

Appendix G-2
**Cultural Resources (APE, HPSR, HRER, ASR) Technical
Errata**



Memorandum

To:	John Kenyon and Snehalatha Pavuluri, TYLin
From:	Lily Arias, ICF Archaeologist David Lemon, ICF Senior Architectural Historian Diana Roberts, ICF Project Manager,
Date:	May 11, 2022
Re:	Cultural Resources (APE, HPSR, HRER, ASR) Technical Errata

Dear Mr. Kenyon and Ms. Pavuluri,

The below documentation serves as an update to the existing regulatory and environmental conditions at the project site regarding cultural resources as of 2020. As needed, effect conclusions are updated as well. This errata memorandum was prepared by ICF staff member Lily Arias, archaeologist, and David Lemon, senior architectural historian. This memorandum includes the following sections:

- Project Description
- Setting
- Effects Analysis
- Conclusion

Project Description

The footprint for the project has not changed since the San Francisco-Oakland Bay Bridge Regional Bicycle/Pedestrian Connection Initial Study/Mitigated Negative Declaration (IS/MND) was drafted in 2014. However, the project proponent has introduced three phasing options to guide construction.

The Link may be implemented in more than one phase to respond to timing considerations and the availability of funds as well as the schedule for related projects. The sections that follow discuss the possible phasing options. All Class II bicycle lanes and bicycle boxes would be installed as part of the initial period of construction, regardless of phasing option.

Phasing Option 1

Phasing Option 1 would construct approximately 2,900 feet of Class I path structure, beginning approximately 600 feet east of Maritime Street and continuing to the Bay Bridge Trail. Starting from the east, the structure would begin approximately 600 feet east of Maritime Street with an interim connection to the multi-use path, which was installed as part of the high-occupancy vehicle/bus extension project. Under Phasing Option 1, the West Oakland Link profile would be lowered to tie in to West Grand Avenue. The structure would continue west, parallel to West Grand Avenue. The elevated Link structure would span Maritime Street and the existing at-grade railroad crossings near Burma Road. The structure would then continue under the Interstate 80 ramps and tie in at the connection to the Bay Bridge Trail. Construction under the initial build portion of Phasing Option 1 would correspond to a portion of Segment 4 and all of Segment 5.

When additional funding for construction is available, the Link would be extended to Mandela Parkway. The interim connection to West Grand Avenue could either be demolished or retained as an emergency access point. The remaining easterly portion of Segment 4 would be constructed with a slightly revised vertical profile. Segments 1 through 3 as well as the ramps to Maritime Street and Oakland Maritime Support Services (OMSS) (the remainder of Segment 4) would also be constructed.

Phasing Option 2

Phasing Option 2 would be similar to Phasing Option 1. However, a 600-foot segment on the east side of Maritime Street would be designed and constructed so that the bridge deck could be raised during a future phase of the project, providing a smooth profile and minimizing elevation changes for the Link under the full build condition. Construction under the initial build portion of Phasing Option 2 would correspond to a portion of Segment 4 and all of Segment 5.

When additional funding for construction becomes available, the Link would be extended to Mandela Parkway. The above-mentioned 600 feet of the bridge deck could be raised to its final elevation by extending the bridge columns. Segments 1 through 3, the remaining easterly portion of Segment 4, and the ramps to Maritime Street and OMSS would also be constructed.

Phasing Option 3

Phasing Option 3 would construct Segment 4, except for the ramps to Maritime Street, OMSS, and Segment 5 of the Link project.

When additional funding for construction is available, Segments 1 through 3 and the ramps to Maritime Street and OMSS could be constructed.

Area of Potential Effects

The changes in the project have not resulted in changes to either the horizontal or vertical Area of Potential Effects (APE).

Setting

Changes in the Setting

Archaeological Resources

A records search was conducted at the Northwest Information Center of the California Historical Resources Information System in April 2014. An updated records search was not performed as part of this errata. The project site remains within a developed area; since the original analysis was conducted, new buildings have been constructed on the former Oakland Army Base.

