceptional views, and features sustainable architecture including green roof technology.

a viewing deck and materials/structures used to construct the Expressway are also exhibited.

4.3.1 Theme

A major theme and draw for the proposed museum located at the Gateway Park site would be the new East Span of the Bay Bridge. In full view of the new bridge and world's largest SAS, visitors could enjoy exhibits featuring the engineering marvels of this magnificent bridge. Additionally, other museum features might include: Bay Bridge history, design and construction; other transportation exhibits featuring the Key System, other Bay Area bridges, and possibly the Port of Oakland; salvaged materials and historical photos; engaging educational exhibits; and, cultural and natural history exhibits. Exhibits could range from simple, interpretive signs and objects placed strategically in the landscape

at the park site, to formal exhibits within architecturally significant interior spaces featuring expansive views of the Bay, Yerba Buena and Treasure Islands, and San Francisco.

4.3.2 Architecture

Concepts for a museum structure range from adaptive reuse of the existing, on-site, historic Key Pier Substation building, to development of a new structure specifically designed for museum use. Renovation of the Key Substation building may be a lower cost option that optimizes an existing site resource. The building architecture is civic in appearance and would naturally lend itself to this use. Alternatively, a new structure could be designed and programmed to function more efficiently for projected uses while complementing the

character of the site. The range of development options for a new structure extends from modest, park-like interpretive centers with a small building footprint, to a mid-sized, discovery center-type building including exhibition space and administrative and classroom space, to a high end, architecturally significant museum. Museums of this architectural caliber often become as much a destination for their design as for the exhibits they contain.

4.3.3 Function

The Gateway Park site is semi-remote and located in a non-urban setting. Because of this, transit access and resident foot traffic is lacking, and visitor attraction may be constrained. For this reason, in addition to museum exhibits, other functional uses should be considered in the early planning stages of the museum or exhibition center project. Evaluating alternatives, cost-benefit and market analyses could help determine the project type and size to target. A funding strategy that combines museum and park development into a single project may produce the best outcome in terms of a well-coordinated design and compatible programmatic goals.

To be financially self-sustaining, a variety of revenue-producing uses should be considered. Classrooms, cafes, and rental spaces for events are common compatible uses found in museums. A valuable site advantage is the exceptional view of the Bay. Equally important will be the quality of the museum exhibits, and the quality of the landscape and building architecture. To contribute to the success of a museum on this site, the project must entice paying visitors and events and possess the ability to compete with other venues. It is possible that exceptional architecture, coupled with a beautifully developed landscape, could transform this site into a popular location for educational seminars, concerts, weddings and other large parties, business retreats and even small conventions. The goal is to plan for generating enough revenue to pay for the development and ongoing operation and maintenance of the facility and/or site.

4.3.4 Park Master Plan

The quality of the built environment will be key to the success of a museum facility planned for the site. Currently the site is impacted by a variety of industrial and

municipal infrastructure uses. In addition, planning for future highway maintenance facilities and project mitigation must take into account the potential impact or limiting affect the development could have on creating a sense of place and ceremonial entry to the site. The visitor experience should build from the earliest point possible despite the industrial setting. To this end Burma Road, the BMP Pond, and the Caltrans Maintenance Complex can contribute to the positive experience and should be designed as a part of the Park Master Plan.

A park boulevard, on a grand scale, should be planned for the redevelopment of Burma Road, including street trees and landscaping along both sides. For the Maintenance Complex, a formal arrangement of buildings is needed. Simple but clean-lined shop architecture and attractive landscaping should be the only façade of the complex facing the Burma Road park boulevard and visible to the park visitor. The building architecture should echo the architecture of the museum or visitor center in materials, colors and spirit (or vice versa). Fences can be tucked back between buildings, and hidden by landscaping. Complex parking and outdoor storage should be located in a clean formal arrangement north of the buildings so that it is hidden from the boulevard. A gated and landscaped entrance to the complex should be planned, connecting to the road.

The BMP Pond³³ and bioswale³⁴ designs also offer creative design opportunities that could contribute to the aesthetic experience and sense of entry to the Gateway Park site. The BMP Pond could be redesigned with a curvilinear, sculpted and more natural form with native plant materials, which could then become an identifying feature of the entrance sequence to the park, contributing positively to the beauty as well as function of the site. The bioswale could also be designed to integrate into the overall landscape, with a naturalistic, curvilinear alignment and native plantings. Both water quality features could be interpreted as a part of the site interpretation plan, describing the natural systems and functions that are enhanced by these facilities and the role that mitigation plays in the SFOBB East Span project.

4.4 Landscape Architecture

Over the last decade as discussions about the park site have evolved, stakeholders have envisioned the site as a signature park or gateway to the East Bay regional

³³ There are many different types of BMP facilities, including wet ponds, wetlands, dry pond, and various filtration systems.

³⁴ A bioswale is a broad open channel that is lined with grass vegetation, which acts as a filter to remove pollutants from runoff. It is usually trapezoidal with flat bottom.

park system. The site reveals tremendous opportunity to achieve the desired gateway affect. Previous discussions and concepts have indicated various themes, concepts and functions, including the integration of a museum and other facilities that are in context and can function to serve as the gateway or signature park that everyone has envisioned. As themes and concepts are developed for a public open space/recreational area, it is important to include the following site specific planning considerations in mind:

- **Trail design:** Designed to enhance the experience of the user and movement along a shoreline.
- **Improvements along the shoreline** that provide closeness to water opportunities: It is important to take advantage of the proximity to the shoreline and improvements, such as sandy beaches, tidal stairs, tidal ramps, piers or docks, which are recommended.
- **Shoreline erosion control:** Should be appropriate for the site, and enhancements, such as structures, rip-rap (layered rocks placed on a sloping bank), native shoreline plantings, or walls, should be considered.
- **Public gathering areas:** Public spaces should provide for a variety of user experiences from a small intimate space to a large communal space. Provide a variety of seating choices that supports focal areas and maintains or emphasizes views.
- **Stormwater facilities:** Integrate sustainable practices with stormwater run-off, such as bioswales or retention areas that will enhance the aesthetic qualities of the site.
- **Safety:** Facilities should be designed to promote safety through integration of pedestrian railings, separation of transportation uses, and meet ADA requirements.
- **Sensitivity to wildlife** adverse effects: Facilities should be designed to separate wildlife areas from human use through the use of physical buffers or site amenities. Incorporate interpretive information to increase awareness of sensitive areas.
- **Site furnishings:** Site furnishings should be consistent with the character of the site or proposed theme. Site furnishings should be durable, safe and vandal resistant. Site furnishings should be appropriate for all anticipated levels of use.
- **Vegetation:** Vegetation should be utilized to preserve and enhance specific views, provide erosion control, provide a sense of scale to

humans, used for buffer treatments, enhance wildlife, and increase aesthetic values of the site. Native vegetation should be used wherever possible.

- **Public art:** Integration of public art or interpretive information enhances a persons experience on the cultural, historic or natural values of the site.
- **Signage:** Provides wayfinding opportunities, interpretive exhibits, general information and guidance capabilities.
- **Roadways:** Designed to keep views as open as possible and integrated with alternative modes of transportation such as pedestrians, bicyclists, etc.
- **Parking:** To be screened and within scale of park site. Also provide, but minimize, in-car viewing opportunities within the site.

There are several regional examples in the Bay Area that integrate the site design criteria listed above, including the Middle Harbor Shoreline Park in Oakland, Carquinez Shoreline Regional Shoreline Park located at the southern terminus of the Carquinez Bridge in Martinez, and Golden Gate Bridge in San Francisco.

The Middle Harbor Shoreline Park (MHSP) was built on the site of the former Oakland Naval Supply Depot. When the depot closed in 1998, the property was transferred to the Port of Oakland, with the intention of becoming a 38-acre shoreline park. Development of the park site took place between 2002 and 2004, and the park today is operated by the East Bay Regional Park



Middle Harbor Shoreline Park

District.

Redevelopment of the former depot included the restoration of local beaches and the creation of a lagoon. Amenities within the park include a fishing pier, play-

ground, observation areas, restrooms, picnic tables, reservable picnic tables, BBQ pits, viewing scopes, and benches. The mast of the *USS Oakland* is also displayed at the entrance of the park. The Room with a View, which is part of the MHSP, is a project of the Port of Oakland, in fulfillment of BCDC permit conditions, and a commitment to the California State Historic Preservation Officer for the redevelopment of the Port of Oakland Berth 30 Area. Additional photos of the MHSP are presented in Appendix H.

The Carquinez Strait Regional Shoreline Park comprises 2,795 acres of bluffs and shoreline along the Carquinez Scenic Drive between the town of Crockett and the hillsides overlooking Martinez. This parkland provides a gateway to the river delta region along the northern edge of Contra Costa County. The park offers a multi-use trail for hiking, bicycling, and horseback riding. Amenities within the park include fishing piers, picnic tables, and restrooms.

The Golden Gate Bridge also offers amenities and design considerations applicable to the future Gateway Park, as illustrated in the photo scan provided in Appendix H. Public access amenities at this landmark bridge include a bicycle/pedestrian pathway and viewing areas on the bridge, landscaped areas, parking spaces, transit connections, and a gift shop/café at the southern terminus. The bicycle/pedestrian pathway on the Golden Gate Bridge has also been designated as part of the Bay Trail.

Figure 5-1: Program Development Process



5.0 Program Development

Developing a program to implement the various aspects of the Gateway Park site already mentioned, from the bikeway to a museum, will require steady, strategic coordination and stakeholder involvement. As illustrated in Figure 5-1, the stages of program development should include planning and visioning through design and construction.

5.1 Stakeholder Involvement

As presented in Table 5-1 on the following page, stakeholders have been involved in the planning and discussions for the Gateway Park site over the last decade, stemming back to the EBRPD Technical Advisory Committee meetings in 1998/1999 to the more recent BCDC meetings in 2006. Stakeholder agencies recently committed to meeting annually to discuss Gateway Park related issues. It has been noted that the meeting frequency should be increased as the program development advances. There are various levels to stakeholder agency involvement, including:

Federal Agencies

- Federal Highway Administration
- National Park Service
- U.S. Army
- U.S. Army Corps of Engineers
- U.S. Coast Guard
- U.S. Fish and Wildlife Service
- U.S. Navy

State Agencies

- California Department of Transportation
- California Department Fish and Game
- California State Historic Preservation Officer
- California State Parks
- California Transportation Commission

Local/Regional Agencies

- Association of Bay Area Governments
- Bay Area Toll Authority
- City of Emeryville
- City of Oakland
- East Bay Municipal Utility District
- East Bay Regional Park District
- Oakland Museum

- Oakland Redevelopment Agency
- Pacific Gas & Electric Company
- Port of Oakland
- San Francisco Bay Conservation & Development Commission

Key parties that have been involved in discussions related to the Gateway Park site include Caltrans, BATA, EBRPD, BCDC, and the City/Port of Oakland. Caltrans recently initiated planning efforts to gather and assimilate information related to the Gateway Park site, as presented in this document. Preliminary meetings with TBPOC partner agencies (Caltrans, BATA, and CTC) also occurred in Spring 2007. Concurrently, Caltrans will continue to take a lead role in fulfilling the requirements of the two BCDC permits and Section 106 compliance. Looking forward, a lead agency should be identified to facilitate stakeholder meetings and spearhead future stages of development.

5.2 Planning and Visioning

Planning and visioning will help chart the course for future program development. Recent planning efforts have included the gathering of information, conducting of staff interviews, facilitating early coordination meetings, collecting documents and drawings, and synthesizing of all gathered material. Coordinating the multiple pieces of the site (e.g., permit compliance, public access, bikeway, and museum) will entail careful and well orchestrated planning. Planning activities should support the visioning for the future site and development of different site alternatives.

Visioning is an important early step, as this process establishes a framework for developing a design concept for the Gateway Park site. Figure 5-2 illustrates the process of developing a design concept, starting from visioning. Visioning is synonymous to brainstorming. Participants typically brainstorm ideas, and through facilitation, these ideas are synthesized into a shared vision, which can then be adopted by the group. This collaborative and creative process should be conducted at the beginning of a project.

Based on the visioning, alternatives might be formulated, which would then be screened for fatal flaws based on the information collected earlier. The development of alternatives would feed into the project initiation document, also known as the Project Study Report (PSR).

Table 5-1 : Timeline of Stakeholder Involvement

October 7, 1997	Coordination Meeting: Caltrans initiated coordination meetings with the EBRPD and Port of Oakland to discuss the East Span Project, land use issues, and Gateway Park development possibilities. Participating Agencies included EBRPD, Caltrans, City of Oakland, the U.S. Army, NPS, ABAG, and BCDC
February 18, 1998	Coordination Meeting: Participating agencies included the EBRPD, Caltrans, City of Oakland, U.S. Army, NPS, ABAG, and BCDC
July 22, 1998	EBRPD TAC meeting on Gateway Park: Participating agencies included the EBRPD, Caltrans, OARB, EBMUD, MTC/BATA, Port of Oakland, BCDC, ABAG, and NPS
December 2, 1998	EBRPD TAC meeting on Gateway Park
February 10, 1999	EBRPD TAC meeting on Gateway Park
March 11, 1999	Caltrans and FHWA held a meeting to discuss the status of the Gateway Park in relation to Section 4(f). Other participating agencies included the City of Oakland, EBRPD, Port of Oakland, and NPS. The participating agencies agreed that the Gateway Park should be a regionally significant recreational facility, providing a gateway to the East Bay. ³⁵
August 11, 1999	Coordination Meeting: Participating agencies included the EBRPD, Caltrans, City of Oakland, U.S. Army, NPS, ABAG, and BCDC
October 2001	A letter from Caltrans to the City of Oakland
July 2006	BCDC Meeting on Gateway Park
March 24, 2007	Public Access Coordination Team Meeting #1: Participating agencies included Caltrans, BATA and CTC.
April 24, 2007	Public Access Coordination Team Meeting #2: Participating agencies included Caltrans, BATA and CTC.
April 25, 2007	Bicycle/Pedestrian Stakeholder Meeting #1: Participating agencies included Caltrans, EBRPD, City of Oakland, BCDC, BATA, ABAG, Port of Oakland, and ACTIA.
May 23, 2007	Bicycle/Pedestrian Stakeholder Meeting #2: Participating agencies included Caltrans, EBRPD, City of Oakland, BCDC, BATA, ABAG, Port of Oakland, and ACTIA.

Typically, the first step in a systematic approach to site design includes a plan which is broken into three phases, as follows:

- The first phase is a survey, or collection of data/facts about the site. This would also include a programming session to determine stakeholder or agency goals and intent of the site. This information is compiled onto a site analysis plan.
- The second phase is the analysis or the making

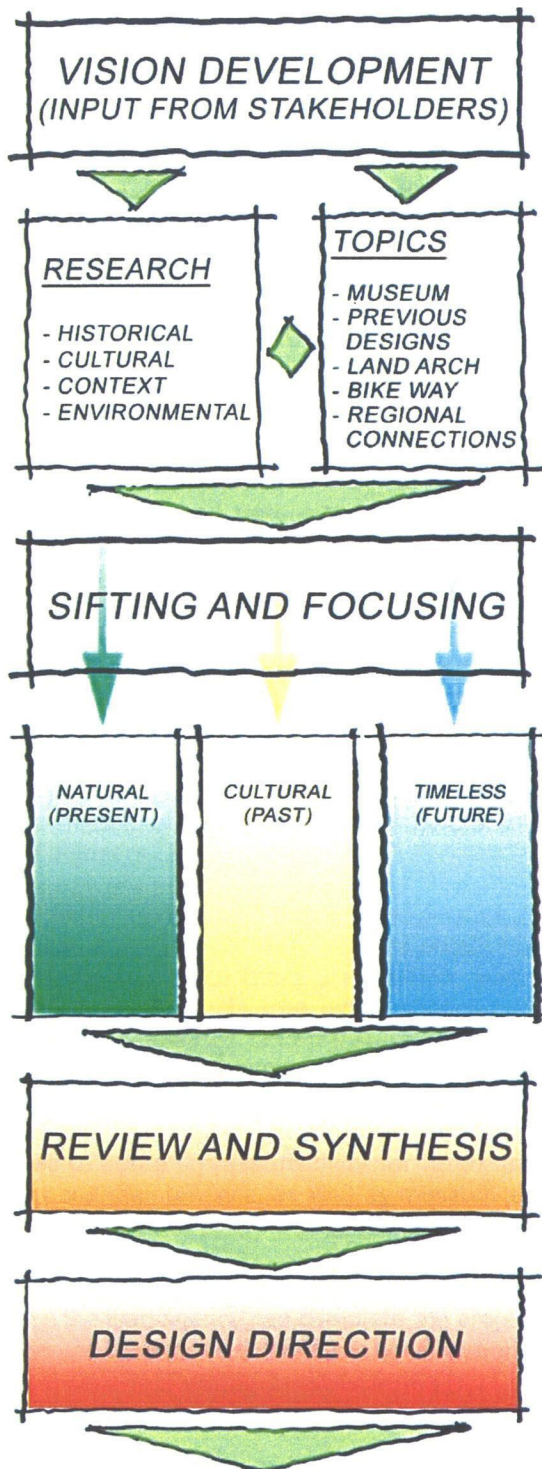
of value judgments about the facts. This would also include a listing of all the opportunities and constraints associated with the site.

- The third part of the site development includes the synthesis or weaving of the results of analysis into a comprehensive form and organization solution to the problem. This would typically result in development of concepts or alternatives, which are then screened or weighed against the criteria and objectives of the program and then refined to a single

³⁵ Caltrans, San Francisco – Oakland Bay Bridge East Span Seismic Safety Project FEIS, Pg. 6-10, 2001.

preferred solution or final plan that meets all the goals, functional needs and opportunities. Several refinement studies may be necessary in between the initial concepts/alternatives and the final plan as the program progresses.

Figure 5-2: Visioning Process



5.2.1 Master Plan

A Master Plan may be developed for the Gateway Park site based on the vision statements adopted by the stakeholders in the visioning/planning stage. The Master Plan is a comprehensive long-range plan intended to guide growth and development of an area. The Master Plan should include goals and objectives for specific elements, such as open spaces, on-site facilities, and circulation, thereby ensuring that different components are compatible with and complimentary of each other. Ideally, the Master Plan for the Gateway Park program should include the actual 4.2-acre site, other Caltrans-owned property in the vicinity, the EBRPD land along the shoreline, and possibly the Oakland Army Base Re-development site.

The Master Plan should assist stakeholders in developing a program roadmap for the site, and may address such issues as:

- Transportation
- Land Use
- Community Facilities
- Economic Development
- Natural Resources
- Environmental Hazards
- Park/Open Space
- Recreation
- Utility/Public Service
- Cultural/Historic Resources
- Regional Concerns
- Landscaping Design/Context Sensitive Design
- Implementation

The Master Plan is not a binding a document, but it should be the basis for developing a detailed concept plan and PSR.

5.3 Project Study Report

A PSR meets the statutory, CTC, and Caltrans requirements for State Transportation Improvement Program (STIP) candidacy. With the completion and approval of a PSR, a project then becomes eligible to compete for funds from the appropriate state and federal funding programs. Components of a PSR typically include:

- Background
- Purpose and Need
- Deficiencies
- Corridor and System Coordination
- Alternatives
- Community Involvement
- Environmental Determination/Documentation

- Capital Estimates
- Capital Support Estimate
- Schedule

A Preliminary Environmental Analysis Report (PEAR) is an important part of the PSR. The PEAR provides the initial environmental evaluation of a project and all feasible alternatives before it is programmed in the STIP or State Highway Operation and Protection Program (SHOPP). The PEAR typically includes existing conditions, potential impacts, mitigation measures, mitigation cost, and permits.

Among the alternatives studied in the PSR, cost, design concept and scope, and schedule of a practical alternative will be programmed.

5.4 Project Approval and Environmental Document

The Project Approval and Environmental Document (PAED) stage is required in order to determine the adverse impacts and potential need for environmental mitigation on endangered species, wildlife and waterfowl refuges, historic sites, and/or aquatic ecosystems. If a project is found to be negatively impacting resources, then a permit must be obtained from an appropriate regulatory agency. Regulatory agencies include the BCDC, State Historic Preservation Office, California Department of Fish and Game, and U.S. Fish and Wildlife Agency. If a pier or dock is to be provided as part of the Gateway Park site, then the project lead agency will also need to obtain a permit from the U.S. Army Corps of Engineers.

In addition to obtaining the required permits, stakeholder/lead agencies will likely need to obtain stakeholder agreements. Since there are multiple landowners in the Gateway Park site area, owner agencies will need to agree on land leases, land transfers, and/or easements. As mentioned previously, landowner agencies include Caltrans, EBRPD/Department of Interior, City/Port of Oakland, and PG&E. Stakeholder agencies will also need to agree on responsibility for future park operation and maintenance, as well as museum administration, if it were to become part of the park program.

After the required permits and agreements are in place, then the lead agency can complete the project final design and proceed to the bid and construction stage.

5.5 Construction and Staging

Typically after the PAED stage has been completed, the next phase is the bid package preparation, advertisement and selection. A project can then enter in the construction stage. For the Gateway Park site, however, this may be complicated, since the site may be used as a staging area for demolition of the existing East Span. If so, then the demolished materials will be hauled by trucks, barges, or both. Barges accessing the Oakland Touchdown area would require dredging of the Bay, which may not be feasible due to the proximity to the EBMUD outfall and bridge structure.³⁶ Trucks hauling debris from the demolition would need to travel along Burma Road. The demolition work is currently scheduled to take place between September 2013 and September 2015.

5.5.1 Conceptual Program Schedule

Conceptually, there are two alternatives for developing or constructing the Gateway Park site, as illustrated in Figure 5-3 on the following page. The first alternative (Option 1) is a phased approach, where portions of the site not affected by the demolition of the existing East Span may be built first and open when the new East Span opens. Alternatively, the site may be constructed after demolition of the existing East Span has been completed, i.e., after September 2015 (Option 2).

Under Option 1, the final design and bid package would be finalized upon completion of the PAED phase. Gateway Park would open concurrently with the new East Span (2013). This scenario fits well with the BCDC permits that require the 4.2-acre parcel and Segment III bicycle/pedestrian pathway to be open within one year of the new bridge opening. Caltrans staff have indicated that alignment and cross sections of the Segment III bikeway should be finalized by early next year in order to prepare the environmental documents and secure required permits, if necessary, to concurrently open the bikeway when the new bridge opens.³⁷

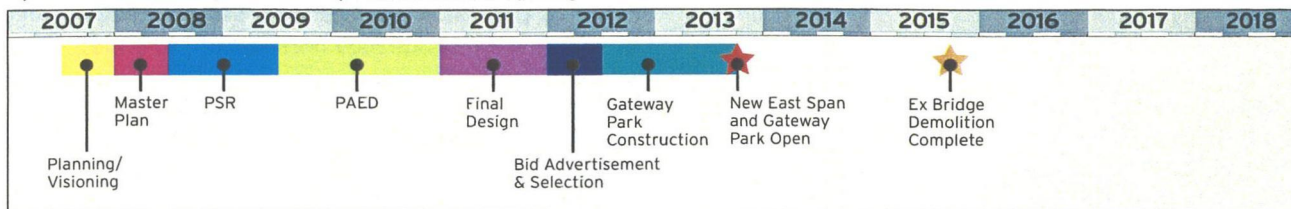
Under Option 2, construction of the park would start after demolition of the existing East Span is complete in 2015. This scenario does not meet the aforementioned BCDC permit requirements. However, the Gateway Park site may also be constructed in phases, which would then enable the BCDC permit requirements to be met.

36 Caltrans, San Francisco – Oakland Bay Bridge East Span Seismic Safety Project FEIS, 2001.

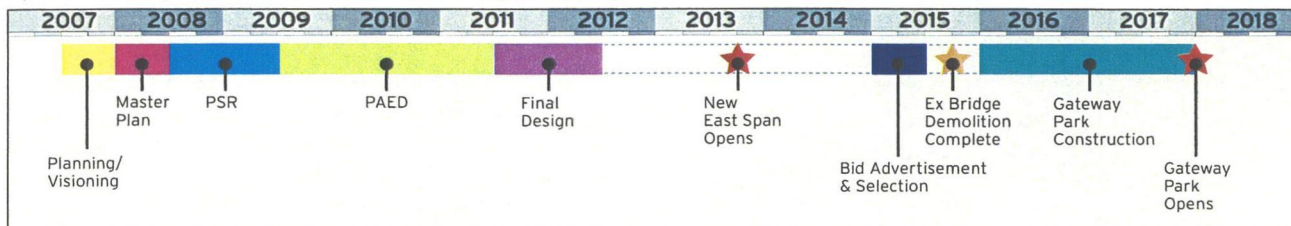
37 Galvez, Stefan (Caltrans), Interview, April 13, 2007..

Figure 5-3: Conceptual Program Schedule

Option 1: SFOBB East Span & Gateway Park Concurrent Opening



Option 2: Gateway Park Construction Starts After Bridge Demolition



5.6 Funding Plan

A funding plan will need to be developed as part of the future work program. As mentioned previously, funding applications for the PAED, design, and construction phases of the program will be submitted once the PSR has been completed. In a parallel process, as the details of the program become more well defined, Caltrans, BATA, and CTC will continue to work together to identify, apply for, and allocate funding for development of the Gateway Park site.

A possible funding source for the site development is the STIP program, which is administered through the CTC.³⁸ The STIP is a multi-year capital improvement program of transportation projects on and off the State Highway System, funded with revenues from the State Highway Account as well as other funding sources.

STIP applications are due in December of odd years and adopted in April of even years. In order to apply for STIP monies, a completed PSR is necessary. If the program team were to pursue STIP funds, then the lead agency would need to submit an application for the STIP program by December 2007 or December 2009.

Other funding opportunities include:

- **Transportation Enhancements (TE) grants,**³⁹ which fund community-based projects that

38 Caltrans, Transportation Programming - Transportation Improvement Program <<http://www.dot.ca.gov/hq/transprog/stip.htm>>

39 Federal Highway Administration, Transportation Enhancements <<http://www.fhwa.dot.gov/environment/te/index.htm>>, Accessed May 18, 2007.

expand travel choices and enhance the transportation experience by improving the cultural, historic, aesthetic and environmental aspects of our transportation infrastructure. Generally, the federal government pays up to 80 percent of the cost for a Transportation Enhancement project. The non-federal match is generally 20 percent of the cost. The fund application is coordinated through a Caltrans TE Grant Coordinator.

- **Coastal Conservancy,** which funds public access projects, primarily through by bonds. Most of available funds have been committed until additional bond measures are passed.
- **BCDC Bay Fill Clean Up & Abatement Funds,** which are fees collected by the BCDC pursuant to conditions imposed on permit applicants to mitigate the adverse impacts of permitted development, and any funds paid into the Bay Fill Clean-up and Abatement Fund.
- **Boat Launching Facility Grants** by California Dept. of Boating and Waterways, which are due on April 1 of each year. This program funds construction of launch ramps, boarding floats, shore side or floating restrooms, shore protection, vehicle/trailer parking, and other boating related items.⁴⁰
- **East Bay Regional Parks District**

40 California Department of Boating and Waterways, Infrastructure Grants and Loans <<http://www.dbw.ca.gov/facilitiesgrants.asp#BLFG>>, Accessed May 18, 2007.

