



## NOTICE OF PREPARATION AND NOTICE OF SCOPING MEETING FOR AN ENVIRONMENTAL IMPACT REPORT

**Date:** June 28, 2021

**To:** Responsible Agencies, Agencies with Jurisdiction by Law, Trustee Agencies, Involved Federal Agencies, and Agencies/Organizations/Individuals Requesting Notice

**From:** County of Alameda, Public Works Agency

**Subject:** Notice of Preparation of an Environmental Impact Report for the Niles Canyon Trail Project

The County of Alameda (Lead Agency) will prepare an Environmental Impact Report (EIR) for the proposed Niles Canyon Trail Project (project). The proposed project would construct a six-mile, Class 1,<sup>1</sup> multi-use trail for pedestrians, bicyclists, and equestrians between the unincorporated community of Sunol and Niles District of the City of Fremont, both in Alameda County. In addition, the project would provide a critical link to Palomares Road bypassing State Route 84 (SR-84) and would expand the Alameda Creek Trail, which provides a direct connection to the 500-mile San Francisco Bay Trail.

This Notice of Preparation (NOP) is being distributed to applicable responsible agencies, trustee agencies, and interested parties as required by the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15082. Comments from agencies and interested parties are requested as to the scope and content of the environmental review in connection with the proposed project. The County is particularly interested in hearing from public agencies regarding their objectives for environmental information to be included in the EIR that is germane to those public agencies' statutory responsibilities pertaining to the project, and how such information in the EIR will inform such agencies when considering issuing permits or other approvals for project-related activities. The purpose of the EIR will be to evaluate the specific environmental effects of the project.

Due to the time limits mandated by State law, public agencies and members of the public are requested to send their responses to the NOP to the County at the address and person provided below as soon as possible but not later than 30 days after publication of the NOP, or by **Tuesday, July 27, 2021, 5:00 p.m.** Agencies and organizations are requested to provide a contact name in your organization for any further consultation.

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<sup>1</sup> Class 1 Bikeways (Bike Paths) are paved rights-of-way completely separated from streets. Bike paths are often located along waterfronts, creeks, railroad rights-of-way or freeways with a limited number of cross streets and driveways. These paths are typically shared with pedestrians and often called mixed-use paths.

## PROJECT LOCATION

The project site consists of an approximately six-mile trail alignment through Niles Canyon between the Niles District in the City of Fremont and the unincorporated community of Sunol in Alameda County. The project site is defined as the proposed trail alignment, which would be approximately 14 feet wide and extend approximately 6 miles in length. Refer to **Figure 1** for the project's regional location.

The project area and vicinity is characterized by a variety of conditions, including urban and built environments, State Route-84, the Union Pacific and Niles Canyon railroad tracks, and the Sunol Aqueduct. Topography along the proposed trail alignment ranges from relatively flat within the urban lands of Fremont and along existing roadways to very steep within the undeveloped lands along Alameda Creek. The majority of the proposed trail alignment would run along Alameda Creek, which flows from east to west and eventually drains to the San Francisco Bay.

The majority of the proposed trail alignment would be located within public right-of-way (e.g., City of Fremont, Caltrans) or on lands owned by public agencies, including East Bay Regional Park District (EBRPD), Alameda County and the San Francisco Public Utilities Commission (SFPUC). Some private properties would also be traversed.

## PROJECT OVERVIEW

The proposed multi-use trail would be developed in three phases. Each phase would be independent in service and function. **Figure 2** depicts the proposed conceptual trail alignment. The phases are:

**Phase 1 – Niles District to Palomares Road.** The first phase would complete the connection from the Niles District in the City of Fremont to Palomares Road. To provide independent utility, the project would need to create a new crossing of SR-84 parallel to the Farwell Bridge.

**Phase 2 – Palomares Road to Brightside Railroad Yard.** The second phase would begin at Palomares Road and end at the Brightside Railroad Yard.

**Phase 3 – Brightside to Sunol.** The final phase would complete the trail between Niles and Sunol.

The multi-use trail would be open to hikers, bicyclists, and equestrians. The proposed trail would consist of a 10-foot wide, all-weather surface with 2-foot shoulders on either side composed of decomposed granite. The trail surface would likely consist of 4 inches of asphalt concrete atop 6 inches of class II aggregate base. The trail would meet accessibility guidelines, meaning that the grade in the direction of travel would be less than 5 percent and the cross slope would be no more than 2 percent. The trail design would incorporate several different barrier options to separate trail users from railroad and highway traffic. These barriers would be designed to accommodate wildlife passage. In addition, retaining walls would need to be installed in some locations to accommodate slope cuts. These walls would be sculpted concrete with soil nail tiebacks.