Built-Environment Resources

Eight buildings in the APE have been completely or partially demolished during and since preparation of the 2015 Historical Resources Evaluation Report (HRER). These buildings were once part of the northeast section of the former Oakland Army Base Historic District. As indicated in the 2015 HRER, because of demolition activities at the time of preparation of the HRER, ICF—with California Department of Transportation Professionally Qualified Staff approval—excluded the former historic district from the architectural APE. Outright and partial demolition of the eight buildings represents the only change in setting for built-environment resources.

Changes in Regulatory Setting

Archaeological Resources

Assembly Bill 52 – Tribal Cultural Resources

Since preparation of the Archaeological Survey Report (ASR) in 2015, Assembly Bill 52 (AB 52) has been passed into law. It applies to all California Environmental Quality Act (CEQA) projects with a Notice to Proceed dated after July 15, 2015. AB 52, which amended the Public Resources Code, requires lead agencies to participate in formal consultations with California Native American tribes during the CEQA process, if requested by any tribe, to identify tribal cultural resources that may be subject to significant impacts by a project. Where a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document must discuss the impact and whether feasible alternatives or mitigation measures could avoid or substantially lessen the impact. Consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or it is concluded that mutual agreement cannot be reached.

A tribal cultural resource can be a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe. It must be either on or eligible for the California Register of

Historical Resources or a local historic register; otherwise, the lead agency, at its discretion and supported by substantial evidence, may choose to treat the resource as a significant tribal cultural resource.

Formal notification letters were sent out pursuant to AB 52 on October 19, 2020.

Built-Environment Resources

There are no changes in the regulatory setting for built-environment resources.

Effects Analysis

Changes in Methods

Archaeological Resources

To assess the potential to affect as-yet undocumented tribal cultural resources, which are often also archaeological resources, the Native American Heritage Commission (NAHC) was requested to conduct a search. The request was submitted on September 29, 2020. The NAHC responded on October 5, 2020, providing a list of 10 California Native American tribal representatives. A formal notification, pursuant to AB 52, was sent to the three individuals as well as the seven additional California Native American tribal representatives on October 19, 2020. No responses were received from California Native American Tribes within the requested time for responses between October 19 and November 30, 2020. One Tribal representative requested a copy of the cultural resources Initial Study section in April 2021 but otherwise raised no concerns or identified any issues. No formal consultation was requested.

Built-Environment Resources

There are no changes in the methods for analyzing potential effects on built-environment resources.

Changes in Effects

Archaeological Resources

No changes in effects are anticipated.

Built-Environment Resources

No changes in effects on built-environment resources are anticipated as a result of project phasing.

Conclusion

Archaeological Resources

Despite the age of the records search, neither the horizontal nor vertical APE has changed. One tribal representative requested a copy of the cultural resources Initial Study section in April 2021 but otherwise raised no concerns or identified any issues and did not request consultation. Therefore, the conclusions in the 2015 ASR have not changed.

Built-Environment Resources

Given that neither the horizontal nor vertical APE has changed since approved by the California Department of Transportation Professionally Qualified Staff in 2015 and the changes in the affected environment would not result in adverse effects, it is likely that the conclusions in the 2015 HRER have not changed.

As noted above, eight buildings that were previously part of the northeast section of the *former* Oakland Army Base Historic District in the APE have been completely or partially demolished since preparation of the 2015 HRER. The 2015 HRER acknowledged that these district contributors were undergoing demolition at the time the report was prepared and concluded that the project would not result in an adverse effect on the former historic property. The 2015 HRER also identified four historic properties in the APE. These properties were in the West Oakland warehouse district north and south of West Grand Avenue. All four were determined eligible for listing in the National Register of Historic Places (NRHP) as part of the 2015 study. The HRER concluded that the project would not result in direct or indirect adverse effects on the four historic properties because the elevated portion of the proposed Link structure would travel along the south side of West Grand Avenue, with an elevated ascent similar to that of West Grand Avenue. As such, the proposed elevated Link structure would not have an indirect visual effect on the NRHP-eligible properties on the south side of West Grand Avenue.