- **City of Oakland**
- **Port of Oakland**
- **Public Private Partnerships**, especially as it may relate to the museum concept.

Other potential funding sources for the Gateway Park site may include \$1.1 million paid to the BCDC by Caltrans in lieu of providing a viewing area and fish cleaning station on the north side of the Bay Bridge, which is being held by BCDC in an account; and, \$1.5 million for Section 106 obligation that is allocated for a museum/exhibit for the new bridge.

One last note about the concept of "banking": The BCDC has jurisdiction over the area within 100 feet of mean high tide, and it is the primary regulatory body that deals with public access around the San Francisco Bay. If the future Gateway Park program is above and beyond what is required by the BCDC permits, then the lead agency may get credit towards a future project of similar type, scale and geography, a notion that is informally referred to as "banking". Credits may be applied toward projects where providing public access may be difficult due to public safety, conflicts with wildlife, health hazards, or the size of the project. It is preferable that the credits be applied toward projects located in close proximity to where the credits are earned. Currently, no projects have been identified for conducting such a banking transaction, as it relates to the Gateway Park site.

6.0 Next Steps

While it is early in the program development phase, now is the time to organize the numerous stakeholders in order to ensure a comprehensive, participatory planning process. This document represents a first step. Information has been gathered; interviews with key individuals have been conducted; early, stakeholder meetings have occurred, and broader meetings are on the verge of happening. Next steps, as outlined in previous sections, include coordinating a visioning and master planning process, developing a PSR, and entering into the next important phase of PAED.

A possible schedule for an action plan over the course of the next few years might look like this:

2007	Planning/Visioning
2008	Master Plan
2009	PSR
2010	PAED

The work program should be discussed and defined by the stakeholders. The 4.2-acre parcel is but one piece of the larger picture; the bikeway, Maintenance Complex, and proposed museum represent other pieces of the picture or tapestry of what is commonly known as "Gateway Park". Upcoming activities might be organized into certain subsets related to the Gateway Park site, such as:

- BCDC permit and Section 106 compliance
- Bikeway design and construction
- Caltrans Maintenance Complex
- Gateway Park (EBRPD)
- City of Oakland Redevelopment

Another important next step will also be the development of a Finance Plan and establishment of a funding stream for the Gateway Park site. Exploration of private-public partnerships should be a priority. A more detailed implementation plan and schedule should also be developed.

In conclusion, the immediate next step for this proposed work program should be the scheduling of meetings with key stakeholders, including the EBRPD, BCDC, and City/Port of Oakland.



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Appendix

Appendix A: Permit 11-93 (Public Access Sections), 1994

Appendix B: Permit 8-01 (Public Access Sections), 2001

Appendix C: Letter from EBRPD, City of Oakland, City of Emeryville, Port of Oakland Regarding Bicycle and Pedestrian Connections to the East Span of the Bay Bridge to Caltrans, dated December 22, 2006

Appendix D: Draft Section 106 Memorandum of Agreement, 2000

Appendix E: Gateway Park Site and Surrounding Area Maps- Land Ownership and Bikeway Alignment Alternatives, 2007

Appendix F: Letter from Caltrans to Oakland Base Reuse Authority Regarding Public Access to the Pedestrian/ Bicycle Path on the New East Span, dated July 17, 2000

Appendix G: Burma Road and Pier 7 Quitclaim Easement Deeds (Nonexclusive Roadway Easement and Temporary Construction Easement) dated February 11, 2002

Appendix H: Photo Logs, 2006-2007

Appendix I: National Register Eligibility for Substation Buildings, 1998

Appendix J: Potential Contaminant Sources, Oakland Touchdown Area, 2001

APPENDIX A

APPENDIX B

APPENDIX C

APPENDIX D

APPENDIX E

Appendix A

Permit 11-93 (Public Access Sections), 1994

PERMIT NO. 11-93

California Department of Transportation

(Issued on June 8, 1994, As

Amended Through March 15, 2004)

AMENDMENT NO. FIVE

Page 3

Amendment No. Two, its letter dated September 11, 1996, requesting Amendment No. Three, ~~and~~ its letter dated May 1, 1997, requesting Amendment No. Four, and its letter dated October 15, 2003, requesting Amendment No. Five, including its accompanying and subsequently submitted correspondence, exhibits and revisions, but subject to the modifications required by the conditions herein.

C. Work authorized herein must commence prior to June 30, 1995, or this permit will lapse and become null and void. All work, except work authorized by Sections I.A.1.e, I.A.2.h, I.A.2.i, I.A.2.j, and I.A.2.k, must also be diligently pursued to completion and must be completed by December 31, 1999, unless an extension of time is granted by further amendment of this amended permit prior to its expiration. Work authorized by Sections I.A.1.e, I.A.2.i, I.A.2.j, and I.A.2.k, must be completed on or before December 31, 2000, and work authorized under I.A.2.h must be completed on or before December 31, 2000, December 31, 2001 or December 31, 2006 depending upon the portion of the path as identified in Special Condition II.C.2 herein.

D. The project will result in approximately 22,150 square feet of new permanent Bay fill consisting of cantilevered and bridge structures. This fill will be mitigated by removing approximately 20,100 square feet of existing Bay fill.

Additionally, the project will result in a total of approximately 33,380 square feet of intrusion into an area reserved as a wildlife priority land use area in the *San Francisco Bay Plan*. This intrusion will be mitigated by: (1) removing approximately 13,826 square feet of paving and improving this area for wildlife habitat purposes; (2) removing approximately 37,116 square feet of compacted gravel and improving this area for wildlife habitat purposes; and (3) removing approximately 38,500 square feet of asphalt shoulder and compacted gravel, and planting the area for buffer purposes to the wildlife habitat areas. In addition, an unspecified amount of area will be enhanced for habitat purposes along the south side of Powell Street west of the I-80 freeway, as part of the permittee's \$400,000 contribution to the East Bay Regional Park District.

The project will also provide a key link in the Bay Trail system by including a trail connection between Emeryville, ~~the Bay Bridge take-off lookout area in the west, Maritime Street, Port View Park, and the Mandela Parkway.~~ The project will also provide viewing areas at Powell Street and at the north and south sides of the Bay Bridge take-off point, and will facilitate the improvement of a Bay Trail link beneath the I-80 freeway near Powell Street in Emeryville. Amendment No. Five authorizes the transmittal of \$1.1 million to an interest bearing account, to be used for the development of Gateway Shoreline Park on the south periphery of the new East Span of the Bay Bridge, and will include a lookout and other amenities in the area west of the new touchdown, in lieu of the north and south lookout areas, roadways and parking area required by the original permit.

II. Special Conditions

The amended permit made herein shall be subject to the following special conditions, in addition to the standard conditions in Part IV:

- (7) Consistency of the plans with the recommendations of the Engineering Criteria Review Board; and
- (8) Assuring that appropriate provisions have been incorporated for safety in case of seismic event.

Plan review shall be completed by or on behalf of the Commission within 55 days after receipt of the plans to be reviewed.

2. **Conformity with Final Approved Plans.** All work, improvements, and uses shall conform to the final approved plans. Prior to any use of the facilities authorized herein, the appropriate design professional(s) of record shall certify in writing that, through personal knowledge, the work covered by the amended permit has been performed in accordance with the approved design criteria and in substantial conformance with the approved plans. No noticeable changes shall be made thereafter to any final plans or to the exterior of any constructed structure, outside fixture, lighting, landscaping, signs, landscaping, parking area, or shoreline protection work without first obtaining written approval of the change(s) by or on behalf of the Commission.
3. **Discrepancies Between Approved Plans and Special Conditions.** In case of any discrepancy between final approved plans and Special Conditions of this amended permit or legal instruments approved pursuant to this amended permit, the Special Condition or the legal instrument shall prevail. The permittee is responsible for assuring that all plans accurately and fully reflect the Special Conditions of this amended permit and any legal instruments submitted pursuant to this amended permit.

C. Public Access Improvements

1. Environmental Review, Public Access Plan, and Staging

- a. **Environmental Document Approval.** By June 30, 1999, the permittee shall complete and certify an environmental document pursuant to the requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) which adequately addresses any potential environmental impacts of the public access improvements authorized and required herein in Special Conditions II.C.2.a.(1) and II.C.2.a.(2). By ~~December 31, 2004~~ June 30, 2005, the permittee shall complete and certify an environmental document pursuant to the requirements of CEQA and NEPA which adequately addresses any potential environmental impacts of the public access improvements authorized and required in Special Condition II.C.2.a.(3) herein. Because the Emeryville Crescent provides habitat for numerous waterfowl, including rare and endangered species, the environmental document for the portion of the pathway west of the toll plaza shall pay particular attention to analyzing the impacts to the waterfowl in the project vicinity.
- b. **Public Access Plan.** By June 30, 1999, the permittee shall submit and receive approval for a specific public access plan, but not construction drawings, which describes the improvements in Special Conditions II.C.2.a.(1) and

II.C.2.a.(2). By ~~July 1, 2004~~ December 31, 2004, the permittee shall submit and receive approval for a specific public access plan, but not construction drawings, which describes the improvements in Special Conditions II.C.2.a.(3) ~~and II.C.2.b through e~~. The Executive Director shall issue a determination on the consistency of the plan with the requirements of this permit within 60 days of receipt of the plan. The Executive Director shall consult with the Design Review Board regarding the consistency of the plan with the permit requirements.

- c. **Public Access Improvements Staging.** Within 90 days of obtaining the Executive Director's approval of the public access plans required by Special Condition II.C.1.b, the permittee shall submit to the Executive Director a public access staging schedule which describes the dates by which each component of public access required by this amended permit will be available for the public's use and enjoyment. In all cases, the schedule shall ensure that all required improvements be installed and made available to the public prior to the dates specified in Special Condition II.C.2 below. The schedule shall be reviewed and approved by or on behalf of the Commission and, once approved, shall constitute a binding schedule for the provision of public access required herein. The schedule shall address the coordination of the roadway improvements authorized herein, the Bay Bridge seismic retrofit project, projects undertaken by the Cities of Emeryville and Oakland to extend Shellmound Street, 40th Street and Mandela Parkway, and a project undertaken by the City of Emeryville to extend and improve an underpass beneath the I-80 freeway to connect West Frontage Road with Shellmound Street.
2. **Public Access Areas and Improvements.** The areas and improvements described below are generally shown on Exhibits BP-0 through BP-8 and shall be made available exclusively to the public for unrestricted public access for walking, bicycling, sitting, viewing, fishing, picnicking, and related purposes. If the permittee wishes to use the public access areas or improvements for other than public access purposes, except for routine highway maintenance operations, it must obtain prior written approval by or on behalf of the Commission. The area descriptions are general, but expressly refer to only property owned, leased, or otherwise controlled by the permittee. Those areas outside of the permittee's right-of-way or other form of property control shall be improved for public access as required herein in the event that the permittee successfully obtains property control or other sufficient authorization to enable the construction, use and maintenance of the public access facilities required herein. The planning and final location and design of all public access areas and improvements required by this amended permit shall be coordinated with the location and design of the Bay Bridge Seismic Retrofit Project.
 - a. **Public Access Pathways.** The permittee shall construct, use and maintain, or cause to be maintained, an at-grade pathway system between the southern terminus of Shellmound Street, Mandela Parkway, the Bay Bridge take-off point, and which provides a connection between the westbound pathway and Maritime Street. The final design of the pathways and overlooks shall incorporate special features to minimize, to the maximum extent feasible,

adverse impacts to significant bird feeding and roosting areas as well as other sensitive wildlife resources in the vicinity. These pathways shall be constructed to meet the following standards, as approved by the Executive Director pursuant to this Special Condition.

- (1) **Southern terminus of Shellmound Street to Mandela Parkway.** Prior to December 31, 2000, the permittee shall complete the separated Class II bicycle pathway on Hollis Street and a Class II or III bicycle pathway on Horton Streets to connect the striped bicycle lanes on Shellmound Street and the 40th Street extension with Mandela Parkway passing east and north of the property proposed for development by the Cities of Oakland and Emeryville (see Exhibit BP-7);
- (2) **Maritime Street Connection.** Prior to December 31, ~~2001~~ 2006, the permittee shall complete a westbound connection between the path described above in Special Condition II.C.2.a.(1) and Maritime Street to provide another access way to Port View Park. Beginning at the southbound striped bike lanes on Shellmound Street, the south/westbound segment of this path shall be a 12-foot-wide Class I bikeway. The pathway shall take generally the most direct route west, travel beneath the MacArthur Maze, and connect to the existing maintenance roadway on the north side of the East Bay Municipal Utility District sewer plant. The Class I bikeway shall then continue westerly along or adjacent to the maintenance roadway until it reaches the eastern point of the proposed maintenance roadway known as the BM Line (Station 13+50). The east/northbound segment of this pathway shall traverse the same route until it reaches the westerly embankment of the proposed fill slope for the Shellmound/40th Street overhead. At this point the pathway shall continue eastbound as a Class I bikeway along the southerly toe of the fill slope to the Shellmound/40th Street abutment, thence northerly beneath Shellmound/40th Street, thence northwesterly along the northerly toe of the fill slope to connect with the northbound striped bike lanes on Shellmound Street. The width of any of the Class I pathway sections could be reduced to 10 feet over limited distances to accommodate special circumstances. At Station 13+50 of the BM Line, the pathway shall continue as a Class III bikeway southerly along the BM Line until its intersection with Burma Road, otherwise known as the AB2 Line. From this point the pathway shall continue southerly along Burma Road as a Class II bikeway until its intersection with Maritime Street. An alternate alignment which provides an equal or superior connection from the westbound path to Maritime Street may be substituted for this alignment upon approval by or on behalf of the Commission. The width of the pathway may be reduced to 10 feet over limited distances to accommodate special circumstances. (see Exhibits BP-3 through BP-5 and BP-8);

- (3) **Spur Trail to the Bay Bridge.** Prior to December 31, 2006, the permittee shall connect the paths described above in Special Conditions II.C.2.a.(1) and II.C.2.a.(2) above with the Bay Bridge take-off point and include connections to the two park and lookout areas described below in Special Condition II.C.2.b. **public access parking lot.** From Station 13+50 of the BM Line, the pathway shall return to a Class I bikeway and continue westerly for approximately 2,000 lineal feet until a point approximately 450 feet east of the toll plaza, and shall then return to a Class III bikeway along the maintenance roadway known as the AB Line, for approximately 5,000 lineal feet to approximately the Bay Bridge take-off point. From this point, the pathway shall return to a Class I bikeway, connect to, or become the pathway leading to the south and north side park and lookout areas. (see Exhibits BP-1 through BP-3);
 - (4) **Pathway Landscaping.** The pathway alignments shall include appropriate landscaping, subject to review and approval, by or on behalf of the Commission, pursuant to Special Condition II.B, paying particular attention to landscaping underneath the MacArthur Maze. In addition, existing mature vegetation between the maintenance road and associated pathway shall be maintained to the greatest extent possible; and
 - (5) **Pathway Fence Alignment.** All proposed pathway fencing shall be subject to review and approval, by or on behalf of the Commission, pursuant to Special Condition II.B. In the vicinity of the detention ponds, the fencing shall be set back from the pathway and placed on the opposite shore of the ponds where possible. Further, where possible, the pathway fencing shall be set back as far as possible from the pathway to provide a more open atmosphere for those using the pathway.
- b. **Bay Bridge Park and Overlook Areas.** Prior to December 31, 2006, the The permittee shall use its and others' property to construct and maintain: (1) an approximately 5,000 square foot lookout area at the north side of the Bay Bridge, approximately 700 feet east of the Oakland side take-off point, to be improved with a paved circulation area, four benches, fish cleaning facilities, two trash cans and native landscaping; and (2) a 2,500 square foot lookout area on the south side of the Bay Bridge take off to be improved with benches trash cans and native landscaping. The final design of these areas shall incorporate special features to minimize, to the maximum extent feasible, adverse impacts to significant bird feeding and roosting areas, as well as other sensitive wildlife resources in the vicinity (see Exhibits #1 and #2 and BP-1).
- e. **Lookout Roadway and Parking Area.** Prior to December 31, 2006, the The permittee shall use its and others' property to provide for public use of Burma Road or the Caltrans maintenance roadway, and provide a 6 car parking area at the terminus of the Caltrans maintenance roadway to provide parking for those visiting the view lookout areas. The parking lot shall be located as close as possible to the south side lookout areas and shall include a minimum 10 foot-

wide asphalt pathway between the parking area and the pathway to the south side lookout required herein, and a 10 foot wide asphalt pathway between the parking area and the pathway to the northern overlook shall also be constructed. The parking area shall be improved with public access signs, and toilet facilities. The final design of these improvements shall incorporate special features to minimize, to the maximum extent feasible, adverse impacts to significant bird feeding and roosting areas, as well as other sensitive wildlife resources in the vicinity (see Exhibits #1 and #2).

- b. In-Lieu fee Bay Bridge Park, Overlook Areas, and Lookout Roadway. Within 60 days of the issuance of Amendment No. Five, the permittee shall deposit into an interest bearing account in the Commission's name a \$1,100,000 in-lieu fee for public access improvements that are no longer feasible as a result of the San Francisco-Oakland Bay Bridge East Span Replacement Project, authorized by BCDC Permit No. 8-01. The in-lieu fee shall be used solely for the purpose of supporting the East Bay Regional Park District's development of Gateway Park on former Oakland Army Base Reuse Authority property south of the new bridge Touchdown. The Park will include a Southern Overlook Area and Lookout Roadway and will compensate for the loss of the 5,000 square-foot overlook on the north side of the existing bridge Take-off, the 2,500-square foot overlook on the south side of the existing bridge Touchdown, the roadway leading to the overlooks, all of which were previously required by this permit but which cannot be built because the East Span replacement project will be located in the area previously reserved for these public access areas. These funds shall be disbursed at the Executive Director's discretion to East Bay Regional Park District, consistent with the terms of Special Condition II-C-5 (Amendment No. Five).

3. **Emeryville Crescent Overlook and Habitat Mitigation Site.** Within 120 days of the issuance of the original permit, the permittee shall create a fund in the Commission's name and deposit \$400,000 in an interest bearing account to be disbursed, in its entirety including principal and interest, solely to the East Bay Regional Park District for the purpose of improving a public view area and habitat enhancement in the upland areas on the south side of Powell Street west of I-80 and immediately east of the Emeryville Fire Station. Funds shall be disbursed from the account at the discretion of the Commission's Executive Director, based on a proposal(s) submitted by the East Bay Regional Park District, which will be the lead agency.

This fund shall be used to cover the cost of benches, pathways, trash containers, lighting, landscaping and other public access improvements at the lookout site. The final design of these improvements shall incorporate special features to minimize, to the maximum extent feasible, adverse impacts to significant bird feeding and roosting areas, as well as other sensitive wildlife resources in the vicinity. The fund shall also be used for habitat enhancement on the site in the form of revegetation with upland transitional habitat plant species to buffer the viewing area from the adjacent Emeryville Crescent. These improvements shall be constructed in such a way as to permit views of the Emeryville Crescent and to minimize impacts on

wildlife, and shall be designed in conjunction with the improvement of the remaining area between the Fire Station and I-80 for both park and habitat purposes. All improvements shall be consistent with applicable Federal and State laws, regulations and policies. In the event that the viewing area and habitat enhancement projects described above are infeasible, the Executive Director may disburse the funds to the East Bay Regional Park District to improve public access and wildlife habitat elsewhere within the proposed East Shore State Park.

Within 90 days of the completion of the viewing area and habitat enhancement required herein, the bird lookout required to be replaced following the construction of the project authorized in BCDC Permit No. 4-92 shall be removed and disposed of in a location outside the Commission's jurisdiction and the area it occupies including the pathway leading to it shall be planted with native plants in order to create additional transitional upland habitat. In the event that the East Bay Regional Park District does not develop the Powell Street site adjacent to the Fire Station for public viewing purposes, the Bird Outlook shall remain in place as required in BCDC Permit No. 4-92.

4. **Underpass Entrance and Extension.** The permittee shall provide contract administration and construction coordination services to the City of Emeryville to facilitate the construction of the underpass entrance and extension based on construction plans and specifications prepared by the City of Emeryville, but subject to detailed plan review pursuant to Special Condition II.B. The underpass entrance shall be aligned to connect as closely as possible with the seating and lookout area to be improved under BCDC Permit No. 4-92, Special Condition II.B.3.c. The entrance shall provide for a generous and inviting width and height with adequate lighting and shall be reviewed by the Design Review Board prior to preparing detailed drawings. The permittee shall provide a copy of its agreement or memorandum of understanding reached with the City of Emeryville to the Commission which addresses project funding, construction, operation and liability, and the permittee shall make every reasonable effort to assist the City in implementing this project.

In the event that the City of Emeryville, with Caltrans' assistance, constructs the underpass entrance and extension, the permittee shall submit, or cause to submit, for approval by or on behalf of the Commission pursuant to Special Condition II.B, a plan for the redesign of the seating and lookout area required in BCDC Permit No. 4-92. The redesign shall accommodate easy access between the underpass and the seating and lookout area. If the seating and lookout area is constructed prior to the completion of the underpass, the permittee shall retrofit, or cause to be retrofitted, the seating and lookout area when Emeryville completes the underpass to accommodate the approved design modifications.

5. **Public Access Contingency.** In the event that the Executive Director determines that the public access improvements required in Special Conditions II.C.2.a through c can not be constructed, pursuant to Special Condition II.C.1, within 120 days of notification by the Executive Director of this determination, the permittee shall create a fund in the Commission's name and deposit \$2,445,000 in an interest bearing account to be disbursed, in its entirety including principal and interest, solely to the

East Bay Regional Park District for the purpose of improving a public access to and along the shoreline of the Bay in the vicinity Emeryville and Oakland. Funds shall be disbursed from the account at the discretion of the Commission's Executive Director, based on a proposal(s) submitted by the East Bay Regional Park District. This fund shall be used to cover the cost of benches, pathways, trash containers, lighting, landscaping and other public access improvements. These improvements shall be constructed in such a way as to permit views of the Bay and to minimize impacts on wildlife. In the event that public access to and along the shoreline of the Bay within Emeryville and Oakland are infeasible, the Executive Director may disburse the funds to the East Bay Regional Park District to improve public access elsewhere within the proposed East Shore State Park.

6. **Material Amendment Requirement.** In the event that the permittee wishes to significantly modify or eliminate the public access improvements described and required in Special Condition II.C, the applicant shall submit an application for a material amendment to do so, which shall be brought before the Commission for review and approval.
7. **Public Access Sign Program.** Consistent with the time requirements for the public access improvements required in Special Condition II.C.2, the permittee shall develop and implement a detailed sign program to integrate with the other public access improvements and signage installed as part of the I-80 freeway operations improvement projects to direct members of the public through this public pathway system, as approved pursuant to Special Condition II.B.
8. **Permanent Guarantee.** No later than 180 days after the completion of a segment of the public access improvements required in Special Condition II.C.2, the permittee shall, by instrument or instruments acceptable to counsel for the Commission, dedicate to a public agency or otherwise permanently guarantee such rights for the public to the new public access areas(s) described in Special Condition II.C.2.a through e and as shown in Exhibits BP-0 through BP-8 and Exhibits #1 and #2, except as provided by Special Condition II.C.5. The instrument(s) shall create rights in favor of the public which shall commence no later than after completion of construction of any public access improvements required by this authorization. Such instrument shall be in a form that meets recordation requirements of Alameda County and shall include a legal description of the property being restricted and a map that clearly shows and labels the line of highest tidal action, the property being restricted for public access, the legal description of the property and of the area being restricted for public access, and other appropriate landmarks and topographic features of the site, such as the location and elevation of the top of bank of any levees, any significant elevation changes, and the location of the nearest public street and adjacent public access areas. Approval or disapproval of the instrument shall occur within 30 days after submittal for approval and shall be based on the following:
 - a. Sufficiency of the instrument to create legally enforceable rights and duties to provide the public access area required by this authorization;

- b. Inclusion of an exhibit to the instrument that clearly shows the area to be reserved with a legally sufficient description of the boundaries of such area; and
- c. Sufficiency of the instrument to create legal rights in favor of the public for public access that will run with the land and be binding on any subsequent purchasers, licensees, and users.

Within 30 days after approval of the instrument, the permittee shall record the instrument and shall provide evidence of recording to the Commission. No changes shall be made to the instrument after approval without the express written consent by or on behalf of the Commission.

- 9. **Maintenance.** The areas and improvements within all of the public access areas required in Special Condition II-C shall be permanently maintained by and at the expense of the permittee or its assignees. Such maintenance shall include, but is not limited to repairs to all path surfaces, replacement of any plant materials deposited within the access areas as required by this amended permit, removal of any encroachments into the access areas, and assuring that the public access signs remain in place and visible. Within 30 days after notification by staff, the permittee or its assignees shall correct any maintenance deficiency noted in a staff inspection of the site.
- 10. **Assignment.** The permittee shall transfer maintenance responsibility to a public agency or another party acceptable to the Commission at such time as the property transfers to a new party in interest but only provided that the transferee agrees in writing, acceptable to counsel for the Commission, to be bound by all terms and conditions of this amended permit.
- 11. **Reasonable Rules on Use of Public Access Areas.** The permittee may impose reasonable rules on the use of the areas required to be provided for public access provided such rules are first approved by or on behalf of the Commission and do not significantly affect the public nature of the area nor unreasonably burden public use. Rules may include restricting hours of use and delineating appropriate behavior.
- 12. **Delay of Public Access Benefits Offset.** Within 60 days of the issuance of Amendment No. Four, the permittee shall deposit into an interest bearing account in the Commission's name \$275,000.00 to be disbursed in its entirety, including principal and interest, solely for trail and habitat enhancement along the East Bay Shoreline from the Bay Bridge to the Marina Bay Trail in Richmond. Funds shall be disbursed from the account at the discretion of the Commission's Executive Director for trail and habitat enhancement, and may be used to fund a project(s) by the East Bay Regional Park District, which would be the lead agency for purposes of fulfilling CEQA requirements for that project(s) (Amendment No. Four).

D. **Visual Access.** To partially offset the view impacts of the project authorized herein, all jersey barriers, bridge railings, fences and structures shall be designed in a manner to maximize visual access to the Bay from the freeway and from all public access improvements authorized

herein. No permanent solid barrier along any of the roadway or other improvements authorized herein shall be more than 32 inches in height, with the exception of the Maritime Street Horseshoe ramp where a truck barrier of 54 inches in height is necessary for public safety. Any solid structure shall be designed and placed so that the design and placement of each improvement or structure minimizes adverse impacts on existing views. The design of the roadway improvements and the design and placement of any barrier or fence shall be subject to the review and approval of the Design Review Board pursuant to Special Conditions II.A and II.B above. The Design Review Board's review shall not recommend modifications to the structural design of the four major freeway structures, such as column layout or drop section configuration, but shall be generally limited to applied detailing, surface design and exterior treatment of the freeway structures authorized herein.