The project would include provisions of staging areas with sufficient parking to avoid impacts to surrounding neighborhoods from visitors' vehicles. Staging areas would be created at both Niles and Sunol, as well as Palomares Road. In addition, existing staging areas associated with the Alameda Creek Trail could support the need for parking.

## **AREAS OF POTENTIAL ENVIRONMENTAL EFFECT**

The EIR will analyze the environmental impacts of all three phases of project implementation – Phase 1 will be evaluated at the project level; Phases 2 and 3 will be evaluated at a programmatic level. The EIR will analyze the significant environmental effects associated with all aspects of the project, including construction, operation, and maintenance.

Based on the Lead Agency’s understanding of the environmental issues associated with the proposed project, a comprehensive EIR will be prepared. The topics anticipated to require analysis in the EIR will include, but not be limited to the following: aesthetics; air quality; biological resources; cultural resources; geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; noise; transportation; tribal cultural resources; and wildfire. The Lead Agency will not prepare an Initial Study for this project.

## **POTENTIAL ALTERNATIVES TO BE EVALUATED IN THE DRAFT EIR**

In accordance with Section 15126.6 of the State CEQA Guidelines, an EIR must “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” As required by CEQA, the Draft EIR will evaluate a No Project Alternative. Aside from the No Project Alternative, the County has not yet determined what additional alternatives to the project will be evaluated in the Draft EIR. Comments on this NOP may inform the alternatives selected for analysis. Once selected, the alternatives will be analyzed at a qualitative level of detail in the Draft EIR for comparison against the impacts identified for the proposed project, consistent with the requirements of CEQA. As required by CEQA Guidelines Section 15126.6 (e)(2) the Draft EIR will identify the environmentally superior alternative, including one other than the No Project Alternative.

## **INTENDED USES OF THE DRAFT EIR**

The Draft EIR will evaluate the environmental effects associated with the implementation of the proposed Niles Canyon Trail Project. The Draft EIR is intended for public participation and disclosure, and ultimately for consideration by the County in making a decision about whether or not to approve the project, as well as for use by other agencies, as needed. Upon incorporation of public and agency comments on the Draft EIR, the County anticipates preparing and publishing a Final EIR. The County will then determine whether to certify the EIR in compliance with the CEQA Statute and Guidelines, and the County and other agencies, as needed, will determine whether to issue permits for the project.

## **NOTICE OF SCOPING MEETING AND REQUEST FOR WRITTEN COMMENTS**

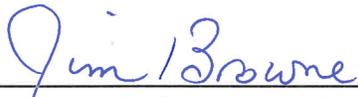
The Lead Agency solicits comments regarding the scope and content of the EIR from all interested parties requesting notice, responsible agencies, agencies with jurisdiction by law, trustee agencies, and involved agencies. Comments should focus on discussion of possible impacts on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the proposed project in light of the EIR’s purpose to provide useful and accurate information about such factors. In addition, comments may be provided at the meeting indicated below.

State CEQA Guidelines set the review and comment period for an NOP to end 30 days after publication. Therefore, the County requests comments on this NOP be received no later than the close of business (5:00 p.m.) on **Tuesday, July 27, 2021**. Please send written comments to:

Jim Browne, Acting Environmental Services Supervisor  
Alameda County Public Works Agency  
399 Elmhurst Street  
Hayward, CA 94554  
Email: [jimb@acpwa.org](mailto:jimb@acpwa.org)