E. Mitigation, Wildlife Priority Use Land Area Protection and Habitat Improvement

1. **Open Space Dedication.** Prior to March 31, 2000, the permittee shall permanently restrict as open space for permanent inclusion within the Emeryville-Oakland wildlife priority land use area, to remain in its improved or current natural condition consistent with this authorization, all of the permittee's right-of-way lying bayward of the hinge point (but not more than 3 feet), with the exception of the 675-foot-long, 10-foot-wide maintenance band immediately bayward of the dripline of the I-80 HOV lane flyover structure, with no further filling or development, including all portions of the property that the permittee owns, leases, or controls that is subject to this authorization, described in Exhibits C-5 through C-12. These areas shall continue to provide equal or greater habitat value than the areas of upland lost as a result of the freeway and overpass structures, and shall be contiguous with and within the existing Emeryville-Oakland wildlife refuge priority land use area designation.

Prior to June 30, 1999, the permittee shall submit to the Executive Director the first draft of an instrument that creates such open space restriction and that includes a map that shows all appropriate boundaries, including the line of highest tidal action, and a metes and bounds description of the area being restricted as open space. The instrument shall be in a form suitable for recording in the county in which the restricted property is located. The instrument shall distinguish the open space areas to be used exclusively for wildlife habitat purposes from those areas to be improved as wildlife habitat buffer and used periodically for freeway and structure maintenance purposes. Within 90 days, the Executive Director shall review the first draft of the instrument to ensure that it will be sufficient to create the required open space protections and forward any comments to the permittee. By November 30, 1999, the permittee shall correct any deficiencies and submit a second draft of the instrument for further staff review. After the Executive Director approves the instrument, and prior to March 31, 2000, the permittee shall record the approved instrument with Alameda County and provide proof of its recording to the Commission within 30 days.

2. **Use.** The wildlife habitat areas shall be used exclusively for wildlife habitat purposes and shall be reserved in perpetuity for these purposes. The areas proposed for use as a habitat buffer may be used for periodic roadway-maintenance purposes,

elsewhere within the proposed East Shore State Park. This condition will ensure that East Bay residents will receive a reasonable public access benefit from the project under any foreseeable circumstances. The public access improvements required herein will also be dedicated for exclusive public access use in perpetuity and will be maintained by and at the expense of the permittee pursuant to Special Condition II.C.

Therefore, the Commission finds that, as conditioned herein, the proposed project provides maximum feasible physical public access to the Bay and its shoreline, consistent with the project.

Amendment No. Four. Amendment No. Four herein authorizes an extension of time for portions of the public access improvements as originally required in Special Condition II.C. The permittee has stated that a variety of construction and scheduling conflicts have delayed the previously anticipated project completion dates. The I-80 Operational and Improvement Project and the I-880/Cypress Replacement Project should be completed prior to the implementation of the public access improvements so that the construction and staging operations do not conflict with the public access improvements. Further, the anticipated replacement of the east span of the Bay Bridge would likely delay the public access improvements west of the toll plaza and may also necessitate some design changes. To offset the loss of public benefits which could have been realized approximately two to seven years earlier, the permittee is required to pay \$275,000.00, pursuant to Special Condition II.C.12, to be disbursed for trail and habitat enhancements along the East Bay Shoreline from the Bay Bridge to the Marina Bay Trail in Richmond.

Amendment No. Five. Amendment No. Five authorizes: (1) the transfer of in-lieu funds, in the amount of \$1.1 million, to an interest bearing account for development of East Bay Regional Park District's portion of Gateway Park, which will compensate for the loss of public access facilities previously required herein (the two overlooks and associated amenities, the roadway leading to the overlooks, and the parking area); (2) a six-month time extension for submittal of an environmental document and plan for the Spur Trail to the Bay Bridge (Special Condition II-C-2-a-(3)); and (3) a five-year time extension, partially after-the-fact, for the completion of the Maritime Street Connection pathway, due to significant power and rail infrastructure under the MacArthur Maze that create unexpectedly complex staging problems and delays for the permittee.

The permittee's transfer of \$1.1 million to an interest bearing account that will fund the Park District's portion of Gateway Park is necessary because the public access improvements that would have been built near the existing Bay Bridge take-off and touchdown will be displaced by the alignment of the new East Span of the Bay Bridge. The displaced improvements would have included a 5,000-square-foot overlook on the north side of the existing take-off, a 2,500-square-foot overlook on the south side of the existing touchdown, a roadway leading to the overlooks, and a parking area. Special Condition II-C-5 herein foresaw the possibility that required public access facilities might become infeasible due to the requirements of a new East Span of the bridge and provided for in-lieu funding to enable the Park District to design and build equivalent public access improvements near the shoreline in Emeryville and Oakland. The authorization for the

new East Span project, BCDC Permit No. 8-01, records in its Findings and Declaration (III-C-1), Caltrans' agreement to pay \$1.1 million in lieu of the displaced facilities required by BCDC Permit No. 11-93. As agreed, the money is to be distributed for the sole use of planning and developing Gateway Park on former Oakland Army Base Reuse Authority property near the south side of the new bridge touchdown. The special conditions of Permit No. 8-01 require Caltrans to incorporate 4.2 acres of additional public access at the touchdown into the design of Gateway Park and reasonably coordinate with all land owners and sponsors to design, construct, and maintain a continuous public access area with all necessary trail connections. On October 23, 2003, BCDC met with Caltrans and the Park District to discuss in further detail the above agreement and to review opportunities and constraints for designing Gateway Park and adjacent public access facilities. The parties committed to on-going interagency coordination to achieve an integrated public access design.

The six-month time extension for submittal of the plan for the Spur Trail leading to the Bay Bridge was necessary because of the New East Span project. The time extension that delays the installation of the Maritime Street pathway until December 2006, is required because Caltrans did not have sufficient information at the time the permit was issued concerning significant power and rail infrastructure under the MacArthur Maze that requires unexpectedly complex staging procedures in the area where the pathway is to be installed.

The two time extensions and the transfer of the public access funds are reasonable given important changes to the project necessitated by the construction of the East Span project and the recognition of the complex construction problems caused by the significant power and rail infrastructure under the MacArthur Maze and do not materially alter the project authorized by Permit No. 11-93 and are similar to a minor repair or improvement for which the Executive Director may issue an amendment to a permit, pursuant to Government Code Section 66632(f) and Regulation Section 10622(a).

2. **Visual Public Access.** In addition to physical access, the Commission has long recognized the significant public benefits of Bay views and the need for additional visual access to the Bay. In approving the Bay Plan policies on appearance, design, and scenic views, the Commission found that:

“the appearance of the Bay, and people’s enjoyment of it as a scenic resource, contribute to the enjoyment of daily life in the Bay Area. As a special kind of open space, the Bay acts as both the unifying element of the entire Bay region and as a physical divider of its parts. The wide surface of the Bay, and the distant vistas it affords, offer relief from the crowded, often chaotic, urbanized scene and help to create a sense of psychological well-being.... Probably the most widely enjoyed ‘use’ of the Bay is simply viewing it from the shoreline, from the water, and from afar...As a world renowned scenic resource, the Bay is viewed and appreciated from many locations in the region.... One of the visual attractions of San Francisco Bay is its abundance of wildlife, particularly birds which are constantly moving around Bay waters, marshes, and mudflats in search of food and refuge.”

existing West Grand Avenue over-crossing). This view will be impacted as the Caltrans proposes to replace the existing West Grand Avenue over-crossing with three elevated structures containing eight traffic lanes, three additional 10 to 15-foot-wide shoulders proposed on the HOV structures, two take-offs and three touch-downs (the proposed project).

Views from the westbound lanes of I-80, particularly background views of Mount Tamalpais, the Emeryville Peninsula and portions of the Golden Gate Bridge, will be impaired in an approximate 450-foot-long section of the shoreline by portions of the I-80 Westbound HOV structure take-off ramp and the density and number of pilings needed to anchor it. The views will also be impaired by the elevated structures (however, the number of columns will be reduced) for the next approximate 675-foot-long section of shoreline until the Maritime Horseshoe take-off, the I-880 northbound connector touchdown, and the I-80 westbound HOV touchdown. These three structures form a continuous take-off/touchdown combination that will stretch approximately 650 feet and could contain as many as 54 columns, most of which will be the smaller 3-foot-in-diameter columns. The total length of shoreline to be occupied by the proposed structures equals approximately 1,775 feet. The existing structures occupy approximately 1,000 feet of the shoreline. This 775-linear-foot increase in the developed shoreline will have significant visual impacts on existing Bay views.

To offset these impacts, the project will create additional view and overlook areas at the Bay Bridge take-off point and on the Emeryville peninsula beside Powell Street west of the I-880 Freeway, as required in Special Condition II.C. Special Condition II.C also requires the permittee to construct a pathway system which will provide significant view opportunities throughout its several routes which are not currently readily available to the commuting and recreating public. The project will also create new views from the structures for HOV users, and the HOV lanes will be open to users as much as possible to allow the public an opportunity to enjoy the scenic views. Additional visual benefits will also be afforded by litter and debris cleanup throughout the Crescent over the life of the project. Furthermore, Special Condition II.D requires that the design of freeway structures, guardrails, fences, safety barriers and other project elements likely to impact views of the Bay and its shoreline be reviewed by the Commission's Design Review Board to ensure that impacts to views of the Bay are minimized, consistent with Commission policies.

Therefore, the Commission finds that, as conditioned herein, the view impacts will be minimized through the design of the structures, additional views will be made available to partially offset the views lost, and the majority of the remaining views along the Crescent will be preserved and enhanced through deed restrictions prohibiting construction of additional structures bayward of the edge of pavement authorized herein, as well as on-going debris cleanup which will enhance views.

3. **Design Review Board Recommendation.** In determining whether a project provides maximum feasible public access the Commission relies, in part, on its Design Review Board which is composed of renowned architects, landscape architects, and engineers.

The Design Review Board was unable to find that the freeway and overpass structures, as proposed, are consistent with the Bay Plan policies on scenic roadways, and appearance design and scenic views, and found that the project, as proposed, does not provide the maximum feasible public access.

The Design Review Board maintained that additional information on alternatives and specific design details still needs to be analyzed before it could recommend that this project provides the maximum feasible public access to the Commission.

However, the Board supported the entire physical public access pathway portion of the project, including the park and lookout areas and especially the Maritime Street connection through the EBMUD or Army property. However, given the size of the total project, the Board commented that the amount of public access seemed meager.

Therefore, the Commission finds that additional conditions are necessary to make the public access maximum feasible. Special Conditions II.C.2.a(4) and (5) provide for landscaping, fence re-alignment and fence redesign along the length of the pathway. Special Condition II.A provides for final pathway design and detail review and approval. And, Special Condition II.C.2.a(3) requires a mandatory connection between the westbound path and Maritime Street. Further, the Commission finds that Special Condition II.C.6 which requires that any material change to the public access pathway, as recommended herein, must be brought back to the Commission to ensure that any proposed changes maintain maximum feasible access as determined by the Commission at a public hearing. Lastly, as a contingency, if the permittee cannot implement any of the required public access elements required herein, Special Condition II.C.5 provides for the establishment of a fund in the amount of the cost, as estimated and provided to the Commission by the permittee, of the required public access improvements that will be administered by the Commission to ensure the implementation of maximum feasible public access consistent with the project. This fund would provide for the development of in-lieu access under the coordination and recommendation of the East Bay Regional Park District. The funds would be disbursed to the District by the Commission after appropriate consideration of the alternative access proposal(s).

In conclusion, even though the project will make existing physical access inconvenient, and the structures are unattractive and will significantly block views to and along the Bay from a scenic highway, the Commission finds that, as conditioned to provide for: (1) the project to return the Design Review Board for specific design review and approval, thereby ensuring the project is properly designed to preserve views to the Bay to the greatest extent possible and to ensure maximum feasible physical access; (2) paths and view overlook areas to provide the physical public access component; (3) the planting of native vegetation and debris removal throughout the Crescent consistent with that recommended by qualified biologists to improve shoreline appearance; (4) the dedication of the remaining views; and (5) the new views that will be afforded to those able to use the structures, the project sufficiently offsets the visual impacts, and provides the maximum feasible physical and visual public access to the Bay.

APPENDIX E

APPENDIX D

APPENDIX C

APPENDIX B

APPENDIX F

Appendix B

Permit 8-01 (Public Access Sections), 2001

B. Public Access

1. **Area.** The permittee shall make the following areas available exclusively to the public for unrestricted public access for walking, bicycling, sitting, viewing, and other related purposes. If the permittee wishes to use the public access area for other than public access purposes, it must obtain prior written approval by or on behalf of the Commission.
 - a. **Oakland Touchdown.** The approximately 4.2-acre area at the Oakland Touchdown shown on Exhibit A shall be incorporated into the East Bay Regional Park District's Gateway Park to the extent the permittee is legally able to do so. Provision of this land for use as part of the "Gateway Park" shall be subject to Caltrans' existing and future operational and maintenance needs, as may be approved by or on behalf of the Commission, such as providing stormwater BMPs to treat stormwater runoff, providing continuous access to serve, install and maintain existing, and necessary future utilities and providing access to maintain the new East Span and at-grade roadways. New utilities and stormwater facilities shall be designed to be consistent with recreation and public access uses in the area.
 - b. **YBI Connector and Terminus.** The 2,153-square-foot area (0.05-acre) connector and terminus at YBI connecting the bridge trail with public streets on YBI.
2. **Guarantee.** Prior to the dismantling of the existing East Span, but in no case later than December 31, 2009, the permittee shall, by instrument or instruments acceptable to counsel for the Commission, dedicate to a public agency or otherwise guarantee such rights for the public for so long as the improvements authorized herein remain in place to the new approximately 4.5-acre public access area at the Oakland Touchdown and at YBI to be comprised of: (1) a 4.2-acre parcel, within the existing bridge approach, to improve public access and treat storm-water runoff as part of the proposed Gateway Park including an approximately 0.37 acre area to be used as a temporary parking lot and crosswalk that will eventually become part of the proposed Gateway Park; (2) an approximately 0.25 acre public access path connecting the parking lot to the bicycle/pedestrian path on the replacement bridge; and (3) an approximately 2,153-square-foot (0.05-acre) area to be used as a public access path terminus and connector at YBI. The instrument(s) shall create rights in favor of the public which shall commence no later than after completion of construction of any public access improvements required by this authorization and prior to the use of the replacement bridge authorized herein. Such instrument(s) shall be in a form that meets recordation requirements of either Alameda or San Francisco County, as applicable, and shall include a legal description of the property being restricted for public access and a map that clearly shows and labels the mean high tide line or the +5.0 foot contour line above mean sea level in marshlands, and other appropriate landmarks and topographic features of the site, such as location and elevation of the top bank of any levees, any significant elevation changes, and the location of the nearest public street and adjacent public access areas. Approval or disapproval of the instrument(s) shall occur within 30 days after submittal for approval and shall be based on the following:
 - a. Sufficiency of the instrument to create legally enforceable rights and duties to provide the public access area required by this authorization;

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- b. Inclusion of an exhibit to the instrument that clearly shows the area to be reserved with a legally sufficient description of the boundaries of such area; and
 - c. Sufficiency of the instrument to create legal rights in favor of the public for public access that will run with the land and be binding on any subsequent purchasers, licensees, and users.
3. **Recordation of the Instrument(s).** Within 30 days after approval of the instrument(s), the permittee shall record the instrument(s) in each relevant County and shall provide evidence of recording to the Commission. No changes shall be made to the instrument(s) after approval without the express written consent by or on behalf of the Commission.
4. **Improvements Within the Total Public Access Area**
- a. **Oakland Touchdown.** Within one year of opening the replacement bridge to vehicular traffic, Caltrans shall develop the approximately 4.2-acre area that is currently occupied by eastbound traffic lanes for joint use to treat stormwater runoff from adjacent roadways and as an integral part of Gateway Park adjacent to the Oakland Touchdown. This area shall include the following improvements:
 - (1) **Parking Lot.** An approximately 43-stall, all-weather (crushed rock, gravel or paved) temporary parking lot, which shall be paved and made permanent if desired to be retained, or completely removed if no longer needed, as determined by or on behalf of the Commission, in consultation with the East Bay Regional Park District;
 - (2) **Pathway.** A 15.5-foot-wide paved path connecting the bicycle/pedestrian path on the new East Span with the parking lot and the Caltrans maintenance road;
 - (3) **Crosswalk.** A crosswalk providing safe access across the Caltrans maintenance road between the parking lot and the eastern terminus of the bicycle/pedestrian path;
 - (4) **Landscaping.** Irrigation and native, drought tolerant landscaping within the approximately 4.2-acre public access area, around the parking lot, in the stormwater retention basins to the extent feasible, and adjacent to the public access path and other public access areas, in accordance with a plan submitted to, reviewed by, and approved by or on behalf of the Commission in accord with Special Condition II-A. The plan and program shall contain the following: (a) a topographic map of the site in half meter or one-foot contours and a conversion into imperial units if metric units are used (Amendment No. Three) (all elevations shall be relative to National Geodetic Vertical Datum (NGVD)); (b) proposed plant species along the contour lines according to their expected zone of growth (for the stormwater BMPs only); (c) a safe, attractive, and obvious path system connecting the public access on the bridge with public access to the nearest public thoroughfare (the Caltrans maintenance road or Burma Road) as required by Special Condition II-B-9 and BCDC Permit No. 11-93; (d) a management program for water and vegetation in the stormwater BMPs that integrates treating stormwater runoff with providing habitat and attractive public access landscaping; and

(e) a schedule indicating when planting will occur. The permittee may maintain any BMP's including those that are vegetated, to ensure effective and efficient conveyance and treatment of stormwater runoff in accord with a plan approved pursuant to Special Condition II-A; and

- (5) **Public Access Signs.** The number and location of public access signage, including Bay Trail signs, shall be prepared in a signage plan to be submitted and approved by or on behalf of the Commission. The appropriate number, location and appearance of the public access signs shall be based on the interim and final design of the public access areas and shall be consistent with the Commission's policies as well as Bay Trail policies (Amendment No. Three). The number, type, and locations of the signs shall be approved by or on behalf of the Commission pursuant to Special Condition II-A above.
- b. **YBI Connector and Terminus.** This approximate 2,153-square-foot (0.05 acres) public access area will be designed to provide both a terminus for the bicycle/pedestrian path on the new East Span and for its eventual connection to public trails on YBI. This area shall include the following improvements:

 - (1) **YBI Path Terminus.** A pedestrian and bicycle terminus at YBI to be used as the western-most end of the public access path across the new East Span, including a 15.5-foot-wide paved and separated bicycle/pedestrian path;
 - (2) **Landscaping.** Irrigation and native and drought resistant landscaping adjacent to the public access path and terminus; and
 - (3) **Public Signs.** No fewer than three public access and, where appropriate, Bay Trail signs, one located at the entrance to the YBI path terminus, one at the entrance of the public access path entrance located near the YBI path terminus and connector, one located near the public access path adjoining the bridge at the YBI path connector ramp directing the public to the bicycle and pedestrian path. The number, type, and locations of the signs shall be approved by or on behalf of the commission pursuant to Special Condition II-A above.
- c. **New East Span.** The new East Span shall be designed to provide six (6) viewing platforms (belvederes) adjacent to the 15.5-foot-wide pedestrian and bicycle path located on the new bridge. This span shall include the following improvements:

 - (1) A total of five (5), approximately 158-square-foot belvederes, each with a total of approximately 16 to 24 linear feet of light-weight seating elements, located along the Skyway portion of the new bridge; and
 - (2) One (1) approximately 263-square-foot belvedere with a total of approximately 24 to 36 linear feet of light-weight seating elements, located on the suspension portion of the new bridge.
5. **Maintenance.** The areas and improvements within all of the new public access areas required or authorized herein, including the YBI terminus, the Oakland Touchdown, and the belvederes and path on the new East Span, totaling approximately 9.6 acres, shall be maintained by and at the expense of the permittee or its assignee for so long as the improvements authorized herein remain in place. In addition, to ensure

PERMIT NO. 8-01

California Department of Transportation

(Issued on November 20, 2001, As

Amended Through June 29, 2006)

AMENDMENT NO. SIXTEEN

Page 15

the fill authorized for the bicycle and pedestrian pathway is retained for such use, such pathway shall also be maintained by and at the expense of the permittee or its assignee for so long as the fill authorized herein remains in place. Such maintenance shall include, but is not limited to, repairs to all path surfaces, replacement of any trees or other plant materials that die or become unkempt, repairs or replacement as needed of any public access amenities such as pathways, signs, benches, trash containers and lights; periodic cleanup of litter and other materials deposited within the access areas, removal of any encroachments into the access areas, removal of graffiti; and assuring that the public access and Bay Trail signs remain in place and visible. Within 60 days after notification by staff, the permittee shall correct any maintenance deficiency noted in a staff inspection of the site.

6. **Assignment.** The permittee may transfer maintenance responsibility to a public agency or another party acceptable to the Commission at such time as the property transfers to a new party in interest but only provided that the transferee agrees in writing, acceptable to counsel for the Commission, to be bound by all terms and conditions of this permit.
7. **Reasonable Rules and Restrictions.** Caltrans may impose reasonable rules and restrictions for the use of the public access areas required pursuant to Special Condition II-B-2 above to correct particular problems that may arise. Other such limitations, rules, and restrictions shall have first been approved by or on behalf of the Commission upon a finding that the proposed rules would not significantly affect the public nature of the area, would not unduly interfere with reasonable public use of the public access areas, and would tend to correct a specific problem that Caltrans has both identified and substantiated. Rules may include restricting hours of use and delineating appropriate behavior.
8. **Handicapped Accessible.** All public access facilities authorized or required herein shall be designed and built so that they are handicapped accessible.
9. **Public Access Connections.** Within one year of the commencement of construction on any future public access areas and shoreline paths on the adjacent shoreline properties at either end of the new East Span, the permittee shall complete installation of shoreline paths to connect the new shoreline paths and public access areas on the adjacent properties to the paths and public access areas required herein. The permittee shall reasonably coordinate design, construction, and maintenance with the owners and/or project sponsors of the adjacent properties to connect the public access areas and shoreline paths required herein with any future public access areas and shoreline paths proposed on the adjacent properties to create a continuous public access area. The exact type and locations of the connector paths shall be approved by or on behalf of the Commission pursuant to Special Condition II-A.
- C. **Bridge Railings.** The new concrete safety barriers along vehicular travel lanes on the new East Span shall not exceed 32 inches in height. The new bridge railing along the Bay side of the new pedestrian/bicycle path shall not exceed 55 inches in height. Bridge railings shall be designed to provide motorists with the maximum feasible views of the Bay. The design of the bridge railings must be reviewed by or on behalf of the Commission to ensure this objective is achieved and shall not be installed until the design is approved in writing.

APPENDIX E

APPENDIX D

APPENDIX C

APPENDIX G

APPENDIX F

Appendix C

**Letter from EBRPD, City of Oakland , City of Emeryville, Port of Oakland
Regarding Bicycle and Pedestrian Connections to the East Span of the Bay
Bridge to Caltrans, dated December 22, 2006**



December 22, 2006

Mr. Bijan Sartipi, District 4 Director
California Department of Transportation
District 4
111 Grand Avenue
P.O. Box 23660
Oakland, CA 94623-0660

Subject: Bicycle and Pedestrian Trail Connections to the East Span of the Bay Bridge

Dear Mr. Sartipi:

Since the approval of the Cypress Freeway Project under San Francisco Bay Conservation and Development Commission's (BCDC) Permit No. 11-93, the communities in the East Bay have been waiting with great anticipation for the public access pathways that will be provided by Caltrans as part of the Cypress Freeway Project. This network of pathways will be a great asset and amenity to the Bay Area. It will be a part of the regional Bay Trail system and provide direct connections between the planned Bay Bridge multi-use path and a wide-range of communities, commercial centers, and recreational opportunities in Emeryville, Oakland, Berkeley, and beyond. The planned pathways will also create important linkages between these communities and three regional parks including Eastshore State Park, Middle Harbor Shoreline Park, and the planned Gateway Park.

As currently approved under BCDC Permit No. 11-93, this network of pathways will be composed of a combination of Class I, Class II, and Class III bicycle facilities that provide a direct connection from the East Span of the Bay Bridge to Shellmound and 40th Streets in Emeryville and from the East Span of the Bay Bridge to Maritime Street in Oakland. These planned facilities would provide access for bicyclists but not pedestrians. From conversations with Caltrans and BCDC staff, we understand that the completion of the above pathways will not be able to occur by the December 31, 2006 date required under Permit No. 11-93. As a result, Caltrans will need to request a time extension from BCDC. Our understanding is that Caltrans will need to provide additional public access mitigation for the time delay.

The development of these public access pathways presents a unique opportunity to create a network of trails for both bicyclists and pedestrians that will be a regionally significant recreational and commute facility when linked to the existing Bay Trail in Berkeley, Emeryville, and Oakland and to the planned bicycle and pedestrian path on the East Span of the Bay Bridge. Alameda County's Bicycle and Pedestrian plans acknowledge the importance and regional significance of these pathways. Both the Countywide Bicycle and Countywide Pedestrian Plans

include and prioritize connections to the planned multi-use path on the Bay Bridge. Additionally, the Bay Trail Plan and the Metropolitan Transportation Commission's Regional Bicycle Plan also include these connections as part their regional systems.

Due to their local, countywide and regional significance, the Bay Bridge connections are likely to be highly used by all types of bicyclists from highly skilled riders to new riders and young children, and by walkers. It is therefore imperative that these facilities be safe, convenient and accessible to all users. We request that Caltrans ensure that the highest quality bicycle/pedestrian facilities are built by ensuring that the new connections to the Bay Bridge:

- provide safe access for both bicyclists and pedestrians,
- provide a high level of personal safety and security,
- are enjoyable and easy to navigate, and
- connect to population centers and destinations.

Due to the importance of providing this high quality access, we request that Caltrans propose to provide the following as mitigation under the time extension to BCDC Permit 11-93:


1. A continuous Class I multi-use trail that provides a direct link from the East Span of the Bay Bridge to Shellmound and 40th Streets in Emeryville.
2. A continuous Class I multi-use trail that provides a direct link from the East Span of the Bay Bridge to Maritime Street.
3. A continuous Class II bicycle facility along West Grand Avenue between Maritime Street and Mandela Parkway. This facility would provide a critical connection to directly link the East Span of the Bay Bridge to Downtown Oakland and many residential areas.
4. Facilitate regular meetings of a committee composed of the various stakeholder organizations in the development of the aforementioned multi-use pathways including the signatories of this letter. The primary purpose of these meetings would be to determine the final alignment of the bicycle and pedestrian facilities described above. Given the multitude of projects currently in the planning or development stages at or near the Bay Bridge Spit in Oakland, we believe that it will be critical for Caltrans to facilitate a stakeholder committee which will foster open communication and cooperation so that the best possible alignment of the proposed public access pathways can be determined. Some examples of these projects include Gateway Park, the Caltrans maintenance facility, redevelopment of the former Oakland Army Base, the proposed auto mall, Eastshore State Park, and the EBMUD expansion.

Many benefits will be gained by upgrading all of the public access pathways proposed with the Cypress Freeway Project to Class I multi-use trails. These benefits include the provision of pedestrian access as well as bicycle access, improved safety for all users, and regional connections to major recreational opportunities and employment centers.


Mr. Bijan Sartipi
December 22, 2006

We greatly appreciate Caltrans' interest and efforts in developing these important recreational and non-motorized transportation pathways. We are eager to discuss this opportunity with Caltrans and look forward to our continued partnership with Caltrans in this and future projects. Please do not hesitate to contact Laura Thompson, Bay Trail Project Manager, at (510) 464-7935 to discuss this important opportunity.

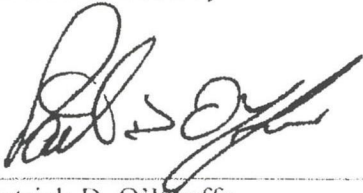
Best Regards,



Laura Thompson
Bay Trail Project Manager
Association of Bay Area Governments



Jim Townsend
Trails Development Program Manager
East Bay Regional Park District



Patrick D. O'Keeffe
Interim City Manager
City of Emeryville



Claudia Cappio
Development Director
City of Oakland


for Richard Sinkoff
Manager of Environmental Planning
and Permitting
Port of Oakland

Cc: Jeffrey Jensen, Caltrans
Stefan Galvez-Abadia, Caltrans
Will Travis, BCDC
Steve McAdam, BCDC
Ande Bennett, BCDC
Steve Heminger, MTC
Sean Co, MTC
Beth Walukas, ACCMA
Christine Monsen, ACTIA
Tess Lengyel, ACTIA
Rochelle Wheeler, ACTIA

APPENDIX E

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Appendix D

DRAFT
Section 106 Memorandum of Agreement, 2000

DRAFT

Memorandum of Agreement

Among

the Federal Highway Administration,

the United States Coast Guard,

the California State Historic Preservation Officer

and the Advisory Council on Historic Preservation

For the San Francisco Oakland Bay Bridge East Span Seismic Safety Project
in San Francisco and Alameda Counties, California

WHEREAS, the Federal Highway Administration (FHWA) proposes to approve design changes to the Interstate system and possibly to fund a seismic safety project for the east span of the San Francisco-Oakland Bay Bridge (Undertaking) proposed by the California Department of Transportation (Caltrans); and

WHEREAS, the four build alternatives being considered for this Undertaking include retrofit of the existing structure, constructing a replacement bridge to the south of the existing bridge, and constructing a replacement bridge to the north of the existing bridge on one of two possible alignments; and

WHEREAS, FHWA will be the lead federal agency for this Undertaking ; and

WHEREAS, the United States Coast Guard (Coast Guard) has independent review responsibilities for its bridge permit for navigational features; and

WHEREAS, portions of this Undertaking will occur on lands currently under the federal jurisdictions of the Department of the Navy (Navy) and the Coast Guard, and

WHEREAS, the Undertaking will include transfer of land, or interest in land, necessary for the Undertaking, under United States Department of Transportation (USDOT) authority pursuant to Title 23 of United States Code (U.S.C.) Section 107(d) and acquisition of such land has been delegated by the Secretary of Transportation to FHWA, which would then transfer the land to Caltrans; and

WHEREAS, such land transfer will not include title to any historic properties with the exceptions of the archaeological site CA-SFr-04/H and the air space over the Navy Building 262; and

WHEREAS, this Undertaking may adversely affect historic properties listed or eligible for listing on the National Register of Historic Places, including the San Francisco-Oakland Bay Bridge, the Navy Building 262, the Naval Officers' Quarters Historic District, the Key Pier Substation, and archaeological site CA-SFr-04/H, and may have effects on archaeological properties that have not yet been identified; and

WHEREAS, Naval Station Treasure Island Base Closure and Reuse is a separate Undertaking from the subject Undertaking; and

WHEREAS, FHWA has consulted with the California State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (Council) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

WHEREAS, FHWA and Caltrans have consulted with local governments; the Department of the Navy; City of Oakland and City and County of San Francisco; the Foundation for San Francisco's Architectural Heritage; the San Francisco Planning & Urban Research Association; the Mayor's Treasure Island Project Office; the National Park Service (Western Regional Office); the National Trust for Historic Preservation; the California Preservation Foundation; the Oakland Landmarks Preservation Advisory Board; the San Francisco Landmarks Preservation Advisory Board; the Oakland Cultural Heritage Survey; the Port of Oakland; the Oakland Heritage Alliance and the Oakland Department of Public Works about the Undertaking and its effects on historic properties, and have taken all comments received from these parties into account; and

WHEREAS, FHWA and Caltrans have consulted with the following non-federally recognized Ohlone Native Americans identified by the California Native American Heritage Commission as Native American groups and individuals with a potential interest in the project area about the effects of the Undertaking on archaeological properties, and have taken all comments received from these parties into account: Chairperson Rosemary Carbra of the Muwekma Indian Tribe, Chairperson Tony Cerda of the Costanoan Rumsen Carmel Tribe, Mr. Andrew Galvan of The Ohlone Indian Tribe, Ms. Jakki Kehl, Mr. Kenneth Marquis, Ms. Jenny Mousseaux (McLeod), Mr. Patrick Orozco, Ms. Katherine Erolinda Perez, Mr. Alex Ramirez, Chairperson Rudy Rosales of the Ohlone/Costanoan-Esselen Nation, Chairperson Ann Marie Sayer of the Indian Canyon Mutsun Band of Costanoan, Ms. Linda G. Yamane and Chairperson Irene Zwierlein of the Amah Tribal Band; and

WHEREAS, all non-federally recognized Ohlone Native Americans listed above will be invited to concur in the Agreement and to participate in the development and implementation of the Research Design and Treatment Plan (Treatment Plan); and

WHEREAS, Caltrans, the Department of the Navy, the City of Oakland and the City and County of San Francisco have been or will be invited to concur in the Agreement,

NOW, THEREFORE, FHWA, the Coast Guard, the SHPO, and the Council agree that the Undertaking will be implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on historic properties.

STIPULATIONS

FHWA will ensure that the following stipulations are carried out as applicable:

I. Applicability of Stipulations

A. Retrofit existing bridge

If the alternative chosen is to retrofit the existing bridge, the following stipulations will be carried out: II, III.E, III.G, IV.A, IV.B, V.A, V.B, V.C, V.D, and VII through XII.

B. Replacement bridge to south of existing bridge

If the alternative chosen is a replacement bridge to the south of the existing bridge, all of the stipulations in this Agreement will be carried out except for IV.C and V.D.

C. Replacement bridge to north of existing bridge

If the alternative chosen is a replacement bridge to the north of the existing bridge, all of the stipulations in this Agreement will be carried out except for V.D.

II. Professional Standards

All activities regarding history, historic preservation, historical archaeology and prehistoric archaeology that are carried out pursuant to this Agreement will be carried out by or under the direct supervision of persons meeting at a minimum the Secretary of the Interior's professional qualifications standards (48 FR 44738-9) in these disciplines.

III. Mitigation of effects on the San Francisco-Oakland Bay Bridge (Bay Bridge)

A. Salvage

Caltrans will offer selected components of the bridge to the East Bay Regional Park District or other owner of the proposed Oakland touchdown park (south of the new bridge, between the toll plaza and the shoreline in Oakland), for display or other use in the park. Caltrans will also provide the Oakland Museum of California, the Western Railway Museum in Rio Vista, Solano County, and any other interested parties an opportunity to select components of the bridge for curation, display, or other appropriate use. Caltrans will remove the items selected in a manner that minimizes damage and will deliver them with legal title to the recipient.

B. Permanent interpretive exhibits

1. Caltrans will consult with the East Bay Regional Park District or other owner of the proposed Oakland touchdown park about their interest in having interpretive exhibits incorporated into the design of the park which describe the Bay Bridge as originally constructed. If consultation results in agreement between Caltrans and the park owner concerning the nature and extent of the exhibits before January 1, 2008, Caltrans will produce and install the exhibits. The interpretive exhibits may include, but are not necessarily limited to: plaques or markers, salvaged components of the bridge, a mural or other depiction of the bridge, and the large clock that formerly stood atop the toll plaza canopy.
2. If consultation does not result in agreement between Caltrans and the park owner, Caltrans will seek an alternative East Bay location for the interpretive exhibits. Appropriate alternative locations may include Marina Park in Emeryville or the Berkeley Pier.
3. Caltrans will also consult with the City and County of San Francisco about their interest in having similar interpretive exhibits on Yerba Buena Island, and will produce and install the exhibits only if consultation results in agreement between Caltrans and the City and County of San Francisco before January 1, 2008.

C. Museum exhibit

1. Caltrans will consult with the Oakland Museum of California, the Academy of Sciences in San Francisco and/or other Bay Area museums about their interest in preparing and presenting an exhibit relating to the history and engineering of the major bridges of the San Francisco Bay, and will discuss with an interested museum the scope, content, and cost of such an exhibit.
2. If this consultation results in agreement between Caltrans and a museum to prepare and present such an exhibit, Caltrans will identify and conserve documentary materials in its possession related to the Bay Bridge and other major bridges of the San Francisco Bay that are considered most appropriate for such an exhibit, possibly including photographs, drawings, videotape, models, oral histories, and salvaged components from the bridges. In addition, Caltrans will assist the museum by contributing to the cost of preparing and presenting the exhibit, as well as the cost of an exhibit catalog or related museum publication in conjunction with the exhibit, in a manner and to the extent agreed upon by Caltrans and the museum.

D. Permanent curation and display of exhibit materials

At the conclusion of the museum exhibit described in Stipulation III.C., Caltrans will select historic items and interpretive materials from the exhibit to be offered to local governments, historical societies, and other interested parties in the Bay Area for permanent curation and public display. Caltrans will notify potential public and non-profit venues, which Caltrans has determined meet acceptable curation standards, of the availability of materials and will deliver the materials at its own expense to the selected venues. In the event there are multiple requests for the same items, Caltrans shall consider the proposals submitted by the requesters for the materials and shall decide which party shall receive the item, based on the ability of the requester properly to curate and exhibit the item.

E. Oral history

Caltrans will produce oral history documentation related to the construction and operation of the Bay Bridge, which will include audiotape and transcripts and may also include videotape. Caltrans will select appropriate subjects for interviews, who may include engineers and construction workers who participated in the construction of the bridge, bridge maintenance workers, bridge railway train operators, and others whose lives were affected by the bridge. Copies of the documentation will be provided to the Bancroft Library of the University of California at Berkeley, the Oakland History Room of the Oakland Public Library, the History Center at the San Francisco Public Library, the California Historical Society, and the Oakland Museum of California.

F. Documentary videos

1. Caltrans will provide copies of one or more of the existing documentary videos about the construction of the Bay Bridge to the public libraries of Oakland, San Francisco, Emeryville and Berkeley, as well as the California Historical Society.
2. In addition, Caltrans will produce curriculum materials to accompany the videos and will provide the curriculum materials and videos to the public school systems of Oakland, San Francisco, Emeryville and Berkeley, and to other school districts upon request.
3. Within 180 days after FHWA determines that the Undertaking has been completed, FHWA, in consultation with the SHPO, will re-evaluate the Bay Bridge, a property listed on the National Register of Historic Places, and determine whether the National Register nomination should be amended or whether the bridge no longer qualifies for listing and should be removed from the National Register. As appropriate, FHWA will prepare and submit to the SHPO either an amended nomination or petition for removal, to be processed according to the procedures set forth in 36 CFR Part 60 (60.14 and 60.15).

- i. coordination with interested Native Americans during development and implementation of the Treatment Plan;
- j. the proposed methods for disseminating results of the work;
- k. a plan to comply with NAGPRA, if appropriate.
- l. archival research required to establish context for evaluation of any American Period deposits found and to predict types of other archaeological properties that may be buried within the area of the Undertaking.

C. Treatment Plan review

Caltrans will coordinate with tribes and other interested Native Americans during the development of the Treatment Plan to solicit their views on the contents of the Treatment Plan, the public interpretive material, treatment of burials, the scope of the data recovery, and other topics of interest to Native Americans. Caltrans, in consultation with interested Native Americans, will develop a process for determining appropriate tribal affiliation should there be a discovery of human remains.

Caltrans will submit the Treatment Plan to all parties to this Agreement and interested Native Americans for a thirty (30) calendar day review following receipt of the Plan. If any party fails to submit their comments within thirty (30) days, Caltrans may assume that party's concurrence with the Treatment Plan. Caltrans will take any review comments into account, revise the Treatment Plan accordingly, and will notify any party whose comments were not incorporated into the Treatment Plan. Any disputes arising under the terms of this stipulation and not able to be solved by consensus will be resolved in accordance with Stipulation X.

D. Notification

Caltrans will promptly notify the SHPO, the Navy and the Coast Guard, as appropriate, if any properties are found that meet the conditions for eligibility set forth in the Treatment Plan. Absent objection pursuant to Stipulation X, Caltrans may combine the evaluation and data recovery phases of treatment of American Period or previously unidentified archaeological deposits and proceed in accordance with the Treatment Plan for any properties that meet the conditions for eligibility set forth in the Treatment Plan, and terminate any further consideration of properties which do not meet such conditions.

E. Report standards and dissemination

Caltrans will ensure that all reports resulting from implementation of the Treatment Plan meet contemporary professional standards and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48 FR 44734-37). Copies of all final reports will be provided to the SHPO, the Northwest Information Center at Sonoma State University, the Navy, Coast Guard and other interested parties as appropriate, such as

Native Americans, the Native American Heritage Commission, historical societies, and professional and amateur archaeological societies.

F. Public interpretive materials

Caltrans will develop public interpretive materials, covering potential historical and archaeological resources within the project area, and will disseminate these materials to both the public at large and educational institutions. Interpretive materials may include, but are not necessarily limited to: a mobile exhibit on the archaeology and history of Yerba Buena Island, curriculum materials, a web site, and other public presentations.

G. Confidentiality

The signatories to this Agreement acknowledge that historic properties covered by this Agreement are subject to the provisions of § 304 of the National Historic Preservation Act of 1966 and § 6254.10 of the California Government Code (Public Records Act), relating to the disclosure of archeological site information and, having so acknowledged, will ensure that all actions and documentation prescribed by this Agreement are consistent with § 304 of the National Historic Preservation Act of 1966 and § 6254.10 of the California Government Code.

VIII. Annual report

Caltrans will prepare an annual report describing the status of its efforts to comply with the mitigation measures set forth in Stipulations III through VII of this Agreement. The annual report will be prepared following the end of each fiscal year (July 1 to June 30) and will be distributed by Caltrans to all of the signatories to this Agreement by July 30 of each year, until FHWA determines that the *applicable* mitigation measures set forth in Stipulations III through VII inclusive, of this Agreement have been completed.

IX. Amendments, termination and new agreement

A. Amendments

If any signatory to this Agreement determines that an amendment to its terms should be made, the signatory will immediately consult with the other signatories to this Agreement pursuant to 36 CFR 800.6 (c)(7). This agreement may be amended only upon written concurrence of all signatory parties.

IV. Mitigation of effects on Navy Building 262 on Yerba Buena Island

A. Protective measures

Caltrans, in consultation with the property owner, will develop and implement measures to protect Building 262 from damage by any aspect of the Undertaking. Such measures will include, but not necessarily be limited to, vibration monitoring during pile driving in the vicinity of this building. The protective measures will be included in the contract specifications and in Caltrans' Resident Engineer's "pending" file.

B. Repair of inadvertent damage

Caltrans will ensure that any damage to Building 262 resulting from the Undertaking will be repaired in accordance with the Secretary of the Interior's *Standards for Rehabilitation*. Caltrans will photographically document the condition of the building prior to the start of the Undertaking to establish the baseline condition for assessing damage. A copy of this photographic documentation will be provided to the Navy and the City and County of San Francisco. Prior to implementation, Caltrans shall provide the plans for any repairs to the SHPO for review and comment to ensure conformance with the Secretary of the Interior's Standards for Rehabilitation.

C. Historic Structure Report

Caltrans will prepare or fund the preparation of an historic structure report for Building 262, to promote the reuse of this building. The historic structure report will, at a minimum, describe the significance and historic uses of the building; identify and assess the condition of original materials; describe later alterations; assess the structural condition of the building, including seismic safety considerations; and make recommendations for future seismic retrofit, other structural improvements, and appropriate preservation treatments. The scope of the historic structure report will be developed in consultation with the property owner. Copies of the report will be provided to the Navy and the City and County of San Francisco for review and to the SHPO for its records.

APPENDIX E

APPENDIX I

APPENDIX H

APPENDIX G

APPENDIX F

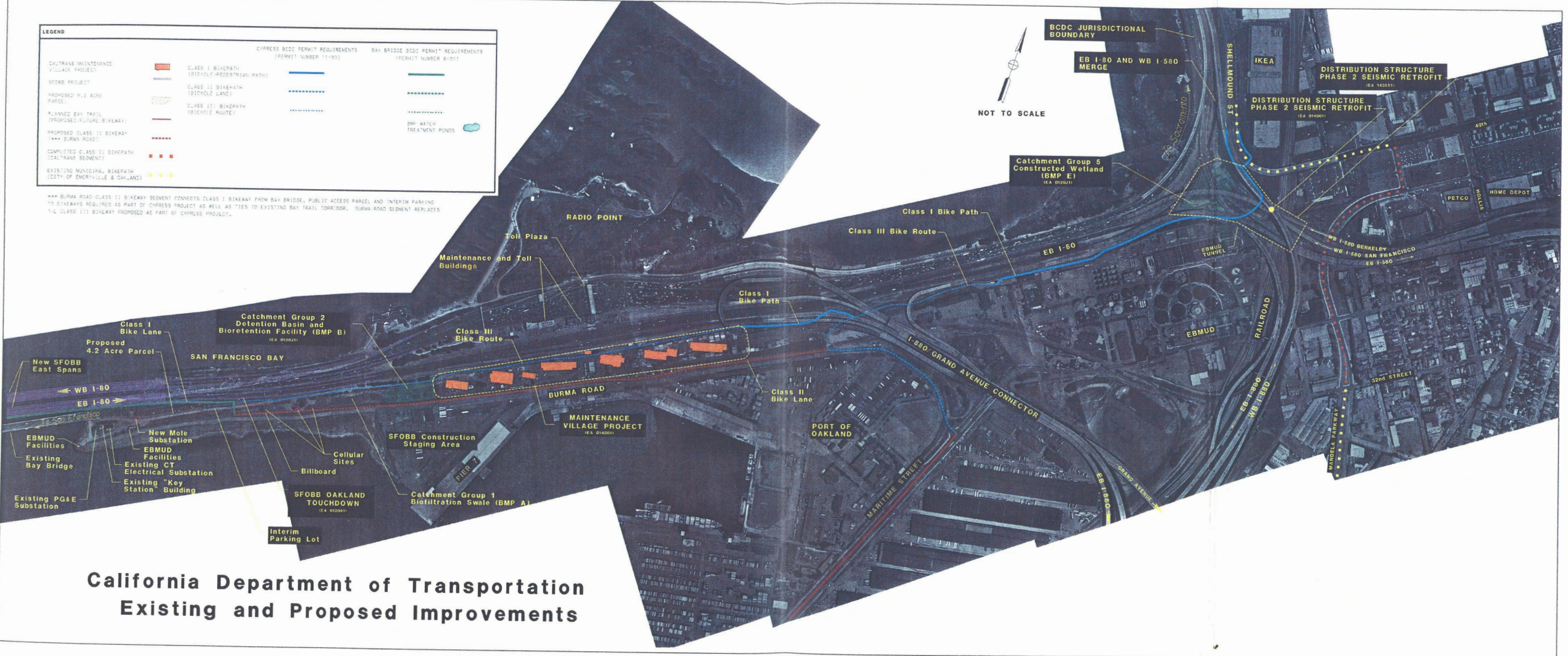
Appendix E

Gateway Park Site and Surrounding Area Maps Maps presented in Appendix E were developed by Caltrans

- Segment 2 and 3 Bikeway Alignment
- Segment 2 Bikeway Alignment and Parcel Ownership
- Segment 3 Bikeway Alignment Alternative and Parcel Ownership

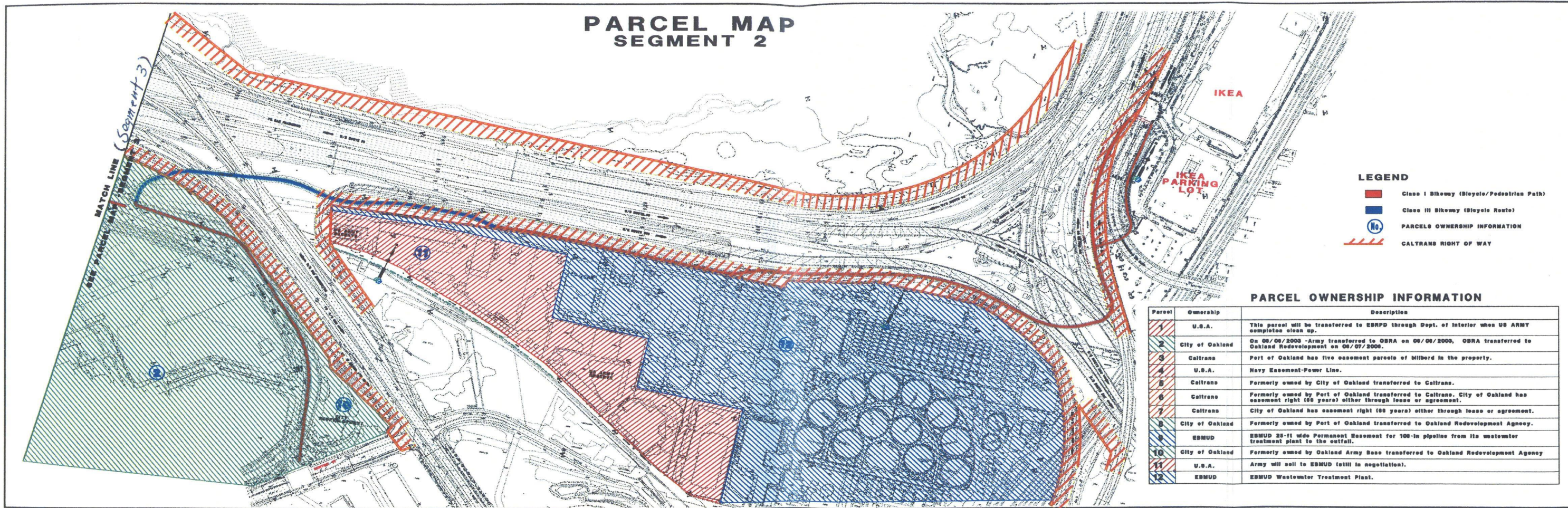
LEGEND		CYPRESS BDDC PERMIT REQUIREMENTS (PERMIT NUMBER 11-95)	BAY BRIDGE BDDC PERMIT REQUIREMENTS (PERMIT NUMBER 8101)
CALTRANS MAINTENANCE VILLAGE PROJECT		CLASS I BIKEPATH (BIKE/PED/BICYCLE PATH)	
STORE PROJECT		CLASS II BIKEPATH (BIKE/PED/BICYCLE LAND)	
PROPOSED 4.2 ACRE PARCEL		CLASS III BIKEPATH (BIKE/PED/BICYCLE ROUTE)	
PLANNED BAY TRAIL (PROPOSED FUTURE BIKEWAY)		BMP WATCH TREATMENT PONDS	
PROPOSED CLASS II BIKEWAY (*** BURMA ROAD)			
COMPLETED CLASS II BIKEWAY (CALTRANS SEGMENT)			
EXISTING MUNICIPAL BIKEPATH (CITY OF EMERYVILLE & OAKLAND)			

*** BURMA ROAD CLASS II BIKEWAY SEGMENT CONNECTS CLASS I BIKEWAY FROM BAY BRIDGE, PUBLIC ACCESS PARCEL AND INTERIM PARKING TO RETRAYS REQUIRED AS PART OF CYPRESS PROJECT AS WELL AS TIES TO EXISTING BAY TRAIL CORRIDOR. BURMA ROAD SEGMENT REPLACES THE CLASS III BIKEWAY PROPOSED AS PART OF CYPRESS PROJECT.



**California Department of Transportation
Existing and Proposed Improvements**

**PARCEL MAP
SEGMENT 2**



LEGEND

- Class I Bikeway (Bicycle/Pedestrian Path)
- Class III Bikeway (Bicycle Route)
- PARCELS OWNERSHIP INFORMATION
- CALTRANS RIGHT OF WAY






PARCEL OWNERSHIP INFORMATION

Parcel	Ownership	Description
1	U.S.A.	This parcel will be transferred to EBPRD through Dept. of Interior when US ARMY completes clean up.
2	City of Oakland	On 08/06/2003 - Army transferred to OBRA on 08/06/2003, OBRA transferred to Oakland Redevelopment on 08/07/2003.
3	Caltrans	Port of Oakland has five easement parcels of Milford in the property.
4	U.S.A.	Navy Easement-Power Line.
5	Caltrans	Formerly owned by City of Oakland transferred to Caltrans.
6	Caltrans	Formerly owned by Port of Oakland transferred to Caltrans. City of Oakland has easement right (88 years) either through lease or agreement.
7	Caltrans	City of Oakland has easement right (88 years) either through lease or agreement.
8	City of Oakland	Formerly owned by Port of Oakland transferred to Oakland Redevelopment Agency.
9	EBMUD	EBMUD 25-ft wide Permanent Easement for 100-in pipeline from its wastewater treatment plant to the outfall.
10	City of Oakland	Formerly owned by Oakland Army Base transferred to Oakland Redevelopment Agency.
11	U.S.A.	Army will sell to EBMUD (still in negotiation).
12	EBMUD	EBMUD Wastewater Treatment Plant.