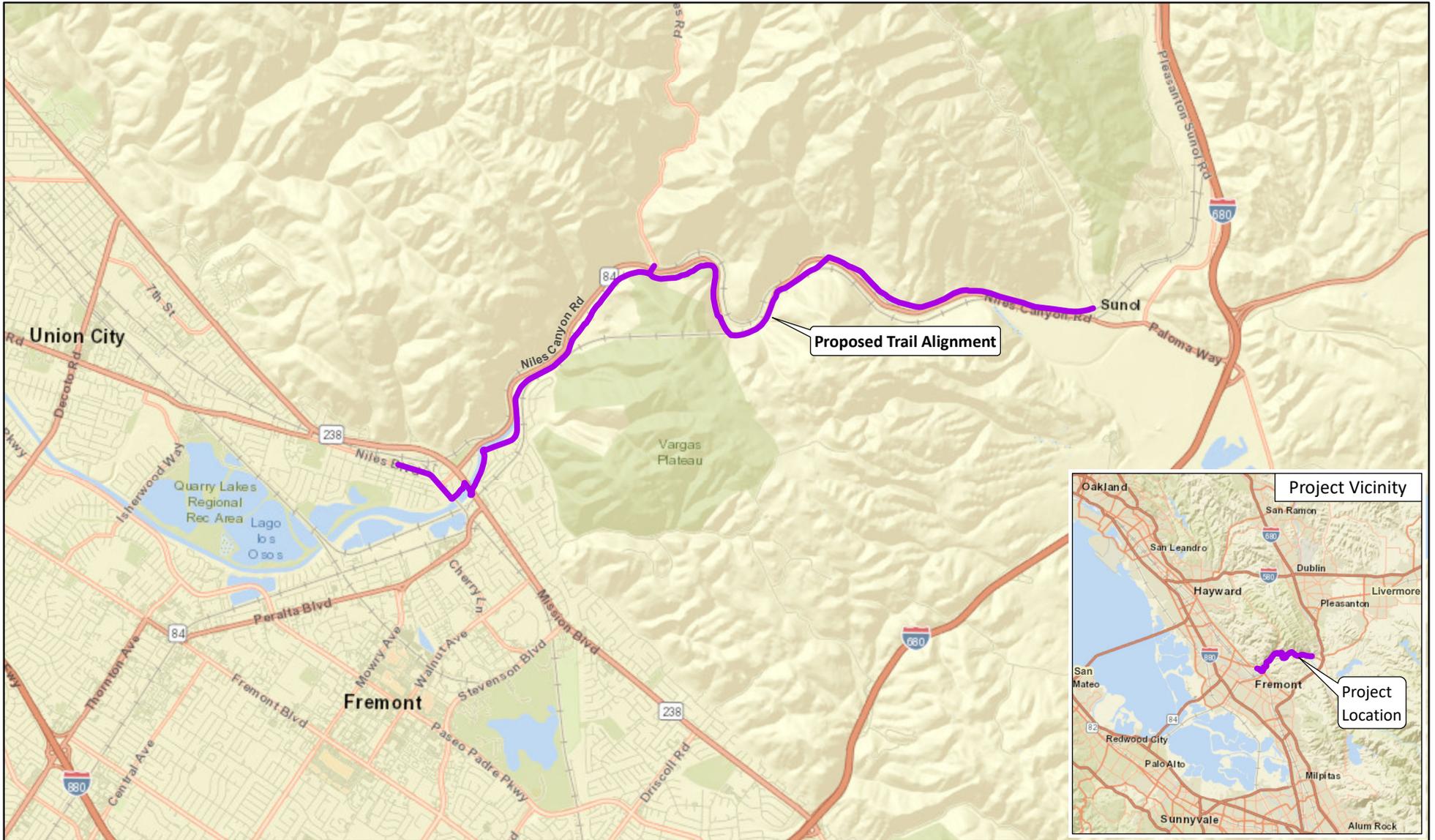
**Scoping Meeting:** Given the current Executive Order N-33-20 by the Governor of the State of California and the State of Emergency regarding the COVID-19 crisis, a scoping meeting is tentatively scheduled for the project via teleconference and video conference on Thursday, July 15, 2021 from 6:00 p.m. to 8:00 p.m. Final scheduling and instructions for joining the teleconference and video conference will be provided on the County website, at: <https://www.acpwa.org/projects/2021/Niles-Canyon/NilesCanyon.page>

All interested parties are invited to submit written comments on the scope of the EIR to assist in identifying issues to be addressed in the EIR.