PRELIMINARY PLANS
SUBJECT TO REVISION 06/11/2007

CALTRANS - DISTRICT 04
DESIGN EAST - ALAMEDA 1
111 GRAND AVENUE, OAKLAND, CA 94612

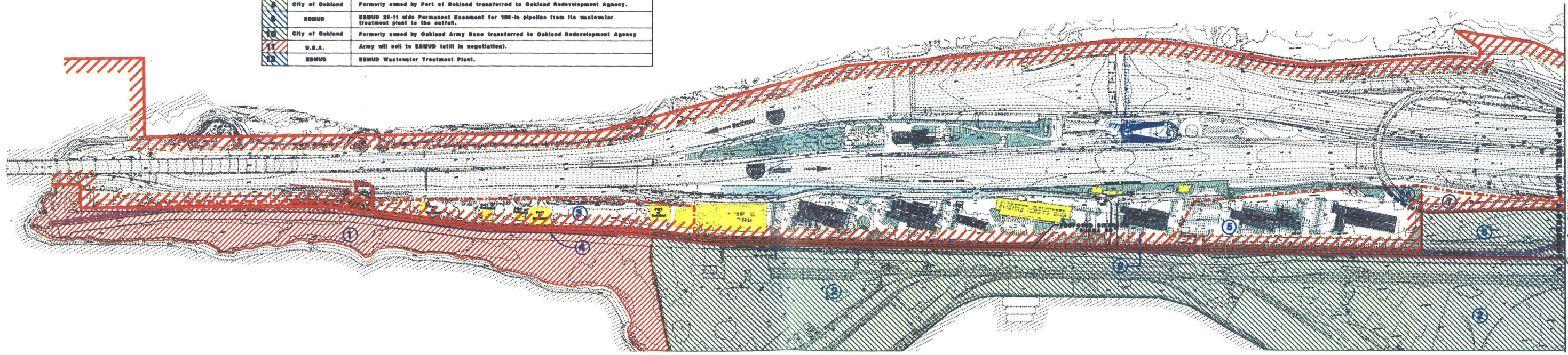
LEGEND

-  CLASS 1 BIKEWAY (Bicycle/Pedestrian Path)
-  PARCELS OWNERSHIP INFORMATION
-  CALTRANS RIGHT OF WAY
-  30' EBMUD EASEMENT
-  OVERHEAD ELECTRICAL LINES

PARCEL OWNERSHIP INFORMATION

Parcel	Ownership	Description
1	U.S.A.	This parcel will be transferred to EBRPD through Dept. of Interior when US ARMY completes clean up.
2	City of Oakland	On 06/06/2006 - Army transferred to OBRA on 06/06/2006, OBRA transferred to Oakland Redevelopment on 06/07/2006.
3	Caltrans	Part of Oakland has five easement parcels of Millard in the property.
4	U.S.A.	Navy Easement-Power Line.
5	Caltrans	Formerly owned by City of Oakland transferred to Caltrans.
6	Caltrans	Formerly owned by Port of Oakland transferred to Caltrans. City of Oakland has easement right (60 years) either through lease or agreement.
7	Caltrans	City of Oakland has easement right (60 years) either through lease or agreement.
8	City of Oakland	Formerly owned by Port of Oakland transferred to Oakland Redevelopment Agency.
9	EBMUD	EBMUD 30-ft wide Permanent Easement for 100-in pipeline from its wastewater treatment plant to the outfall.
10	City of Oakland	Formerly owned by Oakland Army Base transferred to Oakland Redevelopment Agency.
11	U.S.A.	Army will sell to EBMUD (still in vegetation).
12	EBMUD	EBMUD Wastewater Treatment Plant.

**PARCEL MAP
SEGMENT 3**



PRELIMINARY PLANS
SUBJECT TO REVISION 06/11/2007

CALTRANS - DISTRICT 04
DESIGN EAST - ALAMEDA 1
111 GRAND AVENUE, OAKLAND, CA 94612

APPENDIX F

APPENDIX G

APPENDIX H

APPENDIX I

APPENDIX J

Appendix F

Letter from Caltrans to Oakland Base Reuse Authority Regarding Public Access to the Pedestrian/Bicycle Path on the New East Span, dated July 17, 2000

DEPARTMENT OF TRANSPORTATION

P O BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454



July 17, 2000

Ms. Aliza Gallo
Executive Director
Oakland Base Reuse Authority
700 Murmansk Street, Suite 3
Oakland, CA 94607-5009

Dear Ms. Gallo:

As you are aware, Caltrans is preparing plans for the replacement of the East Span of the San Francisco-Oakland Bay Bridge (SFOBB); related to this work is Caltrans' desire to provide public access to the pedestrian/bicycle path on the new East Span. It is also Caltrans' desire to participate in the cooperative planning effort involving the East Bay Regional Park District (EBRPD) which will be the lead agency, the City of Oakland, the Metropolitan Transportation Commission (MTC), the Oakland Base Reuse Authority (OBRA), the Bay Conservation and Development Commission (BCDC), the Port of Oakland, and the local community for the Gateway Park at the Oakland Touchdown.

It is our understanding that OBRA is revising its proposal for the reuse of the Oakland Army Base. Caltrans recommends that Burma Road be designated as the public access route to the westernmost portion of the Oakland Army Base and the future Gateway Park to become elements of the reuse plan. Designating Burma Road as the public access route would ensure that public access to the new East Span and the future Gateway Park would not need to go through Caltrans' administrative and maintenance facilities at the Bay Bridge toll plaza. This would also reduce potential conflict with the East Bay Municipal Utility District's (EBMUD) sanitary sewer outfall pipe adjacent to and north of Burma Road (as this would reduce the number of times the access road would cross the outfall pipe).

Caltrans would welcome an opportunity to meet with you and discuss this exciting opportunity to reuse the Oakland Army Base and identifying public access to a replacement bridge and the future Gateway Park.

If you have any questions please contact me at (510) 286 -5085.

Sincerely,

HARRY Y. YAHATA
District Director

By

A handwritten signature in cursive script that reads "Steven Hulsebus".

STEVEN HULSEBUS
Assistant Project Manager
SFOBB East Span Seismic Safety Project

cc. Steve McAdam - BCDC
Diane Tannenwald - City of Oakland
Elois Thornten - City of Oakland
Brian Wiese - EBRPD
Rick Wiederhorn - Port of Oakland
Steve Heminger - MTC
Ben Horenstein - EBMUD

APPENDIX G

APPENDIX H

APPENDIX I

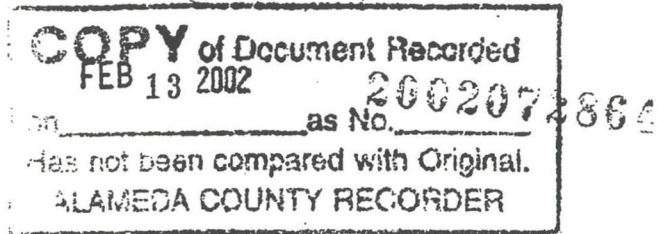
APPENDIX J

Appendix G

Burma Road and Pier 7 Quitclaim Easement Deeds (Nonexclusive Roadway Easement and Temporary Construction Easement) dated February 11, 2002

Recorded at the request of:
State of California
Department of Transportation

After recording please return to:
State of California
Department of Transportation
P.O. Box 23440
Oakland, CA 94623-0440



QUITCLAIM EASEMENT DEED
(Nonexclusive Road Easement)

THIS QUITCLAIM EASEMENT DEED, made this 11th day of February, 2002, by and between the UNITED STATES OF AMERICA, acting by and through the DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION ("Grantor"), and the STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION ("Grantee"):

WITNESSETH:

WHEREAS pursuant to Title 23, United States Code, Section 107 (d) and Section 317, whenever rights-of-way, including control of access, on the Interstate System are required over lands or interests in lands owned by the United States, the Secretary of Transportation may make such arrangements with the agency having jurisdiction over such lands as may be necessary to give the State or other person(s) constructing the projects on such lands adequate rights-of-way and control of access thereto from adjoining lands, and any such agency is directed to cooperate with the Secretary in this connection; and

WHEREAS Grantee has filed an application with the Grantor under the provisions of Title 23, U.S.C. Section 107(d) and Section 317 and their implementing regulations, 23 CFR

This transfer is exempt from Recording Fees, pursuant to Section 27383, California Government Code; and is exempt from Document Transfer taxes, pursuant to Section 11922, California Revenue and Taxation Code; and is exempt from property taxation, pursuant to Section 202 and Division 1, Part 9, Chapter 4, California Revenue and Taxation Code. All correspondence pertaining to tax matters may be mailed to:

State of California
Department of Transportation
P.O. Box 23440
Oakland, CA 94623-0440

§710.601 for right-of-way for the construction of the San Francisco – Oakland Bay Bridge East Span Seismic Safety Project (hereafter “East Span Project”) improvements to U.S. Interstate Highway 80, the operation and maintenance of Interstate Highway 80, and the construction, operation and maintenance of Interstate Highway 880, over lands or interests in lands owned by the United States; and

WHEREAS the right-of-way required by Grantee is a nonexclusive road easement, generally over existing Burma Road, to provide access to a temporary construction yard for the East Span Project (I-80), to provide access to the existing Bay Bridge Maintenance Station (I-80), and to provide assured public access to the Future Park Area on federal lands lying at the westerly end of the Oakland Mole upon completion of the East Span Project (I-880). This nonexclusive road easement is hereafter referred to as “Right-of-Way” and is located within federal lands commonly known as the Oakland Army Base (hereafter “Federal Property”) in the City of Oakland, County of Alameda, State of California; and

WHEREAS the Federal Property is under the jurisdiction of the United States of America, Department of Defense, Department of the Army (hereafter “Army”) and is currently undergoing the base realignment and closure process pursuant to the provisions of the Defense Base Closure and Realignment Act of 1990, the Base Closure Community Assistance Act of 1994 and/or the Base Closure Community Redevelopment and Homeless Assistance Act of 1994, as amended (all collectively referred to as “BRAC”); and

WHEREAS the Army entered into a Master Lease (Lease No. DACA05-1-99-510) with Oakland Base Reuse Authority (“OBRA”) leasing the Federal Property, including the property subject to this conveyance, to OBRA, and such Master Lease reserves (under Article 14 thereof) to the United States, the right to enter upon and make use of the Federal Property for, and in connection with, any necessary or convenient governmental purposes; and

WHEREAS under State and Federal law, Grantee is responsible for the ownership, construction, operation and maintenance of the National System of Interstate and Defense Highway facilities within the State of California; and

WHEREAS Grantor has determined that the requested right-of-way is required for the National System of Interstate and Defense Highway projects described above; has coordinated with the Federal agency of jurisdiction, including sending a formal written notice on July 27, 2001 to which no response was received; and has complied with all other applicable statutory and regulatory procedures.

NOW THEREFORE:

1. Grantor hereby conveys and quitclaims to Grantee a nonexclusive right of way and road easement for road purposes from Maritime Street, as depicted on Exhibit B attached hereto and incorporated herein over Parcel 1A. This conveyance includes, and Grantor hereby conveys to Grantee, Grantor's right of entry under Article 14 of the Master Lease, identified above. Parcel 1A is described in Exhibit A, attached hereto and incorporated herein.

A. Grantor and Grantee acknowledge notice of the potential presence of hazardous substances within the Parcel 1A, as reported in the DEPARTMENT OF THE ARMY BASEWIDE PRELIMINARY ASSESSMENT/SITE INSPECTION (PA/SI), OAKLAND ARMY BASE, OAKLAND, CALIFORNIA, dated February 24, 1998. Grantor hereby reserves to the Army, its successors, and/or assigns a right-of-entry and access to any and all portions of Parcel 1A for purposes of performing investigation, remediation or corrective activities relating to such potential hazardous substances, subject to the specific terms and conditions set forth hereafter in 1A(1). This reservation includes, but is not limited to, the right to perform investigations and surveys, drillings, excavation, borings, data and record compilations, as well as installation of monitoring wells, pumping wells, treatment facilities, meters, and other related items or activities (all collectively referred to as "Remediation"). However, the foregoing right of entry and access onto Parcel 1A for Remediation is subject to the following specific terms, conditions and rights of Grantee:

(1) In the event of any Remediation within Parcel 1A, at all times during such work, sufficient area for traffic to proceed around the Remediation shall be provided to Grantee and such traffic control measures, including, but not limited to, flaggers, as are necessary to ensure the safe flow of traffic around the Remediation shall be provided.

2. In the event Army's successors and/or assigns desire to relocate Maritime Street from its present alignment, Army's successors and/or assigns and Grantee shall enter into an agreement providing for such relocation upon reasonable terms and conditions.

3. Nothing herein shall be construed to prevent Grantee and Army's successors and/or assigns from agreeing to a relocation of this nonexclusive road easement within the Federal Property on mutually agreeable terms and conditions.

4. Grantee agrees and covenants (a) that no person shall, on the grounds of race, color, national origin, sex, age, disability, or religion be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to the Grantee's operations, programs, or activities conducted on the Right of Way, and (b) that the Grantee shall use said Right of Way in compliance with all requirements imposed by or pursuant to Title VI of the Civil Rights Act of

1964 (42 U.S.C. Section 2000d to 2000d-4) and all applicable civil rights provisions of other Federal statutes.

5. Grantor and Grantee mutually understand and agree that this Quitclaim Easement Deed will be recorded and that the rights, obligations, covenants, and restrictions created by this Quitclaim Easement Deed shall run with the land and shall be binding upon Grantor and Grantee and shall be binding on, and benefit and burden, Grantor's and Grantee's successors, heirs, assigns, and lessees.

6. In the event the interest conveyed hereby is no longer needed for highway purposes, notice of that fact shall be given by Grantee to Grantor and the rights conveyed hereby shall immediately terminate and the land shall immediately revert to full control of Grantor, its successors and/or assigns.

IN WITNESS WHEREOF, I, Michael G. Ritchie, Division Administrator, pursuant to delegations of authority from the Secretary of Transportation and the Federal Highway Administrator, by virtue of authority in me vested by law, have hereunto subscribed my name as of the day and year first above written.

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By 
MICHAEL G. RITCHIE
California Division Administrator

THIS IS TO CERTIFY, that the State of California, acting by and through the Department of Transportation (pursuant to Government Code Section 27281), hereby accepts for public purposes the real property described in the within deed and agrees to itself, its successors and assigns forever to abide by the conditions set forth in said deed.

IN WITNESS WHEREOF, I have hereunto set my hand
this 13th day of FEBRUARY, 2002.

JEFF MORALES
Director
State of California
Department of Transportation

By 

Attorney-in-Fact
R.A. Macpherson
Deputy District Director - Right of Way

APPROVED AS TO FORM AND PROCEDURE:
this 11th day of FEBRUARY, 2002.

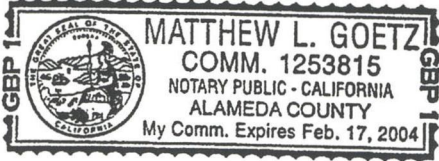
State of California
Department of Transportation

By 

Assistant Chief Counsel

STATE OF CALIFORNIA }
COUNTY OF SACRAMENTO } ss.

On this 11th day of FEBRUARY before me, MATTHEW L. GOETZ,
the undersigned Notary Public, personally appeared MICHAEL G. RITCHIE
personally known to me (or proved to me on the basis of satisfactory evidence) to be the
person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that
he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and that by his/~~her~~/~~their~~
signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s)
acted, executed the instrument.



WITNESS my hand and official seal.
[Signature]
Signature of Notary

STATE OF CALIFORNIA }
COUNTY OF } ss.

On this _____ day of _____ before me, _____,
the undersigned Notary Public, personally appeared _____
personally known to me (or proved to me on the basis of satisfactory evidence) to be the
person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that
he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and that by his/~~her~~/~~their~~
signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s)
acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

EXHIBIT "A"

PARCEL 1A

That real property situated in the City of Oakland, County of Alameda, State of California, being a strip of land 40-foot wide, the general Northerly line of which being described as follows:

Commencing at the most Southwesterly corner of that strip of land described in the easement deed from the U.S. Army to the East Bay Municipal Utility District, a public corporation organized and existing under and by virtue of the laws of the State of California, recorded in Book 5894, Page 349, Official Records of said County; thence along the general Southerly line of said strip of land the following 3 courses: 1) North 81°36'36" East, 339.37 feet; 2) North 88°08'40" East, 373.45 feet; and 3) North 81°36'36" East, 3749.58 feet to the most Southeasterly corner thereof; thence along the Easterly extension of last said course, North 81°36'36" East, 161.13 feet to the beginning of a tangent curve with a radius of 569.99 feet; thence along said curve to the right, through a central angle of 11°10'33", an arc length of 111.18 feet; thence South 87°12'51" East, 65.37 feet to the beginning of a tangent curve with a radius of 529.99 feet; thence along said curve to the left, through a central angle of 10°31'20", an arc length of 97.33 feet; thence North 82°15'49" East, 177.84 feet to the beginning of a tangent curve with a radius of 520.00 feet; thence along said curve to the right, through a central angle of 43°33'38", an arc length of 395.34 feet; thence South 54°10'33" East, 218.83 feet to the beginning of a tangent curve with a radius of 549.99 feet; thence along said curve to the right, through a central angle of 35°32'30", an arc length of 341.17 feet; thence South 18°38'03" East, 228.38 feet to the beginning of a tangent curve with a radius of 180.00 feet; thence along said curve to the left, through a central angle of 34°25'02", an arc length of 108.12 feet; thence South 53°03'05" East, 33.09 feet to a point on the Northwesterly line of Maritime Street as shown on the Record of Survey No. 1687, filed August 7, 2000 in Book 25 of Surveys, Pages 58-69 in the office of the County Recorder of said County, said point being the TRUE POINT OF BEGINNING;

thence North 53°03'05" West, 33.09 feet to the beginning of a tangent curve with a radius of 180.00 feet; thence along last said curve to the right, through a central angle of 34°25'02", an arc length of 108.12 feet; thence North 18°38'03" West, 228.38 feet to the beginning of a tangent curve with a radius of 549.99 feet; thence along said curve to the left, through a central angle of 35°32'30", an arc length of 341.17 feet; thence North 54°10'33" West, 218.83 feet to the beginning of a tangent curve with a radius of 520.00 feet; thence along said curve to the left, through a central angle of 43°33'38", an arc length of 395.34 feet; thence South 82°15'49" West, 177.84 feet to the beginning of a tangent curve with a radius of 529.99 feet; thence along said curve to the right, through a central angle of 10°31'20", an arc length of 97.33 feet; thence North 87°12'51" West, 65.37 feet to the beginning of a tangent curve with a radius of 569.99 feet; thence along said curve to the left, through a central angle of 11°10'33", an arc length of 111.18 feet to the Easterly extension of the most Southerly line of said strip of land, said extension being tangent to last said curve; thence along said extension, South 81°36'36" West, 161.13 feet to an angle point in the Southerly boundary of said strip of land; thence along the general Southerly line of said strip of land the following 3 courses: 1) South 81°36'36" West, 3749.58 feet; 2) South 88°08'40" West, 373.45 feet; and 3) South 81°36'36" West, 326.36 feet, more or less, to the Easterly boundary line of the Future Park.

However, at such time as the Easterly boundary line of the Future Park Area (located at the Westerly end of the Oakland Mole) is fixed by a recorded deed, the 40-foot wide strip shall terminate five feet Westerly of said Easterly boundary line.

TOGETHER WITH a forty-one (41) foot wide strip of land lying Northerly of and adjacent to the above-described 40-foot wide strip of land, the centerline of said forty-one foot wide strip of land being described as follows:

Beginning at the intersection of the Southerly prolongation of the centerline of the existing Bay Bridge Maintenance Station vehicular sewer crossing structure over that certain sewer placed pursuant to a sewer easement from the United States to East Bay

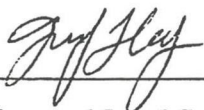
Municipal Utility District, recorded in Book 5894, Page 349, Official Records of said County with the Northerly line of above-described 40-foot wide strip; thence from said point of beginning Northerly along said centerline to the Northerly boundary of said sewer easement.

TOGETHER WITH a forty-one (41) foot wide strip of land lying Northerly of and adjacent to the above-described 40-foot wide strip of land, the centerline of said forty-one foot wide strip of land being described as follows:

Beginning at a point along the Northerly line of the above described 40-foot wide strip of land, said point of beginning being along (1) the Westerly 1850.0 feet of the course described above as "South 81°36'36" West, 3749.58 feet," (2) the course described above as "South 88°08'40" West, 373.45 feet," or (3) the course described above as "South 81°36'36" West, 326.36 feet, more or less"; thence from said point of beginning, Northerly to the Northerly line of that certain sewer easement from the United States to East Bay Municipal Utility District, recorded in Book 5894, Page 349, Official Records of said County along a line perpendicular to said Northerly line of said easement.

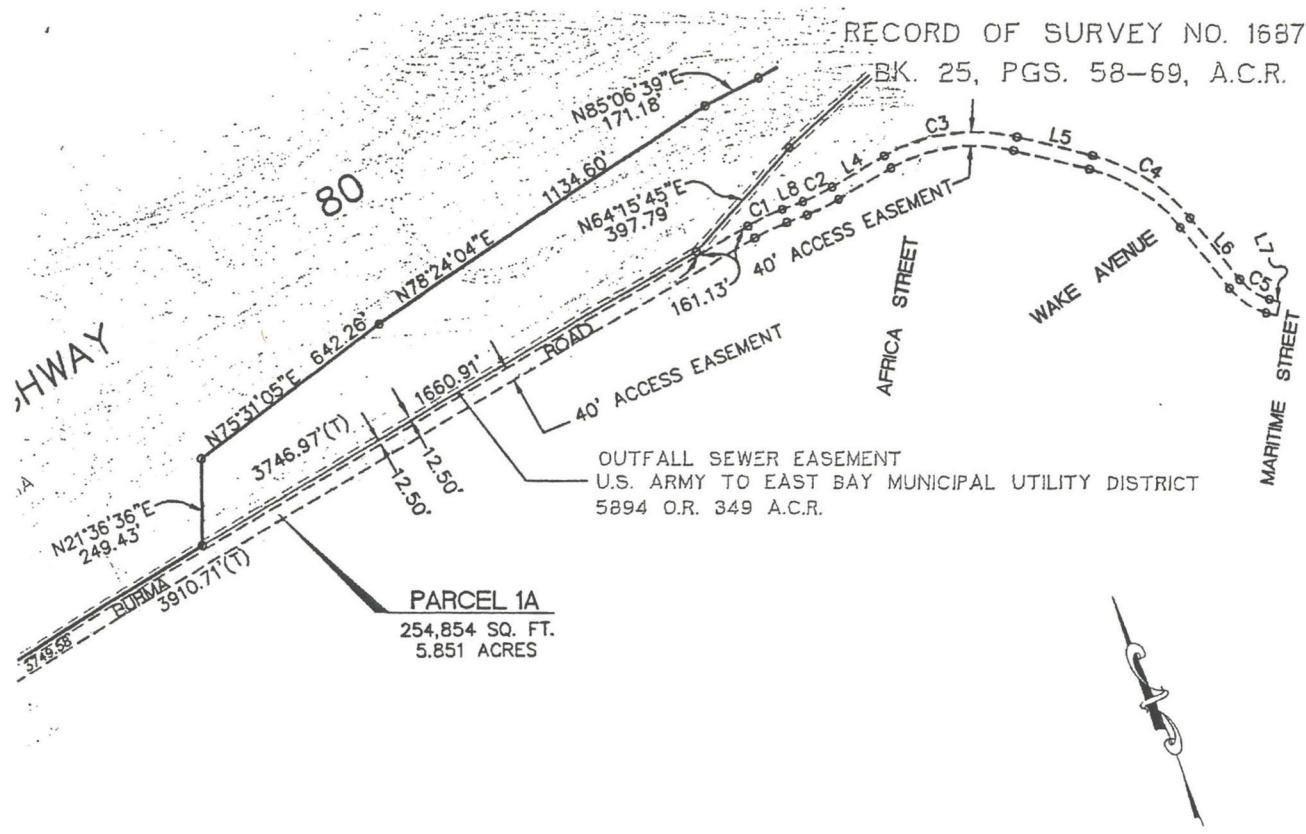
The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 3. Multiply the above distances by 1.0000680 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

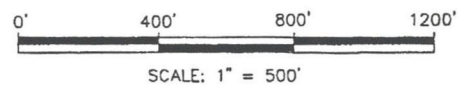
Signature 
Licensed Land Surveyor

Date 12/12/2001





UNITED STATES OF AMERICA
(U. S. ARMY)



NE TABLE

BEARING	DISTANCE
1°36'34"E	326.36'
7°08'40"W	373.45'
1°36'36"E	3749.58'
2°15'49"W	177.84'
1°10'33"W	218.83'
1°38'03"W	228.38'
3°03'05"W	33.09'
7°12'51"W	65.37'

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	569.99'	11°10'33"	111.18'
C2	529.99'	10°31'20"	97.33'
C3	520.00'	43°33'38"	395.34'
C4	549.99'	35°32'30"	341.17'
C5	180.00'	34°25'02"	108.12'

LEGEND

- o DIMENSION POINT
- O.R. OFFICIAL RECORDS
- SQ. FT. SQUARE FEET
- BK. BOOK
- PGS. PAGES
- A.C.R. ALAMEDA COUNTY RECORDS
- T.B.A. TOLL BRIDGE AUTHORITY
- (T) TOTAL

EXHIBIT "B"

NTY OF ALAMEDA

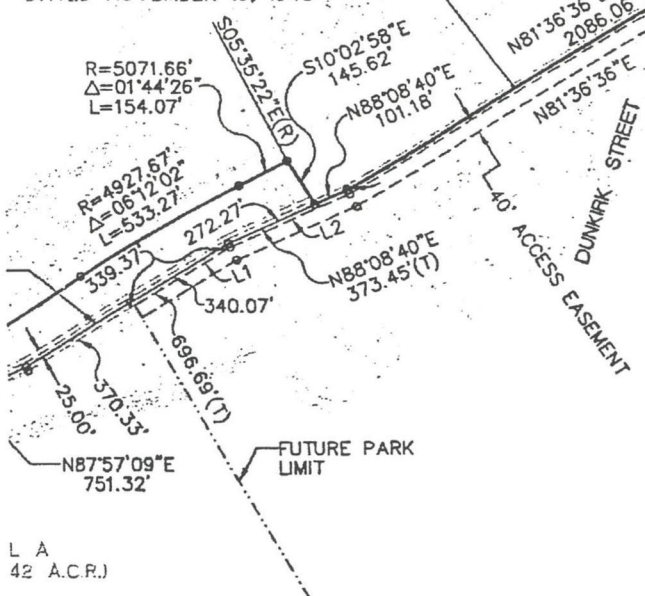
80

INTERSTATE HIGHWAY

STATE OF CALIFORNIA
14156 O.R. 156 A.C.R.)
PARCEL "S"

PARCEL 1A
254,854 SQ. F
5.851 ACRES

PERMIT PER T.B.A. RESOLUTION
DATED NOVEMBER 16, 1948



UNITED

L A
42 A.C.R.)