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Jim Browne, Acting Environmental Services Supervisor

Date: 6/24/2021



LSA

LEGEND

— Proposed Trail Alignment

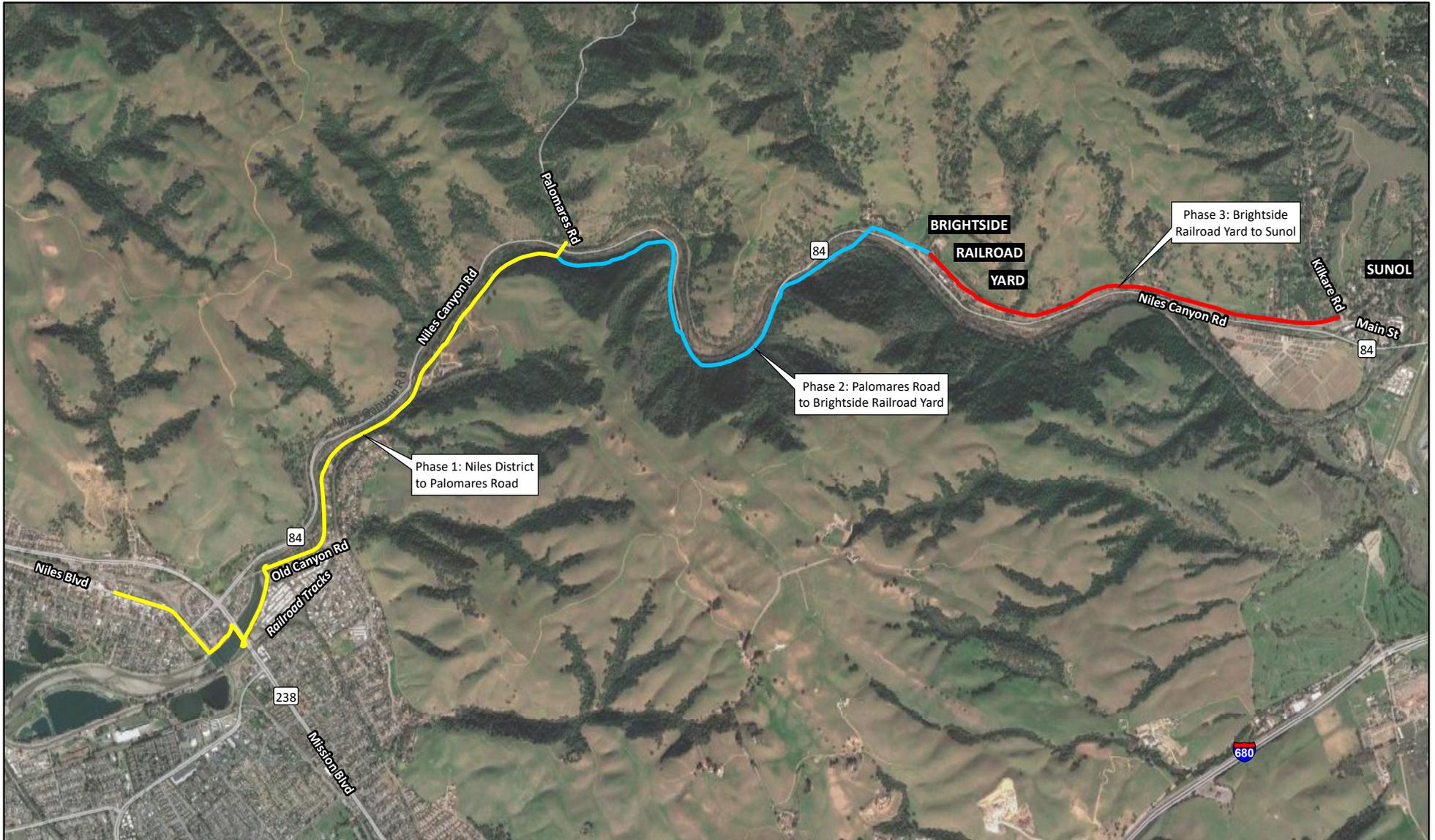


FIGURE 1

*Niles Canyon Trail Project  
Fremont, Alameda County, California  
Project Location and Regional Vicinity*

SOURCE: CSW | ST2 (06/2021); Google Maps (2021).

I:\STU2001\GIS\Maps\Figure 1\_Project Location and Regional Vicinity.mxd (6/26/2021)



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LEGEND

- Proposed Trail Alignment Phase 1: Niles District to Palomares Road
- Proposed Trail Alignment Phase 2: Palomares Road to Brightside Railroad Yard
- Proposed Trail Alignment Phase 3: Brightside Railroad Yard to Sunol



SOURCE: CSW | ST2 (06/2021); Google Maps (2021).

I:\STU2001\GIS\Maps\NOP\Figure 2\_Aerial Photograph of the Project Site and Proposed Project Phases.mxd (7/12/2021)

FIGURE 2

*Niles Canyon Trail Project  
Fremont, Alameda County, California*

Aerial Photograph of the Project Site and Proposed Project Phases