FRANCISCO BAY

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N81°36'34"E	326.36'
L2	S68°08'40"W	373.45'
L3	N81°36'36"E	3749.58'
L4	SE2°15'49"W	177.84'
L5	NE4°10'33"W	218.83'
L6	N18°38'03"W	228.38'
L7	N53°03'05"W	33.09'
L8	N87°12'51"W	65.37'

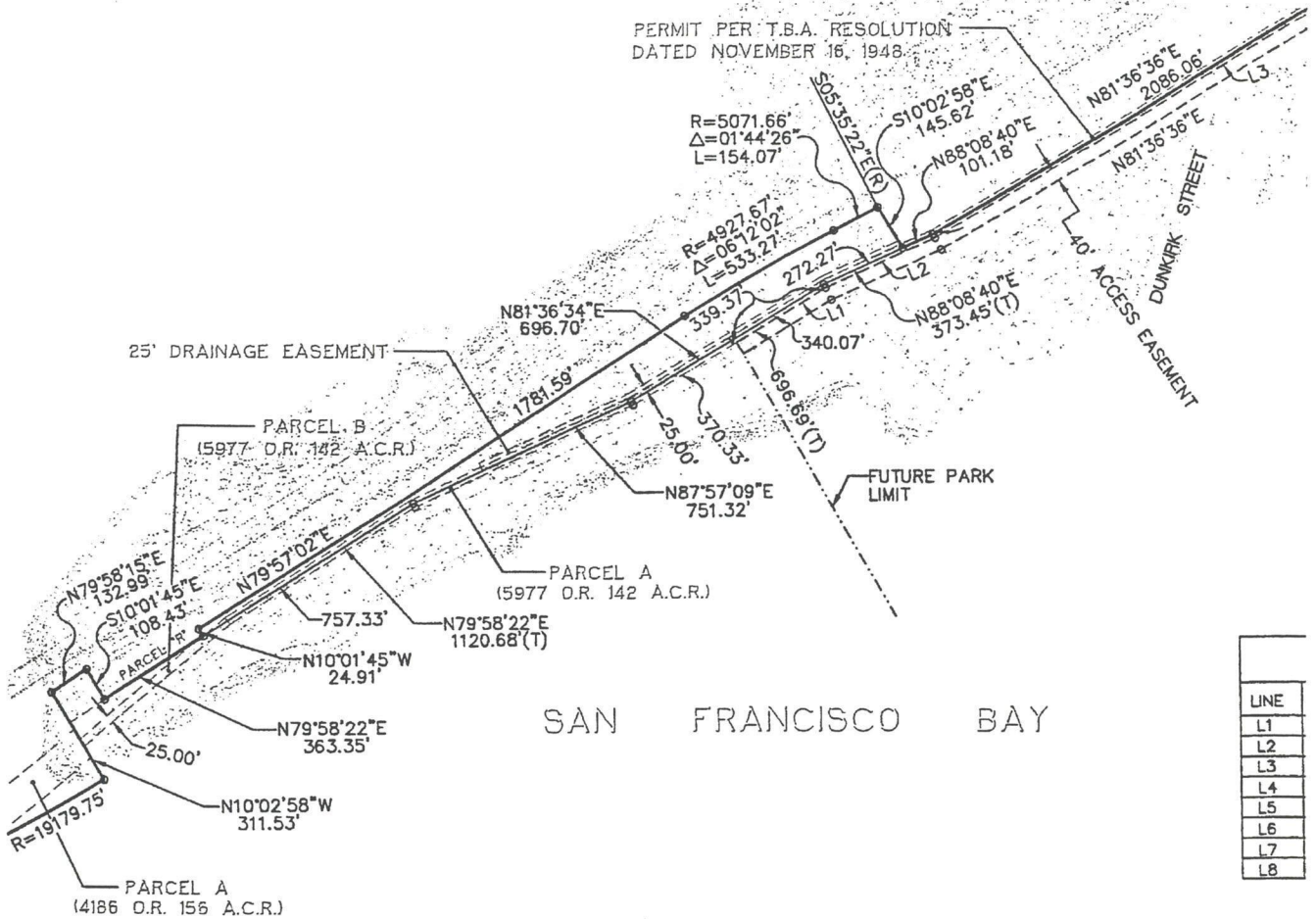
CURVE TA		
CURVE	RADIUS	DEL
C1	569.99'	117°0'
C2	529.99'	10°31'
C3	520.00'	43°33'
C4	549.99'	35°32'
C5	180.00'	34°25'

COUNTY OF ALAMEDA

SAN FRANCISCO BAY

INTERSTATE
STATE OF CALIF.
(4186 O.R. 156 A.C.R.)
PARCEL

PERMIT PER T.B.A. RESOLUTION
DATED NOVEMBER 16, 1948

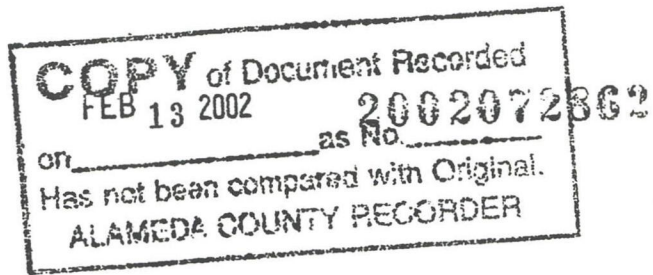


LINE
L1
L2
L3
L4
L5
L6
L7
L8

COORDINATES, BEARINGS, DISTANCES AND STATIONING SHOWN HEREON ARE REFERRED TO THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 3. MULTIPLY DISTANCES SHOWN HEREON BY 1.0000580 TO OBTAIN GROUND LEVEL DISTANCES.

Recorded at the request of:
State of California
Department of Transportation

After recording please return to:
State of California
Department of Transportation
P.O. Box 23440
Oakland, CA 94623-0440



QUITCLAIM EASEMENT DEED
(Temporary Construction Easement)

THIS QUITCLAIM EASEMENT DEED, made this 11th day of February, 2002, by and between the UNITED STATES OF AMERICA, acting by and through the DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION ("Grantor"), and the STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION ("Grantee"):

WITNESSETH:

WHEREAS pursuant to Title 23, United States Code, Section 107 (d) and Section 317, whenever rights-of-way, including control of access, on the Interstate System are required over lands or interests in lands owned by the United States, the Secretary of Transportation may make such arrangements with the agency having jurisdiction over such lands as may be necessary to give the State or other person(s) constructing the projects on such lands adequate rights-of-way and control of access thereto from adjoining lands, and any such agency is directed to cooperate with the Secretary in this connection; and

This transfer is exempt from Recording Fees, pursuant to Section 27383, California Government Code; and is exempt from Document Transfer taxes, pursuant to Section 11922, California Revenue and Taxation Code; and is exempt from property taxation, pursuant to Section 202 and Division 1, Part 9, Chapter 4, California Revenue and Taxation Code. All correspondence pertaining to tax matters may be mailed to:

State of California
Department of Transportation
P.O. Box 23440
Oakland, CA 94623-0440

WHEREAS Grantee has filed an application with the Grantor under the provisions of Title 23, U.S.C. Section 107(d) and Section 317 and their implementing regulations at 23 C.F.R §710.601 for right-of-way for the construction of the San Francisco – Oakland Bay Bridge East Span Seismic Safety Project (hereafter “East Span Project”) improvements to U.S. Interstate Highway 80 over lands or interests in lands owned by the United States; and

WHEREAS the right-of-way required by Grantee is a temporary interest in land (hereafter referred to as “Right-of-Way”) and is located within federal lands commonly known as the Oakland Army Base (hereafter “Federal Property”) in the City of Oakland, County of Alameda, State of California ; and

WHEREAS the Federal Property is under the jurisdiction of the United States of America, Department of Defense, Department of the Army (hereafter “Army”), and is currently undergoing the base realignment and closure process pursuant to provisions of the Defense Base Closure and Realignment Act of 1990, the Base Closure Community Assistance Act of 1994 and/or the Base Closure Community Redevelopment and Homeless Assistance Act of 1994, as amended (all collectively referred to as “BRAC”); and

WHEREAS the Army entered into a Master Lease (Lease No. DACA05-1-99-510) with Oakland Base Reuse Authority (“OBRA”) leasing the Federal Property, including the property subject to this conveyance to OBRA, and such Master Lease reserves (under Article 14 thereof) to the United States, the right to enter upon and make use of the Federal Property for, and in connection with, any necessary or convenient governmental purposes; and

WHEREAS under State and Federal law, Grantee is responsible for the ownership, construction, operation and maintenance of National System of Interstate and Defense Highway facilities within the State of California; and

WHEREAS Grantor has determined that the Right of Way is required for the National System of Interstate and Defense Highways; has coordinated with the Federal agency of jurisdiction, including sending a formal written notice on August 6, 2001 to which no response was received; and has complied with all other applicable statutory and regulatory procedures.

NOW THEREFORE:

1. Grantor hereby conveys and quitclaims to Grantee, subject to recorded existing liens, leases, easements, and other encumbrances of record, a temporary construction easement (“TCE”) for construction of the East Span Project, including but not limited to governmental, non-commercial harbor and port uses, over Parcel 1B. Parcel 1B is described in Exhibit A and depicted on Exhibit B, attached hereto and incorporated herein. This conveyance includes, and Grantor hereby conveys to Grantee, Grantor’s right of entry under Article 14 of the Master Lease, identified above. This temporary construction easement shall include the right to develop

any facilities within Parcel 1B which would be desirable to utilize Parcel 1B for temporary construction purposes.

A. Grantor and Grantee acknowledge notice of the potential presence of hazardous substances within Parcel 1B, as reported in the DEPARTMENT OF THE ARMY BASEWIDE PRELIMINARY ASSESSMENT/SITE INSPECTION (PA/SI), OAKLAND ARMY BASE, OAKLAND, CALIFORNIA, dated February 24, 1998, as amended. Grantor hereby reserves to the Army, its successors, and/or assigns a right-of-entry and access to any and all portions of Parcel 1B for purposes of performing remediation or corrective activities relating to such hazardous substances, subject to the specific terms and conditions set forth hereafter in 1A(1)(2)(3)(4)(5) and (6). This reservation includes, but is not limited to, the right to perform investigations and surveys, drillings, excavation, borings, data and record compilations, as well as installation of monitoring wells, pumping wells, treatment facilities, meters, and other related items or activities (all collectively referred to as "Remediation"), Grantor also reserves to the Army, its successors, and/or assigns the right of access across Parcel 1B for ingress and egress to and from the Federal Property lying westerly of Parcel 1B. However, the foregoing right of entry and access onto Parcel 1B for Remediation and the foregoing right of access across Parcel 1B to and from the Federal Property lying westerly of Parcel 1B are subject to the following specific terms, conditions and rights of Grantee:

(1) The Army, its successors and/or assigns shall give Grantee's designee ("Construction Manager") reasonable notice, and in no event less than 24 hours written notice, prior to the date the Army, its successors and/or assigns desire access through Parcel 1B to the Federal Property lying westerly of Parcel 1B.

(2) The Army, its successors and/or assigns shall notify Grantee's designee ("Construction Manager"), in writing, at least 30 business days prior to the date the Army, its successors and/or assigns desires entry onto Parcel 1B for Remediation.

(3) The Construction Manager will cooperate with the Army, its successors and/or assigns to facilitate access over and/or entry within Parcel 1B for Remediation as provided for in section 1A(1) and 1A(2); however, the Construction Manager may, in his/her reasonable discretion, impose any additional conditions on the request for either (a) access through Parcel 1B or (b) entry onto Parcel 1B for Remediation, as are deemed necessary or prudent to Grantee to ensure that such access and/or Remediation do not (1) create safety hazards or (2) impede or delay the East Span Project construction work. (For example, Grantee may require that the Army, its successors and/or assigns, shall be accompanied by the Construction Manager at all times while transporting hazardous substances within or across Parcel 1B). Such additional conditions shall not unreasonably delay Remediation of Parcel 1B.

(4) If the Army, its successors and/or assigns desires to transport any hazardous material or substances within or across Parcel 1B, they shall provide Construction Manager two (2) days written notice, in addition to the one day written notice provided for in section 1A(1) above, of each such desired transport. Such notice shall include all relevant information concerning the nature of the transport including, but not limited to, the exact nature of the hazardous substances, the method(s) of transportation, safety procedures and precautions, verifications, etc to the Construction Manager's satisfaction. The Construction Manager, in his/her reasonable discretion, may impose any additional conditions on such request to ensure safe transport/access through the Parcel 1B.

(5) Nothing in this section shall be construed to prevent or limit the Construction Manager and the Army, its successors and/or assigns from mutually agreeing upon an access scheme for access to and across the Parcel 1B including but not limited to routes, methods, schedules, hazardous materials transport methods and verifications, etc.

(6) The Army's successors and/or assigns are solely liable for any and all damages, costs, charges, liability, expenses (hereafter collectively referred to as "Damage") arising out of or relating to their entry onto Parcel 1B, for any purpose whatsoever. However, the Army's successors and/or assigns shall not be liable for Damage caused by the active negligence of Grantee, nor shall they be liable for Damage caused by intentional misconduct by Grantee.

2. Grantee agrees and covenants that it shall maintain the Right-of-Way to acceptable standards of repair, orderliness, neatness, sanitation, and safety.

3. The TCE shall terminate when the interest conveyed hereby is no longer needed for the East Span Project and no later than on the date Grantee gives final acceptance to its contractor for all the work of Grantee's East Span Project. Notice of such termination shall be given by Grantee to Grantor and this TCE shall thereupon be extinguished. Prior to extinguishment and upon receipt of notice by Grantor, Grantee shall reasonably rehabilitate the area to at least the condition in which it was transferred. Grantee will prepare, execute and deliver to Grantor a quitclaim deed to release and extinguish the TCE over Parcel 1B in a timely manner.

4. Notices. Except as otherwise expressly provided herein, any notices given under this Grant Deed shall be effective only if in writing and given by delivering the notice in person, or by sending it first-class certified mail with return receipt requested, or by nationally recognized overnight courier that guarantees next-day delivery and provides a receipt therefor, with postage prepaid, addressed as follows (or such alternative address as may be provided in writing):

To Grantee:

State of California
Department of Transportation
District 4
111 Grand Avenue
Oakland, CA 94612
Attn: District Director

And to:

State of California
Department of Transportation
Legal Division
P.O. Box 7444
San Francisco, CA 94120-7444
Attn: Deputy Chief Counsel

To Grantor:

United States Department of Transportation
Federal Highway Administration
Administrator, California Division
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724
Attn: Right-of Way Officer

Notices herein shall be deemed given and actual delivery completed three (3) days after the date when they shall have been mailed if sent by first-class certified mail; two (2) days after the date of mailing if sent by overnight courier; and actual delivery shall be deemed complete on the date of delivery if done by personal service at the business office listed above. All personal service shall be done during normal business hours.

5. Grantee agrees and covenants (a) that no person shall, on the grounds of race, color, national origin, sex, age, disability, or religion be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to the Grantee's operations, programs, or activities conducted on the Right of Way, and (b) that the Grantee shall use said Right of Way in compliance with all requirements imposed by or pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d to 2000d-4) and all applicable civil rights provisions of other Federal statutes.

QUITCLAIM EASEMENT DEED (TCE)

PAGE 5

6. Grantor and Grantee mutually understand and agree that this Quitclaim Easement Deed will be recorded and that the rights, obligations, covenants, and restrictions created by this Quitclaim Easement Deed shall run with the land and shall be binding upon Grantor and on Grantee and shall be binding on, and benefit and burden Grantor's and Grantee's successors, heirs, assigns, and lessees.

IN WITNESS WHEREOF, I, Michael G. Ritchie, Division Administrator, pursuant to delegations of authority from the Secretary of Transportation and the Federal Highway Administrator by virtue of authority in me vested by law, have hereunto subscribed my name as of the day and year first above written.


UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By 
MICHAEL G. RITCHIE
California Division Administrator

THIS IS TO CERTIFY, that the State of California, acting by and through the Department of Transportation (pursuant to Government Code Section 27281), hereby accepts for public purposes the real property described in the within deed and agrees to itself, its successors and assigns forever to abide by the conditions set forth in said deed.

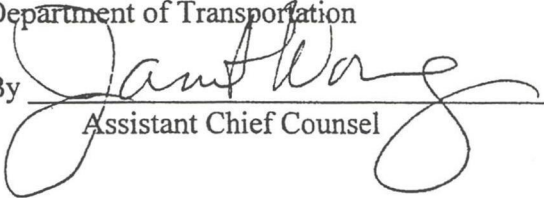
IN WITNESS WHEREOF, I have hereunto set my hand
this 13th day of FEBRUARY, 2002.

JEFF MORALES
Director
State of California
Department of Transportation

By 
Attorney-in-Fact
R.A. Macpherson
Deputy District Director - Right of Way

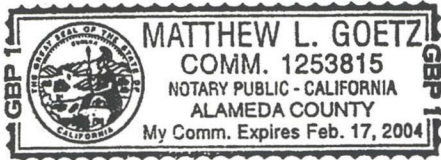
APPROVED AS TO FORM AND PROCEDURE:
this 11th day of FEBRUARY, 2002.

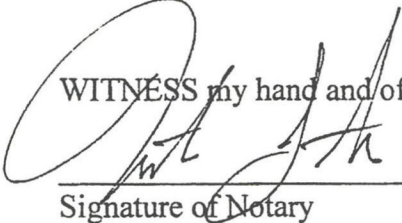
State of California
Department of Transportation

By 
Assistant Chief Counsel

STATE OF CALIFORNIA }
 } ss.
COUNTY OF SACRAMENTO }

On this 17th day of FEBRUARY before me, MATTHEW L. GOETZ,
the undersigned Notary Public, personally appeared MICHAEL G. RITCHIE
personally known to me (or proved to me on the basis of satisfactory evidence) to be the
person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that
he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~
signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s)
acted, executed the instrument.



WITNESS my hand and official seal.


Signature of Notary

STATE OF CALIFORNIA }
 } ss.
COUNTY OF }

On this _____ day of _____ before me, _____,
the undersigned Notary Public, personally appeared _____
personally known to me (or proved to me on the basis of satisfactory evidence) to be the
person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that
he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~
signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s)
acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

EXHIBIT "A"

PARCEL 1B

That real property situated in the City of Oakland, County of Alameda, State of California, more particularly described as follows:

Beginning at the Westerly terminus of the course described as " N. 80 deg. 25' 12" E. - 4828.38 feet" in PARCEL "S" in the deed from the City of Oakland to the State of California, recorded February 17, 1942 in Book 4186, Page 156, Official Records of said county; thence along said course, North 81°36'36" East, 1365.71 feet; thence at right angles, South 08°23'24" East, 247.26 feet; thence South 81°36'27" West, 50.52 feet to the beginning of a tangent curve with a radius of 350.89 feet; thence along said curve to the left, through a central angle of 40°22'08", an arc length of 247.23 feet; thence South 41°14'19" West, 1337.21 feet; thence at right angles, North 48°45'41" West, 285.88 feet; thence at right angles, North 41°14'19" East, 126.94 feet; thence at right angles, North 48°45'41" West, 233.65 feet; thence at right angles, North 41°14'19" East, 10.00 feet; thence North 21°08'58" West, 640.10 feet; thence North 01°51'20" West, 122.25 feet to the general Southerly line of said PARCEL "S"; thence along last said line, North 88°08'40" East, 292.41 feet to the point of beginning.

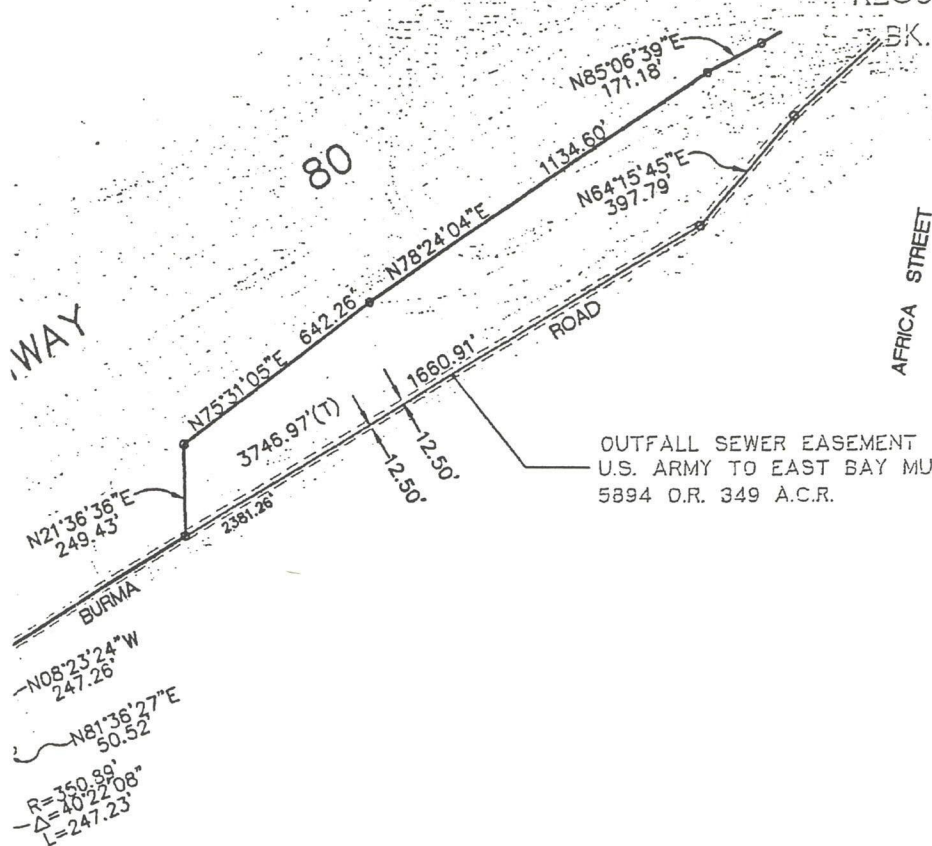
The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 3. Multiply the above distances by 1.0000680 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature 
Licensed Land Surveyor

Date 11/28/01





OUTFALL SEWER EASEMENT
 U.S. ARMY TO EAST BAY MUNICIPAL UTILITY DISTRICT
 5894 O.R. 349 A.C.R.

UNITED STATES OF AMERICA
 (U. S. ARMY)

LEGEND

- o DIMENSION POINT
- O.R. OFFICIAL RECORDS
- SQ. FT. SQUARE FEET
- BK. BOOK
- PGS. PAGES
- T.B.A. TOLL BRIDGE AUTHORITY
- A.C.R. ALAMEDA COUNTY RECORDS

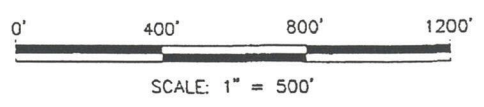


EXHIBIT "B"

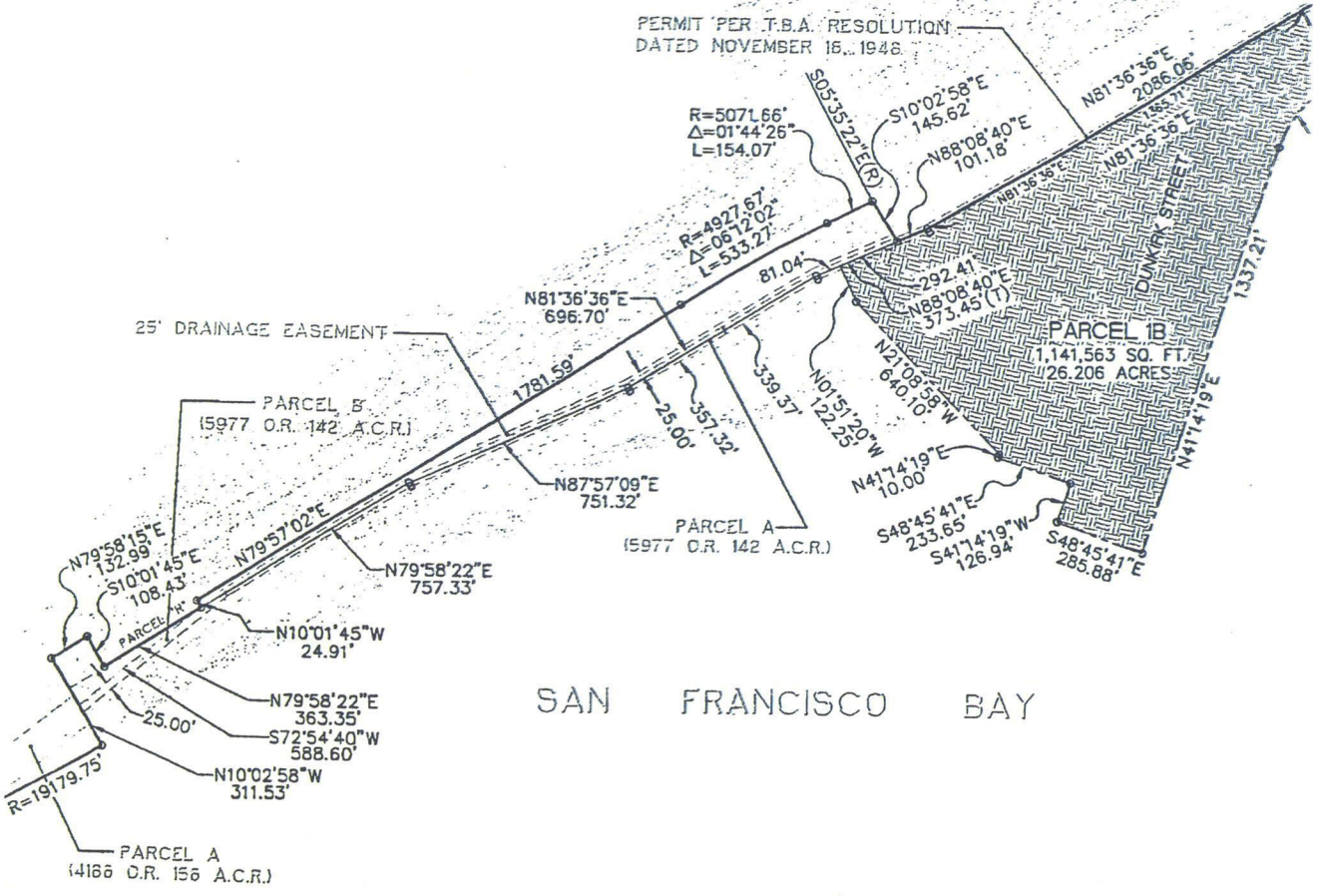
COUNTY OF ALAMEDA

SAN FRANCISCO BAY

INTERSTATE

STATE OF CALIFORNIA
 14186 O.R. 156 A.C.R.
 PARCEL 1A

PERMIT PER T.B.A. RESOLUTION
 DATED NOVEMBER 16, 1948



SAN FRANCISCO BAY

COORDINATES, BEARINGS, DISTANCES AND STATIONING SHOWN HEREON ARE REFERRED TO THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 3. MULTIPLY DISTANCES SHOWN HEREON BY 1.0000680 TO OBTAIN GROUND LEVEL DISTANCES.

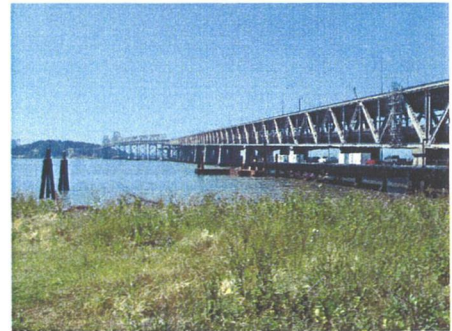
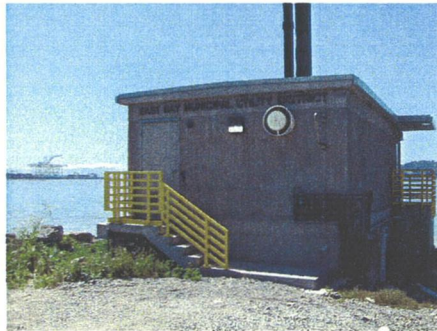
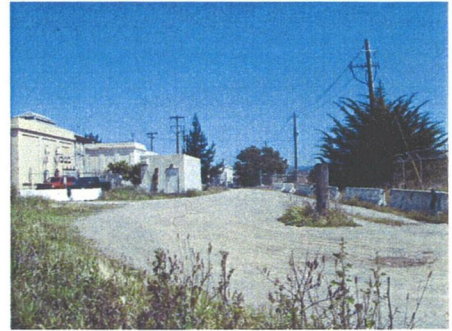
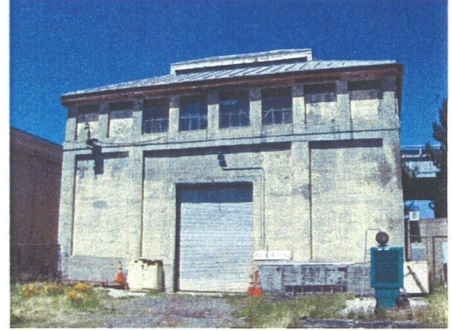
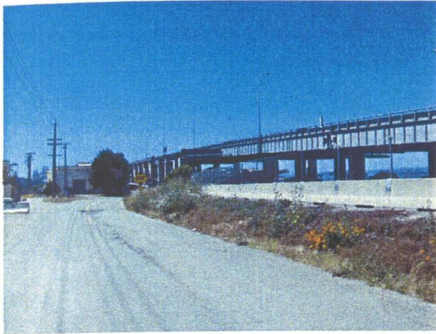
APPENDIX J APPENDIX I APPENDIX H

Appendix H

Photo Logs

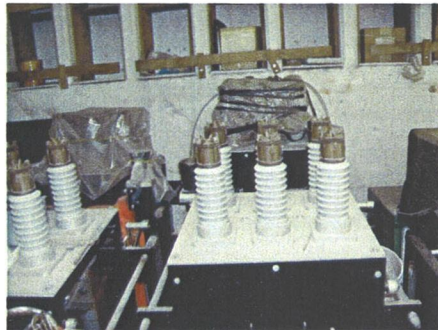
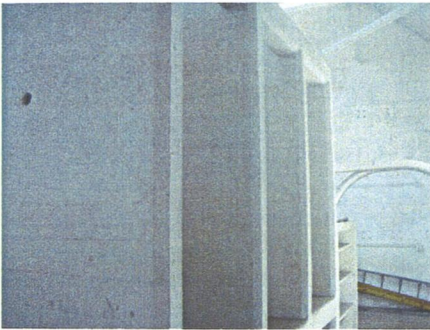
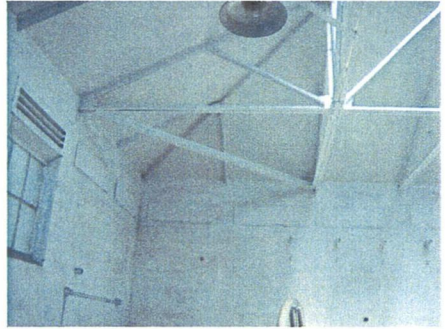
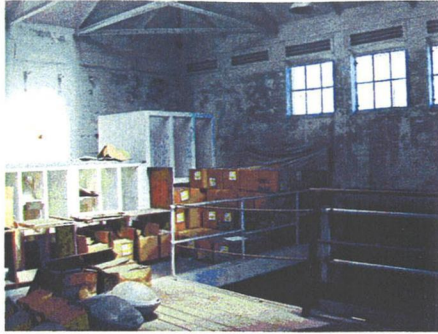
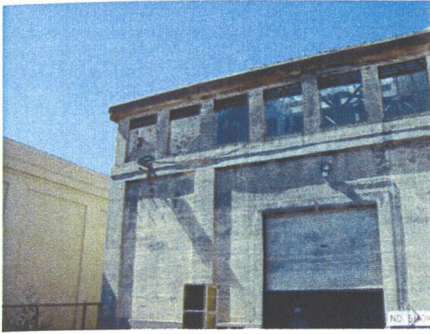
- Existing Conditions at Gateway Park Site
- Interior Conditions of Key Pier Substation Building
- Segment II Proposed Bikeway Alignment
- Segment III Proposed Bikeway Alignment (Northern Alignment)
- Middle Harbor Shoreline Park in Oakland
- Golden Gate Bridge - Southern Terminus in San Francisco

Existing Conditions at Gateway Park Site



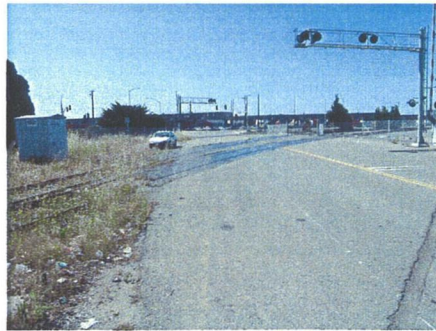
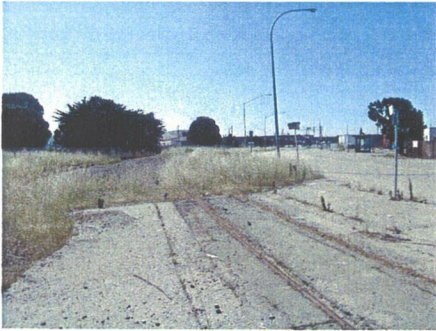
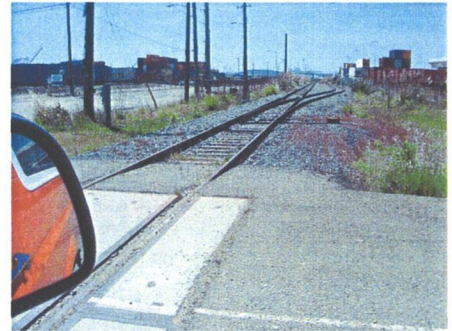
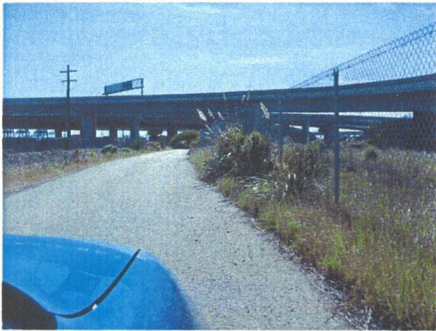
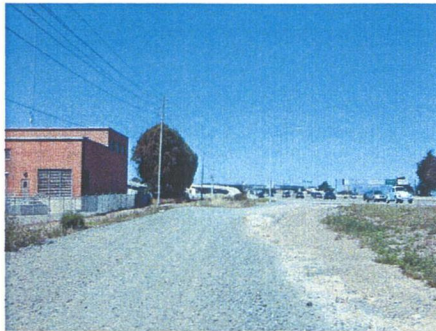
Source: HNTB, 2007

Existing Conditions of Key Pier Substation Building



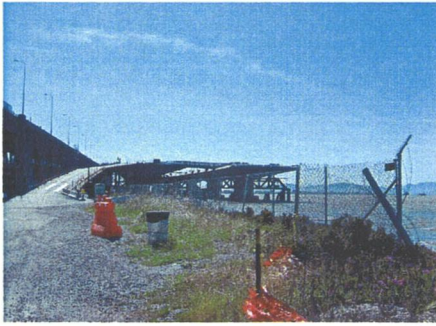
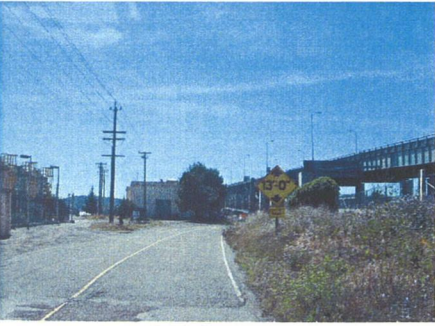
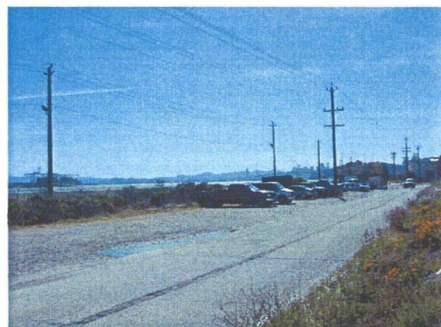
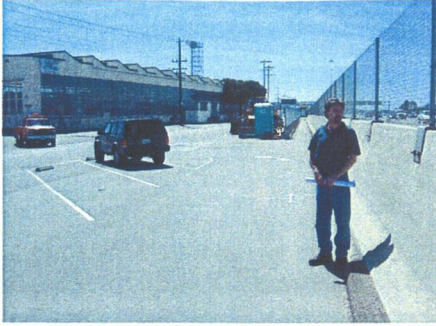
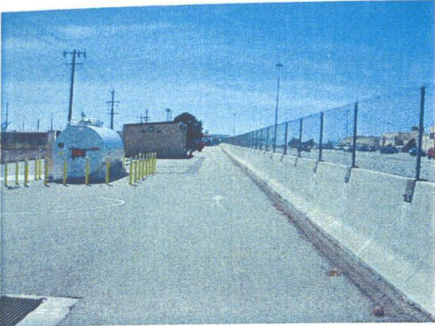
Source: HNTB, 2007

Segment II Proposed Bikeway Alignment - From 40th Street in Emeryville to Maritime Road in Oakland



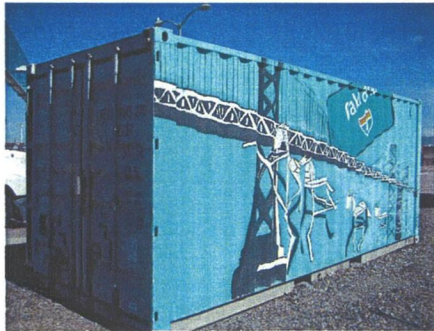
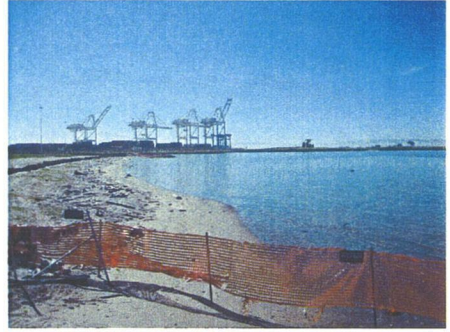
Source: Caltrans, 2007

Segment III Proposed Bikeway Alignment - From Maintenance Road to SFOBB (Northern Alignment)



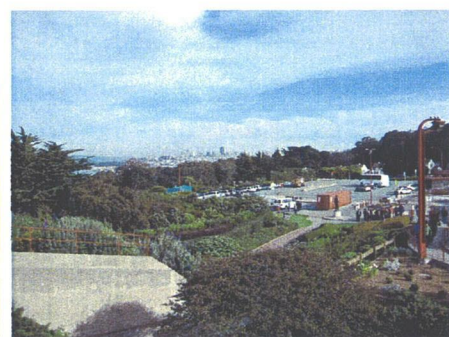
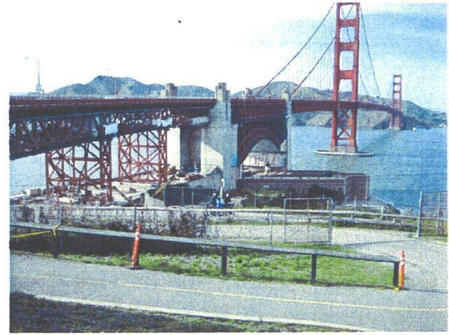
Source: Caltrans, 2007

Middle Harbor Shoreline Park in Oakland



Source: HNTB, 2007

Golden Gate Bridge - Southern Terminus in San Francisco



Source: HNTB, 2007

APPENDIX I

APPENDIX J

Appendix I

National Register Eligibility for Substation Buildings, 1998

- Key Pier Substation
- Caltrans (Bay Bridge Oakland) Substation
- PG&E Oakland Substation

State of California -- The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
 HRI # _____
 Trinomial _____
 NRHP Status Code 3B

Other Listings _____
 Review Code _____ Reviewer _____ Date _____

Page 1 of 4

*Resource Name or #: (Assigned by recorder) Key Pier Substation

P1. Other Identifier: _____
 *P2. Location: Not for Publication Unrestricted *a. County Alameda
 and (P2b and P2c or P2d. Attach a Location Map as necessary.)
 *b. USGS 7.5' Quad Oakland West Date 1959 (Rev. 1980) T: ; R: ; 1/4 of 1/4 of Sec. ; B. M.
 c. Address _____ City Oakland Zip _____
 d. UTM: (Give more than one for large and/or linear resources) Zone 10 ; 559110 mE/ 4185970 mN
 e. Other Location Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

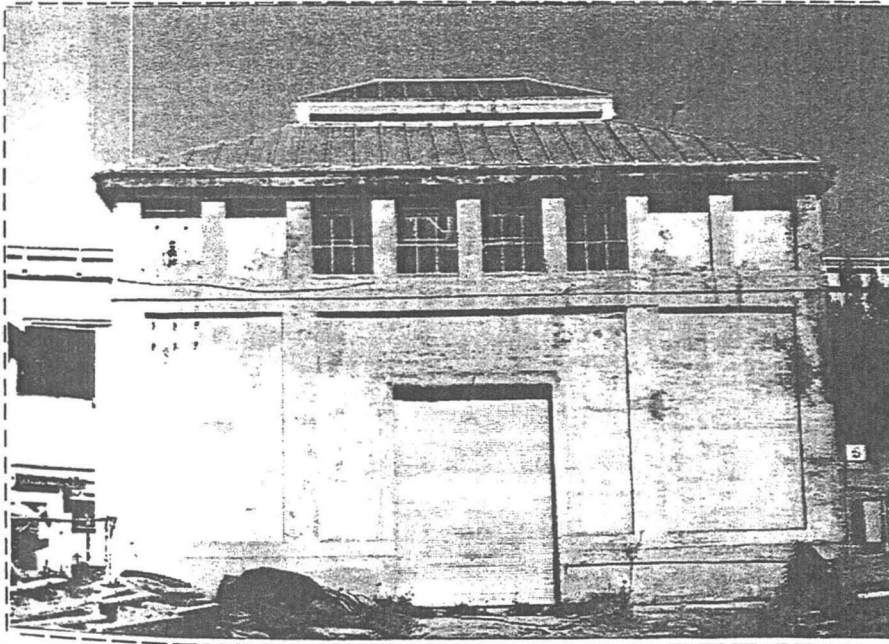
This building is located at the end of the narrow peninsula that extends into San Francisco Bay from the Bay Bridge toll plaza.

*P3a. Description (Describe the resource and its major elements. Include design, materials, condition, alterations, size, setting & boundaries):

This concrete building is approximately 42 feet wide by 32 feet deep, with a slightly projecting base and pilasters. The large doorway in the center of the south facade originally had paired, side-hinged doors, but now has a metal roll-up door. There are rows of small windows, each consisting of a six-pane fixed sash in a metal frame, at the top of the north and south facades. There are also narrow ventilation louvers at the tops of all four walls, just below the eaves. The hipped roof is clad in standing-seam sheet metal and is topped by a raised, central skylight which repeats the hipped roof form. The interior is a single, large room with an open mezzanine along the east and north walls. The roof is supported by steel trusses, which are supported in turn by the concrete walls. A narrow passageway connects the east wall of this building to the larger electrical substation that was built fifteen feet to the east in the late 1930s.

*P3b. Resource Attributes: (List attributes and codes) HP9 -- electrical substation

*P4. Resources present: Building Structure Object Site District Element of District Other



P5b. Description of Photo: (View, Date, etc.) Elect. substation
Looking north
October 1997

*P6. Date Constructed / Age and Sources: Historic
 Prehistoric Both
1925-6

*P7. Owner and Address:
State of California
Department of Transportation
111 Grand Avenue
Oakland, California

*P8. Recorded by: (Name, affiliation, and address) Andrew Hope
Caltrans, District 4
111 Grand Avenue
Oakland, CA

*P9. Date Recorded: Feb. 1998

*P10. Survey Type: (Describe)
Intensive

*P11. Report Citation (Cite survey report and other sources, or enter "none"): Historic Architecture Survey Report for the Construction of a New East Span for the San Francisco - Oakland Bay Bridge.

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure & Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List) _____

State of California – The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE AND OBJECT RECORD

Primary # _____
 HRI # _____

Page 2 of 4

*NRHP Status Code 3B

*Resource Name or # (Assigned by recorder) Key Pier Substation

- B1. Historic Name: Key Pier Substation
 B2. Common Name: Key Pier Substation
 B3. Original Use: Electrical substation B4. Present Use: Storage Building
 *B5. Architectural Style: utilitarian
 *B6. Construction History: (Construction date, alterations, and date of alterations)

This building was completed 1926. At some point in the 1940s or 1950s, a passageway was built to connect this building to the adjacent Caltrans substation. The overhead door in the south facade is a later replacement.

- *B7. Moved? No Yes Unknown Date: _____ Original Location: _____
 *B8. Related Features:

This building is connected to the adjacent Caltrans substation by a short passage extending from the east facade. Like the Caltrans substation that it is connected to, this building is directly associated with the operation of the San Francisco – Oakland Bay Bridge.

- B9a. Architect: unknown b. Builder: unknown
 *B10. Significance: Theme: Interurban rail; Bay Bridge construction Area San Francisco Bay region
 Period of Significance 1926 – 1948 Property Type electrical substation Applicable Criteria A
 (Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

This electrical substation was built as part of the Key System, which provided streetcar service throughout Oakland and other East Bay communities, with connecting ferry service to San Francisco. Originally named the San Francisco, Oakland & San Jose Railway, the system was organized in 1902 by Francis M. "Borax" Smith, through the consolidation of existing streetcar lines. Smith built a long pier extending into the bay nearly to Yerba Buena Island, where streetcar passengers transferred to San Francisco-bound ferries. The railway was officially named the Key System after a reorganization in 1923, taking its name from the shape of the pier. By 1924 the pier was carrying more than 800 Key System trains per day.

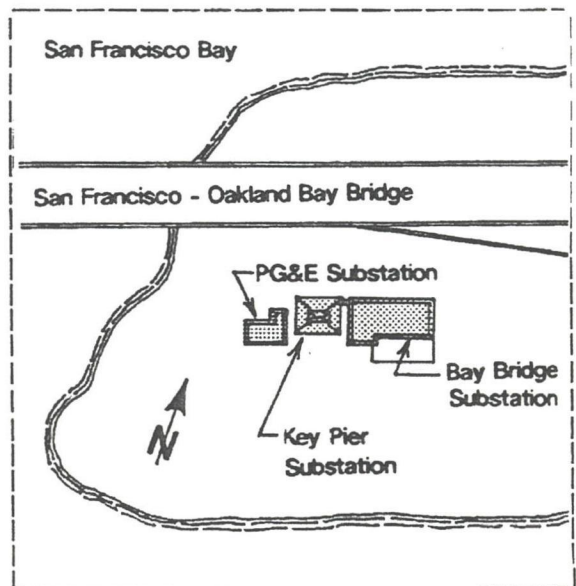
[See Continuation Sheet, Page 3 of 4.]

- B11. Additional Resource Attributes: (List attributes and codes) _____
 *B12. References:

- Bay Bridge plans, Caltrans' District 4 archives (Oakland)
 "Building Bay Bridge Railroad." *California Highways and Public Works*, May 1938, pp. 8–11.
 Demoro, Harre W. *The Key Route: Transbay Commuting by Train and Ferry*. Glendale: Interurban Press, 1985.
 Snyder, John. "Southern Pacific Railroad Property and Interurban Railway Structures." In HPSR for the Cypress Freeway Reconstruction. Caltrans, 1990.

- B13. Remarks: _____
 *B14. Evaluator: Andrew Hope
Caltrans, District 4 (Oakland)
 *Date of Evaluation: February 1998

(This space reserved for official comments.)



B10. Significance [continued from Page 2]:

This heavy volume of train traffic by required additional electrical power, and construction was begun on the present building in 1925. It was designed specifically for the conditions at this location, near the train switching yards and the Key Pier trestle which extended out to the ferry terminal in the bay. A large amount of electrical energy was needed here during the afternoon rush, to start multiple trains in motion simultaneously. A large motor-generator in the building converted alternating current supplied by a local utility company to 600-volt direct current to power the trains.

The building's entrance is on the south facade, oriented toward the Key Pier tracks that originally ran along the south edge of the peninsula. When the Bay Bridge was constructed in the late 1930s, new tracks were laid along the north side of the building and onto the bridge. Ferry service declined precipitously after the opening of the bridge, but the building continued in service as part of the Bridge Railway. Additional equipment was installed for the Key System trains, as well as new 1200-volt equipment for the Interurban Electric and Sacramento Northern railways, two other electric streetcar systems that ran trains across the bridge. New substations were also built to serve the Bridge Railway, including the larger substation immediately east of this building and similar substations on Yerba Buena Island and adjacent to the bridge approach ramps in San Francisco.

Like other streetcar systems, the Key System declined in the post-war years as automobile ownership became increasingly common, and the last Key trains ran across the Bay Bridge in 1958. Although the Bay Bridge no longer accommodates rail transit and none of the electrical equipment from the railway era remains inside the substation, the building is still used as part of Caltrans' bridge maintenance facilities.

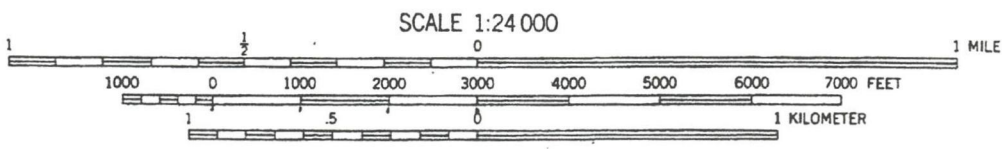
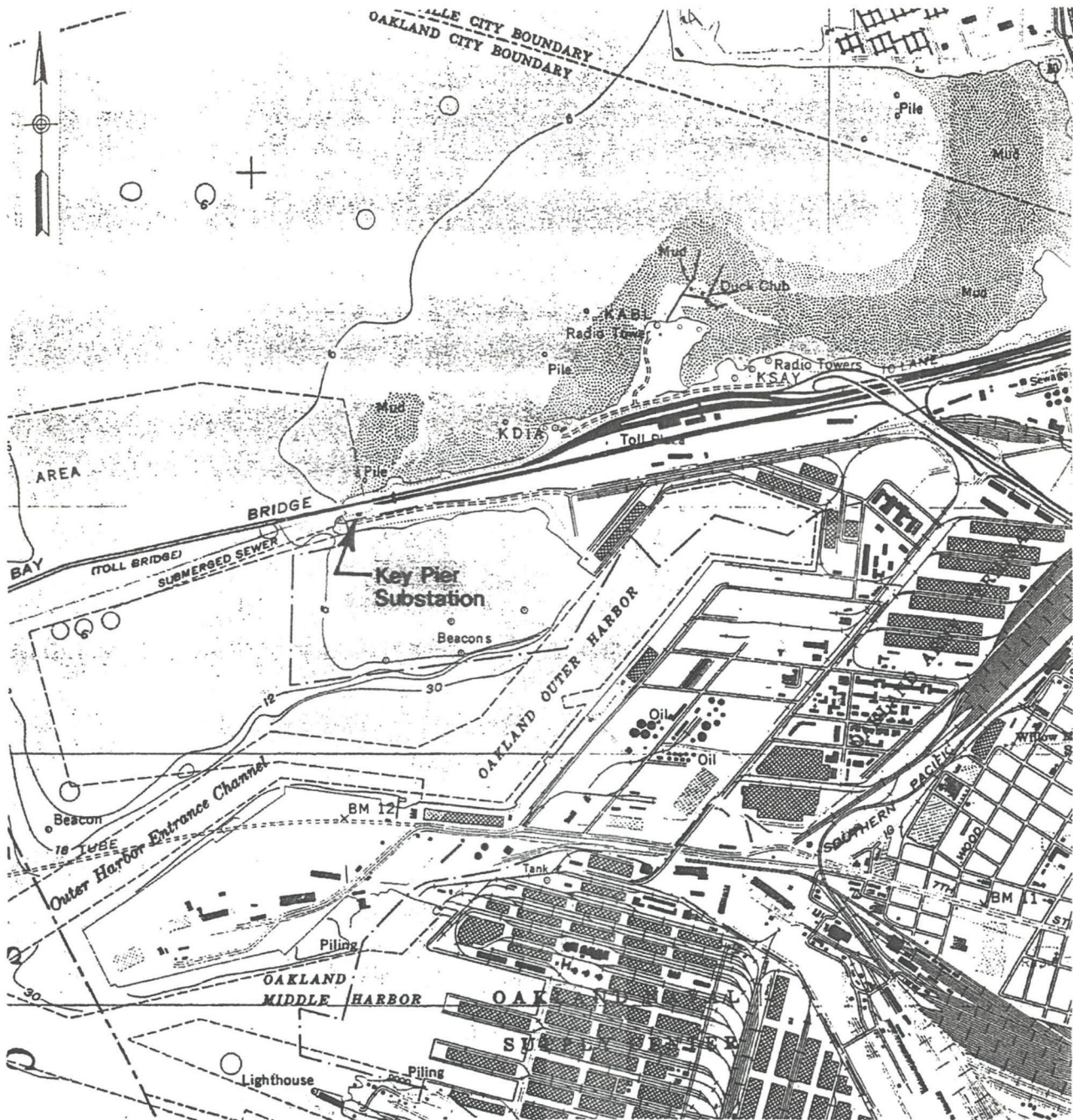
As a rare surviving component of the historically significant Key System railway, the Key Pier Substation appears to be individually eligible for National Register listing under Criterion A at the local level of significance. Although the building's integrity of setting has been compromised by removal of the Key Pier tracks and the tracks that originally ran across the Bay Bridge, the building appears to retain sufficient integrity of design, materials, feeling and association for National Register listing. The building is within the present state highway right-of-way, and the boundary of the eligible property includes only the building itself. The Key Pier Substation is also closely associated with the Bay Bridge, as an integral part of the bridge's former rail facilities. The building therefore appears to also be a contributing component of the Bay Bridge, a property which was determined eligible for National Register listing in 1983.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
LOCATION MAP

Primary # _____
HRI # _____
Trinomial _____

Page 4 of 4 *Resource Name or # (Assigned by recorder) Key Pier Substation

*Map Name: USGS "Oakland West" Quad *Scale: 1 : 24,000 *Date of Map: 1959 (Rev. 1980)



State of California – The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
 HRI # _____
 Trinomial _____
 NRHP Status Code 3D

Other Listings _____
 Review Code _____ Reviewer _____ Date _____

Page 1 of 3 *Resource Name or #: (Assigned by recorder) Bay Bridge Oakland Substation

P1. Other Identifier: Caltrans substation
 *P2. Location: Not for Publication Unrestricted *a. County Alameda
 and (P2b and P2c or P2d. Attach a Location Map as necessary.)
 *b. USGS 7.5' Quad Oakland West Date 1959 (Rev. 1980) T: R: 1/4 of 1/4 of Sec. ; B. M.
 c. Address _____ City _____ Zip _____
 d. UTM: (Give more than one for large and/or linear resources) Zone 10 ; 559130 mE/ 4185980 mN
 e. Other Location Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

This building is located at the end of the narrow peninsula that extends into San Francisco Bay from the Bay Bridge toll plaza.

*P3a. Description (Describe the resource and its major elements. Include design, materials, condition, alterations, size, setting & boundaries):

This building is approximately 90 feet long by 42 feet wide, with a small (22' x 10') extension at the left side of the south facade, giving the building an "L" shape. The concrete walls, which are 24 feet in height, have a slightly projecting base and pilasters, with a simple cornice of vaguely classical styling. These walls are not load bearing – the flat roof is supported by steel beams on interior steel columns. There is a metal roll-up door in the center of the east facade which is ten feet wide. This door was installed in the early 1960s, replacing the original paired, side-hinged doors. The smaller door on the east facade was also installed in a new opening at that time. There is a narrow passageway extending from the west wall, connecting this building to the older Key System substation fifteen feet to the west. Originally constructed to house electrical equipment, the building is now used primarily for storage.

*P3b. Resource Attributes: (List attributes and codes) HP9 — electrical substation

*P4. Resources present: Building Structure Object Site District Element of District Other



P5b. Description of Photo: (View, Date, etc.)
view northwest, October 1997

*P6. Date Constructed / Age and Sources: Historic
 Prehistoric Both
completed in 1939, as part of the San Francisco - Oakland Bay Br.

*P7. Owner and Address:
State of California
Department of Transportation
111 Grand Avenue
Oakland, California

*P8. Recorded by: (Name, affiliation, and address) Andrew Hope
Caltrans, District 4
111 Grand Avenue
Oakland, CA

*P9. Date Recorded: Jan, 1998

*P10. Survey Type: (Describe)
Intensive

*P11. Report Citation (Cite survey report and other sources, or enter "none"): Historic Architecture Survey Report for the Construction of a New East Span for the San Francisco – Oakland Bay Bridge.

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure & Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List) _____

BUILDING, STRUCTURE AND OBJECT RECORD

Page 2 of 3

*NRHP Status Code 3D

*Resource Name or # (Assigned by recorder) Bay Bridge Oakland Substation

- B1. Historic Name: _____
 B2. Common Name: Caltrans substation
 B3. Original Use: Electrical Substation B4. Present Use: Storage Building
 *B5. Architectural Style: utilitarian
 *B6. Construction History: (Construction date, alterations, and date of alterations)

This building was completed in 1939. The small door on the east facade was added in the early 1960s, and the existing overhead door replaced the original doors at that time.

- *B7. Moved? No Yes Unknown Date: _____ Original Location: _____
 *B8. Related Features:

This building was constructed as an integral component of the San Francisco – Oakland Bay Bridge. It is connected to the older Key Pier substation to the west. On the south side of the building is a concrete slab, 71 feet by 20 feet, which is an integral part of the building.

- B9a. Architect: See Section B10 "Significance." below b. Builder: unknown
 *B10. Significance: Theme: Bay Bridge construction Area San Francisco Bay region
 Period of Significance 1939 - 1948 Property Type electrical substation Applicable Criteria A
 (Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

Caltrans' archives include design drawings for this building by the Board of Consulting Architects for the San Francisco – Oakland Bay Bridge (Timothy Pflueger, Arthur Brown, Jr., and John Donovan). There are also construction drawings by the Department of Engineering of the Pacific Gas and Electric Company, stamped by A. H. Markwart, Civil Engineer. It appears that the working drawings were produced by PG&E, based on the Board's design.

This building was constructed as an electrical substation for the interurban trains that originally ran across the Bay Bridge, from Oakland to the Transbay Terminal in San Francisco. It is similar to substations on Yerba Buena Island and in San Francisco that were also constructed for the bridge railway, both of which were previously determined eligible for National Register listing as contributing components of the historic bridge. Although electric trains no longer run on the bridge and this building is now used mainly for storage, it retains its association with the bridge and possesses a high degree of integrity. This building therefore appears to be eligible for National Register listing as a contributing component of the San Francisco – Oakland Bay Bridge. Both this building and the adjacent Key Pier Substation are within the state highway right-of-way. The boundary of this substation includes only the building itself and the concrete slab on the building's south side.

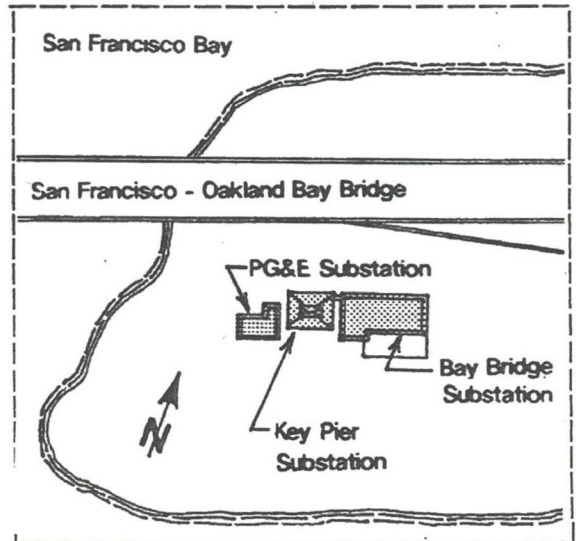
- B11. Additional Resource Attributes: (List attributes and codes) _____
 *B12. References:

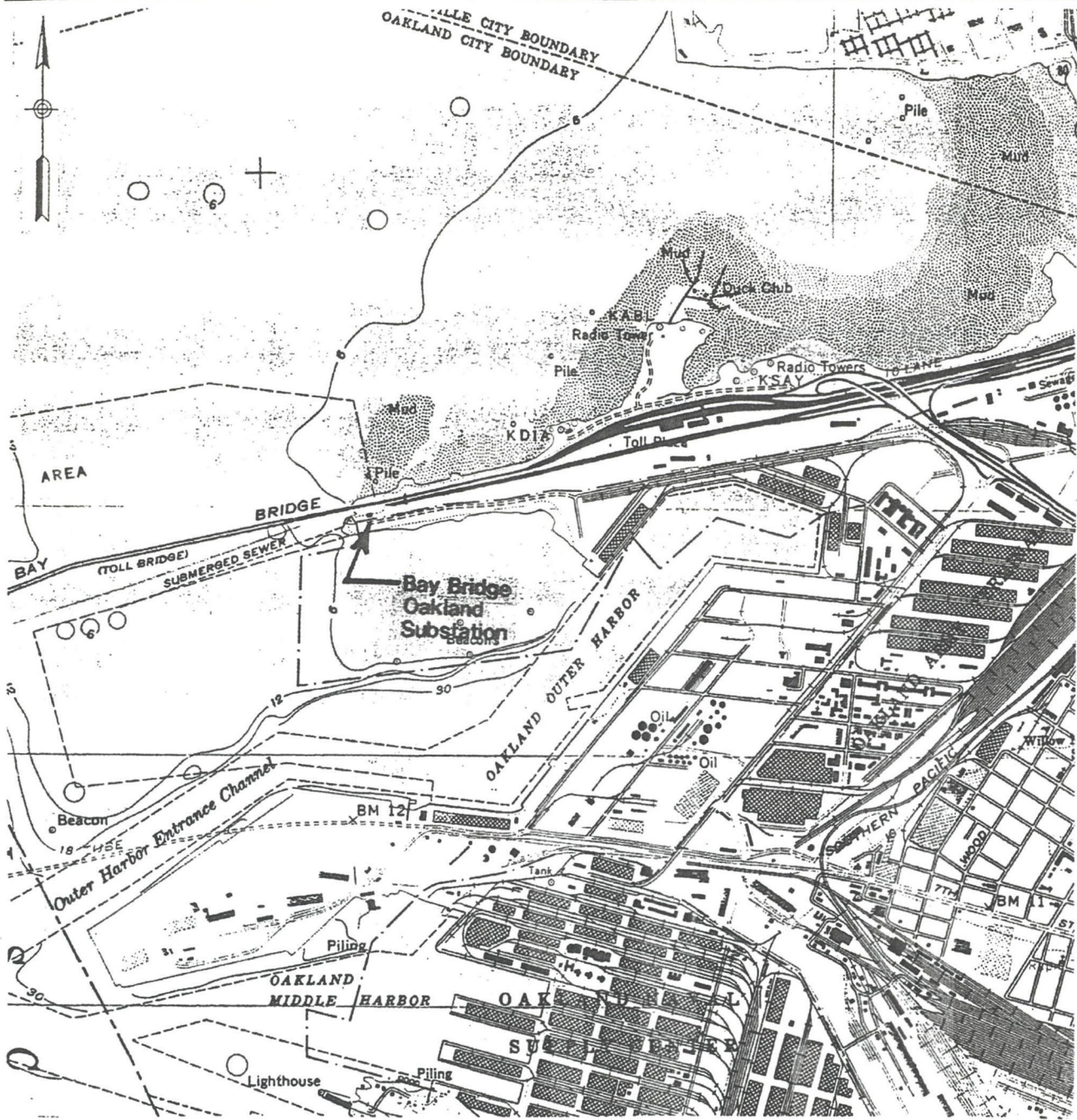
Bay Bridge construction drawings, Caltrans' District 4 archives (Oakland).
 "Bay Bridge." California Highways and Public Works, July–August 1960, pp. 35–42.

B13. Remarks:

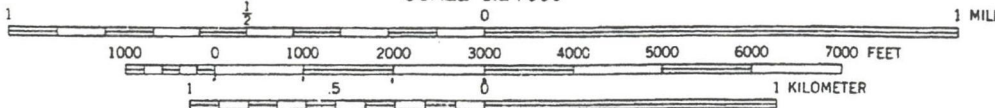
- *B14. Evaluator: Andrew Hope
Caltrans, District 4 (Oakland)
 *Date of Evaluation: January 1998

(This space reserved for official comments.)





SCALE 1:24000



State of California – The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
 HRI # _____
 Trinomial _____
 NRHP Status Code 6Z

Other Listings _____
 Review Code _____ Reviewer _____ Date _____

Page 1 of 3

*Resource Name or #: (Assigned by recorder) PG&E Oakland Substation

P1. Other Identifier: _____
 *P2. Location: Not for Publication Unrestricted *a. County Alameda
 and (P2b and P2c or P2d. Attach a Location Map as necessary.)
 *b. USGS 7.5' Quad Oakland West Date 1959 (Rev. 1980) T: R: 1/4 of 1/4 of Sec. ; B. M.
 c. Address _____ City _____ Zip _____
 d. UTM: (Give more than one for large and/or linear resources) Zone 10; 559090 mE/ 4185950 mN
 e. Other Location Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

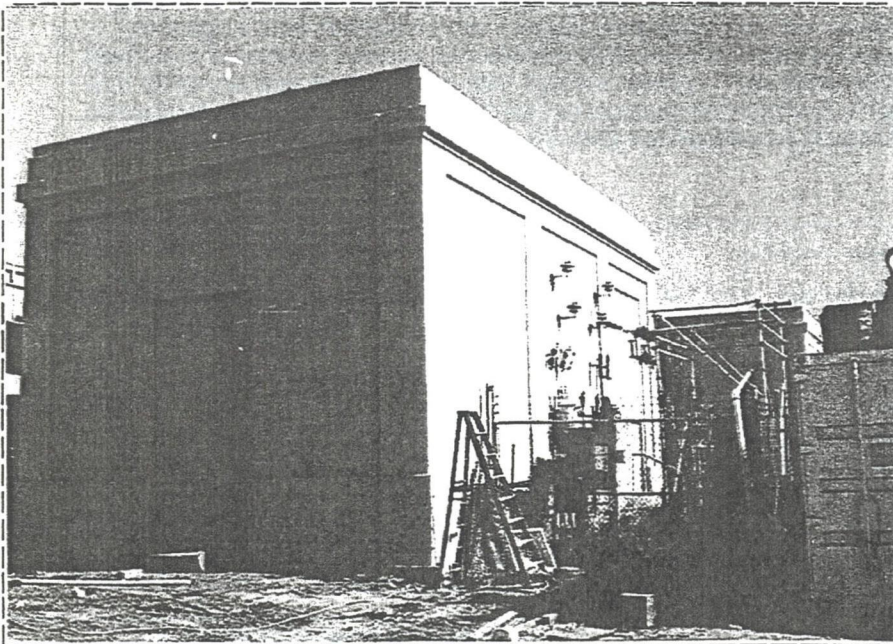
This building is located at the end of the narrow peninsula that extends into San Francisco Bay from the Bay Bridge toll plaza.

*P3a. Description (Describe the resource and its major elements. Include design, materials, condition, alterations, size, setting & boundaries):

This building is approximately 42 feet by 26 feet, with a small (18' x 12') extension at the east end of the north wall, giving the building an "L" shape. The building closely resembles the larger Caltrans substation located just 70 feet to the east, with concrete walls having a slightly projecting base and pilasters, and a simple cornice of vaguely classical styling. A large opening in the west wall is now filled in, and the building has no windows. There is a small fenced-in area on the south side of the building, containing electrical equipment.

*P3b. Resource Attributes: (List attributes and codes) HP9 — electrical substation

*P4. Resources present: Building Structure Object Site District Element of District Other



P5b. Description of Photo: (View, Date, etc.)
View northeast, October 1997

*P6. Date Constructed / Age and Sources: Historic
 Prehistoric Both
designed in 1938, probably completed in 1939.

*P7. Owner and Address:
Pacific Gas & Electric Company
525 Market Street
San Francisco, CA 94105

*P8. Recorded by: (Name, affiliation, and address) Andrew Hope
Caltrans, District 4
111 Grand Avenue
Oakland, CA

*P9. Date Recorded: Jan. 1998

*P10. Survey Type: (Describe)
Intensive

*P11. Report Citation (Cite survey report and other sources, or enter "none"): Historic Architecture Survey Report for the Construction of a New East Span for the San Francisco – Oakland Bay Bridge.

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure & Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List) _____

- B1. Historic Name: _____
 B2. Common Name: P G & E Oakland Substation
 B3. Original Use: electrical substation B4. Present Use: electrical substation
 *B5. Architectural Style: utilitarian
 *B6. Construction History: (Construction date, alterations, and date of alterations)

This building was designed in 1938 and probably erected in 1939. The original opening on the west facade was filled in at an unknown date.

- *B7. Moved? No Yes Unknown Date: _____ Original Location: _____
 *B8. Related Features:

There is a small fenced-in area on the south side of the building, containing electrical equipment.

- B9a. Architect: See Section B10 "Significance." below b. Builder: unknown
 *B10. Significance: Theme: _____ Area: _____
 Period of Significance: _____ Property Type: _____ Applicable Criteria: _____
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

Construction drawings for this building were prepared by the Pacific Gas & Electric Company's Department of Engineering. The building's appearance matches that of the larger substation built nearby at about the same time or slightly earlier, which was based on a design by the Board of Consulting Architects for the San Francisco – Oakland Bay Bridge (Timothy Pflueger, Arthur Brown, Jr., and John Donovan).

A 1938 plot plan shows this building (proposed) on a separate parcel from the two adjacent substations that are associated with the former Bay Bridge railway, and the building remains in the possession of PG&E while the other two substations are now part of the state right-of-way for the bridge. The plot plan shows transbay cables and temporary cables to the Golden Gate International Exposition on Treasure Island extending from the building.

Although it was designed to be visually compatible with the adjacent substations, this building appears to have been sited for convenience in locating transbay cables and is not directly associated with either the Bay Bridge or the Key System railway. This building therefore is not a contributing component of the Bay Bridge, and does not possess architectural or historic significance that would make it individually eligible for listing on the National Register of Historic Places.

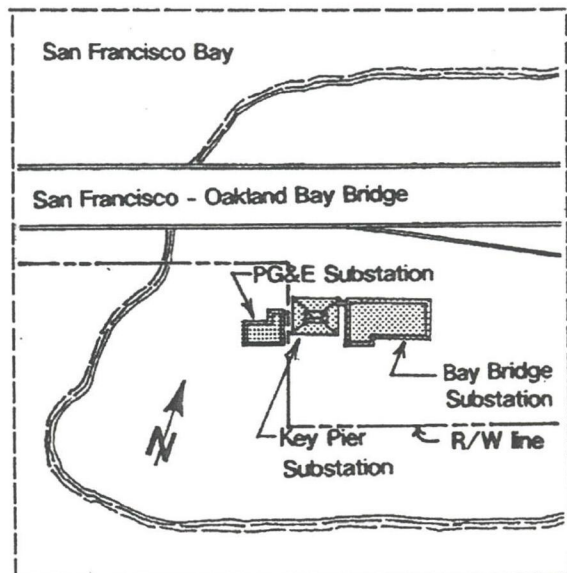
- B11. Additional Resource Attributes: (List attributes and codes) _____
 *B12. References:

Bay Bridge construction drawings, Caltrans' District 4 archives (Oakland).

- B13. Remarks:

- *B14. Evaluator: Andrew Hope
Caltrans, District 4 (Oakland)
 *Date of Evaluation: January 1998

(This space reserved for official comments.)



State of California - The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
LOCATION MAP

Primary # _____
 HRI # _____
 Trinomial _____

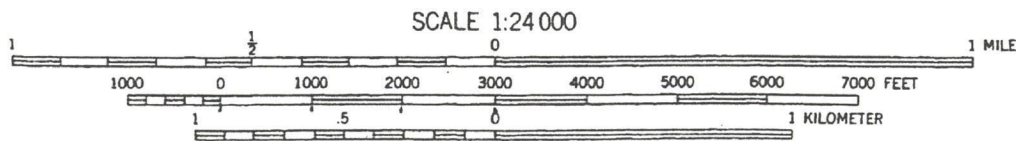
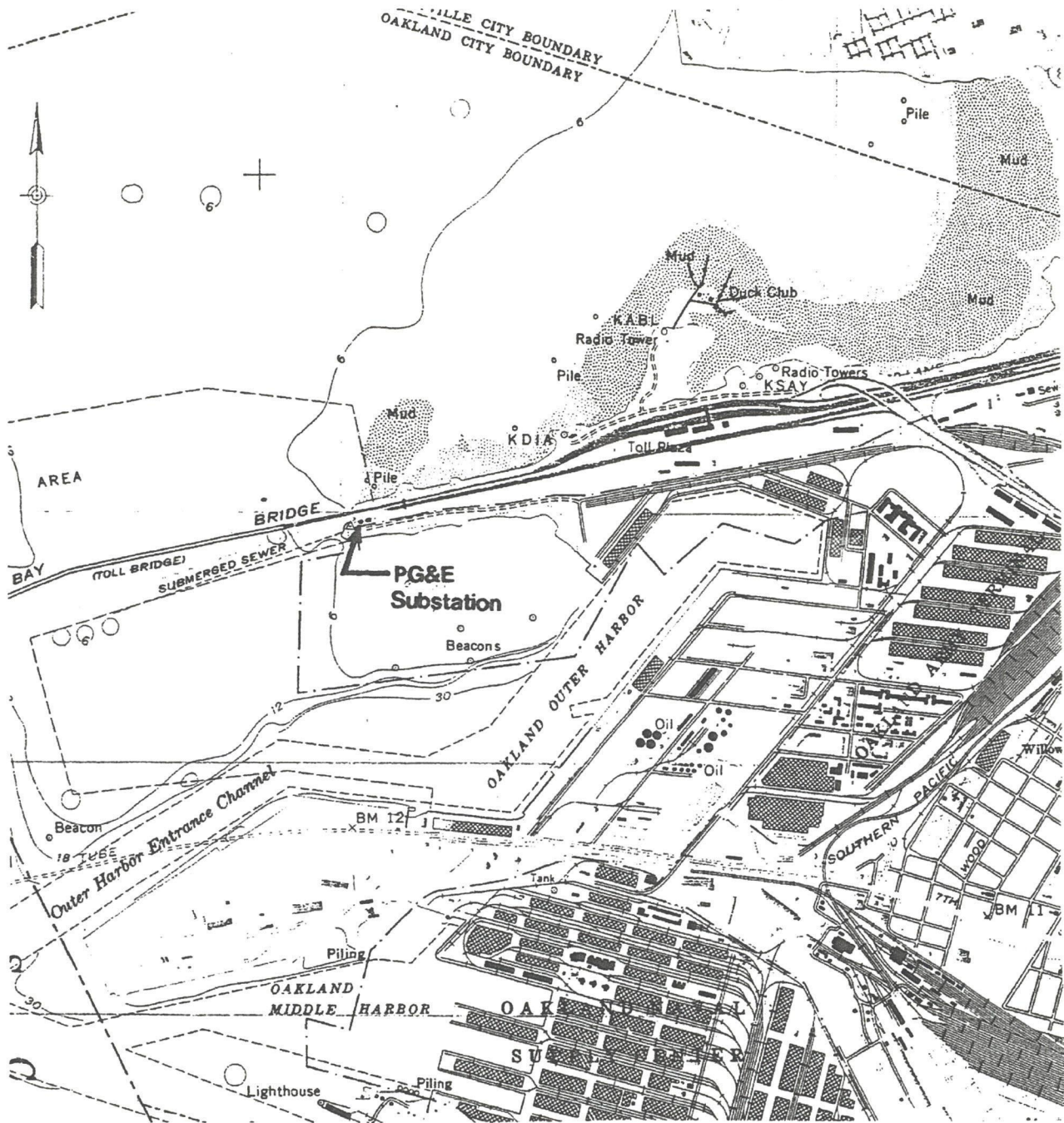
Page 3 of 3

*Resource Name or # (Assigned by recorder) PG&E Oakland Substation

*Map Name: USGS "Oakland West" Quad

*Scale: 1 : 24,000

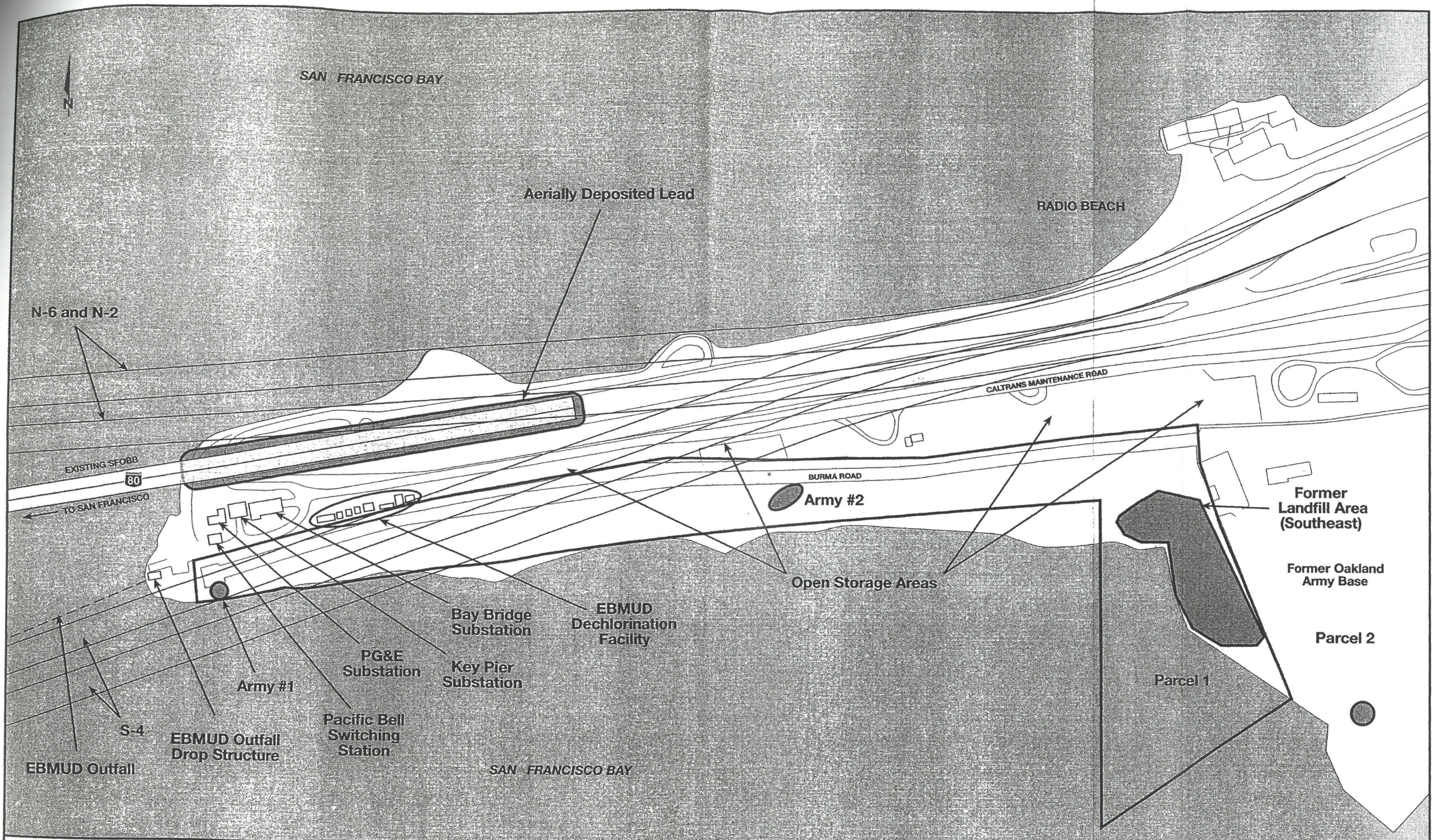
*Date of Map: 1959 (rev. 1980)



APPENDIX J

Appendix J

**San Francisco - Oakland Bay Bridge East Span Seismic Safety Project
Final Environmental Impact Statement, 2001
Potential Contaminant Sources, Oakland Touchdown Area**



CT SFOBB EAST SPAN SEISMIC SAFETY PROJECT



Potential Contaminant Sources
Oakland Touchdown Area
Figure 3-15b

4/25/01